

COLORADO RIVER BOARD OF CALIFORNIA

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November 2, 2009

**NOTICE OF SPECIAL MEETING OF THE
COLORADO RIVER BOARD**

NOTICE IS HEREBY GIVEN pursuant to the call of the Chairperson, Dana B. Fisher, Jr., by the undersigned, the Executive Director of the Colorado River Board of California, that a special meeting of the Board Members is to be held as follows:

Date: November 12, 2009, Thursday
Time: 10:00 a.m.
Place: Vineyard Room
Holiday Inn Ontario Airport
2155 East Convention Center Way
Ontario, CA 91764-4452
TEL: (909) 212-8000, FAX: (909) 418-6703

The Colorado River Board of California welcomes any comments from members of the public pertaining to items included on this agenda and related topics. Oral comments can be provided at the beginning of each Board meeting; while written comments may be sent to Mr. Dana B. Fisher, Jr., Chairperson, Colorado River Board of California, 770 Fairmont Avenue, Suite 100, Glendale, California, 91203-1068.

An Executive Session may be held in accordance with provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and in accordance with Sections 12516 and 12519 of the Water Code to discuss matters concerning interstate claims to the use of Colorado River System waters in judicial proceedings, administrative proceedings, and/or negotiations with representatives from other states or the federal government.

Requests for additional information may be directed to: Gerald R. Zimmerman, Executive Director, Colorado River Board of California, 770 Fairmont Avenue, Suite 100, Glendale, CA 91203-1068, or 818-500-1625. A copy of this Notice and Agenda may be found on the Colorado River Board's web page at www.crb.ca.gov.

A copy of the meeting agenda, showing the matters to be considered and transacted, is attached.

A handwritten signature in black ink, appearing to read "Gerald R. Zimmerman".

Gerald R. Zimmerman
Executive Director

attachment: Agenda

Special Meeting
COLORADO RIVER BOARD OF CALIFORNIA
November 12, 2009, Thursday
10:00 a.m.

Vineyard Room
Holiday Inn Ontario Airport
2155 East Convention Center Way
Ontario, CA 91764-4452

A G E N D A

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action by the Board. Items may not necessarily be taken up in the order shown.

1. Call to Order
2. Opportunity for the Public to Address the Board (Limited to 5 minutes)
As required by Government Code, Section 54954.3(a)
3. Administration
 - a. Minutes of the Meeting Held September 9, 2009, Consideration and Approval (**Action**)
 - b. Proposed 2010 Colorado River Board Meeting Schedule
4. Agency Managers Meetings
Report from the Executive Director
5. Protection of Existing Rights
 - a. Colorado River Water Report(s)
Report from Board Staff on current reservoir storage, reservoir releases, projected water use, forecasted river flows, scheduled deliveries to Mexico, and salinity
 - b. State and Local Water Reports
Reports from Board members on current water supply and use conditions
 - c. Colorado River Operations
Report(s) from the Executive Director
 - 2010 Annual Operating Plan for Colorado River System Reservoirs (2010 AOP)
 - Reclamation News Release Regarding Finding of No Significant Impact (FONSI) for the Yuma Desalting Plant (YDP) Pilot Study; and Upper Colorado River Commission's Comment on YDP Pilot Run During Public Review of Draft of FONSI
 - Executed Exhibit P for Yuma Desalting Plant (YDP) Pilot Run
 - Southern Nevada Water Authority Notice of Availability of Unused Appropriation for Storage by Metropolitan Water District of Southern California – 2009
 - Inadvertent and Overrun Payback Procedures

Agenda (continued)

d. Basin States Discussions

Report(s) from the Executive Director

- Reclamation Selects Three Western River Basins for Inclusion in Basin Study Program
- The Secretary of the Interior's Order of Delegation of Authority to Implement the Navajo-Gallup Water Supply Project, New Mexico
- CAP's Letter to Reclamation Regarding the Development of Procedures and Guidelines for Intentionally Created Surplus (ICS) and Intentionally Created Unused Apportionment (ICUA) To Store 70,000 Acre-Feet in 2009
- Joint Cooperative Projects and Programs with Mexico

e. Colorado River Environmental Issues

Report(s) from the Board Staff

- Secretary of the Interior's Letter to Colorado River Board Regarding the Glen Canyon Dam Adaptive Management Program
- Grand Canyon Trust's Letter to Secretary of the Interior Regarding Glen Canyon Dam Annual Operating Plan and Colorado River Management Work Group
- Status of the Grand Canyon Trust vs. United States Lawsuit

6. Water Quality

Report(s) from the Board Staff

- a. Colorado River Basin Salinity Control Forum, Work Group and Advisory Council Meetings

7. Executive Session

An Executive Session may be held by the Board pursuant to provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and Sections 12516 and 12519 of the Water Code to discuss matters concerning interstate claims to the use of Colorado River system waters in judicial proceedings, administrative proceedings, and/or negotiations with representatives from other states or the federal government.

8. Other Business

- a. Next Board Meeting: Special Meeting in conjunction with 2009 Colorado River Water Users Association (CRWUA) 64th Annual Conference
December 9, 2009, Wednesday, starting 3:00 p.m.
Caesars Palace Hotel
3570 Las Vegas Boulevard, South
Las Vegas, NV 89109-8924
TEL: (702) 731-7222, FAX: (702) 731-7172
Hotel Reservation: 1-886-227-5944,
Mention the CRWUA Conference Code

3.a. - Approval September 9, 2009, Board Meeting Minutes

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, September 9, 2009

A Regular Meeting of the Colorado River Board of California (Board) was held in the Vineyard Room, at the Holiday Inn Ontario Airport, at 2155 E. Convention Center Way, Ontario, California, Wednesday, September 9, 2009.

Board Members and Alternate Present

Dana B. Fisher, Jr. Chairman
Thomas M. Erb
John V. Foley
W. D. 'Bill' Knutson
Henry Merle Kuiper
John W. McFadden

John Pierre Menvielle
David Elms, Designee
Department of Fish and Game
Jeanine Jones, Designee
Department of Water Resources

Board Members

Terese Maria Ghio

James B. McDaniel

Others Present

Steven B. Abbott
James H. Bond
Celia A. Brewer
John P. Carter
Dave Fogerson
William J. Hasencamp
Charles Keene
Michael L. King
Russell Kitahara
Thomas E. Levy
Jan P. Matusak
Dan Parks
Halla Razak
Steven B. Robbins
Jack Seiler

Ed W. Smith
William H. Swan
Bradley Udall
Joseph A. Vanderhorst
Bill D. Wright

Abbas Amirteymoori
J.C. Jay Chen
Christopher S. Harris
Lindia Y. Liu
Gary E. Tavetian
Mark Van Vlack
Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum, called the meeting to order at 10:07 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Fisher asked if there was anyone in the audience who wanted to address the Board on items on the agenda or matters related to the Board. Hearing none, Chairman Fisher moved to the next agenda item.

ADMINISTRATION

Approval of Minutes

Chairman Fisher requested the approval of the August 12th meeting minutes. Mr. Menvielle moved the August 12th minutes be approved. Mr. Knutson seconded the motion. Unanimously carried, the Board approved the August 12th meeting minutes.

October Board Meeting and Bi-National Workshop

Mr. Zimmerman reported that the Bi-National Workshop is scheduled to be held in Mexicali on October 14th and 15th. The October Board meeting was originally scheduled to be on the 14th. Mr. Zimmerman asked the Board for direction regarding the conflict in schedule. Chairman Fisher asked if there was a motion to cancel the October Board meeting. Mr. Knutson moved that the October Board meeting be cancelled. Mr. Menvielle seconded the motion. Unanimously carried, the Board approved that the October Board meeting be cancelled, with the proviso that if the Chairman deemed necessary a special meeting could be convened in October.

AGENCY MANAGERS MEETING

Mr. Zimmerman reported that the Agency Managers have not met since the August Board meeting. Chairman Fisher requested that the Agency Managers meet after the September Board meeting.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Amirteymoori reported that as of August 31st, the reservoir storage in Lake Powell was 15.71 million acre-feet (maf), or 65 percent of capacity. The water surface elevation was 3,637.5 feet. The storage in Lake Mead was 10.94 maf, or 42 percent of capacity. The water surface elevation was 1,093.7 feet. Total System storage was 34.84 maf, or 58 percent of capacity. Last year at this time, there was 34.52 maf of water in storage, or 58 percent of capacity. Total System storage was about 0.3 maf more than the storage at this time last year. Storage had increased in the Upper Basin by about one maf, and decreased in the Lower Basin also by about one maf.

Mr. Amirteymoori reported that precipitation from October 1st to August 31st, was 99 percent of normal, and there was no measureable snowpack water equivalent. The observed April through July inflow into Lake Powell for Water Year 2009 was 7.81 maf, or 99 percent of normal. The projected 2009 Water Year unregulated inflow into Lake Powell was about 10.97 maf, or about 91 percent of normal.

Mr. Amirteymoori reported that Reclamation's estimated consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (290,000 acre-feet); and for Arizona, the CU is projected to be slightly under its basic entitlement of 2.8 maf (2.783 maf); and for California the CU is also projected to be under its apportionment of 4.4 maf (4.256 maf). The total projected CU in the Lower Basin is expected to be about 7.329 maf.

State and Local Water Reports

Mr. Charles Keene, of the California Department of Water Resources, reported on the storage conditions of the State Water Project (SWP) in California. Total water storage in the SWP is about 43 percent of capacity, approximately 300,000 acre-feet more on September 1, 2009 than on September 1, 2008. Lake Oroville is about 250,000 acre-feet more this year than this time last year. Though there is an increase in storage over last year, there are restrictions associated with conveyance capacity, restrictions for endangered species and operational issues at Oroville Dam that Ms. Jeanine Jones mentioned last month. SWP deliveries are expected to remain at 40 percent of Table A Entitlements for this year.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that the combined reservoir storage of Diamond Valley Lake, Lake Mathews, and Lake Skinner as of September 1st was 546,700 acre-feet, or 53 percent of capacity. Storage in Diamond Valley Lake was 351,500 acre-feet, or 43 percent of capacity.

Mr. Thomas Erb, of the Los Angeles Department of Water and Power (LADWP), reported that the Eastern Sierra winter snows have not yet started and there was nothing to report. However, LADWP has been successful in meeting its water conservation goals and is well within their MWD allocation. The LADWP is considering recommending to the City Council that it adds another watering day, increasing the current two-day limit to a total of three days a week for landscape irrigation.

PRESENTATION ON THE COLORADO RIVER BASIN CLIMATE CHANGE AND GLOBAL WARMING

Resolving Projections for the Colorado River Basin

Mr. Bradley Udall, with the University of Colorado, the National Oceanic Atmospheric Administration, and Director of the Western Water Assessment, reported on the history of Colorado River climate change studies, reconciling disparities among the Colorado River climate change projections, and implications of climate change for the Colorado River Basin.

Mr. Udall briefed the Board on climate studies over the years, by Stockton and Boggess in 1979, and Revelle and Waggoner in 1983 representing the first studies. The first studies were not very sophisticated and predated available climate models. The mid-studies were represented by three studies: Nash and Gleick in 1991 and 1993; McCabe and Wolock in 1999 (NAST – National Assessment Synthesis Team – U.S. Global Change Research Program); and the Intergovernmental Panel on Climate Change (IPCC) in 2001. Mr. Udall reported that the recent studies were represented by: Milly et al. 2005 “Global Patterns of trends in runoff”; Christensen and Lettenmaier in 2004 and 2006; Hoerling and Eischeid in 2006 “Past Peak Water?”; Seager et al in 2007 “Model Projections of an Imminent Transitions to More Arid Climate Southwestern North America”; IPCC in 2007 (Regional Assessments); National Research Council Colorado River Report in 2007; McCabe and Wolock in 2007 “Warming may create substantial water shortages. . .”; Barnet and Pierce, in 2008 “When will Lake Mead Go Dry?”; Barnet and Pierce in 2009 “Sustainable Water Deliveries from Colorado River in changing climate”; Rajagopalan in 2009 “Water Supply risk on the Colorado River: Can management mitigate?”; and comments and responses to Barnet and Pierce 2008.

Mr. Udall reported, through a series of slides, on the results of the different studies. The Intergovernmental Panel on Climate Change (IPCC) in their 2007 AR4 projections stated that there will be differences in storm tracks and weather patterns, and that climate change and the hydrologic cycle are inter-related. Essentially, the wet areas will be getting wetter and the dry areas will be getting drier, partly due to increased evaporation and less precipitation, with deserts moving northward. The Southwest is likely to get drier.

Mr. Udall reported on the progression of Data and Models in studies about the influence of climate change on streamflows in the Colorado River Basin. There are basically three different ways to simulate stream flow data: 1) Extract stream flow data from the global climate circulation models, as reported by Chris Milly et al. in 2005 and Seager et al. in 2007; 2) Using statistical hydrology techniques as applied by Marty Hoerling and John Eishceid in 2006 and Revelle and Waggoner in 1983, which are essentially the relationship of temperature, precipitation and streamflow; 3) The Hydrology Process Models such as NWSRFS, VIC, WEAP, etc. The best of these are represented by the work of Christensen and Lettenmaier, 2004 and 2006.

Mr. Udall reported the mean results from Christensen and Lettenmaier 2006 with low and high emission scenarios and four models. The predicted mid-century streamflow was about negative seven percent and end-of-century varied between negative eight and negative eleven percent. However, Dennis Letenmaier of the University of Washington recently re-ran the models using a different downscaling technique, that resulted in negative values for mid-century streamflow ranging from negative ten to negative twelve percent and end-of-century values ranging from negative fifteen and sixteen percent reduction in streamflow.

Mr. Udall reported that Chris Milly’s 2005 study based on the hydrology layer of several global climate models predicts that the southwest will become more arid by about 10 to 20 percent. Prior to this study it was unknown that the hydrology layer could be extracted from the global climate models. Ninety percent of the global climate models agree that a warming trend will continue in the southwest of the U.S.

Mr. Udall reported that Mr. Rick Seager, of Columbia University, reported in “Model projections of an Imminent Transition to a more arid climate in Southwestern North America” – Science, 2007, that runoff as precipitation minus evaporation from 1900 to 2080, nineteen of the twenty models predicted a drying trend of as much as minus sixteen percent by 2050. The twenty models were large scale, the runoff data was coarse, and the southwest is a large area.

Mr. Udall reported that Hoerling and Eischeid in 2006 published “Historical and Projected Lee Ferry Flows,” where flows at Lee Ferry were projected to be negative 45 percent by 2050. The projection was based on a coarse grain “hydrology model” using a scale too large to effectively model the mountains in the Basin. The authors now believe their study overstates future losses.

Mr. Udall reported on a climate study done by the University of Colorado on “Climate Change in Colorado: A Synthesis to Support Water Resources Management and Adaption”-2008. There is a table in the report that compares the results of seven published projections of the Colorado River Basin, on the number of Global Climate Model runs, spatial scale, temperature, precipitation, end date of projection, and change in runoff.

Mr. Udall reported on current efforts to reconcile the disparity of amount of Colorado River flow projections. He noted that current published modeled projections of Colorado River flow range from negative six to negative forty-five percent.

Mr. Udall reported that the National Oceanic Atmosphere Administration (NOAA) is funding a three-year study engaging the University of Washington, University of Arizona, University of Colorado, Scripps Institute, and others to reconcile the range of the results from all of the different studies. The first step of the investigation is to look at the historical hydrology models and compare them based on current refinements. The second step is to drive the hydrological models with current climate model results. Many models are to be included in the investigation including the VIC (Variable Infiltration Capacity), Colorado Basin River Forecast Center SAC-Snow17, NOAA, and Hoerling “Bucket” Model. Mr. Udall added that the Southern Nevada Water Authority hosted a meeting November 14, 2009, on the status of the scientific studies of the Colorado River Basin and were presented and discussed, with about fifty participants representing stakeholders in the Basin attended.

Mr. Udall reported the initial effort of coordinating a “bake off” of the current models driven with the same sets of climate data to compare the results of the different models for the Colorado River Basin.

