



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

## NOTICE OF PROPOSED ACTION

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and/or the Clean Water Act, where applicable. The Administrator has received an application for a Groundwater Discharge , permit number NS2014502 from the following applicant:

SMITH VALLEY DAIRY  
P.O. BOX 367  
CHOWCHILLA, CA - 93610

### **Permit NS2014502, SMITH VALLEY DAIRY:**

The Permittee, Smith Valley Dairy (SV Dairy), has applied for a new groundwater discharge permit - NS2014502, to discharge dairy manure and process wastewater to groundwater and surface waters of the State. The SV Dairy is a new dairy facility located 6 miles northeast of Smith Valley on Hunewill Lane in Lyon County, Nevada. SV Dairy is defined as a concentrated animal feed operation (CAFO) because the dairy will confine more than 700 mature dairy cows for 30 days or more in a 12-month period in an area devoid of vegetation during the normal growing season. SV Dairy has indicated a maximum capacity of 7,248 head at the 140-acre facility. As a CAFO, the facility is required by regulation to be designed and operated to contain all manure and process wastewater from the production area except on the occasion of an overflow resulting from precipitation in excess of the 25-year 24-hour storm event. In addition, land application of manure and process wastewater must be in compliance with the Nutrient Management Plan (NMP) submitted to and reviewed by the Division. For protection of water resources, the Division proposes to regulate the facility through a groundwater discharge permit. The permit will provide protections for both groundwaters of the State and surface waters with the the dry basin called Lake Artesia. These features are identified as the potential waters within the permit.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, as amended, and implementing regulations, the Administrator proposes to issue Permit NS2014502 to discharge for a five (5) year period, subject to certain effluent limitations.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand delivered or postmarked no later than 5:00 P.M. on 01/09/2015 , either in person or by mail to:

Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street, Suite 4001  
Carson City, NV 89701

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received within the thirty (30) day period will be considered in the formulation of final determination(s)

regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

Due to a significant degree of interest in this proposed project, the Division has scheduled a Public Hearing to gather additional public input regarding the draft permit. The Public Hearing has been scheduled for **Wednesday January 7, 2015 at 6PM** at the **Smith Valley School** located at **20 Day Lane, Smith, Nevada.**

Members of the public wishing to comment upon the proposed permit and/or recommend terms and conditions for consideration of incorporation in the permit are invited to attend the hearing meeting and provide comments and information that are pertinent to the discharge permit. Comments not related to water quality issues cannot be considered. The Division may set a five-minute time limit for oral statements based on the number of people in attendance who would like to comment. Comments and information may be submitted by interested persons through the close of the public notice period.

All comments or objections received within the thirty (30) day public notice period or submitted at the Public Hearing will be considered in the formulation of final determinations regarding the application. If the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The applications, proposed permits, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Michele Reid, Bureau of Water Pollution Control, at (775) 687-9434 or at [mreid@ndep.nv.gov](mailto:mreid@ndep.nv.gov). The office facsimile number is (775) 687-4684. For further information, the fact sheet for this project can be viewed at the following website: <http://ndep.nv.gov/admin/public.htm>.

Please bring the forgoing notice to the attention of all persons whom you know would be interested in this matter.