

**2006 ANNUAL REPORT OF
IMPERIAL IRRIGATION DISTRICT PURSUANT TO
SWRCB REVISED ORDER WRO 2002-013**

March 31, 2007

I.	INTRODUCTION	1
II.	REVISED ORDER WRO 2002-013 REQUESTED INFORMATION	3
A.	Report on Water Transferred	3
B.	Salton Sea Habitat Conservation Strategy Compliance.....	6
C.	Advance Delivery of Salton Sea Mitigation Water in 2004 and 2005	8
D.	Salton Sea Mitigation Water for 2006	10
E.	Air Quality Mitigation	10
F.	Lower Colorado River Mitigation	14
G.	Tamarisk Scrub Habitat Conservation Strategy.....	14
H.	Drain Habitat Conservation Strategy	14
I.	Desert Pupfish Conservation Strategy	14
J.	Razorback Sucker Conservation Strategy.....	14
K.	Selenium Concentration, Discharge and Reduction Study.....	15
L.	Recreation and Aesthetics Mitigation.....	15
III.	ADDITIONAL INFORMATION.....	16
A.	IID QSA and Transfer Public Reporting	16
B.	IID Inventory of Areas Receiving Water.....	17
C.	Socioeconomic Impacts of Fallowing.....	17
IV.	CONCLUSION.....	18

Appendices

Appendix 1 – Annual QSA Water Report and BOR Data for 2006

Appendix 2 – WR 88-20 Conserved Water Transfer Report

Appendix 3 – Schedule of Mitigation Following Alternative for Salton Sea Conservation Strategy

Appendix 4 - Salton Sea elevation 2006

Appendix 5 – Reconciliation of BOR "final" decree reporting numbers compared to those reported by IID in 2004 and 2005 SWRCB Annual Reports

Appendix 6 - Pro forma 2006 following contract between participating farmers and the IID

Appendix 7 – Summary of SDCWA report to IID on LCR mitigation activity during 2006

Appendix 8 – IID 2005 Annual Implementation Report

Appendix 9 – Imperial Irrigation District Water Conservation Transfer Project Annual Report, In-Valley Permits, March 31, 2007

Appendix 10 – Provisional annual inventory of areas receiving water

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 2006.

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.

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. Sixteen tables, based on IID's best estimates as of the date of this annual report, are included in Appendix 1 entitled:

- Provisional 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 reports containing the information requested in Condition No. 4 (a)-(d). This information can also be found on the BOR website at <http://www.usbr.gov/lc/region/g4000/hourly/use06.pdf>. The BOR does not generally complete its annual reports until approximately May 1 of each year, and IID has not yet received the final BOR 2006. IID received the final BOR 2004 and 2005 reports in 2006. 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 and 2005 SWRCB Annual Reports. No material changes occurred. All differences are under 5% from the provisional amounts previously reported by IID, with one exception for the 2005 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 are working to solve certain minor discrepancies and disagreements over certain calculations and measurements. IID will revise the 2006 SWRCB Annual Report should the final BOR 2006 report or the resolution of any open issues with the BOR materially change any of the reported information herein.

The most recent "provisional" information from the BOR for 2006 is contained in Appendix 1. Pursuant to the information in that report, IID responds to Condition 4(a)-(d) as follows:

- (a) 2,994,321 AF diverted at Imperial Dam.
- (b) 84,631 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. IID has an inadvertent overrun in 2006 in the provisional amount of 18,407 AF.

(d) Gross Diversions at Whitsett Intake – 635,574 AF (return flow credit of 2,868 AF). Diversions at Whitsett Intake, pursuant to the Order – 40,000 AF.

Condition 4(e)-(g). Pursuant to the following contracts in effect for 2006, IID estimates that it reduced deliveries to participating farmers by approximately 40,000 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 2006 at 40,000 AF. No water was conserved by efficiency-based conservation measures for transfers in 2006 pursuant to Revised Order WRO 2002-013. However, efficiency-based conservation measures implemented pursuant to Order WR 88-20 generated 101,160 AF of conserved water that was transferred to MWD. Appendix 2 identifies the type of efficiency-based conservation measures utilized and the amount of conserved water saved by each.

B. 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, 2003 through December 31, 2006.

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. As can be seen from the Provisional 2007 IID Water Use spreadsheet 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 2004 641 AF of under delivery to the Salton Sea, and the settling up by leaving fallowed conserved water in Lake Mead, will all be "zeroed out" and the Salton Sea and Lake Mead commitments through 2007 fully satisfied.

E. 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 fallowing, 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 2006.

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 2006, 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. IID further worked to identify properties and provided access to the Desert Research Institute for a dust emissions study along the Salton Sea shoreline. IID also coordinated with the State regarding potential dust control pilot study programs that might be implemented as part of the State Salton Sea Ecosystem Restoration Program.

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 and 2006. 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, 2006, whichever is earlier.

Exhibit D to the 2006 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, 2006, 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, 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, 2006, and update the form before November 30, 2006, and July 31, 2007, 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 2006 contract between participating farmers and the IID is attached as Appendix 6. All 69 fields participating in the first thirteen-month fallowing 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.

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.

F. 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 2006 mitigation activity is attached as Appendix 7.

G. Tamarisk Scrub Habitat Conservation Strategy

The Tamarisk Scrub Habitat Conservation Strategy implementation for 2006 is described in Section 2.3.2 of the Imperial Irrigation District Water Conservation Transfer Project Annual Report, In-Valley Permits, March 31, 2007 ("2007 Permit Report"), attached as Appendix 9.

H. Drain Habitat Conservation Strategy

The Drain Habitat Conservation Strategy implementation for 2006 is described in Section 2.3.3 of the 2007 Permit Report, attached as Appendix 9.

I. Desert Pupfish Conservation Strategy

The Desert Pupfish Conservation Strategy implementation for 2006 is described in Section 2.3.6 of the 2007 Permit Report, attached as Appendix 9.

J. Razorback Sucker Conservation Strategy

The Razorback Sucker conservation Strategy implementation for 2006 is described in Section 2.3.7 of the 2007 Permit Report, attached as Appendix 9.

K. 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 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 will continue quarterly sampling efforts in 2007.

L. 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 2005.

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 QSA Annual Implementation Report was released in December 2006. A copy of the 2005 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"). 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 Definite Plan website: www.definiteplan.com.

