

**IMPERIAL IRRIGATION DISTRICT  
RESOLUTION NO. 13-2001**

**RESOLUTION IN SUPPORT OF LEGISLATION TO ASSIST  
IMPLEMENTATION OF THE QUANTIFICATION SETTLEMENT  
AGREEMENT, CALIFORNIA'S COLORADO RIVER USE PLAN AND  
RECLAMATION OF THE SALTON SEA**

**WHEREAS**, Coachella Valley Water District (CVWD), Imperial Irrigation District (IID), Metropolitan Water District of Southern California (MWD) and San Diego County Water Authority (SDCWA) are undertaking cooperative efforts to reduce State of California consumption of Colorado River water, known, in part, as the Quantification Settlement Agreement; and

**WHEREAS**, the Salton Sea Authority, comprised of CVWD, IID and Riverside and Imperial Counties, is undertaking efforts with the U.S. Bureau of Reclamation to restore the Salton Sea; and

**WHEREAS**, there are important environmental, water management, political and other relationships between the implementation of the Quantification Settlement Agreement and restoration of the Salton Sea; and

**WHEREAS**, the Salton Trough is a part of the natural Colorado River system—the trough historically and repeatedly received Colorado River flows creating at least three large freshwater lakes in the last two millennia; and

**WHEREAS**, the Salton Sea and its associated environs provides resident and migratory habitat for half of all bird species found in the United States, making it one of the most diverse avian habitats in the country; and

**WHEREAS**, the Salton Sea's importance to the Pacific Flyway has increased with time with the destruction and reduction of other wetland habitats in California; and

**WHEREAS**, the California agencies have proposed specific measures to ensure that the Endangered Species Act and other environmental compliance requirements for implementing the Quantification Settlement Agreement are met, including a Habitat Conservation Plan and the proposed habitat enhancement projects that would benefit species using the Salton Sea; and

**WHEREAS**, the Quantification Settlement Agreement has a firm deadline of December 31, 2002, for the completion of actions necessary to effectuate the agreement—including environmental compliance—and continuation of Interim Surplus Guidelines for California's use of Colorado River water is contingent upon reducing California agricultural water usage by 110,000 acre-feet per year by 2003, as well as other demonstration of progress in implementing the California Plan; and

WHEREAS, today's Salton Sea supports agriculture, recreation and related industries, resulting in annual multi-billion dollar benefits to the economy of the region; and

WHEREAS, restoration of the Salton Sea will preserve and enhance important habitat and will stimulate economic development and tourism; and

WHEREAS, restoration of the Salton Sea is as much a federal and state priority as a regional one and that governments within the Salton Sea region cannot bear the full financial burden of restoration; and

WHEREAS, the ability to meet the Quantification Settlement Agreement and Colorado River water use reduction deadlines and to ensure that the Quantification Settlement Agreement and the California Plan are implemented requires immediate federal regulatory direction and funding assistance for habitat enhancement projects which will benefit wildlife using the Salton Sea; now, therefore

**BE IT RESOLVED**, by the Board of Directors of IID that the foregoing recitals are true and confirm the good faith commitment of IID; and

**BE IT FURTHER RESOLVED** to support expeditious restoration of the Salton Sea; and

**BE IT FURTHER RESOLVED** to support efforts by the Congressional Salton Sea Task Force and the Salton Sea Authority to sustain and increase appropriations to partnering federal agencies, particularly the Bureau of Reclamation, or to the Salton Sea Authority directly for restoration activities; and

**BE IT FURTHER RESOLVED** to support efforts by state legislators and the Salton Sea Authority to seek and pass state legislation providing funding and other support for restoration activities; and

**BE IT FURTHER RESOLVED** to support efforts by the Salton Sea Authority and its member agencies to establish local financing mechanisms to provide funding for some of the annual operations and maintenance costs of restoration; and

**BE IT FURTHER RESOLVED** to provide technical and other staff support to the Salton Sea Authority and U.S. Bureau of Reclamation to support restoration planning and environmental compliance activities; and

**BE IT FURTHER RESOLVED** to support efforts by the Salton Sea Authority and the U.S. Bureau of Reclamation to evaluate and propose creative water management techniques to address problems of the Salton Sea, with the clear understanding that IID cannot take a position on any proposed restoration plan until all studies have been completed and the IID Board of Directors has carefully analyzed all of the impacts

associated with any specific plan, conducted public hearings, and received public input; and

**BE IT FURTHER RESOLVED** that recently identified Salton Sea restoration options that require the use of farmland for the construction and operation of solar evaporation ponds and the use of water, currently available to those lands, for Salton Sea restoration purposes, may be inconsistent with the current policies of IID; and

**BE IT FURTHER RESOLVED** to support habitat conservation and enhancement projects associated with the Salton Sea; and

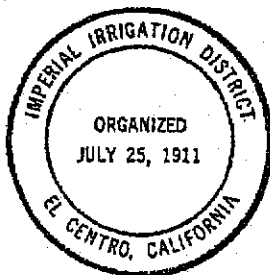
**BE IT FURTHER RESOLVED** that the Board of Directors of IID supports additional federal legislation to assist in the implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea, including the Colorado River Quantification Settlement Facilitation Act; and

