



June 8, 2026

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

**Re: Submission of Supplemental Historical Materials for the
Administrative Record, Post-2026 Colorado River Reservoir
Operations Draft Environmental Impact Statement**

Dear Secretary Burgum:

On behalf of the Salton Sea Authority, I am transmitting the enclosed *Primary Source Appendix: Federal, State, and Judicial Records Concerning the Salton Sea, 1853 to 2026* for inclusion in the administrative record for the Post-2026 Colorado River Reservoir Operations.

This submission is intended solely to supplement and clarify the existing record. It does not introduce new policy recommendations, propose new alternatives, or provide additional substantive comment on the Draft EIS.

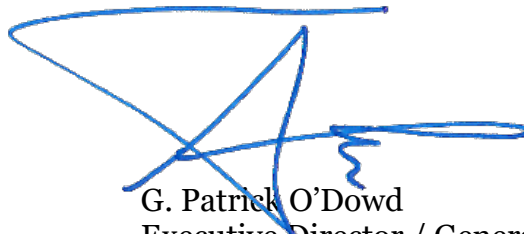
The appendix compiles verified historical, statutory, judicial, engineering, legislative, and administrative materials into a single annotated chronological reference document. The materials are presented with source citations and limited explanatory observations to assist review of their historical context and provenance. Read as a whole, the record shows that federal statutes, judicial decisions, and agency reports consistently identify the Salton Sea as the terminal drainage reservoir associated with the federal Colorado River delivery system, but do not identify a federal statute, directive, or administrative program assigning responsibility for maintaining the reservoir's elevation, salinity, or functional capacity as conditions change. The documents reflect longstanding reliance on the Sea's role in receiving agricultural drainage and return flows, yet no federal instrument assigns responsibility for sustaining that functional capacity over time.

The appendix is not intended to serve as a comprehensive history, legal memorandum, or litigation brief. It is provided to facilitate review of historical materials relevant to

subjects addressed in prior submissions by the Authority and other regional entities, including comment letters submitted by the Authority, the Torres-Martinez Desert Cahuilla Indians, Imperial County, the Coachella Valley Water District, the Imperial Irrigation District, the Colorado River Board of California, and local environmental justice organizations participating in the comment process.

The Authority respectfully requests that the enclosed materials be included in the administrative record and made available to personnel responsible for preparation of the Final Environmental Impact Statement and Record of Decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Patrick O'Dowd". The signature is stylized with a large loop at the top and a horizontal line extending to the right.

G. Patrick O'Dowd
Executive Director / General Manager

cc: Dr. Andrea Travnicek, Assistant Secretary for Water and Science,
Department of the Interior
Scott Cameron, Acting Commissioner, United States Bureau of Reclamation
David Palumbo, Deputy Commissioner, United States Bureau of Reclamation

**Primary Source Appendix
Federal, State, and Judicial Records
Concerning the Salton Sea,
1853 to 2026**

This appendix compiles publicly available federal, state, and judicial primary-source records concerning the Salton Sea and the development of the lower Colorado River delivery system, spanning the period 1853 to 2026. It is offered as supplemental material for inclusion in the administrative record.

Each entry identifies the source document, its citation, the public repository where the document is available, and a description of the document. Citations are limited to information confirmable from primary-source documents; where specific sub-identifiers cannot be confirmed, citations are limited to core document identification. The records are arranged in chronological order. Heading years reflect the year of the primary event; where a citation year differs, it reflects the year of publication or enactment.

1853. Pacific Railroad Survey, Blake Geological Report

Citation: *U.S. War Department, Reports of Explorations and Surveys for a Railroad Route from the Mississippi River to the Pacific Ocean, Volume V (1856). Library of Congress.*

Report of federal geologist William Phipps Blake documenting the Salton Sink as a closed basin below sea level with no outlet except evaporation.

1859 to 1860. Army Officer Correspondence and Congressional Committee Letters

Citation: *Correspondence from Army officers and government surveyors, 1859 to 1860, compiled for congressional consideration of the Wozencraft reclamation bill. Library of Congress.*

Correspondence describing the basin, compiled for congressional consideration of federal reclamation of the Imperial Valley.

1886. House Committee Report, Wozencraft Bill

Citation: *House Committee on Public Lands, 49th Congress, 1st Session, 1886, committee report accompanying H.R. 3219. Library of Congress.*

Committee report describing the Colorado River delta cutting off the basin from the gulf and the resulting terminal character of the basin.

