

Central Valley Regional Water Quality Control Board

NOTICE OF PUBLIC HEARING & OPPORTUNITY TO COMMENT

CONCERNING

TENTATIVE ORDER R5-2026-XXXX

APPROVING MODESTO MANAGEMENT ZONE IMPLEMENTATION PLAN (MZIP) & AMENDING WASTE DISCHARGE REQUIREMENTS TO INCORPORATE THE NITRATE CONTROL PROGRAM

NOTICE IS HEREBY GIVEN that the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adoption of the subject Order at a public meeting scheduled for:

DATE: 3/4 June 2026
TIME: 9:00 a.m.
PLACE: Central Valley Water Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
(Physical meeting location with remote meeting option)

The date, time, and location of the public meeting may change after this Notice is issued. A Final Agenda for the meeting will be made available at least 10 days before the meeting. The Final Agenda will provide the location and format of the meeting, the anticipated date that the proposed order will be considered, 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 [Final Agenda, and any information concerning changes to the date, time, location, or format of the public meeting](https://www.waterboards.ca.gov/centralvalley/board_info/meetings), will be posted on the Central Valley Water Board's website, (https://www.waterboards.ca.gov/centralvalley/board_info/meetings) and will be emailed to all persons that [sign up for the GovDelivery e-mail list](https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html). (https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html).

The meeting will be webcast live on YouTube. A weblink for viewing will be provided in the Final Agenda. Any person who would like to participate in the meeting, but who is unable to attend in-person, may participate remotely via video or teleconference. Instructions for doing so will be provided in the Final Agenda for the meeting.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Mindy Bunn at (916) 464-4839 or

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Mindy.Bunn@waterboards.ca.gov at least five 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. To request oral interpretation or sign language services, please submit your request at least 10 business days before the meeting by calling (916) 341-5254 or e-mailing opp-languageservices@waterboards.ca.gov.

Opportunities to Comment

The Central Valley Water Board will consider oral and written comments on the proposed Order before it votes on whether to adopt the Order.

Written comments or evidence concerning the Order must be submitted by 5:00 p.m. on 15 April 2026. Please email any comments to robert.ditto@waterboards.ca.gov with the subject line, "Modesto Management Zone Order." While email is preferred, written comments may also be mailed to the following address:

Attention: Robert Ditto
Central Valley Water Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The Board Chair may refuse to admit any comments or evidence received after the comment period unless the submitting party provides a reasonable explanation for why the submission is late and the Board Chair determines that admission of the late submission would not prejudice any other party.

Oral comments concerning the Order must be presented at the scheduled public meeting.

Parties to the Proceeding and Interested Persons

Participants in the hearing will be considered "parties" or "interested persons." Parties include the person or persons to whom the agency action is directed (i.e., the Modesto Management Zone, the dischargers regulated under the order, and their representatives) and other persons whom the Board determines should be designated as a party. Parties may present written evidence, offer witness testimony, cross-examine witnesses, and provide closing statements.

Interested Persons are those persons and organizations that are interested in the outcome of the hearing who have not been designated as a party. Interested Persons may present written or oral non-evidentiary policy statements but are not subject to cross-examination.

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Both Parties and Interested Persons may be asked to respond to questions from the Board or its staff. Interested persons are generally allowed up to three minutes each to provide their comments. If additional time to speak at the hearing is needed, both interested persons and parties shall make a request for more time by the 15 April 2026 deadline.

Persons and organizations other than the Management Zone, the dischargers regulated under the order, and their representatives may request to be designated as a party to the proceeding by submitting a written statement describing why they would like to be considered a designated party. Specifically, the request should state the persons' interest in presenting evidence, rather than policy statements and legal argument, and an acknowledgement that those testifying may be subject to cross examination consistent with applicable regulations. Such requests must be submitted to the Central Valley Water Board at 11020 Sun Center Drive, #200 Rancho Cordova, CA 95670 or by email to robert.ditto@waterboards.ca.gov no later than 5:00 p.m. on 15 April 2026.

Due to the complexity of the policy issues involved in the hearing, both interested persons and parties to the proceeding may work together to consolidate their comments into panel presentations, which will allow participants more time to present evidence, policy statements, or legal argumentation to the Board. If you would like to provide a panel presentation, please email robert.ditto@waterboards.ca.gov with the subject line "Modesto Management Zone Order" by no later than 1 May 2026 with the names, affiliations, and email addresses of each member of the panel and whether each panel member will present.

All hearing participants that would like to make a PowerPoint presentation during their panel presentation must submit it to robert.ditto@waterboards.ca.gov by no later than 5:00 pm on 22 May 2026.

Proposed Order

As part of the Central Valley Water Board's Nitrate Control Program, the Modesto Management Zone prepared a proposed Implementation Plan, called an MZIP, that lays out the Management Zone's plan for providing interim and long-term drinking water to households whose drinking water sources are impacted by Management Zone members' discharges of nitrate, for reducing or otherwise addressing those members' nitrate discharges, and for restoring nitrate-impacted groundwater basins where reasonable, feasible, and practicable. The MZIP also proposes, on behalf of Management Zone members, exceptions from implementation of the water quality objectives for nitrate for terms of 10-35 years to provide time for Management Zone members to address their nitrate discharges.

The Central Valley Water Board will be considering whether to approve the proposed exceptions, which will be conditioned on the Management Zone and its members'

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completion of requirements outlined in the Order and its attachments. While the Order outlines the Management Zone's responsibilities and duties under the Nitrate Control Program, the Order attachments outline Management Zone members' (i.e., individual dischargers) responsibilities and duties. These attachments include modifications to Order R5-2012-0116-11, *Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed that are Members of a Third-Party Group*, as well as Model Monitoring and Reporting Program Orders (MRPs) for dairies, bovine facilities, poultry facilities, and Non-15 facilities (e.g., wastewater treatment plants), respectively.

Additionally, this Order includes minor modifications to Order R5-2017-0058, Waste Discharge Requirements General Order for Confined Bovine Feeding Operations, and R5-2016-0087-01, Waste Discharge Requirements General Order for Poultry Operations, in order to create a streamlined process for incorporating Nitrate Control Program-related requirements into specific dischargers' waste discharge requirements if and when such incorporation becomes necessary. Dischargers whose requirements may be modified via this streamlined process will be notified and have opportunity to comment before any such modifications occur.

To conserve paper and reduce mailing costs, a digital copy of the Order is available on the Central Valley Water Board's [Tentative Orders website](#), under the heading, "Discharger-Specific Order for Future Board Meetings".

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

Copies of the proposed Order and associated documents may also be obtained by visiting the offices of the Central Valley Water Board at 11020 Sun Center Drive, #200, Rancho Cordova, California, 95670 or at 1685 E Street, Fresno, CA 93706 or by contacting the Board by phone at (916) 464-3291, weekdays between 8:00 a.m. and 5:00 p.m. Questions concerning the proposed Order or anything in this Notice should be directed to Robert Ditto at 916-464-4642 or robert.ditto@waterboards.ca.gov.

Other Information

The [Procedures Governing Central Valley Water Board Meetings](#) may be found in California Code of Regulations, title 23, division 3, chapter 1.5 (starting with section 647) and are available upon request or via the web.
(http://www.waterboards.ca.gov/laws_regulations/).

Additional information on meeting procedures can be found on the Central Valley Water Board's [Meeting Procedures webpage](#).

(http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml).

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The hearing on the proposed Order will follow the Procedures for Hearings in Adjudicative Matters. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq.

All meeting procedure information is also available upon request to any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Mindy Bunn at (916) 464-4839 or Mindy.Bunn@waterboards.ca.gov