20 December 2012

CERTIFIED MAIL
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Greg Kollenborn
Senior Hatchery Supervisor
California Department of Fish and Game
1234 East Shaw Avenue
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NOTICE OF APPLICABILITY; GENERAL WASTE DISCHARGE REQUIREMENTS FOR COLD WATER CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY DISCHARGES TO SURFACE WATERS, ORDER R5-2010-0018-01 (CAAP GENERAL ORDER); CALIFORNIA DEPARTMENT OF FISH AND GAME, MOCCASIN CREEK FISH HATCHERY, TUOLUMNE COUNTY

Our office received a Report of Waste Discharge dated 12 December 2011, and supplemental information dated 21 September 2012, from the California Department of Fish and Game (Discharger), for the Moccasin Creek Fish Hatchery (Facility). Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) staff has determined that the Facility meets the required conditions for approval under the CAAP General Order. Therefore, this Notice of Applicability (NOA) provides coverage under the CAAP General Order, and assigns CAAP General Order R5-2010-0018-023 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG135001 to the Facility. Administrative information for the Facility is provided in Enclosure A, a location map is provided in Enclosure B, and a flow schematic is provided in Enclosure C, which are included as part of this NOA. Please reference your CAAP General Order **R5-2010-0018-023** in all your correspondence and submitted documents.

The CAAP General Order is enclosed and may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2010-0018-01.pdf

You are urged to familiarize yourself with the contents of the entire CAAP General Order. The Facility operations and discharge shall be managed in accordance with the requirements contained in the CAAP General Order, this NOA, and with the information submitted by the Discharger. Attachment C of the CAAP General Order prescribes mandatory monitoring and reporting requirements.

CAAP General Order R5-2010-0018-023 shall become effective when the existing individual NPDES permit for the Facility, Order R5-2007-0068 (NPDES No. CA0004804), is rescinded by a separate action of the Central Valley Water Board, which is scheduled for 31 January 2013.

FACILITY INFORMATION/DISCHARGE DESCRIPTION

The Discharger is the owner and operator of the Facility, a concentrated aquatic animal production facility. The Facility is located off of Highway 49 at the junction of Highways 49 and 120, twenty miles south of Sonora, in Tuolumne County (Section 27 and 34, T1S, R15E, MDB&M) as shown in Enclosure B. The land is owned by the City and County of San Francisco.

The fish rearing at the Facility occurs in 48 concrete raceways (10 feet x 100 feet), six circular tanks (15 feet diameter), ten rectangular tanks (3 feet x 15 feet), and 68 rearing troughs (16 inches x 16 feet). The Facility utilizes a flow-through, single-pass water system. The total area of rearing units is 50,950 square feet. Approximately 450,000 pounds of harvested fish are processed annually and the maximum feeding is 70,000 pounds of food during any given month.

The source water for the Facility is Moccasin Reservoir and the typical water intake flow is approximately 19 to 20 million gallons per day (MGD). However, the intake flow is controlled by the City and County of San Francisco and, at times, the water flow rates entering the Facility can reach up to 25 MGD due to daily fluctuations in Moccasin Reservoir. Prior to discharge at Discharge Point 002, the Facility utilizes a settling pond for the treatment of wastewater from the raceways and rearing tanks, the hatchery building, ice and feed storage, the fish disease lab, and local surface drainage. Tubifex worms are used in the settling ponds to assist in reducing the sludge level. The Discharger has a contract with a tubifex worm farmer who salvages the worms every couple of months. When a salvage event is in operation the water to the settling pond is bypassed and the flow-through wastewater is diverted directly into the receiving water at Discharge Point 001. During this process Facility personnel take care to assure that no chemical treatments are implemented, raceways are not cleaned, and that feeding is kept to a minimum to prevent the discharge of total suspended solids, in the form of food, into the receiving water. The process to salvage the tubifex worms takes about one-half day to complete.

