

**2007 ANNUAL REPORT OF
IMPERIAL IRRIGATION DISTRICT PURSUANT TO
SWRCB REVISED ORDER WRO 2002-013**

March 31, 2008

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I. INTRODUCTION

On October 5, 1998, Imperial Irrigation District ("IID") and the San Diego County Water Authority ("SDCWA") submitted a joint petition to the SWRCB seeking approval to transfer conserved water from IID to SDCWA as a long-term transfer and to change the place of use, point of diversion and purpose of use necessary to allow the transfer under IID's Permit 7643. This petition was later amended to also include transfers to the Coachella Valley Water District ("CVWD"); and/or The Metropolitan Water District of Southern California ("MWD"), for water transfers to CVWD that CVWD determines to reduce or postpone. After completion of a lengthy water rights hearing, the SWRCB issued Order WRO 2002-013 and then its Revised Order WRO 2002-013 in accordance with WRO 2002-016.

Pursuant to Revised Order WRO 2002-013 (the "Order"), IID is to submit an annual report by March 31 of each year to the Chief of the Division of Water Rights reporting on certain facts and actions taken during the prior calendar year, as specified on pages 85 to 92 of the Order. This annual report covers calendar year 2007.

The long-term transfer of conserved water from IID to SDCWA commenced in calendar year 2003 following (i) IID's adoption on October 2, 2003, of the September 2003 Amended and Restated Addendum to the Final EIR/EIS for the Transfer Project, CEQA Findings and Statement of Overriding Considerations and the MMRP; (ii) the recording of a Notice of Determination for the Transfer Project and posting by the State Clearinghouse on October 8, 2003; and (iii) execution of the QSA and related agreements on October 10, 2003.

Pursuant to the Fourth Amendment to the IID/SDCWA Transfer Agreement and the Amended and Restated Addendum to the Final EIR/EIS, and other QSA and Related Agreements, IID conserved water for transfer to SDCWA in 2003 by entering into voluntary

thirteen-month contracts with farmers to fallow some of their farmland. Pursuant to a solicitation process commenced after October 10, 2003, IID entered into 69 contracts with farmers as of December 1, 2003, to fallow approximately 5,764 acres to produce the 10,000 AF of conserved water transferred to SDCWA in calendar year 2003. The monthly and annual schedule of conserved water created by fallowing for transfer to SDCWA is contained in Appendix 1. As will be noted, only 3,445 AF was created in December 2003, with the balance created from January through December 2004. Nonetheless, SDCWA received its full transfer volume in December 2003 by IID utilizing the Inadvertent Overrun and Payback Program ("IOPP") implemented by the Secretary of Interior. All Lower Colorado River Basin States repayments for 2003 overruns were waived by the United States Bureau of Reclamation ("BOR") in 2004.

IID conserved water for transfer to SDCWA in 2004 by entering into voluntary 12-month contracts with farmers to fallow some of their farm land. Pursuant to a solicitation program between April 1 and April 30, 2004, IID entered into 118 12-month contracts with farmers as of July 1, 2004, to fallow approximately 12,127 acres to produce the 20,000 AF of conserved water transferred to SDCWA in calendar year 2004, plus conserved water for other QSA and Related Agreement purposes. The monthly and annual schedule of conserved water created by fallowing for transfer to SDCWA and for other purposes is also contained in Appendix 1.

IID conserved water for transfer to SDCWA in 2005 by entering into voluntary 12-month contracts with farmers to fallow some of their farm land. Pursuant to a rollover of volunteers from the 2004 program solicitation plus the participation of IID owned land, IID entered into 105 12-month contracts with farmers as of July 1, 2005, to fallow approximately 11,676.2 acres to produce the 30,000 AF of conserved water transferred to SDCWA in calendar year 2005, plus

conserved water for other QSA and Related Agreement purposes. The monthly and annual schedule of conserved water created by fallowing for transfer to SDCWA and for other purposes is also contained in Appendix 1.

IID conserved water for transfer to SDCWA in 2006 by utilizing some of its owned land and by entering into voluntary 12-month contracts with farmers to fallow some of their farmland. Pursuant to a solicitation program in the spring of 2006, IID entered into 108 12-month contracts with farmers as of July 1, 2006. Those contracts, plus the participating IID-owned land, resulted in the fallowing of approximately 17,984.4 acres to produce the 50,000 AF of conserved water transferred to SDCWA in calendar year 2006, plus conserved water for other QSA and Related Agreement purposes. The monthly and annual schedule of conserved water created by fallowing for transfer to SDCWA and for other QSA-related purposes is also contained in Appendix 1.

IID conserved water for transfer to SDCWA in 2007 by entering into voluntary 12-month contracts with farmers to fallow some of their farmland. Pursuant to a solicitation program in the spring of 2007, IID entered into 150 12-month contracts with farmers as of July 1, 2007. Those contracts resulted in the fallowing of approximately 16,172 acres to produce the 50,000 AF of conserved water transferred to SDCWA in calendar year 2007, plus conserved water for other QSA and Related Agreement purposes. The monthly and annual schedule of conserved water created by fallowing for transfer to SDCWA and for other QSA-related purposes is also contained in Appendix 1.

Transfers to CVWD are not scheduled to commence until calendar year 2008.

II. REVISED ORDER WRO 2002-013 REQUESTED INFORMATION

A. Report on Water Transferred

The Order (p.85 Condition No. 4), requests IID to verify the amount of water transferred.

Condition No. 4 requests the following information:

- (a) The quantity of water diverted at Imperial Dam;
- (b) An estimate of the quantity of water that is returned to the Colorado River from diversions made at Imperial Dam;
- (c) The quantity of water subject to variation permitted by the IOPP adopted by the Department of Interior;
- (d) Gross diversions at Whitsett Intake plus the quantity of water diverted at Whitsett Intake pursuant to the Order;
- (e) An estimate of the reductions in deliveries to participating farmers;
- (f) An estimate of the quantity of water conserved by conservation projects implemented by the permittee; and
- (g) An estimate of the quantity of water conserved by efficiency-based conservation measures.

IID is producing each year an Annual QSA Water Report that identifies IID compliance with its water conservation, transfer and mitigation obligations under the SWRCB Order and QSA and Related Agreements. Twenty tables, based on IID's best estimates as of the date of this annual report, are included in Appendix 1 entitled:

- Provisional 2008 IID Water Use
- 2007 IID Water Use
- 2006 IID Water Use

- 2005 IID Water Use
- 2004 IID Water Use
- SDCWA Transfer Accounting
- Salton Sea Mitigation Accounting
- CRWDA Exhibit C Accounting
- Provisional Lake Mead Accounting
- Total Fallowing
- SDCWA Transfer Fallowing
- Salton Sea Mitigation Fallowing
- CRWDA Exhibit C Fallowing
- IOPP Fallowing
- Early CRWDA Exhibit C Fallowing
- Intentionally-Created Surplus
- Total Efficiency Conservation
- SDCWA Efficiency Conservation
- CVWD Efficiency Conservation
- SDCWA Diversion at Parker Dam Accounting.

The BOR provides IID and other users of Colorado River water with annual Colorado River accounting and water use reports containing the information requested in Condition No. 4 (a)-(d). The 2007 provisional data can also be found on the BOR website at <http://www.usbr.gov/lc/region/g4000/hourly/use07.pdf>. The BOR does not generally complete its annual reports until approximately May or June of each year, and IID has not yet received the final BOR 2007 annual report. IID received the final BOR 2004 and 2005 reports in 2006 and

the final 2006 report in October 2007. These reports can be viewed on the BOR website at <http://www.usbr/lc/region/g4000/wtracct.html>. Attached as Appendix 5 is a reconciliation of the BOR final decree reporting numbers compared to those reported by IID in its 2004, 2005 and 2006 SWRCB Annual Reports. No material changes occurred. All differences are nominal compared to the provisional amounts previously reported by IID, with one exception for the 2007 gross diversion by MWD at Whitsett Intake, which variation had no relationship to IID's compliance with the SWRCB-approved transfers. Additionally, IID and the BOR had differing perspectives on how to calculate certain canal delivery losses which were resolved in December 2007. A copy of the resolution correspondence is attached hereto as Appendix 11. The resolution reduced the yield of IID's 2004 to 2006 following program by 1,375 AF as reflected on page 8 of the Annual QSA Water Report, attached as Appendix 1, but did not affect the volume of conserved water transferred or used to mitigate impacts on the Salton Sea. IID will revise the 2007 SWRCB Annual Report should the final BOR 2007 report or the resolution of any other open issues with the BOR materially change any of the reported information herein.

The most recent "provisional" information from the BOR for 2007 is contained in Appendix 1. Pursuant to the information in that report, IID responds to Condition 4(a)-(d) as follows:

- (a) 2,951,932 AF diverted at Imperial Dam.
- (b) 79,754 AF measured return flows to Colorado River.
- (c) IID has an IOPP account allowing variation in consumptive use above 3.1 MAFY

in the aggregate volume of 310,000. IID inadvertently overran in 2003 in the amount of 6,102 AF. The payback of all overruns in the Lower Basin States for 2003 was waived by BOR. IID had no overrun under the IOPP for 2004 or 2005. As of the end of 2006, IID had an

inadvertent overrun account balance in the amount of 17,914 AF, prior to reduction to 10,175 AF as a result of unused entitlement by Nevada available to IID pursuant to Article II(B)(6) of the Decree in Arizona v. California. IID has an inadvertent overrun in 2007 in the provisional amount of 5,977 AF.

(d) Gross Diversions at Whitsett Intake – 716,289 AF (return flow credit of 2,833 AF). Diversions at Whitsett Intake, pursuant to the Order – 50,000 AF.

Condition 4(e)-(g). Pursuant to the following contracts in effect for 2007, IID estimates that it reduced deliveries to participating farmers by approximately 50,000 AF as measured at the Colorado River, net of return flows, and estimates the quantity of water conserved by fallowing for transfer to SDCWA in 2007 at 50,000 AF. No water was conserved by efficiency-based conservation measures for transfers in 2007 pursuant to Revised Order WRO 2002-013. However, efficiency-based conservation measures implemented pursuant to Order WR 88-20 generated 105,000 AF of conserved water that was transferred to MWD. Appendix 2 identifies the type of efficiency-based conservation measures utilized to create the conserved water transferred to MWD.

Salton Sea Habitat Conservation Strategy Compliance

Condition Nos. 5 and 6, p.86 of the Order requires the preparation of a plan and annual reporting on Salton Sea Salinity and elevation, and implementation of the Salton Sea Habitat Conservation Strategy as described in the Final EIR. On October 23, 2003, IID petitioned the Chief of the Division of Water Rights to modify Condition Nos. 5 and 6 to be consistent with an alternate Salton Sea Habitat Conservation Strategy utilizing a specific fallowing-for-transfer schedule and a fallowing-for-mitigation schedule as reflected in the QSA and Related Agreements and the September 2003 Amended and Restated Addendum to the Final EIR/EIS. After allowing for comment on IID's request and consideration of all submitted material, on

January 7, 2004, the Chief of the Division of Water Rights approved IID's use of the Alternate Salton Sea Habitat Conservation Strategy. In essence, this alternate strategy has IID create conserved water by fallowing in addition to the conserved water transferred to SDCWA, on an annual schedule attached as Appendix 3, and to cause the delivery of mitigation water to the Salton Sea in order to mitigate salinity and elevation impacts of the IID transfer to SDCWA for up to 15 years by causing replacement inflow to the Salton Sea to offset the reduced inflow caused by the IID transfer to SDCWA.

As Appendix 3 illustrates, IID was to create 5,000 AF of conserved water by fallowing in 2003 for Salton Sea mitigation purposes. However, authorization to utilize this alternative mitigation strategy was not received by IID until early January 2004. On December 19, 2003, IID informed the Chief of the Division of Water Rights of its intent to "roll over" the 2003 mitigation water into 2004, and no objection was received. Thus, for 2003, IID did not implement Condition Nos. 5 and 6, as now modified, but added 5,000 AF to its mitigation obligation for 2004. IID produced a total of 15,000 AF for Salton Sea mitigation purposes in 2004.

IID delivered 14,359 AF of fallowed conserved water to the Salton Sea in calendar year 2004. This volume is 641 AF less than IID's delivery obligation and 641 AF less than reported to the SWRCB in the 2004 Annual Report. The explanation for this discrepancy is as follows. All volumes for transferred conserved water, mitigation fallowing, and delivery of mitigation water to the Salton Sea are in common units of consumptive use, as measured at Imperial Dam, net of measured and unmeasured return flows. The BOR reports to IID the volumes of measured and unmeasured return flows several months after the end of each calendar year. Therefore, IID is required to estimate the volumes of return flows during a calendar year when determining the

volume of water to divert into the delivery path to the Salton Sea in satisfaction of the mitigation requirement. IID's diversion was low by the 641 AF total, based on the report of actual measured and unmeasured return flow received by IID from the BOR in 2005. However, IID made up this under-diversion to the Salton Sea in 2005 as evidenced in Appendix 1, and explained further below, as advance delivery. Salton Sea mitigation water was physically delivered to the Salton Sea by taking diversions from the Colorado River into the All-American Canal and then discharging the diversion into the New River. The mitigation volumes diverted were measured by a calibrated weir equation at the AAC New River turnout.

Attached as Appendix 4 is a graph identifying Salton Sea elevation changes from January 1, 2005 through December 31, 2007.

C. Advance Delivery of Salton Sea Mitigation Water in 2004 and 2005

At the request of the BOR and in consultation with Lower Basin Colorado River contractors, IID caused 15,880 AF of Colorado River re-regulation water to be conserved and delivered to storage in the Salton Sea in 2004. IID caused 21,476 of re-regulation water to be conserved and delivered to storage in the Salton Sea in 2005. The letter agreement between BOR and IID describes the conservation of re-regulation water as follows:

Water from Colorado River system storage spilled or released for flood control purposes, or released to fill a water order but not then diverted by an entitlement holder, might otherwise flow to the NIB [Northern International Boundary] in excess of Treaty obligations. Historically, when possible, this water has been subject to temporary re-regulation by Reclamation, for example when it has been captured and held in Senator Wash Reservoir. Operation of Senator Wash Reservoir has been restricted due to dam safety concerns.

The purpose of temporary re-regulation is to permit the maximum amount of water from the Colorado River system to be put to beneficial use within the United States. Temporary re-regulation is consistent with Reclamation's goal of meeting but not exceeding

Treaty obligations, and is consistent with the Decree in Arizona v. California, the 2003 Colorado River Water Delivery Agreement (CRWDA), the Inadvertent Overrun & Payback Policy (IOPP), and the Interim Surplus Guidelines (ISG). Temporary re-regulation provides Reclamation with critical flexibility in river management. The temporary re-regulation of river flow that otherwise would flow to the NIB in excess of Treaty obligations may be effected at the request of Reclamation, but only in the event the water cannot otherwise be stored by Reclamation works or diverted by an entitlement holder in satisfaction of an existing entitlement.

In the latter part of 2004 and the early part of 2005, in response to heavy rainfall occurring in a watershed that is tributary to the lower Colorado River, Reclamation released water from Lake Havasu to protect the integrity of Parker Dam. Also, as a result of these rainstorms, water ordered by entitlement holders and released from Hoover Dam was not diverted. In an effort to prevent these releases from being lost to beneficial use within the United States as excess flows to the NIB, and in light of the current storage capacity limitation at Senator Wash Reservoir, Reclamation requested that IID capture a portion of this water and convey it to the Salton Sea. IID accommodated such a request from Reclamation in 2004 and 2005. Reclamation anticipates the possible need for additional temporary re-regulation of Colorado River water with the assistance of IID in 2006.

In the years subsequent to advance delivery, as identified on Appendix 1, water is conserved from fallowed lands in the amount identified in Appendix 3 and left in Lake Mead, rather than being diverted to the Salton Sea, as an exchange for the previously conserved and stored Colorado River re-regulation water. Advance deliveries of re-regulation water provide a temporal benefit to the Salton Sea by satisfying the cumulative mitigation delivery schedule identified in Appendix 3 in advance of the annual deadlines. An accounting of the water delivered to the Salton Sea in 2004 and 2005 as advance delivery of re-regulation water is contained in Appendix 1.

D. Salton Sea Mitigation Water for 2006

IID produced 20,000 AF of conserved water from fallowing in 2006, an amount equal to the volume that was to be delivered to the Salton Sea as transfer mitigation water under the schedule in Appendix 3. However, pursuant to terms of the re-regulation letter agreement between IID and BOR, and because of the advance deliveries described in Section C above, IID left the 20,000 AF of conserved water in Lake Mead rather than delivering the conserved water to the Salton Sea. As of the end of 2006, the Salton Sea had received 1,715 AF of advance delivery water earlier and in excess of the required mitigation schedule. An accounting of the water delivered to the Salton Sea as advance delivery of re-regulation water is contained in Appendix 1.

E. Salton Sea Mitigation Water for 2007

IID produced 23,306 AF of conserved water from fallowing in 2007 for Salton Sea mitigation, an amount slightly less than the volume that was to be delivered to the Salton Sea as transfer mitigation water under the schedule in Appendix 3. However, as can be seen from the 2007 IID Water Use spreadsheet on page 2 of the Annual QSA Water Report and the remainder of Appendix 1, as of the end of 2007, the accounting for the 37,356 AF of advance delivery to the Salton Sea, the 641 AF of under delivery to the Salton Sea in 2004, and the settling up by leaving fallowed conserved water in Lake Mead, has almost "zeroed out" the early mitigation water delivered to the Salton Sea in 2004 and 2005, leaving a net surplus of 21 AF of early mitigation water delivered to the Salton Sea as of the end of 2007.

F. Air Quality Mitigation

Condition No. 8, p.87, requires the IID to implement the monitoring and mitigation plan described on pp. 3-50 to 3-52 of the Final EIR/EIS; to implement best management practices

("BMPs") to mitigate PM10 emissions associated with following, as described in the Draft and Final EIR/EIS; to comply with any relevant requirements of the State Implementation Plan for PM10 Emissions ("SIP") or PM10 rules of the Imperial County Air Pollution Control District ("ICAPCD") or the South Coast Air Quality Management District ("SCAQMD"); and to report annually on actions taken to comply.

1. Exposed Salton Sea Shoreline Air Quality Mitigation

The delivery of Salton Sea mitigation water under the approved Alternative Salton Sea Habitat Conservation Strategy, and the advance delivery as described in Section II.C above, prevented the IID transfer of conserved water to SDCWA from causing any exposed shoreline in 2007.

The eventual exposure of Salton Sea shoreline will be mitigated through a four-step process that includes (i) access restrictions; (ii) research and monitoring; (iii) creating or purchasing offsetting emission reduction credits; and (iv) direct emission reductions. During 2007, IID continued with its coordinated efforts with the Department of Water Resources on air quality research and monitoring plans related to the State's Salton Sea Ecosystem Restoration Program. Efforts to expand the existing ambient air quality monitoring station network surrounding the Salton Sea in order to improve data collection pre-elevation decline caused by the conserved water transfers were supported by IID. Up to six additional monitoring stations, including a second monitoring station at the prevailing upwind northern end of the Salton Sea to improve the resolution of PM sources blowing onto the Salton Sea and provide redundancy to check background levels have been proposed. The elevation of the Salton Sea was not impacted by the IID conserved water transfers as a result of the delivery of Salton Sea mitigation water. In light of that fact, the slender ring of exposed playa around the Salton Sea and the numerous owners of exposed properties, access restriction efforts were not undertaken in 2007.

2. Fallowing-Caused PM10 Emission Mitigation

The implementation of BMPs to minimize PM10 emissions from fallowed lands below the level otherwise caused by farming the land was implemented in 2003 and continued in 2004, 2005, 2006 and 2007. All contracts between the IID and farmers participating in the fallowing program in 2006 included a contractual requirement in Section 5B, *Obligations of Fallowing Party, Dust Control and Mitigation Requirements* that states:

Fallowing Party shall be responsible for and undertake the timely control of all dust on the Fallow Lands as described on Exhibit D, and shall provide to IID proof of performance and evidence of the costs and expenses incurred for dust control and mitigation requirements. Fallowing Party must complete and return the mitigation reporting forms according to the deadlines established in Exhibit D, and Dust Control BMP's must be selected and approved by IID prior to implementation or July 1, 2007, whichever is earlier.

Exhibit D to the 2007 fallowing contracts provides the following:

In order to satisfy mitigation and reporting requirements in accordance with the Transfer EIR (defined in Recital B), the Fallowing Party shall be responsible for and comply with the following requirements:

1. MITIGATION REQUIREMENTS

A. In order to mitigate air quality impacts on Fallow Lands, only the Best Management Practices ("BMPs") recommended by the US Department of Agriculture Natural Resources Conservation Service and listed below will be considered for payment reimbursement. The Dust Control BMP(s) must be selected and approved by IID prior to implementation or July 1, 2007, whichever is earlier. Payment will be based on the Dust Control BMP Reimbursement Schedule issued annually by the IID.

- 1) Plan ahead to start with plenty of vegetation residue, and maintain as much residue on fallowed fields as possible. Residue is more effective for wind erosion protection if left standing.
- 2) Avoid any tillage if possible.

3) Avoid any traffic on the field or tillage when fields are extremely dry to avoid pulverization.

4) If residues are not adequate, small grain can be seeded about the first of the year to take advantage of winter rains or soil stabilization chemicals may be applied to fallowed lands.

B. In addition to the above BMPs, in order to satisfy Imperial County dust control and mitigation requirements, Following Party will comply with any lawful conditions required by the Imperial County Air Pollution Control District.

2. REPORTING REQUIREMENTS

Complete and return a Following Program Mitigation Reporting Form (to be provided by IID) to the Manager of the Water Department of IID on or before July 31, 2007, and update the form before November 30, 2007, and July 31, 2008, verifying the method(s) used to satisfy the mitigation requirements set forth in Section 1 above and the total costs incurred by Following Party therefore, including written documentation evidencing such costs.

The mitigation reporting forms submitted by following participants to IID disclosed that all fallowed fields utilized BMP's as outlined by the U.S. Department of Agriculture Natural Resources Conservation Service. The IID is unaware of any reports of noncompliance or any enforcement activity by the ICAPCD or the SCAQMD with regard to fallowed fields.

The following contracts also condition and limit payments to the Following Party to compliance with the mitigation requirement. (See Sections 2A and 2B and 12.) A copy of a pro forma 2007 contract between participating farmers and the IID is attached as Appendix 6. All 69 fields participating in the first thirteen-month following program were inspected by IID in January 2004. In July 2004, all 118 of the newly-fallowed fields from the 2004 contracts, as well as the 69 fallowed fields from the 2003 contracts, were inspected by IID. In addition, in October 2004 IID assisted BOR in a verification of fallowed fields utilizing a random 5% acreage spot check. In January 2005, all 105 of the newly-fallowed fields from the 2005 contracts, as well as

the 118 fallowed fields from the 2004 contracts, were inspected by IID. In addition, in October 2005, IID assisted BOR in a verification of fallowed fields utilizing a random 5% acreage spot check. In 2006, all 169 of the newly-fallowed fields from the 2006 contracts as well as the 105 fallowed fields from the 2005 contracts, were inspected quarterly by IID. In addition, in April and October 2006, IID assisted BOR in a verification of fallowed fields utilizing a random 5% acreage spot check, and BOR validated fallowing compliance. In 2007, all 150 of the newly-fallowed fields from the 2007 contracts as well as the 169 fallowed fields from the 2006 contracts, were inspected quarterly by IID. In addition, in April and October 2007, IID assisted BOR in a verification of fallowed fields utilizing a random 5% acreage spot check, and BOR validated fallowing compliance.

3. SIP, ICAPCD and SDCQMD PM10 Mitigation Compliance

The actions required of participating farmers by IID to mitigate air quality impacts caused by fallowing also satisfy and comply with any relevant and applicable requirements for PM10 emissions under the SIP and the rules of the ICAPCD and the SCAQMD.

G. Lower Colorado River Mitigation

On October 10, 2003, BOR, MWD and SDCWA entered into an agreement whereby SDCWA and MWD shall pay up to a total of \$6.236 million in 2003 dollars to BOR, and BOR shall perform all measures required under the USFWS Biological Opinion for the Interim Surplus Criteria, Secretarial Implementation Agreements, and Conservation Measures on the Lower Colorado River, Lake Mead to the Southerly International Boundary Arizona, California and Nevada (January 12, 2001). On November 7, 2003, SDCWA established the account from which BOR may withdraw funds to pay for work in furtherance of satisfying the BO mitigation measures. IID's summary of the information received from SDCWA and BOR for 2007 mitigation activity is attached as Appendix 7.

H. Tamarisk Scrub Habitat Conservation Strategy

The Tamarisk Scrub Habitat Conservation Strategy implementation for 2007 is described in Section 2.3.2 of the Imperial Irrigation District Water Conservation Transfer Project Annual Report, In-Valley Permits, March 31, 2008 ("2008 Permit Report"), attached as Appendix 9.

I. Drain Habitat Conservation Strategy

The Drain Habitat Conservation Strategy implementation for 2007 is described in Section 2.3.3 of the 2008 Permit Report, attached as Appendix 9.

J. Desert Pupfish Conservation Strategy

The Desert Pupfish Conservation Strategy implementation for 2007 is described in Section 2.3.6 of the 2008 Permit Report, attached as Appendix 9.

K. Razorback Sucker Conservation Strategy

The Razorback Sucker conservation Strategy implementation for 2007 is described in Section 2.3.7 of the 2008 Permit Report, attached as Appendix 9.

