

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

**ORDER R5-2023-00XX**

**AMENDING  
TIME SCHEDULE ORDER R5-2017-0087-01  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
CA0085332  
DEPARTMENT OF PARKS AND RECREATION  
MALAKOFF DIGGINS STATE HISTORIC PARK  
NEVADA COUNTY**

**FINDINGS**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) finds that:

1. Department of Parks and Recreation (Discharger), owns and operates the Malakoff Diggins State Historic Park (Park). The Park includes the remnants of a former hydraulic mine, including a large pit, the pit walls, spoils piles, a pond, and a short tunnel that discharges stormwater containing historical mining waste to Humbug Creek via Diggins Creek. Humbug Creek is a tributary of the South Yuba River; both are waters of the United States.
2. On 11 August 2017 the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2017-0086, NPDES Permit CA0085332 (Permit), prescribing WDRs for the Park. On the same date, the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2017-0087 with a compliance date of 30 September 2022 for copper, mercury, and nickel final effluent limitations included in WDR Order R5-2017-0086.
3. On 14 October 2022, virtually and in Redding, California, the Central Valley Water Board adopted Order R5-2022-0063, which amended TSO R5-2017-0087 to extend the compliance date for copper, mercury, and nickel to 13 October 2027.
4. Virtually on 23 February 2023, the Central Valley Water Board adopted Order R5-2023-00XX, renewing the NPDES Permit for the Park with an Order effective date of 1 April 2023. Order R5-2023-00XX also rescinds WDR Order R5-2017-0086 effective 1 April 2023.
5. Order R5-2023-00XX includes, in part, updated final effluent limitations for copper, mercury and nickel, new final effluent limitations for zinc, and requires compliance with final effluent limitations for these parameters by 1 April 2023. Order R5-2023-00XX also includes a compliance schedule and interim limitations for aluminum, chronic toxicity, iron, manganese, and pH. Compliance with the final effluent limitations for aluminum, chronic toxicity, iron, manganese and pH is required by 13 October 2027. New treatment and/or control measures are necessary in order to comply with the final effluent limitations for copper, mercury, nickel, and zinc. New treatment and/or control measures cannot be designed, installed, and put into operation within one year. For compliance with the final effluent limitations for copper, mercury, and nickel, prescribed in Order R5-2017-0086, the Discharger requested time to develop and implement best management practices, collect additional monitoring data, and

evaluate alternative treatment and/or control options. The Discharger is proposing these same treatment/control measures to comply with the new final zinc effluent limitations and final copper, mercury, and nickel effluent limitations carried forward in Order R5-2023-00XX from Order R5-2017-0086. The compliance date for meeting the new final zinc effluent limitations is less than five years in length.

5. The compliance schedule in TSO R5-2017-0087 required the submittal the following:
  - a. An Engineering Work Plan,
  - b. A Watershed Assessment,
  - c. An Engineering Evaluation Report,
  - d. A Best Management Practices (BMP) Options Assessment/Engineering Evaluation,
  - e. A BMP Plan for Executive Officer approval,
  - f. Confirmation of financial resource commitment for selected BMPs,
  - g. A technical report documenting implementation of BMPs,
  - h. A technical report assessing mitigation and/or control alternative and a time schedule for implementation of the selected alternatives to achieve compliance with final effluent limitations at EFF-001 by 30 September 2022, and
  - i. Compliance with the final effluent limitations in Order R5-2017-0086 for copper, mercury, and nickel.
6. The Discharger has submitted items “a” through “f” from Finding 5 above.
7. This Order revises the interim effluent limitation for mercury based on the new annual average effluent limitation in Order R5-2023-00XX using the current and more robust dataset collected after adoption of TSO R5-2017-0087 in August 2017.
8. Order R5-2022-0063 amended the compliance schedule in TSO R5-2017-0087 to extend the date for compliance with the final effluent limitations for copper, mercury, and nickel to 13 October 2027 because the Discharger cannot consistently comply with final copper, mercury, and nickel final effluent limitations. To address the issue, the following BMPs are proposed for deployment at the Park:
  - Brush barriers and a grade control structure to capture and retain gravel and sand in the eastern portion of the Pit,
  - An Interceptor and diversion swale in the south-central portion of the Pit to redirect flows from the eastern portion of the Pit away from the Hiller Tunnel and to the northwest into the Pit lake to allow for additional fine sediment settling, and
  - Enhancement of the Pit lake to increase its sediment settling capacity with construction of a soldier pile wall to manage water discharge to the Hiller Tunnel.
  - If needed, deployment of anionic polyacrylamide flocculant in a solid form in certain channels within the Pit may also be considered.

