

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

**May 3, 2005**

**ADMINISTRATION**

*Fiscal Year 2005-2006 Budget for the Colorado River Board of California*

On March 30, 2005, the Assembly Subcommittee No. 3 on Natural Resources and Environmental Protection included the Colorado River Board's fiscal year 2005-2006 budget on the consent calendar, which was approved as proposed. The Board's FY 2005-06 budget, which is funded 100 percent from reimbursements, totals \$1,237,000.

On the Senate side, the Board's FY 2005-06 budget was heard by the Senate Subcommittee No. 2 on Resources, Environmental Protection and Energy on April 25, 2005. There were no issues associated with the Board's proposed budget. As an informational item, the subcommittee staff included a short write-up on the Lower Colorado River Multi-Species Conservation Program. Subcommittee No. 2 also approved the Board's budget as proposed.

Included in the Board's handout material is a copy of the Board's proposed FY 2005-06 Budget for the Board members information. At the June Board meeting, the standard agreement between the Board and the Six Agency Committee, which approves the funding arrangement between the Board and the Six Agency Committee, will be discussed and action taken.

**AGENCY MANAGERS MEETING**

The agency managers are planning to meet on May 5<sup>th</sup> in conjunction with the ACWA conference in San Jose, California. During that meeting the focus of the discussions will be on the Board's proposed FY 2005-06 budget and the Basin states discussions related to the mid-year review of the releases from Glen Canyon Dam.

**PROTECTION OF EXISTING RIGHTS**

Colorado River Water Report

As of April 27, 2005, storage in the major Upper Basin reservoirs decreased by 1,153,500 acre-feet and storage in the Lower Basin reservoirs increased by 1,032,000 acre-feet during April. Total System active storage as of April 27<sup>th</sup> was 31.519 million acre-feet (maf) or 53 percent of capacity, which is 0.122 maf less than one year ago.

April releases from Hoover, Davis, and Parker Dams averaged 17,190, 16,320 and 11,560 cubic feet per second (cfs), respectively. Planned releases from those three dams for the month of May 2005 are 17,200, 16,700, and 11,500 cfs, respectively. The May releases represent those needed to meet downstream water requirements.

As of April 27<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 2005, as forecasted by Reclamation, totals 7.102 maf and is described as follows: Arizona, 2.536 maf; California, 4.293 maf; and Nevada, 0.273 maf. The Central Arizona Project (CAP) will divert 1.392 maf, of which 0.129 maf are planned to be delivered to the Arizona Water Bank. The Metropolitan Water District of Southern California (MWD) will use about 0.631 maf, which is 119,000 acre-feet less than its 2004 estimated use of mainstream water.

The preliminary end-of-year estimate by the Board staff for 2005 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 3.604 maf. This estimate, by Board staff, is based on the collective use through March 2005 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

#### *Reclamation's Review of the "Criteria for Coordinated Long-Range Operation of Colorado River Reservoirs"*

On March 21<sup>st</sup>, Secretary of the Interior, Gale Norton, distributed the final decision associated with the five-year review of the Coordinated Long-Range Operating Criteria for Colorado River Reservoirs. The Secretary has implemented a number of limited modifications to the text of the operating criteria. The bases for the modifications include the following: (1) specific changes in federal law applicable to the operating criteria; (2) updating outdated language in the operating criteria; and (3) specific modifications to Article IV(b) of the operating criteria that reflected actual operating experience. A copy of the documentation regarding the review of the operating criteria, including the Department of the Interior's responses to comments made during the consultation and public review process, are included in the Board folder.

#### *Southern Nevada Water Authority Notification of Availability of 2005 Unused Apportionment*

Because of southern Nevada's response to water conservation programs and drought restrictions, the Southern Nevada Water Authority (SNWA) anticipates that not all of Nevada's 300,000 acre-foot (af) basic apportionment will be utilized in 2005. Consequently, SNWA anticipates that approximately 15,000 af to 25,000 af will be

stored by The Metropolitan Water District of Southern California, pursuant to the existing SNWA Storage and Interstate Release Agreement. Copies of SNWA's correspondence to both MWD and Reclamation regarding the storage of the unused apportionment have been included in the Board folder.

