



April 13, 2016

VIA ELECTRONIC MAIL
commentletters@waterboards.ca.gov



Jeanine Townsend
Clerk of the Board
State Water Resources Control Board
1001 "I" Street
Sacramento, California 95814

Re: Comment Letter: Salton Sea

Dear Ms. Townsend:

Imperial Irrigation District and the County of Imperial are pleased to participate in the forthcoming workshop on April 19, 2016 to discuss progress towards a solution to the problems facing the State of California at the Salton Sea. Enclosed are our technical comments for your consideration prior to the workshop.

IID and the County very much appreciate that the State Water Resources Control Board and the Brown Administration recognize that time is of the essence for the Salton Sea. But, it is critical that the Brown Administration take definitive action at the Salton Sea during 2016, for two reasons. First, IID's obligation to deliver mitigation water to the Salton Sea under the terms of the Quantification Settlement Agreement ends at the end of 2017. Accordingly, it is important for the Administration to act during 2016 so as to provide sufficient time for a transition to other resources or other management strategies. Second, there will be a change in the federal administration at the end of 2016. Thus, any coordination with the United States must – as a practical matter – occur before the end of the Obama Administration. It is unrealistic to think that a new administration will have its sub-cabinet confirmed and able to make critical decisions before the middle of 2017. In plain language, the time for action is now.

To assist the State Water Resources Control Board and the Brown Administration in taking action during 2016, IID and the County have prepared a set of technical comments on the "metrics" that should guide the Brown Administration in its consideration of various proposals and ultimately for a comprehensive long-term plan for the Salton Sea. We would be happy to address those metrics in a general fashion during the workshop. If you or your staff have more detailed questions, though, we will make our staffs and consultants available for further discussion with your staff.

Additionally, IID and the County have actively participated in the efforts by Assistant Secretary of the Natural Resources Agency for the Salton Sea, Bruce Wilcox, to develop a plan to protect public health and the environment at the Salton Sea. We are eagerly awaiting the Assistant

Secretary's presentation during the workshop to receive more detailed analysis of the report to the Legislature on "shovel ready" projects that was submitted on Friday, April 8 (report). We suspect that we will have additional comments at the workshop once we have the opportunity to hear the Assistant Secretary's remarks and hope to receive additional detail of the projects that were listed in the report.

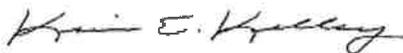
We appreciate the efforts that have been made to date and shown in the report, but the project implementation dates identified in the report do not meet expectations. Although defined as "shovel ready" per the legislation, the proposed projects are not short-term and fail to meet the Salton Sea's immediate needs. The earliest construction start date is not until the last quarter of 2016, which is the Red Hill Bay project that covers only 420 acres. The next project is the Species Conservation Habitat Phase 1, at 640 acres, which is not estimated to begin construction until the first quarter of 2017. This is far behind the expected start date of March 2016. The other estimated construction start dates on the "shovel ready" projects are not until 2018 and 2019, which is unacceptable. Even if all timelines set forth in the report are met, it is projected that there will be approximately 17,600 acres of exposed playa, which equates to approximately 25 square miles or more than half the size of San Francisco, by the end of 2017 and based on the report only about 5 percent of that exposed playa will be covered by projects.

IID and the County would like to offer a proposal that will provide for essential short-term projects and critical immediate results. We would like to issue a request for proposals (RFP) to private landowners to perform air quality mitigation measures or other pilot projects on their land. These measures, consistent with Imperial County Air Pollution Control District Rule 804, could include, among others, surface roughening, moat and row, application of dust suppressants, vegetation enhancement, vegetation swale, water efficient vegetation, shallow flood, brine stabilization or gravel cover.

This RFP solution would provide an additional tool in the toolbox, would be significantly less expensive for the State, would eliminate continued delay and, most importantly, provide needed immediate action. As the report points out, a significant hindrance for "shovel ready" projects is the requirement to coordinate and negotiate with private land owners. Providing State funding for local projects to be performed by the landowners themselves resolves this problem. During the local workshop hosted by IID and the County, numerous residents asked for immediate action and this RFP effort would bring those results.

Thank you again for your diligence and continuing efforts to help us restore the Salton Sea and protect the health of hundreds of thousands of people who live in the Salton Sea region.

