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PUBLIC HEARING ON THE SALTON SEA
LITTLE HOOVER COMMISSION

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Thank you for inviting me to testify about the Salton Sea. In the following I provide background on my involvement with the Salton Sea, a brief description of the Pacific Institute, and my responses to the Commission's questions on:

1. The costs of inaction at the Salton Sea;
2. The state's mitigation and restoration responsibilities and progress to date;
3. Governance challenges;
4. Proposed Salton Sea solutions, including Sea-to-Sea proposals; and
5. Precedents set by the state's success or failure to address the Salton Sea.

I have worked on Salton Sea-related issues since early 1998, organizing workshops, writing opinion pieces and responding to media inquiries, commenting on proposed actions, developing an early habitat creation proposal, participating on various formal and informal advisory committees, testifying before state and federal committees, and generally striving to compel the construction of on-the-ground habitat and air quality projects at and around the Salton Sea. I have written or co-written three reports on the Salton Sea: *Haven or Hazard: The Ecology and Future of the Salton Sea* (1999), *Hazard: The Future of the Salton Sea with No Restoration Project* (2006), and *Hazard's Toll: The Costs of Inaction at the Salton Sea* (2014). All three reports are available at no cost at <http://pacinst.org/publication/ecology-and-future-salton-sea/>, <http://pacinst.org/publication/restoration-project-critical-to-salton-seas-future/>, and <http://pacinst.org/publication/hazards-toll/>, respectively. Attached please find the executive summaries of the two most recent reports.

The Pacific Institute is one of the world's leading nonprofit research and policy organizations working to create a healthier planet and sustainable communities. Based in Oakland, California, we conduct interdisciplinary research and partner with stakeholders to produce solutions that advance environmental protection, economic development, and social equity – in California, nationally, and internationally. We work to change policy and find real-world solutions to problems like water shortages, habitat destruction, global warming, and environmental injustice. Since our founding in 1987, the Pacific Institute has become a locus for independent, innovative thinking that cuts across traditional areas of study, helping us make connections and bring opposing groups together. The result is effective, actionable solutions addressing issues in the fields of freshwater resources, climate change, environmental justice, and globalization. More information about the Institute and our staff, directors, funders, and programs can be found at www.pacinst.org.

The Costs of Inaction at the Salton Sea

The \$8.9 billion price tag for the California Natural Resources Agency's 2007 preferred alternative for the Salton Sea has inhibited deliberation and deterred any meaningful investment in revitalizing the Salton Sea. Many decision-makers had assumed that delaying action at the Salton Sea would result in business as usual, with no additional costs. The recent *Hazard's Toll* report makes clear that this is not the case. Because the Salton Sea has changed over the past decade and will soon enter a period of very rapid decline, the costs of inaction are escalating rapidly.

The objective of the *Hazard's Toll* report was to estimate the costs of inaction – defined as the absence of any large-scale revitalization or air quality management project – at the Salton Sea, to provide decision-makers and the general public with information for deciding on a path forward. In the report I estimated the potential economic costs of a declining Salton Sea based on published projections of future conditions, including water quality, elevation, amount of exposed lakebed, and the potential volume and frequency of dust emissions. The methods used to estimate these economic costs included evaluations of the costs that would accrue due to impacts to public health arising from increased dust emissions, impacts to property values in general and to agricultural productivity, impacts to recreational revenues, and potential losses to ecological values. I based the estimates of the costs required to avoid or mitigate these impacts on previous estimates developed by the State of California's 2007 Salton Sea Ecosystem Restoration Program PEIR, the Quantification Settlement Agreement Joint Powers Authority, and the state's Species Conservation Habitat, as well as costs reported and estimated by medical, ecological, and economic studies. In many cases these estimates were extrapolated from other areas, so estimates were given in broad ranges to suggest the potential magnitude of the expected costs, rather than precise dollar values.

The declining Salton Sea will impose massive public health and environmental costs on local residents and Californians generally. The continued failure to protect and preserve the Salton Sea, worsening air quality and the loss of valuable ecological habitat – combined with diminished recreational revenue and property devaluation – could cost as much as \$70 billion over the next 30 years. Even at the low end of the costs estimated in the report, the long-term social and economic costs of a deteriorating Salton Sea could approach \$29 billion, well in excess of the projected cost of the state's plan. The consequences of continued inaction at the Salton Sea will be felt most directly by the 650,000 people who live in harm's way of the Salton Sea's dust, as well as by the birds and other life that depend on the lake.

