

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 78-39

DISAPPROVAL OF CERTIFICATION/ADOPTION OF THE LAKE TAHOE
208 WATER QUALITY MANAGEMENT PLAN AND DEDESIGNATION OF
THE TAHOE REGIONAL PLANNING AGENCY AS A 208 PLANNING
AGENCY

WHEREAS:

1. The TRPA was designated in 1974, by the States of California and Nevada, to develop and insure implementation of a 208 water quality management plan for the Lake Tahoe Basin.
2. On January 25, 1978, the TRPA Governing Board approved and transmitted the 208 plan to California and Nevada to initiate the required State certification and adoption.
3. On May 23, 1978, the Governor of Nevada conditionally adopted the 208 plan as submitted.
4. On June 7, 1978, the Lahontan Regional Water Quality Control Board adopted Resolution No. 78-5 which, in part, recommends to the State Board that the 208 plan not be certified and that the TRPA be dedesignated as the 208 planning agency for the Lake Tahoe Basin.
5. The State Board has reviewed all the comments of concerned agencies and individuals, as well as the July 5 State Board staff report, in its consideration of certification/adoption of the 208 plan and the continued 208 designation of TRPA.
6. The plan, as submitted, is not consistent with the water quality management needs of the Lake Tahoe Basin for reasons set forth in the July 5 staff report.
7. TRPA has demonstrated a general unwillingness to exercise strong environmental controls and hence is not considered a viable agency for continued 208 water quality management planning.
8. Presently, there is no basinwide planning agency capable of achieving 208 program objectives with respect to land use controls. New legislation appears necessary in order to establish effective land use controls in the Tahoe Basin.

THEREFORE BE IT RESOLVED:

1. That the State Board rejects certification/adoption of the Lake Tahoe 208 plan on the basis that the plan as submitted does not provide control actions and commitments consistent with the water quality management needs of the Basin.

2. That the designation of the Tahoe Regional Planning Agency as the 208 planning agency for the Tahoe Basin shall be terminated effective November 1, 1978.
3. That prior to November 1, 1978, the State Board could reconsider its action regarding designation based on the outcome of current negotiations between California and Nevada on revising the bi-state compact.
4. That subsequent to the termination of the designation of TRPA, the State Board shall assume the responsibilities for continuing 208 planning in the California portion of the Lake Tahoe Basin.

CERTIFICATION

The undersigned, Executive Director of the State Water Resources Control 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 July 20, 1978.


Executive Director