#### *Miscellaneous News Articles of Interest*

Since the April Board meeting, several news media articles related to regional hydrologic conditions within the Colorado River Basin; production of additional water supplies through the removal of forest vegetation in portions of the Basin, operation of the Yuma Desalting Plant; and removal and control of saltcedar have appeared in the newspapers. Copies of some of these news articles have been included in the Board folder.

#### *Assembly Bill 1466*

Assembly Member Laird recently introduced proposed legislation to develop a program to control or eradicate saltcedar in the Colorado River watershed. The proposed legislation would require the California Department of Water Resources, in collaboration with the Departments of Food and Agriculture and Fish and Game, and Colorado River Board of California to develop a program to control or eradicate saltcedar in the Colorado River watershed. The agencies are to collaborate with other appropriate federal agencies and the Basin States. The proposed legislation also requires the re-establishment of native riparian vegetation where saltcedar is removed. I have included a copy of AB 1466 in the Board folder.

#### Basin States Discussions

##### *Basin States' Meetings*

On April 18<sup>th</sup>, representatives from the Lower Basin and Upper Basin states met independently with Department of the Interior and Bureau of Reclamation officials in Las Vegas, Nevada. The purpose of these meetings was to continue discussions related to the mid-year review of the releases from Glen Canyon Dam called for in the 2005 Annual Operating Plan for the Colorado River System Reservoirs (2005 AOP).

Following these meetings, a letter from the Upper Division States (Colorado, New Mexico, Utah, and Wyoming), accompanied by a resolution of the Upper Colorado River Commission, were made available to interested parties. The letter, to the Secretary of the Interior, requests the Secretary to reduce releases from Glen Canyon Dam to less than 8.23 million acre feet in water year 2005. This request is based upon the Upper Division States' review of existing hydrologic and reservoir conditions and its interpretation of relevant sections of federal laws or interstate compacts.

The accompanying resolution of the Upper Colorado River Commission was developed pursuant to Article VIII of the Upper Colorado River Basin Compact of 1948.

The resolution, also dated April 18<sup>th</sup>, recommends that the Secretary of the Interior, based upon current hydrologic and reservoir conditions, should hold as much water as possible in Upper Basin reservoirs during Water Year 2005. Copies of both the Upper Division states letter and the resolution of the Upper Colorado River Commission are included in the Board folder.

On April 26, 2005, the Bureau of Reclamation held its final consultation meeting with the Basin states representatives and others regarding the mid-year review of the releases from Glen Canyon Dam. During this meeting, representatives from the Bureau of Reclamation provided an update on the status of the reservoir and hydrologic conditions within the Colorado River Basin. Also, Reclamation provided the Colorado River Management Work Group members an analysis of the projected reservoir conditions if the releases from Glen Canyon Dam were to be reduced by 200,000 acre-feet and 500,000 acre-feet during the remainder of water year 2005. The analysis showed that at the end of calendar year 2005 with a 500,000 acre-foot reduction in the releases from Glen Canyon Dam that Lake Powell's water surface elevation would be about 4.8 feet higher and the storage would increase from about 47.3 percent of capacity to 49.2 percent of capacity while Lake Mead's water surface elevation would be about 4.5 feet lower and the storage would decrease from 57.1 percent of capacity to 55.4 percent of capacity. The analysis further showed that by the end of calendar 2006, with an 8.23 maf release from Glen Canyon Dam, that Lake Powell's storage would be greater than Lake Mead's storage, 56.2 percent of capacity compared to 50.5 percent of capacity.

From preliminary estimates by Reclamation staff, a 500,000 acre-foot reduction in the releases from Glen Canyon Dam this year would result in reduced hydroelectric power revenues being generated at both Lake Powell and Lake Mead. During water year 2005, the reduced revenue generated at Lake Powell would be \$10.0 million, while the reduced revenue at Lake Mead would be \$2.5 million.

