CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2015-0004

ADOPTING A MITIGATED NEGATIVE DECLARATION FOR
A CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
SMALL FOOD PROCESSORS, WINERIES, AND RELATED AGRICULTURAL
PROCESSORS WITHIN
THE CENTRAL VALLEY REGION

WHEREAS, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) proposes to adopt a Conditional Waiver to regulate the discharge of wastewater and residual solids from small food processing operations, small wineries, and certain agricultural operations (such as nut hulling and seed washing operations), provided that the discharge meets certain criteria specified in the Conditional Waiver; and

WHEREAS, the Central Valley Water Board is the lead agency for this project under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) and has conducted an Initial Study in accordance with California Code of Regulations, title 14, sections 15060 et seq.; and

WHEREAS, the proposed Conditional Waiver incorporates conditions and prohibitions that are identified in the Mitigated Negative Declaration and that will mitigate any potentially-significant environmental impacts to levels that would be considered less than significant; and

WHEREAS, copies of the Initial Study and proposed Mitigated Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters and the public notice complied with the legal requirements for such notice; and

WHEREAS, none of the facilities regulated under the Conditional Waiver appear on any list compiled pursuant to Government Code section 65962.5; and

WHEREAS, the Central Valley Water Board responded to and addressed all public comments on the proposed project; and

WHEREAS, none of the revisions addressed newly identified significant impacts or impacts previously thought to be insignificant and now thought to be significant; and

WHEREAS, the Central Valley Water Board considered all testimony and evidence at a public hearing held on 5 February 2015 in Rancho Cordova, California, and

good cause was found to approve the Initial Study and adopt a Mitigated Negative Declaration.

THEREFORE BE IT RESOLVED that:

1. Based on the Central Valley Water Board's independent judgment, the Central Valley Water Board hereby adopts the Mitigated Negative Declaration for the *Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region.*

2. The record before the Central Valley Water Board contains no substantial evidence that a fair argument has been made that the project may have a significant effect on the environment.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 5 February 2015.

PAMELA C. CREEDON, Executive Officer

MITIGATED NEGATIVE DECLARATION

Public Resources Code section 21080(c)

Project Title: Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors within the Central Valley Region

Project Location: The Conditional Waiver regulates entities located throughout the Central Valley Region

Project Description: Water Code section 13269 authorizes the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) to conditionally waive waste discharge requirements if the waiver is consistent with the Central Valley Water Board's water quality control plans and is in the public interest. The Central Valley Water Board has developed a Conditional Waiver to regulate the discharge of wastewater and residual solids from small food processing operations, small wineries, and certain agricultural operations (such as nut hulling and seed washing operations). If wastewater and residual solids meets certain criteria specified in the Conditional Waiver, regulated entities can irrigate crops or landscaped areas with up to 1,000,000 gallons of wastewater per year and can use the residual solids as a soil amendment. The Board's adoption of the proposed Conditional Waiver is considered a project under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

The Conditional Waiver, as initially proposed, incorporated conditions and prohibitions to mitigate any potentially-significant environmental impacts to levels that would be considered less than significant. These include conditions and prohibitions designed to ensure that pollution and nuisance do not occur as a result of the discharge of wastewater and residual solids pursuant to the Conditional Waiver.

Findings: An Initial Study was prepared in conjunction with the development of the Conditional Waiver, and the Board accepted comments on the Initial Study, this draft Mitigated Negative Declaration, and the proposed Conditional Waiver from 31 October 2014 until 1 December 2014. Based on the Initial Study and the comments received from interested persons through the comment period and at a pubic hearing, the Central Valley Water Board has concluded that there is no substantial evidence, in light of the whole record before the Central Valley Water Board, that the project may have a significant effect on the environment.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is the Mitigated Negative Declaration adopted by the California Regional Water Quality Control Board, Central Valley Region after conducting a public hearing on 5 February 2015.

Pamela C Creedon

PAMELA C. CREEDON, Executive Officer