

**Tahoe Water Suppliers Association Staff Summary**  
**Tahoe Keys Lagoons Aquatic Weed Control Methods Test (CMT), Environmental Certification Process**  
**Lahontan RWQCB Board Meeting January 2022**

**Certify-Final EIR/EIR   Grant-Basin Plan Prohibition Exemption   Adopt-NPDES Permit**

Full Documents: [https://tahoekeweeds.org/environmental\\_analysis/](https://tahoekeweeds.org/environmental_analysis/)

## **Executive Summary**

The Tahoe Keys Property Owners Association (TKPOA) is seeking approval for their exemption to the basin plan amendment on the prohibition of herbicide use in Lake Tahoe, as represented in the 2021 Aquatic Pesticide Application Plan (APAP). The project's goal is to reduce aquatic weed biomass by 75% to improve water quality and recreation for beneficial use. The Lead Agency (Lahontan) is requiring full environmental review of the proposed project due to the proposed discharge of aquatic herbicides into receiving waters of the Tahoe Keys Lagoons, a Tier III Outstanding National Resource Water (ONRW Tier III) for ecological and recreational value. After the designation of the Tahoe Keys Lagoons as the greatest threat to the environmental health of Lake Tahoe, the TRPA has secured federal funding through the Lake Tahoe Restoration Act (\$3M) to facilitate a solution to the aquatic weed problem at the Tahoe Keys Lagoons. As part of the California Environmental Quality Act (CEQA) process, the TKPOA has worked with regulators and stakeholders to produce a proposed project for herbicide use, and after an initial public scoping process, three additional project alternatives. The proposed project and three alternatives underwent review by an independent third-party consultant chosen by the lead agencies and produced the DEIR/EIS. As required by the (CEQA) Process, the DEIR/EIS is not recommending a project action to the lead agencies; it provides the necessary information for informed decision making, with the required designation of an Environmentally Superior Alternative. The DEIR/EIS has chosen a project alternative as the **Environmentally Superior Alternative, Action Alternative 1 (Testing of Non-Herbicide Methods Only)**. The Proposed Project, Action Alternative 2 (Tahoe Keys Dredge and Replace Substrate), and the No-Action Alternative would have unavoidable impacts on recreational boating that would not occur under Action Alternative 1 (Testing of Non-Herbicide Methods Only).

The DEIR/EIS has found that the proposed project and the alternative actions will have **no significant impact** on Environmental Health, Aquatic Biology, Utilities, and all reviewed objectives that cannot be avoided with mitigation measures, including early treatment, real-time treatment monitoring, pretreatment surveys, and containment. The non-action alternative has been found to have **potentially significant unavoidable impact** due to the increase infestation of aquatic weeds from the Tahoe Keys Lagoons throughout greater Lake Tahoe.

The draft EIR/EIS section UT-1: Effects on Water Supply, states that the filtration exemption and other effects on municipal water will have no significantly unavoidable impacts from the proposed project. The proposed CMT has no potential to influence microbial contamination, and mitigation measures will be in place for turbidity.

Lahontan has released environmental documentation for the CMT, including the Tentative Lahontan Board Resolution, Tentative Waste Discharge Requirements (WDR) and National Pollutant Discharge Elimination System (NPDES) permit, and Basin Plan Exemption Criteria in a Staff Report. The **antidegradation** analysis, provided with the WDR and NPDES permit, complies with the standards of California and Federal antidegradation requirements and explains the Basin Plan Exemption Criteria that will allow for the introduction of two aquatic herbicides into a Tier III ONRW waterbody. The documentation provided by the regulatory agency provides findings that the water quality of the ONRW is maintained and protected through the proposed herbicide control methods test. This finding is based on the analysis that Lake Tahoe and the associated Tahoe Keys Lagoons are outstanding for their exceptional recreational value that depends on the enjoyment of the scenic beauty imparted by its clear, blue waters. The short-term degradation in water quality will only be within the treatment areas. The receiving waters of the Tahoe Keys Lagoons will provide a 4:1 dilution ratio (140 AF of treated waters to 600 AF of untreated waters within the lagoons). Additionally, the regulatory documentation provides the concentration of active ingredient that could be released from the west channel, in a failure of required mitigations, as the current minimum laboratory detection rate for endothall and triclopyr of <0.9 µg/L at Lakeside Park, and a private water company to the west.