Following the April 26<sup>th</sup> consultation meeting, the three Lower Division states (Arizona, California, and Nevada) submitted a letter to Secretary Norton indicating that it was the states' position that the releases from Glen Canyon Dam for water year 2005 must not be reduced below 8.23 maf. Within the letter, three reasons were identified: 1) such a reduction would undercut the current efforts of the seven Basin states to resolve several important issues in a collaborative manner, 2) the runoff forecast, the sole basis in the 2005 AOP for a mid-year review, has improved, not worsened, and 3) a reduction of the deliveries from Lake Powell would violate the Criteria for Coordinated Long-Range Operation of the Colorado River Reservoirs. Within the letter to Secretary Norton, the Lower Division states expressed a willingness to continue to explore with the Upper Division states and the federal parties various strategies for operating the reservoir system that could result in releases from Glen Canyon Dam of less than 8.23 maf in a given year. A copy of the Lower Division states letter to Secretary Norton is included in the handout material. Also, included in the handout material are 10 other letters that were received commenting on the desirability of reducing the releases from Glen Canyon Dam this year.

On May 2<sup>nd</sup> Secretary Norton released her decision regarding the releases from Glen Canyon Dam for the remainder of water year 2005. In her letter to the Governors of the seven Colorado River Basin states, Secretary Norton indicated that after a review of the information received during the public meetings “...we have concluded that an adjustment to the release amount from Lake Powell during the next five months is not warranted.” She noted that the runoff forecast is at 106 percent of average and is significantly better than when the annual operating plan was developed last fall. In her letter, Secretary Norton stated that “[w]hen developing annual operating plans for the Colorado River, including this and future mid-year reviews, the Department of the Interior retains authority pursuant to applicable law and the Operating Criteria to adjust releases from Glen Canyon Dam to amounts less than 8.23 million acre-feet per year.”

In her May 2<sup>nd</sup> letter, Secretary Norton directed the Bureau of Reclamation to convene a meeting of the Colorado River Management Work Group by May 31, 2005, to discuss the most appropriate processes and mechanisms to address the challenges associated with operation of the reservoir system under drought conditions. Based upon those discussions, the Department of the Interior will issue a *Federal Register* notice by June 15<sup>th</sup> to address at a minimum: 1) development of Lower Basin Shortage Guidelines and 2) development of Conjunctive Management Guidelines for Lake Powell and Lake Mead.

#### *Miscellaneous News Articles of Interest*

Related to the Basin States discussions, current hydrologic conditions in the Basin, and the mid-year review of the AOP, several news media articles have been published recently. Copies of a number of the articles from local newspapers in Arizona, California, Colorado, and Nevada have been included in the Board folder and the handout materials. All of the articles highlight the current hydrologic conditions in the Upper and Lower Basins, Lakes Mead and Powell reservoir conditions, and the positions being articulated by various representatives of the Basin states.

#### Colorado River Environmental Activities

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

The first scheduled meeting of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) Steering Committee, associated with Program implementation, will be held on May 13<sup>th</sup> in Las Vegas, Nevada. Toward this end, Reclamation has requested, pursuant a letter dated April 15<sup>th</sup>, that Steering Committee members formally identify their voting and alternate representatives. The Board has identified the Executive Director as the voting representative and Mr. Harris as the Alternate.

The Board recently received a copy of the final executed USFWS ESA Section 10 incidental take authorization permit from the USFWS Regional Office in Albuquerque,

New Mexico. It is my understanding that each of the California agencies participating in the LCR MSCP has also received a copy of the final permit.

The LCR MSCP Record of Decision and the other agreements executed at the signing ceremony on April 4<sup>th</sup> are being collected and compiled by Reclamation. When all of the signatures have been collected, signed originals and electronic copies will be distributed to each of the federal and non-federal participating agencies or entities. The final executed CESA incidental take permit will also be distributed after the City of Los Angeles signs the permit. Los Angeles is awaiting the final approval of the Los Angeles City Council.

