



**AGENDA:** **SPECIAL BOARD OF DIRECTORS MEETING**  
**DATE:** **Thursday, February 19, 2026 at 10:00 a.m.**  
**LOCATION:** Torres Martinez Desert Cahuilla Tribe  
66725 Martinez Road  
Thermal, CA 92274  
(760) 397-0300

The following Salton Sea Authority Directors will be attending remotely via video/teleconference from the location(s) indicated:

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Remote participation for this meeting is accessible at:

<http://www.SaltonSea.com/specialmeeting>

## **I. CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**  
**ROLL CALL**

*A copy of the agenda and supplemental materials will be available for viewing or download from [SaltonSea.com/meetings](http://SaltonSea.com/meetings)*

## **II. PUBLIC COMMENTS**

This Public Comments time is reserved for comments on any non-action agenda item and for matters not on the agenda. California law prohibits members of the Board from taking action on matters not on the agenda.

Members of the public may address the Board regarding any matter within the Authority's jurisdiction and are invited to speak to any specific action item in the agenda at the time it is called. All other remarks should be provided during this general public comment period.

**Speakers should state their name for the record and address all comments to the Chair, limiting remarks to three (3) minutes.**

In person attendees should complete a "request to speak" form and provide it to the Clerk of the Board. Remote speakers must use Zoom's "raised hand" feature (or if by phone, press \*9) to be recognized.

Written comments may be emailed to [info@saltonseas.com](mailto:info@saltonseas.com), or delivered by hand or mail to 82500 Highway 111, Suite 4, Indio, California, "Attn: Clerk of the Board, Salton Sea Authority". Please include "Public Comment, 02/19/2026 Board meeting" in the subject line, and also include your name, address (addresses will be redacted), referencing the specific agenda item if appropriate.

All written comments will be distributed to the Board, posted on **SaltonSea.com** for public viewing and, **if received before noon on Wednesday, February 18**, publicly acknowledged during the Board meeting. (Written comments will be included in the public record but not be read aloud.)

### **III. BOARD MEMBER COMMENTS**

This time is set aside for members of the Board to share thoughts and concerns regarding general Authority matters not on the agenda, ask questions of staff, and request items to be added to a future agenda.

The Brown Act expressly prohibits lengthy Board Member discussion of matters not on the agenda. The Board may at its discretion (by 4/5 vote) add items deemed to be an emergency to the agenda to allow for public discourse.

### **IV. ITEMS FOR DISCUSSION AND POSSIBLE BOARD ACTION**

- A. CONSENT CALENDAR – Approve, Receive, and File
  - 1. Minutes of Salton Sea Authority Board Meeting 1/15/2026
  - 2. Salton Sea Authority Warrant Register Ratification for 1/31/2026
  - 3. Salton Sea Authority Internal Financial Reporting July 1, 2025 thru December 31, 2025
  
- B. Authorize Distribution of Comment Letter on Draft Post-2026 Colorado River Operational Guidelines
  
- C. Update on Proposition 68 Funds Dispensation and Possible Action Relating Thereto

### **V. ADJOURNMENT**

#### **NEXT MEETING TIME & LOCATION:**

The Salton Sea Authority board is scheduled to meet on:

Thursday, March 19, at 10:00 a.m.

at

Imperial County BOS Chamber

940 W Main Street

El Centro, CA 92243

(442) 265-1020

*Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection located at 82500 Highway 111, Suite 4 Indio, CA 92201.*

**OFFICIAL PROCEEDINGS**  
**SALTON SEA AUTHORITY**  
**BOARD OF DIRECTORS MEETING**  
**January 15, 2026**

**I. CALL TO ORDER**

The regularly scheduled meeting of the Salton Sea Authority ("Authority") Board of Directors ("Board") was called to order by Chair Dockstader, at 10:07 a.m., January 15, 2026 at Coachella Valley Water District and via Zoom Webinar.

**PLEDGE OF ALLEGIANCE** Led by Ex-Officio Shea

**ROLL CALL**

**DIRECTORS PRESENT ON SITE**

Gina Dockstader, President  
Alex Cárdenas, Director  
Ryan E. Kelley, Director  
Joseph Mirelez, Treasurer  
RoseMarie Morreo, Director  
V. Manuel Perez, Director  
Cástulo R. Estrada, Vice-President  
Ex-Officio Joe Shea

**AGENCY**

Imperial Irrigation District  
Imperial Irrigation District  
Imperial County  
Torres Martinez Desert Cahuilla Indians  
Torres Martinez Desert Cahuilla Indians  
Riverside County  
Coachella Valley Water District  
California Natural Resources Agency

**DIRECTORS PRESENT VIA ZOOM**

Martha Singh, Secretary

**AGENCY**

Imperial County

**DIRECTORS ABSENT**

Yxstian Gutierrez, Director  
John Aguilar, Director

**AGENCY**

Riverside County  
Coachella Valley Water District

President Dockstader asked if there were any changes to the agenda.

Minutes Reflect wrong location of the 11/20 meeting, corrected to show North Shore Fire Station, #41.

Secretary Singh arrived after roll call.

***On motion by Cardenas second by, Dockstader the Board approved changes to 11/20/2025 Minutes.***

***Approved by the Following Vote:***

***Ayes: 7***

***Noes: 0***

***MOTION PASSED: Unanimous***

***ABSTAINED: 0***

## **MEMBERS OF THE PUBLIC PRESENT**

On Site: Enrique Arroyo, Ocotillo Wells, Pat Cooper, Riverside County, Beatrice Escombly, Jennifer Barnakian-Poland, CV Strategies, Mark Monin, Jim Barrett.

Via Zoom: Tom Sephton, Lisa Moore, Cultivating, Tom Sephton, Nick Romo, Cruz Strategies, Steve Cruz, Cruz Strategies, Chris Nielsen, Nielsen Strategies, Miguel Hernandez, CNRA, Larissa Sinclair, Roni Hewitt, Neal Desai, Chance Wilcox, NPCA, Kim Ferree, SD Natural History Museum, Kean Corrigan, Emmanuel Martinez, Thomas Brinkerhodd, ICAPCD, Evon Willhoff, DWR, Jamie Asbury, IID, Antonio Ortega, Griselda Melgoza, Issac, Antonio Ortega, Peter, Menifee TV, Casey, Janet, Jasmyn Phillips, Felipe, ICPHD, Vega, Lillian Garcia, Patrick Stephens, Menefee, Erin LaCombe, Chuck Tobin, Ryan Dominguez, Michael Cohen, Pacific Institute, C. Pendergast, Jessica Humes, Stephanie Holstege, Shana Rapoport.

## **II. PUBLIC COMMENTS**

Mark Monen thanked the Salton Sea Authority.  
Larissa Sinclair commented on the long-term planning and community engagement aspects.  
Chance Wilcox, lives in Morongo Valley, and is the Director of the California Desert Program National Parks Association spoke about Cadiz.

## **IV. ITEMS FOR DISCUSSION AND POSSIBLE BOARD ACTION**

## **III. BOARD MEMBER COMMENTS**

CONSENT CALENDAR – Approve, Receive, and File

1. Minutes of Salton Sea Authority Board Meeting 01/15/2026
2. Salton Sea Authority Warrant Register Ratification for 11/30/25 and 12/31/25
3. Salton Sea Authority Internal Financial Report for 11/30/25

***On motion by Cardenas second by, Dockstader the Board approved the Consent Calendar.***

***Approved by the Following Vote:***

***Ayes: 8***

***Noes: 0***

***MOTION PASSED: Unanimous***

***ABSTAINED: 0***

- B. Review Annual Audit – Davis Farr. Jonathan Foster gave a brief presentation and issued a clean audit opinion.

***On motion by Morales second by, Dockstader the Board approved the Audit.***

***Approved by the Following Vote:***

***Ayes: 8***

***Noes: 0***

***MOTION PASSED: Unanimous***

**ABSTAINED: 0**

- C. Coachella Valley Mosquito and Vector Control District Presentation – Jeremy Whittie, gave a presentation on how changes at the Sea are affecting Vector Control in his service area.

Tom Sephton commented.

- D. Colorado River Policy Platform, Director O’Dowd and Lisa Moore introduced this item. Directors Cardenas, Estrada, Kelley and Perez commented. It was suggested by Director Perez to hold a SPECIAL Meeting to discuss. Estrada suggested that Director O’Dowd consolidate all the comments he’s getting and come up with one that he recommends to the Board.

***Perez asked to repeat the motion. On motion by Kelley, 2<sup>nd</sup> by Mirelez to reconvene on February 19 to review comments to be submitted under the EIS over the Bureau of Reclamation comment period.***

***Approved by the Following Vote:***

***Ayes: 8***

***Noes: 0***

***MOTION PASSED: Unanimous***

***ABSTAINED: 0***

- E. Strategic Planning/Governance/Restructure – President Dockstader considered resigning in light of IID’s pending departure but wants to see the Strategic Plan come to fruition.

Director Perez expressed a desire to agendize this a Board leadership. Director Estrada concurred and requested that an item be added to the March, 2026 Board meeting agenda to consider a reorganization of the board, including potentially electing new board officers.

Separately, staff recommended tabling the Strategic Plan in light of IID’s announced departure and the leadership state of flux. The Board chose instead to have CV Strategies provide a brief update and directed them to return to the March 19 Board meeting to present the final report, which should address prospectively IID’s departure and the possibility of broadening the membership base and classes.

## F. Project Related Activity

1. USACE Feasibility Study – Director O’Dowd gave a brief update. CNRA has held several outreach events with the Army Corp. The Corp is scheduling roll out plan in the next month or so.
2. North Lake Pilot Demonstration Project, Director O’Dowd gave a brief update.
  - a. Grant Expiration
  - b. Dispensation of Remaining Funds - O’Dowd will be drafting a memo requesting the board provide authorization to staff to negotiate and implement a plan for those funds to for project purposes, while preserving the Authority’s participation in North Lake integration and project implementation.

Director Perez is looking to see a balance between wetland and recreation, more concerned with public health. We need to ask the community what they want to see.

Joe stated that the State’s revised proposal should address that balance.

3. Desert Shores – Director O’Dowd gave a brief update on modifying the grant on a 90-day extension. O’Dowd was just informed that this extension will not require additional USBR approvals and should be finalized shortly to facilitate the completion of design of a “shovel ready project” for Desert Shores.

