

EXHIBIT 2: Initial Study and Negative Declaration

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REGION 1

JUL - 9 2003

Notice of Determination

Form C

RLT LGR KAD
NPO RSG EJJ

To: Office of Planning and Research
PC Box 3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

From: (Public Agency) RWQCB
5550 Skyland Boulevard, Suite A
Santa Rosa, CA 95403

County Clerk
County of Mendocino
501 Low Gap Road- Room 1020
 Ukiah, Ca 95482

2003-E0048
Recorded at the request of
JANET A. MAHONEY
05/07/2003 02:24P
Fee: 0.00 No of Pages: 0

OFFICIAL RECORDS
Mendocino County, CA
Marsha A Wharff, Clerk-Recorder

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Navarro Watershed Permit Coordination Program

Project Title

2003012079

David Evans

707-576-2703

State Clearinghouse Number
(if submitted to Clearinghouse)

Lead Agency
Contact Person

Area Code/Telephone/Extension

Various locations, Mendocino County

Project Location (include county)

Project Description:

The project involves adoption of waste discharge requirements, under section 13263(a) of the California Water Code. The WDRs requirements would authorize discharge of sediment and other waste from NRCS, for specific restoration projects in the Navarro River Watershed. The project also involves adoption of a Clean Water Act 401 Certification.

This is to advise that the Water Quality Control Board - Region 1 has approved the above described project on

March 27 2003

(Date)

Lead Agency Responsible Agency

and has made the following determinations regarding the above described project:

- 1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A statement of Overriding Considerations was adopted for this project.
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
5550 Skyland Boulevard, Suite A Santa Rosa, California 95403

Signature (Public Agency) Date
David S. Evans 04/07/03

Senior Water Resources Engineer
Title

Date received for filing at OPR:
David S. Evans 04/29/03

Revised May 1999

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PRINTED FROM MAY 07 2003 10:08-03

Governor's Office of Planning and Research

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

GENERAL MONITORING AND REPORTING PROVISIONS

February 3, 1971
(Retyped May 20, 1993)

GENERAL PROVISIONS FOR SAMPLING AND ANALYSIS

Unless otherwise noted, all sampling, sample preservation, and analyses shall be conducted in accordance with the current edition of "Standard Methods for the Examination of Water and Waste Water" or approved by the Executive Officer.

All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health or a laboratory approved by the Executive Officer.

All samples shall be representative of the waste discharge under the conditions of peak load.

GENERAL PROVISIONS FOR REPORTING

For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge in full compliance with requirements at the earliest time and submit a timetable for correction.

By January 30 of each year, the discharger shall submit an annual report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

The discharger shall file a written report within 90 days after the average dry weather flow for any month that equals or exceeds 75 percent of the design capacity of the waste treatment or disposal facilities. The report shall contain a schedule for studies, design, and other steps needed to provide additional capacity or limit the flow below the design capacity prior to the time when the waste flow rate equals the capacity of the present units.

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California Regional Water Quality Control Board
North Coast Region



Winston H. Hickox
Secretary for
Environmental
Protection

William R. Massey, Chairman

Gray Davis
Governor

Internet Address: <http://www.swrcb.ca.gov/rwqcb1/>
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: 1 (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

January 21, 2003

Katie Shulte Joung
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Dear Ms. Joung:

Subject: Negative Declaration for Waste Discharge Requirements for Natural Resources Conservation Service (NRCS) and the Mendocino Resource Conservation District (MCRCD) Navarro Watershed Restoration Projects

File: Navarro Permit

Enclosed is a copy of the Negative Declaration and Initial Study for Waste Discharge Requirements Order No. R1- 2003-0009, Waste Discharge Requirements for Natural Resources Conservation Service (NRCS) and the Mendocino Resource Conservation District (MCRCD) Navarro Watershed Restoration Projects. This Order will be considered by the Regional Water Board at their meeting on March 27, 2003, in Santa Rosa. Please circulate to all responsible agencies. Contact me at (707) 576-2650 if you have any questions.

Sincerely,

Rebecca Fitzgerald
Environmental Scientist II

RMF:tab/navarroclearinghouse.com

Certified-Return Receipt Requested

Enclosure: 1) Negative Declaration 3
2) Initial Study 3
3) Preliminary Waste Discharge Requirements 3

California Environmental Protection Agency



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Katie Shulte Joung

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January 21, 2003

cc: (w/encl.) 3

Carolyn Callahan Remick, Sustainable Conservation, 121 Second Street, Sixth Floor
San Francisco, CA 94105

Daniel Mountjoy, USDA - Natural Resource Conservation Service, 318 Cayuga Street,
#3206, Salinas, CA 93901

Tom Schott, Mendocino County Resource Conservation District, 405 South Orchard
Avenue, Ukiah, CA 95482

Carre Brown, Mendocino County Farm Bureau, 303-C Talmage Road, Ukiah, CA 95482

Dennis Slota, Mendocino County Water Agency, 1000 N. State Street, Ukiah, CA 95482

Mendocino County Planning Agency, 790 S. Franklin Street, Ukiah, CA 95437

Department of Fish and Game, P.O. Box 47, Yountville, CA 94599

Peter Straub, U. S. Army Corps of Engineers, 333 Market Street, San Francisco, CA
94105-2197

Connie Best, Anderson Valley Land Trust, P.O. Box 141, Boonville, CA 95415-0141

Eric Shott, National Marine Fisheries Service, 777 Sonoma Avenue, Suite 325, Santa
Rosa, CA 95404

Ukiah Daily Journal, 590 S. School St., P.O. Box 749, Ukiah, CA 95482

Anderson Valley Advertiser, P.O. Box 459, 12451, Boonville, CA 95415

California Environmental Protection Agency



Recycled Paper

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EXHIBIT 2: Initial Study and Negative Declaration

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95472
(707) 576-2220, Fax (707) 523-0135

Negative Declaration

Posting Date: January 23, 2003
Proposed Adoption Date: March 13, 2003
State Clearinghouse: January 23, 2003

This statement and attachments constitute the Negative Declaration as proposed for adoption by the North Coast Regional Water Quality Control Board for the project described below.

File Name: Navarro Watershed Permit

Staff: Rebecca Fitzgerald, (707) 576-2650

Project Name: Waste Discharge Requirements for the Natural Resource Conservation Service (NRCS) and the Mendocino County Resource Conservation District (MCRCD) - Navarro Watershed Restoration Projects

Project Description: The project involves the adoption of waste discharge requirements, under Section 13263(a) of the California Water Code. The waste discharge requirements would authorize discharges of sediment and other wastes from the Natural Resources Conservation Service (NRCS), formerly the U.S. Soil Conservation Service, and the Mendocino County Resource Conservation District (RCD), hereinafter known as the Dischargers, for specific restoration and conservation projects in the Navarro River Watershed.

The project also involves the adoption of a Clean Water Act Section 401 Water Quality Certification. This Water Quality Certification would authorize activities that may result in a discharge of dredge or fill material to surface waters of the United States. Such discharges could occur during the implementation of specific restoration and conservation projects in the Navarro River Watershed.

Project Location: The Navarro River watershed is located in Mendocino County, approximately 120 miles north of San Francisco and 30 miles west of Ukiah.

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Negative Declaration

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September 21, 2003

Environmental finding: The project will not have a significant effect on the environment.

Decision-making Body: North Coast Regional Water Quality Control Board

Lead agency: North Coast Regional Water Quality Control Board

Other Agencies
Whose Approval
May be Required: None

Comment Period: February 26, 2003 to March 27, 2003

Public Hearing: North Coast Regional Water Quality Control Board Office, 5550
Skylane Boulevard, Suite A, Santa Rosa, CA 95403

Public Hearing Date: March 27, 2003

Attachments: Initial Study; General Waste Discharge Requirements for Natural
Resource Conservation Service (NRCS) and The Mendocino
County Resource Conservation District (MCRCD) Navarro
Watershed Restoration Projects; Monitoring and Reporting
Program No. R1-2003-0009.

(navarronegdecnotice)

EXHIBIT 2: Initial Study and Negative Declaration

Environmental Checklist Form

1. Project title:

Navarro River Watershed Permit Coordination Program

2. Lead agency name and address:

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403

3. Contact person and phone number:

David Evans, Senior Water Resources Control Engineer, (707) 576-2703

4. Project location:

Various Parcels, Navarro River Watershed, Mendocino County

5. Project sponsor's name and address:

Natural Resources Conservation Service &
Mendocino County Resource Conservation District
405 South Orchard Avenue
Ukiah, California 94582

6. General plan designation:

n/a

7. Zoning:

n/a

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The project involves the adoption of waste discharge requirements, under Section 13263(a) of the California Water Code. The waste discharge requirements would authorize discharges of sediment and other wastes from the Natural Resources Conservation Service (NRCS), formerly the U.S. Soil Conservation Service, and the Mendocino County Resource Conservation District (RCD), hereinafter known as the Dischargers, for specific restoration and conservation projects in the Navarro River Watershed.