In the Report of Waste Discharge, the Discharger reported the following 5-year annual average harvestable fish weights and its annual average feed of floating and sinking trout pellets for the Facility:

Species Grown:

Name	Harvestable Fish Weight	Average Annual Feed
Rainbow Trout	450,000 lbs	650,000 lbs
Lahontan Cutthroat Trout	5,000 lbs	
Brown Trout	1,500 lbs	
Brook Trout	1,000 lbs	

The Discharger also indicated in its Report of Waste Discharge the use of the following drugs and chemicals at the Facility to treat fish for parasites, fungi, and bacteria, as well as to clean rearing raceways to reduce the spread of disease among the confined fish population:

Drugs and Chemicals Used:

Name	Max. Daily Amount Used	Method of Application	Max. Amount In Effluent
Potassium Permanganate	2ppm/1hr/raceway	Drip	0.13ppm
Hydrogen Paroxide	100ppm/1hr/raceway	Drip	6.4ppm with no breakdown of chemical
Iodine	100ppm	Egg bath in 5 gal bucket	Not discharged
Sodium Chloride	3%(19lbs/66gal tank)	Added directly To head	65ppm
Florfenicol	15mg/kg in feed	In feed	negligible
Oxytetracycline HCL	100ppm	Bath in tanks	0.22ppm*
Penicillin G	150IU/ml	6hr bath in tanks	0.33IU/ml*
Amoxycillin trihydrate	40mg/kg injected	Injected	Negligible
Erythromycin	40mg/kg injected	Injected	Negligible
Romet-30	50 mg/kg in feed	In feed	Negligible
Tricaine methanesulfonate (MS-222)	40ppm in container	In container	Not discharged
Carbon dioxide gas	Variable	Injected into tank	Unknown (not used)
Sodium bicarbonate	Variable/142-642 mg/l for 5 minutes	Bath in tank	Unknown (not used)
Acetic acid	500-1000ppm	Dip in container	Not discharged
Chloramine-T	200ppm/1 hr raceway	Drip	1.3ppm
”SLICE” Emamectin benzoate 0.2%	In feed	In feed	Negligible

Wastewater is discharged from the Facility through two outfalls (Outfall 001 and Outfall 002) into Moccasin Creek, a water of the United States and a tributary to Don Pedro Reservoir and the Tuolumne River, as shown in Enclosure C.

Outfall 001 – Facility wastewater flow from the settling pond (during normal operation)

Outfall 002 – Facility wastewater flow bypassing the settling pond (during tubex worm salvage operation)

All domestic wastewater is discharged to an on-site septic system, which is regulated by the County of Tuolumne.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS of the CAAP General Order. **Effective 1 February 2013**, the following effluent limitations are applicable to this discharge and are contained in Section V. A and B of the CAAP General Order:

1. ***Total Suspended Solids, Settleable Solids, Formaldehyde, and Chlorine*** – The Discharger shall comply with the effluent limitations required in Section V.A.1 (Table 1) for total suspended solids, settleable solids, formaldehyde, and chlorine.

2. ***pH*** – The Discharger shall comply with the effluent limitations required in Section V.B.1.a. for pH.

MONITORING REQUIREMENTS

The CAAP General Order requires that Dischargers comply with the Monitoring and Reporting Program incorporated as Attachment C to the CAAP General Order. Influent, effluent, and receiving water monitoring requirements are based on the pounds of aquatic animals produced. This Facility is in the category of production of more than 100,000 pounds of fish produced per year.

Site-specific monitoring locations for influent, effluent and receiving water monitoring are shown in Enclosure C to this NOA (Flow Schematic), and as described in the following table:

Monitoring Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
Influent	INF-001	Location where influent sample can be collected prior to entering the Facility.
Outfall 001	EFF-001	Effluent wastewater flow from the settling pond (prior to discharging into Moccasin Creek).
Outfall 002	EFF-002	Effluent wastewater flow bypassing the settling pond (prior to discharge into Moccasin Creek)
--	RSW-001	100 feet **upstream** from the point of discharge in Moccasin Creek
--	RSW-002	500 feet **downstream** from the point of discharge in Moccasin Creek

Effective 1 February 2013, the Discharger is required to comply with all the Monitoring and Reporting Requirements contained in Attachment C to the CAAP General Order for facilities with production greater than 100,000 pounds of fish per year. A summary of the monitoring requirements is provided below:

1. ***Influent Monitoring*** – The Discharger shall monitor the influent in accordance with Table C-2 of the CAAP General Order for total suspended solids, settleable solids, pH, electrical conductivity @25ºC, copper (total recoverable), and hardness. Influent samples shall be collected at approximately the same time as effluent and receiving water samples.

2. ***Effluent Monitoring*** – The Discharger shall monitor the effluent in accordance with Table C-4 of the CAAP General Order for total suspended solids, net total suspended solids, settleable solids, net settleable solids, turbidity, pH, electrical conductivity @25ºC, copper (total recoverable), hardness, formaldehyde, and chlorine. Effluent samples shall be collected at approximately the same time as influent and receiving water samples. In addition, effluent flow shall be monitored daily[1].

