

## Central Valley Regional Water Quality Control Board

3 March 2017

**CERTIFIED MAIL:**

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Phil Mackey, President  
Mt. Lassen Trout Farms, Inc.  
20560 Lanes Valley Road  
Paynes Creek, CA 96075

**CERTIFIED MAIL:**

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Shirley Davis  
229 Beverley Avenue  
Red Bluff, CA 96080

**NOTICE OF APPLICABILITY; GENERAL WASTE DISCHARGE REQUIREMENTS FOR COLD WATER CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY DISCHARGES TO SURFACE WATERS (CAAP GENERAL ORDER); ORDER R5-2014-0161; MT. LASSEN TROUT FARMS, INC., AND SHIRLEY DAVIS; MT. LASSEN TROUT FARMS' JEFFCOAT EAST FACILITY; TEHAMA COUNTY**

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board), issued a Notice of Applicability (NOA) to Mt. Lassen Trout Farms, Inc., and Shirley Davis (hereinafter Discharger) on 16 September 2010 for coverage under Order R5-2010-0018, for the Mt. Lassen Trout Farms' Jeffcoat East Facility (hereinafter Facility). The NOA for the Discharger's Facility was terminated on 21 March 2012 due to discontinued operations.

On 5 December 2014, the Central Valley Water Board adopted Order R5-2014-0161, which renewed the CAAP General Order. The Discharger submitted a notice of intent on 21 November 2014 to apply for coverage under the CAAP General Order. Effective **3 March 2017**, this NOA provides the Facility with coverage under the CAAP General Order for the discharge of treated hatchery wastewater to Pacific Gas and Electric Company's (PG&E) Eagle Canyon Ditch, a tributary to South Fork Battle Creek. This Facility is assigned Order R5-2014-0161-038 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG135001. Please reference CAAP General Order **R5-2014-0161-038** in all correspondence and submitted documents. The following enclosures are included:

- 1) Enclosure A - Administrative Information
- 2) Enclosure B - Location Map
- 3) Enclosure C - Flow Schematic
- 4) Enclosure D - Monitoring and Reporting Program
- 5) Enclosure E - Approved Aquaculture Drugs and Chemicals

The CAAP General Order is enclosed and is viewable at the following web address:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/)

The Central Valley Water Board advises the Discharger to become familiar with the entire CAAP General Order. Facility operations and discharges shall be managed in accordance with requirements contained in the CAAP General Order, this NOA, and with information submitted by the Discharger.

**FACILITY INFORMATION/DISCHARGE DESCRIPTION**

The Facility is located approximately four miles southwest of Manton, California, Tehama County, on property owned by Shirley Davis and operated by the Discharger (near 40°24'42.33" N latitude and 121°56'2.32" W longitude), as shown in Enclosure B, a part of this NOA.

Freshwater is diverted from several unnamed springs into the Facility at a flow rate of approximately 10.1 cubic feet per second (cfs) or about 6.5 million gallons per day (mgd). The Discharger does not control freshwater flow rate to the Facility because spring resurgence is variable and depends on basin recharge and hydrologic aquifer properties; consequently, flow rates will often fluctuate. Resurgence water from the unnamed springs enters a hatchery building and five covered concrete raceways before entering two in-series settling ponds. After primary treatment, treated hatchery wastewater enters PG&E's Eagle Canyon Ditch, as shown in Enclosure C, a part of this NOA.

The Discharger reported, in a notice of intent, the estimated maximum five-year annual harvestable fish produced and estimated maximum monthly feed use (Table 1):

**Table 1. Estimated Aquatic Animal Production and Feed Use**

Maximum Annual Harvestable Aquatic Animal Production (lbs)	Maximum Monthly Feed Use (lbs)
Rainbow Trout – 30,000 to 60,000	12,000

**Outfall 001**– Treated hatchery wastewater is discharged into PG&E's Eagle Canyon Ditch.

Domestic wastewater is discharged to an onsite septic tank/leachfield system.

**EFFLUENT LIMITATIONS**

Effluent limitations are specified in Section V., Effluent Limitations and Discharge Specifications, of the CAAP General Order. Copper sulfate is not utilized at the Facility and there is no reasonable potential for total recoverable copper. Therefore, an effluent limitation for total recoverable copper is not imposed on the Discharger. The following effluent limitations (Table 2) are applicable to this discharge and are contained in Sections V.A of the CAAP General Order:

a. Discharges to surface waters shall not exceed the effluent limitations contained in Table 2.

