PUBLIC NOTICE

U.S. Environmental Protection Agency, Region 4
Water Division
Permitting and Grants Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
(404) 562-9672

Public Notice No. **19FL00002** Date: December 12, 2019

NOTICE OF PUBLIC HEARING AND EXTENDED PUBLIC COMMENT PERIOD REGARDING THE PROPOSED ISSUANCE OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

On August 30, 2019 the U.S. Environmental Protection Agency ("EPA") Region 4 public noticed its draft National Pollutant Discharge Elimination System ("NPDES") permit and associated documents for Kampachi Farms, LLC (Permit No. FL0A00001). Pursuant to 40 C.F.R. § 124.12, EPA has determined that significant public interest exists to conduct a public hearing on the above-referenced permit and is announcing that such a public hearing will be held.

PUBLIC HEARING

The public hearing will be held on January 28, 2020 from 5:30 p.m. to 9:30 p.m. at Mote Marine Laboratory & Aquarium's WAVE Center, 1600 Ken Thompson Parkway, Sarasota, Florida 34236.

BACKGROUND

The draft NPDES permit authorizes the discharge of industrial wastewater from a marine net-pen aquaculture facility located in federal waters in the Gulf of Mexico at approximately 45 miles southwest of Sarasota, Florida (near 27° 7' 20.51"N, 83° 12' 1.37"W). The facility would include a supporting vessel and a single floating cage in a water depth of 130 feet. The project would culture a single cohort of approximately 20,000 Almaco jack and produce a maximum annual harvest of 88,000 pounds. The applicant for this project is Kampachi Farms, LLC, P.O. Box 4239, Kailu-Kona, Hawaii 96740.

HEARING PROCEDURES

All persons interested in this draft permit are invited to attend the public hearing. The hearing will be presided over by the Regional Administrator's designee, the Water Division Director (Presiding Officer). If you are interested in attending the hearing, EPA encourages you to pre-register at least 72 hours before the hearing. Pre-registering for the hearing will allow EPA to improve meeting planning and maximize opportunities for interested parties to provide oral comments. You may register to speak at the hearing when you register online. You may also register to speak when you arrive at the hearing. The EPA will generally assign speaking slots in the order received but may adjust the speaking order to accommodate requests to speak within the time available. Pre-registration can be done online at the following website: https://projects.erg.com/conferences/npdes/register-publichearing.html.

The hearing will begin with a brief presentation by the EPA and a neutral process facilitator, followed by oral comments from interested persons. Oral comments will be limited to five (5) minutes each to ensure more opportunities for interested persons to speak. Depending on the number of participants that pre-

register, the EPA may reduce the time limit for oral comments to three (3) or four (4) minutes. If the need to reduce the time limit for comments is known in advance of the meeting, EPA will attempt to notify those who have pre-registered. Though every effort will be made to accommodate all requests for speaking time, EPA cannot guarantee that all persons will have an opportunity to contribute oral comments. EPA also encourages you to provide written comments.

DISABILITY REASONABLE ACCOMODATION NOTICE AT THE PUBLIC HEARING

If you need a reasonable accommodation for a disability, EPA encourages you to pre-register for the event at the link above and to notify us when you register. You may also request accommodation by emailing R4NPDES.Kampachi@epa.gov. Please provide at least one-week advance notice prior to the public hearing date for reasonable accommodation requests.

FOLLOWING THE PUBLIC HEARING

A written transcript is part of the administrative record and will be made available to the public by writing to EPA at: Environmental Protection Agency Region 4, Water Division, NPDES Permitting Section, ATTENTION: Mr. Kip Tyler, 61 Forsyth Street S.W., Atlanta, Georgia, 30303, or by visiting EPA at that same address between the hours of 8:15 a.m. and 4:30 p.m., Monday through Friday, except holidays (copies will be provided at a minimal cost per page). An electronic copy of the transcript can be obtained by emailing R4NPDES.Kampachi@epa.gov.

Following the public hearing, and after consideration of all written and oral comments and data and the requirements of the Clean Water Act ("Act") and applicable regulations, the EPA Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any person who filed comments on the draft permit or participated in the public hearing may file a petition for review in accordance with 40 C.F.R. § 124.19. Additionally, any person who failed to file comments or participate in the public hearing may petition for review of any permit conditions in the final permit decision, but only to the extent that those final permit conditions reflect changes from the draft permit.

PUBLIC COMMENTS

The public comment period has been extended until February 4, 2020 (7 days after completion of the public hearing) in accordance with 40 C.F.R. § 124.12(c). The EPA Presiding Officer may further extend the comment period for written statements and data by so stating at the hearings. Persons wishing to comment upon or object to any aspects of the permit or to contribute statements, data, and other information to EPA regarding the permit may: (1) submit written comments at the hearing; (2) present oral comments at the hearing; (3) send written comments to EPA at the address above; (4) submit comments electronically to R4NPDES.Kampachi@epa.gov; or (5) fax to 404-562-9772.

The draft NPDES permit establishes conditions and requirements to implement best management practices to control the effluent discharge and was drafted in accordance with the provisions of the Act (33 U.S.C. Section 1251, et seq.) and other lawful standards and regulations. The EPA is soliciting comments from the public on the draft permit and on the draft Environmental Assessment ("EA"), which was prepared to support the draft NPDES permit in accordance with the National Environmental Policy Act ("NEPA"). In addition to the draft EA, as part of the NEPA evaluation, EPA has prepared a draft Finding of No Significant Impact ("FONSI") on which EPA is also accepting comment.

Pursuant to 40 C.F.R. § 124.13, any person who believes that any draft permit condition is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments in full, supporting his/her position, by the close of the comment period. The public notice number and NPDES number should be included on the first page of comments. All comments received by the close of the comment period on February 4, 2020 will be considered in the formulation of a final determination regarding the permit issuance.

The notice, draft permit, and supporting documents can be obtained at https://www.epa.gov/aboutepa/about-epa-region-4-southeast, or by writing the EPA at: Environmental Protection Agency Region 4, Water Division, NPDES Permitting Section, ATTENTION: Mr. Kip Tyler, 61 Forsyth Street S.W., Atlanta, Georgia, 30303-8960, or by calling 404-562-9750. The administrative record, including the draft permit, fact sheet, hearing transcript, other supporting documents, comments and data received, and any additional information on hearing procedures is available at cost by writing to EPA at the address above or by visiting the EPA at that same address above between the hours of 8:15 a.m. and 4:30 p.m., Monday through Friday, except holidays (copies will be provided at a minimal cost per page).

The EPA encourages you to share the information contained in this notice with persons whom you know will be interested in this matter. If you would like to be added to our public notice mailing list, submit your name and mailing address to the EPA, at the address given above.