

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, March 14, 2012

A Regular Meeting of the Colorado River Board of California (Board) was held in the Vineyard Room, of Holiday Inn Ontario Airport, 2155 East Convention Center Way, Ontario, California, 91764-4452, Wednesday, March 14, 2012.

Board Members and Alternates Present

Dana Bart Fisher, Jr, Chairman
Franz W. De Klotz
John V. Foley
W.D. "Bill" Knutson

David R. Pettijohn
Jeanine Jones, Designee
Department of Water Resources

Board Members and Alternate Absent

Terese Marie Ghio
James Cleo Hanks
Henry Merle Kuiper
James B. McDaniel
John Pierre Menvielle

John Palmer Powell, Jr.
Christopher G. Hayes, Designee
Department of Fish and Game

Others Present

Steven B. Abbott
James H. Bond
John Penn Carter
J.C. Jay Chen
Dave Fogerson
Leslie Gallagher
Christopher S. Harris
Eric M. Katz
Michael L. King
William J. Hasencamp
Thomas E. Levy
Lindia Y. Liu
Jan P. Matusak

Carrie Oliphant
Glen D. Peterson
Halla Razak
Steven B. Robbins
Tom J. Ryan
Tina L. A. Shields
Ed W. Smith
Catherine M. Stites
Mark Stuart
Mark Van Vlack
Fred A. Worthley
Bill D. Wright
Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum, and 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 the meeting to the next agenda item.

ADMINISTRATION

Approval of Minutes

Chairman Fisher asked if there was a motion to approve the February 15th meeting minutes. Mr. Knutson moved that the minutes be approved, seconded by Ms. Jones. Unanimously carried, the Board approved the February 15th meeting minutes.

Statement of Economic Interests

Mr. Harris reminded the Board members that the Fair Political Practices Commission Form 700 - Statement of Economic Interests, are due in Sacramento by April 7, 2012.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported that precipitation from October 1st to March 5th was 89 percent of normal, and the snowpack was about 81 percent of normal. The April through July runoff is expected to be 5.3 maf or 74 percent of normal. The anticipated 2012 water year runoff is 8.7 million acre-feet (maf) or about 80 percent of normal. Mr. Harris mentioned how dry the water year started out, however some areas in the Upper Basin are approaching near normal precipitation conditions.

Mr. Harris reported that as of March 4th, the storage in Lake Powell was 15.4 maf, or 64 percent of capacity. The water surface elevation was 3,635.2 feet. The storage in Lake Mead was 14.9 maf, or 58 percent of capacity, and water surface elevation was 1,132.9 feet. Total System storage was about 37.88 maf, or 63 percent of capacity. Last year at this time, there was 31.79 maf in storage, or 53 percent of capacity. There was an increase of slightly over 6 maf acre-feet in total system storage over this time last year.

Mr. Harris added that Reclamation's projected consumptive use (CU) for the State of Nevada is slightly under its basic apportionment of 300,000 acre-feet (i.e. 281,000 acre-feet); and for Arizona, the CU is projected to be over its basic apportionment of 2.8 maf (i.e. 2.841 maf); and for California, the CU is projected to be 4.268 maf. The total projected CU in the Lower Basin is expected to be about 7.389 maf.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources, reported on the current climate conditions in California. At the Los Angeles Civic Center, January precipitation totals were less than fifty percent of average for this time of year and about a third of precipitation as this time last year. Precipitation statewide is about 55 percent of average; runoff is only about 35 percent of average, however reservoir storage was about 105 percent of average. The snowpack is only slightly greater than the recorded driest year of 1977. In the northern Sierra, as of March 9th, the snowpack was about 38 percent of average, in the central Sierra the snowpack was about 33 percent of average, and in the southern Sierras the snowpack was about 31 percent of average. The State Water Project (SWP) storage north of the Delta was about 72 percent of capacity and south of the Delta SWP storage was about 88 percent of capacity, overall SWP storage was about 77 percent of capacity. The SWP projected deliveries, due to the low inflow, was reduced from 60 to 50 percent of Table A allocations. Mr. Stuart reported that a storm system is expected for about ten days starting Tuesday, March 13th, with a forecast of about ten inches of precipitation and about two inches of snow in the mountains. Ms. Jones added that as of the morning of March 14th it was reported that there were already five inches of rain recorded at the Sutter precipitation gaging station.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of March 1st, MWD's combined reservoirs storage of Lakes Skinner, Mathews, and Diamond Valley was about 951,000 acre-feet, or about 92 percent of capacity. Diamond Valley Lake was about 766,000 acre-feet, or about 95 percent of capacity. Lake Mathews was about 146,000 acre-feet, or at 80 percent of capacity. Lake Skinner is about 39,000 acre-feet, or 89 percent of capacity. Mr. Foley added that Metropolitan's Colorado River Aqueduct has been shut down for maintenance for the longest period since its construction. Mr. Foley reported that for January the delivery to member agencies was about 100,000 acre-feet, where the ten-year average was about 140,000 acre-feet.

