

Opinion: Lahontan needs to back off on TMDL time line

Publisher's note: The following letter to Jack Clarke, chairman of the Lahontan Regional Water Quality Control Board, received final approval Nov. 1 from the South Lake Tahoe City Council and is being reprinted with permission.

Dear Mr. Clarke:

This letter is being sent on behalf of the three Lake Tahoe Basin jurisdictions to request that Lahontan extend any consideration regarding NPDES permits until after January 2012. Specifically, we further request that your board also direct staff to defer circulation of a public draft permit consistent with the same time frame.

El Dorado County, Placer County and the city of South Lake Tahoe are making this joint request in order to ensure we have the time necessary to address several unresolved complex issues. Those issues include, but are not limited to, the following:

- Assess whether a TMDL-focused permit that provides more flexibility than what the current draft permit allows would better meet both local jurisdiction and Regional Board needs, especially with regard to the monetary challenges of meeting all current draft permit requirements;
- Outline realistic implementation goals, given the demonstrated significant shortfall in funding availability in comparison with current cost estimates;
- Address the imbalance of regulatory authority and level of enforcement of the Lahontan regulations on the California side of the Tahoe basin as compared to the federal/state stormwater regulatory and enforcement framework on the Nevada side of the

Tahoe basin;

- Provide ample opportunity to review EPA input to date, including scheduling meetings to develop a common understanding between multi-jurisdictional technical staff, executives and elected officials;
- Lahontan staff response on recent local jurisdiction comments to draft permit such as registering catchments in areas where capital projects are not planned;
- Better define TRPA's role in regulation and implementation, including BMP enforcement and potential delegation of some BMP regulation that originates with TRPA;
- Identify roles and responsibilities of other agencies for project implementation, maintenance and monitoring, including large state and federal landholders.

We sincerely appreciate your consideration of our request and look forward to working with you and your staff in addressing our issues and concerns as the analysis process progresses.

Sincerely,

Jennifer Montgomery, Placer County district 5 supervisor

Norma Santiago, El Dorado County district 5 supervisor

Claire Fortier, South Lake Tahoe mayor pro tem