

2020 TRIENNIAL REVIEW
OF THE WATER QUALITY CONTROL PLAN FOR THE
COLORADO RIVER BASIN REGION

Staff Report

December 2020

California Regional Water Quality Control Board
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Table of Contents

1	INTRODUCTION.....	1
2	TRIENNIAL REVIEW PROCESS.....	1
3	STATUS OF 2017 TRIENNIAL REVIEW	2
4	PROPOSED PROJECTS.....	4
5	BASIN PLANNING RESOURCES	5
6	PRIORITIZATION	6
	APPENDICES	8
	Appendix A: Response to Comments.....	A-1
	Appendix B: 2020 Triennial Review List	B-1
	Appendix C: 2020 Triennial Review List Prioritization Ranking	C-1

1 INTRODUCTION

This Staff Report is written in support of the California Regional Water Quality Control Board, Colorado River Basin Region's (Colorado River Basin Water Board) triennial review of its water quality standards (Triennial Review), which are contained in the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan). The purpose of this Staff Report is to detail the Triennial Review process and to develop a three-year workplan for water quality standards projects.

The Triennial Review is a process conducted to meet the requirements of the Clean Water Act section 303(c)(1), which requires the Colorado River Basin Water Board to hold public hearings for the purpose of reviewing applicable water quality standards at least once each three-year period. Likewise, Water Code section 13240 requires the periodic review of regional water quality control plans. Water quality standards consist of beneficial uses for surface water and groundwater bodies and water quality objectives established to protect those uses, as well as an antidegradation policy. In addition to water quality standards, the Basin Plan also describes the water bodies and surrounding environments, actions and policies implementing the water quality standards, monitoring plans to ensure that water quality standards are being met, and other pertinent information. During the Triennial Review, possible additions and revisions to the Basin Plan are identified and prioritized. These prioritized additions and revisions are then developed and implemented through changes to the Basin Plan, as necessary, based upon available resources.

2 TRIENNIAL REVIEW PROCESS

In January 2020, staff began the Triennial Review for the period of January 2021 through December 2023 (2020 Triennial Review). The process was commenced by reaching out to California Native American Tribes that may have historical and ancestral lands within the Colorado River Basin Region to solicit early input on Triennial Review projects that might be of interest to the Tribes. On January 28, 2020, staff held a workshop for interested Tribal representatives to present information about the Triennial Review process, with a focus on potential projects to designate Tribal Beneficial Uses.

On April 7, 2020, staff sent out a Public Notice to solicit potential Triennial Review projects from the general public and the Tribes. The Public Notice announced a comment period to provide project proposals, ending on May 27. During the comment period, staff also solicited projects internally from other Colorado River Basin Water Board programs. In total, 16 comment letters were submitted. Staff prepared a table with responses to comment received, provided in [Appendix A](#) of this Staff Report.

After reviewing the comment letters submitted by the public, staff developed a preliminary list of Triennial Review proposed projects and systematically ranked them in order to develop a prioritized list (see Section 6 below) of proposed Basin Planning projects to pursue during the 2020 Triennial Review period, called the Triennial Review List. The 2020 Triennial Review period will start in January 2021 and last through December 2023, after which time a new Triennial Review List should be prepared.

This Staff Report has been released for public review along with the Triennial Review List for a 30-day comment period. During the comment period, staff will hold a public workshop on October 8 to provide more information about the Triennial Review process. After the comment period ends and staff responds to additional comments received, the Colorado River Basin Regional Water Board will consider adopting a Resolution to approve the 2020 Triennial Review list. The approved Triennial Review List and associated administrative record will be transmitted to the State Water Resources Control Board (State Water Board) and the United States Environmental Protection Agency (USEPA).

After the Triennial Review List has been completed, reviewed by the public, approved by the Board and transmitted to USEPA, staff will work on developing the identified projects as appropriate throughout the 2020 Triennial Review period. Importantly, because resources are not available to complete all projects, as detailed in Section 5 of this Staff Report, placement of a project on the Triennial Review List does not guarantee that the project will be completed, or that it will be completed as described. Additional public participation opportunities will be presented during the development of the project.