Mr. Udall reported that an important revelation of the Colorado River Basin is that of scale. Small areas of the Basin have a large influence on the hydrological parameters. For example, regarding scale, eighty four percent of the precipitation on the Basin occurs above 9,000 feet in elevation, and only thirteen percent of the Basin is about 9,000 feet. Those small areas of the Basin need to be considered properly otherwise predictions would essentially be misleading if not useless. The orographic features as well as inherent characteristics of the sub-basins within the Colorado River Basin strongly affect the hydrologic parameters of the each sub-basin. For instance, regarding precipitation, about eight to twelve percent of the precipitation occurs in the Muddy and Escalante sub-basins yet those sub-basins provide almost

no runoff. The Colorado Plateau and the San Juan's receive up to twenty percent of the precipitation yet provide less than twelve percent of the runoff. The Upper Colorado sub-basin receives up to sixteen percent of the precipitation yet provides up to twenty four percent of the runoff. Regarding runoff efficiency (how much precipitation actually runs off) varies greatly from about five percent for Dirt Devil drainage area to greater than forty percent in the upper main stem of the Colorado River Basin. In terms of runoff efficiency the Upper Colorado sub-basin is the most efficient of the sub-basins. The Gunnison is a close second with the Yampa/White, Upper Green River and Unita/San Rafael providing nearly eighty percent runoff to the mainstream of the Upper Colorado River.

Mr. Udall reported that in the Colorado River Basin, scale is very important. In the Colorado River Basin, about 6.3 percent of the area is from 9,000 feet to 10,000 feet, and approximately twenty five percent of the runoff is generated. About 4.3 percent of the area is from 10,000 to 11,000 feet in elevation, and about 27 percent of the runoff is generated. About 2.1 percent of the area is between 11,000 and 12,000 feet, and about 22 percent of the runoff is generated. About 0.5 percent of the area is from 12,000 to 13,000 feet, and about 11 percent of the runoff is generated. Thus, 84 percent of the runoff is from only 13.2 percent of the total land area, all of it above 9,000 feet.

Mr. Udall reported that modeling results from the Christensen and Lettenmaier study with multiple runs with high and low emission scenarios published in 2006 indicated that projected declines in the Colorado River snowpack may not be as severe as elsewhere in the West at lower elevations. For instance, if the Christensen and Lettenmaier study had included the Lake Tahoe watershed, whose elevation is much lower than that of the Colorado River Basin, then the reduction in snowpack may have been on the order of fifty percent.

Mr. Udall reported that in the process of exercising the various hydrology models and comparing their performance during the historic period they considered what would happen if the temperature was increased by one degree Celsius and/or precipitation modified by plus or minus ten percent. If only temperature is modified by one degree Celsius, the runoff was decreased by minus four to minus nine percent. The results were found to be model dependent. If only precipitation is modified by plus or minus ten percent, the resultant change in runoff was twenty percent, consistent with the direction of change in precipitation. These results were independent of the hydrology model. The overall results indicate that a temperature increase of one degree Celsius would be equivalent to between minus two and minus five percent precipitation. If by 2050 there is an increase in temperature of two degrees Celsius, then it is likely that there will be a reduction in runoff of between minus eight to minus eighteen percent runoff, with no changes in precipitation.

Mr. Udall reported on recent correspondences regarding the Barnett and Pierce, 2008 study "When Will Lake Mead Go Dry?" In the Barnett and Pierce study, the prediction was made that Lake Mead will be dry by 2021. Barsugli et al. wrote a comment to the journal *Water Resources Research* challenging the model used in the Barnett and Pierce study and claiming that though the risks are potentially serious there is a window of opportunity to get policy and management right. Barnett and Pierce responded to the comment stating that the recent drought is the new norm and the current "shortage agreements tantamount to inaction."

Mr. Udall reported that Rajagopalan et al. 2009 published the study “Water supply risk on the Colorado River; Can management mitigate?” Five alternatives were examined including slower demand growth, more aggressive shortage policies as well as uncertainty in demand. Near term risks were relatively low and management offered some risk mitigation. The climatic regime was the largest factor. The study found that some system-wide management can reduce risk substantially but risk explodes after 2027.

Mr. Udall added that Barnett and Pierce, 2009 “sustainable water deliveries from the Colorado River in a changing climate” used similar modeling assumptions as well as timeframe, though the interpretations of the results are different.

Mr. Udall reported that where the Barnett and Pierce, 2008 study predicted a fifty percent chance of Lake Mead going dry by 2021 and a fifty percent chance of the water level in Lake Mead reaching the minimum power pool by 2017, the Barnett and Pierce 2009 study predicts that deliveries will not be met eighty-eight percent of the time by 2050 with a twenty percent climate reduction in flow and an average shortfall of 2.2 maf. The Barsugli et al, 2009 study predicts a fifty percent chance of Lake Mead going dry by 2033 to 2047, and an average deficit of 1.7 maf. There are differences in immediacy and extent but both studies agree that long-term future risks are extraordinary.

Mr. Udall reported that current funding includes: Evaluation of all Inter-governmental Panel on Climate Change Models for the Colorado River Basin; Downscale Climate Model Data using Alternative Methodologies; Investigate Runoff “Elasticity” Using Hydrology Models; Investigate High Elevation Impacts on Runoff; Stakeholder Workshop (held November 2008); Evaluate Project Effectiveness for Policy; and Communicate Findings. Mr. Udall reported proposed new work: (1) Evaluate Alternative Datasets; (2) Diagnose Reasons for Different Temperature Sensitivities; (3) Understand the Difference between the work of Seager and Milly; (4) Evaluate Runoff Sensitivities using North American Regional Climate Change Assessment Program Data; (5) Continue to Investigate High Elevation Runoff Physics; Track AR5 Model Results as they become available; and (6) Prepare papers and hold Stakeholder Meetings.

Mr. Udall added that another workshop on reconciling flows in the Colorado River basin is in the works, with at least two papers in progress. The Board will be notified in advance of the workshop. Mr. Udall answered questions and elaborated on details of concern to the Board, of particular concern was the impact of climate change on the watersheds in California. Ms. Jeanine Jones, of the Department of Water Resources, reported that pursuant to the Governor’s Executive Order a few years ago the State is required to update the impacts of climate change in general and specifically the water supply. The second update has recently been published and includes detailed analysis of impacts to the SWP and the federal Central Valley Project. The Sierra Mountain ranges in California are much lower than those of the Colorado and hence attract less snow and rainfall. By the year 2050, the predicted snowmelt is greatly diminished and by 2100 nearly all of the runoff from snow melt is gone.

PROTECTION OF EXISTING RIGHTS (Continued)

Colorado River Operations

2010 Annual Operating Plan for Colorado River System Reservoirs

Mr. Zimmerman reported that the second consultation meeting of the 2010 Annual Operating Plan (2010 AOP) Work Group was held August 26th, by Reclamation. Based upon the projected water surface elevations in Lake Powell and Lake Mead on January 1st and the most probable water supply conditions in 2010, releases from Glen Canyon would be governed by the Upper Balancing Tier at the beginning of the year and then, if the most probable forecast holds through the mid-year review, releases would be governed by the Equalization Tier for the remainder of the year. The Equalization Trigger for Lake Powell in 2010 is water surface elevation 3,642 feet and under the most probable forecast releases from Glen Canyon would be more than 8.23 maf.

Mr. Zimmerman reported that releases from Hoover Dam will be governed under an Intentionally Created Surplus (ICS) condition. Normal demands would be met from the mainstream in the Lower Basin. Entities who have created ICS water would be allowed to draw that water. Mexico will be allowed to schedule the delivery of 1.5 maf during calendar year 2010 and releases from Hoover Dam will be made to satisfy Mexico's deliver schedule.

Mr. Zimmerman reported that MWD anticipates the delivery of 6,000 acre-feet of Intentionally Created Unused Apportionment stored in Arizona in calendar year 2010. In addition MWD would also take delivery of 32,000 acre-feet of system efficiency ICS credits created from the Drop 2 Storage reservoir project in calendar year 2010. If water supply availability permits, MWD would also take delivery of additional ICS water in 2010. Mr. Zimmerman reported that Imperial Irrigation District anticipates creation of 25,000 acre-feet of Extraordinary Conservation ICS credits in 2009 and 2010. Southern Nevada Water Authority anticipates creation of 30,000 acre-feet of tributary conservation ICS and would likely take delivery of 28,500 acre-feet in 2010.

Mr. Zimmerman reported that a copy of the draft 2010 AOP can be downloaded from Reclamation's webpage at: www.usbr.gov/lc/region/g4000/AOP2010/AOP10_draft.pdf. The final consultation meeting is scheduled to be held September 22nd.

Yuma Desalting Plant Pilot Project Status

Mr. Zimmerman reported that on August 26th, Reclamation announced the release of "Finding of No Significant Impact" (FONSI) determination associated with the proposed pilot run of the Yuma Desalting Plant (YDP). The proposed pilot run is scheduled to be initiated in early 2010. The YDP would operate from one year to 18 months at one-third capacity. The YDP would produce about 60 acre-feet of product water per day. The product water would be blended with drainage water to produce about 29,000 acre-feet of water. The 29,000 acre-feet of water discharged to the Colorado River includes 22,400 acre-feet of desalted water and 7,000 acre-feet of untreated irrigation drainage water. The comment period for the draft FONSI determination closed on September 28th. A copy of the final draft Environmental Assessment

can be found at: www.usbr.gov/lc/yuma/environmental_docs/envIRON_docs.html.

Consultations with Mexico

Mr. Zimmerman reported that on July 17th, the principal engineers for the Mexican and American Sections of the International Boundary and Water Commission (IBWC) submitted a report to the IBWC Commissioners regarding cooperative actions that would be undertaken by the two countries during the pilot run of the YDP. Generally, these actions involve: (1) Steps to monitor potential water quality impacts to the Cienega de Santa Clara; and (2) Improve the plumbing of water conveyance networks in order to more efficiently convey water to the Cienega and Mexico. Mexico, the U.S., and non-governmental organizations will each provide 10,000 acre-feet of additional water for habitat maintenance at the Cienega. A copy of the IBWC report was included in the handout materials.

California Water Crisis

Mr. Zimmerman reported that on August 28th, one of California's congressional representatives, Ms. Grace Napolitano, sent a letter to the Interior Secretary Salazar regarding California's on-going water crisis associated with the drought. The letter suggests a series of proposed steps that could be taken to help alleviate the impacts of the drought on California water users. Those actions include the following: It is proposed that Reclamation would establish a program to create an additional one million acre-feet of water supply; Reclamation would establish a "Farmer helping Farmer" irrigation efficiency initiative, through investment in on-farm irrigation system efficiency improvements; and Reclamation would establish a "Water Conservation" initiative for urban and rural water districts, allowing conserved water to be sold, leased, or rented. Representative Napolitano's letter also urges the administration to submit amendments to the Fiscal Year 2010 budget for the projected \$250 million required to implement the suggested programs. A copy of Representative Napolitano's letter was included in the Board folder.

Imperial Irrigation District's Calendar Year 2009 Intentionally Created Surplus

Mr. Zimmerman reported that Reclamation approved IID's plan to create up to 25,000 acre-feet of Extraordinary Conservation Intentionally Created Surplus (EC ICS) in 2009. Pursuant to the Interim Guidelines, IID will be required to submit a Certification Report to Reclamation's Regional Director demonstrating the amount of EC ICS created and that the method of creation is consistent with the approved ICS plan. A copy of Reclamation's letter was included in the Board folder.

House Committee Report Language regarding H.R. 3183

Mr. Zimmerman reported at the August Board meeting that concern was expressed regarding language in a House Committee report associated with the review of the operating criteria for Glen Canyon Dam. The House Committee report contained language that: criticized the Department of the Interior's management of the Colorado River System; and encouraged Reclamation in consultation with, and with the concurrence of, the National Park Service to revisit the Glen Canyon Dam operating criteria. The Basin states' representatives and others sent

letters to Senators in the Basin, as well as to Interior Secretary Salazar.

Based upon letters received from concerned stakeholders, including the seven Basin states, Senators from all seven of the Basin states sent a letter, dated August 11th, to ranking House and Senate members on the Appropriations and Energy and Water Committees expressing their concern about the House Committee's report language. The Basin states' Senators offered alternative language that they suggested should replace the existing report language. A copy of the Senators' letter was included in the Board folder.

Water Organizations' Letter to Secretary of the Interior Requesting at Least \$1.2 Billion in the FY 2011 Presidential Budget for the U.S. Bureau of Reclamation's Water and Related Resources Programs

Mr. Zimmerman reported that an August 21st letter from a consortium of water resources organizations to the Interior Secretary Salazar requested that the Administration request at least \$1.2 billion in the FY-2011 President's Budget for Reclamation's Water and Related Resources Programs. As part of this request, the organizations urged the Secretary's support for at least \$100 million for Reclamation's Title XVI Water Recycling program, and funding to address the serious issues associated with the aging water infrastructure and rural water needs throughout the western United States.

BASIN STATES DISCUSSIONS

International Boundary and Water Commission Transboundary Aquifer Program

Mr. Zimmerman reported that the Board received IBWC's August 19th Joint Report on the Transboundary Aquifer Program. The program intends to provide an assessment for the transboundary aquifers shared between Mexico and the United States. Public Law 109-448, the stated authority for these assessments, specifically excludes aquifers shared by California and Mexico. The Board sent a letter, August 21st, to the Commissioner of the American Section of the IBWC, Mr. Bill Ruth, indicating that provisions in P.L. 109-448 excluding aquifers shared by California and Mexico need to be followed. A copy of the Board's letter to IBWC was included in the Board folder.

Snake Valley Groundwater System

Mr. Zimmerman reported that on August 13th, the States of Utah and Nevada entered into a long-term agreement to split the water resources of the groundwater aquifer in the Snake Valley that are shared by the two states. The agreement could also begin to provide a valuable water resource to the SNWA in about ten years. The interstate agreement protects the rights and uses of the farmers, ranchers, and other residents within the boundary of the Snake Valley basin.

Mr. Zimmerman reported that approximately two-thirds of the groundwater basin is located in Utah, where most of the current water use exist, but the basin is supplied by runoff from snowmelt from Nevada's Snake River Mountain range. Under the terms of the agreement, each state will have access to 66,000 acre-feet of groundwater per year, including all current

uses. There will be monitoring and technical studies conducted before additional development within the Snake River Valley. Copies of the technical report and agreement were included in the Board folder.

Basin Study Program 2009

Mr. Zimmerman reported that the Reclamation-wide review committee has not announced the three to four proposals to be selected for development of detailed plans of study. It is anticipated that the announcement will be made later this month. If the Basin states' Basin Study proposal is selected, the detailed plan of study will be developed along with the necessary funding agreements between the Basin states and Reclamation and among the seven Basin states.

The Bi-National Discussions

Mr. Zimmerman reported that progress is being made in the discussions with Mexico on pursuing potential bi-national projects and programs. At this time, the Basin states representatives are preparing for the October 14th and 15th workshops to be held in Mexicali, Mexico. The technical work group will be meeting on September 10th to prepare materials for the Basin states principals meeting, to be held on September 24th in Las Vegas, Nevada. Items of discussion include: The proposed conceptual minute that addresses the ongoing bi-national process; a response to Mexico's proposals that were presented at the August 4th and 5th workshop; and the Basin states proposal for cooperative shortage management and Mexico's creation and storage of Intentionally Created Mexican Apportionment (ICMA) in U.S. system reservoirs.

California Environmental Issues

Secretary of the Interior's Letter to the Glen Canyon dam Adaptive Management Work Group Regarding the Appointment of Assistant Secretary for Water and Science, Ms. Anne Castle, as Secretary's Designee

Mr. Harris reported that on August 7th, Secretary of the Interior Salazar appointed Ms. Anne Castle as the "Secretary's Designee" to the Glen Canyon Dam Adaptive Management Work Group (AMWG). The AMWG met in Phoenix on August 12th and 13th primarily to approve the budget for the Glen Canyon Adaptive Management Program for FY-2010/11. The AMWG also approved the Draft Humpback Chub Conservation Plan. This plan directs efforts and activities toward a recovery implementation program in the Grand Canyon reach of the river for humpback chub, where federal agencies will act to ensure that they alleviate jeopardy for the humpback chub and protect the remaining fish that are in a few small population centers within the Glen and Grand Canyon reaches of the Colorado River.

Grand Canyon Trust v. United States Lawsuit

Mr. Gary Tavetian, of the California Attorney Generals Office, reported that the judge made his various rulings on summary judgment, but there are still parts of the case that exist in trial court. The plaintiffs have moved to have the Federal Court of Appeal hear the rulings that the trial court made. The motion has been denied so the case is still in trial court.

WATER QUALITY

Colorado River Basin Salinity Control

Secretary of the Interior's Announcement of \$11.1 Million for Salinity Control Programs

Mr. Amirteymoori reported that on August 19th, Secretary Salazar announced that Reclamation will award grants totaling more than \$11.1 million to irrigation companies in Colorado, Utah, and Wyoming to fund salinity control projects within the Upper Colorado River Basin under the American Recovery and Reinvestment Act of 2009. A copy of the press release was included in the Board folder.