Very truly yours,



Kevin Kelley
General Manager
Imperial Irrigation District



Ralph Cordova
County Executive Officer
County of Imperial

Enclosure

Technical Comments on Metrics for Success

cc:

Board of Directors, Imperial Irrigation District
Board of Supervisors, County of Imperial
Salton Sea Task Force Members
Assistant Secretary for Salton Sea Policy
California Department of Fish & Wildlife
California Department of Water Resources
Salton Sea Authority
Audubon Society
Defenders of Wildlife
Pacific Institute
Sierra Club
Coachella Valley Water District
Metropolitan Water District of Southern California
San Diego County Water Authority
United States Bureau of Reclamation
United States Department of the Interior

**METRICS FOR SUCCESS
PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT
IN THE SALTON SEA REGION**

April 19, 2016

Imperial Irrigation District and the County of Imperial have prepared these technical comments in support of the efforts by the State Water Resources Control Board (SWRCB) to oversee the development of a restoration plan by the Natural Resources Agency for the protection of public health and the environment at the Salton Sea. IID and the County offer these goals and metrics as a way to begin the task of identifying the measurable parameters that can be used to determine what would constitute a “successful” effort to protect public health and restore the environment at the Salton Sea.

There are a number of goals that have been discussed to guide management efforts at the Salton Sea. IID and the County concur with the State Salton Sea legislation, as we indicated during the March 2015 workshop and in our December 30, 2015 comment letter, that protection of public health and the environment must take priority over all other goals. Specifically, the Salton Sea Restoration Act, Fish and Game Code sections 2930 *et seq.*, provides that the following objectives should guide restoration activities:

- Restoration of long term stable aquatic and shoreline habitat for the historic levels and diversity of fish and wildlife that depend on the Salton Sea;
- Elimination of air quality impacts from the restoration projects; and
- Protection of water quality. (See Fish and Game Code section 2931.)

These priorities of goals are further reflected in the SWRCB Revised Order WRO 2002-0013 approving the QSA water transfers. This Order requires that air quality and environmental impacts be addressed first and foremost.

Additionally, IID and the County emphasize that the primary goals cannot be met without a plan that is financially and technically feasible, which is necessary to ensure that California will fulfill its obligation to restore the Salton Sea thereby securing the integrity of the Quantification Settlement Agreement. We must “get real” about solutions to the problems facing the Salton Sea.

IID and the County also recognize that the State’s investment of billions of dollars to protect public health and the Salton Sea ecosystem could also support at least two secondary goals: climate change mitigation and adaptation, and economic development. While the secondary goals cannot come at the expense of the primary goals, any comprehensive long-term restoration plan should accomplish these secondary goals to the maximum extent possible. Each of these primary and secondary goals are discussed below, together with suggested metrics.

1. Primary Goals

a. Human Health and Air Quality

The importance of protecting human health by limiting fugitive dust at the Salton Sea is well-known. Any plan for the Salton Sea must: (i) implement a strategy that manages the exposed playa so as to minimize the possibility of fugitive dust emissions; (ii) manage the exposed playa to minimize disproportionate impacts to either Riverside and Imperial counties, because it is not fair for one county to bear the burden of fugitive dust emissions; and (iii) minimize the number of acres subject to air quality mitigation measures by ensuring development of restoration projects that address exposed playa acreage. Measuring achievement of these goals should involve compliance with local SIPs, development of a comprehensive long-term restoration plan that proportionally and equally addresses exposed playa distributed between Imperial and Riverside counties, and develop acreage and time period milestones for restoration projects to limit the acreage of exposed playa that will need air quality mitigation measures.

b. Habitat for Fish & Wildlife That Depend on the Sea

One of the key goals for California has, of course, been the protection of the Salton Sea ecosystem, both for its intrinsic merit and also because of its crucial importance as part of the Pacific Flyway. Stating the goal is simple: restoration of a long-term stable aquatic and shoreline habitat for the diversity of fish and wildlife that depend upon the Salton Sea. But, it is difficult to develop simple real-world metrics for ecosystem health, particularly for an area as large and diverse as the Salton Sea. Thus, IID and the County propose a metric of providing a mosaic of habitats that will be developed to support different types of wildlife in areas water depths between 1 foot and 6 feet to support various fish and wildlife at the different depths (e.g. shorebirds in more shallow depths and herons, waterfowl, diving birds and pelicans in deeper water). Specific acreage targets are not proposed at this time but should be developed as pilot projects demonstrate the suitability of constructed habitat to support wildlife. In addition, water quality in these habitat areas needs to be suitable to support the species for which they are designed. Salinity should be targeted in large part as marine with salinity in the 20-40 g/L range, selenium needs to be managed with concentrations of <2 ug/l to minimize toxicity risks, and eutrophic conditions need to be avoided in deeper water habitats to maintain dissolved oxygen concentrations at sufficient levels for fish survival (>2 mg/l). To the extent feasible, habitat targets should be aligned with air quality goals and developed as the Sea recedes to limit the need for air quality mitigation, which can help assure that all components of the ecosystem are protected.