The project also involves the adoption of a Clean Water Act Section 401 Water Quality Certification. This Water Quality Certification would authorize activities that may result in a discharge of dredge or fill material to surface waters of the United States. Such discharges could occur during the implementation of specific restoration and conservation projects in the Navarro River Watershed.

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The restoration and conservation projects authorized by the WDRs will reduce erosion and resulting transport of sediment to surface waters. The projects include access-specific road improvements, critical area plantings, fish habitat enhancements, grade stabilization structures on non-fish-bearing streams, road/timber landing removal, stream bank stabilization/protection, and structures for water flow control in irrigation or drainage channels.

The restoration and conservation projects will be implemented by participants in the program including ranchers, growers, land managers, and individual property owners (Cooperators). The Dischargers, also known as the project sponsors, will assist Cooperators in project design and monitor implementation and maintenance of the conservation practices to ensure performance with the conditions of the permit. The Dischargers will also assist Cooperators in identifying Recommended Land Use Practices and cost-sharing programs that comprise conservation systems uniquely suited to their land. The Dischargers will submit pre-construction reports to the Regional Water Board regarding specific projects to be implemented and post-construction reports summarizing project construction. A Cooperator receiving technical and/or cost share assistance from the NRCS or the Mendocino County RCD will be allowed to implement the associated conservation practices without the need to seek individual permits, provided the cooperator follows the terms and conditions of the project's permits and agreements.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

Surrounding lands are primarily agricultural, forest, or rural private property in the Navarro River Watershed. The most extensive geologic formation in the watershed is the Coastal Belt of the Franciscan Formation. Other geologic formations include the Melange Unit of the Central Belt Franciscan Formation, and alluvial fill. Vegetation within the Navarro River Watershed includes redwood, mixed conifer forests, oak woodland, oak grassland, herbaceous vegetation, vineyards, and agricultural crops. Individual restoration and conservation activities may take place on access roads, on landings and ramp fills used for timber harvest activities, in stream channels, on stream banks, and on highly erodible instream and upslope locations.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):

California Department of Fish and Game – 1603 Permit

National Marine Fisheries Service – Section 7 Consultation

U.S. Fish and Wildlife Service – Section 7 Consultation

U.S. Army Corps of Engineers – Regional General Permit

State Coastal Conservancy – Funding Approval

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

For

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EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

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I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Finding: Less Than Significant Impact.

The project will improve area aesthetics by enhancing and restoring native California vegetation along riparian corridors and wetlands at project sites. Bare, degraded stream channels and agricultural field margins will be enhanced by the use of NRCS-approved conservation practices. Short term, adverse impacts on the scenic vista and short-term degradation of the visual character of the site may occur during the construction of restoration and conservation projects. As these adverse impacts are short term and, when completed, the restoration and conservation projects will result in improved area aesthetics, the overall impact to aesthetics is less than significant.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Finding: No Impact. The project will not result in a substantial alteration in the present or planned land-use of the area or a reduction in the acres devoted to agriculture. One purpose of the Project is to improve agricultural productivity and operations in the Watershed through the stabilization of eroding soils and the control of sediment discharges from agricultural land to water courses.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Finding: Less than significant.

The project will involve only short-term emissions of air pollutants from minor construction, which will be less than significant. The project will not create odors.

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IV. BIOLOGICAL RESOURCES – Would the project:

Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

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Finding: Less Than Significant

The intent of the project is to reduce erosion and sedimentation in the watershed and thereby improve water quality, the health of the natural resources and agricultural productivity. However, any activity that involves work in an area with sensitive resources, no matter what the intent, has the potential to negatively affect those resources without careful planning. The aspects of the project listed below will prevent significant impacts of the conservation practices on the natural and cultural resources, plants, animals and sensitive habitat in the watershed when designing and implementing projects under the Navarro River Permit Coordination Program.

Item a: Protection of Candidate, Sensitive, or Special Status Species

The project area includes private lands in the Navarro River Watershed served by the NRCS and Mendocino County RCD. Special status species with potential to occur in the project area are shown in the table below.

Listed Animal and Fish Species with Potential to Occur in the Navarro River Watershed Project Area

Common Name	Scientific Name	Status (Federal/State)
Bald Eagle	<i>Haliaeetus leucocoecephalus</i>	Federal Threatened State Endangered
Marbled Murrelet	<i>Brachyrampus marmoratus</i>	Federal Threatened State Endangered
Northern Spotted Owl	<i>Strix occidentalis caurina</i>	Federal Threatened
California Coastal Chinook Salmon	<i>Oncorhynchus tshawytscha</i>	Federal Threatened
Central California Coast Coho Salmon	<i>Oncorhynchus mykiss</i>	Federal Threatened State Endangered
Northern California Steelhead	<i>Oncorhynchus kisutch</i>	Federal Threatened

The National Marine Fisheries Service determined that the project, as proposed, is not likely to adversely affect threatened California Coastal chinook salmon, Northern California steelhead, threatened Central California Coast coho salmon or critical habitat designated for coho salmon. The United States Fish and Wildlife Service determined that the project may affect, but is not likely to adversely affect the Federally threatened northern spotted owl, bald eagle, and marbled murrelet. Therefore, this project presents a less than significant impact on special status species.

In addition, all practices provide for improved surface water and decreased sedimentation in water bodies that benefit fish, amphibians, and reptiles. For example, the stream channel stabilization practice involves removing accumulated sediment from dry creek beds. Removing sediment will increase the number of deep pools. Aquatic animals require these ponds to survive the long dry California summers. Practices that enhance riparian and bank vegetation, including the critical area planting, filter strips, and stream bank protection will provide shelter from predators and breeding, foraging and basking sites for special status species known to occur in the Navarro Watershed. Control of erosion and pesticide runoff from farm fields will improve the quantity and quality of freshwater input into the creeks, streams, and ponds. The net conservation benefits which may result from implementation and maintenance of the conservation practices for species include: reducing fragmentation and increasing connectivity of habitats, maintaining or increasing species populations, and buffering sensitive areas.

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Item b: Protection of Riparian Habitat or other Sensitive Natural Communities

Restoration of riparian habitat is central to the purpose of the project. Implementation of conservation practices will improve both the quantity and quality of riparian habitat. Practices that enhance the riparian and vegetation include: critical area planting, fish stream improvement, stream bank protection and stream channel stabilization. These practices improve the quality of riparian areas, stabilize eroding soils in riparian areas, prevent cattle from grazing in riparian areas, and manage sources of erosion that can accumulate in riparian areas. The NRCS makes efforts to minimize disturbance to riparian areas. Accordingly, the effect of the project on Riparian Habitat and Sensitive Natural Communities is less than significant.

The Waste Discharge Requirements require the following special provision for conservation and restoration activities and results in a less than significant impact.

1. Disturbance to existing grades and vegetation will be limited to the actual site of the conservation project and necessary access roads. If trees over 6" diameter at breast height (dbh) are to be removed, they will be replaced at a 3:1 ratio. If riparian vegetation will be disturbed, it will be replaced with similar native species.

Item c: Protection of Wetlands

Long-term, positive environmental impacts of the program include the improvement of wetland functioning in the watersheds and are less than significant. Conservation practices can be used to restore natural functioning, stabilize erodible soils to prevent soil accumulation in wetlands, collect sediments before they enter waterways and wetlands, and to provide watering areas for livestock away from sensitive habitats. Only projects that result in a net environmental benefit are included in the Navarro River Permit Coordination Program. Short-term impacts to wetlands may take the form of soil excavation or grading, preparation of the ground for seeding and mulching, grade and stream stabilization, channel excavation, construction of earthen embankments, placement of fill, burial, vegetation removal, and trampling or crushing of vegetation from equipment and foot traffic. The Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

1. The general construction season will be from June 15 to October 15. Work after October 15 may be permitted only following written authorization from the Regional Water Board's Executive Officer and provided the work would be completed prior to the first winter rains and prior to stream flow.
2. Disturbance to existing grades and vegetation will be limited to the actual site of the conservation project and necessary access roads. If trees over 6" dbh are to be removed, they will be replaced at a 3:1 ratio. If riparian vegetation will be disturbed, it will be replaced with similar native species.
3. The discharger shall implement preventive measures to ensure there is a "no net loss" of wetland functions and values as a result of the projects.
4. Heavy equipment shall not be used in flowing or standing water.
5. The Dischargers shall incorporate erosion control and sediment detention devices into the project design and implement at the time of construction. These devices shall be in place prior to October 15 to minimize fine sediment and sediment/water slurry input to flowing water, and of detaining sediment-laden water on site.
6. The Dischargers shall implement control measures to prevent waste from draining or being washed into waters of the State, including the discharge of pollutants from temporary sediment stockpiles and during transport of dredge sediment, application of herbicides and pesticides, vegetation cutting, and during storage and use of other construction related materials.