Public Health Costs

Air quality in the Salton Sea Air Basin does not meet state or federal standards for particulate matter less than 10 microns in diameter (roughly one-seventh the thickness of an average human hair), known as PM₁₀. Many scientific and medical studies document the link between PM₁₀ emissions and a broad range of public health impacts, including impaired lung function in school-aged children, an increase in the risk of cardiac disease, heart attacks, and mortality in adults, increased asthma-related emergency room visits by children, increased incidence of daily mortality and the number of hospital admissions for asthma-related symptoms, and an increased incidence of lung cancer. Each of these impacts impose costs, most directly on the individuals themselves, but also on caregivers and on employers.

PM₁₀ poses a threat to public health based on the size of the particles themselves, rather than due to any specific toxins within the particles. The additional public health impacts associated with toxic constituents in dust emitted from Salton Sea playa merit investigation, but insufficient information currently exists to estimate additional public health costs due to the presence of these toxins.

Estimating future air quality in the Salton Sea Air Basin requires a detailed inventory of potentially emissive sites, projected emission rates for these different areas, and control measures available to manage potential dust emissions. Determining the contribution of these additional dust loadings to measurable PM₁₀ concentrations in the air requires sophisticated models accounting for wind speed and direction, ambient conditions, and other factors. Determining the public health impacts of these projected increases in PM₁₀ concentrations then requires an assessment of exposure rates and duration and the numbers of potentially affected people. Unfortunately, key information about each of these relationships is insufficient or absent entirely.

Despite the well-documented associations of PM₁₀ with adverse health impacts, only two studies that estimate the economic impact of PM₁₀ emissions were found in an extensive literature search and a brief survey of air quality experts. A 1991 study estimated that the annual benefits of meeting ozone and PM₁₀ air quality standards in the South Coast Air Basin (including the greater Los Angeles metropolitan area inland to parts of Riverside and San Bernardino counties) ranged from about \$8.9 to \$38.7 billion, primarily in the form of averted mortality associated with lower PM₁₀ concentrations, suggesting that the value of attaining federal PM₁₀ standards is equivalent to about \$880/person/year, in 2013\$.

A more recent 2007 study estimated the total health-related costs associated with PM₁₀ emissions at about \$61/kg, equivalent to about \$55,000/ton in 2013\$, based on the chronic (85%) and acute (15%) effects of direct exposure to PM₁₀ on life expectancy. Estimates vary on the amount of dust that may be emitted by exposed Salton Sea lakebed. Assuming a maximum value of about 800 pounds of additional dust emitted per acre per year, and additionally assuming that 100 percent of the maximum exposure of about 96,000 acres of playa is emissive, suggests that the lakebed could emit as much as 100 tons of dust per day. This amount is about half of the total fugitive dust emissions reported for the basin as a whole in the year 2000. Combining the estimated total health care costs per ton of PM₁₀ and the high dust emission estimate suggests that the total public health-related costs associated with dust emissions from Salton Sea playa could rise from about \$360 million in 2014 to \$1,400 million in 2025, to about \$2,000 million per year after 2035, assuming no restoration or air quality mitigation plan is in place. With the low dust emission estimate, public health costs would rise from about \$47 million in 2014 to \$190 million in 2025, to about \$260 million per year after 2035. These values do not reflect costs associated with pain and suffering, often quantified as a willingness to pay to avoid these impacts, so total public health costs could be higher.

In the best case scenario, dust control measures will be in place on all Salton Sea playa by 2017 and will control dust from all playa exposed thereafter, so that there would be essentially no new public health impacts. In the worst case scenario, the state does not accept responsibility for Quantification Settlement Agreement (QSA) mitigation costs until after 2047, the QSA JPA is only able to construct

minimal dust control measures due to limited funding and insufficient infrastructure, and playa exposed due to non-QSA factors is not controlled. Assuming 2000 acres of QSA JPA dust control measures, plus the roughly 1400 acres of currently planned habitat projects, means that as much as 94,000 acres of playa may still be emissive. With the low emissions estimate (140 pounds of PM₁₀/acre/year) suggested by the PEIR and a 6% discount rate, this yields a present value of more than \$3.5 billion through 2047. With the higher emissions estimate (800 lbs/acre/year) and a 4% discount rate, the present value of inaction through 2047 rises to more than \$37 billion. This estimate is comparable to that based on the 1991 study's estimated public health cost of PM₁₀ non-compliance of \$880 per person per year, which suggests that the present value of the total public health costs of continued PM₁₀ non-compliance in the Salton Sea Air Basin through the year 2047 would be about \$21 billion at a 4% discount rate, or more than \$15 billion at a 6% discount rate.

