

**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**

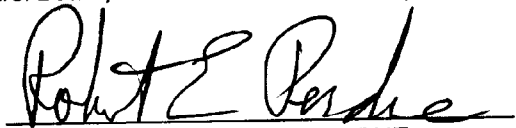
WHEREAS, the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds that:

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