



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Colorado River Basin Regional Water Quality Control Board

March 10, 2015

Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



Dear Ms. Evoy:

SUBJECT: COMMENTS ON THE IMPERIAL IRRIGATION DISTRICT PETITION FOR MODIFICATION OF REVISED WATER RIGHTS ORDER 2002-13 FILED WITH THE STATE WATER RESOURCES CONTROL BOARD ON NOVEMBER 14, 2014

Thank you for the opportunity to comment on the Petition for Modification of Revised Water Rights Order 2002-13 (WRO 2002-13), filed with the State Water Resources Control Board (State Water Board) on November 14, 2014, by the Imperial Irrigation District (IID). The IID petition asks the SWRCB to revisit WRO 2002-13 to require the State to fulfill its statutory commitment to restore the Salton Sea as an added condition to the Quantification Settlement Agreement (QSA) water transfers. According to the Petition, IID is concerned about the imminent environmental and public health crisis at the Sea absent a comprehensive restoration project on the ground after December 31, 2017, when deliveries of mitigation water cease. The petition also asks the State Water Board to require QSA parties and other major stakeholders to work together to identify a reliable and durable funding mechanism for Salton Sea restoration.

The Salton Sea provides critical habitat for federal and state protected and endangered species and is an important link on the intercontinental Pacific Flyway. It also provides for contact and non-contact water recreational opportunities, among other beneficial uses. The Salton Sea watershed is the California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board)'s priority watershed in terms of cleanup. The Salton Sea is considered impaired due to excessive levels of arsenic, chlorpyrifos, DDT, Enterococcus, nutrients, salinity and selenium. A revised CWA Section 303(d) list was adopted by the Regional Board on March 20, 2014 and is under review by both the State Water Board and U.S. Environmental Protection Agency. The revised list proposes that the Salton Sea be

ELLEN WAY, CHAIR | ROBERT PERDUE, EXECUTIVE OFFICER

delisted for selenium, while concurrently adding chloride, low dissolved oxygen, total ammonia, and toxicity to the list. The Colorado River Basin Water Board shares IID's overall concerns and is particularly concerned about the regulatory water quality implications of not having and implementing a sound Salton Sea restoration project. The Colorado River Basin Water Board also acknowledges the need to expedite the implementation of restoration efforts.

The fate of the Salton Sea hangs in the balance because the current discharge of mitigation water to Salton Sea is scheduled to end on December 31, 2017 and because there is no funding in place to implement the Natural Resources Agency's recommended restoration project. This loss of inflow is expected to accelerate the shrinking of the Salton Sea, not only reducing the overall surface area, but increasing the salinity as well. This will likely result in catastrophic impacts to designated beneficial uses, rendering the sea incapable of supporting a viable fishery, thus impacting the food web. A recent report by the Pacific Institute projects that the volume of Salton Sea will decrease 60 percent and the salinity will triple within fifteen years once deliveries of mitigation water cease in 2017 (Cohen J. M. 2014. Hazard's Toll – The Costs of Inaction at the Salton Sea). Implementation of the restoration project is imperative for preventing an environmental crisis. We respectfully urge the State Water Board to do everything in its power to facilitate an expedited implementation of a Salton Sea restoration project to address the looming water quality problems of the Salton Sea. Should the State Water Board opt to revise WRO 2002-13 to facilitate and expedite restoration efforts, we also respectfully request that the revise Order require that the Colorado River Basin Water Board be consulted regarding implementation of any project that affects the Sea's water quality standards.

Thank you for your consideration of these recommendations. If you have any questions, please contact me at (760) 776-8942.

Sincerely,



Nadim Shukry-Zeywar, Ph.D.
Senior Environmental Scientist/TMDL Unit Chief
Colorado River Basin
Regional Water Quality Control Board

FC/JG/NZ/JA