

Imperial County declares Salton Sea emergency, demands California take action

Janet Wilson | Palm Springs Desert Sun
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Imperial County has had enough. That was the message from the county board of supervisors on Tuesday as they voted unanimously to declare a local state of emergency at the Salton Sea.

And that may not be all: In addition to the action on the state's largest lake, supervisors said they will likely seek another emergency declaration on the badly polluted New River — which flows into the Salton Sea — in two weeks.

The supervisors, county staff and a major local environmental group all stressed that they hoped the declaration — which will be sent to Gov. Gavin Newsom — will help California officials break through 14 years of bureaucratic wrangling and red tape to get dust suppression and habitat projects under way.

"This is an environmental crisis that has already occurred, that has caused a massive die-off of birds, and now we're at a point where human health is being affected," said board chair Ryan Kelley.

He and a county air pollution control staffer said that if the state recognizes the emergency, Newsom can appeal to the White House, and work could begin immediately, rather than waiting until the U.S. Army Corps of Engineers and other entities complete lengthy environmental permitting reviews. Federal and state disaster relief funds could also be freed up.

A spokeswoman for Newsom, Vicky Waters, said: "This is an important issue, and we are currently reviewing the Board of Supervisors action. We want to ensure people (know) that several actions are already underway to address air quality issues at the Salton Sea that include dust suppression and mitigation, and collaboration with local, state and federal agencies."

She said specific actions include:

- Expediting a dust mitigation project at the southern end of the sea that will break ground by the end of the year.
- Accelerating planning and approvals for another 9,000 acres of dust suppression projects to address some of the most emissive areas related to the receding sea.
- Actively discussing additional funding for projects in a potential climate resilience bond measure in 2020.
- Accelerating progress and improving coordination on projects with the governor's recent appointment of a new assistant secretary for Salton Sea policy.
- Working with federal and local partners to identify and address barriers to progress."



The New River drains into the Salton Sea on the sea's southeast side in this aerial photo, October 17, 2019. Aerial support provided by LightHawk
Jay Calderon/The Desert Sun

'Everyone has snubbed their noses at Imperial'

An Army Corps spokeswoman said the agency currently has no project applications from the state for work at the Salton Sea, though they are "participating in several pre-application consultations working with the applicants to identify the best path forward for the proposed projects."

The Army Corps has several different mechanisms for issuing emergency permits, said the spokeswoman, Dena O'Dell.

"Every situation is different. We have different mechanisms for permitting emergencies, it would just depend on a lot of different factors and decision levels," she said.

Separately, a Federal Emergency Management Agency spokesman said to receive federal funds, President Donald Trump would need to approve a state emergency request, though the local declaration is the first step.

Frustrated local officials said the welter of agencies and lack of recognition of a poor, easily overlooked southeastern corner of the state had contributed to years of delays on lifesaving measures for people living near the now fast-drying sea, and wildlife.

State and federal officials knew for 14 years that starting in January 2018, farm waters that had drained into the sea would start to be diverted to urban areas under the terms of a settlement agreement. Despite millions of dollars spent, however, little was achieved.

"It's sad, ridiculous and disgusting that we've been fighting this Salton Sea battle for so many years," said Supervisor Michael Kelley. Describing a litany of meetings with federal, state and local officials, he said: "Everyone has snubbed their noses at Imperial County. It's ridiculous. It's high time the state and federal government recognizes this disaster."



The small community of Desert Shores, Calif., sits on the Salton Sea's west side in this aerial image, October 17, 2019. Aerial support provided by LightHawk
Jay Calderon/The Desert Sun

A month's worth of bad air quality

Dr. Stephen Munday, Imperial County's public health officer, testified that he is concerned about public health in communities near the Red Hill Bay area, an unfinished project site where fierce dust storms now sometimes kick up. He pointed to extremely high — and increasing — asthma rates in Westmoreland and Brawley in particular, far above California average levels.

The county's air pollution control officer, Matt Dessert, said the grounds for making the public health emergency declaration were based on data presented by state air pollution and federal wildlife officials at a UC Riverside Salton Sea Summit last Thursday, showing an increase in exposed shoreline, nearly 80 days when air quality in the county exceeded federal coarse particulate limits, and a massive die-off of birds at the sea, which used to be a primary stopping point for about 400 species.