For context, gross hospital revenue in Imperial County in 2012 was about a billion dollars, and about \$12.6 billion in Riverside County as a whole. The 2007 study estimated that about 85% of projected health costs would be for chronic rather than acute conditions, indicating that some of the projected public health costs would not be captured by direct hospital revenues.

Property Value Depreciation

The low housing values of communities directly adjacent to the Salton Sea and the relative distance of such homes from the shoreline itself reflect the lake's shift from a recreational amenity in the 1960s to its current status as a disamenity. These depressed economic conditions offer an indication of future economic conditions under continued inaction. If no action is taken at the lake, physical and ecological conditions will continue to degrade, leading to increased dust emissions and widespread fish and bird die-offs, further weakening the lake's amenity value. Dust emissions and the lake's diminishing reputation could have an adverse economic impact beyond adjacent areas to other downwind communities.

Studies on the economic impacts of environmental hazards or disamenities in other areas suggested methods for estimating potential impacts to property values at the Salton Sea. Noxious events at the lake, such as dust storms and hydrogen sulfide emissions, will be increasingly common, generating a relatively high-frequency, low-to-moderate level of impact in downwind areas. As the lake continues to degrade under a no action scenario, it is likely that its disamenity value will increase and the geographic scope of this impact will similarly increase. The significant uncertainty clouding the magnitude of the future risk posed by a no-action Salton Sea precludes robust modeling efforts, suggesting instead that qualitative, order-of-magnitude level estimates were more appropriate. The area affected by future dust storms will extend beyond the lower Coachella Valley and Imperial County, potentially affecting areas thirty or more miles downwind via increased dust emissions and the perception of additional adverse impacts. A no-action Salton Sea could exacerbate two factors reducing local property values: 1) dust emissions and the threat to public health, and 2) the stigma associated with a 'dying' lake.

Assuming that an environmentally degraded Salton Sea would create a stigma that could adversely affect property values suggests a potential magnitude of impacts, extrapolating from studies on disamenity values in other areas. A 10% decrease in assessed property values in the Coachella Valley and Imperial County in 2012 would represent a total property devaluation of more than \$7 billion, not

including longer-term impacts to recreational destinations such as the more than 120 golf courses in the Coachella Valley.

Agricultural Productivity

Insufficient information exists to estimate the potential costs associated with either the impacts of blowing dust and salt on crop productivity near the Salton Sea or the diminished micro-climate benefits that will occur as the lake shrinks. Both of these impacts will be felt within a few miles of the Salton Sea, so their overall cost may be small relative to the magnitude of Imperial and Coachella valley agriculture generally, but these impacts could be significant at the scale of the individual farm.

Recreational Revenues

The number of people recreating at the Salton Sea has generally declined over the past fifty years, for a variety of reasons. The projected no action conditions at the Sea will further this decline in visitation and in direct recreation-related expenditures, resulting in the loss of roughly \$6 million per year in direct spending in the area relative to estimated historic rates. Through the year 2047, these annual losses sum to a present value of \$110 - \$150 million in lost recreational revenue at the Salton Sea itself.

A December 2014 study prepared for the Greater Palm Springs Convention and Visitors Bureau states that “The degradation of the Salton Sea could cost the Greater Palm Springs region between \$1.3 billion and \$6.5 billion in lost tourism spending over five years. The resulting total economic loss would range from \$1.7 billion to \$8.6 billion, including indirect supply chain and induced income effects.”¹

Ecological Values

The Salton Sea provides a host of benefits, at a variety of scales, including dust prevention and interception, recreational and amenity values, and micro-climate benefits to nearby farms. Many of these benefits can be quantified based on market transactions. Many other benefits, however, do not readily lend themselves to market-based valuations. Examples of non-use benefits include the value of a species or of a particular habitat. Economists describe four general types of non-use values: option values (for goods and services that may be used in the future); altruistic values (that may be used by others in the current generation); bequest value (that may be used by future generations); and existence value.

