

Appendix A: Response to Comments

Comment Deadline: May 27, 2020 at 12:00 pm

Notice of Opportunity for Public Comment on the 2020 Triennial Review of the Water Quality Control Plan for the Colorado River Basin

Comment Letter #	Date	Commenter	Affiliation
Lahontan-01	4/24/2020	Eric Taxer	Senior Water Resources Control Engineer, Lahontan Regional Water Quality Control Water Board (Region 6)
Gertz-02	5/26/2020	Art Gertz	Public
Parker-03	5/26/2020	Chuck Parker	Public
Nunez-04	5/26/2020	Felicitas Nunez	Public
Silver-05	5/26/2020	Joy Silver	Public
Lakic-06	5/26/2020	Nicola Lakic	Graduate Eng. Architect, Geothermal Worldwide Inc.
Morongo-07	5/26/2020	Robert Martin	Chairman, Morongo Band of Mission Indians
St Louis-08	5/26/2020	Susan St Louis	Co-Chair, Climate Crisis Committee - Courageous Resistance of the Desert
Alianza-09	5/27/2020	Patricia Leal	Campaign Organizer, Alianza Coachella Valley
Campo-10	5/27/2020	Lisa Gover	Director, Campo Environmental Protection Agency
CRB-11	5/27/2020	Rich Juricich	Principal Engineer, Colorado River Board
ICFB-12	5/27/2020	Brea Mohamed	Executive Director, Imperial Valley Farm Bureau
IID-13	5/27/2020	Tina Shields	Manager, Water Department - Imperial Irrigation District
MSWD-14	5/27/2020	Arden Wallum	General Manager, Mission Springs Water District
CVWK-15	5/27/2020	Sarah Spinuzzi	Staff Attorney, Coachella Valley Water Keeper
St Louis-16	6/3/2020	Susan St Louis	Co-Chair, Climate Crisis Committee - Courageous Resistance of the Desert

Triennial Review projects proposed in response to comments submitted prior to July 14, 2020 are included in the draft Triennial Review list, contained in [Appendix B](#) of this Staff Report. Please note that the draft Triennial Review list of projects has been ranked based on the Regional Water Board's priorities and must be approved by the Board. Due to limited staff resources, only the highest ranking new proposed projects will be undertaken during the 2020 Triennial Review period of January 2021 through December 2023.

Comment Number	Location in the Basin Plan	Comment Summary	Response
Lahontan-01.01	Chapter 4, Section II	Adopt a regionwide Prohibition with similar language to the Region 6 Basin Plan Chapter 4, Regionwide Prohibition #3, to prohibit unregulated discharges to waters of the state that pose a threat to water quality, also accounting for ephemeral and intermittent water bodies.	This comment will be addressed by proposing a Triennial Review project to adopt a general prohibition of unregulated discharges that pose a threat to water quality.
Gertz-02.01	N/A	Evaluate the 25 mile, West Shores, shoreline/habitat redevelopment project as presented by Gary Jennings.	<p>This comment appears to be related to the Salton Sea Management Program, which is managed by the California Natural Resources Agency.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Gertz-02.02	N/A	“Instead of spending \$19M in North Shore, spend it in West Shores.”	<p>This comment appears to be related to the Salton Sea Management Program, which is managed by the California Natural Resources Agency.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
Parker-03.01	Chapter 4, Section V; Chapter 3, Section 3.C	Expresses discontent that the California Regional Water Quality Control Board, Colorado River Basin (Colorado River Basin Water Board) has not developed Total Maximum Daily Loads (TMDLs) to address water quality impairments at the Salton Sea.	<p>Because most of the water and pollution at the Salton Sea comes from streams that discharge to it, called tributaries, the Colorado River Basin Water Board has been focusing on addressing pollution in those water bodies first. The Alamo River, New River, Coachella Valley Stormwater Channel, and Imperial Valley Drains all discharge to the Salton Sea and contain pollution. In order to solve the pollution at the Salton Sea, we have to improve the water quality in these streams first, and the Colorado River Basin Water Board has developed 7 TMDLs to do so. Staff will include projects to develop TMDLs for Salton Sea's impairments in the draft 2020 Triennial Review list.</p> <p>This comment will be addressed by proposing Triennial Review projects to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments, and TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea.</p>
Nunez-04.01	N/A	Use funding to build wastewater plant(s) as needed.	<p>The Colorado River Basin Water Board's parent agency, the California State Water Resources Control Board (State Water Board), provides grants for wastewater treatment plant development and upgrades. The Colorado River Basin Water Board regulates all municipal wastewater discharges to ensure that they are compliant with water quality laws and regulations.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Nunez-04.02	Chapter 4	Use funding to invest in cleaning water for household and other uses.	<p>The Colorado River Basin Water Board's parent agency, the State Water Board, provides grants and loans for drinking water treatment. Drinking water is regulated by State Water Board's Division of Drinking Water and not directly by the Colorado River Basin Water Board.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
Nunez-04.03		Use funding for immediate implementation of a long-term solution for ocean water import.	<p>The California Natural Resources Agency, which manages the Salton Sea Management Program, solicited Salton Sea water import proposals in 2018 and is now seeking qualified applicants to provide independent third-party evaluation services and a feasibility analysis of those projects. The Colorado River Basin Water Board will review and evaluate the feasibility study and any selected projects as appropriate.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Nunez-04.04	N/A	Use funding to perform epidemiological studies on humans living in Salton City and its public schools.	<p>The Colorado River Basin Water Board does not perform epidemiological studies. One of the agencies that carries out this work is the California Office of Environmental Health Hazard Assessment.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Nunez-04.05	Chapter 4, Section V; Chapter 3, Section 3.C	Restore healthy water to all local rivers, drains and the Salton Sea.	<p>It is the Colorado River Basin Water Board's mission to protect and restore water quality in surface waters and groundwaters throughout the region.</p> <p>This comment will be addressed by proposing Triennial Review projects to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments; TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea; and other TMDLs that are scheduled for adoption by 2025.</p>
Silver 05.01	N/A	Salton Sea conditions create the perfect breeding ground for the COVID-19 virus.	<p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>

