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Central Valley Regional Water Quality Control Board

**NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND
PUBLIC HEARING**

**CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD'S
DRAFT FEDERAL NONPOINT SOURCE PERMIT**

Notice is hereby given that the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will hold a 45-day public comment period from 9 May 2024 to 23 June 2024 to seek input on the draft *Waste Discharge Requirements for Nonpoint Source Discharges Related to Certain Activities Conducted by the United States Forest Service and the Bureau of Land Management*, Draft Order No. R5-2024-XXXX (Draft Federal Nonpoint Source Permit) and its supporting draft Environmental Impact Report pursuant to the California Environmental Quality Act (Draft EIR). The Draft Federal Nonpoint Source Permit would regulate waste discharges from certain land management activities on federal lands in the Central Valley region to protect water quality.

Notice is hereby additionally given that the Central Valley Water Board will conduct a public hearing on 22/23 August 2024 to consider certification of the EIR and adoption of the Federal Nonpoint Source Permit.

This Notice of Opportunity for Public Comment and Public Hearing includes a brief background on the Draft Federal Nonpoint Source Permit (Section I); instructions on how to review and comment on the Draft Federal Nonpoint Source Permit and Draft EIR (Sections II and III); and information on how to participate at the public hearing (Section IV).

- The [Draft Federal Nonpoint Source Permit and Draft EIR](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders) can be found on the Central Valley Water Board's webpage at: (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders)
- Written comments must be submitted by **5:00 pm on 23 June 2024**. Submit comments to: RB5R-Fed.NPS.permit@Waterboards.ca.gov. For other submittal options, see Section III below.

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

- A public hearing is tentatively scheduled for

Date: 22/23 August 2024

Time: 8:30 a.m.

Location: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
Physical Meeting Location with Remote Meeting Option

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.

I. BACKGROUND

The Draft Federal Nonpoint Source Permit proposes to regulate certain land management activities conducted by, or on behalf of, the United States Forest Service (USFS) and the Bureau of Land Management (BLM) within the Central Valley region. Central Valley Water Board staff experience has shown that USFS and BLM projects are not always conducted in a manner protective of water quality. In addition, increased extent and severity of wildfire across the state has prompted the USFS and BLM to commit to increasing the pace and scale of forestland management activities. These considerations, in part, require the development of this Draft Federal Nonpoint Source Permit and a supporting environmental analysis (i.e., the Draft EIR).

The Draft Federal Nonpoint Source Permit proposes to cover nonpoint discharges of waste to surface waters from vegetation management, transportation management, recreation facilities management, post-emergency recovery activities, and restoration activities. Activities not covered under the Draft Federal Nonpoint Source Permit include mining, discharges of hazardous or human waste, activities conducted by third parties not on behalf of the USFS or BLM, or grazing activities.

The Draft Federal Nonpoint Source Permit relies on permit criteria and conditions, implementation and assessment of best management practices designed to mitigate discharges of waste to surface waters, and adherence to the standards and guidelines contained in federal agency guidance documents to ensure compliance with water quality standards. The Draft Federal Nonpoint Source Permit requires the agencies inventory and treat controllable sediment sources across USFS and BLM managed lands within the Central Valley region, comply with pesticide application requirements, and monitoring and reporting conditions. The Draft Federal Nonpoint Source Permit also requires each federal agency to identify HUC 12 watersheds for landscape scale assessment and treatment of controllable sediment sources every 10 years.

Please refer to the Draft Federal Nonpoint Source Permit (including attachments), and Draft EIR (including attachments) for further information about the proposed project.

These documents may be viewed at the following webpage:

(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

II. PUBLIC REVIEW AND COMMENT PERIOD

Notice is hereby given that the Central Valley Water Board will receive written public comments on the Draft Federal Nonpoint Source Permit and Draft EIR during a 45-day period from **9 May 2024 – 23 June 2024**.

Please send comments so that they are received by **5:00 p.m. on 23 June 2024** as follows depending on method:

1. **Email** up to 50 megabytes to: RB5R-Fed.NPS.permit@Waterboards.ca.gov with the subject heading “Draft Federal Order” and/or “Federal Permit EIR Comments”
2. **Fax** to: 530-224-4857 with “Draft Federal Order Comments” and/or “Federal Permit EIR Comments” on the transmittal page.
3. **Mail or Hand Deliver** to:
Central Valley Regional Water Quality Control Board
Attention: Draft Federal Nonpoint Source Permit
364 Knollcrest Drive, Suite 205
Redding, CA 96002

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written comments that are not submitted in accordance with this Notice. Excluded material will not be considered by the Board.

III. AVAILABILITY OF DOCUMENTS AND INFORMATION

The Draft Federal Nonpoint Source Permit and Draft EIR may be reviewed at the Central Valley Water Board offices during normal business hours¹ or at the following webpages:

Central Valley Regional Water Quality Control Board Tentative Orders:
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Federal Nonpoint Source Permit Homepage:
(https://www.waterboards.ca.gov/centralvalley/water_issues/forest_activities/federal_lands/)

¹ The Draft Federal Nonpoint Source Permit and EIR may be reviewed at the Redding, Rancho Cordova, or Fresno office during normal business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

IV. PUBLIC HEARING

At the 22/23 August hearing, the Central Valley Water Board will hear testimony and oral comments regarding the Draft Federal Nonpoint Source Permit and Draft EIR. The procedures governing Central Valley Water Board adjudicatory hearings (http://www.waterboards.ca.gov/laws_regulations/) may be found at California Code of Regulations, title 23, section 648 et seq. and are available upon request.

The hearing on the Draft Federal Nonpoint Source Permit and Draft EIR 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 **USFS and BLM** will be advised in advance of the hearing of the total amount of time allocated for their presentation. USFS and BLM 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 3 minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

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 916-464-4839 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.

V. POTENTIAL FUTURE CHANGES TO THE NOTICED ITEMS

Any changes regarding the noticed items, including changes to the hearing date, will be posted on the Central Valley Water Board's webpage and noticed through the email distribution list. To receive future notices sign up for the email distribution list by accessing the Email List Subscription Form webpage and subscribing to the "Federal NPS Activities - Central Valley Regional Board" email list. (https://public.govdelivery.com/accounts/CAWRCB/subscriber/new?qsp=central_valley).

VI. CENTRAL VALLEY WATER BOARD CONTACT INFORMATION

Please direct questions about this public notice or the Draft Order and/or Draft EIR to: RB5R-Fed.NPS.permit@Waterboards.ca.gov.