- If needed, deployment of synthetic vinyl copolymer soil stabilizer upgradient of the grade control structure and on alluvial fan deposits within the Pit may also be considered to reduce erosion in these areas.
9. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) pursuant to Water Code section 13389, since the adoption or modification of an NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside (1977) 73 Cal.App.3d 546, 555-556.).
10. Virtually on 23 February 2023, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider amending TSO R5-2017-0087-01.

### **BOARD ACTION**

#### **IT IS HEREBY ORDERED THAT:**

Effective immediately, Time Schedule Order R5-2017-0087-01 (TSO) is amended solely as shown in items 1 through 7, below.

1. The Findings and Hereby Items throughout the TSO have been renumbered as new Findings and Hereby Items have been added or deleted.
2. Remove the word “hereafter” from any phrase in parentheses throughout the TSO
3. Update the Order number in the Header from *R5-2017-0087-01* to *R5-2017-0087-02*
4. **Page 1:** Update the Heading to the following:

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
TIME SCHEDULE ORDER R5-2017-0087-02  
REQUIRING  
STATE OF CALIFORNIA  
DEPARTMENT OF PARKS AND RECREATION  
MALAKOFF DIGGINS STATE HISTORIC PARK  
NEVADA COUNTY**

**TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER R5-2023-00XX  
(NPDES PERMIT CA0085332)**

5. **Pages 1 through 6.** Modify Findings 1 through 29 as shown below:
1. On 11 August 2017 the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2017-0086, NPDES Permit CA0085332 (Permit), prescribing WDRs for the State of California, Department of Parks and Recreation (Discharger) at Malakoff Diggins State Historic Park (Park), Nevada County. On the same date the Central Valley Water Board adopted Time Schedule Order (TSO) R5-2017-0087 with a compliance date of

- 30 September 2022 for copper, mercury, and nickel final effluent limitations included in WDR Order R5-2017-0086.
2. On 14 October 2022, virtually and in Redding, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board adopted Order R5-2022-0063, which amended TSO R5-2017-0087 to extend the compliance date for copper, mercury, and nickel to 13 October 2027.
  3. Virtually on 23 February 2023, and after due notice to the Discharger and all other affected persons, the Central Valley Water Board adopted Order R5-2023-00XX, renewing the NPDES Permit for the Park with an Order effective date of 1 April 2023. Order R5-2023-00XX also rescinds WDR Order R5-2017-0086 effective 1 April 2023.
  4. Order R5-2023-00XX sections IV.A.1.a and c include, in part, the following final effluent limitations for copper, nickel, mercury, and zinc, applicable to discharges from the Park at Discharge Point 001 with compliance measured at Monitoring Location EFF-001:
    - a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

**Table 4. Effluent Limitations**

<b>Parameters</b>	<b>Units</b>	<b>Average Monthly</b>	<b>Maximum Daily</b>
Copper, Total	Micrograms per liter ( $\mu\text{g/L}$ )	1.3	3.9
Nickel, Total	$\mu\text{g/L}$	14	26
Zinc, Total	$\mu\text{g/L}$	18	38

- c. **Total Mercury.** For a calendar year, the calendar average annual total mercury concentration shall not exceed  $0.012 \mu\text{g/L}$ .

**Need for Time Schedule Extension and Legal Basis**

5. To date, there are no treatment and/or control systems in place at the Park. Order R5-2017-0086 required compliance with final effluent limitations for copper, mercury and nickel by 1 October 2027. Order R5-2023-00XX requires compliance with final effluent limitations for copper, mercury, nickel, and zinc by 1 April 2023. Order R5-2023-00XX also includes a compliance schedule and interim limitations for aluminum, iron, manganese, and pH. Compliance with the final effluent limitations for aluminum, iron, manganese and pH is required by 13 October 2027. New treatment and/or control measures are necessary in order to comply with the final effluent limitations for copper, mercury, nickel, and zinc. New treatment and/or control measures cannot be designed, installed, and put into operation within one year. For compliance with the final effluent limitations for copper, mercury, and nickel, prescribed in Order R5-2017-0086, the Discharger requested time to develop and