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Silver 05.02	Chapter 4	Funding is needed for wastewater systems and to purify water for household use.	<p>Comment noted. The Colorado River Basin Water Board's parent agency, the State Water Board, provides grants and loans for drinking water treatment and wastewater treatment. Drinking water is regulated by State Water Board's Division of Drinking Water and not directly by the Colorado River Basin Water Board.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Silver 05.03	Chapter 4, Section V; Chapter 3, Section 3.C	Funding is needed to restore clean water to local rivers, drains, and ultimately, to the Salton Sea itself.	<p>It is the Colorado River Basin Water Board's mission to protect and restore water quality in surface waters and groundwaters throughout the region.</p> <p>This comment will be addressed by proposing Triennial Review project to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments, and TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea.</p>
Silver 05.04	N/A	Support for ocean water import to the Salton Sea.	Please see response to comment Nunez-04.03.
Silver 05.05	Chapter 4, Section V; Chapter 3, Section 3.C	Protect the residents' health.	<p>The Colorado River Basin Water Board's role in protecting residents' health is by developing and implementing water quality standards.</p> <p>This comment will be addressed by proposing Triennial Review projects to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments, and TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea.</p>

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Lakic 06.01	N/A	The commenter asks the Board to review their proposed project for the Salton Sea.	<p>The California Natural Resources Agency, which manages the Salton Sea Management Program, solicited Salton Sea water import proposals in 2018 and is now seeking qualified applicants to provide independent third-party evaluation services and a feasibility analysis of those projects. Mr. Lakic appears to have submitted his water import proposal to the California Natural Resources Agency, and therefore his proposal should be reviewed by the independent review panel when one is formed. The Colorado River Basin Water Board will review and evaluate the feasibility study and any selected projects as appropriate.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Morongo-07.01	Chapter 2, Table 2-1	The Tribe supports the inclusion of Tribal Beneficial Uses into the Basin Plan. While the Tribe does not request designation of these uses for any specific waterbodies at this time, the uses should be included in the Basin Plan to allow for the option to designate specific waterbodies in the future.	<p>Tribal Beneficial Uses are beneficial uses developed by the State Water Board and available for adoption and designation by the Regional Water Boards into their basin plans. These uses are Tribal Traditional Culture (CUL) and Tribal Subsistence Fishing (T-SUB). Tribal Beneficial Uses can be designated for waters within a Regional Water Board's jurisdiction. The incorporation of the Tribal Beneficial Use definitions can be accomplished during an amendment to designate the uses to specific water bodies. However, if the Tribe would find it meaningful as an acknowledgement of the potential existence of such uses, the definitions can be incorporated into the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) as part of another amendment that would be adopted prior to Tribal Beneficial Uses being designated.</p> <p>This comment will be addressed by proposing a Triennial Review project to incorporate Tribal Beneficial Use definitions and designate Tribal Beneficial Uses for specific water bodies.</p>

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Morongo-07.02	Chapter 2, Tables 2-2 through 2-4	The Tribe requests that waters within the current boundary of the Morongo Reservation be excluded from the Basin Plan. Designating beneficial uses to Tribal waters and placing Tribal waters on the 303(d) list infringes on tribal sovereignty and wastes resources of the Water Board where no jurisdiction exists.	This comment will be addressed by proposing a Triennial Review project to adopt an amendment to remove water bodies or segments of water bodies on Morongo Reservation from the beneficial uses tables.
St Louis-08.01	N/A	The Region 7 Water Board could really help the residents of the Coachella Valley by supporting an epidemiological study of the Salton Sea Basin.	Please see response to comment Nunez-04.04.
St Louis-08.02	N/A	We need a full set of data to mount a unified response to environmental and health threats, not more neglect and obfuscation.	This comment is not related to water quality standards and cannot be addressed in the Triennial Review.
St Louis-08.03	Chapter 4, Section V; Chapter 3, Section 3.C	Federal and state laws require toxins in the Salton Sea, the Alamo and New Rivers, and the Imperial County Irrigation Drains to be tested every 2 years, and mitigation plans designed and implemented for a very long list of pollutants. In 27 years, not a single mitigation plan, or TMDL, has been done for the Salton Sea. We need the Region 7 Water Board to do its job and help to clean up the pollution in the Salton Sea and its surrounding rivers.	The commenter appears to be referring to Total Maximum Daily Loads, or pollution control plans. Please see response to comment Parker-03.01.
St Louis-08.04	Chapter 5	This problem will only grow more urgent in the coming years, as climate change exacerbates the problems of the Salton Sea.	This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment to identify climate change adaptation and resilience as a Board priority.

