

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 84-22

CONSIDERATION OF AN AMENDMENT TO PART I OF THE WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO RIVER (5A), SACRAMENTO-SAN JOAQUIN DELTA (5B), SAN JOAQUIN RIVER (5C), AND TULARE LAKE (5D) BASINS INCORPORATING GUIDELINES FOR PROTECTION OF WATER QUALITY DURING CONSTRUCTION AND OPERATION OF SMALL HYDRO PROJECTS; AND CONSIDERATION OF WATER RIGHT PERMIT TERM REQUIRING COMPLIANCE WITH "GUIDELINES FOR PROTECTION OF WATER QUALITY DURING CONSTRUCTION AND OPERATION OF SMALL HYDROELECTRIC PROJECTS" LOCATED IN THE CENTRAL VALLEY REGION

WHEREAS:

1. The California Regional Water Quality Control Board, Central Valley Region, (Regional Board) adopted a Water Quality Control Plan for Basins 5A, 5B, 5C, and 5D (basin plans) on July 25, 1975.
2. Division 7 of the California Water Code requires that basin plans be periodically reviewed and, if appropriate, revised.
3. The Regional Board recognizes the potential for adverse effects of smaller hydroelectric power projects on water quality, aquatic and riparian habitat, and recreational/aesthetic uses of streams.
4. The Regional Board developed guidelines which set forth Regional Board policy on small hydropower developments, project standards for water quality protection, and procedures for project approval.
5. Regional Board staff prepared documents and followed procedures to satisfy environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code, Section 21080.5 (Functional Equivalent), and the federal Clean Water Act.
6. On October 28, 1983, after two public hearings, the Regional Board adopted Resolution No. 83-135, "Amending the Water Quality Control Plan for Guidelines for Protection of Water Quality During Construction and Operation of Small Hydro Projects" (Guidelines).
7. The State Board finds that the Guidelines adopted by Regional Board Resolution No. 83-135 are justified, reasonable, and should minimize water quality degradation.
8. On November 4, 1983, the Regional Board submitted Resolution No. 83-135 for State Board consideration of approval. Further, the Regional Board has requested the State Board to include a condition requiring compliance with Parts I and II of the Guidelines in water right permits issued to hydroelectric power developers.

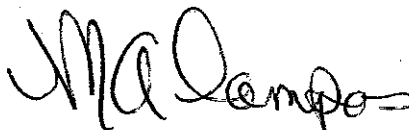
9. Standard Water Right Permit Term 102 is proposed for inclusion in all water right permits issued to hydroelectric power developers located in the Central Valley region.
10. Standard Water Right Permit Term 102 requires the permittee to seek and comply with any Waste Discharge Requirements issued by the Regional Board or to comply with the Guidelines if the Regional Board waives issuance of Waste Discharge Requirements.
11. The Guidelines will be provided to the water right permittee by the Regional Board when Waste Discharge Requirements are waived.
12. Basin plan amendments do not become effective until approved by the State Board.

THEREFORE BE IT RESOLVED:

1. That the Guidelines for Protection of Water Quality During Construction and Operation of Small Hydro Projects, as prescribed in Regional Board Resolution No. 83-135, be incorporated into the basin plan for Basins 5A, 5B, 5C, and 5D.
2. That the Standard Water Right Permit Term 102 is approved for use by the Division of Water Rights in all permits issued for all hydroelectric power projects located in the Central Valley region.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 15, 1984.



Michael A. Campos  
Executive Director