B. IID Inventory of Areas Receiving Water

The annual inventory of areas receiving water for 2006 is not yet final, but the provisional report of March 2007 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 continue to disagree about how socioeconomic impacts are to be determined. Pursuant to the provisions of their transfer agreement, IID and SDCWA are preparing to arbitrate, from April 30 to May 4, 2007, before a private arbitration panel comprised of three retired judges, certain issues on what their contract means regarding socioeconomic impact determinations. Resolution of the contract interpretation issue will permit efforts to recommence to measure the socio-economic impacts for years 2003, 2004, 2005 and 2006. In the meantime, pursuant to an Interim Settlement Agreement, \$3.5 million has been released to the Local Entity for distribution 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 2006 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:

John R. Eckhardt Ph.D., P.E.
Imperial Irrigation District
Executive Program Manager
IID/SDCWA Water Transfer-QSA
P.O. Box 937
Imperial, CA 92251
(760) 339-9736 (phone)
jreckhardt@iid.com (email)

Provisional 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	-25,000	25,000		23,285 ¹	2,356 ²
CRWDA Exhibit C Payback	-18,900	18,900			18,900
Early CRWDA Exhibit C Payback	-12,540	12,540			12,540
Intentionally Created Surplus	-1,000	1,000			1,000
Colo. River Reregulation Conservation & Storage in SS1					
TOTAL	2,876,060	107,440	0	23,285	34,796

Notes: 1) 641 AF from 2004 Following Program - See Lake Mead Accounting

2) Restoration of 2005 reregulation conservation to Colo. River from Salton Sea

2006 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	-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	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	FOLLOWING 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 SS ¹			21,476	
TOTAL	2,915,355	71,205	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	FOLLOWING 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	
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	30,239	44,781

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 VOLUMES ¹			ANNUAL OVER/UNDER OBLIGATION
		FOLLOWING	EFFICIENCY	TOTAL VOLUME ³	
2003 ²	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				
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	93,445	0	93,445	

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.

SALTON SEA MITIGATION ACCOUNTING

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

YEAR	OBLIGATION	DELIVERY TO SEA			REMAINING OBLIGATION BALANCE	INFLOW/OUTFLOW ACCOUNTING	
		ANNUAL VOLUMES ¹				ANNUAL OVER/UNDER OBLIGATION	RUNNING CREDIT/DEFICIT
		Delivery to Sea	CR REREG CONSERVATION & STORAGE	TOTAL VOLUME			
2003 ²	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						
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	14,359	37,356	51,715			

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				REMAINING BALANCE	EXHIBIT C DELIVERY DIFFERENCE (Early Payback)		ADJUSTED EXHIBIT C OBLIGATION
		ANNUAL VOLUMES ¹			ANNUAL OVER/UNDER OBLIGATION		RUNNING CREDIT/DEFICIT		
		FOLLOWING	CR REREG CONSERVATION & STORAGE ²	TOTAL VOLUME					
2003	0	0	0	0	151,400	0	0	0	
2004	18,900	44,781	3,970	48,751	102,649	29,851	29,851	0	
2005	18,900	26,205	5,369	31,574	71,075	12,674	42,525	0	
2006	18,900	37,619	0	37,619	33,456	18,719	61,244	0	
2007	18,900							18,900	
2008	18,900							14,556	
2009	18,900							0	
2010	19,000							0	
2011	19,000							0	
TOTAL	151,400	108,605	9,339	117,944		61,244		33,456	

Notes: 1) From Applicable Year

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	
	Conserved	Balance	Conserved	Diverted & Losses	Over/Under	Balance	Conserved	Diverted	Over/Under	Balance	Conserved	Diverted	Over/Under	Balance	Annual	TOTAL BALANCE
2003	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2004	0	0	0	0	0	641	15,000	14,359	641	641	0	15,880	(15,880)	(15,880)	(15,239)	(15,239)
2005	0	0	0	0	0	641	0	0	0	641	15,000	21,476	(6,476)	(22,356)	(21,715)	(21,715)
2006	0	0	1,000	0	1,000	641	0	0	0	641	20,000	0	20,000	(2,356)	(715)	(715)
2007																
2008																
2009																
2010																
2011																
2012																
2013																
2014																
2015																
2016																
2017																
TOTAL	0		1,000	0	1,000	641	15,000	14,359	641		35,000	37,356	(2,356)			

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	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																
2008																
2009																
2010																
2011																
2012																
2013																
2014																
2015																
2016																
2017																
TOTAL	253,050															

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 -2006 monthly distribution was computed using the previous 12 months (July-Dec. and Jan-June) history for the participating gates in the following 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														
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	93,445													

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														
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	50,000													

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

CRWDA EXHIBIT C FOLLOWING

(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	18,900														
2008	18,900	14,556														
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	33,456	56,700													

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

IOPP FALLOWING

(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	0														
2008	0														
2009	0														
2010	0														
2011	0														
2012	0														
2013	0														
2014	0														
2015	0														
2016	0														
2017	0														
TOTAL	6,555	0													

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													
2008													
2009													
2010													
2011													
2012													
2013													
2014													
2015													
2016													
2017													
TOTAL	51,905												

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													
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	0	0	0
2004	0	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	0
2006	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2007																
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														
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.

CWWD 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														
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 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	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	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	3,333	3,333	40,000 ²
2007	50,000																
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 following, 6,555 acre feet from inadvertent overrun.

2) Pursuant to reporting by SDCWA and utilized for transfer payments.

DIVERSIONS FROM MAINSTREAM-AVAILABLE RETURN FLOW
AND CONSUMPTIVE USE OF SUCH WATER
CALENDAR YEAR 2006
STATE OF CALIFORNIA

(ACRE-FEET)

CA	WATER USER	Fmts	03/02/07												TOTAL 1/
			JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	
CA	FORT MOJAVE INDIAN RESERVATION	2/	679	1,260	1,578	2,322	2,329	3,157	2,244	2,919	2,221	935	470	65	20,179
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		314	582	729	1,073	1,076	1,459	1,037	1,349	1,026	492	217	30	9,324
CA			365	678	849	1,249	1,253	1,698	1,207	1,570	1,195	503	253	35	10,855
CA	CITY OF NEEDLES		160	143	164	216	281	293	297	303	219	198	192	160	2,626
CA	PUMPED FROM FOUR WELLS IN FLOODPLAIN		26	23	26	35	45	47	48	49	35	32	31	26	423
CA			20	17	20	26	34	36	37	37	27	24	24	20	322
CA	CHEMEHUEVI INDIAN RESERVATION	3/	114	103	118	155	202	210	212	217	157	142	137	114	1,881
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		45,790	38,842	41,992	62,563	76,770	77,243	81,320	87,805	59,524	24,238	13,991	25,496	635,574
CA	DIVERSION FROM LAKE HAVASU	4/5/	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	WATER DIVERTED TO STORAGE FOR SNWA	4/	265	239	265	256	257	246	345	245	242	255	253	0	2,868
CA	WATER EXCHANGED WITH SDCWA	6/	0	0	0	0	0	0	0	0	0	0	0	0	0
CA			45,525	38,803	41,727	62,307	76,513	76,997	80,975	87,560	59,282	23,983	13,738	25,496	632,706
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	COLORADO RIVER INDIAN RESERVATION		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	4 RIVER PUMPS		0	0	0	0	0	0	0	0	0	0	0	0	0
CA	BIG RIVER WATER DEPT. - 8 WELLS	7/	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	8/	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	PUMPED FROM 1 WELL IN FLOODPLAIN		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		36,540	51,620	61,870	72,490	91,720	98,680	102,400	103,700	78,640	63,980	45,530	44,480	851,650
CA	DIVERSION FROM PALO VERDE DAM		28,607	29,828	34,962	34,973	40,147	40,369	41,203	43,244	39,508	42,391	36,125	37,392	448,749