L. Selenium Concentration, Discharge and Reduction Study

The IID is to prepare a study plan, obtain approval of the study plan by the Chief of the Division of Water Rights, complete the study and prepare a report, all before implementation of efficiency-based conservation measures that will yield 25,000 AFY. IID is additionally implementing studies on the effects of dietary selenium on desert pupfish and a water and tissue sampling of drains to determine selenium concentrations.

IID is funding portions of an ongoing study conducted by the USGS Columbia Environmental Research Center (CERE) to determine Se threshold limits, selenium transfer mechanisms and identify applicable surrogate species. CERE continued work on developing a selenium dietary dosing system (Task 4) in 2005 and began dosing of pupfish in 2006. Additionally, IID has contracted with USGS-Western Fisheries Research Center to conduct a

four-year evaluation for selenium concentrations in water, sediment and tissue in IID managed drains tributary to the Salton Sea. In 2006, the USGS completed quarterly surveys within IID operated and maintained drains (January, April, July, October). The October 2006 effort represented the sixth of 16 planned surveys in compliance with In-Valley BO Pupfish Conservation Measure 2 (Selenium Impacts). The USGS delivered to IID draft and final versions of the Year 1 summary report on May 25 and October 2, 2006, respectively. The USGS continued quarterly sampling efforts in 2007. A summary report (*Year 2 Summary Report – Baseline Selenium Monitoring Of Agricultural Drains Operated By The Imperial Irrigation District In The Salton Sea Basin*, USGS July 10, 2007) was prepared and submitted to the IID and the HCP Implementation Team. Year 3 (Calendar Year 2008) sampling is underway and will be completed in December 2008. At the conclusion of Year 4 sampling (December 2009) an analysis of the four year regime will be conducted and a final analysis of the data will be prepared.

In 2007 IID contracted with a consulting firm to develop a plan to study the practices within IID that result in the concentration of selenium discharged to the Salton Sea and its tributaries, including agricultural drains used by fish and wildlife. The study includes a review of existing Se sources, fate and transport (Task 2); development of performance criteria for Se control (Task 3); description of methods for controlling Se sources, loads and concentrations(Task 4); development of recommendations and implementation schedule (Task 5) and preparation of a final report. A meeting was held in October, 2007 with the Environmental Protection Agency, California Department of Fish and Game and the Colorado River Basin Regional Water Quality Control Board to discuss the proposed Study Plan for the Se Discharge Study. IID has started the review of existing Se sources, fate and transport and the development

of performance criteria for Se control, and upon approval of the study plan by the Chief of the Division of Water Rights, will initiate the study.

IID is funding portions of an ongoing study conducted by the USGS Columbia Environmental Research Center (CERC) to determine Se threshold limits, selenium transfer mechanisms and identify applicable surrogate species. During 2007 the CERC revised the Study Plan per comments received and produced a final Study Plan. Phase 1 of the pupfish Se exposure (juvenile exposure) was conducted and Phase 2 (adult reproduction phase of Se exposure study) was initiated. Analysis on the tissue from the dietary study was conducted. Work continues on the refinement of an analytical method for determining SeMeth (selenomethionine) from tissue samples.

M. Recreation and Aesthetics Mitigation

Salton Sea shrinkage as a result of the Transfer Project will not commence until 2018, at the earliest, because of the utilization of the Alternate Salton Sea Strategy described above. Therefore, no relocation of boat launch and access facilities or campgrounds was necessary during 2007.

III. ADDITIONAL INFORMATION

In addition to the information requested by the Order, the IID believes the SWRCB would benefit from receipt and review of the following information:

A. IID QSA and Transfer Public Reporting

In order to keep the public fully informed, the IID has initiated a reporting process that includes an annual report and an efficiency conservation progress report. Near the end of 2005, IID released its first Quantification Settlement Agreement, Imperial Irrigation District/San Diego County Water Authority Water Conservation and Transfer Agreement ANNUAL IMPLEMENTATION REPORT 2004 ("IID Annual Implementation Report"). The IID will

release each year an IID Annual Implementation Report that describes the annual activities and progress, from October 2003, by IID to implement the QSA and conserved water transfers, provides a water accounting, includes a financial accounting, and summarizes environmental mitigation activities. The 2005 IID Annual Implementation Report was released in December 2006. The 2006 IID Annual Implementation Report was released in October 2007. A copy of the 2006 IID Annual Implementation Report is attached as Appendix 8.

In addition, IID has commenced the preparatory work necessary to commence efficiency conservation in 2008 and be fully ramped up and producing 303,000 AFY of efficiency conservation by 2026, as set forth on Appendix 3. The design, analysis and effort to implement such a substantial undertaking is both complex and extensive, and conducted under the rubric Efficiency Conservation Definite Plan ("Definite Plan"). The Definite Plan was completed in May, 2007 and approved by the IID board of Directors in June, 2007. The Definite Plan defined a specific range of efficiency conservation projects to be built, associated costs, and a schedule consistent with the schedule contained in Appendix 3. The Definite Plan also identified near-term actions for implementation of the Efficiency Conservation Program. The near-term actions are underway. To keep the public updated on this effort, the IID has periodically produced and disseminated a newsletter entitled "The QSA & Conserved Water: The Latest News About The Efficiency Conservation Definite Plan," as well as held public workshops. The newsletters, public workshop PowerPoint presentations, and other efficiency conservation planning and design implementation progress can be found at the IID or Definite Plan websites:

www.iid.com/Water/EfficiencyConservationProgram or www.definiteplan.com.

In addition, IID commenced construction of the Main Canal Seepage Recovery Project improvement in 2007. Completion is estimated for mid-November 2008. Estimated 2008

conserved water yield is 10,00 to 17,000 AF, which will be used to satisfy the 4,000 AF conserved water transfer to CVWD in 2008 and for IOPP payback obligations.

B. IID Inventory of Areas Receiving Water

The annual inventory of areas receiving water for 2007 will not be prepared until June 2008, but the final report for 2006 is attached as Appendix 10. This annual survey identifies acreage by crop type, multiple cropped acreage, fallowed acreage, and nonfarming acreage receiving water for the calendar years 2004, 2005 and 2006.

C. Socioeconomic Impacts of Fallowing

IID and SDCWA disagreed about how socioeconomic impacts are to be determined under the provisions of the IID/SDCWA Transfer Agreement, as amended. Pursuant to the provisions of their transfer agreement, IID and SDCWA arbitrated the dispute before a private arbitration panel comprised of three retired judges in the Spring of 2007. Resolution by compromise was reached after the completion of the arbitration, but before the arbitration decision was released. The compromise is reflected in a Settlement Agreement Resolving Present And Future Disputes Under Sections 14.5 And 18.1 Of The Revised Fourth Amendment To The IID/SDCWA Conserved Water Transfer Agreement dated May 7, 2007 and attached hereto as Appendix 12. Payments by SDCWA have been timely made in accordance with the compromise payment schedule. To date, approximately \$2.65 million has been distributed by the Local Entity to help mitigate socioeconomic impacts associated with fallowing utilized to create conserved water for SDCWA or to mitigate impacts on the Salton Sea from the conserved water transfer to SDCWA.

IV. CONCLUSION

This 2007 Annual Report is based on the information available to the IID at the time of its preparation. IID staff and consultants are available to answer any questions that the Chief of the Division of Water Rights may have. For further information, please contact the following:

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Provisional 2008 IID Water Use

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	CONSUMPTIVE USE	FALLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY
Maximum CU	3,100,000				
Misc PPR	-11,500				
88 Agreement	-105,000				
San Diego Transfer	-50,000	50,000			
Coachella Valley Water District	-4,000		4,000		
SD Transfer Salton Sea Mitigation	-25,000	25,000		25,000	
Inadvertent Overrun Payback	-16,651	9,151	7,500		16,651
Intentionally Created Surplus	0	0			0
Colo. River Reregulation Conservation & Storage in SS					
TOTAL	2,887,849	84,151	11,500	25,000	16,651

Notes:

2007 IID Water Use

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	CONSUMPTIVE USE	FALLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY
Maximum CU	3,100,000				
Misc PPR	-11,500				
88 Agreement	-105,000				
San Diego Transfer	-50,000	50,000			
SD Transfer Salton Sea Mitigation	-25,021	25,021		23,306 ¹	2,356 ²
CRWDA Exhibit C Payback	-18,900	18,900			18,900
Early CRWDA Exhibit C Payback	-15,931	15,931			15,931
Intentionally Created Surplus	0				0
Inadvertent Overrun Payback	-1,263	1,263			1,263
Colo. River Reregulation Conservation & Storage in SS					
TOTAL	2,872,385	111,115	0	23,306	38,450

Notes: 1) Accounts for a Salton Sea Mitigation balance of 1,715 AF from Colo. River Reregulation Conservation & Storage - See SS Accounting

2) 1,715 AF from fallowing and 641 AF credit from 2004 - See Lake Mead Accounting

2006 IID Water Use

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	CONSUMPTIVE USE	FALLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY
Maximum CU	3,100,000				
Misc PPR	-11,500				
88 Agreement	-101,160				
San Diego Transfer	-40,000	40,000			
SD Transfer Salton Sea Mitigation	-20,000	20,000			20,000 ¹
CRWDA Exhibit C Payback	-18,900	18,900			18,900
Early CRWDA Exhibit C Payback	-18,719	18,719			18,719
IOPP					
ICS	-1,000	1,000			1,000
Colo. River Reregulation Conservation & Storage in SS					
TOTAL	2,888,721	98,619	0	0	58,619

Notes: 1) Restoration of 2004 and 2005 reregulation conservation to Colo. River from Salton Sea.

2005 IID Water Use

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	CONSUMPTIVE USE	FALLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY
Maximum CU	3,100,000				
Misc PPR	-11,500				
88 Agreement	-101,940				
San Diego Transfer	-30,000	30,000			
SD Transfer Salton Sea Mitigation	-15,000	15,000			15,000 ²
CRWDA Exhibit C Payback	-18,900	18,900			18,900
Early CRWDA Exhibit C Payback	-7,305	7,305			7,305
IOPP					
Colo. River Reregulation Conservation & Storage in SS¹				21,476	
TOTAL	2,915,355	71,205	0	21,476	41,205

Notes: 1) Per Agreement, IID is credited with 25% of Colo. River reregulation water stored in Salton Sea as a reduction to Exhibit C payback.

2) Restoration of 2004 reregulation conservation to Colo. River from Salton Sea.

2004 IID Water Use

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	CONSUMPTIVE USE	FALLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY
Maximum CU	3,100,000				
Misc PPR	-11,500				
88 Agreement	-101,900				
San Diego Transfer	-20,000	20,000			
SD Transfer Salton Sea Mitigation	-15,000	15,000		14,359	641
CRWDA Exhibit C Payback	-18,900	18,900			18,900
Early CRWDA Exhibit C Payback	-25,881	25,881			25,881
IOPP					
Colo. River Reregulation Conservation & Storage in SS ¹				15,880	
TOTAL	2,906,819	79,781	0	30,239	45,422

Notes: 1) Per Agreement, IID is credited with 25% of Colo. River reregulation water stored in Salton Sea as a reduction to Exhibit C payback.

SDCWA TRANSFER ACCOUNTING					
(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)					
YEAR	OBLIGATION	ANNUAL VOLUMES¹			ANNUAL OVER/UNDER OBLIGATION
		FALLOWING	EFFICIENCY	TOTAL VOLUME³	
2003²	10,000	3,445	0	3,445	-6,555
2004	20,000	20,000	0	20,000	0
2005	30,000	30,000	0	30,000	0
2006	40,000	40,000	0	40,000	0
2007	50,000	50,000	0	50,000	0
2008	50,000				
2009	60,000				
2010	70,000				
2011	80,000				
2012	90,000				
2013	100,000				
2014	100,000				
2015	100,000				
2016	100,000				
2017	100,000				
TOTAL	1,000,000	143,445	0	143,445	
Notes:	<p>1) From Applicable Year</p> <p>2) Since the QSA was executed in October of 2003, IID was able to only fallow 3,445 AF and therefore had an inadvertent overrun of 6,555 AF which was used to satisfy IID's 10,000 AF obligation to SDCWA. The USBR waived payback for 2003 overruns for all Lower Basin entities.</p> <p>3) Any difference in total volume compared to IID transfer obligation is satisfied by IID use of an IOPP overrun.</p>				

SALTON SEA MITIGATION ACCOUNTING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	OBLIGATION	DELIVERY TO SEA			INFLOW/OUTFLOW ACCOUNTING		
		ANNUAL VOLUMES ¹			REMAINING OBLIGATION BALANCE	ANNUAL OVER/UNDER OBLIGATION	RUNNING CREDIT/DEFICIT
		Delivery to Sea	CR REREG CONSERVATION & STORAGE	TOTAL VOLUME			
2003²	5,000	0	0	0	800,000	-5,000	-5,000
2004	10,000	14,359	15,880	30,239	769,761	20,239	15,239
2005	15,000	0	21,476	21,476	748,285	6,476	21,715
2006	20,000	0	0	0	748,285	-20,000	1,715
2007	25,000	23,306	0	23,306	724,979	-1,694	21
2008	25,000						
2009	30,000						
2010	35,000						
2011	40,000						
2012	45,000						
2013	70,000						
2014	90,000						
2015	110,000						
2016	130,000						
2017	150,000						
TOTAL	800,000	37,665	37,356	75,021			
Notes:	1) From Applicable Year						
	2) Since the QSA was executed in October of 2003, SWRCB approved the 2003 obligation being satisfied in 2004.						

CRWDA EXHIBIT C ACCOUNTING

(All Values are Consumptive Use in Acre Feet at Imperial Dam)

YEAR	OBLIGATION	PAYBACK					EXHIBIT C DELIVERY DIFFERENCE (Early Payback)		ADJUSTED EXHIBIT C OBLIGATION
		ANNUAL VOLUMES ¹				REMAINING BALANCE	ANNUAL OVER/UNDER OBLIGATION	RUNNING CREDIT/DEFICIT	
		FOLLOWING	Adjustment for USBR/IID 2007 Canal Loss Compromise Agreement	CR REREG CONSERVATION & STORAGE ²	TOTAL VOLUME				
2003	0	0		0	0	151,400	0	0	0
2004	18,900	44,781	-602	3,970	48,149	103,251	29,249	29,249	0
2005	18,900	26,205	-308	5,369	31,266	71,985	12,366	41,615	0
2006	18,900	37,619	-465	0	37,154	34,831	18,254	59,869	0
2007	18,900	34,831	0	0	34,831	0	15,931	75,800	0
2008	18,900								0
2009	18,900								0
2010	19,000								0
2011	19,000								0
TOTAL	151,400	143,436	-1,375	9,339	151,400		74,425		0
Notes:	1) From Applicable Year 2) Per Agreement, IID is credited with 25% of Colo. River reregulation water stored in Salton Sea as a reduction to Exhibit C payback.								

PROVISIONAL LAKE MEAD ACCOUNTING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	IOPP			ICS				SS Mitigation				CR REREG CONSERVATION & STORAGE				TOTAL BALANCE
	Inadvertent Overrun	Payback	Balance	Conserved	Diverted & Losses	Over/Under	Balance	Conserved	Diverted	Over/Under	Balance	Conserved	Diverted	Over/Under	Balance	Annual
2003	0	0	0	0	0		0				0	0	0	0	0	0
2004	0	0	0	0	0	0	0	15,000	14,359	641	641	0	15,880	(15,880)	(15,880)	(15,239)
2005	0	0	0	0	0	0	0	0	0	0	641	15,000	21,476	(6,476)	(22,356)	(21,715)
2006	17,914 ¹	0	(17,914)	1,000	1,000	0	0	0	0	0	641	20,000	0	20,000	(2,356)	(19,629)
2007	5,977	1,263	(22,891)	0	0	0	0	22,686	23,306	(620)	21	2,356	0	2,356	0	(22,607)
2008																
2009																
2010																
2011																
2012																
2013																
2014																
2015																
2016																
2017																
TOTAL	23,891			1,000	1,000	0		37,686	37,665	21		37,356	37,356	0		

Notes: 1) Prior to credit of II B (6)

TOTAL FALLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL VOLUME	MONTHLY											
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	3,445	0	0	0	0	0	0	0	0	0	0	0	3,445
2004	79,781	3,445	3,445	3,445	3,445	3,445	3,445	13,925	11,316	11,458	9,976	6,678	5,758
2005	71,205	3,040	3,197	7,815	8,350	8,865	8,262	10,085	9,218	6,873	2,911	1,860	729
2006	98,619	1,132	1,294	10,673	12,028	12,899	11,047	13,815	10,705	10,725	6,480	4,469	3,352
2007	111,115	2,620	6,004	8,693	13,504	16,266	13,428	13,629	12,317	9,235	6,427	3,913	5,079
2008													
2009													
2010													
2011													
2012													
2013													
2014													
2015													
2016													
2017													
TOTAL	364,165												

Notes: Each year the monthly breakdown of the annual fallowed volume of water will be refined as time and resources permit.

2003 monthly distribution was assumed to be equally distributed over 13 months (December 2003 through December 2004).

2004 -2007 monthly distribution computed using the previous 12 months (Jul-Dec and Jan-Jun) history for the participating gates in the fallowing program.

SDCWA TRANSFER FALLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL QSA OBLIGATION	ANNUAL VOLUME	ANNUAL DIFFERENCE ²	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003 ¹	10,000	3,445	-6,555	0	0	0	0	0	0	0	0	0	0	0	3,445
2004	20,000	20,000	0	3,445	3,445	3,445	3,445	3,445	2,775	0	0	0	0	0	0
2005	30,000	30,000	0	3,040	3,197	7,815	8,350	7,598	0	0	0	0	0	0	0
2006	40,000	40,000	0	1,132	1,294	10,673	12,028	12,899	1,974	0	0	0	0	0	0
2007	50,000	50,000	0	2,620	6,004	8,693	13,504	16,266	2,913	0	0	0	0	0	0
2008	50,000														
2009	60,000														
2010	70,000														
2011	80,000														
2012	90,000														
2013	80,000														
2014	60,000														
2015	40,000														
2016	20,000														
2017	0														
TOTAL	700,000	143,445													

Notes: 1) Since the QSA was executed in October of 2003, IID was able to only fallow 3,445 AF and therefore had an inadvertent overrun of 6,555 AF which was used to satisfy IID's 10,000 AF obligation to SDCWA. The USBR waived payback for 2003 overruns for all Lower Basin entities.
 2) Any difference in total volume compared to IID transfer obligation is satisfied by IID use of an IOPP overrun.

SALTON SEA MITIGATION FOLLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL OBLIGATION	ANNUAL VOLUME	ANNUAL DIFFERENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003 ¹	5,000	0	-5,000	0	0	0	0	0	0	0	0	0	0	0	0
2004	10,000	15,000	5,000	0	0	0	0	0	670	13,925	405	0	0	0	0
2005	15,000	15,000	0	0	0	0	0	1,267	8,262	5,471	0	0	0	0	0
2006	20,000	20,000	0	0	0	0	0	0	9,073	10,927	0	0	0	0	0
2007	25,000	25,021	21	0	0	0	0	0	10,515	13,629	877	0	0	0	0
2008	25,000														
2009	30,000														
2010	35,000														
2011	40,000														
2012	45,000														
2013	70,000														
2014	90,000														
2015	110,000														
2016	130,000														
2017	150,000														
TOTAL	800,000	75,021													

Notes: 1) Since the QSA was executed in October of 2003, SWRCB approved the 2003 obligation being satisfied in 2004.

CRWDA EXHIBIT C FALLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL OBLIGATION	ADJUSTED ANNUAL OBLIGATION ¹	ANNUAL VOLUME	ANNUAL DIFFERENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	18,900	0	18,900	0	0	0	0	0	0	0	0	10,911	7,989	0	0	0
2005	18,900	0	18,900	0	0	0	0	0	0	0	4,614	9,218	5,068	0	0	0
2006	18,900	0	18,900	0	0	0	0	0	0	0	2,888	10,705	5,307	0	0	0
2007	18,900	0	18,900	0	0	0	0	0	0	0	0	11,440	7,460	0	0	0
2008	18,900	0														
2009	18,900	0														
2010	19,000	0														
2011	19,000	0														
2012	0															
2013	0															
2014	0															
2015	0															
2016	0															
2017	0															
TOTAL	151,400	0	75,600													

Notes: 1) Annual obligation adjusted based on early CRWDA Exhibit C paybacks (See Early Exhibit C Table) and credit of 25% of Colo. River reregulation water stored in Salton Sea.

IOPP FOLLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL OBLIGATION	ANNUAL VOLUME	ANNUAL DIFFERENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004 ¹	6,555	0	-6,555	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007 ²	0	1,263	1,263	0	0	0	0	0	0	0	0	1,263	0	0	0
2008	0														
2009	0														
2010	0														
2011	0														
2012	0														
2013	0														
2014	0														
2015	0														
2016	0														
2017	0														
TOTAL	6,555	1,263													

Notes: 1) Since the QSA was executed in October of 2003, IID was able to only fallow 3,445 AF and therefore had an inadvertent overrun of 6,555 AF which was used to satisfy IID's 10,000 AF obligation to SDCWA. The USBR waived payback for 2003 overruns for all Lower Basin entities..

EARLY CRWDA EXHIBIT C FOLLOWING

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL VOLUME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	25,881	0	0	0	0	0	0	0	0	3,469	9,976	6,678	5,758
2005	7,305	0	0	0	0	0	0	0	0	1,805	2,911	1,860	729
2006	18,719	0	0	0	0	0	0	0	0	5,418	6,480	4,469	2,352
2007	15,931	0	0	0	0	0	0	0	0	512	6,427	3,913	5,079
2008													
2009													
2010													
2011													
2012													
2013													
2014													
2015													
2016													
2017													
TOTAL	67,836												
Notes:													

INTENTIONALLY CREATED SURPLUS

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL VOLUME	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	1,000	0	0	0	0	0	0	0	0	0	0	0	1,000
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008													
2009													
2010													
2011													
2012													
2013													
2014													
2015													
2016													
2017													
TOTAL	1,000												
Notes:													

TOTAL EFFICIENCY CONSERVATION

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL VOLUME	MONTHLY											
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008													
2009													
2010													
2011													
2012													
2013													
2014													
2015													
2016													
2017													
TOTAL	0												

Notes: Efficiency conservation will be in accordance with QSA schedule.

SDCWA EFFICIENCY CONSERVATION

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

YEAR	ANNUAL QSA OBLIGATION	ANNUAL VOLUME	ANNUAL DIFFERENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0														
2009	0														
2010	0														
2011	0														
2012	0														
2013	20,000														
2014	40,000														
2015	60,000														
2016	80,000														
2017	100,000														
TOTAL	300,000	0													

Notes: Efficiency conservation will be in accordance with QSA schedule.

CVWD EFFICIENCY CONSERVATION

(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)

	ANNUAL QSA OBLIGATION	ANNUAL VOLUME	ANNUAL DIFFERENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2005	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	4,000														
2009	8,000														
2010	12,000														
2011	16,000														
2012	21,000														
2013	26,000														
2014	31,000														
2015	36,000														
2016	41,000														
2017	45,000														
TOTAL	240,000	0													

Notes: Efficiency conservation will be in accordance with QSA schedule.

SDCWA DIVERSION AT PARKER DAM ACCOUNTING

(All Volumes in Acre Feet)

YEAR	IID ANNUAL TRANSFER OBLIGATION AT IMPERIAL DAM	MONTHLY												ANNUAL TOTAL	
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
2003	10,000													10,000	10,000 ¹
2004	20,000	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	20,000 ²
2005	30,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000 ²
2006	40,000	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	3,333	40,000 ²
2007	50,000	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	50,000 ²
2008	50,000														
2009	60,000														
2010	70,000														
2011	80,000														
2012	90,000														
2013	100,000														
2014	100,000														
2015	100,000														
2016	100,000														
2017	100,000														
TOTAL	1,000,000														100,000

Notes: 1) 3,445 from fallowing, 6,555 acre feet from inadvertent overrun.
 2) Pursuant to reporting by SDCWA and utilized for transfer payments.

