

**From:** [Miriam Torres](#)  
**To:** [SaltonSeaComments;](#)  
**CC:**  
**Subject:** Salton Sea Draft PEIR Comments  
**Date:** Tuesday, January 16, 2007 4:06:02 PM  
**Attachments:** [EJCW-DRAFT SS PEIR.pdf](#)

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Dear Dale K. Hoffman-Floerke,

Attached please find the comment letter submitted on behalf of the Environmental Justice Coalition for Water.

Thank you for your attention to these comments.

Miriam Torres

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Environmental Justice Coalition for Water

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January 16, 2006

Dale K. Hoffman-Floerke  
Salton Sea PEIR Comments  
Colorado River and Salton Sea Office  
California Department of Water Resources  
1416 Ninth Street, Room 1148-6  
Sacramento, CA 95814  
SaltonSeaComments@water.ca.gov

Re: Comments on Draft PEIR for Salton Sea Restoration

Dear Ms. Hoffman-Floerke:

The Environmental Justice Coalition for Water submits these comments on the Salton Sea Restoration Program Draft Programmatic Environmental Impact Report (PEIR) on behalf of the disadvantaged communities and minority groups of the Imperial Valley, hereby referred to as environmental justice communities. The EJCW is utterly disappointed that the Draft PEIR fails to assess the potential disproportionate environmental, economic, and social impacts for each alternative under consideration.

The Environmental Justice Coalition for Water (EJCW) is a statewide coalition of more than 60 community based and non-profit organizations. EJCW, along with our members, works to ensure that all environmental justice communities have access to water resources including safe, affordable drinking water, watersheds, and water necessary to support cultural practices such as ceremonial uses and subsistence fishing. The Salton Sea offers a multitude of ecological, cultural and economic benefits and it is of critical importance to the Environmental Justice (EJ) communities of the Imperial Valley. A sustainable restoration project must be devised to ensure that the EJ communities surrounding the Salton Sea are not adversely affected during the construction process and after project completion.

As a signatory to the comment letter submitted by Audubon California, Defenders of Wildlife, Pacific Institute, and the Sierra Club, the EJCW endorses the critical points raised by these organizations, and in the interest of time, will hereby focus on environmental justice concerns.

Environmental Justice is defined by California statute as "The fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies."<sup>1</sup> The State agencies responsible for determining a preferred alternative for the restoration of the Salton Sea are therefore responsible to the people of California for implementing the legal requirements<sup>2</sup> in an unbiased, equitable and inclusive manner. The Draft PEIR, however, fails to fulfill this responsibility by not adequately assessing environmental justice concerns.

## **I. THE PUBLIC PARTICIPATION PROCESS FAILS TO INCLUDE ENVIRONMENTAL JUSTICE COMMUNITIES**

The Draft PEIR states that broad public outreach was conducted, however, the meetings rarely included environmental justice communities in the area. This demonstrates the lack of commitment to a truly inclusive process; by failing to provide culturally sensitive, and easily understandable information, those communities with limited resources were excluded from the decision-making table. Disadvantaged communities, particularly in rural areas, require more effort than merely posting a newspaper ad for a meeting. To include the participation of disadvantaged communities, a grassroots approach must be undertaken, the "Environmental Justice Action Plan" developed by the The California Environmental Projection Agency is a starting point.

## **II. ENVIRONMENTAL JUSTICE SHOULD HAVE BEEN A CRITICAL COMPONENT OF THE DRAFT PEIR**

The Draft PEIR has further excluded environmental justice communities from the decision-making process by not including Environmental Justice as a component of the assessment criteria. The selection of the Preferred Alternative is the most critical aspect of this process, and by neglecting to provide the necessary EJ analysis, the Draft PEIR has undermined disadvantaged communities. Although Environmental Justice is not a legally required objective, it is a key consideration necessary to assess the viability and sustainability of the various alternatives. Furthermore, it is inconsistent with the precautionary principal to postpone the Environmental Justice analysis to the project level, at this point it might be impossible to avoid disproportionate impacts on disadvantaged communities.

### **III. THE DRAFT PEIR SHOULD HAVE INCLUDED AN ANALYSIS OF AIR QUALITY IMPACTS ON DISADVANTAGED COMMUNITIES**

The failure to include Environmental Justice as a component of the Draft PEIR assessment criteria has resulted in the gross undermining of air quality impacts. The Imperial Valley is already plagued with air quality problems and the children of the Valley, particularly in the disadvantaged communities, are the primary victims. It is of critical importance to thoroughly assess the health, social and economic implications of air pollution, it creates a disproportionate burden on their health and finances. These communities often lack resources to afford even the most basic treatment and treating asthma and other respiratory ailments is prohibitively expensive, especially for those families without health insurance. Air quality impacts should have been assessed from an Environmental Justice perspective, as these communities will most likely continue to bear the highest burden of deteriorated air quality. Moreover, every alternative in the Draft PEIR should have included worker safety concerns and an analysis of the public health risks from the various air pollution constituents. The failure to thoroughly assess the air quality impacts of the preferred alternative has the potential to result in a public health crisis.

### **IV. ECONOMIC IMPACTS HAVE NOT BEEN THOROUGHLY ASSESSED**

Another Environmental Justice concern that has been omitted from the Draft PEIR, is the economic impacts to rural communities surrounding the Salton Sea, particularly in the southern cities of Niland, Westmorland, Calipatria and Brawley. These economically depressed cities may be adversely impacted by changes to the amenities provided by the Salton Sea, such as ecotourism and agriculture. The damage caused to crops by "dust pollution" will likely result in the loss of farm-worker jobs but the Draft PEIR fails to analyze these impacts. A number of the alternatives will also result in reduced recreational opportunities and therefore the ecotourism economy that relies on these habitat benefits will be adversely affected. The Draft PEIR should have expanded the assessment of each alternative to include the impacts to the local economy and the job market. The Preferred Alternative must maximize the recreational and economic opportunities during the transition period and after the project is completed.

A sustainable restoration project is not attainable unless Environmental Justice impacts and public health concerns are clearly assessed and included as a critical component of each alternative. The lack of EJ analysis greatly limits the public's ability to accurately evaluate all of the alternatives, and the EJCW can only estimate that a combination of Alternatives 1, 2, and 4 would be least damaging to Environmental Justice communities. Alternatives 1, 2, and 4 combined offer a wider variety of habitat options, which would provide greater benefits to the environment and the EJ communities dependent on this ecological diversity. Additionally, EJ concerns might be more easily addressed under these options as they are the most flexible alternatives, and have a higher probability of success over the life of the project. The selection of Preferred Alternative will be flawed until the CA DWR makes a concerted effort to outreach to disadvantaged communities and begins to fill the EJ gap analysis.

Sincerely,

Miriam Torres  
Environmental Justice Coalition for Water

<sup>1</sup> CA Government Code Section 65040.12

<sup>2</sup> SB 277-Senator Denise Ducheny, SB 317-Senator Sheila Kuehl, SB 654-Senator Mike Machado