

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, April 14, 2010

A Regular Meeting of the Colorado River Board of California (Board) was held in the Vineyard Room, of the Holiday Inn Ontario Airport, 2155 East Convention center Way, Ontario, California, Wednesday, April 14, 2010.

Board Members Present

Dana Bart Fisher, Jr., Chairman

John V. Foley

Russell C. Kitahara

W.D. 'Bill' Knutson

Henry Merle Kuiper

James B. McDaniel

David Elms, Designee

Department of Fish and Game

Jeanine Jones, Designee

Department of Water Resources

Board Members and Alternate Absent

Terese Maria Ghio

James Cleo Hanks

John Pierre Menvielle

Others Present

William S. Abbey

Steven B. Abbott

James M. Barrett

James H. Bond

John Penn Carter

David Fogerson

William J. Hasencamp

Michael L. King

Jan P. Matusak

Halla Razak

Tina L. A. Shields

Jack Seiler

Catherine M. Stites

Douglas B. Noble

Mark Stuart

Deven Upadhyay

Charles Van Dyke

Joseph A. Vanderhorst

Bill D. Wright

Abbas Amirteymoori

J.C. Jay Chen

Christopher S. Harris

Lindia Y. Liu

Gary E. Tavetian

Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:14 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

ADMINISTRATION

New Coachella Valley Water District Representative

Mr. Zimmerman announced that Mr. Russell C. Kitahara has been sworn in as the Board Member representing the Coachella Valley Water District (CVWD). Mr. Kitahara has been the Alternate for CVWD and replaces Mr. John McFadden who retired from the Board.

Approval of Minutes

Mr. Zimmerman reported there were some editorial comments on the March 10th Board meeting minutes by The Metropolitan Water District of Southern California (MWD) and those comments have been incorporated. Mr. Zimmerman requested the approval of the corrected March 10th meeting minutes. Ms. Jones moved the March 10th minutes be approved. Mr. Knutson seconded the motion. Unanimously carried, the Board approved the March 10th meeting minutes.

Rescheduling of the May Board Meeting

Chairman Fisher requested that the May 5th Board meeting, scheduled in conjunction with the Association of California Water Agencies Spring Conference in Monterey, be rescheduled for May 12th and held at the Ontario Airport Holiday Inn. Upon the motion of Mr. Kuiper, seconded by Mr. Foley and unanimously carried, the Board approved rescheduling the May Board meeting to May 12th.

Board Budget for Fiscal Year 2010-2011

Mr. Zimmerman reported that next week he would be attending hearings in both the state Senate and Assembly Subcommittees related to the Colorado River Board's Fiscal Year 2010/2011 budget, within the Governor's budget. No issues or controversies are expected related to the budget. The proposed budget and Draft Standard Agreement will be brought before the Board at the May Board meeting with action anticipated at the June Board meeting.

AGENCY MANAGERS' MEETING

Mr. Zimmerman reported that the Agency managers met on March 29th, to discuss the Proposed Inadvertent Overrun and Payback Procedures (IOPP) being developed by Reclamation and the Colorado River Basin Water Supply and Demand Study (Basin Study) Program. Comments associated with Reclamation's proposed IOPP are to be submitted by

April 16th.

California's participation in the Basin Study program was also discussed, including the current solar power plant applications in the desert area near the Colorado River. The Agency Managers discussed the current and future California demand schedules to be used in the Basin Study being prepared by Reclamation and the Basin states. Reclamation has scheduled a workshop on April 26th where each of the Basin states will have an opportunity to report on methodology used to identify existing and future water demands.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Abbas Amirteymoori reported that, October 1st to April 5th precipitation in the Upper Basin was 85 percent of normal, and the snowpack was about 87 percent of normal. The projected April through July runoff, as of April 5th, is 5.0 maf, or 63 percent of normal. The anticipated 2010 water year runoff is 7.9 maf, or about 66 percent of normal.

Mr. Zimmerman reported that the climate conditions in the Upper Basin. There had been some improvement from the previous month but weighted averages were still below normal, on the order of about 80 to 86 percent of normal. Runoff as reported was less than 70 percent of normal. In the Lower Basin runoff is higher but the Lower Basin contributes a much smaller portion of the water supply.

