



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

GENERAL MANAGER
Jim Barrett

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August 29, 2019

The Honorable Nancy Vogel
Director, Governor's Water Portfolio Program
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
via email: input@waterresilience.ca.gov

Re: Governor's Water Resilience Portfolio Initiative

Dear Ms. Vogel:

Coachella Valley Water District (CVWD) was formed in 1918 to protect and conserve local water sources within the Coachella Valley. As the issues surrounding this limited resource have become more complex, the CVWD has grown into a multifaceted agency that delivers irrigation and domestic (drinking) water, collects and recycles wastewater, provides regional storm water protection, replenishes the groundwater basin and promotes water conservation.

CVWD is actively involved in several related policy and water infrastructure issues around California, including implementation of AB 1668 and SB 606, the water conservation bills enacted in 2018, the proposed construction of Sites Reservoir, the voluntary agreements affecting the State Water Project (SWP) operations, and the implementation of SB 200 and the California State Water Control Board's plans for the Safe and Affordable Drinking Water Fund. Outlined below are several areas in which CVWD strongly feels coordinated efforts of the agencies compiling the Water Resilience Portfolio could clarify the state's goals and ensure efficient and responsible water management for the future of California. These objectives are focused on CVWD's local and regional perspective.

GROUNDWATER REPLENISHMENT

The Coachella Valley depends heavily on its groundwater aquifers to meet the region's water needs, including its drinking water and some irrigation supply. The ability to replenish the aquifers with native and imported supplies is critical to the sustainability and growth of the region and compliance with California's Sustainable Groundwater Management Act (SGMA).

CVWD, Desert Water Agency (DWA), and the Metropolitan Water District of Southern California (MWD) pooled their imported water supplies and infrastructure investments to more efficiently manage water supplies not just within the Coachella Valley, but across southern California. Known as the 2003 Exchange Agreement, this action allowed CVWD and DWA to exchange their State Project water with MWD for an equivalent volume of Colorado River water, delivered to CVWD's Whitewater River Groundwater Replenishment Facility through MWD's Colorado River Aqueduct. This arrangement circumvented the need for a costly CVWD and DWA delivery system for its State Project water supply (investment on the order of billions of dollars) and also allows MWD a place to provide advanced water

deliveries when excess water supplies are available. MWD has used these advanced deliveries to receive additional water during dry periods to serve portions of its 19 million customers across southern California.

Furthermore, the California Department of Water Resources (DWR) recently informed Coachella Valley Water District (CVWD) that the agency's two groundwater management plans submitted to the state meet the requirements of the Sustainable Groundwater Management Act (SGMA). The backbone of the groundwater management plans for the Coachella Valley include replenishing the aquifer with imported water allocations from both the State Water Project and the Colorado River.

In recent years, however, that practice has come into question with claims that Colorado River water is an improper source for groundwater replenishment because it may contain levels of constituents that differ from the replenished groundwater. This concern has been raised even though groundwater replenishment is one of the beneficial uses of Colorado River water recognized in the state-approved Basin Plans, and the water from this river serves over 40 million people in the Southwest US and Mexico. It is essential that raw Colorado River water remain a viable and available source to replenish groundwater.

SAFE AND AFFORDABLE DRINKING WATER/HUMAN RIGHT TO WATER

Through the enactment of SB 200, the state has taken an important step toward ensuring that its residents have access to safe and affordable drinking water. CVWD Vice President Castulo Estrada represents residents in the City of Coachella and the eastern portion of CVWD's service area, for whom this issue is a primary focus. Vice President Estrada has been instrumental in ensuring CVWD stepped up in 2014 when the state offered initial outreach grants for working with disadvantaged communities. Since then, CVWD and other stakeholders in the eastern Coachella Valley have successfully prepared the Eastern Coachella Valley Master Water Supply Project, which proposes to consolidate approximately 80 small water systems to ensure access to safe drinking water.

Vice President Estrada testified before the State Water Resources Control Board (Water Board) on August 23, 2019 during a hearing on SB 200 implementation where he stated two tracks for funding should be established when creating the Funding Implementation Plan. The two tracks should cover project planning and project implementation, with separate criteria for grant awards. The implementation track should fund shovel-ready projects in communities where the essential planning has already taken place. CVWD strongly encourages these two separate tracks to efficiently fund actions to improve the quality of life of many of the disadvantaged communities in the Coachella Valley region.

Furthermore, as Vice President Estrada also said before the Water Board, it is imperative that existing water districts "step up." While the state may have the authority to force consolidations, its authority should instead be focused on encouraging larger water districts to willingly begin coalition building within their extended communities to develop master plans. CVWD strongly believes in and appreciates the state's support. However, local leadership is essential in moving forward with SB 200 implementation.

CONNECTION BETWEEN SAFE AND AFFORDABLE DRINKING WATER AND WASTEWATER SERVICE

Another critical connection in the safe and affordable water discussion is that between domestic water service and sewer services. In many regions, including CVWD's service area, one agency provides both services. While CVWD is eager to engage with the disadvantaged communities and work to extend domestic water service to those areas, the health impact results would be incomplete if sewer service were not considered in the consolidation efforts. Ensuring efficient disposal of sanitary waste and recycling the wastewater and will further the state's goal of addressing not only water needs, but also serve other essential sanitation needs. A process for funding the improvements to the sanitary system for these communities, similar to the one being discussed for drinking water systems, should be considered and implemented.