- implement best management practices, collect additional monitoring data, and evaluate alternative treatment and/or control options. The Discharger is proposing these same treatment/control measures to comply with the new final zinc effluent limitations and final copper, mercury, and nickel limitations carried forward in Order R5-2023-00XX from Order R5-2017-0086.
6. The compliance schedule in TSO R5-2017-0087 required the submittal the following:
    - a. An Engineering Work Plan,
    - b. A Watershed Assessment,
    - c. An Engineering Evaluation Report,
    - d. A Best Management Practices (BMP) Options Assessment/Engineering Evaluation (BMP Plan),
    - e. A BMP Plan for Executive Officer approval,
    - f. Confirmation of financial resource commitment for selected BMPs,
    - g. A technical report documenting implementation of BMPs,
    - h. A technical report assessing mitigation and/or control alternative and a time schedule for implementation of the selected alternatives to achieve compliance with final effluent limitations at EFF-001 by 30 September 2022, and
    - i. Compliance with the final effluent limitations in Order R5-2017-0086 for copper, mercury, and nickel.
  7. On 30 March 2018 the Discharger submitted an Engineering Work Plan (Work Plan) which included a plan to define spoils piles within the hydraulic mine pit (Pit), conduct a slope stability analysis of pit walls, compile GPS coordinates for RSW-001 and RSW-002, and conduct an assessment on the Pit.
  8. On 1 October 2018 the Discharger submitted a watershed assessment that identified other sources that may flow into Diggins Creek (between Hiller Tunnel and Humbug Creek) and researched additional sources of mercury, hardness-dependent metals, aluminum, iron and manganese in Humbug Creek upstream and downstream of the confluence with Diggins Creek to the boundary of the Park.
  9. On 1 October 2019 the Discharger submitted an Engineering Evaluation Report addressing the items in the Work Plan. The Engineering Evaluation Report provided recommendations to assess BMP alternatives for mitigating sediment discharge from the Park to be addressed with the BMP Options Assessment/Engineering Evaluation.
  10. On 1 April 2020 the Discharger submitted a BMP Options Assessment/Engineering Evaluation containing an assessment and recommendations of the BMP options to prevent or minimize constituent concentrations in surface water discharges from the Pit. The BMP Options Assessment/Engineering

- Evaluation provided a Conceptual BMP Plan that discussed the following in further detail:
- a. Coarse sediment management in the eastern portion of the Pit using grade control structure and brush barriers to capture and retain gravel and sand.
  - b. Interceptor and diversion swale development in the south-central portion of the Pit to redirect flows from the eastern portion of the Pit away from the Hiller Tunnel and to the northwest into the Pit lake to allow for additional fine sediment settling.
  - c. Enhancement of the Pit lake to increase its sediment settling capacity with construction of a soldier pile wall to manage water discharge to the Hiller Tunnel.
  - d. Deployment of anionic polyacrylamide flocculant in a solid form in certain channels within the Pit may also be considered to improve settling of fine particles.
  - e. Deployment of synthetic vinyl copolymer soil stabilizer upgradient of the grade control structure and on alluvial fan deposits within the Pit may also be considered to reduce erosion in these areas.
11. On 1 September 2021 the Discharger submitted, for Executive Officer approval, a BMP plan comprised of construction plans and construction specifications per the Conceptual BMP Plan. The BMP Plan was approved by the Executive Officer on 20 September 2022.
  12. On 15 November 2021 the Discharger submitted a letter confirming a commitment to provide the financial resources necessary to complete the BMP installation as described in BMP Plan.
  13. On 13 July 2022 the Discharger, the Discharger's consultants, and Central Valley Water Board permitting staff and enforcement staff met to discuss the status of the implementation/construction of the BMPs and changes to the compliance schedules in the Permit and TSO.
  14. On 20 July 2022 for compliance with the final effluent limitations for copper, mercury, and nickel, the Discharger requested additional time to have a similar compliance schedule in this Order to the compliance schedule in Order R5-2017-0086 for manganese and pH to develop and implement best management practices, collect additional monitoring data, and evaluate, construct and monitor treatment and/or controls since they will be designed to treat copper, mercury, nickel, manganese, and pH as a whole.
  15. The Discharger provided a proposed schedule with updated dates for the remaining items in the compliance schedules in the Permit and TSO. Central Valley permitting staff determined the dates proposed by the Discharger would not cause the TSO to exceed ten (10) years in length from the date the final effluent limitations became effective.

