

## Central Valley Regional Water Quality Control Board

### NOTICE OF OPPORTUNITY TO COMMENT AND PUBLIC HEARING

Revisions highlighted reflecting updated location of meeting and typographical error in public comment period.

#### **Adding Definitions for Tribal Cultural, Tribal Subsistence, and Subsistence Fishing Beneficial Uses in a Proposed Amendment to the Water Quality Control Plans for the Central Valley Region**

**NOTICE IS HEREBY GIVEN THAT** the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board or Board) will hold a public hearing to consider amendments to the Sacramento River Basin and San Joaquin River Basin Plan and Tulare Lake Basin Plans (collectively, Basin Plans). The proposed amendment will add to Chapter 2 of the Basin Plans the definitions of three new beneficial uses from the statewide "Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions". The three new beneficial uses are Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB). CUL reflects uses of water that support the cultural, spiritual, and traditional ways of living by California Native American Tribes. The T-SUB and SUB uses are in recognition of populations that are likely to consume more fish than the average recreational angler in California, thus at a higher human health risk from bioaccumulative contaminants in fish tissue such as mercury.

The proposed amendment will add only the definitions for the three new beneficial uses into the Central Valley Region's Basin Plans. Designations of the new beneficial uses to specific waterbodies, where those uses are existing or attainable, will be considered under a future, separate Basin Plan amendment process.

#### **Public Hearing Date and Location**

The public hearing concerning the proposed amendment will be conducted during the Central Valley Water Board meeting scheduled for:

**Date:** 17/18 February 2022

**Time:** 9:00 am

**Place:** Online Meeting Only

This public meeting is currently scheduled to take place via video and teleconference.

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

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/) ([https://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)). The [final meeting agenda](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) ([www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)) will be available online at least 10 days before the meeting. The agenda will provide the anticipated hearing date for the proposed amendment and the anticipated order of agenda items; however, the Board may consider agenda items out of their listed order. The agenda materials may include staff revisions.

The [regulations governing meetings before the Central Valley Water Board](https://www.waterboards.ca.gov/laws_regulations/) ([www.waterboards.ca.gov/laws\\_regulations/](https://www.waterboards.ca.gov/laws_regulations/)) may be found at California Code of Regulations, title 23, section 647 et seq., and are available online. Copies of these regulations will be provided upon request. For questions regarding the hearing procedure, please e-mail [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) or call (916) 464-3291.

### **Availability of Documents**

Interested persons may [download the draft Resolution, Staff Report, and Basin Plan Amendments](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/#progress) in PDF format from the Central Valley Water Board's website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/#progress](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/#progress). Copies of the Proposed Amendments and draft Staff Report also can be obtained by contacting Robert L'Heureux at (916) 464-4736 or at [Robert.LHeureux@waterboards.ca.gov](mailto:Robert.LHeureux@waterboards.ca.gov).

### **Submission of Written Comments and Public Participation**

The Board invites the public, stakeholders, California Native American Tribes, and representatives of other agencies to submit written comments on the proposed amendment by **5:00 pm on 31 December 2021**. The Central Valley Water Board previously released the proposed amendment for a public comment period between 21 September 2021 to 27 October 2021. The Board has extended the original comment period and updated the staff report to reflect the extended comment period.

Persons submitting written comments are encouraged to do so electronically by sending them to [Robert.LHeureux@waterboards.ca.gov](mailto:Robert.LHeureux@waterboards.ca.gov). Otherwise, written comments may be sent to:

Robert L'Heureux  
Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

Materials timely received by **5:00 pm on 31 December 2021** will be included in the administrative record; submitted comments will be considered, and a written response to the comments will be prepared by Board staff.

At the hearing, Board staff will present a final recommendation for the Central Valley Water Board's consideration. All persons will be provided the opportunity to present oral comments to the Central Valley Water Board at the hearing. Oral presentations will be limited to **3 minutes** at the discretion of the Board Chair. Groups are encouraged to designate a spokesperson and to contact Robert L'Heureux at [Robert.LHeureux@waterboards.ca.gov](mailto:Robert.LHeureux@waterboards.ca.gov) no later than 11 February 2022 if they anticipate requiring more than three minutes for oral comments. Persons making oral comments may be asked to respond to clarifying questions from Central Valley Water Board members, counsel, staff, or others, at the discretion of the Board Chair. The Chair may, at his discretion, allow presenters to supplement their oral testimony with slides or other digital media. If you plan to use visual aids such as PowerPoint slides, contact staff prior to the meeting to arrange for equipment set-up. You must provide an electronic copy of any visual aids at least one day prior to the hearing.

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

*Original Signed by Adam Laputz on 20 January 2022*

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For Patrick Pulupa, Executive Officer