

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING

Concerning

TENTATIVE ORDER

**WASTE DISCHARGE REQUIREMENTS ORDER R5 2023-####
SUTTER MUTUAL WATER COMPANY
BOHANNON DAM AUTOMATION PROJECT
SUTTER COUNTY**

A tentative Waste Discharge Requirements Order (Order) is proposed for the Sutter Mutual Water Company (Permittee), Bohannon Dam Automation Project (Project) in San Joaquin County. The 6.68-acre Project will improve flood control and enhance water sustainability in the Sacramento River Basin, increase flood control benefits downstream of the Bohannon Dam structure, and improve operation efficiency within Reclamation District (RD) 1500 and the Permittee's service areas. Project improvements will occur on the Bohannon Water Control Facility located on the Permittee's Main Canal which is an irrigation and stormwater facility shared with RD 1500. Currently the Bohannon Dam structure requires constant monitoring by staff and manual adjustments to the system to maintain operation water levels resulting in lost water and varying water level and flow rates. An average of 20,000 acre-feet of water is lost from the Main Canal each year.

A new Bohannon Dam structure would be fitted with six Rubicon SlipGates (or check structures). These check structures are 100% watertight when the SlipGates are in their closed position, allowing the check structure to pass zero flow downstream when there is no flow demand scheduled. Principal construction activities would be:

- Installing two cofferdams and water bypass system.
- Excavating and grading a embankment placed in the Main Canal.
- Constructing a new Bohannon Dam structure, including the construction/installation of:
 - concrete slab and footing;
 - land bridge, access walkway, and handrails;
 - Rubicon SlipGates; and
 - "boom" (or floating barrier) upstream and trash rack downstream.
- Placement of shotcrete surrounding new Bohannon Dam Structure.
- Placement of fencing surrounding the Proposed Project site.
- Removal of existing Bohannon Dam check structures, access walkway, and hardware.

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The Project will take place in two phases. Phase 1 includes the construction of the new Bohannon Dam and is expected to take approximately 4 months to complete. Phase 2 includes the removal of the existing dam structure and would occur approximately 2 to 4 years after completion of the new structure to ensure that it is working as intended.

The tentative Order provides details of the proposed Project activities, including compensatory mitigation measures planned to compensate for the permanent loss of waters of the state and requiring avoidance and minimization measures to reduce on-site impacts during construction activities. The tentative Order describes technical conditions required to be met throughout the implementation of construction activities that allow for activities to meet Basin Plan objectives.

A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Central Valley Water Board) meeting scheduled for:

DATE: 14/15 December 2023
TIME: 8:30 a.m.
PLACE: 11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670; and
Physical Meeting Location w/ Remote Meeting Option

This public meeting is currently scheduled to take place in-person and via video and teleconference, but the format may be changed in the future. Any person wishing to obtain information about changes to the date, time, location, or format of the meeting should visit the [Board's website](https://www.waterboards.ca.gov/centralvalley/board_info/meetings).
(https://www.waterboards.ca.gov/centralvalley/board_info/meetings).

The designated parties for this hearing are as follows:

SUTTER MUTUAL WATER COMPANY

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. 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 request in writing to the Board **no later than 5 p.m on 13 November 2023**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

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Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board via email to Jenna.Yang@Waterboards.ca.gov **no later than by 5:00 p.m. on 13 November 2023**. Written materials submitted after 5:00 p.m. on the above date 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 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 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 regarding the hearing item should contact Jenna Yang at (916) 464-4764, or by email at Jenna.Yang@Waterboards.ca.gov. Interested parties may download the tentative Order and related documents from the Central Valley Water Board's [Tentative Orders Page](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 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](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available 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.

The [Procedures Governing Central Valley Water Board Meetings](http://www.waterboards.ca.gov/laws_regulations/) (http://www.waterboards.ca.gov/laws_regulations/) 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.

[Information on Meeting and Hearing Procedures](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) is available on the Central Valley Water Board's website or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to the Central Valley Water Board Sacramento Office at (916) 464-3291.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an e-mail to agenda5@waterboards.ca.gov or call (916) 464-4620 at least 5 working days prior to

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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.

ADAM LAPUTZ,
Assistant Executive Officer