### **Mandatory Minimum Penalties**

16. California Water Code sections 13385(h) and (i) require the Central Valley Water Board to impose mandatory minimum penalties (MMPs) upon dischargers that violate certain effluent limitations. California Water Code section 13385(j)(3) exempts the discharge from mandatory minimum penalties “where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300 or 13308, if all the [specified] requirements are met...for the purposes of this subdivision, the time schedule may not exceed five years in length...”.
17. Per the requirements of California Water Code section 13385(j)(3), the Central Valley Water Board finds that:
  - a. This Order specifies the actions that the Discharger is required to take in order to correct the violations that would otherwise be subject to California Water Code sections 13385(h) and (i).
  - b. To comply with the final effluent limitations for copper, mercury, nickel, and zinc the Discharger requested additional time to implement the selected alternatives, as described above.
  - c. The final effluent limitations for copper, mercury, and nickel, are new, more stringent, or modified regulatory requirements that became applicable to the waste discharge on the effective date of Order R5-2017-0086 and after 1 July 2000. The final effluent limitations for zinc are new, more stringent, or modified regulatory requirements that became applicable to the waste discharge on the effective date of Order R5-2023-00XX and after 1 July 2000. New or modified control measures are necessary in order to comply with the final effluent limitations for copper, mercury, nickel, and zinc. The new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.
  - d. This Order establishes a time schedule to bring the waste discharge into compliance with the effluent limitations that is as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the treatment and/or control measures that are necessary to comply with the effluent limitations.
18. Time Schedule Orders generally may only provide protection from MMPs for up to five years. However, Water Code section 13385, subdivision (j)(3)(C)(ii)(II), authorizes the Board to grant an additional five years if the Board finds, following a public hearing, that a discharger is making diligent progress toward bringing the waste discharge into compliance and that the additional time is necessary to comply with the effluent limitations. Based on the evidence in the record, the Board found in Order R5-2022-0063

- (Amending Time Schedule Order R5-2017-0087) that the Discharger was making diligent progress toward bringing the waste discharge into compliance and that an additional five years was necessary to comply with the effluent limitations for copper, mercury and nickel.
19. From 1 October 2022 until 13 October 2022, the Discharger did not have protection from MMPs for copper, mercury, or nickel due to a lapse in coverage between TSO R5-2017-0087 and TSO R5-2017-0087-01, but did not discharge to surface water during that time.
  20. Compliance with this Order provides protection for the Discharger from MMPs for copper, mercury, nickel, and zinc. Order R5-2023-00XX imposes final effluent limitations for copper, mercury, nickel, and zinc in effect as of 1 April 2023. This Order provides the Discharger with MMP protection for copper, mercury, nickel, and zinc violations until 13 October 2027. This Order is as short as possible and does not exceed ten (10) years in length from the date the final effluent limitations became effective for copper, mercury and nickel or five (5) years for zinc.
  21. This Order provides a time schedule for completing the actions necessary to ensure compliance with the final effluent limitations for copper, mercury, nickel, and zinc contained in Order R5-2023-00XX. Since the time schedule for completion of actions necessary to bring the waste discharge into compliance exceeds one year, this Order includes interim effluent limitations and interim requirements and dates for their achievement.
  22. This Order includes discharge-concentration-based interim effluent limitations for copper, mercury, nickel, and zinc.

To calculate an average monthly effluent limitation (AMEL) multiplier as per EPA's *Technical Support Document for Water Quality-based Toxics Control* (TSD), a relationship between the percentile represented by the highest effluent concentration and the upper bound (99%) of the lognormal effluent distribution was determined. EPA's effluent data base suggests that the lognormal distribution well characterizes effluent concentrations. Therefore, interim AMELs for copper, nickel, and zinc were calculated by multiplying an AMEL multiplier, calculated per the TSD, to the maximum effluent concentration. Interim maximum daily effluent limitations (MDELs) for copper, nickel, and zinc were calculated based on the AMELs and the MDEL/AMEL multiplier from Table 2 of the SIP.

The interim annual average effluent limitations (AAEL) for mercury were calculated using the mean plus 3.3 standard deviations of the mercury annual averages concentrations from January 2018 through December 2021.