CA	UNMEAS. RETURNS	2,046	2,891	3,465	4,059	5,136	5,526	5,734	5,807	4,404	3,583	2,550	2,491	47,892
CA	CONSUMPTIVE USE	5,887	18,901	23,443	33,458	46,437	52,785	55,463	54,649	34,728	18,006	6,855	4,597	355,209
CA	YUMA PROJECT, RES. DIV. INDIAN UNIT													
CA	DIVERSION AT IMPERIAL DAM													
CA	MEAS. RETURNS	2,806	2,498	3,815	5,084	4,425	1,061	1,633	1,970	2,209	5,134	5,172	3,242	39,049
CA	UNMEAS. RETURNS	49	30	8	35	122	27	13	49	41	88	105	70	637
CA	DIVERSION	469	417	637	849	739	177	273	329	369	857	864	541	6,521
CA	YUMA PROJECT, RES. DIV. BARD UNIT													
CA	DIVERSION AT IMPERIAL DAM													
CA	MEAS. RETURNS	2,246	1,905	3,908	5,058	6,319	3,963	4,189	2,017	2,547	3,275	3,559	1,994	40,980
CA	UNMEAS. RETURNS	24	14	5	20	99	56	22	31	34	36	47	25	413
CA	DIVERSION	375	318	653	845	1,055	662	700	337	425	547	594	333	6,844
CA	RETURNS FROM YUMA PROJECT													
CA	RESERVATION DIVISION RETURNS													
CA	SUM YUMA PROJECTS, RES. DIV. USE	1,282	1,649	1,645	1,953	2,126	1,718	1,730	1,776	1,899	2,204	2,633	2,658	23,273
CA	CONSUMPTIVE USE	2,853	1,975	4,775	6,440	6,603	2,384	3,084	1,465	1,988	4,677	4,488	1,609	42,341
CA	IMPERIAL IRRIGATION DISTRICT													
CA	DIVERSION AT IMPERIAL DAM													
CA	MEAS. RETURNS	155,181	177,064	236,054	299,375	342,111	316,698	326,189	302,081	265,329	244,800	176,117	153,322	2,994,321
CA	UNMEAS. RETURNS	4,616	3,545	850	3,273	15,260	12,245	4,735	12,177	9,368	7,192	5,946	5,424	84,631
CA	DIVERSION	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	CONSUMPTIVE USE	150,565	173,519	235,204	296,102	326,851	304,453	321,454	289,904	255,961	237,608	170,171	147,898	2,909,690
CA	MEAS. RETURNS													
CA	CONSUMPTIVE USE													
CA	COACHELLA VALLEY WATER DISTRICT													
CA	DIVERSION AT IMPERIAL DAM													
CA	MEAS. RETURNS	17,869	19,259	21,506	32,958	35,077	36,342	37,171	35,171	29,932	26,961	28,372	18,347	339,065
CA	UNMEAS. RETURNS	534	386	77	360	1,565	1,405	540	1,418	1,057	792	958	649	9,741
CA	DIVERSION	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	CONSUMPTIVE USE	17,435	18,873	21,429	32,598	33,512	34,937	36,631	33,753	28,875	26,169	27,414	17,698	329,324
CA	OTHER USERS PUMPING FROM COLORADO RIVER AND WELLS IN FLOOD PLAIN													
CA	DAVIS DAM TO INTERNATIONAL BOUNDARY													
CA	MEAS. RETURNS	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	UNMEAS. RETURNS	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	DIVERSION	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	CONSUMPTIVE USE	0	0	0	0	0	0	0	0	0	0	0	0	0
CA	CALIFORNIA TOTALS													
CA	DIVERSION	261,371	292,591	370,887	480,066	559,032	537,437	555,443	535,966	440,621	389,521	273,403	247,106	4,923,444
CA	MEAS. RETURNS	35,403	35,714	37,898	40,905	59,621	56,113	48,636	58,989	52,184	52,990	46,098	46,244	570,735
CA	UNMEAS. RETURNS	3,224	4,225	5,504	6,852	8,040	7,860	7,781	7,859	6,251	5,443	4,249	3,415	70,703
CA	DIVERSION	222,744	252,652	327,545	432,309	491,371	473,464	499,026	469,118	382,186	311,088	223,056	197,447	4,282,006
CA	CONSUMPTIVE USE													

CA Note: The term 'CONSUMPTIVE USE' as used in this tabulation means diversions including ground water pumping, less measured return flow and less current estimated unmeasured return flow to the river.

CA Footnotes:

CA 1/ Totals may differ from the sum of the monthly values due to rounding to the nearest acre-foot.

CA 2/ Monthly diversion amounts are provided by the user. Water delivered by Needles is provided by the City of Needles.

CA 3/ A portion of this Colorado River use is offset by pumping from the LCWSP. Details shown in the LCWSP Section of this report.

CA 4/ MWD diversion and consumptive use figures include 10 kat diverted to storage for SNWA as shown. MWD diversion figures do not include 176 af diverted in October for delivery to Tijuana, Mexico.

CA 5/ Water captured and stored by MWD and IID at Reclamation's request is tabulated in this report under Water Subject to Temporary Re-Regulation.

CA 6/ During the year of capture, this water is not included in the MWD, IID, or State of California diversion and consumptive use totals.

CA 7/ Water conserved by IID and transferred to SDCWA, in accordance with the CRWDA, Exhibit B, Column 5, and the IID/SDCWA Water Transfer Agreement. At SDCWA's election, the water was delivered by the Secretary to Lake Havasu under Article 4(c) of the CRWDA and there made available by SDCWA to MWD under the terms of the SDCWA/MWD Exchange Agreement.

CA 8/ Reclamation's future Water Accounting reports will reflect variations in the water delivery arrangements as they occur.

CA 9/ Unmeasured returns calculated as 40% of Big River pumpage.

CA 10/ Reported annual total only, distributed monthly according to the monthly use patterns of nearby users.

CA 11/ Unassigned Measured Returns include drainage from the Indian Unit and the Bard Unit in the Reservation Division but excludes seepage from the All-American Canal.

CA 12/ This entry represents water to be conserved by IID and transferred to SDCWA, in accordance with CRWDA, Exhibit B, Column 7, and the IID/SDCWA Water Transfer Agreement, as amended.

CA 13/ Water subject to temporary re-regulation was captured and temporarily stored by IID at Reclamation's request in 2004. A portion of the temporarily re-regulated water was restored to the system when Exhibit B, column 7 obligation for 2005 was met from the re-regulatory water stored in IID's system. The use of this water does not constitute California agricultural usage for the purposes of meeting the ISG benchmark.

