

## MEETING NOTES

DATE	Wednesday, September 24, 2014, 9:00-12:00
LOCATION	South Tahoe Public Utility District Offices, Board Room, 1275 Meadow Crest Drive
STRATEGIC ADVISORY GROUP CORRESPONDENCE LIST	Robert Lauritzen (El Dorado County), Jason Burke (City of South Lake Tahoe), Scott Carroll (CA Tahoe Conservancy), Greg Daum (Meyers Chevron), Doug Smith, Brian Gray and Tom Gavigan (Lahontan Regional Water Quality Control Board), Paul Nielsen (TRPA), Steve Morales (LT Unified School District), Harold Singer (Community Rate Payer), Richard Solbrig, John Thiel, Terry Powers, Ivo Bergsohn (STPUD), Mike Maley (Kennedy/Jenks), Michelle Sweeney (Allegro Communications), Brad Herrema (STPUD Attorney, via telephone)
MEETING HOSTS	Ivo Bergsohn (STPUD), Mike Maley (Kennedy/Jenks)
FACILITATOR	Michelle Sweeney (Allegro Communications)

### GROUNDWATER MANAGEMENT PLAN UPDATE GOALS

1. Update the Groundwater Management Plan to meet CA legislative requirements and DWR guidelines
2. Update the District ordinance for protecting and monitoring groundwater quality
3. Develop Groundwater Basin Management Objectives (BMOs) to provide a framework for maintaining a sustainable and reliable groundwater supply
4. Create a plan for collecting, compiling and reporting regional groundwater management data
5. Establish a stakeholder forum to host discussion about groundwater topics and facilitate collaborative action toward resolution of groundwater issues

### SEPTEMBER 24 MEETING GOAL & OBJECTIVES

#### GOAL

Receive comment and suggested edits to the Draft Groundwater Management Plan. Discuss.

#### OBJECTIVES

1. Share comment received prior to meeting
2. Gather additional SAG member comment on the document
3. Discuss key topics that will benefit from group discussion
4. Share steps to document completion
5. Request endorsement of the Groundwater Management Plan document by SAG

### AVAILABILITY OF TRANSCRIPTS OF ALL 2014 GWMP SAG WORKSHOPS

All four GWMP Strategic Advisory Group workshops in 2014 were audio recorded. The audio record, transcripts, a “notes navigator” (an excel table summarizing the transcripts) and the meeting notes documents are available through South Tahoe Public Utility District. The meeting notes (such as this document) are derived from notes taken real-time during the workshops by the facilitator and from the transcripts.

## OVERVIEW OF COMMENT RECEIVED ON GROUNDWATER MANAGEMENT PLAN

### Comment Received Prior to September 24 Workshop, by Reference

Extensive comments from Lahontan Regional Water Quality Control Board were submitted in an all-Strategic Advisory Group email on September 16<sup>th</sup> titled, RE: TVS GMP SAG Review Draft - Text. Harold Singer, ratepayer submitted comments orally to Mike Maley and Ivo Bergsohn on September 18. The written record of this comment exists only in the margins of Mike Maley and Ivo Bergsohn's draft GWMP documents. The third and final comment submitted prior to the September 24 workshop was from Jason Burke, City of South Lake Tahoe, in a September 17 email also titled, RE: TVS GMP SAG Review Draft – Text.

### Comment Received During September 24 Workshop

Strategic Advisory Group members who had not already submitted comment on the draft Groundwater Management Plan document were invited by Ivo to open the comment period at the workshop. These comments were fairly minimal and can be summarized as follows:

- The Tahoe Regional Planning Agency submitted no comment.
- El Dorado County would like to see updates to small water system oversight assignments in the plan (at the county and state level) to be up-to-date with recent changes in these responsibilities. (ie, Some systems have previously shifted from the purview of the county to the purview of the state.)
- The City is in agreement with the language that says stormwater managers “should consider” source water protection in building and managing facilities.

### Comment Opportunities After September 24 Workshop

Strategic Advisory Group members are invited to submit comment throughout the open review period of the Groundwater Management Plan document (anticipated to be throughout much of the month of November, 2014).

