

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

**February 8, 2005**

## **ADMINISTRATION**

### *Status of State Government Reorganization*

Governor Schwarzenegger's reorganization plan is moving forward. The Little Hoover Commission held hearings and received testimony on the elimination of 88 boards and commissions on January 26<sup>th</sup> and 28<sup>th</sup>. It is anticipated that the Little Hoover Commission will provide its report to the Governor and the legislature in about 30 days from its last hearing.

## **AGENCY MANAGERS MEETING**

The agency managers have held several conference calls regarding the Basin states discussions on managing the Colorado River reservoir system under drought and shortage conditions and on Governor Schwarzenegger's reorganization plan for boards and commissions.

## **PROTECTION OF EXISTING RIGHTS**

### Colorado River Water Report

As of February 2, 2005, storage in the major Upper Basin reservoirs decreased by 1,889,300 acre-feet and storage in the Lower Basin reservoirs decreased by 221,200 acre-feet during January. Total System active storage as of February 2<sup>nd</sup> was 30.417 million acre-feet (maf), or 51 percent of capacity, which is 2.110 maf less than one year ago.

January releases from Hoover, Davis, and Parker Dams averaged 5,480, 4,910 and 4,110 cubic feet per second (cfs), respectively. Planned releases from those three dams for the month of February 2005 are 8,100, 7,700, and 5,800 cfs, respectively. The February releases represent those needed to meet downstream water requirements including those caused by reduced operation of Senator Wash Reservoir.

During December 2004, there was no mitigation water delivered to the Salton Sea. Through the end of 2004, a total of 15,226 acre-feet of mitigation water was delivered to the Salton Sea. Also, during 2004, a total of 376 acre-feet were delivered to the City of Tijuana.

As of February 2<sup>nd</sup>, taking into account both measured and unmeasured return flows, the Lower Division States' consumptive use of Colorado River water for calendar years 2004 and 2005, as forecasted by Reclamation, totals 7.391 and 7.424 maf, respectively. This is comprised of the following:

<b>State</b>	<b>2005 (MAF)</b>	<b>2004 (MAF)</b>
Arizona	2.776	2.802
CAP	1.588	1.668
California	4.351	4.306
Nevada	0.296	0.283
<b>Total</b>	<b>7.424</b>	<b>7.391</b>

The preliminary end-of-year estimate by the Board staff for 2004 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 3.524 maf. This estimate, by Board staff, is based on the collective use through December 2004 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 historic projected end-of-year agricultural use for the year.

### Colorado River Operations

#### *Coordination of Releases from Painted Rock and Alamo Dams*

Similar to a letter submitted by The Metropolitan Water District of Southern California last month, the Board prepared and submitted a letter to the U.S. Army Corps of Engineers (USACE) and Reclamation regarding the coordination of flow releases from both Alamo and Painted Rock Dams. Coordination of releases would permit the retention of Colorado River water in the mainstream reservoir system while ensuring safe flood control operations, via reservoir evacuation, on the Bill Williams River and Lower Gila River. Water released from Alamo and Painted Rock Dams will be available for diversion and use by users in the United States and Mexico, while reserving an equivalent amount of water in mainstream storage. For your information, a copy of the letter is included in the Board folder.

In a similar vein, included in the handout material is a copy of an article that appeared recently in the Arizona Republic. The article reports that excess releases from the Salt River Project reservoir system in central Arizona is accumulating in Painted Rock Reservoir on the Lower Gila River and is being used to satisfy a portion of the Mexican Water Treaty delivery obligation, and thereby reserving mainstream water in Lake Mead. Because of the Painted Rock releases, Reclamation has been able to reduce releases from Parker Dam by 200 cfs. The Salt River Project representatives have

indicated that they have released approximately 481,000 acre-feet from the Verde River system reservoirs since December 30, 2004. Much of this water has recharged local groundwater aquifers in the Salt and Gila River valleys, but a substantial amount of the excess flows have reached Painted Rock Reservoir.

#### *Status of the Proposed San Juan River Basin Water Rights Settlement*

The New Mexico Interstate Stream Commission approved the proposed San Juan River Basin Water Rights Settlement Agreement on January 12<sup>th</sup>. The proposed settlement establishes the Navajo Nation's rights to more than 600,000 acre-feet of San Juan River water, or about 56% of the available water. The settlement must first be approved by the New Mexico Attorney General, and then it will be submitted to Congress for approval. In return for the settlement, the Navajo Nation relinquishes 44% of its water rights claim in the basin, and thereby, avoids displacing non-Indian water users. Included in the Board folder are several news articles regarding the proposed settlement agreement.

#### *International Boundary and Water Commission Renewal of Citizen's Forum Charter*

The International Boundary and Water Commission (IBWC) is accepting applications for membership on the Colorado River Citizen's Forum for the next two-year period. The forum was created two years ago and acts as a focal point for the exchange of information between the IBWC and interested stakeholders in the Yuma region, as well as Imperial County. The forum typically meets four times per year. Application forms, for membership, should be submitted to the IBWC by February 28<sup>th</sup>.