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Item d: Movement of native or migratory fish or wildlife

The Navarro River Permit Coordination Program seeks to improve habitat for migrating fish, specifically Coho Salmon and Steelhead Trout. This project is being reviewed by the National Marine Fisheries Service for conformance with the federal Endangered Species Act through a Section 7 Consultation. By reducing the contribution of sediments to the waterways and enhancing riparian habitat, the project is likely to have an overall net benefit to the species. The Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

1. The general construction season will be from June 15 to October 15. Work after October 15 may be permitted only following written authorization from the Regional Water Board's Executive Officer and provided the work would be completed prior to the first winter rains and prior to stream flow.
2. The only riprap that would be placed in the 100-year flood hazard area is small vegetative or rock structures less than 5 feet in height.

Item e: Avoiding Conflict with local policies or ordinances

The Navarro River Permit Coordination Program has been reviewed for consistency and is consistent with local ordinances including the Mendocino County Coastal Zoning Code, the Mendocino County Zoning Ordinance, and the Mendocino County General Plan.

Item f: Habitat Conservation Plans and Natural Community Conservation Plans

Currently, there are no adopted Habitat Conservation Plans or Natural Community Conservation Plans within the scope of the project.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Finding: No Impact.

No impacts would occur because the Waste Discharge Requirements do not cover conservation or restoration projects on lands with cultural, historical, or archaeological resources. Any conservation or restoration project that could cause an adverse impact on cultural resources does not qualify for the Navarro River Watershed Permit Coordination Program.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Finding: Less Than Significant Impact.

Projects to be implemented under the Navarro River Watershed Permit Coordination Program have the purpose of reducing or eliminating soil erosion. The risk of landslides (item a-iv), soil erosion (item b), slope failure (item c), liquefaction (item c), or structural failure (item d) is addressed during the NRCS planning process. NRCS produces the Soil Survey of Mendocino County and specializes in soil science. NRCS engineers consider soil physical factors when selecting and designing structures that may pose a threat to life or property. The NRCS planning process and policies ensure all projects will not result in soil hazards. The NRCS does not approve work in areas of known geologic instability without approval of a certified engineer to ensure that construction is stable. Therefore the project will have a less than significant impact on geology or soils.

In addition, the Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

1. The general construction season will be from June 15 to October 15. Work after October 15 may be permitted only following written authorization from the Regional Water Board's Executive Officer and provided the work would be completed prior to the first winter rains and prior to stream flow.
2. Disturbance to existing grades and vegetation will be limited to the actual site of the conservation project and necessary access roads.
3. Dischargers will schedule excavation and grading activities during dry weather periods.
4. The dischargers shall incorporate erosion control and sediment detention devices into the project design and implement at the time of construction. These devices shall be in place prior to October 15 to minimize fine sediment and sediment/water slurry input to flowing water, and of detaining sediment-laden water on site.
5. Vegetation management activities that could result in the permanent destabilization of stream banks or increases in long-term sediment input into waters of the State are prohibited.
6. The Dischargers shall implement control measures to prevent waste from draining or being washed into waters of the State, including the discharge of pollutants from temporary sediment stockpiles and during transport of dredge sediment, application of herbicides and pesticides, vegetation cutting, and during storage and use of other construction related materials.

Conservation and restoration projects may be located on soils incapable of adequately supporting the use of septic tanks or other waste water disposal systems. However, the Navarro River Watershed Permit Coordination Program will not require the use of any waste water disposal systems and there will be no adverse impact.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Finding: Less Than Significant Impact.

There is some use and storage of earthmoving equipment at the site during the implementation of the practices (e.g., excavators, backhoes, bobcats, etc.). The following measures are built in to the NRCS practices to reduce hazards:

- NRCS schedules excavation and grading activities for dry weather periods.
- Vehicles are inspected for leaks and repaired immediately.
- Areas where fuel or hazardous material are stored at the project site shall be provided with secondary containment in the form of an earthen berm or other engineered revetment. The area contained by the berm shall be sufficient to contain all fluids stored within the berm.
- Clean up of leaks or spills shall be performed to the satisfaction of the Regional Water Board in a time frame satisfactory to the Regional Water Board.

The Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

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1. Heavy equipment shall not be used in flowing or standing water.
2. A contained area shall be designated for equipment storage, short-term maintenance, and refueling. It shall be located at least 50 feet from water bodies.
3. Leaks, drips, and other petroleum-type spills are cleaned up immediately to avoid soil or groundwater contamination. Dry cleanup methods (e.g., absorbent materials, cat litter, and/or rags) are to be used whenever possible. If water is used for dust control, only the minimum amount required to keep dust levels down shall be applied.
4. Major vehicle maintenance and washing are done off site.
5. All spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste off-site.
6. All construction debris and sediments are taken to appropriate landfills or, in the case of sediment disposed of in upland areas or off-site. These sites will be protected from erosion and sediment discharges.
7. Spilled dry materials are swept up immediately.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow?

Finding: Less Than Significant Impact.

Item a: Adherence to Water Quality Standards or Waste Discharge Requirements

By definition, activities subject to and in compliance with these Waste Discharge Requirements will not violate water quality standards or waste discharge requirements, nor will they degrade water quality. Should the Dischargers fail to meet water quality standards or waste discharge requirements, they will be subject to enforcement by the Regional Water Board.

Item b: Groundwater

The Navarro River Watershed Permit Coordination Program will not result in the substantial depletion of groundwater. However, some conservation and restoration activities (such as grade stabilization structures, instream and channel restoration work, stream channel stabilization work, restoration work relating to road stream crossings, and water control structures) may result in some short-term changes in the course and direction of surface water movement during construction, which could have a temporary, minor adverse impact on the local groundwater table level. However, all listed conservation and restoration activities are designed to enhance many degraded sites and improve the soil and water conditions, providing a higher ecological functioning in the watershed. Therefore, the long-term impact is expected to be beneficial.

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Item c and Item d: Surface Drainage Patterns, Erosion, and Flooding

The NRCS and the Mendocino County RCD are identified as primary participants for the management measures associated with controlling erosion and sediment. Working in conjunction with the NRCS and the Mendocino County RCD, landowners implementing conservation projects under this program will focus on erosion and sediment control, riparian enhancement, and fish stream improvement. In order for a project to be implemented under this program, it must provide a net environmental benefit without significant adverse impacts to hydrology and water quality.

Substantial erosion or siltation (item c) and flooding (item d) will be reduced as a result of the implementation and maintenance of the conservation and restoration activities of the Navarro River Watershed Permit Coordination Program. The NRCS and the Mendocino County RCD compute hydrologic runoff estimates for existing land use and management prior to selecting conservation practices. The practices are designed to reduce runoff to the natural background level that would have occurred on the property prior to development of agricultural operations or other impervious surfaces. These design objectives are achieved either through improved infiltration or through detention of peak flows. Infiltration is improved through the use of increased vegetative cover of bare soils (critical area planting, filter strips, grassed waterways) and improved agricultural soil and crop management (cover crops, irrigation management, row arrangement).

Flooding (item d) that could result from the alteration of the course of a stream or river will be avoided through the selection of conservation practices to be applied to watercourses. Work along watercourses covered by this program will promote the use of bio-technical streambank protection. These practices increase the roughness of stream banks, thereby slowing the rate of discharge into downstream streams and rivers. Localized flooding associated with slower discharge would be avoided by increasing the cross-sectional area of the channel or providing for a flood flow terrace as part of the design. Stream channel stabilization that involves sediment removal will increase the capacity of the channel, thereby reducing localized flooding. All work in stream channels will involve the use of NRCS hydrological and engineering procedures and manuals.

The Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

1. The general construction season will be from June 15 to October 15. Work after October 15 may be permitted only following written authorization from the Regional Water Board's Executive Officer and provided the work would be completed prior to the first winter rains and prior to stream flow.
2. The Dischargers shall incorporate erosion control and sediment detention devices into the project design and implement at the time of construction. These devices shall be in place prior to October 15 to minimize fine sediment and sediment/water slurry input to water, and of detaining sediment-laden water on site.
3. The Dischargers shall implement control measures to prevent waste from draining or being washed into waters of the State, including the discharge of pollutants from temporary sediment stockpiles and during transport of dredge sediment, application of herbicides and pesticides, vegetation cutting, and during storage and use of other construction related materials.
4. The Dischargers shall divert any flow at the site around the active construction site in a non-erosive manner using a pipe, or other measure such that the flow does not enter the active construction site.

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Item e: Runoff and Storm Water Drainage

The Navarro River Watershed Permit Coordination Program requires implementation and maintenance of specified best management practices, which effectuate storm drain pollution prevention by addressing stormwater pollutants of concern such as sediment, nutrients, oil, grease, and toxic pollutants. The NRCS best management practices are specifically designed to minimize runoff from agriculture including pesticides and nutrients. Priority is given to source control. Pollution sources and character have been identified in agricultural settings and the implementation, maintenance, and monitoring of the best management practices are designed to reduce sources. Design criteria and implementation and maintenance of the practices recognize the hydrologic conditions of the Navarro River Watershed.