## KEY TOPICS

### Timing of Groundwater Management Plan Finalization

Groundwater (and source water generally) in the Lake Tahoe Basin at-large and in this Tahoe Valley South Basin is protected through the collaborative effort of many agencies striving to work in coordination. The efficacy of groundwater protection correlates in part to the thoroughness of the participating agencies in implementing a comprehensive plan. Efficacy also correlates to the quality and integrity of the plan itself. The plan should, as Doug Smith of Lahontan put it, “be a living document” – meaning that the plan should identify current challenges to protecting groundwater and promote creation of the organizational and informational context for solving such problems.

Doug Smith underscored that absent a thorough explanation of this collaboration, and the groundwater protections afforded by it, that the Groundwater Management Plan document is (in his and the Lahontan Board's estimation) incomplete and flawed to the extent it shouldn't be published.

Smith asked three questions: 1) To what degree are we collaborating right now? 2) Is this GWMP document to submit to DWR this year but for all of us at the table (in reality) more like a working draft? 3) Or is the GWMP actually complete (in the District's estimation) and not going to be looked at or utilized in the interval before the next required update (5 years)?

**The Problem Remains: Sites that the State has closed investigation of and remediation on are currently contaminating water supply**

Ivo Bergsohn's criticism of the draft Groundwater Management Plan is that it fails to identify a path to solution of existing PCE contamination problems within the basin. It also fails to make clear the "impact of well contamination on drinking water sources". "That's an issue that is going to get even more difficult to address in the not-too-distant future because of the phase out of the Underground Storage Tank program (the funding for cleanups)," says Bergsohn. He goes on to say that the District's MtBe policy provides protection for the consumer but that there needs to be more than this District policy to protect groundwater (and public health).

Bergsohn's September 24 questions to the SAG on this subject are: 1) Whose responsibility is it to stop contamination and remediate? 2) Absent the state performing these tasks is it incumbent upon the District to do so (including coming up with funding to do so)?

**The life of the Groundwater Management Plan is Synonymous with the existence of a Strategic Advisory Group**

Richard Solbrig highlighted three areas he would like the GWMP to address in concrete terms saying...

The District needs a collaborative forum (of agencies protecting groundwater) in which to address: 1) Sustainability Agency designation 2) Historical PCE contamination impacts on present day water supply and 3) USFS groundwater management policy.

The facilitator asked, "Does the District intend to commit the resources to host an ongoing strategic advisory group in the interval between now and the next update over the next five years?"

Bergsohn responded, "I think the District's existing ordinance is supposed to meet at least two times a year. Do you think that's adequate?" (asked of Richard Solbrig)

Solbrig clarified, "I think with just those three topics highlighted (above) we are going to certainly need more than two meetings a year in terms of the group that is going to move forward and start working on some of the goals identified in this document."

**What is Lahontan asking the District to commit to doing right now? | What is Lahontan willing to commit to doing right now?**

Doug Smith indicated that Lahontan is ready to commit the time and resources to work toward collaborative solutions regarding PCE contamination investigation and abatement saying, "We need to create synergy on this issue and that synergy needs to be reflected in the GWMP document".

Smith iterated several times during the workshop that Lahontan wants the District to acknowledge that ground water is protected in this basin through collaborative work. Smith asked that this be a central theme woven throughout the GWMP document itself. He committed

Lahontan staff to work collaboratively with the District both in the near term (to bring the document to an acceptable state of completion) and in the long term.

**What is the District asking Lahontan and other affected parties to commit to doing right now? | What is the District willing to commit to doing right now?**

The District is asking all parties present to approve (once requested revisions are made) a GWMP document that can be adopted by the District Board in the 2014 calendar year.

Richard Solbrig proposed, “Why don’t we identify a sequence of steps for working to resolution on the current PCE problem in the GWMP document and commit to it?” and proposed the following steps: 1) gain commitment of stakeholders to working to resolution of existing PCE problem with sub-steps a) identify the source of the problem and b) assess the impact of the existing PCE problem. Solbrig added that this is not a new problem. It has been over a decade since the problem was identified and in that time much has been done to address it. He envisions the committee convened to address this issue in 2015 as a proactive mechanism to synthesize the extensive information that has been researched on this subject.