**Table 2. Effluent Limitations**

Parameter	Units	Average Monthly Effluent Limitation	Maximum Daily Effluent Limitation
Formaldehyde	mg/L	0.65 <sup>1</sup>	1.3 <sup>1</sup>
Chlorine	mg/L	--	0.018

<sup>1</sup> Compliance with the effluent limitations for formaldehyde may be evaluated using an estimated effluent concentration in lieu of effluent monitoring data. The estimated effluent concentration shall be calculated as described in the CAAP General Order (Section IX.A of Attachment C, Monitoring and Reporting Program).

b. The Discharger shall minimize the discharge of total suspended solids through the implementation of the best management practices established in Special Provision VII.C.3 of the CAAP General Order.

## RECEIVING WATER LIMITATIONS

The discharge of treated hatchery wastewater from the Facility to PG&E's Eagle Canyon Ditch (a tributary to South Fork Battle Creek) is within the Sacramento and San Joaquin River Basins, therefore, the receiving water limits contained in the CAAP General Order for the Sacramento and San Joaquin River Basins are applicable to the discharge.

## OTHER REQUIREMENTS

1. Shirley Davis, as owner of the property at which a surface water discharge occurs, is responsible for guaranteeing compliance with the CAAP General Order. Mt. Lassen Trout Farms, Inc, retains primary responsibility for compliance with the CAAP General Order, including day-to-day operations and monitoring. Enforcement actions will be taken against Shirley Davis only in an event that enforcement actions against Mt. Lassen Trout Farms, Inc. are ineffective.
2. Collected screenings and other solids, including fish carcasses, shall be disposed of in a manner approved by the Executive Officer, and consistent with the *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste*, as set forth in Title 27, California Code of Regulations, Division 2, Subdivision 1, Section 2005, et seq.
3. The Discharger shall 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>). Directions for SMR submittal are provided on the CIWQS website in the event of a service interruption during electronic submittal.
4. Aquaculture activities defined in the Code of Federal Regulations (40 C.F.R. 122.25(b)) will be subject to the annual fee for general NPDES permits and de minimus discharges that are regulated by individual or general NPDES permits, as described in Title 23 of the California Code of Regulations, Division 3, Chapter 9, Article 1, Section 2200(b)(9) for Category 3 discharges.
5. The CAAP General Order expires on **31 December 2019**. 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 R5-2014-0161 will remain authorized to discharge under administratively continued permit conditions.

6. In accordance with section VII.C.3.a of the CAAP General Order, the Discharger shall certify **within 90 days** from the issuance of this NOA that a Best Management Practices (BMP) Plan has been developed and is being implemented. To satisfy this requirement, the Discharger shall submit a letter to the Central Valley Water Board certifying compliance with BMP Plan requirements **by 1 June 2017**. The Discharger can develop a new BMP Plan or modify an existing BMP Plan for use under this requirement. The Discharger shall develop and implement the BMP Plan to prevent or minimize the generation and discharge of wastes and pollutants to waters of the United States and waters of the State and ensure disposal or land application of waste(s) complies with applicable solid waste disposal regulations. The BMP Plan shall include a salinity evaluation and minimization plan to address salt treatments, if any, at the Facility. The Discharger shall review the BMP Plan annually and must amend the BMP Plan whenever there is a change in the Facility or in the Facility's operation which materially increases the generation of pollutants or their release or potential release to surface waters.

## ENFORCEMENT

Failure to comply with the CAAP General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations can be subject to a mandatory minimum penalty of \$3,000 per violation. In addition, late monitoring reports can be subject to penalties. When discharges do not occur during a monitoring period, the Discharger must still submit a monitoring report indicating that no discharge occurred in order to avoid being subject to enforcement actions.

## COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, questions regarding compliance and enforcement, and questions regarding permitting aspects shall be directed to the Central Valley Water Board's NPDES unit at (530) 224-4845.

