

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

TENTATIVE RESOLUTION NO. R9-2016-0136

**ADOPTION OF A NEGATIVE DECLARATION AND INITIAL STUDY FOR THE ADOPTION
OF GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM
COMMERCIAL AGRICULTURAL OPERATIONS IN THE SAN DIEGO REGION**

WHEREAS, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) finds that:

1. The San Diego Water Board proposes to adopt 1) Order No. R9-2016-0004, *General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers that are Members of a Third-Party Group in the San Diego Region*, and 2) Order No. R9-2016-0005, *General Waste Discharge Requirements for Discharges from Commercial Agricultural Operations for Dischargers Not Participating in a Third-Party Group in the San Diego Region* (collectively referred to as General Orders).
2. The General Orders establish general waste discharge requirements (WDRs) for discharges from Agricultural Operations.¹ The General Orders require owners and operators of Agricultural Operations to implement management measures to prevent or minimize the discharge of wastes that are causing or contributing to exceedances of water quality standards in waters of the State and to conduct monitoring and reporting.
3. The San Diego Water Board is the lead agency for the General Orders under the California Environmental Quality Act (CEQA), (Public Resources Code (PRC) section 21000 *et seq.*). In that role, the San Diego Water Board conducted an Initial Study in accordance with the CEQA Guidelines (California Code of Regulations (CCR), title 14, section 15000 *et seq.*) to evaluate whether the adoption of the General Orders could have a significant effect on the environment.
4. On July 27, 2015 and December 22, 2015, the San Diego Water Board provided written notice of its intent to adopt the General Orders to California Native American Tribes that requested notice of consultation opportunities pursuant to PRC Section 21080.3.1. No Tribes requested consultation on the General Orders.
5. On April 15, 2016, the San Diego Water Board held a CEQA Scoping Meeting in San Diego, California, regarding the General Orders, and considered all testimony and evidence received at the workshop.
6. The San Diego Water Board's preliminary determination, based on an Initial Study, is that the adoption of the General Orders could not have a significant effect on the environment, and therefore, no alternatives or mitigation measures are proposed.
7. On June 6, 2016, the San Diego Water Board submitted the Initial Study and the proposed Negative Declaration to the State Clearinghouse and to the clerks of San Diego County, Orange County, and Riverside County.
8. On June 13, 2016, the San Diego Water Board notified interested agencies and persons of its intent to adopt a Negative Declaration for this project, and provided them with an opportunity to submit comments during a 45-day comment period that ended July 29, 2016, regarding the proposed Negative Declaration and Initial Study prepared in support

¹ For the purposes of this General Orders, an Agricultural Operation is any agricultural business or trade activity, including farms, nurseries, and orchards, that produces crops with the intent to make a profit.

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of the Negative Declaration. The San Diego Water Board, in a public hearing, considered all comments received during the public comment period and at the hearing regarding the proposed Negative Declaration.

9. On _____, the San Diego Water Board, in a public hearing, considered all comments concerning the discharge to be regulated by the General Orders and the proposed Negative Declaration.
10. The San Diego Water Board finds, based on the Initial Study, the proposed Negative Declaration, and the entire administrative record, that there is no substantial evidence that the adoption of the General Orders will have a significant effect on the environment.

THEREFORE, BE IT RESOLVED THAT:

1. The San Diego Water Board approves the Initial Study and adopts the Negative Declaration for the proposed General Orders.
2. Directs that a copy of this Resolution be forwarded to the State Water Resources Control Board and all interested parties.
3. Directs the Executive Officer to file a Notice of Determination with the Office of Planning and Research, State Clearinghouse, pursuant to PRC section 21108 and CCR title 14, section 15075(a), which is to be accompanied by a check made payable to the California Department of Fish and Wildlife for its current CEQA filing fee of \$2,210.00 for Negative Declarations.

I, David W. Gibson, Executive Officer, do hereby certify that this a full, true, and correct copy of a Resolution adopted by the San Diego Water Board, on DATE.

TENTATIVE

David W. Gibson
Executive Officer