

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

**PUBLIC HEARING AND
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION**
concerning

**ADOPTION OF WASTE DISCHARGE REQUIREMENTS
(NPDES NO. CAXXXXXXX)
AND CEASE AND DESIST ORDER for**

**STERLING CAVIAR LLC
SACRAMENTO COUNTY**

Sterling Caviar LLC owns and operates a fish farm that produces white sturgeon (*Acipenser transmontanus*) and caviar. The Facility reports a total annual harvestable weight of 313,000 pounds of white sturgeon. Under the NPDES program, the Facility is considered a concentrated aquatic animal production (CAAP) facility.

Wastes generated at the Facility include fish fecal material, unconsumed fish food, nutrients, algae, silt, chemicals and therapeutic agents used to treat fish and control disease. Chemicals currently used at the Facility include sodium chloride (salt), hydrogen peroxide, and oxytetracycline (Terramycin®), as needed. In addition, the Discharger has indicated the potential use of Formalin at the Facility. Wastewater is discharged to wetlands in the Betts-Kismat-Silva preserve, located within Reclamation District 1000 (RD1000). RD1000 is tributary to the Sacramento River, a water of the United States.

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

DATE: March 15/16, 2007
TIME: 8:30 AM
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Water Board
- Sterling Caviar LLC

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **7 March 2007**. The request must

explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The tentative Waste Discharge Requirements and Cease and Desist Order were issued on **3 January 2007**. Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than **5 February 2007**. Written evidence or comments submitted after **5 February 2007** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair

Anyone having questions on the proposed Orders should contact James Marshall at (916) 464-4772. Interested parties may download the proposed Orders and related documents from the Regional Water Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative/>. Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional 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 Regional 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/water_laws/. Information on meeting and hearing procedures is also available on the Regional Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the 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.

ORIGINAL SIGNED BY
DAVID C. CARLSON FOR

Kenneth D. Landau, Assistant Executive Officer