Please note that we are transitioning to a paperless office. Therefore, all documents other than monitoring reports shall be converted to a searchable portable document format (i.e., a document with a "pdf" extension) and submitted by email to [centralvalleyredding@waterboards.ca.gov](mailto:centralvalleyredding@waterboards.ca.gov). Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to our office, attention "ECM Mailroom."

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 et seq. 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 at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

*Original signed by Bryan J. Smith, for*

Pamela C. Creedon  
Executive Officer

ZC: ab

Enclosures (6):

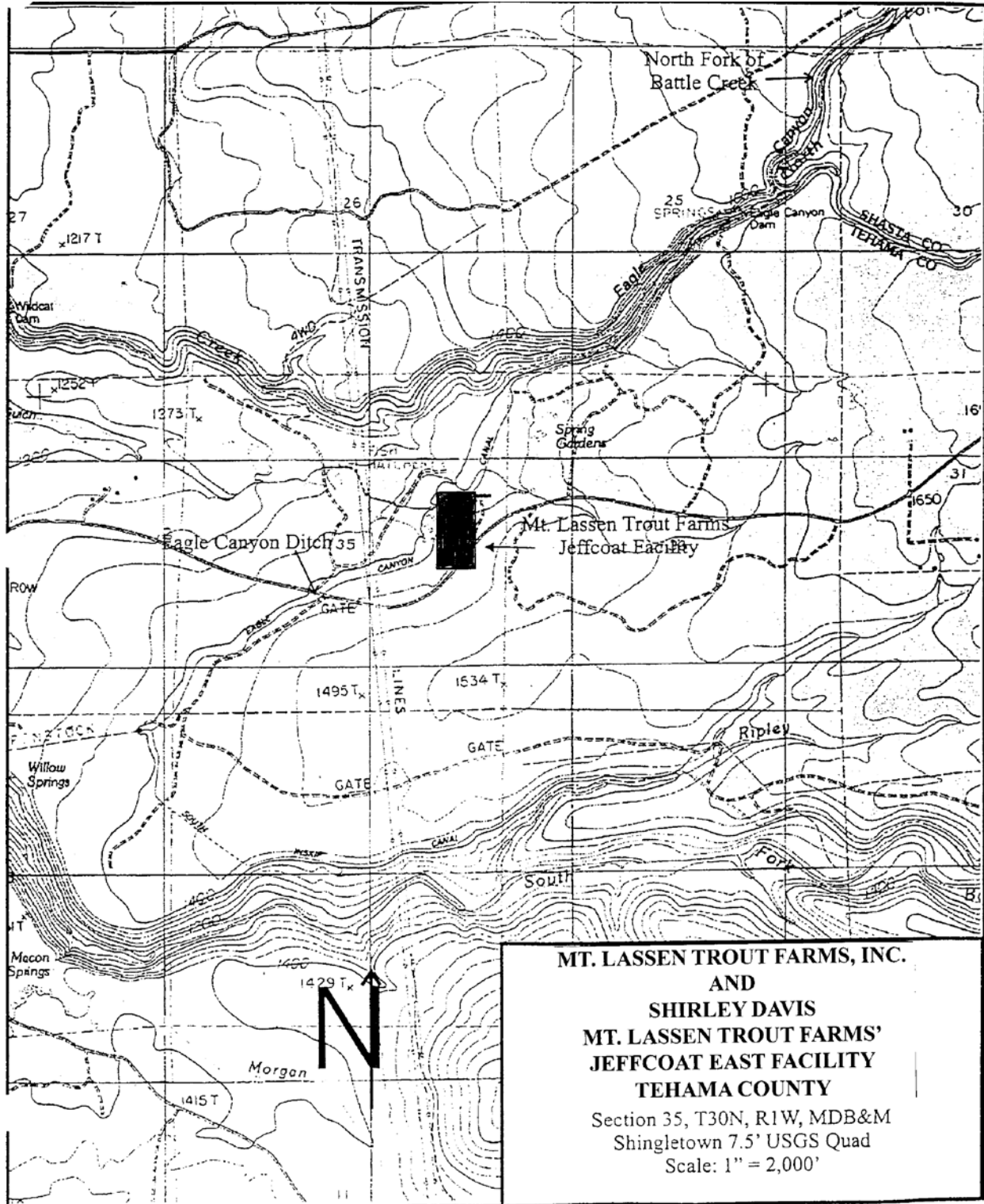
- 1) Enclosure A – Administrative Information
- 2) Enclosure B – Location Map
- 3) Enclosure C – Flow Schematic
- 4) Enclosure D – Monitoring and Reporting Program
- 5) Enclosure E – Approved Aquaculture Drug and Chemical Use
- 6) CAAP General Order R5-2014-0161 (Discharger only)

cc w/encl: David Smith, U.S. EPA, Region IX, San Francisco  
via email Phil Isorena, State Water Resources Control Board, Sacramento

