



Felicia Marcus  
Chair  
California State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, California

Dear Ms. Marcus,

The picture above shows the drop in elevation at the Salton Sea since WRO 2002-0013. Please note how your transfer unreasonably affects the area—how ugly it is getting. How clearly it points to a bleak future for the region once the mitigation water ceases.

People express questions as to why the sea is dropping. I've included a page from Mr. Brownlee's Salton Sea Funding and Feasibility Action Plan (Attachment 1). It indicates water transfer amounts by year. It's pretty simple to understand: the more water transferred, the lower the sea level. The lower the sea level, the more the public trust is harmed.

I have heard that there is no appetite for limiting water transfers. No wonder, the irrigation districts are profiting, greatly, all of them. They have lost sight of the fact that they are benefiting from taxpayer funded, Bureau of Reclamation water designed originally to help small farmers settle 160 acre parcels in the 1930s.

I've enclosed an article which explains how cavalier San Diego Water Authority now is. Since Poseidon desalination plant has come online, they have an overabundance of water. In fact, it "...has reached a new absurd level. The San Diego County Water Authority has dumped a half billion gallons of costly drinking water into a lake near Chula Vista" (Attachment 2).

This is a clear example of non-beneficial use, which is against State Law.

I also have included a press release from the Coachella Valley Water District which brags the fact that CVWD is mixing potable Colorado River Water with recycled black water to irrigate 53 golf courses valley wide at 2,000 acre feet per course, with the future hope to raise it to 85% of all golf courses within ten years (Attachment 3). What it doesn't say is that they are mixing a little recycled water in with a whole lot of Colorado River canal water, which your spokesperson labelled potable. This renders the latter unfit for drinking. This too is non-defensible as a beneficial use, in light of the fact that the children of Imperial County have the highest levels of asthma in the U.S. and the Pacific Flyway is threatened.

Meanwhile, I'm glad to say, efforts are finally underway by the State and others to save the sea. But, human nature being what it is, people involved in the process are dragging their feet and/or cutting illegal back room deals without adequate public participation. For example the Long Range Planning Committee just took seven months to realize it could not reach consensus about what to do, and to try and get more input from other planners, despite a 20 month deadline until the mitigation water stops and the ecosystem dies of thirst. Meanwhile, the Projects Committee posted no public notification of its meetings, thereby cutting the public out of the process while divvying up the first 80 million dollars, which they haven't even received yet. Not kosher with Badgley Keene or Brown Act laws, but in this part of the State cowboys are still active in local politics.

Granted, the Salton Sea is a big problem. It's going to take a long time to resolve. I believe it is obvious that the planners at the Salton Sea will need more time than until 2018 to work things out. Until they can, I believe you must, as custodians of the public trust:

- Be prepared to limit or enjoin water transfers until the State honors its statutory commitments on the ground.
- Cap water shipments outside the region until restoration rectifies the problem
- Encourage San Diego and CVWD to stop wasting water

In prior letters I have mentioned the public trust responsibilities you have at the Salton Sea. I include my January letter to you all with its attached map of "the Colorado Delta Region Approximate Status of 1933" (Attachment 4), to emphasize your responsibilities in this area. I feel it makes things pretty clear. The entire valley is the delta of the Colorado River, and, as such, protected by the public trust.

In conclusion, weighing the public trust needs at the Salton Sea against the waste displayed by San Diego and Coachella Valley Water Districts, I firmly believe it is in the legitimate interest of the people of California that water deliveries be curtailed to protect the public trust, the people and the property of the Coachella and Imperial Valleys.

Thank you for this chance to comment.

Sincerely,

A handwritten signature in cursive script that reads "Chris Cockroft".

Christopher W. Cockroft

1020 Palm Avenue.

South Pasadena, California 91030

**Table 9**  
Imperial Irrigation District water transfer to SDCWA and CVWD, Salton Sea  
Mitigation water and net water loss to the Salton Sea by year.

