



November 20, 2015

Mr. Bruce Wilcox
Assistant Secretary for Salton Sea Policy
Natural Resources Agency

Via email: Bruce.Wilcox@resources.ca.gov

RE: November 4th Salton Sea meeting and next steps

Dear Assistant Secretary Wilcox:

Thank you for organizing and leading the productive and encouraging “Salton Sea Strategic Vision and Action Plan Meeting” on November 4th in Coachella. We appreciated the planning and preparation that preceded the meeting, including the development of the initial schedule, Feasibility Analysis Task List, proposed work groups, and the partial list of existing environmental documentation, permits, and reference documents. Building upon previous efforts will accelerate the current effort and help achieve the goals established by the Salton Sea Task Force.

We offer the following suggestions to support and expedite the current effort. We believe the next several months will be critical to achieving the Salton Sea Task Force Agency Actions in a timely fashion and to help secure federal support before the final months of the current federal administration. As described in the following, we recommend:

- **Accelerate engineering design**
- **Greater interagency coordination**
- **Create an Executive Committee**
- **Finalize a Memorandum of Understanding with the Department of the Interior and Department of Defense (U.S. Army Corps of Engineers)**
- **Establish goals & objectives for multiple timeframes**
- **Prioritize actions based on these time scales**
- **Establish clear goals & a monthly timeline for 2016**
- **Designate a project manager**
- **Define criteria for “feasibility”**
- **Improve communications & outreach**
- **Harmonize data & reporting**

Accelerate Engineering Design

Meeting the Salton Sea Task Force's short-term habitat goal requires an accelerated timeline for the immediate term projects needed to meet the goal of 9,000-12,000 acres of habitat creation and dust suppression projects by the year 2020. To achieve this, the state will need to prioritize actions to design and implement a water supply and distribution infrastructure ("infrastructure"). We encourage you to emphasize the importance of such infrastructure for any larger-scale Salton Sea plan that may be implemented in the future: any such plan will require the capture and redistribution of Salton Sea inflows. Therefore, the critical path for the Salton Sea includes the accelerated design and construction of this water supply infrastructure. CNRA should give the design, budgeting, environmental compliance, and permitting of this water supply infrastructure its very highest priority.

Coordination and Structure

Before the end of this year, the Administration Task Force should mobilize and commit staff and resources to the Salton Sea effort, within the California Natural Resources Agency (CNRA) itself and within the State Water Resources Control Board, the Air Resources Board, the California Energy Commission, and the Public Utilities Commission, and create clear channels for communication and cooperation between and among these agencies. In particular, we request that the names and affiliations of the state officials and staff from the above agencies who will be working with you on the Salton Sea issues and the duties for which they are tasked be made publically available (via a website) to all stakeholders. This information will help clarify who is doing what as part of your efforts to carry out the Task Force recommendations.

To help achieve greater inter-agency coordination and to reduce the time spent on subsequent briefings, we encourage you to invite representatives of these other state agencies to future stakeholder meetings. High-level agency updates and briefings should also be scheduled in Sacramento every 3-6 months.

Further, as suggested during the November 4th meeting, we recommend that the Administration create a Salton Sea Management Plan Executive Committee. This committee would include you, others from CNRA, the Department of Water Resources (DWR), the Department of Fish and Wildlife, the Governor's Office of Planning and Research, other state agencies, federal agency representatives, and other key stakeholders.

Establish a Federal and State Memorandum of Understanding

We recommend that the State of California enter into a Memorandum of Understanding with the U.S. Department of the Interior and with the Army Corps of Engineers, to improve collaboration between state, federal, and tribal entities on natural resource issues involving the Salton Sea. The MOU will be a key step in cementing each party's commitment to find collaborative solutions to resource challenges, to share available technical and scientific information and expertise, to facilitate

more efficient permitting, and to prioritize partnerships to improve resource conditions in and around the Sea.

Goals and Objectives

The current CNRA effort takes place within a broader context of existing statute and the Task Force Agency Actions. These pre-existing goals and objectives should drive the current effort.

Existing statute (California Fish & Game Code §2940) established goals for Salton Sea management as it pertains to habitat and species, air quality, water quality, and other environmental qualities:

In restoring the Salton Sea, it is the intent of the Legislature to do all of the following:

- (1) Permanently protect fish and wildlife that are dependent on the Salton Sea ecosystem.
- (2) Restore the long-term stable aquatic and shoreline habitat for fish and wildlife that depend on the Salton Sea.
- (3) Eliminate air quality impacts from restoration projects using the best available technology, as determined by the South Coast Air Quality Management District and the Imperial County Air Pollution Control District.
- (4) Protect water quality.
- (5) Maintain the Salton Sea as a vital link along the Pacific Flyway.
- (6) Preserve local tribal heritage and cultural values associated with the Salton Sea.
- (7) Minimize noxious odors and other water and air quality problems.

The Task Force Agency Actions and the Governor's accompanying press release dated October 9th, 2015, builds on these goals by describing several quantifiable action items with specific deadlines (from the press release):

- Meet a short-term goal of 9,000-12,000 acres of habitat creation and dust suppression projects at the sea (by 2020)
- Set medium-term goal of 18,000-25,000 acres of habitat creation and dust suppression projects at the sea (starting in 2020)
- Within the next year, as part of planning to meet the 2030 greenhouse gas goals, the Public Utilities Commission, the Energy Commission and the Independent System Operator will consider renewable energy opportunities at and around the Salton Sea and the region, and any additional transmission that may be needed for the near term or long term.
- Convene a scientific advisory committee to ensure that the best available science guides the habitat restoration efforts.

