



Established in 1918 as a public agency  
**Coachella Valley Water District**

**Directors:**  
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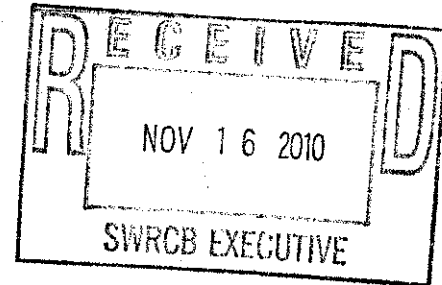
**Officers:**  
Steven B. Robbins, General Manager-Chief Engineer  
Julia Fernandez, Board Secretary

November 16, 2010

Redwine and Sherrill, Attorneys

File: 0543.63

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th floor  
Sacramento, CA 95814



Dear Ms. Townsend:

**Subject: Comment Letter- Draft Aquatic Animal Invasive Species Control Permit**

We appreciate this opportunity to provide comments on the subject permit. Coachella Valley Water District (CVWD) provides domestic water, wastewater, recycled water, irrigation/drainage and regional stormwater protection services to a population of over 265,000 throughout the Coachella Valley.

CVWD staff supports comments on the proposed permit prepared and submitted by the Association of California Water Agencies (ACWA) and offer the enclosed comments to support our shared concerns with the proposed permit.

Your consideration of these comments is appreciated.

Please contact me at extension 2286, if you have any questions about these comments.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Steve Bigley'.

Steve Bigley  
Environmental Services Manager

Enclosure/1/as

cc: Mark Rentz  
Association of California Water Agencies  
910 K Street, Suite 100  
Sacramento, CA 95814

SB:ch/eng/wr/10/NOV/Aquatic Animal Invasive Species Control Permit

Coachella Valley Water District Public Comments for  
Draft Statewide General NPDES Permit for Residual Pesticide Discharges to Waters of  
the United States From Aquatic Animal Invasive Species Control Applications

November 15, 2010

1. General Permit, section III, finding G. This finding states applications of pesticides are of short duration or intermittent. It is our understanding that applications of sodium hypochlorite for the control of invasive freshwater mussels (*Dreissena spp.*) can also depend on maintaining a continuous chlorine residual to provide an effective barrier to veliger colonization. This finding should be revised to reflect this type of pesticide application.
2. General Permit, section IV, paragraph C. This paragraph would prohibit any in-stream excursion above a water quality objective adopted by the State or Regional Water Boards. This comprehensive prohibition is not compatible with the subject permit which is to cover the direct application of a pesticide to waters of the United States (U.S.) to achieve a target area that is toxic to aquatic animal invasive species. This paragraph should be revised to prohibit any in-stream excursion above a water quality objective adopted by the State or Regional Water Boards outside the target area for the pesticide application.
3. General Permit, section VI, paragraph E. This paragraph would prohibit toxic pollutants to be present in the receiving water at levels that produce detrimental response in animal or aquatic life. Since the purpose of the pesticide application is to have a detrimental response in aquatic animal invasive species found in waters of the U.S., this limitation would limit the application of pesticides to concentrations that would be useless for control of invasive species. This paragraph should be removed from the subject permit or revised to exclude receiving water within the target application areas.
4. General Permit, section VI, receiving water limitations, paragraph I and table 3. Paragraph I and Table 3 include receiving water limitations for chlorine as both daily maximum levels, <10 to 20 micrograms per liter (ug/L), and as a monthly average, 10 ug/L. These levels are set well below the practical detection limit of 80 ug/L determined for widely used field testing methods for chlorine residual and essentially reflect a position that no detectable chlorine residual is acceptable in receiving waters. It is our understanding that chlorine residuals of 0.5 to 1.5 milligrams per liter (mg/L) are commonly used to control *Dreissena spp.* The numeric receiving water limitations in Table 3 would effectively prohibit the application of any sodium hypochlorite to receiving water, which would include applications to waters of the United States (U.S.). As reasoned in Finding G of the general permit, numeric limits would also be infeasible for receiving waters because treatment would render the pesticides useless for pest control. It is our understanding that the purpose of the general permit is to use Best Management Practices to minimize the impact to waters

of the U.S. to the target application area. As such, the broad application of receiving water limitations contained in paragraph I and Table 3 should be removed from the subject permit or revised to apply to receiving waters outside the target area for the pesticide application.

5. General comment on toxicity testing. Requirements to perform toxicity testing are present throughout the subject permit. However, the subject permit also specifies that the requirement to perform toxicity testing is not required if chlorine is the only active ingredient in the pesticide application. Since the subject permit would only cover applications of sodium hypochlorite, at this time, and chlorine is the only active ingredient in sodium hypochlorite, there is no logical reason to include any reference to toxicity testing in the subject permit.

In addition, toxicity testing would be inappropriate for the application of any known pesticide for controlling aquatic animal invasive species. Direct monitoring for the pesticide that is applied provides a much better and timely characterization of the discharge and receiving water. This approach has been used successfully for the State Water Board aquatic weed control pesticide use general permit for many years and should be used as a template for meeting the narrative toxicity criteria for the subject permit.