

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0028**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE  
LAHONTAN REGION (BASIN PLAN) TO ESTABLISH A TOTAL MAXIMUM DAILY LOAD  
FOR SEDIMENT IN THE MIDDLE TRUCKEE RIVER WATERSHED

WHEREAS:

1. On May 14, 2008, the Lahontan Regional Water Board adopted Resolution R6T-2008-0019 ([Attachment 1](#)) amending the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) for the Middle Truckee River Watershed.
2. The amendment meets the necessity standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b)
3. Lahontan Water Board found that the adoption of this amendment would be consistent with the State Antidegradation Policy ([State Water Board Resolution No. 68-16](#)) and federal antidegradation requirements.
4. The Lahontan Water Board found that the analysis contained in the TMDL staff report, the substitute environmental document, the California Environmental Quality Act (CEQA) Checklist, and the responses to public review comments comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in California Code of Regulations title 23, section 3775 et seq.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240 and 13242, which specifies that Regional Water Quality Control Boards may revise Basin Plans and implement programs for achieving water quality objectives. The State Water Board also finds that the TMDL is consistent with the requirements of federal Clean Water Act section 303(d).
6. The TMDL establishes a target 20 percent annual sediment load reduction through the implementation of management practices to control erosion and limit sedimentation. Attainment of the TMDL target will occur in 20 years, with a review scheduled at the half-way point (10 years) to determine need for revisions of the TMDL, including targets or implementation plan.
7. The Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDL must also be approved by the U.S. Environmental Protection Agency (U.S. EPA).
8. Lahontan Water Board staff determined that minor, non-substantive changes to the language of the Basin Plan amendment were necessary to correct minor clerical errors, to improve clarity, and to ensure that the amendment is consistent with the Basin Plan update adopted under Resolution R6T-2008-0019. The Lahontan Water Board's Executive Officer submitted these minor changes in a memorandum dated September 15, 2008 ([Attachment 2](#)).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Lahontan Water Board Resolution R6T-2008-0019.
2. Authorizes the Executive Director, or designee, to transmit the amendment adopted under Lahontan Water Board Resolution R6T-2008-0019 to OAL and the TMDL to U.S. EPA for approval.

### CERTIFICATION

The undersigned Clerk to the 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 March 17, 2009.

AYE: Chair Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Arthur G. Baggett, Jr.  
Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board