

Attachment E
THE STATE WATER RESOURCE CONTROL BOARD'S
CEQA FINDINGS FOR REGIONAL GENERAL PERMIT 53

On August 11, 1998 the County of San Diego (County), as lead agency, certified a Mitigated Negative Declaration (MND) and filed a Notice of Determination on August 31, 1998 with the State Clearinghouse for the San Diego County Flood Control Maintenance Program (FCMP) in accordance with the California Environmental Quality Act (CEQA). A subsequent MND was adopted on November 10, 1999 adding additional FCMP sites. An addendum to the subsequent MND was filed on June 2001. On March 10, 2005 an addendum for September 2005 renewal of RGP53 was adopted. An addendum for 2010 renewal was adopted on April 13, 2009.

The State Water Board, as a responsible agency, consulted with the County, and reviewed the document and all subsequent amendments to the 1998 MND. State Water Board staff determine that the County MND comports with the requirements of CEQA and is valid (Public Resources Code, § 21167.3 (b)). As such, the State Water Board has reviewed and considered the environmental documents and all proposed mitigation measures.

The State Water Board has determined that different or additional mitigation measures will not substantially lessen or avoid any significant effect of the FCMP activities on water quality (Public Resources Code, § 21002.1(d)). The State Water Board makes the following findings:

FCMP activities will cause permanent impact to waters of the State cause by dredging of wetland areas during initial FCMP activities at maintenance sites. The FCMP activities will also cause temporary impacts to waters of the State by the temporary diversion of waters, vegetation removal and debris removal. Potential temporary impacts from maintenance activities, such as spills and leaks from, could also occur.

Avoidance and minimization mitigation measures for significant and potentially significant water quality impacts that will or could arise as a result of these activities include development of Best Management Practices for accidental spill control and for prevention and control of erosion.

Compensatory mitigation for significant and potentially significant water quality impacts includes mitigation bank credits at the Sweetwater Offsite Mitigation Area and invasive species control for temporary impacts.

The State Water Board hereby determines that the proposed project, with mitigation measures and the provisions in this Order, will not have a significant effect on the environment. The mitigated negative declaration is hereby adopted. The documents and related material, which constitute the record, are located at:

State Water Resource Control Board
1001 I Street, 15th floor
Sacramento, CA 95814.

The State Water Board will file a Notice of Determination within five days from the issuance of this Order.