#### Basin States Discussions

##### *Basin States' Meetings of January 31<sup>st</sup> and February 1<sup>st</sup>, Albuquerque, New Mexico*

Representatives of the Colorado River Basin states are continuing to meet as the Seven Basin States Representatives, as the Basin States Technical Committee, as the Lower Basin States Representatives, and as the Lower Basin States Technical Committee. All of the meetings have focused on managing the Colorado River System during times of low runoff and drought conditions.

The Technical Committee has been: 1) conducting and analyzing model studies of possible future water supply conditions and impact that those conditions may have on the reservoir system storage and the ability of the system reservoirs to meet future water supply demands, 2) identifying potential projects, programs, and actions that could be implemented to avoid, or at least reduce, the impacts associated with drought and shortage conditions, 3) analyzing the possible conjunctive storage of water contained in Lakes Powell and Mead, and 4) discussing possible parameters and criteria for shortage determinations and the distribution of shortages within the Basin.

The Technical Committee has provided reports on its efforts to the Basin States Representatives, who have provided additional direction to the Technical Committee on the scope of the studies and analyses that it would like to see. At this time, representatives from the Lower Basin and the Upper Basin are meeting independently to further analyze the results of the studies from a Lower Basin and an Upper Basin perspective. The Basin States meeting currently scheduled for February 28<sup>th</sup> and March 1<sup>st</sup> will be utilized to further develop and scope the process that the states would like to undertake to advance the discussions beyond gathering technical information.

*Basin States' Letters of Support for the Lower Colorado River Regulatory Storage Projects*

Included in the handout material are copies of two letters: 1) a letter from the Basin states representatives to each of the Senators from the Colorado River Basin and 2) a draft letter prepared on behalf of the Basin States congressional delegations to send to the chairman and ranking minority member of the Senate Energy and Water Development Subcommittee. Both letters indicate the need for Fiscal Year 2006 funding for Lower Colorado River Regulatory Storage Projects.

These projects include the new off-stream regulatory storage adjacent to the All-American Canal and basin behind Laguna Dam on the Colorado River mainstream. The letters of support urge the Congress to appropriate the necessary funding to implement these important programs. Approximately \$30 million is required to complete environmental compliance and design and begin construction of the All-American Canal regulatory storage project, and an additional \$7.6 million is required to complete the environmental compliance and procurement and begin construction to restore the storage behind Laguna Dam.

*Reclamation's Klamath Basin Water Bank Pilot Project*

Included in the Board folder is information regarding a Reclamation initiative in the Mid-Pacific Region. Reclamation has created a pilot water bank in the Klamath Basin. The purpose of the water bank is to create a pool of water that can be used for threatened Coho salmon. The water bank consists of several programs, including on- and off-project storage, groundwater pumping, and a dry-land operation. Eligibility in the program is limited to field units within the Klamath Project that have been irrigated with surface water in both 2003 and 2004. Field units must be of at least 20 contiguous acres in size. Reclamation is soliciting applications from interested stakeholders within the Project area. Additionally, Reclamation is requesting ideas and proposals in order to meet the 100,000 acre-feet required under the biological opinion associated with Klamath River operations. I thought that Board members and other stakeholders would be interested in this program and its potential applicability in the Lower Basin. More information about this program can be obtained from Reclamation's website at [www.usbr.gov/mp/kbao](http://www.usbr.gov/mp/kbao).

## Colorado River Environmental Activities

### *Status of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP)*

Currently, the federal and non-federal participants are in the process of finalizing the following documents: (1) Funding Management Agreement; (2) Implementation Agreement; and (3) the ESA Section 10 Incidental Take Authorization Permit. Each of these agreements will require final approval and execution by the various parties upon the signature of the Record of Decision by Secretary Norton in late-March 2005. As of this date, it is anticipated that Secretary Norton will be available for a signing ceremony related to execution of all of the pertinent agreements and documents on one of the following dates; March 22<sup>nd</sup>, 23<sup>rd</sup>, or 24<sup>th</sup>. It is thought that the signing ceremony will be held on the Lower Colorado River at one of the proposed habitat restoration sites near Laughlin, Nevada.

### *Status of the LCR MSCP CESA 2081 Permit*

Based upon recent and productive discussions with the California Department of Fish and Game (CDFG), the California agencies are expecting finalization of the incidental take authorization permit, pursuant to California Endangered Species Act Section 2081 of the Fish and Game Code. The agencies have been working closely with CDFG to ensure that the permit terms and conditions are compatible with the terms and conditions of the federal permit and can be effectively implemented by Reclamation on behalf of the Permittees.

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

A meeting of the Glen Canyon Dam Adaptive Management Work Group will be held during the first week of March 2005. The meeting will address the following: (1) budget for the Program during the upcoming fiscal year; (2) anticipated work plan for 2005; and (3) expected basin hydrologic conditions and dam operations.