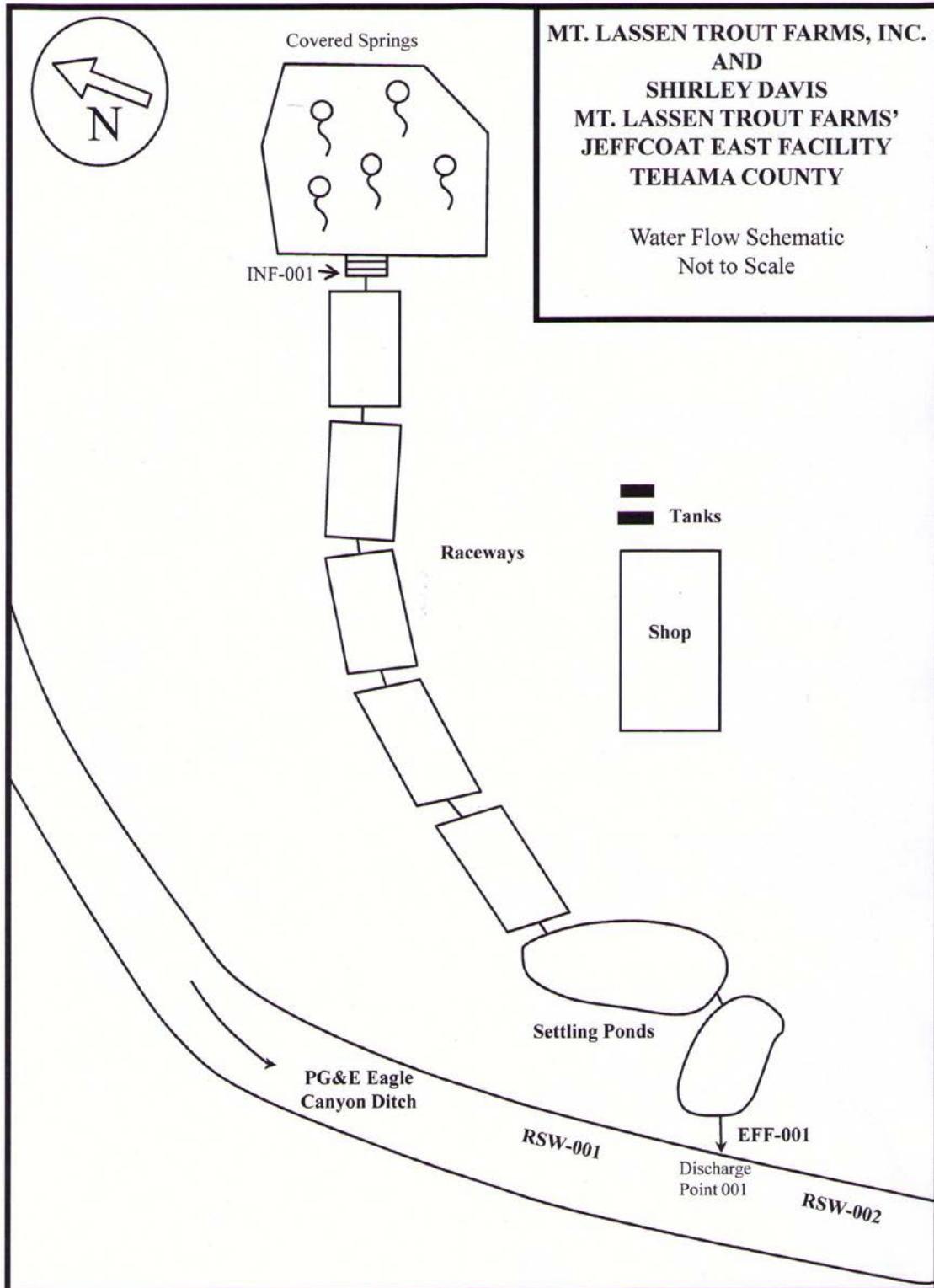
**ENCLOSURE A – ADMINISTRATIVE INFORMATION**