1907. President Theodore Roosevelt Message to Congress Regarding the Imperial Valley and Salton Sink Crisis

Citation: *Theodore Roosevelt, message to Congress regarding the threatened destruction by the overflow of the Colorado River in the Imperial Valley and Salton Sink region, January 12, 1907. The American Presidency Project, University of California Santa Barbara (presidency.ucsb.edu).*

Presidential message recommending federal development of irrigation, storage, and conveyance facilities for Imperial Valley and the lower Colorado River following the Colorado River break of 1905.

1908. Irrigation in Imperial Valley, California: Its Problems and Possibilities

Citation: *Senate document, 60th Congress, 1st Session, prepared by the U.S. Department of Agriculture, 1908. Government Printing Office.*

Congressional document addressing irrigation development in Imperial Valley, Colorado River overflow, the Salton Sink, and proposed federal reclamation works.

1909. The Salton Sea Cases, Ninth Circuit Court of Appeals

Citation: *California Development Company v. New Liverpool Salt Company, 172 Fed. 792, 97 C.C.A. 214 (9th Cir. 1909).*

Ninth Circuit decision addressing responsibility for damages arising from the inundation of the Salton Sink during the 1905 to 1907 Colorado River break in connection with operations of the Colorado River irrigation canal system.

1914 to 1933. Hydrograph of the Salton Sea

Citation: *Hydrograph of the Salton Sea, compiled from Southern Pacific and Imperial Irrigation District gage records reduced to United States Geological Survey datum, covering 1914 to 1933. Claremont Colleges Digital Library, California Water Documents collection (ccdlib.claremont.edu).*

Colored hydrograph plotting the water-surface elevation and storage capacity of the Salton Sea against reported acre-feet wasted and lost and annual rainfall, on the authority of Imperial Irrigation District reports and United States Geological Survey capacity figures.

1919. Congressional Hearing Record, All-American Canal

Citation: *All-American Canal in Imperial County, California, Hearings before the House Committee on Irrigation of Arid Lands, 66th Congress, 1st Session, 1919. Library of Congress.*

Hearing record including testimony identifying the Salton Sea as the disposal point for surplus water carried by the drainage canal, and testimony on federal authority over Colorado River water within the United States.

1920. Kincaid Act

Citation: *Act of May 18, 1920, 41 Stat. 600. United States Statutes at Large.*

Directed the Secretary of the Interior to examine the Imperial Valley and report to Congress on the feasibility of federal participation in irrigation development, including diversion from the Colorado River at Laguna Dam.

1922. Fall-Davis Report, Problems of Imperial Valley and Vicinity

Citation: *Senate document, 67th Congress, 2d Session, submitted by A.P. Davis, Director, Bureau of Reclamation, transmitted by Secretary Albert B. Fall, 1922. Government Printing Office, 1922. Internet Archive (archive.org).*

Bureau of Reclamation analysis of the Colorado River system recommending federal construction of the All-American Canal and a storage dam at Boulder Canyon, and addressing the terminal hydrology, drainage, and water-balance conditions of the Imperial Valley and Salton Sea basin.

1922. Colorado River Compact and Proceedings of the Colorado River Commission

Citation: *Colorado River Compact, signed November 24, 1922; Minutes and Record of the Colorado River Commission Negotiating the Colorado River Compact of 1922, including the First Meeting of January 26, 1922, and the Sixth Meeting of January 30, 1922 (Table A, Areas and Water Requirements, Reclamation Service Data).* Utah State Archives, Colorado River Compact Collection.

Foundational interstate agreement apportioning beneficial consumptive use of Colorado River water between the Upper and Lower Basins; the Commission's opening session described the Imperial Valley basin as having the Salton Sea as its lowest portion, and Table A of the Sixth Meeting applied total diversion rather than consumptive use as the water requirement for California and Mexico on the stated ground that return flows from those areas were not available for reuse.

1923. USGS Water-Supply Paper 497, The Salton Sea Region, California

Citation: *U.S. Geological Survey Water-Supply Paper 497, 1923. USGS Publications Warehouse (pubs.usgs.gov).*

Survey documenting rising mineral content in the Salton Sea from the early stages of intensive irrigation development through the early 1920s.

