

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**MEETING OF APRIL 14 – 15, 2010  
South Lake Tahoe**

**ITEM: 2**

**SUBJECT: EXECUTIVE OFFICER'S REPORT**

**DISCUSSION:** The Executive Officer's report includes the following:

**April 2010**

Enclosure 1: Discussion of Standing Items

Enclosure 2: Executive Officer's Written Report

Enclosure 3: Notification of Spills

Enclosure 4: Notification of Closure of Underground  
Storage Tank Cases (Pursuant to Article  
11, Division 3, Chapter 16, Title 23,  
California Code of Regulations)

**02-0001**

# **ENCLOSURE 1**

## **Discussion of Standing Items**

02-0002

**CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD  
LAHONTAN REGION**

**REPORT ON STATUS OF STANDING ITEMS**

**April 2010**

The Water Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

<b>ISSUE</b>	<b>REPORT FREQUENCY</b>	<b>STATUS/COMMENT</b>
City of Barstow	Quarterly in the South	Due June 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 14	Semi-Annual	Due June 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 20	Semi-Annual	Due June 2010 Board Meeting
Status of Basin Plan Amendments	Semi-Annual	EO Report Item #1
Status of Grants	Semi-Annual	EO Report Item #5
Caltrans Statewide General Permit/Tahoe Basin	Annually	EO Report Item #2
Tahoe Municipal Permit	Annually	Due June 2010 Board Meeting
Mojave River/El Mirage Dairies	Semi-Annual	Due July 2010 Board Meeting
Searles Valley Minerals Operations - Compliance Status	Semi-Annual	Due July 2010 Board Meeting
Wetland Restoration Mitigation - Mono County	Annually	Due November 2010 Board Meeting

**02-0003**

## **ENCLOSURE 2**

### **Executive Officer's Written Report**

02-0004



# EXECUTIVE OFFICER'S REPORT

April 2010

## NORTH BASIN

1. **Semiannual Status Report on Basin Plan Amendments-** *Judith Unsicker*

**2009 Triennial Review.** The administrative record of the 2009 Triennial Review process has been submitted to State Water Board staff. State Board staff notifies USEPA that the Triennial Review is completed.

**Lake Tahoe Total Maximum Daily Load (TMDL).** Public draft Basin Plan amendments and a Substitute Environmental Document are planned for release in 2010. The tentative schedule calls for a public workshop on the TMDL at the Water Board's June 2010 meeting, and Board action following a public hearing in November.

**Pesticide Amendments.** The Lahontan Basin Plan's existing water quality objective for pesticides provides that there shall be no detectable pesticides in surface waters. The Basin Plan allows for a variance to the objective for the CA Department of Fish and Game for rotenone applications under prescribed conditions. Proposed revisions to the Basin Plan would include additional criteria allowing the Water Board to make discretionary decisions to approve other types of aquatic pesticide applications for specific purposes (e.g., vector control, control of nuisance algae in drinking water supplies, invasive species control). Water

Board consideration of the proposed revisions is scheduled for November 2010. Draft documents will be circulated to the public for review at least 90 days prior to the Board Meeting.

**Lake Tahoe Shorezone Amendments.** Water Board staff has been working closely with the Tahoe Regional Planning Agency (TRPA) on developing mitigation measures and a monitoring plan for shorezone-related activities. The proposed Basin Plan amendments would remove prohibitions on new piers in spawning habitat. CEQA scoping for the amendments was conducted in November and December 2009. Regional Water Board action will not be considered until after the resolution of litigation against TRPA's shorezone program.

**Prohibition/Forestry Amendments.** These amendments would revise and clarify waste discharge prohibitions and exemption criteria in Basin Plan Chapters 4 and 5. In particular, exemption criteria for the 100-year flood plain prohibitions in the Truckee River and Lake Tahoe watersheds would be made more consistent. The amendments would also explicitly allow exemptions from flood plain and Stream Environment Zone prohibitions for forest management activities in connection with fuel reduction projects. The forest management language in Chapters 4 and 5 would also

02-0005

be updated. Internal discussions of preliminary drafts and the project description are in progress. Public draft amendments are tentatively planned for release in the fall of 2010. Amendments would be brought to the Water Board for action in early 2011.

