

SALTON SEA

Annotated Documentary Record Federal Recognition of and Reliance on the Salton Sea as the Receiving Environment for Lower Colorado River Operations

Current Edition: July 8, 2026.

This Record is periodically updated as additional primary source materials are reviewed.

VERIFIED entries are confirmed from primary source materials reviewed by the author.

PARTIALLY VERIFIED entries are confirmed through a combination of primary source materials and secondary references, as noted.

PRIMARY SOURCE NOT REVIEWED entries are based on secondary sources or references to primary materials that have not yet been independently reviewed.

Date intervals are stated exactly where exactness matters and rounded only where the wording itself signals approximation; elapsed-time statements in this living Record are avoided where they would become stale through periodic updates.

Agencies are identified at first occurrence by their contemporaneous legal names, with subsequent names and acronyms noted parenthetically; acronyms are used thereafter in the Record's narrative voice, while quotations and source citations preserve names as they appear in the underlying documents.

Certain entries include interpretive observations intended to explain the relevance of specific records to the broader feasibility study, WRDA authorization history, Tribal trust considerations, and ongoing regional restoration and management discussions. Where appropriate, entries identify whether underlying source material has been fully verified, partially verified, or remains subject to additional primary-source confirmation.

The Record compiles selected historical, legal, operational, and administrative records concerning the relationship between the Salton Sea and development of the lower Colorado River delivery system. It is not intended as a litigation brief or comprehensive history. It is intended to orient policymakers, agencies, and stakeholders to a recurring institutional record: for more than a century, federal, state, judicial, and regional documents have recognized the Salton Sea basin as the receiving environment for drainage, seepage, and return flows associated with Colorado River water delivery operations.

Scope and Inclusion Criteria

This Record includes federal statutes, orders, reports, judicial decisions, hearing records, agreements, and administrative materials that materially document federal knowledge, recognition, action, admission, reliance, or responsibility concerning the Salton Sea's role as the receiving environment for lower Colorado River operations. Non-federal materials are included only when they: (1) establish a physical or operational fact later adopted or relied upon by the federal government; (2) place the federal government on notice; (3) define an institution, obligation, or partnership later recognized or relied upon by federal law or federal action; or (4) demonstrate federal delegation, deferral, displacement, or reliance on another governmental process. General histories of ecology, tourism, recreation, energy development, agriculture, or community development are outside the scope of this Record unless they satisfy one or more of these criteria. Inclusion is governed by relevance to the federal thesis and evidentiary value, not by general historical interest.

Entries based on materials that are partially verified or whose primary source has not been reviewed are stated narrowly and are not assigned greater interpretive weight than their verification status supports.

The record begins before the modern Salton Sea existed. In 1853, federal geologist William Phipps Blake documented the Salton Sink as a closed basin below sea level with no outlet except evaporation. Later nineteenth-century congressional and engineering records similarly described the basin's terminal character and its dependence on introduced water. By 1893, early irrigation planning for the Imperial Valley treated the Salton Sink as the receiving terminus for waste and drainage water.

That physical reality became embedded in federal water planning during the formative period of the lower Colorado River system. Congressional hearings on the All-American Canal, the 1920 Kinkaid Act, the 1922 Fall-Davis Report, and the proceedings of the Colorado River Commission all preceded the Boulder Canyon Project Act, Hoover Dam, and the All-American Canal. Those records show that federal officials were evaluating a domestic Colorado River delivery system while also recognizing that the Salton Basin functioned as the terminal receiving area for drainage and surplus flows.

In 1924, President Coolidge issued Public Water Reserve No. 90, withdrawing more than 100,000 acres for the express purpose of creating a reservoir in the Salton Sea for storage of waste and seepage water from irrigated lands. A second withdrawal followed in 1928, the same year Congress authorized Hoover Dam and the All-American Canal. Those actions did not create the basin's terminal hydrology, but they placed the federal government's recognition of its drainage function into formal administrative action.

The consequences were also documented early. USGS records showed rapidly increasing salinity. In 1950, Imperial Irrigation District (IID) Board President Evan Hewes testified before a California legislative committee that the Sea was dedicated for use as a "drainage and waste cesspool" and described an accelerating salinity trajectory. In 1969, the Department of the Interior and the California Resources Agency identified the central institutional problem: no agency or level of government had unilateral responsibility for stabilizing the Sea, and the Sea itself had no priority to receive water from any source. The 1974 Federal-State Feasibility Report repeated that diagnosis, identified technically feasible salinity control plans, and concluded that time was of the essence. No comprehensive federal implementation framework followed.

The tribal record is inseparable from that history. Torres Martinez Desert Cahuilla Indian trust lands have remained inundated for generations. In 1992, the United States District Court for the Southern District of California found that the Sea would have receded to its pre-flood level by 1923 but for irrigation in the Imperial and Coachella Valleys, and that use of the Sea as a drainage reservoir was integral to the federal program to provide water to Southern California. Congress later enacted the Torres-Martinez Desert Cahuilla Indians Claims Settlement Act, including permanent flowage easements over tribal and federal lands within the Salton Sink.

Beginning in the 1990s, the record shifts from diagnosis to institutional response. The Salton Sea Authority was formed in 1993, following decades of federal and state recognition that no suitable local entity existed to operate, maintain, and coordinate long-term Salton Sea management. Congress recognized the Authority in the Salton Sea Reclamation Act of 1998. Bureau of Reclamation and Authority planning documents in 1998 and 2000 continued to identify maintenance of the Sea as a repository of agricultural drainage as an express project objective, while also evaluating restoration, habitat, recreation, fishery, and economic development goals.

The modern record reflects continued evolution but not final resolution. The 2003 Bureau of Reclamation Status Report returned the question of the Sea's future to Congress after evaluating

costly alternatives and declining to recommend implementation without congressional direction. California later assigned restoration coordination roles to the Natural Resources Agency in consultation with the Authority, while also authorizing the Authority to lead funding and feasibility work. Between 2014 and 2016, the Authority's benchmark studies developed the Perimeter Lake concept that became the basis for the WRDA 2020 feasibility authorization. The current Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study, now treated as a mega-study with implementation costs estimated in the billions, reflects the latest federal planning vehicle in that sequence.

The Record therefore documents a continuous institutional pattern. Federal and state actors repeatedly recognized the Sea's receiving-basin function. They repeatedly documented ecological, salinity, public health, and governance consequences. They repeatedly studied possible interventions. Regional institutions emerged to coordinate action. Congress authorized studies and programs. Yet no durable federal framework has been established commensurate with the Sea's continuing operational role in the lower Colorado River system.

That history matters now because Colorado River conservation, shortage management, and post-2026 operating decisions are likely to further reduce agricultural deliveries and associated return flows that sustain the Sea's elevation. The Bureau of Reclamation's 2026 Draft Environmental Impact Statement acknowledges the Salton Sea as a terminal receiving environment for agricultural drainage while treating Salton Sea impacts separately from the operational analysis of Colorado River management alternatives. The documentary record helps explain why that separation is difficult to sustain as a matter of planning and policy.

The Record is offered to support a more complete understanding of the Salton Sea's role in the federal water infrastructure system. It does not ask the reader to accept a conclusion without evidence. It presents the record from 1853 through 2026 so that policymakers can see the continuity for themselves.

1853 - Pacific Railroad Survey, Blake Geological Report

Source: United States War Department, Reports of Explorations and Surveys for a Railroad Route from the Mississippi River to the Pacific Ocean, Volume V (1856).

William Phipps Blake, federal geologist conducting survey work authorized by Congress and directed by the Secretary of War, documented the Salton Sink as a closed basin below sea level with no outlet. He established the basin's terminal hydrology as a matter of federal scientific record. Every subsequent federal actor had access to this description.

"The depression is evidently the ancient bed of the Gulf of California... There is no outlet, and the waters of any stream or flood which might reach this hollow would have no escape but by evaporation."

VERIFIED: Primary source. Text confirmed. Congressional document. Publicly available through the Library of Congress.

1859-1860 - Army Officer Correspondence and Congressional Committee Letters

Source: Appendices to House Report No. 1321, 49th Congress, 1st Session (1886), containing correspondence compiled for the Committee on Public Lands in connection with the Wozencraft reclamation bill. Letters dated 1859-1860.

Army officers and government surveyors described the basin in letters compiled for congressional consideration. Captain H.S. Burton, Third Artillery, U.S. Army: "I consider it an immense waste of uninhabitable country, incapable of cultivation without irrigation." B.C. Matthewson, Government Surveyor: "This section of country is of no earthly use in its present condition." John Rains noted that after the overflow of New River in 1849 he witnessed luxuriant growth of grass and other vegetation along the course taken by the water, establishing that congressional consideration of the basin already understood its response to inflow and its reversion upon evaporation.

VERIFIED: Primary source. Documents reviewed. Letters appear as appendices to House Report No. 1321, 49th Congress, 1st Session. Publicly available through Library of Congress.

1886 - House Report No. 1321, 49th Congress, Wozencraft Bill

Source: House Report No. 1321, 49th Congress, 1st Session, Committee on Public Lands, March 25, 1886. Report accompanying bill H.R. 3219.

The House Committee on Public Lands documented the terminal basin dynamic in explicit congressional language, predating Rockwood by seven years and predating the Coolidge order by thirty-eight years.

"The delta of the Colorado River extending southward has cut off communication with the waters of the gulf, and thus deprived it of a connection with its source of supply, and evaporation has changed it from an inland lake to an arid plain, whose surface is lower than the bed of the river."

VERIFIED: Primary source. Document reviewed. Publicly available through Library of Congress.

1893 - Colorado River Irrigation Company Engineering Report, Rockwood

Source: Engineering report, Colorado River Irrigation Company, C.R. Rockwood, Chief Engineer, 1893.

Later congressional and feasibility-study documents describe Rockwood's 1893 engineering report as designating the Salton Sink as the receiving terminus for waste and drainage water from the first Imperial Valley irrigation project. Those accounts identify approximately 190,000 acres surrounding the Sink as the designated drainage receiving area and describe the basin's evaporation capacity as sufficient for the system's needs. On the record presently reviewed, the receiving-terminus premise therefore predates federal authorization and was incorporated into, rather than first conceived by, the federal delivery system authorized in 1928.

PRIMARY SOURCE NOT REVIEWED: *Referenced in congressional committee reports and feasibility study documents. Originals or verified copies of this document may be available in the archives of the local water agency or regional historical repositories. Quoted language from the original report is withheld pending primary source review.*

1905-1907 - Colorado River Overflow and Presidential Message to Congress

Source: Message from the President of the United States to Congress, January 12, 1907.

The California Development Company allowed the entire Colorado River to break through an irrigation canal in 1905. For two years the river flowed uncontrolled into the Salton Basin, forming the modern Salton Sea. President Theodore Roosevelt formally addressed the overflow to Congress on January 12, 1907, confirming federal engagement with basin conditions at the highest executive level before the Compact, before the reservoir designation, before Hoover Dam. The message was incorporated into the 1909 Ninth Circuit opinion in *The Salton Sea Cases*.

PRIMARY SOURCE NOT REVIEWED: *Existence and date confirmed through the 1909 Ninth Circuit opinion. Presidential message full text not independently verified.*

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

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

The United States Circuit Court of Appeals for the Ninth Circuit recognized that legal and operational consequences arise from control of Colorado River irrigation infrastructure, independent of nominal ownership or operational designation. The court held that the entity exercising control over diversion works at the time of the relevant operations bore responsibility for the consequences of directing water into the Salton Sink. The case recognized that responsibility for the consequences of diversion operations followed operational control of the infrastructure at issue rather than nominal ownership status alone.

VERIFIED: *Primary source. Citation confirmed at 172 Fed. 792. Text reviewed. The holding on operational control as the basis for responsibility for consequences of water direction is confirmed from case text.*

1913 - United States Geological Survey Water-Supply Paper 300, Water Resources of California

Source: United States Geological Survey, Water-Supply Paper 300, Water Resources of California, Part III, 1913.

The United States Geological Survey published the first comprehensive federal operational description of the Salton Sea following the 1905-1907 Colorado River overflow. The report explained that practically all water reaching the Sea entered through the Alamo and New Rivers, which served as the drainage channels for excess and waste water generated by the Imperial Valley irrigation system and associated power plants. The report also documented the establishment of federal stream gaging stations to measure the quantity of waste water reaching

the Sea and to support evaporation studies. By 1913, the federal government had moved beyond describing the Sea's geology to documenting its operational function within the Imperial Valley irrigation system.

"The Alamo and New rivers... are the drainage channels for the excess and waste water from the irrigation system and from the power plants."

VERIFIED: Primary source. United States Geological Survey Water-Supply Paper 300 reviewed. Operational description of Alamo and New Rivers confirmed. Federal stream gaging purpose confirmed from report text.

1913-1915 - Cory, Irrigation and River Control in the Colorado River Delta; The Imperial Valley and the Salton Sink

Source: H.T. Cory, "Irrigation and River Control in the Colorado River Delta," presented to the American Society of Civil Engineers, January 8, 1913, and published in the Transactions of the American Society of Civil Engineers; republished with discussions in H.T. Cory, The Imperial Valley and the Salton Sink, San Francisco, 1915, which also contains, as Part I, William Phipps Blake, "Sketch of the Region at the Head of the Gulf of California," revised by Blake shortly before his death, and, as Part II, abstracts of the Carnegie Institution of Washington's Salton Sea studies.

H.T. Cory was chief engineer of the California Development Company, then under Southern Pacific control, during the closure of the Colorado River breach that formed the modern Sea. His own operational record fixes the chronology: the first closure was completed November 4, 1906; a Gila River flood reopened the breach in early December 1906; and the final closure was made February 10, 1907. Blake's companion sketch in the same volume describes Cory as "the engineer in charge of redirection of the Colorado River in 1906-7."