Colorado River Basin Salinity Control Program Status

Mr. Amirteymoori reported that the Colorado River Basin Salinity Control Forum's Work Group (Work Group) met in Salt Lake City, Utah, on September 1st. A brief description of the important issues that were discussed at the Work Group meeting include: Reclamation reported on the status of the funding opportunity announcement for the funds that were available through the American Recovery and Reinvestment Act (ARRA); Reclamation has selected five proposals with a total cost of about \$15.8 million (about \$11 million ARRA funds, and about \$4.8 million cost share funds); it is estimated that annually approximately 12,000 tons of salt would be removed with implementation of these projects that must be completed by October 2010; Reclamation reported that the report to Congress has gone through different levels of review and will be ready to be submitted by the time the Congress is back from its summer recess; and Reclamation has extended its funding of the projects through March 2010. The Natural Resources Conservation Service (NRCS) provided its three-year plan to the Work Group. Based upon the NRCS plan, the level of funding for the next three years remains close to the funding level over the past few years (i.e., about \$18.2 million in FY 2009, \$19.6 million in FY-2010, and \$20 million in FY 2011).

OTHER BUISNESS

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Thursday, November 12, 2009, at 10:00 a.m., at the Holiday Inn Ontario Airport, 2155 East Convention Center Way, Ontario, California.

There being no further items to be brought before the Board, Chairman Fisher asked for a motion to adjourn. Mr. Kuiper moved the Board meeting be adjourned. Mr. Menvielle seconded the motion, and with unanimous approval, the Board meeting was adjourned at 11:29 a.m. on September 9, 2009.

Gerald R. Zimmerman
Executive Director

3.b. - Proposed 2010 Colorado River Board Meeting Schedule

COLORADO RIVER BOARD OF CALIFORNIA
Calendar Year 2010 Meetings

November 12, 2009
(Tentative)

Board Meeting Date

Other Meetings and Events

January 13	January 1: New Year's Day Holiday January 18: Martin Luther King Jr. Day Holiday
February 10	February 12: Lincoln's Birthday Holiday (Canceled) February 15: Washington's Birthday Holiday
March 10	March 22-26: CMUA 78th Annual Conference, Monterey Plaza Hotel & Spa, Monterey, CA March 22-24: NWRA Federal Water Seminar, The Washington Court Hotel, Washington, D.C. March 31: Cesar Chavez Day Holiday
April 14	
May 5 (Special Meeting in conjunction with ACWA Spring Conference)	May 4-7: ACWA Spring Conference, Portola Plaza & Marriott Hotels, Monterey, CA May 31: Memorial Day Holiday
June 9	
July 14	July 5: Independence Day Holiday July 28-30: NWRA Western Water Seminar, Snow King Lodge, Jackson, WY
August 11	August _____: UWII 17th Annual So. California Urban Water Conference, Hilton Mission Bay Resort, San Diego, CA
September 15	September 6: Labor Day Holiday
October 13	October 11: Columbus Day Holiday (Canceled)
November 10	November 10-12: NWRA 79th Annual Conference, Hotel Del Coronado, Coronado, CA November 11: Veteran's Day Holiday November 25-26: Thanksgiving Day Holiday
December 15 (Special Meeting in conjunction with CRWUA Conference)	November 30-December 3: ACWA Fall Conference, Renaissance Esmeralda and Hyatt Grand Champions, Indian Wells, CA December 15-17: CRWUA 65th Annual Conference, Caesars Palace, Las Vegas, Nevada December 25: Christmas Day Holiday

2010

JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	M T W T F S S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

ACWA - Association of California Water Agencies	(916)441-4545	FAX (916)325-4849
CMUA - California Municipal Utilities Association	(916)326-5800	FAX (916)326-5810
CRWUA- Colorado River Water Users Association	(760)398-2651	FAX (760)398-3711
NWRA - National Water Resources Association	(703)524-1544	FAX (703)524-1548
UWII - Urban Water Institute, Inc.	(949)679-9676	FAX (949)474-8258

NOTE: Regular Meetings are held on Wednesday following the second Tuesday in the month. Unless otherwise noted, Regular Meetings will be held in Ontario area, California, or in the Board's office, 770 Fairmont Avenue, Conference Room, Glendale, California, and will start at 10:00 a.m.

5.a. - Colorado River Water Reports

**SUMMARY WATER REPORT
COLORADO RIVER BASIN
November 2, 2009**

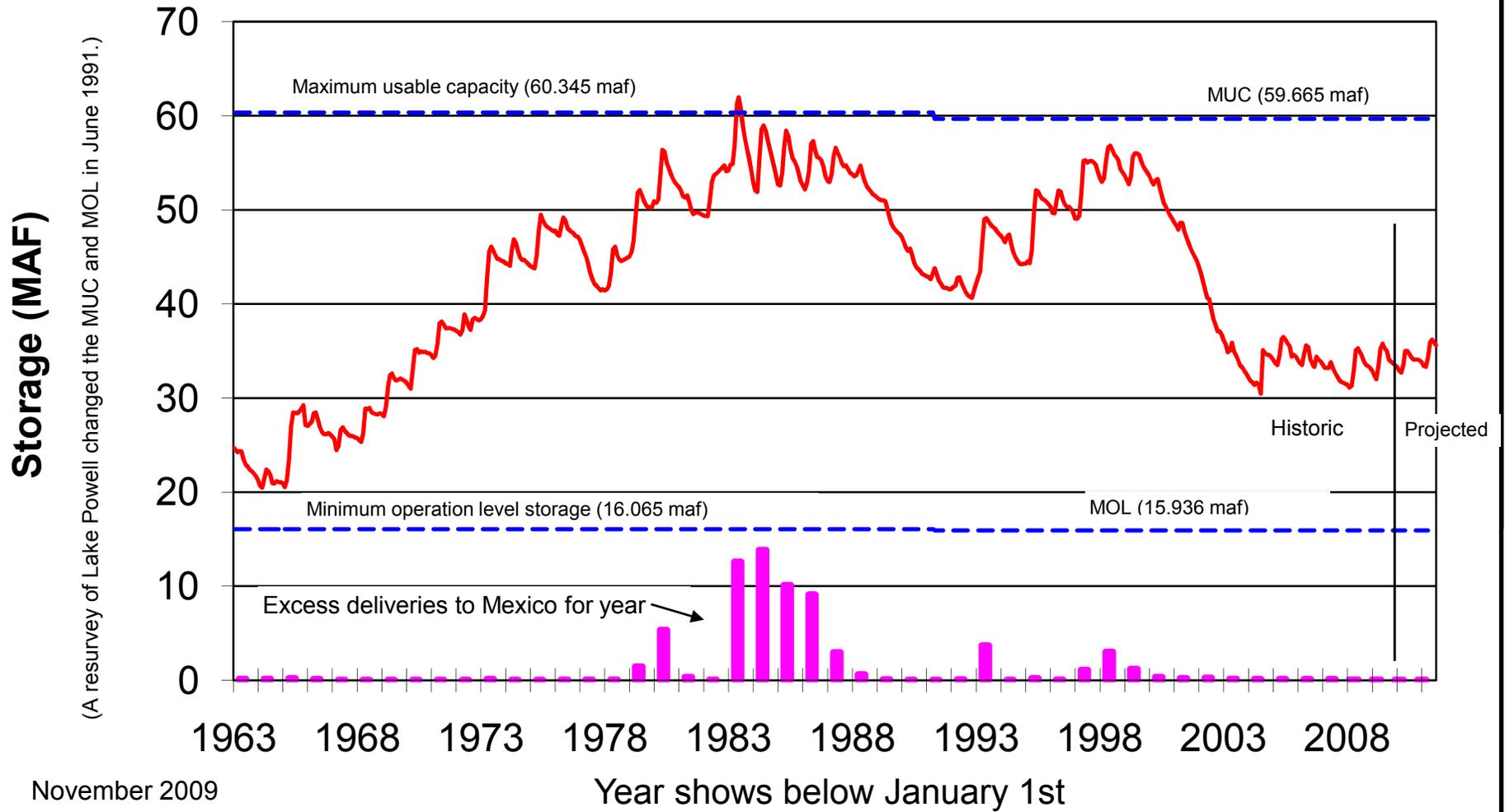
RESERVOIR STORAGE (as of November 4)	October 5, 2009					
	MAF	ELEV. IN FEET	% of Capacity	MAF	ELEV. IN FEET	% of Capacity
Lake Powell	15.243	3,633.4	63	15.430	3,635.1	63
Flaming Gorge	3.376	6,030.2	90	3.394	6,031.2	91
Navajo	1.282	6,054.7	76	1.309	6,056.9	77
Lake Mead	10.899	1,093.3	42	10.944	1,093.8	42
Lake Mohave	1.463	634.1	81	1.472	634.5	81
Lake Havasu	0.599	448.0	97	0.553	446.6	89
Total System Storage	33.831		57	34.139		57
System Storage Last Year	33.656		57	34.006		57

			October 5, 2009	
WY 2009 Precipitation (Basin Weighted Avg) 10/01/09 through 11/02/09		119 percent (2.9")	NA	(NA)
WY 2009 Snowpack Water Equivalent (Basin Weighted Avg) on day of 11/02/09 (Above two values based on average of data from 116 sites.)		NA	(NA)	Observed
			October 5, 2009	
October 15, 2009 Final Forecasted Unregulated Lake Powell Inflow	MAF	% of Normal	MAF	% of Avg.
2009 April through July unregulated inflow forecast	7.804	98 %	7.804	98%
2009 Water Year forecast	10.633	88 %	10.627	88%

USBR Forecasted Year-End 2009 and 2008 Consum. Use, November 2, 2009 a. MAF					
		2009		2008	
		Diversion	- Return =	Net	
Nevada (Estimated Total)		0.480	0.210	0.270	0.269
Arizona (Total)		3.655	0.866	2.789	2.777
CAP Total				1.613	1.562
Az. Water Banking Authority				0.134	0.214
OTHERS				1.176	1.216
California (Total) b./		4.900	0.679	4.221	4.502
MWD				0.941	0.906
3.85 Agriculture		<u>Total</u>	<u>Conserved</u>	<u>Forecasted</u>	<u>Estimated</u>
IID c./		2.851	-0.263	2.588	2.825
CVWD d./		0.336	-0.030	0.306	0.299
PVID		0.294	0	0.294	0.376
YPRD		0.038	0	0.038	0.045
Island e./		0.006	0	0.006	0.007
Total Ag.		3.525	-0.293	3.232	3.552
Others				0.048	0.044
PVID-MWD following to storage				0	0
Arizona, California, and Nevada Total f./		9.035	1.755	7.280	7.549

- a./ Incorporates August USGS monthly data and 75 daily reporting stations which may be revised after provisional data reports are distributed by USGS. Use to date estimated for users reporting monthly and annually.
- b./ California 2009 basic use apportionment of 4.4 MAF has been adjusted for approved paybacks for 01-02 obligations (3,751 AF), payback of Inadvertent Overrun and Payback Policy overruns (1,349 AF), (25,000 AF) ICS by IID, MWD recovery of interstate underground storage from Arizona (30,000 AF). Plus delivery of System Efficiency ICS (34,000 AF), and 2,750 Af Drop 2 Construction Water.
- c./ 0.105 MAF conserved by IID-MWD Agreement as amended in 2007: 90,000 AF for SDCWA under the IID-SDCWA Transfer Agreement as amended, 60,000 AF of which is being diverted by MWD; 8,000 AF for CVWD under the IID-CVWD Acquisition Agreement, 59,670 AF from the All-American Canal Lining Project.
- d./ 26,000 acre-feet conserved by the Coachella Canal Lining Project and 3,751 AF of payback.
- e./ Includes estimated amount of 6,136 acre-feet of disputed uses by Yuma Island pumpers and 0 acre-feet by Yuma Project Ranch 5 being charged by USBR to Priority 2.
- f./ Includes unmeasured returns based on estimated consumptive use/diversion ratios by user from studies provided by Arizona Dept. of Water Resources, Colorado River Board of California, and Reclamation.

Monthly Total Colorado River Basin Storage



**SUMMARY WATER REPORT
COLORADO RIVER BASIN
October 5, 2009**

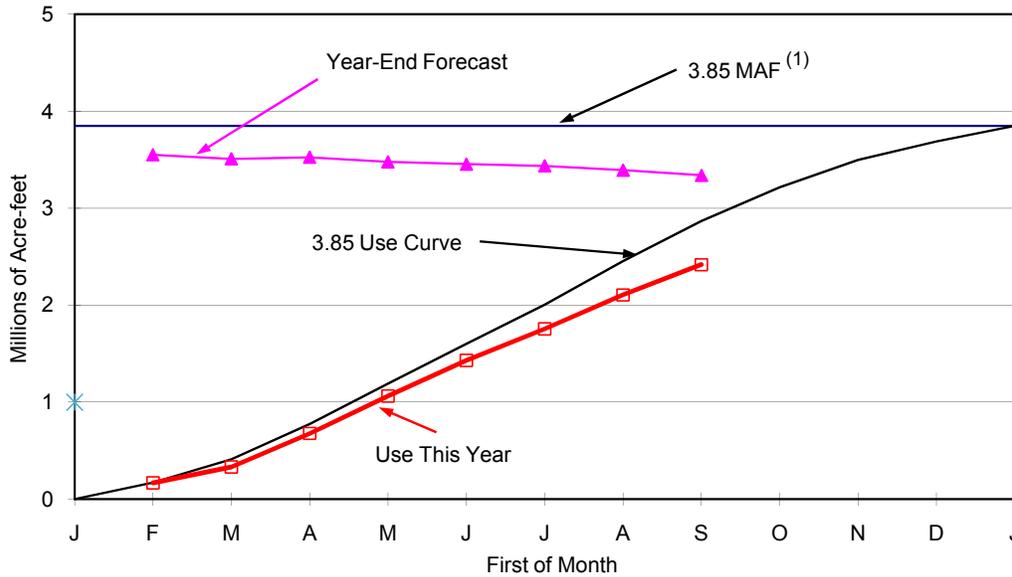
RESERVOIR STORAGE (as of October 4)	September 1, 2009					
	MAF	ELEV. IN FEET	% of Capacity	MAF	ELEV. IN FEET	% of Capacity
Lake Powell	15.430	3,635.1	63	15.710	3,637.5	65
Flaming Gorge	3.394	6,031.2	91	3.448	6,032.5	92
Navajo	1.309	6,056.9	77	1.347	6,060.0	79
Lake Mead	10.944	1,093.8	42	10.938	1,093.7	42
Lake Mohave	1.472	634.5	81	1.669	641.9	92
Lake Havasu	0.553	446.6	89	0.584	448.2	94
Total System Storage	34.139		57	34.839		58
System Storage Last Year	34.006		57	34.521		58

				September 1, 2009	
WY 2009 Precipitation (Basin Weighted Avg) 10/01/09 through 10/05/09				NA (NA)	99 percent (30.1")
WY 2009 Snowpack Water Equivalent (Basin Weighted Avg) on day of 8/31/09				NA (NA)	NA (NA)
(Above two values based on average of data from 116 sites.)					
				Observed	
				September 1 2009	
September 30, 2009 Final Forecasted Unregulated Lake Powell Inflow	MAF	% of Normal		MAF	% of Avg.
2009 April through July unregulated inflow forecast	7.804	98 %		7.814	99%
2009 Water Year forecast	10.627	88 %		10.974	91%

USBR Forecasted Year-End 2009 and 2008 Consum. Use, October 5, 2009 a./				MAF		
				<u>2009</u>	<u>2008</u>	
				Diversion	Return =	
				Net	Net	
Nevada (Estimated Total)			0.482	0.201	0.281	0.269
Arizona (Total)			3.643	0.865	2.778	2.777
CAP Total					1.599	1.562
Az. Water Banking Authority					0.134	0.214
OTHERS					1.179	1.216
California (Total) b./			4.916	0.668	4.248	4.502
MWD					0.952	0.906
3.85 Agriculture	<u>Total</u>	<u>Conserved</u>			<u>Forecasted</u>	<u>Estimated</u>
IID c./	2.863	-0.263			2.600	2.825
CVWD d./	0.334	-0.030			0.304	0.299
PVID	0.300	0			0.300	0.376
YPRD	0.038	0			0.038	0.045
Island e./	0.006	0			0.006	0.007
Total Ag.	3.541	-0.293			3.248	3.552
Others					0.048	0.044
PVID-MWD following to storage					0	0
Arizona, California, and Nevada Total f./			9.041	1.734	7.307	7.549

- a./ Incorporates August USGS monthly data and 75 daily reporting stations which may be revised after provisional data reports are distributed by USGS. Use to date estimated for users reporting monthly and annually.
- b./ California 2009 basic use apportionment of 4.4 MAF has been adjusted for approved paybacks for 01-02 obligations (3,751 AF), payback of Inadvertent Overrun and Payback Policy overruns (1,349 AF), (25,000 AF) ICS by IID, MWD recovery of interstate underground storage from Arizona (30,000 AF). Plus delivery of System Efficiency ICS (34,000 AF), and 2,750 Af Drop 2 Construction Water.
- c./ 0.105 MAF conserved by IID-MWD Agreement as amended in 2007: 90,000 AF for SDCWA under the IID-SDCWA Transfer Agreement as amended, 60,000 AF of which is being diverted by MWD; 8,000 AF for CVWD under the IID-CVWD Acquisition Agreement, 59,670 AF from the All-American Canal Lining Project.
- d./ 26,000 acre-feet conserved by the Coachella Canal Lining Project and 3,751 AF of payback.
- e./ Includes estimated amount of 6,136 acre-feet of disputed uses by Yuma Island pumpers and 0 acre-feet by Yuma Project Ranch 5 being charged by USBR to Priority 2.
- f./ Includes unmeasured returns based on estimated consumptive use/diversion ratios by user from studies provided by Arizona Dept. of Water Resources, Colorado River Board of California, and Reclamation.