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St Louis-08.05	N/A	Ocean water import is expensive, but it is the only solution that will both restore the Sea AND protect the health and livelihoods of people from Los Angeles to Arizona, from Nevada to the Mexican border.	Please see response to comment Nunez-04.03.
St Louis-08.06	N/A	“Please, will you be an advocate for at least opening a discussion of ocean water import to the Sea?”	The Colorado River Basin Water Board will engage in a discussion with the California Natural Resource Agency regarding Salton Sea water import projects as appropriate once the independent review of those proposals is complete. The Colorado River Basin Water Board will support selected projects if they can be implemented in accordance with the Board’s mission, the Basin Plan, and state and federal regulations.
Alianza-09.01	N/A	Notify the public, local community-based organizations and other stakeholders of all meetings, special requests or notices by utilizing different communication strategies to ensure public comment and participation during the pandemic.	<p>The Colorado River Basin Water Board currently notifies all general stakeholders via its Board Meeting email distribution list, as well as specific stakeholders for individual agenda items. Please sign up for the Board Meeting email distribution list, which is available on our website https://www.waterboards.ca.gov/coloradoriver/ under the upper, right-hand link "Subscribe."</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review. However, it addresses the effectiveness of the public participation program; we wish to engage the public more effectively and we are interested in any further suggestions.</p>
Alianza-09.02	N/A	Meeting agendas, instructions on how to participate and comment in the meetings, and meeting documents should be available in both English and Spanish and as early in advance as possible no later than 72 hours before the meeting to give enough time to the public to review.	Comment noted. Meeting agendas and instructions on how to participate in in-person meetings are made available in English and Spanish 10 days in advance of each Board meeting. For online meetings, participation instructions are also made available 10 days in advance and will be available in Spanish. Meeting materials are released more than 30-45 days in advance, depending on the item, and can be summarized and explained in Spanish upon request. The Colorado River Basin Water Board does not have resources available to translate all meeting materials into Spanish.

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Alianza-09.03	N/A	An interpreter should be available to provide remote services during scheduled meetings.	Comment noted. Interpreter services are available upon request for each Board Meeting, but requests to use the service must be made in advance of each meeting.
Alianza-09.04	N/A	Hold a 2020 Triennial Review informational workshop at the June Board meeting and share public participation timeline and strategies planned to engage the larger public in this process through remote public meetings.	<p>Staff will not have materials ready to present at the June meeting as we are processing comments made during the April-May comment period and preparing the 2020 Triennial Review package for the September-October comment period and December public hearing.</p> <p>To address this comment, staff will hold a public workshop in October after releasing the draft 2020 Triennial Review list and staff report for public comment. Staff will also post the Triennial Review schedule on the Basin Planning program page.</p>
Alianza-09.05	Chapter 6, Section II	Update water quality standards and make publicly available results pertaining to the contaminant monitoring activities in the Salton Sea and tributaries. Community members are concerned about chlorpyrifos, pyrethrins, pyrethroids, and glyphosate; legacy pesticides found in the sediment including organophosphates, DDT, Aldrin, and Dieldrin; organisms that produce Harmful Algal Blooms (HABs); E.coli, Enterococcus, and other indicator bacteria; and gypsum.	<p>The Colorado River Basin Water Board monitors water quality at the Salton Sea and its watershed and publishes the results at: https://ceden.waterboards.ca.gov/</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment updating the description of monitoring activities to include trend monitoring for the Salton Sea and its tributaries.</p>

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Alianza-09.06	N/A	Request a summary of available water quality data that the Colorado River Basin Water Board routinely collects through the various surface water quality monitoring programs.	<p>A summary is not currently available, but all available data can be queried and downloaded at: https://ceden.waterboards.ca.gov/</p> <p>Reports on the monitoring results are available at: https://www.waterboards.ca.gov/water_issues/programs/swamp/</p> <p>Additionally, data on Harmful Algal Blooms (HABs) can be found on State Water Board's California HABs Portal at: https://mywaterquality.ca.gov/habs/</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Alianza-09.07	N/A	Prioritize remote community engagement by providing needed information, documents, and interpretation services in English and Spanish.	Please see response to comment Alianza-09.02.
Alianza-09.08	Chapter 6, Section II	Develop a water monitoring and data collection plan for pesticides and nutrients of the Salton Sea with easy data access to the public. The public is interested in Salton Sea monitoring for parameters in the categories of pesticides/herbicides, microbial water quality indicators, algal organisms, gypsum, sulfides and nutrients.	Please see responses to comments Alianza-09.05 and Alianza-09.06.