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APPENDIX 2

2007 WATER CONSERVATION PROJECTS FOR
ORDER WR 88-20 TRANSFER TO MWD¹

Project #	Project Name
1	Robert F. Carter (Trifolium) Reservoir
2	South Alamo Canal Lining, Phase I
3	Plum-Oasis (Lateral) Interceptor
4	Bernard Galleano (Z) Reservoir
5	South Alamo Canal Lining, Phase II
7	Lateral Canal Lining
8	Trifolium Interceptor
9	12-Hour Delivery
10	Vail Supply Canal Lining
11	Rositas Supply Canal Lining
12	Non-Leak Gates
14	Irrigation Water Management
15	System Automation
16	Westside Main Canal Lining, North
17	Mulberry-D (Modified East Lowline) Interceptor
18	Additional Irrigation Water Management

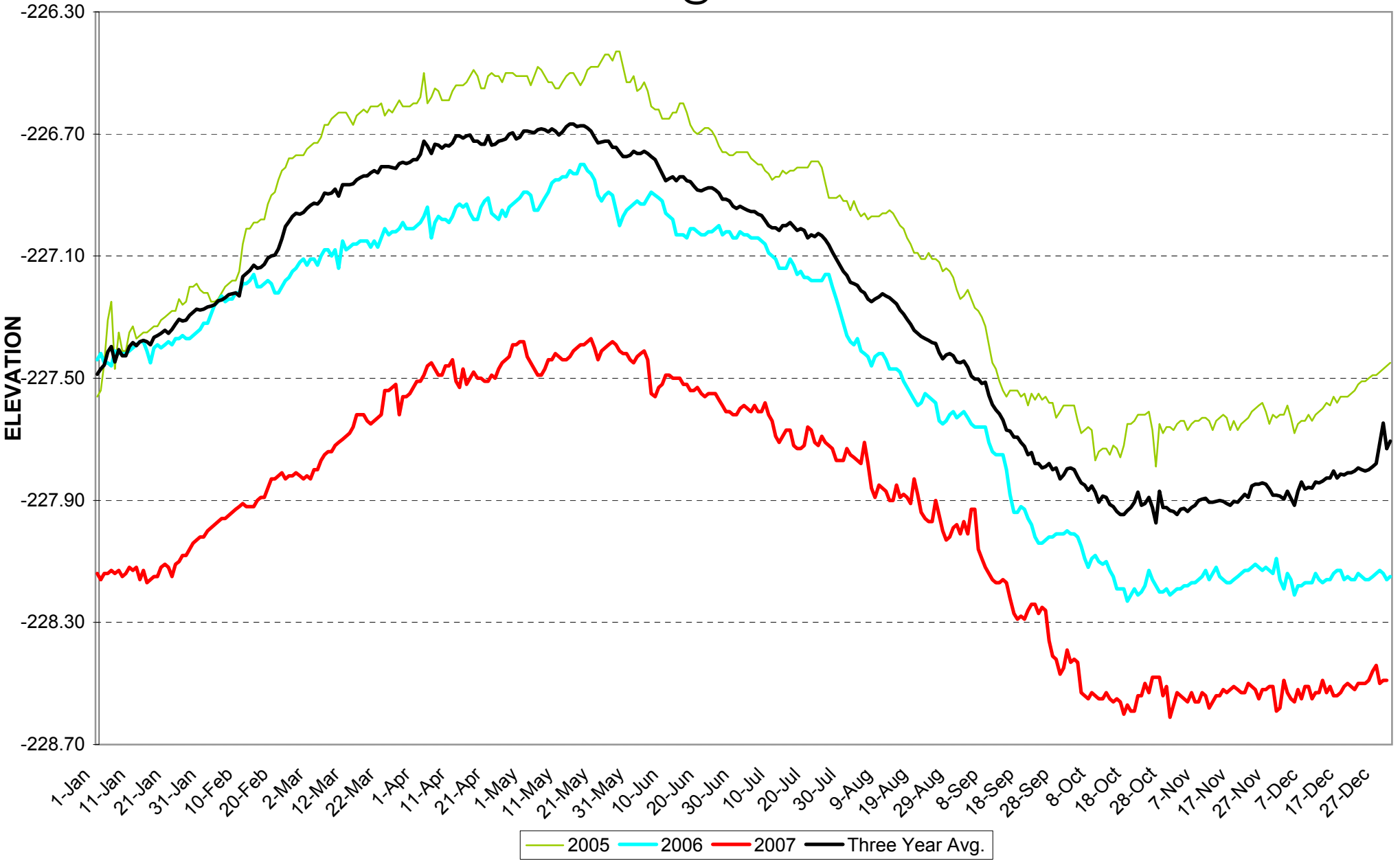
¹ Project 6 (Sperber Reservoir Outlet) and Project 13 (Tailwater Assessment) were included in the original Water Conservation Agreement. Project 6 was dropped from the IID/MWD Program by the Program Coordinating Committee because savings were found to be insufficient; Project 13 was replaced by Projects 17 and 18 in the Approval Agreement.

EXHIBIT ___
COMPROMISE IID/SDCWA AND QSA DELIVERY SCHEDULE

Agmt Yr	Cal Yr	IID/SD (KAF)	IID/CVWD (KAF) ¹	IID/MWD (KAF)	Total Delivery (KAF)	Total Efficiency (KAF)	Fallowing for Delivery (KAF)	Mitigation Fallowing (KAF)	Total Fallowing (KAF)
1	2003	10	0	0	10	0	10	5	15
2	2004	20	0	0	20	0	20	10	30
3	2005	30	0	0	30	0	30	15	45
4	2006	40	0	0	40	0	40	20	60
5	2007	50	0	0	50	0	50	25	75
6	2008	50	4	0	54	4	50	25	75
7	2009	60	8	0	68	8	60	30	90
8	2010	70	12	0	82	12	70	35	105
9	2011	80	16	0	96	16	80	40	120
10	2012	90	21	0	111	21	90	45	135
11	2013	100	26	0	126	46	80	70	150
12	2014	100	31	0	131	71	60	90	150
13	2015	100	36	0	136	96	40	110	150
14	2016	100	41	0	141	121	20	130	150
15	2017	100	45	0	145	145	0	150	150
16	2018	130	63	0	193	193	0	0	0
17	2019	160	68	0	228	228	0	0	0
18	2020	192.5	73	2.5	268	268	0	0	0
19	2021	205	78	5.0	288	288	0	0	0
20	2022	202.5	83	2.5	288	288	0	0	0
21	2023	200	88	0	288	288	0	0	0
22	2024	200	93	0	293	293	0	0	0
23	2025	200	98	0	298	298	0	0	0
24	2026	200	103	0	303	303	0	0	0
25	2027	200	103	0	303	303	0	0	0
26	2028	200	103	0	303	303	0	0	0
27-45	2029-2047	200	103	0	303	303	0	0	0
46-75	2048-2077	200	50	0	250	250	0	0	0

¹ or MWD if CVWD declines to acquire.

SALTON SEA @ FIG TREE JOHN



APPENDIX 5

Reconciliation of BOR "Final" Decree Reporting Numbers Compared to those Reported by IID in 2004, 2005 and 2006 SWRCB Annual Reports

2004

	2004 SWRCB Report	Final BOR 2004 Report	% Change
quantity diverted at Imperial Dam	2,853,695	2,822,794	1.1%
returns	96,575	93,814	2.9%
IOPP variations	n/a		--
gross diversions at Whitsett Intake	753,095	733,095	2.7%
Whitsett Intake diversion per Order	20,000	20,00	0%

2005

	2005 SWRCB Report	Final BOR 2005 Report	% Change
quantity diverted at Imperial Dam	2,882,166	2,860,526	0.8%
returns	103,844	103,680	0.2%
IOPP variations	n/a		--
gross diversions at Whitsett Intake	901,353	839,704 ¹	6.8%
Whitsett Intake diversion per Order	30,000	30,000	0%

2006

	2006 SWRCB Report	Final BOR 2006 Report	% Change
quantity diverted at Imperial Dam	2,994,321	2,994,325	0.0%
returns	84,631	84,645	0.0%
IOPP variations	18,407	17,914 ²	--
gross diversions at Whitsett Intake	635,574	594,544 ¹	6.5%
Whitsett Intake diversion per Order	40,000	40,000	0%

¹ Difference is not related to IID performance of conserved water transfers.

² Prior to credit for II(B)(6) unused entitlement.

AGREEMENT FOR FALLOWING LAND
IN THE IMPERIAL IRRIGATION DISTRICT

THIS AGREEMENT FOR FALLOWING LAND IN THE IMPERIAL IRRIGATION DISTRICT ("Agreement") is made and entered into as of the 1st day of July 2007, by the Imperial Irrigation District ("IID") and the person(s) or entity referred to as "Fallowing Party" listed on the signature page of this Agreement (collectively, "Parties"), each of which is at times referred to individually as Party.

RECITALS

A. IID, as a trustee under the California Irrigation District Law, holds water rights to and diverts water from the Colorado River for distribution and use within its service area.

B. IID has completed an environmental assessment of proposed water conservation and transfer activities pursuant to the California Environmental Quality Act ("CEQA"), as set forth in a Final EIR/EIS for the IID Water Conservation and Transfer Project certified by IID in June 2003, as supplemented by an Amended and Restated Addendum thereto certified by IID in October 2003 (collectively, "Transfer EIR").

C. IID has entered into a conserved water transfer agreement with the San Diego County Water Authority ("SDCWA") which involves the creation of conserved water by fallowing until 2017 for transfer to SDCWA and/or use for environmental mitigation of impacts of reduced inflow to the Salton Sea. In addition, IID has entered into an agreement with the United States and others to limit its diversions under Priority 3 and to repay certain "overuse" on an agreed-upon schedule. IID will create conserved water by fallowing for those purposes as well.

D. Fallowing Party owns or leases agricultural property within the IID service area described and/or depicted on Exhibit A attached hereto ("Fallow Lands").

E. If Fallowing Party is a lessee of the Fallow Lands, the identity of the lessor, any sublessor, and the fee owner, and the remaining term of the lease or sublease is identified on Exhibit B attached hereto.

F. Fallowing Party is willing to fallow the Fallow Lands for the limited time period and in accordance with the other terms and conditions set forth herein, in order to assist IID in meeting its obligations described above.

NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE RECITALS AND THE COVENANTS AND OBLIGATIONS SET FORTH HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. Term

The term of this Agreement ("Term") shall commence on July 1, 2007 ("Start Date") and expire on June 30, 2008.

2. Payment

As consideration for Following Party's performance of its obligations hereunder, IID shall make payments to the Following Party in the following manner:

A. Payment for Following.

The total amount of \$ _____ (\$75/acre-foot x ## acres x ## acre-feet/acre) shall be divided into three (3) equal payments. The first payment shall be made on or before August 31, 2007. The second payment shall be made before December 31, 2007, provided that IID has verified that Following Party is in compliance with this Agreement. The third and final payment shall be made no later than August 31, 2008, provided that IID has verified that Following Party has fulfilled all of its obligations under this Agreement. If at any time the IID determines that Following Party is in noncompliance with this Agreement or delinquent on any water accounts, payments may be suspended as provided in Section 12.

B. Payment for Dust Control and Mitigation.

Following Party shall be reimbursed for the costs of IID-approved Best Management Practices (BMPs) for dust control and mitigation compliance in conformance with Exhibit D in two (2) equal payments. The first payment shall be made before December 31, 2007, provided that IID has verified that Following Party is in compliance with this Agreement. The second and final payment shall be made no later than August 31, 2008, provided that IID has verified that Following Party has fulfilled all of its obligations under this Agreement. If at any time the IID determines that Following Party is in noncompliance with this Agreement or has not implemented the IID-approved Dust Control BMP reported as per Exhibit D, payments may be suspended as provided in Section 12. For purposes of dust control and mitigation cost reimbursement under this subsection, costs shall be based upon the Dust Control BMP Reimbursement Schedule issued annually by the IID and associated with the pre-selected and IID-approved Dust Control BMP implemented by the Following Party, as required by Exhibit D, that would not have been incurred by Following Party if Following Party had not been a Party to this Agreement.

3. Applicability of Williamson Act

Following Party represents that, either:

A. No portion of the Follow Lands is subject to a contract pursuant to the California Land Conservation Act of 1965 ("Williamson Act") with the County of Imperial or other agency; or

B. If all or any portion of the Fallow Lands is subject to a Williamson Act contract, said contract does not prohibit fallowing of the Fallow Lands as required pursuant to this Agreement.

This Agreement is not intended to impede or prevent compliance with any Williamson Act contract applicable to the Fallow Lands or to adversely affect any rights or benefits accruing thereunder.

4. Fallowing Party Representations and Warranties

The Fallowing Party represents and warrants to IID the following:

- A. The Fallow lands are within the IID Service Area receiving water.
- B. Fallowing Party is either the fee title owner of the Fallow Lands or the lessee of the Fallow Lands and as such, has the full right, power and authority to execute this Agreement and to carry out each and every obligation hereunder. To the best of Fallowing Party's knowledge, no legal impediment exists regarding the Fallow Lands to prevent Fallowing Party from entering into or performing under this Agreement; this Agreement will be a legal and binding obligation of Fallowing Party enforceable against Fallowing Party in accordance with its terms and will not violate any provisions of any agreement to which Fallowing Party is a party or to which Fallowing Party is subject; and Fallowing Party's agreement to fallow the Fallow Lands does not and will not violate applicable laws or recorded documents affecting the Fallow Lands.
- C. The Fallow Lands have not been contracted for fallowing for two of the three previous fallowing programs.
- D. The Fallow Lands are whole fields equal to or greater than (10) acres with defined historic boundaries.
- E. The Fallow Lands have been irrigated for crop production or leaching, or used as duck ponds the previous three (3) years, excluding the years contracted for fallowing.
- F. The Fallow Lands would have been planted for agricultural production in the crop(s) identified on Exhibit C, leached or used as duck ponds during the Term of this Agreement had the lands not been fallowed pursuant to this Agreement.
- G. All information submitted by the Fallowing Party to the IID in Fallowing Party's Proposal to Fallow is true and correct as of the time of submittal and as of July 1, 2007. This contract is only valid for the Fallowing Party submitting the Proposal to Fallow and is not transferable prior to execution.
- H. The Fallow Lands are zoned agriculture and Fallowing Party will take no action to cause or support a change in such zoning during the contracted-for fallowing period.

I. Following Party acknowledges that IID retains all water rights to the Colorado River in its name and control as a trustee under the California Irrigation District Law, and no water rights or other rights to water are created by this Agreement.

J. Following Party has provided IID with an accurate and complete written plan and schedule to accommodate service pipes.

5. Obligations of Following Party

A. Fallowing

Fallowing Party shall fallow the Fallow Lands during the Term defined in this Agreement which requires that there be no irrigation, application or use of water thereon during the Term.

B. Dust Control and Mitigation Requirements

Fallowing Party shall be responsible for and undertake the timely control of all dust on the Fallow Lands as described on Exhibit D, and shall provide to IID proof of performance and evidence of the costs and expenses incurred for dust control and mitigation requirements. Fallowing Party must complete and return the mitigation reporting forms according to the deadlines established in Exhibit D, and Dust Control BMPs must be selected and approved by IID prior to implementation or July 1, 2007, whichever is earlier.

C. Weed Control

Fallowing Party shall be responsible for and undertake the timely control of all weeds on the Fallow Lands as required by the Imperial County Ordinance, Title 9, Division 18; "ABATEMENT OF WEEDS AND OTHER VEGETATION."

D. Water Charges and Fees

Fallowing Party shall continue to be responsible for all water delivery and water availability charges on lands owned and leased within the IID service area subject to IID's Regulation No. 11 as if this Agreement were not in effect, and all such charges shall be timely paid before they become delinquent or IID may withhold Fallowing Payments until such time that the Fallowing Party is current on such charges.

E. Taxes

All real and personal property taxes, assessments or other charges of every description levied on or assessed against the Fallow Lands or improvements on the Fallow Lands shall remain the sole responsibility of the Fallowing Party. All tax payments shall be made directly to the charging authority prior to delinquency.

F. Insurance

Fallowing Party shall acquire and maintain liability insurance coverage on the Fallow Lands in the amount of \$1,000,000 and shall name IID as an additional insured on each such policy. Proof of such insurance coverage shall be provided to IID by a copy of an applicable document from the insurer at the time of execution of this Agreement and upon renewal of the policy during the fallowing period. Each proof of insurance shall also specifically identify the Fallow Lands by its canal and gate delivery point.

G. Right of Entry

Fallowing Party agrees that IID and its designees shall have the right to enter the Fallow Lands and, to the extent necessary, other land owned or leased by Fallowing Party for the purpose of verification, monitoring, and enforcement of compliance with this Agreement.

H. If Land is Already Subject to Leases or Contracts

Fallowing Party shall be responsible for compliance with the terms, covenants and conditions of any existing leases and/or contracts affecting the Fallow Lands, and shall defend, indemnify and hold IID harmless from any and all claims by third parties for damages allegedly related to this agreement or to the performance thereof.

6. Governing Law

This Agreement shall be interpreted, governed by and construed under the laws of the State of California.

7. No Third-Party Rights

The Parties do not intend to create rights in or to grant remedies to any third party as a beneficiary of this Agreement.

8. Assignment

This Agreement shall be binding upon and inure to the benefit of the Parties and their permitted successors and assigns. No Party may assign or transfer its rights or obligations under this Agreement without the prior written consent of the other Party hereto. Formal consent shall require that the parties fully execute a separate agreement as provided by the IID.

9. Change in Legal Status Affecting Fallow Lands

Notwithstanding that which is provided in Section 8, any activity affecting the legal status of the Fallow Lands during the term of this Agreement shall carry forward all obligations provided in the Agreement. Any party acquiring title to the Fallow Lands or taking assignment or sublease of the lease of the Fallow Lands shall be bound to the Term of this Agreement as if a signatory. Fallowing Party shall give notice of this obligation to any such party prior to effecting any change in the legal status of the Fallow Lands. In the event of any change affecting the legal

status of the Fallow Lands, Fallowing Party shall notify IID in writing within ten (10) days of such change.

10. Legal Effect on Fallow Lands

Except as otherwise expressly stated herein, nothing herein shall be construed as affecting the legal status of the Fallow Lands, including, but not limited to, the effect of liens, encumbrances, statutory or regulatory requirements, or entitlements. Fallowing Party agrees that IID is not responsible for, and no action or conduct of IID, its staff or other representatives, shall be construed as advice or identification of the legal effect or consequences, if any, of the Fallowing Party's decision regarding fallowing.

11. Non-precedent

Nothing contained in this Agreement, nor the execution of this Agreement, shall be deemed to give the Fallowing Party any rights to obtain any similar agreement after the expiration of the Term. In addition, IID reserves the right to change any rules governing the fallowing of land to create conserved water in any future agreement and to determine the provisions of any future agreement relating to the fallowing of land to create conserved water.

12. Noncompliance with Terms of Agreement

If IID determines at any time that the Fallowing Party is in noncompliance with or has breached this Agreement, the Fallowing Party will be provided notice of such noncompliance or breach at the address or contact information provided in Section 15, and shall have twenty-four (24) hours from the time of such notice to cure the noncompliance or breach. If the noncompliance or breach is not timely cured, remaining payments may be withheld by IID. In addition, Fallowing Party will be responsible for any other losses suffered by IID as a result of the noncompliance or breach including reimbursement of staff time and administrative expenses associated with the remedy of any noncompliance or breach as well as financial penalties and costs associated with the replacement of lost water conservation yield as a result of the breach incident. Nothing contained herein shall preclude the IID from exercising any other available remedy in law or equity, including specific performance.

13. Entire Agreement

This Agreement constitutes the entire understanding of the Parties hereto.

14. Amendment

This Agreement may not be modified or amended except in writing executed by the Parties.

15. Contacts

A. All notices, requests, demands, payments, and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been received either when delivered or on the fifth (5th) business day following the

mailing, by registered or certified mail, postage prepaid return receipt requested, whichever is earlier, addressed as set forth below:

1) If to IID:

Manager, Water Department
Imperial Irrigation District
333 East Barioni Boulevard
P.O. Box 937
Imperial, CA 92251

2) If to Following Party (please print):

Name _____

Address _____

Phone _____

Fax _____

B. Any Party may change the addressee or address to which communications or copies are to be sent by giving notice of such change of addressee or address in conformity with the provision of this Paragraph 15 for the giving of notice.

16. Counterparts

This Agreement may be executed in counterparts, each of which, when executed and delivered, shall be an original and all of which together shall constitute one instrument with the same force and effect as though all signatures appeared on a single document.

17. Recording of Memorandum of Agreement.

Following Party agrees that IID may, and Following Party will cooperate to permit, a memorandum identifying the existence and summary of this Agreement to be recorded in the real property records for the County of Imperial.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year first above written.

IMPERIAL IRRIGATION DISTRICT

Manager, Water Department

FOLLOWING PARTY as

- Lessee of Fallow Lands
- Owner of Fallow Lands

Signature _____

Print Name _____

Signature _____

Print Name _____

TEMPLATE

EXHIBIT A

Fallow Lands

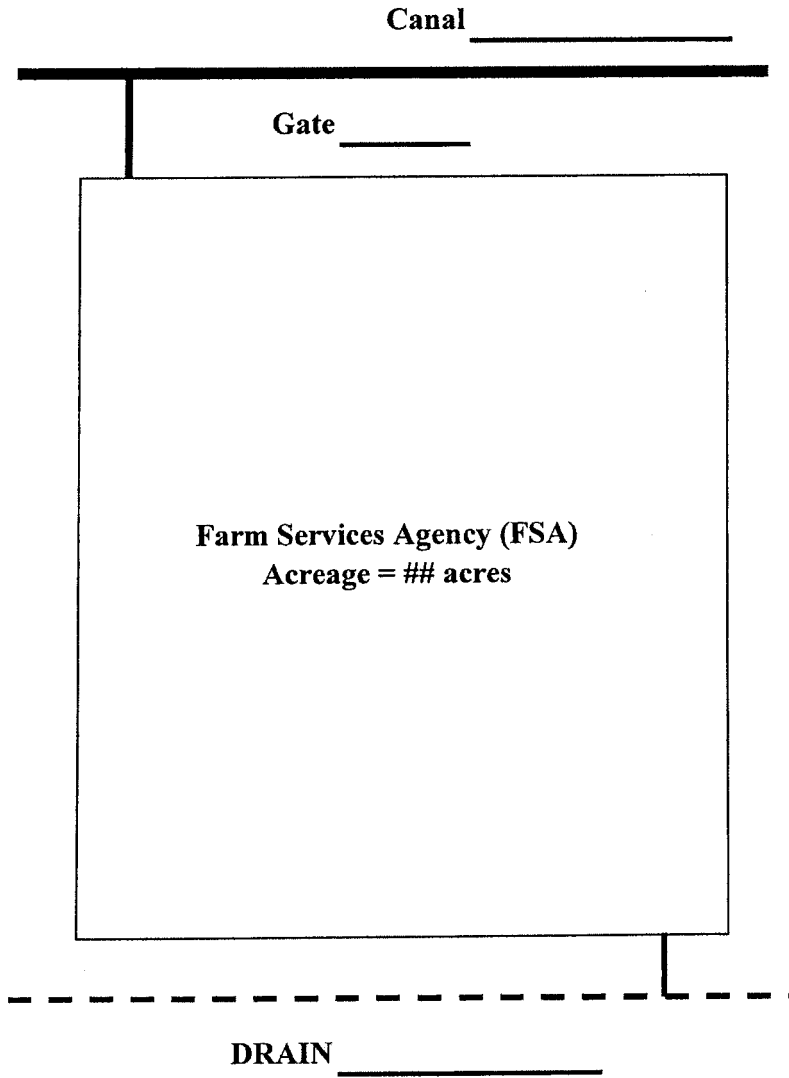


EXHIBIT B

**CONSENT OF FEE OWNER, LESSOR, SUBLESSOR AND
LEASE TERM (AS APPLICABLE)**

We consent to the Lessee (Following Party as defined in the Agreement) following the Fallow Lands as defined in Exhibit A for the period July 1, 2007 to June 30, 2008.

Fee Owner

Name _____

Address _____

Signature _____

Lessor (As Applicable)

Name _____

Address _____

Signature _____

Sublessor (As Applicable)

Name _____

Address _____

Signature _____

Remaining Term of Lease _____

Remaining Term of Sublease _____
(As Applicable)

EXHIBIT C

CROP(S) THAT WOULD HAVE BEEN GROWN ON THE FALLOW LANDS

CANAL

GATE

ACREAGE

List only the farmable acres (FSA Acreage)

	DATES	CROP
SUMMER 2007		
FALL 2007		
WINTER 2007		
SPRING 2008		
SUMMER 2008		

Note: Crop Includes Leaching and Duck Pond

EXHIBIT D

DUST CONTROL AND MITIGATION REPORTING REQUIREMENTS APPLICABLE TO CONSERVATION BY FALLOWING FOR 2007-2008

In order to satisfy mitigation and reporting requirements in accordance with the Transfer EIR (defined in Recital B), the Fallowing Party shall be responsible for and comply with the following requirements:

1. MITIGATION REQUIREMENTS

A. In order to mitigate air quality impacts on Fallow Lands, only the Best Management Practices ("BMPs") recommended by the US Department of Agriculture Natural Resources Conservation Service and listed below will be considered for payment reimbursement. The Dust Control BMP(s) must be selected and approved by IID prior to implementation or July 1, 2007, whichever is earlier. Payment will be based on the Dust Control BMP Reimbursement Schedule issued annually by the IID.

- 1) Plan ahead to start with plenty of vegetation residue, and maintain as much residue on fallowed fields as possible. Residue is more effective for wind erosion protection if left standing.
- 2) Avoid any tillage if possible.
- 3) Avoid any traffic on the field or tillage when fields are extremely dry to avoid pulverization.
- 4) If residues are not adequate, either small grain can be seeded about the first of the year to take advantage of winter rains or soil stabilization chemicals may be applied to fallowed lands.

B. In addition to the above BMPs, in order to satisfy Imperial County dust control and mitigation requirements, Fallowing Party will comply with any lawful conditions required by the Imperial County Air Pollution Control District.

2. REPORTING REQUIREMENTS

Complete and return a Fallowing Program Mitigation Reporting Form (to be provided by IID) to the Manager of the Water Department of IID on or before July 31, 2007, and update the form before November 30, 2007, and July 31, 2008, verifying the method(s) used to satisfy the mitigation requirements set forth in Section 1 above and the total costs incurred by Fallowing Party therefore, including written documentation evidencing such costs.