Participants in the Glen Canyon Adaptive Management Program recently developed a brief fact sheet associated with the hydroelectric power resources of Glen Canyon Dam and the Colorado River Storage Project authorized in 1956. The fact sheet describes the impacts of the Adaptive Management Program on the power customers served by Glen Canyon Dam. Included in the Board folder is a copy of the fact sheet.

In the context of the Program's native fish conservation efforts, the Arizona Game and Fish Department has requested information from the USFWS regional office in Denver, Colorado regarding the genetics management plan for the humpback chub. The letter requests that the plan be made available as soon as possible in order to benefit the proposed efforts of the Glen Canyon Adaptive Management Program, as well as the independent activities of the Arizona Game and Fish Department. A copy of the Department's letter has been included in the Board folder.

Lower Colorado Water Supply Project (LCWSP)

*Status of the Lower Colorado River Water Supply Project – Advance Delivery*

A special meeting of the Needles City Council and the Board of Public Utilities has been rescheduled from December 28, 2004, to February 22, 2005. The meeting is being held to provide a status report and overview of the LCWSP and the potential sale of excess Project capacity to a third party contractor. Currently, I plan on attending this meeting with Mr. Dennis Underwood of MWD.

**WATER QUALITY**

*Colorado River Basin Salinity Control Forum Work Group Meeting, Salt Lake City, Utah, January 12-13, 2005*

The Colorado River Basin Salinity Control Forum Work Group held a meeting on January 12-13, 2005, in Salt Lake City, Utah, to discuss funding issues in 2004 and the allocation of the 2004 discretionary funds for 2005.

A summary of the Environmental Quality Incentives Program (EQIP) Financial Assistance (FA) Obligations and Technical Assistance (TA) Expenditures that have been allocated to approved CRBSC Projects for 2004, as was reported to Work Group, is as follows:

	FA	TA	Total
Colorado	\$7,857,121	\$1,492,853	\$9,349,974
Utah	\$7,981,077	\$1,978,380	\$9,959,457
Wyoming	\$ 50,229	\$ 128,000	\$ 178,229
<b>TOTAL</b>	<b>\$15,888,427</b>	<b>\$3,599,233</b>	<b>\$19,487,660</b>

Based upon the above EQIP funding figures, the projected 2004 allocations from Basin States Cost Share Parallel Program are as follows:

Proportional Funds = \$6,809,327  
Discretionary Funds = \$1,542,528

A total of fourteen projects were presented to the Work Group requesting Parallel or Discretionary Funding. Nine of these projects were approved for Discretionary Funding for a total amount of \$723,840 in 2005. Some of the project funding is for continuing projects that have been approved in previous years.

The preparation of the 2005 Triennial Review Report was briefly discussed. However, a Work Group meeting is scheduled for February 22-23 in Phoenix to discuss,

in detail, preparation of the 2005 Triennial Review Report. For the Forum to consider and approve the draft report, it must be presented to the Forum prior to its June of 2005 meeting. If the Forum approves the draft report, then public hearings will be scheduled in the Basin states to receive comments on the Triennial Review Report. The final draft report will be presented to the Forum at its October 2005 meeting, at which time final approval and adoption is expected.

*Status of Perchlorate Remediation Efforts, Las Vegas Wash, Nevada*

At the October 2004 Board meeting, I reported that the Kerr-McGee's new treatment system, Fluidized Bed Reactor (FBR), that began operations in start up mode in April of 2004, was being optimized for performance. The optimization process has been completed and the FBR treatment system is now fully operational. The flow to FBR is about 1,000 gallons per minute (gpm) and the perchlorate concentration to the FBR system varies between 200 to 250 ppm. The effluent concentration varies between non-detect to 18 ppb. According to the Nevada Department of Environmental Protection (NDEP) the permit condition of 18 ppb for the FBR effluent, which became effective in December of 2004, is being consistently met.

I reported earlier that since the operation of the new Kerr-McGee FBR system the perchlorate load to Las Vegas Wash has continued to drop. According to NDEP, with fully operational FBR treatment system, the perchlorate load to Las Vegas Wash is approximately 100 lbs per day. However, due to heavy rains in December and January, the perchlorate load at the Northshore Road station indicates a higher concentration, which is expected to be temporary. As of January 1<sup>st</sup>, approximately 1,500 tons of perchlorate has been removed from the environment.

The perchlorate concentration at the Willow Beach monitoring station has dropped to about 2 ppb in September 2004. However, higher concentrations have been monitored in the past few months due to the turnover of Lake Mead. This phenomenon has historically occurred and the high spike is generally in January. In January of this year the concentration was about 3.6 ppb. It is anticipated that it will drop again to 2 ppb or less.

Regarding the AMPAC deep plume, it has not contributed to the Las Vegas Wash yet. According to NDEP, AMPAC has been conducting investigations and pilot testing and did submit its Work Plan for remediation at the end of January 2005. When NDEP approves the Plan, AMPAC will begin the permit process. It is anticipated that the first fully operational treatment system should be in place by August of 2005.

  
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