## V. **REPORTS**

### A. Federal

1. Federal Activities – Lisa Moore Lehman, Partner, Cultivating Conservation – gave a brief update.
2. US Bureau of Reclamation - Unassigned

### B. State

1. State Advocacy - Nick Romo, Cruz Strategies and Glen Farrel, GF Advocacy gave a brief update.
2. rop 4 and the conservancy.
3. State of California – Mr. Miguel Hernandez, Public Affairs Officer, California Natural Resources Agency, gave a brief update.
4. Salton Sea State Recreation Area Update on Activities – Enrique Arroyo, State Park Ocotillo Wells District Superintendent, gave a brief update.

### C. Local

1. Salton Sea Action Committee – Alan Pace, SSAC President – No Report
- D. Executive Director’s Report and Comments - G. Patrick O’Dowd, Executive Director/GM, Salton Sea Authority – nothing additional to report.

## **VI. ITEMS FOR NEXT MEETING**

## **VII. ADJOURNMENT**

**Meeting adjourned at 12:22p.m.**

### **NEXT MEETING TIME & LOCATION:**

A **SPECIAL** meeting of the Salton Sea Authority board has been called to meet on: Thursday, February 19, at 10:00 a.m.

Location to be determined.

*Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection located at 82500 Highway 111, Suite 4 Indio, CA 92201.*



## Salton Sea Authority Warrant Register

January 1, 2026 through January 31, 2026

<b>Date</b>	<b>Number</b>			<b>Amount</b>
01/05/2026	ACH	Best, Best & Krieger	Legal services 10/25	(1,250.00)
01/12/2026	ACH	SystemGo IT LLC	Consulting services 11/25	(894.32)
01/27/2026	ACH	Steve Cruz	Consulting services 11/25	(104.99)
01/30/2026	ACH	Cultivating Conservation	Consulting services 11/25	(4,309.50)
01/30/2026	ACH	CV Strategies	Consulting services 11/25	(33,835.35)
01/30/2026	ACH	Janice Rosenquist	Consulting services 10/25 and 9/25	(397.00)
01/30/2026	ACH	Lee and Associates Property Management	Rent 1/25	(7,000.00)
01/30/2026	ACH	Banc of California	VISA billing cycle ended 11/25	(7,350.00)
01/30/2026	ACH	SystemGo IT LLC	Consulting services 1/25	(4,345.00)
01/30/2026	ACH	Cultivating Conservation	Consulting services 1/25	(91.00)
01/30/2026	ACH	Steve Cruz	Consulting services 1/25	(6,395.00)
01/30/2026	ACH	Janice Rosenquist	Consulting services 12/25	(10,000.00)
01/30/2026	ACH	Western Growers	FY 26 Assoc Membership Renewal	(400.00)
			<b>Beginning Cash Balance</b>	<b>\$ 587,015.15</b>
			<b>Monthly Activity</b>	<b>(76,372.16)</b>
			<b>Ending Cash Balance</b>	<b>\$ 510,642.99</b>



## Salton Sea Authority Budget to Actual General Fund (Unaudited)

For the Period July 1, 2025 through December 31, 2025

	Jul 2025	Aug 2025	Sep 2025	Oct 2025	Nov 2025	Dec 2025	YTD FY 2026	C Budget FY 25	B / C YTD Target 50%	B - C \$ Variance
<b>1 REVENUE</b>										
2 Local Government / Member Assessments	210,000	200,000	-	-	200,000	200,000	810,000	\$ 800,000	101%	\$ 10,000
3 Other Federal / State / Local Contributions							-	525,000	0%	(525,000)
4 Sponsorships							-	10,000	0%	(10,000)
5 Other Grants							-	-	-	-
Interest Income							-	-	-	-
6 Miscellaneous Revenue	11	21	42	24			98	-	-	98
7 Grant and Other Reimbursements to General Fund			4,107			969	5,076	-	-	5,076
8 Grant Reimbursements and Other Income	11	21	4,149	24	-	969	5,173	44,300	12%	(39,127)
<b>9 TOTAL REVENUE</b>	<b>210,011</b>	<b>200,021</b>	<b>4,149</b>	<b>24</b>	<b>200,000</b>	<b>200,969</b>	<b>815,173</b>	<b>1,379,300</b>	<b>59%</b>	<b>(564,127)</b>
<b>10 EXPENSES</b>										
11 Total Salaries	18,770	18,770	18,770	28,155	18,770	18,770	122,003	238,995	51%	(116,992)
12 Total Employee Benefits	9,889	9,889	9,914	14,881	9,954	9,997	64,523	126,574	51%	(62,051)
13 Total Salaries & Benefits	28,659	28,659	28,683	43,035	28,723	28,766	186,526	365,569	51%	(179,043)
14 Contract / Professional Services							-	-	-	-
15 DC Advocates	7,350	7,350	7,350	7,350	7,350	7,350	44,100	89,600	49%	(45,500)
16 Sacramento Advocates	7,000	7,000	7,000	7,000	7,000	7,000	42,000	84,000	50%	(42,000)
17 Attorney Fees	2,208	1,638	6,628	777	1,896	2,368	15,514	48,000	32%	(32,486)
18 Audit & Accounting	4,455	4,620	6,050	2,255	1,925	4,345	23,650	75,000	32%	(51,350)
19 Public Outreach & Engagement	5,000	5,000	5,000	20,000		10,000	45,000	60,000	75%	(15,000)
20 Total Contract / Professional Services	26,013	25,608	32,028	37,382	18,171	31,063	170,265	356,600	48%	(186,335)
21 Administration							-	-	-	-
22 Travel/Mileage	3,183	3,188	5,034	91	(5,975)	3,065	8,586	35,000	25%	(26,414)
23 Conferences/Seminars/Summits		1,974	150	118			2,317	15,000	15%	(12,683)
24 Office Rent	1,250	1,250	1,250	1,250	1,250	1,250	7,500	17,400	43%	(9,900)
25 Utilities	147	181	178	373	10	169	1,058	4,000	26%	(2,942)
26 Repair and Service Maintenance	-		149				149	-	-	149
27 Office Rent, Utilities, and Repair/Maintenance	1,397	1,431	1,577	1,623	1,260	1,260	8,549	21,400	40%	(12,851)
28 Equipment / IT Maintenance	397	397	397	397	397	397	2,382	5,100	47%	(2,718)
29 Non-capitalized Office Equipment	-		-	52			52	5,000	1%	(4,948)
30 Insurance	1,147	1,147	1,147	1,147	1,147	1,147	6,882	14,000	49%	(7,118)

\*No assurance is provided on these financial statements. The financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the U.S. are not included.



## Salton Sea Authority Budget to Actual General Fund (Unaudited)

For the Period July 1, 2025 through December 31, 2025

								C	B / C	B - C	
		Jul 2025	Aug 2025	Sep 2025	Oct 2025	Nov 2025	Dec 2025	YTD FY 2026	Budget FY 25	YTD Target 50%	\$ Variance
31	Postage/Mail	60	60	48				168		-	168
32	Office Expense/Operating Supplies	1,267	1,472	125	125	675	162	3,826	5,400	71%	(1,574)
33	Office Expense/Online Services	(209)	1	90	90	90	90	152	5,400	3%	(5,248)
34	Dues, Subscriptions	1,501	1,128	713	1,098	1,097	1,098	6,635	10,000	66%	(3,365)
35	Operating Expenses/County Charges	405	286	149	62	462		1,363	6,000	23%	(4,637)
36	Board Room Usage and Recordings	105	105	805	150	1,368	105	2,638	3,600	73%	(962)
37	Interest Expense	-		-				-	1,231	0%	(1,231)
38	Total Administration	9,253	11,188	10,235	4,901	521	7,399	43,498	127,131	34%	(83,633)
39	<b>TOTAL EXPENSES</b>	63,925	65,454	70,946	85,319	45,429	67,228	400,289	849,300	47%	(449,011)
40	<b>NET REVENUE / (EXPENSES)</b>	<b>\$ 146,086</b>	<b>\$ 134,567</b>	<b>\$ (66,797)</b>	<b>\$ (85,295)</b>	<b>\$ 153,041</b>	<b>\$ 133,865</b>	<b>415,466</b>	<b>\$ 530,000</b>	<b>78%</b>	<b>(114,534)</b>

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**Salton Sea Authority**  
**Budget to Actual**  
**DWR - Proposition 68 Grant (Unaudited)**

For the Period July 1, 2025 through December 31, 2025

	Jul 2025	Aug 2025	Sep 2025	Oct 2025	Dec 2025	YTD FY 26	C	B / C	B - C
							Budget	YTD Target 42%	\$ Variance
<b>1 REVENUE</b>									
2 State of California Grant (Prop 68)	\$ -	\$ -	\$ 186,997	\$ -	\$ -	\$ 186,997	\$ 1,976,000	9%	\$ (1,789,003)
<b>3 TOTAL REVENUE</b>	-	-	186,997	-	-	186,997	1,976,000	9%	(1,789,003)
<b>4 EXPENSES</b>									
5 SSA Salaries & Contract Accounting			2,518			2,518	15,000	17%	(12,482)
6 Riverside County Salaries						-	-		-
7 Contractors			184,479			184,479	1,961,000	9%	(1,776,521)
8 Department of Water Resources-North Lake Demo					-	-			-
<b>9 TOTAL EXPENSES</b>	-	-	186,997	-	-	186,997	1,976,000	9%	(1,789,003)
<b>10 NET INCOME / (LOSS)</b>	<b>\$ -</b>	<b>-</b>	<b>-</b>						

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## Salton Sea Authority Budget to Actual BOR - DSR (Unaudited)

For the Period July 1, 2025 through December 31, 2025

	Jul 2025	Aug 2025	Sep 2025	Oct 2025	Dec 2025	YTD FY 25	Budget	B / C YTD Target 42%	B - C \$ Variance
<b>1 REVENUE</b>									
2 Bureau of Reclamation Grant	\$ -	\$ -	\$ 39,734	\$ -	\$ 6,539	\$ 46,273	\$ 744,000	6%	\$ (697,727)
<b>3 TOTAL REVENUE</b>	-	-	39,734	-	6,539	46,273	750,000	6%	(703,727)
<b>4 EXPENSES</b>									
5 Riverside County Salaries						-	-		-
6 SSA Salaries & Contract Accounting			1,589		969	2,558	15,000	17%	(12,442)
7 Contractors			38,145		5,570	43,715	735,000	6%	(691,285)
8 Legal Expenses						-	-		-
9 Bureau of Reclamation-Desert Shores Revitalization						-			-
<b>10 TOTAL EXPENSES</b>	-	-	39,734	-	6,539	46,273	750,000	6%	750,000
<b>11 NET INCOME / (LOSS)</b>	<b>\$ -</b>		<b>\$ -</b>						