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Alianza-09.09	Chapter 4, Section V; Chapter 3, Section 3.C	Prioritize the Salton Sea TMDL list with enforceable permits to improve water quality. The list of TMDLs should be available on the Colorado River Basin Water Board's website for public access.	<p>The list of TMDLs under development and in implementation are published online for public access on our TMDL Program Page. The region's wastewater discharge permits already incorporate enforceable limitations based on wasteload allocations or load allocations made in adopted TMDLs.</p> <p>To address this comment, staff will prioritize Triennial Review projects that would support improvement and implementation of Salton Sea Watershed water quality standards.</p> <p>This comment will also be addressed by proposing Triennial Review projects to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments, and TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea.</p>
Alianza-09.10	N/A	Review agricultural waivers and monitoring requirements of waivers, and make this information easily available for the public to access with links to related parameters and TMDLs.	<p>The Colorado River Basin Water Board is in the process of reviewing all Conditional Waivers for discharges from irrigated agricultural lands and replacing them with more rigorous Waste Discharge Requirements (WDRs). WDRs have been completed for Palo Verde and Bard Valleys; WDRs are under development for Coachella and Imperial valleys. This information is available on the Colorado River Basin Water Board's website at: https://www.waterboards.ca.gov/coloradriver/ under Programs - Irrigated Lands Regulatory Program.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Alianza-09.11	N/A	Enforcement of requirements pertaining to discharges of waste by local agricultural facilities and Concentrated Animal Feeding operations (CAFOs).	<p>Enforcement of permits regulating irrigated agricultural lands and CAFOs is ongoing and carried out by the Irrigated Lands and CAFO programs of the Colorado River Basin Water Board.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
Alianza-09.12	N/A	Collaborate with responsible local water agencies to monitor and protect drinking water sources.	<p>The Colorado River Basin Water Board does and will continue to collaborate with water agencies to monitor and protect drinking water sources through all of its programs.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
Alianza-09.13	Chapter 5, Section III	Local groundwater and surface water sources should be prioritized for protection of the municipal and domestic water supply beneficial use by local disadvantaged communities that currently struggle with obtaining safe drinking water.	<p>The Colorado River Basin Water Board implements the Human Right To Water (HRTW) policy set forth in State Water Board Resolution 2016-0010. Drinking water is protected by a variety of Colorado River Basin Water Board programs, including the Underground Storage Tank, Site Cleanup, Discharge to Land, and National Pollutant Discharge Elimination System programs. These programs are designed to regulate pollutants discharged or to cleanup pollutants in a manner that is protective of the municipal and domestic supply (MUN) beneficial use as prescribed in the Basin Plan.</p> <p>The Board has also been soliciting project ideas for Substitute Environmental Projects (SEPs) that would allow dischargers in enforcement proceedings to use fines for discrete projects that would benefit disadvantaged communities (DACs), which could include drinking water projects. More information on submittal of SEP proposals is available on the Colorado River Basin Water Board's Enforcement Program webpage: https://www.waterboards.ca.gov/coloradoriver/water_issues/programs/enforcement/</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment incorporating the HRTW Policy into the Policies chapter of the Basin Plan.</p>
Alianza-09.14	Chapter 5, Section III	In partnership with local nonprofits, the public, the Board and staff, develop and adopt an Environmental Justice policy to restore and protect waters in underserved areas.	This comment will be addressed by proposing a Triennial Review project to adopt administrative amendment to prioritize environmental justice communities by encouraging the use of Office of Environmental Health Hazard Assessment's environmental justice screening tool CalEnviroScreen to prioritize Board resources.

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Alianza-09.15	Chapter 5, Section III	Region 7 Water Board should be linked with the state's Human Right to Water portal and have a localized response to the needs in the region according to the rules in this legislation and align with Resolution NO 2016-0010.	<p>The Colorado River Basin Water Board reports its HRTW activities to the State Water Board on an annual basis, In accordance with the State Water Board Resolution 2016-0010. Additionally, it is worth noting that the State Water Board's Division of Drinking Water directly regulates drinking water, not the Regional Water Board.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment incorporating the HRTW Policy into the Policies chapter of the Basin Plan.</p>
Alianza-09.16	Chapter 5, Section III	Include the most updated resolution for drinking water quality, and adopt a regional policy into the Basin Plan to further address drinking water quality concerns in environmental justice communities.	Please see responses to comments Alianza-09.13, 09.14, and 09.15.
Alianza-09.17	Chapter 4, Section II.H.2	Work with local water agencies and local nonprofits to assess current sewer infrastructure needs in environmental justice communities and seek state funding to support infrastructure implementation costs. These new sewers will serve several disadvantaged communities throughout the East Coachella Valley to replace the failing Septic tank or Cesspool systems.	<p>The Colorado River Basin Water Board's parent agency, State Water Board, provides grants and loans for drinking water treatment, including to Environmental Justice (EJ) communities. The State Water Board participates in the Coachella Valley Disadvantaged Communities Infrastructure Task Force. Colorado River Basin Water Board staff also reviews the Task Force meeting minutes and agendas.</p> <p>This comment will be addressed in a Triennial Review project to adopt Onsite Wastewater Treatment Systems (OWTS) prohibitions in areas where a high OWTS density or failure rate poses a threat to water quality.</p>
Alianza-09.18	N/A	In collaboration with the Board, staff and the public, develop a prioritization criteria that is equitable and prioritizes basin planning projects in environmental justice communities such as and not limited to communities located in the East Coachella Valley.	To address this comment, staff will include Environmental Justice in Triennial Review project prioritization ranking criteria.

