

THE QUANTIFICATION SETTLEMENT AGREEMENT: MANAGING CALIFORNIA'S USE OF COLORADO RIVER WATER



Approximately one quarter of Southern California's freshwater supply comes from the Colorado River for agricultural, urban and environmental purposes. Today, the river is under severe constraints due to an extended drought and population growth in six of the seven states that draw upon its water. These conditions make California's plan to utilize and distribute its Colorado River water supply – according to the terms of the 2003 Quantification Settlement Agreement (QSA) – even more critical today than it was when the deal was signed a decade ago.

RIGHTS TO COLORADO RIVER WATER

California water agencies hold some of the oldest and most substantial water rights to the river. This group includes the Imperial Irrigation District, which is the nation's largest irrigation district with Colorado River water rights dating back to the 19th Century. IID's current entitlement of 3.1 million acre-feet per year (AFY) is used to irrigate approximately 500,000 acres of farmland.

The first large-scale water transfers among Southern California agencies began in 1988, when Imperial Irrigation District agreed to provide 103,000 AFY of water to Metropolitan Water District of Southern California (MWD). Under the agreement, the quantity of water supplied to MWD must be equal to the amount that is conserved by IID in the form of reduced water use on agricultural lands.

During the 1990s – as other states sought to secure more of their Colorado River water entitlements – California water agencies faced significant pressure from the federal government to reduce their water use by nearly one million acre-feet of water.

TERMS OF THE QSA

The QSA and subsequent implementing legislation sought to achieve three things:

- affirm the rights of California water agencies to Colorado River water supplies to quantify California's total allotment at 4.4 million AFY
- enable water-sharing agreements among these agencies
- address the environmental consequences of these transfers

Under the agreement, IID agreed to transfer an additional 200,000 acre-feet of conserved water annually to the San Diego County Water Authority and approximately 100,000 acre-feet to Coachella Valley Water District, as well as an additional 67,000 acre-feet of water that would be conserved by lining the primary water delivery canal to prevent water loss through seepage. These agreements would be in place for up to 75 years.

At the time of the QSA, it was known that reducing water use on Imperial Valley farms – which are irrigated through a gravity flow

system of canals – would reduce the amount of runoff water that historically flowed to the Salton Sea. These reduced inflows cause the sea to shrink, threatening natural habitat, exposing shoreline that was previously underwater, and creating human health problems as the fine dust, which contains decades of farm field sediments, becomes airborne "particulate matter" in the Imperial Valley.

Under the terms of the QSA and enabling legislation, the State of California assumed responsibility to plan for and fund measures that would address these impacts and restore the Salton Sea.

STATUS OF THE QSA

The validity of the QSA has been challenged in courts since the agreement was executed. In 2013, the validity of the agreement was upheld by the Superior Court in Sacramento.

Since 2003, IID has made more than 2.2 million acre-feet of conserved water available through the canal lining project and farm field fallowing. Under the fallowing program and by order of the State Water Resources Control Board, IID continues to deliver water equal to the customary field runoff to the Salton Sea as "mitigation water." Starting in 2013, the fallowing program will be replaced by on-farm and system-wide efficiency measures. The fallowing program will conclude in 2017, which means there will no longer be mitigation water sent to the Salton Sea, accelerating the process of a receding sea and lakebed exposure and exacerbating related health impacts.

To date, no plan to restore the Salton Sea has been approved or funded. Although the state published a "preferred plan" in 2007, estimated to cost more than \$9 billion, it has not been implemented. Another plan was published in 2006 by the Salton Sea Authority, a joint powers authority made up of local agencies, but it has not been funded. Some funding, however, has been provided for habitat conservation projects, and funding was provided in 2013 to enable the Salton Sea Authority to conduct a feasibility study for restoring the Salton Sea.

In October of 2013, IID signed a Memorandum of Understanding with Imperial County that establishes a framework for helping to fund the Salton Sea Authority's revised plan for a smaller, but sustainable Salton Sea by developing renewable energy assets at the sea.



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