

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
364 Knollcrest Drive, Suite 205, Redding, CA 96002**

**NOTICE OF PUBLIC HEARING**

**Concerning**

**TENTATIVE RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
ORDER R5-2019-0027  
NPDES PERMIT NO. CA0084824  
FOR  
NORTH YUBA WATER DISTRICT  
FORBESTOWN WATER TREATMENT PLANT  
BUTTE COUNTY**

The North Yuba Water District (Discharger) was previously permitted to discharge mixed raw water and filter backwash water to an unnamed tributary to New York Flat Creek from the Forbestown Water Treatment Plant (Facility) in accordance with Waste Discharge Requirements (WDRs) Order R5-2019-0027, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 5 April 2019.

On 23 June 2023, the Discharger submitted a technical report that demonstrated the Facility can be maintained and operated to eliminate surface water discharges. Based on the results of the technical report, the Discharger is requesting the WDRs be rescinded. Therefore, the Central Valley Water Board is considering rescission of WDRs Order R5-2019-0027. Separately, the Discharger's ponds operations are being considered for enrollment in the Central Valley Water Board's Low Threat Waiver (R5-2018-0085) for low-threat discharges to land.

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

DATE: 18/19 April 2024  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
1685 E Street  
Fresno, CA 93706

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](https://www.waterboards.ca.gov/centralvalley/board_info/meetings)).

The designated parties for this hearing are as follows:

- Leona Harris, North Yuba Water District

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 request in writing to the Central Valley Water Board by 5:00 p.m. on **20 February 2024**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The notification for the planned Rescission of Waste Discharge Requirements was issued on **18 January 2024**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by 5:00 p.m. on **20 February 2024**. 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 Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water 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 meeting and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on the tentative Order should contact Stacy Gotham at (530) 224-4993 or by email at [Stacy.Gotham@waterboards.ca.gov](mailto:Stacy.Gotham@waterboards.ca.gov). Interested parties may download the [Tentative Order](#) and related documents from the Central Valley Water 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 office of the Central Valley Water Board at 364 Knollcrest Drive, Suite 205, Redding, California, 96002, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The [final meeting agenda](#) will be available, at least ten days before the meeting, at ([http://www.waterboards.ca.gov/board\\_info/agendas/](http://www.waterboards.ca.gov/board_info/agendas/)) The agenda will provide the location and format of the meeting, the anticipated date the hearing will be held for this item, and the anticipated order of all agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may also include staff revisions to the proposed order.

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 [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) or call (916) 464-3291.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an email to [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) or call (916) 464-4745 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.

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Bryan J. Smith, P.E.  
Supervising Water Resource Control Engineer