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Alianza-09.19	Chapter 2, Table 2-3	To prioritize using the original name of the Whitewater River in all documents including the Basin Plan and discontinue labeling it as the "Coachella Stormwater Channel."	<p>The water body is referred to as the Whitewater River in the upstream portion of the stream, and as the Coachella Valley Stormwater Channel (CVSC) from Palm Springs to its outlet at the Salton Sea.</p> <p>Staff does not propose any action in response to this comment. However, this comment has brought to our attention the fact that based on Basin Plan footnotes 17 and 23, there is a segment of the CVSC from Palm Springs to Indio that does not have beneficial uses listed. This issue will be addressed in a proposed Triennial Review project to designate beneficial uses for certain water bodies and segments of water bodies that are currently not specifically listed by name.</p>
Campo-10.01	Chapter 2, Table 2-1 Chapter 2, Tables 2-2 through 2-4	Introduce the new beneficial uses for the water bodies under the jurisdiction of the Colorado River Basin Water Board, and adopt and implement appropriate mercury water quality objectives to support the Tribal Beneficial Use designations for each waterbody. All water bodies should be designated with Tribal Beneficial Uses and corresponding water quality objectives. Sources of cultural and tribal subsistence uses are documented in a myriad of studies, books, articles etc. and all too numerous to submit here.	<p>Staff has been advised by the Tribal Beneficial Uses working group that it is not possible to do a blanket designation of Tribal Beneficial Uses for all water bodies, because some evidence is needed for each water body demonstrating that the use is an existing or potential beneficial use. Therefore, the uses must be designated individually for each water body. To designate Tribal Beneficial Uses, designation requests for specific water bodies must be made with supporting data.</p> <p>This comment will be addressed by proposing a Triennial Review project to incorporate Tribal Beneficial Use definitions and designate Tribal Beneficial Uses for specific water bodies.</p>
CRB-11.01	Chapter 3, Section III.A.1	The comment proposes changes to Chapter 3, Section III.A.1. The changes requested are to the information provided along with the Colorado River water quality objectives. No change to the objectives themselves is proposed.	The changes requested are editorial revisions to non-regulatory information concerning the Colorado River Basin Salinity Control, which would not substantively change the Basin Plan. This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment, which would make the proposed changes.

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ICFB-12.01	Chapter 2, Table 2-5	As proposed in the 2017 Triennial Review, review municipal beneficial use designation in ground water with high salinity, especially Imperial Valley, and revise beneficial use designations to correspond with individual ground water basins and aquifers. This needs to be done before the Colorado River Basin Water Board imposes requirements on the farming community that are not needed to protect groundwater quality in basins that are highly saline and have no Municipal use.	<p>The two applicable 2017 Triennial Review projects will be re-considered for 2020 Triennial Review, but will be combined into one project. Until this project is completed, staff must use professional judgment to apply beneficial uses as currently designated in accordance with the current Basin Plan.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an amendment to delineate groundwater beneficial uses by groundwater subbasin and/or aquifer, as opposed to by hydrologic unit. This will allow for greater precision in the designation of beneficial uses for groundwaters.</p>
ICFB-12.02	N/A	Imperial Valley drains are neither sources of drinking water nor tributaries to a source of drinking water	<p>Imperial Valley drains are not designated for municipal and domestic use (MUN) and neither are any of the water bodies that they discharge to.</p> <p>Staff does not propose any action in response to this comment.</p>
ICFB-12.03	N/A	Many of the Imperial Valley drains are not perennial and, therefore, do not support their designated beneficial uses year-round, if ever. In fact, most of the Imperial Valley minor drains are ephemeral and essentially dependent on agricultural tailwater and tilewater	<p>The ephemeral nature of some of these water bodies and their wastewater-dominated composition do not necessarily prevent them from supporting the respective beneficial uses.</p> <p>Staff does not propose any action in response to this comment.</p>

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ICFB-12.04	Chapter 2, Chapter 2-3 Chapter 2, Chapter 2-3	Sections of the New and Alamo Rivers and major drains are not suitable for swimming because they have drop structures that are a hazard to anyone who attempts to swim there, and the REC I use is not an authorized use for Imperial Valley drains. Based on this, ICFB respectfully requests that the Colorado River Basin Water Board include in the Triennial Review the identification and designation of subcategories of beneficial uses for these drains based on the fact that they do not support REC I and/or REC II uses. Additionally, the designation should be coupled with the establishment of less stringent criteria consistent with the sub-categorical uses.	Water Contact Recreation (REC-I) and Non-Contact Water Recreation (REC-II) beneficial uses are impaired at the Imperial Valley Drains and the New and Alamo river; however, impairment on its own is not cause for de-designation of a beneficial use. Since these water bodies discharge to the Salton Sea, REC-I and REC-II are appropriately designated for these water bodies, especially the New and Alamo rivers. Staff does not propose any action in response to this comment.
ICFB-12.05	Chapter 2, Chapter 2-3	The beneficial uses of the Salton Sea should be readdressed.	This comment will be addressed in a Triennial Review project to adopt an amendment to revise Salton Sea beneficial uses.
IID-13.01	Chapter 2, Table 2-5	Review the blanket designation of groundwater in the Imperial hydrologic unit as suitable for Municipal and Industrial beneficial use and delineate appropriate beneficial uses for individual aquifers and sub-basins based on actual conditions.	This comment will be addressed by proposing a Triennial Review project to adopt an amendment to delineate groundwater beneficial uses by groundwater subbasin and/or aquifer, as opposed to by hydrologic unit. This will allow for greater precision in the designation of beneficial uses for groundwaters.

