

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 86-9

APPROVAL OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE
NORTH LAHONTAN BASIN FOR EXEMPTIONS TO THE 100-YEAR FLOOD PLAIN DISCHARGE
PROHIBITION FOR THE TRUCKEE RIVER AND LITTLE TRUCKEE RIVER HYDROLOGIC UNITS

WHEREAS:

1. The California Regional Water Quality Control Board, Lahontan Region (Lahontan Regional Board) adopted the Water Quality Control Plan for the North Lahontan Basin (Basin Plan) in 1975 and amended it in 1980.
2. Division 7 of the California Water Code specifies that Basin Plans be periodically reviewed and, if appropriate, revised.
3. The Basin Plan, as amended in 1980, contains prohibitions 4c and 4d which stipulate the following provisions:
 - "4c. The discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic and earthen materials to lands below the highwater rim of Lake Tahoe or within the 100-year flood plain of the Truckee River or Little Truckee River or any tributary to Lake Tahoe or the Truckee River or Little Truckee River is prohibited."
 - "4d. The threatened discharge, attributable to human activities, of solid or liquid waste materials including soil, silt, clay, sand, and other organic and earthen materials, due to the placement of said materials below the highwater rim of Lake Tahoe or within the 100-year flood plain of the Truckee River or Little Truckee River or any tributary to Lake Tahoe or the Truckee River or Little Truckee River is prohibited."
4. The Lahontan Regional Board proposed to establish criteria under which limited exemptions to Basin Plan discharge prohibitions 4c and 4d could be permitted as they pertain to the Truckee River and Little Truckee River Hydrologic Units.
5. The proposed amendment to the Basin Plan defining the exemption criteria was prepared and circulated for public review.
6. The Lahontan Regional Board staff satisfied the public notice requirements in accordance with California Water Code Section 13244.
7. On September 13, 1985, the Lahontan Regional Board adopted Resolution No. 85-19, "Adopting Amendments to the Water Quality Control Plan for the North Lahontan Basin for Exemptions to the 100-Year Flood Plain Discharge Prohibition for the Truckee River and Little Truckee River Hydrologic Units" (attached).

8. The Lahontan Regional Board staff prepared documents and followed procedures satisfying 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.
9. Basin Plan amendments do not become effective until approved by the State Board.
10. The State Board, after review of the proposed Basin Plan amendment and the Lahontan Regional Board's records, concurs that the criteria recommended in Lahontan Regional Board Resolution No. 85-19, under which limited exemptions to the Basin Plan discharge prohibition area permitted is reasonable and will protect designated beneficial uses.
11. Concerns have been raised as to the intent of the proposed Basin Plan amendment regarding the scope of the exception in man-altered areas.

THEREFORE BE IT RESOLVED:

That the Basin Plan amendments allowing limited exemptions to the 100-year flood plain discharge prohibition as it pertains to the Truckee River and Little Truckee River Hydrologic Units are approved as established in Lahontan Regional Board Resolution No. 85-19 adopted by the Lahontan Regional Board on September 13, 1985, with the understanding that the exceptions in the areas that have been man-altered prior to June 26, 1975 are limited to the five project categories listed in the Basin Plan amendment and outdoor public recreation projects.

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 January 23, 1986.


Raymond Walsh
Interim Executive Director