

Statement of Gerald R. Zimmerman  
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on

"Implementation of the California Plan for the Colorado River"

before the

U.S. House of Representatives

Subcommittee on Water and Power Resources

Committee on Resources

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Mr. Chairman and Members of the Committee, thank you for this opportunity to appear before you today. I will discuss the importance of the Colorado River to California, as well as, the progress being made and the challenges being faced by Californians in reducing their water supply needs from the Colorado River to fit within California's annual apportionment of Colorado River water.

The Colorado River Board

The Colorado River Board of California was established in 1937 by State statute to protect California's rights and interest in the resources provided by the Colorado River and to represent California in discussions and negotiations regarding the Colorado River and its management. The 10 members that sit on the Colorado River Board are appointed by the Governor and include the directors of the Departments of Water Resources and Fish and Game. The Chairman of the Colorado River Board is California's Colorado River Commissioner.

Importance of the Colorado River

California's rights and interests in the water and power resources of the Colorado River System are vital to the State's economy. Seven counties in Southern California, with a population of over 17 million, more than half of the state's population, receive water and hydroelectric energy from the Colorado River. Recently, up to 5.2 million acre-feet (maf) of Colorado River water per year have been consumed by California's municipal, industrial, and agricultural interests in a year. This represents about 65 percent of the total water used in Southern California. The Colorado River provides a water supply for about 900,000 acres of irrigated agriculture and is a supplemental or sole source of water for over 17 million people in Southern California. In addition, it provides California residents about 3.5 billion kilowatt-hours of hydroelectric energy a year, as well as, supports vital fish, wildlife and recreational resources enjoyed by Californians and residents from other states and countries. Water received from the Colorado River supports a service area economy in Southern California in excess of \$400 billion.

Much of the area within California served by the Colorado River has no other significant water supply. The river supports agricultural water users in the southeastern portion of the State -- providing virtually all of the water used by Imperial Irrigation District (IID), Palo Verde Irrigation District (PVID), and the Yuma Project, as well as most of the water used by Coachella Valley Water District (CVWD). The River supports urban water users on the Southern California coastal plain, an area that includes parts of six counties and half of the State's population. Approximately 60 percent of the coastal plain's water supplies have been imported from elsewhere during the past 10 years -- from the Central Valley by the California State Water Project, from the Mono Basin-Owens River area by the City of Los Angeles Aqueducts, and from the Colorado River by Metropolitan Water District of Southern California's (MWD's) Colorado River Aqueduct. Of the imported supply water supply to the coastal plain during the past 10 years, over 50 percent of the total has come from the Colorado River.

California's basic annual mainstream apportionment of Colorado River water is 4.4 million acre-feet (maf), whereas its use of Colorado River water has recently ranged from 4.5 to 5.2 maf per year. The entire State has benefitted both directly and indirectly from California's ability under the existing "Law of the River", to obtain water above its basic mainstream apportionment. In 1991 and 1992, as California faced its fifth and sixth consecutive years of severe drought, while other water sources were curtailed, entities in California were able to divert all of the water that they requested or could transport from the Colorado River to meet the needs within their service areas. Had MWD's water supply from the Colorado River been limited, significantly higher levels of mandatory water rationing would have been required in portions of Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura Counties served by MWD. Such rationing would have resulted in significant economic impacts to the region. In the future, if MWD's Colorado River water supply were to be significantly reduced, additional pressure would be placed on the State Water Project and related water systems to meet the water supply demands within MWD's service area. This could result in significant impacts in the Central Valley of California and the San Francisco and San Jose areas.

In the past, California was able to consumptively use water above its basic annual apportionment because the water use by both Arizona and Nevada were below their "basic" annual apportionments. Those states now use all, or nearly all, of their basic apportionments, effectively ending California's ability to use water above its basic apportionment of 4.4 maf, absent a surplus condition being declared by the Secretary of the Interior. This year, without a surplus condition being declared by the Secretary of the Interior, California's use of Colorado River water could have been limited to its 4.4 maf basic apportionment, some 700,000 acre-feet less than its current use of Colorado River water. Because agricultural districts in California hold the senior water rights, almost all of this reduction would have fallen on MWD and urban Southern California. A reduction in water supply of this magnitude could have huge consequences, not only on 17 million people residing on the coastal plain of Southern California, but on other regions of California as well.