The Waste Discharge Requirements require the following special provisions for conservation and restoration activities and result in a less than significant impact.

1. Storm water discharge from project areas to any surface or ground water shall not adversely impact human health or the environment.
2. Design plans developed for the restoration activities covered by this Order shall be designed and implemented such that storm water discharges from these sites shall not cause or contribute to an exceedance of any applicable water quality standards contained in a Statewide Water Quality Control Plan and/or the Basin Plan.

Item f: Degradation of Water Quality

Water quality will be protected through compliance with the Waste Discharge Requirements.

Item g: Housing in the Floodplain

There is no housing construction associated with this project.

Item h: Structures in the Floodplain

In order to eliminate significant impacts from the presence of structures in the floodplain, the Waste Discharge Requirements require that the only riprap placed in the 100-year flood hazard area be small vegetative or rock structures less than five feet in height. Most of these structures would parallel watercourses and therefore do not pose a risk for redirecting flows away from the flood hazard area.

Item i: Flood Risk

The failure of any structure included in the Navarro River Watershed Permit Coordination Program poses a minimal risk to life and property due to their small size.

Item j: Inundation by seiche, tsunami, or mudflow

The conservation and restoration projects of the Navarro River Watershed Permit Coordination Program do not pose a threat of causing an inundation by seiche, tsunami, or mudflow, or being inundated by such events.

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IX. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Finding: No Impact.

All conservation and restoration activities carried out under the Navarro River Watershed Permit Coordination Program will have all required permits prior to implementation of the activity.

X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Finding: Less Than Significant Impact.

Conservation and restoration activities under the Navarro River Watershed Permit Coordination Program are limited in size to according to the limits found in the Waste Discharge Requirements. Thus, any impacts to mineral resources from soil and rock movement associated with road improvements, critical area planting, instream fish habitat improvements, grade stabilization structures, road and landing removal, stream bank protection, stream channel stabilization, or water control structures would be minor and would result in a less-than-significant impact.

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XI. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Finding: Less Than Significant Impact.

Temporary increases in ambient noise levels (item d) will likely be caused in the project vicinity during construction activities from the use of heavy equipment, such as excavators, backhoes, etc. The use of heavy equipment will also likely generate groundborne vibration (item b). However, such noise and vibration levels are not expected to exceed those generated through common agricultural management activities and will therefore be minor. Many farmers currently use earthmoving equipment to retrieve eroded soil, smooth eroded landscape features and conduct routine agricultural cultivation. It is expected that many of the project activities will reduce erosion and loss of soil and the need for noisy clean-up operations.

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XII. POPULATION AND HOUSING --

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Findings: No Impact.

The Navarro River Watershed Permit Coordination Program will not directly or indirectly induce population growth, displace any existing housing or job supply. The project sites will be located in rural, agricultural areas.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

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Finding: No Impact.

The Navarro River Watershed Permit Coordination Program will not require additional public services, nor require new governmental facilities. Thus, no impacts on public services would occur.

XIV. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Finding: No Impact.

The Navarro River Watershed Permit Coordination Program will not increase the use of any recreational facility, nor will it include any such facilities. Thus, no impacts would occur.

XV. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Finding: Less Than Significant Impact.

Additional traffic associated with the Navarro River Watershed Permit Coordination Program is liely. However, the increase is traffic is minor and will not exceed the capacity of the street system. Thus, the impacts are less than significant. In addition, the proposed conservation activities will reduce or eliminate many threats to traffic safety such as sediment on roads, plugging of road culverts and associated localized flooding. By reducing the likelihood of these traffic hazards there will be less need for County Public Works crews and equipment to be on the roads to clean up sediment and flooding problems.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Finding: No Impact.

The conservation and restoration activities under the Navarro River Watershed Permit Coordination Program will not create wastewater (item a and item e) nor require wastewater treatment facilities (item b). While impacts from storm water are addressed by the Waste Discharge Requirements as discussed in Section VIII(e), the Navarro River Watershed Permit Coordination Program does not require the construction of new storm water drainage facilities or the expansion of such facilities (item c). The program does not require new water supplies (item d).

The Waste Discharge Requirements require all construction debris and sediments are taken to appropriate landfills or in the case of sediment, disposed of in upland areas or off-site. Such disposal at a landfill would constitute a tiny fraction of any landfill capacity. Thus, there will be no impact on landfill capacity (Item f). In addition, the Waste Discharge Requirements require compliance with all applicable solid waste regulations.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Finding: Less Than Significant Impact.

The Navarro River Permit Coordination Program will not have a significant adverse impact on the environment (item a) or human health (item c). As stated above in greater detail, the project will have minor, construction related impacts, but they will be less than significant on a direct and cumulative basis. The project is designed to reduce erosion and sedimentation in the Navarro River Watershed and therefore will, in the long term, have a beneficial cumulative impact (item b) on water quality and the health of natural resources.

(environmental checklist)

EXHIBIT 2: Initial Study and Negative Declaration

Form A

Notice of Completion & Environmental Document Transmittal

SCH # _____

Mail to: State Clearinghouse, PO Box 3044, Sacramento, CA 95812-3044 916/445-0613

Project Title: Navarro River Watershed Permit Coordination Program

Lead Agency: North Coast Regional Water Board Contact Person: David Evans, SWRCE
 Street Address: 5550 Skylane Boulevard, Suite A Phone: (707) 576-2703
 City: Santa Rosa Zip: 95403 County: Sonoma

Project Location:

County: Mendocino City/Nearest Community: Boonville
 Cross Streets: n/a Zip Code: n/a Total Acres: n/a
 Assessor's Parcel No. Various Parcel Numbers Section: n/a Twp. n/a Range: n/a Base: n/a
 Within 2 Miles: State Hwy #: n/a Waterways: Navarro River, Indian Creek, Anderson Creek and Rancheria Creek
 Airports: n/a Railways: n/a Schools: n/a

Document Type:

CEQA: NOP Supplement/Subsequent EIR **NEPA:** NOI **Other:** Joint Document
 Early Cons (Prior SCH No.) EA Final Document
 Neg Dec Other _____ Draft EIS Other _____
 Draft EIR FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other _____

Development Type:

Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ Watts _____
 Educational _____ Waste Treatment: Type _____
 Recreational _____ Hazardous Waste: Type _____
 Other: Restoration Projects

Funding (approx.): Federal \$ _____ State \$ _____ Total \$ _____

Project Issues Discussed in Document:

<input checked="" type="checkbox"/> Aesthetic/Visual	<input checked="" type="checkbox"/> Flood Plain/Flooding	<input type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Quality
<input checked="" type="checkbox"/> Agricultural Land	<input type="checkbox"/> Forest Land/Fire Hazard	<input checked="" type="checkbox"/> Septic Systems	<input checked="" type="checkbox"/> Water Supply/Groundwater
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Geologic/Seismic	<input checked="" type="checkbox"/> Sewer Capacity	<input checked="" type="checkbox"/> Wetland/Riparian
<input checked="" type="checkbox"/> Archeological/Historical	<input checked="" type="checkbox"/> Minerals	<input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading	<input checked="" type="checkbox"/> Wildlife
<input type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Solid Waste	<input type="checkbox"/> Growth Inducing
<input checked="" type="checkbox"/> Drainage/Absorption	<input checked="" type="checkbox"/> Population/Housing Balance	<input checked="" type="checkbox"/> Toxic/Hazardous	<input checked="" type="checkbox"/> Landuse
<input type="checkbox"/> Economic/Jobs	<input checked="" type="checkbox"/> Public Services/Facilities	<input checked="" type="checkbox"/> Traffic/Circulation	<input checked="" type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Fiscal	<input checked="" type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Vegetation	<input checked="" type="checkbox"/> Other <u>Biological Resources</u>

Present Land Use/Zoning/General Plan Designation:

Land-Use in the watershed: Forestland (70%), rangeland (25%) and agriculture (5%)w/ a small percent rural residential development.

Project Description:

The project involves adoption of waste discharge requirements, under Section 13263(a) of the California Water Code. The waste discharge requirements would authorize discharges of sediment and other waste from NRCS, for specific restoration & conservation projects in the Navarro River Watershed. The project also involves the adoption of a Clean Water Act Section 401 Certification.