Triennial Review projects are implemented through Basin Plan Amendments, Total Maximum Daily Load (TMDL) plans, and through policies. Basin Plan Amendments are changes to the Basin Plan. A Basin Plan Amendment project is complete when the amendment goes into effect, which happens when the project has been reviewed and approved by all appropriate agencies, which includes the Colorado River Basin Water Board, followed by the State Water Board, after which the process will vary depending on the project. TMDLs are water pollution control plans that must be developed to address water quality impairments, which are identified on the 303(d) list of impaired waters. TMDLs are also typically implemented through Basin Plan Amendments but can sometimes be achieved through other regulatory means and for the purposes of this Staff Report they are considered separately. A TMDL project is considered complete after it goes into effect, which occurs after the TMDL has been approved by the USEPA. Policies are typically adopted by Resolution and may also be incorporated into the Basin Plan through a Basin Plan Amendment.

3 STATUS OF 2017 TRIENNIAL REVIEW

The previous review of the Basin Plan took place during the 2017 Triennial Review. The 2017 Triennial Review List was reviewed by the public and adopted by the Regional Water Board on November 9, 2017. The 2017 Triennial Review List consisted of 15 projects, as summarized in Table 1 below. Typically, Triennial Review Lists only contain water quality standards-related projects that may result in Basin Plan Amendments, including TMDLs. The 2017 Triennial Review List did not include the TMDLs that staff were going to be developing during the 2017 Triennial Review period of January 2018 through December 2020 but did list several projects that would not lead to Basin Plan Amendments. Of the fifteen 2017 Triennial Review projects, eight projects were potential Basin Plan Amendments, of which five were assigned to staff. Two of the Basin Plan Amendment projects that were assigned to staff have been completed and one is expected to be considered by the Colorado River Basin Water Board before the end of the 2017 Triennial Review period. The top four priority projects included in the 2017 Triennial Review List are not expected to be completed during the 2017 Triennial Review period; and the two

Colorado River Basin Regional Water Quality Control Board
2020 Triennial Review Staff Report

projects that have been completed to date are ranked as 13th and 14th. The 2020 Triennial Review process will ensure that only projects that may result in Basin Plan Amendments are listed, that TMDLs are included, and that the ranking criteria are designed in a way that takes into account public input and is used to assign staff resources to projects.

Table 1: 2017 Triennial Review Projects

Rank	Item	Type of Project	Status	Expected Completion by December 2020
1	Groundwater Nitrate Assessment	Basin Plan Amendment ¹	Ongoing	No
2	Establish Groundwater Water Quality Objectives for Total Dissolved Solids	Basin Plan Amendment	Ongoing	No
3	Evaluate Municipal and Domestic Supply Beneficial Use in Saline Groundwater	Basin Plan Amendment	Not Assigned	No
4	Re-establish Groundwater Beneficial Use Boundaries	Basin Plan Amendment ¹	Not Assigned	No
5	Assess Bioaccumulation in Constructed Wetlands	Study	Ongoing	Yes
6	Monitor Harmful Algal Blooms at Salton Sea	Monitoring	Ongoing	Yes
7	Incorporate SWRCB Bacteria Water Quality Objectives	Basin Plan Amendment	Ongoing	No ²
8	Assess Beneficial Use Attainment at Constructed Wetlands	Study ³	Ongoing	Yes
9	Assess Pesticide Trends in Ag Drains	Study	Ongoing	Yes
10	Identify Sources of Ammonia and Toxicity in the Coachella Valley Stormwater Chanel	Basin Plan Amendment ¹	Ongoing	No
11	Monitoring at Salton Sea Aquatic Habitats	Study	Not Assigned	No
12	Update New River Language in the Basin Plan	Basin Plan Amendment	Not Assigned	No
13	Update Salton Sea Language in the Basin Plan	Basin Plan Amendment	Completed	Yes
14	Basin Plan Corrections and Updates	Basin Plan Amendment	Completed	Yes
15	Incorporate SWRCB Water Quality Objectives for Mercury	Basin Plan Amendment	Not Assigned	No

¹ This project is listed in the 2017 Triennial Review as a study; however, based on the project description, it is in fact a Basin Plan Amendment.

