

Colorado River Citizens' Forum
El Centro, CA
December 5, 2012
*Meeting Notes

Board Members in attendance:

Elston Grubaugh, Wellton-Mohawk Irrigation District
Jim Cherry, Cherry Water Management
Roberta McDermott, US Natural Resources Conservation Service, Retired
Tom Davis, Yuma County Water Users Association
Kevin Eatherly, Yuma Crossing National Heritage Area
Stella Mendoza, Imperial Irrigation District
Chuck Cullom, Central Arizona Project
Mark McBroom, Imperial County Farm Bureau

Board Members Absent:

Karl Eanockson, Yuma Az
Bill Plummer, Water Resources Consulting

USIBWC Staff in attendance:

Anna Morales, Yuma
Diane Hinkle, Yuma Office

MXIBWC Staff in attendance:

Juan Rios Moreno, CILA, Mexico

Telecom 1 in attendance

18 Members of the public in attendance:

Haughtelin Lake Multi-Species and Wildlife Area

Richard Johnson, President, Ron Derma, General Manager, Bard Water District informed that the Bard Water District is proposing that a multi-species or wildlife area be established by the Department of the Interior or the International Boundary and Water Commission to restore and protect an area seven miles northeast of Yuma, Arizona but located in the state of California. This area includes Haughtelin Lake, Bard Lake, Tule Lake and other lands located in the oxbow or the ancient Colorado River bed in California. There are approximately 500 to 1000 acres of water in the area.

The proposed area includes both wetland and riparian lands. In years past the vegetation used to be cottonwood, honey mesquite, willow and cattail marshes. Currently only the cattail marshes survive with non-native tamarisk and phragmites dominating.

The wetland area would be approximately 1000 to 2000 acres, which if restored, would again become an important part of the Pacific flyway protecting migratory birds, aquatic species and provide habitat for threatened and endangered species of birds, reptiles and mammals.

Some of the endangered and threatened species that this area would provide a habitat for are:

- Yuma Clapper Rail
- Southwestern Willow Flycatcher
- Yellow Billed Cuckoo
- Yuman and Sonoran Fringe-toed lizard

- Yuma Hispid Cotton Rat
- Migratory Birds
- Endangered and threatened fish species

The riparian area should be cleared of the non-native plant species and restored to cottonwood, honey mesquite and willow.

The water in Haughtelin Lake, Bard Lake and Tule Lake is drainage water from the adjacent agricultural and reservation divisions serviced by Bard Water District. Elevation is 3 to 4 feet higher than the adjacent Colorado River. The Bard Water District will supply the approximately 600 acre-feet of water to establish the plant species.

Bard Water District requests that letters of support from the Board and anyone else, such as individuals, groups, or agencies be sent to Reclamation Multi-Species Conservation Program (MSCP) in support of this project.

Public- Have you had the opportunity to present the project to the MSCP Steering Committee?

Richard Johnson- Yes, the idea was presented in March 2012 in Yuma. It was listed as one of the 2004 projects but never proceeded.

Public- Do you have a price tag for all this work?

Richard Johnson- No, not yet. If approved by MSCP, they would evaluate the cost.

Public- Is this river channel farm land, federal or private land?

Richard Johnson- The river channel is owned by Bureau of Land Management (BLM) and Reclamation (USBR). The land is in California but some does extend into Arizona. We need to talk with Arizona to help get support for this project.

Public- How many California acres is this land?

Richard Johnson- About 2,000 acres, half wetlands and the other half riparian.

Public- Is this land of any use?

Richard Johnson- It is of no use, that is why it's called "no man's land".

Public- Is the water itself coming from in-bank storage and adjacent fields?

Richard Johnson- Yes, due to the elevation difference, it's runoff from the Reservation division with no direct tie to Colorado River water. No additional diversions will be needed. To establish the trees, we will need supplemental water and Bard Water District has that water to supplement 500 acre-feet a year. It's estimated to take 2 to 3 yrs to get the trees established.

Public- What were the preliminary results of MSCP in 2004 regarding this project?

Richard Johnson - It's still being investigated. Initially it was denied because there was a misunderstanding of what would be included and excluded. In November 2012, it was clarified that the whole project is in the ancient Colorado River bed, all federal land, and land ownership has been cleared up. We are presently reinvestigating.

It was fully supported by Reclamation for a while until the Colorado River Board of California got nervous and opposed it, thinking it would take some of their water. We have since addressed the Board's concern and seem to be back on track.

Public - Do you have full support of the irrigators and Bard Water District Board?

Richard Johnson - No written support by the irrigators, only verbal support. Board is in full support. It's a good mitigation area.

Public - By having this wildlife area, it would attract, enhance the agriculture community?

Richard Johnson- It's 15 miles south of the Imperial National Wildlife Area, it would be a resting area for migratory birds.

Update on IID Water Transfer Mitigation Status

Bruce Wilcox, Manager Imperial Irrigation District (IID), presented on the Water Transfer Mitigation Program which consists of mitigating impacts from water transfer and O & M operations of individual species, natural resources and habitat bases. The program is funded by water transfer Joint Powers Authority (JPA) which includes CVWD, San Diego County Water Authority (SDCWA), IID and CDFG.

The three irrigation districts participating will pay \$360 to 370 million into the fund. The Water Transfer Mitigation Program will include an Individual Species Program, Managed Marsh, Salton Sea Regional Monitoring, and Emissivity Analysis. Pilot projects for air quality mitigation are also being conducted. A couple of channels were cut on the New River and flooded to keep it wet and keep dust down. Lots of cattails and other vegetation grew within six months which is good air quality mitigation. We have seen a lot of bird habitat and a few pelicans.