EXHIBIT 2: Initial Study and Negative Declaration

Reviewing Agencies Checklist

Form A, continued

KEY

- S** = Document sent by lead agency
- X** = Document sent by SCH
- ✓ = Suggested distribution

- Resources Agency**
- ___ Boating & Waterways
 - ___ Coastal Commission
 - ___ Coastal Conservancy
 - ___ Colorado River Board
 - ___ Conservation
 - ✓ Fish & Game
 - ___ Forestry & Fire Protection
 - ___ Office of Historic Preservation
 - ___ Parks & Recreation
 - ___ Reclamation Board
 - ___ S.F. Bay Conservation & Development Commission
 - ___ Water Resources (DWR)

- Business, Transportation & Housing**
- ___ Aeronautics
 - ___ California Highway Patrol
 - ✓ CALTRANS District # 1
 - ___ Department of Transportation Planning (headquarters)
 - ___ Housing & Community Development

Food & Agriculture

- Health & Welfare**
- ___ Health Services

State & Consumer Services

- ___ General Services
- ___ OLA (Schools)

Environmental Protection Agency

- ___ Air Resources Board
- ___ California Waste Management Board
- ___ SWRCB: Clean Water Grants
- ___ SWRCB: Delta Unit
- ✓ SWRCB: Water Quality
- ___ SWRCB: Water Rights
- ___ Regional WQCB # _____ (_____)

Youth & Adult Corrections

- ___ Corrections

Independent Commissions & Offices

- ___ Energy Commission
- ___ Native American Heritage Commission
- ___ Public Utilities Commission
- ___ Santa Monica Mountains Conservancy
- ✓ State Lands Commission
- ___ Tahoe Regional Planning Agency

Other _____

Public Review Period (to be filled in by lead agency)

Starting Date February 26, 2003

Ending Date March 27, 2003

Signature *Rebecca Fitzgerald*

Date 01/21/03

Lead Agency (Complete if applicable):

Consulting Firm: _____
 Address: _____
 City/State/Zip: _____
 Contact: _____
 Phone: (____) _____

For SCH Use Only:

Date Received at SCH _____
 Date Review Starts _____
 Date to Agencies _____
 Date to SCH _____
 Clearance Date _____

Notes:

Applicant:

Address: _____
 City/State/Zip: _____
 Phone: (____) _____

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

CONTINGENCY PLANNING AND NOTIFICATION REQUIREMENTS

FOR

ACCIDENTAL SPILLS AND DISCHARGES

ORDER NO. 74-151

The California Regional Water Quality Control Board, North Coast Region, finds that:

1. Section 13225 of the Porter-Cologne Water Quality Act requires the Regional Board to perform general duties to assure positive water quality control.
2. The Regional Board has been advised of situations in which preparations for, and response to accidental discharges and spills have been inadequate.
3. Persons discharging waste or conveying, supplying, storing, or managing wastes or hazardous materials have the primary responsibility for contingency planning, incident reporting and continuous and diligent action to abate the effects of such unintentional or accidental discharge.

THEREFORE, IT IS HEREBY ORDERED THAT:

- I. All persons who discharge wastes or convey, supply, store, or otherwise manage wastes or other hazardous material shall:
 - A. Prepare and submit to this Regional Board, according to a time schedule prescribed by the Executive Officer, a contingency plan defining the following:
 1. Potential locations and/or circumstances under which accidental discharge incidents might be expected to occur,
 2. Possible water quality effects of accidental discharges,
 3. The conceptual plan for cleanup and abatement of accidental discharge incidents, including:
 - a. The individual who will be in charge of cleanup and abatement activities on behalf of the discharger,
 - b. The equipment and manpower available to the discharger to implement the cleanup and abatement plans,
 - B. Immediately report to the Regional Board any accidental discharge incidents. Such notification shall be made by telephone as soon as the responsible person or his agent has knowledge of the incident.
 - C. Immediately begin diligent and continuous action to cleanup and abate the effects of any unintentional or accidental discharge. Such action shall include temporary measures to abate the discharge prior to completing permanent repairs to damaged facilities.

EXHIBIT 2: Initial Study and Negative Declaration

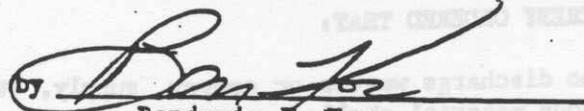
Order No. 74-151

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- D. Confirm the telephone notification in writing within two weeks of the telephone notification. The written notification shall include: reasons for the discharge, duration and volume of the discharge, steps taken to correct the problem and steps being taken to prevent the problem from recurring.
- I. Upon original receipt of phone report (I.B.), the Executive Officer shall immediately notify all affected agencies and known users of waters affected by the unintentional or accidental discharge.
- II. Provide updated information to the Regional Board in the event of change of staff, size of the facility, or change of operating procedures which will affect the previously established contingency plan.
7. The Executive Officer or his employees shall maintain liaison with the discharger and other affected agencies and persons to provide assistance in cleanup and abatement activities.

The Executive Officer shall transmit copies of this Order to all persons whose discharges of waste handling activities are governed by Waste Discharge Requirements or an NDPES permit. Such transmittal shall include a current listing of telephone numbers of the Executive Officer and his key employees to facilitate compliance with Item I.B of this Order.

Ordered by



Benjamin D. Kor
Executive Officer

July 24, 1974

(Retyped February 15, 1990)

ur primary notification should be to the Regional Board office in Santa Rosa at (707) 5-2220. During off hours, you will be able to leave a recorded message at that number i, if you have a spill or discharge emergency, you will also be referred to the State fice of Emergency Services (OES) at (800) 852-7550. OES maintains a roster of key ployees and will relay your notification to Regional Board staff.

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2003-0009
WDID No. IB02195RMEN

WASTE DISCHARGE REQUIREMENTS AND WATER QUALITY CERTIFICATION

FOR

THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS) AND THE
MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT (MCRCD)
NAVARRO WATERSHED RESTORATION PROJECTS

Mendocino County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter the Regional Water Board) finds that:

1. The Natural Resources Conservation Service (NRCS) is the United States Department of Agriculture's lead conservation agency. NRCS works in partnership with the nation's 3,000 conservation districts to deliver conservation planning that is developed by local priorities, needs and based on more than 60 years of field experience. The NRCS is involved in facilitating the development and implementation of watershed restoration projects.
2. Sustainable Conservation is a non-profit environmental group that advances the stewardship of land and water resources by utilizing innovative strategies that actively engage private landowners in voluntary conservation. One area in which Sustainable Conservation has focused its efforts is the development of the Partners in Restoration Regulatory Permit Coordination Program. This program was developed in partnership with the NRCS to address erosion and habitat degradation problems in the watershed. The concept involves working with regulatory agencies in order to streamline the permit process for restoration-type projects. Sustainable Conservation serves as a facilitator to bring agencies together and work through the institutional and technical issues that may stand in the way of meeting this goal. Once developed, the program will provide a single contact point for farmers, ranchers and other landowners who wish assistance in implementing restoration/conservation practices on their land. Any landowner wanting to implement any of the pre-defined conservation measures can work with the NRCS or the local Resource Conservation District (RCD) to obtain technical support, cost share assistance and "one stop" regulatory permitting for these projects.

EXHIBIT 2: Initial Study and Negative Declaration

Waste Discharge Requirements
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3. The Willits Soil Conservation District was formally organized on May 28, 1945, encompassing 146,700 acres in the central part of Mendocino County. Thirteen years later, in 1958, after several additions had made this District practically county-wide, the District changed its name to Mendocino County Soil Conservation District, and in 1974 became the Mendocino County Resource Conservation District (MCRCD), which now covers 84 percent of the 2,246,400 acres in the county. The mission of MCRCD is to provide local leadership in the conservation of soil, water, and related natural resources through programs and partnerships with individuals, businesses, organizations and government.
4. Regional Water Board staff have been actively working with Sustainable Conservation, NRCS, MCRCD and other regulatory agencies in order to implement a regulatory permit coordination program in the Navarro River watershed. To facilitate implementation of this program, the Regional Water Board will be the lead agency for environmental review pursuant to the California Environmental Quality Act and is issuing waste discharge requirements to the NRCS and the MCRCD in order to facilitate the implementation of specific restoration/conservation measures in this watershed. For the purpose of this Order, the NRCS and the MCRCD are identified as the "Dischargers" and the construction of specific restoration/conservation measures identified in this Order are defined as the "projects."
5. Under this Order, the Dischargers are permitted to construct the pre-approved conservation measures in the Navarro River watershed. The Dischargers will assist in project design and will monitor implementation and maintenance of the conservation practices to ensure performance with the conditions of the permit. They will provide technical assistance on Recommended Land Use Practices and cost-sharing programs to Cooperators to develop conservation systems uniquely suited to their land. The Dischargers will submit annual pre-construction reports to Regional Water Board staff regarding specific projects to be implemented and post-construction reports summarizing project construction.
6. Individual property owners participating in this program are referred to as "Cooperators." NRCS defines "Cooperators" as ranchers, growers, and land managers who have signed a "Request for Assistance and Notice Regarding the Procedures for Conformance with Multiple Permits" form with the Dischargers. The agreements will enable the Dischargers to provide specific design and construction specifications for projects utilizing the pre-approved conservation practices. In addition, the agreements will establish specific conditions for these projects including specifications on timing, location and methods of installation. The agreements between the Cooperators and the Dischargers will help ensure that the projects are in compliance with this Order.
7. The Navarro River watershed is located in Mendocino County, approximately 120 miles north of San Francisco and 30 miles west of Ukiah. The watershed is subdivided into 5 major drainage basins: Mainstem Navarro River, North Fork Navarro River, Indian Creek, Anderson Creek, and Rancheria Creek. Land use in the watershed includes forestland (70 percent), rangeland (25 percent), and agricultural (5 percent) with a small percent devoted to rural residential development.