² The Colorado River Basin Water Board adopted this Basin Plan Amendment on September 3, 2020. Final approval by the State Water Resources Control Board, the State Office of Administrative Law and the U.S. Environmental Protection Agency will likely take place in 2021.

³ This project is listed in the 2017 Triennial Review as a Basin Plan Amendment; however, based on the project description, it is in fact a study.

4 PROPOSED PROJECTS

The proposed 2020 Triennial Review projects were compiled and ranked to develop the Triennial Review List, consisting of ongoing projects, summarized in Table 2, and new projects, summarized in below. The complete Triennial Review List is provided with project descriptions and other details in [Appendix B](#) of this Staff Report.

The 2020 Triennial Review List contains 14 ongoing projects, listed in Table 2 below. Ongoing projects include 2017 Triennial Review projects that have not been completed, other water quality standards projects that were started since the 2017 Triennial Review list was approved, and TMDL projects, which were previously not included in the Colorado River Basin Water Board’s Triennial Review lists.

Table 2: 2020 Triennial Review Ongoing Projects

No.	Project Title
1	Salton Sea Watershed, Imperial Valley Organochlorine Compounds and Organophosphate Pesticides TMDLs
2	Salton Sea Watershed, Coachella Valley Stormwater Channel Organochlorine Compounds TMDL Alternatives
3	Salton Sea Watershed, Alamo River Chloride, Indicator Bacteria, and Toxicity TMDLs
4	Salton Sea Watershed, New River Ammonia, Nutrients, and Toxicity TMDLs
5	Salton Sea Dissolved Oxygen and Nutrients TMDLs
6	Yucca Valley Septic System Prohibition Revision
7	Salton Sea Watershed, Coachella Valley Stormwater Channel Ammonia, Dissolved Oxygen, and Toxicity TMDLs
8	Imperial Valley Pyrethroid Pesticides TMDLs
9	Onsite Wastewater Treatment Systems (OWTS) Prohibitions in Areas Where OWTS Pose a Threat to Water Quality
10	Salton Sea Beneficial Use Review
11	Regionwide Indicator Bacteria Basin Plan Amendment
12	Groundwater Numeric Water Quality Objectives in Indio Subbasin
13	Palo Verde Outfall Drain and Lagoon Chloride and Indicator Bacteria TMDLs
14	Colorado River Toxicity TMDL

The 2020 Triennial Review List also contains 15 new projects, listed in Table 3 below. New projects include staff-proposed projects, projects proposed by other programs, and projects proposed in response to public comments. Note that new projects are not presently assigned and staff’s ability to start them during the 2020 Triennial Review period will depend on the completion of ongoing projects.

Table 3: 2020 Triennial Review New Projects

No.	Project Title
15	Salton Sea Watershed Site-Specific Objectives
16	Salton Sea Watershed Ammonia TMDL
17	Beneficial Use Designation for Salton Sea Constructed Aquatic Habitats
18	Salton Sea Watershed Bacteria TMDL
19	Adopt Secondary Maximum Contaminant Levels (MCLs) as Groundwater and Surface Water Quality Objectives for the Municipal and Domestic Supply Beneficial Use
20	Adopt Regionwide Water Quality Objectives Based on USEPA 304(a) Criteria
21	Salton Sea Arsenic TMDL
22	Salton Sea Toxicity TMDL
23	Salton Sea DDT and DDE TMDLs
24	Delineate Groundwater Beneficial Uses by Groundwater Subbasin and/or Aquifer
25	Incorporate Tribal and Subsistence Fishing Beneficial Use Definitions and Designate Tribal Beneficial Uses for Specific Water Bodies
26	Administrative Update to the Basin Plan
27	Imperial Valley Drains Toxicity TMDL
28	List Certain Unlisted Waterbodies and Applicable Beneficial Uses, And Designate Miscellaneous Beneficial Uses to Listed Waterbodies
29	General Prohibition of Unpermitted Waste Discharges that Pose a Threat to Water Quality

