

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive #200, Rancho Cordova, CA 95670

NOTICE OF PUBLIC HEARING

concerning

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS ORDER R5-2011-0084
AND TIME SCHEDULE ORDER R5-2011-0085
(NPDES NO. CA0085120)**

For

**TNC HOLDING COMPANY, LLC, AND
THE RALPH F. NIX 1995 REVOCABLE TRUST
TNC HOLDING COMPANY CAVIAR STURGEON FARM
SACRAMENTO COUNTY**

Plaza Aqua Farm, Inc. LLC (Discharger) is the new owner of the TNC Holding Company Caviar Sturgeon Farm (Facility), located at 10822 Gay Road, Wilton, CA. Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2011-0084 and Time Schedule Order (TSO) R5-2011-0085, issued by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 1 December 2011. The Facility raises white sturgeon (*Acipenser transmontanus*) for sale as fresh and smoked meat, and for caviar. The Facility is permitted to discharge an average monthly flow of 1.2 million gallons per day (MGD), but actual monthly effluent flows have averaged only 0.16 MGD. The annual production of sturgeon from 2011 through 2014 averaged 10,200 lbs/year. Based on the current facility conditions, the Discharger estimates that maximum production is 90,000 lbs/year, which could be reached in about 11 years. Based on the annual production, the Facility does not fall under the categorical classification of a confined aquatic animal production (CAAP) facility, as defined in the Code of Federal Regulations (40 CFR Appendix C of Part 122 [Section 122.24]). Therefore, the Facility is not a point source discharge subject to the NPDES regulations. The Central Valley Water Board will consider adoption of an order rescinding WDR Order R5-2011-0084 and TSO R5-2011-0085.

A public hearing concerning the hearing item will be held during the Central Valley Water Board meeting scheduled for:

DATE: 10/11 December 2015
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board Room
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Plaza Aqua Farm, Inc. Representatives

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 Central Valley Water Board no later than **5:00 p.m. on 30 November 2015**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments to the Central Valley Water Board via email to **RB5S NPDES Comments@waterboards.ca.gov** no later than **5:00 p.m. on 30 November 2015**. Written evidence or comments submitted after **5:00 p.m. on 30 November 2015** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Board Chair. Any party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will 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 meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Chair.

Anyone having questions regarding the hearing item should contact Dania Jimmerson at (916) 464-4742 or Dania.Jimmerson@waterboards.ca.gov. Interested parties may download the Notice of Public Hearing and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies can also be obtained by contacting or visiting the Central Valley 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 final meeting agenda will be available at http://www.waterboards.ca.gov/scentralvalley/board_info/meetings/ at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order(s).

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/. 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 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 five 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 may be interested in this matter.

Original Signed by

ADAM LAPUTZ, Assistant Executive Officer

27 October 2015