DEFINING "SAFE" DRINKING WATER

The conversations surrounding the Human Right to Water and Safe and Affordable Drinking Water raise important questions about what is meant by "safe" drinking water. CVWD advocates for the state to clearly define safe drinking water to be "water that meets all applicable state and federal *primary* drinking water regulations, which set mandatory water quality standards for drinking water contaminants." These enforceable drinking water standards are based on primary maximum contaminant levels (MCLs). Primary MCLs are set at a level that is as close as feasible to the corresponding public health goal placing primary emphasis on the protection of public health, and that, to the extent technically and economically feasible, avoids any known or anticipated adverse effects on public health with an adequate margin of safety for acutely toxic substances, and with respect to carcinogens, or any substances that may cause chronic disease, avoids any significant risk to public health. Program funding criteria and regulations using the term "safe drinking water" must be clear that "safe" water is defined this way.

INCLUSION OF COMPLIANCE SCHEDULES IN MCL REGULATIONS

As provided for in the Federal Safe Drinking Water Act, the state should provide for compliance schedules in the adoption of new primary MCL regulations. Compliance with a new primary MCL can involve significant planning, capital investment and construction that makes it impossible to meet the MCL immediately. By failing to afford water systems time to make the necessary capital investments, water systems are deemed "out of compliance" soon after the promulgation of the new MCL and subject to lawsuit as a result; an absurd result. A compliance approach that includes reasonable schedules and deadlines would allow public water systems to maintain compliance while taking reasonable and timely actions to meet any new primary MCL for drinking water.

SITES RESERVOIR

CVWD, along with the other 20 other water agencies who are Sites Reservoir project participants, supports the inclusion of the Sites Reservoir into the Governor's Resiliency Portfolio. There have not been any significant statewide investments in water supply projects since 1973, when the majority of the State Water Project was completed. In that time, the population of California has almost doubled (from ~ 21 million in 1973 to almost 40 million today), which places additional stresses on the state's water infrastructure. New investments in water storage projects, such as Sites Reservoir, is needed to opportunistically capture the runoff from wet years in order to provide the water supplies in dry years.

This is especially important in light of future scenarios predicting shorter seasons before snowmelt occurs, which increases the need for additional storage.

In addition to water supply benefits, Sites Reservoir also has the ability to improve the habitat for threatened and endangered species through environmental water releases during dry years. These releases would help to preserve and even augment existing State Water project supplies, a source that CVWD and 28 other contractors include in their water supply portfolios.

WATER RECYCLING

The Coachella Valley's desert climate is home to more than 120 golf courses. The amount of wastewater that is recycled cannot meet the year-round irrigation needs of the courses. To increase the available nonpotable water supply for golf courses to reduce their demand on the aquifer CVWD completed the Mid-Valley Pipeline Project to bring Colorado River water to the Water District's largest wastewater reclamation plant in Palm Desert. Currently, 16.5 golf courses within CVWD boundaries use this nonpotable blend of recycled water and Colorado River water for irrigation. An additional 28.5 golf courses use all Colorado River water imported from the Coachella Canal. Plans are underway for an additional 45 golf courses to switch from groundwater to these nonpotable supplies in the future.

Furthermore, CVWD is a member agency of and supports the Action Plan of WaterReuse California, which was submitted by the organization during this comment period.

VOLUNTARY AGREEMENTS & SETTLEMENTS

CVWD supports the Voluntary Agreement process to comply with the Bay-Delta Water Quality Control Plan, which affects the operation of the SWP and the Central Valley Project. CVWD supports the state's and other parties' efforts in pursuing a negotiated settlement process based on data generated from investments in sound science as an alternative to avoid costly and extended litigation, particularly as related to environmental issues. There is an increased sense of ownership in the regulatory process when entities being regulated, such as special districts and service providers, have the opportunity to actively manage and influence the outcome of the eventual regulation. The process should be replicated and implemented for other environmental regulations affecting the water sector where there may be multiple alternatives.

SALTON SEA

CVWD has been an active stakeholder in discussions concerning the Salton Sea and also provides funds to support the Salton Sea Authority. CVWD is active in an advisory role on the water reliability of the North Lake plan, which is currently being advocated for by Riverside County. The Salton Sea is an important water management facility in the Coachella Valley, serving as the terminus for CVWD's stormwater captured through the Whitewater River and Coachella Valley Stormwater Channel and as a receiving body for agricultural drainage waters. Imported Colorado River water and agricultural drainage systems are essential elements of a U.S. Bureau of Reclamation program that helped to reclaim approximately 40,000 acres of naturally saline lands in the eastern Coachella Valley for beneficial use. In addition to serving this vital role for the Coachella Valley, the Salton Sea provides a similar benefit to more than ten times this amount of irrigated agricultural lands in the Imperial Valley. CVWD advocates for state programs that preserve the Salton Sea's role receiving stormwater and agricultural drainage

water by avoiding requirements that would make it technically or economically infeasible to use the Salton Sea for these purposes.

CONCLUSION

Executive Order N-10-19 and the associated request for comments has seen numerous water-related professional organizations submit letters and recommendations. CVWD supports the other views those organizations bring to the table due to their broad membership base across California. In the above comments, however, CVWD has highlighted considerations that are critical to the future success of the Coachella Valley and CVWD's ability to continue to meet the water related needs of the community. The Coachella Valley Water District looks forward to the roll-out of Governor Newsom's new Water Resilience Portfolio and is, as always, poised to assist further in any way.

Sincerely,



J.M. Barrett
General Manager