The Salton Sea’s ecological importance, based largely on the tremendous avian abundance and biodiversity observed there, indicates that it has considerable non-use values, particularly bequest and existence values. As the Salton Sea’s water quality and surface area decline over time due to no action, the value of the Sea to migratory and resident birds will diminish. The loss of the Sea’s fish and many of its macro-invertebrates in the next five to seven years will enable certain salt-tolerant macro-invertebrates such as brine shrimp and brine flies to thrive, offering an abundant food source to many bird species, including grebes and gulls, but will largely eliminate the value of the Sea for many of the species and individual birds that currently depend on it.

¹ Tourism Economics. 2014. *Economic Impact of the Salton Sea on the Greater Palm Springs Tourism Industry*. Prepared for Greater Palm Springs Convention and Visitors Bureau. 20 pp. Available at <http://www.gpscvb.com/saltonsea/>.

Two prior studies, which used willingness-to-pay surveys to estimate similar benefits provided by Mono Lake and by wetlands in California’s San Joaquin Valley, form the basis for the estimated ecological values generated by the Salton Sea. Extrapolating from the per-acre habitat value estimated for San Joaquin wetlands suggests that Salton Sea habitats generate roughly \$2.6 billion per year in non-market benefits, not including the value of open-water and other habitats at the lake. Extrapolating from several contingent valuation studies that estimated the value of maintaining the surface of Mono Lake at various elevations suggests that maintaining the elevation of the Salton Sea could represent an annual value of \$151 per California household (in 2013\$), or a total of about \$1.9 billion per year. Arbitrarily assuming that the existing habitat values decrease by 15% per year starting in 2018 suggests a potential rate of decay for these non-use values, generating a range of \$10-26 Billion in present value.

Summary

Estimating the costs of inaction requires a number of assumptions, many of them based on limited information or on the basis of impacts and assessments reported for other locations. In some cases, such as the impacts of the changing Salton Sea on agricultural productivity, sufficient information does not exist to estimate potential economic costs, though we presume that these costs are greater than zero. An additional complicating factor is the growing number of people subject to degraded air quality and vulnerable to impaired health. As the population in the Salton Sea air basin is projected to almost double by 2047, many more people – and more property – will be vulnerable to the changes outlined above, increasing total costs.

The table below summarizes a range of costs of inaction. For public health impacts due to dust emissions, the year in which an air quality management plan becomes operational greatly affects the estimated cost, as does the estimated amount of emissions. The state audit suggests that California may assume funding responsibilities for the air quality management plan in 2025. Under the worst case scenario, such a management plan would not be operational before 2048 and individual landowners, controlling about 40% of the land that will be exposed, are presumed not to manage dust emitted from their lands. The non-attainment costs shown in the table simply reflect estimated threshold values for failing to meet state and federal air quality standards, providing context for the previous two estimates. The property value estimates arise from the potential negative stigma that may be associated with a future Salton Sea; they range from \$400 million to as high as \$7 billion.

Table 1. Estimated present value of inaction at the Salton Sea through 2047, by impact area.

(\$millions)				
Impact	Scenario	Emissions	Discount	Cost Estimate
Public health	Best case	any	n/a	\$0
Public health	QSA mitigation	low	6%	\$2,200
Public health	Worst case	high	4%	\$37,000
Public health	non-attainment		6%	\$15,000
Public health	non-attainment		4%	\$21,000
Property values	high			\$7,000
Property values	low			\$400
Dust on crops				>0

Impact	Scenario	Emissions	Discount	Cost Estimate
Loss of micro-climate				>0
Recreational revenues			6%	\$110
Recreational revenues			4%	\$150
Non-use benefits	San Joaquin		4%	\$26,000
Preservation/existence values	Mono Lake		6%	\$10,000
			High Estimate	\$70,000
			Low Estimate	\$11,000

The State’s Mitigation and Restoration Responsibilities and Progress to Date

The State’s explicit commitment to assume liability for mitigation costs above the \$133 million commitment from the QSA parties was central to the execution of the QSA. Prior to making this commitment, the QSA parties could not resolve the question of liability for costs related to Salton Sea impacts. In 2003, California enacted legislation stating “It is the intent of the Legislature that the State of California undertake the restoration of the Salton Sea ecosystem and the permanent protection of the wildlife dependent on that ecosystem.” (Fish & Game Code §2931 (a)). The State of California has very clearly committed to mitigation and restoration activities at the Salton Sea, at least on paper.