### **Revised Water Quality Objectives for the Mojave River.**

Staff time has been allocated during this fiscal year to investigate the potential for developing plan amendments with existing information and data. A number of challenges are associated with this topic. The Mojave River is spatially and temporally intermittent. Perennial surface flows occur naturally in limited areas where groundwater surfaces, and in one effluent-dominated reach. Additionally, there are current and future projects that release state water project water to the Mojave River. Water quality of the river is affected by wastewater discharges (sewage and stormwater), and various constituents from natural source and imported water. The existing objectives are based on limited monitoring data, and there is relatively little information on aquatic life uses. Water use in the rapidly developing watershed have been adjudicated. The water quality effects of surface water-groundwater interactions must be adequately understood in order to develop revised water quality objectives.

## **2. Caltrans Municipal NPDES Permit Status Report - Bud Amorfini**

### State Water Board Permit Update

The State Water Board is updating Caltrans' statewide municipal permit and staff reviewed and commented on an internal draft of the permit in February 2010. I anticipate that a final draft will be circulated for public review in April or May. Staff is working with State Board staff to include requirements specified in the

adopted Truckee River TMDL. The requirements include tracking, controlling, and reporting the use of road abrasives and deicers, and participating with the other municipalities (Placer County, Town of Truckee) in water quality monitoring activities.

For activities in the Lake Tahoe Basin, staff is working to include permit requirements for Caltrans to complete a baseline loading estimate for discharges of fine sediment particles and nutrients and to begin estimating the anticipated load reductions from its water quality improvement projects. This work is needed to support the pending Lake Tahoe TMDL and associated crediting system.

Additionally, I anticipate that the updated Caltrans municipal permit will exclude coverage of construction activities, which is a departure from the current permit. As drafted, for each project Caltrans would be required to apply for coverage under the State Water Board's new statewide general construction NPDES permit, which takes effect on July 1, 2010. A permit application fee would also be required. For projects in the Lake Tahoe Basin, Caltrans would apply for coverage under the Lake Tahoe construction activity storm water NPDES permit adopted by the Lahontan Water Board for each project it implements.

### Lake Tahoe Retrofit Program

Caltrans has made significant progress in developing and implementing water quality improvement projects on its road network in the Lake Tahoe Basin, as discussed in my recent reports. Water quality improvement projects are now programmed (funded in a multi-year schedule) for each of the major road segments in the Lake Tahoe Basin and are scheduled to be completed by 2014. Projects include features like curb and

gutter to direct flows, infiltration facilities like basins, and sand filters in critical areas. A summary is provided below.

**In Construction** - Highway 28 from Tahoe City to Kings Beach, Highway 267 from Stewart Way to the junction of Highway 28, and Highway 89 from the Alpine County Line to the junction of Highway 50.

**In Final Design** – Highway 50 from Trout Creek to Ski Run Blvd., Highway 50 from the Lake Tahoe Airport to the 50/89 Y, and Highway 89 from the Placer County line to Tahoe City.

**In Early Design** – Highway 89 from the 50/89 Y to the Placer/EI Dorado County line, Highway 50 from Echo Summit to the Lake Tahoe Airport, Highway 50 from Ski Run Boulevard to Stateline, and Highway 50 from the 50/89 Y to Trout Creek.

As described in past reports, Caltrans has also completed its Natural Environment as Treatment (NEAT) report, which helps guide and prioritize the treatment approaches in each of the road segments. The NEAT report identifies individual segments where one of three treatment strategies will be used: 1) areas where no modification is needed because runoff infiltrates into the natural landscape and does not have a significant load contribution; 2) areas where minor grading modifications or similar low impact treatments can be implemented to spread and disperse runoff such that an existing hydraulic connection to surface waters is eliminated; and 3) areas where effluent treatment is needed due to the proximity or hydraulic connection to surface waters.

Thus far, Caltrans has completed NEAT mapping of 38 miles of roadway. These are segments that were in the earlier stages of the water quality project

development, which allowed the designs to be revised in accordance with the results of the NEAT report. However, Caltrans also recognizes that the NEAT mapping can be used to guide the development of loading estimates in accordance with the pending Lake Tahoe TMDL crediting program. Therefore, Caltrans is proposing to complete mapping of the remainder of its roadways for future use in complying with the TMDL.

Additionally, Water Board staff has identified the Old Meyers Grade (an old portion of Highway 50 from Meyers to Echo Summit) as a significant erosion feature that has not yet been addressed by Caltrans in its efforts. The road has severe cut and eroding slopes, deficient drainage facilities, and is in close proximity to surface waters. In response, Caltrans has committed to complete NEAT mapping of the road segment and will be developing and implementing a project appropriate to address the problem.

