

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

NOTICE OF PUBLIC HEARING
concerning
TENTATIVE ORDER
WASTE DISCHARGE REQUIREMENTS
FOR
OLD DURHAM WOOD COMPANY
OLD DURHAM WOOD EXPANSION AND
FARM ROAD IMPROVEMENT PROJECT
BUTTE COUNTY

A tentative Waste Discharge Requirements Order (Order) is proposed for the Old Durham Wood Company (Permittee), Old Durham Wood Expansion and Farm Road Improvement Project (Project) in Butte County. The Project consists of the development of the remaining 8.3-acre area of the 63.9-acre expansion area adjacent and to the north of the existing Old Durham Wood facility, as well as completed and proposed farm road improvements in the area south of the existing facility located on the eastern side of Oroville-Chico Highway, approximately 0.5 miles south of Neal Road in Durham, California. Development of the 8.3-acre expansion area requires the fill of 0.117 acre of ephemeral stream, 0.08 acre of vernal pool, and 0.058 of vernal swale to allow additional processing capacity and activities; farm road improvements require the fill of 0.339 acre of vernal pool and 0.001 acre of seasonal swale to allow access to the stormwater outfall and filtration area for the facility. All impacted waters have been deemed by U.S. Army Corps of Engineers to be outside of federal jurisdiction.

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.

Public Hearing Date and Location

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:

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DATE: 12/13 August 2021
TIME: 9:00 a.m.
PLACE: Online Meeting

The [final meeting agenda](#) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least **10 days** before the meeting. The agenda will provide the anticipated date the hearing will be held for this item and 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 tentative Order.

The [laws and regulations governing](#) this adjudicatory proceeding may be found under California Code of Regulations, title 23, section 648 et seq. and are available upon request.

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. Please visit our website for information on [How to participate in online meetings](#) at: (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/).

Prehearing Submission of Written Comments and Evidence

The **Permittee** is a party to this proceeding and may present evidence, including oral testimony. As a party, the Permittee must submit written evidence or comments, if any, for the Board to consider no later than **5:00 p.m. on 23 July 2021** via email to Lynn.Coster@waterboards.ca.gov.

Interested persons include any non-party that is interested in the outcome of the hearing. Interested persons wishing to comment in writing on the tentative Order shall submit comments no later than **5:00 p.m. on 23 July 2021** via email to Lynn.Coster@waterboards.ca.gov.

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written evidence or comments that are not submitted in accordance with this Notice and shall refuse to do so when there is a showing of prejudice to the Permittee or the Board. Excluded material will not be considered by the Board.

Requesting Party Status

Persons who wish to participate in the hearing as a party must submit a request in writing no later than **5:00 p.m. on 9 July 2021** to the Central Valley Water Board via email to Lynn.Coster@waterboards.ca.gov. The request must include facts demonstrating how the person will be substantially affected by the proceeding.

The Board Chair will not designate a person as a party if the Board Chair determines the designation will impair the interests of justice and the orderly and prompt conduct of the proceeding. The Board Chair, when granting a request for party status, may impose restrictions on the requestor's hearing participation, including limiting or excluding the use of cross-examination and other procedures to promote the orderly and prompt conduct of the proceeding.

Visual Presentations

Hearing participants may use PowerPoint or other visual presentations at the hearing, but the presentation content shall not exceed the scope of previously submitted written material. Presentations, if any, must be provided to the Central Valley Water Board by **12:00 p.m. on 29 July 2021**. Please contact Lynn Coster at Lynn.Coster@waterboards.ca.gov.

Hearing Procedure and Time Limits

The hearing on the tentative Order will be conducted in the general order listed under California Code of Regulations, title 23, section 648.5, except that the Board Chair may modify the order for good cause.

The Permittee and any other designated Party will be advised in advance of the hearing of the total amount of time allocated for their presentation, including any witness examination, and closing statement. The Permittee and any other designated Party are invited to contact staff in advance of the hearing to discuss how much time they believe is necessary.

Interested persons may speak at the hearing and are expected to orally summarize their written submittals, if any. Each interested person will have three minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

Hearing Accommodations

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 calling (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.

Availability of Documents

A copy of the tentative Order and related documents are available on the Central Valley Water Board's website [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) (http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

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A copy of the tentative Order and related documents are also available upon request by contacting Lynn Coster by email at Lynn.Coster@waterboards.ca.gov or by phone at (530) 224-2437.

Original Signed by Bryan Smith _____

Bryan J. Smith, P.E.

Supervising Water Resource Control Engineer