

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN  
REGION**

**2501 Lake Tahoe Blvd., South Lake Tahoe, CA 96150**

**REVISED NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF NATIONAL  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND WASTE  
DISCHARGE REQUIREMENTS FOR THE CALIFORNIA DEPARTMENT OF FISH  
AND WILDLIFE, FISH SPRINGS FISH HATCHERY, INYO COUNTY**

**(Revised Public Hearing Location)**

**NOTICE IS HEREBY GIVEN** that the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board) will hold a public hearing to receive public comments and consider the issuance of the tentative National Pollutant Discharge Elimination System (NPDES) permit and Waste Discharge Requirements for the California Department of Fish and Wildlife (CDFW), Board Order No. R6T-2023-TENT (Order) for the Fish Springs Fish Hatchery (Facility) in Inyo County.

If adopted, the Order will allow the continued discharge of hatchery wastewater to the Fish Springs Creek, a water of the United States, and a tributary of the Owens River within the Upper Owens Hydrologic Area of the Owens Hydrologic Unit (CA Department of Water Resources # 603.20). The Facility has been previously regulated under NPDES Orders since 1985. The Facility is a cold water concentrated aquatic animal production (CAAP) facility producing over 400,000 pounds (lbs) of trout annually. The City of Los Angeles Department of Water and Power (LADWP) owns the property and operates the pumps that supply the water for the Facility. The California Department of Fish and Wildlife is owner and operator of the Facility and is responsible for the operations.

**Project Information**

Permit Applicant	California Department of Fish and Wildlife
Name of Project	Fish Springs Fish Hatchery
Permitee/Facility Address	215 Fish Springs Rd, Big Pine, CA 93513
Discharge Point	It discharges hatchery wastewater to the Fish Springs Creek, a water of the United States, and a tributary of the Owens River within the Upper Owens Hydrologic Area of the Owens Hydrologic Unit (CA Department of Water Resources # 603.20).
Discharge Description	Fish Hatchery and Egg Incubation wastewater
Receiving Waters	Fish Springs Creek, tributary to the Owens River and Tinemeha Reservoir

The Lahontan Water Board will hold a public hearing and consider adoption of the NPDES permit, as follows:

DATE: December 6, 2023

TIME: 10:00 a.m.

PLACE **(REVISED)**:

Lahontan Water Board Annex, Hearing Room  
971 Silver Dollar Avenue  
South Lake Tahoe, CA 96150

And

Via video and teleconference (Gov. Code § 11133)

**(The Board will not be meeting on December 6, 2023 in Lee Vining, CA.)**

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/lahontan/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/lahontan/board_info/remote_meeting/).

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.

This notice also sets forth the procedures and processes the Lahontan Water Board will use at this proceeding and contains important deadlines.

### **Public Hearing Procedures**

Advanced Zoom registration is required to participate telephonically or by computer. The deadline to submit a Virtual Speaker Card is **December 05, 2023**. Procedures for viewing and/or participating in the hearing, including for submitting Virtual Speaker Cards for individuals who want to provide oral comments are available on the Lahontan Water Board's website:

[https://www.waterboards.ca.gov/lahontan/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/lahontan/board_info/remote_meeting/)

and are also available in the agenda for the meeting or by contacting the Lahontan Water Board's office. Questions regarding such procedures should be directed to the Lahontan Water Board at (530) 542-5400.

Participants in this proceeding are identified as either "Parties" or "Interested Persons." Designation as a Party is not necessary to participate in this proceeding. Both

Interested Persons and Parties will have the opportunity to present oral comments. Both Interested Persons and Parties may be asked to respond to clarifying questions from the Lahontan Water Board members, counsel, or staff, or others, at the discretion of the of the Board.

The designated party for this hearing is the California Department of Fish and Wildlife. Parties to the hearing may present evidence or cross-examine other parties' witnesses (if any are called). The Board meetings does not generally require the prior identification of witnesses, the cross examination of witnesses, or other procedures not specified in this notice. Parties or persons with special procedural requests should contact staff, who will endeavor to accommodate reasonable requests.

