

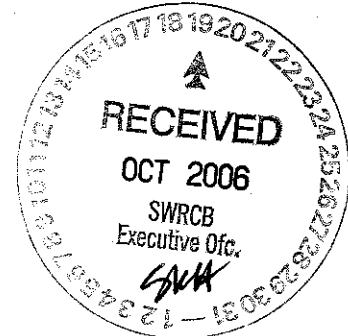


MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

October 20, 2006

Ms. Song Her
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



Dear Ms. Her:

Comment Letter - 2006 Federal CWA Section 303(d) List

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to comment on the Proposed 2006 Federal Clean Water Act Section 303(d) List of Water Quality Limited Segments for California (Proposed List). Metropolitan, through its Member Agencies, provides approximately half of the water used by over 18 million consumers in a six-county region. Our major sources of supply are surface waters received from Northern California and the Colorado River.

Proposed Listing of the All American Canal is Inappropriate

The State Water Resources Control Board (State Water Board) proposes to list the All American Canal (AAC) as water quality limited for total dissolved solids (TDS), specific conductance, and sulfate. Metropolitan does not agree with the proposed listing. The AAC, which provides water for potable and irrigation purposes, diverts water from the Colorado River. The State Water Board approved a numeric objective for TDS concentration in the Colorado River at Imperial Dam, and this should have been used to determine whether the AAC is water quality limited for TDS. Instead, the listing proposed was based on California Department of Health Services (CDHS) secondary standards for salinity-related constituents, without consideration of the Colorado River TDS criterion. Further, we believe that State Water Board Staff did not properly interpret CDHS' secondary drinking water standards, resulting in a proposed listing that is not supported by the data. Metropolitan is particularly concerned about the possible future use of these justifications to propose listings of other water bodies.

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Incorrectly listing a source of drinking water supply as "impaired" unnecessarily erodes public confidence in municipal water supplies, potentially requires expensive source water treatment and may shift consumption toward costly bottled water for the duration of the listing. Moreover, the proposed action by the State Water Board may divert limited resources from addressing serious water quality problems. We urge the State Water Board to remove the AAC from the Proposed List.

Water Quality Objectives for All American Canal Salinity-Related Constituents Should be guided by Criteria for the Colorado River

The AAC diverts water from the Colorado River above Imperial Dam for delivery to the Imperial and Coachella valleys. Other than small discharges of groundwater, there are no other discharges into the AAC, and the quality of water is not significantly different than the Colorado River. Water quality objectives for the AAC and Colorado River necessarily must be consistent.

The Colorado River Basin Water Quality Control Plan (Basin Plan) contains a water quality objective of 879 milligrams/liter (mg/L) at Imperial Dam, and this objective should be used for determining whether the AAC is listed for TDS. The objective, which was originally adopted over 30 years ago, was recently re-approved by the State Water Board on February 1, 2006 in Resolution 2006 – 0007. The objective, along with an implementation plan, is reviewed every three years by the Colorado River Basin Salinity Control Forum (Forum) to ensure beneficial uses are protected. The Forum's members are representatives of the governors of the seven Colorado River Basin states. The State Water Board, the Colorado River Board of California and Metropolitan represent California.

Metropolitan does not believe the AAC would be considered water quality limited if the TDS objective at Imperial Dam had been utilized. The 2005 review conducted by the Forum¹ reported that the flow-weighted average annual salinity was below 879 mg/L at Imperial Dam for the years 1975 to 2004. Specific conductance is merely another way of measuring ionic strength. It is very unlikely that the AAC would be water quality limited based on this parameter either, if there were an equivalent specific conductance objective at Imperial Dam.

¹ Colorado River Basin Salinity Control Forum, 2005 Review "Water Quality Standards for Salinity – Colorado River System", October 2005.

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The California Department of Health Services Secondary Standards were Improperly Interpreted

The State Water Board staff's decision to list the AAC was based on the Basin Plan's requirement to protect drinking water beneficial uses and the narrative objective requiring all waters to be free from substances that produce objectionable "color, odor, taste, or turbidity". State Water Board staff utilized CDHS secondary standards for salinity-related constituents to translate the narrative objective to numeric ones.

The CDHS secondary standards for salinity-related constituents consist of three values: a Recommended Level, an Upper Level and a Short Term Level. As an example, the Recommended, Upper and Short Term Levels for TDS are 500, 1,000 and 1,500 mg/L, respectively. State Water Board staff selected the lowest of the three values (the Recommended Level) for deciding whether the AAC was water quality limited. Drinking water quality is not necessarily objectionable if it exceeds the lower end of the range, and the selection of the lowest values is without basis. In particular, Section 64449 of Title 22 of California's Code of Regulations states, "no fixed consumer acceptance contaminant level has been established" for salinity-related constituents.

While constituent concentrations lower than the Recommended Level are desirable, concentrations ranging to the Upper Level (middle value) are acceptable "if it is neither reasonable nor feasible to provide more suitable waters." We believe, staff improperly used the "Recommended" level for concluding that water in the AAC is objectionable and offered no evidence that it is reasonable or feasible to provide water that could meet this level.

Nearly all of the samples collected by the Imperial Irrigation District from the AAC from 1998 to 2004 cited by State Water Board staff had concentrations of TDS, specific conductance and sulfate below the respective Upper Levels and thus within the range of acceptable levels. The State Water Board's "Fact Sheets Supporting Revision of the Section 303(d) List" indicates that:

- None of the annual samples and only one of the monthly samples exceeded the Upper Level for TDS.
- None of the annual samples and only one of the monthly samples exceeded the Upper Level for specific conductance, and
- None of the monthly samples exceeded the Upper Level for sulfate.

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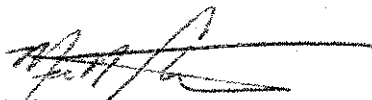
Metropolitan is not advocating the use of secondary standard Upper Levels as water quality objectives, but absent any evidence that it is reasonable or feasible to provide water at lower concentrations, the quality of water in the AAC is within acceptable consumer limits. Moreover, the TDS objective at Imperial Dam, which Metropolitan believes is appropriate for the AAC, is well within the acceptable range.

In summary, Metropolitan urges the State Water Board to remove the AAC from the Proposed List for the following reasons:

- The appropriate objective for TDS is 879 mg/L. The flow-weighted average annual TDS at Imperial Dam did not exceed this level between 1972 and 2004.
- Specific conductance and total dissolved solids are but different means to evaluate ionic concentration.
- The secondary standard Recommended Levels for the salinity-related constituents should not have been used for determining whether the AAC is water quality limited without demonstrating that it is feasible and reasonable to provide water that meets these levels.
- From 1998 to 2004 sulfate concentrations in the AAC were below the sulfate secondary standard Upper Level.

If you have any questions on our comments, please feel free to contact Marcia Torobin of my staff at (213) 217-7830.

Sincerely,



Mic Stewart, Ph.D.
Water Quality Section Manager

MT:dam

cc: Mr. Gerald R. Zimmerman
Executive Director
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Glendale, CA 91203-1035