

Assembly Concurrent Resolution

No. 251

**Introduced by Assembly Members Canciamilla and Dickerson
(Principal coauthors: Assembly Members Hertzberg,
Hollingsworth, Kelley, and Wesson)
(Principal coauthor: Senator Costa)
(Coauthor: Assembly Member Daucher)**

August 26, 2002

Assembly Concurrent Resolution No. 251—Relative to the Colorado River.

LEGISLATIVE COUNSEL'S DIGEST

ACR 251, as introduced, Canciamilla. Colorado River: Quantification Settlement Agreement.

This measure would express the finding and declaration of the Legislature that it is of the utmost importance to the people of California that the Quantification Settlement Agreement (QSA) be executed on or before December 31, 2002, with respect to Colorado River water.

Fiscal committee: no.

- 1 WHEREAS, Colorado River water is vital to the economy,
2 environment, and people of California; and
3 WHEREAS, Colorado River water is the key source of drinking
4 water for over 17,000,000 people in urban southern California and
5 the primary water supply for agriculture in southern California;
6 and
7 WHEREAS, In 1964, in the case of Arizona v. California, the
8 United States Supreme Court fixed California's basic annual

1 apportionment of mainstream Colorado River water at 4.4 million
2 acre-feet; and

3 WHEREAS, Colorado River water apportionments were based
4 on more liberal hydrological assumptions and, as a result, the
5 Colorado River is oversubscribed; and

6 WHEREAS, For many years, California has been using up to
7 5.2 million acre-feet more than its annual apportionment of 4.4
8 million acre-feet. From 600,000 to 700,000 acre-feet of water
9 above California's apportionment has been used each year for the
10 Colorado River Aqueduct, which carries approximately 1.25
11 million acre-feet of water annually to southern California.
12 California has been able to use more than its apportioned share
13 because Nevada and Arizona had not been using their full
14 apportioned shares, and surplus Colorado River water has been
15 available. However, Nevada and Arizona are now using their full
16 apportionments; and

17 WHEREAS, The other Colorado River Basin states and the
18 Secretary of the Interior have expressed concern over California's
19 continued reliance upon surplus Colorado River water. They have
20 stated that California must reduce its use of Colorado River water
21 to its basic annual apportionment of 4.4 million acre-feet so that
22 other states are not subjected to risks of shortage; and

23 WHEREAS, In response to the concerns of the Secretary of the
24 Interior and the other Colorado River Basin states, the Colorado
25 River Board of California and its represented agencies, including
26 the Imperial Irrigation District (IID), the Coachella Valley Water
27 District (CVWD), the Metropolitan Water District of Southern
28 California (MWD), the San Diego County Water Authority
29 (SDCWA), and others, agreed upon a plan (referred to as
30 California's Colorado River Water Use Plan) to reduce
31 California's use of Colorado River Water to 4.4 million acre-feet
32 per year. The framework components of the plan are wide in scope,
33 and provide various potential options to reduce use, including
34 conservation and water transfers; and

35 WHEREAS, In January 2001, the Secretary of the Interior
36 implemented the Colorado River Interim Surplus Guidelines,
37 which will allow California to continue to use more than 4.4
38 million acre-feet until 2016. The Surplus Guidelines are
39 contingent upon the water agencies executing the Quantification
40 Settlement Agreement (QSA) on or before December 31, 2002, at



1 the latest. The QSA is an integral component of the plan, and is an
2 agreement between IID, CVWD, MWD, and SDCWA that, if
3 executed, will settle long-standing disputes among Colorado
4 River water users in California regarding the apportionment and
5 priorities of Colorado River water for use in California. The QSA
6 also will quantify water use, and will help ensure reasonable and
7 beneficial use of Colorado River water among all California
8 entities currently using and relying on the basic apportionment of
9 4.4 million acre-feet; and

10 WHEREAS, The QSA facilitates agricultural to municipal and
11 industrial transfers of Colorado River water in order to ensure a
12 full Colorado River Aqueduct; and

13 WHEREAS, An integral part of California’s plan to meet its
14 goal of using no more than 4.4 million acre-feet of Colorado River
15 water is the transfer of up to 200,000 acre-feet of efficiency-based
16 conserved water from IID to SDCWA; and

17 WHEREAS, There are complicated state and federal issues
18 surrounding the water transfer, including the potential for the
19 transfer to accelerate the salinization of the Salton Sea; and

20 WHEREAS, The Salton Sea is a resource of state and national
21 importance due to the large numbers and variety of migratory birds
22 and other species that are found there, and the Salton Sea fishery
23 is very productive, supporting both recreation and wildlife use.
24 Some species are very dependent on the Salton Sea for major
25 periods of their lives. Increased salinization will further stress
26 federal and state threatened or endangered species; and

27 WHEREAS, Congress recognized that preservation of the
28 Salton Sea is in the national interest in the Salton Sea Reclamation
29 Act of 1998 (Public Law 105-372). The report of alternative
30 options for restoration of the Salton Sea has not been submitted to
31 Congress as called for in Public Law 105-372; and

32 WHEREAS, If the QSA is not executed on or before December
33 31, 2002, the Secretary of the Interior has stated that the Interim
34 Surplus Guidelines will be suspended and that California will
35 immediately lose up to 800,000 acre-feet per year of Colorado
36 River water (a supply equivalent to that used by about 5,000,000
37 people in a year); and

38 WHEREAS, The loss of that water, which currently serves over
39 one-half of the state’s residents, would have a significant impact
40 on California’s economy, environment, and quality of life, and



1 could force a greater reliance on water from the fragile ecosystem
2 of the California Bay-Delta to make up the lost water; and

3 WHEREAS, Loss of Colorado River water as a result of
4 suspension of the Interim Surplus Guidelines is likely to create a
5 water supply shortage for urban southern California, and
6 eventually could threaten the health, safety, and economic
7 well-being of the state's residents and industries; and

8 WHEREAS, In addition to the possible suspension of the
9 Interim Surplus Guidelines, the Colorado River Basin is
10 experiencing a severe multiyear drought, and Colorado River
11 reservoir storage has declined by 15.6 million acre-feet since
12 December 1999, while Lake Mead is at its lowest level in 30 years;
13 and

14 WHEREAS, The Colorado River Basin water supply is
15 projected for water year 2002 to be from 15 to 24 percent of
16 normal, further jeopardizing California's Colorado River water
17 supply; now, therefore, be it

18 *Resolved by the Assembly of the State of California, the Senate*
19 *thereof concurring*, That the Legislature finds and declares that it
20 is of the utmost importance to the people of California that IID,
21 MWD, CVWD, and SDCWA reach agreement and execute the
22 Quantification Settlement Agreement (QSA) on or before
23 December 31, 2002, to move forward with the Colorado River
24 Water Use Plan and maintain the Interim Surplus Guidelines; and
25 be it further

26 *Resolved*, That, if the QSA is not executed on or before
27 December 31, 2002, and southern California's water supplies are
28 cut, the Legislature will consider appropriate legislative actions to
29 ensure the successful implementation of the QSA and to further
30 ensure that the suspension of the Interim Surplus Guidelines will
31 be lifted; and be it further

32 *Resolved*, That the Chief Clerk of the Assembly transmit a copy
33 of this resolution to the author for appropriate distribution.