Mr. Pettijohn, of the Los Angeles Department of Water and Power (LADWP), reported that precipitation conditions in the Eastern Sierra as of March 13th. There was a slight increase in precipitation in the Eastern Sierra but only slightly better than 1977, the driest year on record. The ten day forecast calls for eight days of rain likely, so there is potential for recovery.

Colorado River Operations

Metropolitan Water District's Report on Southern Nevada Water Authority Interstate Account for 2011

Mr. Harris reported that included in the Board folder is a letter dated February 21st, where MWD reported that in Calendar Year 2011 MWD did not store any additional water supplies on behalf of the Southern Nevada Water Authority (SNWA). In 2004 MWD, SNWA, and Reclamation entered into an agreement for MWD to store unused Nevada apportionment in its system. SNWA's balance at the beginning and ending of Calendar Year 2011 was 70,000 acre-feet. During 2011, MWD, SNWA, and Central Arizona Project all requested that Reclamation leave any unused mainstream apportionment in storage in Lake Mead rather than reallocate via Article II.B.3.

Federal Energy Regulatory Commission Rejects Preliminary Permit Application for Flaming Gorge Pipeline Project

Mr. Harris reported that on February 23rd, the Federal Energy Regulatory Commission (FERC) dismissed the preliminary permit application to Wyco Power and Water Incorporated (Wyco) associated with the proposed Flaming Gorge Pipeline Project (Project). The proposed Project included a 500-mile pipeline, with seven hydroelectric power generation facilities and a terminal storage reservoir, from the Green River, in Wyoming, at the Flaming Gorge Reservoir to the Front Range in Colorado, ending near Pueblo, Colorado. FERC dismissed the Wyco application because of its lack of specific data and information that would have been required to develop a more complete license application for the proposed hydropower project.

Status of the Colorado River Basin Water Supply and Demand Study Report

Mr. Harris reported that in late 2011, Reclamation had initiated Phase 4 of the Colorado River Basin Water Supply and Demand Study Report (Basin Study Report) – titled *Development and Evaluation of Opportunities for Balancing Water Supply and Demand*. Reclamation and the Basin Study Team, through public outreach solicitations, web questionnaires and public meetings, sought a broad range of options and strategies to help resolve future water supply and demand imbalances in the Colorado River System. Proposed options and strategies were solicited through February 1st. A total of 139 options and strategies were received. Twenty one of the options/strategies submitted were from members of the Basin Study Team or their member agencies, and 118 options/strategies were submitted by interested stakeholders. The Basin Study Team is currently evaluating and classifying each of the options/strategies by “Project Types” and “Categories” for further analysis and description. The Basin Study Report is still on schedule to be completed and a final report published in July 2012.

Basin States Discussion

Status of the Bi-National Discussions

Mr. Zimmerman reported that a U.S. draft of Minute 319 was presented to Mexico in late February. After receiving the draft Minute, Mexico responded with about twenty-five questions. The “Small Group” of U.S. federal and state representatives collaborated in developing responses to Mexico’s questions. The Small Group submitted the U.S. responses to Mexico’s questions in early March 2012. Mexican representatives met in Mexico City the second week of March 2012 and a response is expected soon.

Mr. Zimmerman reported that the Small Group continues to work on a series of domestic agreements that need to be developed and executed prior to execution of Minute 319 between the U.S. and Mexico. Mr. Zimmerman reported that the Small Group is scheduled to meet March 19th and 20th to work on the funding agreement for the pilot project as well as guidelines for future projects in Mexico, the delivery agreement for the pilot project, the forbearance agreement for the conversion of Intentionally Created Mexican Apportionment to Intentionally Created Surplus, as well as other states’ agreements such as voluntary non-use of surplus water, assurances agreements and environmental compliance documentation. Mr. Zimmerman reported that he expects further development by the next Board meeting in April 2012.

