

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

RESOLUTION R7-2015-0014

APPROVING THE INITIAL STUDY AND ADOPTING A NEGATIVE DECLARATION  
FOR  
AGRICULTURAL WASTEWATER DISCHARGES AND DISCHARGES OF WASTES  
FROM DRAIN OPERATION AND MAINTENANCE ACTIVITIES  
WITHIN THE IMPERIAL VALLEY,  
IMPERIAL COUNTY, CALIFORNIA

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

1. The Colorado River Basin 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 within the Imperial Valley (Conditional Waiver).
2. The Colorado River Basin 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 Colorado River Basin 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 project could have a significant effect on the environment.
3. Since 2012 and as part of the mandatory Imperial County Farm Bureau (ICFB) Drained Annual Meetings for farmers enrolled in the ICFB Program, Colorado River Basin Water Board staff has conducted presentations regarding the development of this proposed Conditional Waiver (1) to update the farming community on its status and (2) to provide affected stakeholders and Responsible Agencies with an opportunity to comment on the proposed Conditional Waiver. The key contents and requirements of this proposed Waiver were the focus of the 2014 Annual Drained Meetings, which were held in Brawley (5/14/2014), Holtville (5/15/2014), and El Centro (5/16/2014).
4. On December 5, 2013, the Colorado River Basin Water Board held a public CEQA scoping meeting in El Centro, California, regarding the proposed Conditional Waiver, and considered all testimony and evidence received at the workshop.
5. Colorado River Basin Water Board staff's preliminary determination, based on an 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.
6. On December 12, 2014, the Colorado River Basin Water Board notified interested agencies and persons of its Intent to Adopt a Negative Declaration for this Conditional Waiver, and provided them with an opportunity to submit comments during a 30-day comment period that ended on January 12, 2015, regarding the proposed Negative Declaration and Initial Study prepared in support of the Negative Declaration. The

Regional Water Board, in a public hearing, considered all comments received during the public comment period and at the hearing regarding the proposed Negative Declaration and Initial Study.

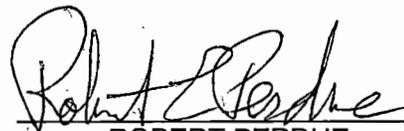
7. On January 15, 2015, the Colorado River Basin Water Board, in a public hearing, considered all comments concerning the discharge to be regulated by the Conditional Waiver and the proposed Negative Declaration.
8. The Colorado River Basin Water Board finds, on the basis of the whole record before it, which includes the proposed Conditional Waiver, public comments received, Colorado River Basin Water Board staff's responses to public comments, the Initial Study, and Colorado River Basin Water 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 Colorado River Basin Water Board's independent judgment and analysis.

**THEREFORE, BE IT RESOLVED that the Colorado River Basin 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 Imperial Valley (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 Wildlife for its current CEQA filing fee of \$2,181.25 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 15, 2015.

  
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ROBERT PERDUE  
Executive Officer