### *California Senate Bill 1081*

California Senator Denise M. Ducheny recently introduced legislation to amend the Water Code regarding the expenditure of Proposition 50 funds related to Salton Sea restoration activities. The proposed legislation would preclude the expenditure of Proposition 50 funds, through the Wildlife Conservation Board (WCB), for any future land acquisitions along the Lower Colorado River if it is not specifically related to Salton Sea restoration. Additionally, the legislation would require the WCB to identify the source of funds intended to replace the monies expended by the WCB for the acquisition of the "Travis Ranch" lands in the Palo Verde Valley. I have included a copy of SB 1081 and correspondence from The Metropolitan Water District of Southern California opposing the proposed legislation in the Board folder.

### *Southwestern willow flycatcher Critical Habitat Designation*

As you may recall, approximately one year ago the USFWS reinitiated the process to designate critical habitat for the southwestern willow flycatcher. The USFWS held several public scoping meetings and solicited written and oral comments associated with critical habitat designation. This process was put in abeyance while economic assessments and evaluations were prepared. It is my understanding that the economic analyses associated with the critical habitat designation have been completed and are available for review and comment. The USFWS has requested that interested parties submit comments related to the critical habitat designation and economic analyses be submitted by May 31, 2005. Information related to the critical habitat designation and economic analyses can be found at the following website: <http://arizonaes.fws.gov/>. The Board's staff is currently reviewing the economic analysis and critical habitat designation and is in the process of preparing comments on the proposed designation

## **WATER QUALITY**

### Colorado River Basin Salinity Control Forum Work Group

I reported at the April Board meeting that Colorado River Basin Salinity Control Forum Work Group (Work Group) had scheduled a meeting on April 13-14, 2005 in Salt

Lake City to discuss the 2005 Triennial Review report. At the Salt Lake City meeting, the Work Group prepared the first draft report to be distributed to the Work Group members for further review and comment. A final draft will be submitted to the Forum Members during the first week of May. The draft report will be considered for Forum approval at its June 2005, meeting in Grand Junction, Colorado. As I have mentioned at previous Board meetings, 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.

#### PG&E Topock Gas Compressor Station Site

As I reported at last month's Board meeting, both California Department of Toxic Substance Control (DTSC) and Arizona Department of Environmental Quality (ADEQ) are working together to identify existing monitoring wells in Arizona in order to determine whether the hexavalent chromium (Cr (VI)) contamination is spreading beyond the Colorado River and into Arizona.

There are two studies associated with the Pacific Gas & Electric Company's (PG&E) RCRA Corrective Action remediation project, which are currently being conducted to identify potential contamination in Arizona. These studies are 1) a potable water supply well survey being conducted by ADEQ and 2) a "Background Study" to assess background concentrations of naturally-occurring metals in groundwater being conducted by PG&E with oversight by the DTSC. Background Study work in Arizona is being closely coordinated with ADEQ.

#### *Background Study*

PG&E's Background Study to assess naturally-occurring concentrations of metals in groundwater includes sampling of monitoring, irrigation and domestic water wells. The study has three basic phases: an initial records review phase to identify and evaluate potential wells, "Phase 1," in which selected wells will be sampled for two bi-monthly sampling rounds and "Phase 2," in which a final set of wells will be selected based on the results of the first phase. PG&E completed its review of well records and field reconnaissance and in March 2005 submitted a report to DTSC proposing an initial set of 43 wells: 21 in California and 22 in Arizona for sampling during the first phase. DTSC issued its conditional approval for the study in April 2005.


PG&E has been working to finalize access agreements with well owners who were selected for inclusion in "Phase 1" of the Background Study, and is currently scheduling appointments with well owners to conduct the first round of sampling during the week of May 9<sup>th</sup>-16<sup>th</sup>. Samples will be sent to a California-certified laboratory and will be analyzed for metals and general water chemistry parameters.