**IMPERIAL IRRIGATION DISTRICT
WATER CONSERVATION AND TRANSFER PROJECT**

ANNUAL REPORT

Lower Colorado River Permits

Report Date: March 31, 2008

Reporting Period: Calendar Year 2007

Submitted By: Imperial Irrigation District ("IID")

Submitted To: (1) California Department of Fish and
Game ("CDFG")

(2) U.S. Fish and Wildlife Service
("USFWS")

1. INTRODUCTION

The IID Water Conservation and Transfer Project ("**Transfer Project**") includes all IID actions and obligations pursuant to the Quantification Settlement Agreement and related agreements executed on October 10, 2003 (collectively, "**QSA**") and implementation by IID of a Habitat Conservation Plan for biological resources within the Imperial Valley and Salton Sea area. The Transfer Project commenced in calendar year 2003.

A separate Annual Report has been prepared for the environmental permits for the Transfer Project which relate to resources within the Imperial Valley and Salton Sea. This Annual Report has been prepared in connection with the following environmental permits and approvals for the Transfer Project which relate to resources along the Lower Colorado River ("**LCR**"):

- Final EIR/EIS for the Transfer Project, certified by IID as the CEQA Lead Agency in June 2002, as modified and supplemented by the September 2003 Amended and Restated Addendum to the Final EIR/EIS for the Transfer Project, the CEQA Findings and Statement of Overriding Considerations, and the Mitigation, Monitoring and Reporting Program adopted by IID on October 2, 2003 (collectively, "**Transfer Project FEIR**").
- Final EIR/EIS for the Transfer Project, prepared by the U.S. Bureau of Reclamation ("**BOR**") as the NEPA Lead Agency and filed with the Environmental Protection Agency in October 2002, as modified and supplemented by an Environmental Evaluation prepared by BOR in October 2003 (collectively, "**Transfer Project FEIS**").
- "Biological Opinion for Interim Surplus Criteria, Secretarial Implementation Agreements, and Conservation Measures on the Lower Colorado River, Lake Mead to the Southerly International Boundary Arizona, California and Nevada" ("**LCR BO**"), issued by USFWS to BOR on January 12, 2001, which provides ESA compliance and incidental take authorization for several discrete activities, including the effects of the Transfer Project along the LCR.
- California Endangered Species Act ("**CESA**") Incidental Take Permit No. 2081-2005-008-06 ("**LCR MSCP CESA Permit**") issued by CDFG, which provides CESA compliance and incidental take authorization for activities covered by the Lower Colorado River Multi-Species Habitat Conservation Plan ("**LCR MSCP**") including the Transfer Project.

The LCR BO specified five conservation measures which must be implemented in connection with the change in the point of diversion of up to 400 thousand acre-feet ("**KAF**") of Colorado River water for water transfer purposes [LCR BO, p. 7]. The Transfer Project includes the diversion of up to 200 KAF to the San Diego County Water Authority ("**SDCWA**") and an

additional 100 KAF to SDCWA and/or the Metropolitan Water District of Southern California ("MWD"). The five conservation measures described in the LCR BO were included as mitigation measures for the Transfer Project in the Transfer Project FEIR and FEIS.

These five conservation measures are also incorporated into the LCR MSCP, which is a multi-party long-term plan to conserve at least 26 species along the LCR through implementation of a Habitat Conservation Plan. Implementation of this conservation plan provides the basis for Section 7 and Section 10 Endangered Species Act ("ESA") compliance for both federal and non-federal entities engaging in activities along the LCR, including the change in the point of diversion of up to 1.574 million acre-feet ("MAF") of water. This conservation plan also provides the basis for issuance of the LCR MSCP CESA Permit, which incorporates the five conservation measures from the LCR BO.

IID is not directly responsible for implementing the LCR conservation/mitigation measures. Pursuant to a Funding Agreement among BOR, MWD and SDCWA dated October 10, 2003, finalized as part of the QSA, BOR is responsible for implementation of these measures, utilizing funding provided by SDCWA and MWD. BOR has also agreed to implement these measures as part of the LCR MSCP pursuant a Funding and Management Agreement signed as part of the LCR MSCP program documents in April, 2005.

BOR provides annual reports to USFWS and CDFG pursuant to the LCR BO and the LCR MSCP CESA Permit, describing implementation of the conservation measures. The first full program year began October 1, 2005, which is the start of federal Fiscal Year ("FY") 2006. The most recent BOR report, dated June 2007 and entitled "Lower Colorado River Multi-Species Conservation Program, Final Implementation Report, Fiscal Year 2008 Work Plan and Budget, Fiscal Year 2006 Accomplishment Report" ("**BOR 2007 Report**"), is available on BOR's LCR MSCP website (<http://www.usbr.gov/workplans/Implementation2007.pdf>).

This Annual Report describes the status of implementation of the five conservation measures specified in the LCR BO and incorporated into the Transfer Project FEIR/FEIS and the LCR MSCP CESA Permit, as of the end of FY 2007, based upon information provided by BOR. It is intended to provide a monitoring report for IID as the CEQA Lead Agency for the Transfer Project and to assist IID in satisfying its reporting obligation to the State Water Resources Control Board ("**SWRCB**") pursuant to SWRCB Revised Order No. WRO 2002-0016, Condition 9.

2. REPORT

Conservation Measure 1: *Stock 20,000 razorback suckers, 25 cm or greater in length, into the Colorado River between Parker and Imperial Dams. This will be completed by 2006.*

Status: COMPLETED. The total number of razorback suckers stocked below Parker Dam (Reaches 4 and 5) between February 2005 and January 2007 is 20,012.

Conservation Measure 2: *Restore or create 44 acres of backwaters along the LCR between Parker and Imperial Dams. Maintenance of these backwaters for native fish and*

wildlife will be ensured for the life of the water transfers. This will be completed within five years of the first water transfers.

Status: COMPLETED. During FY07, BOR constructed six ponds, service roads, and the water supply and drainage system at Imperial National Wildlife Refuge. The completion of the ponds created approximately 80 acres of backwaters dedicated to native fish. Management of the ponds commenced upon completion of construction and will continue for the life of the water transfers.

Conservation Measure 3: *Provide \$50,000 for the capture of wild-born or F1 generation bonytails from Lake Mohave to be incorporated into the broodstock for this species and/or to support rearing efforts at Achii Hanyo. These efforts will be funded for 5 years (2001-2006).*

Status: COMPLETED. Significant facility improvements have been completed at the Achii Hanyo Native Fish Facility to support rearing efforts, including pond linings, berm and embankment repairs, installing collection kettles, installing circular rearing tanks, construction of metal workshop, and replacing well motor and hardware.

Conservation Measure 4, Tier 1: *Identify and monitor 372 acres of currently occupied willow flycatcher habitat that may be affected by water transfers and changes in points of delivery between Parker and Imperial Dams. Soil moisture will be monitored and if levels decrease as a result of water transfer actions, management actions taken to maintain monitored habitat. The monitoring program will be reviewed every five years to determine appropriate level of effort to monitor effects of water transfer actions. Monitoring will continue for up to five years after implementation of all water transfer actions unless it becomes part of a broader effort associated with recovery actions. Restore and maintain 372 acres of new replacement willow flycatcher habitat along the LCR.*

Status: In FY 2005, BOR modified an existing contract to include the monitoring of 372 acres of occupied willow flycatcher habitat. This acreage is split into 11 different sites between Palo Verde Diversion Dam and Imperial Dam. Baseline soil and moisture conditions on these sites have been established. Annual monitoring of soil moisture conditions at these sites is being performed to determine if a change in soil moisture conditions has occurred due to water transfer actions. No change in soil moisture conditions attributable to water transfer actions has been observed; therefore, no management actions have been required.

The 372 acres of replacement habitat required by this measure will be provided by development of Phases 1-3 at the Cibola Valley Conservation Area ("CVCA"), located 15 miles south of Ehrenberg, AZ, and the Palo Verde Ecological Reserve ("PVER"), located north of Blythe, CA. In FY07, BOR implemented Phase 2 of the CVCA by planting 105 acres of cottonwood-willow and honey mesquite land cover. At PVER, 82 acres of cottonwood-willow and honey mesquite land cover was established. By the end of FY07, approximately 251 acres have been planted and will be managed as southwestern willow flycatcher habitat. Completion of this conservation measure is anticipated in FY08 when additional acres are planted at both CVCA and PVER.

Conservation Measure 4, Tier 2: *Establish baseline soil moisture conditions within one year of acceptance of the LCR BO. Depending upon the status of willow flycatcher population trends along the LCR, replace additional willow flycatcher habitat if management actions to prevent adverse changes to Tier 1 monitored habitat are no longer viable or will not be successful in maintaining "baseline" soil moisture conditions.*

Status: No change in baseline soil moisture has been observed; therefore, no management actions were required. No additional willow flycatcher habitat is necessary.

2006

Quantification Settlement Agreement
Imperial Irrigation District/San Diego County Water Authority
Water Conservation and Transfer Agreement

ANNUAL IMPLEMENTATION REPORT



**Click on the following link to view a copy of the
2006 Annual Implementation Report.**

<http://www.iid.com/Media/2006-QSA-Annual-Report.pdf>

**IMPERIAL IRRIGATION DISTRICT
WATER CONSERVATION AND TRANSFER PROJECT
ANNUAL REPORT
In-Valley Permits**

Report Date:	March 31, 2008
Reporting Period:	Calendar Year 2007
Submitted By:	Imperial Irrigation District ("IID")
Submitted To:	(1) California Department of Fish and Game ("CDFG") (2) U.S. Fish and Wildlife Service ("USFWS")

1. INTRODUCTION

The IID Water Conservation and Transfer Project ("Transfer Project") includes all IID actions and obligations pursuant to the Quantification Settlement Agreement and related agreements executed on October 10, 2003 (collectively, "QSA") and implementation by IID of a Habitat Conservation Plan ("HCP"). The Transfer Project commenced in calendar year 2003. The following key environmental permits and approvals for the Transfer Project relate to resources within the Imperial Valley/Salton Sea area:

- Final EIR/EIS for the Transfer Project, certified by IID as the CEQA Lead Agency in June 2002, as modified and supplemented by the September 2003 Amended and Restated Addendum to the Final EIR/EIS for the Transfer Project, the CEQA Findings and Statement of Overriding Considerations, and the Mitigation, Monitoring and Reporting Program adopted by IID on October 2, 2003 (collectively, "**Transfer Project FEIR**").
- Final EIR/EIS for the Transfer Project, prepared by the U.S. Bureau of Reclamation ("BOR") as the NEPA Lead Agency and filed with the Environmental Protection Agency in October 2002, as modified and supplemented by an Environmental Evaluation prepared by BOR in October 2003 (collectively, "**Transfer Project FEIS**").
- "Biological Opinion on Bureau of Reclamation's Voluntary Fish and Wildlife Conservation Measures and Associated Conservation Agreements with the California Water Agencies" ("**In-Valley BO**"), issued by USFWS to BOR in December 2002, which provides ESA compliance and incidental take authorization within the Imperial Valley/Salton Sea area for the Transfer Project.
- California Endangered Species Act ("CESA") Incidental Take Permit No. 2081-2003-024-006 ("**In-Valley CESA Permit**") issued by the California Department of Fish and Game ("CDFG") on October 22, 2004, which provides CESA compliance and incidental take authorization within the Imperial Valley/Salton Sea area for the Transfer Project and operation and maintenance ("O&M") activities by IID.

As part of the Transfer Project, IID prepared, in consultation with USFWS and CDFG, a Draft Habitat Conservation Plan ("**Draft HCP**") covering certain activities within the Imperial Valley/Salton Sea area, including the water conservation and transfer activities of IID pursuant to the Transfer Project and IID's O&M activities. The Draft HCP was appended to the Transfer Project FEIR and FEIS, and the conservation measures identified in the Draft HCP were incorporated as mitigation measures for the

Transfer Project. The Draft HCP provides for annual reporting of certain information to USFWS and CDFG [Draft HCP, pp. A4-2, A4-4].

The In-Valley BO requires BOR to submit reports to USFWS and CDFG by March 31 of each year regarding the previous year's activities, including a summary of the water conservation activities implemented, the volume of water conserved, the acres fallowed for water conservation, the fish and wildlife conservation actions implemented, and the results of any monitoring/survey activities conducted [In-Valley BO, page 64].

The In-Valley CESA Permit requires the submission of annual reports no later than March 31 of each year, summarizing the previous year's implementation of mitigation measures and assessing the effectiveness of each completed or partially completed mitigation measure in minimizing and compensating for project impacts [In-Valley CESA Permit, p. 76].

Pursuant to the Draft HCP and the In-Valley CESA Permit, IID, USFWS and CDFG have established an Implementation Team ("IT"), which has met at least monthly during 2007. The IT is responsible for supervising implementation of the conservation/mitigation measures, including the review and approval of specified reports relating to the establishment of protocols and procedures and compliance and effectiveness monitoring. This Report is not intended to satisfy or supersede reporting to the IT. However, this Report is intended to satisfy the annual reporting requirements of the Draft HCP, the In-Valley BO, and the In-Valley CESA Permit for the calendar year 2007. For ease of reference, the Report references the conservation categories set forth in the Draft HCP. For purposes of the In-Valley CESA Permit, the Annual CESA Permit Mitigation Status Report for Calendar Year 2007, in the specified format, is attached as Appendix 1 to this Report ("CESA Report").

2. REPORT

2.1 Colorado River Water: Amounts Diverted and Transferred by IID.

A report summarizing IID's diversion and use of Colorado River water for 2007 is attached to this Report as Appendix 2. BOR provides IID and other users of Colorado River water with annual reports of Colorado River water use, typically in late spring. IID will revise this Report if the final BOR report for 2007 materially changes any of the reported information herein.

2.2 Water Conservation: Amount and Methods.

Appendix 3 attached to this Report identifies the amounts of water conserved by IID during 2007 pursuant to the Transfer Project, and the conservation method(s) used.

2.3 Implementation of Measures for Biological Resources.

2.3.1 Salton Sea Habitat Conservation Strategy [Draft HCP, Salton Sea-1]. The Salton Sea Habitat Conservation Strategy ("SSHCH"), as described in the Transfer Project FEIR and incorporated into the Draft HCP, requires IID to create conserved water by fallowing and to cause the delivery of that additional water to the Salton Sea on a specified annual schedule. Appendix 4 attached to this Report identifies the amounts required to be delivered to the Sea and the amounts actually delivered by IID during 2007. [See CESA Report, # 13-14.]

2.3.2 Tamarisk Scrub Habitat Conservation Strategy.

(1) Construction Activities [Draft HCP, Tree Habitat-1 and -3]. A draft preconstruction survey checklist was developed by IID in 2007 for approval by the IT. The draft checklist is currently in review, and will be finalized in 2008. In 2007 IID conducted pre-activity surveys based on the draft checklist. Based on those surveys, no Tree Habitat was identified in construction areas (except seepage recovery areas – see below) in 2007. No replacement habitat as a result of construction activities was required in 2007. [See CESA Report, # 36.]

(2) Seepage Recovery Systems [Draft HCP, Tree Habitat-2 and -3]. Several seepage recovery systems were installed in 2007, primarily along the East Highline Canal. These recovery systems were designed to incorporate existing surface drains and to maintain existing groundwater levels (thus preserving adjacent vegetation). Minor clearing of vegetation was required to place pumps and ancillary equipment at the sites. Less than 0.5-acre of vegetation was impacted by this process. This area will be replaced at the 1.5: 1 acre post-impact mitigation ratio noted in the HCP. The location of the mitigation site has not been determined. [See CESA Report # 29 and # 36.]

(3) Southwestern Willow Flycatcher Habitat. The completed desert vegetation surveys will be used to help identify and evaluate tree/shrub stands for breeding habitat suitability. In March and June, 2005, BOR completed an evaluation of tamarisk and cottonwood-willow stands in the IID Water Service Area to characterize suitable habitat for breeding southwestern willow flycatcher. BOR distributed a draft completion report in March 2006 for review and approval by the IT. IID provided IT comments on the draft report to BOR in April and May 2007. In response to IT comments, BOR conducted supplemental field work in July 2007 to refine its initial assessment of habitat suitability. BOR released a revised draft completion report for IT review in March 2008. [See CESA Report # 41-42.]

2.3.3 Drain Habitat Conservation Strategy

(1) Vegetation Survey [Draft HCP, Drain Habitat-1]. IID completed a vegetation survey of the drainage system, following the protocol included in the Draft HCP, and the survey results were delivered to the IT in May 2005. [See CESA Report, # 45.]

(2) Creation of Managed Marsh Habitat [Draft HCP, Drain Habitat-1]. Based on the Draft HCP and the In-Valley CESA Permit, and the results of the Drain Vegetation Survey, IID will be required to create managed marsh habitat over a 15-year period. During 2007, IID prepared a draft Supplement to the Transfer Project FEIR ("SEIR") which assessed, for CEQA compliance purposes, four potential locations for siting the managed marsh habitat. During 2008, IID will prepare a final SEIR, select a preferred location, and begin preliminary design work associated with the managed marsh habitat. [See CESA Report, # 45-47.]

(3) Dredging [Drain Habitat-2]. IID did not dredge the river deltas between February 15 and August 31, 2007. [See CESA Report, # 49.]

(4) Construction Surveys [Drain Habitat-3]. No areas of potential habitat were identified in the construction areas in 2007. [See CESA Report, # 36 and # 50-52]

2.3.4 Desert Habitat Conservation Strategy.

(1) Worker Education Program [Draft HCP, Desert Habitat-1]. IID has prepared a final Desert Worker Education Manual which was approved by USFWS and CDFG in February 2007. In December 2007, IID conducted an initial worker education program training session to ensure compliance with requirements applicable to desert habitat. IID construction, operations, and maintenance staff attended the session. The education manual will be updated annually for the first three years (2008, 2009, 2010), and a minimum of every five years thereafter. There have been no reported observations of dead or injured individuals of Covered Species. [See CESA Report, # 58-59.]

(2) O&M Activities [Draft HCP, Desert Habitat-2]. Instruction has been included in the worker education program regarding the interim practices specified in the Draft HCP in connection with O&M activities affecting desert habitat. IID implemented required measures for O&M activities during 2007. Implementation will continue during 2008, and an annual report assessing the effectiveness of interim measures will be prepared in mid-2008. [See CESA Report, # 60-61]

(3) Construction Activities [Draft HCP, Desert Habitat-3]. Instruction has been included in the worker education program regarding the measures specified in the Draft HCP in connection with scheduled construction activities affecting desert habitat. [See CESA Report # 62-63.]

(4) Baseline Survey [Draft HCP, Desert Habitat-4]. Desert habitat baseline surveys were completed in 2005, and a final completion report was delivered to the IT in 2006. The first of three consecutive years of baseline Covered Species surveys was completed in December 2007. Baseline Covered Species surveys will continue in 2008 and 2009 and will be repeated every five years thereafter. The Desert Worker Education Manual includes results from completed desert habitat mapping and will be updated as appropriate to reflect Covered Species survey results. [See CESA Report, # 64-65.]

(5) Replacement Habitat [Draft HCP, Desert Habitat-5]. No O&M or construction activities were conducted during 2007 which resulted in the permanent loss of desert habitat; therefore, replacement habitat was not required. No construction activities were conducted during 2007 which would temporarily disturb desert habitat. [See CESA Report, # 66-69.]

2.3.5 Burrowing Owl Mitigation Measures

(1) Worker Education Program [Draft HCP, Owl-1]. The worker education program was implemented during 2007, in accordance with the worker education manual.

(2) Drain Cleaning and Construction Measures [Draft HCP, Owl-2 to -6, -8]. Inspections prior to construction activities and scheduled maintenance activities were conducted in accordance with the Burrowing Owl Inspection Protocol.

(3) Relative Abundance and Distribution Survey [Draft HCP, Owl-7]. In the spring of 2006, Bloom Biological completed a pilot study addressing burrowing owl detection probability issues. Bloom completed the first of two consecutive years of a burrowing owl distribution and abundance study in spring of 2007. Year 2 of the study started in March 2008.

(4) Farmer and Public Education Program [Draft HCP, Owl-9]. During 2007, IID and the IT continued efforts to design a farmer and public education program addressing burrowing owls. IID may coordinate this effort with Audubon California.

2.3.6 Desert Pupfish Conservation Strategy

(1) Refugium. [Draft HCP, Salton Sea-2]. IID began discussions with BOR regarding the design and construction of a pupfish refugium pond in August 2004. BOR met with IT representatives on several occasions in 2007 to discuss refugium design considerations, and to inspect potential locations for constructing the refugium. [See CESA Report # 82-83, 91.]

(2) Selenium Study Program Surveys. During 2007, the USGS continued its quarterly sampling (initiated in August 2005, to be completed in April 2009) to characterize selenium concentrations in drains flowing directly into the Salton Sea.

Quarterly surveys were completed in January, April, July, and October 2007, representing surveys 7 through 10, respectively, of 16 total surveys planned. The USGS Columbia Environmental Research Center (CERC) continued in 2007 its laboratory bioassay work to investigate the toxicological effects of bio-accumulated selenium in desert pupfish. Four quarterly reports were submitted in 2007 to IID and the IT by CERC [See CESA Report, # 85-85.]

(3) Drain Maintenance Measures; Monitoring. [Draft HCP, Pupfish-4 and -5]. IID completed a draft pupfish survey protocol late in 2006, and finalized the protocol in early 2007. In 2008 the IT will discuss the timeline for implementation of the pupfish survey protocol. [See CESA Report, # 8687.]

(4) Dewatering Activities. [Draft HCP, Pupfish-6]. No dewatering activities affecting pupfish drains were implemented in 2007. [See CESA Report, # 89.]

2.3.7 Razorback Sucker Conservation Strategy

(1) Salvage Procedure. [Draft HCP, Razorback Sucker-1]. IID completed and the IT approved in 2005 a relocation protocol for salvaged razorback suckers. During 2007, no dewatering related to HCP covered activities was implemented affecting the All-American Canal, the East Highline Canal, the Westside Main Canal, the Central Main Canal, or reservoirs associated with these canals, and therefore, implementation of the protocol was not required. [See CESA Report, # 99.]

2.3.8 Agricultural Field Habitat Conservation Strategy

(1) Agricultural Protection Statistics. Appendix 5 attached to this Report contains the statistics on agricultural production during 2006, including total acreages in production, acres of each crops grown, acres fallowed, acres participating in the conservation program. Appendix 3 indicates the amounts of water conserved and transferred.

(2) Cover Crops. [Draft HCP, Agriculture-2]. On fallowed lands owned by IID, residual crops were left on the land to control dust emissions and provide foraging opportunities for Covered Species [See CESA Report, # 56.]

