

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
RESOLUTION NO. R5-2007-0011
APPROVING INITIAL STUDY
AND
ADOPTING A NEGATIVE DECLARATION
FOR
STERLING CAVIAR, LLC., ELVERTA FACILITY
SACRAMENTO COUNTY

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

1. The Regional Water Board proposes to adopt a National Pollutant Discharge Elimination System (NPDES) Permit (hereafter Permit) for the disposal of wastewater to surface waters by the Sterling Caviar LLC (hereafter Discharger) from its Elverta Facility.
2. The Regional Water 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. The Discharger's Elverta Facility is an existing sturgeon fish farm that is currently discharging to surface waters without an NPDES permit and is not expanding beyond its previous use. The proposed permit requires the Discharger to meet water quality standards that will protect the beneficial uses of the receiving waters.
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 Water Board received no substantive comments regarding the proposed project, Initial Environmental Study, or proposed Negative Declaration. The Regional Water Board received comments on the tentative Waste Discharge Requirements. These comments have been considered and addressed.
6. The Regional Water Board considered all testimony and evidence at a public hearing held on March 15, 2007 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 Water Board, after considering the entire record, including oral testimony at the hearing:

1. Approves the Initial Environmental Study and adopts the Negative Declaration for the adoption of a National Pollutant Discharge Elimination System (NPDES) permit for the *Sterling Caviar LLC Elverta Facility*.
2. Finds the record before the Regional Water Board contains no substantial evidence that a fair argument has been made that the project may have a significant effect on the environment.

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 March 15, 2007.

PAMELA C. CREEDON, Executive Officer

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

Project Title

STERLING CAVIAR, LLC., ELVERTA FACILITY

Project Description

Location: 9149 E. Levee Road, Elverta, CA 95626 (APN 35-280-013). The subject property is located on the Sacramento/Sutter County line. The surface water discharge is in Sacramento County.

The project under consideration is the adoption of a National Pollutant Discharge Elimination System (NPDES) permit to regulate the wastewater discharge from the Sterling Caviar LLC Elverta Site, which is currently discharging without an NPDES permit and is not expanding beyond its previous use. Wastewater from the Facility is currently discharged into wetlands within Reclamation District No. 1000. The wetlands drain via the Natomas Cross Canal and Natomas East Main Drainage Canal to the Sacramento River. Wastes generated at the Facility include fish fecal material, unconsumed fish food, nutrients, algae, silt, chemicals and therapeutic agents used to treat fish and control disease. The NPDES permit contains waste discharge requirements to ensure protection of the beneficial uses of the receiving waters. The initial Environmental Study identifies surface water, groundwater and solid waste impacts to be less than significant.

Findings

An Initial Environmental Study was prepared for Sterling Caviar, LLC. A Report of Waste Discharge, dated 11 November 2005, was submitted to the Central Valley Regional Water Quality Control Board (Regional Water Board). The Regional Water 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 to adopt an NPDES permit should not have a significant impact on the environment.

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

James Marshall
California Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive Suite 200
Rancho Cordova, CA 95670-6114
(916) 464 -4772

PAMELA C. CREEDON
Executive Officer

Date