



California Regional Water Quality Control Board
Lahontan Region



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Arnold Schwarzenegger
 Governor

June 6, 2008

TO ALL INTERESTED PERSONS AND AGENCIES:

NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SCOPING MEETINGS REGARDING DEVELOPMENT OF A PROPOSED BASIN PLAN AMENDMENT TO INCORPORATE THE LAKE TAHOE TMDL INTO THE LAHONTAN REGION WATER QUALITY CONTROL PLAN

Lahontan Regional Water Quality Control Board staff will hold two CEQA scoping meetings to discuss the development of a proposed amendment to the Water Quality Control Plan for the Lahontan Region (Basin Plan). The proposed amendment will incorporate a fine sediment and nutrient control plan, known as a Total Maximum Daily Load (TMDL), for Lake Tahoe. Lake Tahoe is impaired for clarity and transparency, caused by suspension of fine particles and phytoplankton (fed by phosphorous and nitrogen) in the water column. The proposed Lake Tahoe TMDL will specify the maximum fine sediment and nutrient load that the lake can assimilate and still achieve water quality standards. The proposed TMDL will allocate these loads to sources and will include an implementation plan. The objective of the proposed activity is to reduce these loads to levels that protect Lake Tahoe's beneficial uses. The proposed Basin Plan Amendment (BPA) codifies these actions within the Water Quality Control Plan for the Lahontan Region.

Members of the public are invited to participate at either meeting.

Date: Tuesday, July 15, 2008	Thursday, July 17, 2008
Time: 4:00 pm – 6:00 pm	4:00 pm – 6:00 pm
Location: North Tahoe Conference Center Evergreen Suite 8318 North Lake Blvd. Kings Beach, CA 96143	Lake Tahoe Community College Aspen Room One College Drive South Lake Tahoe, CA 96150

For the meeting scheduled on July 15, 2008 at the North Tahoe Conference Center, free parking is available in Kings Beach at the Brook Street parking lot across the street from the conference center.

For the meeting schedule on July 17, 2008, parking is free at Lake Tahoe Community College.

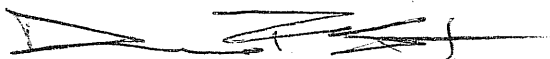
WHO SHOULD ATTEND: Public and private land owners, county officials in charge of land use and storm water management, federal, state and local regulators and water management officials, environmental groups, and other groups or individuals interested in fine sediment and nutrient reduction efforts for the Lake Tahoe watershed.

The meeting will provide participants with: (1) background on the proposed Lake Tahoe TMDL and the proposed Basin Plan Amendment process, (2) a review and discussion of the impairment of Lake Tahoe's clarity and the studies that inform development of the proposed Lake Tahoe TMDL, and (3) an opportunity to comment on the potential environmental impacts that may result from implementing fine sediment and nutrient control actions identified in the proposed TMDL.

Supporting documents for the Basin Plan Amendment will include a TMDL technical staff report and a CEQA environmental document. The Lahontan Water Board's planning program has been certified by the Secretary for Resources pursuant to Public Resources Code section 21080.5 of CEQA as being a substitute environmental document to preparation of an Environmental Impact Report (EIR). Your input on potential environmental impacts of the proposed BPA will be used by Water Board staff to develop the substitute environmental document.

Interested parties may submit written comments regarding potential environmental impacts at the meeting, or mail them to the attention of Dan Sussman at the address above, or via email at dsussman@waterboards.ca.gov. Written comments must be received by **August 18, 2008** to be considered in preparation of the draft environmental document. Staff will review all written comments and complete a draft TMDL staff report, proposed Basin Plan Amendment and environmental document for public review and comment. Water Board staff anticipate that these documents will be available in late 2008.

If you would like more information about this meeting, please contact Dan Sussman at (530) 542-5466, at the email address above, or visit the Tahoe TMDL website (http://www.swrcb.ca.gov/rwqcb6/water_issues/programs/tmdl/lake_tahoe/). Any person who is disabled and requires special accommodations to participate in the public workshop and/or public scoping meeting, please contact Laurie Applegate at (530) 542-5414 no later than 10 days before the scheduled public workshop and public scoping meeting. Please bring the above information to the attention of anyone you know who would be interested in this matter.



Doug Smith
TMDL/Basin Planning Unit Supervisor

PROJECT DESCRIPTION

PROPOSED BASIN PLAN AMENDMENT: *LAKE TAHOE TOTAL MAXIMUM DAILY LOAD*

Description of the Proposed Activity

The proposed activity is the adoption of an amendment to the Lahontan Regional Water Board's (Water Board) Water Quality Control Plan (Basin Plan) to incorporate total maximum daily loads of fine sediments (<20 micrometers in diameter), phosphorous, and nitrogen to Lake Tahoe. These pollutants are causing Lake Tahoe to not meet the clarity standard of 97.4 feet as measured by secchi disk. Lake Tahoe has been losing its famed clarity at a rate of nearly nine inches per year since clarity was first monitored in the late 1960's. Fine sediments decrease clarity by scattering light as the particles slowly settle through the water. Nitrogen and phosphorous stimulate algae growth, which in turn absorbs light, reducing how far light can penetrate into the lake.