1924. Public Water Reserve No. 90

Citation: *Executive Order of March 10, 1924, establishing Public Water Reserve No. 90. Confirmed in Public Land Order 6105, Federal Register, Vol. 47, No. 25, February 5, 1982, page 5417. National Archives.*

Withdrew federal land below the minus-220-foot contour in and surrounding the Salton Sea, reserving it as a federal repository for waste and seepage water from irrigated land in Imperial Valley; revoked by Public Land Order 6105 in 1982 as to approximately 11,550 acres, with the majority of withdrawn lands within an Indian Reservation, other withdrawals, or patented.

1928. Public Water Reserve No. 114, California No. 26

Citation: *Executive Order of February 23, 1928, establishing Public Water Reserve No. 114, California No. 26. The American Presidency Project, University of California Santa Barbara (presidency.ucsb.edu); confirmed in Executive Order 5379 (Herbert Hoover, June 24, 1930), partially revoking one parcel; revoked in entirety by Public Land Order 6105, Federal Register, Vol. 47, No. 25, February 5, 1982, page 5417. National Archives.*

Withdrew additional federal land below the minus-220-foot contour in the Salton Sink and reserved it, with Public Water Reserve No. 90, as a repository for waste and seepage water from irrigated land in Imperial Valley. Together, Public Water Reserves No. 90 and No. 114 withdrew approximately 123,360 acres.

1928. Boulder Canyon Project Act

Citation: *45 Stat. 1057, December 21, 1928. United States Statutes at Large.*

Authorized construction of Hoover Dam and the All-American Canal.

1950. Public Law 728

Citation: *Public Law 728, 81st Congress, 2d Session, August 25, 1950. United States Statutes at Large.*

Section 7 excluded from general land-sale provisions Indian lands under or adjacent to the Salton Sea below the minus-220-foot contour and authorized the Secretary of the Interior to purchase those lands for the purpose of maintaining a drainage reservoir.

1950. California Legislative Water Committee Hearing, Hewes Testimony

Citation: *Joint Legislative Committee on Water Problems, State of California, field hearing, 1950; committee report published 1951.*

Testimony of Evan T. Hewes, President of the Imperial Irrigation District Board, addressing the Sea's dedicated use as a drainage and waste receptacle and providing salinity measurements and projections.

1958. Public Law 85-801

Citation: *Public Law 85-801, 85th Congress, 2d Session, August 28, 1958. United States Statutes at Large.*

Authorized irrigation distribution and drainage works for the Cabazon, Augustine, and Torres-Martinez reservations and established a recordable first lien against Torres-Martinez trust lands for federally guaranteed water-delivery charges.

1966. USGS Professional Paper 486-C, Hydrologic Regimen of Salton Sea

Citation: *U.S. Geological Survey Professional Paper 486-C, Hydrologic Regimen of Salton Sea, California, by Allen G. Hely, G.H. Hughes, and Burdge Irelan, 1966. USGS Publications Warehouse (pubs.usgs.gov).*

Federal reconstruction of the water level, inflow, evaporation, and salinity of the Salton Sea from 1908 to 1962, finding the Sea sustained almost entirely by drainage from irrigation districts using Colorado River water and that its water level would fall if that inflow were appreciably reduced.

1969. Federal-State Reconnaissance Report

Citation: *U.S. Department of the Interior and The Resources Agency of California, Salton Sea Project, California, Federal-State Reconnaissance Report, October 1969, Bureau of Reclamation.*

Joint reconnaissance investigation finding that no agency or level of government had unilateral responsibility to stabilize the Sea and that the Sea had no priority to receive water from any source, and concluding that a diked impoundment was feasible.

1974. Federal-State Feasibility Report

Citation: *U.S. Department of the Interior and The Resources Agency of California, Salton Sea Project, California, Federal-State Feasibility Report, April 1974, four volumes.*

Joint feasibility investigation identifying four salinity-control plans, measuring salinity and projecting a fish die-off threshold, and stating that time was of the essence in initiating salinity-control measures.

1982. Public Land Order 6105

Citation: *Public Land Order 6105, Bureau of Land Management, Department of the Interior; Federal Register Vol. 47, No. 25, February 5, 1982, page 5417; signed by Garrey E. Carruthers, Assistant Secretary of the Interior, January 28, 1982; effective March 5, 1982.*

Revoked the Executive Orders of March 10, 1924, and February 23, 1928, establishing Public Water Reserves No. 90 and No. 114, in their entirety; restored approximately 13,740 acres to operation of the public land and mining laws; the order states that approximately 106,817 acres within an Indian Reservation, other withdrawals, or are patented and will not be subject to disposition under the public land and mineral laws.

