

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION R5-2016-0043

ADOPTING A MITIGATED NEGATIVE DECLARATION
AND
APPROVING AN INITIAL STUDY
FOR
SEQUOIA NATIONAL FOREST, KERN RIVER RANGER DISTRICT
OSA MEADOW RESTORATION PROJECT
TULARE COUNTY

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) finds:

1. The Central Valley Water Board proposes to issue a Clean Water Act § 401 Water Quality Certification (Certification) for the discharge of fill material to waters of the United States by the Sequoia National Forest from its Osa Meadow Restoration Project (Project).
2. The Project is located within the Kern River Ranger District, Sequoia National Forest, approximately 10 miles northwest of the Blackrock Work Station on Forest Service Road 20S25, at latitude: 36.18077° and longitude: -118.30578°.
3. Issuing a Certification is a discretionary action that has the potential to cause direct or indirect effects on the physical environment. Since no other discretionary state or local governmental approvals are needed for this project, the Central Valley Water Board has assumed the role of lead agency pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).
4. The Central Valley Water Board conducted an Initial Study in accordance with California Code of Regulations, Title 14, §15063. Based on the results of the Initial Study, the Board prepared a Draft Mitigated Negative Declaration, which concludes that the Project will not have a significant effect on the environment after mitigation measures are incorporated into the Certification.
5. Copies of the Initial Study and Draft Mitigated Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters.
6. In a public hearing, the Central Valley Water Board considered all public comments submitted and all oral comments received regarding the Initial Study and Draft Mitigated Negative Declaration.

7. The Central Valley Water Board received no written comments regarding the proposed project, Initial Study, or proposed Mitigated Negative Declaration.
8. Based on the whole record before the Central Valley Water Board, there is no evidence the Project will have a significant effect on the environment, due to the incorporation of enforceable mitigation measures in the Certification. Sequoia National Forest has agreed to the incorporation of these mitigation measures.
9. The Certification requires implementation of a Monitoring and Reporting Program that will ensure that the Project will not create significant effects to the environment and that all of the mitigation measures incorporated into the Certification will be implemented. The Monitoring and Reporting Program will therefore satisfy the requirements of Public Resources Code § 21081.6(a)(1).

THEREFORE BE IT RESOLVED, pursuant to California Public Resources Code, § 21080, et seq., the Central Valley Water Board, after considering the entire record, including written comments and oral testimony at the hearing:

1. Finds the Mitigated Negative Declaration reflects the independent judgement and analysis of the Central Valley Water Board.
2. Finds 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.
3. Approves the Initial Study and adopts a Mitigated Negative Declaration in connection with issuing a Certification for the discharge of fill material to waters of the United States by the Sequoia National Forest from its Osa Meadow Restoration Project.

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 24 June 2016.

Original signed by:

PAMELA C. CREEDON, Executive Officer