**BE IT FURTHER RESOLVED** that legislation supporting and facilitating implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea must provide for the protection of the Salton Sea Authority and its member agencies (including CVWD and IID) and MWD and SDCWA from liability for any effects to the Salton Sea or its bordering area resulting from implementation of any Salton Sea restoration plan or other activities undertaken to implement the Quantification Settlement Agreement and California's Colorado River Water Use Plan; and

**BE IT FURTHER RESOLVED** that the Board of Directors of IID requests that the Boards of the Salton Sea Authority, the County of Imperial and the County of Riverside adopt a resolution in support of legislation supporting and facilitating implementation of the Quantification Settlement Agreement, California's Colorado River Water Use Plan and restoration of the Salton Sea, including the Colorado River Quantification Settlement Facilitation Act, and expeditious restoration of the Salton Sea.

**BE IT FINALLY RESOLVED** that certified copies of this Resolution be sent to Senator Feinstein, Senator Boxer, members of the Congressional Salton Sea Task Force, the Secretary of the Interior, the Director of the California Department of Water Resources and the Executive Director of the Colorado River Board of California.

**PASSED AND ADOPTED** this 26<sup>th</sup> day of June, 2001.



IMPERIAL IRRIGATION DISTRICT

By \_\_\_\_\_

President

By \_\_\_\_\_

Secretary



JK

## IMPERIAL IRRIGATION DISTRICT

### IID Position on Construction of New Conveyance Facilities

RESOLUTION NO. 3-2001

**WHEREAS**, the Imperial Irrigation District (IID), formed under the laws of the State of California, has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected and having been recognized by the United States Congress, the Supreme Court of the United States and the State of California, and by other individuals and entities; and

**WHEREAS**, water is the vital natural resource and the very foundation for all present and future economic development in the Imperial Valley; and

**WHEREAS**, IID, as trustee of Imperial Valley's Colorado River water rights, continues to vigorously defend, protect and preserve those water rights; and

**WHEREAS**, IID, in recognition of federal and state water policy encouraging water conservation and transfer programs and as part of its fiduciary obligation to defend, protect and preserve Imperial Valley's water rights, has adopted Resolution Numbers 8-84, 24-90, 4-95, 5-96 and 11-00, which established IID's water conservation and transfer policy; and

**WHEREAS**, IID has implemented its water conservation and transfer policy whereby water conserved with funds provided by others is temporarily made available for use by others in Southern California; and

**WHEREAS**, the anticipated implementation of the proposed IID-SDCWA water conservation and transfer agreement, and the Quantification Settlement Agreement does not necessitate the construction or enhancement of any conveyance facility for Colorado River water; and

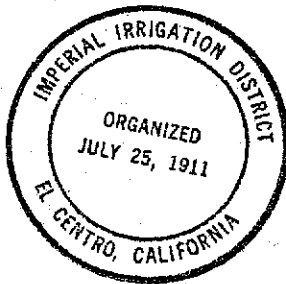
**WHEREAS**, although IID has been willing to share with others IID's Colorado River water right entitlement by transfers of conserved water through existing conveyance facilities, construction of new transportation facilities could create new demands for Imperial Valley's water, and would be detrimental to Imperial Valley and endanger the way of life of the citizens of the Valley.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. IID is opposed to the construction of any new conveyance facility, or expansion in capacity of any existing facility that could be used to transport any Colorado River water apportioned to California from the Colorado River to urban Southern California.

2. IID is not opposed to the construction of any new conveyance facility or expansion in capacity of any existing facility that could be used to transport the Republic of Mexico's Colorado River Treaty entitlement water within Mexico.

