



California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
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July 23, 2009

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TO ALL INTERESTED PERSONS AND AGENCIES:

DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR
BUDGET AND PLANNING DIVISION

2009 TRIENNIAL REVIEW OF THE LAHONTAN BASIN PLAN

To meet state and federal requirements for periodic review of water quality standards, the California Regional Water Quality Control Board, Lahontan Region (Water Board) is conducting a public participation process called Triennial Review. State water quality standards and control measures are contained in the *Water Quality Control Plan for the Lahontan Region* (Basin Plan). Following a public hearing, the Water Board will consider adopting a priority list of topics for Basin Plan amendments and other planning staff work during the following three years.

The Basin Plan amendment process is complex, and several years can be required for development and final approval of an amendment to address a single topic. Funding for Basin Plan amendments is limited. It will not be possible to address all topics identified through the Triennial Review process over the next three years with the resources available.

Enclosed for your review is a table of draft priority topics recommended by Water Board staff. Written public comments and public hearing testimony are invited on these topics, and on other needs for specific Basin Plan revisions. In the comments, please provide a detailed description of the topic, a brief statement of reasons for the addition or deletion of a topic, and recommendation on the priority that should be given to that particular topic. Enclosed is an outline of the information requested. The Basin Plan and a Triennial Review staff report with information on the planning process are available for reference on the Regional Board's Internet web page at <http://www.waterboards.ca.gov/lahontan>.

A public hearing on Triennial Review is planned for the Water Board's October 14 and 15, 2009 meeting. The location for that meeting has not yet been determined. A notice of public hearing will be posted on the Water Board's Internet web page by late August 2009. To receive an email copy of this notice, please subscribe to the electronic "Basin Planning-Triennial Review" mailing list by following the instructions at: http://www.waterboards.ca.gov/lahontan/resources/email_subscriptions.shtml.

California Environmental Protection Agency

Written public comments should be directed to Judith Unsicker at the address or fax number above, or emailed to junsicker@waterboards.ca.gov. Written comments are requested by **September 14, 2009** to allow adequate time for preparation of written responses, and for full consideration of all comments and responses by the Water Board.

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We encourage interested parties to discuss Triennial Review issues with Water Board staff by telephone or email. Judith Unsicker is the primary staff contact person for Triennial Review; her telephone number is (530) 542-5462. You may also contact me at (530) 542-5436 or LKemper@waterboards.ca.gov, or Doug Smith, Chief of the TMDL/Basin Planning/TMDL Unit, at (530) 542-5453 or DFSmith@waterboards.ca.gov.



for Lauri Kemper
Supervising Water Resource Control Engineer

Enclosures:

1. List of Information Requested in Triennial Review Comments
2. Draft 2009 Triennial Review Priority List for the Lahontan Region

JEU/clhT: TriRevCover 7-21-09
File: Basin Plan- Triennial Review

INFORMATION REQUESTED IN WRITTEN TRIENNIAL REVIEW COMMENTS

Written comments on Triennial Review priorities should include the following information:

1. **Submitting Organization:** This section should include the name of the organization, entity or person submitting the data, information, documents or evidence for consideration.
2. **Contact Person:** This section should include the name, address, phone number(s), and e-mail address for the contact person that can answer questions about the information provided.
3. **Affected Waterbody(ies) and Watershed(s):** This section should identify the specific waterbody(ies) and watershed(s) affected by the data, information or evidence.
4. **Affected section of the Basin Plan:**
 - a. **Affected Beneficial Use:** If applicable, this section should identify the beneficial use(s) listed in the Basin Plan that is addressed by the data, information or evidence. Alternatively, if the information relates to a beneficial use not currently designated in the Basin Plan, this section should identify the waterbody(ies) to which the beneficial use(s) should apply.
 - b. **Affected Water Quality Objective:** This section should include, if applicable, the water quality objective for which the data, information, or evidence is being submitted. If the data, information, or evidence relates to more than one water quality objective, please list all water quality objectives to which the information pertains.
 - c. **Affected Implementation Program:** This section should include, if applicable, the existing implementation program that needs modification or a description of a new implementation program that should be developed. Implementation programs include any necessary monitoring and surveillance to determine the effectiveness of the implementation program.
5. **Concise Summary of Suggested Revisions:** This section should clearly and specifically describe the suggested Basin Plan amendments based upon the data, information or evidence submitted.

