

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

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Public Notice No. 7-12-13
April 3, 2012

**NOTICE OF
CALIFORNIA ENVIRONMENTAL QUALITY ACT SCOPING MEETING**

In the Matter of a Proposed Waiver of Waste Discharge Requirements
For
Discharges of Wastes from Agricultural Operations
in the Palo Verde Valley and Palo Verde Mesa

NOTICE IS HEREBY GIVEN that the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) staff will hold a scoping meeting, pursuant to Public Resources Code section 21083.9, to seek public input on the appropriate scope and content of the environmental documents to be prepared pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) regarding a proposed Waiver of Waste Discharge Requirements (WDRs) for Discharges of Wastes from Agricultural Operations in the Palo Verde Valley and Palo Verde Mesa. The purpose of the environmental review will be to determine whether the proposed Waiver (the "project" under CEQA) could have a significant effect on the environment.

California Water Code Section 13269 provides the state and regional water boards (Water Boards) with the authority to waive WDRs for a specific discharge or type of discharge if the board determines after any necessary board meeting that the Waiver is consistent with any applicable state or regional water quality control plan and is in the public interest. The proposed Waiver would address the actual and potential impacts that agricultural wastewater discharges originating within the Palo Verde Valley and Palo Verde Mesa have on water quality. Specifically, the Waiver would address: 1) storm water runoff from irrigated lands; and 2) irrigation return water, which includes surface discharges (also known as "tailwater"), and subsurface discharges (known as "tile water" in tiled areas, or "seepage" in areas not tiled).

BACKGROUND

At its January 20, 2011 meeting, the Regional Water Board approved a Conditional Prohibition Basin Plan amendment by adopting Resolution No. R7-2011-0014 to regulate the above-mentioned agricultural wastewater discharges. The Regional Water Board also complied with the CEQA environmental review requirements applicable to amendments of Basin Plans. The Basin Planning program, which includes amendments of Basin Plans, was certified by the Secretary for the California Natural Resources Agency, pursuant to Public Resources Code section 21080.5, as having an environmental review program equivalent to that specified under CEQA and thus, the Basin Planning program is exempt from CEQA. (Section 15251(g) of the CEQA Guidelines, Cal. Code Regs., tit. 14. § 15000 et seq.) Agencies with certified regulatory programs that are exempt from CEQA may prepare substitute environmental documents in lieu of the traditionally required CEQA environmental documents of initial studies, negative declarations, and environmental impact reports. Accordingly, the Regional Water Board prepared substitute environmental documents when it conducted its environmental review of the proposed Conditional Prohibition Basin Plan amendment.

Section 13245 of the Water Code requires that any Basin Plan or Basin Plan amendment must be approved by the State Water Board before it can become effective. In accordance with this statutory requirement, the Regional Water Board submitted the Conditional Prohibition adopted at its January 20, 2011 meeting to the State Water Board for its review and approval. However, at its meeting on January 10, 2012, the State Water Board decided to disapprove the Conditional Prohibition. Its disapproval decision is reflected in State Water Board Resolution No. 2012-0004. A copy of this Resolution, which includes links to the underlying Regional Water Board Resolution and Conditional Prohibition, may be viewed at the following link: <http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0004.pdf>. In relevant part in its disapproval Resolution, the State Water Board remanded the Conditional Prohibition back to the Regional Water Board and directed it to adopt WDRs or a Waiver of WDRs in lieu of, or in addition to, the proposed Conditional Prohibition for agricultural wastewater discharges. In accordance with this directive and because the proposed Waiver of WDRs is not exempt from the traditional CEQA review process and is, from a practical perspective, a different "project" for the purposes of CEQA, the Regional Water Board is starting a new CEQA review process for the proposed Waiver.

SCOPING MEETING

The **CEQA Scoping Meeting** will be held as follows:

Date: April 16, 2012
Time: 2:00 p.m.
Location: Palo Verde Irrigation District Headquarters
180 W. 14th Avenue
Blythe, CA 92225

Individuals requiring special accommodations are requested to contact Ms. Hilda Vasquez at (760) 776-8950 at least five (5) working days prior to the meeting. TTY users may contact the California Relay Service at 1 (800) 735-2929 or voice line at 1 (800) 735-2922. If you have any questions, please call Mr. Jose L. Angel at (760) 776-8932.

Please bring the foregoing to the attention of anyone you believe may be interested in this matter.

File: Waiver for Agricultural Discharges in Palo Verde.