1992. Federal Court Judgment, Torres-Martinez Trust Land Inundation

Citation: *United States v. Imperial Irrigation District, 799 F. Supp. 1052 (S.D. Cal. 1992), Case No. 82-1790 K; judgment entered August 20, 1992.*

Judgment in the United States' suit on behalf of the Torres-Martinez Band for trespass arising from inundation of tribal trust lands, finding that the Sea would have receded to its pre-flood level by 1923 but for irrigation and that use of the Sea as a drainage reservoir was integral to the federal program to provide water to Southern California.

1992. Public Law 102-575, Title XI, Salton Sea Research Project

Citation: *Public Law 102-575, Title XI, October 30, 1992. United States Statutes at Large.*

Authorized a federal research project to develop methods to reduce and control salinity, enhance fisheries, and protect recreational values.

1993. Formation of the Salton Sea Authority

Citation: *Joint Powers Agreement, Salton Sea Authority, June 2, 1993, California Government Code Section 6500 et seq.; formation confirmed in Public Law 105-372.*

Established the Salton Sea Authority as a joint powers authority, with original member agencies the County of Imperial, the County of Riverside, the Coachella Valley Water District, and the Imperial Irrigation District, later joined by the Torres-Martinez Desert Cahuilla Indians.

1996. S. 1893, Torres-Martinez Desert Cahuilla Indians Claims Settlement Act (not enacted)

Citation: *S. 1893, 104th Congress, 2d Session (not enacted).*

Bill containing congressional findings on the inundation of expanded reservation lands and early legislative language defining the Salton Sea as a drainage reservoir.

1997. House Subcommittee Oversight Hearing on Salton Sea Stabilization and Water Quality Improvement

Citation: *House Subcommittee on Water and Power Resources, Committee on Resources, 105th Congress, 1st Session, 1997. Library of Congress.*

Congressional oversight hearing on Salton Sea stabilization and water quality improvement, and an early federal appearance of the Salton Sea Authority by name.

1998. Public Law 105-372, Salton Sea Reclamation Act

Citation: *Public Law 105-372, November 12, 1998, 112 Stat. 3377. United States Statutes at Large.*

Directed the Secretary of the Interior to study options addressing salinity and ecological decline while permitting continued use of the Sea as a reservoir for irrigation drainage, prohibited options relying on importation of additional Colorado River water, and renamed the refuge the Sonny Bono Salton Sea National Wildlife Refuge.

1998. S. 1716, Sonny Bono Memorial Salton Sea Restoration Act (not enacted)

Citation: *S. 1716, 105th Congress, 2d Session, introduced by Senators Boxer and Feinstein, March 5, 1998.*

Bill authorizing a restoration action plan with salinity and elevation targets and restoration construction funding, not enacted.

1998. Salton Sea Project Work Plan

Citation: *Salton Sea Project Work Plan, June 18, 1998, joint document of the Salton Sea Authority and the Bureau of Reclamation, Lower Colorado Region.*

Joint planning document identifying among its objectives maintaining the Sea as a repository of agricultural drainage while supporting wildlife, recreation, sport fishery, and economic development.

2000. Draft EIS/EIR, Salton Sea Restoration Project

Citation: *Draft Environmental Impact Statement and Environmental Impact Report, Salton Sea Restoration Project, January 2000, prepared for the Salton Sea Authority by the Bureau of Reclamation and Tetra Tech, Inc.*

Joint NEPA and CEQA environmental review evaluating five restoration alternatives, identifying maintenance of the Sea as a repository of agricultural drainage as Goal 1, transmitted to Congress by Secretary Babbitt on January 27, 2000.

2000. Torres-Martinez Desert Cahuilla Indians Claims Settlement Act

Citation: *Pub. L. 106-568, Title VI, December 27, 2000, 114 Stat. 2906. United States Statutes at Large.*

Enacted the statutory definition of the Salton Sea as a drainage reservoir and conveyed permanent flowage easements to the Coachella Valley Water District and the Imperial Irrigation District over approximately 11,800 acres of tribal trust land and approximately 110,000 acres of federal land; Section 8 provides that the settlement constitutes full satisfaction of claims related to the inundation and lack of drainage of tribal and allottee lands.