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8. The Navarro River and its tributaries have experienced a reduction in the quality and amount of instream habitat capable of fully supporting anadromous fish, including both coho salmon and steelhead trout. The State Water Resources Control Board and the U.S. Environmental Protection Agency list the Navarro River, under Section 303(d) of the federal Clean Water Act, as an impaired water body whose beneficial uses are threatened due to sedimentation and high stream temperatures.
9. In 1998, the Mendocino Water Agency, the Coastal Conservancy and the Anderson Valley Land Trust worked together to prepare the "Navarro Watershed Restoration Plan" (Watershed Plan). The Watershed Plan provides an assessment of watershed conditions and identifies opportunities for enhancement of water and recovery of the fishery. The Watershed Plan clearly identifies the need for restoration/conservation measures including those identified in this Order. By issuing this Order, these projects will be implemented in a streamlined manner thereby reducing erosion and sedimentation in the watershed and helping to improve water quality, the health of the natural resources and the viability of local agricultural activities.
10. The eight conservation projects listed below are covered by this Order. Only these measures, as more specifically defined in SPECIAL PROVISIONS FOR RESTORATION ACTIVITY C.1 below, are authorized for coverage under this Order. The practices were selected for coverage because of their proven ability to result in environmental improvement, their ability to stem and resolve sediment and habitat problems in the watershed, and for their low-risk of causing environmental impacts due to their manner of construction/installation. It is expected that 5-10 projects will be constructed annually.
 - a. Access Road Improvements
 - b. Critical Area Planting
 - c. Fish Stream Improvement
 - d. Grade Stabilization Structures (non-fish bearing streams)
 - e. Road/Timber Landing Removal
 - f. Stream Bank Stabilization and Protection
 - g. Structures for Water Flow Control (in irrigation or drainage channels)
11. Projects that do not fall under the categories listed in the preceding paragraph, either because they do not meet the size limits or permit conditions, are not eligible for coverage under this Order. Rather, they can proceed only after separate individual Waste Discharge Requirements (WDRs) are obtained.
12. All WDRs in the North Coast Region are required to implement the *Water Quality Control Plan for the North Coast Region* (Basin Plan). Therefore, WDRs require dischargers to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives, governing the discharge.

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13. The Basin Plan includes beneficial uses, water quality objectives, implementation plans for point source and nonpoint source discharges, prohibitions, and statewide plans and policies. As specified in the Basin Plan, the beneficial uses of the Navarro River and its tributaries include:
 - a. municipal and domestic supply (MUN)
 - b. agricultural supply (AGR)
 - c. industrial service supply (IND)
 - d. groundwater recharge (GWR)
 - e. navigation (NAV)
 - f. water contact recreation (REC1)
 - g. noncontact water recreation (REC2)
 - h. commercial and sport fishing (COMM)
 - i. cold freshwater habitat (COLD)
 - j. wildlife habitat (WILD)
 - k. migration of aquatic organisms (MIGR)
 - l. spawning, reproduction, and/or early development (SPWN)
 - m. estuarine habitat (EST)
 - n. aquacultural (AQUA)
14. Implementation of these projects has the potential of causing the discharge of sediment and other pollutants to receiving waters, which threatens to impact beneficial uses. Compliance with provisions of this Order will help reduce the potential impact of project construction. The discharger will incorporate BMPs and use control practices for both temporary work and permanent control measures. Project characteristics that relate to possible impacts in the short-term include: soil excavation or grading, preparation of the ground for seeding and mulching, grade and stream stabilization, channel excavation, construction of earthen embankments, placement of fill, and vegetation removal.
15. The California Environmental Quality Act (CEQA) applies to the issuance of this Order because it is a discretionary project. As required by CEQA, the Regional Water Board has considered an Initial Study/Negative Declaration for this project and has determined that compliance with this Order will mitigate any potential adverse water quality impacts. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has, as required by CEQA, provided them with an opportunity to submit their written comments and recommendations.
16. Following public notice in accordance with state and federal laws and regulations, the Regional Water Board, in a public meeting on March 27, 2003, heard and considered all comments pertaining to the discharge. The Regional Water Board has prepared written responses to all significant comments.
17. Following the adoption of this Order, the Regional Water Board shall enforce the provisions herein including the monitoring and reporting requirement.

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18. Some activities covered under this Order are projects that may result in a discharge of dredge or fill material to waters of the United States. Such discharges could occur during the implementation of specific restoration and conservation projects in the Navarro River watershed and therefore would be required to obtain a Clean Water Act (CWA) Section 401 Water Quality Certification from the Regional Water Board. This Order will serve as Water Quality Certification for projects that meet established conditions including specifications on timing, project size, location and method. Activities that are not covered under this Order either because the projects do not meet the size limits or permit conditions are required to obtain individual 401 Certifications. In these cases, the landowner is responsible for obtaining required permits from each regulatory agency for the proposed work.
19. The permitted discharge is consistent with the antidegradation provision of State Water Resources Control Board Resolution No. 68-16. The impact on existing water quality will be insignificant.

IT IS HEREBY ORDERED that the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. Except in accordance with the terms of the Report of Waste Discharge, the discharge of soil, silt, bark, slash, sawdust, or other organic and earthen material from any logging, construction, or associated activity of whatever nature into any stream or watercourse in the basin in quantities deleterious to fish, wildlife, or other beneficial use is prohibited.
2. Except in accordance with the terms of the Report of Waste Discharge, the placing or disposal of soil, silt, bark, slash, sawdust, or other organic material from any logging, construction, or associated activity of whatever nature at locations where such material could pass into any stream or watercourse in the basin in quantities which could be deleterious to fish, wildlife, or other beneficial uses is prohibited.
3. Except in accordance with the terms of the Report of Waste Discharge, the discharge of decant water from any on-site temporary sediment stockpile or storage areas or any other discharge of construction dewatering flows to surface waters outside of the active dredging site is prohibited.
4. Except in accordance with the terms of the Report of Waste Discharge, maintenance activities that result in the direct or indirect discharge of waste, other than that authorized by this Order, as described in Section 13050(d) of the California Water Code, to surface waters or surface water drainage courses are prohibited unless authorized by separate permit action.

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5. Except in accordance with the terms of the Report of Waste Discharge, creation of a condition of pollution, contamination, or nuisance, as these terms are defined in California Water Code section 13050, is prohibited.
6. Except in accordance with the terms of the Report of Waste Discharge, the discharge of storm water from a facility or activity that causes or contributes to the violation of water quality standards or water quality objectives (collectively **Water Quality Standards**) is prohibited.

B. RECEIVING WATER LIMITATIONS

1. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause coloration that causes nuisance or adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Color, page 3-2.00).
2. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters to contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or that cause nuisance or adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Taste and Odor, page 3-2.00).
3. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters to contain floating material, including solids, liquids, foams, and scum in concentrations that cause nuisance or adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Floating Material, page 3-2.00).
4. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters to contain suspended material in concentrations that cause nuisance or adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Suspended Material, page 3-2.00).
5. Except in accordance with the terms of the Report of Waste Discharge, the project shall not result in deposition of material that adversely affects the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Settleable Material, page 3-2.00).

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6. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters to contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Oil and Grease, page 3-3.00).
7. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters to contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect the beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Biostimulatory Substances, page 3-3.00).
8. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause the suspended sediment load and the suspended sediment discharge rate to be altered in such a manner as to cause nuisance or adversely affect beneficial uses of the Navarro River or its tributaries (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Sediment, page 3-3.00).
9. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause the turbidity of the Navarro River or its tributaries, to be increased more than 20 percent above naturally occurring background levels (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Turbidity, page 3-3.00). Naturally occurring background levels of water quality are those levels of water quality that would naturally occur in the Navarro River absent controllable discharges.
10. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause waters in the Navarro River watershed or its tributaries to contain any toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Toxicity, page 3-4.00).
11. Except in accordance with the terms of the Report of Waste Discharge, the project shall not cause an individual pesticide or combination of pesticides to be present in concentrations that adversely affect beneficial uses of the Navarro River or its tributaries. There shall be no bioaccumulation of pesticide concentrations found in bottom sediments or aquatic life (Basin Plan, section 3, Water Quality Objectives, Objectives for Inland Surface Waters, Enclosed Bays, and Estuaries, Pesticides, page 3-4.00).