Lake Tahoe is located on the California-Nevada border in the Sierra Nevada Mountain Range (see map, Figure 1). The lake is situated at an elevation of 6229 feet with a surrounding landscape that rises to 10,881 feet. The California portion of the Lake is split between Placer and El Dorado Counties. The Lake Tahoe TMDL is a joint effort between California and Nevada. This proposed TMDL applies to all waters in the Lake Tahoe Watershed that are tributaries to Lake Tahoe. The proposed Basin Plan Amendment, however, only applies to the California portion of the watershed. Land uses in the Tahoe Basin include forests, recreation, urban, dispersed residential, and concentrated residential.

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The proposed Tahoe TMDL will be developed to fulfill requirements of section 303(d) of the Clean Water Act. The proposed implementation plan is required by the California Water Code (CWC) section 13242, which also requires that implementation plans be incorporated into the Water Board's Basin Plan.

The Water Board designated Lake Tahoe as an Outstanding National Resource Water, and considers non-contact recreation (aesthetic enjoyment of lake clarity) a primary beneficial use of the lake. This beneficial use is impaired by fine sediment and nutrient loading to Lake Tahoe. The Lake Tahoe Clarity Model

suggests that fine sediment has the greatest potential to impair the lake's clarity. The proposed TMDL implementation plan will focus on reducing fine sediment, but both sediment and nutrient loading are targeted for reduction.

The proposed Basin Plan Amendment (BPA) will not by itself require specific project implementation, and the Water Board will not directly undertake any actions that could physically change the environment. Adoption of the proposed BPA could indirectly result in local jurisdictions selecting specific projects to satisfy the requirements of the BPA. The Water Board is required by the California Environmental Quality Act to analyze impacts and mitigation measures that are a reasonably foreseeable consequence of adopting the BPA.

The technical and scientific characteristics of the TMDL can be found in the Lake Tahoe TMDL Technical Report (2007) in chapters 3, 4 and 5. The report details the sources of pollutants and their impacts on lake clarity. The Water Board cannot specifically prescribe design, location, type or particular manners of compliance with TMDL implementation plans to address these pollutants (CWC Section 13360). The Water Board can require dischargers to implement fine sediment and nutrient controls necessary to attain the water quality standards of Lake Tahoe. The proposed TMDL will be implemented primarily through regulation of urban runoff via waste discharge requirements and National Pollution Discharge Elimination System permits, and rural lands pollutant source control performed by public land management agencies. The first 20 years of the proposed TMDL Implementation Plan will encompass achievement milestones every five years. Economic analysis of the proposed TMDL implementation can be found in Chapter 6 of the Pollutant Reduction Opportunity Report (2007).

Typical implementation measures for reduction of sediment may include:

- Residential Best Management Practices
- Stream Restoration
- Stormwater runoff controls (infiltration basins, filtration galleries, etc)
- Dirt road maintenance or decommissioning
- Road abrasive application management and recovery
- Slope stabilization

Some implementation actions will likely require that dischargers obtain various federal, state, or local permits, such as streambed alteration agreements from the Department of Fish and Game, waste discharge requirements from the Water Board, local grading permits, and permits from the Tahoe Regional Planning Agency. These agencies may use this environmental documentation, and are expected to conduct more detailed environmental analyses when specific implementation actions are identified and proposed by the dischargers.

