



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

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February 7, 2020

Ms. 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: Comment Letter - Draft *Water Resilience Portfolio*

Dear Ms. Vogel:

Coachella Valley Water District (CVWD or District) appreciates this opportunity to provide comments on the Draft *Water Resilience Portfolio* (Portfolio), which was released in January 2020. Overall, CVWD found the Portfolio to be expansive and inclusive of a wide variety of goals comprising a true state-wide approach. The District commends you for the succinct summarization of the myriad comment letters you received in 2019.

There are, however, several areas where CVWD sees an opportunity for clarification and improvement in the document. In each instance, recommended language deletions are marked in red strikethrough text, and recommended additions are noted in blue underlined text.

1. CVWD recommends language consistent with mitigation rather than restoration of the Salton Sea.

On page 7, paragraph 2, the Portfolio states the state will take "much needed action to restore the Salton Sea." When local communities use the term "restore," it is done with visions of the Salton Sea returning to the grandeur of decades past; renewed lakeside resorts, a return to water skiing and sun bathing on the Salton Sea beaches, and water elevation where it was in the 1960s.

Unfortunately, without water importation, this goal is impossible in the near term. Furthermore, the 10-year Salton Sea Management Plan does not use such restoration language. The term "restore" or "restoration" only appears five times in the document.

CVWD recommends the following language changes: "... and taking much-needed action to ~~restore~~ mitigate for exposed playa and water loss at the Salton Sea to address human health impacts and impacts to wildlife."

2. CVWD strongly encourages the Portfolio to recognize the use of the Salton Sea for irrigation drainage and Congress’s intent to maintain that use.

CVWD’s original comment letter, submitted on August 29, 2019, advocated for “state programs that preserve the Salton Sea’s role in 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.” CVWD reiterates that position now.

Public Law 105-372, the “Salton Sea Reclamation Act of 1998” directed the Secretary of the Interior, through the Bureau of Reclamation, to complete a feasibility study that would “permit the continued use of the Salton Sea as a reservoir for irrigation drainage” while also reducing salinity, stabilizing water levels, and enhancing the potential for recreational uses. However, the maintenance of the Salton Sea as a receiving water body of irrigation drainage was the primary purpose. Congressional direction on this point is clear.

CVWD recommends adding the following to page 22: [17.4 Maintain the Salton Sea’s historic use as a reservoir for irrigation drainage consistent with Congressional directives.](#)

3. Additional acknowledgment of tribal water rights and tribal roles in water allocation and development policies should be included in the Introduction section “Moving Forward: Regional Networks, State Support” on pages 16-17.

In January 2019, Governor Newsom apologized to the Native American communities within California on behalf of the state. At that time, Governor Newsom also re-affirmed the state’s commitment to government-to-government consultations with California Native American Tribes. This commitment is captured in Proposal 29.3. However, CVWD recommends the state recognize the potential that currently unquantified tribal water rights (or other federally reserved water rights) may have on the state’s growing water systems.

Sustainable Groundwater Management Act (SGMA) implementation may be hindered from meeting its stated goals without full participation, cooperation, and reporting by tribes. Cooperation and data sharing is essential for an accurate accounting of groundwater use and for SGMA compliance. The state should do whatever it can, along with federal partners, to encourage tribal leaders to support groundwater sustainability agencies efforts to satisfy SGMA.

CVWD recommends the following language addition to the end of paragraph four in the first column on page 17: Moving forward, state-regional partnerships that advance broad, multi-benefit projects are critical to achieving water resilience. [Furthermore, state-tribal partnership and tribal-regional partnerships are going to become increasingly necessary and require additional resources to ensure sustainable management of California water resources.](#)

CVWD also recommends additional language in 3.2:

Create a state interagency team to work with stakeholders, [including tribes](#), to identify tools and strategies to address the economic, environmental, and social effects of changing land use and agricultural production as local water managers implement sustainable groundwater management.

4. CVWD is pleased to see the inclusion of Sites Reservoir as a state priority (page 19).

CVWD supports and is a project participant for Sites Reservoir and is encouraged to see its inclusion in the Portfolio. Addressing the changing climate with additional surface storage will be critical to supply the state's drinking water as winter snows decrease and rain events increase.