Two findings in the volume bear directly on this Record. First, the dependence calculation. Blake reports: "It is estimated by Mr. H. T. Cory, the engineer in charge of redirection of the Colorado River in 1906-7, that, if the inflow of the Colorado to the Salton is prevented, the sea will practically dry up by evaporation in about eighteen years." Blake's own computation, at eight feet of annual evaporation, gave ten and a half years; he noted that the United States Geological Survey had established stations to observe the rate of the recession then in progress. Published before the Compact, these calculations established that the Sea's continued existence was entirely dependent on irrigation return flows. The entire period of Compact negotiation, reservoir designation, and Boulder Canyon Project authorization fell within the window these publications identified as dependent upon continued irrigation inflows.

Second, the drainage function, stated by the participant engineer in the professional literature. In the paper's discussion of the flood's consequences, Cory wrote: "By far the greatest benefit was the erosion of the great Alamo and New River barrancas and the creation of the main features of a complete and comprehensive drainage system for the entire Imperial Valley," and continued: "The Salton Sink is the natural drainage sump for the region, and its absolute control should have been acquired in the very beginning, either by the irrigating company or by the land holders of the valley." He further recorded that the construction ultimately given to the New Liverpool Salt Company injunction (see 1909 entry, The Salton Sea Cases) meant the company "practically cannot object to the use of the basin as a natural sump." The engineer who closed the breach thus stated, nearly a decade before the Compact, that the flood had created the valley's drainage system, that the Sink was its terminus, and that institutional control of that terminus was an obligation recognized from the outset.

VERIFIED: Primary source. The Imperial Valley and the Salton Sink (1915) reviewed, including author's preface (San Francisco, July 31, 1915), table of contents, Part I (Blake), Part IV (the ASCE paper with discussions), and Part V (developments September 1913 to July 1915). Closure chronology confirmed from

Cory's operational tables and narrative (November 4, 1906 first closure; December 1906 re-breach; February 10, 1907 final shutoff). Eighteen-year estimate, Blake's ten-and-one-half-year computation, USGS evaporation stations, drainage-sump passages, and New Liverpool Salt Company discussion confirmed from volume text. This entry replaces a prior entry citing "Cory, Carnegie Institution of Washington, 1912"; that citation conflated Cory's 1915 volume with the Carnegie Institution studies it abstracts in Part II (MacDougal et al., The Salton Sea, Carnegie Institution of Washington Publication No. 193, 1914, not independently reviewed).

1915 - Sykes, The Reclamation of a Desert, Royal Geographical Society

Source: Godfrey Sykes, "The Reclamation of a Desert," The Geographical Journal, Volume 46, Number 6, December 1915, pp. 447-457, with map, "Reclamation of the Colorado Desert," published by the Royal Geographical Society.

Published in the journal of the Royal Geographical Society, this account by Godfrey Sykes - a longtime investigator of the Colorado delta and collaborator in the Carnegie Institution's desert studies - carried the history and function of the Salton Basin into the international scientific literature before the Compact. Sykes's chronology of the 1900-1907 development, breach, and closure corroborates Cory's account (see 1913-1915 entry); a footnote credits "Mr. H. T. Cory... who superintended the successful operations for closing the breach in the banks of the Colorado River" for the engineering data.

Sykes described the consequence of the flood in terms that anticipate the operational record of the following century: the destruction "has proved to be a most valuable factor in the later development of the region, in providing an adequate drainage system for the irrigated lands; allowing the surplus alkaline matter already in the soil, or brought thereon by the water used in irrigation, to be leached out and carried forward to the natural sump offered by the deepest and salt-impregnated portion of the basin." The accompanying Royal Geographical Society map plots the outline of the "Salton Sea in 1907" against the "approximate limits of Salton Sea in Autumn 1915" - a cartographic record of the recession then in progress, published contemporaneously with the leaching function that would later sustain the Sea. By June 1915, Sykes recorded, approximately 410,000 acres were under cultivation on both sides of the boundary, supplied with about 1,000,000 acre-feet in 1914.

VERIFIED: *Primary source. Article and map reviewed in full. Closure chronology, Cory attribution footnote, natural-sump and leaching passage, 1907 and Autumn 1915 map outlines, and cultivation and delivery figures confirmed from published text. Minor variance noted: Sykes places the 1906 rediversion "about the middle of October"; Cory's operational record fixes completion of the first closure at November 4, 1906. The Record adopts Cory's dates as the participant operational account.*

1914-1933 - Continuous Hydrographic Record of the Salton Sea ("Lucy")

Source: Hand-drawn hydrograph, Hydrograph of the Salton Sea Based on Records Noted, compiling Southern Pacific Railroad and Imperial Irrigation District gage records and Imperial Irrigation District waste reports, with elevations reduced to United States Geological Survey datum and Salton Sea capacity (acre-feet) shown on United States Geological Survey authority, approximately 1914-1933.

Continuous hydrographic records of the Salton Sea were compiled immediately following the 1913 United States Geological Survey operational assessment and throughout the foundational period of Colorado River system development. The hydrograph correlates lake elevation, storage capacity, and irrigation waste inflows during negotiation of the Colorado River Compact, issuance of Public Water Reserves 90 and 114, and authorization of the Boulder Canyon Project, providing a contemporaneous visual record of system operation during the formative period of lower Colorado River development.

VERIFIED: Primary source reviewed. Southern Pacific Railroad and IID gage record attributions, IID waste report references, and United States Geological Survey datum and capacity authority confirmed from document text.

1919 - Congressional Hearing Record, All-American Canal, House Committee on Irrigation of Arid Lands

Source: All-American Canal in Imperial County, California. Hearings before the House Committee on Irrigation of Arid Lands, 66th Congress, 1st Session. July 9, 12, and 14, 1919. Library of Congress.

These hearings established two distinct and independently significant facts on the federal legislative record.

First: the Salton Sea as drainage terminal. A congressman asked directly how the system would dispose of surplus water. The witness answered on the record: a gate is dropped into the Alamo River and it has a free run from there on to the Salton Sea, and this is primarily a drainage canal to carry off any surplus water. The Sea is named in the congressional record as the answer to the surplus disposal question three years before the Colorado River Compact was signed and nearly five years before the Coolidge withdrawal order. The hearing also confirmed the February 16, 1918 cooperative contract between the Secretary of the Interior and IID for surveys and cost estimates of the All-American Canal, and the October 23, 1918 contract for construction - both signed before the Compact was negotiated.

Second: the sovereign sequestration rationale. Thomas C. Yager, attorney for the Coachella Valley County Water District (later renamed the Coachella Valley Water District - CVWD), testified before the committee that building only a connecting link without a fully all-American canal means turning the American waters of the Colorado River into Mexico to irrigate Mexican lands while American farmers and American lands beg for this water. He stated explicitly: there is no obligation upon the United States to furnish Mexican lands with Colorado River water. He then articulated the legal consequence that has direct bearing on the Salton Sea's designation: for the federal government to divert water over a government structure and deliver it to Mexican lands would amount to a virtual recognition by our Government that these Mexican lands had a right to the waters - and that up to that point the government had most carefully and studiously avoided doing this very thing.

Phil Swing, who would later author the Boulder Canyon Project Act, then placed the legal framework on the record. He invoked Attorney General Judson Harmon's controlling opinion establishing that international law imposes no obligation upon the United States to restrain its citizens from making beneficial use of American waters so long as said waters are within the United States - even if that use reduces the volume reaching Mexico. Swing confirmed that the Mexican government had acquiesced in this interpretation and no longer claimed any right to object to diversions made within the United States. He cited Mexican engineer Garza's own acknowledgment: the Republic of Mexico cannot prevent the waters from being taken in American territory. Swing's conclusion for the committee was unambiguous: as long as water remains within the United States, the United States has absolute and supreme control and jurisdiction over it and can make any disposition of it that it desires.

These two lines of testimony together establish that Congress understood the Salton Sea basin as the receiving terminus for surplus and drainage flows generated by a federally authorized domestic Colorado River delivery system operating entirely within United States territory.

VERIFIED: Primary source. Hearing record reviewed in full. All-American Canal in Imperial County, California, Hearings before the House Committee on Irrigation of Arid Lands, 66th Congress, 1st Session, July 9, 12, and 14, 1919. Drainage terminal testimony confirmed from document text. Yager testimony confirmed

from document text, pages 184-186. Swing Harmon Doctrine testimony confirmed from document text, pages 110-111. February 16, 1918 and October 23, 1918 contract dates confirmed from document text. All quoted language verified from hearing record. Available through Library of Congress.

1920 - Kinkaid Act, Act of May 18, 1920 (41 Stat. 600)

Source: Act of May 18, 1920, 41 Stat. 600. An Act to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California. Approved May 18, 1920. Available through United States Statutes at Large.

The Kinkaid Act directed the Secretary of the Interior to examine the Imperial Valley and report to Congress on the feasibility, necessity, and advisability of Federal participation in irrigation development, including the modification, improvement, enlargement, and extension of the existing irrigation system. The examination was to address known sources of water supply, specifically diversion from the Colorado River at Laguna Dam. The statute authorized \$20,000 for the examination, with the Federal government paying no more than half and interested irrigation associations providing the balance. The Secretary was required to report to Congress by December 6, 1920.

The Kinkaid Act is the statutory predicate for the 1921 hearings before the House Committee on Irrigation of Arid Lands and for the All-American Canal authorization that followed. It placed the Secretary of the Interior on record as the Federal officer responsible for analyzing and recommending a plan for placing the Colorado River delivery system entirely within the United States - the same sovereign objective articulated in the 1919 All-American Canal hearing testimony of Phil Swing and Thomas Yager. The hearings associated with this authorization were conducted in 1921 before the House Committee on Irrigation of Arid Lands, chaired by M.P. Kinkaid of Nebraska.

VERIFIED: *Primary source. Act of May 18, 1920, 41 Stat. 600, text confirmed in full. Committee name confirmed as House Committee on Irrigation of Arid Lands from 1921 hearing record (67th Congress, 1st Session).*

1922 - Department of the Interior, United States Reclamation Service, “Problems of Imperial Valley and Vicinity”

Source: Senate Document No. 142, 67th Congress, 2d Session. Letter of submittal signed by A.P. Davis, Director, United States Reclamation Service, February 4, 1922. Letter of transmittal signed by Albert B. Fall, Secretary of the Interior, February 28, 1922. Government Printing Office, Washington, 1922. Available at the Internet Archive and the Varuna digital collection.

Senate Document 142 - the Fall-Davis Report - is the Bureau of Reclamation’s comprehensive analysis of the Colorado River system, transmitted to Congress nine months before the Colorado River Compact was signed. Secretary Fall stated that its findings and recommendations “have my hearty concurrence and approval.” The report recommended Federal construction of the All-American Canal and a storage dam at Boulder Canyon - the system Congress authorized in 1928.

The report identifies the Salton Sea’s terminal basin function directly. In the flood control analysis, Director Davis states:

“As there is no escape of water from Salton Sea except by evaporation, the river flowing into this sea would, unless diverted, gradually fill it to sea level or above and submerge the cultivated land and the towns of Imperial Valley, nearly all of which are below sea level.”

On the drainage infrastructure, the report states: “The New, the Alamo, and the Greeson River channels are ideally located for the main drainage channels of the district. At the present time

they are used as wasteways by the several water companies.” On return flow reuse, the report concludes that because of “the peculiar topographical features of the region this will be comparatively small.” The report identified the basin’s topography as a limiting factor for return-flow reuse and as a defining characteristic of the Sea’s terminal hydrology.

Recommendation 6 reflects an early Federal planning hierarchy: flood control first, irrigation second, power third - placing the irrigation system and its drainage consequences within a Federal management hierarchy that has governed the Colorado River ever since.

VERIFIED: Primary source. Text confirmed from Government Printing Office original. Key quoted passages confirmed: terminal basin characterization (pp. 7-8), drainage infrastructure (p. 73-74), return flow finding (Appendix B, p. 38), Recommendation 6 (p. 21).

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

Source: Colorado River Compact, signed November 24, 1922; Minutes and Record of the Colorado River Commission Negotiating the Colorado River Compact of 1922, including First Meeting (January 26, 1922) and Sixth Meeting (January 30, 1922), Table A - Areas and Water Requirements.

The Commission proceedings are independently significant because they document the factual assumptions underlying negotiation of the Colorado River Compact itself. During the opening session, discussion of Imperial Valley irrigation conditions described the basin as extending to the Salton Sea. Table A, prepared from Reclamation Service data and introduced during the Sixth Meeting, treated California and Mexico differently from other Lower Basin areas because return flows generated in those regions were considered unavailable for subsequent reuse. The Commission therefore applied total diversion requirements rather than consumptive-use calculations in estimating water requirements for California and Mexico. The proceedings demonstrate that return flows, drainage conditions, and terminal basin geography formed part of the factual framework considered during Compact negotiations.

VERIFIED: Primary source. Colorado River Compact and Commission Minutes reviewed. Opening session discussion of Imperial Valley basin conditions confirmed. Table A and associated discussion regarding California and Mexico water requirements confirmed from Commission records maintained by the Utah State Archives.

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

Source: United States Geological Survey Water-Supply Paper 497, The Salton Sea Region California, authored by John Stafford Brown, signed by George Otis Smith as Director, 1923.

The report documented the hydrological mechanism operating exactly as the closed basin hydrology predicted. Mineral content had increased from approximately 2,500-3,500 parts per million in 1907 to over 16,000 parts per million by 1916, a sevenfold increase in nine years, documented in a federal survey under the signature of the same Director who one year later recommended the Coolidge withdrawal order. The same federal institutional framework that documented the basin’s rising salinity conditions also participated in the subsequent withdrawal and reservoir designation process.