This year, because of the drought in California and the west, the State Water Contractors including the Metropolitan Water District of Southern California have received only 39 percent of their allocation from the State Water Project. With the prolonged drought, their allocation for 2002 is currently estimated to be 20 percent. With these reductions it is critical that MWD maintain a full Colorado River Aqueduct to continue to meet its water supply demands on the coastal plain.

### California's Colorado River Water Use Plan

Recognizing that urban Southern California could be without an assured water supply, the former Secretary of the Department of the Interior, Bruce Babbitt, and representatives of the other Colorado River Basin

states in 1997 called upon California to develop a plan that addresses how Southern California intends to continue to meet its water supply needs when its use of Colorado River water is limited to its "basic" apportionment. In return for development and implementation of such a plan, the Secretary and representatives from the other Colorado River Basin states indicated their willingness to consider the adoption of surplus criteria that would assist California in meeting its Colorado River water supply needs for an interim period while California implements elements of its plan. With California's plan and more optimal surplus criteria for operating the Colorado River reservoir system, the probability of more than 7.5 maf of water being available annually for use by California and the other Lower Basin states is enhanced.

The first draft of what is now being called California's Colorado River Water Use Plan (Plan) was released by the Colorado River Board in December of 1997. A revised, more comprehensive draft was released by the Board on May 11, 2000. The draft Plan calls for a number of programs to be implemented within California and in cooperation with the other Basin states that allow the water supply needs of Southern California to continue to be met from within its annual apportionment of Colorado River water.

The overall purpose of the Plan is to provide California's Colorado River water users with a framework by which programs, projects, and other activities will be coordinated and cooperatively implemented, thus allowing California to most effectively satisfy its annual water supply needs from within its annual apportionment of Colorado River water. This framework specifies how California will transition from its current use of water and live within its basic apportionment of Colorado River water as conditions on the River so dictate.

The components of the Plan are broad in scope and deal with both water quantity and quality. It is intended to help bring certainty to all California Colorado River water right holders as to the reliability of their Colorado River supply so that they can plan, finance, and implement other required measures in a timely manner to fully meet their water supply and management needs. It is founded on interagency cooperation, and embraces regional approaches and consensus-based processes. It is intended to be fully consistent with the existing "Law of the River" and to foster greater levels of interstate cooperation and coordination in addressing Colorado River matters of mutual interest.

The Plan encompasses:

- •further quantification of California's rights and use of Colorado River water to facilitate the optimum use of California's Colorado River resources,
- •cooperative core water supply programs and voluntary transfers,
- •increased efficiencies in water conveyance and use,
- •water storage and conjunctive use programs to increase normal and dry year water supplies,
- •water exchanges and transfers,
- •administrative actions necessary for effective use and management of water supplies,
- •improved reservoir management and operations,
- •drought and surplus water management plans,

- •coordinated project operations for increased water supply yield,
- •groundwater management,
- •Colorado River salinity control and watershed protection, and
- •addressing environmental impacts

The Plan will remain in draft form pending completion of the environmental reviews and the subsequent execution of agreements associated with the Plan, such as the proposed Quantification Settlement Agreement (QSA).

### Time-Sensitive Actions

Critical to successful implementation of California's Colorado River Water Use Plan and for California to continue to meet its Colorado River water supply needs from within its annual apportionment of Colorado River water are: 1) execution of the proposed QSA; 2) continued operation of the Colorado River System reservoirs under the Interim Surplus Guidelines; and 3) implementation of the proposed core water transfers.