5. CVWD recommends moving item 13.1 (“Coordinate grant and loan programs across state agencies to make funding for multi-benefit projects easier to arrange and leverage.”) to fall within Priority 1 (“Help local water agencies achieve reliable access to safe and affordable water.”) or to call it out as a new Proposal, i.e. a new [28](#).

CVWD has been working with staff at the State Water Resources Control Board (Water Board) to secure funding agreements for several grants to assist in bringing water to schools and communities within Thermal and Mecca, California. However, delays and changes in application requirements have kept CVWD from initializing bid on the construction contracts for many months. This is unacceptable.

In CVWD's experience working with the federal agencies, there is often a streamlined grant application process. CVWD recommends the Water Board create a single application process which may be used for myriad funding opportunities and not dependent on the money's source. This should reduce delays and confusion by applicants, particularly for small water systems who may not have the technical expertise large agencies have.

However, CVWD does not feel this streamlined and multi-source leveraging of funds should be limited to the Safe and Affordable Drinking Water Program. It is also critically important for the goals listed in the “Protect and Enhance Natural Systems” section of the Portfolio, where it is currently listed. Therefore, moving 13.1 and creating a *new* Section 1 and renumbering all remaining sections, may be most appropriate.

6. Text should be added to 22.3 to direct the state to maintain data privacy to the greatest extent practicable.

CVWD recommends the following addition: 22.3 Streamline data submission and reporting to the state [and maintain individual data privacy and traceability](#).

Data privacy is a priority for CVWD and many other water providers across the state. Maintaining the privacy of individual customers should be a priority for the state agencies as well.

7. The text of 22.9 should be amended to make it clear that OpenET is a data aggregation program, and not a data collection site where water users will be required to enter water use data.

CVWD recommends the following change to 22.9: Enable the use of OpenET – ~~a public and easily accessible platform for measuring the amount of water used to grow food~~ [a transparent, credible, and open-source web platform for quantifying field-scale evapotranspiration \(a measure of consumptive water use\) using publicly available satellite and weather data — in support of sustainable water management and innovation in water conservation](#).

The text of 22.9, as it currently appears in the Portfolio, is misleading and does not accurately describe what OpenET is or its function. This replacement text is supported by the OpenET development team and this comment is also made in the comment letter submitted by Environmental Defense Fund.

8. CVWD strongly supports the goal of simplifying permitting processes captured in Policy Proposal 13. CVWD suggests the following additional associated goals.

13.2 Support the development of expedited and cost-effective permitting mechanisms for common types of restoration and enhancement projects. In addition, the permitting process should standardize and streamline mitigation requirements, for example, by implementing the California Rapid Assessment Method.

...

13.4 Incorporate strategically designed conservation planning (e.g., Natural Community Conservation Planning, Habitat Conservation Plans, Regional Conservation Investment Strategies) and other resource protection and recovery plans into mitigation approaches for ~~levee modifications, operations, and maintenance~~ water management infrastructure.

13.5 Support the alignment of state permitting fees with levels needed to properly fund state permitting agencies to deliver timely projects, and develop a funding mechanism for applicant funded permit review and expedited processing.

Federal programs have been built around permittee fees that cover associated costs of permitting reviews for many years. In order to expedite such processes, if authority does not currently exist, such authority to allow agencies to collect fees should be sought with the California legislature. Hiring more staff who are not reliant on the annual governor's budget and economic swings will ensure project expediency and efficiency.

In closing, CVWD appreciates the opportunity to review and to provide the above input on the draft *Water Resilience Portfolio*. If you have questions regarding the comments, please contact the District's Government Affairs Specialist, Kristen Johnson, at (760) 398-2661 ext. 3564 or kjohnson@cvwd.org.

Sincerely,



J.M. Barrett
General Manager

cc: The Honorable Eduardo Garcia, Assemblymember, 56th District
The Honorable Chad Mayes, Assemblymember, 42nd District