

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

RESOLUTION R6T-2009-0131

**TRIENNIAL REVIEW OF WATER QUALITY CONTROL PLAN FOR
THE LAHONTAN REGION (BASIN PLAN)**

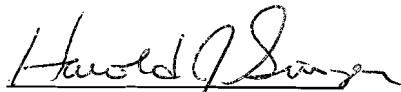
WHEREAS, the California Regional Water Quality Control Board, Lahontan Region (Water Board), finds:

1. The Water Quality Control Plan for the Lahontan Region (Basin Plan) took effect March 31, 1995 and has been amended since that date.
2. State and federal laws require period review and revision of Basin Plans.
3. The Water Board is responsible for reviewing water quality standards and implementation plans as appropriate and for modifying and adopting standards contained in the Basin Plan under provisions set forth in Section 303(c) of the federal Clean Water Act and Section 13240, Division 7 of the California Water Code. The federal process is called "Triennial Review."
4. The Water Board and its staff implemented the 2009 Triennial Review by:
 - a. Sending a letter to the Region's Basin Plan mailing list and the electronic mailing list for Triennial Review, with a list of potential planning issues for public comment.
 - b. Making the issues list and a staff report available to the public on request and posting these materials on the Water Board's Internet web page.
 - c. Noticing and conducting a public hearing at its October 14 and 15, 2009 regular meeting.
 - d. Responding to all written public comments received during the designated period.
5. As a result of the Triennial Review process, the Water Board formulated the priority issues list shown in Attachment A. This attachment includes recommendations for both regional and statewide planning priorities and identifies priority topics that would require additional funding to be addressed before the next Triennial Review.

THEREFORE BE IT RESOLVED:

1. The Water Board, in fulfillment of the requirements of Section 303(d) of the Federal Clean Water Act and Section 13240, Division 7 of the California Water Code, has done the following:
 - a. Concluded the 2009 Triennial Review of the Lahontan Basin Plan
 - b. Approved the priority list (Table 1 in Attachment A) for revision of the Lahontan Basin Plan
 - c. Concluded that all other planning issues identified by staff and the public during the 2009 Triennial Review process would require additional funding in order to be addressed before the next Triennial Review.
2. The Water Board's Triennial Review actions do not preclude other Basin Plan revisions that may become necessary before the next Triennial Review in 2012.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on October 15, 2009.



HAROLD J. SINGER
EXECUTIVE OFFICER

Attachment: A. Triennial Review Recommendations

ATTACHMENT A - 2009 TRIENNIAL REVIEW PRIORITY LIST FOR THE LAHONTAN REGION

TABLE 1. - PRIORITIES TO BE ADDRESSED WITH PROJECTED RESOURCES FOR FY 09 TO FY 11

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
0	Complete Lake Tahoe TMDL and associated amendments to Chapter 5.	Ongoing work that will use TMDL program rather than Basin Planning program resources.		
1	Complete amendments to the water quality objective for pesticides	Ongoing work (in FY 09-10 workplan)	0.7	May 2010
2	Complete amendments to plan provisions affecting the shorezone of Lake Tahoe	Ongoing work (in FY 09-10 workplan)	0.6	July 2010
3	Complete Tahoe/ Truckee prohibition/forestry amendments	Ongoing work (in FY 09-10 workplan). Revise exemption criteria for 100-year floodplain waste discharge prohibitions in the Lake Tahoe and Truckee River watersheds to be consistent and to clarify application of exemption criteria to forest fuel reduction activities. Update Chapter 4 and 5 discussions on timber harvest and vegetation management.	0.7	January 2011