CA 14/ Details can be found on the California Supplemental Sheets.

DIVERSIONS FROM MAINSTREAM-AVAILABLE RETURN FLOW
AND CONSUMPTIVE USE OF SUCH WATER
CALENDAR YEAR 2006

Projected Water Conservation Savings in Acre-Feet

* Historical Verified Savings

Project No	Project Name	HVS* 2003	HVS* 2004	HVS* 2005	HVS* 2006	HVS* 2007
1	Robert F. Carter (Trifolium) Reservoir	3,430	3,920	3,880	3,270	3,560
2	South Alamo Canal Lining, Phase I	510	510	510	510	510
3	Plum-Oasis (Lateral) Interceptor	8,390	7,630	6,750	7,990	7,000
4	Bernard Galleano (Z) Reservoir	4,490	4,480	4,490	4,540	4,510
5	South Alamo Canal Lining, Phase II	900	900	900	900	900
7	Lateral Canal Lining	24,250	24,250	24,250	24,250	24,250
8	Trifolium Interceptor	15,880	11,860	12,990	12,520	12,750
9	12-Hour Delivery	20,610	20,450	21,060	20,730	21,200
10	Vail Supply Canal Lining	10	10	10	10	10
11	Rositas Supply Canal Lining	130	130	130	130	130
12	Non-Leak Gates	630	630	630	630	630
14	Irrigation Water Management	0	0	0	0	0
15	System Automation	14,200	14,210	14,720	14,890	14,490
16	Westside Main Canal Lining, North	260	260	260	260	260
17	Mulberry-D (Modified East Lowline) Interceptor	8,510	8,960	7,640	7,370	7,400
18	Additional Irrigation Water Management	2,930	3,700	3,720	3,160	3,510
Total		105,130	101,900	101,940	101,160	101,110

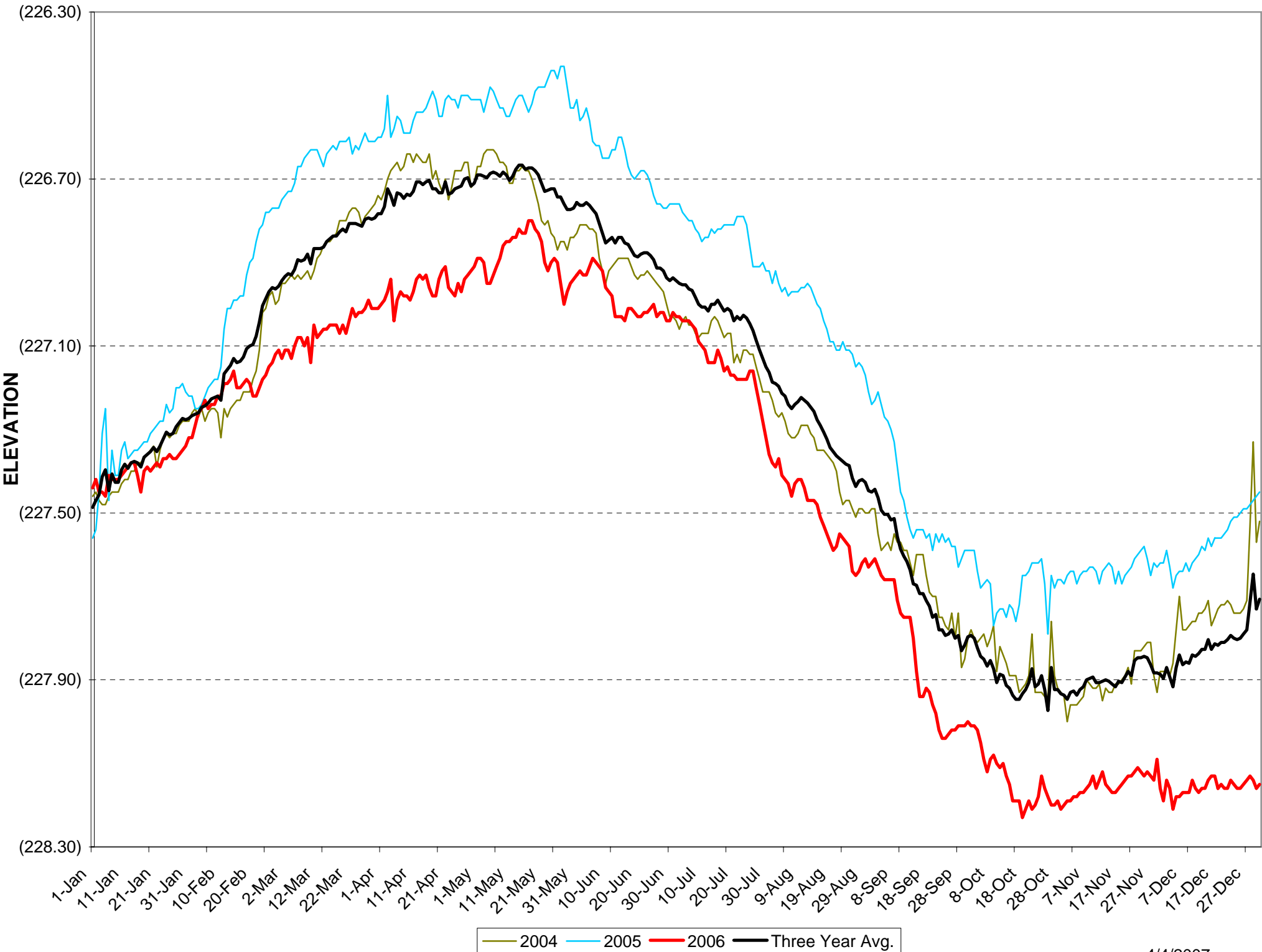
Project 6 (Sperber Reservoir Outlet) and Project 13 (Tailwater Assessment) were included in the original Water Conservation Agreement. Project 6 was dropped from the IID/MWD Program by the Program Coordinating Committee because savings were found to be insufficient; Project 13 was replaced by Projects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

EXHIBIT __
COMPROMISE IID/SDCWA AND QSA DELIVERY SCHEDULE

Agmt Yr	Cal Yr	IID/SD (KAF)	IID/CVW D (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 and 2005 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%

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

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 2006, 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, 2006 ("Start Date") and expire on June 30, 2007.

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 \$ _____ (\$60/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, 2006. The second payment shall be made before December 31, 2006, 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, 2007, 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 or withheld 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, 2006, 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, 2007, 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 Fallow 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, 2006. 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 follow the Fallow Lands during the Term defined in this Agreement which requires that there be no irrigation, application or use of water on subject lands 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, 2006, 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. Proof of insurance shall 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 made 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 formal consent of the other Party hereto. Formal consent shall require that the parties fully execute a separate assignment 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 this 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 as provided in Section 15, and shall have ten (10) calendar days from the date 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 associated with the remedy of any noncompliance or breach. 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 Fallowing Party (please print):

Name _____

Address _____

Phone _____

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 Section 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.