Mr. Amireteymoori reported that the storage in Lake Powell was 13.7 million acre-feet (maf), or 56 percent of capacity. The water surface elevation was 3,619.2 feet. The storage in Lake Mead was 11.5 maf, or 45 percent of capacity, and water surface elevation of 1,100.3 feet. Total System storage was about 32.65 maf, or 55 percent of capacity. Last year at this time, there was 32.12 maf in storage, or 54 percent of capacity. Mr. Knutson asked what were the elevations of the SNWA water intakes at Lake Mead. Mr. Zimmerman responded that both of SNWA's water intakes in the Lake Mead are at 1,000 feet in elevation and a deeper intake at 860 feet is under construction.

Mr. Amirteymoori added that Reclamation's projected consumptive use (CU) for the State of Nevada was under its entitlement of 300,000 acre-feet (264,000 acre-feet); and for Arizona, the CU is projected to be below its basic entitlement of 2.8 maf (2.716 maf); and for California the CU is projected to be 4.387 maf. The total projected CU in the Lower Basin is estimated to be 7.366 maf.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources (DWR), reported on the climate conditions of California. In the Los Angeles Basin precipitation is about normal for this time of year, as is much of the southland, except for the Colorado Desert region where precipitation, to date, was over two hundred percent in Blythe, or about two inches of rain above normal. The snowpack in the northern part of the state is up to about 135 percent of normal. In the central part of the state the snowpack is about 101 percent of

normal and in the southern part of the state the snowpack was about 115 percent of normal. However, the runoff is about 65 percent of normal. The Sacramento River Index, as of April 1st, is about 5.6 maf out of 18 maf. North of the Delta, State Water Project (SWP) storage is about 1.7 maf or about 48 percent of capacity. Lake Oroville, as of April 1st, is about 1.6 maf, or 47 percent of capacity, a decrease of about 300,000 acre-feet from this time last year. South of the Delta SWP storage is about 1.4 maf or 79 percent of capacity. The projected SWP deliveries of Table A entitlements is 20 percent.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that overall storage in Lake Skinner, Lake Mathews and Diamond Valley Lake, as of April 1, was 573,700 acre-feet, or 55 percent of capacity. Diamond Valley Lake was about 384,300 acre-feet, or 47 percent of capacity. Lake Mathews was about 153,300 acre-feet, or 84 percent of capacity. Lake Skinner was about 36,100 acre-feet, or 82 percent of capacity. There was a slight decrease in the storage curve from last month, with the release of about 20,000 acre-feet out of storage.

Mr. McDaniel, of the City of Los Angeles Department of Water and Power (LADWP), reported that as of April 13th, climate conditions have improved in the Eastern Sierra. The April 1st snow survey usually peaks around April 1st. The April 1st snow survey indicates the snow water equivalent was about 94 percent of normal and that survey did not include the increase since April 1st. The snow water equivalent as of April 13th might be about 96 or 97 percent of normal. Last year the runoff was about 75 percent of normal, so this year is an improvement.

Colorado River Operations

Reclamation Kick-off Celebration for the Yuma Desalter Plant Pilot Project and Drop-2 Reservoir Projects

Mr. Zimmerman reported Reclamation will be hosting a kick-off celebration to commemorate the Yuma Desalter Plant Pilot Project and the Drop-2 Reservoir Storage Project. The event will be held at the Yuma Area Office in Arizona beginning at 8:30 a.m. and concluding by 12:00 p.m., April 28th.

Metropolitan Water District (MWD) Final Accounting for the Southern Nevada Water Authority (SNWA) Interstate Account for Calendar Year 2009

Mr. Zimmerman reported that on March 25th, MWD issued its final accounting of SNWA's interstate storage account of Intentionally Created Unused Apportionment (ICUA) for Calendar Year 2009. The SNWA began the year with 70,000 acre-feet. No water was withdrawn, nor any supplies added. The SNWA, ICUA storage credits remain at 70,000 acre-feet at the conclusion of Calendar Year 2009. Under certain conditions the SNWA can draw on the ICUA storage credits. The SNWA may be able to add to its ICUA credits this year.