#### Donner/Truckee I-80 Rehabilitation

Caltrans is constructing several projects on I-80 to rehabilitate the roadway and provide storm water runoff treatment. Two projects are underway in the Truckee area and are planned to be completed at the end of 2011. The projects include installing sand vaults and infiltration basins to treat runoff. Failing drainage structures (culverts/downdrains) have also been repaired. Another similar project is underway from the Town of Truckee to the CA/NV state line and is anticipated to be completed in 2010. Caltrans is also completing improvements to treatment facilities in the Boca area, which were required as a follow-up to past road projects in this area.

Deicers and Abrasives in the Lake Tahoe Basin

As required by its permit, Caltrans submitted its Fiscal Year 2008/2009 report. The report indicates that 3,423 tons of road abrasives were applied and that 4,788 tons of material were recovered. This continues a trend in which Caltrans reported recovering nearly 100 percent or more of the material applied over the last three annual reporting periods. Caltrans also reported that 979 tons of deicing salt were used in the fiscal year. The amount of deicing salt used is similar to that used during the past three years; however, it is difficult to determine any trends since salt use is dependent on the frequency and characteristics of individual storm events each year.

3. **Meyers Shell UST Case Closed - Richard Booth**

On February 24<sup>th</sup>, Water Board staff issued a No Further Action Required letter ending the 12-year investigation and cleanup of a gasoline release at the former Shell Station in Meyers, south of South Lake Tahoe. During a maintenance operation in October 1998, an underground pipe between the underground storage tank (UST) and the dispensers failed. Approximately 600 gallons of gasoline entered the subsurface. Crews cleaned up much of the spilled fuel and contaminated soil, but gasoline eventually entered the aquifer beneath the site.

With Water Board staff approvals, Shell has conducted extensive subsurface investigations to define the gasoline plume in the subsurface. The investigations were complicated by the fact the geology beneath and downgradient of the site hosts six water-bearing zones separated by fine-grained layers requiring dozens of monitoring

wells. Until the last few years, when it was no longer necessary, Shell operated a groundwater extraction and treatment system that pumped and treated 6.5 million gallons of groundwater and infiltrated treated water on site.

MTBE has been the primary contaminant of concern at the site and is the only remaining component of the gasoline release remaining in groundwater. MTBE concentrations have been decreasing; the final groundwater sampling shows MTBE in one monitoring well at a concentration of 7.6 micrograms per liter ( $\mu\text{g/L}$ ), slightly over the secondary (taste and odor) drinking water standard of 5  $\mu\text{g/L}$ . Six out of 20 wells showed MTBE present at concentrations between the standard laboratory reporting limit of 0.5  $\mu\text{g/L}$  and the water quality objective of 5  $\mu\text{g/L}$ .

A site may be closed (i.e., No Further Action Required) with groundwater concentrations above water quality objectives if the objectives will be met in a reasonable amount of time and the following criteria are met: 1) there is no current beneficial use of the water that is impaired, 2) demonstration that the plume is stable or decreasing in size or concentration, 3) calculations or modeling that show when objectives will be met, and 4) there are no anticipated uses of the impaired water within the time projected to meet objectives. The site meets all of these conditions.

Staff of the South Tahoe Public Utility District object to the Meyers Shell site closure, believing the remaining MTBE in groundwater poses a threat to the water quality of groundwater pumped from its Bakersfield Avenue municipal supply well, located approximately 3,000 feet away and cross-gradient to the site. The District has adopted a "non-detect" policy for MTBE such that it will not serve MTBE at any concentration above a laboratory

reporting limit of 0.2 µg/L. MTBE has been detected in the Bakersfield well in the past, at concentrations between 0.2 and 5 µg/L, prompting the District to install a wellhead treatment system at the Bakersfield Avenue well several years ago. Water Board staff find it is unlikely MTBE will be detected in the Bakersfield well in the future above the standard reporting limit of 0.5 µg/L.

**4. Lake Tahoe Laundry Works, South Lake Tahoe - Lisa Dernbach**

Tetrachloroethene, or PCE, has been a persistent contaminant in groundwater in the South Y area of South Lake Tahoe since its first detection in 1989. The contaminant has caused the closure of domestic and municipal wells. Over the years, there have been multiple investigations to identify the source or sources of PCE in groundwater in this area.