VERIFIED: Primary source. USGS Water-Supply Paper 497 confirmed. Text reviewed. George Otis Smith confirmed as USGS Director and signatory. The specific Director Smith correspondence recommending the Coolidge designation is confirmed at March 4, 1924 - see 1924 entry.

1924 - Public Water Reserve No. 90, President Coolidge

Source: Presidential Order establishing Public Water Reserve No. 90, recommended by USGS Director George Otis Smith by letter dated March 4, 1924. Referred to the President with

favorable recommendation by Secretary of the Interior Hubert Work, March 8, 1924. Signed by President Coolidge March 10, 1924. Six days from recommendation to Presidential signature.

President Coolidge formally withdrew 104,240 acres of federal land and reserved them explicitly for the purpose of creating a drainage reservoir for waste and seepage water from irrigated lands in Imperial Valley, California. The full chain of custody is confirmed: Smith recommendation letter March 4, Commissioner of the General Land Office William Spry concurrence March 8, Secretary Work referral, Presidential signature March 10.

“Withdrawing and reserving for the purpose of creating a reservoir in Salton Sea for storage of waste and seepage water from irrigated land in Imperial Valley, California.”

Smith’s recommendation letter stated: “This order of withdrawal (Public Water Reserve No. 90, California), involving approximately 104,240 acres, is recommended for submission to the President, in order that the lands affected thereby may be reserved for the purpose of creating a reservoir in Salton Sea for storage of waste and seepage water from irrigated land in Imperial Valley, California.”

VERIFIED: *Primary source. Text confirmed. Full chain of custody confirmed: Smith recommendation March 4, Spry concurrence March 8, Work referral, Presidential signature March 10. Public Water Reserve No. 90 and the associated recommendation and transmittal correspondence reviewed.*

1928 - Public Water Reserve No. 114

Source: Presidential Order establishing Public Water Reserve No. 114, February 23, 1928.

A second withdrawal order expanding the federal reservoir designation. Both orders were subsequently revoked by Public Land Order 6105 in 1982, a revocation that removed the administrative designation while leaving the physical and operational function entirely unchanged.

PARTIALLY VERIFIED: *Existence and date of PWR No. 114 confirmed through PLO 6105, which revokes both orders by name and date (Federal Register Vol. 47, No. 25, page 5417). Primary text of PWR No. 114 not independently reviewed in this compilation.*

1928 - Boulder Canyon Project Act

Source: 45 Stat. 1057, December 21, 1928.

The Boulder Canyon Project Act, authorizing Hoover Dam and the All-American Canal, was enacted in the same year as the expanded reservoir designation (PWR No. 114), placing the principal federal Colorado River infrastructure commitments and the federal recognition of the basin’s drainage function on the same 1928 record.

PARTIALLY VERIFIED: *Boulder Canyon Project Act statute confirmed at 45 Stat. 1057, December 21, 1928. Publicly available. The Act’s authorization of Hoover Dam and the All-American Canal is confirmed. The political interdependence with PWR No. 114 (issued the same year) is historically documented.*

1943 - Army Corps of Engineers, Preliminary Examination, Flood Control, All Streams in San Diego and Imperial Counties, California, Flowing into Salton Sea

Source: United States Army Corps of Engineers, Los Angeles District. “Preliminary Examination, Flood Control, All Streams in San Diego and Imperial Counties, California, Flowing into Salton Sea.” July 1943. Limited distribution. Cited in: Flood Plain Information, New River, Vicinity of Brawley, Imperial County, California, United States Army Corps of Engineers, Los Angeles District, 1976, page 22.

The Corps of Engineers defined the scope of its flood control study not by county boundaries or river names but by terminus: all streams flowing into the Salton Sea. The Sea is in the title and

serves as the organizing geographic reference point for the study area. The report concluded that dikes along the mountain washes on the west side of the Imperial Valley and an earth-filled dam on Pinto Wash would protect west side irrigation canals. Every proposed flood control structure - the Yuha Wash dike, the Plaster City dike, the Superstition Mountain dike - had a drain extending to the New River, which flows to the Salton Sea. The Corps' flood control solution was to redirect water into the drainage system that terminates at the Sea. The study was issued in limited distribution. The report reflects that the Corps analyzed flood control infrastructure throughout the basin in direct relation to the Salton Sea receiving system, although the recommendations were not implemented. This study was produced nearly two decades after the Coolidge executive order and several years before the California legislative hearing at which the IID board president described the Sea as a waste cesspool.

PRIMARY SOURCE NOT REVIEWED (SECONDARY SOURCE): Existence, title, date, issuing office, and summary findings confirmed through citation in the 1976 Corps flood plain report, page 22. Primary document not independently reviewed. Issued in limited distribution; believed held at National Archives, Record Group 77 (Records of the Office of the Chief of Engineers), or at the Army Corps Los Angeles District archives.

1950 - Public Law 728 (64 Stat. 470)

Source: An Act to Provide for Disposition of Lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations in California, 81st Congress, 2nd Session, Chapter 780, approved August 25, 1950.

Section 7 explicitly excludes from general land sale provisions all Indian lands located under or adjacent to the Salton Sea below the minus-220-foot contour, and authorizes the Secretary of the Interior to purchase those submerged Indian lands specifically for the purpose of maintaining a drainage reservoir. Purchase price not to exceed five thousand dollars. Lands so acquired shall be reserved for drainage reservoir purposes and shall not be disposed of without Congressional consent.

"The Secretary of the Interior is further authorized to acquire by purchase for and in behalf of the United States... any Indian lands, whether tribally or individually owned, located under or adjacent to the Salton Sea, below a contour line of two hundred and twenty feet below sea level... The lands so acquired shall be reserved for the purpose of maintaining a drainage reservoir in said Salton Sea and shall not be exchanged or otherwise disposed of without the consent of the Congress."

VERIFIED: Primary source. Statutory language confirmed. United States Statutes at Large, 81st Congress.

1950 - California Legislative Water Committee Hearing, Hewes

Source: Water Problems of California, California Joint Legislative Committee on Water Problems, field hearings, El Centro courthouse, April 25, 1950. Compiled in 1951 report to the California Legislature. Evan T. Hewes, President, Board of Directors, Imperial Irrigation District, and member of the Colorado River Board of the State of California.

Testifying before the California Joint Legislative Committee on Water Problems at the El Centro courthouse on April 25, 1950, Evan T. Hewes, President of the IID Board of Directors and a member of the Colorado River Board of the State of California, described the Salton Sea as dedicated for use as a drainage and waste cesspool for the Coachella and Imperial Valleys, and placed a measured salinity trajectory on the legislative record. In the three years preceding the hearing, the salt load reaching the Sea via the Alamo River had increased from just under two tons per acre-foot to over three tons per acre-foot; the New River carried approximately two and one-half tons per acre-foot; and accelerating installation of tile drains would raise the saline

content of inflows to between four and five tons per acre-foot within five years. He testified that the maximum inflow expectable under ultimate development, approximately 800,000 acre-feet, would be required entirely to leach salts from irrigation soils and could not freshen the Sea: “from now on the sea will continue to become saline much more rapidly.”

The entry’s significance is its conjunction with Public Law 728, enacted the same year. Congress legislated for Torres-Martinez lands beneath the federally designated drainage reservoir while the operator of the drainage system was publicly describing, in measured rather than speculative terms, the Sea’s function and its accelerating degradation. The committee compiled the testimony into its 1951 report to the California Legislature.

VERIFIED: *Primary source. Document reviewed in full. Full title: Report to the Legislature of the State of California by the Joint Legislative Committee on Water Problems, 1951. Hearing date April 25, 1950 and location confirmed. Hewes title confirmed. Cesspool characterization, salinity data (Alamo River two to three tons per acre-foot, New River two and one-half tons per acre-foot, projected four to five tons within five years), 800,000 acre-foot leaching statement, and irreversibility declaration confirmed from document text. All quoted language verified from document. Confirmations for passages removed in this edition are retained in the Record’s source file.*

1958 - Public Law 85-801 (72 Stat. 968)

Source: An Act to Provide for the Construction of an Irrigation Distribution System and Drainage Works for Restricted Indian Lands within the Coachella Valley County Water District, 85th Congress, 2nd Session, approved August 28, 1958.

Authorized construction of irrigation distribution and drainage works connecting to the CVWD system for the Cabazon, Augustine, and Torres-Martinez Indian Reservations. Established financing mechanisms that included a recordable first lien against Torres Martinez Desert Cahuilla Indians trust lands, enforceable at the time the land passes out of Indian ownership, for amounts paid by the United States to CVWD pursuant to Federal guaranty of water delivery charges. The Federal government simultaneously built the infrastructure that generates the drainage, maintained the Sea as the terminal repository for that drainage, and secured a lien against Torres Martinez trust lands for the cost of doing so.

VERIFIED: *Primary source. Statutory language confirmed. United States Statutes at Large, 85th Congress. Lien language drawn verbatim from the statute.*

1962 - Colorado River Basin Regional Water Quality Control Board, Resolution No. 62-5

Source: Colorado River Basin Regional Water Quality Control Board, Resolution No. 62-5, March 1962, stating policy regarding disposal of sewage and other wastes into Salton Sea and adjacent areas. Reviewed as reproduced in the Preface to the 1965 Pomeroy reconnaissance study (see 1965 entry).

In March 1962 the Colorado River Basin Regional Water Quality Control Board adopted Resolution No. 62-5, stating its policy regarding disposal of sewage and other wastes into the Salton Sea and adjacent areas. The resolution’s first enumerated beneficial use restates the federal withdrawals of 1924 and 1928: “The Federal Government reserved specific parcels of land for the purpose of creating a reservoir in Salton Sea for storage of waste and seepage water from irrigated land in Imperial Valley. This reservoir also receives waste and seepage water from irrigated land in Coachella Valley, and receives drainage waters from the combined watershed.” The resolution simultaneously identified beneficial uses to be protected, including National Wildlife Refuge purposes; aquatic and wildlife resources providing hunting, fishing, and aesthetic values; production of organisms supporting the food chain for fish, waterfowl, and

shore birds; and widespread and increasing recreational and aesthetic activities in and surrounding the Sea.

This is the earliest state regulatory recognition in the Record of the Sea's drainage-reservoir function, and it precedes the engineering studies. State water-quality regulation of the Salton Sea was expressly constructed upon the federal drainage-reservoir designation, and from its first regulatory articulation the drainage function was paired with named public values requiring protection. The 1965 reconnaissance study (see 1965 entry) took the maintenance of these beneficial uses as its contractual objective, making Resolution No. 62-5 the regulatory premise of the modern salinity-control record.

PARTIALLY VERIFIED: Resolution reviewed as reproduced in the Preface to the 1965 Pomeroy report; quoted and enumerated language confirmed from that reproduction. The original resolution of the Regional Board (now the Colorado River Basin Regional Water Quality Control Board, Region 7) has not been independently reviewed and is pending retrieval.

1965 - Reconnaissance Study and Preliminary Report on a Water Quality Control Plan for Salton Sea (Pomeroy Report)

Source: Richard D. Pomeroy and Henry Cruse, Pomeroy, Johnston and Bailey, Engineers, Pasadena, California. Prepared for the California State Water Quality Control Board under Standard Agreement No. 12-1, dated July 1, 1964. Transmitted December 30, 1965.

The first comprehensive engineering study of salinity control for the Salton Sea, and the "Preliminary (Pomeroy) Report" identified in the 1968 timetable (see 1968 entry). The study implements the beneficial-use policy reflected in Resolution No. 62-5 (see 1962 entry): its contractual objective was to determine the feasibility of permanently maintaining water quality at a level suitable for the beneficial uses set forth in that resolution. The report's first summary finding states the Sea's function without qualification: "Salton Sea exists as a permanent body of water because of the inflow of irrigation drainage water from Imperial, Mexicali, and Coachella Valleys. It is the natural sink to which these waters must drain."

The report characterizes the Sea's ocean-like condition as "accidental and ephemeral"; warns that without engineering controls the fishery would be seriously damaged "probably some time between 1970 and 1980"; identifies diking off a section of the Sea as "a final sink for collecting salt" as the most economically favorable control plan - the impoundment geometry that recurs in substantially every subsequent state and federal proposal; states in transmittal that "early action is necessary to preserve the Sea"; and recommends that "a special agency should be established to manage the conservation of Salton Sea," twenty-eight years before formation of the Salton Sea Authority.

Federal agencies, including the Bureau of Reclamation, the United States Geological Survey, the United States Public Health Service, and the International Boundary and Water Commission, participated through the advisory structure that reviewed the progress reports and the preliminary draft of the final report. The dated forecast of fishery collapse was therefore contemporaneously available to federal participants as the work was developed. This is an early federal-notice event, not merely a state study.

VERIFIED: Primary source. Report reviewed, including letter of transmittal (December 30, 1965), Preface, Summary, and table of contents. Quoted language from the transmittal letter, Summary findings 1, 3, 4, 5, and 9, the study objective, and the advisory committee membership confirmed from document text. Resolution No. 62-5 reviewed as reproduced in the report's Preface (see 1962 entry).

1966 - United States Geological Survey Professional Paper 486-C, Hydrologic Regimen of Salton Sea, California

Source: United States Geological Survey Professional Paper 486-C, Hydrologic Regimen of Salton Sea, California, by Allen G. Hely, G.H. Hughes, and Burdge Irelan, 1966.

This federal scientific study reconstructed the hydrologic history of the Salton Sea from 1908 through 1962 using measured inflows, evaporation rates, storage records, and salinity data. The report found that the Sea was 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. Published more than four decades after Public Water Reserve No. 90 and nearly four decades after authorization of the Boulder Canyon Project, the report documented the continuing hydrologic dependence of the Sea upon imported irrigation water and drainage generated by the lower Colorado River delivery system.