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**Salton Sea Authority**  
**Balance Sheet**  
(Unaudited)  
Dec 2025

1	<b>ASSETS</b>		
2	Checking/Savings	\$	587,015
3	Rivco Payroll		43,344
4	Rivco Investment		2,328
5	Rivco Investment FMV Adjustment		(152)
7	Checking/Savings		<u>632,535</u>
8	Accounts Receivable		-
9	Rent Deposits		1,250
10	Prepaid Items		3,441
11	Due from BOR		6,539
12	Due from DWR		349,580
13	Due from Grant Funds		24,689
14	Right to Use Asset		<u>5,379</u>
15	<b>TOTAL ASSETS</b>	<b>\$</b>	<b><u>1,023,412</u></b>
16	<b>LIABILITIES &amp; FUND BALANCE</b>		
17	<b>LIABILITIES</b>		
18	Accounts Payable	\$	69,299
19	Accrued Expenses		9,000
20	Credit Card Payable		903
21	Accrued Payroll		5,109
22	Accrued Vacation		95,609
23	Accrued Sick		8,160
24	Lease Liability		6,173
25	Due to Other Funds		22,599
26	Due to BOR		5,570
27	Due to Riverside County		336,036
29	<b>TOTAL LIABILITIES</b>		<u>558,456</u>
31	<b>Fund Balance</b>		
32	Fund Balance		49,489
33	Net Income		415,467
35	<b>FUND BALANCE</b>		<u>464,955</u>
37	<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<b>\$</b>	<b><u>1,023,412</u></b>

\*No assurance is provided on these financial statements. The financial statements do not include a statement of cash flows. Substantially all disclosures required by accounting principles generally accepted in the U.S. are not included.

## Memorandum

**To:** Salton Sea Authority Board of Directors  
**From:** G. Patrick O'Dowd, Executive Director /GM  
**Date:** February 19, 2026  
**Re:** Authorization to Send Comment Letter re: Colorado River Operating Guidelines EIS

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### Summary:

Attached is the Salton Sea Authority's draft comment letter to the U.S. Department of the Interior regarding the Draft Environmental Impact Statement (EIS) for Post-2026 Colorado River Operational Guidelines. This letter outlines the Authority's concerns about the lack of analysis and mitigation for the Salton Sea in the Draft EIS and urges the Bureau of Reclamation to fulfill its legal obligations to federal and tribal lands in the region. It also recommends specific actions, including full funding and policy alignment for the U.S. Army Corps of Engineers' Salton Sea Feasibility Study.

### Purpose:

This letter is being submitted as part of the public comment process under the National Environmental Policy Act (NEPA). It is intended to ensure that the Salton Sea - and the communities, tribal lands, and federal responsibilities tied to it - are fully considered in the development of new Colorado River operating rules.

### Recommendation:

Staff recommends that the Board authorize the distribution of the letter in final form, affixing the signatures of all currently authorized Board members. Once authorized, staff will proceed with signature collection and submission. The letter will be transmitted to the U.S. Department of the Interior and relevant stakeholders upon finalization.



February XX, 2026

The Honorable Doug Burgum  
Secretary  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

*Via email to [crbpost2026@usbr.gov](mailto:crbpost2026@usbr.gov)*

RE: Draft Environmental Impact Statement (EIS) Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead

Dear Secretary Burgum:

We are writing to provide comment on the National Environmental Policy Act (NEPA) Draft Environmental Impact Statement Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead (Draft EIS). The Salton Sea Authority (Authority) is a joint powers agency established under California law to promote the revitalization of the Salton Sea and surrounding communities. The Authority is directed by a board of locally elected leaders from the Torres Martinez Desert Cahuilla Indians (Torres Martinez), Imperial and Riverside counties, Coachella Valley Water District (CVWD) and Imperial Irrigation District (IID) to advance state and federal policies and projects to support this mission.

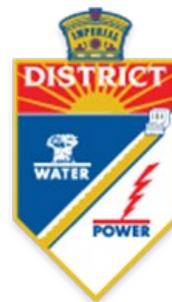
#### Executive Summary

The Trump administration has previously acknowledged that water conservation agreements akin to those proposed by Reclamation in the Draft EIS lead to a “dramatic and predictable change” accelerating the Salton Sea’s decline which in turn adversely impacts “wildlife habitat, human health, economic opportunities, and recreational values of the Sea and surrounding region.”<sup>1</sup> The administration has further recognized that reduced Colorado River inflows to the Salton Sea “has resulted the collapse of the existing (tilapia) fishery and associated ecosystem, as well as exposed playa that may contribute to dust emissions and public health concerns related to declining air quality.”<sup>2</sup>

Notwithstanding this acknowledgement, Reclamation does not analyze the impacts of Draft EIS proposed alternatives on the Salton Sea. Rather, the Draft EIS explicitly relies on the

<sup>1</sup> [https://www.usbr.gov/budget/2021/FY\\_2021\\_Budget\\_Justifications.pdf](https://www.usbr.gov/budget/2021/FY_2021_Budget_Justifications.pdf) at LCB 39.

<sup>2</sup> *Id.*



U.S. Army Corps of Engineers (Corps) Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study (Feasibility Study) initiated and sponsored by the Authority to mitigate the public health and environmental impacts from Reclamation's pending action.<sup>3</sup>

We appreciate the recognition that our work may play a significant role in mitigating Salton Sea impacts. Our work with the Corps, however, is still in its formative stages. Much work remains to be done to ensure that the Feasibility Study will fully address the negative public health and environmental impacts to our community that will follow from Reclamation's new Post-2026 Colorado River Operational Guidelines. In particular, the Feasibility Study is not yet fully funded. In addition, Corps policy modifications will be required to ensure the Feasibility Study addresses Department of the Interior (Interior) legal obligations to mitigate the impacts of reduced Salton Sea inflows on federal and tribal lands.

Interior owns roughly 40 percent of the lands in and surrounding the Salton Sea.<sup>4</sup> These lands include extensive Reclamation and Bureau of Land Management holdings. In addition, Interior's Fish and Wildlife Service (FWS) manages the Sonny Bono Salton Sea National Wildlife Refuge (NWR). Finally, the Torres Martinez reservation occupies roughly 24,000 acres at the Salton Sea. The Draft EIS does not address how Interior will ensure its management of these lands complies with numerous legal obligations as Salton Sea inflows to these federal and tribal lands are diminished under Reclamation's Post-2026 Colorado River Operational Guidelines.

For example, in the Trump administration's FY21 Budget, Reclamation estimated its own Clean Air Act compliance costs associated with declining Salton Sea inflows on Reclamation-owned lands at a conservative \$332.5 million with annual operations and maintenance costs of \$4.375 million.<sup>5</sup> The Clean Air Act requires Interior to manage its Salton Sea lands in conformity with Riverside and Imperial County air quality plans.<sup>6</sup> The National Wildlife Refuge System Improvement Act requires the Secretary to ensure the diversity, integrity and biological health of the Sonny Bono Salton Sea NWR.<sup>7</sup> And finally, Interior holds a trust responsibility to protect Torres Martinez tribal lands and natural resources.<sup>8</sup>

Interior's National Environmental Policy Act (NEPA) handbook requires Reclamation to consider reasonable mitigation measures to address the impacts to the Salton Sea from Draft EIS

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<sup>3</sup> Bureau of Reclamation, U.S. Dep't of the Interior, Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead, Draft Environmental Impact Statement (Jan. 2026) at Chapter 3-22. See also <https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-and-Studies/Imperial-Streams-Salton-Sea/>

<sup>4</sup> See <https://www.usbr.gov/lc/region/programs/SaltonSeaProjectsMap.pdf>

<sup>5</sup> [https://www.usbr.gov/budget/2021/FY\\_2021\\_Budget\\_Justifications.pdf](https://www.usbr.gov/budget/2021/FY_2021_Budget_Justifications.pdf) at LCB 39.

<sup>6</sup> 42 USC § 7506.

<sup>7</sup> 16 USC § 668dd(a)(4)(B). The statute requires FWS to adopt a Comprehensive Conservation Plan for the refuge and to implement that plan. The CCP for the Sonny Bono NWR specifies that the FWS shall manage the refuge by ensuring wetland habitat to benefit migratory birds. See Sonny Bono Salton Sea National Wildlife Refuge Complex; Final Comprehensive Conservation Plan and Finding of No Significant Impact, 79 Fed. Reg. 56,088 (Sept. 19, 2014).

<sup>8</sup> See U.S. Dep't of the Interior, Dep't Manual, pt. 303, ch. 5. requiring Interior to safeguard tribal assets from waste and damage; *Seminole Nation v. United States*, 316 U.S. 286 (1942) holding that the United States has the "highest moral obligations" to properly manage tribal assets.

proposed alternatives.<sup>9</sup> The handbook further provides that Reclamation may include specific mitigation commitments in the final Record of Decision for this action pursuant to its independent statutory authorities and obligations to properly manage federal and tribal lands in the Salton Sea region.<sup>10</sup> As noted above and discussed in these comments, those legal authorities include but are not limited to the Clean Air Act, Interior's tribal trust obligations to the Torres Martinez and the National Wildlife Refuge System Improvement Act.

Accordingly, the Authority asks Reclamation to include specific commitments in the Final EIS or via the Colorado River Inflation Reduction Act mitigation package now under formulation to:

- (1) Provide full funding for the Corps Feasibility Study to accelerate its completion, including resources to engage the impacted local communities we represent in the development of that work. The Authority is currently working with the Corps to determine a funding amount that will ensure the Corps completes the Feasibility Study by 2028. Reclamation has ample Inflation Reduction Act Colorado River authority and funding to commit to this purpose.<sup>11</sup>
- (2) Develop an agreement with the Corps and the Authority to ensure that the Feasibility Study fully addresses the negative public health and environmental impacts of Reclamation's proposed action on federal lands and trust resources.