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6. Supporting Data, Information or Evidence: For each comment, list any existing documents, data, information, and/or specific evidence (with references to particular pages as appropriate) that the Regional Water Board should consider and provide copies of the documents, data, information, and/or evidence referenced (electronically, where possible).
 7. Concise Summary of Data, Information or Evidence: This section should describe in one or two sentences the essence of the data, information, or evidence submitted to support the suggested revisions to the Basin Plan.
 8. Stakeholder Support for Suggested Revisions to the Basin Plan: If applicable, please explain any widespread stakeholder support for the suggested revisions. Also, if available, please list supportive stakeholder(s) with phone or email contact(s).
 9. Financial Support for Suggested Revisions to the Basin Plan: If applicable, please describe any substantial resources that have been invested in developing technical information to support the requested revisions. Also, if applicable, please describe any substantial resources that are likely to augment Regional Water Board resources to develop the requested revisions.

DRAFT 2009 TRIENNIAL REVIEW PRIORITY LIST FOR THE LAHONTAN REGION

Table A.

Staff-Recommended Priorities That Could Be Addressed With Projected Resources for FY 09-10 to FY 11-12

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
0	Complete Lake Tahoe TMDL and associated amendments to Chapter 5.	Ongoing work that will use TMDL program rather than Basin Planning program resources.		
1	Complete amendments to the water quality objective for pesticides	Ongoing work (in FY 09-10 workplan)	0.4	April to May 2010
2	Complete amendments to plan provisions affecting the shorezone of Lake Tahoe	Ongoing work (in FY 09-10 workplan)	0.6	May 2010
3	Complete Truckee Prohibition/forestry amendments	Ongoing work (in FY 09-10 workplan)	0.5	July 2010

Table A, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
4	Complete Chapter 5 amendments to incorporate Tahoe Regional Planning Agency's (TRPA's) new 20-year Regional Plan	Ongoing assistance to TRPA staff to ensure that TRPA Regional Plan is consistent with the Lake Tahoe TMDL. Additional water quality programs and implementation measures will be incorporated into Chapter 5 of the Basin Plan following TRPA's adoption of its Regional Plan.	0.7	Early 2012
5	2009 and 2012 Triennial Review	Resources are needed to develop a draft priority list and related documents, respond to public comments, and prepare agenda materials and administrative records.	0.3	October 2009, October 2012
6	Update of entire Basin Plan	Update of the plan to improve its usability for staff and the public. Revisions could address new and revised State Water Board plans and policies, California Toxics Rule standards, Nonpoint Source Plan, waiver and enforcement provisions, Surface Water Ambient Monitoring Program, Watershed Management Initiative, revised maps, a revised beneficial use table reflecting the CalWater watershed numbering system, etc. Project may include a limited number of regulatory policy changes that would not require scientific peer review.	1.0	Spring 2012

Table A, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
7	Miscellaneous work that will not directly result in Basin Plan amendments	Work could include coordination with other states, agencies, tribes and TRPA regarding standards revisions, contract management for plan-related work, staff training, administrative staff updates of electronic plan, coordination with State Water Board Division of Water Rights and water purveyors in Squaw Valley, Placer County regarding ground water management issues, review of nutrient and salt management plans developed by third parties under State Board Recycled Water Policy, etc. (average of 0.2 PY per year over 3 years).	0.6	N/A
8	Revise water quality objectives for Mojave River	Initial effort to gather information from Mojave Water Agency and other entities. Prepare workplan and resource estimate to complete basin plan amendment to revise objectives.	0.2	June 2012
9	Modify waste discharge prohibitions to protect additional prime groundwater recharge areas of arid basins	Initial effort during this Triennial Review cycle. Prepare scope, workplan and resource estimate to complete basin plan amendment.	0.2	June 2012

Table A, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
10	Revise bacteria objectives	Initial effort includes managing contract to collect data and compare fecal coliform bacteria levels to E.coli levels in waters of the Lahontan Region, and reviewing proposed State Water Board and USEPA criteria. Basin Plan amendment (post-2013 at the conclusion of a Proposition 84 grant study) will incorporate the State Water Board's bacteria policy when final and consider revisions to the Lahontan Region's bacteria-related objectives.	0.2	
11	Develop groundwater objectives for selected South Lahontan groundwater basins.	Currently the groundwater objectives in the Lahontan Basin Plan apply to all groundwaters, or to categories of groundwaters designated for specific beneficial uses. Development of "site specific" groundwater objectives would require adequate water quality data for the constituents of concern, and aquifer maps to define the areas where objectives would apply. Funding is for an initial effort.	0.2	After 2012..
12	Revise Chapter 3 language on compliance with objectives and "means of monthly means"	Define minimum sample numbers for determining compliance with objectives expressed as annual means. Change the expression of water quality objectives for surface waters in the Truckee, Little Truckee and Carson River watersheds from means of monthly means to annual means.	0.5	After 2012.

