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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701 -5249

November 08, 2005

Notice of Proposed Action & Public Hearing

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following Notice of Proposed Action and Public Hearing under the Nevada Revised Statutes. The Administrator has received an application for a water pollution control discharge permit, NEV2006504, from the following applicant:

Beverly Hills Dairy
A. K. Coral Cay Trust
P.O. Box 357
Amargosa Valley, Nevada 89020

The Applicant has applied for a permit, NEV2006504, to discharge manure and process wastewater to groundwater via land application and irrigation in accordance with a Division approved Nutrient Management Plan in Amargosa Valley, Nevada. The facility is proposed to be located in Section 18, Township 16 South, Range 48 East, the former Buchanan Ranch, at 950 West Amargosa Farm Road. The dairy has been designed to hold a maximum of 2,900 mature dairy cows and 1,050 heifers in open confinement. The proposed facility is defined as a Concentrated Animal Feeding Operation because the dairy will confine at least 700 mature cows for 30 days or more in a 12-month period in an area devoid of vegetation during the normal growing season. The synthetically lined dairy lagoon will have a total capacity of 20.69 million gallons. The Applicant has requested a 30-day average discharge flow limitation of 0.310 million gallons per day. The Applicant proposes to land apply the liquid and solid manure on 320 acres of cropland. The lagoon/pond system is required to contain the maximum operating volume of process wastewater and all precipitation and runoff resulting from the 25-year, 24-hour storm event.

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

NEV2006504 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 should submit their comments in writing, within thirty (30) days of the date of newspaper publication, hand delivered, e-mailed, or postmarked no later than 5:00 P.M. on December 9, 2005, to:

Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

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 6:00 PM December 13, 2005 at the Amargosa Valley Multipurpose Building, 821 E. Amargosa Farm Road, Amargosa Valley, Nevada.

Members of the public wishing to comment upon the proposed permit and/or to recommend terms and conditions for consideration of incorporation in the permit are invited to attend the meeting and provide comments and information that are pertinent to the 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 Hearing.

All comments or objections received within the thirty (30) day 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 application, proposed permit, comments received, and other project information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Bruce Holmgren, Bureau of Water Pollution Control, at (775) 687-9423 or at bholmgre@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>.