

**EXECUTIVE DIRECTOR'S MONTHLY REPORT  
TO THE  
COLORADO RIVER BOARD OF CALIFORNIA**

**March 9, 2010**

**ADMINISTRATION**

Approval of Board Meeting Minutes – February 10, 2010

A copy of the February 10<sup>th</sup> Board meeting minutes has been included in the Board folder for review and comment. I am respectfully asking for approval and adoption of these meeting minutes by Board members.

Agency Managers' Meeting

The Agency Managers met immediately following the February 10<sup>th</sup> Board meeting to discuss issues associated with the proposed solar energy projects and the Lower Colorado Water Supply Project. Based upon that meeting and subsequent discussions, a meeting has been scheduled following the Board meeting among staff of the Board, Reclamation, the Bureau of Land Management, The Metropolitan Water District of Southern California, and solar project proponents along the Colorado River. The purpose of this meeting will be to discuss the Lower Colorado Water Supply Project and potential water supply options for solar energy development along the Colorado River in southern California.

**PROTECTION OF EXISTING RIGHTS**

Colorado River Water Report

As of March 1, 2010, storage in the major Upper Basin reservoirs decreased by 298,100 acre-feet and storage in the Lower Basin reservoirs increased by 182,000 acre-feet during February 2010. Total System active storage as of March 8<sup>th</sup> was 32.917 million acre-feet (maf), or 55 percent of capacity, which is 0.298 maf more than one year ago (Upper Basin reservoirs increased by 1.012 maf and Lower Basin reservoirs decreased 0.714 maf).

February releases from Hoover, Davis, and Parker Dams averaged 7,220, 7,960 and 5,960 cubic feet per second (cfs), respectively. Planned releases from those three dams for the month of March 2010, are 16,900, 15,800, and 11,600 cfs, respectively. The March releases represent those needed to meet downstream water requirements including those caused by reduced operation of Senator Wash Reservoir.

As of March 8<sup>th</sup>, taking into account both measured and unmeasured return flows, the Lower Division states' consumptive use of Colorado River water for calendar year 2010, as

forecasted by Reclamation, totals 7.462 maf and is described as follows: Arizona, 2.790 maf; California, 4.398 maf; and Nevada, 0.274 maf. The Central Arizona Project (CAP) will divert 1.617 maf, of which 0.134 maf are planned to be delivered to the Arizona Water Bank. The Metropolitan Water District of Southern California (MWD) will use about 1.054 maf, which is 51,000 acre-feet less than its 2009 use of mainstream water.

The preliminary end-of-year estimate by the Board staff for 2010 California agricultural consumptive use of Colorado River water under the first three priorities and the sixth priority of the 1931 *California Seven Party Agreement* is 3.352 maf. This estimate is based on the collective use, through January 2010, by the Palo Verde Irrigation District, the Yuma Project-Reservation Division (YPRD), the Imperial Irrigation District, and the Coachella Valley Water District. Figure 1, found at the end of this report, depicts the projected end-of-year agricultural use for the year.

As of March 7<sup>th</sup>, the water level at the Lake Mead was at 1,102.36 feet above the mean sea level, and the storage was 11,703 maf, 45 percent of capacity, while the water level at Lake Powell was at 3,619.95 feet above the mean sea level and the storage was 13,758 maf, 57 percent of capacity.

### Colorado River Operations

#### *U.S. Bureau of Reclamation Lower Colorado Region Policy for Apportioned but Unused Water*

On February 11<sup>th</sup>, Reclamation released its final Lower Colorado Region policy associated with apportioned but unused water. The final policy outlines the process that Reclamation will utilize to determine the availability of and potential apportionment of any unused mainstream water pursuant to Article II.B.6 of the Consolidated Decree in *Arizona vs. California* (546 U.S. 150, 2006). The policy describes three scenarios through which apportioned but unused mainstream water can be reapportioned and used: (1) prior to the operating year; (2) during the operating year; and (3) after completion of the operating year. Reclamation's Lower Colorado Regional Director, Ms. Lorri Gray-Lee, asked that I distribute the final policy to all California entitlement holders. Please let me know if you have not received a copy of the policy and would like to receive one. Finally, a copy of the final policy has been included in the Board folder.

#### *Reclamation's Letter to California Parties to the Quantification Settlement Agreement*

On February 25<sup>th</sup>, Reclamation's Lower Colorado Regional Director, Ms. Lorri Gray-Lee, sent an identical letter to the California parties to the Quantification Settlement Agreement (QSA). The purpose of the letter was to inform the parties that it is the Department of the Interior's current position to continue to honor the 2003 QSA water delivery agreements. This position was recently articulated by Reclamation's Commissioner, Mr. Michael Connor, at a field hearing before the U.S. House Subcommittee on Water and Power, held on January 25, 2010. I have included a copy of the Regional Director's letter to the QSA parties in the Board folder.

