

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

RESOLUTION NO. R6T-2018-0050

**2018 TRIENNIAL REVIEW OF THE 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 from time to time since that date.
2. The Basin Plan contains the Lahontan Region's water quality standards, which consist of beneficial uses of waters in the Lahontan Region, water quality objectives, as well as an anti-degradation policy. The Basin Plan also contains a program of implementation, including but not limited to, control measures necessary to protect water quality for the beneficial uses.
3. State and federal laws require periodic review of Basin Plans. Pursuant to California Water Code section 13240 and Clean Water Act section 303(c), the Water Board is responsible for periodically reviewing water quality standards and, as appropriate, modifying and adopting standards contained in the Basin Plan. This process is known as "Triennial Review."
4. The Water Board and its staff implemented the 2018 Triennial Review by:
 - a. Noticing and circulating draft staff reports and draft lists of basin planning projects, and posting these materials on the Water Board's Internet web page, for public review and comment during a 112-day period between June 4, 2018 and September 24, 2018;
 - b. Noticing and conducting two public workshops at its July 18, 2018 regular meeting in Bishop and its September 12, 2018 regular meeting in South Lake Tahoe;
 - c. Responding to public comments received during the June 4, 2018 - September 24, 2018 public comment period, and carefully taking such comments and other factors into consideration when developing the Proposed 2018 Triennial Review List; and
 - d. Noticing and conducting a public hearing to receive oral comments at the Water Board's regularly scheduled November 14 - 15, 2018 meeting in Apple Valley.
5. As a result of the Water Board's Triennial Review process, the Water Board has identified and prioritized its basin planning projects in the 2018 Triennial Review List

(Attachment A of this Resolution) and as described in the *Final Staff Report – 2018 Triennial Review of the Water Quality Control Plan for the Lahontan Region*. The 2018 Triennial Review List also identifies basin planning projects that will require additional funding before they can be addressed.

6. The Triennial Review process does not necessarily involve the revisions of all or any particular component of the water quality standards every three years. Moreover, identification of an issue during Triennial Review does not necessarily mean that any Basin Plan amendment will be made over the course of the three-year review cycle. While the Water Board is required to conduct a review of its Basin Plan, neither federal nor state law imposes a duty to revise or modify it.

THEREFORE, BE IT RESOLVED:

1. The Water Board, in fulfillment of the requirements of California Water Code section 13240 and Clean Water Act section 303(c), has:
 - a. Concluded the 2018 Triennial Review of the Water Quality Control Plan for the Lahontan Region.
 - b. Approved the 2018 Triennial Review List as set forth in Attachment A to this Resolution.
 - c. Concluded that projects identified in the 2018 Triennial Review List with priority designations of 11 - 19 will require additional funding before they can be addressed.
2. The Water Board's Triennial Review actions do not preclude other revisions to the Water Quality Control Plan for the Lahontan Region that may become necessary before the next Triennial Review.
3. The entire Water Quality Control Plan for the Lahontan Region shall remain in effect until such time that the Water Board adopts specific amendments and the appropriate state and federal agencies approve such amendments.

I, Patty Z. Kouyoumdjian, 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 November 15, 2018.

^{for}

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

Table 1 – Proposed 2018 Triennial Review List

| Priority | Project | Description | Prioritization | Next Steps* |
|-----------------|---|---|--|---|
| 1 | Evaluate Bacteria Water Quality Objectives | Evaluate Basin Plan fecal coliform objectives for surface waters and clarify their regulatory and assessment applications considering the State Water Board's recently adopted statewide bacteria objective for REC-1 beneficial use. | <ul style="list-style-type: none"> • Improve regulatory clarity • Region-wide applicability • State Water Board guidance | Begin work in Year 1: <ul style="list-style-type: none"> • Evaluate regional data • Consult stakeholders • Develop strategy |
| 2 | Climate Change Adaptation and Mitigation Strategy | Water Board is currently developing a Climate Change Adaptation and Mitigation Strategy (Strategy). If adopted, identify, prioritize, and begin work on the Strategy's recommended priority actions requiring basin planning response(s). Additionally, evaluate opportunities to incorporate/address Source Water Protection (priority Project 3), Riparian Protection Policy (priority Project 4), and Instream Flow Criteria (priority Project 16) elements. | <ul style="list-style-type: none"> • Water Board priorities (human health protection and environmental health protection/ restoration) • Region-wide applicability • Stakeholder collaboration/ support | Begin work in Year 1: <ul style="list-style-type: none"> • Identify and prioritize basin planning-related recommendations • Evaluate opportunity to address Project 3, Project 4, and Project 16 goals/objectives • Initiate work on highest-priority recommendation(s), as guided by Strategy and resources |
| 3 | Source Water Protection | Identify potential basin planning activities necessary to further improve source water protection within the Lahontan Region. Source waters include headwaters for surface waters usually in the mountains and groundwater recharge areas typically near the base of mountains. | <ul style="list-style-type: none"> • Water Board priorities (human health protection and environmental health protection/restoration) • Region-wide applicability | Continue work in Year 1: <ul style="list-style-type: none"> • Continue coordination with State Water Board on state-wide policy development • Identify opportunities to address project goals/objectives through Project 2. |
| 4 | Riparian Protection Policy | Evaluate need to develop a policy or revise or add Basin Plan control measures to prevent/minimize/mitigate impacts of hydromodification upon groundwater and surface water beneficial uses | <ul style="list-style-type: none"> • Water Board priorities (environmental health protection/restoration) • Region-wide applicability | Begin work in Year 2 or 3: <ul style="list-style-type: none"> • Evaluate need for and identify scope of Basin Plan control measures or policy development • Evaluate opportunities to address project goals/objectives through Project 2 and/or Project 3 |