Fallowing Party agrees that IID may, and Fallowing 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 _____

EXHIBIT A
FALLOW LANDS

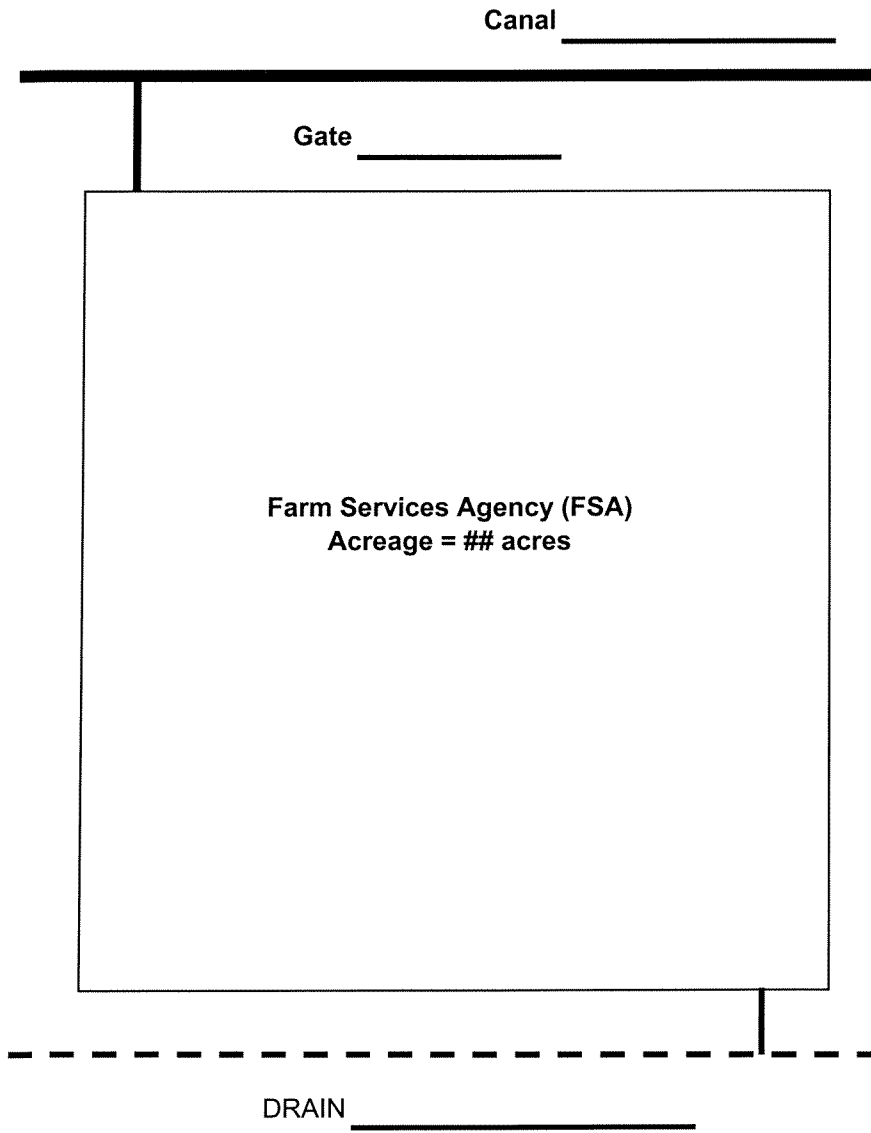


EXHIBIT B

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, 2006 to June 30, 2007.

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 2006		
FALL 2006		
WINTER 2006		
SPRING 2007		
SUMMER 2007		

Note: Crop Includes Leaching and Duck Ponds

EXHIBIT D

DUST CONTROL AND MITIGATION REPORTING REQUIREMENTS APPLICABLE TO CONSERVATION BY FALLOWING FOR 2006-2007

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, 2006, 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, 2006, and update the form before November 30, 2006, and July 31, 2007, 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, 2007

Reporting Period: Calendar Year 2006

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 August 16, 2006 and entitled "Lower Colorado River Multi-Species Conservation Program, Final Implementation Report, Fiscal Year 2006 Work Plan and Budget, Fiscal Year 2005 Accomplishment Report" ("**BOR 2006 Report**"), is available on BOR's LCR MSCP website (<http://www.usbr.gov/lc/lcrmsep>).

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 2006, 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. BOR entered into a cooperative agreement with the Arizona Game and Fish Department on August 27, 2003 (Grant Agreement #03FG300037) to rear razorback suckers at their Bubbling Ponds Fish Hatchery near Sedona, Arizona, for stocking into the LCR between Parker and Imperial Dams. 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: In June of 2006, BOR, in coordination with the Imperial National Wildlife Refuge, began the expansion of the Imperial Fish Habitat, located in Imperial Valley, CA, from 25 acres to approximately 80 acres. By the end of FY 2006, two of the six proposed ponds were completed excavated. Excavation of all six ponds is anticipated to be completed in the spring of 2007. In May of 2005, an interdisciplinary workshop was conducted, involving 13 subject-matter experts from four agencies who collaboratively prepared a conceptual design for the reconstruction and expansion of the ponds to provide approximately 47 acres of backwater habitat. The final report, entitled "Imperial National Wildlife Refuge, Imperial Native Fish Habitat Reconstruction, Design Workshop, Final Report", is available on BOR's LCR MSCP website (<http://www.usbr.gov/lc/lcrmscp/technicalrepts.html>).

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. BOR and USFWS attempted to capture adult bonytail from Lake Mohave during the April to June spawning periods in 2003 and 2004 with no success. Approximately \$50,000 was expended by the two agencies on this effort. Rather than continue the capture effort, BOR provided \$200,000 through an Inter-Agency Agreement #04AA300012 with USFWS in July of 2004 to improve rearing capabilities for bonytail at Achii Hanyo Native Fish Facility, located on the Colorado River Indian Tribes Reservation, south of Parker, Arizona

Significant facility improvements have been accomplished at the Achii Hanyo Native Fish Facility with these funds, 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 federal 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 federal FY 2006, BOR implemented Phase 1 of the CVCA by planting both a 22-acre native plant nursery and 59 acres of cottonwood-willow land cover which is intended to be managed as southwestern willow flycatcher habitat. At PVER, 31 acres of native plant nursery were established.

Also in FY 2006, a contract for the collection, propagation, and planting of over 250,000 native plants for Phase 2 of both CVCA and PVER was awarded. The trees will be mass-planted on approximately 140 acres of active agricultural fields in March-April of 2007 and will be managed to provide southwestern willow flycatcher habitat.

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: Baseline soil conditions are currently being monitored. No change in baseline soil moisture has been observed; therefore, no management actions were required. No additional willow flycatcher habitat is necessary.