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C. SPECIAL PROVISIONS FOR RESTORATION ACTIVITY

1. Projects authorized under this Order are limited to the following activities:
 - a. Access Road Improvements – Road improvements in the Navarro River watershed are modeled those contained in the “Handbook for Forest and Ranch Roads: A Guide for planning, designing, constructing and reconstructing, maintaining and closing wildlands improvements to existing roads to control runoff, prevent erosion, and maintain or improve water quality while providing, access for property management” by Weaver and Hagans (1994).
Maximum Length (feet): 1 Mile*
Maximum Dimensions (acres): 2.5
Maximum Volume (cubic yards): 1,500

*Access road improvements typically involve multiple sites spread out over a long reach of road. The one-mile maximum on roadwork does not relate to the total length of the reach of road, but instead is based on the cumulative length of roadway disturbed by improvements.
 - b. Critical Area Planting – Planting vegetation such as trees, shrubs, vines, grasses or legumes, on highly erodible or critically eroding areas. This practice is used to stabilize the soil, reduce damage from sediment and runoff to downstream areas, and improve wildlife habitat and visual resources.
Maximum Length (feet): 2,000
Maximum Dimensions (acres): 1
Maximum Volume (cubic yards): 500
 - c. Fish stream improvements – Improving stream channel to create new fish habitat or to enhance an existing habitat. This practice is used to improve or enhance aquatic habitat for fish in degraded streams, channels and ditches by providing shade, controlling sediment and restoring pool and riffle stream characteristics.
Maximum Length (feet): 2,000
Maximum Dimensions (acres): 3
Maximum Volume (cubic yards): 1,500
 - d. Grade Stabilization Structure – A structure built into gully or waterway to control the grade and prevent head cutting in natural or artificial channels. This practice will not be installed in fish bearing streams. This practice refers to rock, concrete or timber structures placed to slow water velocities above or below the structure, resulting in reduced stream bank and streambed erosion. This will decrease the yield of sediment and sediment-attached substances and improve downstream water quality.

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Maximum Number of Structures (feet): 4-10 Structures per 200 feet
Maximum Dimensions (acres): N/A
Maximum Volume (cubic yards): 30 cubic yards per structure

- e. Road/Landing Removal – This practice includes the removal by excavation of fill material associated with old logging and ranch/farm access roads and landings from stream channels. This practice applies to lands where roads, landings, or landing-ramp fills were placed in drainage corridors causing channel erosion and/or erosion of fill. This practice does not involve the creation of new stream channel or altering existing stream channels to a configured or grade different than what existed prior to the placement of roads and landings in the stream channel.

Maximum Length (feet): 1 Mile
Maximum Dimensions (acres): 2.5
Maximum Volume of Excavation (cubic yards): 1,500

- f. Stream Bank Protection – The use of vegetation or structures (such as toe rock) to stabilize and protect banks of streams, lakes, estuaries, or excavated channels against scour and erosion. The purpose is to reduce sediment loads causing downstream damage and pollution, to improve the stream for fish and wildlife habitat, and to protect adjacent land from erosion damage. This practice can be applied to natural or excavation erosion damage where the streambanks are susceptible to erosion from the action of water or debris or damage from livestock or vehicular traffic. The streambed grade must be controlled before most permanent types of bank protection can be considered feasible.

With Toe Rock:

Maximum Length (feet): 500
Maximum Dimensions (acres): 0.14
Maximum Volume (cubic yards): 500 cubic yards of placed material

Vegetation Only:

Maximum Length (feet): 2,000
Maximum Dimensions (acres): 3
Maximum Volume (cubic yards): 1,500

- g. Stream Channel Stabilization – This practice involves stabilizing the channel of a stream with suitable structures. It applies to stream channels undergoing damage or degradation that cannot be controlled with upstream practices. The design and installation of stream channel stabilization structure produce a stable streambed favorable to wildlife and riparian growth. This does not include installation of any new instream culverts or other conveyance device where beneficial uses of the surface water are eliminated.

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Maximum Length (feet): 2,000
Maximum Dimensions (acres): 2
Maximum Volume of Fill Material (cubic yards): 1,500

- h. Structure for Water Control – A structure in an irrigation drainage ditch or other artificial water management system that conveys water, controls the direction or rate of flow, or maintains desired water surface elevation. This practice will be used to replace existing culverts when they are either not functioning properly or are a barrier to fish passage. Additionally, culverts are required to accommodate a hundred-year flood.
- Maximum Length (feet): 2,000
Maximum Dimensions (acres): 3
Maximum Volume of Fill Material (cubic yards): 1,500
- i. Pursuant to 23 CCR 3860, the following three standard conditions shall apply to this project. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Section 13330 of the California Water Code and 23 CCR 3867.
- a. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought
- b. The validity of any nondenial certification action (Actions 1 and 2) shall be conditioned upon total payment of the full fee required under 23 CCR 3833, unless otherwise stated in writing by the certifying agency.
2. The general construction season will be from June 15 to October 15. Work after October 15 may be permitted only following written authorization from the Regional Water Board's Executive Officer and provided the work would be completed prior to first winter rains and prior to stream flow.
3. Disturbance of existing grades and vegetation will be limited to the actual site of the conservation project and necessary access roads. If trees over 6" dbh are to be removed, they will be replaced at a 3:1 ratio. If riparian vegetation will be disturbed, it will be replaced with similar native species.
4. The only riprap that would be placed in the 100-year flood hazard area is small vegetative rock structures less than 5 feet in height.

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Waste Discharge Requirements
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5. The Dischargers shall ensure that pollutant discharges do not occur during project construction and that the following control measures will be incorporated into project design and construction:
 - a. Dischargers will schedule excavation and grading activities during dry weather periods.
 - b. Heavy equipment shall not be used in flowing or standing water.
 - c. A contained area is designated for equipment storage, short-term maintenance, and refueling. It shall be located at least 50 feet from waterbodies.
 - d. Leaks, drips, and other petroleum-type spills are cleaned up immediately to avoid soil or groundwater contamination. Dry cleanup methods (e.g., absorbent materials, cat litter, and/or rags) are used whenever possible. If water is used for dust control, only the minimal amount required to keep dust levels down shall be applied.
 - e. Major vehicle maintenance and washing are done off-site.
 - f. All spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste off-site.
 - g. All construction debris and sediments are taken to appropriate landfills or in the case of sediment, disposed of in upland areas or off-site. These sites will be protected from erosion and sediment discharge.
 - h. Spilled dry materials are swept up immediately.
6. The Dischargers shall incorporate erosion control and sediment detention devices into the project design and implement at the time of construction. These devices shall be in place prior to October 15 to minimize fine sediment and sediment/water slurry input to flowing water, and of detaining sediment-laden water on site.
7. The Dischargers shall only apply herbicides according to the product label directions and uses approved by the United States Environmental Protection Agency and the California Department of Pesticide Regulations. The Dischargers shall not allow entry of land-applied herbicides into surface waters. Application of aquatic herbicides requires a separate authorization from the Regional Water Board.
8. Vegetation management activities that could result in the permanent destabilization of stream banks or increases in long-term sediment input into waters of the state are prohibited.

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9. The Dischargers shall implement control measures to prevent waste from draining or being washed into waters of the state, including the discharge of pollutants from temporary sediment stockpiles and during transport of dredged sediment, application of herbicides and pesticides, vegetation cutting, and during storage and use of other construction related materials.
10. The Discharger shall divert any flow at the site around the active construction site in a non-erosive manner using a pipe or other measure such that the flow does not enter the active construction site.
11. The Discharger shall implement preventive measures to ensure there is a “no net loss” of wetland resources as a result of the projects.

D. GENERAL PROVISIONS

1. Storm water discharge from project areas to any surface or ground water shall not adversely impact human health or the environment.
2. Design plans developed for the restoration activities covered by this Order shall be designed and implemented such that storm water discharges from these sites shall not cause or contribute to an exceedance of any applicable water quality standards contained in a Statewide Water Quality Control Plan and/or the Basin Plan.
3. Should it be determined by the Dischargers or Regional Water Board that storm water discharges or any other discharges are causing or contributing to an exceedance of an applicable water quality standard, the discharger shall:
 - a. Implement corrective measures immediately following discovery that water quality standards were exceeded, followed by notification to the Regional Water Board by telephone as soon as possible but no later than 48 hours after the discharge has been discovered. This notification shall be followed by a report to the Regional Water Board within 14 calendar days unless otherwise directed by Regional Water Board, describing: (1) the nature and cause of the water quality standard exceedance; (2) the BMPs currently being implemented; (3) any additional BMPs which will be implemented to prevent or reduce pollutants that are causing or contributing to the exceedance of water quality standards; and (4) any maintenance or repair of BMPs. This report shall include an implementation schedule for corrective actions and shall describe the actions taken to reduce the pollutants causing or contributing to the exceedance.
 - b. The Dischargers shall revise their project design and monitoring program immediately after the report to the Regional Water Board to incorporate the additional BMPs that have been and will be implemented, the implementation schedule, and any additional monitoring needed.

