

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Temporary Urgency)  
Permit 17635 (Application 26041) )  
TAHOE-TRUCKEE SANITATION AGENCY )  
Applicant )

---

Order : WR 79-27  
Source: Truckee River  
County: Nevada

FINDINGS AND ORDER VALIDATING THE ISSUANCE  
OF TEMPORARY URGENCY PERMIT

BY THE BOARD:

Tahoe-Truckee Sanitation Agency having filed Application 26041 for a temporary urgency permit to appropriate unappropriated water pursuant to Chapter 6.5, Part 2, Division 2 of the Water Code; the Board having consulted with the California Department of Fish and Game; Vice Chairman Miller having concluded from the available information that the applicant was entitled to a temporary permit to appropriate water subject to review and validation by the Board as provided by Water Code Section 1425; the Board finds as follows:

Substance of the Application

1. Application 26041 is for a temporary permit to appropriate three cubic feet per second by direct diversion from the Truckee River in Nevada County for the period from July 16, 1979 to September 15, 1979 for municipal use. The point of diversion is to be located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section. 11, T17N, R16E, MDB&M.

Permittee's Project

2. Tahoe-Truckee Sanitation Agency (permittee) operates the Martis Creek Regional Water Reclamation Plant near Truckee In Nevada County. Permittee has been ordered by the San Joaquin County Superior Court to test the treatment ability of the Reclamation plant for a 30-day period to simulate infiltration and inflow quantities that could occur during spring snowmelt.' Permittee proposes to divert water from the Truckee River to conduct the required test which will determine if the sewage plant can adequately treat diluted sewage in excess of the plant's design capacity. The diverted flow will be used to dilute raw sewage in the ratio: of one part diverted water to two parts sewage. The advance treated composite flow from the plant will be discharged into a percolation field. It will then percolate through the ground entering the Truckee River several miles downstream of the proposed point of diversion.

Existence of Unappropriated Water

3. The Truckee River is the only feasible source of water immediately available for this test. The proposed diversion will not have a substantial effect on the flow of water in the Truckee River. Based on historic flows, the diversion should be one percent or less of the river's daily summer flow. Since the diverted water will percolate through the ground back to the Truckee River, there will be no loss of water from the Truckee River system except for possible minor evaporation losses. Therefore, the Board concludes that there is unappropriated water available to supply the permittee.

4. The intended use is beneficial.

Effect of the Proposed Diversion on Any Lawful User of Water and the Rights of Downstream Users

5. As explained in Finding 3, the diversion of water authorized by

Permit 17635 is essentially for a nonconsumptive use. Since no known user of water exists on the Truckee River between the proposed point of diversion and **where**, the treated water will return to the Truckee River, the proposed diversion **will** not adversely effect the rights of any lawful user of water or the rights of downstream users.

6. A Notice of Application was posted **by the** permittee on July 10, 1979 in accordance with the provisions of Chapter 6.5, Part 2, Division 2 of the Water Code. No objections to the issuance of the permit have been received.

The Permittee has an Urgent and Temporary Need to Appropriate Water

7. The permittee will be acting under a court order to run the required **30-day** test. The only feasible source of water in the quantity needed, is the Truckee River.

Effect of the Proposed Diversion on Fish, Wildlife, and Other Instream Beneficial Uses

8. The only environmental issue of concern is the effect of the proposed diversion on fish and wildlife. The Board consulted with the California Department of Fish and Game and was informed that it expected no problems with the proposed diversion.

Findings Concerning the California Environmental Quality Act

9. This Board order authorizes diversion of a relatively small percentage of the Truckee River flow for no more than a two month period. Such activity constitutes only a minor alternation to land, water, and vegetation; and is thereby exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Section 15104, Chapter 3, Title 14, California Administrative Code.

Action by Vice Chairman Miller

10. On July 19, 1979, staff explained the foregoing situation to Vice Chairman Miller and recommended approval of the attached temporary permit. Vice Chairman Miller concurred with the staff recommendation, and on July 19, 1979, he authorized the issuance of a Temporary Permit. On the same date, Temporary Permit 17635 was issued.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Issuance of Temporary Permit 17635 is validated.
2. Pursuant to Section 2713(c), Title 29, California Administrative Code, the Chief, Division of Water Rights shall file a Notice of Exemption with the Secretary for the Resources Agency.

Dated: August 16, 1979

/S/ W. DON MAUGHAN

W. Don Muaghan, Chairman

/S/ L. L. MITCHELL

L. L. Mitchell, Member

/S/ WILLIAM J. MILLER

William J. Miller, Vice Chairman

/S/ CARLA M. BARD

Carla M. Bard, Member