

Memorandum

To: Salton Sea Authority Board of Directors
From: G. Patrick O'Dowd, Executive Director/GM
Date: May 25, 2023
Re: **SB583 (Padilla)**

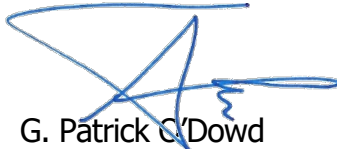
As you will recall, this matter was discussed at the last meeting of this board, where Staff was instructed to secure a commitment from the Author to make this a “two-year” bill or stand in opposition to its passage. The Senator was approached, for the second time (the first at his direction), and asked to slow the process to allow a more fulsome public engagement process and a more deliberate discussion of the concerns attempting to be addressed by the bill. The bill proceeded out of committee and is now moving to the Senate floor. Consequently, the Authority has now formally taken an OPPOSE position on this bill. A growing number of other organizations are also now coming alongside the Authority, recognizing the grave harm this poorly timed legislation would cause to the region. This is not to say that many of the issues raised by the Author in his attempt to craft legislation are not worthy of discussion or fit for a proper solution – they are. But this bill flies in the face of existing laws (including AB71) and will likely impair a host of efforts currently under way to address challenges in the region. People will likely be harmed.

Authority Staff began research on the benefits a conservancy might add to our efforts, and even began drafting bill language based on the Baldwin Park conservancy, what we understand is the most recent conservancy formed by the state. It was our thought (subject to further diligence) that a vehicle of this type could help in the ongoing operations and upkeep of completed projects, and would be a good repository of appropriations, annuities, and trust funds specifically for that purpose. We never intended that the conservancy would subsume the work of the SSMP being performed by CNRA and DWR, or deflect unto itself the State’s obligation under the QSA. Yet that would likely be the public perception resulting from the bill language. Section 33835 clearly indicates that it will be the responsibility of the conservancy to implement both the 10-year plan and the long range plan, but no specificity was provided as to how that might happen. The net result of this transfer of responsibility is the conservancy would then have to go looking to the state to fund obligations that the state is already committed to and responsible for. Moreover, the challenges that the conservancy might have in building a well-qualified workforce are unimaginable. That’s not to say there are not well qualified workers in this region, but rebuilding a local team at the scale of what DWR and CNRA has already assembled will take years – and will translate into years lost in implementing projects.

Finally, the funding from the conservancy is contemplated to come from a voter-approved bond issue which includes \$15 million for the start-up of the conservancy, yet those funds would not likely come available for three years or more. Pressing to implement this bill at breakneck speed without proper vetting, consultation, and coordination is just folly. We will continue to oppose this legislation in hopes that the Author will work with the vast array of local stakeholders who have different ideas as to how to address the concerns he raises.

We look to working collaboratively with the Author, who was elected to represent all the people of this region. But this legislation advances against the wishes of numerous other local elected public officials and should be stopped until it can be shaped to conform with local priorities.

Respectfully submitted,



G. Patrick O'Dowd
Executive Director/GM