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

Report Date:	March 31, 2007
Reporting Period:	Calendar Year 2006
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, indicating the status of implementation of mitigation measures and an assessment of 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 2006. 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 2006. 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 2006, 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 2006 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 2006 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 2006 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 2006. [See CESA Report, ## 13-14.]

2.3.2 Tamarisk Scrub Habitat Conservation Strategy.

(1) Construction Activities [Draft HCP, Tree Habitat-1 and -3]. A preconstruction survey checklist is being developed by IID for approval by the IT in 2007. IID will conduct preconstruction surveys using the protocol commencing in 2007. [See CESA Report, # 36.] No construction activities affecting tamarisk habitat were conducted during 2006; therefore, replacement habitat as a result of construction activities was not required.

(2) Seepage Recovery Systems [Draft HCP, Tree Habitat-2 and -3]. No seepage recovery systems were implemented during 2006; therefore, replacement habitat as a result of construction of such systems was not required. [See CESA Report # 29.]

(3) Southwestern Willow Flycatcher Habitat. The completed desert vegetation surveys will be used to 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 with the potential to be adversely affected by the Covered Activities. The evaluation focused on characterizing suitable habit for breeding Southwestern Willow Flycatcher. BOR distributed a completion report in March 2006 for review and approval by the IT. [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 have been delivered to the IT.

(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 equal to 652 acres, phased over a 15-year period. During 2006, IID identified, and the IT has approved, a preliminary location for the replacement managed marsh habitat. During 2007, IID and the IT will continue the site evaluation and selection process and the conceptual design efforts currently underway. [See CESA Report, ## 45-47.]

(3) Dredging [Drain Habitat-2]. IID did not dredge the river deltas between February 15 and August 31, 2006. [See CESA Report, # 49.]

(4) Construction Surveys [Drain Habitat-3]. No surveys were required during 2006. [See CESA Report, # 44.]

2.3.4 Desert Habitat Conservation Strategy

(1) Worker Education Program [Desert Habitat-1]. IID has prepared a final Desert Worker Education Manual which was approved by USFWS and CDFG in February 2007. During 2007, IID will implement a worker education program to ensure compliance with requirements applicable to desert habitat. The manual will be updated for the first three years (2008, 2009, 2010) and a minimum of every five years thereafter. IID has not reported observations of dead or injured individuals of Covered Species. [See CESA Report, ## 58-59.]

(2) O&M Activities [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 2006. Implementation will continue during 2007, and an annual report regarding implementation will be delivered with the Annual Report for 2007. [See CESA Report, ## 60-61]

(3) Construction Activities [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. No construction activities were conducted in 2006 requiring implementation of these measures. Implementation will continue during 2007, and an annual report regarding implementation will be delivered with the Annual Report for 2007. [See CESA Report ## 62-63.]

(4) Baseline Survey [Desert Habitat-4]. Desert habitat baseline surveys were completed in 2005, and baseline Covered Species surveys were initiated in the winter of 2007. Baseline Covered species surveys will continue in 2008-09 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.]

(5) Replacement Habitat [Desert Habitat-5]. No O&M or construction activities were conducted during 2006 which resulted in the permanent loss of desert habitat; therefore, replacement habitat was not required. No construction activities were conducted during 2006 which would temporarily disturb desert habitat. [See CESA Report, ## 66-68.]

2.3.5 Burrowing Owl Mitigation Measures

(1) Worker Education Program [Draft HCP, Owl-1]. The worker education program was implemented during 2006, in accordance with the worker education manual.

(2) Drain Cleaning and Construction Measures [Draft HCP, Owl-2 to -7, -8]. Inspections prior to construction activities and scheduled maintenance activities were conducted in accordance with the Burrowing Owl Inspection Protocol. Checklists have been delivered to USFWS and CDFG.

(3) Relative Abundance and Distribution Survey [Draft HCP, Owl-7]. In 2006, the IT selected Bloom Biological, Inc. ("Bloom") as the best qualified contractor among many submittals received in response to RFQ #531 (advertised in late 2005). In the spring of 2006, Bloom completed a pilot study addressing detection probability issues. Bloom will initiate a two-year distribution and abundance study in the winter of 2007.

(4) Farmer and Public Education Program [Draft HCP, Owl-9]. During 2006, IID and the IT continued their efforts to design a farmer and public education program addressing burrowing owls.

2.3.6 Desert Pupfish Conservation Strategy

(1) Refugium. [Salton Sea-2]. IID continued discussions with BOR regarding the design and construction of a pupfish refugium pond. BOR's planning efforts were initiated in August 2004. BOR met with CDFG on May 23-24, 2006 and with the IT on June 22, 2006 to continue pupfish refugium planning efforts. Planning efforts will continue in 2007, including a meeting between the IT and Lorri Gray (BOR) on March 22, 2007 [See CESA Report ## 82-83, 91.]

(2) Selenium Study Program Surveys; Monitoring. IID completed a final pupfish survey protocol late in 2006. During 2006, 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. [See CESA Report, ## 94-95, 87-88.]

(3) Drain Maintenance Measures. [Pupfish-2]. IID completed a final pupfish survey protocol late in 2006. Early in 2007, the IT will discuss the timeline for implementation of the pupfish survey protocol. [See CESA Report, # 87.]

(4) Dewatering Activities. [Pupfish-6]. No dewatering activities affecting pupfish drains were implemented in 2006. [See CESA Report, # 89.]

2.3.7 Razorback Sucker Conservation Strategy

(1) Salvage Procedure. [Razorback Sucker-1]. During 2006, no dewatering activities were implemented affecting the All-American Canal, the East Highline Canal, the Westside Main Canal, the Central Main Canal, or reservoirs associated with these canals. [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. [Agriculture-2]. On fallowed lands owned by IID, residual crops were left on the land to control dust emissions.

LIST OF APPENDICES

1. Annual Mitigation Report pursuant to In-Valley CESA Permit
2. Colorado River Water Amounts Diverted and Used by IID
(omitted--see Appendix 1 to SWRCB Annual Report)
3. Amounts Conserved and Transferred by IID
(omitted--see Appendix 1 to SWRCB Annual Report)
4. Salton Sea Mitigation Water Accounting
(omitted--see Appendix 1 to SWRCB Annual Report)
5. Agricultural Production Statistics
(omitted--see Appendix 10 to SWRCB Annual Report)

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, 2007

Reporting Period: Calendar Year 2006

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 2006.
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	2005 Annual Report was submitted on 31 March, 2006.
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 2006.
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	Implementation Biologist hired in November 2004 and resigned October 2006. IID to hire replacement Implementation Biologist in early 2007. IT to participate in candidate evaluation