#### Background

The Salton Sea spans 370 square miles in Imperial and Riverside counties and is California's largest lake. The Sea provides habitat to over 400 species of birds, including state and federal threatened and endangered species. The Sea is sustained by agricultural discharges from IID and CVWD. Since the early 2000s, inflows to the Sea have been reduced by significant water conservation efforts of area irrigation districts to provide water supply security in the Colorado River system.

These measures have decreased agricultural return flows to the Sea, which has declined nearly 15 feet since 2003, and will expose roughly 30,000 of dry lakebed. The Sea is now more than twice as salty as the ocean, causing major declines in fish and bird populations along a major stopover on the Pacific Flyway. It has been estimated that the playa will become exposed at a rate of 5,500 acres year and that by 2045 there will be a total increase of 105,000 acres of Salton Sea playa exposed relative to 2003.<sup>12</sup> It is important to note that these estimates do not

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<sup>9</sup> U.S. Dep't of the Interior, Dep't Manual, pt. 516, ch. 1 § 1.3(E)(1).

<sup>10</sup> *Id.* at 1.3(e)(2).

<sup>11</sup> Sec. 50233 of the Inflation Reduction Act, PL 117-169, provided \$4 billion in funding prioritized to the Colorado River Basin to address drought, including by undertaking ecosystem and habitat restoration projects at inland lakes like the Salton Sea affected by drought. Roughly \$1 billion of this funding remains and must be obligated by the end of this fiscal year.

<sup>12</sup> See Mem. of P. & A. in Supp. of Pet'r IID & Intervenors Cty. of Imperial & Imperial Cty. Air Pollution Control Dist. at 5, In re Modification of Revised Water Rights Order 2002-0013 (State Water Res. Control Bd. March 15, 2017).

factor in the Salton Sea playa impacts from Reclamation's implementation of the Post-2026 Colorado River Operational Guidelines.

The Torres Martinez aboriginal homeland is comprised of 24,000 acres in and around the Salton Sea. Roughly 700 Cahuilla people live on tribal lands near the Sea. In the first half of the 20th Century, the Sea supplied the Torres Martinez with fish, wildlife and economic benefits tied to tourism. But as the Sea declined as a result as water conservation demands to support the Colorado River system, fish and birds started to die off and air pollution from exposed Salton Sea playa increased asthma and other respiratory diseases among the Cahuilla people.

The Sonny Bono Salton Sea National Wildlife Refuge (NWR) was established in 1930 as a 32,766-acre breeding ground and refuge for birds and other wildlife. Today the Refuge includes an additional 2,000 acres of leased lands that are to be operated by the FWS as managed wetlands for the benefit of migratory birds.

Air pollution linked to exposed Salton Sea playa is a serious challenge in the region. This challenge is exacerbated by Salton Sea playa exposure resulting from decreased Colorado River inflows to the Sea such as those Reclamation proposes in the Draft EIS. Fugitive windblown dust creates respirable fine and ultra-fine particles that reach alveoli deep in the lungs, with larger particles depositing in the nose and throat. Particulate matter deposition in the lungs results in irritation that triggers inflammation and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis.

Children are particularly vulnerable to the effects of this pollution. A recent study evaluating the impact of particulate matter pollution from the Salton Sea on Imperial Valley elementary school children found that 24% evaluated had an asthma diagnosis, much higher than the California and national averages.<sup>13</sup> A cross border study comparing asthma incidence in Imperial Valley cities with communities across the border in Mexico found the incidence of asthma in Imperial to be 4 times higher.<sup>14</sup> In addition, a recent study found Salton Sea playa dust to be "uniquely toxic" and study authors postulate that distinct characteristics of playa dust are especially pro-inflammatory and dangerous to the lungs.<sup>15</sup>

Imperial County Air Pollution Control District (ICAPCD) and South Coast Air Quality Management District (SCAQMD) are charged with ensuring Salton Sea regional air quality meets federal Clean Air Act National Ambient Air Quality Standards (NAAQS) for particulate matter pollution. Regions which do not comply with these standards may ultimately be penalized for failure to comply. Imperial County was declared in nonattainment for PM<sub>10</sub> in 2004 and has

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<sup>13</sup> Farzan SF, Kamai E, Duenas Barahona D, Ornelas YVH, Zuidema C, Wong M, Torres C, Bejarano E, Seto E, English P, Olmedo L, Johnston J. *Cohort profile: The Assessing Imperial Valley Respiratory Health and the Environment (AIRE) study*. Paediatr Perinat Epidemiol. 2024 May; 38(4):359-369. doi: 10.1111/ppe.13065. Epub 2024 Mar 7. PMID: 38450855; PMCID: PMC11116055. <https://pubmed.ncbi.nlm.nih.gov/38450855/>

<sup>14</sup> Jill E. Johnson et al., *The Disappearing Salton Sea: A Critical Reflection on the Emerging Environmental Threat Disappearing Saline Lakes and Potential Impacts on Children's Health*, 663 Sci. Total Env t 804 (2019).

<sup>15</sup> Trevor A. Biddle et al., *Aerosolized aqueous dust extracts collected near a drying lake trigger acute neutrophilic pulmonary inflammation reminiscent of microbial innate immune ligands*, 858 Sci. Total Env t 159882 (2023). <https://www.sciencedirect.com/science/article/pii/S0048969722069820?via%3Dihub>

worked over the course of the intervening decades with ICAPCD, the California Air Resources Board and the Environmental Protection Agency (EPA) to come into compliance with this Clean Air Act standard. Riverside County faces similar PM<sub>10</sub> and other air quality compliance challenges.<sup>16</sup>

The impact of federal Colorado River conservation measures on the Salton Sea region's ability to attain and maintain Clean Air Act compliance has been expressly recognized as a challenge by EPA. For example, in EPA's rulemaking approving Imperial County's Clean Air Act re-designation to attainment and its maintenance plan, EPA noted that "the Salton Sea will continue to recede, exposing an increasing amount of lakebed. EPA agrees that this creates the potential for increases in airborne particulate matter from the lakebed that can potentially have adverse impacts on human health and the environment."<sup>17</sup> EPA moved forward with the attainment re-designation in part based on the assumption that future water transfers such as those proposed by Reclamation in the Draft EIS would be mitigated.<sup>18</sup>

I. Interior and Reclamation are required to ensure their Salton Sea lands are managed in compliance with the Clean Air Act as Reclamation implements the new Post-2026 Colorado River Operational Guidelines.

The Clean Air Act requires that federal agencies work with Tribal, local and state governments in non-attainment or maintenance areas to ensure that federal actions conform to the established plans such as ICAPCD's PM<sub>2.5</sub> and PM<sub>10</sub> air quality plans.<sup>19</sup> The purpose of the conformity rule is to ensure that the federal government does not cause or contribute to new violations of NAAQS, worsen existing violations of NAAQS, or delay attainment of NAAQS.<sup>20</sup>

Reclamation has acknowledged it has significant air quality compliance concerns associated with the management of its own Salton Sea lands. Interior and Reclamation own roughly 40% of the lands in and surrounding the Salton Sea.<sup>21</sup> Reclamation has acknowledged its obligation to manage these lands in compliance with the Clean Air Act,<sup>22</sup> and has recognized that the agency will have significant future Clean Air Act compliance costs associated with its own exposed Salton Sea playa lands.

<sup>16</sup> See [https://www3.epa.gov/airquality/greenbook/anayo\\_ca.html](https://www3.epa.gov/airquality/greenbook/anayo_ca.html).

<sup>17</sup> PM<sub>10</sub> Maintenance Plan and Redesignation Request; Imperial Valley Planning Area; California, 85 Fed. Reg. 182 at 58288 (2020). <https://www.federalregister.gov/documents/2020/09/18/2020-18427/pm10-maintenance-plan-and-redesignation-request-imperial-valley-planning-area-california>

<sup>18</sup> *Id.*

<sup>19</sup> 42 USC § 7506.

<sup>20</sup> 42 U.S.C. § 7506(b).

<sup>21</sup> See <https://www.usbr.gov/lc/region/programs/SaltonSeaProjectsMap.pdf>

<sup>22</sup> See Addendum to the Memorandum of Understanding By and Between the U.S. Dept of the Interior and the State of Cal. Regarding Coordination of Activities to Manage the Salton Sea (Aug. 31, 2016) which provided: "the Parties will comply with all applicable requirements of the Federal Clean Air Act and all implementing rules and regulations in connection with Salton Sea playa lands owned or managed by the Parties that are exposed as a result of decline in elevation of the Salton Sea."

[https://www.doi.gov/sites/doi.gov/files/uploads/signed\\_addendum\\_connor\\_salton\\_sea.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/signed_addendum_connor_salton_sea.pdf)

Reclamation's FY 2021 Official Budget Justification states: "Reclamation estimates that approximately 8.75 square miles of Reclamation-owned lands will be emergent from the Sea as it recedes over the next 10 years. Even using extremely conservative estimates related to the costs at Owens Lake, Reclamation may still have significant air quality mitigation costs related to any applicable Clean Air Act requirements as the Sea recedes."<sup>23</sup> In the same document, Reclamation estimates those costs to be at least \$332.5 million with an annual operations and maintenance cost of \$4.375 million.

Interior and Reclamation are required to ensure their Salton Sea lands are managed in compliance with the Clean Air Act as Reclamation implements the new Post-2026 Colorado River Operational Guidelines. This is critical not only from a public health perspective, but also because local jurisdictions can face penalties for Clean Air Act noncompliance caused by federal land mismanagement.<sup>24</sup>

II. Interior and Reclamation are required to ensure the protection of Torres Martinez tribal lands and the Sonny Bono NWR as Reclamation implements the new Post-2026 Colorado River Operational Guidelines.

Under federal law, Interior holds a "highest responsibility and trust" to safeguard tribal assets.<sup>25</sup> This creates a legally enforceable fiduciary obligation for the United States to protect the Tribe's treaty rights, lands, and cultural resources from further damage. Interior's Departmental Manual further requires Reclamation to identify any effects of its proposed action on the Torres Martinez in Environmental Impact Statements such as the Draft EIS, ensure its decision is consistent with its trust obligations, and to consult with the Tribe to address concerns.<sup>26</sup>

Notwithstanding these obligations, Reclamation did not consult with the Torres Martinez in the formulation of the Draft EIS as required by law and Interior policy. Interior is required ensure the protection of the 24,000-acre Torres Martinez Reservation at the Sea's northern end as it formulates and adopts the new Post-2026 Colorado River Operational Guidelines. Prior Colorado River conservation efforts have degraded tribal natural resources and health. Reclamation's Post-2026 Colorado River Operational Guidelines will likely exacerbate these harms by further reducing Salton Sea inflows.

