

Committee on Resources

Subcommittee on Water & Power

Testimony

TESTIMONY OF DOUGLAS WHEELER
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STATE OF CALIFORNIA
BEFORE THE SUBCOMMITTEE ON WATER AND POWER
COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES
HEARING ON H.R. 3267,
THE SONNY BONO MEMORIAL SALTON SEA RECLAMATION ACT
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Mr. Chairman and members of the Subcommittee, my name is Douglas P. Wheeler, Secretary for Resources in the Administration of California Governor Pete Wilson. Thank you for the opportunity to address the Subcommittee on the Sonny Bono Memorial Salton Sea Reclamation Act. The Governor of California applauds the introduction of this bill and appreciates the efforts of the members of the Salton Sea Congressional Task Force who have taken this important step, as well as their past actions to bring to national attention the existence of this remarkable resource. In particular, the Governor supports the goal of this legislation as a fitting tribute to the exemplary efforts of the late Congressman Sonny Bono, who did so much to foster efforts to restore the Salton Sea. [Background](#)

Since its accidental creation in 1905 following the flooding of the Colorado River, the Salton Sea has served as a tremendous resource for the citizens of California. As California grew during the early decades of this century, the Sea became a popular recreational haven for anglers, boaters, and wildlife viewers, reaching its zenith from the late 1950's through the mid-1970's. The Sea provided a unique sportfishery, found nowhere else in California, where anglers caught marine fish in a lake setting at catch rates that were considered to be phenomenal. In addition, as other wetland areas of southern California were lost to development, the Sea assumed increasing importance as a refuge for migratory waterfowl.

Unfortunately, however, the health of the Sea has deteriorated over the past several decades, primarily due to high salinity levels and the inflow of contaminants. The salinity of the Sea has increased gradually to the current level of approximately 44 parts per thousand. By comparison, ocean salinity levels are in the range of 35 parts per thousand. The gradual increase in salinity is not difficult to understand; the only "outlet" for the Sea is through evaporation, which removes water while leaving the salts carried into the Sea from the New, Alamo, and Whitewater Rivers, as well as from agricultural runoff. In addition to salt, the inflow to the Sea carries contaminants such as selenium.

The problems of the Salton Sea have long been recognized and efforts have previously been initiated to address these problems. Without the threat of crisis, none of these proposals came to fruition. In 1987, however, the results of inaction began to impact the ecological health of the Sea. In that year, the combination of high salinity levels and contaminants led to the initial avian "die-offs". In 1992, the avian mortality escalated, as over 150,000 eared grebes and ruddy ducks died from an undetermined cause. Additional avian mortality episodes occurred in 1994, 1996, and 1997, and continue to the present. The

increasing salinity has also greatly impacted the 4 fish species comprising the entire fishery of the Salton Sea. Lower reproductive success and an increased susceptibility to disease are two known stresses on Salton Sea sportfish that are caused by elevated salinity levels. Today, largely as a result of the avian mortality and the decline in fisheries, the need to restore the health of the Salton Sea is recognized as a priority in California and nationwide.

The restoration of the Salton Sea has long been a priority of the State of California. In 1988, the Salton Sea Task Force was formed with the encouragement and sponsorship of the California Department of Fish and Game. The Task Force included local stakeholder representatives and was successful in focusing attention on the problems of the Sea. By the early 1990's, it was clear that strong regional leadership was needed to identify and implement a plan with local support. To this end, the Salton Sea Authority ("Authority") was established with State support in 1993 by Riverside and Imperial Counties, the Coachella Valley Water District, and the Imperial Irrigation District.

The Authority has made substantial progress toward developing a workable plan for the restoration of the Sea. Beginning in 1994, the Authority, in cooperation with the Bureau of Reclamation and the State of California, began to study the environmental and economic impacts of salinity on the Salton Sea. The Authority also addressed the question of flooding, which resulted from fluctuations in Sea level and threatened adjacent properties. The efforts of the Authority resulted in a report on alternatives to fixing the Sea, released in final draft form in September 1997. The report analyzed 54 alternative approaches to restoring the health of the Salton Sea and recommended four "diking" alternatives which met specified criteria. The Authority also co-sponsored with the U.S. Fish and Wildlife Service a workshop on Saving the Salton Sea. The findings of the workshop were published in October 1997 and outlined 31 study proposals.

