

Statement of E. Joaquin Esquivel, Chair,
California State Water Resources Control Board
Before the Water, Oceans, and Wildlife Subcommittee Hearing on
Federal and State Efforts to Restore the Salton Sea
September 24, 2020

- Good afternoon Mr. Chairman and Members of the Committee. My name is Joaquin Esquivel and I am the Chair of the California State Water Resources Control Board. Thank you for the invitation to join you today to speak about the Salton Sea and the opportunity we all have to help bring attention to California's largest lake.
- The State Water Board is California's state agency responsible for overseeing and managing water quality--along with our nine Regional Water Quality Control Boards-- , water rights, and drinking water.
- The State Water Board's role at the Salton Sea has historically been regulatory in nature, although more recently the Board has also taken on an oversight role as well. I will quickly highlight each of these roles in my remarks.
- The 2003 Quantification Settlement Agreement, or QSA, settled ongoing legal disputes related to the use of Colorado River water in the state of California. The QSA established water budgets for California's Colorado River water users and authorized the contracting parties to pursue water transfers. The Board was responsible for approving a long-term water rights transfer, a key element to the QSA, between Imperial Irrigation District, or IID, and several urban water agencies. That transfer allowed some 300,000 acre-feet of water to be transferred from the irrigation district surrounding the Salton Sea to urban areas to the west.
- By approving the long-term transfer, less excess irrigation runoff would enter the Salton Sea, which had historically sustained and expanded the Sea since its creation in 1905. The Board evaluated the environmental effects of the reduction of water flowing into the Salton Sea, and found that the Sea would shrink and become more saline regardless of the long-term transfer. However, the transfer would increase the rate at which the Sea would shrink. To mitigate for the reduced inflow, the transfer required that IID provide 15 years of mitigation water in order to maintain the Sea's salinity to allow time for the State of California to establish a solution to the shrinking Sea.
- Additionally, under the QSA, a joint power authority between IID and the water transfer signatories was created to provide a set amount of funding to offset the 15 years of mitigation water and start addressing the public health and wildlife and habitat concerns of the receding shoreline of the Sea. The QSA also established

that after the QSA/JPA funding was exhausted, the remaining responsibility to address concerns at the Sea would fall under the State.

- In 2014, IID petitioned the Board to take action, since the State had not yet approved a regional solution for the Sea, and mitigation flows were mere years away from being ended.
- In 2015, the Governor of the state of California created the Salton Sea Task Force. The Task Force includes experts from the California Natural Resources Agency, including the California Department Water Resources and California Department of Fish and Wildlife, and Environmental Protection Agencies, including representatives from the State Water Board and the California Air Resources Control Board.
- In response to the IID petition and responsibilities charged to the Board as part of the Salton Sea Task Force, the State Water Board helped convene workshops and meetings to identify realistic short and medium term goals to address the lack of progress in a regional solution, and in 2017 the State Water Board issued an amended water rights order approving an agreement between California Natural Resources Agency and other parties. That agreement (Salton Sea Management Program Phase I Ten Year Plan) includes specific acreage targets to restore and manage the Salton Sea over the next 10 years, and is intended to protect public health and critical habitat. The 2017 order also established the Board's oversight role by requiring annual reporting by the California Natural Resources Agency on restoration progress, and requires that the State Water Board hold annual public workshops to highlight actions taken over the previous year.
- Since adopting the November 2017 order, the Board has held two annual workshops and several informational updates on the Phase 1: Ten Year Plan. The Board's annual workshops were established to create a public forum to receive written and oral comments on the status of Salton Sea mitigation and restoration, and to receive an update and report from the State by the California Natural Resources Agency on its progress in implementing its regional solution.
- I would also like to highlight activity that the state is undertaking to better manage water quality within the Sea. Inflows to the Salton Sea come primarily from the agricultural runoff from the Imperial and Coachella Valleys. Three rivers also provide inflow to the Salton Sea: the New and Alamo Rivers in the south and the Whitewater River in the north. The New River is a transnational river that originates in Mexico and flows across the border into California and into the Salton Sea. In addition to the agricultural runoff that enters the New River, the remaining inflow comes from treated and untreated wastewater, urban runoff, and industrial wastes between Mexico and the US. This has created a rather polluted river. Efforts have been made over the years between Mexico and the US to reduce the pollutants and

waste from entering the river, but the New River still contains high levels of contaminants that ultimately flow into the Salton Sea, concentrating in the water and the soils, and creating public health concerns.

- The State Water Board, and the related Regional Water Quality Control Boards, are responsible for implementing the federal Clean Water Act as well as California's own water quality laws and regulations. The actions of the Colorado River Regional Water Quality Control Board have recently focused on improving water quality issues in the New River. The Colorado Regional Board has been an active participant in implementing the New River Improvement Project, which targets restoring flow into the river channel and protection of public health in and around Calexico. The most recent California state budget included \$19 million that, in addition to \$10 million that had already been allocated, will sufficiently fund a New River Improvement Project to pipe water beneath and around the city, which will reduce the public's health risk. The project will also include installation of a trash screen at the border. The Regional Board also participates in a binational technical committee that is actively engaged in identifying water quality issues and technical solutions on the New River, and looks forward to future collaboration with national and international partners in this effort.
- The Regional Board is also actively working on the management of nutrient and pesticide loading in agricultural runoff water in some 600,000 acres surrounding the Sea, which covers approximately 97 percent of all the irrigated agriculture in the watershed. Over time, these actions will help minimize ongoing pollutant load to the Sea.
- Given this opportunity to speak before this committee, I would like to use it to provide some recommendations that the federal government can take to help aid California's efforts in mitigating and restoring the Salton Sea.
 - Provide additional funding for local, state, or federal projects, either short-term funding or more importantly longer-term operation and maintenance funding.
 - Increase federal engagement on the Salton Sea Management Program, including continued participation of United States Bureau of Reclamation staff who provided a presentation at the Board's most recent workshop last month.
 - Provide clear direction on what the federal government plans to do, or what projects they will implement or support, on the land they own (land that is both currently exposed and under water).
 - Continue federal engagement and support for transnational water quality efforts focused on the New River Improvement Project in Calexico.
- That concludes my statement. I am happy to answer any questions.