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
					and selection.
8	Within 3 months of issuance of the Permit, Permittee will convene an Implementation Team (IT) consisting of representatives from IID, the Fish and Wildlife Service (Service), and California Department of Fish and Game (Department).	Permit	February 2005	IID and Agencies	Implementation Team is meeting, at least 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 2006.
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 	Permit	During Permit term, following emergency situation.	IID	No emergency actions affecting Covered Species during 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>Implementation Biologist will work with repair crews to prioritize repairs based on the risk to Covered Species and habitats for Covered 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	CESA Permit	Installed by 31 December 2018; Maintained through 2048	San Diego County Water Authority (SDCWA)	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 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 2006.
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 2006.
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	Permit	Start "when sea elevation drops below -235 feet"	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	structures shall meet with the approval of the Service and Department and shall provide for a minimum of 25 pelicans.				
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 2006.
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 2006.
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	No action required in 2006.
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 2006.
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	Permit	During Permit term, prior to or after scheduled construction activity.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	an endowment fund adequate to provide for the management of the lands in perpetuity.				
24	For native tree habitat that would be removed by 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.	Permit	During Permit term, prior to or after scheduled construction activity.	IID	No action required in 2006.
25	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: <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 2006.
26	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: <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 2006.
27	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: <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 2006.
28	Following achievement of the success criteria and for acquired habitat, IID will continue to assess the	Attachment 2	During Permit term, following	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>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 habitat management plans • 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>		acquisition and management of native tree habitat, and 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	No action required in 2006.
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 land to a third party, IID will establish an endowment fund adequate to provide for the management of the lands in perpetuity.</p>	Permit	During Permit term, prior to or following installation of seepage recovery system along EHL Canal.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
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 2006.
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 2006.
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 2006.
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 habitat management plans • Indicate whether the success criteria are being met 	Attachment 2	During Permit term, following acquisition and management of native tree habitat, and following achievement of success criteria.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<ul style="list-style-type: none"> 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>				
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 	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 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>functions (as indicated by season of occurrence) of birds using created or acquired native tree 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	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.	Permit	During Permit term, prior to scheduled Construction Activity.	IID	No action required in 2006.
37	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.	Permit	In 2018	IID	No action required in 2006.
38	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	Permit	During Permit term, after survey in 2018	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>than 2,642 acres.</p> <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 	Permit	During Permit term, after survey in 2018	IID	No action required during 2006.

	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 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	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.	Permit	During Permit term	IID	No action required in 2006.
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</i></p>	Permit	During Permit term, prior to IID water conservation actions that could affect tamarisk	IID	USBR completed a draft completion report in March 2006 summarizing its 2005 field efforts to identify suitable breeding habitat for Southwestern Willow Flycatcher. The IT is currently reviewing the draft report, which will be finalized in early 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p><i>placed in a tree at the edge of a habitat patch, with sparse canopy overhead. 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 2006.
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 2006.
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</p>	Permit	During Permit term, prior to construction activities within potential elf owl	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	site. The buffer will be staked and flagged. No construction activities will be permitted within the 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.		nesting habitat..		
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. Potential sites for the Managed Marsh Complex are currently being evaluated.
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 2006.
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 	Attachment 2	During Permit term, following creation of managed marsh.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<ul style="list-style-type: none"> The seasons when Covered Species use the drains as determined by the baseline surveys of the drains and managed marsh as an indicator of life history functions 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 2006.
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	No action required in 2006.
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 in 2006.
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 2006.
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 2006.
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	Permit	During Permit term, following creation of managed marsh.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	season, anytime during the five years following the 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 2006.
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 2006.
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 2006.
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	Program was finalized in early 2007. Implementation to begin in mid-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	Permit	Completed within 1 year of permit. To be updated annually in 2008,	IID	IID completed the final Desert Worker Education Manual in February 2007.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	activities along the AAC, East Highline, Westside 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.		2009, and 2010, 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	IID implemented required measures for O&M activities during 2006.
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 will submit a report to the agencies with the Annual Report for 2007 (first full-year of implementation of mitigation measures).

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
62	<p>IID will implement the following measures while conducting scheduled construction activities within its 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 	Permit	During Permit term, while conducting scheduled construction activities within ROW along AAC, EHL Canal, and portions of the WSM, Thistle, and Trifolium Extension canals.	IID	No construction activities requiring implementation of measures during 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>with Condition of Approval 4(i)(vi).</p> <ul style="list-style-type: none"> A speed limit of 20 miles/hour will be maintained on the construction site, staging areas, and storage areas. 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 2006.
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 ROW along the noted canals completed in 2006. Planning and implementation of Covered Species surveys began in late 2006, and will continue in 2007 and 2008.
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 	Attachment 2	Within 6 months of completion of desert habitat surveys.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>Covered Species among the survey stations</p> <ul style="list-style-type: none"> Note indications of breeding activity by Covered Species 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 2006.
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 2006.
68	For construction activities that would temporarily disturb native desert habitat, IID will prepare a restoration plan. The habitat restoration plan will	Attachment 2	During Permit term, prior to initiation of	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	<p>include the following information:</p> <ul style="list-style-type: none"> • Location • 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>		construction activity that would 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 2006.
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	Permit	During Permit term, if desert tortoise occurs at construction site.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	construction area. The tortoise will be placed in the shade of a shrub.				
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 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.	Permit	During Permit term, prior to construction in areas potentially suitable for desert tortoise.	IID	No action required in 2006.
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 2006.
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 2006.
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 2006.
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 2006.
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 2006.
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	Permit	During Permit term, if covered plant species are documented at construction area.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 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 2006.
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 2006.
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	Permit	During Permit term, as SS level recedes and drain habitat is extended or created.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 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 2006.
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 met with BOR representatives in 2006 to plan siting and construction of pupfish refugium. Planning efforts to continue.
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 2006.
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 2006.
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	Permit	Within 7 years of issuance of Permit (i.e., 2011).	IID	USGS, currently under contract to IID, continued study efforts in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 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 2006.
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 2006. IT to discuss implementation schedule in 2007.
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 2006. In 2006, 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	Permit	During Permit term, in association with construction that may affect pupfish drains.	IID	No action required in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 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 2006.
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 2006.
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 2006.
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 2006.
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 2006. IID completed a final pupfish survey protocol in late 2006. IT to discuss implementation schedule.
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 2006.
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 2006.
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 developed by the IT. In the event that the IT can determine, based on the findings of the evaluation,	Permit	During Permit term	IID	No action in 2006.

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
	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 2006.
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	No action in 2006. The IT has approved a razorback sucker relocation protocol. IID personnel will coordinate any relocation with CDFG and USFWS.
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 2006 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 approved by the Department under terms approved by the Department.	Permit	During Permit term	IID	In 2006 IID began preparing documentation for the transfer of a potential site for the Managed Marsh Complex to CDFG

	Mitigation Measure	Source	Implementation Schedule	Responsible Party	Status / Date
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	IID obtained Preliminary Title Report, Phase I hazardous materials survey report and other documentation for a potential site, in preparation for submittal 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 2006.
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 required during 2006.

