

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

RESOLUTION R7-2013-0003

APPROVING THE INITIAL STUDY AND ADOPTING A NEGATIVE DECLARATION
FOR
AGRICULTURAL WASTEWATER DISCHARGES AND DISCHARGES OF WASTES
FROM DRAIN OPERATION AND MAINTENANCE ACTIVITIES
ORIGINATING WITHIN THE BARD UNIT OF THE RESERVATION DIVISION,
IMPERIAL COUNTY

WHEREAS, the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) finds that:

1. The Regional Water Board proposes to adopt a Conditional Waiver of Waste Discharge Requirements for Agricultural Wastewater Discharges and Discharges of Wastes from Drain Operation and Maintenance Activities Originating within the Bard Unit of the Reservation Division (Conditional Waiver).
2. The Regional Water Board is the lead agency for the subject Conditional Waiver project under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). In that role, the Regional Water Board conducted an Initial Study in accordance with the requirements specified in Section 15063 of the "State CEQA Guidelines" (Cal. Code Regs., Tit. 14, § 15000 et seq.) to evaluate whether the Conditional Waiver could have a significant effect on the environment.
3. On September 25, 2012, the Regional Water Board held a public CEQA scoping workshop in Winterhaven, California, regarding the proposed Conditional Waiver, and considered all testimony and evidence received at the workshop.
4. Regional Water Board staff's preliminary determination, based on that Initial Study, is that the proposed project could not have a significant effect on the environment, and therefore, no alternatives or mitigation measures are proposed.
5. On December 11, 2012, the Regional Water Board held a public workshop in Winterhaven, California, regarding the proposed Conditional Waiver, and considered all testimony and evidence received at the workshop.
6. On January 17, 2013, the Regional Water Board, in a public hearing, considered all comments concerning the discharge to be regulated by the Conditional Waiver and the proposed Negative Declaration.
7. The Regional Water Board finds, on the basis of the whole record before it, which includes the proposed Conditional Waiver, public comments received, Board staff's responses to public comments, the Initial Study, and Board staff's preliminary environmental impact determination, that there is no substantial evidence that the proposed Conditional Waiver will have a significant effect on the environment, and that

the proposed Negative Declaration reflects the Regional Water Board's independent judgment and analysis.

THEREFORE, BE IT RESOLVED that the Regional Water Board:

1. Approves the Initial Study and adopts the proposed Negative Declaration for the proposed Conditional Waiver of Waste Discharge Requirements for Agricultural Wastewater Discharges and Discharges of Wastes from Drain Operation and Maintenance Activities Originating within the Bard Unit (Conditional Waiver).
2. Directs that a copy of this Resolution be forwarded to the State Water Resources Control Board and all interested parties.
3. Directs that a copy of this Resolution be forwarded to all interested parties.
4. Directs the Executive Officer to file a Notice of Determination with the Office of Planning and Research, State Clearinghouse, pursuant to Public Resources Code Section 21108 and Title 14, California Code of Regulations, Section 15075(a), which is to be accompanied by a check made payable to the California Department of Fish and Game for its current CEQA filing fee of \$2,156.25 for Negative Declarations.

CERTIFICATION

I, Robert Perdue, 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, Colorado River Basin Region, on January 17, 2013.



ROBERT PERDUE
Executive Officer