**PASSED AND ADOPTED, this 6th day of February 2001.**



**IMPERIAL IRRIGATION DISTRICT**

By \_\_\_\_\_

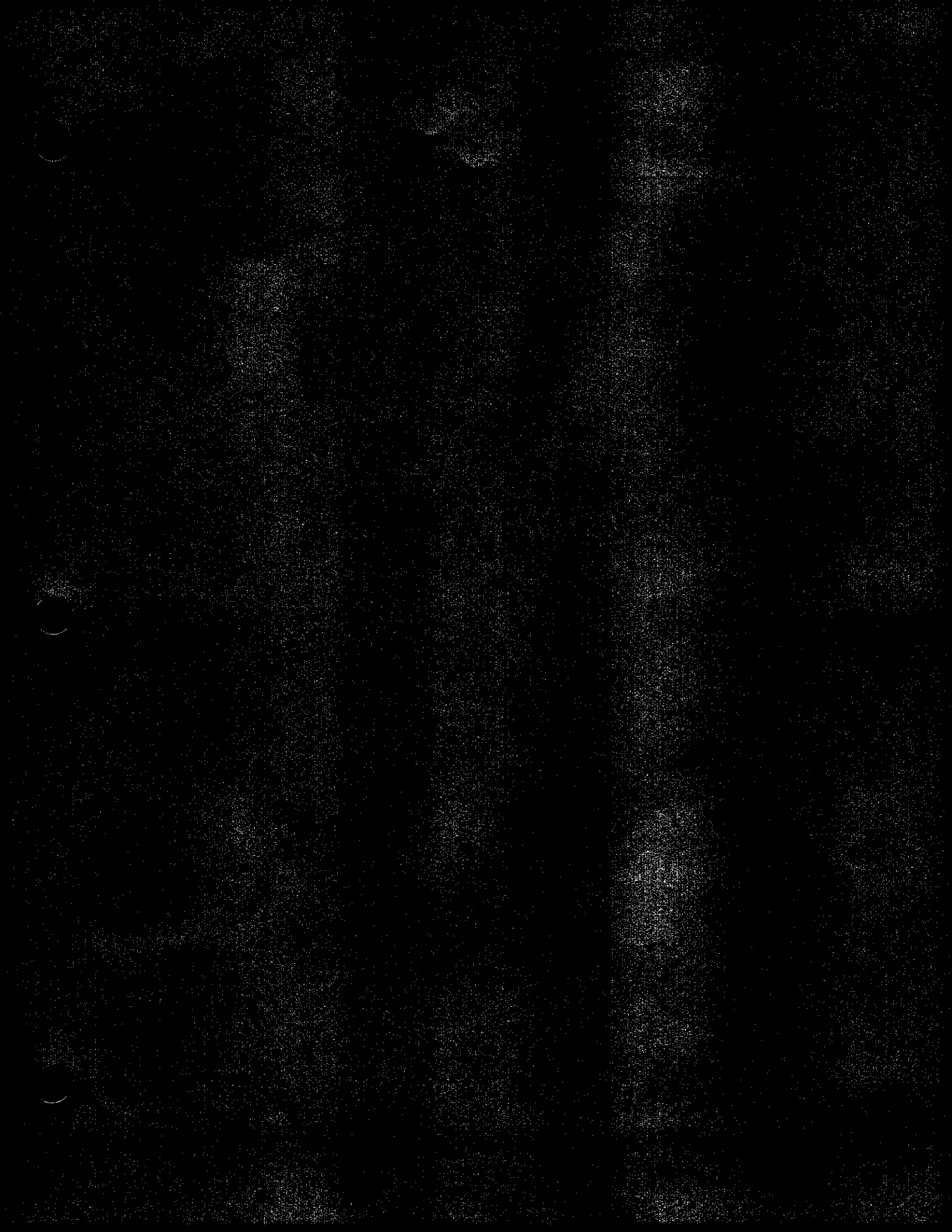
*[Signature]*  
President

By \_\_\_\_\_

*[Signature]*  
Secretary

Revised 1/19/01

Roll Call: Directors Horne, Kuhn, Allen, Mendoza and Maldonado voted yes.



**IMPERIAL IRRIGATION DISTRICT**  
Resolution No. 9-99

**Water Rights Unity Resolution**

**WHEREAS**, the Imperial Valley's water rights to the Colorado River are grounded in historical precedent dating to 1895 and subsequent state and federal law, and are crucial to the community's continued existence and prosperity; and

**WHEREAS**, the IID and Imperial Valley farmers have developed a water system that has earned an efficiency rating of 79 percent from the California Department of Water Resources, which is one of the best in the state; and

**WHEREAS**, Imperial Valley farmers have invested in an efficient, gravity-flow irrigation system and repaid all government financing in that water conveyance system; and

**WHEREAS**, the IID has shown a willingness to share the Imperial Valley's most precious resource with its urban neighbors, first with the Metropolitan Water District and more recently with San Diego County Water Authority, in partnerships to help finance further conservation efforts; and

**WHEREAS**, the IID has provided leadership in helping California to live within its Colorado River entitlement by offering to cap the district's use of Colorado River water at 3.1 million acre-feet, and by negotiating with other stakeholders on agreements that would lead to the more efficient use of water; and

**WHEREAS**, the Imperial Valley's economy and its future development cannot survive and thrive without protecting its water rights.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT, AS FOLLOWS:**

1. We are united behind the effort to preserve our water rights and will fight if necessary to protect the irrigation system our forefathers paid to develop.
2. We support efforts to maintain the Imperial Valley's water rights, which are essential for this community's economic development and future growth.



3. We are committed to helping California stretch limited water supplies to meet growing, long-term water needs through further conservation and water efficiencies as funding unfolds.
4. We are committed to support the efforts of Imperial Valley United to ensure a public voice in water decisions affecting our community.
5. We support Imperial Valley United's efforts to share this message within Imperial County, with our urban neighbors and throughout the water community.

PASSED AND ADOPTED, this 14<sup>th</sup> day of September 1999.



