Salton Sea Species Conservation Habitat Project

Stakeholders Coordination Meeting Minutes

June 10, 2010

Stakeholder Meeting Follow-up

The need to balance Stakeholder participation with maintaining the schedule was discussed. The Stakeholders indicated that while it was important to move things forward as quickly as possible, coordination was essential, even if it resulted in some schedule slippage. Consolidating as many meetings as possible in one day is preferred.

The California Natural Resources Agency is working with the Department of Finance to try to determine whether the SCH Project is a Period 1 activity and how this affects funding. If Proposition 84 funds are not encumbered by June and if an extension isnôt granted, DFG will have to reapply. They have been given authority to spend $7 million of Proposition 84 funds.

Action Items:

- The lead agencies will notify the Stakeholders if travel restrictions are imposed on State staff due to the budget. There is a potential that items will be sent out for review in the absence of face-to-face meetings, but feedback will be required.
- Kim Nicol will post and email the restoration fund update.

Salton Sea Funding Assistance Program

Currently, grants cannot be funded under the authorizing legislation for the Salton Sea Restoration Fund, and in order to avoid a potential perception of conflict of interest, reviewers or their organization must not have advocated in the past for any project. The administrative review is expected for each application is expected to last no more than one week.

Comments on the Funding Assistance Program application are due back by June 28, and the applications can be released in July. Applications will be accepted before the review team in place if needed, although reviewers will already have been approached. It is not known if there will be rolling application deadlines. The public/Stakeholders should provide input regarding what will work best.

Doug Barnum noted that the U.S. Geological Survey (USGS) will have difficulty with the external science review; USGS has advocated before for many projects and would be excluded from applying. DFG understands that this is a sensitive issue and asked him to send this as a comment. The Department of Water Resourcesô (DWR) position is that this is not agency-based, but rather is individual based. The process can take 6 to 12 months, but they will do what they can to expedite the process; they have requested advice from

an expert. Between $1 and $3 million will be available, depending on what is available from Proposition 84. This is not designed to be competition for funding, unless there are more applications than funds. If a project has merit and meets the objectives, and there are enough funds, they would be awarded. A match is not required, but is always helpful.

Action Items:

- Kim Nicol will email out Funding Assistance Program application for review; then will post it on a website.

Species Conservation Habitat Project

The Notice of Intent/Notice of Preparation of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) will be sent to the Federal Register and State Clearinghouse, as required and will be published in local newspapers. They also will posted on the Natural Resources Agency website and will be emailed or mailed to the Stakeholders. The Corps of Engineers also has a website for people to register to obtain updates. Copies of the notices will be sent to Debi Livesay because not all residents of the North Shore receive newspapers. The public review period for the Draft EIS/EIR is 60 days due to the 404 permit requirements.

Several special studies are underway or planned to provide information for the development and analysis of the SCH Project. One study by UC Riverside is examining potential selenium ecorisk. It is anticipated that the results from the ecorisk study will be available before the second of two selenium workshops designed to address selenium treatment and management (discussed in further detail below). A question was raised about the proposed methods for the studies. USGS would welcome a discussion about their role as science advisor to this project.

USGS ponds are not suitable for the SCH Project because they would not be consistent with what the State wants to do; reconfiguring the ponds would be very costly.

The selenium ecorisk analysis being performed by UC Riverside will look at different scenarios based on input from Doug Barnum and Harry Ohlendorf. They will use data from the USGS ponds and will collect more sediment samples from the SCH sites.

SCH Project Workshop Updates

June 10, 2010, Morning Session

The technical workshop in the morning addressed SCH Project goals and objectives, critical siting criteria, and construction challenges.

Water rights issues associated with the critical siting criteria are being evaluated by the State attorneys, including the 1924 definition of the Salton Sea elevation and the applicability of the fully appropriated status of the Whitewater River.

Selenium Expert Workshops

Selenium in the water and sediments poses a potential ecological risk for fish and wildlife at the SCH Project. Therefore, the State is convening workshops to obtain expert input on treatment technologies and management strategies to reduce potential effects of selenium on fish and wildlife. The first workshop in early June reviewed selenium treatment technologies to identify any promising treatment techniques. The second selenium workshop will focus on developing a comprehensive plan to reduce SCH selenium ecorisk and identify remediation measures to reduce selenium ecorisk. This workshop will draw on information from USGS and others regarding the effectiveness of increased salinity levels in reducing selenium effects.

The significance of the selenium effects will be addressed in the EIS/EIR, which will define a threshold to determine if the effect would be significant. It is not always possible to determine where birds are picking up selenium. John Scott suggested that DFG should not spend a lot of money to find a resolution; remediation is very costly and it will not be possible to get levels down to where regulatory agencies want them to be. The State should try to manage salinity; technologies are not efficient or effective. The purpose of the selenium workshops is to figure out if it is worth doing a pilot study. DFG has not made a decision to do a pilot study.

No decision has been regarding whether there should be an independent science review of the Project, but DFG will take that as a recommendation.

The purpose of a Statement of Overriding Considerations under CEQA was explained, although it is not known whether this will be needed. There are no overriding considerations on a jeopardy decision under the Endangered Species Act. The U.S. Fish and Wildlife Service will look at whether the SCH Project would result in species extinction and whether contaminants could result in the take of migratory birds. They also will have to make policy decisions regarding whether some habitat is better than none.