

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
Phone: (760) 346-7491

Public Notice No. 7-23-45
Notice Date: October 18, 2023
Irrigated Lands Regulatory Program

NOTICE OF PUBLIC HEARING

**EXISTING IRRIGATED LANDS GENERAL ORDERS FOR PALO VERDE VALLEY
AND MESA, BARD VALLEY, COACHELLA VALLEY AND IMPERIAL VALLEY
RIVERSIDE AND IMPERIAL COUNTIES**

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) is releasing for public review and comment a Tentative Waste Discharge Requirements Revision Order R7- 2023-XXXX (Tentative Order), which will serve existing Irrigated Lands General Orders for Palo Verde Valley and Mesa, Bard Valley, Coachella Valley and Imperial Valley, Riverside and Imperial Counties:

Enrollees under Irrigated Lands General Orders.
(Dischargers)

R7-2019-0030 (Palo Verde Valley and Mesa)
R7-2019-0053 (Bard Valley)
R7-2020-0026 (Coachella Valley)
R7-2021-0050 (Imperial Valley)
(Affected Orders)

Colorado River Basin Water Board finds necessary to revise the Irrigated Lands General Orders to clarify that a Water Quality Restoration Plan will be required whenever a water quality objective or benchmark limit is exceeded for a given constituent, but that a WQRP would only be required when there are at least three out of four such exceedances. Such instances will be referred to as "Water Quality Triggering Events. "

HEARING PARTICIPATION

The Colorado River Basin Water Board will hold a public hearing to consider adoption of the Tentative Order at the date, time and location specified below:

Date: December 12, 2023
Time: 9:00 a.m.

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Location: 73-720 Fred Waring Drive, Suite 100
Palm Desert, California 92260
(virtual public participation available; see below)

The public may participate either in person at the physical meeting location or virtually via the Zoom meeting platform. Instructions concerning how to participate virtually are available on the Regional Water Board's website. Persons desiring to receive information about changes to the format of this meeting should subscribe to the [Lyris email list](#) (Select Board Meetings Agenda).

Interested persons are invited to attend and express their views orally on this matter at the public hearing. The Colorado River Basin Water Board requests that those persons wishing to speak at the hearing provide a copy of their oral comments in writing before or during the hearing to ensure accuracy of the record. Links for the meeting, a phone call option, and [Remote Participation Instructions](#) are posted on the Board's website (www.waterboards.ca.gov/coloradoriver/board_info/remote_meeting/#participation_via_video_conference).

The hearing will be conducted in accordance with the Board's [Meeting Procedures](#) (www.waterboards.ca.gov/coloradoriver/board_info/agenda/docs/bm_procedures.pdf).

BACKGROUND

In accordance with State Water Resources Control Board (State Water Board) Order WQ 2018-02 (East San Joaquin Decision), the Colorado River Basin Water Board has adopted four separate Waste Discharge Requirements (WDRs) General Orders for agricultural dischargers in the Colorado River Basin Region (collectively, Irrigated Lands General Orders). These orders prescribe general WDRs (see Wat. Code, § 13263, subd. (i)) for owners/operators of irrigated agricultural lands (Dischargers) with the potential to discharge waste that may impact the quality of the waters of the state, and who are represented by a third party (Coalition Group).

The Colorado River Basin Water Board's current Irrigated Lands General Orders are as follows:

- a. Order R7-2019-0030 for Dischargers in Palo Verde Valley and Palo Verde Mesa, adopted on May 15, 2019;
- b. Order R7-2019-0053 for Dischargers in Bard Valley, adopted on July 11, 2019;

HEARING DATE
December 12, 2023

COMMENT DEADLINE
November 16, 2023

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- c. Order R7-2020-0026 for Dischargers in Coachella Valley, adopted on November 12, 2020; and
- d. Order R7-2021-0050 for Dischargers in Imperial Valley, adopted on December 14, 2021.

Section E.6.b of each Irrigated Lands General Order authorizes Colorado River Basin Water Board staff to require a Coalition Group to prepare a Water Quality Restoration Plan (WQRP) in the event of a water quality “exceedance. “

An “exceedance” is ordinarily defined as a *singular* “act or instance of exceeding especially a limit or amount.” (Merriam-Webster.com Dictionary.) However, the definition provided in Section E.6.b confusingly requires there to be more than three out of four instances where a water quality objective or benchmark limit is exceeded.

The definition in Section E.6.b also purports to apply to the entire order, as opposed to just that same section or the WQRP preparation requirement in particular.

Based on the foregoing, it is necessary to revise the Irrigated Lands General Orders to clarify that a Water Quality Restoration Plan will be required whenever a water quality objective or benchmark limit is exceeded for a given constituent, but that a WQRP would only be required when there are at least three out of four such exceedances. Such instances will be referred to as “Water Quality Triggering Events.”

There are no further changes to the Irrigated Lands General Orders necessary at this time.

SUBMISSION OF WRITTEN COMMENTS

The Colorado River Basin Water Board will accept comments during a 30-day public comment period, which ends on **November 16, 2023**. Written comments on the proposed Order must be received no later than **5:00 p.m. on December 12, 2023**. Comments received by this deadline will be included in the administrative record.

Comments should be mailed to the attention of **Francisco Costa** at the address shown below or emailed to: francisco.costa@waterboards.ca.gov or faxed to the office at (760) 341-6820.

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DOCUMENT AVAILABILITY

The Tentative Requirements Revision Order has been posted to the Board's [Tentative Orders](http://www.waterboards.ca.gov/coloradoriver/board_decisions/tentative_orders/index.shtml) webpage
(www.waterboards.ca.gov/coloradoriver/board_decisions/tentative_orders/index.shtml).

To receive a physical copy by mail, contact either **Mary Castaneda** at (760) 776-8945 or Mary.Castaneda@waterboards.ca.gov .

ACCESSIBILITY AND LANGUAGE NEEDS

Individuals who require special accommodations or interpreter services to participate in this meeting, please contact Mary Castaneda via email at Mary.Castaneda@waterboards.ca.gov at least 10 days prior to the scheduled meeting to notify us that you will be utilizing these services. TTY users may contact the California Relay Service at 1-(800) 735-2929 or voice line at 1-(800) 735-2922.

ADDITIONAL INFORMATION

If you have questions concerning this matter, please contact **Francisco Costa** at (760) 776-8937 or Francisco.Costa@waterboards.ca.gov. Please bring the foregoing to the attention of anyone you believe may be interested in this matter.

File: ECM# CW-804521, Palo Verde Valley and Mesa, Board Order R7-2019-0030
ECM# CW-806751, Bard Valley, Board Order R7-2019-0053
ECM# CW 805711, Coachella Valley, Board Order R7-2020-0026
ECM# CW 81336, Imperial Valley, Board Order R7-2021-0050

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