LIST OF APPENDICES

1. Annual Mitigation Report pursuant to In-Valley CESA Permit
2. Colorado River Water Amounts Diverted and Used by IID
3. Amounts Conserved and Transferred by IID
4. Salton Sea Mitigation Water Accounting
5. Agricultural Production Statistics

APPENDIX 1

ANNUAL MITIGATION REPORT

PURSUANT TO IN-VALLEY CESA PERMIT



**Imperial Irrigation District ("IID")
ANNUAL CESA PERMIT MITIGATION STATUS
REPORT**

IID Water Conservation and Transfer Project

Report Date: March 31, 2008

Reporting Period: Calendar Year 2007

In compliance with:

**California Endangered Species Act - Incidental Take Permit No.
2081-2003-024-006 (CDFG November 2004)**

**Supplements: Annual Report: In Valley Permits for Calendar Year
2005, submitted by IID to U.S. Fish and Wildlife Service ("USFWS")
and California Department of Fish and Game ("CDFG"), dated
March 31 2006 ("Annual Report")**

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
1	Permittee shall immediately notify the Department in writing if it determines that it is not in compliance with any condition of approval of this Permit, including but not limited to any actual or anticipated failure to implement mitigation measures within the time periods indicated in the Permit or this table.	Permit	During Permit term	IID	No action required in 2007.
2	Beginning with issuance of the Permit and continuing for the life of the project, Permittee shall provide the Department an annual Status Report no later than <u>March 31st</u> of every year. Each Status Report shall include, at a minimum: 1) a copy of this table with notes showing the current implementation status of each mitigation measure; and 2) an assessment of the effectiveness of each completed or partially completed mitigation measure in minimizing and compensating for project impacts.	Permit	During Permit term	IID	2007 Annual Report was submitted on 31 March, 2008.
3	No later than 120 days after completion of the project, including completion of all mitigation measures, Permittee shall provide the Department with a Final Mitigation Report. The Final Mitigation Report shall be prepared by a knowledgeable, experienced Biologist and shall include, at a minimum: 1) a copy of this table with notes showing when each of the mitigation measures was implemented; 2) a summary of available information about Project-related incidental take of Covered Species; 3) information about other project impacts on the Covered Species; 4) construction dates; 5) an assessment of the effectiveness of Permit's conditions of approval in minimizing and compensating for project impacts on Covered Species; 6) recommendations on how mitigation measures might be changed to more effectively minimize and mitigate the impacts of future projects on the species; and 7) any other pertinent information, including the level of take of Covered Species associated with the Project. IID may incorporate by reference the information from any annual or other report provided to the Department in satisfaction of this Condition. Within 90 days of the receipt of the Final Mitigation Report, the Department shall determine whether or not to accept the Final Mitigation Report as complete, which acceptance shall not be unreasonably upheld. In the event that the Department does not approve the Final Mitigation Report, it shall suggest specific changes to the Final Mitigation Report which would cause the Department to accept the Final Mitigation Report.	Permit	Post-project	IID	No action required in 2007.
4	The agencies accept the Final Mitigation Report as complete.	Permit	Post-project	Agencies	Wildlife agency action
5	The agencies may, at their sole discretion, verify compliance with any mitigation measure or independently assess the effectiveness of any mitigation measure.	MMRP	During Permit term	Agencies	Wildlife agency action
6	Permittee shall fully cooperate with the Department in its efforts to verify compliance with or effectiveness of mitigation measures.	Permit	Until acceptance of Final Mitigation Report	IID	Ongoing
7	Within 1 year of issuance of the Permit, Permittee will appoint a full-time equivalent biologist/project manager (Implementation Biologist) to manage the proper implementation of the Permit. Responsibilities will include ensuring adequate staffing and resources. Prior to securing a full-time equivalent biologist/project manager, IID's existing environmental compliance staff will ensure compliance with the Permit requirements.	Permit	By November 2005	IID	Biologist hired in March 2008 to fill position left vacant by resignation in mid year 2007.
8	Within 3 months of issuance of the Permit, Permittee will convene an Implementation Team (IT) consisting	Permit	February 2005	IID and Agencies	Implementation Team is meeting, at least

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	of representatives from IID, the Fish and Wildlife Service (Service), and California Department of Fish and Game (Department).				monthly, at CDFG Bermuda Dunes offices.
9	By December 31, 2006, Permittee shall develop and implement, in cooperation with federal and state agencies, an adaptive management process for monitoring the effectiveness of, and adjusting as necessary, the measures to minimize and fully mitigate the impacts of the authorized take on the species for which take is authorized by the Permit. Until such time as the adaptive management process is developed the Permittee will implement the monitoring program provided in Attachment 2. This adaptive management process does not need to substantially contribute to the conservation of the species (see Fish & G. Code § 2081.7(d) (3)).	Permit	By 31 December 2006	IID and Agencies	Adaptive Management strategies are included in survey protocols and study plans currently being implemented. Pursuant to the cited Code section, preparation of the adaptive management program is the responsibility of CDFG.
10	Subject to the appropriation of funds as described in Section 2081.7 (d)(3) of the Fish and Game Code, the Department, in cooperation with state and federal agencies shall develop and implement an adaptive management process that substantially contributes to the long-term conservation of the species for which take is authorized. Subject to the appropriation of funds, preparation of the adaptive management program and implementation of the program is the responsibility of the Department. Additional procedures and measures may be necessary to meet this standard. Subject to the appropriation of funds, preparation of this additional adaptive management program and implementation of the program is the responsibility of the Department, but does not modify Permittee's responsibilities under Condition of Approval 4(a) (iii) to develop and implement an adaptive management process.	Permit	TBD	Department of Fish and Game	Wildlife agency action
11	IID will notify the Department within three working days if a Covered Species is found dead or injured and the death or injury is reasonably attributable to a covered activity. A written notification will be made within five calendar days and will include the date, time, and location of the discovered animal/carcass, the expected cause of injury or death and any other pertinent information. Except in the case of a large die-off, injured animals will be transported to a veterinarian or certified wildlife care facility and the Department informed of the final disposition of any surviving animal(s). Except in the case of a large die-off, all dead specimen(s)/carcass (as) shall be submitted to educational/research institutions possessing the appropriate state and federal permits. If deposition to an institution is not possible, the carcass will be marked, photographed, and left in the field.	Permit	During Permit term, within 3 days of covered species mortality/injury event.	IID	No action required in 2007.
12	Under emergency situations, Permittee will implement the following procedures: <ul style="list-style-type: none"> • IID will notify the Implementation Biologist immediately. • IID will notify the Department and Service within 24 hours of initiating emergency activities. In notifying the Department and Service, the Permittee will describe the nature of the emergency and the actions necessary to correct the problem. • Where multiple actions need to be taken, the Implementation Biologist will work with repair crews to prioritize repairs based on the risk to Covered Species and habitats for Covered 	Permit	During Permit term, following emergency situation.	IID	No emergency actions affecting Covered Species during 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>Species provided under the Permit and threats to human health and safety and property.</p> <ul style="list-style-type: none"> The Implementation Biologist will visit sites where emergency activities are being implemented as soon as possible. The biologist will take pictures of the damaged areas and note the general extent and species composition of any vegetation impacted by the emergency response activities. IID will use this information to restore or create replacement habitat in accordance with Condition of Approval 4(f)(i), 4(g)(i), 4(i)(vi), and 4(j)(iv). Within one month of completing emergency actions, Permittee will meet with the Department and Service to review the measures Permittee will implement to mitigate any impacts resulting from the emergency actions. Following agreement with the Department and Service regarding appropriate mitigation, Permittee will prepare a Post Incident Report for submittal to these agencies. This report will document: <ul style="list-style-type: none"> –the nature of the emergency –the actions taken to address the emergency –the impacts to Covered Species and/or their habitats (e.g., area of drain habitat impacted) –the mitigation measures to be implemented to address the impacts –monitoring and reporting requirements (if any) for the mitigation measures <p>To facilitate effective and appropriate responses to emergencies, the IT may refine and further specify these general procedures to address specific types of emergencies that could arise.</p>				
13	Between 2003 and 2017, IID shall deliver water to the Salton Sea in accordance with the schedule and amounts of mitigation water shown in Table 1-3, "Revised QSA Delivery Schedule by Conservation Method", from the Amended and Restated Addendum to Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the IID Water Conservation and Transfer Project, September 2003 (see Attachment 5).	CESA Permit SWRCB Permit	2003-2017	IID	IID is delivering water to the Salton Sea per the Salton Sea Habitat Conservation Strategy (SSHCS). See Appendix 4 to Annual Report – Salton Sea Mitigation Accounting.
14	Implementation of Condition of Approval 4(c)(i) requires supplying water to augment inflows to the Salton Sea. IID will submit annual reports to CDFG, USFWS and SWRCB showing the total amount of water supplied to the Salton Sea for the preceding year, with an explanation of how the amount delivered was calculated.	CESA Permit, SWRCB Permit	2003-2017	IID	Report is included as Appendix 4 to Annual Report.
15	Permittee will construct at least two roost sites for brown pelicans along the Southern California Coast. Permittee shall provide at least 2 major roost sites that in combination accommodate 2000 brown pelicans and support at least 1200 brown pelicans. A major roost site is defined as supporting at least 100 pelicans during June through October based on maximum counts. The roost sites are to be installed by the end of 2018 and will be maintained by Permittee or another entity approved by the Department through 2048. The two required roosts will be located in South San Diego Bay and in the outer harbor of Santa Barbara unless future investigations determine installation of roost sites at these locations to be infeasible. A barge or similar structure will be anchored to create a roost site in the	CESA Permit	Installed by 31 December 2018; Maintained through 2048	San Diego County Water Authority (SDCWA)	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	outer harbor in Santa Barbara. The second roost site will be created in South San Diego Bay by installing one or more structures suitable for roosting pelicans and appropriate to the site-specific conditions in the bay (this may include barges if suitable).				
16	Permittee, or other entity approved by the Department, will monitor the roost sites annually for use by brown pelicans beginning one year after their installation. Monitoring will consist of day and night roost surveys during June through October. Monitoring will be used to determine 1) if the created structures are serving as a major roost (i.e., more than 100 pelicans) and 2) if they are major roosts, if in combination they are supporting at least 1200 pelicans. Based on the five years of monitoring, a roost site will be considered a major roost if the maximum number observed was at least 100 pelicans during 3 out of 5 years. Similarly, if the two roost sites in combination support at least 1200 pelicans during any of the 5 years based on maximum counts, the conservation measure will be considered successful. If the monitoring shows that a roost site does not support at least 100 pelicans in 3 of 5 years, Permittee will work with the Department and Service to modify the roost site to achieve the target number of pelicans, or if modifications to the roost site are not likely to achieve the objective, to identify one or more locations to establish additional roost sites as necessary to establish two major roosts. Similarly, if the two roosts in combination do not support at least 1200 pelicans, the Permittee will work with the Department and Service to modify the roost sites or establish additional roost sites until at least two major roosts are established and all created major roosts combined support at least 1200 pelicans. Attachment 4 summarizes information on locations along the Southern and Central California Coast where roost sites could be created or improved in the event that the initial two roosts do not achieve the objectives.	CESA Permit	2018-2022	IID	No action required in 2007.
17	Permittee, or other entity approved by the Department, will continue to monitor the roost sites annually after the initial five year effectiveness monitoring period. The Permittee will work with the Department and Service to develop an appropriate level of intensity for the monitoring. During the Permit duration, the frequency for the monitoring may be reduced with approval from the Department and Service. If the monitoring data show a decline in use of a roost site by Brown Pelicans to a level below the target population (i.e., 1200 pelicans) and the decline in use can be reasonably attributed to the characteristics or management of the roost site, then the Permittee will work with the Department and Service to identify and implement actions to re-establish conditions to support 1200 pelicans.	Permit	2023-2049	IID	No action required in 2007.
18	Permittee, or other entity approved by the Department, shall provide for the creation of roost structures for brown pelicans that are anticipated to continue to forage on the limited remaining fish at the river and drain mouths to offset the loss of existing roosts when the Salton Sea elevation drops below - 235 feet. It may be possible to modify existing structures (e.g., Mullet Island or its surroundings) to preclude predator access to achieve this goal. The structures shall meet with the approval of the Service and Department and shall provide for a minimum of 25 pelicans.	Permit	Start "when sea elevation drops below -235 feet"	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
19	Permittee, or other entity approved by the Department, shall schedule regular maintenance of the created pelican roosts during the month of December to minimize disturbance of migrating pelicans and the resident population that could result in harm through a lack of access to dry sites where the birds can roost and maintain their plumage. Exceptions to this scheduling shall be approved by the Service and Department.	Permit	2019-2049	IID	No action required in 2007.
20	If California least terns begin nesting at the Salton Sea during the term of the Permit, Permittee will use fencing or other approved techniques to protect tern nesting areas from predatory terrestrial animals.	Permit	During Permit term, following evidence of California least tern nesting at SS.	IID	No action required in 2007.
21	For scheduled construction activities (except for the installation of subsurface seepage recovery systems – see Condition of Approval 4(f)(ii)), the Permittee will survey the site before initiation of construction activities. If tamarisk scrub habitat occurs on the project site and would be affected by the construction activities or operation of the constructed facilities, the acreage and plant species composition of the affected vegetation will be determined.	Permit	During Permit term, prior to Construction Activity	IID	Areas scheduled for construction activities were surveyed as needed and no impacts to tamarisk scrub habitat were identified in 2007.
22	For tamarisk that would be permanently lost, Permittee will create or acquire native tree habitat consisting of mesquite bosque or cottonwood-willow habitat. The amount of habitat to acquire or create will be calculated based on the following ratios: <ul style="list-style-type: none"> • If the Permittee creates habitat prior to conducting the construction activities, the mitigation ratio for the acreage of created habitat to lost acreage of tamarisk will be 0.25:1 as long as the created habitat meets the success criteria. • If the Permittee creates habitat after conducting the construction activities or if IID acquires existing habitat, the mitigation ratio for the acreage of the created or acquired habitat to lost acreage of tamarisk will be 0.75:1. The habitat will be created or acquired within 1 year of initiation of the construction activities unless otherwise agreed to by the Permittee, Service, and Department. 	Permit	During Permit term, prior to or after scheduled construction activity.	IID	No action required in 2007.
23	If the Permittee elects to acquire habitat, the Permittee will work with the IT to identify a property for acquisition. Habitat to be acquired must support mesquite bosque of types III or IV or cottonwood-willow habitat of types II, III, or IV (Ohmart and Anderson 1984), occur within the Salton Sea Basin and meet with the approval of the Department and Service. If the only available properties that meet these requirements are larger than required to compensate for the lost acreage, IID may acquire the least expensive property. IID can use the additional acreage of the acquired habitat to fulfill the mitigation obligations of Condition of Approval 4(f)(i, ii, and iv). IID will place a conservation easement on acquired lands and provide for the property to be managed for Covered Species in perpetuity. With the approval of the Department and Service, IID may transfer the land to a third party who agrees to and is authorized to manage the land for habitat conservation purposes. If IID transfers the land to a third party, IID will establish an endowment fund adequate to provide for the management of the lands in perpetuity.	Permit	During Permit term, prior to or after scheduled construction activity.	IID	No action required in 2007.
24	For native tree habitat that would be removed by	Permit	During Permit	IID	No action required in

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	construction activities, the Permittee will create or acquire native tree habitat consisting of mesquite bosque or cottonwood-willow habitat at a 3:1 ratio for the acreage impacted. The habitat will be created or acquired within 1 year of initiation of the construction activities unless otherwise agreed to by the Permittee, Service, and Department.		term, prior to or after scheduled construction activity.		2007.
25	<p>If IID elects to create habitat, IID will work with the IT to develop a habitat creation plan. The habitat creation plan will include the following information:</p> <ul style="list-style-type: none"> • Location • Planting plan (including species composition and layout) • Grading and other construction activities • Long-term management practices • Vegetation and species use monitoring • Success criteria for the plantings and the actions that IID will take if the success criteria are not met <p>IID will submit habitat creation plans to the Department and Service for approval prior to initiation of habitat creation activities. IID will provide for the management of created native tree habitat in perpetuity.</p>	Permit	During Permit term, prior to or after scheduled construction activity.	IID	No action required in 2007.
26	<p>IID will submit a report of the results of the vegetation monitoring of created native tree habitat to the Department and Service annually until achievement of the success criteria has been demonstrated. These annual reports will:</p> <ul style="list-style-type: none"> • Present the results of the vegetation monitoring specified by the IT • Describe the overall condition and development of the native tree habitat • Indicate whether the success criteria have been met • Describe recommendations from the IT for creation and management of the native tree habitats and the bases for the recommendations 	Attachment 2	During Permit term, annually, after creation of tree habitat	IID	No action required in 2007.
27	<p>For created and acquired habitat, IID will work with the IT to prepare a management plan for the property that describes how the property will be managed. The management plan will describe the actions that IID will take to maintain the ecological functions of the created and acquired habitat. While the specific management needs will vary depending on the property, considerations for the management plan include:</p> <ul style="list-style-type: none"> • Measures to control human access (e.g., fencing, signage) • Frequency at which land will be visited to assess maintenance/management needs • Types of maintenance action (e.g., removing garbage, repairing fences) • Vegetation management practices (e.g., prescribed burning, removal of exotic plants) <p>IID will submit management plans to the Department and Service for approval within 1 year of completing habitat creation activities or recording a conservation easement for acquired habitat.</p>	Permit	During Permit term, within 1 year of completing habitat creation or recording a conservation easement for acquired habitat.	IID	No action required in 2007.
28	<p>Following achievement of the success criteria and for acquired habitat, IID will continue to assess the condition of the native tree habitat. IID will submit annual reports that:</p> <ul style="list-style-type: none"> • Present the results of any long-term vegetation monitoring required by the IT as part of the 	Attachment 2	During Permit term, following acquisition and management of native tree habitat, and	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>monitoring required by the IT as part of the habitat management plans</p> <ul style="list-style-type: none"> Indicate whether the success criteria are being met Describe recommendations from the IT for management of the native tree units and the bases for the recommendations <p>IID will submit a report of the results of bird surveys to the Department and Service each year that the surveys are conducted as specified by the IT. The report will list the species and number of individuals recorded for the current year's survey and in each previous survey for the habitat area surveyed. The report will include the IT's assessment of the effectiveness of the native tree habitat in meeting the biological goal as described under Section 2.2.3: Adaptive Management Program (see Attachment 2). The report also will include the IT's recommendations for creation and management of the native tree units and the bases for the recommendations.</p>		following achievement of success criteria.		
29	<p>If IID installs subsurface seepage recovery systems on the East Highline Canal, prior to the initiation of construction, IID will determine the acreage of seepage community vegetation that will be removed and permanently lost because of the construction. For seepage community vegetation that would be permanently lost, IID will create or acquire native tree habitat consisting of mesquite bosque or cottonwood-willow habitat. The amount of habitat to acquire or create will be calculated based on the following ratios:</p> <ul style="list-style-type: none"> If IID creates habitat prior to installing the subsurface recovery systems, the mitigation ratio for the acreage of created habitat to lost acreage of tamarisk will be 0.5:1 as long as the created habitat meets the success criteria. If IID creates habitat after installing the subsurface recovery systems, the mitigation ratio for the acreage of the created or acquired habitat to lost acreage of tamarisk will be 1.5:1. The habitat will be created or acquired within 1 year of initiation of construction activities unless otherwise agreed to by IID, the Department, and Service. 	Permit	During Permit term, prior to and following installation of seepage recovery system along EHL Canal.	IID	IID constructed several above ground seepage recovery systems utilizing existing surface drains primarily along the East Highline Canal. These systems are designed to maintain groundwater levels and to preserve surrounding vegetation. A minor amount of vegetation (less than 0.5 acres) was removed to accommodate the installation of pumps and ancillary equipment. This loss of vegetation will be mitigated at a 1.5:1 acre ratio as required in the HCP. A location for the mitigation area will be identified in 2008.
30	<p>If IID elects to acquire habitat, IID will work with the IT to identify a property for acquisition. Habitat to be acquired must support mesquite bosque or cottonwood-willow habitat, occur within the Salton Sea Basin and meet with the approval of the Department and Service. If the only available properties that meet these requirements are larger than required to compensate for the lost acreage, IID will acquire the least expensive property. IID can use the additional acreage of the acquired habitat to fulfill the mitigation obligations of Condition of Approval 4(f)(i, ii, and iv). IID will place a conservation easement on acquired lands and provide for the property to be managed for Covered Species in perpetuity. With the approval of the Department and Service, IID may transfer the land to a third party who agrees to and is authorized to manage the land for habitat conservation purposes. If IID transfers the</p>	Permit	During Permit term, prior to or following installation of seepage recovery system along EHL Canal.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	land to a third party, IID will establish an endowment fund adequate to provide for the management of the lands in perpetuity.				
31	<p>If IID elects to create habitat, IID will work with the IT to develop a habitat creation plan. The habitat creation plan will include the following information:</p> <ul style="list-style-type: none"> • Location • Planting plan (including species composition and layout) • Grading and other construction activities • Long-term management practices • Vegetation and species use monitoring • Success criteria for the plantings and the actions that IID will take if the success criteria are not met <p>IID will submit habitat creation plans to the Department and Service for approval prior to initiation of habitat creation activities. IID will provide for the management of created native tree habitat in perpetuity.</p>	Permit	During Permit term, prior to or following installation of seepage recovery system along EHL Canal.	IID	No action required in 2007.
32	<p>IID will submit a report of the results of the vegetation monitoring of created native tree habitat to the Department and Service annually until achievement of the success criteria has been demonstrated. These annual reports will:</p> <ul style="list-style-type: none"> • Present the results of the vegetation monitoring specified by the IT • Describe the overall condition and development of the native tree habitat • Indicate whether the success criteria have been met • Describe recommendations from the IT for creation and management of the native tree habitats and the bases for the recommendations <p>If the vegetation has not met the success criteria, the IT will identify appropriate management actions to achieve the desired characteristics.</p>	Attachment 2	During Permit term, following creation and monitoring of created native tree habitat required by installation of seepage recovery system along EHL Canal.		No action required in 2007.
33	<p>For created and acquired habitat, IID will work with the IT to prepare a management plan for the property that describes how the property will be managed. The management plan will describe the actions that IID will take to maintain the ecological functions of the created or acquired habitat. While the specific management needs will vary depending on the property, considerations for the management plan include:</p> <ul style="list-style-type: none"> • Measures to control human access (e.g., fencing, signage) • Frequency at which land will be visited to assess maintenance/management needs • Types of maintenance action (e.g., removing garbage, repairing fences) • Vegetation management practices (e.g., prescribed burning, removal of exotic plants) <p>IID will submit management plans to the Department and Service for approval within 1 year of completing habitat creation activities or recording a conservation easement for acquired habitat.</p>	Permit	During Permit term, within 1 year of creation or acquisition of native tree habitat required by installation of seepage recovery system along EHL Canal.	IID	No action required in 2007.
34	<p>Following achievement of the success criteria and for acquired habitat, IID will continue to assess the condition of the native tree habitat. IID will submit annual reports that:</p> <ul style="list-style-type: none"> • Present the results of any long-term vegetation monitoring required by the IT as part of the 	Attachment 2	During Permit term, following acquisition and management of native tree habitat, and	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>monitoring required by the IT as part of the habitat management plans</p> <ul style="list-style-type: none"> Indicate whether the success criteria are being met Describe recommendations from the IT for management of the native tree units and the bases for the recommendations <p>IID will submit a report of the results of bird surveys to the Department and Service each year that the surveys are conducted as specified by the IT. The report will list the species and number of individuals recorded for the current year's survey and in each previous survey for the habitat area surveyed. The report will include the IT's assessment of the effectiveness of the native tree habitat in meeting the biological goal as described under Section 2.2.3: Adaptive Management Program (see Attachment 2). The report also will include the IT's recommendations for creation and management of the native tree units and the bases for the recommendations.</p>		following achievement of success criteria.		
35	<p>As a basis for assessing the effectiveness of native tree habitat, IID will monitor use of the created or acquired habitat by birds. Most of the Covered Species associated with tamarisk scrub occur sporadically and in low numbers in the Permit area. As a result, focusing only on Covered Species to determine whether the created habitat is functioning might not provide meaningful information. Thus, rather than designing the monitoring specifically to detect Covered Species, species use monitoring will consist of general bird surveys. All birds (both Covered Species and species not covered by the Permit) observed during the surveys will be recorded. Interpretation and evaluation of the monitoring results will focus on broad groups of birds (e.g., raptors, neotropical migrants) that encompass and include the Covered Species associated with tamarisk scrub, as indicators for the Covered Species.</p> <p>The monitoring surveys will be designed to provide seasonal occurrence data. Point counts and/or other appropriate survey methodology will be used. The IT will develop the specific requirements for monitoring bird use of the created/acquired habitat, including the survey techniques, timing of the surveys, and duration of the surveys following creation of the habitat.</p> <p>The IT annually will review results of bird surveys of the created/acquired native tree habitat and assess the effectiveness of the native tree habitat in meeting the biological goal of the Condition of Approval 4(f). In evaluating the effectiveness of the native tree habitat and as a basis for determining whether management adjustments are appropriate, the IT will consider the following:</p> <ul style="list-style-type: none"> The species composition and seasonal occurrence of birds using created or acquired native tree habitat relative to other native tree habitats and/or tamarisk scrub in the Salton Sea Basin to the extent that survey information is available for other areas in the basin. The species composition and life history functions (as indicated by season of occurrence) of birds using created or acquired native tree 	Attachment 2	During Permit term, following creation or acquisition of native tree habitat.	IT to design monitoring approach, IID to implement approach.	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>habitat relative to that found in the baseline surveys of the drains for survey locations dominated by tamarisk.</p> <ul style="list-style-type: none"> The species composition and life history functions (as indicated by season of occurrence) of birds using created or acquired native tree habitat relative to other native tree habitats and/or tamarisk scrub outside of the Salton Sea Basin. The number of consecutive years individual species was reported in the created/acquired habitat. The trends of local (Imperial Valley) and regional populations of individual bird species or groups of species, if available. 				
36	<p>For scheduled construction activities, including installation of subsurface seepage recovery systems that will remove tamarisk, cottonwoods, willows or mesquite, the site will be surveyed to determine whether any Covered Species are potentially breeding at the site. Surveys will follow accepted protocols for each Covered Species. If no accepted protocol exists, IID will submit a survey protocol to the Department and Service for approval prior to conducting the surveys. If Covered Species are found to be potentially breeding on the project site, IID will schedule the construction activities that directly affect habitat to occur outside of the breeding season.</p>	Permit	During Permit term, prior to scheduled Construction Activity.	IID	Pre-Activity surveys were conducted as needed for the construction activities in 2007.
37	<p>Upon completion of Condition of Approval 4(c)(i) IID will conduct a survey of the areas designated as (1) "shoreline strand," (2) "adjacent wetland" with tamarisk as the primary vegetation as shown in the Salton Sea Digital Atlas (University of Redlands 1999), and (3) currently inundated areas that become exposed in the future by a reduction in water surface elevation of the Salton Sea. The general approach to the survey is described in Attachment 2. In consultation with the IT, IID will develop the specific survey protocol necessary to establish the acreage in 2018 and to verify and quantify net changes in the total amount of tamarisk in shoreline strand and adjacent wetland areas in the future. The study plan will be submitted to the Department and Service for approval.</p>	Permit	In 2018	IID	No action required in 2007.
38	<p>If the survey conducted in 2018 shows no change or a net gain in the acreage of tamarisk relative to the 2,642 acres currently available, no mitigation will be required at that time. IID will repeat the survey every 5 years for the remainder of the Permit term, but may choose to conduct the surveys more frequently. If the acreage of tamarisk scrub in shoreline strand, adjacent wetland, and currently inundated areas exposed in the future is found to be less than 2,642 acres at any time during the remainder of the Permit, and the reduction can be reasonably attributable to the water conservation and transfer project, IID will mitigate the net loss (i.e., the difference between the acreage found in survey and 2,642 acres except as qualified below) by acquiring or creating native tree habitat as described below. IID will not be responsible for losses of tamarisk clearly caused by unrelated activities such as fire, or chemical or mechanical removal by a landowner other than IID. IID will not be required to mitigate losses of tamarisk scrub greater than 2,642 acres.</p>	Permit	During Permit term, after survey in 2018	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>If necessary, IID will create or acquire native tree habitat consisting of mesquite bosque or cottonwood-willow habitat in amounts calculated based on the following ratios.</p> <ul style="list-style-type: none"> • If IID creates habitat prior to the surveys showing a net loss in the amount of tamarisk, the mitigation ratio for the acreage of created habitat to net lost acreage of tamarisk will be 0.25:1 as long as the created habitat meets the success criteria. • If IID creates habitat after the surveys show a net loss or IID acquires existing habitat, the mitigation ratio for the acreage of the created or acquired habitat to lost acreage of tamarisk will be 0.75:1. The habitat will be created or acquired within 1 year of documenting a net reduction in tamarisk scrub unless otherwise agreed to by IID, the Department and Service. • If IID elects to acquire habitat, IID will work with the IT to identify a property for acquisition. Habitat to be acquired must support mesquite bosque or cottonwood-willow habitat and occur within the Salton Sea Basin. If the only available properties that meet these requirements are larger than required to compensate for the lost acreage, IID may acquire the least expensive property. IID can use the additional acreage of the acquired habitat to fulfill future mitigation obligations of Condition of Approval 4(f)(i, ii and iv). IID will place a conservation easement on acquired lands and provide for the property to be managed for Covered Species in perpetuity. Within 1 year of recording the conservation easement, IID will prepare and submit to the Department and Service for approval a management plan for the property that describes how the property will be managed. The management plan will describe the actions that IID will take to maintain the ecological functions of the acquired habitat. While the specific management needs will vary depending on the property acquired, considerations for the management plan include: <ul style="list-style-type: none"> - Measures to control human access (e.g., fencing, signage) - Frequency at which land will be visited to assess maintenance/management needs - Types of maintenance action (e.g., removing garbage, repairing fences) - Vegetation management practices (e.g., prescribed burning, removal of exotic plants) 				
39	<p>With the approval of the Department and Service, IID may transfer the land to a third party who agrees to and is authorized to manage the land for habitat conservation purposes. If IID transfers the land to a third party, IID will establish an endowment fund adequate to provide for the management of the lands in perpetuity.</p> <p>If IID elects to create habitat, IID will develop a habitat creation and management plan. The habitat creation and management plan will include the following information:</p> <ul style="list-style-type: none"> • Location • Planting plan (including species composition and layout) 	Permit	During Permit term, after survey in 2018	IID	No action required during 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<ul style="list-style-type: none"> Grading and other construction activities Long-term management practices Vegetation and species use monitoring Success criteria for the plantings and the actions that IID will take if the success criteria are not met 				
40	<p>If a Salton Sea restoration project is implemented that affects the water surface elevation of the Sea prior to 2018, IID will not be required to implement Condition of Approval 4(f)(iv). If a Salton Sea restoration project is implemented following completion of Condition of Approval 4(c)(i), IID will discontinue monitoring the shoreline strand and adjacent wetlands and will not be responsible for mitigating any additional reductions in the amount of tamarisk in these areas over the term of the Permit. Further, in the event that mitigation water is allowed to flow to the Sea beyond 2017 (e.g., mitigation of air quality impacts), IID will not be required to conduct surveys or mitigate changes in the amount of tamarisk scrub adjacent to the Sea.</p>	Permit	During Permit term	IID	No action required in 2007.
41	<p>All cottonwood-willow and tamarisk stands will be evaluated for Southwestern Willow Flycatcher potential breeding habitat suitability. Using the Anderson and Ohmart classification system (1994), each Salt Cedar III and IV and each Cottonwood-Willow I, II, III, and IV stand will be evaluated for suitability based on density, structure, and presence of standing water or saturated soils during the breeding season. Suitable breeding habitat will be identified based on the following characterizations excerpted from the draft Southwestern Willow Flycatcher Recovery Plan:</p> <p><i>“...general unifying characteristics of flycatcher habitat can be identified. Regardless of the plant species composition or height, occupied sites usually consist of dense vegetation in the patch interior, or an aggregate of dense patches interspersed with openings. In most cases this dense vegetation occurs within the first 3-4 m (10-13ft) above ground. These dense patches are often interspersed with small openings, open water, or shorter/sparser vegetation, creating a mosaic that is not uniformly dense. In almost all cases, slow-moving or still surface water and/or saturated soil are present at or near breeding sites during wet or non-drought years.</i></p> <p><i>Thickets of trees and shrubs used for nesting range in height from 2 m to 30 m (6 to 98 ft). Lower-stature thickets (2-4 m or 6-13 ft) tend to be found at higher elevation sites, with tall stature habitats at middle and lower elevation riparian forests. Nest sites typically have dense foliage from the ground level up to approximately 4 m (13 ft) above ground, although dense foliage may exist only at the shrub level, or as a low dense canopy. Nest sites typically have a dense canopy, but nests may be placed in a tree at the edge of a habitat patch, with sparse canopy overhead.</i></p>	Permit	During Permit term, prior to IID water conservation actions that could affect tamarisk	IID	The IT provided comments on BOR survey results in April/May 2007. BOR conducted additional analysis in July 2007 and released a revised report in March 2008