IMPERIAL IRRIGATION DISTRICT

By [Signature]  
President

By Gloria A. Rivers  
Secretary



IMPERIAL IRRIGATION DISTRICT  
RESOLUTION NO. 17-98

PROCEDURES FOR DEVELOPING WATER CONSERVATION PLAN

WHEREAS, on April 28, 1998, the Imperial Irrigation District ("IID" or "the District") adopted Resolution No. 10-98 authorizing execution of a Water Conservation and Transfer Agreement (the Agreement) with the San Diego County Water Authority and said Agreement was executed on April 29, 1998; and,

WHEREAS, Subpart 9 of Resolution 10-98 includes the following direction to staff:

"9. To assist in the development of a water conservation plan, including broadly acceptable landowner participation terms, staff is directed to submit at the June 9, 1998 Board meeting a proposed resolution defining the process to be used in developing such plan including associated public involvement processes;" and,

WHEREAS, said Water Conservation Plan needs to include on farm conservation, may include system conservation, may require community impact mitigation and may involve establishment of compensation guidelines; and

WHEREAS, the Imperial Valley community has asked that the IID Board establish a definition of fallowing ("no fallowing rule") as it applies to on-farm conservation by participating landowners; and

WHEREAS, any no fallowing rule should preclude a participating landowner from receiving compensation if he/she fallows land for the purpose of transferring water; and

WHEREAS, there is a need for participation by landowners and farmers in developing the Water Conservation Plan (Plan) and the IID Board has previously established a 15-person Water Conservation Advisory Board (WCAB) which is meeting that need; and

WHEREAS, two IID Board Study Groups have been developing technical water conservation concepts and the work of those two Study Groups needs to be accelerated and coordinated; and

WHEREAS, there is a need for participation by representatives of local governmental agencies and community-based organizations in (1) assessing possible community benefits and impacts of the Water Conservation Plan, (2) recommending possible community impact mitigation measures, and (3) memorializing their work for consideration in the EIR/EIS process; the IID Board therefore desires to establish a 15-person Community Advisory Commission (CAC) to meet these needs; and

WHEREAS, development of the Water Conservation Plan needs to be coordinated with and integrated into the environmental compliance actions required by the Agreement; and,

WHEREAS, there is a need to establish timelines for completing each component of the Water Conservation Plan.

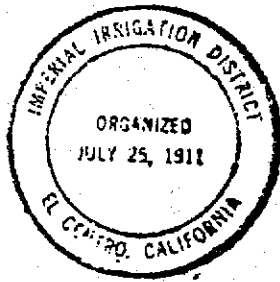
NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- A. There is hereby established a 15-person Community Advisory Commission (CAC) to advise the District in formulating a Water Conservation Plan which is responsive to Imperial Valley community needs;
- Said CAC is to have members nominated by local governmental and community based organizations with nominations closing on August 14, 1998; and
  - IID Board members to each select, from those nominated, three CAC members to be identified by the August 18, 1998 Board meeting; and
  - The responsibilities of said CAC are to (1) assess possible community benefits and impacts of the Water Conservation Plan, (2) recommend possible community impact mitigation measures, and (3) memorialize their work for consideration in the EIR/EIS process; and
  - Said CAC to meet, select officers, conduct business to accomplish its responsibilities and receive the support and assistance of IID staff, as necessary and appropriate; and
  - Said CAC to be disbanded when the final EIR is certified by the IID Board.
- B. In order to coordinate and accelerate Study Group, WCAB and CAC activities the IID Board will, when appropriate, schedule Water Conservation Plan workshops on the Monday evenings before the first regularly scheduled Board meetings of each month;
- Said workshops to be held in the IID Auditorium at 5:00 p.m.; and
  - Status reports will be provided by the Study Groups, the WCAB and the CAC.
- C. Based upon the above actions, the following schedule objectives are established:
- Definition of fallowing (draft) to be released in mid August, public hearings to be held in mid September with final definition of fallowing to be adopted in October 1998.
  - On-Farm Participation and Verification Guidelines (draft) to be released in mid-September 1998, Public Hearings on Guidelines to be held in October 1998 with Final Guidelines to be tentatively adopted in November 1998;
  - System Conservation Measures Strategy (draft) to be released in October 1998, Public Hearings on Strategy to be held in November 1998 with Strategy to be tentatively adopted in December 1998;
  - Compensation Guidelines, if any, including funding for on-farm conservation measure, system conservation, if any, District costs and community needs, if any, (draft) to be released in November 1998, Public Hearings on Procedures to be held in December 1998 and Procedures to be tentatively adopted in January 1999;

- Form of IID/Landowner Participation Agreement (draft) to be released in March 1999 Public Hearing on Agreement to be held in April 1999 and Agreement to be tentatively adopted in June 1999.
- Solicitation of interest in participation in the On-Farm Component of the Water Conservation Plan to occur in July 1999 with responses to be received 90 days later;
- Revisions of the tentative components of the Water Conservation Plan in response to environmental scoping, impact analysis, and mitigation considerations beginning in October 1999 and continuing through completion of the EIR process;
- Water Conservation Plan to be approved and IID/Landowner Participation Agreements to be executed after EIR/EIS is certified as described in the Agreement.

D. To the extent practicable, the President, General Manager and Legal Counsel shall take all appropriate actions to develop the Water Conservation Plan in the manner described herein.

PASSED AND ADOPTED this 14th day of July 1998.