The National Wildlife Refuge System Improvement Act requires the FWS to "ensure that the biological integrity, diversity, and environmental health of the System are maintained for the

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<sup>23</sup> [https://www.usbr.gov/budget/2021/FY\\_2021\\_Budget\\_Justifications.pdf](https://www.usbr.gov/budget/2021/FY_2021_Budget_Justifications.pdf)

<sup>24</sup> 42 USC § 7509. The Draft EIS does not evaluate the impact of Reclamation's proposed alternatives on its ability to manage federal and Torres Martinez tribal lands in conformity local jurisdiction Clean Air Act air quality plans. Although Reclamation has identified that it will have significant Clean Air Act compliance costs associated with the receding Sea, in the Draft EIS Reclamation fails to propose federally-funded mitigation to ensure that particulate matter emissions from federal lands do not cause or contribute to new violations, worsen existing violations, or delay attainment with Clean Air Act standards as required by law.

<sup>25</sup> *Seminole Nation v. United States*, 316 U.S. 286 (1942).

<sup>26</sup> U.S. Dep't of the Interior, Dep't Manual, pt. 303, ch. 5.

benefit of present and future generations of Americans,”<sup>27</sup> and requires the FWS to manage each refuge to fulfill the specific purposes for which it was established.<sup>28</sup> The law also requires the FWS to develop and adopt a Comprehensive Conservation Plan to discharge this mandate.<sup>29</sup>

The Sonny Bono Salton Sea NWR was established to provide refuge and breeding habitat for birds and other wildlife and includes additional leased lands that are to be operated by the FWS as managed wetlands for the benefit of migratory birds.<sup>30</sup> The CCP for the refuge anticipates that declining Salton Sea inflows will be a challenge for refuge management and provides that “the Refuge will manage existing and new habitat areas to compensate for losses in foraging opportunities within the Sea.”<sup>31</sup>

Notwithstanding these obligations, Reclamation does not assess the environmental impacts of its proposed alternatives on the refuge, nor describe how those impacts would be managed to ensure refuge purposes are met.

III. The Salton Sea Feasibility Study can address Interior and Reclamation’s legal obligations provided full federal funding is secured and key policy changes are adopted.

The U.S. Army Corps of Engineers Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study (Feasibility Study) was secured by the Authority in the Water Resources Development Act (WRDA) of 2020 and signed into law by President Trump.<sup>32</sup> Once completed, the Corps, which is required by law to undertake a feasibility study as a prerequisite for federal investment, is authorized to fund the projects ultimately included within the Feasibility Study at 65% federal share.

The Authority undertook this work to ensure that there would be a federal project and funding vehicle to advance the mitigation necessary to protect Salton Sea communities from the anticipated conservation measures that would likely be required by Reclamation in the Post-2026 Colorado River Operational Guidelines.

As the original non-federal sponsor of this work, the Authority worked with the California Department of Water Resources (DWR) to harmonize the Corps Feasibility Study requirements with the State of California’s Salton Sea Long-Range Plan. In 2022, the Corps, Authority and DWR signed the cost sharing agreement to formally launch the study, and which established the Authority and DWR as joint local sponsors. Initially conceived as a \$3 million, 3-year effort to address long-range Salton Sea management, the Corps, Authority and DWR expanded the scope of the work to ensure federal projects are developed to benefit all Salton Sea communities.

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<sup>27</sup> 16 USC § 668dd(a)(4)(B).

<sup>28</sup> 16 U.S.C. § 668dd(a)(4)(D).

<sup>29</sup> 16 U.S.C. § 668dd(e).

<sup>30</sup> U.S. Fish & Wildlife Serv., Sonny Bono Salton Sea National Wildlife Refuge Complex Final Comprehensive Conservation Plan (2014) at 1-16.

<sup>31</sup> *Id.*

<sup>32</sup> Water Resources Development Act of 2020, Pub. L. No. 116-260, div. AA, § 203, 134 Stat. 1182, 2615 (2020).

To date, with the strong support of Congress and the Corps, the Authority has secured \$7.1 million in federal funding to develop the Feasibility Study, which has been matched by the local sponsors as required by law. The Corps, Authority and DWR have scoped a full array of alternatives and will be performing hydrologic modeling of alternatives to identify conservation projects to address the public health and environmental challenges in the Salton Sea region.

While substantial work has been undertaken, significant work remains. Additional federal resources are required to complete and expedite the Feasibility Study so that it will address Salton Sea impacts to the Sea from Reclamation's implementation of the Post-2026 Colorado River Operational Guidelines. The Authority is currently working with the Corps to determine the Corps funding needs to accelerate the completion of the Feasibility Study and provide for public engagement before the current target date of 2029.

In addition, there are several internal Corps policies which need to be modified to ensure that the Feasibility Study operates to mitigate the impacts to federal lands from Reclamation's new Post-2026 Colorado River Operational Guidelines. Corps policy does not permit the Corps to undertake projects on federal lands, nor does policy permit the Corps to count the benefits of the Feasibility Study provided to federal lands. Moreover, the Corps is also limited in its ability fully value the public health benefits of this work. Changes to these Corps policies through agreement with Interior, Corps, the Authority and DWR will be necessary to ensure that the Feasibility Study addresses Interior's landownership and trust obligations.

#### Conclusion

The Authority fully appreciates the challenges Reclamation faces as it works to find a solution to the Colorado River crisis. The communities we represent have lived with the public health and environmental consequences of that crisis for over two decades. To date, only 2,000 acres of Salton Sea playa mitigation has been developed to address those consequences with relatively little federal investment.

Anticipating that Reclamation's Post-2026 Colorado River Operational Guidelines would likely impose additional burdens on Salton Sea communities, the Authority worked to engage the Corps over the past six years to be ready for this moment with a robust federal mitigation program. We appreciate that Reclamation has recognized that this work is an important part of federal Colorado River management. It is our sincere hope that this recognition is followed with your funding and policy engagement to fully mobilize the Corps work to protect Salton Sea communities and federal interests in the region.

Thank you for your consideration of these comments.

Sincerely,

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Gina Nicole Dockstader, President  
Director – Imperial Irrigation District

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Castulo R. Estrada, Vice President  
Vice President – Coachella Valley Water District

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Joseph Mirelez, Treasurer  
Chairman – Torrez Martinez Desert Cahuilla  
Indians

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Martha Cardenas Singh, Secretary  
Vice Chair – Imperial County Board of  
Supervisors

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Alex Cardenas, Director  
Director – Imperial Irrigation District

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John Aguillar, Director  
Director – Coachella Valley Water District

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V. Manuel Perez, Director  
Supervisor – Riverside County Board of  
Supervisors

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Yxstian Gutierrez, Director  
Vice Chair – Riverside County Board of  
Supervisors

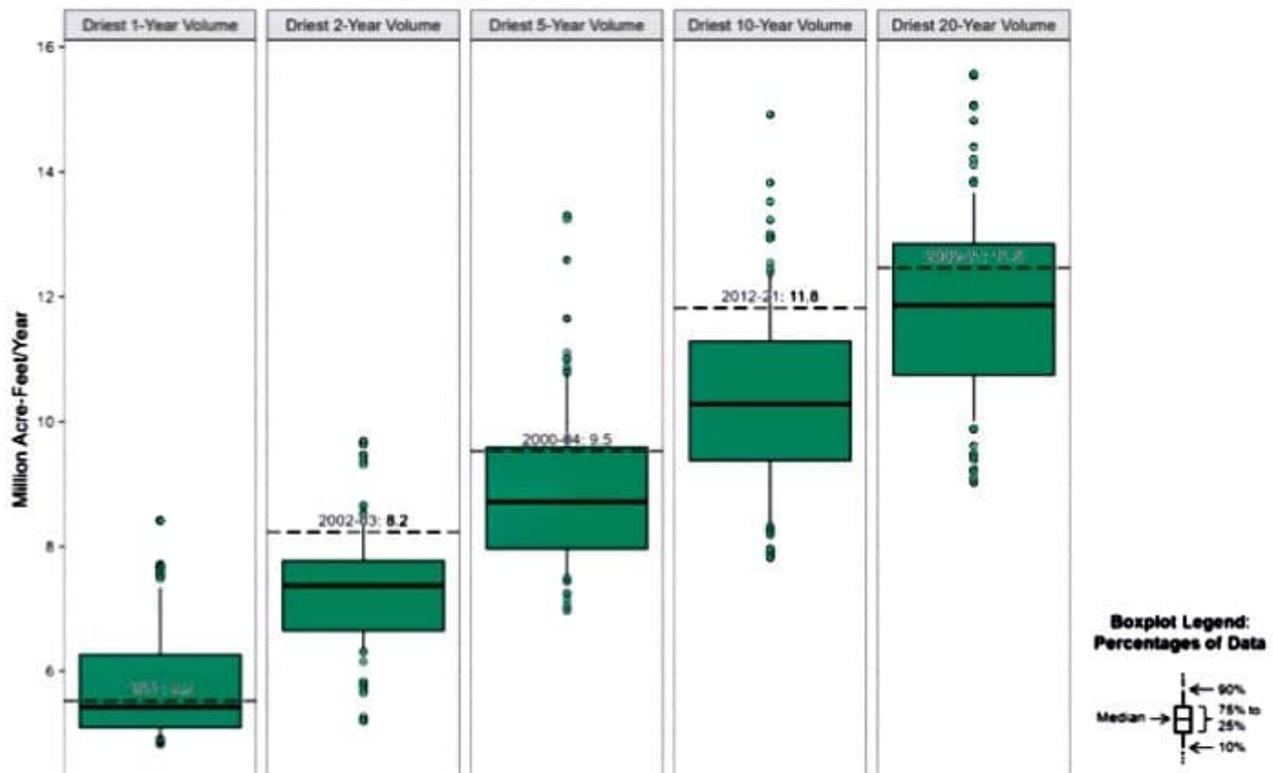
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Ryan E. Kelley, Director  
Supervisor – Imperial County Board of  
Supervisors

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Rosemarie Morreo, Director  
Vice Chairwoman, Torres Martinez Desert  
Cahuilla Indians

**Figure 3-6**  
**Key Statistics for the Drying with Variability Ensemble**



The purpose of describing the narrative, underlying data, and statistics of the Drying-with-Variability ensemble in the introduction to DMDU figures is to highlight that vulnerability bar plots provide a large amount of information that allows readers to use their judgment in determining the likelihood of negative resource impacts. The vulnerability bar plots combine information about the conditions in which each alternative is vulnerable, historical context, and the potential for a drier future.

