

---

## Central Valley Regional Water Quality Control Board

### NOTICE OF PUBLIC HEARING

#### **Proposed revisions to the Waste Discharge Requirements for Growers within the Tulare Lake Basin Area (R5-2013-0120)**

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) has released tentative waste discharge requirements (WDRs) proposing revisions to WDR General Order No. R5-2013-0120 for Growers within the Tulare Lake Basin Area that are Members of a Third-Party Group (TLBA General Order). The proposed revisions to the TLBA General Order allows additional time for owners and operators of managed wetlands to obtain membership in an applicable third-party group and modifies the existing time schedule for submission of the Farm Evaluations and Nutrient Management Plans.

Central Valley Water Board staff (Staff) is proposing the extension of the open enrollment period for owners and operators of managed wetlands to allow for the consideration of alternative regulatory options for discharges from managed wetlands. Staff has hosted multiple managed wetlands workgroup meetings to discuss the range of options for regulatory coverage including, but not limited to, development of managed wetlands specific WDRs. Staff will continue to work with stakeholders to develop an appropriate solution to regulating discharges from managed wetlands.

In addition, the deadlines for submittal of the Groundwater Quality Assessment Reports for a number of the Coalitions under the TLBA General Order falls near or after the deadlines for Members in high vulnerability areas to complete their Nitrogen Management Plan and Farm Evaluation. As the result of insufficient time between the designations of High and Low Vulnerability areas and the original submittal dates for the Farm Evaluation and the Nitrogen Management Plan, Staff is proposing modifications to the schedule for submission of these reports. Alternative submittal deadlines proposed by the approved third-party groups (Coalitions) governed by the TLBA General Order will also be considered and are described in the Information Sheet.

Electronic copies of the documents showing the proposed revisions to the TLBA Order are available on the Central Valley Water Board's website:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 E Street, Fresno, California 93706, on weekdays between 8:00 a.m. and 5:00 p.m.

A public hearing concerning the proposed revisions to the TLBA General Order will be held in Rancho Cordova on 4/5 December 2014, at which time the board will consider adoption. The board will only consider adoption of the proposed revisions, and will not be re-considering other aspects of the Order. The hearing date and location are noted below:

**Date:** 4/5 December 2014  
**Time:** To Be Determined  
**Location:** Central Valley Water Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

The final meeting agenda will be available at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) at least ten days before the meeting. The agenda will provide the hearing date for the revisions to the TLBA General Order, indicate the anticipated order of agenda items, include all material related to this agenda item, and may include staff revisions.

Written comments on the proposed revisions to the TLBA General Order must be received at the Central Valley Water Board office or at the email address below **by 7 November 2014**. Comments on other matters associated with the Order, outside of the scope of the proposed revisions, will not be considered at this hearing. Person's submitting written comments are encouraged to do so electronically by sending them to [dsholes@waterboards.ca.gov](mailto:dsholes@waterboards.ca.gov). Otherwise, written comments may be sent to Attn. David Sholes, 1685 E Street, Fresno, CA 93706. Comments received by 7 November will be included in the administrative record; submitted comments will be considered and a written response will be prepared. Written comments shall not be read into the record unless allowed by the Central Valley Water Board Chair.

At the hearing, staff will present a final recommendation for Central Valley Water Board consideration. Interested persons will be provided the opportunity to present oral comments to the Central Valley Water Board at the hearing. Oral testimony will be limited in time by the Central Valley Water Board Chair. The Chair may, at his discretion, allow presenters to supplement their oral testimony with slides or other digital media. If you plan to use visual aids such as PowerPoint slides, contact staff prior to the meeting to arrange for equipment set-up. You must provide a printed or electronic copy of any visual aids.

Ex Parte Communications. Ex parte communications are allowed in this matter subject to the disclosure requirements of Water Code section 13287. **Ex parte communications are prohibited for a period beginning 14 days before the board meeting at which the proposed order is scheduled for board action.** For communications concerning any issue in this proceeding, ex parte communications are prohibited starting on 20 November. If the board does not take action on 4/5 December, the ex parte prohibition will remain in place until the board, the Chair or Executive Officer directs otherwise. Once lifted, the prohibition on ex parte communications may be reinstated for 14 days before the day of the board meeting to which the decision is continued. The board will provide notice via the Lyris email list for this item if the prohibition is lifted and/or reinstated.

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing: [http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the board's website at: [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

Any questions regarding the proposed action should be directed to David Sholes at (559) 445-6279 or [dsholes@waterboards.ca.gov](mailto:dsholes@waterboards.ca.gov).

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

CLAY L. RODGERS, Assistant Executive Officer  
8 October 2014