

ITEM: 27

SUBJECT: California Department of Fish and Game – Moccasin Creek Fish Hatchery Plant

BOARD ACTION: *Consideration of NPDES Permit Renewal*

BACKGROUND: The California Department of Fish and Game (CDFA) owns and operates the Moccasin Creek Hatchery that is located in the town of Moccasin in Tuolumne County. The hatchery has 48 rearing ponds and eight raceways. Approximately 360,000 pounds of harvested trout (400,000 pounds maximum) are processed annually. The maximum monthly use of fish food was 70,000 pounds and occurred during the month of April. Wastewater discharges include effluent from the hatchery building and production ponds that flows through the settling pond prior to discharge to Moccasin Creek, a tributary to Don Pedro Reservoir and the Tuolumne River. Additional wastewater is also discharged on occasion during the cleaning of the settling pond.

CDFA has received permission from the Food and Drug Administration Center for Veterinary Medicine to use oxytetracycline to treat bacterial fish diseases at the hatchery. In addition to the use of oxytetracycline, CDFA requested the NPDES permit renewal address the use of additional drugs and chemicals for the treatment of fish diseases. These include penicillin G, florfenicol, amoxicillin trihydrate, erythromycin, Romet-30, MS-222, carbon dioxide gas, sodium bicarbonate, Aqui-S, PVP Iodine, formalin, hydrogen peroxide, potassium permanganate, copper sulfate, sodium chloride, acetic acid, and chloramine-T. These drugs and chemicals are to be used occasionally and in quantity directly related to the weight of fish and eggs treated.

The proposed Order includes new effluent limitations for formaldehyde and total recoverable copper and requires use of best management practices and monitoring during use of other therapeutic agents.

ISSUES: The California Sportfishing Protection Alliance (CSPA) is contesting the proposed Permit. The major issues discussed in the public comments are summarized below:

Antidegradation Analysis: CSPA states that the proposed permit should not be adopted until the Discharger completes an antidegradation analysis.

The proposed Order complies with the antidegradation policies. The proposed Order does not allow for an increase in flow or mass of pollutants to the receiving water. Therefore, a complete antidegradation analysis is not necessary. The proposed Order requires compliance with applicable federal technology-based standards and with water quality-based effluent limits where the discharge could have the reasonable potential to cause or contribute to an exceedance of water quality standards.

Aquaculture Drug and Chemical Effluent Limitations: CSPA objects to the lack of effluent limitations for aquaculture drugs and chemicals including the following: oxytetracycline, penicillin G, florfenicol, amoxicillin trihydrate, erythromycin, Romet-30, MS-222, carbon dioxide gas, sodium bicarbonate, Aqui-S, PVP, iodine, hydrogen peroxide, potassium permanganate, acetic acid and Chloramine-T.

While research is currently being conducted on the possible aquatic and human health impacts of these types of chemicals, no criteria exist to establish defensible numerical WQBELs. The use of non-numerical control mechanisms is expressly allowed in the Title 40 of the Code of Federal Regulations. The requirements in this permit for the control and monitoring of disease control drugs such as oxytetracycline, penicillin G, florfenicol, amoxicillin, trihydrate, erythromycin, Romet-30, MS-222, carbon dioxide, sodium bicarbonate, Aqui-S, PVP, iodine, hydrogen peroxide, potassium permanganate, acetic acid, and chloramines-T comply with the regulations and are fully supportive of the Clean Water Act.

Additional Comments: In addition to the issues discussed above, CSPA had additional comments regarding effluent limitations for acute and chronic toxicity, mass based effluent limitations, receiving water monitoring and concerns with the Report of Waste Discharge used as the basis for the Permit. These comments together with the staff response are discussed in more detail in the Staff Response to Comments document included in the agenda package.

Mgmt. Review \_\_\_\_\_  
Legal Review \_\_\_\_\_

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11020 Sun Center Dr. #200  
Rancho Cordova, CA 95670