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p><i>The diversity of nest site plant species may be low (e.g., monocultures of willow or tamarisk) or comparatively high. Nest site vegetation may be even- or uneven-aged, but is usually dense (Brown 1988, Whitfield 1990, Muiznieks et al. 1994, McCarthey et al. 1998, Sogge et al. 1997, Stoleson and Finch 1999)."</i></p> <p>These evaluations will take place prior to any IID water conservation actions that could impact tamarisk habitat. Upon completion of this initial evaluation, a specific protocol for the habitat monitoring (Condition of Approval 4(f)(vii)) will be developed in consultation with the Department and Service. This protocol will address the timing and duration of monitoring activities and other details as required.</p>				
42	<p>If suitable Southwestern Willow Flycatcher breeding habitat is identified during Condition of Approval 4(f)(vi), this habitat will be monitored to quantify changes in the amount and quality of habitat. If suitable breeding habitat is lost or the quality of the habitat declines as a result of IID's water conservation activities so that it is no longer considered suitable breeding habitat, Permittee will mitigate this loss through development of replacement habitat with native vegetation at a 1:1 ratio. If replacement habitat is to be acquired the replacement habitat will be identified and acquisition process started within 6 months of identification of the habitat loss. If habitat is to be created, creation plans will be developed within 3 months of identification of the habitat loss, and planting will occur within 1 year of identification of the habitat loss. IID will work with the Department and Service to develop the specific survey protocol necessary to monitor and quantify changes in the amount and quality of breeding habitat in the future.</p>	Permit	During Permit term, following identification of, and impact to, identified suitable WIFL breeding habitat in Plan Area.	IID	No action required in 2007.
43	<p>A long-term adaptive management and monitoring plan will be developed within 6 months of purchase or creation of habitat. This plan will be approved by the Department and Service. The adaptive management plan will also include success criteria. Specific locations for the replacement habitat would be identified in consultation with the Department and Service and would be located in the Salton trough or lower Colorado River corridor. Following creation of native tree habitat, Permittee will survey the created habitat for willow flycatchers according to the survey protocol developed in the monitoring plan. Permittee, the Department and Service will annually review results of the willow flycatcher surveys and assess the effectiveness of the native tree habitat in providing habitat for willow flycatchers. In evaluating the effectiveness in providing habitat for willow flycatchers, Permittee, the Department and Service will consider the prior use of the habitat that was lost by willow flycatchers and attempt to reach equal or higher success. Management will be adjusted as necessary based on the results of the annual surveys.</p>	Permit	During Permit term, within 6 months of acquisition or creation of suitable WIFL breeding habitat.	IID	No action required in 2007.
44	<p>Before construction activities begin, potential nesting habitat on the construction site and within 0.25-mile of the construction site will be surveyed to determine if elf owls are nesting. If nesting elf owls are found, a 0.25-mile buffer will be established around the nest site. The buffer will be staked and flagged. No construction activities will be permitted within the</p>	Permit	During Permit term, prior to construction activities within potential elf owl nesting habitat..	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	0.25-mile buffer from April 1 to July 31 or until young have fledged. Vegetation within the 0.25-mile buffer may be removed after the young have fledged.				
45	IID will create at least 190 acres of managed marsh habitat. Within 1 year of the issuance of the Permit, IID will conduct a vegetation survey of the drainage system following the protocol in Attachment 3. Based on this vegetation survey, the IT will determine the amount of habitat for Covered Species supported in the drains. The acreage required to compensate for selenium effects will be recalculated based on the results of the vegetation survey following the same methodology described in Section 3.5.2: Effects of the Covered Activities of the Final Environmental Impact Report for the Imperial Irrigation District Water Conservation and Transfer Project (December 2002). If the acreage of habitat for Covered Species found in the drains through the vegetation survey plus the acreage required to compensate for selenium effects exceeds 190 acres, IID will create managed marsh habitat in an amount equal to the greater acreage up to a maximum of 652 acres. Creation of the managed marsh habitat will be phased over 15 years, with at least one-third of the total amount created within 5 years, two-thirds within 10 years, and the total amount created within 15 years of issuance of the Permit.	Permit	By November 2005.	IID	Drain vegetation field survey and habitat analysis completed in February 2005. Drain vegetation technical memorandum completed in May 2005. In 2007 a Draft Supplement to the Transfer Project FEIR ("SEIR") was prepared to assess 4 potential sites for the managed marsh for CEQA compliance purposes. A final SEIR will be completed in 2008 and preliminary design work will be implemented after the IID Board has certified the final SEIR and selected a site.
46	IID will ensure that the water used to support the managed marsh habitat is irrigation water from the LCR or is other water with the same selenium concentration as water from the LCR or that meets an EPA selenium standard for protection of aquatic life that has received a No Jeopardy determination from the Service, whichever is greatest.	Permit	During Permit term and operation of Managed Marsh Complex.	IID	No action required in 2007.
47	The managed marsh habitat will be created on lands owned by IID. IID will work with the IT to determine the location and characteristics of the managed marsh habitat and develop long-term management plans. IID will submit habitat creation plans to the Department and Service for approval prior to initiation of habitat creation activities. Within 1 year of completing construction of the first phase of the managed marsh, IID will submit long-term management plans to the Department and Service for approval. IID will provide for the management of managed marsh habitat for the term of the Permit.	Permit	Phase I of Managed Marsh to be completed by 2009.	IID	Potential sites for the Managed Marsh Complex are currently being evaluated.
48	To monitor the effectiveness of the managed marsh habitat in meeting its objectives, IID will monitor use of the managed marsh by Covered Species. The effectiveness monitoring data also will provide the basis for the adaptive management program. The IT annually will review results of Covered Species surveys and assess the effectiveness of the managed marsh in meeting the biological goal of Condition of Approval 4(g)(i). In evaluating the effectiveness of the managed marsh and as a basis for determining whether management adjustments are appropriate, the IT will consider the following: <ul style="list-style-type: none"> • The occurrence of Covered Species in the drains as determined by the baseline surveys of the drains and the managed marsh • The relative abundance of Covered Species in the drains as determined by the baseline surveys of both the drains and the managed marsh • The seasons when Covered Species use the 	Attachment 2	During Permit term, following creation of managed marsh.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>drains as determined by the baseline surveys of the drains and managed marsh as an indicator of life history functions</p> <ul style="list-style-type: none"> • The number of consecutive years individual species were reported in the drains as determined by the baseline surveys of the drains and the managed marsh (i.e., consistency of occurrence) • The presence, relative abundance and seasonal use of Covered Species on managed marshes of the state and federal refuges, if available • The trends of local (Imperial Valley) and regional populations of Covered Species, if available. 				
49	To avoid disturbing Covered Species that may be breeding, IID will not dredge the river deltas between February 15 and August 31, except as necessary to prevent flooding during storm events.	Permit	During Permit term	IID	No dredging activity occurred in the river deltas during the noted time period in 2007.
50	For scheduled construction activities associated with the drainage system, before initiation of construction activities, IID will survey the construction site to determine whether any Covered Species are likely to breed at the site as evidenced by the occurrence of appropriate vegetation and/or surveys for Covered Species. Surveys will follow accepted protocols for each Covered Species. If no accepted protocol exists, IID will submit a survey protocol to the Department and Service for approval prior to conducting the surveys. If Covered Species are found to be potentially breeding on the project site, IID will schedule construction activities that would remove habitat to occur outside of the breeding season.	Permit	During Permit term	IID	IID conducted field reconnaissance visits to construction sites to identify potential habitat for covered species. No areas of potentially suitable habitat were identified in 2007. Burrowing owl surveys were conducted and potential burrows avoided.
51	Permittee shall use taped calls only to initially locate individual rails, and not to elicit further behavior from rails, in order to reduce the chances of nest abandonment or other impacts to reproductive success. Tapes shall not be used to elicit responses from rails if the surveyor detects the presence of potential avian or mammalian predators that could injure or kill rail adults, chicks or eggs.	Permit	During Permit term, prior to scheduled construction activities in drains that may affect suitable rail habitat.	IID	No action required in 2007.
52	Permittee shall not survey for rails during inclement weather conditions that would significantly reduce the ability to detect the rail species or expose rail nest contents to the elements (e.g., rain or strong wind) thus resulting in the failure of eggs to hatch or reducing chick survival.	Permit	During Permit term, prior to scheduled construction activities in drains that may affect suitable rail habitat.	IID	No action required in 2007.
53	A long-term adaptive management plan will be developed for the mitigation marsh and submitted to the Department and Service for review and approval prior to initiation of habitat creation activities. An acceptable monitoring plan for the mitigation marshes, which specifies performance criteria for vegetation growth and rail use as well as for the frequency and techniques to be used in monitoring, will be developed. The created marsh habitat will be maintained and managed for at least the duration of the Permit term.	Permit	Plan due to agencies prior to initiation of Phase 1 construction. After managed marsh creation, ongoing for the duration of the Permit.	IID	No action required in 2007.
54	Following creation of the managed marsh habitat, the Permittee will survey the created habitat for rails. The surveys will be conducted annually for 5 years following creation of the managed marsh. The managed marsh will be considered successful when Yuma clapper rails and California black rails have been found to use the marsh during the breeding season, anytime during the five years following the	Permit	During Permit term, following creation of managed marsh.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	creation of the marsh. If it is determined that either one or both of the species did not use the managed marsh during the five years, then the Department, the Service and the Permittee will meet to identify possible changes needed in the management of the existing aforementioned marsh.				
55	If IID builds additional power lines to provide power to pumps to run tailwater return systems, IID will install markers (e.g., flagging, balls, discs) in accordance with industry standards for reducing bird strikes on the new power lines to alert birds to the presence of the power lines.	Permit	During Permit term, in association with transfer-related power line erection.	IID	No action required in 2007.
56	IID will plant cover crops on or ridge till all lands that it currently owns and fallows to conserve water in order to maintain foraging opportunities for Covered Species. Cover crops will be planted during the first year the land is fallowed and will be replanted at a frequency necessary to maintain a layer of plant material on the soil. IID will work with the IT to select appropriate cover crop types.	Permit	During Permit term	IID	No action in 2007.
57	Condition of Approval 4(h)(i) requires IID to install markers on power lines if it builds additional lines to provide power to pumps to run tailwater return systems. When IID implements this measure, IID will submit a report to the Department and Service within one month of erecting the new power line. The report will include: <ul style="list-style-type: none"> • Location • Length of power line constructed • Type, number and spacing of markers used 	Attachment 2	During Permit term, within 1 month of erecting new transfer-related power line.	IID	No action required in 2007.
58	IID will implement a worker education program. Workers conducting O&M activities along the AAC, East Highline, Westside Main, Thistle, or Trifolium Extension canals will be required to attend a worker education program to ensure proper implementation of the Permit measures addressing desert habitat for Covered Species. Workers will be instructed on the requirements of the Permit within six months of issuance of the Permit. The worker education program will be conducted at least annually to ensure instruction of new employees and as a refresher. For new workers, IID will ensure that they are informed of and understand the requirements of the Permit prior to conducting O&M activities either individually or through an annual education program. <p>The worker education program will instruct workers on the identification and habitat association of Covered Species using desert habitat. Pictures of the different habitat types will be included in the manual with a list of Covered Species potentially occurring in each habitat type. Activities with the potential to affect Covered Species inhabiting desert habitat and the practices to follow to minimize potential adverse effects to these species will be explained. Workers will be instructed on procedures approved by the IT for moving Covered Species in the event that a Covered Species is found during O&M activities and is in imminent danger from covered activities. Workers will be required to report any observations of dead or injured individuals of the Covered Species or when they relocate an individual.</p>	Permit	Worker Education Program conducted at least annually during Permit term.	IID	Worker Education Manual was completed in 2007. An initial training session was conducted in December 2007.
59	A worker education manual will be prepared by IID with the concurrence of the Department and Service within 1 year of issuance of the Permit. The manual will be distributed to each person conducting O&M activities along the AAC, East Highline, Westside	Permit	Completed within 1 year of permit. To be updated annually in 2008, 2009, and 2010,	IID	See #58

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	Main, Thistle, or Trifolium canals. The manual will include a photograph/drawing of each Covered Species associated with desert habitat and brief information on its identification. As information of the occurrence and distribution of Covered Species along the AAC, East Highline, Westside Main, Thistle, and Trifolium Extension canals becomes available through the survey program (see Condition of Approval 4(i)(v)), it will be added to the manual. The manual will also summarize the Permit's requirements for O&M activities for easy reference. The IT will review the manual annually for 3 consecutive years and every 5 years thereafter, and update it as appropriate.		and every 5 years thereafter for permit term.		
60	<p>IID will conduct O&M activities in accordance with the following measures:</p> <ul style="list-style-type: none"> Workers will be instructed to be alert to the occurrence of Covered Species in roadways while driving and to avoid hitting individual Covered Species at all times. Prior to moving a parked vehicle, workers will check around and underneath the vehicle for Covered Species. If a Covered Species is found in harm's way and is moving, it will be allowed to move away from the vehicle on its own accord before the vehicle is moved. If the individual is not moving, the worker will relocate the individual to a nearby safe location following procedures outlined in the worker education program. Workers will be familiarized with covered plants species and instructed to avoid injuring or uprooting plants. Workers will properly dispose of garbage in closed containers to minimize raven attraction. Workers will not be permitted to bring pets to the work site. IID will restrict O&M activities to previously disturbed areas within the right-of-way along the existing AAC, the future parallel canal, East Highline and portions of the Westside Main, Thistle, and Trifolium Extension canals where the canals are adjacent to native desert habitat. O&M will include periodic removal of vegetation from the maintenance roads and canal embankments to prevent establishment of vegetation that could attract Covered Species. <p>These practices are interim measures and may be modified over the term of the Permit based on survey results and through the adaptive management and monitoring program. The IT will review these measures annually for 3 consecutive years (years 2, 3, and 4 after Permit issuance) and at least every 5 years thereafter, and may adjust the measures as long as the adjustments do not increase the total cost of implementing the Permit.</p>	Permit	During Permit term	IID	Ongoing
61	<p>IID will submit an annual report to the Department and Service regarding the take avoidance and minimization aspects of Condition of Approval 4(i). The report will include:</p> <ul style="list-style-type: none"> A narrative description of the effectiveness of the take avoidance and minimization measures Recommendations for modifications to the take avoidance and minimization measures to improve their effectiveness 	Attachment 2	Annually, during Permit term	IID	IID began implementation of the desert worker education program in 2007. An evaluation of the effectiveness of the implemented measures will be prepared in 2008.
62	IID will implement the following measures while conducting scheduled construction activities within its	Permit	During Permit term, while	IID	No construction activities requiring

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>rights-of-way along the AAC, East Highline, and portions of the Westside Main, Thistle, and Trifolium Extension canals containing native desert habitat. Scheduled construction activities are structure maintenance activities and canal lining, excluding the Proposed AAC Canal Lining Project (Reclamation and IID 1994).</p> <ul style="list-style-type: none"> • Where practicable, IID will limit construction activities, including vehicle travel, in the rights-of-way of the AAC and future parallel canal, the East Highline Canal, and the Westside Main Canal to previously disturbed areas. • Staging areas will be situated on the agricultural side of the canal except where the canal is not bordered by agricultural areas. • Prior to initiating construction activities, the Implementation Biologist will conduct a habitat survey of the construction area and adjacent areas. Based on the habitat conditions and species survey information, the biologist will determine which Covered Species are likely to occur in or immediately adjacent to the construction area. IID will implement the species-specific minimization and avoidance measures contained in Condition of Approval 4(i)(vii-xiv) for the species identified by the biologist. • A biological monitor will be onsite during construction activities or exclusion fencing will be erected to keep Covered Species out of the construction area following clearance surveys, if conducted. • If a covered animal species occurs on the project site during construction, construction activities adjacent to the individual's location will be halted and the individual allowed to move away from the construction area on its own accord. If the individual is not moving, the Implementation Biologist or other trained worker will relocate it to a nearby safe location outside of the construction area. • The construction area will be clearly flagged prior to the start of construction activities and all construction activities will be confined to the demarcated area. To the extent practicable, the construction area will be situated and demarcated to avoid habitat for Covered Species. • After completion of the construction activities, IID will restore any native vegetation temporarily impacted by the construction. If native desert vegetation would be temporarily impacted by construction, prior to the start of construction activities, IID will develop a vegetation restoration and management plan in conference with the IT. The vegetation restoration and management plan will describe: (1) the amount and species composition of the vegetation that would be impacted, (2) the actions that IID will take to restore the disturbed area, (3) the criteria for assessing the success of the restoration, (4) the actions that will be undertaken if the success criteria are not achieved, and (5) long-term management actions. For native desert vegetation permanently lost, IID will mitigate in accordance with Condition of Approval 4(i)(vi). • A speed limit of 20 miles/hour will be maintained 		<p>conducting scheduled construction activities within ROW along AAC, EHL Canal, and portions of the WSM, Thistle, and Trifolium Extension canals.</p>		<p>implementation of measures during 2007[bw1]</p>

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>on the construction site, staging areas, and storage areas.</p> <ul style="list-style-type: none"> No pets will be permitted on the construction site. Prior to moving a parked vehicle, the ground around and under the vehicle will be inspected for Covered Species. If an individual of a Covered Species is found and is moving, it will be allowed to move away from the vehicle on its own accord. If it is not moving, it may be removed and relocated to a nearby safe location following the procedures outlined in the worker education program. 				
63	<p>For a particular construction project, IID may implement alternative measures or modify the standard or species-specific avoidance and minimization practices if agreed to by the Department and Service. In addition, the standard and species-specific avoidance and minimization practices may be modified over the term of the Permit based on survey results and through the adaptive management and monitoring program. The IT will review these measures annually for three consecutive years (years 2, 3, and 4 following Permit issuance) and at least every five years thereafter, and may adjust the measures as long as the adjustments do not increase the cost of implementation.</p>	Permit	During Permit term, in association with construction projects.	IID	No action in 2007.
64	<p>Within one year of the issuance of the Permit, IID will initiate a baseline survey of its rights-of-way on the AAC, the East Highline Canal, and the portions of the Westside Main, Thistle, and Trifolium Extension canals adjacent to desert habitat to determine the occurrence and location of Covered Species. The baseline surveys will be conducted for three consecutive years. The worker education manual will be revised to include a habitat map and map(s) of known locations of each of the Covered Species within the rights-of-way of these canals. The surveys will be repeated at least every five years and the worker education manual updated as necessary to accurately portray the occurrence and distribution of Covered Species within IID's right-of-way. The interval for repeating the surveys and updating the manual may be lengthened if agreed to by IID, the Department and Service. The IT will develop the specific survey protocols.</p>	Permit	Within one year of permit issuance annually for three consecutive years. Thereafter, every five years for Permit duration	IID	Habitat mapping within rights-of-way along the noted canals was completed in 2006. Baseline Covered Species surveys for Year One were completed and a report was submitted to the IT in December 2007. Baseline surveys for Year Two will be conducted in 2008. No surveys for dune plant species will be conducted in 2008 per a CDFG and FWS decision in March 2008[JT2].
65	<p>IID will submit a report of the results of the desert habitat survey to the Department and Service within six months of completing the survey. The report will include the following:</p> <ul style="list-style-type: none"> A description of the survey methods Acreages and maps of the various habitat types <p>The raw data sheets will be made available to the Department and Service for review. IID will submit reports to the Department and Service within six months of completing Covered Species surveys. The report will include the following information:</p> <ul style="list-style-type: none"> Describe the survey methods used (as described in Section 2.8 of Attachment 2 and as modified by the IT) List the species and number of individuals of each species observed Identify the location of Covered Species Present and discuss the relative abundance of Covered Species among the survey stations Note indications of breeding activity by Covered 	Attachment 2	Within 6 months of completion of desert habitat surveys.	IID	See #64

