

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, CA 93706

NOTICE OF PUBLIC HEARING
concerning
TENTATIVE ORDER
WASTE DISCHARGE REQUIREMENTS
FOR
CALTRANS
PANOCHÉ HILLS CAPM 06-0X270 PROJECT
FRESNO COUNTY

A tentative Waste Discharge Requirements Order (Order) is proposed for the Caltrans (Permittee), Panoche Hills CAPM 06-0X270 Project (Project) along Interstate 5 southwest of the City of Mendota in Fresno County. The Project consists of rehabilitating the pavement on the mainline, shoulders, and on the off-ramps and on-ramps as well as upgrade the existing drainage systems, dikes, and guardrail systems. The proposed work will extend the operational life of the existing culverts, repair damaged culverts structures, and improve hydraulics of the drainage system on Interstate 5. 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:

DATE: 14-15 October 2021
TIME: 9:00 a.m.
PLACE: Redding City Hall, 777 Cypress Avenue, Redding, CA 96001 and
Remote Meeting via Video Teleconference

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). The final meeting agenda will be available on the Board's website at least 10 days before the meeting. 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 [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 7 September 2021** via email to Brandon.Salazar@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 7 September 2021** via email to Brandon.Salazar@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 7 September 2021** to the Central Valley Water Board via email to Brandon.Salazar@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 1 October 2021**. Please contact Brandon Salazar at Brandon.Salazar@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 Brandon Salazar by email at Brandon.Salazar@waterboards.ca.gov or by phone at (559) 445-6278.

Original Signed by:
Scott J. Hatton
Supervising Engineer

8/19/2021
Date