3. ***Receiving Water Monitoring*** – The Discharger shall monitor the receiving water in accordance with Section VIII. B (receiving water observations) and Table C-6 of the CAAP General Order for dissolved oxygen, temperature, turbidity, pH, electrical conductivity @25ºC, and hardness.

[1] Monitoring of the intake flow is sufficient for meeting the requirement to measure effluent flow. The Facility operates as a flow-through process, so the intake flow and effluent flow rates are equivalent.

4. ***Land Discharge Monitoring Requirements*** – The Discharger shall conduct septic tank and leachfield inspections annually with annual reports submitted in accordance with Section VI.A.

5. ***Other Monitoring Requirements*** – The Discharger shall submit a Monthly Drug and Chemical Use Report (Section IX.A) and conduct Priority Pollutant Metals Monitoring (Section IX.B) in accordance with the CAAP General Order.

The first self-monitoring report (SMR) required under the CAAP General Order is the February 2013 SMR, which shall be submitted by **1 April 2013**. Until then, the Discharger shall continue submitting SMRs required by Order R5-2007-0068.

SATISFACTION OF ANTI-BACKSLIDING REQUIREMENTS
The effluent limitations in this NOA are at least as stringent as the effluent limitations in the previous individual NPDES permit, Order R5-2007-0068. Therefore, coverage under the CAAP General Order complies with federal antibacksliding regulations.

NOTICE OF APPLICABILITY REQUIREMENTS
The Discharger is hereby authorized to discharge to Moccasin Creek under the terms and conditions of the CAAP General Order. In addition to the requirements contained in the CAAP General Order, the following shall also apply:

1. The discharge from the Facility shall not exceed a daily average flow of 25 mgd during the effective period of the CAAP General Order.

2. The Discharger shall continue to electronically submit Self-Monitoring Reports (SMRs) using the State Water Resources Control Board's California Integrated Water Quality System (CIWQS) Program website (http://www.waterboards.ca.gov/ciwqs/index.html). The CIWQS website will provide directions for SMR submittal in the event there will be service interruption for electronic submittal.

3. The State Water Resources Control Board (State Water Board) has determined that individual or general permits for aquaculture activities defined in 40 CFR 122.25(b) will be subject to the same annual fee, which currently is $1,000 (State Water Board Resolution 2002-0150), but may be subject to change.

4. The CAAP General Order expires on **1 January 2015**, and enrollees will continue to be authorized to discharge until coverage becomes effective under a reissued Order or until Central Valley Water Board staff formally terminates your coverage. Only those CAAP facilities authorized to discharge and who submit a Notice of Intent at least **180** days prior to the expiration date of Order R5-2010-0018 will remain authorized to discharge under administratively continued permit conditions.

ENFORCEMENT
Failure to comply with the CAAP General Order and/or this NOA may result in enforcement actions, which could include administrative civil liability. Effluent limitation violations and some late reporting violations are subject to Mandatory Minimum Penalties (MMPs) of $3,000 per violation [California Water Code Sections 13385(h) and (i)]. If you have no discharge during a monitoring period, you must submit a monthly self-monitoring report indicating that no discharge occurred. You must notify the Central Valley Water Board staff within 24 hours of noncompliance or anticipated noncompliance.

COMMUNICATION

All monitoring reports submittals, notification of non-compliance, and questions regarding compliance and enforcement shall be directed to Mohammad Farhad of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Farhad can be reached at (916)-464-1181, or mfarhad@waterboards.ca.gov.

Questions regarding the permitting aspects of your CAAP General Order, and written notification for termination of coverage under the Order, shall be directed to James Marshall at (916) 464-4772 or at jdmarshall@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet or will be provided upon request. The Internet address is: http://www.waterboards.ca.gov/public_notices/petitions/water_quality.

