

**From:** Gamboa-Arce, Justina <jgamboarce@IID.com>

**Sent:** Wednesday, March 27, 2024 1:35 PM

**To:** Shannon Baer <sbaer@rickengineering.com>

**Cc:** Brian Mooney <bmooney@rickengineering.com>; Sabrina Sessarego <ssessarego@rickengineering.com>; Matthew Valerio <mvalerio@dudek.com>; Jim Minnick <JimMinnick@co.imperial.ca.us>; Rebecca Terrazas <rebeccaterrazas-baxter@co.imperial.ca.us>; Asbury, Jamie <jlasbury@IID.com>; Shields, Tina L <tshields@IID.com>; Smith Hoff, Joanna <jshoff@IID.com>; Humes, Jessica <jllhumes@IID.com>; Smelser, Matthew H <mhsmelser@IID.com>; Barber, Sabrina <scbarber@IID.com>; Vargas, Donald A <DVargas@IID.com>

**Subject:** RE: Lithium Valley Specific Plan and Programmatic EIR Discussion

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Good morning Shannon,

Please see [response](#) below.

1. Of the [\[estimated\]](#) 126,000 AFY apportioned to agricultural land use within the defined [\[SPA\]](#), what is actively being used vs. what is just apportioned?

[Under current procedures:](#)

- [Water is apportioned on a take-or-pay obligation. It is assumed that all apportioned agricultural water is being used or offered back to the clearinghouse by the apportioned agricultural customer for use by other agricultural users so that the apportioned customer may be relieved of the take-or-pay obligation.](#)

[If for some reason the apportioned water was not used in 2023 by an agricultural customer, the agricultural customer would continue to be apportioned the corresponding water supply in 2024, and annually thereafter \(with negligible adjustments\) as long as the land continues to be farmed. The agricultural customer would continue to have the option to use the water for their farming operation, offer a direct transfer to another agricultural customer or offer it to the IID clearinghouse. Until the water is accepted by another agricultural customer, the apportioned customer continues to be responsible for the delivery cost of the apportioned water. Agricultural apportionment may not be transferred to other water user categories, under the current policy. This information is available under IID's Equitable Distribution Plan which may be found at \[Equitable Distribution | Imperial Irrigation District \\(iid.com\\)\]\(#\).](#)

- [Having clarified this, IID may be able to query the total water supply from offers received from agricultural customers within the SPA and water received during the Boards Take-Or-Pay Relief Period from agricultural customers within the SPA. Unfortunately, the Agricultural Water Resources Unit does not maintain this data at a parcel level and has other time sensitive priorities at this time. It may take an estimated 30 days, minimum, to gather the data if you feel it continues to be useful.](#)

2. Does the [estimated] 126,000 AFY apportionment also include conservation land use?

Water is apportioned by IID to three water user categories: 1) Industrial/Commercial Water User Category, 2) Potable Water User Category, and 3) Agricultural Water User Category. Conservation land use is not an IID water use category but if you will identify the specific parcels in question within the SPA, I can verify whether an agricultural apportionment was made. In the interim, I can confirm that the California Department of Fish & Wildlife is apportioned an agricultural water supply within the estimated 126,000 AFY agricultural apportionment for the SPA.

3. Of the [estimated] 23,000 AFY remaining apportionment for non-agriculture [within the SPA], would you be able to provide us with the existing users and their water demands?

I am unable to disclose customer specific information. The referenced estimated 23,000 AFY apportionment would be to either potable water users or industrial/commercial water users. In general, uses such as geothermal, agricultural service industries (non-crop), etc.

4. Also, would you be able to provide us with an estimate of what is still remaining from the 25,000 AFY available under the Temporary Land Conversion Following Policy (2008)? We assume there isn't much left that is not accounted for.

I believe you might be referring to the Interim Water Supply Policy (2009) for non-agricultural uses? If yes, below is a brief overview and update:

An unfortunate misconception is that IID has set aside a 25,000 water supply for new non-agricultural water uses. In 2009, IID performed a CEQA analysis for the Interim Water Supply Policy strictly on the adoption and implementation of the proposed policy that may set aside up to 25,000 AFY of IID's water supply for conservation for the benefit of new non-agricultural projects. The environmental impacts of the 25,000 AFY on IID's total water supply was what was considered under CEQA by the Board in 2009. If those 25,000 AFY are fully conserved and committed to permitted projects, the IID Board may need to assess and consider any water supply amount beyond the 25,000 AFY, under updated hydrological conditions and obligations.

All new non-agricultural projects, in coordination with IID, need to conserve their respective water supply demand and environmentally assess the project and/or program needed to create that conserved water supply for the benefit of their project, irrespective of the aforementioned 25,000 AFY balance.

As of March 2024, IID has issued two water supply agreements and one "Will-Serve Letter" under the IWSP for 6,380 AFY, leaving a balance of 18,620 AFY of potential water supply available for additional conservation and contracting under the IWSP.

**If your reference is indeed the Temporary Land Conversion Following Policy:**

Please note that the conserved water generated from the TLCFP is limited by law for use towards transfer or environmental purposes. Nonetheless, by satisfying multiple district objectives the TLCFP also serves to reduce the conservation and water use demands on other IID water users. A copy of the full policy may be found here: TLCFP (iid.com).

If anything needs additional clarification, please don't hesitate to give me a call.



**Justina Gamboa-Arce**  
**Planner, Water Resources, Senior**  
**IMPERIAL IRRIGATION DISTRICT**  
333 E Barioni Blvd, Imperial CA 92251  
(760) 339-9085 | email: [jgamboaarce@IID.com](mailto:jgamboaarce@IID.com)

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