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IID-13.02	Chapter 2, Chapter 2-3 Chapter 2, Chapter 2-3	The application of beneficial use designations to desert washes and constructed waterways (New River, Alamo River, and Imperial Valley Drains) is inappropriate, as the designations fail to consider the source, type, and quality of water supporting year round flow, aquatic life, and wildlife. IID requests that the Colorado River Basin Water Board develop a more suitable and consistent list of beneficial uses, water quality objectives, and an implementation process that is appropriate for these systems and does not undermine the intended purpose of the drains.	<p>There are two concerns stated in the comment: the need to review beneficial use attainment, and the need for site-specific water quality objectives. Both must be completed in a way that supports the beneficial uses of the Salton Sea in order to ensure that its water quality standards are adequately protected.</p> <p>The ephemeral nature of some of these water bodies and their wastewater-dominated composition do not necessarily prevent them from supporting these uses. The justification and information provided by the commenter is not sufficient to justify de-designating beneficial uses for these water bodies.</p> <p>The commenter has not provided any information regarding which site-specific objectives should be developed for these water bodies.</p> <p>Staff is proposing a Triennial Review project which may partially address this comment, to develop site-specific water quality objectives for the Salton Sea Watershed for certain pollutants.</p>
IID-13.03	Chapter 3, Section IV.A	IID requests that the Colorado River Basin Water Board prioritize development of SSOs for manganese and turbidity appropriate for the Colorado River to prevent the initiation of an expensive Total Maximum Daily Load development and Basin Plan amendment process that are unlikely to result in attainment of currently applicable water quality objectives.	<p>The 303(d) listings for manganese and turbidity have not yet been approved by the State Water Board or USEPA. Until the listings are finalized, it is premature to prioritize actions concerning these pollutants. Additionally, further evaluation of the relevant data and information will be necessary before making a final determination on whether to pursue site-specific objectives or TMDLs for these pollutants.</p> <p>Staff does not propose any action in response to this comment.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
MSWD-14.01	N/A	Comments urge the Colorado River Basin Water Board not to incorporate all Title 22 Secondary Maximum Contaminant Levels (SMCLs) as water quality objectives for groundwater designated with the Municipal and Domestic Supply (MUN) beneficial use, particularly for salts and nutrients.	<p>The commenter has not provided evidence that adopting SMCLs as groundwater objectives would be harmful to water quality or would not achieve the objective of protecting the municipal and domestic supply (MUN) beneficial use. Further, SMCLs do not contain limits for nutrients; groundwater objectives for nutrients are already adopted into the Basin Plan as Primary Maximum Contaminant Levels (MCLs).</p> <p>Staff does not propose any action in response to this comment.</p>
CVWK-15.01	Chapter 3, Section IV.A	Implement numeric water quality objectives for ground waters with a designated use for domestic or municipal supply (MUN).	<p>The Colorado River Basin Water Board has developed and is implementing water quality objectives for groundwaters. Some numeric water quality objectives for groundwater with municipal and domestic supply (MUN) use have been developed, including by incorporating the Primary Maximum Contaminant Levels (MCLs) contained in title 22 of California Code of Regulations, incorporated into the Basin Plan by reference, see Chapter 3, Section 4C. Additionally, staff currently interprets narrative water quality objectives for MUN waters using the Secondary MCLs from section 64449 of title 22 and will continue to do so. These objectives are implemented through various groundwater permitting programs. The Colorado River Basin Water Board is in the process of developing specific numeric objectives for Indio Subbasin of the Coachella Valley Groundwater Basin.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an amendment to develop numeric water quality objectives for the Indio Subbasin, and to expressly incorporate the Secondary MCLs table in California Code of Regulations, title 22, section 64449 into the Chemical Constituents objective for surface waters and Chemical and Physical Quality Objective for groundwaters.</p>
CVWK-15.02	Chapter 3, Section IV	Strengthen groundwater narrative water quality objectives.	See response to comment CVWK-15.01.

