

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
1685 "E" Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING  
concerning

TENTATIVE ORDER R5-2024-XXXX

AMENDING ORDER R5 2019-0021  
NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM  
PERMIT CA0085235

CITY OF CLOVIS  
SEWAGE TREATMENT AND WATER REUSE FACILITY  
FRESNO COUNTY

The City of Clovis (Discharger) is the owner and operator of the City of Clovis Sewage Treatment and Water Reuse Facility (Facility), a publicly owned treatment works located at 9700 East Ashlan Avenue, Clovis, California. The Facility provides sewerage services for a portion of the City of Clovis, serving a population of approximately 24,000. The Facility provides tertiary treatment for an average annual flow of 2.8 million gallons per day of treated municipal wastewater to Fancher Creek; the Diversion Channel from Big Dry Creek Reservoir to Little Dry Creek (hereinafter Diversion Channel); and reuse sites. The Diversion Channel and Little Dry Creek are waters of the United States and are hydrologically connected to the San Joaquin River. Discharges from the Facility are currently regulated by Waste Discharge Requirements Order R5-2019-0021 (NPDES Permit No. CA0085235), adopted by the Central Valley Regional Water Quality Control Board on 4 April 2019.

An Order is proposed to amend the NPDES permit. The Order amends Order R5-2019-0021 to change the effluent monitoring frequency for copper, cyanide, and zinc from monthly to annually. It has been determined that no additional copper, cyanide, and zinc data are needed between now and the effective date of the NPDES permit renewal which is currently being drafted for consideration at the Central Valley Water Board's 20-21 June 2024 meeting. Without these changes, the Discharger may face unnecessary penalties associated with the current monitoring frequency, which is unnecessary for water quality protection.

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

DATE: 18/19 April 2024  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
1685 "E" Street, Fresno, CA 93706; and Remote  
Meeting Option

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

### **Nature and Purpose of Hearing**

At the hearing, the Central Valley Water Board will hear testimony and oral comments regarding the tentative Order. This proceeding will be a formal adjudicatory proceeding. The [procedures](http://www.waterboards.ca.gov/laws_regulations/) governing Central Valley Water Board adjudicatory hearings (http://www.waterboards.ca.gov/laws\_regulations/) may be found at California Code of Regulations, title 23, section 648 et seq. and are available upon request.

### **Prehearing Submissions of Written Comments and Evidence**

The Discharger is a party to this proceeding. As a party, the Discharger must submit written evidence or comments, if any, for the Board to consider no later than **5:00 p.m. on 18 March 2024** to the Central Valley Water Board email at [CentralValleyFresno@waterboards.ca.gov](mailto:CentralValleyFresno@waterboards.ca.gov) and copy [Lovdeep.Singh@waterboards.ca.gov](mailto:Lovdeep.Singh@waterboards.ca.gov).

Interested persons include any non-party that is interested in the outcome of the hearing. Interested persons wishing to comment, in writing, on the tentative Order shall submit comments no later than **5:00 p.m. on 18 March 2024** to the Central Valley Water Board email at [CentralValleyFresno@waterboards.ca.gov](mailto:CentralValleyFresno@waterboards.ca.gov) and copy [Lovdeep.Singh@waterboards.ca.gov](mailto:Lovdeep.Singh@waterboards.ca.gov).

Pursuant to California Code of Regulations, title 23, section 648.4, the Board Chair may refuse to admit written evidence or comments that are not submitted in accordance with this Notice and shall refuse to do so when there is a showing of prejudice to the Discharger or the Board. Excluded material will not be considered by the Board.

### **Requesting Party Status**

Persons who wish to participate in the hearing as a party must submit a request in writing no later than **5:00 p.m. on 18 March 2024** to the Central Valley Water Board email at [CentralValleyFresno@waterboards.ca.gov](mailto:CentralValleyFresno@waterboards.ca.gov) and copy [Lovdeep.Singh@waterboards.ca.gov](mailto:Lovdeep.Singh@waterboards.ca.gov). The request must include facts demonstrating how the person will be substantially affected by the proceedings.

The Board Chair will not designate a person as a party if the Board Chair determines the designation will impair the interests of justice and the orderly and prompt conduct of the proceeding. The Board Chair, when granting a request for party status, may

impose restrictions on the requestor's hearing participation, including limiting or excluding the use of cross-examination and other procedures to promote the orderly and prompt conduct of the proceeding.

### **Visual Presentations**

Hearing participants may use PowerPoint or other visual presentations at the hearing, but the presentation content shall not exceed the scope of previously submitted written material. Presentations, if any, must be provided to the below Central Valley Water Board Contact by 12:00 p.m. on **15 April 2024**.

### **Hearing Procedure and Time Limits**

The hearing on the tentative Order will be conducted in the general order listed under California Code of Regulations, title 23, section 648.5, except that the Board Chair may modify the order for good cause.

The Discharger will be advised in advance of the hearing of the total amount of time allocated for its presentation and closing statement. The Discharger is invited to contact staff in advance of the hearing to discuss how much time it believes is necessary.

Interested persons may speak at the hearing and are expected to orally summarize their written submittals, if any. Each interested person will have three minutes to present oral comments. Additional time may be provided, upon request, at the discretion of the Board Chair.

### **Hearing Accommodations**

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to send an e-mail to [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) or call 916-464-4839 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.

### **Availability of Documents**

The tentative Order and related documents may be found on the Central Valley Water Board's [Tentative Orders Page](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/) ([http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)). Copies of these documents may also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 E Street Fresno, California 93706 weekdays between 8:00 a.m. and 5:00 p.m. Scheduling an appointment to review the file by contacting the below Central Valley Water Board Contact in advance is not required but calling ahead will help ensure timely access to these documents.

### **Central Valley Water Board Contact**

Anyone having questions regarding this hearing item should contact Lovdeep Singh at (559) 445-5130 or by email at [Lovdeep.Singh@waterboards.ca.gov](mailto:Lovdeep.Singh@waterboards.ca.gov).

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

*Original Digitally Signed by:*  
Alexander S. Mushegan  
Supervising Water Resource Control Engineer