VERIFIED: Primary source. United States Geological Survey Professional Paper 486-C reviewed. Findings regarding inflow sources, water balance, and dependence upon irrigation drainage confirmed from report text and supporting hydrologic analyses.

1968 - Assembly Bill 461 (Veysey), Salton Sea Advisory Committee, and First Coordinated Meeting of Federal, State, and Local Government

Source: Victor V. Veysey (Assemblyman, 75th District), "Like Race Between Two Glaciers," Desert Sun, Volume 42, Number 64, October 17, 1968. California Digital Newspaper Collection; Chapter 392, Statutes of California, 1968 Regular Session (creating the Salton Sea Advisory Committee), approved by the Governor and filed with the Secretary of State on June 26, 1968.

In June 1968 the Governor signed Assembly Bill 461 (Veysey), establishing the Salton Sea Advisory Committee. In October 1968 the committee met for the first time with the Federal Bureau of Reclamation-State Resources Agency Task Force - described by the bill's author, in a contemporaneous published column, as "the classic first confrontation" bringing "three levels of government with a common objective - to save the Salton Sea." Veysey noted that responsibility for the project was "scattered among nine federal bureaus and seven state departments," and that "man has never before devised a remedy for a similar situation. This is pioneering."

The column published a working timetable: completion of the preliminary (Pomeroy) report, December 1965 (see 1965 entry); a joint reconnaissance report by June 1969; a two-year feasibility study beginning 1969-1970; earliest consideration of project funding in 1972; funding and design 1972-1973; and "possible completion of first phase construction" in 1975. The reconnaissance report was completed on schedule and appears in this Record at 1969; no element of the construction timeline was ever executed. The column also reported a contracted economic evaluation by Developmental Research Associates of Los Angeles finding recreational utilization of nearly 1,500,000 user-days per year, with projected Southern California demand of six to seven times that level by 2020.

The enacted statute itself declares the Sea's dual character in the same conjunction the Record traces from 1962 forward: "the primary use of the Salton Sea area is for collection of agricultural drainage, seepage, leaching and control waters," and that "other uses of the Salton Sea include recreation and fish and wildlife development, enhancement, and preservation." This 1968 legislative finding precedes the 1969 joint Interior-California finding of the same character (see 1969 entry) by one year and anticipates the 2010 finding of SB 51 (see 2010 entry) by forty-two years. The committee itself was composed entirely of regional appointees - six members from Riverside County, six from Imperial County, two from CVWD, and two from IID - with no state or federal seat; the statute required the Resources Agency to keep the committee "fully informed on all matters pertaining to the Salton Sea" and to consult with it on all such matters, a state-to-regional coordination duty enacted forty-five years before the parallel duty of AB 71 (see 2013 entry).

The entry documents that by 1968 federal participation in Salton Sea salinity control was formally organized, that a complete path from study to construction had been published by the responsible state legislator, and that the path terminated - an early, dated instance of the study-without-implementation pattern recorded at 1969 and 1974.

VERIFIED: Primary source. Newspaper column reviewed in full from the California Digital Newspaper Collection. Chapter 392, Statutes of 1968, reviewed in full: approved by the Governor and filed with the Secretary of State on June 26, 1968. Committee structure, timetable, agency counts, and quoted language from the Desert Sun column confirmed from the published text. Statutory findings (Sections 2-3), committee composition (Section 5), and the Resources Agency liaison duty (Section 9) confirmed from the enacted chapter text. Attribution to Assembly Bill 461 rests on the Desert Sun account; the chapter text itself does not display the originating bill number, and the bill-to-chapter correspondence has not been independently confirmed against the legislative index.

1969 - Department of Interior and California Resources Agency, Federal-State Reconnaissance Report

Source: United States Department of the Interior and The Resources Agency of California, Salton Sea Project, California, Federal-State Reconnaissance Report, October 1969. Bureau of Reclamation, Boulder City, Nevada. Digitized by Google Books from the University of California library copy stamped received April 30, 1970.

The 1969 Reconnaissance Report was the predecessor investigation that authorized the 1974 Federal-State Feasibility Report. It is independently significant because it establishes that the institutional diagnosis - no responsible party, no water entitlement - was not a conclusion reached after years of additional study. It was the predicate finding of the reconnaissance investigation itself, stated in 1969 as the legal and institutional framework within which any remediation program would have to operate. The Federal and State governments identified the gap in 1969, confirmed it again in 1974, recommended authorization, and Congress did not act.

The report opens with the same operational statement that would carry forward verbatim into the 1974 report:

“The primary use of the Salton Sea is to serve as a repository for storage of agricultural drainage and seepage waters.”

Chapter II, Legal and Institutional Environments, then states the two findings that the 1974 report would carry forward identically:

“No agency or level of government has unilateral responsibility to stabilize the water level, limit the salinity, or control the nutrient-related problems of the Salton Sea. Many agencies - Federal, State, and local - have legislative or administrative responsibilities, or own or administer lands, that would be affected by such programs. Related public and private investments totaling more than \$900 million, and Federal loans and grants of nearly \$66 million, also impose attendant responsibilities that must be considered.”

“The Salton Sea itself has no priority to receive water from any source. Drainage and seepage waters, that perennially sustain the Sea, are the incidental result of beneficial uses of water, governed by existing laws, agreements, and court decrees. The primary use of the Sea to store these drainage and seepage waters is ensured by a Federal Public Water Reserve, and other public and private lands, set aside to provide a drainage repository.”

The 1969 report also contains a third formulation of the responsibility finding in its legal and institutional chapter: “No single agency or level of government has unilateral responsibility for the initiation or implementation of a comprehensive action program for the Sea. Moreover, unilateral action by one agency or level of government might well be adverse to the statutory,

contractual, or vested interests of the other governmental agencies or private parties concerned.” This formulation is more complete than the summary version: it does not merely describe the absence of a responsible party. It identifies why unilateral action by any one party would be legally and institutionally untenable.

The reconnaissance concluded that a diked impoundment was feasible and economically justified at a benefit-cost ratio of 1.4 to 1.0, and recommended further feasibility studies. The 1974 Federal-State Feasibility Report was the direct product of that recommendation. The chain runs from 1969 diagnosis, to 1974 confirmation with four priced solutions and a time-is-of-the-essence finding, to no congressional action in the more than half a century since.

VERIFIED: Primary source. Salton Sea Project, California, Federal-State Reconnaissance Report, United States Department of the Interior and The Resources Agency of California, October 1969. Bureau of Reclamation, Boulder City, Nevada. Document reviewed in full.

1974 - Department of Interior and California Resources Agency, Federal-State Feasibility Report

Source: United States Department of the Interior and The Resources Agency of California, Salton Sea Project, California, Federal-State Feasibility Report, April 1974. Joint report of the U.S. Department of the Interior and The Resources Agency of California. Four volumes.

The joint Federal-State feasibility investigation produced the first comprehensive technical and institutional analysis of the Salton Sea’s condition and the options available to address it. The report identified four viable salinity control plans ranging from \$58 million (Plan D) to \$141 million (Plan C) in 1974 dollars. It measured salinity at approximately 38,000 parts per million, rising at 550 parts per million per year, with fish die-off projected above 40,000 parts per million, approximately eighteen months away at the measured rate. The earliest any control plan could be authorized, constructed, and operational was calendar year 1979, by which point salinity was projected to exceed 42,000 parts per million, already past the fish die-off threshold.

The report stated the Sea’s operational function and institutional status in the same prefatory section. Three sentences appear together in the Summary:

“The primary use of the Salton Sea is to serve as a repository for storage of agricultural drainage and seepage waters.”

“No agency or level of government has unilateral responsibility for the Salton Sea.”

“The Salton Sea itself has no priority to receive water from any source.”

The first sentence establishes the operational premise. The second identifies the institutional gap. The third establishes the legal status. Read together, they constitute the Federal and State governments’ own diagnosis, in 1974: a system with a defined drainage function, no responsible party, and no enforceable water right.

Conclusion 10 of the report stated: “Time is of the essence in initiating salinity control measures that would accomplish the objectives of the project.” Congress did not act.

Conclusion 6 identified a structural cost-sharing problem that has persisted for fifty years: existing laws and policies pertaining to cost allocation, reimbursement, and cost sharing for Federal projects were not entirely applicable to the Salton Sea Project, because its beneficial effects were not conjunctively related to customary project purposes such as water supply, flood control, and energy production. The report concluded that authorizing legislation would need to include reimbursement and cost sharing provisions designed specifically for this project.

The report further noted that there was presently no suitable local agency to operate, maintain, and administer any salinity control project, and that a new local district would need to be formed under State law for this purpose, with broad representation from the various interests at the Sea.

VERIFIED: Primary source. Salton Sea Project, California, Federal-State Feasibility Report, United States Department of the Interior and The Resources Agency of California, April 1974. Document reviewed in full. All quoted language verified from document text. Salinity measurements, cost ranges, timeline projections, and institutional conclusions confirmed from Summary and Conclusions sections.

1982 - Public Land Order 6105

Source: Public Land Order 6105, Bureau of Land Management, Department of the Interior. Published Federal Register Vol. 47, No. 25, Friday February 5, 1982, page 5417. Signed by Garrey E. Carruthers, Assistant Secretary of the Interior, January 28, 1982. Effective date March 5, 1982.

Revoked the March 10, 1924 and February 23, 1928 presidential orders establishing Public Water Reserves 90 and 114 in their entirety while leaving the basin's physical drainage function unchanged. Restored approximately 13,740 acres to operation of the public land laws and full operation of the mining laws, including both metalliferous and nonmetalliferous mineral location under the United States mining laws and mineral leasing. The order contains two acreage figures for the non-restorable lands: the summary states 106,817 acres and the body of the order states 106,871 acres. The physical and hydrologic function of the Salton Sea basin as a receiving environment was not altered by the revocation. The drainage function continued the day after PLO 6105 exactly as it had under the formal reservoir designation. The restored acres were opened to mineral leasing.

VERIFIED: Primary source. Federal Register citation confirmed at Vol. 47, No. 25, page 5417. Signatory Garrey Carruthers confirmed. Dates confirmed. Both acreage figures confirmed from document text. The PWR No. 114 acreage was not independently verified against the primary source for this Record; the PLO 6105 figures - approximately 13,740 acres restored to public land laws, with 106,817 acres (summary) and 106,871 acres (body) noted as non-restorable - are treated as the controlling Federal determination of the combined withdrawal's extent at the time of revocation. Internal numerical discrepancy is a documented fact in the original Federal Register publication.

1988 - Oral History Interview with Hon. Victor V. Veysey, California State Archives State Government Oral History Program

Source: Oral History Interview with Hon. Victor V. Veysey, California State Assemblyman, 1963-1970; United States Congressman, 1971-1975. Conducted July 8, July 14, and September 14, 1988, Pasadena, California, by Enid Hart Douglass, Oral History Program, Claremont Graduate School, for the California State Archives. Salton Sea discussion principally at pp. 265-270.

Twenty years after authoring the 1968 state framework, Veysey placed on the archival record a retrospective account of the Salton Sea problem as understood by its participants. He described the drainage mechanism plainly: tile drains placed beneath irrigated ground carried leached salts to the Salton Sea. He recounted the agricultural position of the period - that the Sea was simply the place where irrigation wastewater was disposed of - and the countervailing state declaration, which he carried, that the Sea was not merely an agricultural sump but water designated for multiple beneficial uses, including recreation and fishing.

Veysey also stated the jurisdictional conclusion the fishery and development interests reached after study: the problem required federal involvement because the water itself was federal - the undertaking was too large for the state, and the water originated in the Colorado River, a federal irrigation project. He described carrying the dike-impoundment concept from the Legislature to

Congress, where federal officials declined to proceed on the grounds of cost and competing priorities; after his departure from Congress, he recalled, no one pursued it. The declination he describes rested on funding and priority - not on any disclaimer of the Sea's relationship to the federal delivery system. Speaking in 1988, he observed that the dire predictions had not yet fully materialized but in his view eventually would.

The entry serves as corroboration rather than foundation. The regulatory and engineering record of 1962-1965 establishes the Sea's dual status - drainage terminus and protected public resource - in formal instruments; the oral history confirms the same conflict in plain political language, from a legislator who worked the issue at both the state and federal levels and who understood the matter to involve federal responsibility and multiple beneficial uses, not merely an agricultural sump.

VERIFIED: *Primary source. Transcript reviewed; content confirmed from transcript text at pp. 265-270. The manuscript's terms of use provide that no part may be quoted for publication without written permission of the California State Archivist or the Director, Oral History Program, Claremont Graduate School; accordingly, this entry paraphrases and does not quote the transcript. Direct quotation may be restored in a future edition if written permission is obtained.*

1992 - Federal Court Judgment, Torres Martinez Trust Land Inundation

Source: United States v. Imperial Irrigation District, 799 F. Supp. 1052 (S.D. Cal. 1992). Docket No. 82-1790-K. Chief Judge Keep. United States District Court, Southern District of California. July 17, 1992.

The United States sued IID and CVWD on its own behalf and on behalf of the Torres-Martinez Band for trespass arising from the inundation of tribal trust lands by agricultural drainage. Chief Judge Keep found that the Salton Sea would have receded to its pre-flood level by 1923 but for irrigation in the Imperial and Coachella Valleys - a federal judicial finding that the modern Salton Sea is entirely a product of agricultural drainage. The court found that using the Sea as a drainage reservoir was an integral part of the federal program to provide water to Southern California. The court identified longstanding governmental omissions: the Secretary of Interior never exercised the 1950 statutory authority to purchase the Indian lands, the President was never specifically alerted in a documented manner that the 1924 and 1928 withdrawals contained Indian land, and the court concluded that governmental actions had failed to prevent the resulting conflict among the parties. The court stated explicitly: the band is suing these defendants largely because the United States inadequately protected Indian property rights. The court confirmed from trial exhibits that the clearly stated purpose of the PWR's was to provide an evaporation pan for surplus and waste water from Imperial Valley irrigation development. This judgment was the direct precursor to the congressional settlement legislation that followed in 1996 and 2000.