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.03	Chapter 6, Section II	Develop a monitoring program specifically designed to effectuate the state’s Human Right to Water Policy and ensure compliance with water quality objectives. Such a monitoring plan should focus on disadvantaged communities served by private wells and/or small water agencies and coordinate with tribes to conduct monitoring. Prioritize aquifers identified, or already known, to contain contaminants that exceed safe drinking water standards with connections which are outside or not connected to a public water system or connected to a small water system.	<p>The efforts of the Colorado River Basin Water Board are designed to protect the MUN beneficial use in surface waters and groundwaters within the region. Currently, groundwater quality is monitored through the Groundwater Ambient Monitoring and Assessment (GAMA) Program. Monitoring of drinking water wells is overseen by the State Water Board’s Division of Drinking Water in coordination with counties, and the monitoring results are submitted to GAMA, where they are reviewed by the Colorado River Basin Water Board for the development and implementation of water quality standards. The Colorado River Basin Water Board also requires groundwater monitoring through discharge permits to ensure that the discharge is not degrading groundwater quality.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment which would prioritize environmental justice communities by encouraging the use of Office of Environmental Health Hazard Assessment’s environmental justice screening tool CalEnviroScreen to prioritize Board resources. This comment will also be addressed by proposing a Triennial Review project to adopt an administrative amendment revising and re-structuring Chapter 6, Section II of the Basin Plan to separate out groundwater and surface water monitoring programs and to describe GAMA, local cooperative relationships, and data usage.</p>
CVWK-15.04	N/A	Promote consolidation and regional solutions for safe, sustainable and affordable drinking water consistent with the State Board’s Safe and Affordable Funding for Equity and Resilience (“SAFER”) policy adopted on May 5, 2020.	<p>The State Water Board administers the SAFER Drinking Water Program through its Division of Drinking Water (DDW), Division of Financial Assistance (DFA), and Office of Public Participation (OPP). Specific requests for the SAFER program should be directed to the State Water Board.</p> <p>Staff does not propose any action in response to this comment.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.05	Chapter 3, Section IV.A	Amend groundwater narrative water quality objectives to include taste and odor problems caused by non-human activity for MUN designated water supplies as well as coloration or turbidity.	<p>The Basin Plan does contain groundwater narrative objectives for taste and odor, see Chapter 3, Section IV.A. The Basin Plan also includes a narrative objective for turbidity. Although staff currently interprets narrative water quality objectives for MUN waters using the Secondary MCLs from section 64449 of title 22 and will continue to do so, the Basin Plan could be clarified by expressly incorporating the Secondary Maximum Contaminant Limits as numeric groundwater objectives, which contain numeric limits for turbidity, color, odor, and for taste- and odor-producing substances.</p> <p>This comment will be addressed by proposing a Triennial Review project to expressly incorporate the Secondary MCLs table in California Code of Regulations, title 22, section 64449 into the Chemical Constituents objective for surface waters and Chemical and Physical Quality Objective for groundwaters.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.06	Chapter 4	Affirm Colorado River Basin Water Board's commitment to take an active role in permitting, regulating, and enforcing its authority over discharges of pollutants to ground water to meet water quality objectives, by acknowledging its authority to regulate discharges of pollutants to ground water supplies.	<p>The Colorado River Basin Water Board does affirm its commitment to take an active role in permitting through every Waste Discharge Requirements order issued, which includes monitoring requirements and/or effluent limitations. This commitment is further reinforced by the enforcement actions initiated when dischargers fail to meet permit requirements. However, upon review of Basin Plan Chapter 4 "Implementation," it is evident that the organization and language in this chapter lack clarity regarding the Colorado River Basin Water Board's authority to regulate groundwater and other discharges; groundwater and surface water programs are presented in mixed order, and the introductory section of Point Source Controls addresses NPDES implementation at length, instead of providing general information applicable to all programs later discussed in subsections.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment re-structuring and revising Chapter 4 to separate out Surface Water and Groundwater Programs, and describe the Colorado River Basin Water Board's permitting, regulatory, and enforcement authority in the introductory paragraphs for each set of programs.</p>
CVWK-15.07	Chapter 3, Section III.C.1	According to the Basin Plan, the "primary purpose" of the Salton Sea is "to receive and store agricultural drainage, seepage, and storm waters." Rather than identify the "primary purpose" of the Salton Sea as a quasi-terminal for agricultural pollution, the Regional Board should instead expand the beneficial uses to reflect the significant biological, cultural, and recreational functions of the Sea.	<p>An iteration of this language was removed from Chapter 2 in 2017 administrative amendment. This language is inconsistent with the Clean Water Act and should be removed from the Basin Plan. The commenter does not propose any specific changes to the Salton Sea's beneficial uses.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment removing language describing the Salton Sea's primary purpose as conveyance of wastewater.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.08	Chapter 3, Section III.C.1	References within the Basin Plan to the Salton Sea's significant and undeniable Total Dissolved Solids (Salinity) challenges should be updated to reflect current restoration plans and information.	Salton Sea language was recently updated in a 2017 administrative amendment, but additional changes may be necessary to address this comment. This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment revising Salton Sea language to reflect current restoration plans and other pertinent information.
CVWK-15.09	Chapter 3, Section III.C.1	Language within the Basin Plan should reflect the urgency necessary to stabilize the situation instead of shifting the responsibility for the Salton Sea's water quality onto other agencies or responsible parties.	This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment revising language concerning responsibility for Salton Sea's water quality.
CVWK-15.10	Chapter 3, Section III.C.1	Eliminate all language suggesting that the Salton Sea's primary purpose is to accept agricultural return flows.	Please see response to comment CVWK-15.08.
CVWK-15.11	Chapter 4, Section V	Prioritize the development and implementation of TDMLs to address each impairment to the Sea.	To address this comment, staff will use improvement and implementation of Salton Sea Watershed water quality standards as Triennial Review project prioritization ranking criteria, with the highest score assigned to projects addressing water quality directly in the Salton Sea itself. This comment will also be addressed by proposing Triennial Review projects to adopt TMDLs or water quality standards (WQS) amendments that address Salton Sea impairments, and TMDLs that address Salton Sea tributary impairments that are also present at the Salton Sea.
CVWK-15.12	Chapter 4, Section V	The existing TMDLs for the tributaries to the Sea should be incorporated into all NPDES permits, waste discharge requirements, and agricultural waivers.	The existing TMDLs for the tributaries to the Sea are already incorporated into NPDES permits, agricultural waivers, and waste discharge requirements. Staff does not propose any action in response to this comment.