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- c. Nothing in this section shall prevent the appropriate Regional Water Board from enforcing any provisions of this Order while the Discharger prepares and implement the above report.
4. A copy of this Order shall be retained by the Dischargers and be available at all times to operating personnel.
5. **Severability**

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.
6. **Change in Discharge**

The Dischargers must promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.
7. **Vested Rights**

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from his liability under federal, state, or local laws, nor create a vested right for the discharger to continue the waste discharge.
8. **Monitoring**

The Dischargers must comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2003-0009 and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses must be conducted at a laboratory certified for such analyses by the State Department of Health Services.
9. **Signatory Requirements**
 - a. All Report of Waste Discharge applications submitted to the Regional Water Board shall be signed by either a principal executive officer, ranking elected official, or a responsible corporate officer. For purposes of this provision, a responsible corporate officer means:
 - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or
 - ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if

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Waste Discharge Requirements
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authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- b. Reports required by this Order, other information requested by the Regional Water Board, and Permit applications submitted for Group II storm water discharges under 40 CFR 122.26(b)(3) may be signed by a duly authorized representative provided:
 - i. the authorization is made in writing by a person described in paragraph (a) of this provision;
 - ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
 - iii. the written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative. [40 CFR 122.22(b)(c)]
- c. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR 122.22(d)]

10. Inspections

The Dischargers shall permit authorized staff of the Regional Water Board accompanied by NRCS and/or MCRCD staff:

- a. entry upon premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. Access to inspect monitoring equipment or records; and
- d. Access to sample any discharge or surface water covered by this Order

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Waste Discharge Requirements
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In case of an emergency, if the Regional Water Board is unable to contact NRCS or MCRCD Staff, the Regional Water Board staff will have access to the above information (a-d).

11. Noncompliance

In the event the Dischargers are unable to comply with any of the conditions of this Order due to:

- a. breakdown of equipment;
- b. accidents caused by human error or negligence; or
- c. other causes such as acts of nature;

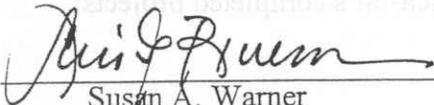
the Dischargers must notify the Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

12. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

Certification

I, Susan A. Warner, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on March 27, 2003.

Ordered by 
Susan A. Warner
Executive Officer

(navarrowdrpermit)

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

MONITORING AND REPORTING PROGRAM NO. R1-2003-0009

FOR

NATURAL RESOURCES CONSERVATION SERVICE
AND
THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT
NAVARRO WATERSHED RESTORATION PROJECTS

Mendocino County

MONITORING AND REPORTING PROVISIONS

1. The Dischargers will submit an annual pre-construction plan and schedule, acceptable to the Executive Officer, no later than 60 days prior to starting any restoration project. If possible, all projects planned for an upcoming construction season should be contained in one pre-construction report. The plan shall, at a minimum, contain the following information:
 - a. Location of the project
 - b. Description of problem
 - c. Description of proposed project including BMPs utilized
 - d. Special concerns
 - e. Property owners
 - f. Schedule
2. The Dischargers will provide a post-construction annual report acceptable to the Executive Officer, on January 31, of each year. This report will contain the following information on the previous season's completed projects:
 - a. Location of projects
 - b. Work completed
 - c. Problems encountered
 - d. Photo documentation of project
3. The Dischargers shall retain records of all monitoring information, including copies of all reports required by this Monitoring and Reporting Program, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of report or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board Executive Officer.

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Monitoring and Reporting
Program No. R1-2003-0009

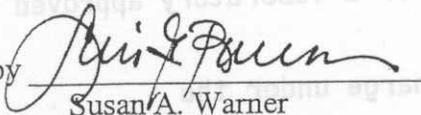
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4. The Dischargers shall report all instances of noncompliance as specified Waste Discharge Requirements and Water Quality Certification, General Provision D-5.
5. The Monitoring Report shall be signed by an authorized person as required by Waste Discharge Requirements and Water Quality Certification, General Provisions D-6.

Monitoring Reports shall be submitted to:

California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

Ordered by



Susan A. Warner
Executive Officer

March 27, 2003

(navarromonitoringandreporting)

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

GENERAL MONITORING AND REPORTING PROVISIONS

February 3, 1971
(Retyped May 20, 1993)

GENERAL PROVISIONS FOR SAMPLING AND ANALYSIS

Unless otherwise noted, all sampling, sample preservation, and analyses shall be conducted in accordance with the current edition of "Standard Methods for the Examination of Water and Waste Water" or approved by the Executive Officer.

All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health or a laboratory approved by the Executive Officer.

All samples shall be representative of the waste discharge under the conditions of peak load.

GENERAL PROVISIONS FOR REPORTING

For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge in full compliance with requirements at the earliest time and submit a timetable for correction.

By January 30 of each year, the discharger shall submit an annual report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

The discharger shall file a written report within 90 days after the average dry weather flow for any month that equals or exceeds 75 percent of the design capacity of the waste treatment or disposal facilities. The report shall contain a schedule for studies, design, and other steps needed to provide additional capacity or limit the flow below the design capacity prior to the time when the waste flow rate equals the capacity of the present units.

EXHIBIT 2: Initial Study and Negative Declaration

California Regional Water Quality Control Board
North Coast Region

CONTINGENCY PLANNING AND NOTIFICATION REQUIREMENTS

FOR

ACCIDENTAL SPILLS AND DISCHARGES

ORDER NO. 74-151

The California Regional Water Quality Control Board, North Coast Region, finds that:

1. Section 13225 of the Porter-Cologne Water Quality Act requires the Regional Board to perform general duties to assure positive water quality control.
2. The Regional Board has been advised of situations in which preparations for, and response to accidental discharges and spills have been inadequate.
3. Persons discharging waste or conveying, supplying, storing, or managing wastes or hazardous materials have the primary responsibility for contingency planning, incident reporting and continuous and diligent action to abate the effects of such unintentional or accidental discharge.

THEREFORE, IT IS HEREBY ORDERED THAT:

- I. All persons who discharge wastes or convey, supply, store, or otherwise manage wastes or other hazardous material shall:
 - A. Prepare and submit to this Regional Board, according to a time schedule prescribed by the Executive Officer, a contingency plan defining the following:
 1. Potential locations and/or circumstances under which accidental discharge incidents might be expected to occur,
 2. Possible water quality effects of accidental discharges,
 3. The conceptual plan for cleanup and abatement of accidental discharge incidents, including:
 - a. The individual who will be in charge of cleanup and abatement activities on behalf of the discharger,
 - b. The equipment and manpower available to the discharger to implement the cleanup and abatement plans,
 - B. Immediately report to the Regional Board any accidental discharge incidents. Such notification shall be made by telephone as soon as the responsible person or his agent has knowledge of the incident.
 - C. Immediately begin diligent and continuous action to cleanup and abate the effects of any unintentional or accidental discharge. Such action shall include temporary measures to abate the discharge prior to completing permanent repairs to damaged facilities.

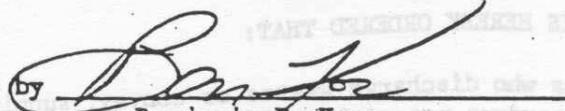
EXHIBIT 2: Initial Study and Negative Declaration

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- D. Confirm the telephone notification in writing within two weeks of the telephone notification. The written notification shall include: reasons for the discharge, duration and volume of the discharge, steps taken to correct the problem and steps being taken to prevent the problem from recurring.
- II. Upon original receipt of phone report (I.B.), the Executive Officer shall immediately notify all affected agencies and known users of waters affected by the unintentional or accidental discharge.
- III. Provide updated information to the Regional Board in the event of change of staff, size of the facility, or change of operating procedures which will affect the previously established contingency plan.
- IV. The Executive Officer or his employees shall maintain liaison with the discharger and other affected agencies and persons to provide assistance in cleanup and abatement activities.
- V. The Executive Officer shall transmit copies of this Order to all persons whose discharges of waste handling activities are governed by Waste Discharge Requirements or an ND PES permit. Such transmittal shall include a current listing of telephone numbers of the Executive Officer and his key employees to facilitate compliance with Item I.B of this Order.

Ordered by



Benjamin D. Kor
Executive Officer

July 24, 1974

(Retyped February 15, 1990)

Your primary notification should be to the Regional Board office in Santa Rosa at (707) 576-2220. During off hours, you will be able to leave a recorded message at that number and, if you have a spill or discharge emergency, you will also be referred to the State Office of Emergency Services (OES) at (800) 852-7550. OES maintains a roster of key employees and will relay your notification to Regional Board staff.