

From: [Laurens Silver](#)
To: [SaltonSeaComments;](#)
CC:
Subject: Salton Sea Comment Letter
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CALIFORNIA ENVIRONMENTAL LAW PROJECT
A Non-Profit Legal Corporation



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Via Email: SaltonSeaComments@water.ca.gov

ATTN: Dale Hoffman-Floerke
Salton Sea PEIR Comments
CA Department of Water Resources
Colorado River & Salton Sea Office
1416 9th Street, Room 1148-6
Sacramento, CA 95814

RE: Comments on Draft PEIR for Salton Sea

Dear Ms. Hoffman-Floerke:

I am writing on behalf of the Marin Audubon Society to offer comments on the Resources Agency's Draft Programmatic Environmental Impact Report for the Salton Sea Ecosystem Restoration Program (PEIR). Marin Audubon Society members have visited the Salton Sea to birdwatch and enjoy its resource values, and are deeply concerned about its fate.

There is no question that the State of California must take action at the Salton Sea. The 'no action' scenarios described in the PEIR clearly demonstrate that the health of children and adults in the Imperial and Coachella valleys would be harmed by the hundreds of additional tons of dust that would blow, each year, off the land exposed by the shrinking Salton Sea. A smaller, saltier Sea would also be of little or no value to many of the 400 species of birds – sometimes numbering in the millions of individual birds – that currently use the Sea. With the loss of nearly 95% of California's wetlands, many of these birds will have no other place to go, leading to catastrophic losses that will be felt up and down the Pacific Flyway.

Marin Audubon Society is particularly concerned that the habitat values of the Salton Sea be restored and enhanced and not be permitted to continue to decline. According to the Pacific Institute's Hazard: [The Future of the Salton Sea With No Restoration Project:](#)

“The Salton Sea provides critically important habitat to a tremendous diversity and abundance of birds: 402 native and five non-native species have been recorded in and around the Salton Sea, including more than half a million waterbirds in 1999 (Shuford et al., 2002, Patten et

al., 2003). Some 140 waterbird species have been recorded there; many of these birds use both the Sea and nearby agricultural fields, as well as adjacent freshwater and managed wetlands, including lands periodically inundated by duck clubs. The rich mosaic of habitat types and their proximity to one another offer exceptional value for birds, and helps to explain their diversity and abundance. Other factors increasing bird use of the region are the loss of other wetland habitats along their migratory routes, the abundant supply of food, and the relatively low levels of human disturbance (Friend, 2002).

The presence of a large body of water rich with food resources amidst the harsh Colorado desert proves very attractive to birds migrating along the Pacific Flyway, as well as to birds inhabiting the upper Gulf of California. Shuford et al. (2002, p. 255) state:

Various studies indicate the Salton Sea is of regional or national importance to various species groups – pelicans and cormorants, wading birds, waterfowl, shorebirds, gulls and terns – and to particular species – the Eared Grebe, American White Pelican, Double-crested Cormorant, Cattle Egret, White-faced Ibis, Yuma Clapper Rail, Snowy Plover, Mountain Plover, Gull-billed Tern, Caspian Tern, Black Tern, and Black Skimmer. (p. 27)

The Hazard study concludes that “breeding habitat in particular, and roosting and loafing habitat more generally, will decrease at the Sea in future years...What is clear is that future changes in the Sea will affect bird populations throughout their range.” (p. 31). It goes on to state:

“Without a restoration project, the future Salton Sea will change dramatically. Although the Sea will continue to be filled with life, even 70 years into the future, it will be more akin to a primordial soup than the fish-filled lake that attracted hundreds of thousands of tourists just a few decades ago. The impacts of the loss of this key stopover to migrating birds could be severe, especially given the increasing number of other impacts felt along their routes. Combined with the increased mortality due to disease and selenium toxicity, these changes could jeopardize the survival of entire species.” (p. 31)

None of the alternatives presented in the PEIR satisfies the legal requirements to maximize wildlife habitat, air and water quality protection, in a reasonable timeframe.¹ Most proposed alternatives suffer from massive construction and permitting requirements that would slow implementation, degrade air quality, and impose additional, unacceptable impacts over a wide area.

¹ . Pursuant to the Quantification Settlement Agreement (“QSA”), state and federal law require restoration of the Salton Sea because of its importance for fish and wildlife, air quality, recreation and local economic development. See California Fish and Game Code Sections 2930, et seq.

In order to arrest the decline of the habitat values of the Salton Sea and to protect and enhance its resource values, Marin Audubon urges that DWR combine the following features from the proposed alternatives into a final, preferred alternative that would meet the legal requirements for restoration and provide opportunities for recreation and development in Imperial and Coachella Valleys:

- Between 25,000 – 50,000 acres of Shallow Saline Habitat Complex, as described in Alternatives 1 and 2, at the southern and northern ends of the Sea to provide habitat for shoreline species;
- Create concentric rings using geotubes or other dirt-filled barriers, as described in Alternative 4, to provide additional shallow habitat, deeper marine habitat, shoreline and view protection, air-quality protections, and recreation;
- Similar to the lakes found in Alternatives 5-7, provide a large (approximately 10,000 acre) North Lake, which would be the largest recreational lake in Southern California, fed by the Whitewater River to provide recreation and development opportunities without the costs and risks associated with a major mid-Sea barrier or the costs of pumping water from the southern end of the Sea;
- Provide at least one-half acre-foot of water per acre of exposed Seabed, as stipulated by the Salton Sea Advisory Committee, to prevent dust pollution caused by exposed playa, as described in Alternatives 1-3, 5-6 and 8;
- Construct shallow saline habitat (known as “early start habitat”) immediately to provide resources for birds during the long permitting and construction process, as described in all of the proposed alternatives; and
- Develop a plan that provides water for habitat and air quality mitigation first, in case of possible shortages or system malfunctions, as described in Alternatives 1-3.

Marin Audubon believes that a Final Preferred Alternative that contains all of these components, each of which is present and analyzed in one or more of the draft alternatives, would best meet the legal requirements to maximize habitat, air quality and water quality, while also providing substantial recreation and development opportunities. Marin Audubon urges, therefore, the State to select the Preferred Alternative with the components and features outlined above. Such a composite alternative would best meet the needs of local communities, fish and wildlife, and the people of California.

Thank you for your consideration of these comments.

Sincerely,

Laurens H. Silver, Esq.
On behalf of the Marin Audubon Society

cc: Barbara Salzman
Julia Levin, State Audubon