



## **SALTON SEA ECOSYSTEM RESTORATION PLAN**

### **SUMMARY OF IMPLEMENTING LEGISLATION**

#### **New State Legislation**

State legislation was enacted in 2003 to implement the Quantification Settlement Agreement and to establish state policy for restoring the Salton Sea. The legislation requires the State of California to take a number of actions with respect to the restoration of the Salton Sea, and to coordinate certain aspects of the Quantification Settlement Agreement implementation with this restoration.

#### **What bills make up the implementing legislation?**

The implementing legislation for the Salton Sea restoration and the Quantification Settlement Agreement is contained in three bills from the 2003 legislative session: Senate Bill 277 (Ducheny), Senate Bill 317 (Kuehl), Senate Bill 654 (Machado). These bills were amended by Senate Bill 1214 (Kuehl) from the 2004 legislative session.

#### **What is contained in the legislation related to the Ecosystem Restoration Plan?**

The legislation describes the State's responsibility for mitigation of environmental impacts of the Quantification Settlement Agreement and Salton Sea ecosystem restoration. It establishes State policy with respect to the Salton Sea, stating that: "it is the intent of the legislature that the State of California undertake the restoration of the Salton Sea ecosystem and the permanent protection of the fish and wildlife dependent on that ecosystem." The legislation directed the Secretary for Resources to prepare an ecosystem restoration study, a Programmatic Environmental Impact Report, specifies certain funding mechanisms for these and other Salton Sea-related actions, and established the Salton Sea Advisory Committee.

#### ***Ecosystem Restoration Plan***

The legislation directs the Secretary for Resources to complete an ecosystem restoration study by December 31, 2006. The study is to be prepared in consultation with a legislatively established Salton Sea Advisory Committee. In addition, the Secretary for Resources is to seek agreement with the Secretary of the Interior for federal participation in the study.

The study is to contain an evaluation of alternatives for restoring the Salton Sea ecosystem and the permanent protection of the fish and wildlife resources dependent on that ecosystem. These alternatives are to consider strategies for salinity control, habitat creation and restoration, and different shoreline elevations and surface area configurations.

## SUMMARY OF IMPLEMENTING LEGISLATION FACT SHEET

Specific alternatives to be considered in the study include alternatives that:

- Sustain avian biodiversity at the Salton Sea without maintaining elevation of the entire Sea;
- Maintain near-current salinity and elevation; and
- Represent the most cost-effective technical alternative.

The study is to recommend a preferred alternative. The preferred alternative is to provide the maximum feasible attainment of the following objectives:

- Restoration of long-term stable aquatic and shoreline habitat for historic levels and diversity of fish and wildlife that depend on the Salton Sea;
- Elimination of air quality impacts from the restoration project; and,
- Protection of water quality.

The study will include a cost estimate for each alternative and a proposed funding plan for implementing the recommended alternative.

The study will consider the protection of recreational opportunities and the creation of opportunities for improved local economic conditions surrounding the Salton Sea.

### ***Program Environmental Impact Report***

The Secretary for Resources is to prepare a Program Environmental Impact Report (PEIR) and submit this report to the Legislature by December 31, 2006. This PEIR will analyze the environmental impacts of the alternatives included in the Ecosystem Restoration Plan.

### ***Presently Authorized Funding Sources***

The legislation directs the Coachella Valley Water District (CVWD), Imperial Irrigation District (IID) and the San Diego County Water Authority (SDCWA) to contribute \$30 million to a Salton Sea Restoration Fund controlled by the Department of Fish and Game. Monies in the fund are to be used for environmental and engineering studies related to the restoration, implementing conservation measures to protect the fish and wildlife resources dependent on the Sea, and implementing the recommended alternative. The legislation also provides a mechanism to potentially generate up to \$300 million for the Restoration Fund through a one-time transfer of up to 1.6 million acre-feet of water from IID to the Metropolitan Water District of Southern California, brokered by the Department of Water Resources.

### **Next Steps**

After the Secretary for Resources submits the required reports to the Legislature at the end of 2006, the Legislature must make a decision on proceeding with project implementation. It is likely that federal implementing legislation will also be required, due to the significant federal control of land and water resources in the area and other associated federal responsibilities.

**For more information, please visit the Department of Water Resource's homepage at [www.water.ca.gov](http://www.water.ca.gov)**