FIGURE 1
OCTOBER 1, 2009 FORECAST YEAR-END COLORADO RIVER WATER USE
BY THE CALIFORNIA AGRICULTURAL AGENCIES



Forecast of Colorado River Water Use by the California Agricultural Agencies (Millions of Acre-feet)			
Month	Use as of First of Month	Forecast of Year End Use	Forecast of Unused Water (1)
Jan	0.000	-----	-----
Feb	0.168	3.551	0.019
Mar	0.332	3.509	0.061
Apr	0.678	3.526	0.044
May	1.064	3.478	0.092
Jun	1.430	3.454	0.116
Jul	1.755	3.437	0.133
Aug	2.106	3.392	0.178
Sep	2.418	3.340	0.230
Oct			
Nov			
Dec			
Jan			

(1) The forecast of unused water is based on the availability of 3.600 MAF under the first three priorities of the water delivery contracts. This accounts for the 85,000 af of conserved water available to MWD under the 1988 IID-MWD Conservation agreement and the 1989 IID-MWD-CVWD-PVID Agreement as amended; 60,000 af of conserved water available to SDCWA under the IID-SDCWA Transfer agreement as amended being diverted by MWD; 26,000 af of conserved water available to SDCWA and MWD as a result of the Coachella Canal Lining Project; 59,670 af of water projected to be available to SDCWA and MWD as a result of the All-American Canal Lining Project; 14,500 af of water IID and CVWD are forbearing to permit the Secretary of the Interior to satisfy apportion of Indian and miscellaneous present perfected rights use; 3,751 af of California Agricultural water paybacks; and 25,000 af of Intentionally Created Surplus by IID 2007. As USBR is charging disputed uses by Yuma island pumpers to Priority 2, the amount of unused water has been reduced by those uses -6,136 af. The CRB does not concur with USBR's viewpoint on this matter.

COLORADO RIVER BOARD OF CALIFORNIA

September 28, 2009

COLORADO RIVER WATER REPORT

The following report summarizes data obtained from provisional reports of the U.S. Geological Survey, U.S. Bureau of Reclamation, International Boundary and Water Commission, and Imperial Irrigation District.

I. Active Surface Storage^{1/} in Reservoirs at end of Month (Thousand Acre-feet).

August 2009

<u>Upper Basin</u>	<u>Storage</u>	<u>Elevation in feet</u>	<u>% of Capacity</u>	<u>Change During Month</u>	<u>Change from 2008</u>
Lake Powell	15,710	3,637.5	65%	-428	908
Flaming Gorge	3,448	6,032.5	92%	-30	393
Fontenelle	306	6,501.0	89%	-34	23
Navajo	1,347	6,060.0	79%	-75	6
Blue Mesa	710	7,505.8	86%	-75	-14
Morrow Point	113	7,154.9	97%	-0	-1
Crystal	<u>15</u>	<u>6,746.1</u>	<u>84%</u>	<u>1</u>	<u>1</u>
Sub-total	21,649		70%	-642	1,316
<u>Lower Basin</u>					
Lake Mead	10,938	1,093.7	42%	-40	-1,017
Lake Mohave	1,669	641.9	92%	15	23
Lake Havasu	<u>584</u>	<u>448.2</u>	<u>94%</u>	<u>2</u>	<u>-7</u>
Sub-total	13,190		46%	-24	-1,002
Upper and Lower Basin Total	34,839 ^{2/}		58%	-667	315

^{1/} Figures shown do not include reservoir dead storage.

^{2/} Storage above minimum operation level is 34,839 - 15,936 = 18,903 thousand acre-feet. Minimum operation level (15,936 thousand acre-feet) is defined as the sum of active content at minimum power pool plus minimum active content required to make surface diversions at Lake Havasu and Navajo Reservoir.

II. Upper Basin Discharge (Acre-feet).

<u>Station</u>	<u>Meas. Flow August 2009</u>	<u>Cumulative Flow October thru August</u>	<u>Meas. Flow Adjusted for CRSP Surface Storage Changes</u>	
			<u>August 2009</u>	<u>% of Aug. 87- year average (1922-2008 water years)</u>
Green River at Green River, Utah	167,000	3,458,800	136,900	72%
Colorado River near Cisco, Utah	275,100	5,373,600	199,800	83%
San Juan River near Bluff, Utah	35,200	892,000	-39,600	-40%
At Lee Ferry (Compact Point)	829,400	7,792,400	220,900	41%

III. Lower Basin Discharge (Acre-feet).

<u>Station</u>	<u>August 2009</u>	<u>Cumulative Flow October thru August</u>
Below Hoover Dam	801,100	8,637,500
Below Davis Dam	845,000	8,965,900
Below Parker Dam	600,900	5,986,400
Above Imperial Dam	448,600	4,967,700

IV. Consumptive Use of Lower Colorado River Mainstream Water (Acre-feet).
August, 2009

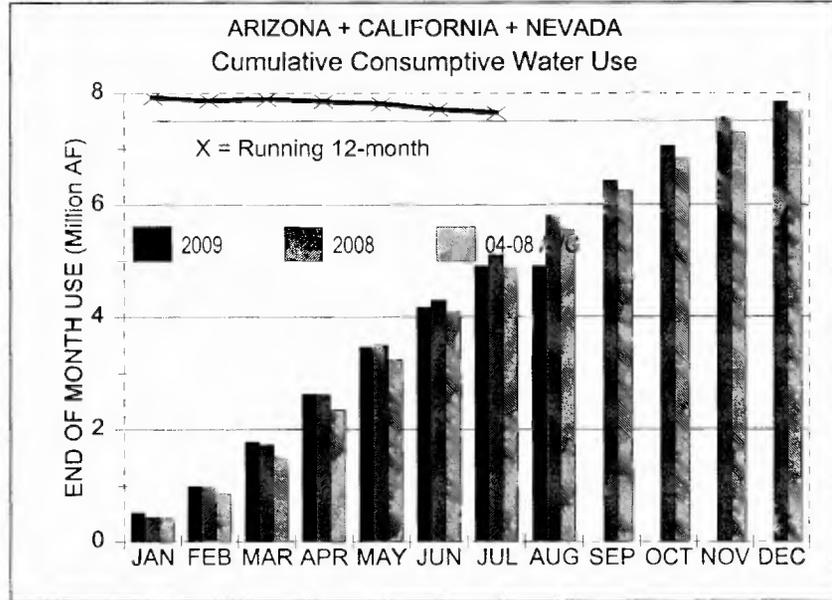
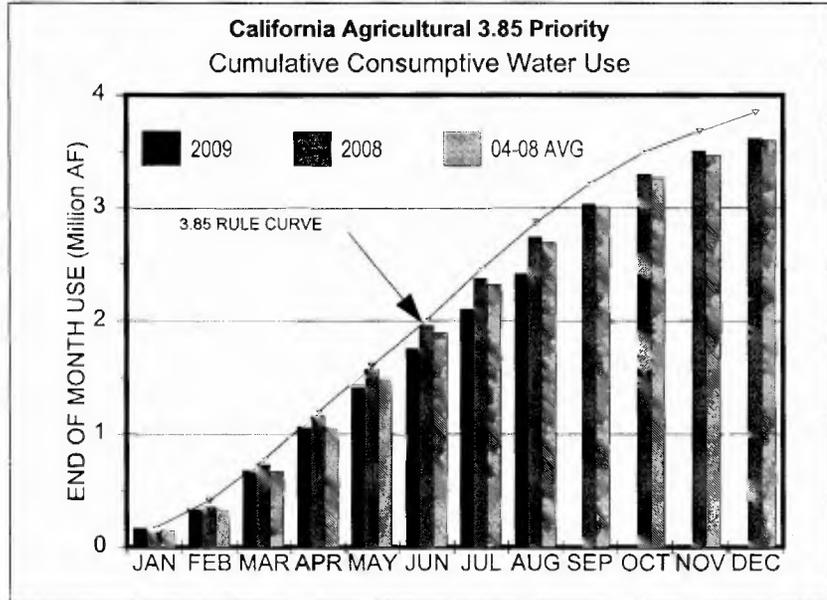
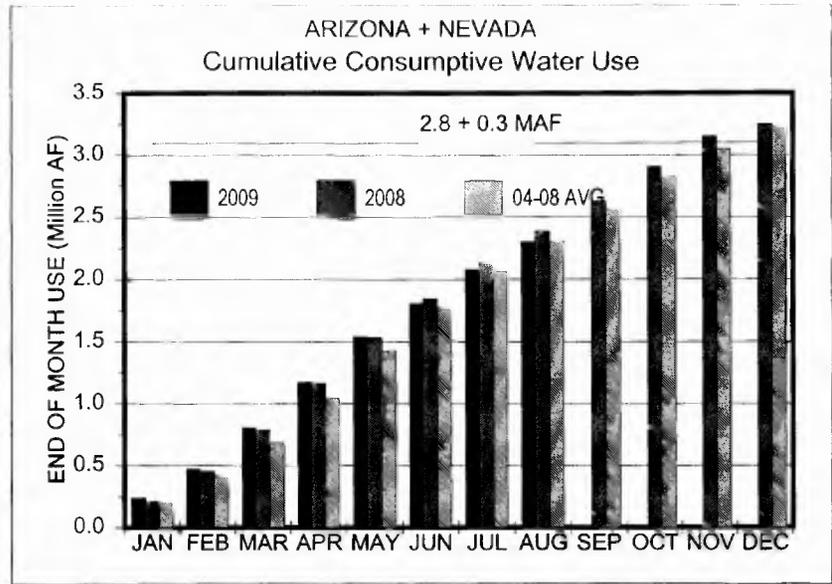
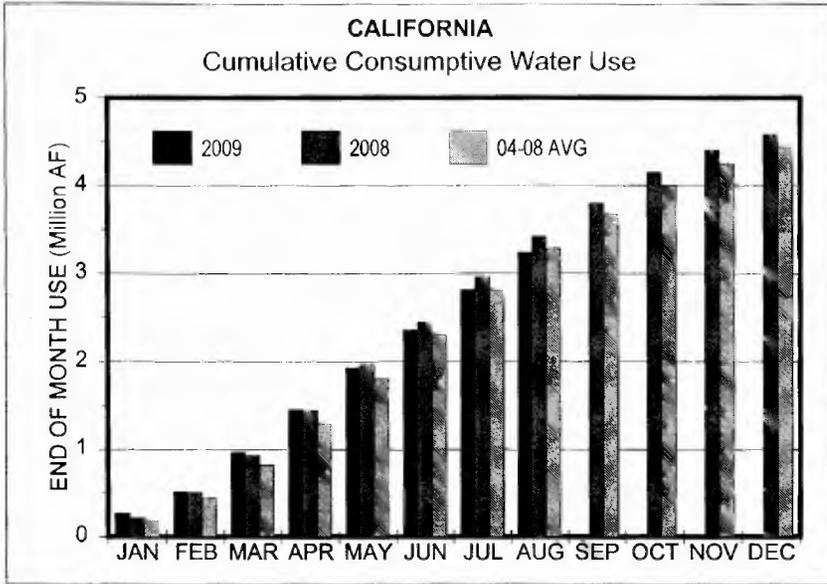
California Users	Diversion	Return	Consumptive Use	Change in Cons. Use From Aug 2008	Cumulative Cons. Use		
					January thru August	Change from prev. Jan. thru Aug.	12 Months thru August
Palo Verde Irrig. Dist.	81,760	42,330	39,430	-17,120	275,100	-72,350	353,680
Yuma Proj. (Res. Div.) ^{b/}	4,110	2,360	1,750	-1,290	27,050	-11,610	35,300
Imperial Irrig. Dist. ^{a/}	236,500		236,500	-36,270	1,886,260	-249,760	2,570,490
Salton Sea Mitigation	750		750	-240	18,060	6,820	32,870
USBR SaltonSea Operations	0		0	0	0	0	0
IID plus Salton Sea Mitigation	237,250		237,250	-36,510	1,904,320	-242,940	2,603,360
Coachella Val. Wat. Dist. ^{a/}	<u>32,960</u>		<u>32,960</u>	<u>1,750</u>	<u>210,160</u>	<u>5,900</u>	<u>304,430</u>
Subtotal	356,080	44,690	311,390	-53,170	2,416,630	-321,000	3,296,770
Fort Mojave Ind. Res. ^{c/}	4,300		4,300	0	19,120	0	24,760
Cal. Miscellaneous ^{d/}	5,410		5,410	0	26,660	0	34,000
Metropolitan Water Dist.	<u>99,920</u>	<u>430</u>	<u>99,490</u>	<u>17,700</u>	<u>775,250</u>	<u>145,000</u>	<u>1,053,230</u>
Total	465,710	45,120	420,590	-35,470	3,237,660	-176,000	4,408,760
<u>Arizona Users</u>							
Central Arizona Project	70,400		70,400	5,020	1,090,190	-9,490	1,552,140
Colorado River Ind. Res.	74,300	19,370	54,930	-1,640	357,560	10,120	442,620
Gila Gravity Main Canal	80,080	16,380	63,700	6,430	396,530	-10,630	514,410
Yuma Proj. (Valley Div.)	19,970	11,860	8,110	-4,320	143,590	-27,570	198,370
Fort Mojave Ind. Res. ^{c/}	8,450		8,450	0	57,730	0	85,130
Havasu Nat. Wildlife Ref.	3,280	0	3,280	-150	31,210	-1,970	35,410
Arizona Miscellaneous ^{d/}	<u>10,900</u>		<u>10,900</u>	<u>0</u>	<u>62,940</u>	<u>0</u>	<u>85,000</u>
Total	267,380	47,610	219,770	5,340	2,139,750	-39,540	2,913,080
<u>Nevada Users</u>							
From Lake Mead ^{b/}	46,520	10,230	36,290	-3,120	195,920	-9,870	286,590
Mohave Steam Plant	<u>50</u>		<u>50</u>	<u>10</u>	<u>330</u>	<u>10</u>	<u>490</u>
Total	46,570	10,230	36,340	-3,110	196,250	-9,860	287,080
Total Consumptive Use (Ariz., Cal., Nev.)	779,660	102,960	676,700	-33,240	5,573,660	-225,400	7,608,920

a. Based on measurements below Pilot Knob (assumed to be equal to USBR Article V data after credit is given for unmeasured California return flows between Imperial Dam and Pilot Knob). In addition, Salton Sea mitigation is not part of IID's use but is included in IID total diversion. IID diversions for April are not available

b. Return flow estimates based on averages of past returns as calculated by USBR for Article V data.

c. Assumed equal to August, 1983 use estimated by Fort Mojave Indian Tribe.

d. An estimated residual made by the Colorado River Board of California combining such items as small diversions along the river, unmeasured groundwater return flow, etc., which, when combined with other quantities listed to arrive at the State's total, presents an estimate of the State's Consumptive use of Lower Colorado River water.



September 30, 2009, Final Forecast of Colorado River Flow into
Lake Powell (1) (Million Acre-feet)

	<u>USBR and National Weather Service</u>		<u>Change From Last</u>	
	<u>April-July 2009</u>	<u>Water Year 2009</u>	<u>Month's Projected</u> <u>April-July 2009</u>	<u>Wat Yr 2009</u>
Maximum (2)	7.854	10.927	0.041	-0.121
Mean	7.804 *	10.627 **	-0.009	-0.421
Minimum (2)	7.754	10.227	-0.059	-0.821

* This month's A-J observed is 98% of the 30-year A-J average shown below.