Table 1, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
4	Complete Chapter 5 amendments to incorporate Tahoe Regional Planning Agency's (TRPA's) new 20-year Regional Plan	Ongoing assistance to TRPA staff to ensure that TRPA Regional Plan is consistent with the Lake Tahoe TMDL. Additional water quality programs and implementation measures will be incorporated into Chapter 5 of the Basin Plan following TRPA's adoption of its Regional Plan.	0.7	Early 2012
5	Revise water quality objectives for Mojave River	Initial effort to gather information from Mojave Water Agency and other entities. Prepare workplan and resource estimate to complete Basin Plan amendment to revise objectives.	0.2	June 2012
6	Modify waste discharge prohibitions to protect additional prime groundwater recharge areas of arid basins	Initial effort during this Triennial Review cycle. Prepare scope, workplan and resource estimate to complete basin plan amendment.	0.2	June 2012
7	Revise bacteria objectives	Initial effort includes managing contract to collect data and compare fecal coliform bacteria levels to E.coli levels in waters of the Lahontan Region and reviewing proposed State Water Board and USEPA criteria. Basin Plan amendment (post-2013 at the conclusion of a Proposition 84 grant study) will incorporate the State Water Board's bacteria policy when final and consider revisions to the Lahontan Region's bacteria-related objectives.	0.2	June 2012

Table 1, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
8	Miscellaneous work that will not directly result in Basin Plan amendments	Work includes coordination with other states, agencies, tribes and TRPA regarding standards revisions, contract management for plan-related work, staff training, administrative staff updates of electronic plan, coordination with State Water Board Division of Water Rights and water purveyors in Squaw Valley, Placer County regarding ground water management issues, work with third parties on nutrient and salt management plans developed under State Water Board's Recycled Water Policy, etc.	0.8	N/A
9	Update of entire Basin Plan	Update of the plan to improve its usability for staff and the public. Revisions will address new and revised State Water Board plans and policies, California Toxics Rule standards, clarification of bacteria objectives, Nonpoint Source Plan, waiver and enforcement provisions, Surface Water Ambient Monitoring Program, Watershed Management Initiative, revised maps, a revised beneficial use table reflecting the CalWater watershed numbering system, etc. Salt/nutrient management plans completed in response to the State Water Board's recycled water policy may be incorporated into the Basin Plan as part of this project if they are available before public drafts are completed.	0.6	Spring 2012
10	Remove MUN use from Eastern Indian Wells Valley and Salt Wells Valley Basins	This project was requested in comments from the China Lake Naval Air Weapons Center. Staff will rely upon the Navy to provide adequate information and data to justify the amendments. Depending on the availability of data the project may or may not be completed within the next 3 years.	0.4	After 2012

Table 1, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
11	2009 and 2012 Triennial Review	Resources are needed to develop a draft priority list and related documents, respond to public comments, and prepare agenda materials and administrative records.	0.3	October 2009, October 2012
12	Program Manager (0.1 PY/year)	Program manager participates in State/Regional Board roundtable meetings, aids in workplan development, provides information to the public, etc.	0.3	N/A
	PY TOTAL: TOPICS 1 THROUGH 12	Basin Planning program currently provides 2 PYs per year. If current furlough program continues for one year as specified in the Executive Order (15% cut), only 5.7 PYs will be spent over the three years.	5.7	June 2012

**TABLE 2. - PRIORITIES THAT WOULD NEED ADDITIONAL RESOURCES TO BE ADDRESSED
BETWEEN FY 09 AND FY 11**

Topic No.	Topic	Description	Resource Needs (PYs)
13	Develop groundwater objectives for selected South Lahontan groundwater basins.	Currently the groundwater objectives in the Lahontan Basin Plan apply to all groundwaters, or to categories of groundwaters designated for specific beneficial uses. Development of "site specific" groundwater objectives would require adequate water quality data for the constituents of concern, and aquifer maps to define the areas where objectives would apply. Funding is for an initial effort to produce a detailed workplan.	0.2
14	Revise Chapter 3 language on compliance with objectives and "means of monthly means"	Define minimum sample numbers for determining compliance with objectives expressed as annual means. Change the expression of water quality objectives for surface waters in the Truckee, Little Truckee and Carson River watersheds from means of monthly means to annual means.	0.5
15	Add Cultural Resources beneficial use	This topic would include development of a definition for the use, and designation of specific waters for the use. The definition would recognize the traditional or cultural uses of water and aquatic and wetland ecosystems and resources by indigenous people. Examples include but are not limited to subsistence fishing, basket weaving, and ceremonial or medicinal uses of hot springs. Basin Plan amendments would be developed in cooperation with Native American tribes.	1.0+
16	Develop SSOs for salinity in Searles Lake.	Develop objectives to reflect the naturally high levels of salt and trace elements in this desert playa lake.	1.0