One PCE source that has been identified is the Lake Tahoe Laundry Works, located in the South Y Shopping Center. The facility is a laundromat that once contained a self-service, coin-operated, dry cleaning machine during the late 1970s. Site investigations detected residual PCE and breakdown products, such as trichloroethene and dichloroethene, in soil under the parking lot. The same contaminants were also detected in shallow groundwater. PCE releases likely occurred during the transfer of the chemical from the supply truck in the parking lot to the machine inside the building.

In fall 2009, Water Board staff approved a pilot test at the site for remediating PCE contamination. The responsible parties, the current and past shopping center owners, proposed implementing an air sparge/soil vapor extraction system for 60 days. The system began operation in

March 2010. Groundwater samples from monitoring wells will be used to evaluate the effect of remediation upon groundwater on site and beyond. Following completion of the pilot test, the results will be used to prepare a corrective action plan proposing final site cleanup. The corrective action plan is due to the Water Board by end of June 2010.

**5. Status of Local Technical Assistance Grants Activities from October 2009 to March 2010 - Cindy Wise**

Regional and State Water Board staff coordinate to implement the Water Boards' financial assistance programs that include loan and grant funding for watershed protection and planning projects, nonpoint source pollution control projects, construction of municipal sewage and water recycling facilities. This is an update of grant/loan program activities in our Region, followed by a table of the local technical assistance projects that are currently managed by Lahontan Water Board staff.

**Clean Water State Revolving Fund (CWSRF) Program**

The CWSRF program provides low-interest loans for the construction of wastewater and water recycling facilities, municipal landfill treatment systems, implementation of non-point source projects and programs; and stormwater treatment projects. It is funded by federal grants, state bond funds, local match funds, repayments, and revenue bonds. Update of the statewide CWSRF list of projects proposed for loan funding in FY 10-11 is underway and includes public workshops at several locations around the state. Additional information is at [http://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/index.shtml](http://waterboards.ca.gov/water_issues/programs/grants_loans/srf/index.shtml)

## **Integrated Regional Water Management (IRWM) Grant Program**

The IRWM Grant Program provides grants for projects intended to promote and practice integrated regional management of water for both quality and supply. Two IRWM implementation grants are currently underway in the Region -- \$12.5M to the Tahoe-Sierra IRWM Group administered by State Water Board staff and \$25M to the Mojave IRWM administered by Department of Water Resources (DWR.) The next IRWM solicitation will be administered by the DWR (with input from State and Regional Water Board staff.) In preparation for this solicitation, in its Regional Approval Process (RAP), DWR approved the geographic boundaries of each IRWM group that will be eligible to compete for funding. Regional Water Board staff participated in RAP interviews with each of the four IRWM groups in our Region and all four groups were approved by DWR --the four groups are Tahoe/Sierra, Inyo/Mono, Antelope Valley and Mojave. A fifth group (Susan River/Lassen County) is forming and plans to apply during the next RAP likely in 2011. Draft guidelines and proposal solicitation materials are currently available for public review with comments due April 23 -- the draft materials are at <http://www.water.ca.gov/irwm/integregionew10.cfm>

## **Proposition 84 Storm Water Grant Program**

The Proposition 84 Storm Water Grant Program (SWGP) will provide \$82.35 million in matching grant funds available to local public agencies for projects that reduce and prevent pollution of rivers, lakes, and streams from discharges of storm water. The final guidelines for the

SWGP were adopted by the State Water Board in February. Solicitations for the Proposition 84 SWGP are on hold pending future state bond sales. The final guidelines are at:

[http://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

## **Proposition 84 Agricultural Water Quality Grant Program**

The State Water Board's Agricultural Water Quality Grant Program (AWQGP) includes approximately \$13.7 million in Proposition 84 bond funds. The State Water Board approved a list of concept proposals for funding from the AWQGP that included \$1 million for a Lahontan project titled *Grazing Management Practice Implementation and Assessment in One or More Targeted Watersheds in the Lahontan Region (Walker River, Carson River, Susan River and Owens River.)* Water Board staff conducted a competitive process from December 2008 to February 2009 to select a grantee. Final award is on hold pending future bond sales. Additional program information is at:

[http://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

## **319 Nonpoint Source Implementation Grant Program**

This is the federal grant program for nonpoint source pollution control projects. Three new project proposals in the Lahontan Region are currently being evaluated as part of a statewide process with funding decisions to be determined by the State Water Board in June. More program information is at:

[http://waterboards.ca.gov/water\\_issues/programs/grants\\_loans/319h/index.shtml](http://waterboards.ca.gov/water_issues/programs/grants_loans/319h/index.shtml)

**GRANT PROJECTS CURRENTLY MANAGED BY REGIONAL BOARD STAFF**

<b>Fund</b>	<b>Title</b>	<b>Recipient</b>	<b>Amount</b>
Proposition 13	Palmdale Ditch Resource Management Plan and Program (project completed and grant closure underway)	Palmdale Water District	\$1,512,250
319 Nonpoint Source	Indian Creek Reservoir TMDL Mitigation	South Tahoe Public Utility District	\$609,166
319 Nonpoint Source	Lake Tahoe BMP Implementation and Effectiveness	Tahoe Regional Planning Agency	\$770,489
319 Nonpoint Source	Homewood Watershed Improvement/TMDL Implementation Pilot Study	Tahoe Resource Conservation District	\$650,000

**OTHER GRANT INFORMATION**

**Grants Roundtable Meetings**

This forum continues to meet every few months to discuss grant-related issues. It includes a representative from each Regional Water Board and staff from the State Water Board. The forum last met in February and likely will next meet in May.

**Web Site and Electronic Mailing List**

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/) is the link from the State Water Board's web page for information on current and upcoming grants.

[http://www.waterboards.ca.gov/lyrisforms/swrcb\\_subscribe.html](http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html) is the link to subscribe electronically to the grants mailing list to receive notification of new grant information by selected program.

**6. *New Tool for Assessing the Health of Streams & Rivers* - Thomas Suk**

Scientists at the University of California have finalized and delivered a new electronic calculator tool for assessing the health of streams and rivers in the eastern Sierra. The tool relies on data from samples of small stream-dwelling animals called "benthic macroinvertebrates" (BMIs), which have been shown to provide reliable signals of the biological integrity of streams and rivers.

The calculator tool provides a numeric score (0 to 100) and a letter grade ("A" through "F") for stream/river locations for which BMI data are available. It is accompanied by a comprehensive report that details the scientific basis for the tool and which recommends thresholds that can be used as "biological criteria" for evaluating the health of streams and rivers.

The new tool was funded by the Water Boards' Surface Water Ambient Monitoring Program (SWAMP), and was developed by a team of scientists led by Dr. David Herbst at the UC Sierra Nevada Aquatic Research Laboratory. The report and tool cover the eastern Sierra from the Truckee River watershed in the north, through the Upper Owens River watershed in the south.

The scores provided by the calculator tool, and the accompanying thresholds recommended in the report, are not regulatory standards, because they have not been considered or adopted by the Regional Water Board or State Water Board. These "biological criteria" can, however, be used by Water Board staff, local governments, private landowners, and other interested stakeholders and citizens to assess the condition of streams and rivers. For example, the thresholds recommended by the UC scientists can be used by local agencies in their planning decisions, by environmental consultants in CEQA documents, by citizen monitoring groups interested in assessing their local streams, and by Water Board staff when evaluating the effectiveness of permit requirements. Over the past month, staff has announced the availability of the new report and calculator tool via a press release and through letters to local planning agencies, citizen groups, and other watershed stakeholders.

The State Water Board recently initiated a multi-year process to develop "biological objectives" for streams and rivers throughout California. That process is intended to result in the adoption by the State Water Board of regulatory objectives for stream and river health. The thresholds recommended in the new UC report for the eastern Sierra will be considered as part of that process.

The new calculator tool and report are available on our Region's public website, at:

[http://www.waterboards.ca.gov/lahtontan/water\\_issues/programs/swamp/index.shtml#reports2](http://www.waterboards.ca.gov/lahtontan/water_issues/programs/swamp/index.shtml#reports2)

7. ***Symposium on Stream Environment Zone Restoration Monitoring in the Tahoe Basin - Hannah Schembri***

The Tahoe Science Consortium and USFS Pacific Southwest Research Station hosted a symposium on Stream Environment Zone (SEZ) Restoration Monitoring in the Tahoe Basin in February 2010. The symposium objectives were to explore the approaches and techniques agencies have used to assess the effectiveness of stream channel and floodplain restoration projects in the Lake Tahoe basin. From 1997 – 2007, the Environmental Improvement Program has invested \$25.6 million on restoration and enhancement of approximately 739 acres of wetland habitat in the Tahoe Basin, however the environmental benefits of this investment are not well documented.