The second round of sampling is expected to take place in July, after which PG&E will submit a report to DTSC recommending a final set of wells to continue

through “Phase 2” of the study. Once DTSC concurs, “Phase 2” will consist of four bi-monthly rounds with an approximate schedule of sampling in September and November 2005, January and March 2006. A final Background Study report will be submitted for DTSC review after analysis of the results is complete.

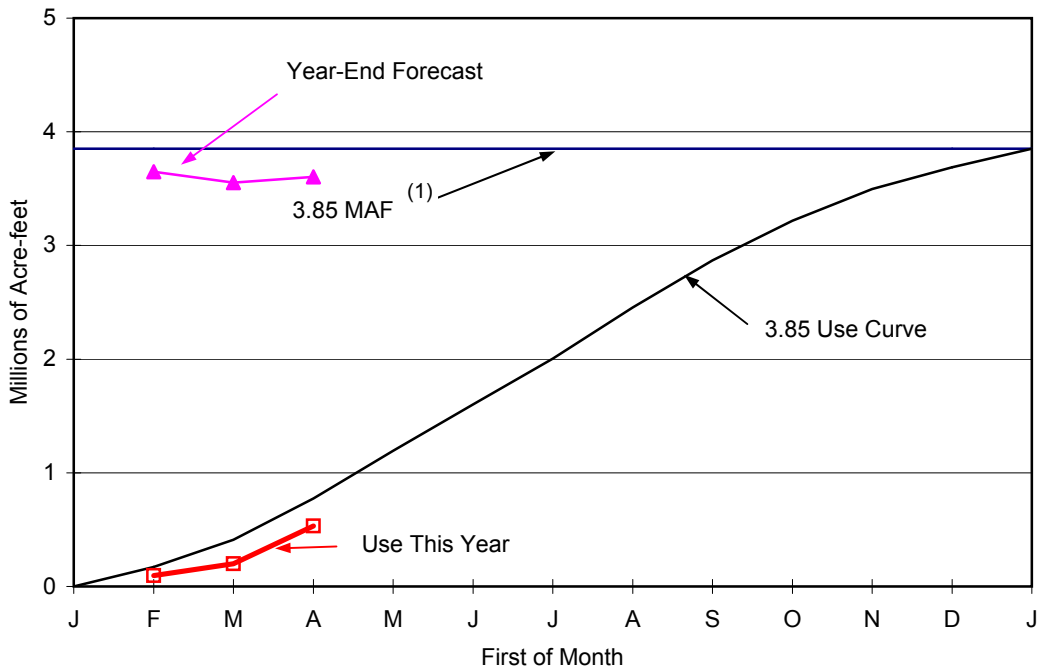
*Arizona Well Survey*

ADEQ’s study consists of one initial sampling event and four quarterly groundwater level measurement rounds. ADEQ’s study targeted potable water supply wells. ADEQ has been working to finalize access agreements with well owners and has hired a subcontractor, Geotrans, to perform the field work. The study is expected to be completed in one year. ADEQ’s subcontractor is expected to be in the field during the weeks of May 9<sup>th</sup>-16<sup>th</sup> to sample wells and take the first set of water level measurements.

  
Gerald R. Zimmerman  
Executive Director



**FIGURE 1  
MAY 1 FORECAST FOR 2005 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	0.097	3.650	0.056
Mar	0.199	3.554	0.152
Apr	0.533	3.604	0.102
May			
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			
Jan			

(1) The forecast of unused water is based on the availability of 3.713 MAF under the first three priorities of the water delivery contracts. This accounts for the 101,900 acre-feet of conserved water available to MWD during 2004 in accordance with the 1988 IID-MWD Conservation Agreement and the 1989 IID-MWD-CVWD-PVID Agreement, as amended; and 35,000 AF of conserved water available to SDCWA in accordance with the IID-SDCWA Transfer Agreement, as amended. As USBR is charging disputed uses by Yuma Island pumpers to priority 2, the amount of unused water has been reduced by those uses - - 0.007 maf. The CRB does not concur with the USBR's viewpoint on this matter.