### *Miscellaneous Information Items Associated with the Recent Sacramento Superior Court's Invalidation of the 2003 Quantification Settlement Agreement*

Several items of interest associated with the recent decision of the Sacramento County Superior Court invalidating the Quantification Settlement Agreement (QSA) have been included in the Board folder. The first item is a letter from Mr. Michael Abatti, of the Imperial Valley, to Secretary of the Interior Salazar regarding the position of the federal government in light of the recent decision by the Sacramento County Superior Court. Mr. Abatti's primary concern revolves around the issue of the federal government continuing to deliver mainstream water pursuant to the QSA while the issues surrounding mitigation of Salton Sea environmental impacts remains unresolved. Additionally, I have included two recent articles from the Imperial Valley Press (online edition) with comments from an IID attorney, Mr. Stuart Somach, and IID Director, Mr. Michael Abatti. Copies of Mr. Abatti's letter and the two news articles have been included in the Board folder.

### *Department of the Interior Launches the WaterSMART Initiative*

On February 22<sup>nd</sup>, Secretary of the Interior Salazar signed a Secretarial Order initiating a new water sustainability strategy for the United States. This program, entitled WaterSMART, is intended to move federal water management programs into the 21<sup>st</sup> Century through addressing issues such as population growth, climate change, energy demands, aging infrastructure, environmental needs, and risks to drinking water supplies. Pursuant to the Secretarial Order, Secretary Salazar is asking the Department of the Interior to increase available water supplies for agricultural, municipal, industrial, and environmental uses in the western United States by 350,000 acre-feet by 2012. Toward this end the Department hosted a WaterSMART workshop for the seven Basin states, in Las Vegas, Nevada on February 23-24, 2009. The workshop was well attended by water management officials, including Chairman Fisher and myself, from local, state, and federal agencies throughout the Basin, as well as Assistant Secretary for Water and Science, Ms. Anne Castle. Copies of the Department of the Interior's news release announcing the WaterSMART initiative and the Secretarial Order have been included in the Board folder.

### Basin States Discussions

#### *Status of Bi-National Projects and Programs with Mexico*

As discussed at the February 10<sup>th</sup> Board meeting, focus of the discussions with Mexico to evaluate potential projects and programs that the United States and Mexico could move forward on that may produce Bi-National benefits has been on: (1) potential environmental and conservation "pilot projects;" and (2) the modeling of the six scenarios identified by the United States and Mexico. These six modeling scenarios include: the baseline scenario; the United States scenario; the Mexico scenario; the surplus sharing scenario; the Mexico no shortage scenario; and the Mexico basinwide shortage scenario.

The discussions regarding a pilot environmental project have been narrowed down to the Miguel Aleman project located in the Limitrophe Section in Baja California. Reclamation is investigating the possibility of funding this proposed pilot restoration project, which may include

up to 50 acres of cottonwood and willow habitat being restored. There will be further discussions within the Bi-National group before there is a commitment to move forward with this project.

The discussions regarding a conservation pilot project has also been focused on one project, the Alamo-Reforma Regulating Reservoir. This re-regulating reservoir would conserve about 3,200 acre-feet annually, assist Mexico in managing its surface and ground water supplies, as well as provide other benefits. The cost for the feasibility study of the proposed project is estimated to be \$40,000. The cost of the project, itself, would be several million dollars. Currently, it is being proposed by the U.S. representatives that: (1) the feasibility study for this project be Bi-Nationally cost shared and (2) because of the potential cost for construction of this project that the group look at a pilot land following project in Mexico that would be funded by Reclamation. The U.S. representatives believe that the proposed re-regulating reservoir, although a viable project, is premature to move forward with construction as a Bi-National project because of the potential cost without identified benefits going to those providing the funding. I will be requesting the Six Agency Committee to consider, along with others in the United States, participating in the funding of the feasibility study for the Alamo-Reforma Regulating Reservoir.

The Bi-National modeling group is meeting on March 10<sup>th</sup> to discuss the results regarding the six identified modeling scenarios. The primary purposes of this meeting are: (1) to determine if the modeling by the U.S. and Mexican modelers are producing the same results and (2) to receive Mexico's response to the results presented by the U.S. modelers at the Bi-National meeting held on February 25<sup>th</sup> and 26<sup>th</sup>. If the results are comparable, we can begin to have further discussions among members of the Bi-National policy group, otherwise the modelers will need to conduct more work so that the models are producing comparable results.