Original Signed by Kenneth D. Landau for

Pamela C. Creedon
Executive Officer

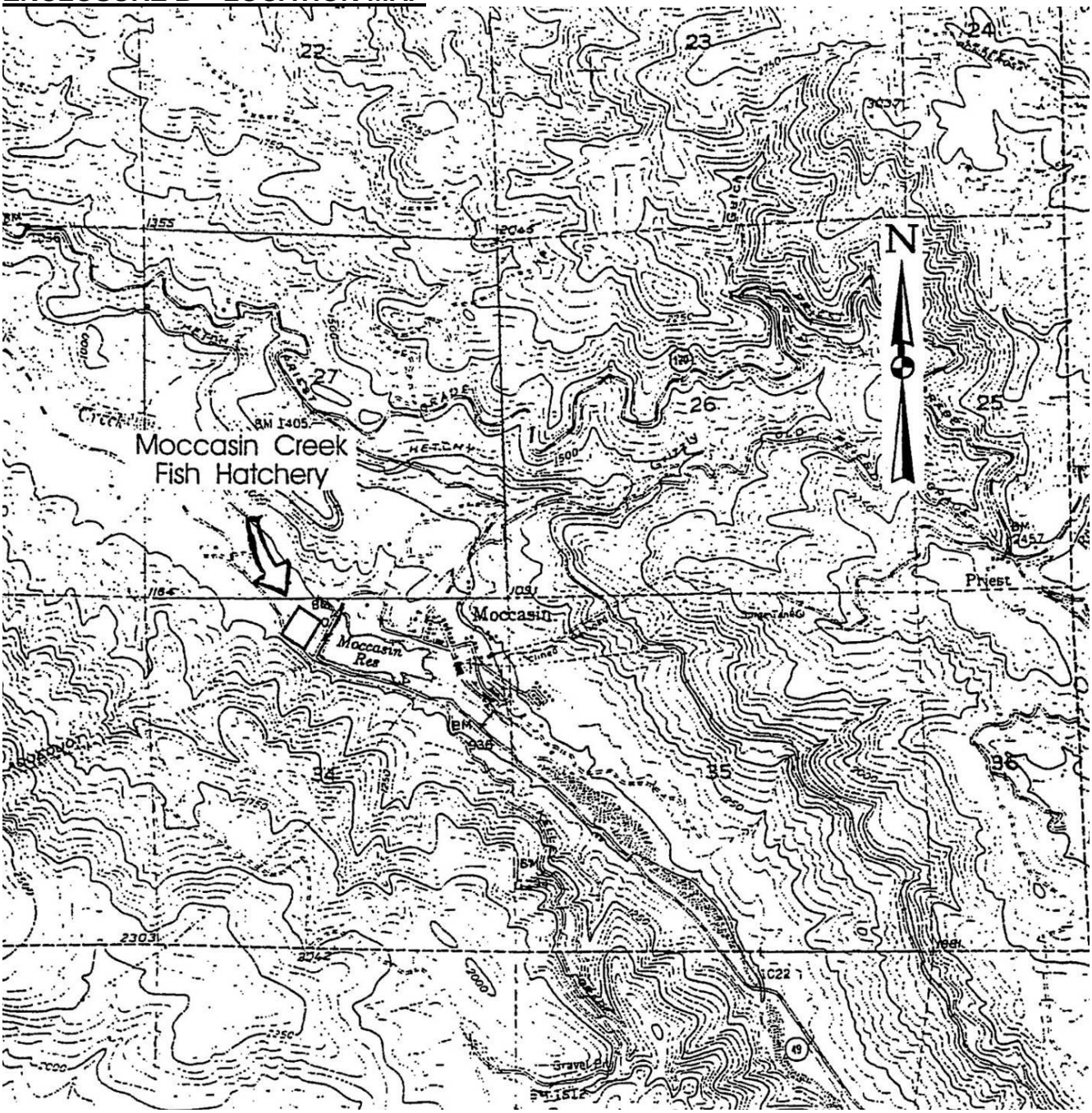
Enclosures (4):
1) Enclosure A – Administrative Information
2) Enclosure B – Location Map
3) Enclosure C – Flow Schematic
4) CAAP General Order R5-2010-0018-01 (Discharger only)

cc: David Smith, U.S. EPA, Region IX, San Francisco
Phil Isorena, State Water Resources Control Board, Sacramento
Margaret Hannaford, City and County of San Francisco, Moccasin, CA 95347

