

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2014-0054**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT NEGATIVE DECLARATION  
GENERAL WASTE DISCHARGE REQUIREMENTS  
FOR SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS**

WHEREAS:

1. California Water Code section 13260(a) requires that any person discharging waste or proposing to discharge waste, other than to a community sewer system, that could affect the waters of the state, shall file a report of waste discharge with the appropriate Regional Water Quality Control Board (Regional Water Board) to prescribe waste discharge requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge.
2. State Water Resources Control Board (State Water Board) staff has prepared a General Waste Discharge Requirements Order ([General Order](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf), [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2014/wqo2014\\_0153\\_dwq.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf)) for land application of treated wastewater from small domestic wastewater treatment systems (small domestic systems) with a monthly flow rate up to 100,000 gallons per day. The adoption of the General Order involves a discretionary action by the State Water Board; therefore, it is considered a project and is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). The State Water Board is the lead agency for the CEQA evaluation.
3. Consistent with Public Resources Code section 21080.3, the State Water Board consulted with responsible and trustee agencies regarding the project before determining the type of CEQA document to prepare. The list of agencies consulted was developed with assistance from the California Office of Planning and Research. A draft Initial Study was transmitted on September 27, 2012 to all identified agencies. Comments were received from the California Department of Fish and Wildlife, California State Lands Commission, and California Coastal Commission. No mitigation measures were recommended by any of the agencies.
4. The attached [Initial Study](#) ([http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2014/rs2014\\_0054\\_isnd\\_sdgo092314.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2014/rs2014_0054_isnd_sdgo092314.pdf)) addresses the environmental factors that can be reasonably anticipated when considering the use of the General Order on a statewide basis. The Initial Study does not address a site-specific project and therefore impacts for some of the environmental factors are not reasonably foreseeable.
5. The adoption of the General Order for existing small domestic systems is categorically exempt from CEQA pursuant to California Code of Regulations, title 14, section 15301 (ongoing or existing projects), section 15302 (replacement or reconstruction of existing utility systems), and section 15303 (utility extensions).

6. For new or expanding small domestic systems, the State Water Board hereby considers the environmental impacts associated with the adoption of the General Order and prepared an Initial Study in accordance with California Code of Regulations, title 14, section 15063. Analysis in the Initial Study and early consultation with responsible and trustee agencies did not identify any significant impacts on the environment. Therefore, a negative declaration was prepared.
7. New or expanding small domestic systems are subject to further CEQA evaluation on a site-specific basis by local agencies performing CEQA evaluations of proposed projects. The potential significant environmental impacts from discharges of domestic wastewater can be mitigated to a level of insignificance by compliance with the General Order, the Notice of Applicability, and any mitigation measures adopted by local agencies.
8. The State Water Board distributed a draft Initial Study, Negative Declaration, and General Order on June 25, 2014, for a 30-day public comment period. The comment period ended on July 25, 2014.
9. Public notice of the General Order and Negative Declaration was transmitted via U.S. mail to all enrollees or applicants for enrollment under Water Quality Order 97-10, and all 58 county clerks for a 30-day posting of the CEQA notice. A legal notice was published in six newspapers with the largest circulation in geographic areas across the state, automated e-mail messages containing the public notice were transmitted to Lyris lists related to land discharge of wastewater (Onsite Wastewater Treatment System list and Onsite Wastewater Policy Implementation list), and the notice was published on the State Water Board's Internet webpage.
10. The State Water Board conducted a public hearing on September 23, 2014, in Sacramento to consider adoption of the Negative Declaration and General Order.
11. The documents and other materials that constitute the record of proceedings on which the State Water Board findings are based are located at State Water Resources Control Board, Division of Water Quality, 1001 I Street, 15th floor, Sacramento, California, 95814. The custodian for these documents is the Division of Water Quality.
12. The State Water Board will file a Notice of Determination for this project with the Governor's Office of Planning and Research within five days from issuance of this resolution in accordance with California Code of Regulations, title 14, section 15075.

THEREFORE BE IT RESOLVED THAT:

The State Water Board has determined that the proposed project will have a less-than-significant effect on the environment as described in the Initial Study and hereby adopts the [Negative Declaration](#) ([http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2014/rs2014\\_0054\\_isnd\\_sdgo092314.pdf#page=2](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2014/rs2014_0054_isnd_sdgo092314.pdf#page=2)).

## CERTIFICATION

The undersigned Clerk to the Board hereby does certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 23, 2014.

AYE: Chair Felicia Marcus  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Steven Moore  
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board