Related to the Bi-National discussions, a U.S. principals meeting was held on March 1<sup>st</sup> in Los Angeles to provide the Basin states representatives with an update of the ongoing Bi-National discussion and discuss other relevant issues. A meeting of the U.S. Technical Group will be held on March 18<sup>th</sup> and a meeting of the Bi-National Pilot Projects Group will be held on March 18<sup>th</sup>. Both of these latter meetings will be held in San Diego, California.

#### *Status of the Colorado River Basin Study*

As we discussed at the last few Board meetings, representatives of Reclamation's Upper and Lower Colorado Regions and the Basin states are moving forward with the development of the Colorado River Basin Water Supply and Demand Study (Basin Study). Toward this end, Reclamation recently issued a notification to Colorado River Stakeholders throughout the Basin that preparation of the study was underway, and that the first public meeting has been targeted for mid- to late-March 2010. Reclamation's notification provided a brief overview of the proposed study effort and included a public participation form for potential stakeholders to stay informed about the project's status. I have included copies of Reclamation's notification, the fact sheet, and the public participation form in the Board folder.

## *Status of Board Request for the National Science Foundation Development of Regional Climate Models*

As you may recall, on January 21<sup>st</sup>, the Board sent a letter to the National Science Foundation (NSF) requesting it to initiate a grant process to enable academic institutions and science agencies to develop regional climate models that can more effectively assess and address water supply conditions in watersheds throughout the United States, especially within the Colorado River Basin. In its March 1<sup>st</sup> response letter to the Board, the NSF indicates that it will be soon releasing solicitations for the development of “regional climate models aimed at providing decadal and regional climate prediction that can be used to inform policy” development. A copy of the recent NSF response letter has been included in the Board’s handout materials.

## Colorado River Environmental Programs

### *Status of the Glen Canyon Dam Adaptive Management Program*

As you may recall, on October 23, 2009, the Grand Canyon Trust (GCT) sent a letter to Secretary of the Interior Salazar expressing continued concern that operations at Glen Canyon Dam were continuing to degrade sediment resources and habitats in the Glen and Grand Canyon reaches of the Colorado River below Glen Canyon Dam. Specifically, the GCT believed that equalizing the annual pattern of monthly releases could contribute to the retention of sediment resources below the dam. Also, the GCT recommended that the Department of the Interior reconstitute the existing Colorado River Management Work Group (CRMWG) as a formal Federal Advisory Committee Act (FACA) committee, and allow for more public interaction and transparency. The GCT believed that the existing CRMWG makes “recommendations” to the Secretary during the development of the Annual Operating Plan for the Colorado River System Reservoirs (AOP) each year, and therefore should become chartered under FACA and include broader representation and other stakeholder interests. A copy of the GCT’s letter to Secretary Salazar was included in the November 2009 Board folder.

In response to the GCT’s letter, Assistant Secretary of the Interior for Water and Science, Ms. Anne Castle, in a letter, dated February 22<sup>nd</sup>, indicated that implementing a release regime of “equalized monthly volumes” (EMV) would be a dramatic shift of Glen Canyon Dam operations from those specified in the 2010 Annual Operating Plan. The Department of the Interior believes that an approach involving EMV, such as proposed by the GCT, should be brought forward through the existing Adaptive Management Program process and would require significant scientific study and evaluation.

Assistant Secretary Castle also addressed the GCT suggestion that the Colorado River Management Workgroup (CRMWG) be chartered as a FACA group. The Department believes that the CRMWG is an ad hoc and consultative group of interested stakeholders that the Department meets with each year while preparing the AOP and is not advisory in capacity to the Department’s decision-making associated with preparation of the AOP. Furthermore, the Department suggested that the appropriate venue for making advisory recommendations associated with Glen Canyon Dam operations is through the existing chartered FACA committee

of the Glen Canyon Dam Adaptive Management Work Group. A copy of Assistant Secretary Castle's letter to the GCT has been included in the Board folder.

## **WATER QUALITY**

### Colorado River Basin Salinity Control Activities

*Colorado River Basin Salinity Control Program Work Group & Technical Advisory Group Meetings, February 9-10, 2010, Los Angeles, California*

The Colorado River Basin Salinity Control Forum's Work Group and the Advisory Council's Technical Advisory Group met in Los Angeles, California on February 9-10, 2010, at the offices of The Metropolitan Water District of Southern California. The Forum's Work Group received status reports from Reclamation, the Bureau of Land Management, the Natural Resources Conservation Service, and the U.S. Geological Survey. Additionally, the Work Group discussed its relationship with the newly constituted Technical Advisory Group (TAG) based on the recent amendments to the Colorado River Basin Salinity Control Act. The Work Group also discussed a preliminary schedule related to preparation of the 2011 Triennial Review Report.

