



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

JAN - 5 2007

Mr. Robert E. Perdue
Executive Officer
California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, California 92260

RE: Tentative Approval of the Use of Freshwater Aquatic Life Criteria in City of Calipatria
NPDES Permit, NPDES No. CA0105015

Dear Mr. Perdue:

The U.S. Environmental Protection Agency ("EPA") has reviewed the *Bioassessment of the G Drain to the Alamo River at the Calipatria Wastewater Treatment Plant Discharge* (the "Bioassessment"). EPA is tentatively approving the use of alternative freshwater aquatic life criteria in 40 CFR 131.38 for a portion of the G Drain, which flows into the Alamo River, a tributary of the Salton Sea.

On October 4, 2006, the City of Calipatria submitted the Bioassessment to EPA and requested that freshwater criteria be applied to their wastewater discharge into the G Drain. In this letter, the City of Calipatria indicated that its request applied to the receiving waters of the G Drain within 200 meters upstream and downstream of the wastewater discharge point from its wastewater treatment facility in Calipatria, California. Enclosed is the letter with the attached Bioassessment for your review. The City of Calipatria is currently discharging into the G Drain under the National Pollutant Discharge Elimination System ("NPDES"), Order No. R7-2005-0085, NPDES Permit No. CA0105015.

In accordance with 40 CFR 131.38, EPA is proposing to approve the use of freshwater aquatic life criteria only in the portion of the G Drain specified in the City of Calipatria's October 4, 2006, letter (copy enclosed), as the receiving waters for the wastewater discharged from the Calipatria Wastewater Treatment Plant.

Scope of EPA's Tentative Approval

Today's tentative approval applies to the use of alternative freshwater criteria on a site-specific basis that is subject to EPA's approval authority under 40 CFR 131.38(c)(3). On March 4, 2005, the City of Calipatria provided the Colorado River Basin Regional Water Quality Control Board water quality monitoring data for the G Drain. Based on a single sample collected

upstream of the Calipatria Wastewater Treatment Plant discharge on February 9, 2005, the salinity as Total Dissolved Solids of the G Drain was reported at 1.5 part per thousand ("ppt"). For waters with salinities between 1 and 10 ppt, such as the portion of the G Drain defined herein, 40 CFR 131.38(c)(3) provides that such waters be addressed as follows:

"For waters in which the salinity is between 1 and 10 parts per thousand as defined in paragraphs c(3)(i) and (ii), the applicable criteria are the more stringent of the freshwater or saltwater criteria. However, the [EPA] Regional Administrator may approve the use of the alternative freshwater or saltwater criteria if scientifically defensible information and data demonstrate that on a site-specific basis the biology of the water body is dominated by freshwater aquatic life and that freshwater criteria are more appropriate; or conversely, the biology of the water body is dominated by saltwater aquatic life and that saltwater criteria are more appropriate. Before approving any change, EPA will publish for public comment the document proposing the change."

Thus, pursuant to 40 CFR 131.38(c)(3), the Colorado River Basin Regional Water Quality Control Board adopted Order No. R7-2005-0085, NPDES No. CA0105015 for the City of Calipatria on June 29, 2005, with the most stringent of the freshwater or saltwater criteria for copper, lead, nickel, selenium, thallium, free cyanide, 4,4-DDT and 4,4-DDE.

Approval to use freshwater criteria only in the portion of the G Drain, defined as 200 meters upstream and downstream from the Calipatria Wastewater Treatment Plant's wastewater discharge point into the G Drain, would not apply to the G Drain in its entirety, but to the portion of the G Drain that is the subject of today's tentative approval.

Discussion and EPA's Tentative Approval

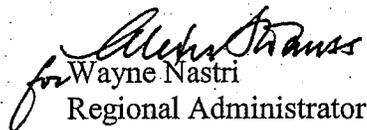
According to the 1993 Water Quality Control Plan for the Colorado River Basin ("Basin Plan") and amendments, as approved by EPA, the G Drain is located in the Alamo River Watershed, which conveys agricultural irrigation drainage water from farmlands in the Imperial Valley, surface runoff, and treated municipal and industrial waste waters from the Imperial Valley to the Salton Sea via the Alamo River. The Imperial Valley Agricultural Drain System comprises over 1,450 miles of constructed surface drains that discharge into the Alamo River, New River and the Salton Sea. The Colorado River Basin Regional Water Quality Control Board estimates that agricultural drain water comprises over 70% of the freshwater flows to the Salton Sea. Since the G Drain primarily receives drainage that is freshwater in nature, the City of Calipatria conducted a site-specific assessment of the biology of the G Drain surrounding the discharge location, pursuant to 40 CFR 131.38(c)(3), to determine whether the species observed are more typical of a freshwater or saltwater environment. The Bioassessment was conducted at and within 200 meters upstream and downstream of the discharge location into the G Drain. According to the Bioassessment, salt cedar (*Tamarix* sp.), hoary saltbush (*Atriplex canescens*), curly dock (*Rumex crispus*) and red spangletop (*Leptochloa filiformis*) are the predominate vegetation along the shoreline of the drain. These plant species are non-native and characteristic of the vegetation commonly found along the banks of agricultural drains located within the Alamo River Watershed and throughout the Imperial Valley. The Bioassessment also identified several species of freshwater aquatic invertebrates found throughout the assessment area

including midges (family *Chironomidae*), mosquitoes (family *Chironomidae*), snails (families *Hydrobiidae*, *Physidae*, *Planorbidae*) and crayfish (family *Astacidea*). In addition, the Bioassessment indicated that no species that are characteristic of a saltwater environment (e.g., barnacles, pileworms, and brackish water snails) were observed between the discharge area and the upstream and downstream locations.

Based on the Bioassessment, EPA believes that the portion of the G Drain, as specified herein, is dominated by aquatic life and riparian vegetation that are characteristic of a freshwater environment. Therefore, EPA believes that the freshwater criteria for all pollutants are appropriate. However, prior to a final decision, in accordance with 40 CFR 131.38(c)(3), EPA shall give public notice that it is proposing to approve the use of alternative freshwater aquatic life criteria for this portion of the G Drain. EPA shall jointly public notice this letter with the Colorado River Basin Regional Water Quality Control Board's public notice for the proposed re-opening of the City of Calipatria NPDES permit, Order No. R7-2005-0085, NPDES Permit No. CA0105015. EPA will take into consideration and respond to comments received by EPA during the public comment period.

If there are any questions regarding our tentative approval action, please contact Ms. Sara Greiner, of the CWA Standards and Permits Office, at (415) 972-3042. As always, we look forward to continued cooperation with the Colorado River Basin Regional Water Quality Control Board in achieving our mutual environmental goals.

Sincerely,


for Wayne Nasti
Regional Administrator

5 Jan. 2007

Enclosure

Cc: John Carmona, CA RWQCB, RB7 (w/o Enclosure)
Jesse Soriano, City of Calipatria (w/o Enclosure)

