

Minutes of Special Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, June 15, 2005

A Meeting of the Colorado River Board of California (Board) was held in Executive Room, 306 at the Ontario Airport Marriot Hotel, 2200 East Holt Boulevard, Ontario, California, on June 15, 2005.

Board Members and Alternates Present

Lloyd W. Allen, Chairman
James H. Bond
Dana "Bart" Fisher, Jr.
John V. Foley
James B. McDaniel

John W. McFadden
Jeanine Jones, Designee
Department of Water Resources

Board Member and Alternate Absent

Leonard E. Robinson

Curt A Taucher, Designee
Department of Fish and Game

Others Present

Steve Arakawa
Thomas M. Erb
Elston K. Grubaugh
William J. Hasencamp
Gordon A. Hess
George Loveland
Doug McPherson
Dan Parks
David R. Pettijohn
Steve B. Robins
Mark Stuart

Charles Van Dyke
Joseph A. Vanderhorst
Loranlee "Lee" Willer
Bill D. Wright

William S. Abbey
Abbas Amir-Teymoori
J.C. Jay Chen
Christopher S. Harris
Gerald R. Zimmerman

CALL TO ORDER

Chairman Allen, in the presence of a quorum, called the meeting to order at 10:09 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Mr. Zimmerman asked if there was anyone in the audience that wanted to address the Board on items on the agenda or matters related to the Board. Hearing none, Chairman Allen moved to the next agenda item.

ADMINISTRATION

Approval of Minutes

Mr. Zimmerman reported that the May 4th minutes were not completed in time to be included in the Board folder and that they will be included for the next Board meeting.

Fiscal Year 2005-06 Colorado River Board Budget

Mr. Zimmerman reported that a copy of the Boards budget is included in the hand out material for the Board members. The total for the 2005-06 budget is \$1,237,000 and has not changed from last month draft. Mr. Zimmerman requested that the Board approve the 2005-06 budget and authorize him to execute Standard Agreement No. 38.

MOTION: Upon the motion of Mr. Bond, seconded by Mr. Foley, and unanimously carried, the Board approved 2005-06 budget and authorized the Executive Director to execute the Standard Agreement No. 38.

Retirement of Philip B. Mutz

Mr. Zimmerman reported that Mr. Philip B. Mutz of the New Mexico Interstate Stream Commission is planning on his retiring by the end of June, or after the Governor of the State of New Mexico has appointed a replacement representative on the Upper Colorado River Commission. The resolution can be made at the next Board meeting after he has officially retired.

AGENCY MANAGERS MEETING

Mr. Zimmerman reported that discussions among the Agency Managers have been particularly constructive. The Agency Managers have agreed to recommend a five-year funding formula in support of the Board's activities. The Board's budget would be supported and shared, 50 percent agriculture and 50 percent urban.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported that as of June 9th, the storage in Lake Powell was 11.2 million acre-feet (maf), or 46 percent of capacity. The elevation was at 3,594 feet. The storage in Lake Mead was 15.5 maf, or 60 percent of capacity and the water surface elevation was at 1,141 feet. Total System storage is 34.47 maf, or 58 percent of capacity, as compared to 53 percent of capacity last year.

Mr. Harris mentioned that as of June 9th, basin wide the weighted average precipitation was 108 percent of normal; whereas, the snowpack water equivalent is above average at 91 percent. Those percentages are based upon SNOTEL data, which consist of 116 sites throughout most of the Upper Basin. The projected unregulated inflow into Lake Powell, April through July 2005, is 9.0 maf, or 113 percent of average. The forecast for water year 2005, October 1st through September 30th, inflow into Lake Powell is 13.1 maf, or 109 percent of average.

Mr. Harris added that year-end 2005 consumptive use in the Lower Basin projected by Reclamation is 276,000 acre-feet for the State of Nevada; 2.53 maf for the State of Arizona; and 4.215 maf for the State of California. The total projected consumptive use for the Lower Basin States, as of June 9th is 7.021 maf. Last year in June, the projected consumptive use for the Lower Basin was 7.4 maf.

State and Local Water Reports

Mr. Mark Stuart, Southern District Chief of the California Department of Water Resources, reported that runoff for the State of California is near the record in many regions of the State. In the northern part of the state precipitation and the snowpack had been about four times the average. State Water Project storage is at 5.1 maf or 93 percent of capacity. Storage is up about 600,000 acre-feet more than this month last year.

Mr. Wright, of the Metropolitan Water District (MWD), reported that as of June 9th, the combined storage in Diamond Valley Lake, Lake Mathews, and Lake Skinner was about 939,000 acre-feet, or 92 percent of capacity. Diamond Valley had about 747,000 acre-feet, or about 93 percent of capacity. Lake Mathews had 153,000 acre-feet in storage, or 84 percent of capacity, and Lake Skinner had 39,000 acre-feet, or 88 percent of capacity.

Mr. McDaniel, of the Los Angeles Department of Water and Power, reported that though summer has begun and the snow has been melting, there is still 78 percent of a normal year snowpack at the Mammoth Pass, snow measuring site. As for the month of June last year, the snow had already melted. Though some flows have been high, it is anticipated that with spreading and manipulation of flows there will be no overflows.

