

## THE STUDY THAT ENDS ALL STUDIES

State Water Resources Control Board Annual Hearing — Salton Sea Management Program Performance Under Water Right Order WR 2017-0134

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

Approximately five minutes

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Thank you, Board Members. My name is Patrick O'Dowd. I am the Executive Director of the Salton Sea Authority, the joint powers agency that has served as the primary regional coordinator and non-federal sponsor for Salton Sea restoration for more than thirty years.

I want to put this moment in its proper context. What is happening at the Salton Sea right now is the result of a very long history - and understanding that history is the only way to understand what we still need to do.

### I. THE SYSTEM THAT CREATED THIS

The Salton Sea is not a natural disaster. It is not simply a California problem that developed in isolation. It is the direct result of how the federal government designed and built the Colorado River water delivery system more than a century ago.

In 1893 - before a single irrigation canal had been dug in the Imperial Valley - the engineer designing the first irrigation system calculated that the Salton Sink would receive all the agricultural drainage from the valley. That wasn't an accident. It was the plan. The Salton Sea's job, from the very beginning, was to be the drain at the bottom of the system.

In 1924, President Coolidge made it official. He formally set aside more than 100,000 acres of federal land and reserved them — in his own words — for “*creating a reservoir in Salton Sea for storage of waste and seepage water from irrigated land in Imperial Valley.*” Four years later, Congress authorized Hoover Dam and the All-American Canal. The federal drainage reservoir and the federal water delivery system were built together, in the same era, as parts of the same design.

### II. THREE TIMES THE FEDERAL GOVERNMENT WALKED AWAY

Here is what happened next - three times, the federal government looked at what it had built and deferred the obligation to the next generation.

In 1950, the man who ran the Imperial Irrigation District testified before a California legislative committee that the Salton Sea was - and I am quoting directly from the record - “*dedicated for use as a drainage and waste cesspool.*” He described the salinity getting worse every year. He said the Sea's decline was already determined. The federal government heard that testimony. It had designated this basin as its drainage reservoir twenty-six years earlier. It did nothing.

In 1974, the federal government and the State of California put out a joint report identifying real, workable plans to address the salinity problem. They said time was of the essence. They had a plan. Nobody funded it. Nobody built it. The federal government deferred action again.

In 2003, the Bureau of Reclamation completed a full status report. They looked at restoration alternatives. They knew what needed to be done. But they said they couldn't justify the cost without direction from Congress. So they sent the question back to Congress. Congress didn't answer.

*1950. 1974. 2003. Three times - the federal government acknowledged what it had built, recognized what was happening, and handed the problem to the next generation. That next generation is the people sitting in this room, and the people watching from home.*

### **III. CALIFORNIA TRIED. THE AUTHORITY BROUGHT THE FEDS TO THE TABLE.**

To be fair: California did not stand by and do nothing. When the Quantification Settlement Agreement was signed in 2003 - a water transfer that reduced flows into the Sea and was approved with the Bureau of Reclamation at the table - the State took on real restoration responsibilities. California has spent money, developed plans, and built projects at the Salton Sea. That work matters and it is appreciated.

But California could not carry a federal obligation by itself. The underlying responsibility - the one that has existed since at least 1924 - was always federal. And for decades, the federal government was not at the table in any meaningful way.

The Authority has spent thirty years trying to change that. Coordinating the regional work that no single agency would do. Building the institutional record. Developing the Perimeter Lake concept that became the basis for federal study authorization. Serving as the local non-federal sponsor that finally gave the Army Corps of Engineers the partner it needed to move forward. We did not wait for the federal government to show up. We went and got them.

### **IV. THE STUDY THAT ENDS ALL STUDIES**

And now - for the first time in the history of this basin - we have something no prior generation was able to produce.

The Army Corps of Engineers is conducting a \$22 million feasibility study - the most comprehensive federal planning effort ever undertaken at the Salton Sea. It has been designated a mega-study. It is targeting a Chief's Report that recommends construction. Not another reconnaissance. Not another pilot. Not another plan that gets shelved. A federal recommendation to build.

The federal government's own Post-2026 Colorado River environmental review now points to this study as its primary tool for addressing the Salton Sea's role in the broader Colorado River system. The Torres Martinez Desert Cahuilla Indians - whose lands have been flooded by this system for generations - have formally is demanding that the federal government account for what it has done to their trust lands.

Congress authorized a research project in 1992. A feasibility study in 2004. Pilot projects in 2007. And in 2016, Congress made a change that matters more than any of those: it replaced the words "*pilot projects*" with the word "*program*." A pilot project ends when the experiment is over. A program - one whose whole purpose is managing drainage from a water delivery system that runs every single day - does not end. In 2016, Congress shifted the authorization framework from isolated pilot projects toward an ongoing federal restoration program. We are now building the case to make that ongoing commitment permanent in fact, not just in law.

### **V. WHO SHOULD PAY FOR THIS**

One more thing that needs to be said plainly.

The communities of the Imperial and Coachella Valleys did not create this problem. They have been living with it - the dust, the health impacts, the economic burden - while shouldering costs that were never theirs to carry alone. That is not right.

The Colorado River system delivers water to 40 million people across seven states. It grows food that feeds the country. It generates power that lights the Southwest. The people who benefit from that system are not just the farmers in Imperial County. They are an entire nation.

The resources to fix what that system created at the Salton Sea should come from the people who benefit from the system - not just from the people who happen to live closest to the damage. A permanent federal funding commitment, matched to the scale of a permanent federal obligation, is not asking for a handout. It is asking for the correct accounting of who owes what, and to whom.

#### **VI. WHAT WE STILL NEED TO DO**

We have come further than any generation before us. The study is underway. The authorization chain is intact. Our federal and state partnerships are stronger than they have ever been. We are grateful for every partner in this room.

But there is real work still ahead. We need Congress to fix the language that limits how the Corps counts the benefits of this project - particularly air quality, public health, and work on federal lands. We need to accelerate the study so the recommendation lands in time for the next round of federal water legislation. We need to build the permanent funding framework so that when the recommendation comes, there is a place for it to go.

And we need this Board - and the state partners in this room - to stand with us in making clear to the federal government that the deferral is over. That the record is complete. That the obligation is real. And that the people of this region have waited long enough.

*The study that ends all studies is underway. Thirty years of work by the Authority and its partners made that possible. What comes next depends on whether the federal government finally matches the record it has been building since 1924 with the commitment that record demands.*

Thank you.