2003. Bureau of Reclamation, Salton Sea Study Status Report

Citation: *U.S. Department of the Interior, Bureau of Reclamation, Lower Colorado Region, Salton Sea Study Status Report, January 2003.*

Status report evaluating fourteen alternatives with present-value cost estimates from \$800 million to over \$35 billion, recommending none for implementation, and returning the question of the Sea's future to Congress.

2013. AB 71, California Fish and Game Code Section 2940

Citation: *Assembly Bill No. 71, Chapter 402, approved September 28, 2013; author V. Manuel Perez.*

Required the Secretary of the California Natural Resources Agency, in consultation with the Salton Sea Authority, to lead restoration efforts, and authorized the Authority to lead a restoration funding and feasibility study.

2014. Memorandum of Understanding, Department of the Interior and Salton Sea Authority

Citation: *Memorandum of Understanding Between the U.S. Department of the Interior and the Salton Sea Authority, signed February 27, 2014; signatories Anne J. Castle and Jim Hanks.*

Agreement for collaboration and exchange of technical and scientific information regarding the resources of the Sea, naming the Bureau of Reclamation, Fish and Wildlife Service, U.S. Geological Survey, Bureau of Land Management, and Bureau of Indian Affairs as Department of the Interior parties.

2014 to 2016. Financial Feasibility Action Plan, Benchmarks 1 through 7

Citation: *Salton Sea Funding and Feasibility Action Plan, Benchmarks 1 through 7, Salton Sea Authority, 2014 to 2016; prepared by Tetra Tech, Inc., with the National Renewable Energy Laboratory; funded by the California Natural Resources Agency.*

Set of analyses authorized under AB 71 that introduced the Perimeter Lake concept in Benchmark 4, Volume 2.

2016. Senate Committee on Environment and Public Works, Committee Resolution

Citation: *Committee Resolution, U.S. Senate Committee on Environment and Public Works, Salton Sea and Tributaries, adopted April 28, 2016.*

Bipartisan committee resolution requesting the Secretary of the Army to review the 1943 Corps flood-control report and other reports to determine the advisability of federal participation in flood-risk management, ecosystem restoration, and related improvements for the Salton Sea.

2016. Water Infrastructure Improvements for the Nation Act, Section 1181

Citation: *Water Infrastructure Improvements for the Nation Act, Public Law 114-322, December 16, 2016, Section 1181, 130 Stat. 1628. Government Publishing Office.*

Amended Section 3032 of the Water Resources Development Act of 2007 to convert the Salton Sea pilot-projects authority into a permanent restoration program and to insert the Salton Sea Authority by name as a recognized non-federal partner.

2020. Memorandum of Understanding, California Natural Resources Agency and Salton Sea Authority

Citation: *Memorandum of Understanding Between the California Natural Resources Agency and the Salton Sea Authority, approved February 20, 2020.*

Agreement for collaboration on restoration, providing for the Secretary's ex officio participation in Authority board meetings and recognizing the Authority as the primary channel for local restoration priorities.

2020 to 2022. WRDA 2020 and the Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study

Citation: *Water Resources Development Act of 2020, Division AA of Public Law 116-260, Section 203(c), December 27, 2020; Federal Cost Share Agreement December 16, 2022, amended February 19, 2025.*

Authorized the Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study by modifying the Water Resources Development Act of 2007 Section 3032 authorization to permit a study for construction of a perimeter lake; the Authority and the California Department of Water Resources serve as joint non-federal sponsors.

2022 to 2024. Salton Sea Long-Range Plan

Citation: *Salton Sea Long-Range Plan, Salton Sea Management Program, April 2024, Rev. 1.01, California Natural Resources Agency.*

State long-range plan evaluating thirteen restoration concepts in addition to the Phase 1 Ten-Year Plan, with the Updated Perimeter Lake as Restoration Concept 3.

2026. Post-2026 Colorado River Operations Draft Environmental Impact Statement

Citation: *Bureau of Reclamation, Post-2026 Colorado River Reservoir Operations Draft Environmental Impact Statement, January 2026, Section 3.2.7.*

Draft EIS discussing the Salton Sea as a terminal receiving environment for agricultural drainage from the federal reclamation system and stating that analysis of impacts on the Salton Sea is not included in the EIS, on the rationale that Reclamation does not control end use of delivered or conserved water and has no management or enforcement authority over the Sea.