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>Species</p> <ul style="list-style-type: none"> • Comments/observations and recommendations • <p>As additional surveys are conducted, the reports will present the cumulative information collected. The raw data sheets will be made available to the Department and Service for review.</p>				
66	<p>If desert habitat used by Covered Species would be permanently lost as a result of O&M or construction activities, IID will determine the amount of habitat lost and acquire, or grant a conservation easement on land at a 1:1 ratio for the acreage impacted within 1 year of the removal of the habitat. IID will not permanently remove more than 100 acres of native desert habitat and/or tamarisk scrub habitat over the term of the Permit. Tamarisk scrub habitat would be mitigated in accordance with Condition of Approval 4(f)(i).</p> <p>Land to be acquired or subject to the conservation easement will have (1) known use by Covered Species that use the impacted areas or (2) be situated adjacent to areas of occupied habitat and support suitable habitat for the Covered Species that use the impacted habitat, and (3) is deemed to have long term viability as habitat for Covered Species based on its patch size, connectivity or location to other conserved habitat. IID will work with the IT to identify a property to acquire or cover with a conservation easement. IID will place a conservation easement on this acquired land or otherwise provide for the protection of the property in perpetuity. With the approval of the Department and Service, IID may transfer the land to a third party who agrees to and is authorized to manage the land for habitat conservation purposes. If IID transfers the land to a third party, IID will establish an endowment fund adequate to provide for the management of the land in perpetuity.</p>	Permit	During Permit term, if action is determined to result in permanent loss of desert habitat.	IID	No action required in 2007.
67	<p>Within 1 year of recording a conservation easement, IID will prepare and submit to the Department and Service for approval a management plan for acquired land and lands it owns that are subject to a conservation easement that describes how the property will be managed to maintain its suitability for the Covered Species. The management plan will describe the actions that IID will take to maintain the ecological functions of the acquired habitat. While the specific management needs will vary depending on the property acquired, considerations for the management plan include:</p> <ul style="list-style-type: none"> • Measures to control human access (e.g., fencing, signage) • Frequency at which land will be visited to assess maintenance/management needs • Types of maintenance action (e.g., removing garbage, repairing fences) • Vegetation management practices (e.g., prescribed burning, removal of exotic plants) <p>IID will provide for the management of the property in perpetuity.</p>	Permit	During Permit term, within 1 year of IID recording a conservation easement.	IID	No action required in 2007.
68	<p>For construction activities that would temporarily disturb native desert habitat, IID will prepare a restoration plan. The habitat restoration plan will include the following information:</p> <ul style="list-style-type: none"> • Location 	Attachment 2	During Permit term, prior to initiation of construction activity that would	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<ul style="list-style-type: none"> Planting plan (including species composition and layout) Grading and other construction activities necessary for restoration Long-term management practices Vegetation and Covered Species monitoring Success criteria for the plantings and the actions that IID will take if the success criteria are not met <p>IID will submit habitat restoration plans to the Department and Service for approval prior to initiating restoration actions.</p>		temporarily disturb native desert habitat.		
69	<p>IID will submit a report of the results of the vegetation monitoring of restored desert habitat to the Department and Service annually until achievement of the success criteria has been demonstrated. These annual reports will:</p> <ul style="list-style-type: none"> Present the results of the vegetation monitoring specified by the IT Describe the overall condition and development of the native desert habitat Indicate whether the success criteria have been met Describe recommendations from the IT for creation and management of the native desert habitat and the bases for the recommendations Describe the outcome of previous management actions <p>Following achievement of the success criteria and for acquired habitat, IID will continue to assess the condition of the native desert habitat. IID will submit annual reports that:</p> <ul style="list-style-type: none"> Present the results of any long-term vegetation monitoring required by the IT as part of the habitat management plans Indicate whether the success criteria are being met for restored habitat as appropriate Describe recommendations from the IT for management of the native desert habitat units and the bases for the recommendations <p>IID will submit a report of the results of surveys for Covered Species to the Department and Service each year that the surveys are conducted as specified by the IT. The report will list the species and number of individuals recorded for the current year's survey and in each previous survey for the habitat area surveyed. The report will include the IT's assessment of the effectiveness of the acquired and restored desert habitat in providing habitat for the target Covered Species. The report also will include the IT's recommendations for continued management of the native desert habitat and the bases for the recommendations.</p>	Attachment 2	Annually, During Permit term until success criteria are achieved, following monitoring of restored desert habitat.	IID	No action required in 2007.
70	If a tortoise occurs on the project site during construction, construction activities adjacent to the tortoise's location will be halted and the tortoise allowed to move away from the construction site. If the tortoise is not moving, the biological monitor will move it to nearby suitable habitat outside the construction area. The tortoise will be placed in the shade of a shrub.	Permit	During Permit term, if desert tortoise occurs at construction site.	IID	No action required in 2007.
71	Before construction, the construction area and adjacent areas within 100 feet of the construction site will be searched for burrows that could be used by	Permit	During Permit term, prior to construction in	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	desert tortoises. When burrows are found, they will be checked for desert tortoises. Both occupied and unoccupied burrows will be flagged and avoided (employing a 50-foot buffer) during construction. If an occupied burrow cannot be avoided, it will be excavated and the tortoise moved to an unoccupied burrow outside the construction area that is approximately the same size as the one from which it was taken. If an existing burrow is unavailable, the biologist will construct or direct the construction of a burrow of similar shape, size, depth, and orientation as the original burrow. Desert tortoises moved during inactive periods will be monitored for at least two days after placement in the new burrows to ensure their safety. All desert tortoise handling and burrow excavation will be in accordance with handling procedures developed by the Service and conducted by an authorized biologist.		areas potentially suitable for desert tortoise.		
72	Any construction pipe, culverts, or similar structures with a diameter of 3 to 12 inches that are stored on the construction site for one or more nights will be inspected for tortoises before the material is moved, buried, or capped. Alternatively, all such structures may be capped before being stored on the construction site.	Permit	During Permit term, prior to construction in areas potentially suitable for desert tortoise.	IID	No action required in 2007.
73	Trench segments or other excavations will be fenced with temporary tortoise-proof fencing, covered at the close of each working day, or provided with tortoise escape ramps. All excavations will be inspected for tortoises before filling.	Permit	During Permit term, prior to construction in areas potentially suitable for desert tortoise.	IID	No action required in 2007.
74	Construction activities will be conducted only between dawn and dusk.	Permit	During Permit term, in association with construction projects conducted in areas potentially suitable for desert tortoise.	IID	No action required in 2007.
75	A clearance survey will be conducted during the 48 hours before construction activities begin. Desert tortoises found on the construction site will be moved to nearby suitable habitat outside the construction area. Following the clearance surveys, exclusion fencing will be erected to keep Covered Species out of the construction area or a biological monitor will be on-site during construction activities.	Permit	During Permit term, prior to construction in areas potentially suitable for desert tortoise	IID	No action required in 2007.
76	Before construction activities begin, the construction area will be surveyed for the presence of covered plant species. Surveys will be conducted during the time period necessary to identify these species but will be conducted within one year of initiating construction activities.	Permit	During Permit term, prior to construction in areas that could support covered plant species.	IID	No action required in 2007.
77	If covered plant species occur on the construction area, an activity exclusion zone, 25 feet in radius, will be established around each plant. Exclusion zones will be flagged and staked in the field before construction begins. No surface disturbing activity will occur within the exclusion zones. If a 25-foot-radius exclusion zone cannot be established, IID will confer with the Department and Service regarding the best configuration of the exclusion zone, given the location of the plants and construction area requirements. If the plants cannot be avoided, IID will confer with the Department and Service. The Department and Service will determine if the plants can be	Permit	During Permit term, if covered plant species are documented at construction area.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	transplanted. If the plants can be transplanted, IID will work with the Department and Service to identify a location and the appropriate procedures for transplanting those plants that cannot be avoided.				
78	Permittee will develop a management plan for the abandoned AAC channel, prior to the new channel being constructed, that indicates the actions needed to maintain the abandoned sections for the specified purpose of an emergency use channel. The plan would include actions needed to keep the abandoned canal prism and maintenance roads free of vegetation.	Permit	By 31 December 2008.	IID	No action required in 2007.
79	Permittee will ensure that an appropriate level of connectivity between pupfish populations within individual drains (at the north and south ends of the sea) that are connected to the Salton Sea either directly or indirectly and that are below the first check will be maintained in the event that conditions in the Salton Sea become unsuitable for pupfish during the term of the Permit. The Permittee, in cooperation with the Department and Service, will undertake planning and studies so that before the salinity of the Salton Sea reaches 90 parts per thousand (ppt) (or lower as determined in consultation with the Department and Service), or physical barriers impede pupfish movement, the Permittee can implement a detailed plan for ensuring genetic interchange among the pupfish populations in the drains. Permittee shall design these inter-drain connections discussed in this Condition of Approval to minimize the maintenance requirements that could result in take of desert pupfish to the extent possible without significantly reducing their habitat value.	Permit	During Permit term, prior to SS salinity of 90 ppt and prior to formation of physical barriers to pupfish movement in drains direct to the SS.	IID	No action required in 2007.
80	The Permittee will maintain the current amount of potential pupfish drain habitat (expressed as linear channel distance) over the term of the Permit. This will be accomplished as the Sea recedes by extending or modifying existing IID and Coachella Valley Water District drains or by maintaining the suitability of naturally created drain channels. The design, configuration, and management of these areas will be developed jointly with the Permittee, Department and Service staff, and will be developed in consideration of the specific physical characteristics of pupfish habitat (e.g., water depth and velocity, and channel width) and water quality (e.g., turbidity and selenium concentration). Permittee will monitor the drains for pupfish use as the drain habitat is extended or created. Monitoring will occur for five years after creation, to allow pupfish to begin using the habitat. If pupfish use of these areas cannot be established after the initial five years, Permittee will work with the Service and Department to identify potential causes for pupfish absence. If pupfish do not use the habitat, Permittee, in coordination with the Service and Department, will implement actions in the management, operation or maintenance of the extended or modified drains that are appropriate to correct conditions that may be causing the absence of pupfish. These actions may entail minor adjustments to channel configuration (channel and pool depths, flow velocity, connectivity, and turbidity) vegetation management, and timing of scheduled maintenance. It is not anticipated that these actions will entail construction of new or replacement drain habitat, require supplemental flows in the drains, or other actions that may interfere with normal agricultural	Permit	During Permit term, as SS level recedes and drain habitat is extended or created.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	operations. Until such time as pupfish use is established Permittee shall continue working with the Service and Department to correct the conditions that may be causing the absence of pupfish.				
81	Once pupfish presence is confirmed in the drains, the drains will be monitored as per Condition of Approval 4(j)(ix).	Permit	During Permit term, following modification and monitoring of drains as SS level recedes.	IID	No action required in 2007.
82	Permittee will cause the Bureau of Reclamation to provide funding for siting and construction, and Permittee shall construct and maintain one pupfish refugium pond consistent with the "Desert Pupfish Recovery Plan" (Marsh and Sada 1993). This pond will be maintained for the purpose of assisting in the recovery efforts for that species. The Permittee will work with the Department and Service to determine the location, timing, and technique in implementing this measure.	Permit	During Permit term	IID	IID continued discussions with BOR representatives in 2007 to plan siting and construction of pupfish refugium. A site will be selected and a feasibility study will be implemented in 2008.
83	After pupfish have been stocked into the refugium pond, it will be monitored for 5 years to determine if successful reproduction is occurring. If successful reproduction is not occurring, Permittee in coordination with the Service and Department, will implement actions in the management, operation or maintenance of the refugium that are appropriate to correct conditions that are causing the failure of pupfish to reproduce. These actions may entail minor adjustments to pond configuration (depth and shoreline complexity), vegetation management, and timing of scheduled maintenance. It is not anticipated these actions will entail construction of new or replacement refugium pond habitat, requirements for supplemental flows to the refugium, or other actions that may interfere with normal agricultural operations.	Permit	During Permit term after construction of pond	IID	No action required in 2007.
84	Permittee will fund a study program to determine the impacts of selenium on pupfish. The objective of the study program will be to identify specific selenium thresholds at which pupfish survival or reproduction is adversely affected. The thresholds will be expressed in terms of tissue concentration, water concentration or dietary concentration as appropriate. In addition to evaluating effects of selenium on pupfish, the study program also may investigate the appropriateness of using another fish species (e.g., sailfin mollies) as a surrogate species for desert pupfish. Sufficient funding will be provided to support completion of the study program and identification of a selenium threshold within 7 years of issuance of Permit. A detailed study plan will be developed in cooperation with the Department and Service within 6 months of Permit issuance.	Permit	Within 7 years of issuance of Permit (i.e., 2011).	IID	USGS, currently under contract to IID, continued study efforts in 2007.
85	Concurrently with Condition of Approval 4(j)(vi), Permittee will implement a monitoring program to establish baseline conditions in drains in the Imperial Valley that discharge directly to the Sea. The monitoring program will include selenium concentrations in water, sediment, and dietary components of desert pupfish. If the study program includes investigation of possible surrogate species, collections of the surrogate species will be made to determine tissue concentrations of selenium. In addition, pupfish presence will be monitored (see Condition of Approval 4(j)(ix)). A detailed monitoring plan will be developed in cooperation with the Department and Service within 6 months of Permit	Permit	Within 7 years of issuance of Permit (i.e., 2011).	IID	USGS, currently under contract to IID, continued study efforts in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	issuance.				
86	Within 2 years of completion of the study program identified in Conditions of Approval 4(j)(vi and vii), Permittee will meet with the Department and Service to review the results of the study program and the monitoring data. Based on this review, if the available information indicates that pupfish inhabiting drains in Imperial Valley are at risk from selenium, Permittee will work with the Department and Service to determine the best means for managing IID's drain channels to minimize potential selenium impacts on pupfish. Measures to be considered may include splitting combined drain channels (drain/operational water) to improve water quality, providing limited biological treatment, including use of discharge from managed marsh mitigation habitat, and consolidating channels and blending flows. IID will implement the measures necessary to minimize potential selenium impacts on pupfish.	Permit	Within 2 years of completion of selenium studies.	IID; Department of Fish and Game	No action required in 2007.
87	Permittee will carry out routine monitoring of pupfish presence to confirm continued presence in the drains and to develop information useful in adjusting management actions for this species. In cooperation with the Department and Service, Permittee will develop a survey protocol that is appropriate for determining pupfish presence in the drains. As part of the baseline-monitoring program, Permittee will monitor pupfish presence in each of the pupfish drains for five to seven consecutive years to establish patterns of use and to augment baseline information. Prior to development of a revised protocol, the existing protocol to survey desert pupfish will be used. If possible, the revised protocol and existing protocol will be calibrated. The need for continued monitoring of water quality, sediment, dietary components and pupfish presence will be reassessed during the review at the end of the study and baseline survey program. If it is determined that continued monitoring is necessary, Permittee will work with the Department and Service to develop an appropriate long-term monitoring program.	Permit	During Permit term	IID	IID completed a final pupfish survey protocol in late 2007. IT to discuss implementation schedule in 2008.
88	Permittee shall monitor selenium concentrations in the desert pupfish drains and created rail habitat to assure that unanticipated impacts resulting from selenium exposure are not likely to occur. This monitoring shall include regular sampling of water, sediments, prey items, and a surrogate fish species (where available) in the potential pupfish drains and water, sediments and prey items for the Yuma clapper rail in the created marsh. A monitoring plan shall be developed that meets the approval of the Service and Department. The monitoring programs described in paragraphs (ix) and (x) above shall be designed to be cost effective and to avoid duplication.	Permit	During Permit term	IID	No monitoring of Managed Marsh Complex selenium required in 2007. In 2007, USGS continued monitoring selenium in pupfish drains discharging directly to the Salton Sea.
89	For construction activities (i.e., in-channel modifications) that directly affect pupfish drains, Permittee shall implement gradual dewatering of the construction sites within potential pupfish drains to allow desert pupfish to move out of the area such that they are not stranded by dewatering. A qualified biologist shall be present to relocate pupfish to a safe location if necessary to prevent stranding as a result of the physical structure of the drain. The biologist shall maintain a complete record of all desert pupfish moved from hazardous areas during project construction. At a minimum, the information shall include: location (written description and map), date	Permit	During Permit term, in association with construction that may affect pupfish drains.	IID	No action required in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	and time of observation, along with details of the relocation site; basic life history information (i.e., length and sex); and general condition and health, including any apparent injuries/state of healing.				
90	Permittee shall conduct experimental trials to identify silt removal techniques and seasonal timing that minimize the injury or mortality of desert pupfish that may be associated with removing silt from the connections as necessary to maintain suitable conditions for use by desert pupfish within 10 years of Permit issuance.	Permit	By 2014	IID	No action required in 2007.
91	Permittee shall provide for adequate water to maintain appropriate habitat conditions for survival and reproduction of desert pupfish in the desert pupfish refugium.	Permit	During Permit term, following construction of refugium.	IID	No action required in 2007.
92	Permittee shall provide for funds and personnel to implement management of the pupfish refugium. Such management shall be conducted manually with adequate frequency to eliminate the need for routine use of heavy equipment that could result in injury or mortality of the pupfish in the refugium. Should the use of heavy equipment in the refugium be required as a result of unanticipated circumstances, its use shall require the prior approval of the Service and Department.	Permit	During Permit term, in association with pupfish refugium.	IID	No action required in 2007.
93	Permittee shall immediately notify the Service and Department regarding any needed emergency repairs on the pupfish connections, pupfish selenium management measures, rail created habitat, or pelican roost structures that may result in disturbance of or impacts to the listed species so that the Service and Department can provide technical assistance to minimize the impacts associated with implementing the repairs.	Permit	During Permit term	IID	No action in 2007.
94	Permittee shall use wire minnow traps for desert pupfish surveys, with or without bait, until superseded by a new Service and Department-approved protocol. Wire traps have proven to be more effective in comparison trials than other trap materials such as plastic, thus giving a more accurate evaluation of the status of the desert pupfish population.	Permit	During Permit term, in association with pupfish trapping.	IID	No sampling/trapping actions in 2007. IID completed a final pupfish survey protocol in late 2007. IT to discuss implementation schedule. The USGS in 2007 trapped pupfish incidentally while trapping mollies and mosquitofish in 29 drains direct to the Salton Sea (see #88).
95	Permittee shall set minnow traps during daylight hours only and the traps will be checked for the presence of desert pupfish at least every three hours. There shall be no overnight trapping, as this has resulted in mortality of pupfish during low dissolved oxygen conditions that occur at night.	Permit	During Permit term, in association with pupfish trapping.	IID	No trapping efforts conducted in 2007 (but see #94).
96	Permittee may handle desert pupfish in order to take length measurements to assess size and age class of individuals. Handling shall require minimal exposure out of water. Any pupfish exhibiting signs of physiological stress shall be released immediately at the point of capture to minimize the potential for injury associated with such stress.	Permit	During Permit term, in association with pupfish trapping.	IID	No trapping efforts conducted in 2007 (but see #94).
97	IID will initiate a study to evaluate the potential effect of routine drain maintenance on pupfish occupying the drains and to determine the efficacy of modifying maintenance practices to avoid or minimize potential take. The specific requirements of the studies will be	Permit	During Permit term	IID	No action in 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	developed by the IT. In the event that the IT can determine, based on the findings of the evaluation, that modification of the maintenance practices would minimize impacts to pupfish, IID will modify its maintenance practices, if practicable. Modifications in drain maintenance practices could include the timing of sediment and vegetation removal, the direction in which the drains are cleaned (i.e., upstream or downstream), and the manner in which sediment is removed from the channel (e.g., one side only).				
98	<p>IID will submit an annual report to the Department and Service that includes information developed or updated during the preceding year. The annual report will include the following types of information:</p> <ul style="list-style-type: none"> All information specified in the reporting requirements identified in the detailed pupfish monitoring plan developed by the IT. Amount of pupfish drain habitat defined as the length (miles) of drain extending from the outlet to the Salton Sea upstream to the first check (to be reported every five years or less as determined by the IT). Results of selenium baseline monitoring in the drains. Results of selenium monitoring in drains modified by IID under Condition of Approval 4(j)(vii). Results of pupfish monitoring in drains where IID modifies maintenance practices based on IT recommendations (Condition of Approval 4(j)(xii)). Results of pupfish baseline monitoring (to be reported annually during years when surveys are conducted). <p>Summary of the results of pupfish salvage efforts at construction sites, including date, location, number and approximate age (e.g., adult or juvenile) of fish salvaged, number surviving transport and initial release, and release location. In addition to inclusion in the annual report, pupfish salvage information will be submitted to Department and Service within one week of salvaging the fish.</p>	Attachment 2	During Permit term, following drain pupfish surveys and related.	IID	No action required in 2007.
99	IID will ensure that a person qualified to capture and handle razorback suckers and that meets the approval of the Department and Service will be present during the dewatering of main canals (All-American, Westside Main, East Highline, or Central Main) or reservoirs on these four canals. Any razorback suckers stranded in the affected portion of the canal will be salvaged. Salvaged fish will be transported to the Colorado River. The IT will develop a procedure for salvaging and returning fish to the Colorado River consistent with other procedures for handling razorback suckers.	Permit	During Permit term, in association with canal dewatering.	IID	In 2007 the IT approved a razorback sucker relocation protocol. IID personnel will coordinate any relocation with CDFG and USFWS. No relocations were conducted in 2007.
100	Permittee shall create or acquire, and protect the lands described in Conditions of Approval 4(f)(i),(ii),(iv), and (vii), 4(g)(i), 4(i)(vi) and 4(j)(iv) (Habitat Management Lands "HM Lands").	Permit	During Permit term or in perpetuity as required by permit	IID	IID continued efforts in 2007 to identify a location for, and to plan the creation of, the Managed Marsh Complex.
101	Permittee shall transfer fee to the HM Lands or a conservation easement (substantially in the form of Attachment 6) over the HM Lands to the Department under terms approved by the Department's Office of the General Counsel. Alternatively, the transfer may be to another public entity or non-profit corporation	Permit	During Permit term	IID	No required activity in 2007

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	approved by the Department under terms approved by the Department.				
102	Provide a recent preliminary title report, initial (Phase 1) hazardous materials survey report, and other necessary documents (see Attachment 7). All documents conveying the HM Lands and all conditions of title are subject to the approval of the Department, the Department of General Services and, if applicable, the Fish and Game Commission which approvals shall not be unreasonably withheld.	Permit	Following identification of HM lands.	IID	No action required in 2007.
103	Provide for the initial protection and enhancement of the HM lands as described in this Permit and/or its attachments, or alternatively fund the Department's initial protection and enhancement of the lands by providing to the Department a check in the amount of \$30,140,000 drawn from a banking institution located within California (transmittal of payment will be on the Mitigation Payment Transmittal Form, Attachment 8).	Permit	As determined by IID and DFG	IID	No action in 2007.
104	Reimburse the Department for reasonable expenses incurred during title and documentation review, expenses incurred from other state agency reviews and overhead related to transfer of HM Lands to the Department. The Department estimates that this Project will create an additional cost to the Department of no more than \$3,000 for every fee title deed or easement processed.	Permit	During Permit term	IID	No action during 2007.

APPENDIX 2

COLORADO RIVER WATER

AMOUNTS DIVERTED AND USED BY IID

[SEE ATTACHED]

2007 IID Water Use						
(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)						
	CONSUMPTIVE USE	FOLLOWING	EFFICIENCY	SALTON SEA DELIVERY	LAKE MEAD DELIVERY	
Maximum CU	3,100,000					
Misc PPR	-11,500					
88 Agreement	-105,000					
San Diego Transfer	-50,000	50,000				
SD Transfer Salton Sea Mitigation	-25,021	25,021		23,306 ¹	2,356 ²	
CRWDA Exhibit C Payback	-18,900	18,900			18,900	
Early CRWDA Exhibit C Payback	-15,931	15,931			15,931	
Intentionally Created Surplus	0				0	
Inadvertent Overrun Payback	-1,263	1,263			1,263	
Colo. River Reregulation Conservation & Storage in SS						
TOTAL	2,872,385	111,115	0	23,306	38,450	

Notes: 1) Accounts for a Salton Sea Mitigation balance of 1,715 AF from Colo. River Reregulation Conservation & Storage - See SS Accounting
2) 1,715 AF from following and 641 AF credit from 2004 - See Lake Mead Accounting

DIVERSIONS FROM MAINSTREAM-AVAILABLE RETURN FLOW AND CONSUMPTIVE USE OF SUCH WATER CALENDAR YEAR 2007 STATE OF CALIFORNIA														
(ACRE-FEET)														
01/25/08														
CA	WATER USER	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
CA	FORT MOJAVE INDIAN RESERVATION	572	1357	1894	2101	1850	2993	2794	2579	1905	1437	965	595	21042
CA	DELIVERED BY CITY OF NEEDLES	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	PUMPED FROM RIVER AND WELLS	266	627	875	971	855	1383	1291	1191	880	664	446	275	9722
CA		309	730	1019	1130	995	1610	1503	1388	1025	773	519	320	11320
CA	CITY OF NEEDLES	137	146	190	227	259	288	296	278	241	231	182	111	2,586
CA	PUMPED FROM WELLS	33	31	34	34	40	34	39	36	35	33	31	33	413
CA		30	30	37	41	50	57	60	51	49	48	37	24	514
CA		74	85	119	152	169	197	197	191	157	150	114	56	1,659
CA	CHEHENEVI INDIAN RESERVATION	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	PUMPED FROM RIVER AND WELLS	0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	METROPOLITAN WATER DISTRICT	50478	59008	19525	75813	85649	82797	63320	97340	90731	27404	29313	34911	716289
CA	DIVERSION FROM LAKE HAVASU	269	234	257	247	247	230	199	203	200	244	244	240	2833
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA		50210	58774	19268	75566	85402	82567	63121	97137	90531	27160	29060	34651	713456
CA	PARKER DAM AND GOVERNMENT CAMP	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	DIVERSION AT PARKER DAM	0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	COLORADO RIVER INDIAN RESERVATION	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	PUMPED FROM 11 PUMPS AND WELLS	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	4 PUMPS BIG RIVER	0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	CITY OF WINTERHAVEN	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	1 WELL-8E NE SEC 27 T16S R22E S18M	0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	PALO VERDE IRRIGATION DISTRICT	36710	52060	67870	77590	107900	107300	113000	110000	96320	62710	48280	37350	917090
CA	DIVERSION FROM PALO VERDE DAM	31608	31285	38198	37338	42132	45455	50652	47513	48337	42212	37820	37835	890383
CA		2056	2915	3801	4345	6042	6009	6328	6160	5394	3512	2704	2092	51358
CA		3056	13860	25871	35907	59726	55836	56020	56327	42589	16986	7756	-2577	375347
CA	YUMA PROJECT, RES. DIV. INDIAN UNIT	3094	2931	5274	5876	5812	1724	1852	2638	2271	5320	4442	2470	43704
CA	DIVERSION AT IMPERIAL DAM	64	51	89	86	63	32	16	37	33	132	140	39	782
CA		517	489	881	981	971	288	309	441	379	868	742	412	7298
CA		2513	2391	4304	4809	4778	1404	1527	2160	1859	4300	3560	2019	35624

APPENDIX 3

AMOUNTS CONSERVED AND TRANSFERRED BY IID

SDCWA TRANSFER ACCOUNTING					
(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)					
YEAR	OBLIGATION	ANNUAL VOLUMES¹			ANNUAL OVER/UNDER OBLIGATION
		FALLOWING	EFFICIENCY	TOTAL VOLUME³	
2003²	10,000	3,445	0	3,445	-6,555
2004	20,000	20,000	0	20,000	0
2005	30,000	30,000	0	30,000	0
2006	40,000	40,000	0	40,000	0
2007	50,000	50,000	0	50,000	0
2008	50,000				
2009	60,000				
2010	70,000				
2011	80,000				
2012	90,000				
2013	100,000				
2014	100,000				
2015	100,000				
2016	100,000				
2017	100,000				
TOTAL	1,000,000	143,445	0	143,445	
Notes:	1) From Applicable Year 2) Since the QSA was executed in October of 2003, IID was able to only follow 3,445 AF and therefore had an inadvertent overrun of 6,555 AF which was used to satisfy IID's 10,000 AF obligation to SDCWA. The USBR waived payback for 2003 overruns for all Lower Basin entities. 3) Any difference in total volume compared to IID transfer obligation is satisfied by IID use of an IOPP overrun.				

