

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

BOARD ORDER NO. R6T-2011-0077

**RESCISSION OF WAIVER OF FILING A REPORT OF WASTE DISCHARGE
AND WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR VEGETATION
MANAGEMENT ACTIVITIES REGULATED BY THE TAHOE REGIONAL
PLANNING AGENCY**

AND

**AUTHORIZING THE LAHONTAN WATER BOARD'S EXECUTIVE OFFICER
TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TRPA,
BOARD ORDER NO. R6T-2008-0038**

_____ Placer and El Dorado Counties _____

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

1. Discharger

The Water Board adopted Board Order No. R6T-2008-0038 on December 11, 2008, waiving the filing of a report of waste discharge and/or waste discharge requirements for proponents of vegetation management activities and discharges in the areas of the mutual jurisdiction of the TRPA and the Water Board if these activities are regulated by the TRPA.

2. Facility Description

All lands subject to timber harvest and vegetation management activities in the California portion of the Lake Tahoe Basin under mutual jurisdiction of the Water Board and the TRPA. The California portion under the jurisdiction of both the TRPA and the Water Board does not include the Alpine County portion of the Lake Tahoe watershed, but does include part of the Truckee River Hydrologic Unit, between the Lake Tahoe outlet dam and the Bear Creek confluence.

3. Description of Waste Discharge

Discharges of waste associated with timber harvest and vegetation management activities include, but are not limited to: soil, silt, sand, clay, rock, felled trees, slash, sawdust, bark, petroleum products, and pesticides.

4. Reason for Action

On July 14, 2011, El Dorado County Superior Court Judge Steven C. Bailey issued a final judgment on the Petition for a Writ of Mandate regarding Resolution No R6T-2008-0038. The El Dorado County Superior Court ruling required that the Water Board's Executive Officer notify persons or entities conducting vegetation management and fuels reduction projects in the Tahoe Basin that no discharge or category of discharges will be covered under the waiver authorized by the Board Order after August 13, 2011. The Judge further directed that the Water Board rescind the Board Order at its next regularly scheduled meeting and file a return demonstrating compliance with the Writ no later than October 3, 2011.

5. CEQA Exemption

This action is being taken by this regulatory agency to revoke permits issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Title 14 California Code of Regulations, Section 15321 (a) (2).

6. Notification


The Board has notified affected and interested persons of its intent to rescind Resolution R6T-2008-0038.

7. Hearing

The Board in a public meeting heard and considered all comments pertaining to this rescission Order.

IT IS HEREBY ORDERED THAT Board Order No. R6T-2008-0038 is rescinded.

I, Harold J. Singer, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on September 15, 2011.


HAROLD J. SINGER,
EXECUTIVE OFFICER