Table A, continued

Topic No.	Topic	Description	Resource Needs (PYs)	Estimated Completion Date
13	Program Manager (0.1 PY/year)	Program manager participates in State/Regional Board roundtable meetings, aids in workplan development, provides information to the public, etc.	0.3	N/A
	PY TOTAL: TOPICS 1 THROUGH 13	Basin Planning program currently provides 2 PYs per year. If current furlough program continues for one year as specified in the Executive Order (15% cut), only 5.7 PYs will be spent over the three years.	5.7	June 2012

Table B. Priorities That Would Need Additional Resources to be Addressed Between 2010 and 2012

Topic No.	Topic	Description	Resource Needs (PYs)
14	Add Cultural Resources beneficial use	This topic could include development of a definition for the use, and designation of specifiers for the use. The definition would recognize the traditional or cultural uses of water and aquatic and wetland ecosystems and resources by indigenous people. Examples include but are not limited to subsistence fishing, basket weaving, and ceremonial or medicinal uses of hot springs. Basin Plan amendments would be developed in cooperation with Native American tribes.	1.0+
15	Outstanding National Resource Water (ONRW) designations for segments of East Fork Carson River, West Walker River and Leavitt Creek.	Federal antidegradation regulations allow states to designate water bodies as ONRWs, where no long-term degradation should be permitted. The three listed waters have been designated as state wild/scenic rivers.	0.5
16	Develop site-specific objectives (SSOs) for salinity and related constituents in Honey Lake and adjacent ponds and wetlands.	SSOs would avoid the need for TMDLs to address six Clean Water Act Section 303(d) listings for high salinity and trace elements in Honey Lake and adjacent waters. Additional monitoring might be necessary to document existing water quality and reference conditions.	1.0
17	Develop SSOs for salinity in Searles Lake.	Develop objectives to reflect the naturally high levels of salt and trace elements in this desert playa lake.	1.0

Table B, continued

Topic No.	Topic	Description	Resource Needs (PYs)
18	Consider incorporating State Board Numeric Nutrient Endpoint (NNE) methodology.	The NNE methodology provides direction for use of secondary indicators of eutrophication (such as chlorophyll) in development of nutrient standards and TMDL targets. Depending on the outcome of peer review, the State Water Board may ask Regional Water Boards to incorporate the NNE methodology into their Basin Plans.	1.0
	PY TOTAL: TOPICS 14 THROUGH 18		4.5+

Table C. Priorities That Should be Addressed on a Statewide Basis.

Topic	Description
Address violations of standards due to pollutants from natural sources	Naturally high levels of salt and trace elements such as arsenic occur in certain waters of California. A joint effort by State Water Board staff, staff from all of the Regional Boards, and U.S. Environmental Protection Agency staff has been initiated to identify statewide solutions to avoid the need for Section 303(d) listing and TMDL development for waters where "impairment" is due entirely to natural sources, and to address other natural source issues. Solutions could include "natural sources exclusion" language for statewide policies and/or regional Basin Plans, and a subcategory of the Municipal and Domestic Supply beneficial use that would not apply drinking water Maximum Contaminant Levels to "naturally impaired" ambient waters.
Revise Temperature objectives	This topic was approved as a Lahontan Region priority in the 2006 Triennial Review, in response to comments by the U.S. Environmental Protection Agency. The development of new objectives would be a complex, resource-intensive task that might best be handled on a statewide basis.
Mixing zones	The Basin Plan does not contain allowances for mixing zones below point source discharges. The only applicable provisions are those for toxic pollutants in the State Implementation Policy for California Toxics Rule standards. It would probably be more productive for mixing zone language for non-toxic pollutants to be developed on a statewide basis than for Regional Boards to adopt separate Basin Plan amendments and have them invalidated due to a desire for statewide consistency.

Table C, continued

Topic	Description
Turbidity objectives	<p>The U.S. Geological Survey has recently begun measuring turbidity using new equipment and new units (NTRU rather than NTU) that are not directly comparable with existing objectives. There is a growing scientific literature on turbidity criteria for protection of aquatic life uses. Under the State Water Board's Section 303(d) Listing Policy, waters with small numbers of violations of the turbidity Maximum Contaminant Level (5 NTU) may need to be listed, even if the violations are due to natural conditions. The development of new objectives would be a complex, resource-intensive task that might best be handled on a statewide basis.</p>
Bio-objectives	<p>The State Water Board is developing statewide "bio-objective" language based on the health of benthic macroinvertebrate communities. Both a narrative objective and an implementation plan will be adopted. The implementation plan will provide direction to Regional Water Boards for the development of numeric biocriteria. The process is expected to take 4-5 years.</p>

