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12  
13 BEFORE THE  
14 STATE WATER RESOURCES CONTROL BOARD  
15 STATE OF CALIFORNIA

16 In re Petition of Imperial Irrigation District and )  
San Diego County Water Authority for )  
17 Approval of Long-Term Transfer of Conserved )  
Water and Changes in Point of Diversion, Place )  
18 of Use and Purpose of Use Under Permit No. )  
7643 )  
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OUTLINE OF SUPPLEMENTAL EXPERT  
TESTIMONY OF TOM LEVY (FOR  
REBUTTAL CASE)

20 I am Tom Levy, General Manager-Chief Engineer of the Coachella Valley Water District  
21 (CVWD). My Statement of Qualifications and expert witness testimony for the Phase I hearing was  
22 submitted previously as San Diego County Water Authority (SDCWA) Exhibit 3.

23 1. I am appearing as a rebuttal witness for SDCWA pursuant to a subpoena issued by  
24 SDCWA on May 20, 2002. CVWD previously made a policy statement that described its position  
25 regarding these proceedings.

26 2. CVWD executed the Protest Dismissal Agreement (PDA) and is prepared to execute  
27 the Quantification Settlement Agreement (QSA) because of CVWD's belief that the proposed water  
28 transfer and acquisition transactions described in the amended Petition are in the best interest of

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1 CVWD, the region, the State, and the other six states that rely on the Colorado River.

2 3. I am aware that there has been considerable testimony that the proposed Conservation  
3 and Transfer Project will result in adverse impacts on the Salton Sea and fish and wildlife.  
4 However, these impacts are alleged to result only from methods of conservation other than  
5 fallowing.

6 4. I am familiar with farming practices in the Coachella and Imperial Valleys, the  
7 typical costs incurred when a farmer fallows land, and the operations of a large water district. In my  
8 opinion, if the Imperial Irrigation District (IID) were to structure its conservation program for  
9 producing water necessary for the proposed transfer and acquisition by either: (a) employing specific  
10 on-farm conservation measures and a mitigation plan to be approved by the SWRCB, or (b)  
11 undertaking a temporary fallowing program similar to the Palo Verde Irrigation District (PVID) land  
12 management program proposed by PVID and the Metropolitan Water District of Southern California  
13 (MWD) (PVID Program),<sup>1</sup> it could reduce to acceptable levels both the socio-economic impacts in  
14 the community and the fish and wildlife impacts that might otherwise result. IID could develop its  
15 conservation program within a reasonable but defined period, such as three to six months from the  
16 date of issuance of the SWRCB's Decision in this matter, demonstrating to the SWRCB's  
17 satisfaction that the conservation program is proceeding as promised.

18 5. My understanding and review of the PVID Program leads me to conclude that,  
19 consistent with my experience, a temporary fallowing or "land management" program could reduce  
20 potentially adverse environmental impacts to insignificant levels, if not eliminate them altogether.  
21 In addition, it is my understanding that the direct costs of such temporary fallowing would be  
22 relatively modest such that at \$250/acre-foot (generally, the average price proposed to be paid by  
23 SDCWA for the conserved water), there should be enough money available to provide incentive for  
24 the farmers to sign up, to cover IID's administrative costs, and to mitigate any resulting socio-  
25 economic impacts.

26 6. Based on my knowledge of the PVID Program, I believe that socio-economic impacts  
27

28 <sup>1</sup> See SDCWA Exh. 50: Palo Verde Irrigation District, DRAFT Environmental Impact Report for the Proposed Palo Verde Irrigation District Land Management, Crop Rotation and Water Supply Program (May 2002).

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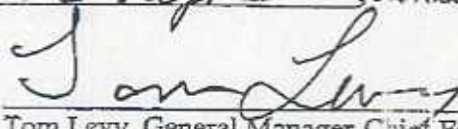
1 that could be associated with some fallowing programs, as prior testimony in this proceeding has  
2 indicated,<sup>2</sup> could be mitigated by a water conservation program that includes, among other measures:

- 3 a. targeting specific crops, i.e., low value, high water use crops such as alfalfa;
- 4 b. rotating lands in and out of the program; and
- 5 c. structuring payments so that they are equitably apportioned between farmers  
6 and landowners.

7 7. CVWD is aware of the anti-fallowing sentiments being expressed in some quarters in  
8 the Imperial Valley and in this proceeding. At the same time, CVWD understands the potential  
9 adverse environmental impacts associated with the proposed "on-farm" conservation measures and  
10 the mitigation measures designed to address those potential impacts (i.e., the proposed Habitat  
11 Conservation Plan, Approach 1). However, if IID structures its conservation program so that it will  
12 not cause the Salton Sea's water level to recede to a level below where it would have been in the  
13 absence of IID's Conservation and Transfer Project, I believe that IID can pursue the transfer and  
14 acquisition transactions described in the amended Petition without causing adverse impacts on the  
15 Salton Sea or the Imperial Valley. IID could provide its implementation program to the SWRCB  
16 within a reasonable, but defined period following issuance of the Decision. The inclusion of a  
17 monitoring and reporting program to track the Sea's level and related impacts would also be  
18 important.

19 I declare under perjury pursuant to the laws of the State of California that the foregoing is  
20 true and correct.

21 Executed on May 24, 2002, at Las Vegas, Nevada.

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 23 \_\_\_\_\_  
 24 Tom Levy, General Manager-Chief Engineer  
 Coachella Valley Water District

28 <sup>2</sup> See IID Exh. 65: Testimony of Dr. Rodney Smith.