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|-----------------|--|--|---|---|
| 5 | Mojave River Surface Water Beneficial Use Revisions | Basin Plan amendment involving the following revisions. <ul style="list-style-type: none"> • Add BIOL and RARE to specific reaches of Mojave River and its tributaries • Remove COLD from specific reach • Clarify use of existing water quality objectives for the floodplain aquifer. | <ul style="list-style-type: none"> • Underway/near completion • Regulatory clarity • Stakeholder support | Complete work in Year 1: <ul style="list-style-type: none"> • Complete Staff Report and Use Attainability Analysis • Complete Substitute Environmental Document • Public workshop • Adoption hearing |
| 6 | Site-Specific Water Quality Objectives for Mojave Ground Water | Staff will evaluate groundwater quality information to determine whether it is appropriate to set specific WQOs. | <ul style="list-style-type: none"> • Underway • Regulatory clarity • Stakeholder support | Continue work in Year 1: <ul style="list-style-type: none"> • Prioritize ground water sub-basins for evaluation • Evaluate available data/information and determine if it is adequate for determining the need for and ability to develop new water quality objectives • Develop strategy, including stakeholder involvement and schedule, to develop new water quality objectives where appropriate |
| 7 | Remove Lake Tahoe Prohibition on New Pier Construction | This project will remove language in the Basin Plan that conflicts with TRPA's Code of Ordinances regarding new pier construction. | <ul style="list-style-type: none"> • Underway • Regulatory clarity | Complete work in Year 1: <ul style="list-style-type: none"> • Complete Staff Report • Complete Substitute Environmental Document • Public workshop • Adoption hearing |

*Staff plans to provide the Water Board with project updates through a combination of EO Report articles and status reports.

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| 8 | Tribal and Subsistence Beneficial Uses | Add Tribal Cultural, Tribal Subsistence Fishing, and Subsistence Fishing beneficial uses (CUL, T-SUB, SUB) to the Basin Plan. Engage with tribes to identify waters that support Tribal beneficial uses | <ul style="list-style-type: none"> • Water Board priorities (human health protection) • Tribal requests • Environmental justice/ disadvantage communities | Begin work in Year 1: <ul style="list-style-type: none"> • Develop and implement Tribal consultation process • Develop approach and schedule to incorporate beneficial uses into the Basin Plan and to designate waterbodies with those uses |
| 9 | Truckee River Embedded/Deposited Sediment Objective | Evaluate whether to propose a new water quality objective for deposited/embedded sediment for the Middle Truckee River to address impairment of COLD and SPWN beneficial uses. The current TMDL is based on the water quality objective for suspended sediment which is not effective at addressing the impairment of COLD and SPWN beneficial uses. | <ul style="list-style-type: none"> • Water Board priorities (environmental health protection/restoration) • Stakeholder support/collaboration | Begin work in Year 1: <ul style="list-style-type: none"> • Collaborate with Truckee River Watershed Council to develop strategy regarding data collection, analysis, and needs assessment • Evaluate options for addressing beneficial use impairment following data collection, analysis, and needs assessment |
| 10 | Editorial Revisions, Corrections, and Incorporation of Adopted State Water Board Policies | Miscellaneous corrections and improvements, such as: <ul style="list-style-type: none"> • Correcting square mile number for Region and features in the wrong watershed • Consistent use of terms • Correct and updated references to policies and plans • Formatting changes | <ul style="list-style-type: none"> • Basin Plan accuracy and ease of use • Potential to combine with other basin planning actions | Begin work in Year 2 or 3: <ul style="list-style-type: none"> • Identify other basin planning efforts where these needs could be incorporated |

*Staff plans to provide the Water Board with project updates through a combination of EO Report articles and status reports.