### 3.2.7 Salton Sea

During scoping, Reclamation received comments requesting analysis of impacts on the Salton Sea. The Salton Sea is a terminal lake in Riverside and Imperial Counties, California. Salton Sea elevations are influenced by runoff from the surrounding Imperial Valley and Coachella Valley watersheds, as well as agricultural drainage from the IID and CVWD. As explained below, analysis of impacts on the Salton Sea is not included in this EIS.

The Salton Sea acts as a terminal sump for agricultural drainage; therefore, reductions in agricultural runoff could impact Salton Sea elevations, which, in turn, could impact air quality and shoreline wildlife habitat. Agriculture in the IID and CVWD service areas, as well as smaller non-agricultural uses, are sustained by Colorado River water diverted at the Imperial Dam and delivered via the All American and Coachella Canals. In recent years, total diversions of Colorado River water were approximately 2.8 maf per year at the Imperial Dam (California Natural Resources Agency 2024).

Over the past 20 years, inflows to the Salton Sea have declined from 1.3 maf per year to approximately 1.1 maf per year (California Natural Resources Agency 2024), primarily related to California's reduced usage of Colorado River water due to the prolonged drought in the Basin and changing agricultural practices, including implementation of water conservation programs.

The California Natural Resources Agency established the Salton Sea Management Program (SSMP) to oversee restoration efforts at the Salton Sea. Currently, the SSMP is working with local, state, tribal, and federal partners to implement the first phase of habitat restoration projects to establish at least 14,900 acres of aquatic habitat and up to 14,900 acres of vegetated habitat by the year 2028 (USACE 2024). Additionally, the SSMP released a long-range plan to address future recession of the Salton Sea beyond the year 2028 (California Natural Resources Agency 2024). The goal of the plan is to protect or improve air quality, water quality, and wildlife habitat to prevent or reduce health and environmental consequences anticipated from the long-term recession of the Salton Sea shoreline (California Natural Resources Agency 2024).

Given that inflows into the Salton Sea depend on a highly managed system, subject to growing water demands, and uncertain weather patterns and water polices, the SSMP used a range of projected annual net inflows to the Salton Sea: (1) high probability of inflow at 889,000 af, (2) low probability inflow at 684,000 af, and (3) very low probability at 444,000 af. These flows are used to project the future baseline of the Salton Sea and the restoration needs. The SSMP's long-range plan specifically acknowledges the uncertainty around policy decisions on this Colorado River Post-2026 process and is a reason for using a range of net inflows.

The SSMP's long-range plan is informing the scope of the Imperial Streams and Salton Sea Ecosystem Restoration Feasibility Study and NEPA compliance that the USACE is currently preparing. Once that process is complete, state and federal funding will be pursued to support the resultant design and construction of restoration projects, beginning around 2028.

For this Post-2026 process, Reclamation's action is to develop operational guidelines for the storage and release of water through Lake Powell at Glen Canyon Dam and Lake Mead at Hoover Dam. Reclamation's contracts with IID and CVWD do not provide Reclamation with the discretion to determine how individual water users within these districts use or allocate their water resources, including user decisions to participate or not participate in conservation programs.

Any reductions of Colorado River water available for diversion at the Imperial Dam for use by IID and CVWD could result in less available water for agriculture and, depending on the conservation activity or how the reduction would be implemented, subsequent drainage to the Salton Sea. While Reclamation cannot control Basin hydrology, there could be policy decisions that result in shortages. The alternative that would result in the largest possible shortage for IID and CVWD would be the Enhanced Coordination Alternative, with a maximum shortage of 3.0 maf, which is modeled as being distributed pro rata. A pro rata distribution under this alternative would result in a hypothetical maximum shortage to IID and CVWD of about 925,930 af for a minimum diversion amount from Imperial Dam of about 1.8 maf. Under this scenario, the resultant inflow to the Salton Sea would be about 783,000 af, which is within the range used by the SSMP long-range plan.

In summary, analysis of impacts on the Salton Sea are not included in this EIS for the following reasons:

1. Any resultant impacts are within the scope and range of inflows being considered in the SSMP's long-range plan and the USACE's ongoing NEPA process. While any resultant impacts on the Salton Sea may be accelerated by Post-2026 policies, the overall magnitude of impacts would not change.
2. Reclamation does not control the end use and management of delivered or conserved water. As such, Reclamation has no management authority over inputs to the Salton Sea, and Reclamation has no enforcement authorities over the Salton Sea. The State of California, IID, and CVWD have their own authorities not controlled by Reclamation. Reclamation would need new authorities and compliance to implement any policies that change how water shortages are distributed to IID and CVWD.<sup>9</sup>

## 3.3 Hydrologic Resources

### 3.3.1 Affected Environment

#### ***Overview and Study Area***

This section summarizes the Basin's hydrology from the full pool elevation of Lake Powell to the SIB with Mexico. It also includes groundwater under direct influence of the Colorado River and the Lower Basin reservoirs. For a more detailed account of the affected environment for the hydrologic resources, please see **TA 3.1**, Hydrologic Resources.

#### ***Key Drivers and Trends***

Worsening drought conditions have been a major driver for changes to hydrologic resources in the Basin. Since 2000, the Basin has experienced persistent drought conditions, exacerbated by higher temperatures, resulting in increased evapotranspiration, reduced soil moisture, and ultimately reduced runoff (Lukas and Payton 2020). The flow in the Colorado River is highly variable from year to year because of variations in precipitation in the Basin. However, the Basin is currently experiencing a prolonged period of drought; 2000 to 2024 was the driest 25-year period in more than a century. A paleo reconstruction of Colorado River streamflow at Lee Ferry, Arizona, back to 762 current era indicates that the recent 25-year period has lower streamflow than any other period in the last 1,200 years (Meko et al. 2007). These conditions have led to a cumulative streamflow deficit of about 70.0 maf relative to twentieth-century conditions (Reclamation 2025b).

#### ***Operational Impacts***

The overall characteristics and connectivity of the Basin remain unchanged from when the 2007 Final EIS was issued. However, since 2007, key operational changes have affected hydrologic resources. Domestic agreements specifying such operations include the 2007 Interim Guidelines (supplemented in 2024), 2016 Glen Canyon Dam LTEMP (supplemented in 2024), and the 2019

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<sup>9</sup> Reclamation's potential contribution of funds through contribution agreements does not affect the enforcement mechanisms of those state and local authorities.

## Memorandum

**To:** Salton Sea Authority Board of Directors  
**From:** G. Patrick O'Dowd, Executive Director /GM  
**Date:** February 19, 2026  
**Re:** Update on Proposition 68 Funds Dispensation and Possible Action Relating Thereto

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### Background:

Since the expiration of the Proposition 68 grant for the North Lake Pilot Demonstration Project (NLPDP), the Authority and the California Natural Resources Agency (CNRA) have engaged in ongoing discussions to determine equitable terms for the release of remaining funds. These discussions have centered on facilitating an expanded Request for Proposals (RFP) for the North Lake Wetlands (NLW) Project and ensuring the Authority is resourced to fulfill its role in advancing long-range restoration planning.

While the State initially proposed a Resolution to formalize the release of funds, the Authority expressed concern that such a unilateral instrument would not provide sufficient mutual accountability or enforceable commitments. In response, and considering the Authority's central role in the U.S. Army Corps of Engineers Salton Sea Imperial Streams Feasibility Study - now recognized as a critical element in the [Bureau of Reclamation's Draft Post-2026 Colorado River EIS](#) - staff developed a comprehensive [DRAFT Term Sheet](#) (attached) to guide a First Amendment to the [2020 MOU between CNRA and the Authority](#).

### Key Elements of the Term Sheet Include:

- A three-year, \$600,000 allocation from Proposition 68 funds to support the Authority's work on the NLW Project and its integration into the Feasibility Study.
- Mutual commitments to collaboration on the NLW Project, the Feasibility Study, and broader Salton Sea Management Program (SSMP) implementation.
- A shared intent to explore targeted amendments to [AB 71](#) to reflect the evolving role of the Authority and the NLW Project.
- A dispute resolution framework aligned with the [Feasibility Study's protocols](#) to ensure consistency and accountability.

### Next Steps:

Staff has shared the Term Sheet with CNRA and DWR and is awaiting a formal response. In anticipation of potential agreement prior to the March Board meeting, staff recommends that the Board receive this update and consider authorizing the Executive Director to execute the Term Sheet and any related agreements necessary to implement its provisions, subject to legal counsel review and final approval by the Executive Committee.

### Recommendation:

Receive and file this update. Authorize the Executive Director, in consultation with legal counsel and the Executive Committee, to finalize and execute the Term Sheet and any associated agreements necessary to implement the proposed funding and collaboration framework, should a timely agreement be reached with CNRA and DWR prior to the March Board meeting.

# TERM SHEET

## Collaboration and Resource Allocation

**Between the California Natural Resources Agency (CNRA) and the Salton Sea Authority (Authority)**  
**Dated: [Insert Date]**

### A. Purpose

This Term Sheet outlines the terms of a proposed First Amendment to the 2020 Memorandum of Understanding (MOU) between CNRA and the Authority. It reflects expanded collaboration on Salton Sea restoration, a dedicated funding arrangement under Proposition 68, and a shared commitment to advancing the U.S. Army Corps of Engineers Salton Sea Imperial Streams Feasibility Study as the primary vehicle for long-range restoration planning and implementation.

### B. Parties

- California Natural Resources Agency (CNRA)
- Salton Sea Authority (Authority)

### C. Key Terms

#### 1. Collaboration on the North Lake Wetlands Project

The Authority will support and inform efforts to integrate the North Lake Pilot Demonstration Project (NLPDP) into the broader North Lake Wetlands Project (NLW), in coordination with CNRA and the Department of Water Resources (DWR), and in alignment with long-range planning under the federal Feasibility Study.