The first day of the event consisted of ten presentations on various topics including effectiveness evaluation tools, current approaches for monitoring SEZ restoration projects, and information needs and monitoring approaches. At the symposium regulatory, implementer, stakeholder, and science communities discussed current Tahoe Basin practices related to project planning, permitting, implementation, and evaluating effectiveness and benefits from projects. The second day the expert science panel presented comments and recommendations on how to improve on current practice in the Tahoe Basin related to SEZ restoration effectiveness evaluations.

The framework for assessing effectiveness of stream restoration projects will help to ensure the goals and objectives of future projects will be measurable and realistic. Water Board staff will be developing common strategies/criteria for when specific monitoring should be required and the types of monitoring as conditions of 401 Water Quality Certifications or Dredge and Fill permits and will be working on developing future restoration project monitoring requirements. The comments provided from the outside science panel and the presentations can be found at [http://tahoescience.org/tsc\\_products/Products.aspx](http://tahoescience.org/tsc_products/Products.aspx).

8. **Compliance with Timber Waiver Implementation Monitoring Reporting Requirements - Taylor Farnum**

This past January, Water Board staff in the non-point source unit organized a mass mailing letter to all active Timber Waiver project proponents to notify them of the upcoming Jan 15 implementation monitoring reporting due date. The purpose of this mass mailing was to improve enrollees' monitoring reporting compliance and to encourage proponents of completed projects to terminate coverage under the Timber Waiver if needed. The mass mailing resulted in a high rate of compliance on required monitoring as well as allowing Water Board staff to update the CIWQS database on the status of projects.

**USFS projects:** USFS submitted information on 100% of its projects. The submittal was either monitoring reports, a request for termination of coverage under past Timber Waivers, requests for low threat projects to be moved to a 2009 Timber Waiver no notification category, or information that the project has not yet started or has been inactive (some of

these reports were submitted late and documented as violations.)

**Non-USFS projects:** Out of 30 THPs or other private Timber Waiver projects, only four did not submit a monitoring report or information, for an 87% rate of reporting. Two of these projects have not started yet and the other two have had activity and were required to submit monitoring. Follow-up correspondence with delinquent enrollees has occurred to ensure all required monitoring reports be submitted. No violations were noted in the monitoring reports that were submitted.

9. **USFS Lake Tahoe Basin Management Unit South Shore Fuel Reduction and Healthy Forest Restoration Project – George Cella**

USFS Lake Tahoe Management Unit (LTBMU) staff is currently revising its South Shore Fuel Reduction and Healthy Forest Restoration Project (Project) Final Environmental Impact Statement (FEIS) in response to comments received and the Tentative Waste Discharge Requirements and Monitoring and Reporting Program (Tentative WDRs) requirements prepared by Water Board staff for this Project. The Lahontan Water Board is acting as the Lead Agency under the California Environmental Quality Act for the Project and will be evaluating the LTBMU's Final Environmental Impact Statement as part of its regulatory decision. The Water Board anticipates considering waste discharge requirements for the Project at a future Water Board Meeting following submittal and review of the revised FEIS. In the interim, the public comment period for the Tentative WDRs has been extended to April 15, 2010.

SOUTH BASIN

**10. Hometown America – Los Ranchos  
Mobile Home Park – John Morales**

The Los Ranchos Mobile Home Park is located on the southwest intersection of Waalew Road and Dale Evans Road in the Town of Apple Valley. The park has two packaged wastewater treatment plants that work in conjunction to treat domestic wastewater. Odors from these plants have resulted in numerous complaints from residents of the mobile home park.

Hometown America (owner of the mobile home park) is under a Cleanup and Abatement Order (CAO) which requires: (1) daily sampling for odors, (2) focused sampling of the discharge to evaluate performance and causes of odor, (3) submission of weekly technical reports, and (4) development and implementation of an Odor Abatement Plan and a maintenance schedule for the wastewater treatment plants.

Since the issuance of the CAO, Hometown America has installed a splitter box to equally balance the flow between the two treatment plants. They have also installed four grinder pumps to pulverize any oversize debris to reduce clogging in the treatment process.

The sampling data indicate that additional aeration may improve the efficiency of the treatment process and solar bees and aerators have been installed in the ponds. Also, a bio-stimulant/odor control compound is being added to the plant head-works to control the nuisance odors.