**An approved Groundwater Management Plan before the close of 2014 is vital to groundwater protection.**

The attorney for the District, Brad Herrema, clarified that the rationale behind a GWMP document approval before the end of 2014 has to do with a number of factors. The bottom line is that the District’s assessment of the basin’s best option for proactively protecting the groundwater resource lies in having an approved GWMP before the close of 2014. (The rationale was persuasive and changed the tenor of Lahontan’s request. Before this clarification Smith was asking whether the adoption of the plan might not be undertaken after the first of the year in order to allow for more drastic revision of the GWMP. After this clarification Smith agreed that adoption before the end of 2014 would be for the greater benefit of groundwater protection.)

**The BMO “Maintain and Protect Groundwater Quality” will have a sub-element committing to the convening of a group/committee to resolve current PCE contamination**

Discussion resulted in the group recommendation that the BMO “Maintain and Protect Groundwater Quality” have a sub-element committing to the District’s convening a group/committee to resolve the current PCE contamination issue and its ramifications. (For clarification. No PCE is currently getting into water supply or being used in the basin. PCE is present in the water supply due to historic uses of it.)

Other highlights of discussion on this topic were:

- Creating such a committee would be helpful not only in terms of addressing the PCE issue, but also in terms of serving as an example or “pilot” for the District working more collaboratively to resolve issues.
- By creating this committee we are creating an opportunity to assemble more than a decade of information on the PCE issue.
- Doug Smith said, “Hearing Richard say that he wants this to be a living document gives me confidence that what is going to be said in this document will work for everybody”.

Smith indicated that Lahontan would be in support of GWMP document approval before the end of 2014 (assuming collaborative work toward this end would take place).

- It was suggested that the PCE committee might be the group that evolves (with shifting membership) into a committee whose membership morphs with the subject at hand (ie this committee might be the SAG at least initially).

**The District is committed to taking steps in 2015 toward bringing groundwater protection to a higher level of sophistication in the context of land use planning**

Paul Nielsen, in dialogue with the group, came to these general conclusions based on discussion in the previous three SAG workshops. The path forward starts by the District and Nielsen meeting in early January 2015 to touch base on the subject of coordinating agency process in order to:

- Incorporate the updated source water / groundwater protection map into appropriate TRPA planning documents
- Create a collaborative, interagency program of action
- Initiate a stand-alone committee that would focus on the subject of upgrading ground water protections in land use planning (not the same committee as the PCE committee)

**Alternative to a group endorsement of the Plan document group members are invited to submit a letter of support for ongoing collaboration for groundwater protection**

Alternative to a group letter of endorsement of the GWMP the group arrived at the notion of having individual agency/person letters verifying their active participation in the process and enthusiasm for/commitment to? A long-term groundwater protection agenda.

**There will be ongoing communication between the District and Lahontan as sections are revised to integrate Lahontan comment**

The full Strategic Advisory Group adjourned and a subset of the group met for 30 minutes to coordinate specific actions regarding integration of Lahontan’s edits into the draft final Groundwater Management Plan document. In this time participants committed to ongoing communication between the District and Lahontan as sections of the document undergo revision to incorporate Lahontan comment.

Solbrig and Bergsohn committed to design a path that would result in a GWMP 2015 Implementation Plan to be integrated into District overall work plans. Aspects of this plan pertinent to other agencies’ work planning (TRPA, Lahontan, the City, water purveyors) will then be brought to the attention of these agencies in the first quarter of 2015.

**ACTION ITEMS**

The following table summarizes action items discussed by the Strategic Advisory Group in the course of the September 24 workshop.

ACTION	IMPLEMENTER	TIMEFRAME
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Update oversight assignment for small water systems	Maley	For final GWMP
Draft sample content of letter of support	District staff	For final GWMP
Draft executive summary of GWMP	Maley/Bergsohn	For final GWMP
In the context of the BMO “Maintain and Protect Groundwater Quality” create a sub-element articulating the District’s commitment to convene a group to resolve current PCE contamination issues	Maley	For final GWMP
Meet with Paul Nielsen in January to integrate program of ground water protection upgrades into TRPA annual and long-range planning	Bergsohn (or assigned District staff)	By January 2015
Send admin draft of revised GWMP to all SAG members for review	Bergsohn	October/November 2014
GWMP Executive summary, a paragraph in Section 4 and mentions throughout the GWMP as appropriate will underscore the vital role of collaboration to accomplishing groundwater management goals	Maley	For final GWMP
Design Groundwater Management Implementation 2015 Work Plan document	Bergsohn (or assigned District staff)	January 2015