#### 2. Collaboration on the U.S. Army Corps of Engineers Feasibility Study

The Authority and DWR serve as joint local sponsors of the U.S. Army Corps of Engineers Salton Sea Imperial Streams Feasibility Study, authorized under the 2020 Water Resources Development Act (WRDA) following sustained advocacy by the Authority. The study is the primary federal pathway for identifying, evaluating, and implementing long-range restoration projects at the Salton Sea.

#### 3. Continuation of Local and State Coordination and Collaboration

The Authority will continue to assist the Salton Sea Management Program (SSMP) through:

- Community engagement and environmental justice outreach,

- Interagency coordination,
- Technical input and project integration, as outlined in the original 2020 MOU.

#### 4. Resource Allocation: \$600,000 Over Three Years

- CNRA will allocate \$600,000 in Proposition 68 funds to the Authority over a three-year period (\$200,000 annually).
- These funds will support the Authority's work on the NLW Project, including:
  - Integrating the NLPDP into the NLW framework,
  - Advancing NLW as a component of the Feasibility Study,
  - Leading community engagement and environmental justice coordination,
  - Supporting interagency collaboration and technical input to SSMP implementation.
- Funding will be drawn from the remaining approximate \$17 million in Proposition 68 funds designated for the NLW Project.
- A separate funding agreement will govern disbursement, reporting, and performance expectations, including the release by the Authority of all remaining funds, subject to the provisions herein. DWR will serve as the contracting entity.

#### 5. Proposed Modifications to AB 71

The Parties agree to explore targeted amendments to AB 71 (2013) to reflect:

- The evolution of the North Lake Wetlands Project as a successor to the NLPDP,
- The expanded role of the Authority in coordinating restoration and federal engagement,
- The need for flexibility in fund administration and recognition of local implementation partners. Any proposed amendments will be developed collaboratively and pursued through the legislative process with mutual support.

#### **D. Acknowledgement of DWR's Role**

The Parties acknowledge that the California Department of Water Resources (DWR), as a department within CNRA and administrator of Proposition 68 funds, will serve as the contracting entity for the separate funding agreement with the Authority. DWR's role in

administering funds and supporting implementation of the NLW Project shall be coordinated in alignment with the terms of this agreement.

### **E. Alignment with the MOU, Commitment to the Feasibility Study, and Dispute Resolution**

This Term Sheet is intended to guide a First Amendment to the 2020 MOU between CNRA and the Authority. In keeping with Section E.1, any amendment will be executed through mutual written agreement. As required by Section E.4, all funding and implementation actions — including the separate Proposition 68 funding agreement — will follow applicable laws, regulations, and procedures.

The Parties reaffirm their shared commitment to the U.S. Army Corps of Engineers Salton Sea Imperial Streams Feasibility Study, which represents the most significant federal pathway to long-term restoration and investment at the Sea. The Salton Sea Authority and DWR serve as joint local sponsors, and the U.S. Army Corps of Engineers (USACE) serves as the federal lead agency.

The Parties further recognize that the Feasibility Study is not an end in itself, but a means to unlock federal investment in Salton Sea restoration. Completion of the study must be paired with a coordinated strategy to secure federal and state funding for implementation of the projects deemed feasible. This includes leveraging the study's 65/35 federal/non-federal cost-share structure and aligning with mitigation obligations identified in the Post-2026 Colorado River Operating Guidelines.

To ensure consistency and fairness, the Parties agree that any disputes arising in the course of planning, funding, or implementing the North Lake Wetlands Project (NLW) shall be addressed and resolved in a manner consistent with the dispute resolution protocols established for the Feasibility Study. This includes early coordination, joint problem-solving, and, where necessary, elevation to executive leadership for resolution.

Finally, this Term Sheet reflects a broader moment of opportunity. Governor Gavin Newsom identified the Salton Sea as a priority of his administration, and with his tenure drawing to a close, this agreement offers a chance to solidify that commitment into a durable legacy. It lays the foundation for a more equitable, resilient, and coordinated future - one that reflects the hard-won alignment between local leadership, state agencies, and federal partners. That alignment didn't happen by accident. It's the result of years of work - and this is the moment to lock it in.

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CALIFORNIA NATURAL RESOURCES AGENCY AND  
THE SALTON SEA AUTHORITY  
FOR COLLABORATION AND COOPERATION ON  
RESTORATION OF THE SALTON SEA**

This Memorandum of Understanding (“MOU”) is entered into by the California Natural Resources Agency (“CNRA”) and the Salton Sea Authority (“Authority”), each a “Party” and collectively the “Parties,” regarding collaboration and cooperation in the restoration of the Salton Sea, including but not limited to planning and implementation of the Salton Sea Management Program (“SSMP”). The Authority is a California Joint Powers Agency, whose members include the County of Imperial, the County of Riverside, the Coachella Valley Water District, the Imperial Irrigation District, and the Torres Martinez Desert Cahuilla Indians, collectively the “Member Entities.”

**A. Background**

The Salton Sea is California’s largest lake and is a critical stop on the Pacific Flyway, benefiting many species of resident and migratory birds. The Salton Sea is receding, and its salinity has increased substantially as inflows to the Sea have declined, degrading the ecosystem and contributing to worsening air quality in the region.

The state is committed to restoring the Salton Sea, and the numerous demands on and interests in restoration of the Salton Sea present an opportunity for governmental agencies at the local and state levels to collaborate to enhance outcomes of that restoration. CNRA is leading the state’s restoration efforts through implementation of the SSMP and recognizes the benefit and necessity of coordination with the Authority’s member entities in the planning, construction, operation, and maintenance of SSMP projects.

Through this MOU, CNRA and the Authority desire to document their intent to work together to improve public health, economic opportunity, habitat, and overall quality of life for the communities around the Salton Sea through coordination and collaboration in the planning and implementation of the SSMP.

**B. Purpose**

The purpose of this MOU is to document the Parties’ good faith commitments to coordinate and consult in the restoration of the Salton Sea.

**C. Authority**

The Parties are entering this MOU pursuant to the Salton Sea Restoration Act, Fish & Game Code section 2930 *et seq.* Pursuant to Fish & Game Code sections 2942, subdivision (a)(1), and 2943, the Secretary for Natural Resources (“Secretary”) shall undertake Salton Sea restoration efforts in consultation and coordination with the Authority.

## **D. Specific Principles**

The Parties intend to collaborate and cooperate in planning and implementation of the SSMP as follows:

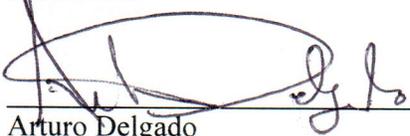
1. CNRA Participation in the Authority's Board of Directors Meetings. The Parties recognize that the Authority's Board of Directors Meetings ("Board Meetings") provide a valuable forum for discussion of Salton Sea restoration. The Parties intend that the Secretary or the Secretary's representative may participate in Board Meetings on a regular basis as an ex officio, non-voting, member of the Authority, pursuant to the Joint Powers Agreement creating the Salton Sea Authority. To assist in coordinating the activities of CNRA with the Authority and its Member Entities, the Parties anticipate that the Secretary or the Secretary's representative will engage in discussion and respond to public questions and comment in the same manner as voting members of the Authority's Board of Directors.
2. Authority Coordination Assistance. CNRA recognizes that the Authority is uniquely positioned to assist in coordination of local priorities for Salton Sea restoration projects. The Parties intend the Authority to continue its leadership role in the development and consolidation of local priorities and to be the primary channel through which such local priorities are communicated to CNRA. The Parties intend the Executive Director of the Authority to communicate local Salton Sea restoration priorities and support requests to CNRA through the Secretary's representative.
3. Federal Funding Partnership Opportunities. The Parties intend to work together to seek out federal funding partnership opportunities for planning and implementation projects that will help restore the Salton Sea and fulfill the SSMP acreage targets. The Parties intend to partner to apply for such federal funding where appropriate.
4. SSMP Project Planning and Implementation. To accelerate restoration efforts, the Parties contemplate that CNRA may request that the Authority or its Member Entities lead or assist with certain planning and implementation efforts, such as implementation of certain fully-permitted SSMP projects. The Authority desires to assist CNRA with planning and implementation of the SSMP and intends that its Board of Directors consider in a timely manner such requests by CNRA.

## **E. Additional Provisions**

1. Amendments. This MOU may be amended only by mutual written agreement of the Parties.
2. Term. This MOU will become effective upon execution by the Parties and will remain in full force and effect until terminated by either Party with 60-day written notice.

3. Relationship of Parties. Execution of this MOU does not create a new legal entity with a separate legal existence from the individual Parties. This MOU does not result in the joint exercise of powers as set forth in California Government Code section 6500 *et seq.*
4. Appropriations. The Parties recognize that all actions contemplated by this MOU are subject to legislative appropriation. Nothing herein shall constitute, or be deemed to constitute, an obligation of future appropriations by the Legislature of the State of California, where creating such an obligation would be inconsistent with Article XVI, sections 1 and 7, of the Constitution of the State of California. Nothing in this MOU is intended or shall be construed to authorize or require the obligation, appropriation, reprogramming, or expenditure of any funds by any Party. Any funding commitment or services, if pursued, will be handled in accordance with applicable laws, regulations, and procedures.
5. Nonbinding. This MOU is legally nonbinding and in no way: (i) impairs any Party from continuing its own planning or project implementation; (ii) limits a Party from exercising its authority in any matter; (iii) infers that a Party will act in any particular manner on a project; or (iv) gives any of the Parties any authority over matters within the jurisdiction of any other Party. Nothing in this MOU creates any legal rights, obligations, benefits, or trust responsibilities, substantive or procedural, enforceable at law or in equity, by a Party against any other Party, a Party's officers, or any person. Nothing in this MOU authorizes anyone not a Party to this MOU to maintain an action at law or in equity under the provisions of this MOU.
6. Counterparts. This MOU may be signed in two or more counterparts each of which, when executed and delivered, shall be an original and all of which together shall constitute one instrument, with the same force and effect as though all signatures appeared on a single document.

