



# California Regional Water Quality Control Board

## Colorado River Basin Region



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Arnold Schwarzenegger  
Governor

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copy of letter # 71*

*854*

*148*

**TO:** Celeste Cantú  
Executive Director  
State Water Resources Control Board

**FROM:** Robert Perdue   
Executive Officer  
**COLORADO RIVER BASIN  
REGIONAL WATER QUALITY CONTROL BOARD**

**DATE:** June 28, 2006

**SUBJECT: TRANSMITTAL OF REGIONAL BOARD RESOLUTION NO. R7-2006-0058,  
SUPPORTING PALO VERDE OUTFALL DRAIN FROM THE CLEAN  
WATER ACT 303(d) LIST FOR PATHOGENS BASED ON AVAILABLE DATA**

Regional Board Resolution No. R7-2006-0058, adopted on June 21, 2006, by the Colorado River Basin Regional Water Quality Control Board, in support of removing Palo Verde Outfall Drain (PVOD) from the Clean Water Act (CWA) Section 303 (d) list for pathogens based on available data.

Palo Verde Outfall Drain is currently listed on the CWA Section 303(d) list for pathogens of unknown sources. CWA Section 303(d) requires all states to identify impaired surface waters, and to establish Total Maximum Daily Loads (TMDLs) for those pollutants causing the impairments.

During TMDL development, Regional Board staff completed a comprehensive assessment of PVOD and concluded that data collected fit the State of California's 303 (d) Delisting Policy. Delisting policy criteria requires delisting if the criteria fit the data.

E. Coli is the best pathogen bacteria indicator for fresh waters according to USEPA. Its presence indicates fecal pollution. E. Coli concentrations greater than E. Coli Water Quality Objectives found in the Colorado River Basin Region's Water Quality Control Plan indicate high probability of infectious diseases. Regional Board data indicated only two violations of the Water Quality Objectives out of 41 water samples. Therefore, E. coli Water Quality Objectives for PVOD were met and delisting is required.

In addition, Regional Board staff contracted a DNA study in 2003 to identify sources of bacteria from ribotype fingerprints of E. coli strains isolated from PVOD water samples. The main sources of E. coli identified were uncontrollable natural background sources (48% avian and 29% rodent), human (6%), and livestock (4%). Regional Board staff will identify and address controllable sources of pathogens, such as failing septic systems or agricultural runoff, through appropriate regulatory measures. This may include site-specific management practices, alternative collection systems to domestic or commercial leachfield systems, or more stringent NPDES permits.

By copy of this memorandum we are transmitting to the Division of Water Quality, Water Quality Planning Unit:

- A copy of Regional Board Resolution No. R7-2006-0058, adopted on June 21, 2006, by the Colorado River Basin Regional Water Quality Control Board, in support of removing Palo Verde Outfall Drain (PVOD) from the Clean Water Act (CWA) Section 303 (d) list for pathogens based on available data.

If you have questions, please contact Nadim Zeywar at (760) 776-8942 or email at: [nzeywar@waterboards.ca.gov](mailto:nzeywar@waterboards.ca.gov)

RP/FC/jr

cc: attachments forthcoming - Stephanie Rose, Basin Planning Unit, Division of Water Quality

File: TMDL PV PATH

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

**RESOLUTION NO. R7-2006-0058**

**SUPPORTING REMOVING PALO VERDE OUTFALL DRAIN FROM THE CLEAN WATER ACT  
303(D) LIST FOR PATHOGENS BASED ON AVAILABLE DATA**


WHEREAS, the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds that:

1. Palo Verde Outfall Drain (PVOD), a 16-mile United States water body located in Palo Verde Valley in southern Riverside County and northern Imperial County, is listed by the California State Water Resources Control Board (State Water Board), pursuant to Section 303(d) of the federal Clean Water Act (CWA) Section (42 U.S.C. Section 1313(d)) for impairment by pathogens of unknown sources.
2. Federal CWA Section 303(d) requires all states to identify surface waters impaired by pollution, and to establish Total Maximum Daily Loads (TMDLs) for the pollutants causing these impairments to ensure that impaired waters attain water quality standards (WQSS).
3. To develop the PVOD Bacteria Indicators TMDL, Regional Water Board staff collected a total of 41 water quality samples from PVOD in 2000, 2001, and 2002. Only two of the 41 samples exceeded the bacteria indicator E. coli Water Quality Objective (WQO) of 400 MPN/ 100 ml in the Water Quality Control Plan (Basin Plan) for the Colorado River Basin Region. For a sample size ranging from 37 to 42, the California's Water Quality Control Policy for Developing Clean Water Act Section 303(d) List (Listing Policy) requires delisting if the number of water samples exceeding WQO is equal to or less than six.
4. Regional Water Board staff completed all technical elements of a Bacterial Indicators TMDL. Staff also contracted a DNA study in 2003 to identify sources of bacteria from ribotype fingerprints of E. coli strains isolated from PVOD water samples. The main sources of E. coli identified were natural background sources (48% avian and 29% rodent), human (6%), and livestock (4%).
5. Regional Water Board staff will identify and address controllable sources of pathogens, such as failing septic systems or agricultural runoff, through appropriate regulatory measures. This may include site-specific management practices, alternative collection systems to domestic or commercial leachfield systems, or more stringent NPDES permits.
6. Regional Water Board data meet State of California criteria for delisting. Section 4.2 of the Listing Policy states "Using the binomial distribution, waters shall be removed from the Section 303(d) list if the number of measured exceedances supports rejection of the null hypothesis as presented in Table 4.2."
7. On January 30, 2006, and based on the foregoing, Regional Water Board staff requested State Water Board to delist PVOD for pathogen impairment.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Available data show that Basin Plan WQOs for E. coli for Palo Verde Outfall Drain were met.
2. The Regional Water Board requests State Water Board to remove Palo Verde Outfall Drain from the 303(d) List for pathogen impairment.

I, Robert Perdue, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 21, 2006.

  
ROBERT PERDUE  
Executive Officer

(Resolution for Delist PVOD)

Adopted-June 21, 2006