VERIFIED: *Primary source. Full opinion reviewed. Citation confirmed at 799 F. Supp. 1052. Docket number, court, judge, and date confirmed. Key judicial findings confirmed from opinion text.*

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

Source: Public Law 102-575, Title XI, Section 1101, approved October 30, 1992, 106 Stat. 4661.

Congress authorized a \$10 million federal research project to develop methods to reduce and control salinity, enhance fisheries, and protect recreational values. The authorization acknowledged the Sea's deteriorating condition while leaving the drainage designation and operational structure entirely intact. No operational constraints were imposed on the agricultural drainage system. No remediation mandate was established.

VERIFIED: *Primary source. Statute confirmed at 106 Stat. 4661. Public Law number and provisions verified.*

1993 - Formation of the Salton Sea Authority

Source: Joint Powers Agreement, Salton Sea Authority, June 2, 1993. California Government Code Articles I and II, Chapter 5, Division 7, Title 1, commencing with Sections 6500 et seq. Formation date and statutory basis confirmed in the Salton Sea Reclamation Act of 1998, Public Law 105-372, Section 2(2), and the 2014 Memorandum of Understanding between the United States Department of the Interior and the Salton Sea Authority.

The Salton Sea Authority was formed on June 2, 1993, as a joint powers authority under California Government Code Section 6500 et seq. The original member agencies were the County of Imperial, the County of Riverside, CVWD, and IID. The Torres Martinez Desert Cahuilla Indians subsequently joined the Authority and today remain one of its member agencies. Its formation mandate was to direct and coordinate actions relating to improvement of water quality and stabilization of water elevation and to enhance recreational and economic development potential of the Sea and other beneficial uses, recognizing the importance of the Sea for the continuation of the dynamic agricultural economy in Imperial and Riverside counties.

The 1974 Federal-State Feasibility Report had found that there was presently no suitable local agency to operate, maintain, and administer any salinity control project, and that a new local district would need to be formed under State law with broad representation from the various interests at the Sea. The Authority was formed nineteen years after that finding. The Authority's formation established the regional institution upon which subsequent federal action would rely: the 1998 Salton Sea Reclamation Act embedded it as a required party to the memorandum of understanding governing federal study obligations; the 2014 Department of the Interior memorandum of understanding established a ten-year, secretarial-level collaboration with the Authority and identified points of contact across five Interior bureaus; and the WRDA 2020 feasibility study proceeds with the Authority as a joint non-Federal sponsor.

VERIFIED: *Formation date June 2, 1993 confirmed from Public Law 105-372, Section 2(2), and the 2014 DOI-SSA MOU Explanatory Recital D. Member entity composition confirmed from both documents. Statutory formation authority confirmed as California Government Code Section 6500 et seq. Formation mandate language confirmed from 2014 DOI-SSA MOU Explanatory Recital D. 1974 Feasibility Report finding on absence of suitable local agency confirmed from Record entry for that document.*

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

Source: S. 1893, 104th Congress, 2nd Session, Report No. 104-360, introduced June 19, 1996, reported without amendment September 3, 1996.

Congressional findings established on the face of the federal legislative record that the 1909 expansion of the Torres-Martinez Reservation added 12,000 acres, 9,000 of which were then submerged under the Salton Sea, and that the majority of those lands remain inundated due in part to drainage water from the irrigation systems of the Imperial, Coachella, and Mexicali Valleys. The 9,000 acres refers to the portion of the 1909 addition then submerged; the approximately 11,800 acres addressed in the 2000 Settlement Act (see 2000 entry) is total inundated trust land within and below the minus 220-foot contour. Introduced the operative statutory definition of the Salton Sea as a drainage reservoir.

“The term ‘Salton Sea’ means the inland body of water located in Riverside and Imperial counties in California, which serves as a drainage reservoir for water from precipitation, natural runoff, irrigation return flows, wastewater, floods, and other inflow from within its watershed area.”

VERIFIED: Primary source. Bill number, session, and report number confirmed. Quoted language verified from bill text. Acreage figures stated as they appear in the congressional findings, Section 2(a)(3) of the reported bill, which state the 1909 figures without qualification.

1997 - House Subcommittee on Water and Power Oversight Hearing

Source: House Subcommittee on Water and Power Resources of the Committee on Resources, 105th Congress, First Session. Oversight hearing on Salton Sea Stabilization and Water Quality Improvement. October 3, 1997, Palm Desert, California.

The first congressional oversight hearing specifically on Salton Sea stabilization and water quality improvement. Representative Sonny Bono presided. Tellis Codekas testified as chairman of the Salton Sea Authority and simultaneously as a director of CVWD. The Fish and Wildlife Service regional director confirmed three decades had passed since formal diagnosis with conditions worsening. Bureau of Reclamation confirmed federal involvement dating to the late 1960s and early 1970s. Remediation cost estimates ranged from \$40 million to \$2 billion. No funding was committed. No solution was selected. No agency accepted responsibility.

VERIFIED: Primary source. Document reviewed. Hearing date, forum, and witnesses confirmed from document text. 105th Congress, First Session confirmed. First federal congressional appearance of the Salton Sea Authority by name confirmed.

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

Source: Public Law 105-372, approved November 12, 1998, 112 Stat. 3377.

Directed the Secretary of the Interior to conduct a feasibility study of options to address salinity and ecological decline. The operative mandate established the drainage function as the fixed premise within which all remediation options must be designed - not an outcome to be weighed against alternatives. Simultaneously prohibited any option relying on importation of new or additional water from the Colorado River, foreclosing the one intervention most capable of diluting accumulated salinity. Authorized \$10 million for wildlife studies and \$3 million for river reclamation. No construction authorized. The Salton Sea National Wildlife Refuge was renamed the Sonny Bono Salton Sea National Wildlife Refuge.

“The Secretary shall complete all studies... of the feasibility and benefit-cost of various options that permit the continued use of the Salton Sea as a reservoir for irrigation drainage...”

VERIFIED: Primary source. Statute confirmed at 112 Stat. 3377. Quoted language verified.

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

Source: S. 1716, 105th Congress, 2nd Session, introduced by Senators Boxer and Feinstein, March 5, 1998. Referred to the Committee on Environment and Public Works. Not enacted.

Authorized \$30 million for a restoration action plan with specific enforceable salinity and elevation targets, \$300 million for restoration construction, and \$7 million for wildlife studies. Gave the Secretary authority to proceed with construction within 30 legislative days of submitting a final report unless Congress intervened. Died in committee. What passed in its place was Public Law 105-372 at less than one percent of S. 1716's authorized funding level and with no construction mandate. Congress had before it a fully developed restoration framework with enforceable benchmarks and construction authority. It declined to enact it.

VERIFIED: Primary source. Bill number, session, and sponsors confirmed. Authorization amounts and procedural provisions verified from bill text.

1998 - Salton Sea Project Work Plan, Bureau of Reclamation and Salton Sea Authority

Source: Salton Sea Project Work Plan, June 18, 1998. Joint document of the Salton Sea Authority and the Bureau of Reclamation, Lower Colorado Region, Boulder City, Nevada.

This joint planning document, co-authored by the Salton Sea Authority and the Bureau of Reclamation, formally lists among its proposed project objectives “maintaining the Sea as a repository of agricultural drainage from the Imperial and Coachella Valleys.” This is not a historical characterization or a background condition. It is a stated operational objective of a federal agency in an active planning document, co-authored with the Authority, twenty-four years after the 1974 Federal-State Feasibility Report documented the ecological consequences of that same function. The document lists as additional objectives providing a productive environment for resident and migratory birds and endangered species, restoring recreational uses, maintaining a viable sport fishery, and providing opportunities for economic development along the shoreline, all premised on a Sea sustained by continued agricultural drainage inflows. The Work Plan confirms that as of 1998 the Bureau of Reclamation understood and incorporated the drainage repository function as a continuing operational premise, rather than a legacy condition.

“maintaining the Sea as a repository of agricultural drainage from the Imperial and Coachella Valleys” (Salton Sea Project Work Plan, June 1998, Bureau of Reclamation, Lower Colorado Region, and Salton Sea Authority, proposed project objectives).

VERIFIED: Primary source reviewed in full. Joint authorship of Bureau of Reclamation, Lower Colorado Region and Salton Sea Authority confirmed. Date confirmed June 18, 1998. Quoted language confirmed from project objectives section. All five project objectives confirmed.

2000 - Draft Environmental Impact Statement/Environmental Impact Report, Salton Sea Restoration Project

Source: Draft Environmental Impact Statement/Environmental Impact Report, Salton Sea Restoration Project. January 2000. Prepared for the Salton Sea Authority and prepared by the United States Department of Interior, Bureau of Reclamation, and Tetra Tech, Inc. State Clearinghouse No. pending. Riverside and Imperial Counties, California.

The January 2000 Draft EIS/EIR was prepared for the Salton Sea Authority and by the Bureau of Reclamation and Tetra Tech, Inc. The Authority served as Lead Agency for the California Environmental Quality Act review; the Bureau of Reclamation served as Lead Agency for the National Environmental Policy Act review. The document identified fourteen cooperating agencies: the United States Environmental Protection Agency, the United States Army Corps of Engineers, the United States Geological Survey, the Torres Martinez Band of Cahuilla Indians, the United States Bureau of Indian Affairs, the United States Fish and Wildlife Service, the United States Bureau of Land Management, IID, CVWD, the Regional Water Quality Control Board, the California Department of Fish and Game, Riverside County, and Imperial County.

The abstract states: “The Bureau of Reclamation and the Salton Sea Authority are proposing to maintain and restore the ecological and socioeconomic values of the Salton Sea, an artificially maintained body of water in south central California.” The document identified five project goals. Goal 1 is stated as: “Maintain the Sea as a Repository of Agricultural Drainage.” Goals 2 through 5 address wildlife, recreation, sport fishery, and economic development opportunities respectively. Five restoration alternatives plus a No Action alternative were evaluated across a two-phase framework: Phase 1 through 2030 and Phase 2 through 2100. The document was transmitted to Congress by Secretary of the Interior Babbitt on January 27, 2000, fulfilling the reporting requirement of the Salton Sea Reclamation Act of 1998. No alternative was selected. No construction was authorized. No funding was committed.

VERIFIED: Primary source. Document reviewed. Cover page confirmed: prepared for the Salton Sea Authority; prepared by the United States Department of Interior, Bureau of Reclamation, and Tetra Tech, Inc. Co-lead agency structure confirmed: Bureau of Reclamation as NEPA lead; Salton Sea Authority as CEQA lead. Fourteen cooperating agencies confirmed from cover page. Abstract language confirmed. Five project goals confirmed from table of contents. Goal 1 designation as "Maintain the Sea as a Repository of Agricultural Drainage" confirmed from table of contents. Transmission date January 27, 2000 confirmed from 1998 Act reporting requirement and Appendix A of the 2003 Reclamation Status Report. Document is 767 pages. Digitized by Google Books from library copy.

2000 - Torres-Martinez Desert Cahuilla Indians Claims Settlement Act (Public Law 106-568)

Source: H.R. 4643, 106th Congress, enacted 2000, Public Law 106-568.

Enacted the operative statutory definition of the Salton Sea as a drainage reservoir. Conveyed permanent flowage easements to both CVWD and IID over approximately 11,800 acres of Torres-Martinez tribal trust land and approximately 110,000 acres of federal land, all within and below the minus-220-foot contour of the Salton Sink. The settlement reflects the United States' dual role as trustee for the Torres-Martinez Tribe and as holder of federal lands within the basin. Section 7(a)(2) conveyed the federal land easement notwithstanding any prior or present reservation or withdrawal of land of any kind. Section 8 provides that the settlement constitutes full satisfaction of claims arising from or related to the inundation and lack of drainage of tribal and allottee lands. The release is bounded by its own subject: claims arising from or related to the inundation and lack of drainage of tribal and allottee lands described in Section 1778 and further defined in the Settlement Agreement. Claims arising from other conditions - including recession of the Sea, exposure of formerly submerged lands, and conditions consequent to reduced inflows - are not addressed by that operative release language. Section 1778g separately provides that, except as provided in the subchapter or the Settlement Agreement, existing rights are not affected or diminished.

"The perpetual right by the water districts to use the described lands in the Salton Sink within and below the minus 220-foot contour as a drainage reservoir to receive and store water from their respective water and drainage systems, including flood water, return flows from irrigation, tail water, leach water, operational spills and any other water which overflows and floods such lands, originating from lands within such water districts."

VERIFIED: Primary source. Public Law number, session, and statutory language confirmed. Quoted language verified from enacted text. The Salton Sea Authority is named in the enrolled bill as a party.

2002 - Oversight Field Hearing, Implementation of the California Plan for the Colorado River, House Subcommittee on Water and Power

Source: Implementation of the California Plan for the Colorado River. Oversight Field Hearing before the Subcommittee on Water and Power, Committee on Resources, U.S. House of Representatives, 107th Congress, 2d Session, June 14, 2002, La Quinta, California. Serial No. 107-129. U.S. Government Printing Office, 2003. Companion instrument: Written Testimony of Tom Kirk, Executive Director, Salton Sea Authority, marked as Exhibit 1, State Water Resources Control Board, IID Transfer Phase 2 proceedings, revised April 12, 2002, transmitted under cover letter of the same date.