Table 1 – Proposed 2018 Triennial Review List

| Priority | Project | Description | Prioritization | Next Steps |
|----------|---|--|--|---|
| 11 | Develop New Beneficial Use-Based Water Quality Objectives | <p>Add new water quality objectives (WQOs) to the Basin Plan based on protection of beneficial uses. Note that this project could also address or facilitate progress on the following projects identified on the 2015 Triennial Review List:</p> <ul style="list-style-type: none"> • Mean of Monthly Means • Region-wide Approach to TDS Water Quality Objectives for Surface Waters • Susan River Site-Specific Objectives • Water Quality Objectives for Leviathan and Bryant Creeks • Revise Hot Creek Water Quality Objectives • Site-Specific Objectives for Fish Springs | <p>Staff posits a need to develop water quality objectives that are associated with the protection of specific beneficial uses. This is a complex topic that is influenced by, and will influence, such things as 303(d) list development, permits, and anti-degradation evaluations. There are more immediate Basin Planning needs, and so staff proposes postponing this project, which has potential to displace all above projects, and recommends this project be prioritized in the 2021 Triennial Review.</p> | <ul style="list-style-type: none"> • Identify and evaluate options/approaches regarding developing new beneficial use-based water quality objectives and how existing water quality objectives will be used. |

Table 1 – Proposed 2018 Triennial Review List

| 12 | Evaluate New Section CWA 304(a) Criteria | Identify new or updated Clean Water Act section 304(a) water quality criteria published by the USEPA for incorporation into the Lahontan Basin Plan. This project would also incorporate the 2015 Triennial Review project “Biotic Ligand Model for Copper,” which is a 2007 USEPA national criteria. | With some exceptions, the new 304(a) criteria contaminants revise criteria included in the California Toxics Rule, which the Water Board does not have the ability to modify. The State Water Board addressed updated bacteria ambient water quality criteria for recreational waters and has a project underway to address cadmium. It is most efficient for the State Water Board to adopt those 304(a) criteria (when more stringent than existing water quality objectives) as statewide WQOs. | <ul style="list-style-type: none"> • Work with State Water Board and recommend that State Water Board address this evaluation on a state-wide basis • Evaluate new or revised CWA section 304(a) recommended water quality criteria for incorporation into the Basin Plan as water quality objectives |
|----------|--|--|--|---|
| Priority | Project | Description | Prioritization | Next Steps |
| 13 | Eagle Lake “Building Moratorium” | Reevaluate the Basin Plan’s waste discharge prohibition establishing a maximum development density of one single family dwelling equivalent per 20 acres for new development discharging waste to subsurface disposal systems in the Eagle Drainage Hydrologic Area (Eagle Lake watershed excluding the Stones-Bengard, Spalding Tract, and Eagle’s Nest subdivisions) in light of the State Water Board’s Onsite Wastewater Treatment System Policy. This prohibition has restricted development in the rural area not serviced by a community service district who provide sewer and waste disposal. | <ul style="list-style-type: none"> • Lahontan Water Board staff in the permitting program is evaluating alternatives to address this issue | <ul style="list-style-type: none"> • Develop Guidance document identifying alternative approach(es) • Evaluate how to implement the guidance and determine if a Basin Plan amendment is necessary |

Table 1 – Proposed 2018 Triennial Review List

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|----|---|--|---|--|
| 14 | Water Quality Objectives for Lake Tahoe Nearshore | Evaluate research findings to determine if new nearshore water quality standards are necessary. | <ul style="list-style-type: none"> • Water Board-funded research effort currently underway • Research findings and recommendations will be developed during the next 3 to 5 years • Research findings and recommendations are important to evaluate if new water quality standards are necessary | <ul style="list-style-type: none"> • Evaluate research findings and determine need for new water quality standards |
| 15 | Biological Indicators | Develop narrative and/or numeric biological objectives (i.e., biocriteria) to protect the biological integrity of the Region's surface waters. | <ul style="list-style-type: none"> • Project goal/objectives may be addressed by State Water Board's developing Biological Integrity Project | <ul style="list-style-type: none"> • Monitor and participate in State Board efforts • Evaluate need for region-specific water quality objectives |

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|-----------------|--|---|--|--|
| 16 | Instream Flow Criteria | Evaluate developing narrative or site-specific numeric flow criteria and/or WQOs for flow requirements. | <ul style="list-style-type: none"> • State Water Board (DWQ, Water Rights) In-Stream Flow Program under development • Project goals/objectives may in part be addressed by Project 2 | <ul style="list-style-type: none"> • Prioritize needs by waterbody and beneficial use • Use State Water Board metrics to determine recommended flow levels |
| 17 | Remove Beneficial Uses from Piute Ponds Wetlands | Remove Groundwater Recharge (GWR) and Agricultural Supply (AGR) beneficial uses from the Piute Ponds and wetlands in the Amargosa Creek watershed eastern Los Angeles County. | <ul style="list-style-type: none"> • Need to reevaluate need for project with Discharger that requested project. | <ul style="list-style-type: none"> • Stakeholder and tribal engagement • Conduct Use Attainability Analysis |
| 18 | Clarify Policy on Package Plants | Clarify language regarding package plants, as necessary, which may require a Basin Plan amendment. | <ul style="list-style-type: none"> • Project goals/objectives may be addressed through non-basin planning action. | <ul style="list-style-type: none"> • Evaluate need for revising Basin Plan language. |
| 19 | Revise PCPs Water Quality Objectives | The USEPA recommended revising water quality objectives for pentachlorophenol (PCPs), where appropriate. | <ul style="list-style-type: none"> • Defer and recommend to State Water Board addressing matter on a state-wide basis | |