ENCLOSURE A – ADMINISTRATIVE INFORMATION

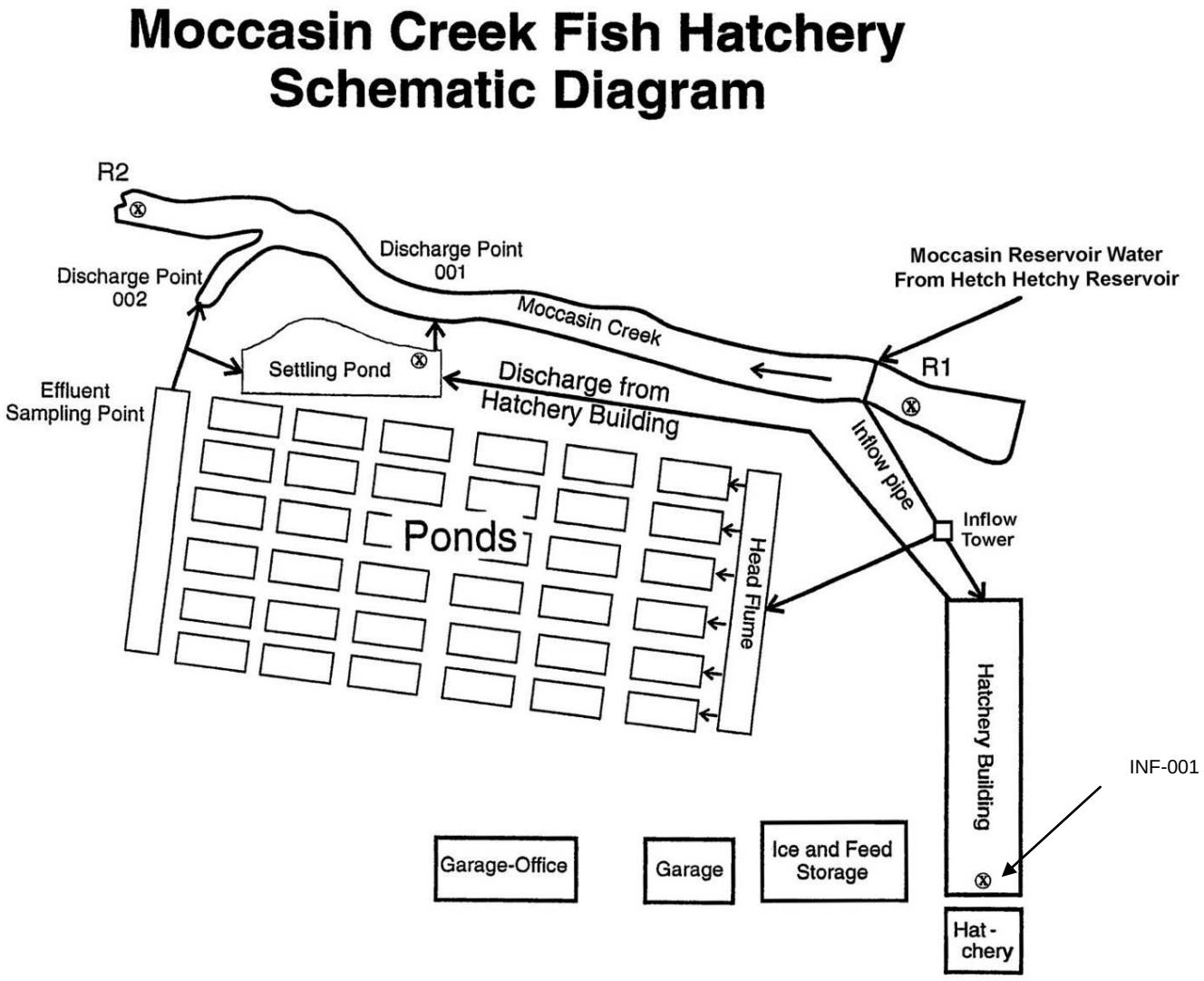
Name of Facility	Moccasin Creek Fish Hatchery
Type of Facility	Cold Water Concentrated Aquatic Animal Production Facility, SIC Code 0921
WDID	
General Order NOA Enrollee Number	R5-2010-0018-023
Discharger	California Department of Fish and Game
Facility Address	Off of Hwy 49 at intersection of Hwy 120 and Hwy 49, 20 miles south of Sonora, Tuolumne County
Land Owner (Address)	City and County of San Francisco P.O. Box 160 Moccasin, CA 95347 (Contact Person: Margaret Hannaford) (209-989-2012)
Facility Contact, Title and Phone	Tom Grove, Hatchery Operator 209-989-2312
Authorized Person to Sign and Submit Reports	Greg Kollenborn, Senior Hatchery Supervisor
Mailing Address	P.O. Box 159 Moccasin, CA 95347
Billing Address	1234 East Shaw Ave., Fresno, CA 93710
Total Weight Produced (Annual)	450,000 lbs
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	B
Facility Permitted Flow	25 million gallons per day (mgd)
Watershed	Tuolumne River Basin
Receiving Water	Moccasin Creek
Receiving Water Type	Inland surface water

ENCLOSURE B – LOCATION MAP



Location Map
Moccasin Creek Fish Hatchery

ENCLOSURE C – FLOW SCHEMATIC



CALIFORNIA DEPARTMENT OF FISH & GAME
MOCCASIN CREEK FISH HATCHERY
TUOLUMNE COUNTY