Nearly sixteen months before execution of the Quantification Settlement Agreement, the Subcommittee on Water and Power convened a field hearing on implementation of the California 4.4 Plan. The lead federal witness was Bennett W. Raley, Assistant Secretary for Water and Science, Department of the Interior. Witnesses also included the California Department of Water

Resources, IID, CVWD, the Metropolitan Water District, the San Diego County Water Authority, Imperial County, the Regional Administrator of EPA Region 9, the Pacific Institute, Defenders of Wildlife, and Tom Kirk, Executive Director of the Salton Sea Authority. Statements submitted for the record included Gregory L. James, Director, Inyo County Water Department, on the Owens Valley experience, and Les W. Ramirez, Special Counsel for Water Resources and Environmental Affairs, Torres-Martinez Desert Band of Cahuilla Indians. The hearing record therefore assembles, in a single federal legislative document, the transfer proponents, the responsible federal officials, the regional receiving-basin institutions, the Owens Valley precedent, and the Tribe, at the moment the transfer architecture was being settled.

The sponsoring member placed the air quality consequence on the record before approval. Congresswoman Mary Bono's opening statement recorded that Imperial County's childhood asthma hospitalization rate was more than twice the state average and warned that, if the transfers proceeded without mitigation, more than 105 square miles of seabed could be exposed, compared with approximately 75 square miles at Owens Lake in the Owens Valley, which she described, citing EPA, as the dustiest place in the United States:

"I have not been assured that the impact of the QSA, which will have a dramatic impact on the sea, will not cause considerable harm to the air quality in this region. Whether it be an increase in PM-10, air toxics, or stench, these concerns extend far beyond the immediate area of the Salton Sea and impact the entire Southern California region."

Kirk's prepared statement placed the cost consequence of reduced inflows on the congressional record. Restoration was projected at approximately \$250 million present value under continuation of inflows near the historic average, rising to \$2 to \$3 billion or more under the reduced inflows described in the Transfer EIR/EIS, a per-unit impact of \$200 to \$300 per acre-foot reduced per year, approximately the contract price of the transferred water itself. Federal legislation then pending capped the environmental contribution at \$60 million. The statement posed the unassigned-responsibility question directly:

"Whether the Proposed Project's and/or legislative financial contributions to restoration are \$60 million or \$160 million, if the Proposed Project's impact on the Sea is well over \$1.5 billion, who will pick up the difference?"

The prepared statement also identified the analytical mechanism by which the transfer's impacts were reduced on paper. Measured against historic average inflows of approximately 1.34 million acre-feet per year, the Sea's fishery was projected to collapse after 2060; the Transfer EIR/EIS instead adopted a new baseline of approximately 1.23 million acre-feet per year, under which the fishery collapses by about 2023, compressing the disclosed temporal impact of the transfer from roughly fifty years to eleven or twelve:

"The Transfer EIR does not measure its impacts against the historic average, instead, a new baseline is defined... I believe the baseline used significantly understates the temporal and other inflow-related impacts."

In oral testimony, Kirk traced the same rationale, that the Sea would decline regardless of the transfer, to the earlier IID-MWD transfer proceeding:

"In 1988, under the IID-MWD water transfer before the State Water Resources Control Board, we were told then, go ahead and transfer water because the sea would be dead by the time it reached 40 parts per thousand. The Sea is at 44 parts per thousand today."

The Ramirez statement for the Torres-Martinez Tribe, printed as the closing document of the hearing record, restated the segmentation and baseline objections and framed their consequences in terms of the United States' fiduciary obligations to the Tribe. On the segmentation of

environmental review: the NEPA process “has been so severely segmented that it is impossible to conduct informed and meaningful assessments,” and the fragmentation “not only renders public scrutiny impossible, it improperly diffuses the responsibility for the foreseeable environmental impacts.” On the baseline: the action agencies “have relied upon faulty assumptions in the development of their environmental baseline,” and “[u]se of this scientifically unsound environmental baseline allows the action agencies to avoid addressing critical issues.” On the trust obligation: approval of the plan in its then-current form by the Department of the Interior “would constitute a breach of the United State’s fiduciary duty to protect the trust assets of the Tribe.” The statement recorded that the 1905-1907 flows inundated approximately 2,000 acres of the Reservation, that projected recession would expose submerged tribal lands covered with unstable sediments, and that the agencies’ saline-crust stability assumption was contradicted by the Owens Lake record. Placed against the entries that precede and follow it, the statement documents that the segmentation objection, the baseline objection, and the trust-breach claim were each stated on a federal legislative record by tribal counsel in June 2002, before the transfer was approved.

The record also fixes the Tribe’s institutional status at the hearing date. Kirk’s prepared statement recites that the Authority was formed by IID, Imperial County, the Coachella Valley Water District, and Riverside County, and that “[s]tate legislation passed last year will allow the Torres Martinez Desert Cahuilla Tribe to be a full member of the Authority in the future,” dating the enabling legislation to 2001 and the Tribe’s membership as prospective as of June 2002.

VERIFIED: Primary source. Printed hearing record reviewed in full. Serial No. 107-129, U.S. Government Printing Office, 2003. Kirk oral testimony confirmed at pp. 98-99; prepared statement at pp. 100-106; unassigned-responsibility passage at p. 101; baseline passage at p. 102; enabling-legislation passage at p. 100. James statement confirmed at pp. 132-133. Ramirez statement confirmed at pp. 133-136; all quoted language verified from document text, including the source document’s rendering “United State’s.” Companion instrument reviewed: SSA Exhibit 1, revised April 12, 2002, bearing the State Water Resources Control Board exhibit stamp, IID Transfer Phase 2, with Kirk transmittal letter to Arthur Baggett, Jr. of the same date; the exhibit presents substantively identical testimony to the state tribunal nine weeks before the federal hearing, with figures stated as \$1.7 billion and a forty-year temporal impact in the April version and \$2 to \$3 billion and approximately fifty years in the June version, an evolution preserved as stated in each document. Bono opening statement confirmed at pp. 3-4, including the childhood asthma hospitalization figure and the 105 square mile exposure comparison. Companion instrument reviewed: Addendum to the Joint Powers Agreement Creating the Salton Sea Authority to Include the Torres-Martinez Desert Cahuilla Indians as a Member, together with the official proceedings of the Salton Sea Authority Board of Directors dated December 18, 2003. On that date, the Authority Board approved the revised addendum and directed staff to submit it to the original members and the Tribe for their review and approval. Formal approvals and execution continued into 2004. Section I states that the Tribe’s membership is effective January 1, 2002, while Section VII provides that the addendum becomes effective upon formal approval by the governing bodies of the Authority, the original members, and the Tribe. The June 2002 description of membership as prospective and the January 2004 description of membership as pending accurately reflect the status reported in the respective hearing records. The companion exhibit and its transmittal letter are to be maintained in the Record’s source file.

2003 - Bureau of Reclamation, Salton Sea Study Status Report

Source: United States Department of the Interior, Bureau of Reclamation, Lower Colorado Region, Boulder City, Nevada. Salton Sea Study Status Report. January 2003.

The Bureau of Reclamation published its Status Report on the Salton Sea Study in January 2003, continuing work on alternatives developed in the January 2000 Draft EIS/EIR for which the Salton Sea Authority was the procuring entity and CEQA Lead Agency. The study was conducted under the memorandum of understanding framework the Salton Sea Reclamation Act of 1998 mandated between the Secretary of the Interior, the Salton Sea Authority, and the Governor of California. The Authority’s role as co-initiating party to the study effort is

established by the June 18, 1998 joint Work Plan, co-authored by the Authority and the Bureau of Reclamation, Lower Colorado Region, nearly five months before the Act was signed, which structured the study framework this report documents.

The Status Report evaluated fourteen alternatives across four categories: salinity control, salinity and elevation control, causeway and barrier concepts, and specialized diking, with present value cost estimates ranging from \$800 million to over \$35 billion. Every alternative was extremely expensive. None was recommended for implementation. The report stated explicitly:

“given that all of the alternatives identified to date are extremely expensive, it is difficult, if not impossible, to make any recommendation without a decision by Congress regarding the relative importance of the Sea in light of other pressing national priorities.”

The report confirmed the Sea’s operational function in its opening paragraph, describing the modern body of water as formed by the 1905 Colorado River levee breach and sustained since then by agricultural drainage flows from the Imperial, Coachella, and Mexicali Valleys. It documented salinity at approximately 44,000 milligrams per liter, above the 40,000 mg/L fish die-off threshold identified in the 1974 Federal-State Feasibility Report, and confirmed that salinity would continue to rise under all modeled inflow scenarios. The report is the third federal diagnostic document in the sequence running from the 1969 Federal-State Reconnaissance Report through the 1974 Federal-State Feasibility Report. Each confirmed the operational function, documented deteriorating conditions, identified viable interventions, and produced no implemented solution. The question was returned to Congress in January 2003. No Congressional determination of national priority followed.

VERIFIED: Primary source. Bureau of Reclamation, Lower Colorado Region, Salton Sea Study Status Report, January 2003. Document reviewed in full. Quoted language confirmed from Executive Summary. Cost ranges confirmed from Tables 1 and 2 and Executive Summary. Salinity figures confirmed from Section 1.1 and Executive Summary. MOU requirement confirmed from Section 1.3 and Attachment A (Public Law 105-372). Co-initiating role of the Salton Sea Authority established by the June 18, 1998 joint Work Plan of the Bureau of Reclamation, Lower Colorado Region, and the Salton Sea Authority, which predates the Act by five months and structured the study framework this report documents.

2003-2004 - Accession of the Torres-Martinez Desert Cahuilla Indians to the Salton Sea Authority

Source: Addendum to the Joint Powers Agreement Creating the Salton Sea Authority to Include the Torres-Martinez Desert Cahuilla Indians as a Member; official proceedings of the Salton Sea Authority Board of Directors, December 18, 2003.

On December 18, 2003, the Authority Board approved the revised form of an addendum providing for the admission of the Torres-Martinez Desert Cahuilla Indians as a member agency and directed staff to submit it to the original members and the Tribe for their review and approval. Formal approvals and execution continued into 2004; the Joint Powers Agreement compilation includes an Imperial County execution dated February 3, 2004. Section I of the addendum states that the Tribe’s membership is effective January 1, 2002. Section VII provides that the addendum becomes effective upon formal approval by the governing bodies of the Authority, the original members, and the Tribe.

The accession expanded the regional institution Congress had recognized by name in the Salton Sea Reclamation Act of 1998 and brought the federal trust beneficiary whose lands lie beneath the drainage reservoir into that institution’s governance. In subsequent records, the Tribe appears in two related but distinct capacities: as a sovereign to which the United States owes trust and consultation obligations, and as a member agency of the regional body upon which federal statutes, memoranda of understanding, and the current federal feasibility study rely. That dual

institutional position explains why the Tribe and the Authority appear, separately and together, in later federal proceedings.

VERIFIED: *Primary sources. Addendum title, Section I effective-date provision, and Section VII effectiveness provision confirmed from the Joint Powers Agreement compilation. Board approval and direction to circulate of December 18, 2003 confirmed from official proceedings. Imperial County execution dated February 3, 2004 confirmed from the Joint Powers Agreement compilation. The June 2002 hearing record (Serial No. 107-129) describes membership as prospective and the January 2004 hearing record (Serial No. 108-61) describes it as pending; both descriptions accurately reflect the accession process as documented here.*

2004 - Field Hearing, Air Quality Issues in the Coachella Valley, House Subcommittee on Energy and Air Quality

Source: Air Quality Issues in the Coachella Valley. Hearing before the Subcommittee on Energy and Air Quality, Committee on Energy and Commerce, U.S. House of Representatives, 108th Congress, 2d Session, January 12, 2004, Palm Desert, California. Serial No. 108-61. U.S. Government Printing Office, 2004.

One year after the Bureau of Reclamation's January 2003 Status Report returned the question of the Sea's future to Congress, and three months after execution of the Quantification Settlement Agreement, a congressional subcommittee sat in Palm Desert to examine the air quality consequences of reduced deliveries to the receiving basin. Witnesses included Riverside County Supervisor S. Roy Wilson, testifying as Vice Chairman of the South Coast Air Quality Management District governing board; Tom Kirk, Executive Director of the Salton Sea Authority; the Chairman of the Coachella Valley Association of Governments Energy and Environmental Resources Committee; and the Acting Deputy Director of the EPA Region 9 Air Division. The prepared statement of Theodore D. Schade, the registered professional civil engineer who spent thirteen years developing and implementing the Owens Lake dust control program for the Great Basin Air Pollution Control District, was submitted at the request of a subcommittee member and ordered into the record without objection.

Kirk's testimony quantified the receiving basin's exposure trajectory on the congressional record: approximately 80 square miles of lakebed exposed within thirty years of transfer implementation, and, if exposed playa emitted at only one percent of Owens Lake rates, approximately 2,500 tons of PM₁₀ per year, compared to 328 tons per year from all mobile and stationary sources in the Coachella Valley combined. His prepared statement identified selenium and other elements of concern concentrated in sediments at the north end of the Sea, including the Whitewater delta area projected to be exposed, and documented the summer monsoon reversal that directs storms north into the Coachella Valley. It then posed the responsibility question as a question, noting that the transfer parties' mitigation obligation was capped at \$133 million for all mitigation costs and that the State of California would presumably be financially responsible for any additional costs:

"If there is an air quality problem from a receding Sea, who will be responsible for 'fixing' it?"

"The nation cannot afford another Owens Lake problem, this time centered in a region of a million people."

