



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Rik Rasmussen
Acting Assistant Deputy Director
Division of Water Quality
California State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

NOV 16 2012

Dear Mr. Rasmussen:

Thank you for submitting the Basin Plan Amendment containing the Total Maximum Daily Load (TMDL) for dissolved oxygen in the New River. Based on the United States Environmental Protection Agency's (EPA) review of the TMDL submittal under Clean Water Act (CWA) section 303(d), I have concluded the TMDL adequately addresses the pollutant of concern for the segment of the New River from the International Boundary to 0.8 miles downstream and, upon implementation, will result in attainment of the applicable water quality. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to CWA section 303(d)(2).

EPA received the State Water Resources Control Board's TMDL package for approval on April 10, 2012 and a subsequent clarification letter on October 23, 2012. The TMDL includes load allocations as needed, takes into consideration seasonal variations and critical conditions, and provides an adequate margin of safety. The State has provided adequate opportunities for public review and comment on the TMDL, and demonstrated how public comments were considered in the final TMDL.

The TMDL submittal also contains a detailed plan for implementing the TMDL. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA generally concurs with the State's proposed implementation approaches with respect to actions planned by the State within its jurisdiction.

If you have any questions concerning this approval, please call me at (415) 972-3409 or David Guiliano at (415) 947-4133.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Woo" followed by the date "November 16, 2012".

Nancy Woo
Acting Director, Water Division

cc: Robert Perdue, Colorado River Basin Regional Water Quality Control Board