

FILED

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Notice of Determination

Appendix D

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To:

Office of Planning and Research

U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

BY

Street Address:

1400 Tenth St., Rm 113

Sacramento, CA 95814

From:

Public Agency: Lahontan Water Board

Address: 2501 Lake Tahoe Blvd

South Lake Tahoe

Contact: Richard Booth

Phone: (530) 542-5574

County Clerk

County of: Inyo County - County Clerk

Address: P.O. Drawer F

Independence, CA 93526

Lead Agency (if different from above):

Address:

Contact:

Phone:

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2011032046

Project Title: Pesticide Prohibition with Exemption Criteria for Aquatic Pesticide Use - Basin Plan Amendment

Project Applicant: Lahontan Water Board

Project Location (include county): All the counties that compose the Lahontan Region (See Attachment 1.)

Project Description:

Replaces existing regionwide pesticide water quality objective of non-detect, which effectively prohibits pesticides in water, w/ a regionwide waste discharge prohibition on discharges of pesticides w/exemption criteria for aquatic pesticide application. Amendment gives Water Board discretion to approve eligible aquatic pesticide applications. Eligible projects include those proposed for purposes of public health & safety and preservation of ecological integrity that satisfy exemption criteria. (See Attachment 1 for more details.)

This is to advise that the Lahontan Water Board has approved the above (input checked) Lead Agency or (input unchecked) Responsible Agency

described project on December 7, 2011 and has made the following determinations regarding the above described project.

- 1. The project (input checked) will (input unchecked) will not have a significant effect on the environment.
2. (input checked) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. (input unchecked) A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (input checked) were (input unchecked) were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan (input unchecked) was (input checked) was not adopted for this project.
5. A statement of Overriding Considerations (input checked) was (input unchecked) was not adopted for this project.
6. Findings (input checked) were (input unchecked) were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

http://www.waterboards.ca.gov/lahontan/water\_issues/programs/basin\_plan/pesticidebpa.shtml

Signature (Public Agency): [Signature] Title: TMDL/Basin Planning Unit Chief

Date: November 6, 2012 Date Received for filing at OPR:

**Attachment 1: Additional Information  
for Notice of Determination for Lahontan Water Board  
Approval of Pesticide Prohibition Basin Plan Amendment**

**Project Location (include county):** Alpine, El Dorado, Inyo, Kern, Lassen, Los Angeles, Modoc, Mono, Nevada, Placer, Plumas, Sierra, San Bernardino

**Project Description:**

The amendment replaces the existing regionwide pesticide water quality objective of non-detect, which effectively prohibits pesticides in water, with a regionwide waste discharge prohibition on discharges of pesticides with exemption criteria for aquatic pesticide application. The amendment gives the Water Board discretion to approve eligible aquatic pesticide applications. Eligible projects include those proposed for purposes of public health & safety and preservation of ecological integrity that satisfy exemption criteria. Examples of projects that fit into these categories include vector control, fisheries management, aquatic invasive species control and projects implemented for these purposes in response to emergency situations. The Water Board may grant a prohibition exemption and regulate the subsequent aquatic pesticide discharge under an applicable permit, such as Waste Discharge Requirements (WDRs), a National Pollution Discharge Elimination System (NPDES) permit, or a waiver of WDRs issued by the State or Regional Water Board.