

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

RESOLUTION NO. R6T-2003-0023

AUTHORIZING THE EXECUTIVE OFFICER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE WATER RESOURCES CONTROL BOARD, THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION, AND DESIGNATED REGIONAL WATER QUALITY CONTROL BOARDS

WHEREAS, the California Regional Water Quality Control Board, Lahontan Region, (hereinafter Regional Board) finds that:

1. It is the responsibility of the Regional Board to regulate activities which affect or may affect the quality of the waters of the Lahontan Region, and
2. The State Water Resources Control Board (State Board), Board of Forestry (BOF) and the California Department of Forestry and Fire Protection (CDF) signed a Management Agency Agreement (MAA) in 1988 which designated the CDF as a "water quality management agency" pursuant to Section 208 of the federal Clean Water Act. This designation acknowledges that the CDF has the authority and capability to implement non-point source control measures on nonfederal lands in California, and
3. The State Water Board and CDF have prepared a Memorandum of Understanding (MOU) to assist in implementing the provisions of the MAA for timber harvest activities administered by the CDF, and
4. The MOU specifies improved procedures to be used by the parties thereto in order to foster compliance with applicable provisions of the Water Quality Control Plan for the Lahontan Region, and
5. While the MOU satisfactorily addresses several longstanding issues, the Regional Board remains concerned that CDF's regulatory processes are not sufficient to adequately protect water quality in all cases. The Regional Board therefore encourages CDF and the BOF to supplement their programs to provide greater protection for water quality. Additionally, the Regional Board desires to work cooperatively with CDF to implement the MOU and to develop procedures which will address the outstanding issues.
6. This action by the Regional Board will not have a significant effect on the environment and is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14, California Code of Regulations, Section 15307.

THEREFORE BE IT RESOLVED THAT the California Regional Water Quality Control Board, Lahontan Region:

1. Authorizes its Executive Officer to sign the MOU and to approve of any non-substantive changes to the MOU.
2. Recommends that the Chair of the Regional Board send a memorandum to the Chair of the State Board documenting the concerns of the Regional Board regarding issues not adequately addressed in the MOU.
3. Directs the Executive Office to report back to the Regional Board at least annually on:
 - a. How the MOU is being implemented, and
 - b. Actions take to resolve the outstanding issues.

I, Harold J. Singer, 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, Lahontan Region, on June 11, 2003.

HAROLD J. SINGER
EXECUTIVE OFFICER

TS/cgT: CDF MOU (Resolution 5-24-03)