c. Water Quality

In order to maintain habitat quality sufficient to support a robust ecosystem, the Salton Sea must have sufficient acreage of habitat that has water quality that is adequate for the various ecological niches that the restoration plan is intended to support. In particular, any restoration plan must avoid the eutrophication of the Salton Sea, must limit the extent and number of odor (mostly hydrogen sulfide) and mosquito events (especially

with the spread of Zika and other vector-borne diseases), and as stated above, provide adequate water quality for the fish and wildlife that depend on the Salton Sea. To achieve these goals, performance metrics should include monitoring and minimizing residence times, maintaining water depths appropriate for sufficient water quality to support fish and wildlife and maintain flows so as to avoid or eliminate anoxic conditions that would harm fish and wildlife. In addition, there will be the need to monitor habitat areas for selenium concentrations and take measures to avoid selenium toxicity to waterfowl and shorebirds.

d. Feasibility

The final primary goal is that the restoration plan be feasible. Collectively, we lost most of a decade when the Department of Water Resources developed a plan that was generally seen as wholly infeasible. Specifically, any restoration plan must have technical feasibility in that it is based on the construction of structures and elements that are geotechnically sound, safe and that can be constructed in a reasonable manner given location, resources, and the surrounding environment. In addition, the restoration plan must be financially feasible in that it is cost-effective and capable of being funded by California and possibly other sources, if available. Measuring whether or not a management plan is financially feasible could be a point of disagreement, but there are two criteria that can be quite helpful in avoiding disagreements. First, the restoration plan should avoid pursuing unproven and unreliable design and construction approaches, which would result in lost time and resources used on experimentation. Second, a restoration plan should take a comprehensive long-term approach that looks at the Sea as a whole to (a) avoid development of projects that later need to be modified, moved or replaced because new, different and/or better projects could be located at or adjacent to those projects and (b) ensure that the most cost-effective restoration projects and air quality mitigation projects can be located on the appropriate areas of exposed playa. Most importantly, the integrity of the QSA, and thereby the security of the Colorado River water supply for Southern California, relies on the development of a feasible comprehensive long-term restoration plan that ensures the State fulfills its obligation.

2. Secondary Goals

a. Climate Change Mitigation and Adaptation

One of the key secondary goals of restoration of the Salton Sea should be to contribute to the State's climate goals for mitigation, adaptation and resilience. As IID and the County have consistently stated over the past year, renewable energy development at the Salton Sea offers an exceptional opportunity for California to continue to lead the way on climate change. Renewable energy development at the Sea – primarily geothermal, but including solar and wind – can contribute to reducing GHG emissions and meeting the State's 50% RPS requirement. IID and the County believe that measuring the reductions in GHG emissions and the percentage to which renewable energy at the Salton Sea can contribute to the States RPS goals and GHG reduction goals are appropriate metrics for use by the SWRCB. In addition, restoration plans should strive to be as resilient as possible by

being designed to adapt over time to changes in the environment resulting from climate change and other factors, including the potential for changing inflows to the Sea.

b. Economic Development

Finally, economic development is a matter of critical importance to IID and the County. We need not remind the SWRCB that Imperial County is one of the poorest and most diverse counties in California and that the economic recovery that has benefitted the coastal areas of the State has almost-entirely bypassed Imperial County. We suggest that an important metric for the SWRCB to consider is the economic activity directly created by the State's activities at the Salton Sea. We suggest that the State evaluate proposals for restoration by examining the number and quality of both short-term construction jobs and long-term jobs that will be created in association with the restoration activities in both Imperial and Riverside counties. Further, adoption and implementation of a comprehensive long-term restoration plan that meets the primary goals will provide a level of stability and a signal to the communities of Imperial and Coachella valleys that will spark economic benefits by providing a vision for the Sea. Such benefits may come in the form of an increase and/or stabilization of property values near and around the Sea. There will potentially be renewed interest in the development of recreational opportunities at the Sea, which could encourage further economic development. In the end, California must view the effort at the Salton Sea as an opportunity to correct a long-term problem and view its investment at the Salton Sea as an investment in some of the hardest-working and most deserving Californians.