** This month's W-Y observed is 88% of the 30-year W-Y average shown below.

Comparison with past records
of Colorado River
inflow into Lake Powell
(at Lee Ferry prior to 1962)

	<u>April-July Flow</u>	<u>Water Year Flow</u>
Long-Time Average (1922-2008)	7.741	11.519
30-yr. Average (1961-90)	7.735	11.724
10-yr. Average (1999-2008)	5.203	8.449
Max. of Record	15.404 (1984)	21.873 (1984)
Min. of Record	1.115 (2002)	3.058 (2002)
Year 2000	4.352	7.310
Year 2001	4.301	6.955
Year 2002	1.115	3.058
Year 2003	3.918	6.358
Year 2004	3.640	6.128
Year 2005	8.810	12.614
Year 2006	5.318	8.769
Year 2007	4.052	8.231
Year 2008	8.906	12.356
Total Years 2000 - 2004	17.326	29.809
5-Year Average (2000-2004)	3.465	5.962

(1) Under conditions of no other Upper Basin reservoirs.

(2) USBR and NWS forecasts indicate the probability of 95 percent of the time the actual flow will not exceed the maximum value, and will not be less than the minimum value.

VI. Scheduled Flows to Mexico — Arrivals and excess arrivals of Water for Calendar Year 2009
(Acre-feet)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	<u>Scheduled</u>	<u>Total</u>	<u>Excess</u> <u>Arrivals</u> <u>in accord</u> <u>with</u> <u>Minute 242</u>	<u>Other</u> <u>Excess</u> <u>Arrivals</u>	<u>Total</u> <u>Excess</u> <u>Arrivals</u>	<u>Cumulative</u> <u>Excess</u> <u>Arrivals</u>	<u>Flow</u> <u>Through</u> <u>NIB and</u> <u>Limitrophe</u>	<u>Flow By-Pass</u> <u>Southerly</u> <u>International</u> <u>Boundary</u>
Jan.	119,428	131,137	10,033	1,677	11,710	11,710	108,313	10,024
Feb.	152,979	171,990	9,433	9,578	19,011	30,721	151,373	9,433
March	208,455	219,177	10,164	558	10,722	41,443	195,714	10,164
April	199,629	215,258	9,702	5,927	15,629	57,072	192,856	9,702
ϕ May	112,754	132,812	10,422	9,631	20,053	77,125	110,896	10,422
June	112,353	123,213	9,645	1,215	10,860	87,985	102,298	9,645
July	118,342	129,556	9,525	1,689	11,214	99,199	108,508	9,525
August	92,285	107,840	6,621	8,934	15,555	114,754	89,839	6,621
Sept.	89,307							
Oct.	73,828							
Nov.	102,966							
Dec.	117,676							
	<u>1,500,002</u>	<u>1,230,983</u>	<u>75,545</u>	<u>39,209</u>			<u>1,059,797</u>	<u>75,536</u>

- Column (1). Flow schedule requested by Mexico. In surplus years as determined by the United States, Mexico can schedule up to 1.7 rather than 1.5 million acre-feet.
- (2). Total Colorado River waters reaching Mexico. It is the sum of: 1) Colorado River water measured at the Northerly International Boundary, 2) drainage waters measured at the Southerly International Boundary near San Luis, Arizona, and 3) Wellton-Mohawk drainage waters measured at the Southerly International Boundary. It is the sum of Columns (1) + (5).
- (3). Arizona's Wellton-Mohawk Irrigation and Drainage District drainage water. This water is discharged to the Santa Clara Slough in Mexico via a concrete-lined canal.
- (4). Excess arrivals other than Wellton-Mohawk drainage. It is the sum of: 1) a delivery of about 5,000 a. f. per year to ensure that Mexico receives what is scheduled, 2) releases from Parker Dam which are not used due to unexpected rainfall in the Palo Verde, Coachella, Imperial, and and Yuma areas, 3) controlled flood releases on the Gila and Colorado River, and 4) local runoff.
- (5). Sum of Columns (3) and (4).
- (6). Cumulation of Column (5).
- (7). Including Colorado River flow at the Northerly International Boundary plus flow from Cooper, 11-mile, and 21-mile spillways.
- (8). Including flow at the Southerly International Boundary, from the East and West Main canals, Yuma Valley Main, 242 Lateral plus diversions from Lake Havasu for Tijuana.

WEIGHTED MONTHLY SALINITY AT
SELECTED COLORADO RIVER STATIONS
AND RUNNING 12-MONTH NIB-IMPERIAL FLOW-WEIGHTED SALINITY DIFFERENTIAL
(in parts per million)

	Below Hoover Dam			Below Parker Dam ^{3/}			Palo Verde ^{3/} Canal Near Blythe			At Imperial Dam			At Northerly Inter- national Boundary			Running 12-Month Flow-Wtd. Differential ^{2/}	
	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	2008	2009
<u>Month</u>																	
Jan.	690	685	665	709	685		751	713		913	717	768	1,041	821	933	130.7	146.4
Feb.	675	692	655	706	678		732	682		835	675	745	998	822	862	135.9	145.5
March	684	674	649	699	668		727	686		805	717	703	925	803	804	139.4	147.0
April	680	659	636	700	675		714	697		801	699	710	892	805	798	144.9	144.6
May	677	676	646	698	681		709	696		822	725	727	962	914	907	141.4	144.0
June	678	648	637	695	671		712	686		812	718	717	956	896	889	137.1	143.4
July	682	655	630	688	683		709	701		797	720	698	909	865	847	137.3	144.0
August	690	641	622 ^{4/}	686	677		706	692		800	734	706	907	894	882 ^{4/}	135.7	145.5
Sept.	672	646		686	676		737	693		815	747		952	944		139.3	
Oct.	680	638		689	657		739	689		854	758		1,070	1,010		139.6	
Nov.	682	642		692	674		746	705		897	765		1,010	931		140.2	
Dec.	681	651		702	671		731	723		877	834		999	912		140.5	

General Notes:

1/ 5-Year averages are arithmetical.

2/ 12-month flow-weighted differential between NIB and Imperial Dam through month shown in left column.

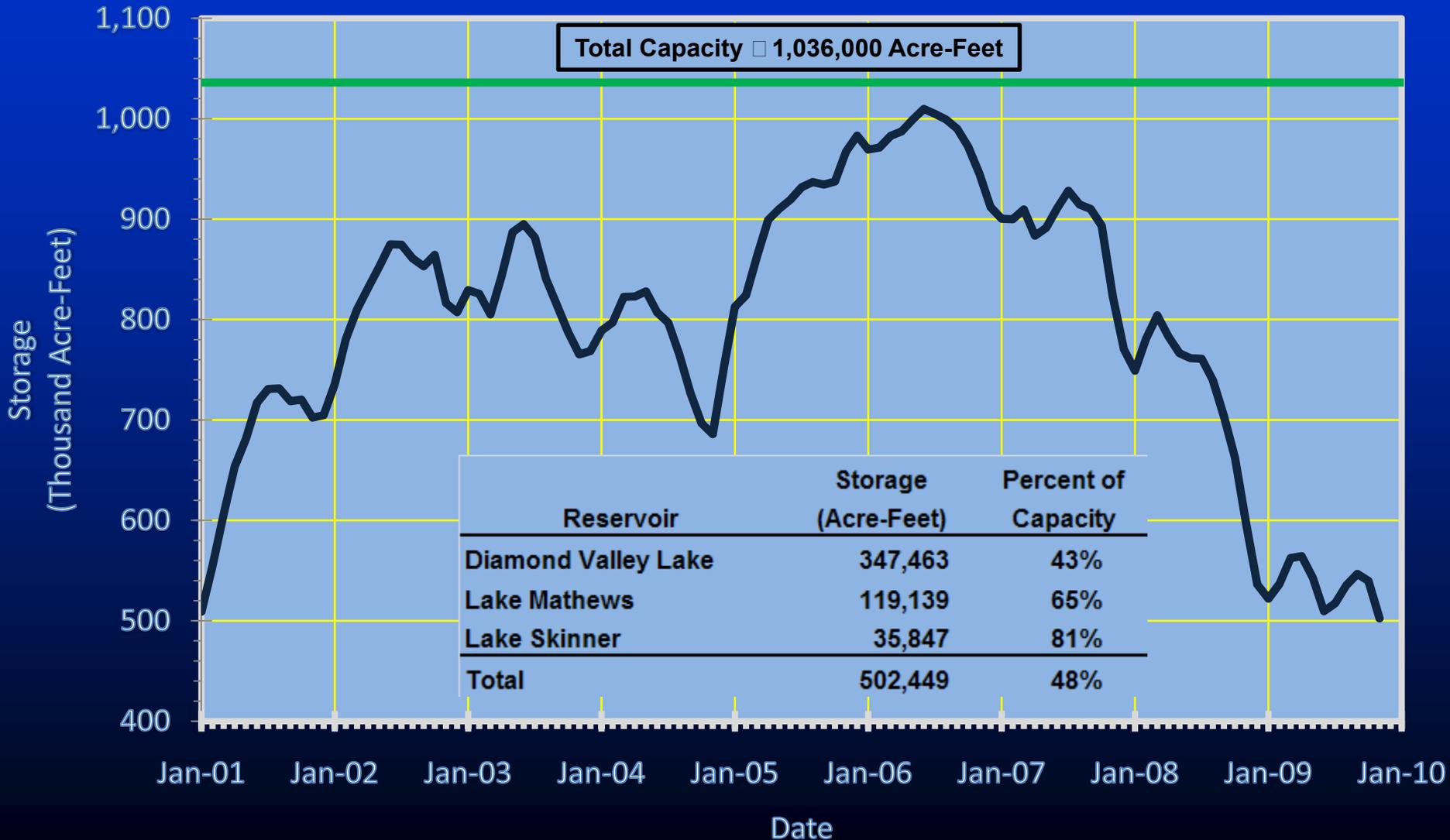
3/ Operational values only.

4/ Preliminary

5.b. - State and Local Water Reports

MWD's Combined Reservoir Storage as of November 1, 2009

Lake Skinner, Lake Mathews, and Diamond Valley Lake



5.c. - Colorado River Operations

Agenda

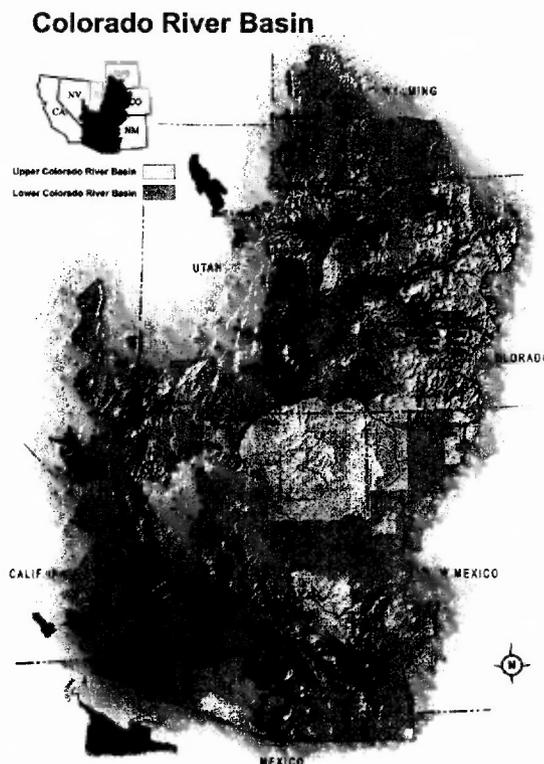
**Colorado River Annual Operating Plan (AOP) Final Consultation
Colorado River Management Work Group (CRMWG)
September 22, 2009
10:00 a.m. (PDT)
Mezzanine Rooms 4 and 5
McCarran International Airport, Las Vegas, Nevada**

- I. Welcome and Introductions – Lorri Gray-Lee
- II. Upper Basin Hydrology and Operations – Rick Clayton
- III. Lower Basin Hydrology and Operations – Bruce Williams
- IV. Review Draft 2010 AOP – CRMWG
- V. Conclusion and Wrap-Up

RECLAMATION

Managing Water in the West

DRAFT Annual Operating Plan for Colorado River Reservoirs 2010



U.S. Department of the Interior
Bureau of Reclamation

2010 DRAFT AOP – September 18, 2009



IN REPLY REFER TO:
YAO -7210
ENV -1.10

United States Department of the Interior

BUREAU OF RECLAMATION
Yuma Area Office
7301 Calle Agua Salada
Yuma, Arizona 85364



FINDING OF NO SIGNIFICANT IMPACT Proposed Yuma Desalting Plant Pilot Run

**U.S. Department of the Interior
Bureau of Reclamation
Yuma Area Office**

Introduction

In accordance with the National Environmental Policy Act (NEPA) of 1969 (Public Law 91-190 as amended), the Bureau of Reclamation (Reclamation) has issued the attached Environmental Assessment (EA) to disclose the environmental impacts resulting from the proposed Yuma Desalting Plant Pilot Run. The EA provides details on the Proposed Action and an analysis of potential impacts; it should be used as the basis for this Finding of No Significant Impact (FONSI).

Proposed Action

The purpose of the Proposed Action is to operate the Yuma Desalting Plant (YDP) as designed at a sufficient flow and appropriate duration to gather benchmark performance and cost data which can only be obtained through actual plant operations; determine whether any additional corrective actions to plant design or equipment would be necessary for long-term operation of the plant; and test changes and corrections (such as the fully-automated distributed control system) which have already been implemented at the YDP as part of maintaining its ready reserve status. The need for the Proposed Action is to obtain information regarding actual plant operation which will test theoretical analyses and provide information about the plant's operating capability to reliably produce product water which could be used for multiple end uses; as well as to verify the suitability of treatment processes and associated facilities during actual plant performance, determine baseline operating costs, test the effectiveness of completed plant improvements, and assess how plant equipment will respond to daily operation; and provide process related effluent and emissions data for a sufficient period of time to provide a basis to analyze, in a separate, future decision, potential environmental consequences of long-term YDP operation.

Resource Analysis

The EA focused on those resource areas identified as potentially impacted by the alternatives considered, including the No Action Alternative. Based on the location and nature of the Proposed Action, there would be no effects to aesthetics, cultural resources, geology and soils,

and land use. Potential negative effects of the Proposed Action were identified for air quality, biological resources, water resources, hazardous materials, Indian trust assets, environmental justice, noise, and climate change:

1. Air quality will be affected by the Proposed Action through increased particulate matter that is 10 microns in diameter or less (PM₁₀) emissions and ozone as a result of a slight increase in traffic to the YDP. However, the analysis in the EA indicates effects to PM₁₀ and ozone will be negligible and not significant.

2. Biological resources may be impacted from the Proposed Action due to the conveyance of drainage water into the Colorado River from the MODE 1 Diversion/Return Facility. However, because this type of conveyance is a routine operational practice which occurs regularly, and because the additional water will not result in any significant changes in salinity and river level, no effects to fish and wildlife, including endangered species in the U.S., will occur (U.S. Fish and Wildlife Service letter dated July 13, 2009). Reclamation will obtain a National Pollutant Discharge Elimination System permit for the discharge of product water from the YDP prior to initiating the Proposed Action. This discharge will not result in any significant impacts.

3. Potential impacts to water resources include the disposal of biosolids (a byproduct of the YDP) to the A-22 evaporative ponds. These biosolids, if not disposed of properly, could affect groundwater in the Yuma area. However, the A-22 ponds (evaporative cells) are lined, which will prevent biosolids from reaching the groundwater and adversely affecting groundwater. As appropriate, Reclamation will notify the Arizona Department of Environmental Quality of the proposed quantity change discharged to the A-22 cells for the Proposed Action. In addition, during operation of the YDP about 21,700 acre feet (AF) of desalinated product water and 7,300 AF of MODE flow will be conveyed to the Colorado River. As a result, depending upon the delivery of Intentionally Created Surplus (ICS) credits, temporary reduced releases from Hoover Dam may occur, thus producing slightly lowered water elevations along the river between Hoover and Imperial Dams. However, effects resulting from the lower elevation levels would be so small as to be immeasurable, and the change in water releases would not conflict with water delivery obligations, cause significant groundwater depletion, or alter existing drainage. There will not be any significant impacts on water resources.

4. Hazardous materials to be used on-site during the proposed YDP Pilot Run will increase. Hazardous materials will continue to be managed in accordance with Environmental Protection Agency and Occupational Safety and Health Administration requirements. The existing Risk Management Plan/Process Safety Management Plan (RMP/PSMP) documents which outline preventative actions to avoid an accidental release will be revised before the Proposed Action is initiated in order to continue to ensure employee, public, and environmental safety due to the greater amounts of chemicals necessitated by the YDP Pilot Run. In addition, hazardous waste generated from the Proposed Action would continue to be transported to an off-site hazardous waste facility for treatment or disposal in accordance with state regulations. There will be no significant impact resulting from hazardous materials.

