

**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

August 3, 1993

To: Board of Directors (Executive Committee--Information)
 (Water Problems Committee--Information)

From: General Manager

Subject: California Urban Water Agencies Letter to U.S. Environmental
 Protection Agency Regarding Bay/Delta Water Quality Standards

Report

Attached for your information is a copy of a letter from the California Urban Water Agencies (CUWA) to Ms. Carol M. Browner, Administrator of the U.S. Environmental Protection Agency (EPA). CUWA is a coalition of eleven of the State's largest urban water agencies from both Northern and Southern California which has worked on key water issues over the past seven years.

This letter proposes a joint State and federal process for setting standards for the Bay/Delta Estuary. Staff supports CUWA's proposal and therefore signed the letter.

Board Committee Assignments

This letter is referred for information to:

The Executive Committee because of its authority to study, advise, and make recommendations with regard to policies and procedures to be considered by the Board, in accordance with Administrative Code Section 2417(e); and

The Water Problems Committee because of its authority to study, advise, and make recommendations with regard to policies of importing water required by the District, pursuant to Administrative Code Section 2481(a).

Recommendation

For information only.

John R. Wodraska

CAM/ca

Attachment

**CALIFORNIA URBAN WATER AGENCIES**

July 23, 1993

Carol M. Browner, Administrator
U.S. Environmental Protection Agency
401 "M" Southwest
Washington, D.C. 20460

Subject: Water Quality Standards for Sacramento-San Joaquin
Delta

Dear Ms. Browner:

The undersigned Board members of California Urban Water Agencies (CUWA) are the general managers of the eleven largest urban water agencies in California. Collectively these agencies serve over 20 million Californians who take all or part of their water supplies from the Sacramento-San Joaquin Delta.

CUWA has been a consistent and strong supporter of environmentally protective water quality and flow standards for the Delta. We sponsored consensus negotiations on Delta problems among environmental, agricultural, and urban water leaders. These "Three-Way" negotiations provided major input to Governor Wilson's April 1992 Water Policy which was supported by all factions. CUWA continues to support strong interim protections for the Bay-Delta estuary which are consistent with long-term solutions for protecting environmental and water supply uses of the Delta. Since the State Water Resources Control Board's interim water right decision was set aside, we have promoted a state-federal partnership program to proceed seriously and expeditiously to develop an interim operational agreement, long-range standards, and a plan for Delta protection and enforcement. We will continue to press for such a joint approach to Delta decision-making.

We are very concerned that, unless a joint decision-making mechanism is created, promulgation of Delta water quality standards by EPA will result in inferior or ineffective environmental protection and water supply management. This strong concern is based on two main points. First, there is not an adequate scientific basis for adopting the 2 part per thousand (ppt) salinity limit in the western (seaward) part of the Delta as proposed by the Region IX staff. The State Water Resources Control Board Draft Decision (pages 46 and 47) stated:

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"The record shows a scientific controversy as to whether a 2 ppt TDS standard is beneficial because of the salinity level or because the flow needed to achieve the 2 ppt TDS standard will keep the protected fish away from entrainment in pumping facilities. The evidence clearly demonstrates the importance of avoiding entrainment, but the evidence is not adequate to establish that the fish need a 2 ppt TDS in Suisun Bay in order to prosper.

"In the absence of substantial evidence in the record to support the hypothesis that certain species require 2 ppt TDS at Chipps Island or the conditions that would be caused by a 2 ppt level, [the resulting water supply] impacts are not justifiable."

Our second main concern is that, if EPA promulgates Delta water quality/water quantity standards independent of a joint process supported by state and federal agencies, a state and federal conflict and litigation will result rather than environmental improvement. The resulting intense legal and political battles will divert resources and priority attention away from the job at hand. This must not happen if we are to resolve the enormously important Delta issues.

We take hope and some optimism from the current level of technical work being brought to bear on Bay-Delta issues. Exciting new work is now underway on fish guidance technologies, real-time monitoring and operational decision-making for fishery protection, new cooperation in computer modeling and data management, better understanding of estuarine flows and salinity relationships, better information on the impacts of the exotic (non-indigenous) species which now predominate over native species in the estuary, and better knowledge of the impacts of fish harvesting and poaching on species abundance. The guidance and funding from the federal CVP Improvement Act are beginning to be felt, and key California water interests are pledged to support parallel state funding.

We wish to cooperate with you and other involved state and federal agencies to formulate a joint process to develop and support balanced and environmentally protective answers to Bay-Delta issues. Let us work together to that end.

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Sincerely,

CALIFORNIA URBAN WATER AGENCIES

James D. Beard, General Manager
Alameda County Water District

Walter J. Bishop, General Manager
Contra Costa Water District

Jorge Carrasco, General Manager
East Bay Municipal Utility District

James Wickser, Assistant General Manager
Los Angeles Department of Water & Power

John Wodraska, General Manager
Metropolitan Water District of Southern California

Stanley E. Sprague, General Manager
Municipal Water District of Orange County

William R. Mills, Jr., General Manager
Orange County Water District

Lester A. Snow, General Manager
San Diego County Water Authority

Pete Silva, Deputy Director
San Diego Water Utility Department

Anson Moran, General Manager
Hetch Hetchy Water & Power

Ronald R. Esau, General Manager
Santa Clara Valley Water District