



April 27, 2023

The Honorable Stephen Padilla
California State Senate
1021 O Street, Suite 6640
Sacramento, CA 95814

RE: SB 583 (Padilla) Salton Sea Conservancy/Request for Delay and Deliberative Engagement.

Dear Senator Padilla,

On behalf of the Salton Sea Authority, we write to express our concerns with SB 583 and respectfully request that you create the space and time necessary for stakeholders to have the robust and transparent consideration the issue deserves by delaying consideration of the measure until next year ("two-year bill").

The Salton Sea Authority ("Authority") was formed on June 2, 1993, as a joint powers authority consisting of the Coachella Valley Water District, the Imperial Irrigation District, the County of Riverside, the County of Imperial and the Torres Martinez Desert Cahuilla Indians. The Authority was created out of a "need for a local agency to work with the state of California, the federal government, and the Republic of Mexico in the development of programs to ensure the continued beneficial uses of the Salton Sea, including enhancing the "recreational and economic development potential of the Salton Sea."¹ The Authority was deliberately created as a "public agency separate and apart from any Party" to coordinate and harmonize Salton Sea activities across the member agencies "relating to improvement of water quality and stabilization of water elevation and to enhance recreational and economic potential of the Salton Sea and other beneficial uses."²

As outlined in Article II ("Powers of the Authority") of the "Joint Powers Agreement Creating the Salton Sea Authority" (a copy of which can be found online at <http://saltonseas.com/jpa>), the Authority was empowered, on behalf of its member agencies, to enter legally binding contracts, leases and other agreements with both private and government entities. In addition, the Authority was authorized to raise revenue, incur debt, and undertake project development related to fish and wildlife, salinity, protection and enhancement of water quality, the "reduction or elimination of

¹ Salton Sea Joint Powers Agreement, Pg 4.

² Ibid Pg 6.

threats to public health, safety and welfare” or the establishment of on-going maintenance and operations programs.³

In reviewing your legislation, we cannot help but notice the redundancy and duplication of the roles you envision for the Conservancy. Like the Authority, the Conservancy can act to enhance fish and wildlife, protect and improve public health, enhance recreation etc. While the Conservancy will have the power to provide grants for acquisitions, easements, restoration etc., the entities receiving those grants would still have to come before our member agencies to obtain those very entitlements.

After numerous starts and stops the state has undergone since codifying the Quantification Settlement Agreement in 2003, we are naturally concerned that this proposal is just the latest reorganization “solution” to the state’s inability to meet its legal obligations. The examples are too numerous to forget, from the Natural Resources Secretary recommending an \$8.9 billion plan to restore the Sea in 2008, a financially unfeasible proposal that required a \$2 million Salton Sea Funding Feasibility Study in 2013 to help correct, to the Gubernatorial appointment of a Salton Sea Task Force in 2015 to develop what became the ten-year Salton Sea Management Program (SSMP) to address 29,800 acres of exposed playa, to the 2017 State Water Board Water Order 2017-0134 (Water Order) establishing annual acreage completion requirements of both habitat and dust-suppression projects on 29,800 acres of exposed playa that, to date, the state has managed to miss every year since (copy of State’s completion table included as Exhibit A).

The Authority is certainly not opposed to having robust and transparent conversations with stakeholders on how a Conservancy could help the state succeed where its other efforts have failed, but that engagement cannot be siloed. One-off conversations with individual stakeholders is not helpful, and does nothing to build the consensus building this undertaking requires. Just as important, these conversations cannot be rushed.

As the only public-facing body that regularly meets to discuss the Salton Sea, and the only consistent public forum available to the community, the Authority would be happy to routinely add a Conservancy discussion item to its monthly agendas. Our meetings are streamed and recorded and would allow us to publicly investigate how or if a Conservancy could help the state succeed where its other efforts have failed.

Thank you for your consideration of this request. The Authority would welcome an opportunity to discuss this with you further at place and time that is most convenient

³ Ibid Pg 8

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for you. The Authority would welcome an opportunity to discuss this with you further, but at this time request that you place the measure on pause, and not have it heard by the Senate Appropriations Committee. If the measure is considered before the Appropriations committee, we will be compelled to formally oppose. Thank you for your consideration of this request.

Sincerely,



Luis A. Plancarte
Salton Sea Authority President
Supervisor, Imperial County



Altrena Santillanes
Salton Sea Authority Vice President
Tribal Secretary, Torrez Martinez
Desert Cahuilla Indians

Appendix A:

Table 2. SSMP Projects Summary Table

Year End Goal	WR 2017-0134 Target Acres	Cumulative WR 2017-0134 Target Acres	Completed and Planned Land Access Acres	Cumulative Land Access Acres	SSMP Completed Acres	SSMP Cumulative Completed (Mid-Range)	Project Status
2018	500	500					
2019	1,300	1,800	4,100	4,100			
2020	1,700	3,500	4,100	4,100	755	755	Three interim dust suppression projects (755 acres) completed in 2020
2021	3,500	7,000	1,700	5,800	522	1,277	<p>SCH Project (approx. 4,100 acres) – Under construction. To be completed in 2023. (Note: 22 acres of Desert Pupfish habitat created and 500 acres of interim dust control implemented within the SCH footprint in 2021.)</p> <p>Three Vegetation Restoration Projects on Reclamation Lands (Approx. 1,700 acres) – in planning (environmental compliance, permitting, land access, water supply). Construction started in late winter 2021:</p> <ul style="list-style-type: none"> • Clubhouse Vegetation Enhancement Project (399 acres); • Tule Wash Vegetation Enhancement Project (1,217 acres); • Bombay Beach West Vegetation Enhancement Project (91 acres)
2022	1,750	8,750	4,000 – 5,000	10,300	1,500	~2,800	<p>Partial completion of vegetation restoration projects on Reclamation lands (~1,500 acres).</p> <p>Implementation of the following projects (~1,090 acres):</p> <ul style="list-style-type: none"> • North Lake Pilot Demonstration Project (160 acres) – in planning (environmental compliance, permitting, land access, water supply). Anticipated construction start date in 2022. • Desert Shores Channel Restoration Project (30 acres) – in planning (environmental compliance, permitting, land access, water supply). Anticipated construction start date in 2022. • Audubon Bombay Beach Wetland Project (900 acres) – in planning (environmental compliance, permitting, land access, water supply).