Proposed Federal Legislation, “Navajo-Hopi Little Colorado Water Rights Settlement Act of 2012 (S. 2109)”

Mr. Harris reported that Arizona Senators, McCain and Kyl, have introduced Senate Bill 2109 (S. 2109) to resolve long-standing water rights claims of the Hopi Tribe and the Navajo Nation within Arizona. Mr. Harris reported that both tribes occupy approximately one-quarter of the state of Arizona in the northeastern part of the state. Most of Hopi and Navajo Nation land is within the Little Colorado Watershed. The proposed legislation would authorize \$359 million to build two groundwater delivery projects on the Navajo reservation and one on the Hopi reservation. In exchange, the tribes will settle their reserved water rights claims within the Little Colorado River watershed. Within the Little Colorado River Basin there’s been a general stream adjudication that’s been going on for about the past twenty-five years, and S. 2109 will endeavor to resolve the tribal water rights within that watershed. The proposed settlement would also make 6,411 acre-feet available for use on the eastern portion of the Navajo reservation. Finally, the Navajo Nation will work to ensure the continued long-term operation of the Navajo Generating Station near Page, Arizona.

Colorado River Water Quality and Environmental Issues

Colorado River Basin Salinity Control Forum Work Group Meeting

Mr. Harris reported that the Colorado River Basin Salinity Control Forum Work Group met February 14th and 15th, in Phoenix, Arizona. Mr. Harris reported that the U.S. Geological Survey is scheduled to complete its hydrogeologic study of the Paradox Valley in March 2012. The study will provide a better understanding of precisely where the underlying salt is being dissolved and the depth to the freshwater-brine interface in the Paradox Valley. Currently, the Paradox Valley injection well removes about 100,000 tons of salt per year from the mainstream of the Colorado River. There is concern regarding the continued operation and lifespan of the well. Reclamation held public scoping meetings in early December 2011 associated with the proposed Paradox Evaporation Pond Pilot Study in Paradox and Montrose, Colorado. There are concerns about the toxicity of the brine solution in the proposed evaporation pond and migratory bird mitigation and safety concerns in the event of a flood that could potentially flush thousands of tons of salts into the Dolores River and the mainstream of the Colorado River. Reclamation continues to work to identify alternative sites for the evaporation pond and plans to update the Salinity Control Forum on the status of its efforts at the May Salinity Control Forum meeting in Utah.

Mr. Harris reported that the current Farm Bill is set to expire on September 30th, and the process for Farm Bill development and reauthorization is currently underway in the Congress. Mr. Harris reported that much of the funding for the Colorado River Salinity Control Program of the U.S. Department of Agriculture is through the Farm Bill. Mr. Harris reported that the Salinity Control Program is very important to California and all of the Basin states. Mr. Harris requested that all of the agencies work with their delegations and that we work with the Basin states to ensure that the Salinity Control Program continues to be supported. Mr. Harris reported that historically the Salinity Control Program has received its funding through the U.S. Department of Agriculture Environmental Quality Incentives Program (EQIP), although another option would be to pursue specific funding directly. Board staff will be working closely with the

member agencies and Basin states counterparts in ensuring that the requisite Salinity Control Program funding continues to be provided by Congress during the upcoming legislative process. Board staff will be preparing testimony for the appropriate subcommittees addressing program funding in Congress. Mr. Harris reported that the Forum's Executive Director has contacted senior staff of the Senate Agriculture Subcommittee on Conservation, Forestry and Natural Resources, whose chairman is Colorado's U.S. Senator Michael Bennet. With Colorado's help we're likely to keep attention on the program in the next iteration of the Farm Bill.

Mr. Harris reported that the Forum Work Group and Science Team are continuing to explore options and potential methods for capturing saline flows from the Pah Tempe Springs in the Virgin River watershed. Though this area is within the Lower Basin it shouldn't be excluded. There could also be other meaningful salinity control projects in the Lower Basin.

Mr. Harris reported that the next meetings of the Forum, Work Group and Advisory Council are scheduled for May 15-18, to be held in Midway, Utah.

Status of the Glen Canyon Dam Adaptive Management Program

Mr. Harris reported that the Glen Canyon Dam Adaptive Management Work Group (AMWG) met in Tempe, Arizona, on February 22-23, 2012. The AMWG approved the catalog of "Desired Future Conditions" (DFCs) that will be used to guide future budget development, development of science and monitoring plans, and future experimental activities. The catalog of DFCs has been in the works for about ten years. The DFCs will be submitted to the Secretary of the Interior for approval and adoption.