We encourage you to organize these goals on a timeline, to inform agency planning efforts over the short-term, medium-term and long-term. For example, the timeline distributed at the November 4th meeting should be revised to highlight the year 2020, noting the goal of "9,000-12,000 acres of habitat creation and dust suppression projects."

We also encourage you to establish a set of objectives for each goal. Most importantly, you should immediately articulate clear objectives specifically for 2016. These should include:

- Complete next level of engineering design for water supply infrastructure
- Develop budgets for water supply infrastructure
- Initiate NEPA/CEQA for water supply infrastructure
- Analyze existing permitting to determine the flexibility of those permits to accommodate short-term objectives
- Begin permitting processes
- Convene scientific advisory committee
- By January, 2016, define objectives, establish membership, and implement reporting deadlines for each of the Salton Sea Management Plan committees
- Create and distribute for review an annotated list of air quality management and habitat project types and options as they relate to the various goals, and identify, at a broad level, how each of these options will help attain the California Fish & Game Code §2940 goals for water, air quality, and habitat
- Update Salton Sea water balance and harmonize existing water models
- Quantify predicted wildlife benefits of short-term projects
- Convene working groups
- Develop outreach materials (such as 1 page briefings) that committee members can share with their staff, boards, etc.
- Develop a public relations plan and schedule
- Host two public workshops at each of Imperial Valley, Salton Sea, lower Coachella Valley, and Upper Coachella Valley
- Host briefings for each state and federal legislator or staff who represents part of the Salton Sea basin
- Update and maintain DWR (or CNRA) Salton Sea website
- Conduct preliminary feasibility evaluations for proposed Salton Sea management plans
- Work with California Energy Commission and other agencies to prioritize Salton Sea geothermal in the Renewable Energy Transmission Initiative (RETI) 2.0 and energy and transmission planning processes and host CEC or joint agency workshop on renewables at the Salton Sea.

Define Project Feasibility:

As we noted during the November 4th meeting, “feasibility” itself needs to be defined prior to conducting feasibility evaluations. Will these evaluations simply be a fatal-flaw analysis? Or will there be specific criteria employed to evaluate project feasibility, such as:

- Ability to meet overall program objectives
- Ease of construction
- Time to complete construction
- Ease of permitting
- Time to attain objectives
- Capital costs
- Annual operations, maintenance, energy and replacement costs
- Seismic risk
- Resilience (e.g., if one project element fails, will others also fail)
- Inflow requirements
- Impacts on state's 2030 greenhouse gas targets
- Selenium risks
- Water quality benefits and impacts
- Habitat benefits and impacts
- Air quality benefits and impacts

We recommend that you define the feasibility criteria clearly and send them to stakeholders prior to undertaking the feasibility analysis, to ensure that the analysis will be worthwhile and that the results will be embraced by stakeholders.

Project Management Recommendations:

A full-time project manager is necessary to ensure that project objectives and outcomes are achieved in a timely manner. We encourage CNRA to either task an existing employee or hire a new person (potentially with a facilitation firm such as Center for Collaborative Policy) with extensive project management experience to assume responsibility for tracking and directly supervising the objectives and tasks related to the Salton Sea management plan. This would support your efforts and enable you to engage more in the interagency coordination, planning, feasibility evaluation, and public outreach described in the Task Force's Agency Actions.

Public Communications, Transparency, and Reporting Recommendations:

Communication with stakeholders and the general public is extremely important. We strongly encourage you to update and maintain the DWR Salton Sea website so that it becomes a timely and credible source of information on CNRA and Task Force activities. As of November 18th, 2015, the DWR Salton Sea website at <http://www.water.ca.gov/saltonsea/> reportedly was "Last Modified: 09/21/2015." The "new" Salton Sea Ongoing Projects page on the website simply shows a page extracted from IID's *Salton Sea Restoration and Renewable Energy [sic] Initiative Framework Document*, rather than detailed descriptions of on-going projects and the state's own timelines. As public and media interest in the Salton Sea increases, this website must become more timely, more informative, easier to navigate, and more credible. This website is the public's first entry into the state's Salton Sea activities. It should reflect the state's commitment and interest in the issue. We also recommend having this website, and as many materials as possible, made available in Spanish.

Communication with stakeholders and the general public should also be proactive. We encourage you to develop and implement a public outreach schedule, including regular meetings in the Salton Sea region in both Riverside and Imperial Counties, in English and Spanish, and noticed in English and in Spanish, as well as periodic briefings for legislative and agency staffs in Sacramento and for the federal legislators whose districts include the Salton Sea.

Finally, we encourage you to work with federal and local agencies to harmonize reporting standards. The continuing discrepancy between the U.S. Geological Survey's reporting of Salton Sea elevation data using the "National Geodetic Vertical Datum of 1929" while IID's SALSA2 model and others use the more recent "North American Vertical Datum of 1988" creates confusion and may lead to errors in estimating total playa exposure, engineering design, hydrology, and other topics. One possible solution would be to encourage USGS to report Salton Sea elevations using both standards, and to ensure that all state documents clearly reference the vertical control datum used.

We recognize that this is a long set of recommendations. Fortunately, the recent meetings and the Task Force Agency Actions all demonstrate the commitment from the state and from stakeholders to accelerate actions at the Salton Sea. We look forward to working with you to make this happen.

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: Doug Barnum, USGS
Keali'i Bright, Natural Resources Agency
Dan Denham, San Diego County Water Authority
Kevin Kelley, IID
Phil Rosentrater, Salton Sea Authority
Valerie Simon, Reclamation
Camille Touton, Department of the Interior