



## Media Advisory

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May 20, 2010

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## Another Setback for Tough Enforcement of Selenium Pollution Standards Slated

**Date: May 27, 2010**

**Time: 8:30 am**

**Place: Central Valley Regional Water Quality Control Board [Water Board]  
11020 Sun Center Drive, #200, Rancho Cordova, CA 95670**

**Background:** After 14 years of delay the Central Valley Regional Water Quality Control Board is poised to grant giant West Side agri-business more non-enforcement of the law. Irrigators will be allowed to violate selenium water quality standards for another decade under the provisions of a pollution waiver before the Water Board. Selenium is a naturally occurring chemical element heavily concentrated in the soils of the west side of the San Joaquin Valley. But when the selenium-laden soils are irrigated, the selenium leaches into groundwater and surface waters, discharging and spreading its toxic legacy. Selenium-laced contaminated water will continue to flow from Mud Slough into the San Joaquin River, the Delta, and San Francisco Bay for years to come.

Non-enforcement of the law and continued delay is driving San Joaquin wetlands and waters inevitably toward a second Kesterson disaster. Who could forget those 1984 pictures of birds with twisted beaks, deformed heads and dead chicks where selenium-contaminated agricultural drainage flowed into Kesterson National Wildlife Refuge? State and federal indecision and neglect killed thousands of birds. The selenium drainage pollution from Westlands Water District and other Westside irrigators created one of the largest environmental disasters in the state's history. The pollution has continued as the Water Board granted pollution waiver after pollution waiver.

Selenium, unlike other pollutants, bioaccumulates in the food chain and threatens migratory birds, salmon and steelhead, as well as endangered species such as Swainson's hawks, giant garter snakes, kit foxes and other species.

A public hearing on this pollution waiver is scheduled for May 27<sup>th</sup>. The Central Valley Regional Water Quality Control Board will consider an amendment to the Water Quality Control Plan for the San Joaquin and Sacramento rivers that would allow these polluted discharges until the end of 2019. The Bureau of Reclamation's Grasslands Bypass Project collects contaminated agricultural drainage from the northerly area

of the San Luis Unit of the Central Valley Project through 27 miles of the San Luis Drain and discharges this pollution into a tributary of the San Joaquin River. In addition, highly contaminated sediments, some classified as hazardous waste, have been accumulating in the drain with no plan for safe disposal.

Without funding or proven treatment technology, the Bureau of Reclamation and these irrigators are requesting another pollution waiver to allow the continued irrigation of these toxic soils while sending their pollution downstream. The question is whether or not waiving the enforcement of selenium standards for another ten years will create an even larger ecological disaster, further spreading these contaminants throughout sensitive wetlands and river habitat throughout the Delta and San Francisco Bay.

The San Luis Unit water contractors collectively receive enough water for a city of 12 million people, are heavily subsidized, and collectively owe taxpayers \$497 million for reimbursement of Central Valley Project costs funded from the public trough. Reduction of irrigation deliveries and a return to environmentally compatible dryland farming were not considered as an alternative, even though the U.S. Geological Survey has stated that *“Land retirement is a key strategy to reduce drainage because it can effectively reduce drainage to zero if all drainage-impaired lands are retired.”* The USEPA has urged the Central Valley Regional Water Quality Control Board to enact effective selenium source controls. The U.S. Fish and Wildlife Service warns that other adjacent wildlife areas and the fishery in the San Joaquin River are at risk. These selenium contaminated waters are upstream of the water supply pumps in the Southern Delta that serve Southern California’s urban population.

A broad coalition of 18 organizations, representing fisheries, tribal and environmental interests, opposes the pollution waiver. Waste waters from the San Luis Drain are currently 10 times the level considered safe. The coalition believes the pollution should be halted at its source, not sent downstream.

Kesterson was a wake-up call. But no one at the State Water Resources Control Board woke up. Westlands is simply too politically powerful. Westlands is the state’s foremost proponent of the proposed \$52 billion dollar ‘Peripheral Canal II’ and one of the key beneficiaries of Sen. Steinberg’s “historic Delta protection” bill last year and this November’s costly water bond. The federal government has documented that the continued use of federally subsidized irrigation water to irrigate 379,000 acres of selenium rich soils along the west side of the valley is causing the selenium contamination of groundwater and surface waters spreading out from Westlands Water District and the other west side farms. The time for “let’s pretend” selenium pollution will magically disappear is over. The Water Board should deny approval of the proposed amendment to the San Joaquin Basin Plan that would give Westlands and other Westside irrigators another decade to avoid enforcement of the state’s selenium water-quality standard and the federal selenium criteria for aquatic life. It should be our state policy to avoid Kesterson II.

The comments of the coalition, USEPA and U.S. Fish and Wildlife Service can be found at [http://www.waterboards.ca.gov/centralvalley/water\\_issues/grassland\\_bypass/](http://www.waterboards.ca.gov/centralvalley/water_issues/grassland_bypass/)

Information on the public hearing and the proposed approval resolution can be found at [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/1005/index.shtml#10](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/1005/index.shtml#10)

Additional information on the Grasslands Bypass Project and selenium can be found on the website of the California Water Impact Network at <http://www.c-win.org/deeper-waters.html>.

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