Year	SDCWA Transfer	CVWD Transfer	Salton Sea Mitigation Water created by fallowing
2003	3,445	0	0
2004	20,000	0	30,239
2005	30,000	0	21,476
2006	40,000	0	0
2007	50,000	0	23,306
2008	50,000	4,000	26,085
2009	60,000	8,000	30,158
2010	70,000	12,000	80,282
2011	63,278	16,000	0
2012	106,722	21,000	15,110
2013	100,000	26,000	71,470
2014	100,000	31,000	90,000
2015	100,000	36,000	110,000
2016	100,000	41,000	130,000
2017	100,000	45,000	150,000
2018	130,000	63,000	0
2019	160,000	68,000	0
2020	190,000	73,000	0
2021	200,000	78,000	0
2022	200,000	83,000	0
2023	200,000	88,000	0
2024	200,000	93,000	0
2025	200,000	98,000	0
2026-2047	200,000	103,000	0

## Notes

1) SWRCB approvals for mitigation water were not obtained until early 2004. Therefore, IID deferred the delivery of mitigation water scheduled for 2003 until 2004. As a result, IID delivered a total of 15,000 AF of mitigation water in 2004.

2) Table does not include a transfer of "Early Transfer Water" under the Revised Fourth Amendment to the IID/SDCWA Transfer Agreement, which requires the transfer of an additional 2,500 AF to SDCWA in 2020, 5,000 AF in 2021, and 2,500 AF in 2022 at a price of \$125/AF, adjusted by changes in a defined price index from January 1, 1999 to the year of delivery.

Volumes prior to 2014 are actual amounts, after 2013 the volumes are estimated/scheduled.

Source: IID QSA 2010-2013 QSA Implementation Report and 2009 QSA Annual Implementation Report

Lining 23 miles of the All American Canal was completed in 2009 and conserved an estimated 67,700 AFY (IID 2010). IID, assisted by Water

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## San Diego's Oversupply of Water Reaches a New, Absurd Level

Posted By [Ry Rivard](#) On February 2, 2016 @ 1:30 pm In [California Drought, Government, Must Reads, Water](#) | [No Comments](#)

San Diego's overabundance of water during one of California's worst droughts has reached a new, absurd level. The San Diego County Water Authority has dumped a half billion gallons of costly drinking water into a lake near Chula Vista.

Now that drinking water has been poured into a lake, the water must be treated a second time before humans can consume it. And here's another kick in the gut. The drinking water that's now been dumped into the lake includes desalinated water, some of the most expensive treated water in the world. Water officials will now have to spend even more money to make the once-drinkable desalinated water drinkable once again.

Several factors are causing the bizarre outcome: stubborn water politics, pipeline physics, unexpectedly low demand and the restrictive terms of a contract the County Water Authority signed with water desalination company Poseidon Resources.

The result is that after spending money to make water from Northern California, the Colorado River and the Pacific Ocean drinkable, ratepayers will now have to shell out an additional quarter-million dollars to retreat the water so it's again fit for human consumption.

"Nobody wants to see any treated water going to a reservoir that would have to be treated again," said Mark Weston, chairman of the County Water Authority's board of directors.

### How This Happened

Several years ago, the County Water Authority imagined an ever-increasing demand for water. So, it embarked on expensive efforts to bring more water into the region, including its backing of Poseidon's \$1 billion desalination plant in Carlsbad.

The County Water Authority did not imagine an extensive drought would prompt Gov. Jerry Brown to order customers across the state to use less water.

As San Diego benefits from its new supplies of water, its customers are cutting their water use. That means San Diego now has more water than it needs <sup>[1]</sup>.

About 554 million gallons of treated water has been dumped into the Lower Otay Reservoir, <sup>[2]</sup> a popular fishing spot near Chula Vista. That's a very small portion of the County Water Authority's annual water supplies, but still roughly as much water as 14,000 people use in a year.

### Blame Games

There are two types of water. The first is "raw" water that has to be treated before it can be consumed by humans. The second, more expensive kind is water that's already been treated.

Getting extra raw water isn't such a big deal, because it's relatively cheap and can be stored in open air reservoirs and treated later. Regional water officials welcome excess raw water and are storing it in case the drought continues and for emergencies.

But now there's too much treated water, and that is causing headaches.

The County Water Authority blames its main supplier of water, the Metropolitan Water District of Southern California, for the treated water being dumped into the Lower Otay Reservoir.

In recent weeks, the County Water Authority has asked Metropolitan to stop sending treated water to San Diego from Metropolitan's treatment plant in Riverside County [3].

Metropolitan said it cannot do that without making physical changes to its pipeline, which is designed to carry a few hundred gallons per second of water.

"The Water Authority, like, calls us out of the blue and says, 'We want it lowered to zero,'" said Jeffrey Kightlinger, Metropolitan's general manager.

Water Authority officials said they did not want all the water Metropolitan sent and are not going to pay for it all.

