

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2005-0079

APPROVING INITIAL STUDY
AND
ADOPTING A NEGATIVE DECLARATION
FOR
TSAR NICOULAI CAVIAR, LLC.,
AND
RALPH F. NIX REVOCABLE TRUST
TSAR NICOULAI STURGEON FARM
SACRAMENTO COUNTY

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

1. The Regional Board proposes to adopt a National Pollutant Discharge Elimination System (NPDES) Permit (hereafter Permit) for the disposal of wastewater to surface waters.
2. The Regional Board is the lead agency for this project under the California Environmental Quality Act and has conducted an Initial Study in accordance with Title 14, California Code of Regulations, Section 15063, entitled *Guidelines for the Implementation of the California Environmental Quality Act*.
3. Compliance with the permit, as discussed in the Negative Declaration, will reduce potentially significant impacts to less than significant impacts.
4. Copies of the Environmental Study and Negative Declaration were transmitted to or made available to all agencies and persons known to be interested in these matters.
5. The Regional Board received no comments regarding the proposed project, Initial Environmental Study, or proposed Negative Declaration. The Regional Board received comments from the Discharger on the tentative Waste Discharge Requirements. These comments have been considered and addressed.
6. The Regional Board considered all testimony and evidence at a public hearing held on 24 June 2005 in Rancho Cordova, California and good cause was found to approve the Initial Study and adopt a Negative Declaration.

THEREFORE BE IT RESOLVED, pursuant to Section 21080, et seq. of the California Public Resources Code, the Regional Board, after considering the entire record, including oral testimony at the hearing:

TSAR NICOULAI CAVIAR, LLC. AND RALPH F. NIX REVOCABLE TRUST

1. Approves the Initial Environmental Study and adopts the Negative Declaration for the *Tsar Nicoulai Caviar, LLC, and Ralph F. Nix Revocable Trust, Tsar Nicoulai Sturgeon Farm.*
2. Finds the record before the Regional Board contains no substantial evidence that a fair argument has been made that the project may have a significant effect on the environment.

I, THOMAS R. PINKOS, 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 2005.

THOMAS R. PINKOS, Executive Officer

**NEGATIVE DECLARATION
PURSUANT TO TITLE 14, CHAPTER 3, SECTIONS 15000, et seq.
CALIFORNIA CODE OF REGULATIONS**

Project Title

TSAR NICOULAI CAVIAR, LLC. AND RALPH F. NIX REVOCABLE TRUST

Project Description

Location: 10822 Gay Road, Wilton, CA 95693 (APNs 134-0173-013) and a portion of 134-0173-014). The subject property is located 1020 feet west of the intersection of Mindy Lane and Gay Road as identified in Sacramento County Assessor's Parcel Map.

The project is to initiate a discharge of wastewater to an unnamed drainage tributary to the Cosumnes River, and to apply solid wastes to land owned by the Discharger, pursuant to a National Pollutant Discharge Elimination System (NPDES) permit.

The wastewater discharge from the facility may include unused food, fish excrement, and algae. The discharger also proposes to use sodium chloride (salt) to control fish infections from surface abrasions and spread of fish disease.

The initial Environmental Study identifies surface water, groundwater and solid waste impacts to be less than significant. The project is to operate a sturgeon farm pursuant to a NPDES Permit, to allow the discharge of wastewater to a drainage tributary to the Cosumnes River, and to land apply solid wastes from the operation. Impacts will be less than significant if the facility is operated in accordance with permit limitations.

Findings

An Initial Environmental Study was prepared for Tsar Nicoulai Caviar, LLC and the Ralph F. Nix Revocable Trust. A Report of Waste Discharge, dated 9 May 2003, with supplemental information received 19 October 2004, was submitted to the Central Valley Regional Water Quality Control Board (Regional Board). The Regional Board has prepared a NPDES Permit. These documents describe the potential environmental impacts and their significance. The conclusion of the Initial Environmental Study finds that the project should not have a significant impact on the environment if the facility is operated in accordance with permit limitations.

Copies of the Initial Environmental Study, Negative Declaration and the NPDES Permit can be obtained by request to the Regional Water Quality Control Board, the Lead Agency.

Requests should be addressed to:

Patricia Leary
California Regional Water Quality Control Board
Central Valley Region
11020 Sun Center Drive Suite 200
Rancho Cordova, CA 95670-6114
(916) 464 -4623

THOMAS R. PINKOS
Executive Officer

24 June 2005
Date