Interested persons include any person or organization that is interested in the outcome of the hearing, but who has not been designated as a party. Interested persons may present oral comments at the hearing, but they may not present evidence. Oral comments include policy statements and/or arguments about the appropriateness, wisdom, or utility of the proposal before the Lahontan Water Board. Interested persons are not subject to cross-examination and may not cross-examine witnesses.

All designated parties and interested persons may speak at the Lahontan Water Board meeting. Oral comments should avoid repeating previous comments to allow all persons time to be heard. Interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their presentations with each other.

Oral comments will be limited to five (5) minutes each. Any person may ask for additional time for their oral comment by sending a request with a justification supporting the request and the requested amount of time to the Board Clerk, Katrina Fleshman at [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) or by contacting her directly at (530) 542-5414 by 5:00 p.m. **by November 29, 2023**. Please indicate in the subject line "Fish Springs Fish Hatchery NPDES 2023 Update."

Interested persons requesting additional time will be advised prior to the date of the hearing of the amount of time they will be allocated. The decision to grant or deny additional time will be based upon the complexity and the number of issues under consideration, the extent to which entities and persons have coordinated, the number of interested persons anticipated, the extent to which entities and persons have identified unique interests, and the time available for the hearing. It is the Lahontan Water Board's intent that reasonable requests be accommodated.

Participants requesting to use a PowerPoint presentation during the oral comment at the public hearing must email the file, in .ppt format, to [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) with a copy to [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov), and be received by 5:00 p.m. on **November 29, 2023**. Please indicate in the subject line "Fish Springs Fish Hatchery NPDES 2023 Update."

The written comment period for the Order closed on 5:00pm on September 22, 2023. Except at the discretion of the Regional Water Board Chair, written material received after the above date will not be accepted. If the Chair chooses to accept late written material, that material will not be incorporated into the administrative record if doing so would prejudice the Permittee or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, sections 648.1 and 648.4).

The proceeding before the Lahontan Water Board generally will be conducted in the following order:

1. Opening statement by the Chair summarizing the subject matter and purpose of the hearing
2. Administration of oath to persons who intend to testify
3. Water Board staff presentation
4. Questions from the Water Board members to staff or counsel
5. Designated parties' presentations
6. Questions from the Water Board members, counsel, or staff to designated parties
7. Interested persons' comments
8. Questions from the Water Board members, counsel, or staff to designated parties or interested persons
9. Questions from the Water Board members to staff or counsel
10. Deliberations
11. Water Board decision

**Document Availability:** The NPDES permit and corresponding information are available on:

[https://www.waterboards.ca.gov/lahontan/board\\_decisions/tentative\\_orders/](https://www.waterboards.ca.gov/lahontan/board_decisions/tentative_orders/)

The written comment period for the Order is closed. Responses to timely written comments and other supporting information will be posted on the Water Board's website prior to the public hearing.

Copies of any documents can also be obtained by contacting the Lahontan Water Board's office at (530) 542-5400 or visiting the office at 2501 Lake Tahoe Blvd., South Lake Tahoe weekdays between 8:00 a.m. and 5:00 p.m.

The Final Meeting Agenda

([https://www.waterboards.ca.gov/lahontan/board\\_info/agenda/2022\\_schedule.html](https://www.waterboards.ca.gov/lahontan/board_info/agenda/2022_schedule.html)) will be available at least 10 days before the meeting.

The Procedures Governing Lahontan Water Board Meetings

([https://www.waterboards.ca.gov/laws\\_regulations/](https://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 Lahontan Water Board are not conducted pursuant to Government Code section 11500 et seq.

Individuals requiring special accommodations are requested to send an email to [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) with the subject line "Special accommodation for Board Meeting," or call (530) 542-5400 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or by voice line at 1-800-735-2922

Questions may be directed to Tiffany Barulich at the Lahontan Water Board Office, at (530) 542-5424 or [Tiffany.Barulich@Waterboards.ca.gov](mailto:Tiffany.Barulich@Waterboards.ca.gov).



Tiffany Barulich  
Water Resource Control Engineer, Regulatory and Enforcement Unit  
Date: October 30 , 2023