Unfortunately, the Natural Resources Agency – as a whole and during the last 13 years of the water transfers – has failed to develop a credible vision for the Salton Sea. The Agency’s 2007 Salton Sea Ecosystem Restoration Program Final Programmatic Environmental Impact Report presented a restoration plan that was so bloated, expensive and unreasonable that it was never adopted by the California Legislature. The California Department of Fish and Wildlife and Department of Water Resources have yet to create a single acre of habitat from their Species Conservation Habitat Project despite the fact that this project has been in process since 2010 and was certified in 2013. Moreover, the Agency has not delivered any kind of plan to demonstrate that the State will be able to pay for the mitigation responsibilities that will arise after the transfer goes into full effect and QSA mitigation costs exceed the annual funding available from the QSA Joint Powers Authority. In addition, the refusal of the Department of Fish and Wildlife to staff the Salton Sea Restoration Council in 2011, as required by Fish & Game Code §2940 *et seq.*, demonstrates the absence of good faith efforts by DFW and the Agency to provide the leadership and support required by the California Water Action Plan and by state law.

Governance Challenges

The absence of clear leadership and authority for Salton Sea efforts has long been a problem. In 2007 we recognized that governance would need to be clearly defined, so we worked with Senator Ducheny and other stakeholders to devise an appropriate leadership body. After more than two years of negotiations the stakeholders, including state agencies, reached a compromise agreement on the structure and function of a governance council. Unfortunately, the Department of Finance allegedly stipulated that additional state representation was needed on the Salton Sea Restoration Council, prompting local agencies to withdraw their support at the last minute. Nonetheless, the legislature passed and the governor signed SB 51 in late 2010, creating the Salton Sea Restoration Council to provide leadership

and oversight to Salton Sea efforts. Regrettably, the Department of Fish and Wildlife (DFW) refused to staff the Salton Sea Restoration Council in 2011, despite the clear language of Fish & Game Code §2940 *et seq.* directing the Department to do so, so the Restoration Council never met. The following year, seeing that the Council was inactive and perhaps at the recommendation of DFW staff, the governor eliminated the Salton Sea Restoration Council. State agencies charged with Salton Sea tasks have operated with very limited oversight or direction since 2007, making the Little Hoover Commission's current interest all the more valuable.

In my opinion there are several reasons why little headway has been made at the Salton Sea. The size of the Salton Sea means that any long-term effort will require a considerable financial investment. To date, state agencies have not been willing to undertake this effort, partly due to fiscal restraints and the large number of competing challenges in California but also, perhaps, to minimize the risk of failure. In my assessment, DWR and DFW have apparently determined that limiting state action at the Salton Sea would allow the state to avoid taking ownership of the issue and would defer responsibility to future administrations. Until recently, the Salton Sea Authority focused on large-scale restoration efforts rather than interim actions that could get projects on the ground, hindering progress at the Sea. And, the environmental community has failed to attract much public interest in the Salton Sea, limiting public pressure on state officials.

Salton Sea Solutions

Hundreds of solutions have been proposed for the Salton Sea over the past fifty years. Many of these seek to re-establish the Sea's 1960s-era salinity and elevation. The problem is that efforts to impose stability upon a very dynamic system would require very significant infrastructure and energy investments, as well as expensive operations and maintenance commitments, in perpetuity. In the context of statewide drought, limited statewide interest in the Salton Sea, and limited budgets, I contend that such large-scale restoration efforts face very low odds of every being approved, much less enacted. In my opinion, these large-scale restoration efforts, such as the Sea-to-Sea plans described below, distract attention from the achievable projects that could and should be implemented at the Salton Sea.

