



LATE COMMENT

August 15, 2016

8-16-16 Board Meeting Item 10
Salton Sea Management Program
Deadline: 8/11/16 by 12:00 Noon

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I St., 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov



RE: Update Regarding the Status of the SSMP (Item 10, Aug. 16 Board Meeting)

Dear State Water Resources Control Board:

On behalf of Audubon California, Defenders of Wildlife, Pacific Institute, and Sierra Club California, we write to offer our comments regarding the status of the Salton Sea Management Program, in response to the State Water Resources Control Board's (Board's) August 16 Board Meeting that includes this agenda item. We are deeply concerned by the State's lack of progress in developing or expediting the Salton Sea Management Program (SSMP) and urge the Board to direct the State to make significant progress on a clear and accelerated schedule.

While we appreciate the Board's attention to the Salton Sea, we are disappointed that the meeting only seeks an update from the Natural Resources Agency (Agency) rather than a more in-depth discussion which would include input from the stakeholders. More importantly, the Agency's continued delays and failure to make any meaningful progress in the SSMP threaten significant adverse public and ecological health impacts in the region and have the potential to unravel the complex series of agreements that make up the QSA, which would have significant water supply implications for the State, as well as the lower Colorado River basin. *State inaction and delay could have significant water supply implications.*

The State has not dedicated sufficient staffing or resources to the SSMP, or prioritized the SSMP among its many existing obligations. The SSMP lacks the resources and urgency necessary to meet the State of California's existing statutory and contractual obligations to the Salton Sea. Per *Revised Order WRO 2002-0013*, IID's mitigation water delivery obligation expires *next year*. The loss of this mitigation water will accelerate the decline of the Salton Sea dramatically, exposing tens of thousands of acres of lakebed and endangering the health of the 650,000 people living in the Coachella and Imperial valleys, as well as another million people south of the border, in addition to the health of the Salton Sea ecosystem as a whole. This very real threat does not disappear if the State fails to advance the SSMP and on-the-ground projects: *the State's inaction ensures that these injuries will occur.*

The Natural Resources Agency's "shovel-ready report" to the Legislature, submitted in April, makes clear that the Agency will not achieve the habitat and dust control project acreage goals established by the Governor's Salton Sea Task Force last October. Almost a year later, the SSMP still lacks goals, objectives, a funding plan, or a governance plan. Instead of moving forward, the State seems to be re-doing geotechnical surveys and is re-engineering existing plans and designs, likely incurring permitting delays. It remains unclear whether the State has directed sufficient agency staff to work on the SSMP, what tasks existing staff have been assigned, or to whom staff report.

The SSMP has funding, water, completed designs, permits, and broad stakeholder consensus to construct more than a thousand acres of habitat and dust control projects in the very near term. Yet prolonged delays, combined with the SSMP's failure to demonstrate any real progress, much less actual projects on the ground, prompt the very troubling question of whether the State intends to honor its existing statutory and contractual obligations.

Meanwhile, IID has invested some \$500,000 developing a *Salton Sea Backbone Infrastructure Project Design Concept*, presented to the IID Board earlier today.¹ This Design Concept includes a conceptual layout of nearly 8,000 acres of habitat and dust control projects at the Salton Sea that could be completed with the \$60 million currently in the state budget for the SSMP. The Design Concept also includes broader short, medium, and long-term projects. It describes the purpose and need for the project, water demand and water sources, design constraints and concepts, and unit costs and layouts. In short, IID's Design Concept lays out a clear roadmap for progress at the Salton Sea.

Rather than waiting for the SSMP to hire a different consultant to redesign habitat and then attempt to coordinate that new habitat design with IID's backbone infrastructure, we request that the Board direct the Agency to incorporate IID's Design Concept into the SSMP and expedite its implementation. Failure to incorporate IID's existing design work would be a very clear signal that the State does not intend to honor its existing statutory and contractual obligations and does not intend to achieve the Task Force goals. We will pay very close attention to the State's actions on this matter.

Our request is simple: ensure that the State meets its existing Salton Sea obligations. As we have noted previously, we strongly support the Salton Sea Task Force's direction to state agencies – including the Board – and welcomed the habitat and dust control project goals described by the Task Force. In previous letters to the Board, we have offered a number of suggestions on how the State can achieve these goals. We have participated in SSMP committees and previously on the Salton Sea Advisory Committee, and have worked to broker agreements and discussions among various stakeholders. We have worked diligently for many years to assist the State in meeting its obligations. *We urge the State to meet its own stated goals.*

We urge the Board to honor its oversight responsibility and set clear milestones for the SSMP. To ensure compliance, and to ensure that State meets its obligations, we also urge the Board to make the water transfer contingent on the State implementing functional habitat and dust control projects at the Salton

¹ IID's backbone infrastructure concept design is posted at <http://www.iid.com/Home/ShowDocument?id=11857>, starting at p. 35 of the pdf.

Sea, in a timely fashion. Failure to honor State Obligations not only jeopardizes California's water supply reliability – as well as the health of the millions of birds that depend upon the Salton Sea and of the 650,000 Californians who already suffer from some of the worst air quality in the nation and whose health could be further degraded by continued inaction – but suggests, more broadly, that the State of California is not a reliable partner.

Sincerely,



Michael Cohen
Senior Associate
Pacific Institute



Kimberley Delfino
California Program Director
Defenders of Wildlife



Michael Lynes
Director of Public Policy
Audubon California



Kyle Jones
Policy Advocate
Sierra Club California

Cc: Bruce Wilcox, CNRA
Phil Rosentrater, SSA
Val Simon, Reclamation
Kevin Kelley, IID