The same pipelines carry two other kinds of treated water: desalinated water, and water the County Water Authority treated itself at its Twin Oaks Valley Water Treatment Plant in San Marcos.

The water that ended up in the Lower Otay Reservoir is a mixture of these three kinds of treated water.

Of those, the most expensive by far is desalinated water. It costs at least \$2,131 for an acre foot, the standard measure used by water officials, which equals 326,000 gallons. Metropolitan's treated water costs about half that much, \$942 per acre foot. The water treated at Twin Oaks costs even less, about \$830 per acre foot.

Why is the County Water Authority trying to turn away cheaper water while buying desalinated water? Because it has to buy water from the plant, whether it needs it or not. That's the deal the authority struck with Poseidon Resources.

"There's no incentive for Poseidon to shut down and we have to take the water, so this kind of thing, I can see happening more frequently," said Livia Borak, an attorney who represented environmental groups that opposed construction of the desalination plant.

San Diego water officials said the current situation does not undermine the long-term rationale behind the desalination plant.

"We have built in resources not for this year, next year – but we have built in resources for the next 30 years," said Weston, the authority's board chairman.

The authority also expects the desalinated water to become cheaper than Metropolitan's sometime between 2027 and 2042 [4]. The desalination plant is considered a reliable supply for the region, something San Diego can rely on even if there's an earthquake or if Metropolitan cuts its deliveries, as it did during a prior drought.

"We discovered back in the early-1990s that we really didn't want to be in that position again," said Mark Watton, another member of the County Water Authority's board.

## Where This Is Heading

The County Water Authority and Metropolitan are already on bad terms [5], but officials at both agencies have expressed hope for a quiet resolution to what the authority calls "forced water deliveries."

The County Water Authority has considered taking Metropolitan to court, although it is working to avoid that outcome because lawyers may cost more than the value of the water at stake.

San Diego officials said they could pay Metropolitan cheaper raw water prices for the treated water. After all, the water can still be used, it just has to be treated again.

"The treatment value is lost, but the water value is still there," Watton said.

Kightlinger, the Metropolitan head, also expressed interest in a compromise. The compromise proposed by San Diego would cost his agency about \$400,000 in lost revenue – which is roughly the value of the treatment done to the water by Metropolitan.

Staff at both agencies are also working on ways to permanently reduce the minimum amount of water that needs to go through the main pipeline involved in the dispute. Any flow below a certain number cannot be read by Metropolitan's meter.

One solution to all these problems? Just let San Diego use more water.

The County Water Authority has been lobbying against <sup>[6]</sup> the governor's water conservation mandate, even though state officials are looking to lock in the water savings so that Californians don't backpedal and find themselves unprepared for yet another drought.

Last week, the authority sent an 11-page letter <sup>[7]</sup> to the State Water Resources Control Board that continued to plead San Diego's case, which is basically that San Diego should have a choice about saving water, in part because it has worked for years to buy itself out of droughts.

"There is no substantial evidence in the record that the Water Authority's use of water from existing sources is unsustainable, wasteful, or unreasonable because its use will not injure any other water user or the environment," the letter said. "All evidence is that water is available to the Water Authority and that this water can be used safely and efficiently."

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URL to article: <http://www.voiceofsandiego.org/topics/government/san-diegos-oversupply-of-water-reaches-a-new-absurd-level/>

URLs in this post:

[1] San Diego now has more water than it needs: <http://www.voiceofsandiego.org/topics/science-environment/desal-deal-leaves-san-diego-with-extra-water-in-drought/>

[2] Lower Otay Reservoir,: <http://www.sandiego.gov/water/recreation/reservoirs/lowerotay.shtml>

[3] treatment plant in Riverside County: <http://www.mwdh2o.com/AboutYourWater/Water-Quality/Robert-Skinner>

[4] 2027 and 2042: <https://www.documentcloud.org/documents/2085041-special-board-meeting-desal-board-memo-11-21.html#document/p12/a220487>

