

Attachment E

**STATE WATER RESOURCES CONTROL BOARD (STATE BOARD)**

**LIST OF PUBLIC ENTITIES GRANTED AN EXCEPTION  
PURSUANT TO STATE BOARD POLICY FOR IMPLEMENTATION OF  
TOXICS STANDARDS FOR INLAND SURFACE WATERS, ENCLOSED BAYS,  
AND ESTUARIES OF CALIFORNIA (POLICY)**

**WATER QUALITY ORDER NO. 2004-0009-DWQ  
STATEWIDE GENERAL NATIONAL POLLUTANT DISCHARGE  
ELIMINATION SYSTEM PERMIT FOR THE DISCHARGE  
OF AQUATIC PESTICIDES FOR AQUATIC WEED CONTROL  
IN WATERS OF THE UNITED STATES  
GENERAL PERMIT NO. CAG 990005**

The public entities listed herein have prepared Initial Studies, Negative Declarations (ND), and Notices of Determination or Mitigated Negative Declarations (MND) for the discharge of aquatic pesticides in accordance with the California Environmental Quality Act [CEQA (Public Resources Code section 21000 et seq.)] to comply with the exception requirements of section 5.3 of the Policy. The boards of each public entity, as the lead agencies under CEQA, approved the Final ND/MND and determined that the discharge of aquatic pesticides in their respective projects would not have a significant effect on the environment. These public entities have determined that the water quality or related water quality impacts identified in the environmental assessments of the ND/MND are less than significant. In addition to submitting the CEQA documentation, these public entities have also complied with the other exception requirements of section 5.3 of the Policy.

As required in section 15096 of the CEQA Guidelines, the State Board, as a Responsible Agency under CEQA, considered the ND/MND approved by the board of each public entity and found that the projects will have less than significant water quality impacts if the waste discharge requirements in this General Permit are followed. Accordingly, the public entities listed herein are hereby granted an exception pursuant to section 5.3 of the Policy.

The California Department of Food and Agriculture (CDFA) has determined that its ongoing projects to eradicate hydrilla are exempt from the requirements of CEQA because the activities are necessary to prevent or mitigate an emergency pursuant to Public Resources Code section 21080 (b)(4). The bases for this determination are that the CDFA Hydrilla Program is mandated under sections 403 and 6048 of the Food and Agriculture Code, and the Governor of California and/or the CDFA Secretary have declared that an emergency situation existed as each eradication project began. Although CDFA has determined the CDFA Hydrilla Program is exempt from CEQA, CDFA will coordinate all eradication activities with federal, State, and local regulatory agencies to ensure no long-term significant environmental impacts occur.

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As required in section 15096 of the CEQA Guidelines, the State Board, as a Responsible Agency under CEQA, considered the exemption claimed by CDFG and found that the projects will have less than significant water quality impacts if the waste discharge requirements in this General Permit are followed. Accordingly, CDFG is hereby granted an exception pursuant to section 5.3 of the Policy, as long as the Governor or the CDFG Secretary has declared that an emergency situation exists prior to project implementation.

### **Public Entities with Policy Section 5.3 Exception**

1. Byron-Bethany Irrigation District
2. Contra Costa Water District
3. Department of Food and Agriculture
4. Department of Water Resources
5. Friant Water Users Authority
6. Maine Prairie Water District
7. Marin Municipal Water District
8. Merced Irrigation District
9. Metropolitan Water District of Southern California
10. Modesto Irrigation District
11. Nevada Irrigation District
12. Oakdale Irrigation District
13. Placer County Water Agency
14. Princeton-Cordora-Glen Irrigation District
15. Provident Irrigation District
16. Reclamation District 1004
17. Solano Irrigation District
18. South Feather Water and Power Agency
19. South San Joaquin Irrigation District
20. South Sutter Water District
21. Tehama Colusa Canal Authority
22. Turlock Irrigation District
23. Woodbridge Irrigation District
24. Yolo County Flood Control and Water Conservation District