

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

NOTICE OF PUBLIC HEARING
concerning
R5-2023-XXXX

TENTATIVE RESCISSION OF
AMENDED 13301 ORDER (CEASE AND DESIST ORDER) R5-2020-0029
FOR
JOE SILVA, TONY SILVA, AND JAMES SILVA
SILVA BROTHERS DAIRY #1
SAN JOAQUIN COUNTY

Enclosed is a tentative Resolution to Rescind Cease and Desist Order (CDO) R5-2020-0029 proposed to be adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board). The CDO was issued to Joe Silva, Tony Silva, and James Silva (collectively, Discharger) at the Silva Brothers Dairy #1 (hereafter Dairy) on 4 June 2020. Central Valley Water Board staff have determined that the requirements of the CDO have been satisfied and therefore rescission of the CDO is appropriate.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting as follows:

DATE: 27 April 2023

TIME: 9:00 a.m.

PLACE: Remote meeting via video and teleconference

Any written comments or evidence you may have concerning the tentative rescission must be submitted to this office by **5:00 p.m. on 20 February 2023**. Absent a showing of good cause and lack of prejudice to other parties, the Board Chair may exclude comments and evidence received after this deadline. (Cal. Code of Regs., tit. 23, § 648.4.)

AS A RESULT OF THE COVID-19 EMERGENCY, AND AS AUTHORIZED BY GOVERNMENT CODE SECTION 11133 AND EXECUTIVE ORDER N-1-22, THIS PUBLIC MEETING IS CURRENTLY SCHEDULED TO OCCUR SOLELY VIA VIDEO AND TELECONFERENCE. ANY PERSON DESIRING TO RECEIVE FUTURE NOTICES ABOUT CHANGES TO THE DATE, TIME, LOCATION, OR FORMAT OF THE PUBLIC HEARING SHOULD SIGN UP FOR THE [LYRIS E-MAIL](https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html) LIST AT (https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html)

Additional information on participating in the public hearing can be found on the [Regional Board Meeting Calendar webpage](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/).

Also, please visit our website for information on [how to participate in online meetings](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howtoattend) (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/2006/#howtoattend).

The designated parties for this hearing are as follows:

- Joe Silva, Tony Silva, and James Silva

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5:00 p.m.** on **20 February 2023**. The request must explain the basis for status as a designated party, and, how the person is directly affected by the discharge.

All designated parties and interested persons may speak at the Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

[The final meeting agenda](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

(http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) will be available at least 10 days before the meeting. The agenda will provide the specific date the Board Meeting will be held for this item, indicate the anticipated order of all agenda items, and may include staff revisions to the proposed order.

The [Procedures Governing Central Valley Water Board Meetings](http://www.waterboards.ca.gov/laws_regulations/)

(http://www.waterboards.ca.gov/laws_regulations/) may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq.

[Information on Meeting and Hearing Procedures](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml)

(http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) is available on the Central Valley Water Board's website or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Janelle Brown at (916) 464-4745.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Maria Lovato at (916) 464-4620 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.

Rescission of CDO R5-2020-0029
Joe Silva, Tony Silva, James Silva
Silva Brothers Dairy #1
San Joaquin County

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

Anyone having questions regarding the hearing item should contact Sean Walsh at (916) 464-4795 or sean.walsh@waterboards.ca.gov. Interested persons may contact Sean Walsh to obtain a copy of the tentative Order and related documents. Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California, 95670-6114, (916) 464-3291, weekdays between 8:00 a.m. and 5:00 p.m.

***Original Digitally Signed by Robert Busby on
Date: 2023.01.20 16:37:01 -08'00'***

ROBERT BUSBY, M.S., P.G., C.E.G
Supervising Engineering Geologist