

SUMMARY OF WATER QUALITY ORDER

ORDER NO.	WQ 2007-0002
DATE ADOPTED	April 18, 2007
PETITION TITLE	PETITIONS OF ED VOICE AND VOICE FAMILY, FRIENDS OF SMALL PLACES, AND CARLOS QUILEZ
REGIONAL BOARD	North Coast Regional Water Quality Control Board
FILE NO[S]	SWRCB/OCC File A-1781, A-1781(a), A-1781(b)

PRECEDENTIAL DECISION

On September 28, 2006, the North Coast Regional Water Quality Control Board (North Coast Water Board) issued water quality certification for Van Duzen River Ranch Streambank Protection Activities pursuant to Section 401 of the Clean Water Act (water quality certification). The activities were to take place on the Dischargers' Van Duzen River Ranch near Fortuna, in Humboldt County. The primary purpose of the Project is to stabilize areas of erosion in order to reduce the risk of streambank failures that would likely result in the loss of riparian areas and agricultural land. Timely petitions were received by Ed Voice and Voice Family, Friends of Small Places, and Carlos Quilez.

Due to their legal and factual similarities, the three petitions were consolidated for review. The order concludes that the North Coast Water Board failed to comply with the California Environmental Quality Act (CEQA). Under CEQA, the North Coast Water Board must receive and review the environmental document prepared by the lead agency and determine whether the document adequately addresses the project's effect on water quality. The order concludes that the North Coast Water Board did not receive a copy of the environmental document and did not make any of the required CEQA findings. The order revokes the water quality certification and remands the matter back to the North Coast Water Board so that it may comply with CEQA.