5. The Proposed Action will not affect Indian trust assets (ITA). Reclamation will continue to coordinate with the Quechan and Cocopah tribes to ensure ITA's remain unaffected.

6. The Proposed Action will not affect environmental justice considerations. It will not result in any disproportionately high and adverse human health or environmental effects on minority or low-income populations in the U.S.

7. A slight increase in ambient noise levels is anticipated as a result of the Proposed Action. However, because sensitive noise receptors are in locations which are sufficiently distant from the YDP, and existing mechanisms to minimize noise are in place, impacts will not be significant.

8. Based on the Pilot Run's short term duration, the Proposed Action will not be affected by global climate change. The Proposed Action will not cause any significant contribution of hydrocarbons to the environment; therefore, no significant climate change impact will result.

Connected Actions

The potential environmental impacts of two connected actions were also analyzed in the EA: (1) the potential approval of ICS credits associated with the proposed YDP Pilot Run; and (2) Reclamation actions within the U.S. that are documented in the "Joint Report Of The Principal Engineers Concerning U.S.-Mexico Joint Cooperative Actions Related To The Yuma Desalting Plant (YDP) Pilot Run And The Santa Clara Wetland" (Joint Report). Neither of these actions were determined to result in significant environmental impacts for the reasons identified in the EA.

NEPA Finding

Based on the analysis of the environmental impacts and mitigation measures as presented in the EA, Reclamation has determined that implementation of the Proposed Action of conducting a Pilot Run of the Yuma Desalting Plant would not significantly impact the human environment and that preparation of an environmental impact statement is not warranted. The Proposed Action does not exceed any of the significance criteria outlined in the NEPA implementing regulations at 40 CFR Section 1508.27. In addition, Reclamation has determined the implementation of the two connected actions addressed in the EA would not significantly affect the human environment.

International Considerations

Under the proposed Pilot Run, flows in the Bypass Drain would be reduced by approximately 29,000 AF, while salinity levels would be increased by about 540 parts per million (expressed as total dissolved solids). A number of public comments on the EA focused on this potential impact of the proposed Pilot Run on the environmental resources of the Cienega de Santa Clara (Cienega). As noted in Section 1.6 of the EA, the statutory provisions of NEPA and the Council on Environmental Quality implementing regulations do not require assessment of environmental impacts in the sovereign territory of a foreign nation. However, in the spirit of bi-national cooperation, with regard to the ecology of the Colorado River's Limitrophe Division and its Delta as established in Minute No. 306, Reclamation, through the International

Boundary and Water Commission, initiated consultation with Mexico regarding the proposed YDP Pilot Run.

The outcome of this consultation is Joint Report, dated July 17, 2009. The United States, Mexico, and a partnership of non-governmental organizations, as stated in commitment letters from each party and further outlined in the Joint Report, will each arrange for 10,000 AF of water (for a total of 30,000 AF) in connection with the reduction in flow and increase in salinity level. Furthermore, the United States, Mexico, and a partnership of non-governmental organizations committed to working through the Colorado River Joint Cooperative Process, pursuant to Minute 306, to continue to address long-term approaches to maintain the environmental values of the Cienega. The Joint Report and other related documents are included in the EA for informational purposes as Appendix C.

Decision

In light of the foregoing, I hereby approve:

- 1) implementation of the Proposed Action to initiate a Pilot Run of the YDP; and
- 2) implementation of the Reclamation actions outlined in the Joint Report.

Jennifer McCloskey

Jennifer McCloskey, Area Manager
Yuma Area Office

SEP 30 2009

Date



UPPER COLORADO RIVER COMMISSION

355 South 400 East • Salt Lake City • Utah 84111 • 801-531-1150 • FAX 801-531-9705

September 28, 2009

Mr. Ed Virden, Assistant Area Manager
U. S. Bureau of Reclamation
Yuma Area Office
7301 Calle Agua Salada
Yuma, Arizona 85364

SUBJECT: Comments on Yuma Desalting Plant Pilot Run Finding of No Significant Impact (FONSI)

Mr. Virden:

I am writing on behalf of the Upper Colorado River Commission (UCRC) to comment on the Bureau of Reclamation's FONSI on the Yuma Desalting Plant Pilot Run. The UCRC is an administrative agency created by the Upper Colorado River Basin Compact of 1948. Five Commissioners make up the UCRC, one representing each of the Upper Division States of Colorado, New Mexico, Utah and Wyoming and a Commissioner representing the United States who serves as Chairman of the UCRC. I am the Executive Director of the staff of the UCRC. The UCRC has a vital interest in water use in the entire Colorado River Basin, which is why I am commenting on the subject FONSI today.

The FONSI states that "[t]he purpose of the Proposed Action is to operate the Yuma Desalting Plant (YDP) as designed at a sufficient flow and appropriate duration to gather benchmark performance and cost data which can only be obtained through actual plant operations; determine whether any additional corrective actions to plant design or equipment would be necessary for long-term operation of the plant; and test changes and corrections (such as the fully-automated distributed control system) which have already been implemented at the YDP as part of maintaining its ready reserve status" (YDP Pilot Run FONSI, p. 1). The UCRC fully supports the purpose of the Pilot Run as outlined in the foregoing sentence.

The UCRC understands that the Pilot Run is different than contemplated "normal" operations of the YDP, because Lower Basin entities "have collectively indicated an interest in partially funding the cost of implementing the proposed Pilot Run in exchange for one-time ICS credits [pursuant to the 2007 Interim Shortage Guidelines] for the water conserved as a result of the proposed Pilot Run" (EA, p. 9). However, the UCRC has concerns based upon statements made in the Final Environmental Assessment for the YDP wherein it is indicated that Lower Basin water managers are evaluating the use of the YDP to stretch existing water supplies. The UCRC believes the future function of the YDP must continue to be compliance with Minute 242 pursuant to the Mexican Treaty, with any secondary savings of water in meeting Mexican Treaty obligations accruing to the benefit of both the Upper and Lower Basins.

Thank you for the opportunity to submit comments on the YDP Pilot Run FONSI. Please contact me at the address and telephone number listed on this letterhead if you have any questions about these comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Don A. Ostler".

Don A. Ostler, P.E.
Executive Director and Secretary

Cc: Upper Colorado River Commissioners
Herb Guenther
Gerald R. Zimmerman
Pat Mulroy

COLORADO RIVER BOARD OF CALIFORNIA

770 FAIRMONT AVENUE, SUITE 100
GLENDALE, CA 91203-1068
(818) 500-1625
(818) 543-4685 FAX



October 29, 2009

Ms. Lorri Gray-Lee
Regional Director
U.S. Bureau of Reclamation
Lower Colorado Region
P.O. Box 61470
Boulder City, NV 89006-1470

Dear Ms. Gray-Lee:

Enclosed is an original executed copy of the Exhibit P for the Yuma Desalting Plant Pilot Run to be incorporated into the Lower Colorado River Basin Intentionally Created Surplus Forbearance Agreement (Forbearance Agreement), dated December 13, 2007.

I appreciate your assistance in helping to expedite the execution of Exhibit P. If you have any questions, please feel free to contact me at (818) 500-1625.

Sincerely,



Gerald R. Zimmerman
Executive Director

enclosure

COLORADO RIVER BOARD OF CALIFORNIA

770 FAIRMONT AVENUE, SUITE 100
GLENDALE, CA 91203-1068
(818) 500-1625
(818) 543-4685 FAX



October 29, 2009

Mr. Herbert R. Guenther
Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012-2105

Dear Mr. Guenther:

Enclosed is an original executed copy of the Exhibit P for the Yuma Desalting Plant Pilot Run to be incorporated into the Lower Colorado River Basin Intentionally Created Surplus Forbearance Agreement, dated December 13, 2007.

I appreciate your assistance in helping to expedite the execution of Exhibit P. If you have any questions, please feel free to contact me at (818) 500-1625.

Sincerely,


Gerald R. Zimmerman
Executive Director

enclosure

Exhibit P
Yuma Desalting Plant Pilot Run

In accordance with Paragraph 3.2 of the Lower Colorado River Basin Intentionally Created Surplus Forbearance Agreement (Forbearance Agreement) dated December 13, 2007, the State of Arizona, acting through the Arizona Department of Water Resources (ADWR); the Palo Verde Irrigation District (PVID); the Imperial Irrigation District (IID); the City of Needles; the Coachella Valley Water District (CVWD); The Metropolitan Water District of Southern California (MWD); the Southern Nevada Water Authority (SNWA); and the Colorado River Commission of Nevada (CRCN) (collectively, "the Parties") hereby agree to the addition of this Exhibit "P" to the Forbearance Agreement.

1. **Type:** System Efficiency Intentionally Created Surplus (ICS) project that will conserve water that would otherwise be delivered from lower Colorado River system storage to replace water conveyed through the bypass drain to the Ciénega de Santa Clara. Absent this System Efficiency ICS project, the water conveyed through the bypass drain is not counted as part of the U.S. treaty delivery to Mexico.
2. **Purpose:** Test operation of the Yuma Desalting Plant (YDP) and, among other things, evaluate maintenance and repair needs, replacement requirements, operational challenges and costs of potential future long-term YDP operation. Although not the purpose of test operation a benefit of test operation of the YDP is the production of desalinated Main Outlet Drain Extension (MODE) water to be released to the Colorado River with additional MODE water to be released to the Gila River Pilot Channel to then flow into the Colorado River for delivery to Mexico under the Mexican Water Treaty of 1944 (Treaty) in a Pilot Run. Any subsequent operation of the YDP will be the subject of a separate decision process. This Exhibit P provides forbearance solely for the Pilot Run.
3. **Project Description:** The YDP was built to desalt saline water to permit this water to be used in the United States or delivered to Mexico in accordance with International Boundary and Water Commission, United States and Mexico Minute 242. Currently, the United States does not operate the YDP and instead conveys saline water through the bypass drain to Mexico. An equivalent amount of water is released from lower Colorado River system storage to replace the water entering the bypass drain.

Pilot Run operation of the YDP will provide cost and operational information that can only be obtained through actual YDP operation. Pilot Run operation of the YDP will occur for 365 operation days which may be non-continuous within 12 to 18 months from the first date of Pilot Run operation. MODE water from Wellton Mohawk Irrigation and Drainage District will be the source of water for desalting at the YDP during Pilot Run operation. Desalinated MODE water will be

released to the Colorado River approximately concurrent with releases of untreated MODE water to the Gila River Pilot Channel.

Proposed Pilot Run operation of the YDP, if approved, is expected to begin in 2010 and continue into 2011 and to produce approximately 29,000 acre-feet of desalinated and untreated MODE water.

4. **Capital Contribution:** As described in Contract No. ~~09-XX-30-W0538~~ and Contract No. ~~09-XX-30-W0541~~ among the U.S. Bureau of Reclamation, MWD, SNWA, CRCN and the Central Arizona Water Conservation District (CAWCD).
5. **Quantity of System Efficiency ICS:** A volume of ICS equivalent to: the total volume of treated MODE water released to the Colorado River during Pilot Run operation and untreated MODE water released to the Gila River Pilot Channel for delivery under the Treaty will be credited to MWD, SNWA and CAWCD's ICS Accounts in proportion to the capital contribution of each Contractor after MODE water has been desalinated, measured and released to the Colorado River with untreated MODE water. This constitutes a portion of the total water conserved under the Pilot Run in that the release of the desalinated water to the Colorado River during Pilot Run operation immediately upstream of the point of delivery for Treaty obligations and untreated water released to the Gila River Pilot Channel results in a savings in conveyance losses otherwise incurred by the release of water from lower Colorado River system storage for delivery to Mexico.

ICS will be created for up to 365 YDP Pilot Run operation-days and must be created within 18 months of the first day of operation. Based on projections calculated from currently existing data, Reclamation anticipates that the total amount of System Efficiency ICS developed under the Pilot Run will be 29,000 acre-feet. This projection is subject to variable plant operating recovery rates during the course of the 365-day YDP operation and therefore Reclamation will calculate ICS credits on the basis of the total actual amount of treated and untreated water released for delivery to Mexico under Pilot Run operation. Because plant operating recovery rates cannot be predicted with precision based on existing data, and because of the necessity of certainty in determining the scope of forbearance, the forbearance provided for the Pilot Run under this Exhibit P is capped at 31,000 acre-feet.

6. **Schedule of Deliveries:** MWD, SNWA, and CAWCD may request delivery of any volume of ICS created pursuant to this Exhibit P at any time after the ICS is created.
7. **System Benefit:** It is expected that system benefits will be gained as the Pilot Run is anticipated to increase Colorado River system storage until CAWCD, SNWA, and MWD call on all of their accrued System Efficiency ICS credits. Also, making direct delivery of the water to Mexico in lieu of releasing the water

from lower Colorado River system storage reduces conveyance losses. Finally, the YDP Pilot Run is designed to gather benchmark performance and cost information and determine whether any additional corrective actions to plant design or equipment would be necessary for potential future long-term operation. This information will permit informed decisions to be made regarding potential future long-term operation of the YDP, potentially increasing Colorado River system storage over time. Any future ICS projects involving YDP operation may be subject to different assessments for system benefits.

8. **Reclamation Authority:** Reclamation Act of 1902, 32 Stat. 388, as amended and supplemented, including in particular, Boulder Canyon Project Act, 45 Stat. 1057, Act of March 4, 1921, 41 Stat. 1404, Act of January 21, 1927, 44 Stat. 1010, chapter 47, designated the Colorado River Front Work and Levee System, as amended and P.L. 109-432, 120 Stat. 2922 §396.
9. **Counterparts:** This Exhibit P to the Forbearance Agreement may be executed in counterparts, each of which shall be an original and all of which, together, shall constitute only one Exhibit P to the Forbearance Agreement.

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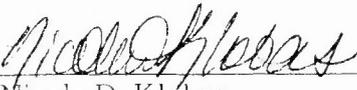
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In Witness of this Exhibit P to the Forbearance Agreement executed on December 13, 2007, the Parties affix their official signatures below, acknowledging approval of this document on this 28th day of October, 2009.

Approved as to form:

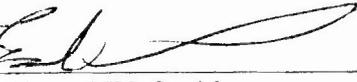
THE STATE OF ARIZONA acting through
the ARIZONA DEPARTMENT OF
WATER RESOURCES

By: 
Nicole D. Klebas
Deputy Counsel

By: 
Herbert R. Guenther
Director

Attest:

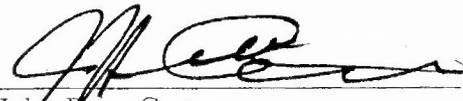
PALO VERDE IRRIGATION DISTRICT

By: 
Edward W. Smith
General Manager

By: 
Charles H. Van Dyke
Chairman

Attest and Approved:

IMPERIAL IRRIGATION DISTRICT

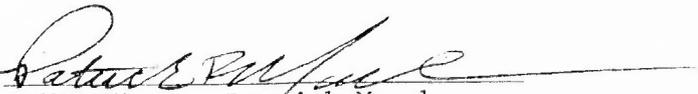
By: 
John Fenn Carter
Legal Counsel

By: 
James C. Hanks
President

Approved as to form:

THE CITY OF NEEDLES

By: 
John Pinkney
City Attorney

By: 
~~Jeff Williams~~ Patrick Murch
Mayor-Vice

Approved as to form:

COACHELLA VALLEY WATER DISTRICT

By: Steven B. Abbott
Steven B. Abbott
Legal Counsel

By: Steven B. Robbins
Steven B. Robbins
General Manager/Chief Engineer

Approved as to form:

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

By: Karen L. Tachiki
Karen L. Tachiki
General Counsel

By: Jeffrey Knightlinger
Jeffrey Knightlinger
General Manager

Approved as to form:

SOUTHERN NEVADA WATER AUTHORITY

By: John J. Entsminger
John J. Entsminger
Deputy General Counsel

By: Patricia Mulroy
Patricia Mulroy
General Manager

Approved as to form:

COLORADO RIVER COMMISSION OF NEVADA

By: Jennifer F. Crandell
Jennifer F. Crandell
Senior Deputy Attorney General

By: George M. Caan
George M. Caan
Executive Director



SOUTHERN NEVADA WATER AUTHORITY

1001 South Valley View Boulevard • Las Vegas, NV 89153
(702) 258-3939 • snwa.com

October 7, 2009

Lorri Gray-Lee, Regional Director
U.S. Department of the Interior
Bureau of Reclamation
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, Nevada 89006

Dear Ms. Gray-Lee:

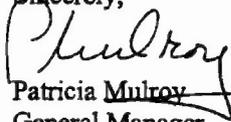
**SUBJECT: SOUTHERN NEVADA WATER AUTHORITY NOTICE OF AVAILABILITY OF
UNUSED APPORTIONMENT FOR STORAGE BY METROPOLITAN WATER
DISTRICT OF SOUTHERN CALIFORNIA – 2009**

Aggressive water conservation efforts as well as the recent slow down in economic conditions have reduced the Southern Nevada Water Authority's (Authority) water demands in 2009. As a result and with your approval, the Authority would like to direct a portion of Nevada's basic Colorado River apportionment to the Metropolitan Water District of Southern California (MWD) for storage during 2009. We will provide you a revised water order based on this request.

