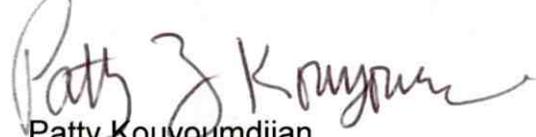


Lahontan Regional Water Quality Control Board

MEMORANDUM

TO: Water Boards Members

FROM: 
Patty Kouyoumdjian
Executive Officer

LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD

DATE: August 1, 2012

SUBJECT: EXEMPTION TO THE 100-YEAR FLOOD PLAIN WASTE DISCHARGE PROHIBITION WITHIN THE TRUCKEE RIVER HYDROLOGIC UNIT FOR THE SQUAW VALLEY RESORT LLC MAMBO MEADOWS CULVERT REPLACEMENT PROJECT, PLACER COUNTY, WDID NO. 6A310118070

In ten days, I intend to sign the enclosed memorandum granting an exemption to the above-cited discharge prohibition specified in the *Water Quality Control Plan for the Lahontan Region* (Basin Plan). The exemption will allow the project proponent to implement a water quality improvement project on an access road located at the Mambo Meadows area of the Squaw Valley Ski Area.

The project meets requirements for an exemption to the discharge prohibition. A public notice soliciting comments on the proposed Project will be posted on the Water Board's website for 10 days.

Please contact Eric J. Taxer at (530) 542-5434, or me at (530) 542-5412, if you have any questions or comments regarding this matter.

Enclosure: Draft Flood Plain Exemption

EJT/adw/T: Squaw Valley Resort, Mambo Meadows 10 day Board Notice, 2012-06-29 EJT
File Under: WDID No. 6A310118070

Lahontan Regional Water Quality Control Board

Michael Gross
Squaw Valley Ski Corporation
P.O. Box 2007
Olympic Valley, CA 96146

EXEMPTION TO THE 100-YEAR FLOODPLAIN WASTE DISCHARGE PROHIBITION WITHIN THE TRUCKEE RIVER HYDROLOGIC UNIT AND AMENDMENT TO THE 2012 ANNUAL WORK PLAN FOR SQUAW VALLEY SKI RESORT LLC MAMBO MEADOWS CULVERT REPLACEMENT PROJECT, PLACER COUNTY, WQID NO. 6A310118070

The California Regional Water Quality Control Board, Lahontan Region (Water Board) received project information from Squaw Valley Ski Resort LLC (Applicant) on June 28, and 29, 2012 to request a floodplain discharge prohibition exemption to replace two in-road culverts with rolling dips (Project) located at the Mambo Meadows portion of the Squaw Valley Ski Area, Olympic Valley, Placer County. This exemption is based upon the information provided by the applicant.

Any person aggravated by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality, or will be provided upon request.

PROJECT DESCRIPTION

An access road exists within the Mambo Meadows area of the ski resort. There are currently two 12-inch culverts conveying ephemeral drainage beneath the access road at two separate locations. These drainages are tributary to South Fork Squaw Creek and, eventually, to the Truckee River. The culverts are prone to overtopping (and subsequent erosion) during significant runoff events.

The Applicant proposes to improve the two drainages by removing the culverts and replacing each of them with a rock-lined rolling dip. Each rolling dip will be approximately 10-feet wide, and the length will be the entire width of the access road. The current 12-inch culverts convey approximately two cubic feet per second (cfs). The rolling dips will increase the flood flow area and volume to allow the safe conveyance of up to 19 cfs (a ten-fold flood flow increase).

100-YEAR FLOODPLAIN PROHIBITION

The Water Quality Control Plan for the Lahontan Region (Basin Plan) contains certain waste discharge prohibitions that apply to the Truckee River Hydrologic Unit (HU No.635), including prohibition 4.(c), which states:

“The discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials, including soil, silt, clay, sand, and other organic and earthen materials to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River is prohibited.”

Installing the proposed rolling dips would discharge or threaten to discharge earthen materials to the 100-year floodplain of a Truckee River tributary.

PROHIBITION EXEMPTION

In accordance with provisions in the Basin Plan, the Water Board may grant exemptions to prohibition 4.(c) when the project involves:

“...the repair or replacement of existing structures, provided that the repair or replacement does not involve the loss of additional floodplain area or volume.”

Prior to granting an exemption, the Applicant must demonstrate *“that all applicable Best Management Practices (BMPs) and mitigation measures have been incorporated into the project to minimize any potential soil erosion and/or surface runoff problems.”*

The Project is for the repair and improvement of an existing water quality protection facility (the undersized 12-inch culverts). No loss of floodplain area or volume is proposed. In fact, flood storage/conveyance will be increased. Appropriate sediment and erosion control measures (BMPs) will be incorporated into the Project to minimize potential erosion control and sediment discharge from the project area during and following construction. BMPs include installation of straw waddles and/or hay bales up and down stream of each respective project area. Both up and down stream areas will be lined to pond water for a pump bypass and for secondary containment (sediment deposition). The Project will only proceed during an extended forecast without precipitation. Additionally, the Project will provide long-term water quality benefits after construction is completed by eliminating the soil erosion that occurs when culvert capacity exceeded and flows overtop the access road.

EXEMPTION AUTHORITY

In accordance with Resolution No. R6T-2008-0031, the Water Board has delegated authority to the Executive Officer to grant exemptions to prohibition 4(c) where the Executive Officer has the authority to authorize the Project under an existing permit and the Project is intended to reduce water pollution.

EXEMPTION GRANTED

Lahontan Water Board staff has notified the Applicant and interested parties of its intent to adopt this prohibition exemption by posting a notice of the Project on its website and sending notices through its email notification system (lyris list). Water Board staff has determined that the Project satisfies the exemption criteria listed above. Therefore, an exemption to the Basin Plan prohibitions 4(c) is hereby granted.

ADDITIONAL CONDITIONS – AMENDMENT TO 2012 ANNUAL WORK PLAN

The Water Board accepted the Squaw Valley Ski Resorts 2012 Annual Work Plan on June 28, 2012. This project was initially excluded from the Water Board's acceptance until a flood plain exemption was approved for the project.

The Project is hereby accepted as an amendment to the Squaw Valley Ski Resort's 2012 Annual Work Plan. The information provided complies with waste discharge requirements specified by Board Order No. 6-93-25. The accepted project consists of maintenance, replacement, and minor alteration of existing facilities and topographical features resulting in negligible or no expansion of use.

CEQA COMPLIANCE

The Project is categorically exempt from the California Environmental Quality Act, according to the California Code of Regulation title 14, section 15301, minor alteration of existing public or private facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Water Board has filed a Notice of Exemption with the State Clearinghouse concurrently with this Order.

If you have any questions regarding the matter please direct them to Eric J. Taxer at (530) 542-5434, or Scott Ferguson at (530) 542-5432. Please use the WDID in the subject line for future correspondence concerning this Project.

PATTY KOUYOUMDJIAN
EXECUTIVE OFFICER

Enclosure: Notice of Exemption Form

Cc: Mike Livak, Squaw Valley Ski Corporation

Michael Gross
Squaw Valley Ski Corporation

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Stacy Wydra, Placer County Planning Department
Ed Staniforth, Placer County Engineering and Surveying Department

EJT/adw/T: Squaw Valley Resort, Mambo Meadows Exemption, 2012-06-29 EJT
File Under: WDID No. 6A310118070

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