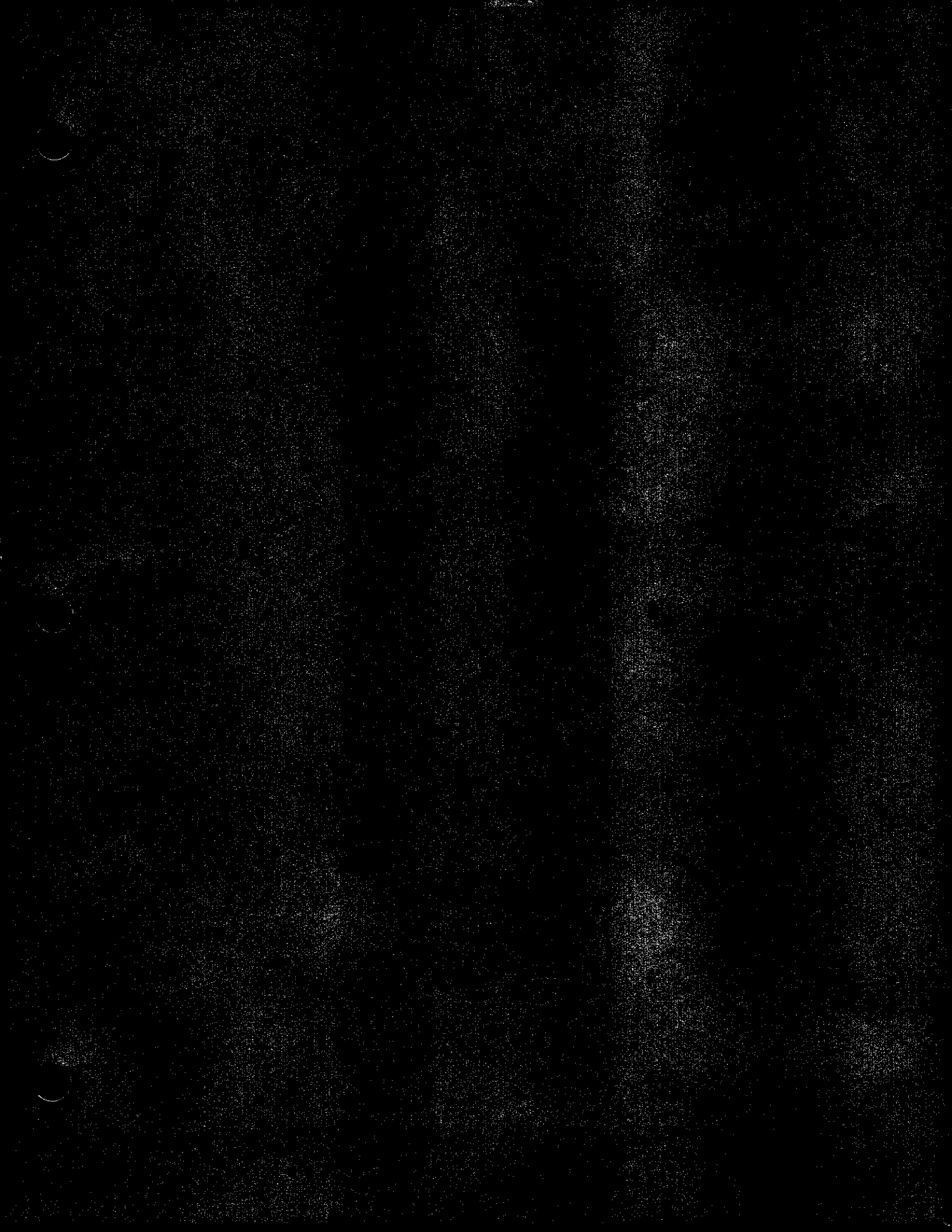


IMPERIAL IRRIGATION DISTRICT

By [Signature]  
President

By [Signature]  
Asst. Secretary

DEVELOP PLAN



IMPERIAL IRRIGATION DISTRICT  
RESOLUTION NO. 10-98

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IMPERIAL IRRIGATION DISTRICT ADOPTING FINDINGS, AUTHORIZING EXECUTION OF AGREEMENT FOR TRANSFER OF CONSERVED WATER, ESTABLISHING A PROCESS FOR DETERMINING MITIGATION OF THIRD PARTY AND ENVIRONMENTAL IMPACTS, AND ESTABLISHING PROCEDURES FOR DEVELOPMENT OF A WATER CONSERVATION PROGRAM, INCLUDING GUIDELINES FOR LANDOWNER PARTICIPATION

WHEREAS, the Imperial Irrigation District (IID), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, IID has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this century and having been recognized by the State of California, the Congress, the Supreme Courts of the United States and the State of California, and by other individuals and entities; and

WHEREAS, the laws of the State of California encourage conservation of water and voluntary arrangements that allow the title to conserved water to remain with the entity conserving the water and allow conserved water to be used by others who have a need for the water; and

WHEREAS, IID has previously resolved to diligently protect the present and future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if adequate funding is received and specified prerequisites are met; and