Under Section 3.1 of the Storage and Interstate Release Agreement (SIRA) among the United States, MWD, the Colorado River Commission of Nevada, and the Authority, the Authority hereby notifies the Secretary of the Interior that it would like to make 60,000 acre-feet of Nevada's basic Colorado River apportionment available for storage by MWD during 2009. We would also like to notify the Secretary of the Interior that we will continue to review Nevada's Colorado River water use to determine if any additional unused Nevada basic Colorado River apportionment could be made available for storage by MWD during 2009. As required, we are also sending notification to MWD.

Please contact Kay Brothers at (702) 862-3708 or William Rinne at (702) 691-5255 if you have additional questions.

Sincerely,


Patricia Mulroy
General Manager

cc: Kay Brothers, Deputy General Manager – Engineering and Operations
George Caan, Director - Colorado River Commission of Nevada
Jennifer Crandall, Senior Deputy Attorney General - Colorado River Commission of Nevada
John Entsminger, Director - Environment and Water Resource Law, Southern Nevada Water Authority
Lorri Gray-Lee, Regional Director - U.S. Department of the Interior, Bureau of Reclamation
Herb Guenther, Director - Arizona Department of Water Resources
William Hasencamp, Program Manager - Metropolitan Water District of Southern California
Jeffrey Johnson, Division Manager - Water Management and Accounting, Southern Nevada Water Authority
William E. Rinne, Director - Surface Water Resources
Gerald R. Zimmerman, Executive Director - Colorado River Board of California

SNWA MEMBER AGENCIES

Big Bend Water District • Boulder City • Clark County Water Reclamation District • City of Henderson • City of Las Vegas • City of North Las Vegas • Las Vegas Valley Water District



SOUTHERN NEVADA WATER AUTHORITY

October 7, 2009

1001 South Valley View Boulevard • Las Vegas, NV 89153
(702) 258-3939 • snwa.com

Jeffrey Kightlinger, General Manager
Metropolitan Water District of Southern California
P. O. Box 54153
Los Angeles, California 90054-0153

Dear Mr. Kightlinger:

SUBJECT: SOUTHERN NEVADA WATER AUTHORITY NOTICE OF AVAILABILITY OF UNUSED APPORTIONMENT FOR STORAGE BY METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA – 2009

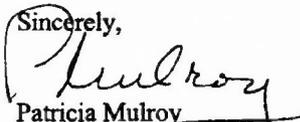
Aggressive water conservation efforts as well as the recent slow down in economic conditions have reduced the Southern Nevada Water Authority's (Authority) water demands. As a result, the Authority anticipates that a portion of Nevada's basic Colorado River apportionment will be available for banking during 2009. The Authority would like to direct a portion of Nevada's basic Colorado River apportionment to Metropolitan Water District of Southern California (MWD) for interstate banking during 2009.

Under Section 3.1 of the Storage and Interstate Release Agreement (SIRA) among the United States, MWD, the Authority and the Colorado River Commission of Nevada and Section 2.1 of the First Amended Operational Agreement, the Authority would like to make 60,000 acre-feet of unused Nevada basic Colorado River apportionment available for storage by MWD during 2009. The Authority will continue to review Nevada's Colorado River water use to determine if any additional unused Nevada basic Colorado River Apportionment could be made available for storage by MWD during 2009.

Under Article 3.2 of the SIRA, please notify the Authority and the Secretary of the Interior if MWD will store the 60,000 acre-feet offered above during 2009.

If you have any additional questions, please contact Kay Brothers at (702) 862-3708 or William Rinne at (702) 691-5255. Thank you for consideration of this request. We appreciate your willingness to help southern Nevada secure future water supplies.

Sincerely,


Patricia Mulroy
General Manager

cc: Kay Brothers, Deputy General Manager – Engineering and Operations
George Caan, Director - Colorado River Commission of Nevada
Jennifer Crandall, Senior Deputy Attorney General - Colorado River Commission of Nevada
John Entsminger, Director – Environmental and Water Resource Law, Southern Nevada Water Authority
Herb Guenther, Director - Arizona Department of Water Resources
Lorri Gray-Lee, Regional Director - U.S. Department of the Interior, Bureau of Reclamation
William Hasencamp, Program Manager - Metropolitan Water District of Southern California
Jeffrey Johnson, Division Manager - Water Management and Accounting,
Southern Nevada Water Authority
William E. Rinne, Director - Surface Water Resources
Gerald R. Zimmerman, Executive Director - Colorado River Board of California

SNWA MEMBER AGENCIES

Big Bend Water District • Boulder City • Clark County Water Reclamation District • City of Henderson • City of Las Vegas • City of North Las Vegas • Las Vegas Valley Water District



United States Department of the Interior

BUREAU OF RECLAMATION

Upper Colorado Regional Office
125 South State Street, Room 6107
Salt Lake City, Utah 84138-1147



IN REPLY REFER TO:

UC-410
ACM-1.10

SEP 17 2009

VIA ELECTRONIC MAIL AND U.S. MAIL

Interested Parties (See Enclosed List)

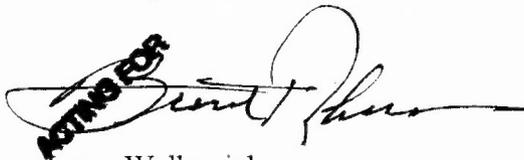
Subject: Notification of Proposal Selection, 2009 Basin Study Program – *Colorado River Basin Study*

Dear Ladies and Gentlemen:

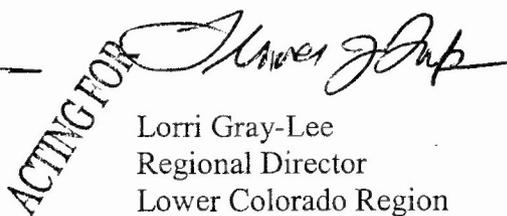
Thank you for your interest in the Bureau of Reclamation's Basin Study program. I am pleased to inform you that your proposal was among those receiving the highest rating and was selected to be one of three studies that will be funded in the inaugural year of this important effort. Reclamation anticipates contributing Federal funds in the amount of \$1,000,000 toward the completion of the proposed study.

Ms. Deborah Lawler will contact you shortly to begin the process of developing a Memorandum of Agreement and Plan of Study. We look forward to working with you to address the critical water needs of the Colorado River Basin. If you have any questions regarding the selection process, please contact Ms. Lawler at 801-524-3685, or via email at dlawler@usbr.gov.

Sincerely,


ACTING FOR

Larry Walkoviak
Regional Director
Upper Colorado Region


ACTING FOR

Lorri Gray-Lee
Regional Director
Lower Colorado Region

Enclosure

Interested Parties:

Patricia Mulroy
General Manager
Southern Nevada Water Authority
P.O. Box 99956
Las Vegas, NV 89193-9956

Jennifer Gimbel
Director
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203

Patrick T. Tyrrell, State Engineer
State of Wyoming
122 West 25th Street
4th Floor East
Cheyenne, WY 82002

Herbert Guenther
Director
Arizona Department of Water Resources
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Phoenix, AZ 85012

George M. Caan
Executive Director
Colorado River Commission of Nevada
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Las Vegas, NV 89101-1065

David Modeer
General Manager
Central Arizona Water Conservation District
P.O. Box 43020
Phoenix, AZ 85080

Gerald R. Zimmerman
Executive Director
Colorado River Board of California
770 Fairmont Ave., Suite 100
Glendale, CA 91203-1068

Dennis J. Strong, Director
Utah Division of Water Resources
Utah Interstate Stream Commission
P.O. Box 146201
Salt Lake City, UT 84114-6201

John D'Antonio
State Engineer
New Mexico Interstate Stream Commission
P.O. Box 25102
Santa Fe, NM 87504-5102

Don Ostler
Executive Director
Upper Colorado River Commission
355 South 400 East
Salt Lake City, UT 84111

5.d. - Basin States Discussions

Commissioner's Office
Washington, DC

Media Contact: Kip White, cwhite@usbr.gov
202-513-0684

For Immediate Release: September 17, 2009

Reclamation Identifies Three Western River Basins for Implementation of Basin Study Program

Bureau of Reclamation Commissioner Michael L. Connor today announced the implementation of a new Basin Study Program that will better define options for future water management of Western river basins where climate change, record drought, population increases and environmental needs have heightened competition for scarce water supplies. Each study will include state of the art projections of future water supply and demand on a basin-wide scale, including an assessment of the impacts of climate change on water resources; analysis of how the basin's existing water and power operations and infrastructure will perform in the face of changing water realities; and recommendations on how to optimize operations and infrastructure to supply adequate water and power in the future while accounting for environmental values. Reclamation will provide a 50% cost share contribution to state, local and tribal partners to implement the studies.

The first three basin studies announced by Connor today include:

- The Colorado River Basin Water Supply and Demand Study (\$1 million Reclamation, \$1 million matching) covering portions of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming;
- Yakima River Basin Study and Associated Basin Restoration Implementation Plan, covering south central Washington (\$1.3 million Reclamation, \$1.3 million matching); and
- Modeling for the Future of the Milk and St. Mary River Systems in north central and southern Montana (\$350,000 Reclamation, \$350,000 matching).

“Given today’s challenges in the area of water resources, it is imperative that the federal government be a strong and reliable partner in working with state, tribal and local water managers,” Connor said today. “The Bureau of Reclamation is addressing this need by partnering with key stakeholders to conduct comprehensive studies and create basin-specific plans recommending collaborative solutions that will meet water demands and foster sustainable development.”

The Basin Study Program will incorporate the latest science, engineering technology, climate models and innovative approaches to water management. Options that will be evaluated in the studies include changes to the operation of water supply systems, modifications to existing facilities, development of new facilities, and non-structural strategies. The basin studies will generally be two years in duration.

The Program announcement follows Secretary of the Interior Ken Salazar’s signing of a Secretarial



Order earlier this week which details Interior's coordinated strategy to address the current and future impacts of climate change on America's diverse natural resources, including water.

The Program is part of the Water Conservation Initiative (WCI) and a key element of Reclamation's implementation of the SECURE Water Act, which was enacted into law as part of the Omnibus Public Land Management Act of 2009. Components of the WCI include providing competitive financial assistance for water conservation, efficiency and marketing projects and other activities that enhance water management; conducting basin-wide planning studies that will address the impacts of climate change; and continued funding of water reuse and recycling projects.

###

Reclamation is the largest wholesale water supplier in the United States, and the nation's second largest producer of hydroelectric power. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our website at <http://www.usbr.gov>.



THE SECRETARY OF THE INTERIOR
WASHINGTON

ORDER NO. 3291

Subject: Delegation of Authority to Implement the Navajo-Gallup Water Supply Project, New Mexico

Sec. 1 Purpose. This Order delegates to the Commissioner of the Bureau of Reclamation (Commissioner) certain authorities vested in the Secretary of the Interior (Secretary) by Public Law 111-11, Title X (Title X), for the purpose of constructing, operating and maintaining the Navajo-Gallup Water Supply Project, New Mexico (Project). The Project will convey a reliable municipal and industrial water supply to the eastern section of the Navajo Nation, the southwestern part of the Jicarilla Apache Nation, and the City of Gallup, New Mexico (City) via diversions from the San Juan River in northern New Mexico.

Sec. 2 Background. Title X authorizes the Secretary, acting through the Commissioner, to execute a water contract (Settlement Contract) with the Navajo Nation, which Title X also specifically authorizes. The Settlement Contract is defined in section 10302, Title X, to mean the contract between the United States and the Navajo Nation setting forth certain commitments, rights and obligations of the United States and the Navajo Nation, as described in paragraph 6(f) of the agreement among the State of New Mexico, the Navajo Nation, and the United States setting forth a stipulated and binding agreement signed by the State of New Mexico and the Navajo Nation on April 19, 2005.

Title X sets forth various other prerequisites for Project construction, including execution of Project repayment contracts with the City of Gallup, New Mexico (City) and the Jicarilla Apache Nation and of a cost-sharing agreement with the State of New Mexico. Other authorizations include allocation of the Project costs and capacity among the Navajo Nation, the City, and the Jicarilla Apache Nation.

Sec. 3 Authority. This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended.

Sec. 4 Delegations. All of the Secretary's authority delegated to the Assistant Secretary for Water and Science that is necessary to carry out the responsibilities described in this section is further delegated to the Commissioner. The Commissioner may, in writing, redelegate to officers and employees of the Bureau of Reclamation the authority granted in this Order, and the Commissioner may authorize written redelegations of this authority. By this Order, and within the limitations specified in 200 DM 1 and in 255 DM 1.2, the Commissioner is delegated the authority to:

- a. Design, construct, operate and maintain the Project in accordance with section 10602 of Title X, once the applicable statutory conditions have been met.
- b. Negotiate and execute the Settlement Contract in accordance with subsection 10604(a) of Title X.
- c. Negotiate and execute in coordination with the Department of the Interior, a cost-sharing agreement with the State of New Mexico in accordance with subsection 10602(d)(1)(D) of Title X.

d. Negotiate and execute a repayment and operation, maintenance, and replacement contract with the City in accordance with subsection 10604(b) of Title X and with the Jicarilla Apache Nation in accordance with subsection 10604(c) of Title X.

e. Conduct the study of Non-Navajo Irrigation District diversion and ditch facilities required under subsection 10608(a)(1) of Title X, and otherwise implement the provisions of section 10608 as they become applicable.

f. Establish, provide for the accounting, and prepare recommendations and justifications for the use of the Reclamation Water Settlements Fund in accordance with section 10501 of Title X.

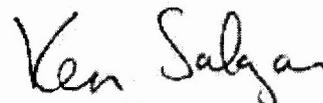
g. In accordance with subsection 10604(d), perform a final cost allocation and determine the repayment obligations of the Navajo Nation, the City, and the Jicarilla Apache Nation.

h. Allocate the Project delivery capacity in accordance with subsection 10603(b).

i. Enter into separate agreements with the Navajo Nation and the City to convey title in accordance with subsection 10602(f).

j. Enter into an agreement with the Bureau of Indian Affairs to define the roles and responsibilities of the Bureau of Reclamation and the Bureau of Indian Affairs for implementation of the provisions of Title X related to wells in the San Juan River Basin in the State of New Mexico.

Sec. 5 Expiration Date. This Order is effective immediately. It will remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever occurs first.


Secretary of the Interior

Date:

10/1/09



P.O. Box 43020 • Phoenix, AZ 85080-3020
23636 North Seventh Street • Phoenix, AZ 85024

623-869-2333 • www.cap-az.com

October 28, 2009

Ms. Lorri Gray-Lee, Regional Director
United States Bureau of Reclamation
PO Box 61470
Boulder City, NV 89006

Dear Lorri:

At the recent Inadvertent Overrun Payback Procedures (IOPP) meeting in Las Vegas on October 20-21, staff from your office, Central Arizona Project (CAP), Metropolitan Water District (MWD), and Southern Nevada Water Authority (SNWA), discussed issues concerning the accounting for **Intentionally Created Surplus (ICS)** and **Intentionally Created Unused Apportionment (ICUA)** accomplished in 2009.

Late in 2008 both MWD and SNWA put forth plans to aggressively pursue conservation efforts for water supply and ICS purposes. CAP was involved in a process to address the fact that we had customer orders for water for underground storage in 2009 that exceeded the available supply by 200,000 acre-feet (af). SNWA also planned to create ICUA for interstate underground storage with both MWD and CAP. At that time, we all acknowledged that we did not have **established procedures and processes in place to officially review and approve ICS plans.** Unfortunately, due to the volume of activities concerning binational issues, Decree Accounting, the Basin Study, and the IOPP, we have not yet developed procedures for ICS plan approval.