<b>Name of Facility</b>	Mt. Lassen Trout Farms' Jeffcoat East Facility
<b>Type of Facility</b>	Cold Water Concentrated Aquatic Animal Production Facility, SIC Code 0921
<b>WDID</b>	5A521003003
<b>General Order NOA Enrollee Number</b>	R5-2014-0161-038
<b>Discharger</b>	Mt. Lassen Trout Farms, Inc., (Facility Owner/Operator) and Shirley Davis (Land Owner)
<b>Facility Address</b>	29300 Manton Road Manton, CA 96059
<b>Land Owner Address</b>	Shirley Davis 229 Beverley Avenue Red Bluff, CA 96080
<b>Facility Contact, Title, and Phone</b>	Phil Mackey, President (530) 474-1900
<b>Authorized Person to Sign and Submit Reports</b>	Phil Mackey, President (530) 474-1900
<b>Mailing Address</b>	Phil Mackey, President Mt. Lassen Trout Farms, Inc. 20560 Lanes Valley Road Paynes Creek, CA 96075
<b>Billing Address</b>	Phil Mackey, President Mt. Lassen Trout Farms, Inc. 20560 Lanes Valley Road Paynes Creek, CA 96075
<b>Estimated Total Annual Weight of Fish Production</b>	30,000-60,000 lbs
<b>Major or Minor Facility</b>	Minor
<b>Threat to Water Quality</b>	2
<b>Complexity</b>	B
<b>Expected Discharge from Facility</b>	10.1 cfs (or 6.5 mgd)
<b>Watershed</b>	Sacramento River Basin
<b>Receiving Water</b>	PG&E's Eagle Canyon Ditch, a tributary to South Fork Battle Creek
<b>Receiving Water Type</b>	Inland surface water

**ENCLOSURE B – LOCATION MAP**



**ENCLOSURE C – FLOW SCHEMATIC**





**ENCLOSURE D – MONITORING AND REPORTING PROGRAM**

The Discharger is obligated to comply with the monitoring and reporting requirements contained in the CAAP General Order, Attachment C – Monitoring and Reporting Program. As part of the CAAP General Order, Attachment C, a NOA must contain certain requirements, which are provided in this enclosure. Enclosure D also provides a summary of other requirements described in Attachment C of the CAAP General Order.

This Facility produces less than 100,000 pounds of aquatic animals per year. Tables D-2, D 3, and D-4 are based on the monitoring and reporting program shown in Attachment C of the CAAP General Order for facilities producing less than 100,000 pounds of aquatic animals per year (Attachment C – Sections III.A, IV.A.1, and VIII.C).

**A. Monitoring Locations.** Monitoring locations are defined as follows in Table D-1 and a flow schematic showing site-specific monitoring locations is provided in Enclosure C, a part of this NOA.

**Table D-1. Monitoring Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	Influent shall be collected at a location where a representative sample can be obtained, prior to spring resurgence water entering the Facility [Approximate location: 40°24'42.60" N latitude and 121°55'59.80" W longitude].
Outfall 001	EFF-001	Hatchery wastewater shall be collected and sampled after the last point of hatchery wastewater treatment and prior to treated hatchery wastewater entering PG&E's Eagle Canyon Ditch [Approximate location: 40°24'42.52" N latitude and 121°56'6.02" W longitude].
--	RSW-001	Receiving water samples, upstream of EFF-001, shall be collected from PG&E's Eagle Canyon Ditch, approximately 100 feet upstream of EFF-001 [Approximate location: 40°24'43.05" N latitude and 121°56'4.83" W longitude].
--	RSW-002	Receiving water samples, downstream of EFF-001, shall be collected from PG&E's Eagle Canyon Ditch, approximately 50 feet upstream of EFF-001 [Approximate location: 40°24'42.67" N latitude and 121°56'6.64" W longitude].

