
State Water Resources Control Board

**NOTICE OF OPPORTUNITY FOR PUBLIC COMMENTS
AND
PUBLIC STAFF WORKSHOP AND PUBLIC HEARING

PROPOSED STATEWIDE
SUCTION DREDGE MINING GENERAL PERMIT**

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive public written comments on the proposed Statewide National Pollutant Discharge Elimination System (NPDES) Suction Dredge Mining General Permit.

NOTICE IS ADDITIONALLY HEREBY GIVEN that State Water Board staff will hold a public staff-level workshop to provide further information regarding the development of the proposed General Permit, and the State Water Board will hold a public hearing to receive public comments on the proposed General Permit. A quorum of the State Water Board may be present at the staff-level workshop. A quorum of the State Water Board will be present at the public hearing. There will be no State Water Board action taken at either the staff-level workshop or the public hearing.

The public staff workshop will be on:

Thursday, May 28, 2020 – 1:00 p.m. to 4:00 p.m.
State Water Board Public Staff Workshop
No Physical Meeting Location

Information for participating in the Public Staff Workshop will be distributed via the Lyris email list described under “Future Notices” below and posted on the program webpage listed under “Document Availability” below.

The public hearing will be on:

Wednesday, June 17, 2020 – 9:30 a.m.
State Water Board Meeting/Hearing
Video and Teleconference Meeting Only
No Physical Meeting Location
(See forthcoming agenda for June 16-17, 2020 Board Meeting.)

As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, this meeting is scheduled at this time to occur solely via remote presence. For notice of changes to the format of this meeting, please follow the Future Notices instructions below.

Additional information on the public hearing is located on the [State Water Board Calendar page](https://www.waterboards.ca.gov/board_info/calendar/) (https://www.waterboards.ca.gov/board_info/calendar/).

BACKGROUND

Suction dredge mining is statutorily defined as the use of a mechanized or motorized system for removing or assisting in the removal of, or the processing of, material from the bed, bank, or channel of a river, stream, or lake in order to recover minerals.

Suction dredge mining was statutorily prohibited in California in 2009. Through the 2015 passage of Senate Bill 637, the California Fish and Game Code and Water Code were amended, expanding the definition of suction dredge mining and requiring miners to obtain a Water Board permit or letter stating no such permit is required, and a Department of Fish and Wildlife permit to suction dredge mine in California. To protect water quality, the Water Boards may prohibit any use of suction dredge mining equipment or method of suction dredge mining, and may specify conditions or areas where suction dredge mining discharges are prohibited.

Prior to determining what action to take to address the water quality impacts of suction dredge mining, as amended by Senate Bill 637, Water Code 13172.5, subdivision (c)(1) required the State Water Board to conduct public workshops in the vicinity of San Bernardino, Fresno, Sacramento and Redding. The State Water Board conducted these workshops, and an additional workshop in Orleans, in January and February of 2017.

The federal Clean Water Act section 402 requires that discharges of any pollutant or combination of pollutants from point sources to waters of the United States be regulated by an NPDES permit. Although the statutory definition of suction dredge mining includes a wide variety of activities, the proposed statewide NPDES General Permit only provides the required regulatory coverage for mechanized and/or motorized dredge activities that take place in a waterbody, utilize a single intake suction nozzle, and directly discharge to a surface water of the United States.

DOCUMENT AVAILABILITY

The documents for the proposed General Permit and corresponding information are available on the [State Water Board Suction Dredge Mining NPDES Program page](http://www.waterboards.ca.gov/water_issues/programs/npdes/suction_dredge_mining.html) (www.waterboards.ca.gov/water_issues/programs/npdes/suction_dredge_mining.html).

PUBLIC HEARING PROCEDURAL MATTERS

At the public hearing, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. At the hearing, participants will have an opportunity to summarize their concerns through oral presentations. To ensure a productive and efficient hearing in which all

participants have an opportunity to participate, oral presentations may be time limited. Participants planning to use a Power Point presentation must submit the file electronically, in .ppt. format, to the Clerk via email at commentletters@waterboards.ca.gov, no later than 12:00 p.m. (noon) on Thursday, June 11, 2020. Please indicate in the subject line **“Power Point Presentation – Proposed Suction Dredge Mining General Permit Public Hearing.”**

Presentation recommendations are available at the [State Water Board presentations page](http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml) (http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml).

The State Water Board will schedule a meeting subsequent to the public hearing at which the Board will consider adoption of the proposed General Permit. At that time, the State Water Board will solicit comments on any significant changes to the proposed final permit, but will not accept additional evidence.

PUBLIC HEARING WEBCAST INFORMATION

Live video and audio broadcasts of the public hearing will be available via the internet and can be accessed at the [CalEPA Public Meeting Live Webcasts page](https://video.calepa.ca.gov/) (<https://video.calepa.ca.gov/>). The public hearing will be recorded.

SUBMISSION OF COMMENTS

The State Water Board will accept both written and oral comments and evidence regarding this item. Evidence that was submitted during the public workshops in January and February 2017 in Fresno, San Bernardino, Orleans, Redding and Sacramento is already part of the administrative record and need not be submitted again. Oral comments must be made at the public hearing. Written comment letters must be received no later than **12:00 p.m. (noon) on Monday, June 29, 2020**. Written comment letters must be addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand-delivery)

Comment letters may be submitted electronically, in pdf text format (if less than 15 megabytes in total size), to the Clerk to the Board via e-mail at: commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. Please indicate in the subject line: **“Comment Letter – Suction Dredge Mining General Permit.”**

Couriers delivering hard copies of comment letters must check in with lobby security personnel and request to contact Jeanine Townsend at (916) 341-5600.

The State Water Board will not accept any additional written comments after the public comment deadline.

FUTURE NOTICES

Any person desiring to receive future notices concerning the proposed General Permit, including any changes to this public notice, must sign up for the Lyris e-mail list as follows: (1) access the email List Subscription Form at the web address listed below, (2) click the "Water Quality" tab, (3) check the box for "Suction Dredge Mining," (4) fill in the required information, and (5) click "Subscribe." The subscription form is located on the [State Water Board email subscription page](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml) (www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml).

JOE SERNA JR. CALEPA (CALEPA) BUILDING PARKING AND ACCESSIBILITY

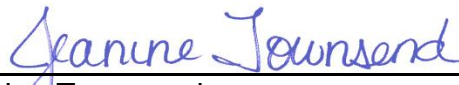
Telecommunications Device for the Deaf (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. A broadcast of the hearing will be available via internet and can be accessed at <https://video.calepa.ca.gov>.

For more details about this meeting please go to:
http://www.waterboards.ca.gov/board_info/calendar/index.shtml

ADDITIONAL INFORMATION

Please direct questions about this notice or requests for a paper copy of the proposed General Permit to Renan Jauregui at (916) 341-5505 or Renan.Jauregui@waterboards.ca.gov.

Date May 13, 2020



Jeanine Townsend
Clerk to the Board