As mentioned above, the recent amendments to the Salinity Control Act created a new role for the Colorado River Basin Salinity Control Program Advisory Council (Advisory Council). Created by the Advisory Council, the TAG is intended to provide technical assistance and guidance to the Advisory Council associated with management of the Basin States' Program for the identification of qualified salinity control projects and funding recommendations for project implementation. The TAG also received detailed evaluations and recommendations from the Science Committee associated with proposed salinity control planning studies and projects that may be eligible for funding through Reclamation, the Basin States' Program, or the U.S. Department of Agriculture's Environmental Quality Incentives Program.

The Work Group and TAG have preliminarily scheduled meetings to be held in conjunction with the Forum and Advisory Council meetings scheduled for June 2-4, 2010, in Cheyenne, Wyoming. These meetings will be utilized to develop recommendations that will be taken to the Forum and Advisory Council for their consideration.

Finally, it is again time to submit funding recommendations to the appropriate U.S. Senate and House of Representatives appropriations subcommittees support adequate funding for Reclamation, the Bureau of Land Management, and the Natural Resources Conservation Service to implement recommended salinity control actions in the Colorado River Basin. A list of the appropriate Senate and House subcommittees to send letters of support to and the instructions for submitting written testimony are included in the Board folder. Each of the agencies are encouraged to submit written testimony supporting the funding levels recommended by both the Forum and Advisory Council.

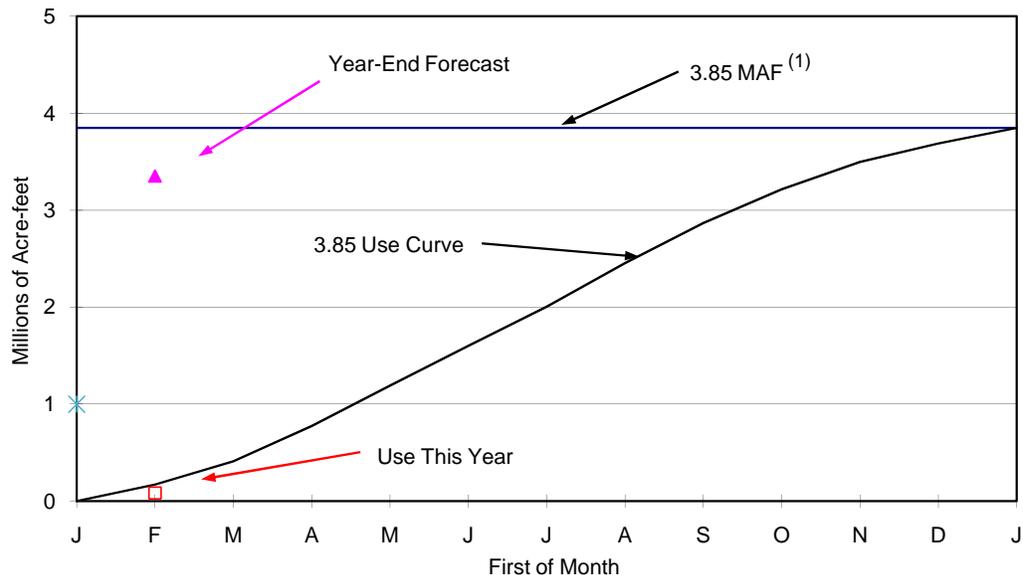
*Status of the Moab Uranium Tailings Pile Relocation Project*

I am including a copy of a recent newspaper article in the Board's handout materials indicating that the U.S. Department of Energy has completed the removal, transportation, and relocation of one-million tons of uranium tailings from the Moab site to the final relocation site north of Moab in a remote section of high desert. It is estimated that there are still 14-15 million tons remaining to be relocated.

/S/

Gerald R. Zimmerman  
Executive Director

**FIGURE 1**  
**MARCH 1, 2010 FORECAST OF 2010 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	0.084	3.352	0.191
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			
Jan			

(1) The forecast of unused water is based on the availability of 3.543 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; 70,000 AF of conserved water available to SDCWA under the IID-SDCWA Transfer Agreement as amended being diverted by MWD; an estimated 28,500 AF of conserved water available to SDCWA and MWD as a result of the Coachella Canal Lining Project; 67,700 AF of water 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 a portion of Indian and miscellaneous present perfected rights use of Indian and miscellaneous present perfected rights use. As USBR is charging disputed uses by Yuma island pumpers to priority 2, the amount of unused water has been reduced by those uses - 6,470 af. The CRB does not concur with USBR's viewpoint on this matter.