State Agencies

California Regional Water Quality Control Board
Lahontan Region

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COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT KINGS BEACH COMMERCIAL CORE IMPROVEMENT PROJECT

Lahontan Regional Water Quality Control Board (Water Board) staff received a copy of the above-referenced Draft Environmental Impact Report (DEIR) prepared pursuant to provisions of the California Environmental Quality Act (CEQA. The Water Board is a responsible agency pursuant to the California Environmental Quality Act (CEQA) for this proposed project. Water quality control standards for the Lake Tahoe Hydrologic Unit contained in the *Water Quality Control Plan for the Lahontan Region* (Basin Plan) are applicable to this project. The final environmental document will be used by this agency in reviewing applications for permits for this project.

As a state agency responsible for protecting water quality within the Lahontan Region, we have reviewed the DEIR and have the following comments. Text from the DEIR is shown in italics.

Executive Summary ES.2 and Chapter 1.2 Project Background should also describe highway operations that adversely impact water quality.
Action Needed: Add language that SR 28 was operated as a year-round highway, with application of abrasives and deicers which adversely impact water quality. S1-1

ES.4 Project Elements
Mentioning only storm drain facilities, drainage ditch lining, and revegetation does not adequately cover the water quality elements of the project.
Action Needed: Add the installation of water quality treatment facilities to the list of project elements (as mentioned in Chapter 1.4.1.2). S1-2

Chapter 1.4.2.2 Water Quality
Page 1-8 *"Additionally, properties lying within the Caltrans ROW are governed by the State Water Resources Control Board (State Water Board) and must meet requirements of NPDES permit No. 99-06-DWQ. Water Quality objectives and goals are enforceable through effluent limitations, and these must be met to the Maximum Extent Practicable (MEP) for the MS4 requirements and Best Available Technology Economically Achievable/Best Conventional Technology (BAT/BCT) for the construction requirements."* S1-3

Neither the Tahoe MS4 municipal NPDES permit (Board Order No. R6T-2005-0026) nor the Tahoe General Construction NPDES permit (Board Order No. R6T-2005-0007) refer to MEP or BAT/BCT. Both permits include discharge and other prohibitions, effluent limitations and receiving water limitations or water quality objectives. Neither permit suggests that requirements to comply with effluent limitations are limited to MEP or BAT/BCT standards. Note that within the Tahoe Basin, Caltrans must also comply with requirements of the Board Order No. R6T-2005-0007.

Page 1-9 *"Stormwater treatment facilities should be sized to the maximum extent practicable to accommodate design storm treatment volumes as specified in the respective Placer County and Caltrans NPDES permits."* S1-3 cont.

The Tahoe municipal NPDES permit does not specify design storm treatment volumes. While the current Caltrans NPDES permit includes a design storm treatment volume, the Tahoe construction permit (Board Order NO. R6T-2005-0007) does not specify design storm treatment volumes.

Action Needed: Refer to the applicable Tahoe NPDES permits and delete references to MEP and BAT/BCT (which are not mentioned in the Tahoe construction or municipal NPDES permits). Delete language referring to sizing facilities to the maximum extent practicable to accommodate design storm treatment volumes in Placer County NPDES permits. As stated on page 1-9, stormwater treatment facilities should focus on removing fine sediment nitrogen and phosphorus to meet surface water discharge standards. In addition, stormwater treatment designs should maximize the reduction of the high priority pollutants listed above.

Chapter 1.6.3 Other Agencies Approval and Permits Required

Section 401 Water Quality Certification is the only discretionary action listed for the Water Board. S1-4

Action Needed: Note that the Water Board may also use this EIR in reviewing applications for NPDES permits or Waste Discharge Requirements, and in considering exemptions to Basin Plan prohibitions against discharge of wastes related to work in Stream Environment Zones or within 100-year floodplains of tributaries to Lake Tahoe.

Chapter 1.8 Areas of Known Controversy – Drainage/Stormwater Control

Page 1-17 *"The proposed action would increase stormwater runoff."* Water Board staff has not been aware that the proposed action would increase stormwater runoff. S1-5

Action Needed: Please clarify whether the proposed action would increase stormwater runoff or increase impermeable coverage (while incorporating mitigation for the increased coverage).

Chapter 2.4.2 Alternatives – Features Common to all Alternatives – Water Quality Improvements

General Comment: Even though only one water quality alternative has been described, the description of the water quality alternative should note that the final water quality design would maximize treatment opportunities available in the selected traffic alternative. For example, if roundabouts provide opportunities for additional water quality treatment within the SR 28 ROW, these opportunities should be analyzed either in the Water Quality Improvements section, or within the description of the traffic alternative. S1-6

Page 2-8 Water quality elements include installing media filters, or advanced treatment technologies, to treat runoff from KBCC and Brockway Vista Avenue. More details on the media filters or advanced treatment technologies are not be available until additional design work is completed. The advanced treatment technology could involve pumping flows to, within, or from the advanced treatment devices. If the possibility of pumping is not mentioned in the environmental document, these advanced treatment technologies may be eliminated from consideration in the final water quality design. S1-6 cont.
Action Needed: The final environmental document should provide some analysis of advanced treatment facilities that include pumping.

Page 2-9 *"The off-site parking lots would be designed to maintain runoff from a 20-year, 1-hour storm flow entirely on site, ... The water collection and infiltration features incorporated into the off-site parking lots are designed to mitigate runoff associated with the additional hard coverage from the parking lots, And, because water would be contained entirely onsite, the off-site lots would not worsen water quality in the region."* Designing parking lots to maintain (retain?) runoff from a 20-year, 1-hour storm on site does not entirely mitigate for the additional hard coverage or lead to conclusions that water would be contained entirely onsite. Snow may be stored on parking lots, and snowmelt may occupy storage volume designed for 20-year, 1-hour storm runoff. Longer duration, lower intensity storms frequently generate more runoff volume than the 20-year, 1-hour storm. It is not true that "water would be contained entirely onsite." Facilities designed only to retain runoff from a 1-inch storm may discharge additional runoff. In addition, converting previously unpaved areas into parking lots reduces the capacity to infiltrate run-on from adjacent roads, plowed snow, which may lead to additional runoff reaching the conveyance facilities. S1-7
Action Needed: The final environmental document must provide additional information on mitigation for water quality and water quantity impacts from the additional runoff generated from new from potential off-site parking lots.

Section 3.4.3 Impact HYD-1 Sustantial Alteration in Quantity of Surface Runoff and HYD-4 Creation of or Contribution to Runoff that Would Exceed the Capacity of an Existing or Planned Stormwater Management System S1-8
See Discussion and Action Needed for Page 2-9 above.

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Enclosure