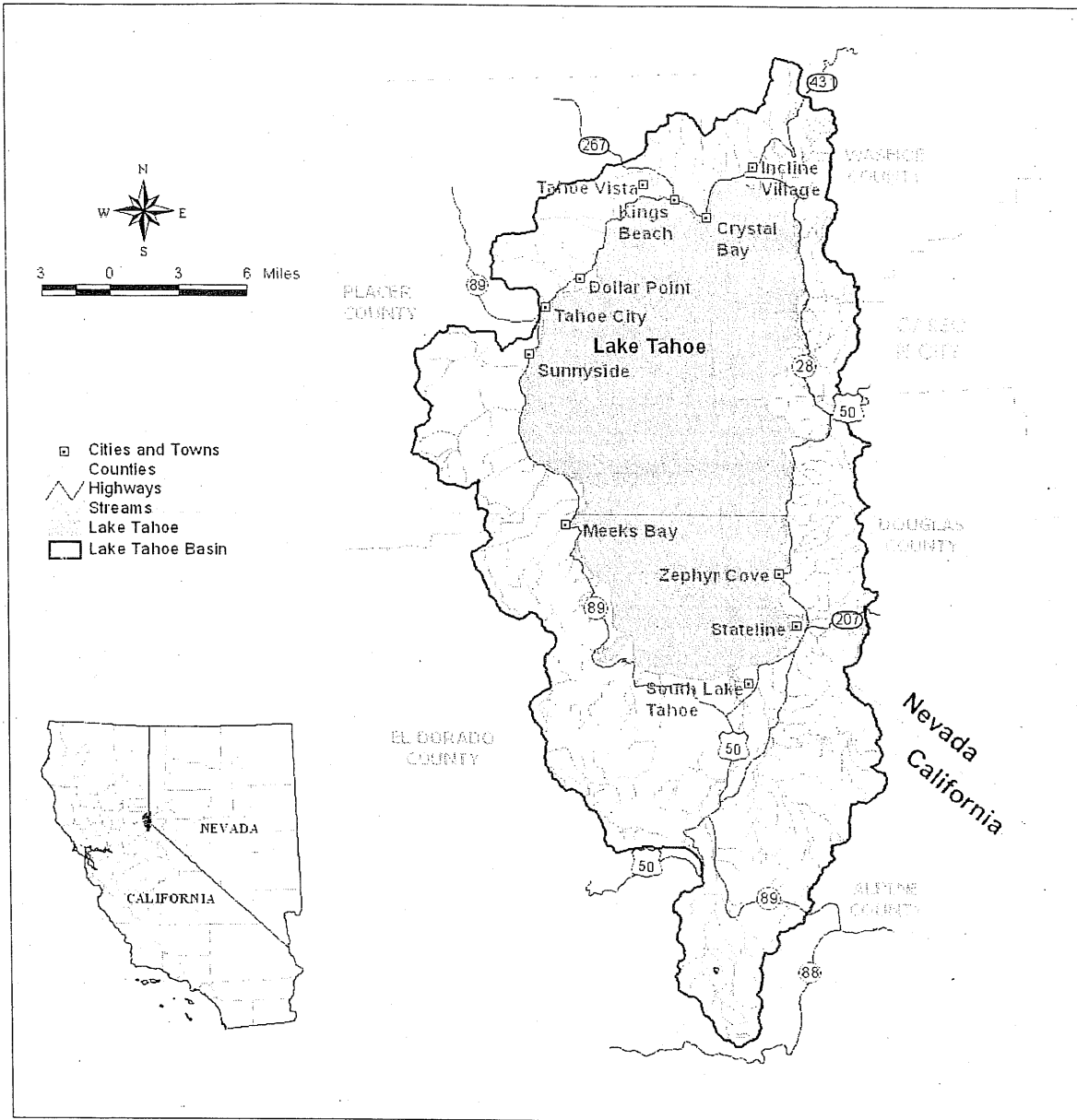


Figure 1 Lake Tahoe Watershed Location (Tetra Tech 2007)

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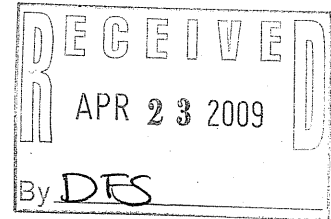
TO: Douglas F. Smith, Chief
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Gerald W. Bowes

FROM: Gerald W. Bowes, Ph.D.,
Manager, Cal/EPA Scientific Peer Review Program
Office of Research, Planning and Performance

DATE: April 21, 2009

**SUBJECT: SCIENTIFIC PEER REVIEWERS FOR LAKE TAHOE NUTRIENT AND
SEDIMENT TMDL**



In response to your request for peer reviewers for the subject noted above, the University of California, through an Interagency Agreement with Cal/EPA, identified candidates it considered qualified to perform this assignment. Each candidate was required to complete and sign a Conflict of Interest Disclosure form.

After my review of the disclosure forms, I contacted selected candidates to provide clarification where necessary and confirmation they could perform an objective and independent review free of conflict of interest and bias. I forwarded to approved reviewers my latest (January 7, 2009) supplement to the Cal/EPA peer review guidelines, and am attaching it here. Please read it carefully. The approved reviewers are identified below.

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Biographical information for the approved reviewers is provided with this memorandum.

Please contact your reviewers right away. Tell them when you will transmit the material. They have accepted the assignment based on the date of availability given in your letter of request to me. If preparation of the material is delayed, ask them if the new date is acceptable, including me as a "cc." If subsequent delays occur, inform the reviewers and me as soon as possible. I am often contacted by reviewers and the University if delays occur and reviewers are not kept up to date.

If the number of pages you plan to send the reviewers is significant, I recommend you provide them a hard copy of this material. You can enquire if any would prefer an electronic copy as well. Ask them (1) if their preferred mailing address is the same as that given above; and (2) to provide whatever additional information is necessary for an overnight delivery service.

Provide a cover letter to initiate the review process. Include with it your request letter to me, which provides a concise synopsis for your intended actions, and its three attachments. **Please inform them that their review must follow the guidance provided in Attachment 2.**

When the reviews have been completed, please let me know and send me a copy of each review and cover letter to the reviewers for the review files I keep here.

If I can provide additional help, contact me at any time during the review process.

Attachments

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Rik Rasmussen, Division of Water Quality (w/o biographical material)



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