

Lassen National Forest Sewage Ponds; Then and Now  
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Some of you have been with me a long time and might remember our battle to insure the **ground water and Merrill Creek watershed were not polluted by leaking sewage/nutrients from the Eagle Lake Wastewater Facility**. The violations stated below among many other enforcement and environmental documents are also available on our website on the left sidebar, index page and blog (weather). But, to make a long story short...er... here we go.

Back in 2007 **we notified Lahontan Regional Water Quality Control Board of the dilapidated conditions of the sewage ponds operated by Lassen National Forest** serving the recreation area campgrounds, marina and a Camp Ronald McDonald children's camp. We submitted photos of our findings which **included rocks 3 to 6+ inches in diameter penetrating the pond liner from below**. (2007 [photo](#), [photo](#), [photo](#)). We are the whistle blowers and the primary witnesses in this matter. At that time I was writing a column for the internet newspaper Localnews1.net and I published the story on the internet including the photos.

Lahontan's Robert Tucker and Alan Miller followed us into the sewage ponds operated by LNF via the back roads so they knew how to get in, if necessary, for a surprise inspection.

LNF had to remove the rocks and patch the visible holes in addition was requested to submit testing and inspection reports that they apparently didn't have or didn't document. Lahontan chose to believe LNF would do the job as specified in their job description, despite their record of missing or misinformation. So, rather than coming up and inspecting the repairs, they appeared to believe all was well and fine. But, in 2008, the ponds remained the same, if not even more dilapidated. (2008 [photo](#), [photo](#), [photo](#)) It was apparent that LNF had not even inspected the site, let alone notice the obvious damage.

So, **Lahontan issues a violation**. As time goes by LNF submits unacceptable testing and water monitoring well results and other things that were inadequate or simply missing...you know, no proof of pollution says there is no pollution by LNF standards...LNF only came up with a fraction of what was requested. But, Lahontan allows them another 180 days to come up with the right information and/or explanation, or test results...but this time by outside (outside USFS employee's) services. Well, that time line goes by and **another violation was issued**. LNF still not doing things correctly or timely so Lahontan becomes the "lead agency" finally involves their enforcement branch. All this time it is **2009 and the sewage ponds remain in the same condition since 2007** (and it appeared that the ponds had been in that dilapidated condition well before we started documenting it...as the liners were something like 13 years outside the life span stated by the manufacturer...how about 15, 16, 17, 18 or 19 years beyond the life span?).

In 2009 patches were found floating in the sewage water, seam tape floating on the ponds and wrinkled up in a heap on the sides of the ponds. (April 2009 [photo](#), [photo](#), [photo](#), [photo](#), Oct 2009 [photo](#), [photo](#), [photo](#), [photo](#)) Once again, **I send photos of the unchanged condition of the ponds to Lahontan**. Finally Lahontan sends in Taylor Zentner (from their enforcement branch) who we went on a "public viewing" tour of the site. Terri Frollie from LNF led the tour but avoided taking Mr. Zentner to the location where the worst damage and disrepair were. I decided to take Mr. Zentner on the rest of the tour so he could see just why he was there and led him to the damaged area where patches and seam tape were still floating in the sewage

ponds and exposed cracks and holes remained in the liners. Mr. Zentner photographed the conditions once he had something to photograph. LNF continued with their normal behavior but finally ran out of time extensions and finally hired a leak detection service to determine how many more holes were in the bottom of the pond liners in 2009 but pushed their time to the limit before doing so. For two years, LNF has lagged behind because they believed themselves to be exempt from any state laws. However, the fact was that certain conditions had to be met before LNF could be exempt. LNF failed every one.

October 5<sup>th</sup>, 2009 Lahontan received the results of the leak detection performed below the water level by Leak Location Services, Inc. in September 2009. The results are as follows:

- **Evaporation Pond #1 = 16 leaks below the sewage level.**
- **Evaporation Pond #2 = 32 leaks below the sewage level**
- **Primary Pond #1** = test was inconclusive due to interference believed to be from the clay bottom (no liner).
- **Primary Pond #2 = 16 leaks**
- **NOTE:** The **primary ponds** receive and **contain the ground sewage** pumped uphill through the system from the recreation area. The “**evaporation ponds**” receive their water from the primary ponds for **second stage separation** and faster evaporation. Either way, sewage is sewage and leaks in both sets of ponds can only go one direction, down into the ground water. The ground water “monitoring & testing” also indicated that **originally ground water was found 280 to 300 ft below the sewage ponds** and the recent test indicated the ground water was **now found 10 ft below the ponds**. LNF apparently continues to deny any damage has been done to the ground water...denying the obvious continues to make me laugh, however the probable damage is not a laughing matter. The location of the sewage ponds is the headwaters of Merrill Creek (read “just what are they putting in the water”) and when Merrill Creek flows, it flows in spring, it flows into Eagle Lake at Merrill Campground. There is a potential for the leaking sewage to impact Merrill Creek and the longer it continues, the potential increases. All this [info is in this document](#).

