

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

RESOLUTION NO. R5-2011-_____

CERTIFICATION OF THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT
FOR
THE LONG-TERM IRRIGATED LANDS REGULATORY PROGRAM

WHEREAS:

1. Resolutions R5-2006-0053 and R5-2006-0054 adopted by the Central Valley Water Board approved two conditional waivers applicable to discharges from irrigated agriculture to surface waters. The waivers were to serve as an interim regulatory program until a long-term program was developed. When the Board approved the conditional waivers, it directed staff to begin developing a long-term irrigated lands regulatory program (ILRP) and also to continue preparation of an environmental impact report pursuant to the California Environmental Quality Act (CEQA) that would evaluate alternatives for the ILRP.
2. In 2007, the California Sportfishing Protection Alliance and San Francisco Baykeeper filed a petition for writ of mandate challenging the Central Valley Water Board's issuance of the waivers. (*California Sportfishing Protection Alliance v. California Regional Water Quality Control Board, Central Valley Region*, Case No. 07CS00807, Sacramento County Superior Court). Without any admission of liability, the Central Valley Water Board consented to the entry of a stipulated action to resolve all of the claims of the action. One of the conditions to the stipulated judgment is that the Regional Board staff shall, by April 8, 2011,¹ present and recommend that the Regional Board certify a final environmental impact report addressing any impacts associated with any action that the Regional Board may take to implement a long-term ILRP.
3. The Central Valley Water Board served as the lead agency under the California Environmental Quality Act (CEQA) for the preparation of the Final Program Environmental Impact Report (Final Program EIR) for a waste discharge regulatory program for irrigated lands within the jurisdictional boundaries of the Central Valley Region.
4. A Notice of Availability (NOA) was circulated that notified interested parties of a 60-day public review and comment period (from 28 July 2010 until 27 September 2010) for the "Irrigated Lands Regulatory Program" Draft Program Environmental Impact Report (Draft Program EIR). Copies of the NOA were transmitted to or made available to all agencies and persons known to be interested in these matters.
5. During the public comment period, the Central Valley Water Board received written comments on the Draft Program EIR. It also received informal feedback at four public workshops held in Chico, Modesto, Rancho Cordova, and Tulare during the public comment period and received additional informal feedback at a September 22 Board

¹ The original deadline was March 31, 2011. However, the parties to the action established a new deadline of April 8, 2011 pursuant to the terms of the stipulated judgment.

PROGRAM EIR-LONG TERM IRRIGATED LANDS REGULATORY PROGRAM

Meeting. The Central Valley Water Board has considered the written comments and the informal feedback. It has provided written responses to the written comments received on the Draft Program EIR and has prepared a Final Program EIR.

THEREFORE BE IT RESOLVED, that:

1. Pursuant to § 21080, et seq. of the California Public Resources Code, the Central Valley Water Board, after considering the entire record, including written and oral testimony at the hearing, certifies that:
 - a. The Final Program EIR has been completed in compliance with CEQA.
 - b. The Central Valley Water Board has reviewed and considered the information in the Final Program EIR.
 - c. The Final Program EIR reflects the independent judgment and analysis of the Central Valley Water Board.
2. Staff is hereby directed to prepare within five working days a Notice of Determination for the Final Program EIR.

CERTIFICATION

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 ☒ April 2011.

PAMELA C. CREEDON, Executive Officer