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.13	Chapter 5, Section III	Prioritize identification of all unpermitted CAFOs and industrial dischargers within the region and prioritize enforcement of National Pollutant Discharge Elimination System (NPDES) permits.	<p>Identifying and bringing into compliance unpermitted dischargers is a Board priority. The referenced section of the Basin Plan is lists and references adopted Board policies and is not the appropriate location for identifying a single enforcement priority, nor does every single enforcement priority need to be enumerated in the Basin Plan. The enforcement role of the Colorado River Basin Water Board is emphasized in Chapter 4 Section II, particularly for point source discharges.</p> <p>Staff does not propose any action in response to this comment.</p>
CVWK-15.14	Chapter 4, Section II.E	Acknowledge the existence of equestrian and other types Concentrated Animal Feeding Operations (CAFOs) not currently recognized in the Basin Plan, and to acknowledge that CAFOs are point sources that are ineligible for WDRs.	<p>Animal Feeding Operations (AFOs) are agricultural operations where animals are kept and raised in confined situations. AFOs that meet the regulatory definition of a Concentrated Animal Feeding Operation (CAFO) are regulated by the NPDES permitting program under General Order R7-2013-0800. The definitions of AFOs and CAFOs are set forth under NPDES regulations. AFOs that do not meet the definition of a CAFO pose a lower threat to water quality and are not currently regulated by the Colorado River Basin Water Board. Chapter 4, Section II.E referenced by the commenter does not currently reflect this information and needs to be amended to make the terminology and information consistent with NPDES regulations.</p> <p>This comment will be addressed by proposing a Triennial Review project to adopt an administrative amendment making the changes as described above.</p>
CVWK-15.15	Chapter 4, Section II	There are a variety of other unregulated industrial facilities that require NPDES permits. While it is important to maintain cooperation with dischargers, the Basin Plan should be updated to emphasize the enforcement role of the Regional Board and prioritize NPDES Permit compliance.	<p>NPDES compliance is a high priority for the Colorado River Basin Water Board. Our ability to identify unregulated discharges is limited by staff resources. We do perform enforcement activities for industrial facilities permitted under the State Water Board's Industrial General Permit 2014-0057-DWQ for the industrial stormwater program. The enforcement role of the Colorado River Basin Water Board is emphasized in Chapter 4 Section II, especially concerning NPDES permit compliance.</p> <p>Staff does not propose any action in response to this comment.</p>

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.16	Chapter 5, Section III.A Chapter 4, Section II.H.2	Prioritize the identification of septic systems (also known as OWTS) that discharge waste with the reasonable potential to cause a violation of water quality objectives, or to impair present or future beneficial uses of water, to cause pollution, nuisance, or contamination of waters of the state.	<p>Septic system elimination is prioritized in Chapter 5, Section III.A. The section currently focuses on investigations.</p> <p>This comment will be addressed by proposing Triennial Review projects to adopt an administrative amendment revising this section to identify next steps and provide more detail. The comment will also be addressed by a Triennial Review project to adopt OWTS prohibitions in areas where a high OWTS density poses a threat to water quality.</p>
CVWK-15.17	Chapter 4, Section II.H	Prioritize in the Basin Plan the Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy) requirements for minimum monitoring and corrective action when OWTS fail to meet the requirements of the OWTS policy.	<p>Chapter 4, Section II.H.1 incorporates State Water Board's OWTS Policy in its entirety, including local agency responsibility and duties, monitoring and reporting requirements, and corrective actions. Writing out some of the key requirements of the OWTS Policy in this section of the Basin Plan may provide some additional clarity; however, revising this section in the Basin Plan would not be a high priority.</p> <p>This comment will be addressed by proposing Triennial Review projects to adopt an administrative amendment revising this section to specify the responsible parties under OWTS Policy and highlight local agency monitoring and reporting requirements. The comment will also be addressed by a Triennial Review project to adopt OWTS prohibitions in areas where a high OWTS density poses a threat to water quality.</p>
CVWK-15.18	Chapter 4, Section II.H.2.iii	Update the Basin Plan OWTS prohibition section to reflect the current state of the prohibitions and anticipated projects.	<p>The Colorado River Basin Water Board is in process of updating the Basin Plan OWTS prohibition section, specifically by revising the Yucca Valley prohibition to reflect current conditions and anticipated projects. Other OWTS prohibitions will be updated as needed. The commenter has not identified any specific changes that should be reflected.</p> <p>This comment will be addressed in a Triennial Review project to adopt an amendment to revise the Yucca Valley OWTS Prohibition.</p>
CVWK-15.19	Chapter 4, Section II.H	Submit a Water Code Section 13267 Order to septic system operators believed to be in violation of the OWTS policy so that it can obtain information necessary to protect water quality.	Please see response to comment CVWK-15.17.

Comment Number	Location in the Basin Plan	Comment Summary	Response
CVWK-15.20	N/A	Consider how the California Water Code's "waste or unreasonable use" doctrine would or could apply to the use of scarce drinking water for more and more surf parks in the Coachella Valley and whether a surf lagoon policy is necessary	<p>The Colorado River Basin Water Board does not have jurisdiction over water use. Concerns regarding construction of surf parks should be addressed to your local planning office. Water used in these facilities would likely be secured from the local water purveyor.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
St Louis-16.01	N/A	"I have been told that the Water Board is only planning to do an assessment of the Salton Sea in 2030."	<p>The Colorado River Basin Regional Water Quality Control Board staff administers a water quality monitoring program of key water bodies including the Salton Sea, solicits any additional available water quality data, and every 2 to 6 years performs assessments of water quality using data gathered through the Integrated Report process. Staff has asked the commenter for a clarification on this statement to address any misinformation or misunderstanding but did not receive a response.</p> <p>This comment is not related to water quality standards and cannot be addressed in the Triennial Review.</p>
St Louis-16.02	N/A	"As concerned citizens, we want the Board to undertake an epidemiological study of the Salton Sea ASAP. We need to know how severely we will be impacted by the pollutants in the Salton Sea as it begins to dry up."	Please see response to comment Nunez-04.04.