WHEREAS, IID has previously resolved that any transfer of conserved water must be economically beneficial to Imperial Valley; that adverse third party impacts, if any must be appropriately addressed; and that environmental impacts, if any, must be assessed in compliance with existing federal and state law; and

WHEREAS, the temporary transfer of conserved water will enable the IID and the people of the Imperial Valley to use less water while accomplishing the same purposes, will assist in protecting and strengthening the water rights of IID and its landowner beneficiaries, will produce an economic stimulus that will benefit the entire Imperial Valley; and will further fulfill the mandate that all water be put to reasonable and beneficial use; and

WHEREAS, representatives of the San Diego County Water Authority (San Diego) and IID have negotiated an Agreement for Transfer of Conserved Water (Agreement) whereby San Diego would pay for water conserved by IID, if any, and its landowner beneficiaries; and

WHEREAS, the Agreement provides that before it becomes effective, the following conditions must be satisfied:

1. Completion of the environmental review process in compliance with applicable state and federal environmental requirements, as set forth in the Agreement;

2. Entering into enforceable contracts with participating landowners for a minimum conservation of 130,000 acre-feet per year within 120 days following completion of environmental review and certification of the final EIR;
3. San Diego obtaining from the Metropolitan Water District of Southern California by agreement, or otherwise, rights to wheel the conserved water under the terms set forth in the Agreement;
4. Approval of the transaction by the California State Water Resources Control Board and the Secretary of the Interior as set forth in the Agreement; and

WHEREAS, the Agreement also provides that fallowing will not be a permitted water conservation effort under IID's contracts with its contracting landowners; and

WHEREAS, the Board of Directors of IID has reviewed the terms and conditions of the Agreement; and

WHEREAS, the Board of Directors of IID has reviewed and considered the memorandum prepared by its staff and consultants and the other information presented at the meeting; and

WHEREAS, the Board of Directors recognizes and confirms that implementation of the Agreement is expressly contingent upon compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) and upon issuance of all other required federal and state approvals; and

WHEREAS, the Board of Directors recognizes and confirms that no decision can be made to carry out any project within the meaning of CEQA or NEPA unless and until the environmental review and assessment required by CEQA and NEPA has been completed; and

WHEREAS, the Board of Directors recognizes and confirms that the Agreement shall serve only as an initial definition of the project for purposes of submission for review pursuant to CEQA and NEPA, and execution of the Agreement is therefore only a preliminary decision necessary to produce a legally adequate assessment; and

WHEREAS, the Board of Directors recognizes and confirms that as required by CEQA and NEPA any environmental impact report (EIR), environmental impact statement (EIS), or joint EIR/EIS shall include identification and meaningful evaluation of a range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project and mitigation measures which would lessen any significant adverse effects of the project, and shall also include evaluation of a no project alternative.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That the findings and recommendations set forth in the General manager's memorandum dated April 27, 1998, are adopted and hereby incorporated as fully set forth herein.
2. That the Board of Directors has determined that execution of the Agreement is not approval of a project as defined in Sections 15352 and 15378 of the State CEQA Guidelines, because execution of the Agreement does not commit the IID to any course of action with respect to the activities described in the Agreement, and that execution of the Agreement does not require CEQA compliance and is exempt from CEQA pursuant to Section 15061 of the State CEQA Guidelines and applicable case law.



3. That the Board of Directors of IID authorizes the filing of a Notice of Exemption pursuant to State CEQA Guidelines in connection with execution of the Agreement.

4. That the Board of Directors' determination that execution of the Agreement is not approval of a project requiring CEQA compliance is not intended and should not be deemed to be a determination that any activities undertaken by the IID pursuant to the Agreement are exempt from the CEQA review process.

5. That the Board of Directors of IID hereby approves execution of that certain document entitled Agreement for Transfer of Conserved Water by and between the IID and the Authority and authorizes IID's President to execute the same on behalf of IID.

6. That, by authorizing execution of the Agreement, the Board of Directors of IID is not committing itself to any activities described in the Agreement unless and until it determines that the requirements of CEQA have been fully satisfied.

7. That the Board of Directors of IID authorizes the commitment of staff and resources sufficient to conduct a thorough and legally sufficient environmental assessment of the activities described in the Agreement in compliance with CEQA and directs the President, General Manager and Legal Counsel to undertake the activities and responsibilities of the Lead Agency for purposes of such assessment.

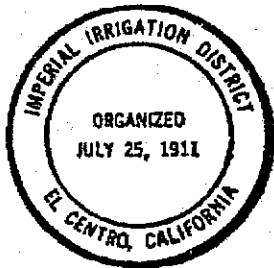
8. The Board of Directors of IID finds that the temporary transfer of conserved water will enable the IID and the people of the Imperial Valley to use less water while accomplishing the same purposes, will assist in protecting and strengthening the water rights of IID and its landowner beneficiaries will produce an economic stimulus that will benefit the entire Imperial Valley; and will further fulfill the mandate that all water be put to reasonable and beneficial use.

9. To assist in the development of a water conservation plan, including broadly acceptable landowner participation terms, staff is directed to submit at the June 9, 1998 Board meeting a proposed resolution defining the process to be used in developing such plan including associated public involvement processes.

