



PALO VERDE IRRIGATION DISTRICT

180 WEST 14TH AVENUE - BLYTHE, CALIFORNIA 92225-2714

TELEPHONE (760) 922-3144 - FAX (760) 922-8294

January 6, 2009

Attention: Mr. Logan Raub
Colorado River Basin Region 7
California Regional Water Quality Control Board
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Re: Proposed Revisions 303(d) List of Impaired Water Bodies Colorado River Basin 11/26/2008, Public Notice #7-08-47

Dear Mr. Raub:

Thank you for the opportunity to comment on proposed 303(d) List Revisions as per Public Notice # 7-08-47 dated November 26, 2008. My comments are for the Palo Verde Outfall Drains portion of your notice. On Page 4, item #6, staff proposes to add Toxaphene as a pollutant from unknown sources impairing Palo Verde Outfall Drain and Lagoon. In Attachment 1, page 4 of 6, DDT is listed with unknown source. In Attachment 5, pages 54 thru 57, two LOE ID#s 5649 and 5464 are listed using the same 3 fish samples to make the recommendation for Toxaphene. These samples were obtained 4/14/1986, 10/25/1995, and 8/19/1991. The following comments are provided:

- 1) DDT was banned in US in 1972. Toxaphene was banned in US in 1990.
- 2) Both insecticides are not being used yet their residues are showing up in fish samples taken 13 plus years ago.
- 3) Both pesticides are probably being stirred up in the drain water every time a fish swims and stirs up sediment in bottom of drains.
- 4) Drain water is not being treated in a plant so there is no effluent point source discharge.
- 5) These chemicals are naturally decaying and being re-suspended in the water by natural flow conditions and fish and other wildlife activities beyond our control.
- 6) Since this proposal will result in costly compliance issues, shouldn't it be based on more recent samples, say within the last 5 years?
- 7) Since their use was banned, have the strength of their residuals declined to the point that this is not an issue?
- 8) Fish samples should be taken under the same protocol procedures that are used for determining compliance instead of grab samples that may distort actual values.
- 9) If the Palo Verde Outfall Drains have toxaphene added, how are we to remove it from the list when it has not been used since 1990?
- 10) PVID respectfully requests this change be postponed until more recent samples are taken using proper protocol procedures that confirms there is a real problem.

If you have any questions, please call.

Sincerely,

Roger Henning

Roger Henning
Chief Engineer

JAN 07 2009