Hometown America recently sent a letter to the Town of Apple Valley indicating interest in connecting to the public sewer system and requesting assistance in applying for financial assistance loans or grants. The

Town of Apple Valley has indicated a willingness to work with Hometown America on this process. Hometown America also hired an Engineering Consultant, Dudek Engineers, to improve compliance at the facility and address the requirements of the CAO. Dudek Engineers will not only address nuisance odor issues and lingering free-board violations, but will also address waste seepage observed from an embankment of one of the percolation ponds.

**11. Tamarisk Eradication, Wheaton Wash,  
Mountain Pass – Jan Zimmerman**

In 2007, I issued an Order for Water Quality Certification (WQC) allowing Chevron Mining Inc. to remove the former Molycorp Mine wastewater pipeline located within Wheaton Wash near Mountain Pass. In that Order, I authorized temporary impacts to the wash as a result of pipeline excavation and equipment staging and access. A condition of that Order was the implementation of the approved Restoration and Monitoring Plan (Plan) to regrade and reseed the temporarily impacted areas. Native riparian trees and cacti that could not be avoided or protected in-place will be removed and maintained in nurseries, and upon project completion, will be transplanted back into Wheaton Wash. Monitoring the success of the restoration will be an integral part of the Plan.

After the order noted above was issued, Chevron and the California Department of Fish and Game (CDFG) finalized a mitigation agreement for the project. As part of the mitigation plan, tamarisk are to be eradicated from within the wash, as well as from adjacent upland areas, within a two-acre area of Wheaton Wash. The tamarisk will be removed using a rubber-tire backhoe, which will access the wash

using existing dirt roads to minimize impact. The removed vegetation will then be chipped and transported to the Molycorp mine site where it will be burned in accordance with San Bernardino County regulations. For these tamarisk removal activities, an additional half acre of temporary impact will occur within the wash, which was not previously evaluated in the WQC.

Staff reviewed the additional information to support the tamarisk removal efforts to ensure that the proposed activities do not violate water quality standards. We determined that these proposed tamarisk removal activities are consistent with the activities authorized under the existing certification and that the additional temporary impacts to the wash can be included under the Order. Chevron has agreed to include the additional 0.51 acre of temporary impact in the Restoration and Monitoring Plan, and evaluate the restored area with respect to performance standards and success criteria.

Pipeline removal activities within the wash began during the summer of 2008 and are expected to continue until late 2010. The Restoration and Monitoring Plan will be implemented following completion of pipeline removal. Tamarisk removal activities began March 23, 2010 and are expected to be completed within two weeks.

**12. Area R Record of Decision, Naval Air Weapons Station China Lake – Omar Pacheco**

The Department of the Navy is proposing a Record of Decision (ROD) that addresses cleanup at the Area R Operable Unit (OU) at Naval Air Weapons Station China Lake near Ridgecrest.

Area R includes Sites 15 and 55 where groundwater has been contaminated with Tetrachloroethene (PCE), Trichloroethene (TCE), and cis-1,2-dichloroethene (cis-1,2-DCE). Even though the Water Quality Control Plan designates this water as having a municipal and domestic supply (MUN) beneficial use, the Navy is proposing a remedy that only prevents exposure to these constituents through inhalation of vapors that migrate from soil and groundwater and accumulate in indoor air. It has not proposed to remediate groundwater to restore the MUN use.

The Navy believes that the groundwater quality in the affected aquifer does not meet criteria for municipal use as described in State Water Resource Control Board Resolution No. 88-63 (Sources of Drinking Water Policy). In accordance with this belief, the Navy does not believe it is required to propose a remedial method to protect the MUN beneficial use. While the Navy believes it can apply the Sources of Drinking Water Policy for the purposes of the ROD, but has formally requested that the Water board dedesignate the beneficial use for the affected groundwater. The Water Board staff believes the Navy should acknowledge the MUN beneficial use of groundwater and the water quality objectives to protect this use. However, the Navy should not be required to develop or implement a remedial measure to protect this use until the Water Board makes a decision on the dedesignation request. This course of action would preserve both the Navy and Water Board positions.

Water Board staff proposed language for the ROD that would allow the Water Board to accept the ROD while evaluating and processing the Navy's request to dedesignate the MUN beneficial use. The Navy has yet to accept our proposed ROD

language. Staff anticipates meeting with the Navy in April to resolve the issue.