With these efforts as a foundation and following consultation with the State, Interior Secretary Bruce Babbitt visited the Salton Sea in December 1997. Secretary Babbitt met with local stakeholders, State of California representatives, and federal agencies and recommended a two-fold approach to restoring the Salton Sea. First, the Secretary proposed that an environmental review process pursuant to the federal National Environmental Policy Act and the California Environmental Quality Act be initiated immediately under the direction of the Salton Sea Authority and the Bureau of Reclamation. Secretary Babbitt recommended that the environmental review process analyze the four diking proposals, which emerged from the alternatives study released in September 1997, as well as "pump-in" and "pump-out" options. Second, the Secretary proposed additional scientific research, drawing upon the findings of the Saving the Salton Sea workshop. To guide research efforts, the Secretary proposed a Research Management Committee to consist of representatives from the federal government, the State of California, the Salton Sea Authority, and the Torres Martinez Tribe. The State of California supported Secretary Babbitt's proposal and agreed to participate in the preparation of environmental documentation and as a representative on the Research Management Committee. The Research Management Committee has since been established and promises to be a workable, effective means by which to develop a scientifically sound solution. Sonny Bono Memorial Salton Sea Reclamation Act

The State of California strongly supports the goals and objectives of H.R. 3267. Congressional action on the Sonny Bono Memorial Salton Sea Reclamation Act is a critical next step toward restoring the Salton Sea. We agree that there is need for appropriate levels of funding support for further scientific and engineering studies, and ultimately, the implementation of an agreed solution. The funding for feasibility studies will allow a thorough evaluation of the alternative approaches to fixing the Sea, which has already been initiated using State and federal funds. The bill also authorizes construction funding for the preferred alternative solution. Finally, funding is provided to support scientific research on many of the as yet unresolved

resource management issues of the Sea.

California also supports the reliance of the Act on the existing analytical process and management structure. The Salton Sea Authority and the Bureau of Reclamation have made significant progress over the past several years and it is appropriate that H.R. 3267 build upon this progress toward the goal of restoring the Sea. The Memorandum of Understanding required by the Act will appropriately provide a framework for the federal, State, and local partners to select an alternative which meets our shared objectives and to establish the financial responsibilities of each. California also endorses the recognition of the Research Management Committee as an effective structure for managing the critical process of scientific study and research.

With respect to the scope of the environmental assessment process, California favors a comprehensive approach. The problems of the Salton Sea are complex and, in order to achieve our objectives, we must gain a better understanding of the relationships between contaminants and avian mortality and disease, fisheries and salinity, and the health of fisheries and migratory birds. A successful solution must address all of these issues and offer a means to effectively restore a healthy, sustainable equilibrium to the Sea.

Sustainability in this context includes disposal of the brine or highly saline waters which will most likely be a byproduct of any engineering solution. It would be unacceptable to solve the salinity problems of the Sea only to exchange them for a brine disposal problem. We support, therefore, the inclusion in the legislation of subsection 101(e) calling for "determination of a method for disposing of pumped-out water." Sustainability also necessitates that the ultimate solution address the root causes of ecological degradation to the Sea, not simply the apparent causes of increasing salinity. The avian mortality and declining fisheries stem from a complex set of factors, including contaminants from agriculture and urban runoff. The solution must identify and correct those factors throughout the watershed which contribute to the deteriorating water quality and fluctuating sea levels. In addition, as we develop a solution, we must be sure to comply with the Law of the River and take into account ongoing activities which might affect the quantity and quality of water flowing into the Sea, such as proposed water transfers.

The environmental review required by the bill will be significant in helping to determine the best possible solution to the Sea's problems. For this reason, we should be sure to take advantage of the information generated through this process. We share the sense of urgency for a credible solution that motivates the sponsors of the bill. We suggest that there are ways to accelerate the environmental review process without hindering its value as a decisionmaking tool. For instance, the state and federal environmental processes can be run concurrently, or, if the federal government agrees, the intricate and thorough state environmental review process could be certified as satisfying the needs of federal law. This option is built into the federal transportation bill pending in the House. However, we would observe that the imposition of a statutory deadline for completing environmental studies may prove self-defeating. Additionally, we believe that aggrieved parties should not be denied their right to judicial remedies as is currently precluded by subparagraph 101(f)(3)(B). California and many other states have fought hard over many years to ensure that federal agencies abide by state environmental laws, and we believe it would be a bad precedent to excuse them from that responsibility, even in this narrow case.

Clearly, we must not delay progress toward a prompt solution. The Salton Sea is deteriorating rapidly and time is of the essence. The ambitious timelines set out in the legislation present a challenge to those of us charged with developing and implementing a solution, but, I am confident that with the commitment of all levels of government to save the Sea, we will meet this challenge.

In closing, I would like to reiterate the support of the State of California for the objectives of this legislation. The Salton Sea is a nationally significant resource and deserves our full attention. We appreciate the efforts of the Congressional Task Force and look forward to working with the Task Force and this subcommittee to help perfect the bill so that it may be promptly enacted. It will provide the framework and the resources necessary to restore the Salton Sea.

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