10. The President, General Manager and Legal Counsel of IID shall take all appropriate action to conduct a legally sufficient environmental assessment of the activities described in the Agreement and to otherwise perform IID's obligations under the Agreement in compliance with applicable laws.

PASSED AND ADOPTED, this 28<sup>th</sup> day of April, 1998

IMPERIAL IRRIGATION DISTRICT



By [Signature]  
President

By [Signature]  
Secretary



IMPERIAL IRRIGATION DISTRICT  
RESOLUTION NO. 18-95

Principles of Understanding  
with IID Water Users and the Public

WHEREAS, state law provides that the Imperial Irrigation District ("IID") holds the legal title to water and water rights in trust for the landowners within IID; and

WHEREAS, the Board of Directors of IID has recently adopted Resolution No. 4-95, a "Water Conservation and Transfer Study Process" and "Principles-Terms for a Transfer Arrangement" as part of its policy to vigorously defend, protect and preserve Imperial Valley's water rights and to ensure that agriculture has a viable and productive future in the Imperial Valley; and

WHEREAS, IID has entered into a Memorandum of Understanding with the San Diego County Water Authority ("Authority") agreeing to commence negotiations towards the consummation of an agreement whereby IID would make conserved water available for use by the Authority.

NOW, THEREFORE, BE IT RESOLVED:

1. No agreement will be approved until the water users and the public have had sufficient opportunity to review and comment on such agreement.
2. Any on-farm conservation project will be voluntary and provide the water users with an equal opportunity to participate in any on-farm water conservation and transfer program.

PASSED AND ADOPTED this 10th day of October, 1995.



IMPERIAL IRRIGATION DISTRICT

BY W. A. Condit  
President

BY J. H. [Signature]  
Secretary

Copies  
Mr. Clinton  
Mr. Carter  
Mr. Silva  
External Affairs  
General Files

## IMPERIAL IRRIGATION DISTRICT

## RESOLUTION NO. 5 - 96

RESOLUTION DEFINING IMPERIAL IRRIGATION DISTRICT'S  
GUIDELINES GOVERNING WATER TRANSFERS

WHEREAS, the Board of Directors of Imperial Irrigation District passed Resolution "HD 2000: Defining the Imperial Irrigation District's Role in Western Water Policy" on April 4, 1995; and

WHEREAS, Resolution IID 2000 stated IID's intent to diligently protect the future economic well-being of the Imperial Valley, while at the same time enhancing the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if specified prerequisites are met; and

WHEREAS, in order to satisfy the specified prerequisites, the transfer must be economically beneficial to Imperial Valley; adverse third party impacts, if any, must be appropriately addressed; and environmental impacts, if any, must be deemed to be in compliance with existing federal and state law; and

WHEREAS, in order to further define the circumstances under which water transfers may be made from Imperial Valley, the Board of Directors of the Imperial Irrigation District believes it is necessary to further define IID's guidelines governing water transfers from IID.

NOW, THEREFORE, BE IT RESOLVED that the following guidelines further define the Imperial Irrigation District's water transfer policy and are in addition to, not instead of, guidelines enumerated in Resolution IID 2000:

- Any water conservation and transfer program should have minimal adverse third party impacts and, preferably, no adverse third party impacts;
- IID is not in favor of a fallowing program - any water conservation and transfer program should focus on other methods of conservation;
- There will be no water transfers by individual landowners because IID holds legal title to the water in trust for the landowners; and
- All participation would be voluntary - no farmer would be required to participate in the conservation and transfer program.

PASSED AND ADOPTED this 6th day of February, 1996.

IMPERIAL IRRIGATION DISTRICT

By: William R. Condit  
William R. Condit, President

By: John Penn Carter  
John Penn Carter, Secretary





## IMPERIAL IRRIGATION DISTRICT

## RESOLUTION NO. 4-95

IID 2000: Defining the Imperial Irrigation District's  
Role in Western Water Policy

WHEREAS, water is the vital natural resource of the Imperial Valley and the very foundation for all present and future economic development; and

WHEREAS, the Board of Directors of the Imperial Irrigation District (IID) recognizes that water is a valuable and scarce resource which should be put to reasonable and beneficial uses; and

WHEREAS, the Imperial Valley lacks the groundwater supply enjoyed by many other agricultural districts and communities throughout the West; and

WHEREAS, Imperial Valley's future agricultural, municipal and industrial demand for water is expected to grow significantly because:

- Agriculture has been, and will continue to be, central to the way of life and economic vitality of the Imperial Valley;
- Non-agricultural economic activity is a growing and significant component for the future economic base of Imperial Valley;
- Imperial County's population growth has been among the fastest in California and shows no signs of slowing;
- Economic developments in Mexico, accelerated by the implementation of the North American Free Trade Agreement, will continue to stimulate and diversify the Imperial Valley economy and will fuel future growth in agricultural and non-agricultural sectors;
- Local recreational needs for water continue to grow in the face of resident demand; and