Salton Sea Import/Export Plans, often known as "Sea-to-Sea" plans, have been proposed and promoted for more than 30 years. They come in a variety of different approaches and configurations, but the general concept is this: raise and stabilize the surface of the Salton Sea and lower and then maintain its salinity. To accomplish this, Sea-to-Sea plans would augment the declining volume of water flowing into the Salton Sea by bringing in water from either the Gulf of Mexico or the Pacific Ocean. Because importing ocean water would bring tens of millions of tons of new salts into the Salton Sea, such plans also need to either pump a lot of water *out* of the Sea, or run multiple desalination plants at the Sea itself. The Sea is so vast that import/export plans would need to bring in about as much water as runs through the All American Canal each year, or more than twice as much water as runs through the Colorado River Aqueduct to supply L.A., San Diego, and Orange County. Proponents argue that such plans can be built relatively inexpensively and would generate very high economic returns, by increasing tourism and economic development. Critics counter that Import/Export plans could cost \$49 Billion or more, at a time when people are desperate for water for cities and farms, and would require decades to

achieve their objectives, resulting in unacceptable adverse public health and ecological impacts in the interim.

Fortunately, local agencies have begun to develop habitat and air quality plans that offer hope that real progress can be achieved at the Salton Sea in the near term. The Red Hill Bay Wetlands Restoration Project provides a good template for the kind of habitat projects that should be developed and implemented in the next several years. The Reclamation/USGS pilot project demonstrated that shallow wetland habitat projects, with limited infrastructure requirements and relatively straightforward objectives and design, can attract and support large numbers of birds, from more than 100 different species.

Unlike most riparian and wetland restoration projects in the West, the Salton Sea will continue to enjoy hundreds of thousands of acre-feet of inflows into the foreseeable future. The challenge is to optimize the use of this water, to create a patchwork of wetland habitat and air quality management projects atop exposed lakebed, in essence chasing the shoreline of the Salton Sea as it continues to recede. With appropriate planning and management, an incremental, phased approach to wetland habitat and dust control projects could create more than 20,000 acres of projects. Spaced appropriately, such projects would interrupt wind fetch and capture or prevent dust emissions, protecting public health while creating an impressive resource for resident and migratory birds.

This approach also preserves the opportunity to construct a larger lake, with perhaps 5-10,000 acres of surface area, most likely at the north end of the Salton Sea where the steeper topography would allow for a deeper water body, creating cooler water more hospitable to fish. This larger lake could be managed for salinity and elevation, providing a recreational fishery as well as habitat for fish-eating birds. Such a lake would require a very large impoundment structure in a seismically active area, so considerable design work will be necessary. Still, such an amenity could attract local government support and perhaps private funding, as it would create high-quality, stable shoreline property that could be developed.

Precedents Set by the State's Success or Failure to Address the Salton Sea

The State's assumption of liability for the QSA transfer and the related QSA legislation committing the State to undertake the restoration of the Salton Sea both established the conditions necessary for the execution of the QSA contracts. IID's November 2014 petition to the State Water Resources Control Board indicates that the State's continued failure to meet its QSA obligations could jeopardize the IID-San Diego water transfer agreement, threatening water reliability for southern California and for the state as a whole.

The State's failure to provide assurance that it will meet its mitigation obligations – either through a clear, transparent funding plan or through leadership on the development of a vision for Salton Sea restoration/mitigation – will have a chilling effect on future water transfer agreements that require state involvement. In effect, the State's inaction not only jeopardizes the current QSA, but also diminishes the likelihood that other large-scale water transfers will occur to improve the State's overall water reliability. The importance of the QSA to state water reliability requires the State to develop a sound financial plan and a coordinated, holistic plan to address the air, wildlife, and water quality problems at

the Salton Sea, lest those problems become so acute that postponing the transfer is the only viable means to minimize the looming and enormous threat to public and ecosystem health.

The tremendous scale of the problems at the Salton Sea and the size of the Sea itself, combined with the time required to design, permit, and construct appropriate air quality and habitat projects in the region indicate that the State must develop its financial and holistic plans **before** the impacts of the full transfer are felt at the Salton Sea and in the surrounding communities. Quite frankly, this work should have begun years ago. The Natural Resources Agency's lack of urgency regarding the imminent collapse of the Salton Sea ecosystem and subsequent threats to public health underscore the timeliness of the Commission's oversight hearing.

Thank you for inviting me to testify. The Commission's oversight, combined with the State Water Resources Control Board's renewed attention to the Salton Sea and the governor's recently-created Task Force suggest that the Salton Sea may finally receive the attention and investment it requires. I would be happy to answer any additional questions posed by the Commission, either at the hearing itself or at a later time.