In calculating interim effluent limitations for copper, nickel, and zinc effluent data for the period between November 2017 and April 2022 were used. The following table summarizes the information used to calculate the interim effluent limitations for copper, mercury, nickel, and zinc:

**Interim Effluent Limitations**

Parameter	Units	MEC	AMEL Multiplier	MDEL Multiplier	Interim AMEL	Interim MDEL	Interim AAEL
Copper, Total	µg/L	95	2.56	7.6	340	1,000	--
Mercury, Total	µg/L	--	--	--	--	--	0.15
Nickel, Total	µg/L	200	1.47	2.76	330	620	--
Zinc, Total	µg/L	120	1.68	3.69	260	580	--

23. The Central Valley Water Board finds that the Discharger can maintain compliance with the interim effluent limitations included in this Order. Interim effluent limitations are established when compliance with the final effluent limitations cannot be achieved by the existing facility, or lack thereof. Discharge of constituents in concentrations in excess of the final effluent limitations, but in compliance with the interim effluent limitations, can significantly degrade water quality and adversely affect the beneficial uses of the receiving stream on a long-term basis. The interim effluent limitations, however, establish an enforceable ceiling concentration until compliance with the final effluent limitations can be achieved.
24. If an interim effluent limitation contained in this Order is exceeded, then the Discharger is subject to MMPs for that particular exceedance as it will no longer meet the exemption in California Water Code 13385(j)(3). It is the intent of the Board that a violation of an interim monthly effluent limitation subjects the Discharger to only one MMP for that monthly averaging period. In addition, a violation of an interim daily maximum effluent limitation subjects the Discharger to one MMP for the day in which the sample was collected.

**Other Regulatory Requirements**

25. California Water Code section 13300 states: *“Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.”*
26. California Water Code section 13267 states in part: *In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty*

*of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.*

27. The Discharger owns and operates the Park which is subject to this Order. The technical and monitoring reports required by this Order are necessary to determine compliance with the WDRs and with this Order.
28. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (Pacific Water Conditioning Ass’n, Inc. v. City Council of City of Riverside (1977) 73 Cal.App.3d 546, 555-556.).
29. Virtually on 23 February 2023, and after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider amending TSO R5-2017-0087-01 under Water Code Section 13300 to establish a time schedule to achieve compliance with waste discharge requirements.

**6. Pages 6 and 7.** Modify Hereby Items 1 through 5 as shown below:

1. Pursuant to California Water Code Sections 13300 and 13267, the Discharger shall comply with the following time schedule beginning 1 April 2023 to submit reports and ensure completion of the compliance project described above:

Task	Compliance Date
Submit a technical report documenting implementation of BMPs.	15 December 2023
Submit a technical report assessing mitigation and/or control alternatives and a time schedule for implementation of the selected alternatives to achieve compliance with final effluent limitations at EFF-001 by 13 October 2027.	30 June 2025
Comply with the Final Effluent Limitations for copper, mercury, nickel, and zinc.	13 October 2027

Task	Compliance Date
Submit Annual Progress Reports documenting the steps taken to comply with this Order, describing the completion of tasks, progress of construction, evaluation of the effectiveness of the implemented measures, and an assessment of whether additional measures are necessary to meet the final compliance date.	1 July annually, beginning 1 July 2023

- Order R5-2023-00XX contains a schedule for compliance with the final effluent limitations for aluminum, chronic toxicity, iron, manganese, and pH.
- Discharge from Discharge Point 001 shall not exceed the following interim effluent limitations. These interim effluent limitations for copper, mercury, nickel, and zinc are effective **1 April 2023**. The Discharger shall comply with the following interim effluent limitations through 13 October 2027.

Parameter	Units	MEC	AMEL Multiplier	MDEL Multiplier	Interim AMEL	Interim MDEL	Interim AAEL
Copper, Total	µg/L	95	2.56	7.6	340	1,000	--
Mercury, Total	µg/L	--	--	--	--	--	0.15
Nickel, Total	µg/L	200	1.47	2.76	330	620	--
Zinc, Total	µg/L	120	1.68	3.69	260	580	--

- Any person signing a document submitted under this TSO shall make the following certification:

*“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”*

- In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain work plans for, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain the professional's signature and/or stamp of the seal.

- Pages 7 and 8.** Modify last 2 paragraphs of the TSO as shown below:

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the [laws and regulations applicable to filing petitions](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)) may be found on the internet or will be provided upon request.

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 11 August 2017 and amended by Orders R5-2022-0063 on 14 October 2022 and R5-2023-00XX on 23 February 2023.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Links to the [laws and regulations applicable to filing petitions](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)) may be found on the Internet or will be provided upon request.

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 23 February 2023.

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PATRICK PULUPA, Executive Officer