APPENDIX 4

SALTON SEA MITIGATION WATER ACCOUNTING

SALTON SEA MITIGATION ACCOUNTING							
(All Values are Consumptive Use Volumes in Acre Feet at Imperial Dam)							
YEAR	OBLIGATION	DELIVERY TO SEA				INFLOW/OUTFLOW	
		ANNUAL VOLUMES¹			REMAINING OBLIGATION BALANCE	ANNUAL OVER/UNDER OBLIGATION	RUNNING CREDIT/DEFICIT
		Delivery to Sea	CR REREG CONSERVATION & STORAGE	TOTAL VOLUME			
2003²	5,000	0	0	0	800,000	-5,000	-5,000
2004	10,000	14,359	15,880	30,239	769,761	20,239	15,239
2005	15,000	0	21,476	21,476	748,285	6,476	21,715
2006	20,000	0	0	0	748,285	-20,000	1,715
2007	25,000	23,306	0	23,306	724,979	-1,694	21
2008	25,000						
2009	30,000						
2010	35,000						
2011	40,000						
2012	45,000						
2013	70,000						
2014	90,000						
2015	110,000						
2016	130,000						
2017	150,000						
TOTAL	800,000	37,665	37,356	75,021			
Notes:							
1) From Applicable Year							
2) Since the QSA was executed in October of 2003, SWRCB approved the 2003 obligation being satisfied in 2004.							

APPENDIX 5

AGRICULTURAL PRODUCTION STATISTICS

[SEE ATTACHED]

(Note: 2007 crop acreages will not be available until June 2008)

**ANNUAL INVENTORY OF AREAS RECEIVING WATER
YEARS 2006, 2005, 2004**

I CROP SURVEY

	ACRES		
	2006	2005	2004
<u>GARDEN CROPS</u>			
ALOE VERA	274	197	197
ARTICHOKE	80	58	121
ARTICHOKE (SEED)	8	20	21
BEANS	0	7	71
BLACKEYED PEAS	28	0	0
BROCCOLI	11,305	10,548	9,891
BROCCOLI (SEED)	113	169	326
CABBAGE	1,519	1,489	1,174
CABBAGE, CHINESE	124	83	132
CARROTS	14,940	15,251	17,511
CARROTS (SEED)	0	13	10
CAULIFLOWER	2,712	2,252	2,402
CAULIFLOWER (SEED)	0	11	30
CELERY	216	217	405
CELERY (SEED)	0	263	248
CILANTRO	98	123	304
COLLARDS	0	3	0
CUCUMBERS	0	10	3
EAR CORN	6,887	6,008	5,379
EGGPLANT	0	10	12
ENDIVE	0	190	0
FLOWERS	325	421	204
FLOWERS (SEED)	10	20	0
GARBANZO BEANS	0	0	121
HERBS, MIXED	30	20	20
HERBS, MIXED (SEED)	0	5	70
KALE	0	250	0
LETTUCE	18,385	20,762	14,589
LETTUCE, BUTTER	0	0	50
LETTUCE, CHINESE	124	0	78
LETTUCE, GREEN	0	37	59
LETTUCE, ROMAINE	4,287	2,708	2,418
LETTUCE, MIXED	6,702	4,293	5,132
MELONS			
CANTALOUPE, FALL	254	302	820
CANTALOUPE, SPRING	8,985	6,067	8,174
HONEYDEW, FALL	0	0	150
HONEYDEW, SPRING	28	351	495
MIXED, FALL	134	68	41
MIXED, SPRING	338	250	304
WATERMELONS	1,167	976	1,468
MUNG BEANS	0	0	142
MUSTARD	4	8	121
MUSTARD (SEED)	0	66	0
OKRA	390	491	404
OKRA (SEED)	0	0	0
ONIONS	11,475	9,891	10,588
ONIONS (SEED)	601	918	599
PARSLEY	0	12	0
PARSNIPS	267	40	0
PEPPERS, BELL	181	262	187
PEPPERS, HOT	32	1	0
POTATOES	1,492	1,939	1,764
RADISHES	34	63	78
RAPINI	1,671	1,876	1,869
SPINACH	3,352	2,553	1,127
SQUASH	103	68	120
SWEET BASIL	15	26	0
SWISS CHARD	278	352	0
TOMATOES, SPRING	448	452	456
TURNIPS	101	109	108
VEGETABLES, MIXED	1,773	2,536	1,897
VEGETABLES, MIXED (SEED)	8	27	0
WATERLILIES	12	12	12
TOTAL GARDEN CROPS	101,096	94,751	91,078

	ACRES		
	2006	2005	2004
<u>FIELD CROPS</u>			
ALFALFA, FLAT	92,979	89,888	83,958
ALFALFA, ROW	49,334	46,774	51,417
ALFALFA (SEED)	18,598	17,897	24,278
BAMBOO	198	198	198
BARLEY	157	0	6
BERMUDAGRASS	38,435	32,415	35,118
BERMUDAGRASS (SEED)	33,985	30,243	29,916
COTTON	4,789	8,065	9,182
DUNALIELLA		0	25
FIELD CORN	1,637	856	548
FLAX	5	251	52
GRASS, MIXED	507	209	233
HEMP		24	121
KLIENGRASS	13,571	14,094	14,331
LEMONGRASS	5	5	5
OATS	5,181	3,370	4,033
RAPESEED	789	2,899	3,916
RED BEETS		70	18
RYEGRASS	1,144	846	2,879
SAFFLOWER	79	142	204
SESBANIA	677	89	194
SESBANIA (SEED)	34	47	0
SORGHUM GRAIN	190	180	166
SORGHUM SILAGE	704	481	840
SPIRULINA ALGAE	70	70	70
SUDANGRASS	64,238	60,507	52,858
SUDANGRASS (SEED)	59	330	322
SUGARBEETS	23,404	25,795	26,107
SUGARCANE	585	569	779
WHEAT	24,383	30,649	49,431
TOTAL FIELD CROPS	371,734	366,963	390,999

	ACRES		
	2006	2005	2004
<u>PERMANENT CROPS</u>			
ASPARAGUS	786	1,140	1,812
CITRUS			
GRAPEFRUIT	1,042	1,082	1,382
LEMONS	2,582	2,529	2,383
MIXED	640	661	838
ORANGES	530	500	772
TANGERINES	866	866	829
DATES	374	262	201
DUCK PONDS (FEED)	9,918	9,730	9,731
EUCALYPTUS	13	13	13
FIGS	80	80	0
FISH FARMS	966	966	1,031
FRUIT, MIXED	25	5	5
GRAPES	4	4	4
GUAR BEANS		0	38
GUAVA	15	25	25
MANGOS	150	150	150
NURSERY	136	30	30
ORNAMENTAL TREES	15	15	15
PALMS	111	71	84
PASTURE, PERMANENT	621	646	615
PEACHES	7	7	7
PECANS	17	17	17
POMEGRANATES	202	2	2
TOTAL PERMANENT CROPS	19,100	18,821	19,962
TOTAL ACRES OF CROPS	491,930	480,535	502,039

Note: Crops are listed for the year in which they are predominately harvested.

II ACCOUNT SUMMARY

	<u>2006</u>		<u>2005</u>		<u>2004</u>	
Number of Farm Accounts	6,191		6,205		6,200	
Number of Owner-Operated Farm Accounts	2,405	38.8%	2,397	38.6%	2,442	39.4%
Number of Tenant-Operated Farm Accounts	3,786	61.2%	3,808	61.4%	3,758	60.6%
Average Acreage of Farm Account	76.67		76.63		76.71	

III SUMMARY OF AREA SERVED

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Field Crops	371,734	366,963	390,999
Garden Crops	101,096	94,751	91,078
Permanent Crops	19,100	18,821	19,962
TOTAL ACRES OF CROPS	491,930	480,535	502,039
Total Multiple Cropped Acres	64,764	47,309	66,342
TOTAL NET ACRES IN CROPS	427,166	433,226	435,697
Area Being Reclaimed: Leached	76	95	169
NET AREA IRRIGATED	427,242	433,321	435,866
IID Fallowing Program (Avg of two mid-year programs)	14,830	11,891	11,827
Area Farmable But Not Farmed During Year (Fallowed Land)	32,608	30,299	27,912
TOTAL AREA FARMABLE	474,680	475,511	475,605
Area Of Farms In Homes, Feed Lots, Corrals, Cotton Gins, Experimental Farms, and Industrial Areas	16,821	16,821	16,821
Area In Cities, Towns, Airports, Cemeteries, Fairgrounds, Golf Courses, Recreational, Parks, Lakes and Rural Schools	29,162	28,331	28,331
TOTAL AREA RECEIVING WATER	520,663	520,663	520,757
Area In Drains, Canals, Reservoirs, Rivers, Railroads, and Roads	74,346	74,346	74,252
Area Below -230 Salton Sea Reserve Boundary & Area Covered By Salton Sea, Less Area Receiving Water	40,150	40,150	40,150
Area in Imperial Unit Not Entitled To Water	63,933	63,933	63,933
Undeveloped Area Of Imperial, West Mesa, East Mesa, and Pilot Knob Units	277,629	277,629	277,629
TOTAL ACREAGE INCLUDED - ALL UNITS	976,721	976,721	976,721
Acreage Not Included - All Units *	84,916	84,916	84,916
TOTAL GROSS ACREAGE WITHIN DISTRICT BOUNDARIES	1,061,637	1,061,637	1,061,637

IMPERIAL IRRIGATION DISTRICT

MICHAEL L. KING, Manager
Water Department

* Acreage within District boundaries that is not included in District.

**IMPERIAL IRRIGATION DISTRICT
ANNUAL INVENTORY OF AREAS RECEIVING WATER
YEARS 2006, 2005, 2004**

I CROP SURVEY

	ACRES				ACRES		
	2006	2005	2004		2006	2005	2004
<u>GARDEN CROPS</u>				<u>FIELD CROPS</u>			
ALOE VERA	274	197	197	ALFALFA, FLAT	92,979	89,888	83,956
ARTICHOKE	80	58	121	ALFALFA, ROW	49,334	46,774	51,417
ARTICHOKE (SEED)	8	20	21	ALFALFA (SEED)	16,596	17,897	24,278
BEANS	0	7	71	BAMBOO	198	198	198
BLACKEYED PEAS	26	0	0	BARLEY	157	0	6
BROCCOLI	11,305	10,546	9,691	BERMUDAGRASS	36,435	32,415	35,118
BROCCOLI (SEED)	113	169	326	BERMUDAGRASS (SEED)	33,985	30,243	29,916
CABBAGE	1,519	1,489	1,174	COTTON	4,789	8,065	9,182
CABBAGE, CHINESE	124	83	132	DUNALIELLA	0	0	25
CARROTS	14,940	15,251	17,511	FIELD CORN	1,637	856	546
CARROTS (SEED)	0	13	10	FLAX	5	251	52
CAULIFLOWER	2,712	2,252	2,402	GRASS, MIXED	507	209	233
CAULIFLOWER (SEED)	0	11	30	HEMP	0	24	121
CELERY	216	217	405	KLIENGRASS	13,571	14,094	14,331
CELERY (SEED)	0	263	248	LEMONGRASS	5	5	5
CILANTRO	98	123	304	OATS	5,181	3,370	4,033
COLLARDS	0	3	0	RAPESEED	789	2,899	3,916
CUCUMBERS	0	10	3	RED BEETS	0	70	16
EAR CORN	6,687	6,008	5,379	RYEGRASS	1,144	846	2,679
EGGPLANT	0	10	12	SAFFLOWER	79	142	204
ENDIVE	0	190	0	SESBANIA	677	89	194
FLOWERS	325	421	204	SESBANIA (SEED)	34	47	0
FLOWERS (SEED)	10	20	0	SORGHUM GRAIN	190	180	166
GARBANZO BEANS	0	0	121	SORGHUM SILAGE	704	481	840
HERBS, MIXED	30	20	20	SPIRULINA ALGAE	70	70	70
HERBS, MIXED (SEED)	0	5	70	SUDANGRASS	64,238	60,507	52,858
KALE	0	250	0	SUDANGRASS (SEED)	58	330	322
LETTUCE	18,385	20,762	14,569	SUGARBEETS	23,404	25,795	26,107
LETTUCE, BUTTER	0	0	50	SUGARCANE	585	569	779
LETTUCE, CHINESE	124	0	76	WHEAT	24,383	30,649	49,431
LETTUCE, GREEN	0	37	59				
LETTUCE, ROMAINE	4,287	2,708	2,416	TOTAL FIELD CROPS	371,734	366,963	390,999
LETTUCE, MIXED	6,702	4,293	5,132				
MELONS							
CANTALOUPE, FALL	254	302	620				
CANTALOUPE, SPRING	8,985	6,067	8,174				
HONEYDEW, FALL	0	0	150				
HONEYDEW, SPRING	28	351	495				
MIXED, FALL	134	68	41				
MIXED, SPRING	338	250	304				
WATERMELONS	1,167	976	1,468				
MUNG BEANS	0	0	142				
MUSTARD	4	8	121				
MUSTARD (SEED)	0	65	0				
OKRA	390	491	404				
OKRA (SEED)	0	0	0				
ONIONS	11,475	9,691	10,588				
ONIONS (SEED)	601	918	599				
PARSLEY	0	12	0				
PARSNIPS	257	40	0				
PEPPERS, BELL	181	262	187				
PEPPERS, HOT	32	1	0				
POTATOES	1,492	1,939	1,764				
RADISHES	34	63	78				
RAPINI	1,671	1,676	1,669				
SPINACH	3,352	2,553	1,127				
SQUASH	103	68	120				
SWEET BASIL	15	26	0				
SWISS CHARD	276	352	0				
TOMATOES, SPRING	448	452	456				
TURNIPS	101	109	108				
VEGETABLES, MIXED	1,773	2,536	1,697				
VEGETABLES, MIXED (SEED)	8	27	0				
WATERLILIES	12	12	12				
TOTAL GARDEN CROPS	101,096	94,751	91,078				
				<u>PERMANENT CROPS</u>			
				ASPARAGUS	786	1,140	1,812
				CITRUS			
				GRAPEFRUIT	1,042	1,082	1,382
				LEMONS	2,582	2,529	2,383
				MIXED	640	681	838
				ORANGES	530	500	772
				TANGERINES	866	866	829
				DATES	374	262	201
				DUCK PONDS (FEED)	9,918	9,730	9,731
				EUCALYPTUS	13	13	13
				FIGS	80	80	0
				FISH FARMS	966	966	1,031
				FRUIT, MIXED	25	5	5
				GRAPES	4	4	4
				GUAR BEANS	0	0	36
				GUAVA	15	25	25
				MANGOS	150	150	150
				NURSERY	136	30	30
				ORNAMENTAL TREES	15	15	15
				PALMS	111	71	64
				PASTURE, PERMANENT	621	646	615
				PEACHES	7	7	7
				PECANS	17	17	17
				POMEGRANATES	202	2	2
				TOTAL PERMANENT CROPS	19,100	18,821	19,962
				TOTAL ACRES OF CROPS	491,930	480,535	502,039

Note: Crops are listed for the year in which they are predominately harvested.

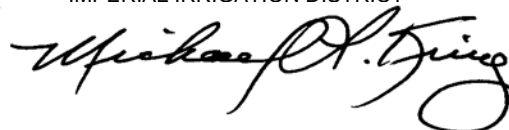
II ACCOUNT SUMMARY

	<u>2006</u>		<u>2005</u>		<u>2004</u>	
Number of Farm Accounts	6,191		6,205		6,200	
Number of Owner-Operated Farm Accounts	2,405	38.8%	2,397	38.6%	2,442	39.4%
Number of Tenant-Operated Farm Accounts	3,786	61.2%	3,808	61.4%	3,758	60.6%
Average Acreage of Farm Account	76.51		76.58		76.71	

III SUMMARY OF AREA SERVED

	<u>2006</u>	<u>2005</u>	<u>2004</u>
Field Crops	371,734	366,963	390,999
Garden Crops	101,096	94,751	91,078
Permanent Crops	19,100	18,821	19,962
TOTAL ACRES OF CROPS	491,930	480,535	502,039
Total Multiple Cropped Acres	65,762	47,613	66,342
TOTAL NET ACRES IN CROPS	426,168	432,922	435,697
Area Being Reclaimed: Leached	76	95	169
NET AREA IRRIGATED	426,244	433,017	435,866
IID Following Program (Avg of two mid-year programs)	14,830	11,891	11,827
Area Farmable But Not Farmed During Year (Fallowed Land)	32,608	30,299	27,912
TOTAL AREA FARMABLE	473,682	475,207	475,605
Area Of Farms In Homes, Feed Lots, Corrals, Cotton Gins, Experimental Farms, and Industrial Areas	17,824	17,125	16,821
Area In Cities, Towns, Airports, Cemeteries, Fairgrounds, Golf Courses, Recreational, Parks, Lakes and Rural Schools	29,162	28,331	28,331
TOTAL AREA RECEIVING WATER	520,668	520,663	520,757
Area In Drains, Canals, Reservoirs, Rivers, Railroads, and Roads	74,341	74,346	74,252
Area Below -230 Salton Sea Reserve Boundary & Area Covered By Salton Sea, Less Area Receiving Water	40,150	40,150	40,150
Area in Imperial Unit Not Entitled To Water	63,933	63,933	63,933
Undeveloped Area Of Imperial, West Mesa, East Mesa, and Pilot Knob Units	277,629	277,629	277,629
TOTAL ACREAGE INCLUDED - ALL UNITS	976,721	976,721	976,721
Acreage Not Included - All Units *	84,916	84,916	84,916
TOTAL GROSS ACREAGE WITHIN DISTRICT BOUNDARIES	1,061,637	1,061,637	1,061,637

IMPERIAL IRRIGATION DISTRICT



MICHAEL L. KING, Manager
Water Department

* Acreage within District boundaries that is not included in District.



IN REPLY REFER TO:

BCOO-4230
WTR 4.03

United States Department of the Interior

BUREAU OF RECLAMATION

Lower Colorado Regional Office
P.O. Box 61470
Boulder City, NV 89006-1470



DEC 03 2007

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. Mike Campbell
Acting General Manager
Imperial Irrigation District
P.O. Box 937
Imperial, CA 92251-0937

Subject: Transportation Loss Accounting for Imperial Irrigation District (IID) Following Programs

Dear Mr. Campbell:

The Colorado River Water Delivery Agreement (CRWDA), dated October 10, 2003, commits IID to a program of conservation designed to reduce IID's consumptive use of Colorado River water to allow for certain water transfers identified in Exhibit B to the CRWDA and to allow for payback of overruns occurring in 2001 and 2002 identified in Exhibit C to the CRWDA. IID implemented following programs that began in 2003 to conserve water to satisfy IID's obligations under Exhibits B and C to the CRWDA.

Implementation of the IID following programs has given rise to the question of an appropriate accounting methodology to determine the amount of Colorado River water conserved by these programs. Water not applied to the development of crops on fallowed lands is clearly water that is conserved and is therefore available to satisfy an Exhibit B transfer or to reduce an Exhibit C payback obligation. The method used to quantify the amount of water conserved at the field by the land fallowing programs has not been in dispute.

Because IID's fallowing programs result in reduced diversions at Imperial Dam, there are also reductions in transportation losses relating to the fallowed lands. Water not lost in transport from Imperial Dam to the farmers' headgates due to the fallowing programs is clearly water that is also conserved. Developing an appropriate methodology to account for the amount of water conserved by a reduction in transportation losses has been the subject of considerable study.

Since the fall of 2004, the Bureau of Reclamation and IID have engaged in a series of technical discussions related to the development of an accounting methodology to quantify the percentage

of reduction in transportation loss due to IID's fallowing programs. The accounting methodology Reclamation is adopting may be stated as follows:

Total Diversion to Field Loss Percentage (*TDFLP*) = Total loss from Field to River [Sta. 60 (*STA60*) minus Delivered to Users (*DTU*)] minus 137,120 acre-feet divided by Sta. 60 (*STA60*)

$$TDFLP^t = (STA60^t - DTU^t - 137,120) / STA60^t$$

Where: *STA60*^t is Sta. 60 (Column 4 on All American Canal (AAC) Accounting Sheet)
DTU^t is Delivered To Users (Column 18 on AAC Accounting Sheet)
137,120 = Constant
t is the current Year

Conservation Amount at Colorado River (*CA_{river}*^t) = Sum of Conserved amount at Fields ($\sum CA_{field}$) divided by 1 minus last year's Total Diversion to Field Loss Percentage (*TDFLP*^{t-1})

$$CA_{river}^t = \sum CA_{field} / (1 - TDFLP^{t-1})$$

The use of this methodology and these parameters to calculate the reductions in transportation losses will be reviewed by Reclamation and IID when significant new information arises that might affect transportation losses. For example, such new information might include physical changes to the canals, changes in operations, or changes in water flow measurement. Revisions to the methodology or parameters may be necessary to ensure a reliable scientific basis for computation of IID's transportation losses. Reclamation anticipates such revisions will occur infrequently and will be accomplished in consultation with IID.

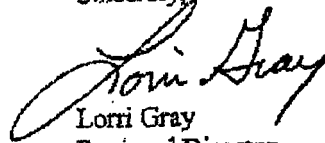
The methodology Reclamation is now adopting to determine the quantity of water conserved as a result of reduced transportation losses will be used to determine the quantity of conserved water available for delivery to other users in accordance with CRWDA's Exhibit B or for payback to the Colorado River system in accordance with CRWDA's Exhibit C. This methodology will also increase the accuracy of the data compiled in the annual Colorado River Accounting and Water Use Reports (Accounting Reports) filed in *Arizona v. California*.

Reclamation will apply this methodology and these parameters to determine and report the quantity of water conserved by the use of land fallowing to meet the requirements of Exhibit B and Exhibit C to the CRWDA beginning in 2007. It is not Reclamation's usual practice to apply a change in accounting methodology retroactively. In this circumstance, however, Reclamation has indicated in recent Accounting Reports that the methodology was under review and that the values reported for Exhibit C might be changed accordingly. Reclamation will therefore also apply the revised accounting methodology to Exhibit C paybacks for the years 2004 through 2006.

3

Questions concerning Reclamation's transportation loss methodology for IID's fallowing programs should be addressed to Ms. Ruth Thayer at 702-293-8426.

Sincerely,



Lorri Gray
Regional Director

cc: Mr. Gerald Zimmerman
Executive Director
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035

Mr. Herb R. Guenther
Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012

Mr. George M. Caan
Director
Colorado River Commission of
Nevada
555 E. Washington Avenue, Suite 3100
Las Vegas, NV 89101



IMPERIAL IRRIGATION DISTRICT

GENERAL MANAGER'S OFFICE • P. O. BOX 937 • IMPERIAL, CA 92251

December 6, 2007

Ms. Lorri Gray, Regional Director
U. S. Bureau of Reclamation
Lower Colorado Regional Office
P. O. Box 61470
Boulder City, NV 89006-1470

Dear Ms. Gray:

Thank you for your letter of December 3, 2007 confirming the agreement reached between IID and the Bureau of Reclamation regarding how canal losses will be determined as part of the conservation yield of IID's following programs.

IID is pleased that after consulting with each other and considering the opinions of various experts, we were able to jointly develop a formula that is acceptable to each of us and avoids the prospect of resolving our different views in some other manner. IID had already agreed in advance that a mutually acceptable canal-loss formula would be applicable to its 2004 through 2006 Exhibit C paybacks, and this letter confirms that IID has no objection to the Bureau of Reclamation proceeding in this way.

Thank you again for resolving this matter to the benefit of all concerned.

Sincerely,

MICHAEL E. CAMPBELL
Interim General Manager

MC/TAS/mn