Schade argued that potential emissions could and should have been quantitatively estimated before diversions began, and that they had not been. His statement recorded that the Transfer EIR/EIS declined to provide a quantitative emissions estimate and substituted a "qualitative assessment," an approach Schade described as one that had been inappropriate at Mono Lake and at Owens Lake, where research, testing, and modeling reduced the uncertainties; that a crude estimate at one-tenth of Owens Lake emissivity yielded 8,000 tons of PM₁₀ per year and peak

24-hour concentrations eight times the federal standard; and that if that work indicated a potential air quality problem, a control plan needed to be in place before water diversions began. Its conclusion:

“In my opinion as an expert in the air quality problems caused by the diversion of water from saline lakes, the diversion of water from the Salton Sea to the City of San Diego will cause some level of air pollution in the Salton Basin... Everyone involved with the Salton Sea needs to admit that they could be involved in creating an enormous environmental catastrophe and commit the time and money necessary to determine the magnitude of the problem and implement the necessary solutions.”

Under questioning, the Environmental Protection Agency acknowledged on the record that measures it had recommended were not incorporated into the final agreement. Larry Biland, EPA’s Owens Valley project manager, testified that the agency had provided detailed comments during the transfer process, beginning with an air monitoring program and including soil characterization studies of the shoreline projected for exposure, and stated: “We did provide those comments, but they were not incorporated into the final agreement.” The Acting Deputy Director acknowledged that the agency had elected not to elevate its concerns to the Council on Environmental Quality. The exchange places on the federal legislative record EPA’s acknowledgment that its recommended monitoring and shoreline-study measures were not incorporated into the final agreement, while the Department of the Interior served as the lead federal agency in the process.

Supervisor Wilson’s testimony requested immediate federal assistance for three specific scientific efforts: ambient PM10 monitors in the communities between the northern shore of the Sea and the district’s nearest existing station at Indio; a sand movement monitoring network replicating the federally funded Owens Valley dust inventory work; and mitigation field project assessments, so that preventative controls could be tested before, rather than after, exposure. His prepared statement recorded that no air monitoring stations existed in the growing area of the Coachella Valley nearest the Salton Sea, that much of this area is tribal land, and that the people of the communities in this area are predominantly lower-income minority populations. The hearing record thus documents that the absence of monitoring infrastructure serving the tribal and disadvantaged communities closest to the receiving basin was identified to Congress, with a specific federal funding request, in January 2004.

The record’s attachments reproduce the South Coast Air Quality Management District’s October 10 and October 24, 2002 comment letters to the State Water Resources Control Board, submitted before the transfer was approved. The October 10 letter objected that the Board’s draft order “implies that full mitigations for certain impacts only need to be mitigated for 15 years and declares that any impacts after 15 years are, by definition, unmitigable,” and the October 24 letter stated that mitigation measures for fugitive dust “can and should be implemented for the life of the project.” The regional air regulator’s contemporaneous objection to the fifteen-year mitigation structure is therefore preserved within the congressional record itself. In the hearing transcript, Congresswoman Mary Bono asserted a federal nexus, describing the Sea’s modern formation as the result of a “Federal accident” and stating that the Quantification Settlement Agreement was negotiated at the behest of the Secretary of the Interior and Bennett Raley, the same Interior official who had appeared as the lead federal witness in the June 2002 hearing record (Serial No. 107-129). Kirk’s prepared statement described the Authority as comprised of IID, CVWD, Imperial County, Riverside County, “and, pending, the Torres Martinez Desert Cahuilla Tribe,” a description consistent with the formal approval process then still underway. The hearing itself made no assignment of responsibility and contained no federal funding

commitment for the monitoring and preventive-control program requested by the regional air regulator.

VERIFIED: *Primary source. Printed hearing record reviewed in full. Serial No. 108-61, U.S. Government Printing Office, 2004. Wilson testimony beginning at p. 7; Kirk testimony beginning at p. 11; EPA testimony beginning at p. 19; Schade prepared statement at pp. 60-64; SCAQMD letters of October 10 and October 24, 2002 reproduced at pp. 66-69; CVAG correspondence at pp. 70-72. Kirk exposure and emissions figures confirmed from oral testimony and prepared statement, including Figure 8 comparison. Biland exchange and Haber CEQ acknowledgment confirmed from hearing transcript. Bono statements asserting a federal origin, the fifteen-year window, and the role of the Secretary of the Interior and Bennett Raley confirmed from hearing transcript. Wilson tribal-land and monitoring-gap language confirmed from prepared statement. All quoted language verified from document text. Submission of the Schade statement at a member's request and the presiding chairman's order, without objection, confirmed from hearing transcript. Note on Tribal membership: the June 2002 hearing described the Tribe's Authority membership as prospective. On December 18, 2003, the Authority Board approved the revised addendum and directed staff to submit it to the original members and the Tribe for their review and approval. The formal approval process remained underway when the January 12, 2004 hearing occurred; Kirk's description of the Tribe as "pending" was therefore accurate at the time. Section I of the addendum states that Tribal membership is effective January 1, 2002, while Section VII provides that the addendum becomes effective upon formal approval by the governing bodies of the Authority, the original members, and the Tribe. Formal approvals and execution continued after the hearing and at least through February 3, 2004.*

2010 - SB 51 (Ducheny), Salton Sea Restoration Council, California Fish and Game Code Section 2940

Source: Senate Bill No. 51, Chapter 303, Statutes of 2010. Approved by Governor September 25, 2010; filed with Secretary of State September 27, 2010. Author: Senator Ducheny; coauthors Senator Steinberg, Assembly Members V. Manuel Pérez and Salas. Adding Article 2 (commencing with Section 2940) to Chapter 13 of Division 3 of the Fish and Game Code.

SB 51 established the Salton Sea Restoration Council as a state agency within the Natural Resources Agency - the only state agency ever created specifically to oversee restoration of the Salton Sea - and required the Council to report to the Governor and the Legislature by June 30, 2013, with a recommended restoration plan. The legislative findings enacted at Section 2940 state the Sea's dual character in a single sentence: "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." The findings further declare that the Sea "is threatened by increasing salinity and reduced inflows," changes that "increasingly threaten unparalleled wildlife resources at the sea, as well as air quality in the region" - legislative recognition of the reduced-inflow threat and its air quality consequence, enacted seven years before the scheduled end of Quantification Settlement Agreement mitigation water deliveries. The statutory finding that the Sea is a "repository for agricultural drainage" places in California statute the same operational characterization the Bureau of Reclamation had adopted in the 1998 Salton Sea Project Work Plan (see 1998 entry).

The Council's governing structure contemplated seats for the Imperial County and Riverside County Boards of Supervisors, CVWD, IID, the Torres Martinez Desert Cahuilla Indians, and the Cabazon Band of Mission Indians, each contingent on that body's agreement to participate, with nonvoting federal participation including representatives of the United States Environmental Protection Agency, the Bureau of Reclamation, the Fish and Wildlife Service, the Army Corps of Engineers, the United States Geological Survey, the Bureau of Land Management, and the Department of Defense - a composition closely paralleling the Salton Sea Authority's membership, with federal participation built in across the agencies holding land, water, wildlife, and infrastructure responsibilities in the basin. Section 2947 expressly denied the Council any regulatory authority, including authority over land use, water rights held by others,

and air quality. Staffing was to be provided by the Departments of Fish and Game and Water Resources through interagency agreements, using staff dedicated to Salton Sea activities “or other staff provided by legislative action.”

The statute also directed the Council to request the Salton Sea Authority’s assistance in organizing the local government forum, convening its regular meetings, transmitting information from the executive committee to the forum, and carrying recommendations from the forum back to the executive committee - confirming that even the state-created Council depended on the Authority for local-government coordination. The Legislature did not treat the Authority as displaced by the Council; it made the Authority part of the Council’s operating structure.

The Council did not survive to its own deadline. As enacted, the article contained no sunset provision; a repeal date was added by subsequent legislation, and the Council sunsetted on January 1, 2013 - six months before its statutory report date - without having delivered the recommended restoration plan (see 2013 entry, recording the sunset in the AB 71 Legislative Counsel’s Digest). AB 71 then declined to reconstitute a state agency, vesting the coordinating function in the Secretary of the Natural Resources Agency in consultation with the Authority. The sequence - a dedicated institution created in 2010, terminated before its first deliverable, and replaced by a consultation framework - is the modern instance of the institutional pattern this Record documents from the 1965 recommendation forward: the need for a dedicated conservation management agency is recognized, briefly answered, and left unfilled.

VERIFIED: *Primary source. Chaptered bill text reviewed in full. Chapter number, approval and filing dates, author and coauthors, Section 2940 findings language, June 30, 2013 report requirement, council composition including tribal seats and nonvoting federal members (EPA, Reclamation, Fish and Wildlife Service, Army Corps of Engineers, USGS, Bureau of Land Management, Department of Defense), the Salton Sea Authority assistance provision for the local government forum, Section 2947 limitations, and staffing provisions confirmed from chaptered text. The chaptered text contains no sunset provision; the January 1, 2013 sunset is confirmed from the AB 71 Legislative Counsel’s Digest (see 2013 entry, verified). The intermediate statute adding the repeal date has not been identified and reviewed; pending retrieval.*

2013 - AB 71, California Fish and Game Code Section 2940, Salton Sea Restoration

Source: Assembly Bill No. 71, Chapter 402, approved by Governor September 28, 2013. Filed with Secretary of State September 28, 2013. Adding Article 2 (commencing with Section 2940) to Chapter 13 of Division 3 of the Fish and Game Code. Author: V. Manuel Pérez.

AB 71 required the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts, and separately authorized the Authority to lead a restoration funding and feasibility study in consultation with the Agency. The Salton Sea Restoration Council, previously established as a state agency in the Natural Resources Agency to oversee restoration (see 2010 entry), had sunsetted on January 1, 2013. Rather than reconstitute a state agency, the Legislature vested the coordinating function in the Secretary acting in consultation with the Authority, and authorized the Authority to lead the study process.

Section 2942(b)(1) authorized the Authority to lead a restoration funding and feasibility study to investigate funding sources, analyze economic development opportunities including renewable energy, mineral development and algae production, identify state procurement and royalty sharing opportunities, and review existing long-term restoration plans and recommend changes to the Secretary. Section 2943 required the Secretary to seek input from the Authority with regard to design opportunities, public access, economic development, habitat mosaics, vector management, and feasible financial resources for all recommended restoration program components. The Legislature expressly acknowledged the statute as an unfunded mandate, noting in Section 2 that no state reimbursement was required because the only costs incurred by

the Authority were the result of a program for which legislative authority was requested by the Authority itself.

The statute's relevance to this Record is the reliance structure it created: the consultation-and-coordination framework within which the Authority undertook the benchmark studies that produced the WRDA 2020 authorization concept, and the state restoration leadership, vested in the Natural Resources Agency, whose long-range planning process Reclamation would later invoke in excluding Salton Sea impacts from analysis in the Post-2026 Draft Environmental Impact Statement.

VERIFIED: Primary source. AB 71, Chapter 402, text confirmed in full. Approval date September 28, 2013 confirmed. Author V. Manuel Pérez confirmed. Legislative Counsel's Digest confirmed. Restoration Council sunset date January 1, 2013 confirmed from Digest. Section 2942(b)(1) study authorization confirmed. Section 2943 input requirements confirmed. Unfunded mandate acknowledgment confirmed from Section 2 of the enrolled bill.

2014 - Memorandum of Understanding, United States Department of the Interior and Salton Sea Authority

Source: Memorandum of Understanding Between the United States Department of the Interior and the Salton Sea Authority for Collaboration and Exchange of Technical and Scientific Information Regarding the Resources of the Salton Sea. Signed February 27, 2014. Signatories: Anne J. Castle, Assistant Secretary for Water and Science, Department of the Interior; Jim Hanks, President, Salton Sea Authority.

The MOU was entered into by the Department of the Interior and the Salton Sea Authority for the purpose of collaboration in connection with actions affecting resources of the Sea and identification of opportunities for practical and implementable projects for mitigation and improvement of conditions in and around the Sea. The DOI signatory was Anne J. Castle, Assistant Secretary for Water and Science, signing at the secretarial level. Named DOI parties included the Bureau of Reclamation, the United States Fish and Wildlife Service, the United States Geological Survey, the Bureau of Land Management, and the Bureau of Indian Affairs, with identified points of contact in each bureau.

Explanatory Recital G states: "Significant funds and efforts have been invested by both Parties to date on topics including, but not limited to, science, engineering, and community outreach at the Sea." Recital F notes that any actions should recognize and further the implementation of the Colorado River Water Delivery Agreement of 2003 and related agreements. General Provision B states that nothing in the agreement obligates DOI or the United States to any current or future expenditure of resources in advance of the availability of appropriations from Congress, and that the agreement does not obligate DOI, the United States, or the Authority to spend funds on any particular project or purpose even if funds are available. The MOU carried an initial term of ten years from its effective date.

VERIFIED: Primary source. MOU reviewed in full. Execution date February 27, 2014 confirmed from signature page. Signatories confirmed: Anne J. Castle, Assistant Secretary for Water and Science; Jim Hanks, President, Salton Sea Authority. Five DOI bureau points of contact confirmed from Section IV. Recital G language confirmed from document text. General Provision B language confirmed from document text. Ten-year term confirmed from General Provision J.

2014-2016 - Financial Feasibility Action Plan, Benchmarks 1-7, Salton Sea Authority

Source: Salton Sea Funding and Feasibility Action Plan, Benchmarks 1 through 7. Salton Sea Authority, 2014-2016. Prepared by Tetra Tech, Inc., with subcontractors including the United States Department of Energy, National Renewable Energy Laboratory (Benchmark 6). Funded

by grant from the California Natural Resources Agency to the Salton Sea Authority. All benchmark documents publicly available through the Salton Sea Authority website.