Reclamation's Response to Mr. Abatti's Letter Regarding the Quantification Settlement Agreement

Mr. Zimmerman reported that in March Board folder, was a letter from Reclamation to each of the parties of the Quantification Settlement Agreement (QSA) and a letter from Mr. Abatti to Reclamation. In Reclamation's letter it indicated its intention to honor the commitments made in the QSA and related agreements as far as delivery of water in 2010. Mr. Abatti's letter questioned Reclamation based upon the recent District Court ruling staying the QSA. Should Reclamation continue to make deliveries according to the QSA given the recent District Court ruling, especially as it relates to the environmental impacts to the Salton Sea. Included in the April Board folder is Reclamation's letter of response dated March 29th indicating that Reclamation intends to administer water deliveries pursuant to the QSA throughout the appeal process.

Chairman Fisher asked what the status of the appeal. Mr. Steven Abbott reported that at the last meeting the Court of Appeals issued a temporary stay on the judgment and asked for briefings on whether to make the stay last for the rest of the Appeal. Opposition briefs were filed April 1st and the water districts reply briefs were due April 18th.

2010/2011 Reservoir Operations

Mr. Zimmerman reported that back in August 2009 based on Reclamations 24 month study there was a 70 percent chance that released from Glen Canyon Dam would be above 8.23 maf. However, by November 2009, that probability had dropped to 50 percent, and February 2010 the probability had dropped further to 25 percent, and by April 2010 there is zero probability that releases from Glen Canyon Dam will be above 8.23 maf. In large measure this is due to the wetter than normal weather recently in the Lower Basin. The April 2010 projected forecast of the water level at Lake Mead by the end of the 2010 water year is 1,083 feet. Mr. Zimmerman reported that possible 2011 reservoir operations include a 70 percent chance of releases from Glen Canyon Dam above 8.23 maf, a 30 percent chance of releases being 8.23 maf and zero chance releases from Glen Canyon dam will be less than 8.23 maf. If equalization releases are made, those releases could be 11 maf or larger. There is essentially a zero percent chance that there will be shortages in the Lower Basin in 2011. There is a 20 percent chance of shortages within the Lower Basin if in 2012 the Lake Mead water level falls below 1,078 feet. There is a five percent chance of shortages in 2013 if Lake Mead water level falls below 1,050 feet, and a two percent chance that in 2014 Lake Mead falls below 1,025 feet. There will be further analysis of these probabilities in the Basin Studies

Basin States Discussions

Status of the Binational Discussions

Mr. Zimmerman reported that the U.S. representatives continue to meet and discuss the six modeling scenarios. At the last meeting of the modelers of both Mexico and the U.S. met, Mexico had a number of questions regarding modeling assumptions in the six scenarios. Both the U.S. and Mexico modelers are scheduled to meet April 30th. The pilot environmental project has been selected in the Limitrophe Section on the Mexican side and

could include up to 50 acres of cottonwood. The conservation project under discussion is the Alamo-Reforma regulating reservoir. The Alamo-Reforma reservoir is similar to the Drop-2 Reservoir along the All-American Canal. The U.S. and Mexico are discussing sharing the cost of the feasibility study of the Alamo-Reforma reservoir. The next meeting of the principals of both the U.S. and Mexico tentatively scheduled for June 23rd and 24th.

Chairman Fisher asked if acreage of the environmental project could be applied to the 8,132 acres of mitigation required under the Multi-Species Conservation Plan. There are discussions but it doesn't appear likely. Mr. Elms of the California Department of Fish and Game (CDFG) mentioned that the CDFG has similar restrictions with using reservation land or land in another state for environmental mitigation within California.

Basin Study Program

Mr. Zimmerman reported that a public meeting, hosted by Reclamation, was scheduled and held on March 23rd in Las Vegas, Nevada. The meeting was also broadcasted via the internet and allowed interaction with on-line participants. The selection process to obtain consulting services is continuing and may be completed by the workshop. The water supply and demand groups are scheduled to hold a workshop on April 26th. The water demands within California includes: a full Colorado River Aqueduct; the timelines and conditions within the QSA; the Palo Verde Land Fallowing Agreement; additional demands for energy development within California; the Present Perfected Rights, federally reserved and Winter's water rights all being fully developed.