We are now approaching the end of 2009 and find that 1) MWD has been very successful in conserving water for use and creating ICS; 2) SNWA has created ICS and has requested the Secretary to make unused apportionment available for interstate storage with SNWA and CAP; and 3) CAP has a process for apportioning a limited supply of water for underground storage and has begun the process to store some of SNWA's unused apportionment in anticipation of the Secretary's approval. We also learned that it has been necessary to reduce groundwater pumping in the Yuma area to address salinity issues with deliveries to Mexico which will reduce the return flows and reduce water available to CAP. At the meeting on October 21, we agreed upon a **general plan of collaboration among the three state entities and Reclamation to help ensure that the ICS and interstate storage, for 2009, is appropriately credited and accounted for among the entities while ensuring that the lower Basin states do not exceed their collective allocation and that Decree Accounting is clear and correct.**

At this time, it appears to CAP that MWD will create about 70,000 af of ICS while storing 60,000 af or less for SNWA. CAP will use best efforts to store about 20,000 af of SNWA unused

Ms. Lorri Gray-Lee

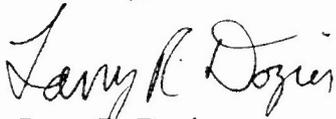
October 27, 2009

Page 2

apportionment while also trying to ensure all of Arizona's 2.8 maf is put to beneficial use. SNWA will address its tributary supply through the ICS process.

We will need Reclamation's continued collaboration and leadership through the remainder of 2009 and through the Decree Accounting process to help us accomplish our goals. We all recognize that other factors beyond our control may impact our current plans and we encourage Reclamation to continue to provide the most accurate, real-time information available as we complete the 2009 operating year. We also encourage Reclamation to provide the initiative and leadership to collaboratively develop the needed procedures process and guidelines for timely review and approval of ICS plans and commit our time and energy to assure that goal is reached.

Sincerely,



Larry R. Dozier

Deputy General Manager

copy: Terry Fulp, United States Bureau of Reclamation
Herb Guenther, Arizona Department of Water Resources
Tom Carr, Arizona Department of Water Resources
Gerald Zimmerman, Colorado River Board of California
Bill Hasencamp, Metropolitan Water District
Roger Patterson, Metropolitan Water District
Jeff Kightlinger, Metropolitan Water District
Kay Brothers, Southern Nevada Water Authority
Bill Rinne, Southern Nevada Water Authority
Pat Mulroy, Southern Nevada Water Authority

5.e. - Colorado River Environmental Issues



THE SECRETARY OF THE INTERIOR
WASHINGTON

OCT 08 2009

Dana B. Fisher, Jr.
Chairman
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, California 91203

Dear Mr. Fisher:

I am writing in response to your letter of July 27, 2009, with respect to the concerns you expressed regarding operation of Colorado River reservoirs and the Glen Canyon Adaptive Management Program. The Colorado River is a vital resource for water supply, environmental, and recreational resources, and also provides an important source of power to the Southwestern United States. The Department of the Interior is very cognizant of the importance of the Colorado River to each of the seven Colorado River Basin States.

In your letter, you reference numerous collaborative efforts undertaken by the Basin States and the Department. I fully recognize the productive and collaborative relationship that the Department and the Basin States have enjoyed for many years addressing the complex issues related to operation of the Colorado River system. The Department and the Basin States have worked hard together, and as your letter points out, have had many successes. It is my intention to maintain this same level of successful collaboration between the Department and the Colorado River Basin States as we meet our stewardship obligations on the Colorado River.

The development of Interim Guidelines for Lower Basin Shortages and the Coordinated Operation of Lake Powell and Lake Mead was a tremendous achievement for prudent management of the Colorado River and recognized the various demands on the limited supplies of the Colorado River. These Interim Guidelines were developed with the knowledge that full reservoirs and surplus water would likely no longer be the norm in the Colorado River Basin and that management strategies were needed to address low reservoir elevation conditions. I agree with your statement that the Interim Guidelines "offer a secure foundation on which to build the important initiatives necessary to achieve greater flexibility in the development and management of the Colorado River's water supply," and I want to assure you that the Department remains committed in continuing to operate the Colorado River in a manner that is fully consistent with the Interim Guidelines.

As you are aware, we are currently involved in ongoing litigation challenging the operation of Glen Canyon Dam. We are currently operating Glen Canyon Dam under the 2008 Experimental Plan, which included a high flow experiment in March 2008 and 5 years of steady flows in September and October from 2008-2012. As you point out in your letter, this Experimental Plan was endorsed by the Department and we remain committed to the United States' defense of the Plan, while accomplishing the important scientific investigations associated with this experiment.

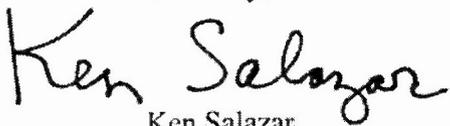
We certainly recognize that various stakeholders hold differing views regarding optimal operation of Glen Canyon Dam and the obligations under the Grand Canyon Protection Act (Act). We will continue to consult with – and seek recommendations from – the Glen Canyon Adaptive Management Work Group (AMWG) on flow and non-flow experimental actions that can be taken to protect and improve resources of Grand Canyon National Park, as we remain mindful of our legal responsibilities under Section 1802(b) of the Act.

Within the Glen Canyon program, I have asked our entire senior leadership team to prioritize and focus on the key policy issues necessary to improve the efficient implementation of the Adaptive Management Program. In particular, Ms. Anne Castle, Assistant Secretary–Water and Science, is my Designee to the AMWG, and is the key Departmental official who will coordinate among the various Department bureaus and external stakeholders. I have tremendous confidence in her abilities and observe that she is already providing essential leadership that will result in improved implementation of the Adaptive Management Program.

As Ms. Castle has already conveyed to the AMWG, I intend to continue to assert the Department's leadership on Colorado River management issues and look forward to working with each of the seven Colorado River Basin States and all stakeholders on these issues. It is essential that we work together to identify and implement creative approaches to the resource challenges we face. While doing so, it is of paramount importance that our decisions in the Glen Canyon Adaptive Management Program are grounded in sound scientific information. As we work together and consider future refinements to the operation of Glen Canyon Dam, we must do so in a manner designed to achieve protection and improvement of environmental resources in Grand Canyon National Park, consistent with the Grand Canyon Protection Act, while ensuring our compliance with project purposes and Law of the River. We must also do so in a way that considers the viewpoints and interests of the multiple stakeholders who value and rely on the irreplaceable resources of the Colorado River.

Thank you for your continued engagement on these issues. I welcome the opportunity to work together to continue to balance all the obligations that apply to the management and protection of the Colorado River.

Sincerely,


Ken Salazar

Identical Letter Sent To:

Jennifer Gimbel
Director
Colorado Water Conservation Board
1313 Sherman St., Room 721
Denver, CO 80203

George Caan
Executive Director
Colorado River Commission of Nevada
555 E. Washington Ave., Suite 3100
Las Vegas, NV 89101

Dennis Strong
Director
Utah Division of Water Resources
Utah Interstate Stream Commissioner
1594 W. North Temple # 310
Salt Lake City, UT 84116

Dana B. Fisher, Jr.
Chairman
Colorado River Board of California
770 Fairmont Avenue, Suite 100
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Patricia Mulroy
General Manager
Southern Nevada Water Authority
P.O. Box 99956
Las Vegas, NV 89193

John D'Antonio
Secretary
New Mexico Interstate Stream Commission
130 South Capitol Street
Santa Fe, NM 87504

Patrick Tyrrell
State Engineer
State of Wyoming
122 West 25th Street
4th Floor East
Cheyenne, WY 82002

unclear why Reclamation, despite obvious alternatives, continues to recommend to you a pattern of monthly volumes that degrades critical habitat and impairs park values. As currently implemented, it appears that the CRMWG provides a thin veneer of public process, but is not much more than a forum to accommodate the wishes of the basin states and power customers with little interest in protecting park resources and little accountability to the public.

The CRMWG was established following the high flow events in the mid-1980s as a Work Group, not as a forum for providing individual suggestions to Reclamation. The 1995 EIS on Operations of Glen Canyon Dam, citing a letter dated April 28, 1986 by Commissioner Duvall, notes that the Work Group was developed to, "... *seek consensus* regarding operating flexibility available in the existing operating criteria and to *develop procedures and analytical tools* to be used for formulating future annual operating plans." In a September 11, 1987 letter to the Commissioner, the Acting Regional Director for the Upper Colorado Regional Office states, "... I and my staff met with representatives of the Seven Colorado River Basin States regarding the Annual Operating Plan (AOP) for 1988. During the meeting, *general agreement was reached* on this AOP." A proposed letter to the Governors stated, "... your representative and the representatives of the other Colorado River Basin States *agreed to an operating plan*..." In a 2002 letter to Reclamation, the Upper Colorado River Commission noted that the Work Group, "... *developed recommendations* in 1986 that implemented the strategy that is currently being used to plan monthly operations..." It is clear from these few examples that the CRMWG is intended as a *Work Group* to provide recommendations to the Secretary, and as such, it should comply with FACA.¹

Our second recommendation was for implementing Equalized Monthly Volume (EMV) releases from Glen Canyon Dam for Water Year 2010. When compared to the status quo pattern of monthly volumes included in the draft AOP for 2010, EMV releases would minimize the erosion of sediment from Grand Canyon, and thus the degradation of critical habitat, diminishment of park values, and erosion of beaches used for recreation. The benefits to sediment conservation from releasing EMV instead of the status quo could easily be verified by the Grand Canyon Monitoring and Research Center.

It is often incorrectly assumed that the current monthly release pattern is mandated by the 1995 EIS and 1996 ROD for the Operation of Glen Canyon Dam. However, the EIS did not analyze patterns of monthly volumes, and neither the ROD nor the 1997 Operating Criteria for Glen Canyon Dam mandate a pattern of monthly volumes. Although the ROD and Operating Criteria effectively bound the upper and lower limits for monthly volumes by bounding daily release patterns, these documents do not address the pattern of monthly volumes throughout the year. The EIS sidesteps the pattern of monthly volumes by stating (see page 28) that the preferred alternative would have, "... essentially the same monthly operating plan as described under the No Action Alternative..." Under the No Action Alternative (see page 19), the EIS describes the factors to be considered for determining monthly volumes in the AOP process, but not the pattern itself. It is important to note that the status quo monthly release pattern does not carry the credential of having been subjected to NEPA—no monthly patterns have ever been subjected to a NEPA analysis.

The Grand Canyon Trust believes that you have the duty and discretion to operate Glen Canyon Dam to safeguard park resources in Grand Canyon National Park. Meeting the statutory requirements to protect park resources can be accomplished in part by implementing EMV releases rather than the status quo pattern, and this would have absolutely no effect on the annual

¹ Italicized words not in original.

release volume, or impinge in any way on the "Law of the River." Furthermore, implementing EMV releases is not hindered by mid-year forecast revisions—if the annual release volume needs to be revised during the year, then the change could be simply allocated equally among the remaining months.

It bears repeating that the Trust does not advocate for dam decommissioning or modifications to annual release volumes that violate the Law of the River. We believe that through an effective Adaptive Management program, park resources could be fully protected through adjustments of release patterns and other management actions (e.g., temperature control device and sediment augmentation).

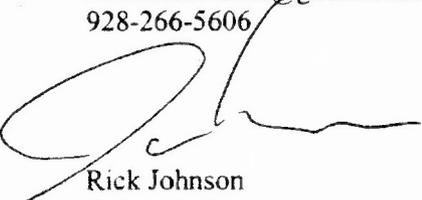
Past AOPs state that the plan is developed with "... appropriate consideration of the uses of the reservoirs for all purposes, including flood control, river regulation, beneficial consumptive uses, power production, water quality control, recreation, enhancement of fish and wildlife, and other environmental factors." We understand that sometimes you must make trade-offs among these values. Although implementing EMV would shift generation of some below-market peaking power from the summer and winter months to the spring and fall months, and thus provide slightly less economic benefit to CRSP power customers, this change would help achieve the statutory requirements to minimize the deleterious effects of dam operations on park values, critical habitat for endangered species, and recreation.

Thank you for your consideration of these issues.

Sincerely,



Nikolai Lash
Colorado River Program Director
Grand Canyon Trust
2601 N. Fort Valley Rd.
Flagstaff, AZ 86001
nikolailash.lash@gmail.com
928-266-5606



Rick Johnson
Colorado River Science Director
Grand Canyon Trust

cc: David J. Hayes
Tom Strickland
Anne Castle
Jane Lyder
Deanna Archuleta
Michael Connor
Hillary Tomkins
Lisa Russell
Adell Amos

Jonathan Jarvis
Mike Snyder
Steve P. Martin
Stanley Austin
Larry Walkoviak
Tom Ryan
Terry Fulp ✓
Steve Hvinden ✓
Sam D. Hamilton
Benjamin Tuggle
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2009 Annual Conference Preregistration Form

Caesars Palace • Las Vegas • December 9 - 11

Fill in completely – Please Print/Type Clearly

Registrant _____ Spouse/guest _____
(Name on badge to read) (If attending)

Company _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-Mail _____

	Amount Paid
Preregistration Package (if received by November 20) <small>(Includes registration, one Thursday caucus breakfast meeting and one Thursday lunch)</small>	\$350 \$ _____
<u>Retiree</u> Preregistration Package (if received by November 20) <small>(Considered a retiree if fully retired and <u>paying your own way</u>. If district, association or organization is paying registration fee, you are not considered a retiree for this purpose. Includes the same as above.)</small>	\$175 \$ _____
Additional Thursday Lunch Tickets _____ <small>(Quantity @ \$45 each)</small>	\$45 \$ _____
2009 Individual Membership Dues <small>(If not previously paid. <u>Membership dues are required to attend conference</u>. Organizational dues do not apply.)</small>	\$20 \$ _____
Total	\$ _____

ON-SITE/LATE REGISTRATION FORM
(After November 20)

Registration Package (includes same as above)	\$375	\$ _____
<u>Retiree</u> Registration Package (includes same as above)	\$200	\$ _____
Additional Thursday Lunch Tickets	\$50	\$ _____
2009 Individual Membership Dues <small>(If not previously paid. <u>Membership dues are required to attend conference</u>. Organizational dues do not apply.)</small>	\$20	\$ _____
Total		\$ _____

Make check or money order payable to CRWUA.



Visa MasterCard Card Number _____ Expiration Date _____

Cardholder Name _____ Cardholder Signature _____
(Please print) (Must be signed to process credit card payment)

Return this form with payment to:
 CRWUA
 Post Office Box 1058, Coachella, CA 92236

Federal Express to:
 85-995 Avenue 52
 Coachella CA 92236

Online Registration:
www.crwua.org

Questions:
 Isabel Luna - iluna@cvwd.org
 Darlena Davis - ddavis@cvwd.org

Phone:
 (760) 398-2651
 FAX: (760) 398-3711

Preregistration Deadline: November 20.

Refunds: In writing, by e-mail, fax or mail by November 25. There is a \$75 processing fee on all registrations.

Hotel Information

ROOM RESERVATIONS: Call Caesars at (866) 227-5944. Mention the CRWUA Conference Code of SCCR09 to receive the group rate or fax the form below to (702) 731-7172.

DEADLINE for hotel reservations is November 9.

Look for the CRWUA dedicated window at the hotel registration area and avoid the long lines.



Colorado River Water Users Association
December 9-11, 2009

This reservation, along with one night's deposit, must be received by Caesars Palace no later than November 9.

Hurry!! The first 300 people to reserve their room will be upgraded to the Palace Tower for \$105

- Single / Double Occupancy - DELUXE ROOM..... \$ 105
- Single / Double Occupancy - PALACE TOWER ROOM..... \$ 135

SPECIAL REQUESTS (Based upon availability at check-in)

- Non - Smoking Smoking One Bed (King) Two Beds (Dbl. or Queen) Other _____

WILL ARRIVE: Day _____ Date _____ Time _____ am/pm

WILL DEPART: Day _____ Date _____ Time _____ am/pm

CHECK-IN time is after 3 p.m.; **CHECK-OUT** time is 11 a.m. daily

NAME: _____ SHARE WITH: _____
 HOME ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____
 HOME PHONE: () _____
 COMPANY NAME: _____
 COMPANY ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____
 BUSINESS PHONE: () _____ FAX NUMBER: () _____

NOTE: Reservations will not be held without a deposit. Credit Card numbers are taken as a guarantee only, not as a method of payment; deposit will be charged upon receipt. Reservations must be cancelled three (3) days or 72 hours prior to arrival to avoid forfeiture of deposit. Group rates, rooms and dates are subject to availability.

Enclosed is my one night's deposit payable by: (Please check one) Check Credit Card
 (If you are guaranteeing your deposit with a credit card, please complete the following)

Visa MasterCard

Credit Card Number: _____ Exp. Date: _____
 Please print name as it appears on card: _____