The surfactant pilot project began a year and a half ago at Red Hill Bay. We will monitor for the next 2-3 years.

Under the terms of the Quantification Agreement, IID is to deliver water (water is generated by fallowing farm lands) to the Salton Sea for environmental mitigation until 2017. The thought was that it would be the approximate time salinity would increase and this would give the state of California adequate time to put together a mitigation plan. Due to delays and setbacks, the plan may not be in place by 2017.

IID has proposed to the State Water Resources Control Board and San Diego County Water Authority that since IID would stop delivering the mitigation water in 2014, they should take that money in the JPA fund, roughly \$61-62 million, to construct conservation habitat and air-quality mitigation programs on 500 to 1,000 acres. The downside to the proposal is that the Sea will get higher salinity sooner, 3 yrs sooner, and the elevation will drop a little quicker, not drop overall just a little quicker. It will give the State reasonable time to develop an alternative plan for the Sea.

A petition has been filed with SWRCB. A scoping meeting was held in May 2012 and the hydrologic analysis is in final review. Analysis shows the sea's elevation drops quicker and salinity increases faster. By 2030 it's almost leveled out, and by 2045 it's leveled out. A preliminary agency review of HCP/NCCP has been completed, this is the vehicle for mitigation. An internal review of portions of SEIR/SEIS is underway; as well as a preliminary air quality mitigation plan. An air quality plan was upgraded, to have a lot more analysis. Upcoming tasks include public informational meetings, NCCP and SEIR/SEIS comment period.

Public- The fresh water resources are from the Alamo and New River?

Bruce Wilcox- The managed marsh is Colorado River water; any of the other species conservation projects are on the Alamo and New River.

Public- The timing for the final document is July 2013, what is the decision timeline to meet your 2014 deadline?

Bruce Wilcox - The State Board needs to certify. We will be meeting with the Board in a couple of weeks to see what assistance we could provide to accelerate the process.

Public - Section 7 and 10 consultations require off site mitigation. Are there any requirements for off site mitigation? What about the Bard proposed project?

Bruce Wilcox- Anything is possible; we are looking at the Red Hill playa.

Report on Minute 319 and related Domestic Agreements

Chuck Cullom, Colorado River Programs Manager, Central Arizona Project, presented an update on this Minute. He provided background information, to include the 1944 Water Treaty, which governs the management of the Colorado River and Rio Grande, and provides Mexico with 1.5 million acre-feet of Colorado River water. He explained that the International Boundary and Water Commission (IBWC) is the agency responsible for implementing the Treaty; and the implementation of the Treaty functions through

Minutes, agreements between the U.S. and Mexican Sections of the International Boundary and Water Commission. The Minute also specifies points of delivery to Mexico and salinity management.

The general goals for the binational process are: to reduce risk or reduce duration of shortages on the Colorado River, including voluntary shortage sharing by Mexico; to provide opportunities for binational conservation and augmentation projects with Mexico, including desalination and agricultural conservation; to provide new water management benefits and opportunities wherein Mexico shares in surplus supplies and stores water at Lake Mead under Intentionally Created Mexico Allocation (ICMA); to explore opportunities to provide benefits to environmental values; and to manage salinity to avoid impacts to US and Mexico users.

This binational process began in 2007. Under the 2008 Terms of Reference, an agreement to work cooperatively on Colorado River issues was developed. In 2010, Minute 316 was developed focusing on the Yuma Desalting Plant Pilot Run, which included monitoring the Cienega de Santa Clara and Mexico accepting the Main Outlet Drain Extension (MODE) as a temporary point of delivery. In 2010, Minute 317 was signed as a process for continued discussions. Also, in 2010, Minute 318 was signed which allowed Mexico to store water in the United States due to damage from the Mexicali earthquake, a maximum of 260,000 acre-feet through 2012.

Mr. Cullom detailed Minute 319, entitled "Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja California." This Minute was signed on November 20, 2012, is a five-year agreement, expiring on December 31, 2017. Domestic agreements were required by multiple U.S. parties for implementation of Minute 319, including a Memorandum of Agreement (MOA) between federal and non-federal parties; an interim operating agreement; a cooperative funding agreement; a delivery agreement and a forbearance agreement. The Minute also specifies shortage sharing guidelines, surplus sharing; ICMA creation accounting and delivery, salinity and binational pilot and environmental projects.

Public- Why were the main water users not invited to participate in the discussions?

Chuck Cullom- There were representatives from the 7 basin states involved in the discussions.

Public- What is Mexico going to use the \$21 M for under this agreement?

Chuck Cullom- The Republic of Mexico makes that decision but they are to use funding for long term water conservation projects in Mexico such as lining of canals.

Yuma County Water Users Association expressed concerns of possible additional operational costs for the Association if Reclamation diverts more than the usual groundwater to the Southerly International Boundary (SIB) to meet salinity requirements associated with creation of ICMA by Mexico. And because of the reduced volume being delivered to Mexico, less than the 1.5 million acre-feet, when Mexico chooses to store ICMA, there will be a reduction in hydro electricity being generated, but continued operation costs for the Imperial Dam Advisory Board members to deliver Mexico's water under previous agreements.

Suggested Future Agenda Items

1. MSCP project updates such as Bard Water District's proposed project and the Quechan project.

If there are other issues/projects you would like to hear, please email the Yuma IBWC office at anna.morales@ibwc.gov or sally.spener@ibwc.gov

Next meeting scheduled for March 13, 2013 from 4-6pm in Yuma.

*Meeting notes are tentative and summarized in draft the contents and discussion of Citizens' Forum Meetings. While these notes are intended to provide a general overview of Citizens' Forum Meetings, they may not necessarily be accurate or complete, and may not be representative of USIBWC policy or positions.