

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
1685 "E" Street, Fresno, California 93706

**NOTICE OF PUBLIC HEARING**

concerning

**ADOPTION OF WASTE DISCHARGE REQUIREMENTS  
FOR  
PANOCH VALLEY SOLAR, LLC  
PANOCH VALLEY SOLAR PROJECT  
SAN BENITO COUNTY**

Panoche Valley Solar, LLC (herein Discharger) submitted a Report of Waste Discharge identifying its intent to dredge and fill waters of the State to construct and operate a utility-scale, approximate 247 alternating current (AC) megawatt (MW), solar photovoltaic (PV) energy generating facility, known as the Panoche Valley Solar Facility (Project). The Project is on private land in the Panoche Valley of eastern San Benito County, approximately two miles north of the intersection of Panoche Road and Little Panoche Road.

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of Waste Discharge Requirements (WDRs) for discharges of dredge and fill materials to 8.422 acres of federally non-jurisdictional waters of the State within the Project footprint. This Order is necessary to address impacts to waters of the State from the Project, to require mitigation for these impacts, to fulfill the Central Valley Water Board's obligation to act on the Discharger's application, and to satisfy the objectives of the California Wetlands Conservation Policy (Executive Order W-59-93, signed 23 August 1993). The Discharger will provide for the direct creation, enhancement, or restoration of 11.80 acres of drainages, vernal pools, and wetlands to mitigate for impacts to a total 8.544 acres of both the waters of the United States and waters of the State. Additionally, the Discharger will preserve 716,853 linear feet of streams, drainages, and creeks within 24,176 acres of Conservation Lands which will be preserved in perpetuity under conservation easement and managed through implementation of a Conservation Management Plan.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 30/31 July 2015  
TIME: 8:30 a.m. or 9:00 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114

The designated party for this hearing is as follows:

- Panoche Valley Solar, LLC

Designated parties, but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such a request in

writing to the Central Valley Water Board no later than **19 June 2015**. The request must explain the basis for status as a designated party, and, in particular, how the person is affected by the discharge.

Any person or party wishing to comment on the proposed WDRs must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5 p.m. on 19 June 2015** to [CentralValleyFresno@waterboards.ca.gov](mailto:CentralValleyFresno@waterboards.ca.gov) or [Debra.Mahnke@waterboards.ca.gov](mailto:Debra.Mahnke@waterboards.ca.gov). Testimony, evidence, and/or written comments submitted after **5 p.m. on 19 June 2015** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. A person or party requesting to submit late materials must demonstrate good cause for the late submission, and the Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board hearing and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff, or others at the discretion of the Central Valley Water Board.

Anyone having questions on the proposed WDRs should contact Debra Mahnke at (559) 445-6281 or at [Debra.Mahnke@waterboards.ca.gov](mailto:Debra.Mahnke@waterboards.ca.gov). Interested parties may download the proposed WDRs, and related documents from the Central Valley Water Board Board's Internet website at: [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 Fresno office at 1685 E Street, Fresno, California, [(559) 445-6281] weekdays between 8:00 a.m. and 5:00 p.m.

The final Central Valley Water Board meeting agenda will be available at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/#2015](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/#2015) at least ten days before the meeting. The agenda will provide the dates the hearing will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed WDRs.

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 Central Valley Water 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.

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

20 May 2015