5 BASIN PLANNING RESOURCES

The Colorado River Basin Water Board is allocated limited staff resources to administer Water Quality Standards programs, which include implementation of Triennial Review projects. Staff resources are calculated in Personnel Years (PY), where one PY equates to the resources needed to fund one Colorado River Basin Water Board staff person for one year. Currently, 5.6 PYs are assigned to Water Quality Standards projects on an annual basis, which adds up to a total of 16.8 PYs over the course of the 2020 Triennial Review period. Of those resources, 4.8 PYs are expected to be used for program management and other efforts that do not result in Basin Plan Amendments, like the 2023 Triennial Review. 9.8 PYs are assigned to ongoing Triennial Review projects listed in Table 2 above. This leaves just 2.2 PYs available for new projects listed in Table 3. The ability to apply these resources to new projects is further limited by when the ongoing projects will be completed, which is subject to change. Based on projected resource availability, it is expected that no more than three to five new projects may be started during the 2020 Triennial Review period, of which only one may possibly be completed by December 2023. Staff estimates that to begin working on all new projects during the 2020 Triennial Review, an additional 11.9 PYs would be needed over the course of the Triennial Review period, which would require four new staff positions to be funded, filled and fully available for water quality standards projects.

6 PRIORITIZATION

In order to prioritize the use of limited staff resources, the Triennial Review List has been ranked using scoring criteria, which were developed based on public input and program priorities. The scoring criteria are described in Table 4 below. Together, these criteria prioritize the protection of the environment, public health, and all beneficial uses, in accordance with the Water Boards mission.

Table 4: Prioritization Scoring Criteria

Criterion	Question	Minimum Score	Middle Score	Maximum Score
Ongoing project	Is this an ongoing project that is already assigned to staff?	0 (no)	N/A	30 (yes)
Salton Sea	Does the project protect water quality at the Salton Sea?	0 (no)	5 (possibly or indirectly)	10 (yes, directly)
EJ or Tribal	Does the project address Environmental Justice or Tribal issues?	0 (no)	5 (possibly or indirectly)	10 (yes, directly)
Completion (ongoing)	For ongoing projects, how likely is the project to be completed before December 2023?	0 (not likely)	5 (somewhat likely)	10 (very likely)
Completion (new)	For new projects, how long will the project take once started?	0 (≤ 6 months)	5 (18 months)	10 (≥ 48 months)
Groundwater	Does the project address groundwater impairments?	0 (no)	5 (possibly or indirectly)	10 (yes, directly)
Public interest	Does the project address concerns expressed by the public?	0=not at all	5 (somewhat or some)	10 (yes, many)
Time sensitivity	When does the project need to be completed to meet commitments?	0 (≥ 2031)	5 (by 2024)	10 (≤ 2020)
Impairments	Does the project address 303(d) listed impairments?	0 (no)	3 (yes, indirectly)	5 (yes, directly)
Beneficial Uses	Does the project protect or designate beneficial uses?	0 (no)	3 (yes, indirectly)	5 (yes, directly)

The total scores were added up and then grouped into ranks 1 through 9 by increments of five points. The scores and rankings are represented by project in [Appendix C](#) of this Staff Report. The prioritization ranking is meant to serve as a guide to assigning resources. When resources become available, a higher-ranking new project may be considered before lower ranking projects. Likewise, when staff resources must be re-assigned, a lower ranking ongoing project would be more likely to be delayed than a higher-ranking ongoing project. Exceptions may be made to account for staff expertise, amount of staff time available, new projects not identified in the Triennial Review, and other emerging priorities.

7 304(a) CRITERIA

40 Code of Federal Regulations section 131.20 requires that Colorado River Basin Water Board provide an explanation when it does not adopt new or revised criteria for parameters for which US EPA has published new or updated Clean Water Act section 304(a) criteria recommendations, adopted since May 30, 2000. Colorado River Basin Water Board staff has reviewed these criteria and is proposing to update its Basin Plan to reflect the updated 304(a) aquatic life criteria for Ammonia, as described in Appendix B of this Staff Report, Project 20, "Adopt Regionwide Water Quality Objectives Based on USEPA 304(a) Criteria." Staff does not recommend updating the Basin Plan to reflect other updated 304(a) criteria because revising such criteria involves considerable effort most efficiently done by the State Water Board's Division of Water Quality, since a change to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (statewide Basin Plan) would supersede all regional Basin Plans. Staff will continue to engage in discussions and assessments with the State Water Board regarding recommended water quality objectives.