The Financial Feasibility Action Plan constituted a set of scientific, engineering, and economic analyses performed over 2014 through 2016, authorized under AB 71 and funded by a grant from the California Natural Resources Agency to the Salton Sea Authority. The grant was managed by the Authority and executed by a consulting team led by Tetra Tech, Inc. The primary objective was to develop a roadmap toward a comprehensive solution to the Salton Sea's environmental concerns in the context of current funding opportunities and constraints. The work was performed in parallel with a related effort by IID and Imperial County identified as the Salton Sea Restoration and Renewable Energy Initiative.

The work was completed in seven benchmarks. Benchmark 1 was the Work Plan. Benchmark 2 reviewed and updated existing hydrology and water quality condition data. Benchmark 3 evaluated all prior restoration alternatives, including the State of California's 2007 preferred alternative, the Salton Sea Authority's 2006 preferred plan, the Bureau of Reclamation's 2007 six alternatives, the Pacific Institute's 2001 proposal, and the U.S. Filter Corporation's proposal, against current and projected hydrology. Benchmark 4, Volume 1 evaluated ten water import and export options. Benchmark 4, Volume 2 introduced the Perimeter Lake concept: a new approach involving construction of a lake around the perimeter of the Sea along with a central saline pool, designed to take into account the immediate need for action, limitations on water supply, and the possibility of constructing a project with incremental funding. Benchmark 5 conducted an infrastructure financing feasibility analysis, identifying the Authority's statutory authority under California Government Code Section 53395.9 to form Infrastructure Financing Districts for the purpose of funding construction of projects for the reclamation and environmental restoration of the Salton Sea. Benchmark 6, prepared by the United States Department of Energy's National Renewable Energy Laboratory, analyzed the technical and market potential of geothermal, solar photovoltaic, and concentrating solar power development as revenue streams for restoration. Benchmark 7 provided an integrated project summary.

The Perimeter Lake concept introduced in Benchmark 4, Volume 2 became the conceptual foundation for the authorization language in Section 203(c) of the Water Resources Development Act of 2020, which directed the Secretary of the Army to carry out a study for the construction of a perimeter lake, or a northern or southern subset thereof, for the Salton Sea, California. All benchmark documents and supporting data and analysis tools were placed in the public domain upon completion.

VERIFIED: *Primary sources. Benchmark 3 (August 2015), Benchmark 4 Volume 2 (May 2016), and Benchmark 7 (May 2016, updated May 2020) reviewed. CNRA grant funding confirmed from Benchmark 7 Executive Summary. Tetra Tech authorship confirmed. DOE/NREL role as Benchmark 6 subcontractor confirmed from Benchmark 7 Executive Summary. AB 71 authorization confirmed. Seven-benchmark structure confirmed. Perimeter Lake concept introduction in Benchmark 4 Volume 2 confirmed. IFD statutory authority under California Government Code Section 53395.9 confirmed from Benchmark 5 description in Benchmark 7. Public domain status of all documents confirmed from prefatory notice on each benchmark document.*

2016 - Senate Committee on Environment and Public Works, Committee Resolution, Salton Sea and Tributaries

Source: Committee Resolution, United States Senate Committee on Environment and Public Works. "Salton Sea and Tributaries, Riverside, Imperial, and San Diego Counties, California." Adopted April 28, 2016. Signed by the Chairman and Barbara Boxer, Ranking Minority Member.

The Senate Environment and Public Works Committee adopted a bipartisan resolution on April 28, 2016 requesting the Secretary of the Army to review the reports of the Chief of Engineers

contained in the preliminary examination report on flood control for all streams in San Diego and Imperial Counties, California, flowing into Salton Sea, dated July 15, 1943, and other pertinent reports to determine the advisability of Federal participation in providing improvements for flood risk management, ecosystem restoration, and other water and land related resources for the Salton Sea and the vicinity including all tributaries, with a view towards restoration and protection of the environment, and improvements to public health and safety.

Three elements of this resolution are independently significant. First, the resolution specifically names and formally references the 1943 Corps flood control report - the same report that defined the study area by its terminal point, all streams flowing into the Salton Sea - placing it back on the active congressional record more than seven decades after it was issued without implementation. Second, the resolution was adopted with bipartisan signatures at the committee level, establishing Senate EPW committee consensus on Federal interest in Salton Sea restoration as a predicate for the statutory authorization that followed. Third, the resolution preceded by eight months Section 1181 of the Water Infrastructure Improvements for the Nation Act (WIIN Act, Public Law 114-322, December 16, 2016), which amended Section 3032 of WRDA 2007 to authorize project-specific restoration plans and projects at the Salton Sea. Together, the EPW Resolution and WIIN Act Section 1181 form the 2016 layer of the authorization chain that, along with WRDA 2020 Section 203(c), underlies the current Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study.

VERIFIED: Primary source. Committee resolution reviewed from document image. Text confirmed. Adoption date April 28, 2016 confirmed. Signatories confirmed: EPW Committee Chairman James Inhofe and Barbara Boxer, Ranking Minority Member. Reference to July 15, 1943 Corps flood control report confirmed from resolution text.

2016 - Water Infrastructure Improvements for the Nation Act, Section 1181, Salton Sea, California (Public Law 114-322)

Source: Water Infrastructure Improvements for the Nation Act, Public Law 114-322, 114th Congress, December 16, 2016. Section 1181, Salton Sea, California. 130 Stat. 1628. Available through the Government Publishing Office.

Section 1181 of the WIIN Act, titled “Salton Sea, California,” amended Section 3032 of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1113) in three substantive ways. First, it converted Section 3032 from a “pilot projects” authority to a permanent “program” - directing the Secretary to carry out a program to implement projects to restore the Salton Sea. Second, it inserted the Salton Sea Authority by name as a recognized non-Federal partner, adding “Salton Sea Authority, or other non-Federal interest” in two places within the amended section. Third, it updated the table of contents designation from “Salton Sea restoration” to “Salton Sea restoration program, California.” The clerical amendment is itself a formal recognition - the word “program” now appears in the statutory heading of the Salton Sea provision in federal water resources law.

Section 1181 and the April 28, 2016 Senate EPW Committee Resolution were enacted in the same calendar year and together constitute the 2016 layer of the authorization chain. The resolution authorized the Secretary of the Army to investigate Federal participation; Section 1181 simultaneously converted the existing WRDA 2007 Section 3032 pilot projects authority into a permanent restoration program and formally inserted the Salton Sea Authority into the federal statutory framework as a named non-Federal partner. WRDA 2020 Section 203(c) subsequently modified Section 3032 to authorize the perimeter lake feasibility study that became the Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study.

VERIFIED: Primary source. Full text of Section 1181 confirmed from the enrolled text of Public Law 114-322 (130 Stat. 1628, December 16, 2016). Section heading “Salton Sea, California” confirmed. Three operative

amendments to WRDA 2007 Section 3032 confirmed: (1) section heading changed from “restoration” to “restoration program”; (2) “Salton Sea Authority, or other non-Federal interest” inserted in subparagraph (C)(i)(II) and paragraph (3)(ii); (3) table of contents item updated to “Salton Sea restoration program, California.”

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

Source: Memorandum of Understanding Between the California Natural Resources Agency and the Salton Sea Authority for Collaboration and Cooperation on Restoration of the Salton Sea. Approved at the February 20, 2020 Salton Sea Authority Board meeting. Signatories: Arturo Delgado, Assistant Secretary for Salton Sea Policy, California Natural Resources Agency; Castulo Estrada, President, Salton Sea Authority.

The MOU was entered into pursuant to the Salton Sea Restoration Act, Fish and Game Code Section 2930 et seq. Section C notes that pursuant to Fish and Game Code Sections 2942(a)(1) and 2943, the Secretary for Natural Resources shall undertake Salton Sea restoration efforts in consultation and coordination with the Authority. Section D(1) provides that the Secretary or the Secretary’s representative may participate in Authority Board of Directors 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. Section D(2) states that CNRA recognizes that the Authority is uniquely positioned to assist in coordination of local priorities for Salton Sea restoration projects, that the Parties intend the Authority to continue its leadership role in the development and consolidation of local priorities, and that the Authority is to be the primary channel through which such local priorities are communicated to CNRA. Section D(3) provides that the Parties intend to work together to seek out federal funding partnership opportunities for planning and implementation projects. Section E(5) states that the MOU is legally nonbinding and does not create any legal rights, obligations, benefits, or trust responsibilities enforceable at law or in equity by any Party against any other Party.

The MOU’s significance for this Record is institutional: it formalized the Authority as the primary channel for regional priorities and anticipated joint pursuit of federal funding, helping define the state-regional coordination structure within which the December 2022 Federal Cost Share Agreement and the Authority’s non-Federal sponsorship of the Corps feasibility study would subsequently operate.

VERIFIED: *Primary source. MOU reviewed in full. Approval date February 20, 2020 confirmed from document notation. Signatories confirmed: Arturo Delgado, Assistant Secretary for Salton Sea Policy; Castulo Estrada, President, Salton Sea Authority. Statutory authority Fish and Game Code Section 2930 et seq. confirmed from Section C. Ex officio participation provision confirmed from Section D(1). “Uniquely positioned” and “primary channel” language confirmed from Section D(2). Nonbinding clause confirmed from Section E(5).*

2020-2022 - Water Resources Development Act of 2020 / Imperial Streams and Salton Sea Ecosystem Restoration Feasibility Study

Source: Water Resources Development Act of 2020; Federal Cost Share Agreement, December 16, 2022, amended February 19, 2025.

The Water Resources Development Act of 2020 (Division AA of Public Law 116-260, December 27, 2020), Section 203(c), authorized the Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study (P2: 445445) by modifying the existing Salton Sea restoration authorization under Section 3032 of the Water Resources Development Act of 2007 (121 Stat. 1113; 130 Stat. 1677) to authorize the Secretary to carry out a study for the construction of a perimeter lake, or a northern or southern subset thereof, for the Salton Sea,

California. The August 2024 Vertical Team Alignment Memorandum designated the Study a Mega Study with implementation costs estimated at \$2 to \$18 billion and a Chief's Report targeted for December 2030. The Salton Sea Authority and the California Department of Water Resources serve as joint non-Federal sponsors under the Federal Cost Share Agreement signed December 16, 2022 and amended February 19, 2025.

VERIFIED: WRDA 2020 authorization confirmed at Division AA of Public Law 116-260, Section 203(c), December 27, 2020. Section number confirmed from H.R. 7575 (116th Congress, 2d Session), the House-passed version of WRDA 2020, which contains identical Salton Sea language at Section 203(c). The enacted S. 1811 carries the same provision. Section 203(c) modifies the existing Section 3032 of WRDA 2007 authorization. Cost Share Agreement date December 16, 2022 confirmed. Amendment date February 19, 2025 confirmed. Mega Study designation and Chief's Report target date confirmed from VTAM August 2024.

2022-2024 - Salton Sea Long-Range Plan, California Salton Sea Management Program

Source: Salton Sea Long-Range Plan, Salton Sea Management Program, April 2024, Rev 1.01. California Natural Resources Agency. Available through saltonsea.ca.gov. Federal Cost Share Agreement, Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study, December 16, 2022, amended February 19, 2025.

Following the WRDA 2020 authorization of the Imperial Streams and Salton Sea Aquatic Ecosystem Restoration Feasibility Study, the California Natural Resources Agency initiated a long-range plan process to satisfy the state's obligation under the 2017 Revised Water Rights Order. The Salton Sea Authority and the California Department of Water Resources served as joint non-Federal sponsors of the federal feasibility study. The Federal Cost Share Agreement was signed December 16, 2022, with the state's long-range plan incorporated as the sponsor's plan for purposes of the federal study.

The Long-Range Plan, published in final form in April 2024, evaluated thirteen restoration concepts in addition to the Phase 1 Ten-Year Plan, including the Updated Perimeter Lake as Restoration Concept 3, against criteria including air quality and public health, habitat, water quality, tribal access to natural resources, and feasibility. Although the plan was published as Rev. 1.01 in April 2024, the principal analytical work had been completed and circulated for review before execution of the Federal Cost Share Agreement in December 2022; as a practical matter, execution of the Cost Share Agreement marked the transition from long-range planning to active federal feasibility analysis.

The sequence establishes a documented reliance chain: state long-range planning produced the non-Federal sponsors' plan for the federal Corps feasibility study, and Reclamation subsequently cited the state planning process as a rationale for excluding Salton Sea impacts from analysis in the Post-2026 operational Environmental Impact Statement.

VERIFIED: Primary source. Long-Range Plan April 2024 Rev 1.01 reviewed. Thirteen-concept structure confirmed from table of contents, Sections 5.3 through 5.15; concept designations and titles retained in the Record's source file. Updated Perimeter Lake as Restoration Concept 3 confirmed from Section 5.5. Evaluation criteria confirmed from Chapter 7. Federal Cost Share Agreement date December 16, 2022 confirmed from existing Record entry for WRDA 2020. Amendment date February 19, 2025 confirmed. Non-Federal sponsor identities confirmed from existing Record entry.

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

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

The document acknowledges the Salton Sea as a terminal receiving environment for agricultural drainage originating from the federal reclamation system and then states explicitly that analysis

of impacts on the Salton Sea is not included in this EIS. Two rationales are offered for the exclusion. First, that any resultant impacts are within the scope of the SSMP's long-range plan. Second, and more consequential: 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 Draft EIS reflects a distinction between Reclamation's operational reliance upon the Salton Sea basin as a receiving environment and its stated position regarding direct management authority over conditions within the Sea itself.

VERIFIED: *Primary source. Document reviewed. Section 3.2.7 confirmed. Exclusion language and both stated rationales confirmed from document text. Publicly available through Bureau of Reclamation NEPA portal.*