

Assembly Concurrent Resolution No. 251

RESOLUTION CHAPTER 192

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

[Filed with Secretary of State September 18, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 251, 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.

WHEREAS, Colorado River water is vital to the economy, environment, and people of California; and

WHEREAS, Colorado River water is the key source of drinking water for over 17,000,000 people in urban southern California and the primary water supply for agriculture in southern California; and

WHEREAS, In 1964, in the case of *Arizona v. California*, the United States Supreme Court fixed California's basic annual apportionment of mainstream Colorado River water at 4.4 million acre-feet; and

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

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

WHEREAS, The other Colorado River Basin states and the Secretary of the Interior have expressed concern over California's continued reliance upon surplus Colorado River water. They have stated that California must reduce its use of Colorado River water to its basic annual



apportionment of 4.4 million acre-feet so that other states are not subjected to risks of shortage; and

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

WHEREAS, In January 2001, the Secretary of the Interior implemented the Colorado River Interim Surplus Guidelines, which will allow California to continue to use more than 4.4 million acre-feet until 2016. The Surplus Guidelines are contingent upon the water agencies executing the Quantification Settlement Agreement (QSA) on or before December 31, 2002, at the latest. The QSA is an integral component of the plan, and is an agreement between IID, CVWD, MWD, and SDCWA that, if executed, will settle long-standing disputes among Colorado River water users in California regarding the apportionment and priorities of Colorado River water for use in California. The QSA also will quantify water use, and will help ensure reasonable and beneficial use of Colorado River water among all California entities currently using and relying on the basic apportionment of 4.4 million acre-feet; and

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

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

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

WHEREAS, The Salton Sea is a resource of state and national importance due to the large numbers and variety of migratory birds and other species that are found there, and the Salton Sea fishery is very productive, supporting both recreation and wildlife use. Some species are very dependent on the Salton Sea for major periods of their lives.



Increased salinization will further stress federal and state threatened or endangered species; and

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

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

WHEREAS, The loss of that water, which currently serves over one-half of the state's residents, would have a significant impact on California's economy, environment, and quality of life, and could force a greater reliance on water from the fragile ecosystem of the California Bay-Delta to make up the lost water; and

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

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

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

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

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



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

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