

California Regional Water Quality Control Board
North Coast Region

RESOLUTION NO. R1-2003-0032
ADOPTION OF A NEGATIVE DECLARATION

WASTE DISCHARGE REQUIREMENTS AND WATER QUALITY CERTIFICATION FOR THE
THE NATURAL RESOURCES CONSERVATION SERVICE
AND
THE MENDOCINO COUNTY RESOURCES CONSERVATION DISTRICT,
NAVARRO WATERSHED RESTORATION PROJECTS

- WHEREAS,** Water Code Section 13260(a) requires that any person discharging waste or proposing to discharge waste within the Region, other than to a community sewer system, that could affect the quality of the waters of the state, shall file a Report of Waste Discharge; and
- WHEREAS,** The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), has a statutory obligation to prescribe Waste Discharge Requirements pursuant to California Water Code Section 13263; and
- WHEREAS,** Anyone proposing to conduct a project that requires a federal permit or involves dredge or fill activities that may result in a discharge to U.S. surface waters and/or "Waters of the State" are required to obtain a Clean Water Act (CWA) Section 401 Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) from, the Regional Water Board verifying that the project activities will comply with state water quality standards.
- WHEREAS,** The Regional Water Board has a statutory obligation to regulate projects that may result in dredge or fill to waters of the state pursuant to Section 401 of the Clean Water Act (33 U.S.C. Section 1341) and Title 23, California Code Regulations, Sections 3830-3869; and
- WHEREAS,** The Regional Water Board finds that discharges which are the result of identified restoration projects and overseen by responsible conservation agencies are of a similar nature and, when conducted in an appropriate manner, pose little threat to water quality; and
- WHEREAS,** The Regional Water Board has determined that these types of discharges are more appropriately regulated under one set of watershed-wide Waste Discharge Requirements and Water Quality Certification (hereinafter "WDRs and Certification"); and
- WHEREAS,** The Regional Water Board, acting as the lead agency for this project under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (CEQA), has prepared and circulated an Initial Study in accordance with Title 14, California Code of Regulations, Section 15063; and

WHEREAS, The Regional Water Board staff has prepared a Negative Declaration, a copy of which is attached hereto, in accordance with CEQA and the CEQA Guidelines (Title 14, California Code of Regulations, Section 15000 et seq.), and the Negative Declaration concludes that the WDRs and Certification For the Natural Resources Conservation Service and Mendocino County Resources Conservation District, Navarro Watershed Restoration Projects will not have a significant impact on the environment; and

WHEREAS, Copies of the Initial Study and proposed Negative Declaration were transmitted to all agencies and persons known to be interested in this matter according to the applicable provisions of CEQA; and

WHEREAS, The Regional Water Board considered all comments received and testimony and evidence presented at a public hearing on March 27, 2003, in Santa Rosa, California, and good cause was found to adopt the Initial Study and Negative Declaration:

THEREFORE BE IT RESOLVED, that the Regional Water Board, finds based on the whole record (including the Initial Study and all comments timely received), that there is no substantial evidence that the project will have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Regional Water Board hereby adopts the Initial Study and Negative Declaration prepared for the WDRs and Certification For the Natural Resources Conservation Service and Mendocino County Resources Conservation District, Navarro Watershed Restoration Projects, and directs the Executive Officer to file all appropriate notices; and

BE IT FURTHER RESOLVED, that the record of proceedings for this project is located at the Regional Water Board office in Santa Rosa, California; and

BE IT FURTHER RESOLVED, that considering the record as a whole, the WDRs and Certification For the Natural Resources Conservation Service and Mendocino County Resources Conservation District, Navarro Watershed Restoration Projects, will involve no potential for adverse effect, either individually or cumulatively, on wildlife. Therefore, the Executive Officer is directed to sign a Certification of Fee Exemption for "De Minimus" Impact Finding

Certification

I, Susan A. Warner, 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, North Coast Region, on March 27, 2003.

Susan A. Warner
Executive Officer