



## AIR POLLUTION CONTROL DISTRICT

April 6, 2016

State Water Resources Control Board  
c/o Jeanine Townsend, Clerk to the Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA. 95814



### **RE: Comment Letter: Salton Sea**

On behalf of the Imperial County Air Pollution Control District, I would like to thank the State Water Resources Control Board for the continued attention on the potential crisis at the Salton Sea and the State's obligations with respect to environmental mitigation and restoration of the Sea. I also welcome the opportunity to appear before the Board during the scheduled April 19, 2016 public workshop to give an update on my agency's efforts on air quality since the last time I appeared before the Board.

My testimony will address the following:

- 1) An update on Imperial County Air Pollution Control District activities, including the outcome of its meeting with the U.S. Environmental Protection Agency and Department of Interior to ensure they're working together. Discussion on the Imperial County Air Pollution Control District's proposed revisions to Rule 804 – Open Areas and why this is important.
- 2) An overview of the role of the Imperial County Air Pollution Control District in the planning process for short-, medium-, and long-term projects at the Salton Sea.
- 3) A discussion on how the state's proposed short- and medium-term projects address the Imperial County Air Pollution Control District's air quality concerns.

1. The Air District is the sole statutory authority responsible for compliance with the federal Clean Air Act and State air quality requirements in Imperial County. One of the most important statutory requirements is for the Air District to develop plans (called State Implementation Plans or "SIPs") and rules demonstrating to EPA and California Air Resources Board ("CARB") that areas within its jurisdiction will attain and maintain federal and state ambient air quality standards. Currently, the planning area where the Salton Sea is located is designated "Serious" non-attainment for PM10 (the worst level of designation). The County extends over 4,597 square miles within the southeastern portion of California, bordering Mexico to the south, Riverside County to the north, San Diego County to the west and Arizona to the east. The Salton Sea, California's largest lake, is located in Imperial and Riverside Counties and comprises the western arm of the lower Colorado River delta system.

On March 23 2016, The Air District was successful in setting up a multi-agency meeting in Washington D.C. at EPA headquarters specifically to talk about Salton Sea. Over the past several years on previous trips to D.C. to meet with both Janet McCabe, Acting Asst. Administrator, EPA and Department of Interior staff, the main issue discussed was federal cooperation on dealing with the soon to be crisis at the Salton Sea and what were the roles and responsibilities of the federal agencies as well as the same for state and local agencies. This was a high level staff meeting that included the following attendees:

- 1) Brad Poiriez, Air Pollution Control Officer, Imperial County APCD
- 2) Ralph Cordova, Executive Officer, Imperial County
- 3) Janet McCabe, Acting Asst. Administrator, U.S.EPA (and staff via video conference)
- 4) Jennifer Gimble, Principal Deputy Asst. Secretary for Water and Science, Dept. of Interior and staff,
- 5) Bruce Wilcox, Asst. Secretary – Salton Sea, Natural Resource Agency
- 6) Phil Rosentrater, Executive Director, Salton Sea Authority,
- 7) Alberto Ramirez and Thomas Torte, Torres-Martinez Tribe,
- 8) Joe Raeder, Imperial Irrigation District representative
- 9) Participating Via phone: Mary Nichols – Chairman, CARB, Kurt Karperos, Deputy Executive Officer, CARB, Debbie Jordan, Air Division Director, EPA Region IX, and Tina Shields, IID

It was agreed upon that closer cooperation by the federal agencies with the State and local agencies is needed and would be instrumental in assisting efforts both in the near term and long term, such as Rule/SIP approvals, additional monitoring (toxics) feasibility, federal agencies would also assist in reaching out to their federal colleagues at both the Department of Defense and Army Corp. of Engineers to get them engaged to ensure processes move swiftly and smoothly when approvals are necessary for a particular restoration plan or project. CARB has committed their technical staff to assist on efforts related to the monitoring networks at or around the Sea, as well as with planning staff to assist with SIP efforts that will have to include the Salton Sea at some point in the very near future. Everyone understands time is of the essence and in order to move things forward, cooperation and collaboration is a critical component. Each federal agency understands that they have a role – rather than be approvals of rules or plans (EPA, CARB) or responsibilities which may include being the largest land owner at the Sea (Dept. of Interior), to name a couple.

The Air District focused recent efforts on potential proactive steps that could assist in establishing mechanisms to help in the near term. On April 12<sup>th</sup>, the Imperial County Board of Directors will hold a public hearing for adoption of proposed revisions to Rule 804 – Open Areas. The current version of Rule 804 has been approved as Best Available Control Measure (BACM) by EPA for PM10 for this category, however the number of approved BACM measures in the rule are very few thereby limiting the amount of available options both now and over the next 30 years as the Sea starts to recede and expose playa. Great work is being done at the Salton Sea by IID and their consultants to study the soils and conduct pilot projects utilizing potential BACM measures to test effectiveness. It has become clear, with testing on other dry lake beds, that there may be other mechanisms that can be utilized to meet the same equivalency standards as existing Air District approved BACM, but there is no established process in our

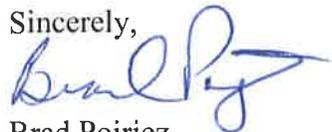
current regulation that would allow the testing and approval of what essentially may be a more cost-effective and equivalent method to essentially get the same level of mitigation and control efficiency. Proposed Rule 804 revisions establish the approval process necessary by the Air District and EPA in order to get alternative BACM measures approved and recognized.

2. The role the Air District plays in the planning process for short, medium, and long term projects is briefly touched on above. The proactive revisions to 804, if approved, would assist in establishing a mechanism to get alternative BACM equivalent measures approved in order to expand the options available in a "tool box" that land owners could utilize to ensure their land is appropriately mitigated to limit, and in some cases, prevent emissions. The Air District continues to participate on the State Water Resources Control Board directed Salton Sea Task Force. The Natural Resource Agency has the responsibility to oversee the State's efforts and there have been several committees established which includes the Air District as the alternate lead for the Air Quality Committee as well as sit on the Science Committee. We also continue to work cooperatively with the Imperial Irrigation District in reviewing their efforts on items such as their Air Quality Program, Infrastructure work, and their proposed SSREI. Lastly, the Air District is in the midst of both a PM2.5 and PM10 SIP planning effort, The Salton Sea and potential emissions and efforts undertaken in recent years will need to be discussed in our SIP documents.

3. Lastly, the discussion of how the state's proposed short and medium term projects address the Air District air quality concerns comes down to much of what has been said previously – will the project and/or measures feasibly control potential PM emissions? Will those projects or measures have an established funding mechanism to allow for ongoing maintenance and operations for the next 30 years and beyond to ensure effectiveness? We continue to play a key stakeholder role in reviewing all the proposals that may impact air quality. Some projects do have multiple benefits, as an example, the Species Conservation Habitat project not only provides species habitat, but because the nature of the project deploys water cells, it thereby covers existing exposed playa with water so as to also prevent any dust emissions from occurring.

I would like to once again thank the State Water Resources Board on following through with their commitment to revisit the Salton Sea issue to see if progress is indeed being made since the last hearings.

Sincerely,



Brad Poiriez  
Air Pollution Control Officer