PROVISIONAL

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

I CROP SURVEY

<u>GARDEN CROPS</u>	<u>ACRES</u>			<u>FIELD CROPS</u>	<u>ACRES</u>		
	<u>2006</u>	<u>2005</u>	<u>2004</u>		<u>2006</u>	<u>2005</u>	<u>2004</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	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		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		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	PERMANENT CROPS	2006	2005	2004
HONEYDEW, SPRING	28	351	495	ASPARAGUS	786	1,140	1,812
MIXED, FALL	134	68	41	CITRUS			
MIXED, SPRING	338	250	304	GRAPEFRUIT	1,042	1,082	1,382
WATERMELONS	1,167	976	1,468	LEMONS	2,582	2,529	2,383
MUNG BEANS	0	0	142	MIXED	640	681	838
MUSTARD	4	8	121	ORANGES	530	500	772
MUSTARD (SEED)	0	65	0	TANGERINES	866	866	829
OKRA	390	491	404	DATES	374	262	201
OKRA (SEED)	0	0	0	DUCK PONDS (FEED)	9,918	9,730	9,731
ONIONS	11,475	9,691	10,588	EUCALYPTUS	13	13	13
ONIONS (SEED)	601	918	599	FIGS	80	80	0
PARSLEY	0	12	0	FISH FARMS	966	966	1,031
PARSNIPS	257	40	0	FRUIT, MIXED	25	5	5
PEPPERS, BELL	181	262	187	GRAPES	4	4	4
PEPPERS, HOT	32	1	0	GUAR BEANS		0	36
POTATOES	1,492	1,939	1,764	GUAVA	15	25	25
RADISHES	34	63	78	MANGOS	150	150	150
RAPINI	1,671	1,676	1,669	NURSERY	136	30	30
SPINACH	3,352	2,553	1,127	ORNAMENTAL TREES	15	15	15
SQUASH	103	68	120	PALMS	111	71	64
SWEET BASIL	15	26	0	PASTURE, PERMANENT	621	646	615
SWISS CHARD	276	352	0	PEACHES	7	7	7
TOMATOES, SPRING	448	452	456	PECANS	17	17	17
TURNIPS	101	109	108	POMEGRANATES	202	2	2
VEGETABLES, MIXED	1,773	2,536	1,697				
VEGETABLES, MIXED (SEED)	8	27	0	TOTAL PERMANENT CROPS	19,100	18,821	19,962
WATERLILIES	12	12	12				
TOTAL GARDEN CROPS	101,096	94,751	91,078	TOTAL ACRES OF CROPS	491,930	480,535	502,039

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

PROVISIONAL

PROVISIONAL

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 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	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

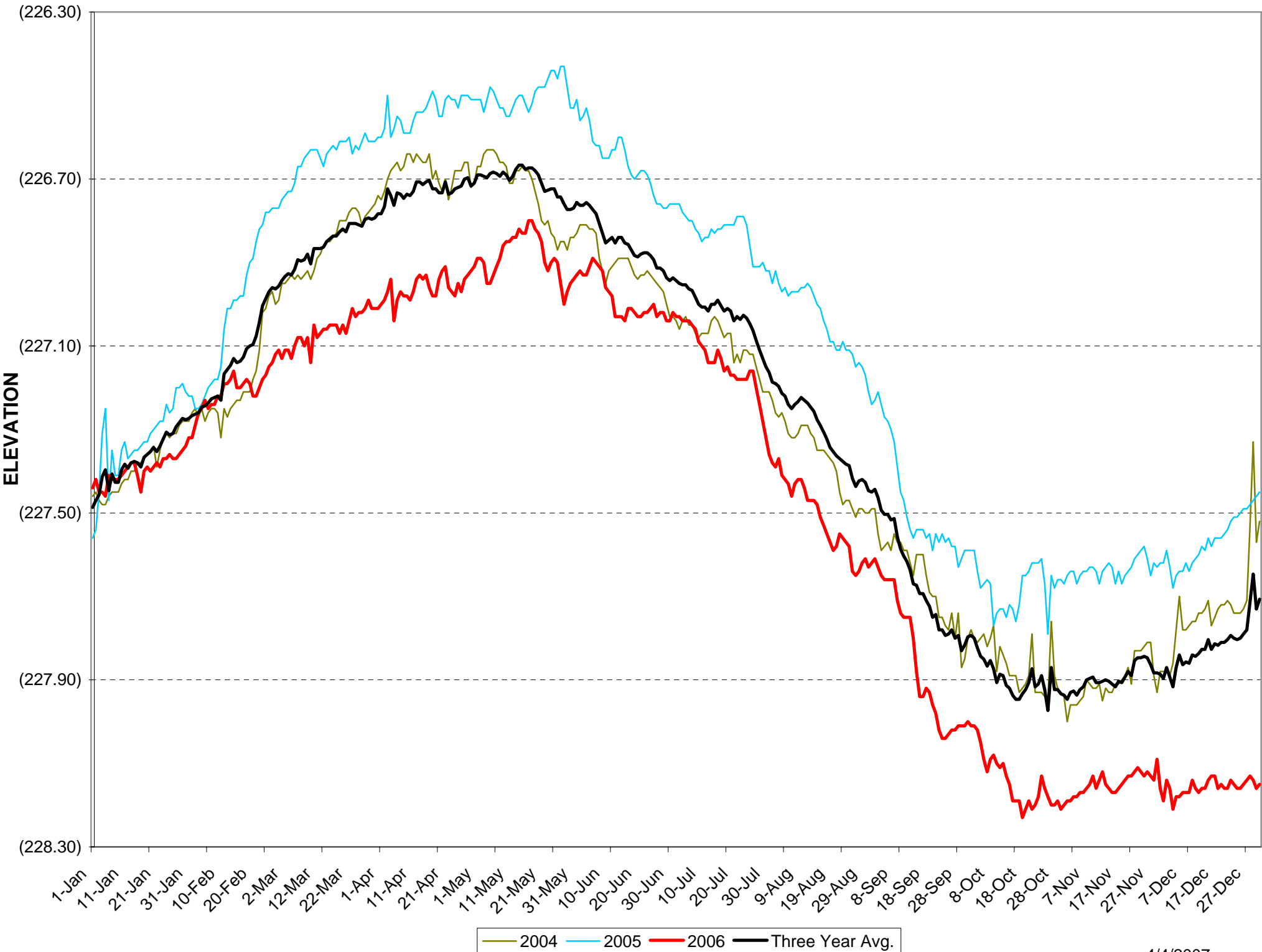
* Acreage within District boundaries that is not included in District.

PROVISIONAL

**2006 ANNUAL REPORT OF
IMPERIAL IRRIGATION DISTRICT PURSUANT TO
SWRCB REVISED ORDER WRO 2002-013**

ERRATA CORRECTING APPENDIX 4

SALTON SEA @ FIG TREE JOHN



**Appendix 8: 2005 QSA IID/SDCWA
Water Conservation & Transfer Agreement
Annual Implementation Report**

2005

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

ANNUAL IMPLEMENTATION REPORT



[CLICK HERE](#)