Lassen National Forest was supposed to come up with a plan for water board approval and the one they did submit for approval had some unaddressed issues and then changes and enlarging the system came into play and have not met full approval yet, especially how and **where LNF plans to dry and rid themselves of 30 years of sewage sludge**, that is if they can get it out of the liners before the liners crack and separate dumping the sludge **under** the liner. Lahontan is requiring that LNF dispose of the dried sewage sludge in a proper manner at an approved landfill and so far **LNF hasn't come up with an acceptable sludge drying and removal plan yet**. I personally requested to Kathleen Morse the 2008 USFS Supervisor and Jack Walton LNF Forest Engineer on April 13 of that year, that I would only believe it was properly disposed of if I saw the receipt from the landfill...***I based my opinion on past experience with the LNF staff responsible for the conditions of the sewage ponds and the dumping practices in landfills around the lake.***

Enter March 10, 2010. LNF declares a contract and funding has been obtained for their preferred alternative plan (yet unapproved by water board) over a 2 ½ year project if all goes well. They hope to be able to receive sewage in the new system in 2012. In the mean time, they will use the old one until they can transfer water into a new pond and a sewage sludge drying pond before they can remove the sludge from the existing primary and evaporation ponds. (2010 June [photo](#), [photo](#) & Nov 2010 [photo](#), [photo](#), [photo](#), [photo](#), [photo](#), [photo](#))

**LNF has stalled** (very good at stalling, if they could only put that same effort into working they might get something done) **for the last three going on four years and are adding an additional 2 ½ years of pollution before the leaks are repaired.** And it doesn't stop there, properly drying and disposing of the sewage sludge will take longer and with plans to dry it on site are disturbing because it appears that we cannot trust LNF to do it correctly or legally (See Pollution 1). Since 2007, this is all the LNF has accomplished in the physical world ([photo](#))

Since our State water board was **first notified of the gross sewage pollution (nutrients) by Lassen National Forest in 2007 the sewage ponds will have been allowed by both the state of California and our Federal government to leak for over 5 ½ years before the system could be repaired.** That doesn't include how long it will take for the damage to be cleaned up or drain into Eagle Lake.

The state and federal government are only **two out of three agencies responsible** for the horrid conditions of the sewage ponds. Ultimately, the **Lassen County Health Department (Environmental Health Department) also had a responsibility and was supposed to physically inspect the Eagle Lake Wastewater Facility operated by LNF** yearly and keep records of doing so. However, our experience with Lassen County officials tells us that nothing would have changed or improved the conditions of the LNF sewage ponds even if Lassen County did inspect them. Business as usual in all agencies in Lassen County.

**All local agencies including the Lassen County Board of Supervisors knew of this tragedy in 2007** and you haven't seen them concern themselves with regards to the sewage pollution by Lassen National Forest occurring just up the hill from the largest, RV compatible campground at Eagle Lake. If and when the polluted water comes, it will come down via Merrill Creek which is adjacent to Merrill Campground and the Amphitheater. The supervisors knew this but never took up any actions to prevent the additional 5 ½ years (could be longer) of sewage/nutrients discharging into the ground water in violation of just about every state code regarding sewage containment. Why didn't the supervisors act? Why do you suppose that the sewage (they too are allowing to happen by not showing interest or influence) continues to flow? Why are **the same federal employee's that allowed the system to get into the condition it is now still employed and responsible for planning and inspecting construction of a NEW larger system?** Same reason they were not interested in the toxic dumping (see other pollution articles) among other pollution including improper disposal of petroleum saturated soil.

**...and I am supposed to be the criminal?** Well, before I can be the "criminal", it appears that **there are several people in line ahead of me.**

2010/2011 the sewage ponds remain in the **same condition if not worse** than they were in 2007. The empty threats by Lahontan go unnoticed by LNF and from this side it seems that LNF continues to do what they want, when they want and nothing more. **Seems to be a "lead agency" conflict here. Since Lahontan declared themselves as the lead agency, why are THEY not complying?**

Lahontan has appears to have no intention of "closing down" the recreation area for LNF to do repairs to the system. That would cause economic chaos for Lassen County. LNF will get around to it only when they get around to it. That is why LNF is dragging this out just as long as possible and not even patching the holey liners anymore. LNF can and will be able continue to discharge sewage in the current system and drag their feet because they won't be shut down and the money from campers and tourists will still flow. That is in Black and White. So LNF

appears to have no time line, no reason to rush and in all honesty I doubt the state even plans on collecting their proposed \$1000 per day fine...and if they do, they might consider sharing the cost as well as sharing the blame. **LNF has no reason to be in a hurry to protect Eagle Lake from their contamination as the money will continue to roll in once fishing season begins and business as usual.** Then, there is the matter of the “permit” for Lassen College Foundation if the recreation area is closed down temporarily. That is why the Cease and Desist Order contains no meat, there is nothing to worry about for LNF.

Lahontan forced the residents of Eagle Lake in Stones Landing, Bucks Bay and Spalding) to have wastewater systems treat their sewage. However, the state **excluded** summer residents in **Eagles Nest (which is leased LNF land and minimally should be using a sand filtration system due to the number of homes and proximity to the lake). Nothing but “Zero Discharge” in the Eagle Lake Basin, unless you are or have something to do with Lassen National Forest.** Lassen National Forest has been allowed to bend (I use that term loosely) every law possible in every direction to delay doing anything about their leaking sewage ponds. Especially avoiding accurate water monitoring tests at the site. Yet, no one is being held accountable. Lahontan appears to have knowingly and willingly allowed this to continue since 2007 despite all their wordy threats that seem to have no affect on LNF.

The proposed [Cease and Desist Order](#), even if issued at the hearing, is basically just another **way for the state to appear like they are doing something about it.** Only my long time viewers know how hard it was to get Lahontan to even consider taking a look at the dilapidated ponds and even harder to get any action other than empty words of threats, violations, Cleanup and Abatement Order threats and now “consider” issuing a Cease and Desist (in April 2011) that carries little to no weight.

Is it just me, or do you also think that allowing the sewage to continue to leak nutrients into the ground water from documented holes in the sewage containment pond liners for over 5 ½ years in the Eagle Lake basin is unacceptable?

**If this is what we get for water protection in the state of California, then our State is in more serious trouble than they could imagine.** This issue needs a ~~federal~~ **outside forensic investigation** at all levels including local, state and federal agencies and hold the offenders accountable.

Eagle Lake (what is left of her) and her Heritage trout deserve no less.

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