

Lahontan: Lake clarity at any cost, no matter what

By Kathryn Reed

More than one billion dollars – \$1,000,000,000 – is what has been spent on the environmental improvement program in the Lake Tahoe Basin. The goal is to increase lake clarity.

Clarity is not declining as rapidly as it once was, but it's still declining each year. That makes the programs winners, according to Lahontan Regional Water Quality Control board members and staff.

And Executive Director Harold Singer readily admitted at the Dec. 6 Lahontan board meeting that nothing his agency has made entities do can definitively be said to have improved that clarity.



El Dorado
County
Supervisor
Norma
Santiago,
center,
addresses the
Lahontan board
Dec. 6 while
her board
stands next to

her.

Photo/Kathryn

Reed

He said he's often asked by money suppliers – the federal government in particular – what they are getting for their money. He points to projects.

“We've never been able to quantify those actions as they relate to water quality,” Singer said.

The EIP program started after then-President Bill Clinton's visit to Lake Tahoe in 1997 – hardly the Dark Ages when it comes to scientific know-how.

It is just now that Lahontan believes it has developed the tools to quantify how projects impact lake clarity.

On Tuesday, the Lahontan board on a 5-0 vote (Keith Dyas was absent and three board positions remain vacant) agreed to approve the stormwater-urban runoff permit system for South Lake Tahoe, El Dorado County and Placer County.

The board didn't see any point in extending the process – despite the passionate pleas of the three jurisdictions. While in some ways the process has been lengthy and years in the making, the comment period closed Nov. 30 – less than a week before the board voted.

It's through the permitting process that Lahontan will monitor projects on the California side of the basin.

But it was also said by board member Amy Horne to the three jurisdictions, “If in 2016 we don't see the level of improvement we expect, it's not your problem.” (That is the year the five-year permit expires, though the program continues, and permits will need to keep being acquired.) In other words, if that occurs, fine sediment won't be the culprit after all.

Sediment reduction is what the city and two counties are tasked with. Regulators in the basin all say the majority of fine sediment clouding Lake Tahoe is from urban runoff.

But there is more than just particles reaching the lake.

Horne said weather is an uncontrollable factor in all of this. The more snow, the more runoff, thus the cloudier the lake gets. Droughts provide for the best clarity readings.

Midway through the 4½-hour meeting at Embassy Suites, Brendan Ferry, senior planner with El Dorado County, explained how his jurisdiction believes its measuring tools are superior to Lahontan's.

While the permit allows the jurisdictions to use other tools, Lahontan must approve those tools. But no one could give the multiple speakers for the county an answer as to how it will be determined if their tools are legit, and if a decision will be made so the first deadline of March 15 to provide Lahontan with mandated information can be met.

The county is so incensed with what is going on that the Board of Supervisors recessed their regular meeting for all to attend the Lahontan meeting. As Supervisor Norma Santiago read the prepared statement, her colleagues flanked her in a show of support not usually seen.

"What has been created in the TMDL Management System are tools that lack scientific backing, that are not integrated, are duplicative and/or inefficient and will require tremendous administrative staff time to analyze and implement," Santiago said.

She went to say, "If you go through with the draft permit today, the predictable result for the county, because of these unnecessary administrative costs, will be layoffs in the transportation department, roads will not be fixed in compliance with the requirements and we may be forced to do

very little toward our common goals.”

Money is a big issue for the jurisdictions. It could cost up to \$2 million a year to do what Lahontan is asking. Federal money is evaporating. No one knows how the requirements will be implemented without cash to do so.

Lahontan staff has told *Lake Tahoe News* the Total Maximum Daily Load and now the stormwater permit are not unfunded mandates. But when someone or an agency is told they must do something and no money is provided to do the mandate – that makes it an unfunded mandate.

Ken Grehm, director of Placer County Public Works Department, said he’s been disappointed how Lahontan staff repeatedly say money can’t be an issue. He added that if any useful discussions are going to happen in the future, there must be the realization money is important.

“Water quality is just one of the services we provide,” Grehm said. This sentiment is shared by all jurisdictions.

Lahontan board member Don Jardine, who is also on the Alpine County Board of Supervisors, understands shrinking budgets. He didn’t use the phrase “unfunded mandate” but at the end of his remarks he ultimately said, “things have been put on us that we have to do.”

It’s the federal Environmental Protection Agency that is responsible for the TMDL program throughout the country.

Jacques Landy, who works for the EPA out of an office in the TRPA building, told the board his agency is satisfied with the permit as written and voiced support of its approval.

Sarah Hussong-Johnson, South Lake Tahoe director of engineering, echoed her colleagues in questioning Lahontan’s tools and the money needed to satisfy the permit.

(Hefty fines that could not be articulated well at the meeting

will be levied against the jurisdictions if they don't satisfy the permit requirements.)

Hussong-Johnson also said the city is frustrated with the "lack of a concerted effort with the near shore."

This is where the growing muck and marked lack of clarity is visible standing on the beach. This isn't the clarity that is measured. If it were, the numbers would be worse. Instead, a disc that looks like a white dinner plate is lowered into the water from the middle of the lake. That's how the experts determine lake clarity.

The Lahontan board resumes its meeting this morning at 8:30 at Embassy Suites. The main topic is pesticide use.