He also played video taken by a concerned citizen of a severe dust storm last May at the incomplete Red Hill Bay habitat project on the southern end of the inland sea. "This clearly shows the dust is blowing from the shoreline, not across the lake," he said.

Dessert said it would be unfair for California officials to not consider the May event simply because it didn't occur in the past 10 days, a stated requirement in the state emergency declaration process.

He also criticized state air board officials, saying they were creating an impression that people should not worry about the dust by saying it all blows into the area from Anza Borrego desert areas, not from the shore of the shrinking lake.

State air officials disputed those assertions.



Gavin Newsom looks at areas around the Salton Sea from a hilltop in Calipatria on April 19, 2018. Newsom, who was then lieutenant governor, heard about ecological, environmental, and public health challenges facing the region on his visit.
Richard Lui/The Desert Sun

"Absolutely not; our mission is to protect public health first and foremost, and we want to make sure we address the major sources, whatever they are, of unhealthful air," said Stanley Young, spokesman for the California Air Resources Board. "We recognize fully that more of the playa is being exposed and that prompts the need for more kinds of research."

But he and Earl Withycombe, an air resources engineer who made the state air board presentation on Thursday, said that currently, the main source of illegally high levels of choking particulate is not the exposed Salton Sea shoreline. Instead, they said, it is winds blowing in dust from the desert and from communities and polluting vehicles on roads stretching across the border into Mexico. Both said more studies need to be done to determine what contaminants are in the dust at which locations, though some research is underway.

Withycombe said while he had included a scale of up to 80 possible days, the actual number was less. In fact, Young said, there were a total of about 35 days in 2018 when coarse dust levels exceeded federally allowable amounts in the county.

Young noted that it is local air pollution districts, like the one Dessert heads, that are legally responsible for complying with air pollution laws.

The county is "technically out of compliance" with federal laws capping the amount of coarse particulate, PM 10, that can be emitted over a 24-hour period, Young said. The state air board adopted the Imperial County district's 2018 maintenance plan showing it would have been in compliance except for "exceptional events" – meaning high wind and resulting dust.

"Currently the U.S. EPA is reviewing the plan and the (county) district is working closely with EPA to document the past high wind events," Young said.

Imperial County also submitted a plan to control smaller, more harmful PM 2.5 particulate to the state air resources board in 2018, he said, agreeing to adopt new rules.

"The plan also shows the district would have achieved the PM 2.5 standards, but for air pollution from Mexico traveling across the border (known technically as international transport). Sources of that cross-

border pollution include burning and trucks among other activities," said Young. He said Imperial County had adopted new rules and was working more closely with Mexico over pollution from Mexicali.



A snowy plover scampers across the dry playa at the northwest end of Salton Sea, April 30, 2019.
Jay Calderon/The Desert Sun

Up next: The New River?

During public comments, Luis Olmedo, the executive director of a prominent county environmental justice group, Comit  Civico del Valle, urged county officials to recognize that under Newsom, there are new officials in Sacramento who seem genuinely interested in the Salton Sea and in gaining momentum on long-stalled projects. While supporting the emergency declaration, he said he hoped it would be used as a tool of cooperation to get projects moving.

Ryan Kelley, the supervisors chairman, saying he had spoken with California Natural Resources Secretary Wade Crowfoot over the weekend, and told him the declaration could be used as a vehicle to win an exemption from time-consuming environmental permits. Crowfoot, who has visited the area multiple times and said the Salton Sea is a top priority, did not return a request for comment about Tuesday's declaration.

Assemblyman Eduardo Garcia (D-Coachella) said in a statement to the supervisors that he supports the emergency public health declaration.

"We do have a crisis on our hands, as it relates to the immediate public health, air quality impacts for residents residing along the receding Salton Sea shoreline," said Garcia. "I support Imperial County's decision today in the hopes that it instills federal and state agencies with a greater sense of urgency, and reinforces our efforts underway to remove barriers and expedite the execution of the plan we secured funding for. The health and well-being of our community weighs in the balance."

The board also urged IID and cities in the county to issue their own declarations if possible. But others stressed that they were fed up.

Supervisor Jesus Escobar asked the board to issue a similar emergency declaration for the badly polluted New River, which chairman Kelley said would be considered in two weeks.

"We've got a national emergency both the Salton Sea and the New River," said Escobar. "Let's all be a little more aggressive and slam our fists on the table."

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