WHEREAS, substantial capital investment in, and economic development of, the Imperial Valley has been made in reliance upon the security of the Law of the River and reliability of IID's Colorado River water rights; and

WHEREAS, IID, as trustee, has a fiduciary obligation to protect and promote the landowners' equitable and beneficial interest in the District's water supply and to provide reliable water service at reasonable water rates to users; and

WHEREAS, IID shares in the third and sixth priorities of California's Colorado River water entitlement pursuant to the 1931 Seven Party Agreement; and

WHEREAS, the 1934 Compromise Agreement subordinated Coachella Valley Water District's priority to IID's priority, and gives IID preferential use of the remaining 3.85 million acre-feet consumptive use entitlement after satisfaction of the first two priorities; and

WHEREAS, the U.S. Supreme Court's Decree in Arizona v. California confirmed IID's present perfected right of 2.6 million acre-feet per year; and

WHEREAS, state law vests the title to conserved water in the entity responsible for the conservation measures; and

WHEREAS, federal and western states' water policies seem to be evolving toward a market-based approach to water transfers in order to allow supplies to move toward higher-value use, thus enabling consumers to benefit from the lower prices that traditionally go hand-in-hand with free markets; and

WHEREAS, IID's water rights are threatened from time to time by federal and state regulatory and administrative initiatives which conflict with the Law of the River; and

WHEREAS, the IID believes that any state or federal initiatives affecting western water policy should strive to preserve or enhance:

- The invaluable and fragile resources of the Colorado River;
- The portfolio of laws and agreements which have evolved to protect this resource; and

WHEREAS, the IID believes that any attempts at government over-regulation or administrative reallocations of water will:

- Reduce the certainty of long held western water property rights;
- Hamper, if not preempt, the fragile evolution toward socially responsible, free market mechanisms and thus result in higher water prices to consumers;
- Lead to unnecessary conflict and litigation; and

WHEREAS, IID is continuing to engage in aggressive water conservation and transfer programs, such as:

- Concrete lining of over 1,100 miles of canals and laterals;
- Construction of seven regulating and storage reservoirs;
- Construction of interceptor canals and seepage recovery systems.
- System automation.
- Installation of tailwater recovery systems.
- Development of irrigation water management certificate program.
- IID/MWD Water Conservation Program;
- Agreement for All-American Canal Lining;
- Development of a proposed land fallowing and water reduction test program of 200,000 acre-feet; and

WHEREAS, the IID recognizes the potential conflicts that exist between water conservation measures and environmental impacts, and seeks to actively participate in developing optimal tradeoffs; and

WHEREAS, a growing demand for long-term, reliable water supplies in Southern California and Nevada continues; and

WHEREAS, the IID believes that adoption of a 100-year horizon for local and regional water planning results in the most mutually beneficial and realistic outcomes for urban and agricultural users; and

WHEREAS, the Board of Directors of IID realizes the importance of an opportunity for voluntary, market-based water transfers as a means to help meet these demands; and

WHEREAS, in an effort to optimize the management of the Imperial Valley's water resources, the Board of Directors of IID recognizes the need to be diligently mindful of the actions of potential customers and competitors in the emerging western water market; and

WHEREAS, the Board of Directors of IID plans to respond to these challenges and opportunities when beneficial for, and sensitive to, the long-term needs of Imperial Valley landowners, residents and businesses.

NOW, THEREFORE, BE IT RESOLVED that in conjunction with the aforementioned and in an effort to more effectively serve its constituents, the Board of Directors of IID shall:



1. Continue to put all of IID's water resources to reasonable and beneficial use in accordance with applicable law.

2. Proactively work with the U.S. Bureau of Reclamation, the California Department of Water Resources, and the State Water Resources Control Board to fully communicate IID's ongoing conservation efforts.

3. Diligently protect the future economic well-being of the Imperial Valley by ensuring that its water resources are put to their highest and best economic use.

4. Vigorously defend, protect and preserve IID's present perfected rights and its entitlements under the Seven Party Agreement, the Boulder Canyon Project Act contracts, and Compromise Agreement through active participation in federal and state regulatory and administrative initiatives.

5. Oppose any proposals or initiatives that threaten the current environmental and/or recreational amenities and benefits of the Colorado River.

6. Protect, on behalf of the District, all title and ownership of any and all waters conserved within the District.

7. Maintain and enhance the economic well-being of Imperial Valley and its residents by proactively promoting and supporting opportunities to transfer conserved water, if and when:

- The transfer is economically beneficial to Imperial Valley landowners and residents.
- Adverse third party impacts, if any, are appropriately addressed.
- Environmental impacts, if any, are deemed to be in compliance with existing federal and state law.

8. Explore alliances with other parties relative to:

- The protection of existing water rights and laws.
- The voluntary transfer of water.
- The issues and activities which affect California agriculture and Colorado River water and power users.
- Protection and enhancement of the environment.

9. Direct the District staff to take any and all actions which are necessary to implement this Resolution.

PASSED AND ADOPTED this 4<sup>th</sup> day of April, 1995.

IMPERIAL IRRIGATION DISTRICT



By W. R. Condit  
President

By J. R. Carter  
Secretary