

November 29, 2007



Nancy Wright, Chair

Water Quality Control Board, Region 7

73-720 Fred Waring Dr., Ste 100

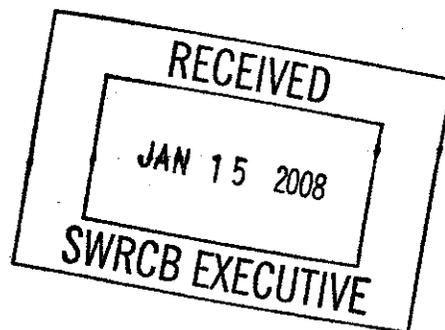
Palm Desert, CA 92260

Dorothy Rice, Executive Director

State Water Resources Control Board

1001 I Street

Sacramento, CA 95814



Dear Ms. Wright and Ms. Rice:

It is with great urgency that I ask you to revise the Coachella Valley Stormwater Channel Bacterial Indicators Total Maximum Daily Load (CVSC TMDL) to remove agricultural fruit and vegetable crop production as a source for the following reasons:

- 1 The type of agricultural production that we practice in the Coachella Valley does not contain or produce bacteria. Any organic soil amendments that are used must have a certificate showing they contain non-detect levels of e.coli and salmonella. Section 4.2.2 of the CVSC TMDL Implementation Plan bears little or no resemblance to the unique agricultural methods practiced in the Coachella Valley.
- 2 There is no transport mechanism between our agricultural activities and the Coachella Valley Stormwater Channel (CVSC).
- 3 There is no transport mechanism between our agricultural activities and the groundwater. Underlying most farms is a clay layer (aquiclude) that traps excess applied water and prevents its percolation into the deep aquifer used for potable water supply. The shallow aquifer is not used as a source of potable water.
- 4 Irrigators in the Coachella Valley do not discharge. The Coachella Valley Water District (CVWD) has a longstanding policy that prohibits tailwater. For this reason, irrigators have gone to great expense to build tail water reservoirs with pump back systems so that water does not leave the fields.
- 5 Tile drainage lines, owned and operated by CVWD, collect water from a variety of underground sources, including the semi-perched and perched aquifer underlying much of the agricultural lands in the Coachella Valley. Without these drains, many acres of farmland would be waterlogged, and would suffer from salt buildup.

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- 6 Illicit connections to this CVWD drainage system by unpermitted septic systems are a likely source of bacteria. These connections are not from agriculture.
- 7 The high concentration of avian activity in and around the CVSC is a likely source of bacteria.
- 8 The very high cost of Phase I is prohibitive for Coachella Valley farmers.
- 9 Notice in advance of the Regional Board's May 16, 2007 adoption of the CVSC TMDL did not reach the farming community in time for a comprehensive response in advance of its adoption.

I am grateful for the interest shown by the Region 7 Board and Staff at the November 19, 2007 workshop. If only we could have had that interaction prior to adoption of this TMDL. I look forward to a positive resolution of this request.

Sincerely,



John P. Powell, Jr.

President/CEO

Peter Rabbit Farms

Cc: Robert Perdue, Executive Officer, Region 7, via facsimile 760.341.6820