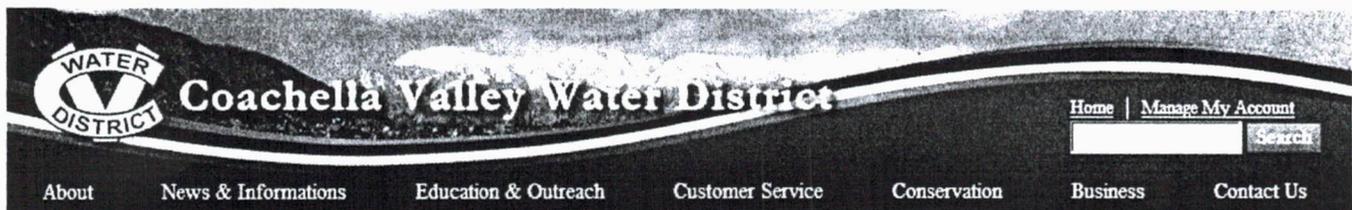
[5] already on bad terms: <http://www.voiceofsandiego.org/topics/government/the-year-in-san-diego-water-wars/>

[6] lobbying against: <http://www.voiceofsandiego.org/topics/science-environment/san-diego-floats-a-surprising-question-do-we-really-need-to-keep-saving-water/>

[7] an 11-page letter: [http://www.waterboards.ca.gov/board\\_info/agendas/2016/feb/020216\\_7\\_comments/docs/maureen\\_stapleton.pdf](http://www.waterboards.ca.gov/board_info/agendas/2016/feb/020216_7_comments/docs/maureen_stapleton.pdf)

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Attachment 3



News & Information » News Releases

## News Releases

January 19, 2015

### Three golf courses convert to nonpotable water for irrigation

Three more golf courses in the Coachella Valley have switched from irrigating with groundwater to the use of nonpotable recycled and imported canal water.

Sixty holes are affected, saving in excess of at least 2,000 acre-feet of groundwater per year. The expansion of the nonpotable water system to additional golf courses is an important part of the Coachella Valley Water District's (CVWD) long-term plans for eliminating overdraft of the aquifer.

"Golf courses are showing a genuine dedication to making the switch from potable groundwater to nonpotable sources for irrigation," said CVWD General Manager Jim Barrett. "This is an important component to our ability to ensure our groundwater remains a sustainable source of supply for future generations."

With the following additions, there are now 53 golf courses valley-wide using nonpotable water for irrigation.

- Desert Horizons in Indian Wells is now directly connected to the Mid-Valley Pipeline and receives imported Colorado River water that has been diverted from the Coachella Canal for irrigating its 18 holes.
- The Lakes Country Club in Palm Desert is now irrigating 27 holes with a blend of Colorado River water and recycled water from a CVWD wastewater treatment plant.
- Also participating is Palm Desert Country Club, which has been irrigating three of its holes with recycled water since the 1960s. Now, the other 15 holes are irrigated with nonpotable water.

Within a decade, CVWD expects more than 85 percent of the golf courses within its boundaries to be predominately using nonpotable recycled or canal water.

The Coachella Valley Water District is a public agency governed by a five-member board of directors. The district provides domestic and irrigation water, agricultural drainage, wastewater treatment and reclamation services, regional storm water protection, groundwater management and water conservation. It serves approximately 108,000 residential and business customers across 1,000 square miles, located primarily in Riverside County, but also in portions of Imperial and San Diego counties.

#### News Release Contacts

#### Media Gallery



Purple pipe, which indicates that recycled water is being used, is installed at one of the three Coachella Valley golf courses recently converted to the use of nonpotable water for irrigation purposes.

[Download Large Image](#)

January 18, 2016

Felicia Marcus  
Chair, California Water Resources Control Board  
1002 I Street, 24<sup>th</sup> Floor  
Sacramento, California

Dear Ms. Marcus,

I would like to add a piece of evidence about public trust issues at the Salton Sea.

I attended the March and January workshops in Sacramento and contributed written comments to both. Subsequently, a brief article was published in the University of California, Redlands blog Salton Sea Sense entitled "The Other Changing Sea Level." It contained a "Map of the Colorado Delta Region Approximate Status of 1933." The map was compiled by the American Geographical Society. Its copyright date was 1936. It was done by the Carnegie Institute of Washington, D.C. (see attached).

The map explicitly outlines the shape of the delta of the Colorado River.

Since deltas are most certainly a part of a river system's public trust, and since the Colorado was navigable at California's entrance into the Union (steamboats ran the river from 1848-1907), the map provides buttressing evidence to the application of the public trust to Board decisions regarding the sea and/or the taking of water under the Quantification Settlement Agreement.

I'd like this map to be attached to my comments on the SWRCB website, and of course, at your pleasure, considered by the Board as the issue goes forward.

Thank you.

Sincerely,

Christopher W. Cockroft  
1020 Palm Avenue  
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