**CALIFORNIA NATURAL RESOURCES  
AGENCY**



Arturo Delgado  
Assistant Secretary for Salton Sea Policy

**SALTON SEA AUTHORITY**



Castulo Estrada  
President



**AB-71 Salton Sea restoration.** (2013-2014)

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## Assembly Bill No. 71

### CHAPTER 402

An act to add Article 2 (commencing with Section 2940) to Chapter 13 of Division 3 of the Fish and Game Code, relating to the Salton Sea.

[ Approved by Governor September 28, 2013. Filed with Secretary of State September 28, 2013. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 71, V. Manuel Pérez. Salton Sea restoration.

Existing law, until January 1, 2013, established the Salton Sea Restoration Council as a state agency in the Natural Resources Agency to oversee the restoration of the Salton Sea.

This bill would require the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. This bill would authorize the authority to lead a restoration funding and feasibility study, in consultation with the agency, as prescribed. This bill would also require the secretary to seek input from the authority with regard to specified components of restoration of the Salton Sea. By imposing duties on a local joint powers authority, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

#### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Article 2 (commencing with Section 2940) is added to Chapter 13 of Division 3 of the Fish and Game Code, to read:

##### **Article 2. Salton Sea Restoration**

**2940.** The Legislature finds and declares all of the following:

(a) The Salton Sea is California's largest inland water body with beneficial uses that include fisheries and wildlife habitat and preservation of endangered species, and is a repository for agricultural drainage.

(b) The Salton Sea ecosystem is a critical link on the international Pacific Flyway and supports over 400 species of birds.

(c) The Salton Sea is threatened by increasing salinity and reduced inflows. These changes increasingly threaten the unparalleled wildlife resources at the sea, as well as air quality in the region.

(d) In cooperation with local governments, nonprofit organizations, private businesses, and the public, the Salton Sea Authority can help protect wildlife habitats and endangered species, improve water and air quality, and enhance recreational opportunities in the region.

(e) 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) Mitigate air quality impacts from restoration projects using the best available technology or best available control measures, 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.

(8) Coordinate with local, state, and federal agencies that are responsible for air quality, endangered species, and other environmental mitigation implementation requirements of the Quantification Settlement Agreement.

(9) Enhance economic development opportunities that will provide sustainable financial improvements benefiting the local environment and the economic quality of life for communities around the Salton Sea.

**2941.** Unless the context requires otherwise, the definitions set forth in this section govern the construction of this article.

(a) "Agency" means the Natural Resources Agency.

(b) "Habitat mosaics" means two or more proximate habitat types, such as saltwater shoreline abutting riverine deltas and irrigated farmland.

(c) "Quantification Settlement Agreement" has the same meaning as defined in subdivision (a) of Section 1 of Chapter 617 of the Statutes of 2002.

(d) "Salton Sea Authority" or "authority" means the joint powers authority comprised of the County of Imperial, the County of Riverside, the Imperial Irrigation District, the Coachella Valley Water District, and the Torres Martinez Desert Cahuilla Indian Tribe.

(e) "Secretary" means the Secretary of the Natural Resources Agency.

(f) "Vector management" means services that eliminate or reduce the risk of illness caused by any organism transporting a pathogen.

**2942.** (a) (1) The secretary, in consultation and coordination with the authority, shall lead the Salton Sea restoration efforts that shall include all of the following:

(A) Early start habitat demonstration projects.

(B) Biological investigations relating to the restoration of the Salton Sea.

(C) Investigations of water quality, sedimentation, and inflows relating to the restoration of the Salton Sea.

(D) Air quality investigations, in consultation and coordination with local and regional air quality agencies, relating to the restoration of the Salton Sea.

(E) Geotechnical investigations relating to the restoration of the Salton Sea.

(F) Financial assistance grant programs to support restoration activities of local stakeholders.

(2) The secretary and the Legislature shall maintain full authority and responsibility for any state obligation under the Quantification Settlement Agreement. The secretary and the Legislature shall have final approval for any proposed restoration plan.

(3) (A) To the extent that funding is appropriated to the department for Salton Sea restoration activities, the Department of Water Resources, in coordination and under agreement with the department, may undertake restoration efforts identified in this subdivision.

(B) The department and the Department of Water Resources shall do all of the following for the Salton Sea Species Conservation Habitat Project:

(i) Immediately make available relevant information relating to the factors that influence the cost and size of the alternatives discussed in the environmental impact report or environmental impact statement for the species habitat conservation program.

(ii) Release all available detail on a final project design immediately, or upon final determination of a least environmentally damaging preferred alternative by the United States Army Corps of Engineers. Details of a final project design shall include location, configuration, size, and cost.

(iii) Immediately make available project evaluation protocols that include the following principles of adaptive management:

(I) Goals and objectives of the project.

(II) The project design and an operations plan.

(III) A monitoring plan that will include metrics that identify benefits to the species.

(IV) A performance evaluation based on species population identified through monitoring.

(V) A decisionmaking framework to evaluate project performance and guide operations and management changes.

(b) (1) The authority may lead a restoration funding and feasibility study, in consultation with the agency, to do the following:

(A) Investigate access and utility agreements that may contribute to the future funding of restoration activities at the Salton Sea.

(B) Analyze all feasible funding sources for restoration program components and activities.

(C) Analyze economic development opportunities, including, but not limited to, renewable energy, biofuels, mineral development, and algae production for the purposes of identifying new revenue sources for the Salton Sea restoration efforts.

(D) Identify state procurement and royalty sharing opportunities.

(E) Review existing long-term plans for restoration of the Salton Sea and recommend to the secretary changes to existing restoration plans. In any review pursuant to this subparagraph, the authority shall consider the impacts of the restoration plan on air quality, fish and wildlife habitat, water quality, and the technical and financial feasibility of the restoration plan and shall consider the impacts on other agencies responsible for air quality, endangered species, and other environmental mitigation requirements for implementation of the Quantification Settlement Agreement.

(2) No evaluation, study, review, or other activity pursuant to this article shall delay the planning and implementation of ongoing and planned mitigation projects, including, but not limited to, the Salton Sea Species Conservation Habitat Project or other mitigation measures pursuant to existing state and federal programs and agreements, including, but not limited to, those programs and agreements undertaken pursuant to the Quantification Settlement Agreement.

**2943.** For the purposes of considering local, publicly derived input concerning habitat objectives and actions, types and levels of public access, and integration of air quality management and habitat restoration, the secretary shall seek input from the authority with regard to the following components of restoration of the Salton Sea:

(a) Design opportunities and constraints, including the integration of the habitat, public access, and air quality management objectives.

(b) Public access and recreational components.

(c) Opportunities for economic development.

(d) Habitat mosaics and location.

(e) Vector management and predator control.

(f) Feasible financial resources to fund all recommended restoration program components.

**2945.** (a) Nothing in this article interferes with or prevents the exercise of authority by a public agency to carry out its programs, projects, or responsibilities.

(b) Nothing in this article affects requirements imposed under any other provision of law.

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

**DEPARTMENT OF WATER RESOURCES**

P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



**LETTER AGREEMENT BETWEEN THE CALIFORNIA DEPARTMENT OF WATER RESOURCES AND THE SALTON SEA  
AUTHORITY FOR COLLABORATION AND COOPERATION FOR THE IMPERIAL STREAMS SALTON SEA AND  
TRIBUTARIES FEASIBILITY STUDY**

This Letter Agreement is entered into this 13th day of December, 2022, by the California Department of Water Resources (hereinafter the "DWR") and the Salton Sea Authority (hereinafter the "Authority"), regarding the manner of their collaboration and cooperation for implementation of the Imperial Streams Salton Sea and Tributaries Feasibility Study Agreement between the Department of the Army (hereinafter the "Government"), the DWR, and the Authority executed on December 16, 2022 (hereinafter the "Agreement").

Background:

Pursuant to a resolution of the U.S. Senate Committee on Environmental and Public Works, 114<sup>th</sup> Congress, 2<sup>nd</sup> Session (April 28, 2016), the Government is authorized to investigate and recommend improvements for flood risk management, ecosystem restoration, and other water and land related resources for the Salton Sea and the vicinity. Activities and tasks required to identify and evaluate alternatives and prepare a decision document that, as appropriate, recommends a coordinated and implementable solution for ecosystem restoration and public health and safety at the Salton Sea and vicinity have been identified in the Agreement, and hereinafter, as the "Study".

DWR and the Authority have agreed to be local co-sponsors of the Study and are referred to collectively herein and in the Agreement as the "Non-Federal Sponsors".

Through this Letter Agreement, the DWR and the Authority intend to establish the manner in which they will collaborate on the Study with regard to cost sharing and decision making.

Cost Sharing:

Pursuant to the terms of the Agreement, study costs incurred by the Government and Non-Federal Sponsors after the effective date of the Agreement will be shared. The Non-Federal Sponsors will contribute fifty percent of the study costs, including by creditable in-kind contributions, in accordance with the relevant provisions of the Agreement.

Pursuant to this **Letter Agreement**, the full amount of such funding for the fifty percent cost share shall be provided to the Government by DWR through payment of funds and provision of creditable in-kind contributions.

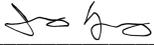
Structured Decision Making Process:

The Assistant Deputy Director for Salton Sea and the Executive Director/General Manager for the Authority will consult and endeavor to come to an agreement on all matters relevant to their obligations as Non-Federal Sponsors in the Agreement and the scope of alternatives to be analyzed, the selected plan, and the project to be recommended for construction. If there is no concurrence between them, within fourteen calendar days the Executive Director shall present the State's position to the Authority's Board of Directors (the Board) for decision. Within that fourteen day period the Board will accept, reject, or propose modifications to the State's position. If the Board rejects the State's position or proposes modifications, the Assistant Deputy Director for Salton Sea can decide to accept the Board's rejection or proposed modification, or promptly refer the matter to the Secretary of Natural Resources for resolution. The Secretary's decision shall be delivered to the Board within fourteen calendar days following referral.

Counterparts:

This Letter Agreement may be signed in two or more counterparts each of which, when executed and delivered, shall be an original and all of which together shall constitute one instrument, with the same force and effect as though all signatures appeared on a single document.

CALIFORNIA DEPARTMENT OF  
WATER RESOURCES



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James Newcomb  
Assistant Deputy Director for Salton Sea

SALTON SEA AUTHORITY



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G. Patrick O'Dowd  
Executive Director/General Manager, Salton Sea  
Authority