Water districts in California holding Colorado River water contracts have formulated the QSA to implement vital components of California's Colorado River Water Use Plan. The QSA further quantifies the districts' water entitlements and provides for the implementation of certain core water transfers, such as the IID/San Diego County Water Authority's transfer of up to 200,000 acre-feet of water per year, as well as facilitates other transfers, such as the proposed PVID/MWD's Land Management, Crop Rotation, and Water Supply Program. Although progress is being achieved to complete the required environmental documentation for the QSA, the process cannot be completed until issues involving the Salton Sea are resolved. When the Key Terms for Quantification Settlement were negotiated by the water districts, it was assumed that the process directed by the Salton Sea Reclamation Act of 1998 would have been completed and Congress would have made a determination as to the Sea's future. This has not happened and if it remains unresolved, it could bring about the demise of the QSA and the core water transfers that would bring needed water to residents on the coastal plain of Southern California.

In an effort to address this Salton Sea dilemma, discussions among representatives from the State of California, the affected California agencies, the Bureau of Reclamation, the U.S. Fish and Wildlife Service, and the environmental community are occurring in an attempt to find a solution. Despite the efforts of the stakeholders, an administrative solution has not yet been identified and the solution may require federal legislation. However, through these discussions, it has become apparent by all parties that the proposed water transfers have a temporal effect of one to nine years on an already deteriorating Sea and that the Sea, in a period of seven to 22 years, will be incapable of supporting a fishery without reclamation, regardless of whether the transfers occur or not. It is also recognized that execution of the QSA is critical for the successful implementation of California's Colorado River Water Use Plan.

The State of California has placed a high priority on implementation of California's Colorado River Water Use Plan and the associated QSA. The State Legislature has appropriated \$235 million to assist with implementation of the Plan; \$200 million for the concrete lining of portions of the All-American and Coachella Canals and \$35 million for ground water storage and retrieval projects near MWD's Colorado River Aqueduct. The Final EIS/EIRs for both the All-American and Coachella Canal lining projects have been completed and the Funding Agreement between the State of California and MWD for the Coachella Canal has been executed. The Funding Agreement between the State of California and MWD for the

Hayfield Ground Water Storage and Retrieval Project has also been executed.

To address outstanding issues at the State level that may impede successful implementation of California's Colorado River Water Use Plan and the associated QSA, a broad-based group of stakeholders has been formed. This Group, chaired by Ms. Mary Nichols, Secretary for California's Resources Agency, is addressing issues related to the Salton Sea, the California Endangered Species Act, and the Fully Protected Species provisions in the California Fish and Game Code. State legislative hearing have been held on November 7, 2001 and December 5, 2001, to discuss solutions to these issues. It is anticipated that State legislation addressing these issues will be introduced in January 2002 with an urgency provision to permit the legislation to become effective in 2002.

Representatives of the seven Colorado River Basin states have supported implementation of California's Colorado River Water Use Plan through development of the Interim Surplus Guidelines for operation of the Colorado River System reservoirs. These Guidelines were a product of negotiations among representatives of the seven Colorado River Basin states and were submitted to the Bureau of Reclamation for its consideration. They provide California with the means, over 15 a year period, when coupled with other elements of California's Colorado River Water Use Plan, to transition from its present use of Colorado River water to being able to meet its water supply needs from within its basic apportionment of 4.4 maf. They also provide the other Basin states with certain protections and assurances that California will perform by establishing a series of milestones. The first such milestone occurs on December 31, 2002. If the QSA is not executed by that date, the Interim Surplus Guidelines face suspension and very conservative reservoir operating criteria, in terms of delivering surplus water to California and the other Lower Basin states, will take effect. Under such criteria and with the low runoff conditions in the Colorado River Basin the past two years, the probability that surplus water will be available for use in California in 2003 is highly improbable.

### Conclusions

The Colorado River plays a very important role in maintaining a stable water supply picture for not only Southern California, but for the State as a whole. Implementation of California's Colorado River Water Use Plan and the associated QSA and core water transfers are a priority within California and a prerequisite to meeting Southern California's water supply needs. If the QSA is not executed by December 31, 2002, the Interim Surplus Guidelines face suspension. That suspension would result in a loss of about 700,000 acre-feet of water to the coastal plain of Southern California as soon as 2003. Such a large water shortage could result in severe economic impacts that would be felt throughout California and the southwest.

Thank-you for providing me the opportunity to testify before this Subcommittee. Working together, we can make a difference.

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