

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220

**Notice of Public Hearing
And Opportunity to Review and Comment on Draft Order**

In the Matter of

Proposed Waste Discharge Requirements Order No. R1-2015-0003
NPDES Permit No. CAG0024902

for

Low Threat Discharges to Surface Waters in the North Coast Region

Regionwide

Notice is hereby given that the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) will hold a public hearing to receive public comments and testimony on a draft Regional Water Board National Pollutant Discharge Elimination System (NPDES) Permit for low threat discharges to surface waters in the North Coast Region and to consider adoption of the draft Permit.

At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed waste discharge requirements.

When: March 12, 2015, beginning at 8:30 a.m. or as announced in the Regional Water Board's agenda

Where: Regional Water Board Office
David C. Joseph Meeting Room
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Who Should Participate: Local county planning and permitting staff; resource and environmental protection agencies; Cal Trans representatives; industry representatives for construction, well-drilling, water system and other industry groups that may have low-threat discharges of wastewater; representatives for non-community drinking water systems.

Draft Order Available for Review and Comment

Persons wishing to receive future notices related to the Low Threat Discharge Permit should subscribe to the Low Threat Discharge email list, under Resources, Email

Subscription on the left side of the Regional Water Board's main web page at:
<http://www.waterboards.ca.gov/northcoast>.

The draft Waste Discharge Requirements Order No. R1-2015-0003, the *General NPDES Permit for Low Threat Discharges to Surface Waters of the North Coast Region*, and other related documents, will be available for review on or after December 23, 2014, on the Regional Water Board website at
http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/.

The tentative Order, related documents, and comments received by the Regional Water Board also will be on file and may be inspected or copied at the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220. The tentative Order, related documents, comments, and associated documents are also available on the Regional Water Board's website at
http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders.

Background

On July 23, 2009, the Regional Water Board adopted Order No. R1-2009-0045/General NPDES Permit No. CA0024902, *Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region* (Low Threat Permit). The Low Threat Permit authorizes discharges to surface waters of discharges of clean or relatively pollutant-free wastewaters that pose little or no threat to the quality of waters of the U.S. from activities such as construction dewatering, maintenance and repair of water supply structures, well installation, development, test pumping and purging, subterranean seepage dewatering, dewatering of dredge spoils, and other activities that may pose a low threat to water quality. The Regional Water Board also adopted, on July 23, 2009, a Basin Plan amendment to add an Action Plan for Low Threat Discharges to the Basin Plan. The Basin Plan defines a low threat discharge as, "a planned, short-term and/or minimized volume discharge from a definable project that results in a point source discharge to surface waters and that is managed in a manner that does not threaten the quality or beneficial uses of water without dilution. These discharges meet the definition of a waste, and as such, are required to be permitted pursuant to the California Water Code. Low threat discharges can cause or threaten to cause minor impairment of existing or potential beneficial uses of the receiving water if they are not properly managed through best management practices (BMPs) that remove pollutants and minimize the volume, rate, and duration of discharge". All discharges to of waste to surface waters must have coverage under an NPDES permit.

The Low Threat Permit is being revised for the following reasons:

1. NPDES permits are issued for a five-year term and must be renewed to satisfy requirements of the federal Clean Water Act.
2. To recognize the recent adoption by the State Water Board of the *Statewide NPDES Permit for Drinking Water System Discharges to Waters of the United States*.

Procedural Matters

In order for the Regional Water Board to consider any evidentiary material concerning this hearing, any documents, including written technical reports and other evidentiary material, must be received by the Regional Water Board no later than 5:00 p.m., on January 27, 2015, at 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403. All documents that are received timely will be considered and responded to by the Water Board staff and distributed to the Regional Water Board members and interested persons. These records will also become a permanent part of the administrative record for this public hearing.

Except at the discretion of the Regional Water Board Chair, written material received after the above date will not be accepted. If the Chair chooses to accept late written material, that material will not be incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, title 23, sections 648.1 and 648.4).

All parties affected by the proposed Order and interested persons may speak at the Regional Water Board meeting. All those who plan to testify at this hearing must submit written statements to the Regional Water Quality Control Board no later than January 27, 2015. The statements should provide the name of the witness, his or her qualifications (if an expert), and the scope of his or her intended testimony. The time limit for oral testimony or comments will be set by the Regional Water Board Chair and are subject to change. All speakers are expected to honor the time limits set by the Chair. Testimony given by someone other than staff may be limited to three minutes and may only be given under the limited scope of summarizing or explaining any timely-submitted or late-accepted written evidence. No new evidence will be allowed to be presented at this public hearing. In an effort to be fair to all people who wish to testify at this public hearing, the Regional Water Board Chair may choose to use a timer to ensure that individuals stay within the time limits set by the Chair. To avoid unnecessary repetitive testimony, the Chair also requests that one spokesperson be selected to speak on behalf of many individuals, when those individuals share a common affiliation or interest.

Ex Parte Communications

Because this action involves a general order, ex parte communications are allowed subject to the disclosure requirements of Water Code section 13287. Responses to frequently asked questions and a form to assist in the disclosure process can be found on the Regional Water Board's website at: http://www.waterboards.ca.gov/northcoast/public_notices/. Under the heading "Ex Parte Communications" See in particular Ex Parte Communications Questions and Answers Nos. 28-35 for information on ex parte communications as applied to pending general orders.

The Regional Water Board is required to post the disclosure on its website and to distribute it via any electronic distribution list for the proposed general order. Ex parte disclosures shall not constitute written comments or evidence on a proposed general

order. You must provide the comments or evidence by following the procedure and timelines provided above. Ex parte communications are prohibited for a period beginning 14 days before the board meeting at which the proposed general order is scheduled for board action. For communications concerning any issue in this proceeding, ex parte communications are prohibited starting on February 26, 2015. If the Regional Water Board does not take action on March 12, 2015, the ex parte prohibition will remain in place until the Regional Water Board, the Chair or the Executive Officer directs otherwise. Once lifted, the prohibition on ex parte communications will be reinstated for 14 days before the day of the board meeting to which the decision is continued. The Regional Water Board will provide notice via the Lyris and the interested parties email lists for this item if and when the prohibition is lifted or reinstated.

Accessibility

Anyone requiring reasonable accommodation to participate in the public meeting should contact Patti Corsie at 707-576-2220 at least five days prior to the scheduled meeting. The meeting location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 800-735-2929 or voice line at 800-735-2922.

Staff Contact

Questions regarding this matter should be directed to Cathleen Goodwin, by telephone at 707-576-2687 or email at Cathleen.Goodwin@waterboards.ca.gov.

Matthias St. John
Executive Officer

December 23, 2014

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