**B. Influent Monitoring Requirements.** The Discharger shall monitor influent to the Facility at monitoring location INF-001, for the frequencies/parameters shown in Table D-2, when the Facility is in operation and there is a discharge at Outfall 001. Samples shall be collected at approximately the same time as effluent samples.

**Table D-2. Influent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
pH	S.U.	Grab	1/quarter <sup>2</sup>	1
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/quarter <sup>2</sup>	1
Copper (Total Recoverable)	µg/L	Grab	1/quarter during CuSO <sub>4</sub> use <sup>2,3</sup>	1

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Hardness (as CaCO <sub>3</sub> )	mg/L	Grab	1/quarter during CuSO <sub>4</sub> use <sup>2</sup>	1
Total Suspended Solids	mg/L	Grab	1/year <sup>2</sup>	1

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136.

<sup>2</sup> Samples shall be collected approximately at the same time as effluent samples.

<sup>3</sup> The maximum reporting level required for total recoverable copper is 0.5 µg/L, in accordance with Section 2.4.2 and Appendix 4 of the SIP.

**C. Effluent Monitoring Requirements.** The Discharger shall monitor effluent for the frequencies/parameters shown in Table D-3, when the Facility is in operation and there is a discharge at Outfall 001. Samples shall be collected at approximately the same time as influent samples.

**Table D-3. Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	cfs	Flow Measurement Device <sup>1</sup>	1/month	1
Turbidity	NTU	Grab	1/quarter	1
pH	S.U.	Grab	1/quarter <sup>3</sup>	1
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/quarter <sup>2,7</sup>	1
Copper (Total Recoverable)	µg/L	Grab	1/quarter during CuSO <sub>4</sub> use <sup>3,6</sup>	1
Hardness (as CaCO <sub>3</sub> )	mg/L	Grab	1/quarter during CuSO <sub>4</sub> use <sup>3</sup>	1
Formaldehyde	mg/L	Grab	1/day during Formalin use <sup>4,7</sup>	1
Chlorine	mg/L	Grab	1/quarter during chlorine use <sup>5,7</sup>	1
Total Suspended Solids (TSS)	mg/L	Grab	1/year <sup>6</sup>	1
<b>Net TSS</b> (effluent minus influent)	mg/L	Net Calculation	1/year	--

<sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136.

<sup>2</sup> Samples shall be collected quarterly. If sodium chloride is used, the quarterly monitoring of EC shall be conducted during treatment.

<sup>3</sup> The maximum reporting level required for total recoverable copper is 0.5 µg/L, in accordance with Section 2.4.2 and Appendix 4 of the SIP. The monthly sample shall be collected during the time of peak discharge of copper, at least one hour after start of treatment. Effluent hardness and pH shall be measured at the same time as total recoverable copper.

- <sup>4</sup> Estimated concentrations of formaldehyde may be reported in lieu of analytical monitoring during Formalin use. See Section IX.A of the CAAP General Order for calculation procedures. If analytical monitoring is conducted, when Formalin is added to the waters of the Facility, formaldehyde concentration shall be measured during time of peak discharge of Formalin, at least one hour after start of treatment.
- <sup>5</sup> Total chlorine residual must be monitored with a method sensitive to and accurate at the permitted level of 0.018 mg/L.
- <sup>6</sup> Samples shall be collected during the expected month of highest feeding.
- <sup>7</sup> Per Section IX.A of the CAAP General Order, the discharger shall report all aquaculture drug and chemical use as part of the Monthly Drug and Chemical Use Report that is submitted on a quarterly basis.

**D. Receiving Water Monitoring Requirements.** Receiving water samples shall be collected from monitoring locations RSW-001 and RSW-002, for the frequencies/parameters shown in Table D-4, when the Facility is in operation and there is a discharge at Outfall 001. Samples shall be collected at approximately the same time as effluent samples.

**Table D-4. Receiving Water Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	1/quarter	1
Temperature	°C	Grab	1/quarter	1
Turbidity	NTU	Grab	1/quarter	1
pH	S.U.	Grab	1/quarter	1
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/quarter	1
Hardness (as CaCO <sub>3</sub> )	mg/L	Grab	1/quarter during CuSO <sub>4</sub> use <sup>2</sup>	1

- <sup>1</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136.
- <sup>2</sup> When copper sulfate is added to waters of the facility, hardness (as CaCO<sub>3</sub>) shall be measured quarterly during treatment.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life
- e. Visible films, sheens, or coatings
- f. Fungi, slimes, or objectionable growths
- g. Potential nuisance conditions

Notes on receiving water conditions shall be summarized in the quarterly monitoring report.