Table 2, continued

Topic No.	Topic	Description	Resource Needs (PYs)
17	Develop site-specific objectives (SSOs) for salinity and related constituents in Honey Lake and adjacent ponds and wetlands.	SSOs would avoid the need for TMDLs to address six Clean Water Act Section 303(d) listings for high salinity and trace elements in Honey Lake and adjacent waters. Additional monitoring might be necessary to document existing water quality and reference conditions.	1.0
18	Remove two beneficial uses from Piute Ponds and Piute Ponds wetlands.	This topic would involve removal of the Groundwater Recharge (GWR) and Agricultural Supply (AGR) beneficial uses from the Piute Ponds and wetlands in the Amargosa Creek watershed in eastern Los Angeles County. The ponds and wetlands are maintained with effluent from the Los Angeles County Sanitation District No. 14 (Lancaster) wastewater treatment facilities.	1.0
19	Consider incorporating State Board Numeric Nutrient Endpoint (NNE) methodology.	The NNE methodology provides direction for use of secondary indicators of eutrophication (such as chlorophyll) in development of nutrient standards and TMDL targets. Depending on the outcome of peer review, the State Water Board may ask Regional Water Boards to incorporate the NNE methodology into their Basin Plans.	1.0
20	Outstanding National Resource Water (ONRW) designations for segments of East Fork Carson River, West Walker River and Leavitt Creek.	Federal antidegradation regulations allow states to designate water bodies as ONRWs, where no long-term degradation should be permitted. The three listed waters have been designated as state wild/scenic rivers.	0.5
	PY TOTAL: TOPICS 13 THROUGH 19		6.2

TABLE 3. - PRIORITIES THAT SHOULD BE ADDRESSED ON A STATEWIDE BASIS

Topic	Description
Address violations of standards due to pollutants from natural sources	Naturally high levels of salt and trace elements such as arsenic occur in certain waters of California. A joint effort by State Water Board staff, staff from all of the Regional Boards, and U.S. Environmental Protection Agency staff has been initiated to identify statewide solutions to avoid the need for Section 303(d) listing and TMDL development for waters where "impairment" is due entirely to natural sources, and to address other natural source issues. Solutions could include "natural sources exclusion" language for statewide policies and/or regional Basin Plans, and a subcategory of the Municipal and Domestic Supply beneficial use that would not apply drinking water Maximum Contaminant Levels to "naturally impaired" ambient waters.
Revise Temperature objectives	This topic was approved as a Lahontan Region priority in the 2006 Triennial Review, in response to comments by the U.S. Environmental Protection Agency. The development of new objectives would be a complex, resource-intensive task that might best be handled on a statewide basis.
Mixing zones	The Basin Plan does not contain allowances for mixing zones below point source discharges. The only applicable provisions are those for toxic pollutants in the State Implementation Policy for California Toxics Rule standards. It would probably be more productive for mixing zone language for non-toxic pollutants to be developed on a statewide basis than for Regional Boards to adopt separate Basin Plan amendments and have them invalidated due to a desire for statewide consistency.

Table 3, continued

Topic	Description
Turbidity objectives	The U.S. Geological Survey has recently begun measuring turbidity using new equipment and new units (NTRU rather than NTU) that are not directly comparable with existing objectives. There is a growing scientific literature on turbidity criteria for protection of aquatic life uses. Under the State Water Board's Section 303(d) Listing Policy, waters with small numbers of violations of the turbidity Maximum Contaminant Level (5 NTU) may need to be listed, even if the violations are due to natural conditions. The development of new objectives would be a complex, resource-intensive task that might best be handled on a statewide basis.
Bio-objectives	The State Water Board is developing statewide "bio-objective" language based on the health of benthic macroinvertebrate communities. Both a narrative objective and an implementation plan will be adopted. The implementation plan will provide direction to Regional Water Boards for the development of numeric biocriteria. The process is expected to take 4-5 years.