

U.S. REPRESENTATIVE  
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SERVING CALIFORNIA'S 36TH DISTRICT

# THE SALTON SEA PUBLIC HEALTH AND ENVIRONMENTAL PROTECTION ACT

*Discussion Draft | September 2020*

## **THE SALTON SEA PUBLIC HEALTH AND ENVIRONMENTAL PROTECTION ACT**

### *Discussion Draft*

The Salton Sea is California's largest lake, occupying 370 square miles in Imperial and Riverside County in a region that hosts some of the most productive farmland in the United States. The Sea is sustained by agricultural drainage from the Coachella and Imperial Valleys as well as inflows from the New River from the South.

Over the past few decades, the shoreline of the Sea has been rapidly receding, exposing thousands of acres of lakebed resulting in the release of harmful particulate matter into the air. The rising salinity and chemical levels in the water have led to a rapid decline in both fish and bird species that call the lake home, or use it as a stop on the Pacific Flyway.

The Salton Sea is a quickly unfolding public health and environmental crisis that calls for drastic action and an all-hands-on-deck approach from federal, state, local, and Tribal partners.

That is why I am creating the "Salton Sea Public Health and Environmental Protection Act" which would bring substantial federal funding to support and accelerate dust suppression and habitat projects at the Salton Sea and increase coordination between stakeholders at all levels of government.

This legislation would establish a requirement for the Department of the Interior to work with the State of California to match California's construction of dust control and habitat restoration projects at the Salton Sea. This work would be done in tandem with the State's Salton Sea Management Program (SSMP) and create the most significant infusion of resources into the Sea since the SSMP was drafted.

In addition, this legislation would increase coordination and streamline project development by establishing a federal interagency Salton Sea Management Council, consisting of officials from the key federal agencies with jurisdiction over the Salton Sea with a mandate to push forward and manage Salton Sea projects.

The Salton Sea Public Health and Environmental Protection Act would also increase monitoring of particulate matter at the Sea and authorize the first-ever long-term public health study to examine the effects that the exposed playa is having on residents of our community.

# **THE SALTON SEA PUBLIC HEALTH AND ENVIRONMENTAL PROTECTION ACT**

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Section-by-Section

## **SECTION 1: SHORT TITLE**

- a) Salton Sea Public Health and Environmental Protection Act

## **SECTION 2: FEDERAL SALTON SEA MANAGEMENT ACRES**

- a) Requires the Department of Interior to construct dust control and habitat mitigation projects at the Salton Sea in partnership with the State of California's Salton Sea Management Plan. Federally funded projects are to cover a similar acreage of exposed lakebed as California funded projects.
- b) Allows for calculation of the acreage obligation based on a three-year time frame to accommodate changes in shoreline exposure.
- c) Requires the creation of a Memorandum of Understanding (MOU) between the State of California and the Department of Interior to facilitate the Federal Salton Sea Management Acres. The MOU must address how projects will benefit disadvantaged communities.
- d) Establishes that land covered by federally funded projects are to be in addition to the number of acres California is legally obligated to treat under State Water Board Order 2017-0134.
- e) Requires the Secretary of Agriculture to prioritize funding for Salton Sea projects.
- f) Allows the federal government to delegate construction activities to California provided adequate federal funding is provided.
- g) Provides for streamlining of project permitting by the Army Corps of Engineers to avoid redundant studies for projects.
- h) Requires an annual report to Congress on the status of projects and funding needs to meet the obligation.

### **SECTION 3: SALTON SEA MANAGEMENT COUNCIL**

- a)** Establishes a federal interagency council to coordinate Salton Sea projects, expedite permits, conduct environmental review, and streamline funding.
- b)** The Council shall consist of officials from the Department of Interior, Department of Agriculture, the Army Corps of Engineers, and the Environmental Protection Agency.
- c)** Requires the production of a plan by the Council identifying federal funding, resources, and other means to accomplish the construction of the Federal Salton Sea Management Acres.

### **SECTION 4: COLORADO RIVER MANAGEMENT**

- a)** Protects the Salton Sea from any changes in the Bureau of Reclamation's management of the Colorado River.

### **SECTION 5: PUBLIC HEALTH REPORTING REQUIREMENT**

- a)** Requires the publishing of an annual report by Department of Interior and the Environmental Protection Agency on the status of the Salton Sea, including an analysis regarding the change in lakebed exposure, the presence of certain chemicals, and the associated health risks of the exposed shoreline.
- b)** Authorizes the Department of Interior to partner with a university or other research institution to begin a long-term population health study on individuals with extended exposure to the Salton Sea.
- c)** Authorizes the placement of additional air monitors at the Salton Sea by the EPA.