**E. Land Discharge Monitoring Requirements.** The Discharger shall conduct septic tank and leachfield inspections annually and report the findings in the annual self-monitoring reports (**due 1 February, annually**) in accordance with Section VI.A of the CAAP General Order.

- F. Monthly Drug and Chemical Use Report.** The Discharger shall develop a monthly drug and chemical use report describing all aquaculture drugs or chemicals used at the Facility in accordance with Section IX.A of the CAAP General Order. The report shall be submitted with the quarterly self-monitoring reports.
- G. Annual Feeding and Production Report.** The Discharger shall develop an annual feeding and production report in accordance with the CAAP General Order, Attachment C, Section IX.C. The report shall be submitted **28 February, annually**, and include 1) monthly food usage in pounds for each calendar month of the previous year, and 2) annual production of aquatic animals in pounds per year for the previous year.
- H. Priority Pollutant Metals Monitoring.** In accordance with the CAAP General Order, Attachment C, Section IX.B., the Discharger shall monitor the effluent (at monitoring location EFF-001) and the upstream receiving water (RSW-001) for the metals listed in Table G-1 of the CAAP General Order once during the term of Order R5-2014-0161. **The monitoring shall occur after 1 January 2018, but no later than 1 July 2019.** The discharger shall electronically submit the priority pollutants metals monitoring results using the State Water Board's California Integrated Water Quality System program website (<http://www.waterboards.ca.gov/ciwqs/index.html>), **within 60 days of the final sampling event.** Refer to CAAP General Order, Attachment G, for the specific monitoring requirements.

**REPORTING REQUIREMENTS**

Self-monitoring reports (SMRs) are required to be submitted quarterly and annually. Table D-5, below, summarizes SMR due dates required under the CAAP General Order. Quarterly monitoring reports must be submitted until coverage is formally terminated in accordance with the CAAP General Order, even if there is no discharge during a reporting quarter.

**Table D-5. SMRs required in the Monitoring and Reporting Program (Attachment C, CAAP General Order)**

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
1/month	1 January	First day of calendar month through last day of calendar month	1 May (1 Jan – 31 Mar) 1 Aug (1 Apr – 30 Jun) 1 Nov (1 Jul – 30 Sep) 1 February of following year (1 Oct – 31 Dec)
1/quarter	1 January	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 Aug 1 Nov 1 February of following year
1/year	1 January	January 1 through December 31	1 February of following year

In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition and/or limitation of the CAAP General Order, the Discharger shall notify the Central

MT. LASSEN TROUT FARMS, INC., AND  
SHIRLEY DAVIS  
MT. LASSEN TROUT FARMS' JEFFCOAT EAST FACILITY  
TEHAMA COUNTY

3 MARCH 2017

Valley Water Board by telephone at (530) 224-4845 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. Written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe measures being taken to remedy current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal self-monitoring report.

**ENCLOSURE E – APPROVED AQUACULTURE DRUGS AND CHEMICALS USE**

Drugs and chemicals are used at the Facility to prevent/medicate fish for any potential contamination by bacteria, fungi, viruses and pathogens, and to reduce the spread of disease among the confined fish population. Some chemicals may be used to clean the Facility's treatment/operation components.

The Discharger has informed the Central Valley Water Board of chemicals that may be used at the Facility (below). The Discharger does not have estimates or application methods because the chemicals are not used regularly or have not been used in Facility operations.

- Formaldehyde as Formalin
- Hydrogen Peroxide
- Potassium Permanganate
- Tricaine Methanesulfonate (MS 222)
- Chloramine-T
- Povidone-iodine (PVP-I)
- Sodium Chloride
- Acetic Acid
- Chlorine
- Copper Sulfate
- SLICE
- Oxytetracycline
- Penicillin G.
- Amoxicillin
- Erythromycin
- Florfenicol
- Romet-30®
- Vibrio Vaccine
- Enteric Redmouth Bacterin