



California Regional Water Quality Control Board

Colorado River Basin Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/~rwqcb7>
73-720 Fred Waring Drive, Suite 100, Palm Desert, California 92260
Phone (760) 346-7491 · FAX (760) 341-6820

Gray Davis
Governor

October 11, 2002

Mr. Arthur G. Baggett, Jr., Chairman
State Water Resources Control Board
1001 "I" Street
Sacramento, CA 95812-0100

SUBJECT: DRAFT AMENDED JOINT PETITION OF THE IMPERIAL IRRIGATION DISTRICT AND SAN DIEGO COUNTY WATER AUTHORITY FOR APPROVAL OF A LONG-TERM TRANSFER OF CONSERVED WATER PURSUANT TO AN AGREEMENT BETWEEN IID AND SDCWA AND PETITION OF THE IID TO CHANGE THE PURPOSE AND PLACE OF USE AND THE POINT OF DIVERSION PERMIT 7643

Thank you for providing us the opportunity to comment on the draft Order for the subject petition. Our main concern regards selenium and what the draft Order dictates.

Regarding selenium on page 33 of the draft Order, it is stated, in part, that "Nevertheless, salinity and selenium concentrations may increase as a result of the transfer, at least to the extent that the transfer is based on water conservation measures that reduce tail water flows...While it may not be feasible to fully mitigate the impacts of this transfer as part of this order, there may be feasible measures to address the overall selenium problem, as part of a more global strategy. The issue of selenium impacts to the Salton Sea and its tributaries should be investigated..." I do not disagree with most of this statement and would support an Order that explicitly directs the parties responsible for the projected selenium problems to work with the Regional Board **and**, equally or perhaps more importantly, to work with other agencies (e.g., USEPA and/or Colorado River Board) that have broader jurisdiction over water quality impacts affecting the Lower Colorado River Watershed to address the problem to the extent practicable.

Further, in light of the aforementioned constraints to fully mitigate the selenium impacts, we are concerned that the draft Order states on page 71 that "...With respect to the mass loading of selenium, the Regional Board is directed to address this issue through the Total Maximum Daily Load (TMDL) process." We respectfully request that the adopted Order provide the Regional Board with flexibility as to the manner and timing in which the Regional Board chooses to address the selenium problem or any other water quality problem caused by the transfer. We believe this flexibility is essential in light of promising and emerging technologies and practices to deal not just with selenium, but also with other pollutants. It may also be more effective to address selenium and other pollutants based on water concentration rather than on loading.

Finally, it is our understanding that if a Salton Sea restoration project is approved and funded, or determined to be infeasible, that the SWRCB will revisit the Order to extend, add, modify, or delete the salinity control provisions required by the Order for the specified 15-year period.

Should you or your staff have any questions regarding this matter, please contact myself at (760) 776-8932 or Teresa Gonzales at (760) 776-8931.

California Environmental Protection Agency

Sincerely,

/s/

PHIL A. GRUENBERG
Executive Officer

tg:jl

File: IID Water Transfer

cc: See attached list of parties to exchange information

LIST OF PARTIES EXCHANGING INFORMATION

Mark J Hattam, San Diego
Scott S. Slater, Santa Barbara
Eric Shepard, Parker
Antonio Rossmann, San Francisco
Henry Rodegerdts, Sacramento
William I. DuBois, Carmichael
Larry A. Gilbert, Imperial
Tom Kirk, La Quinta
Karen Douglas, Sacramento
Bill Allayaud, Sacramento
Brendan Fletcher, Sacramento
Kevin M. Doyle, San Diego
Bill Yeates, Fair Oaks
Michael Cohen, Boulder
Robert Maddow, Walnut Creek
Anne Schneider, Sacramento
Jeffrey Kightlinger, Los Angeles