**13. I-15 La Mesa/Nisqualli Interchange Project, Victorville – Jan Zimmerman**

The City of Victorville purposes to construct an interchange at La Mesa Road/Nisqualli Road along Interstate 15, which will permanently impact the Oro Grande Wash, a tributary to the Mojave River. In January 2010, the City proposed to construct a combination of enclosed box-culvert and open trapezoidal channel with concreted sideslopes within the Oro Grande Wash to accommodate the interchange. A portion of the wash east of Interstate 15 was slated for abandonment with flow diverted to the box-culvert. Permanent impacts to the wash totaled nearly four acres.

In response to Water Board staff concerns regarding the magnitude of impacts, the City has proposed design modifications to minimize the permanent impact to the Oro Grande Wash in an effort to maintain the hydrologic function and beneficial uses of the wash. The revised design modifications will reduce the permanent impact to the wash to less than one acre. Proposed modifications include a combination of enclosed box-culvert and natural channel to convey higher flows, with ungrouted rip-rap and energy dissipation structures to reduce velocities. A low-flow channel to convey the 2-year storm event will be maintained east of Interstate 15 within the existing wash alignment to sustain that portion of the wash. The proposed design modifications are a win-win for both water quality and the City. Critical design features will be implemented to ensure that beneficial uses, including groundwater recharge and habitat, will be maintained within the Oro Grande wash, and a vital interchange will be constructed to reduce gridlock within the City and provide

emergency personnel and commuters an additional arterial roadway across Interstate 15.

In March 2010, the San Bernardino Association of Governments (SANBAG) Board of Directors approved the allocation of \$7.5 million in federal Surface Transportation Program (STP) funds to the I-15 La Mesa/Nisqualli Interchange project. The SANBAG Board also approved the allocation of Measure I funding to the project for the 2010/2011 fiscal year, which will include an additional \$24 million in funding. City officials are hopeful that the I-15 La Mesa/Nisqualli Interchange Project will be ready for construction by late 2010 when the final funding agreements are anticipated to be approved. Once under construction, the project is estimated to be completed in approximately 24 months.

## **ENCLOSURE 3**

### **Notification of Spills** (Unauthorized Waste Discharges)

02-0017

**EO'S Monthly Report**  
**02/16/10 - 03/15/10**  
**Unauthorized Waste Discharges**

**COUNTY: SAN BERNARDINO**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Lake Arrowhead CSD / Sewer System	Manhole near Grass Valley Creek	S	Y	Raw Sewage	2/15/2010	1,600 Gallons	Obstruction consisting of roots and towels caused a blockage in an 8-inch sewage pipeline. Sewage overflowed from a manhole and flowed to concrete channel that leads to Grass Valley Creek and eventually Grass Valley Lake.	Grass Valley Creek	Blockage cleared. An estimated 1,000 gallons was recovered and 600 gallons was mixed with stormwater in the channel. Cleanup on-going. Samples collected from the channel and Grass Valley Lake to determine if waste entered lake. Signs posted to warn public of potential sewage contamination. Further action pending review of spill report.

02-0018

# **ENCLOSURE 4**

## **Notification of Closure of Underground Storage Tank Cases**

02-0019

**CASE CLOSURE REPORT**  
**April 2010**  
 State of California  
 Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in ug/L)	Remaining Soil Concentrations (in mg/Kg)	Distance from Site to Nearest Receptor	Remedial Methods Used
February 24, 2010	Former Meyers Shell Gas Station	2950 Highway 50, Meyers	6T0295A	UST	7.3 MTBE	NA	Arrowhead #2 is ~2000 feet southwest	Excavation, Groundwater extraction
March 10, 2010	Alpha Explosives Saltdale Facility	Saltdale Road, Randsberg	6B1500686T	UST	1,400 TPHg 1,600 TPHd 6.2 Benzene 160 Toluene 290 Xylene	1,600 TPHg 610 TPHd 4 Benzene 53 Toluene 270 Xylene	domestic well is ~1.25 miles southwest	Excavation

**Notes:**

TPHd - Total petroleum hydrocarbons quantified as diesel  
 TPHg - Total petroleum hydrocarbons quantified as gasoline  
 PCE- Tetrachloroethylene  
 TCE- Trichloroethylene  
 Receptor- surface water, private drinking water wells and municipal supply wells, etc.  
 NS- Not Sampled  
 NA- Not Applicable  
 ND- Not Detected

02-0020