

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

Public Notice No. 7-24-02-3
Issued February 26, 2024
Reissued June 27, 2024

REISSUED NOTICE OF OPPORTUNITY FOR PUBLIC HEARING

PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN, ESTABLISHING A TOTAL MAXIMUM DAILY LOAD AND IMPLEMENTATION PLAN FOR PYRETHROID PESTICIDES IN ALAMO RIVER AND NEW RIVER, IMPERIAL COUNTY

REISSUED NOTICE OF PUBLIC HEARING

Revised Hearing Date:
July 9, 2024

NOTICE IS HEREBY GIVEN THAT the staff of the California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board) will hold a public hearing on a proposed amendment to the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan), establishing a Total Maximum Daily Load (TMDL) and Implementation Plan for Pyrethroid Pesticides in Alamo River and New River, Imperial County. More information on the proposed Basin Plan Amendment is provided below. At the Colorado River Basin Water Board's public meeting on July 9, 2024, the Board will consider whether to adopt a Tentative Resolution, approving a finalized version of the Draft Staff Report.

HEARING PARTICIPATION

The Colorado River Basin Water Board will hold a public workshop to provide information and receive oral comments on the proposed Basin Plan Amendment and a separate public hearing to consider approval of Draft Staff Report, as specified below:

Adoption Hearing: July 9, 2024
9:00 am

Location: Colorado River Basin Water Board's Boardroom
73-720 Fred Waring Drive, Suite 100,
Palm Desert, California 92260

Remote Participation Option Available
(See Instructions Below)

Remote Participation Option

Although these public meetings will be conducted in-person, the public will also have the opportunity to participate remotely via the [ZOOM videoconferencing platform](https://zoom.us) (<https://zoom.us>), which is free to download. If you intend to comment or otherwise actively participate in either meeting, you will need to obtain ZOOM access prior to each meeting. For those who do NOT intend to actively participate, the meetings will be livestreamed via [Cal-Span](https://cal-span.org/) (<https://cal-span.org/>).

Please refer to the Colorado River Basin Water Board's [Remote Meetings](http://www.waterboards.ca.gov/coloradoriver/board_info/remote_meeting) page (www.waterboards.ca.gov/coloradoriver/board_info/remote_meeting) for instructions on remote participation via ZOOM.

Oral Comments at Hearing

All persons interested in the Proposed Basin Plan Amendment will be provided the opportunity to orally comment during the workshop and adoption hearing, provided that they have submitted **Speaker Request Cards** (or the equivalent for virtual participation). Such comments will be limited to three minutes, though the Board Chair may grant additional time on a case-by-case basis. To ensure accuracy of the record the Colorado River Basin Water Board requests that interested persons wishing to speak provide a summary of their oral comments in writing before or during the hearing. However, interested persons do not need to submit written statements in order to speak. If your comments will incorporate a short slideshow presentation or visual aids, please email these materials to Mary.Castaneda@waterboards.ca.gov no later than 3:00 pm July 8, 2024 for the adoption hearing. Such materials should be presented at the workshop.

BACKGROUND

Water Quality Control Plan (Basin Plan) for the Colorado River Basin is the guiding document that outlines the Colorado River Basin Water Board's plan for preserving and enhancing water quality in the region for the protection of beneficial uses for present and future generations. The Basin Plan contains the region's beneficial uses for groundwaters and surface waters, water quality objectives (WQOs) for protection of beneficial uses, and implementation programs to achieve WQOs.

The proposed Basin Plan Amendment was developed in response to the State Water Resources Control Board's (State Water Board) adoption of toxicity, chemical constituents, and pesticide wastes objectives for all Imperial Valley waters. A review of collected water quality data from Alamo River and New River waters indicates the presence of pyrethroid pesticides in various environmental matrices. To address these

impairments, numeric targets for bifenthrin, cyfluthrin, cypermethrin, esfenvalerate, lambda-cyhalothrin, and permethrin in the water column of the New and Alamo Rivers were selected based on the Water Quality Criteria Report (WQCR, Fojut, T. L., 2015) and University of California Davis method (UCDM, Fojut et. al, 2012) for acute and chronic criteria to protect benthic and aquatic organisms, and wildlife from potentially harmful effects of pyrethroid pesticides. Numeric targets for sediment samples were selected based on the median lethal concentrations (LC50) for each pyrethroid and normalized by the percentage of organic carbon in the sediment sample. Mixtures of insecticides, such as pyrethroids, may have concentration-additive effects which means that if the constituent chemicals have the same mode of action, their toxicity-normalized concentrations can be added to estimate the effective concentration. Several studies have demonstrated that the pyrethroids can co-occur in the environment and have an additive effect on toxicity (Barata et al. 2006, Brander et al. 2009, Trimble et al. 2009), therefore, the UC Davis Method recommends calculating additive toxicity of pyrethroids.

In response to public comment, the targets were adjusted to maintain protection of the most sensitive species while also taking discharger limitations into account. Staff also included the ability and necessary calculations for dischargers to submit data either as the total (whole water) concentration or the freely dissolved concentration.

The proposed Basin Plan Amendment language is set forth in “Attachment A” to the Draft Resolution posted online.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq., and applicable State Water Board-promulgated regulations (Cal. Code Regs., tit. 23, § 6775 et seq.), the **Draft Staff Report** supporting the proposed Basin Plan Amendment constitutes the Substitute Environmental Document (SED). The Draft Staff Report contains, among other things, an analysis of potential environmental impacts associated with the proposed Basin Plan Amendment. Notably, Colorado River Basin Water Board staff have determined that the proposed Basin Plan Amendment will not result in any potential significant environmental impacts.

This document serves as the “Notice of Filing” for purposes of California Code of Regulations, title 23, section 6779, subdivision (a).

At the hearing on July 9, 2024, the Final Staff Report will be included as “Attachment B” to the Tentative Resolution presented to the Colorado River Basin Water Board for adoption.

DOCUMENT AVAILABILITY

ADOPTION HEARING
July 9, 2024

The Draft Staff Report 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 **Mary Castaneda** at (760) 776-8945 or Mary.Castaneda@waterboards.ca.gov. The Tentative Resolution approving the Staff Report will be posted to the Board's website prior to the public meeting on July 9, 2024.

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 Emma McCorkle at Emma.McCorkle@waterboards.ca.gov or 760-340-4521. Please bring the foregoing to the attention of anyone you believe may be interested in this matter.