
Central Valley Regional Water Quality Control Board

NOTICE OF OPPORTUNITY TO COMMENT AND PUBLIC HEARING

Concerning Proposed Changes to the Waste Discharge Requirements General Orders for Growers within the Central Valley That are Members of a Third-Party Group:

Tulare Lake Basin Area R5-2013-0120-08
Western Tulare Lake Basin Area R5-2014-0001-07
Western San Joaquin River Watershed R5-2014-0002-09
San Joaquin County and Delta Area R5-2014-0029-05
Sacramento River Watershed Area R5-2014-0030-07
Grassland Drainage Area R5-2015-0095-04
Sacramento Valley Rice Growers R5-2014-0032-02
Eastern San Joaquin Watershed R5-2012-0116-09

NOTICE IS HEREBY GIVEN THAT the Central Valley Regional Water Quality Control Board (Central Valley Water Board) is proposing to amend Irrigated Lands Regulatory Program (ILRP) Waste Discharge Requirements General Orders for growers within the Central Valley that are members of a third-party group (ILRP General Orders). The proposed changes affect requirements for the third-party groups and members of the third-party groups.

The proposed revisions incorporate the recently adopted Central Valley-wide Salt and Nitrate Control Program into the ILRP General Orders.

Electronic copies of [documents showing the proposed changes](#) to the ILRP General Orders are available on the Central Valley Water Board's website.
(www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/tentative_wdrs/)

Copies of these documents can also be obtained by contacting or visiting one of the Central Valley Water Board's offices on weekdays between 8:00 a.m. and 5:00 p.m.:

- 11020 Sun Center Drive, #200, Rancho Cordova, California 95670
- 1685 E Street, Fresno, California 93706
- 364 Knollcrest Drive, Suite 205, Redding, California 96002

A public hearing concerning the proposed revisions to the ILRP General Orders will be held on 22 and 23 April 2021. This hearing is to receive oral comments and consider adoption of the proposed revisions to the ILRP General Orders. The Board will only consider adoption of the proposed changes and will not be re-considering other aspects of the ILRP General Orders. The hearing date and location are noted below:

Date: 22 to 23 April 2021
(Please contact staff two weeks prior to the meeting for the exact date.)

Time: 9:00 a.m.

Place: Zoom
(In accordance with executive orders suspending certain provisions of the Bagley-Keene Open Meeting Act in light of the COVID-19 Pandemic, this meeting will be conducted as an online meeting only)

The [final meeting agenda and information on participation](#) will be available online (www.waterboards.ca.gov/centralvalley/board_info/meetings/) at least 10 days before the meeting. The agenda will provide the hearing date for the amendments to the ILRP General Orders, indicate the anticipated order of agenda items, include all material related to this agenda item, and may include staff revisions.

The Board is inviting the public, stakeholders, and representatives of other agencies to submit written comments on the proposed revisions to the ILRP General Orders from **19 February 2021** through **23 March 2021**. Written comments on the proposed revisions are due no later than **5:00 pm on 23 March 2021**. Written materials submitted after 5:00 pm on 23 March 2021 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.

Persons submitting written comments are encouraged to do so electronically by sending them to sue.mcconnell@waterboards.ca.gov. Otherwise, written comments may be sent to the Central Valley Water Board's address to the attention of Sue McConnell. Materials received by **5:00 pm on 23 March 2021** will be included in the administrative

record; submitted comments will be considered, and a written response to the comments will be prepared by Board staff.

At the hearing, Board staff will present a final recommendation for the Central Valley Water Board's consideration. All persons will be provided the opportunity to present oral comments to the Central Valley Water Board at the hearing. Oral presentations will be limited to **3-minutes** at the discretion of the Board Chair. Groups are encouraged to designate a spokesperson and to contact Sue McConnell at sue.mcconnell@waterboards.ca.gov no later than 12 April 2021 if they anticipate requiring more than three minutes for oral comments. Persons making oral comments may be asked to respond to clarifying questions from Central Valley Water Board members, counsel, staff, or others, at the discretion of the Board Chair. The Chair may, at his discretion, allow presenters to supplement their oral testimony with slides or other digital media. If you plan to use visual aids such as PowerPoint slides, contact staff prior to the meeting to arrange for equipment set-up. You must provide a printed or electronic copy of any visual aids.

Ex Parte Communications.

Ex parte communications are allowed in this matter subject to the disclosure requirements of Water Code section 13287. **Ex parte communications are prohibited for a period beginning 14 days before the Board meeting at which the proposed order is scheduled for Board action.** For communications concerning any issue in this proceeding, ex parte communications are prohibited starting on 8 April 2021. If the Central Valley Water Board does not take action on 22 and 23 April 2021, the ex parte prohibition will remain in place until the Board, the Board Chair or the Executive Officer directs otherwise. Once lifted, the prohibition on ex parte communications may be reinstated for 14 days before the day of the Board meeting to which the decision is continued. The Board will provide notice via the listserve email list for this item if the prohibition is lifted and/or reinstated.

The [regulations governing adjudicatory hearings before the Central Valley Water Board](http://www.waterboards.ca.gov/laws_regulations/) (www.waterboards.ca.gov/laws_regulations/) may be found at California Code of Regulations, title 23, section 648 et seq., and are available online. Copies of these regulations will be provided upon request. Except as provided in Section 648(b), Chapter 5 of the California Administrative Procedures Act (Gov. Code, section 11500 et seq.) does not apply to this hearing. For questions regarding the hearing procedure, please send an e-mail to agenda5@waterboards.ca.gov or call (916) 464-3291.

Any questions regarding the proposed action should be directed to Sue McConnell at (916) 464-4798 or sue.mcconnell@waterboards.ca.gov.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations or interpreter services are requested to e-mail agenda5@waterboards.ca.gov or call (916) 464-3291 at least 10 business 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.

18 February 2021

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by

ADAM LAPUTZ, Assistant Executive Officer
18 February 2021