Mexico Earthquake

Mr. Zimmerman shared with the Board pictures of some of the recent damages from the April 4, 2010, earthquake in Mexico. There were pictures of canals, bridges and flooding damages. There was discussion about actions dealing with recovery of Mexico's water conveyance infrastructure and emergency operations including allowing Mexico to delay a portion of its water for one year. There was discussion regarding the salinity, evaporation and power generating impacts associated with changing Mexico's scheduled delivery, in the amount of about 200,000 acre-feet. U.S. operations would not be adversely affected. The next steps would include: determining Mexico's interest; draft an implementing minute into the treaty to accommodate the emergency operations; and obtain agreement on the minute between the U.S. and Mexico.

Ms. Jones mentioned that the California DWR is interested in sending some engineers to perform damage assessments of the earthquake damage to learn firsthand how the current design standards have held up with respect to earthquake stresses. This may provide useful information to insure the safety of similar infrastructure in the U.S. Ms. Jones mentioned that organizations such as the American Society of Civil Engineers as well as large engineering firms also send engineers to inspect damaged infrastructure after similar disasters.

Colorado River Environmental Activities

Seven Basin States' Scoping comments for Glen Canyon Dam High Flow Experimental Protocols

Mr. Harris reported that on April 5th the Seven Basin states sent a coordinated letter to Reclamation containing scoping comments associated with Interior's development of protocols for conducting future high-flow experimental releases from Glen Canyon Dam. The letter indicated that the high-flow experimental protocols must conform with the Law of the River. The high-flow experimental protocols should continue to be developed through the Glen Canyon Adaptive Management Program. All data and relevant information from prior high-flow experiments should be evaluated and incorporated in the new high-flow protocols

Lower Colorado River Multi-Species Conservation Program (LCR MSCP) Water Use and Accounting Agreement

Mr. Harris reported that as has been discussed at previous Board meetings, the LCR MSCP Water Use and Accounting Agreement has been finalized and executed by all parties. A copy of the final executed agreement was included in the Board folder. The agreement governs how mainstream water will be used and accounted for in association with LCR MSCP habitat restoration and maintenance activities.

WATER QUALITY

Colorado River Basin Salinity Control Program Status

Mr. Harris reported that the Board and MWD have provided extensive written testimony to various House and Senate committees and subcommittees in support of Fiscal Year 2011 funding for the activities associated with Title II of the Colorado River Basin Salinity Control Act and its implementation programs through the Departments of the Interior and Agriculture. Mr. Harris asked if other California agencies provided written testimony, to provide copies to the Board's staff for the Board's files.

EXECUTIVE SESSION

Chairman Fisher requested the Board adjourn to Executive Session to discuss a personnel negotiations situation at 11:25 a.m. Motion: Upon the motion of Mr. Kuiper, seconded by Mr. Kitahara, and unanimously carried the Board adjourned to Executive Session.

Chairman Fisher reconvened the Board meeting at 11:43 a.m. Chairman Fisher reported that during the Executive Session of the Board it discussed filling the vacant position of Executive Director upon the retirement of Mr. Gerald Zimmerman. During the Executive Session, upon the motion of Mr. Knutson, seconded by Mr. Kuiper, the Board passed a motion to offer Mr. Gerald Zimmerman a position with the Board as a retired

annuitant to fill the vacant Executive Director's position and to serve as the Acting Executive Director until the Board fills this position.

OTHER BUSINESS

Mr. Gerald R. Zimmerman's Retirement Luncheon

Chairman Fisher announced that a retirement luncheon in honor of Mr. Gerald R. Zimmerman is scheduled for April 23rd at the Castaway Restaurant in Burbank, California. Invitations have been sent out, those wishing to attend are welcome. The cost of the luncheon is \$15.00 dollars per person.

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on May 12, 2010, 10:00 a.m., Holiday Inn Ontario Airport, 2155 E. Convention Center Way, Ontario, California.

There being no further items to be brought before the Board, Chairman Fisher asked for a motion to adjourn the meeting. Upon the motion of Mr. Kuiper, seconded by Mr. Kitahara, and unanimously carried, the meeting was adjourned 11:45 a.m. on April 14, 2010.

/S/Gerald R. Zimmerman

Gerald R. Zimmerman
Executive Director