

Written comments provided to the California State Water Control Board for Consideration at the August 16, 2016 meeting.

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I am writing to urge the State Water Resources Control Board to delay the transfer of water associated with the QSA, until such time as the State of California can carry out its mitigation procedures to curb toxic dust formation resulting from a receding Salton Sea. The transfer of water needs to occur at a rate that allows dust mitigation to keep pace with receding water levels. This will control the formation of toxic dust thus protecting the public health of Californians living in the Coachella and Imperial Valleys.

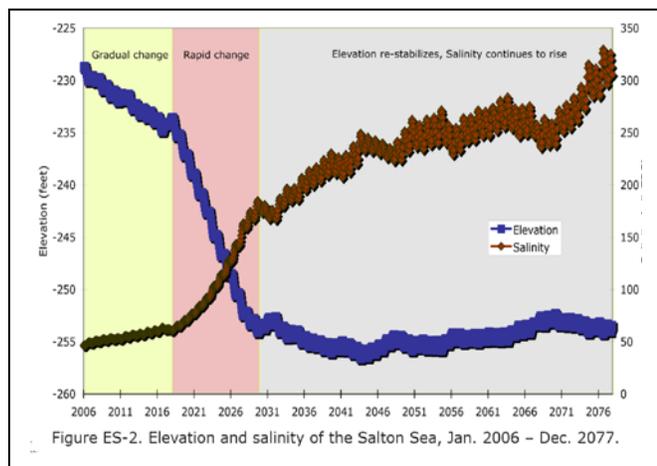
Background

The Quantitative Settlement Agreement (QSA) was entered into in 2002. Despite resistance from the Imperial Irrigation District, the State and federal governments mandated water transfers to urban destinations. Recognizing that these transfers would lead to catastrophic effects on the fish and bird species, and on toxic dust production through the exposure of newly exposed lake bottom (playa), the State agreed to mitigation procedures. The Imperial Irrigation District was allowed to put mitigation water into the Sea for 15 years while the State carried out its mitigation efforts. We are now 13 years later and the State has yet to implement meaningful activities on the ground. A task force and numerous committees have engaged in considerable planning efforts, but the rate of progress is extremely slow.

Figure 1 illustrates the effects of the QSA on the Salton Sea. Beginning in January of 2018, the level of the Sea will decline very rapidly, exposing eventually over 120 square miles of playa. The dust that will arise from the playa is widely recognized to be highly toxic and it will lead to increased rates of asthma, COPD, emphysema and lung cancer in the region. There are approximately 600,000 residents in the Coachella and Imperial Valleys who will be impacted by this.

In addition, the Sea will increase rapidly in salinity, killing the fish species present and displacing a dozen species of birds from a vital feeding habitat on the Pacific Flyway.

Figure 1. Salinity rises until the Salton Sea is a dead sea. The pink area is the period of rapid QSA water transfers. Source, Pacific Institute.



The Pluses and Minuses of Delaying and Regulating the QSA-related Water Transfers

The negative effects of water transfers associated with QSA are well understood. Beginning in 2018, the water levels at the Salton Sea will decline rapidly, causing the formation of extensive areas of dried playa. The playa will be the sources of highly toxic dust. The South Coast Air Quality District has acknowledged that this highly polluted dust will lead to substantially increased rates of asthma, COPD, emphysema and lung cancer in affected populations. We need to be clear that there are 600,000 Californians just in the Coachella and Imperial Valleys. This does not include hundreds of thousands of tourists seeking to enjoy the desert landscapes, golf and tennis tournaments, and highly popular music concerts. The effects of the increasing levels of toxic dust will damage the health of these individuals as well. It will also devastate the economy of the region, particularly in Palm Springs, La Quinta, and Indian Wells, communities that are world-renowned for tourism and retirement living.

The positive effects for the coastal cities must also be considered and weighed against the negative effects affecting the Coachella and Imperial Valleys. Certainly, the coastal cities want and can use the additional supplies of water. The water from the QSA is cheaper and easier to obtain than alternative new sources of water. But are the cities suffering due to the lack of this water? Are their inhabitants seeing increased levels of deadly diseases that will decline when the QSA is implemented? Are the economies of the coastal regions inhibited by a lack of water and will they suddenly boom when the QSA is implemented?

Remember, in southern California, 80% of the water in urban areas is used for outdoor landscaping. How can we justify subjecting hundreds of thousands of California citizens to increased pulmonary disease when the benefits to the coastal regions, while real, are very slight.

I emphasize that it is important to protect the water rights of coastal regions as outlined in the QSA. They deserve that water and they should receive it as soon and as fast as the State can provide mitigative procedures that assure the health of all of its citizens.

A Precedent for the Water Resources Board's Actions

California has faced these challenges before. In the 1970's and 80's, we faced similar problems at Mono Lake. Diversion of freshwater inflows into the lake were causing it to become more salty and to shrink in volume, exposing salt flats that generated salty clouds of dust. Falling lake levels also connected islands to the mainland, allowing predators access to bird breeding sites that had supported bird breeding for centuries.

Using the Public Trust doctrine, the courts decreed that a specific lake level needed to be maintained to protect wildlife, esthetic and touristic values, and the public health of the inhabitants and many tourists in the valley. In the process, however, the water rights of the LADWP were recognized and protected. Water exports from the basin were restricted until the lake reached a level of 6380 ft above mean sea level. At that point, exports were increased to 16,000 acre ft/yr. When the lake reaches a level of 6391 ft, exports will be increased to 30,000 acre ft/yr. Exports are therefore maximized, subject to the public trust needs of the people of California and, of course, the vagaries of our highly variable climate.

Mono Lake is an example of a very rare event in the history of environmental politics: a win-win solution in which public health and the environment are protected, but in a manner that assures the water rights of urban water users. California has demonstrated that it has the foresight and honesty to deal with these issues, despite the complexity of the legal, medical, esthetic, economic and environmental parameters.

We have the opportunity at the Salton Sea to once again move forward in a concerted manner to provide for the needs of all sides in a way that will immediately strengthen the economy, meet

environmental goals, and protect public health. There is no magic bullet that will suddenly return the Salton Sea to the bucolic condition it enjoyed in the mid twentieth century. There is, however, consensus around several dust suppression projects. The State Water Resource Board can assure that water rights are protected and assured in a manner that that will also protect the health and welfare of citizens throughout Southern California.