

**STAFF PRESENTATION ON THE PROPOSED UPDATE
OF CLEAN WATER ACT 303(d) LIST OF IMPAIRED WATER BODIES
October 10, 2001**

The Regional Board is responsible for implementing provisions and pollution control requirements that the Federal Clean Water Act specifies for surface waters of the nation. Section 303(d) of the Clean Water Act requires the State to identify those surface water bodies that do not meet water quality standards after implementation of: 1) best available technology for control of point sources of pollution, and 2) best management practices, BMPs, for control of non-point sources of pollution. The Basin Plan identifies all waters in the Region and establishes water quality standards for those waters.

Following the identification of impaired water bodies, the State is also required to establish a priority list of these water bodies, identify the pollutants that cause the impairments, and in partnership with the USEPA, develop pertinent TMDLs, such as the one you just approved for pathogens in the New River. Surface water bodies within the Colorado River Basin Region that are impaired have been placed on the 303(d) List.

The proposed, updated List is reviewed and updated, typically every 3 years, and is subject to the approval of the State Board and the USEPA. The List was last updated in 1998. The currently listed impaired surface waters for the Region are:

- 1- New River
- 2- Alamo River
- 3- Imperial Valley Drains
- 4- Salton Sea
- 5- Palo Verde Outfall Drains
- 6- Coachella Valley Stormwater Channel.

We are proposing that the Regional Board update its 1998 303(d) List based on data and comments received from stakeholders and based on data collected by the staff. Staff is also recommending that the Regional Board submit the updated 303(d) List to the State Board for approval. The State Board will be reviewing updated 303(d) Lists from all the Regional Boards, hold a public hearing and consider public comments, finalize the 303(d) List, and transmit the List to the USEPA for final approval.

Last February, we solicited information from the public for updating the 303(d) List. Attachment Three of the Staff Report shows the proposed updated 303(d) List for the Region. The proposed 2001 303(d) List contains the same six water bodies previously listed with the changes I will now describe, which are relatively minor. Staff reviewed the data and comments submitted by stakeholders. Staff also reviewed existing and readily available water quality-related data previously submitted to Regional Board by the State Board, the Imperial Irrigation District, and the Salton Sea Authority. Based on that review, staff is proposing that the Regional Board update its 303(d) List for the following items:

1. The updated list identifies seven specific volatile organic compounds (VOCs) as impairing the New River. The VOCs are attributable to discharges of industrial wastes from Mexico. The identified VOCs, solvents and petroleum hydrocarbon compounds, are associated with untreated discharges of wastes in Mexico and violate the Basin Plan's quantitative and qualitative standards for the New River at the International Boundary, as provided for in Minute No. 264 of the Mexican-American Treaty. This provision of the treaty prohibits the discharge of untreated industrial wastes in the New River;
2. The updated list removes the pollutant "nutrients" as impairing the New River because Regional Board staff has no documentation that there is an impairment. Nutrients were listed for the New River in 1998 because the river carries some nitrogen and phosphates from Mexico and the Imperial Valley. Currently, we do not have data showing that nutrients violate any water quality standards in the New River itself, however they are known to contribute to the

3. The updated list adds trash from Mexico as a pollutant impairing the New River. Imperial County estimates that it removes about 200 cubic yards of accumulated trash from the river a few miles north of the International Boundary every three months. The trash adversely impacts the beneficial uses of the New River, such as Warm Freshwater Habitat, Wildlife Habitat, Water Contact Recreation, and Non-Contact Water Recreation;
4. The updated list adds dissolved oxygen (D.O.) as another pollutant impairing the New River. Data collected by Regional Board staff on the New River at the International Boundary showed that 100% of D.O. samples violated the Basin Plan's 5 mg/L minimum D.O. water quality objective for the New River. Untreated and improperly treated discharges of wastes from Mexico into the New River are responsible for the violations. The low D.O. impairs the Warm Freshwater Habitat designated beneficial use of the New River;
5. The updated list changes "bacteria" to "pathogens" as a pollutant impairing the Palo Verde Outfall Drains, the New River, and the Coachella Valley Stormwater Channel. We propose the change to recognize that only pathogenic microorganisms are of concern here. Pathogens violate the Water Contact Recreation and Non-contact Water Recreation water quality standards for these surface waters;
6. Finally, the updated list modifies the time schedule for TMDL development. Target dates for TMDL development in the list should be considered tentative. Completion of all the TMDLs will depend mainly on the availability of resources in terms of staff and funding. The status of TMDLs also depends upon further evaluation of the need for and feasibility of TMDLs.