Mr. Harris reported that the AMWG recommended that the Secretary of the Interior authorize the development of a socioeconomics program for the Glen Canyon Adaptive Management Program that evaluates market, non-market, and non-use impacts. The socioeconomic program will quantify what are qualitative uses of the Grand Canyon such as recreational use and derive a common unit of value that is measurable that can be compared with readily measurable values such as power generation, and cost of replacement power. This updated socioeconomic program study will likely be a phased process taking about three to four years.

Mr. Harris reported that the AMWG received its first look at the biennial Fiscal Years 2013-2014 budget for the Adaptive Management Program. The Fiscal Year 2013 budget is \$8.5 million and \$8.8 million for Fiscal Year 2014. Mr. Harris reported that the Grand Canyon Monitoring and Research Center is currently spending about 60 percent of its budget in both the physical sciences and biology programs on mandated environmental compliance activities associated with recent National Environmental Policy Act and Endangered Species Act decisions or opinions.

Status of the Long-Term Experimental and Management Plan for Glen Canyon Dam

Mr. Harris reported that the Basin states submitted its comment letter to Reclamation on January 31st providing scoping comments associated with preparation of the Long-Term Experimental and Management Plan (LTEMP) Environmental Impact Statement (EIS). Primary comments in the letter included: 1) Discussion of the legal framework for the LTEMP EIS

analyses; 2) Requiring consistency of Glen Canyon Dam operations and the 2007 Interim Guidelines; 3) Geographic scope of the LTEMP EIS; 4) Consideration of impacts to existing species conservation and recovery implementation programs; 5) Ensuring a clear distinction between experimental and management actions associated with operations at Glen Canyon Dam; 6) Ensuring development of alternatives that are realistic and comply with existing laws and regulations; and 7) Comments associated with actual process developing the LTEMP EIS.

Mr. Harris reported that the Basin states representatives met in Las Vegas, Nevada on February 29th to meet with several scientists involved in on-going long-term monitoring and research activities through the Glen Canyon Dam Adaptive Management Program. The scientists represented expertise in: Humpback chub biology and ecology; Biology and ecology of rainbow trout; Aquatic food-base ecology of Glen and Marble Canyons; and sediment and sand resources of the Grand Canyon Ecosystem. The scientists provided an overview and synthesis of the current state-of-knowledge data and information. The Basin states representatives discussed the potential for developing a collaborative alternative that would be submitted to Reclamation and the National Park Service for analysis and evaluation in the LTEMP EIS process. The Basin states representatives have scheduled a conference call for Friday March 16th to discuss the effort of the Basin states to submit a Basin States' alternative to Reclamation and the National Park Service. This collaborative effort is similar to the "Basin States' Alternative" submitted in the 2007 Interim Guidelines process. Mr. Harris believes that the Basin states have about two months to finalize a Basin states alternative and formally submit the alternative for inclusion in the LTEMP EIS.

Basin States' Letter – Comments on the Final Environmental Assessment for the Development and Implementation of a Protocol for High Flow Experimental Releases from Glen Canyon Dam, 2011-2020

Mr. Harris reported that on March 8th, the Basin states finalized their joint letter to Reclamation's Upper Colorado Regional Office associated with the final Environmental Assessment for the High Flow Experimental Releases Protocol for Glen Canyon Dam. The primary purpose of the High Flow Experimental Protocol is to test and evaluate short-duration, high-volume dam releases during sediment-enriched conditions during a ten-year period of experimentation from 2011 to 2020. The primary issues described in the letter include: 1) Ensuring a clear distinction and/or demarcation between management actions versus experimental actions; 2) Relationship between the decision making process and the High Flow Experimental Protocol, and the goals and objectives of the Glen Canyon Dam Adaptive Management Program and the Desired Future Conditions for the Grand Canyon Ecosystem; 3) The High Flow Experimental Protocol Monthly Release Determinations must be consistent with the 2007 Interim Guidelines; and 4) The need for Reclamation to clearly articulate process and steps for coordinating and integrating the High Flow Experimental Protocol and the LTEMP EIS process.

OTHER BUSINESS

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Wednesday, April 11, 2012, 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 the meeting. Upon the motion of Mr. Knutson, seconded by Mr. Foley, and unanimously carried, the meeting was adjourned 11:05 a.m. on March 14, 2012.

/S/ Christopher Harris

Christopher S. Harris
Acting Executive Director