Arizona v. California

Mr. William Abbey, Deputy Attorney General of the Attorney General's Office, reported that the Special Master has submitted his report and recommendation to the Supreme Court. The final motion recommending the approval of the settlement

agreement rests with the Supreme Court and is awaiting execution.

Colorado River Operations

Limbaugh Nominated as Assistant Secretary of the Interior for Water and Science

Mr. Zimmerman reported that President Bush has nominated Mr. Mark Limbaugh to the Assistant Secretary for Water and Science in the Department of the Interior. Mr. Limbaugh served as the Deputy Commissioner of Reclamation prior to his nomination.

2005 Annual Operating Plan Mid-Year Review

Mr. Zimmerman reported that included in the Board folder is a letter Secretary Norton sent to Governor Schwarzenegger regarding her decision to release 8.23 maf from Glen Canyon Dam, based on the current reservoir conditions of Lake Powell. In addition, the Secretary outlined the process for the development of shortage guidelines and conjunctive management of the reservoir system. A similar letter was sent to each of the Basin States Governors.

2006 Draft Annual Operating Plan (AOP)

Mr. Zimmerman reported that on May 26th, the Colorado River Management Work Group (CRMWG) met to begin development of the 2006 AOP. A copy of the initial draft is included in the Board folder. The draft is basically the same as the 2005 AOP. Glen Canyon Dam releases are expected to be 8.23 maf. Releases from Hoover Dam are expected to be managed under the “Partial Domestic Surplus” criterion. As proposed by Secretary Norton, there was discussion, at the CRMWG, of a potential mid-year review of the releases from Glen Canyon Dam. The Basin States will be working on acceptable language for potential inclusion in the 2006 AOP. The position of the Board is that the language calling for a mid-year review in the 2006 AOP needs to be expanded.

Southern Nevada Water Authority’s (SNWA) Notification of Unused 2005 Apportionment of Colorado River Water

Mr. Zimmerman reported that Reclamation has acknowledged SNWA’s request to store between 15,000 and 25,000 acre-feet in MWD’s water service system. Under the Storage and Interstate Release Agreement (SIRA), MWD is evaluating how much of this water can be successfully stored. Included in the Board folder is a copy of Reclamation’s response to SNWA’s request as well as MWD’s letter requesting a 30 day extension to evaluate the proposal.

Modification Schedule of 2005 Water Deliveries to Mexico

Mr. Zimmerman reported that on May 2nd, Mexico requested a modification in the water delivery schedule. Reclamation’s letter of response, as well as the modified water delivery schedule, was included in the Board folder. In this modified schedule, there is a

reduction in the June 2005 water deliveries and an increase in the December 2005 water deliveries.

Keynote Address to “Law of the River Conference” by Commissioner John Keys III

Mr. Zimmerman reported that on May 19th, Reclamation Commissioner, Mr. John Keys, provided an overview of the current Colorado River issues at the Law of the River conference. In his keynote address, Mr. Keys discusses the shortage guidelines process, reservoir system management and the current Basin hydrologic conditions.

California Water Plan Update

Ms. Jeanine Jones of the California Department of Water Resources (CDWR) reported that CDWR are to hold hearings on the Draft California Water Plan (Plan). One of the major features of the Plan is a strong focus on Integrated Regional Management Projects. The new Plan suggests schemes that could be done in the context of regional management projects and identifies funding needed to achieve integration. Hard copies are available of the Plan. The Plan is also available online at www.waterplan.water.ca.gov/cwpu2005/index.cfm.

All-American Canal Lining

Mr. Zimmerman reported that included in the Board folder are three items on the lining of the All-American Canal. First is an assessment of Environmental Impacts and Mitigation Alternatives in Mexico of the Lining of the All-American Canal. In addition, there was a letter of notice from the Desert Citizens Against Pollution (DCAP), and joint letter of notice from non-profit organizations from Mexico and California; the Desarrolo Economico De Mexicali CDEM) of Mexico and the Citizens United for Resources and the Environment (CURE) of the U. S. Those two non-profit organizations submitted the 60-day notice joint letter. Both letters are petitioning to halt the lining of the All-American Canal until environmental issues in Mexico have been resolved.

Mr. Zimmerman reported that the Sonoran Institute report alleged that the lining project will destroy the 4,750 acre Andrade Mesa Wetland Complex and suggested that Reclamation should prepare a supplemental Environmental Impact Statement (EIS) to evaluate the impacts on species and habitats. The report further suggested that the United States should provide approximately 2,100 acres of mitigation related to impacts to the Andrade Mesa Wetlands.

Mr. Zimmerman added that the DCAP 60-day notice letter alleged the lining project violates the Clean Air and Water Acts. Further allegations were the destruction of wetlands in the U. S. and Mexico, violations of the Endangered Species Act and the Migratory Bird Treaty Act. DCAP suggested the preparation of a supplemental EIS to identify and evaluate potential impacts.

Mr. Zimmerman reported that the CDEM/CURE 60-day notice letter alleged similar violations as described in the DCAP letter. The CDEM/CURE letter focused on impacts from the loss of Andrade Mesa Wetlands and described impacts to federal listed species in Mexico. Their letter also suggested preparation of a supplemental EIS to identify and evaluate potential impacts.

International Boundary and Water Commission (IBWC) Colorado River Citizen's Forum

Mr. Zimmerman reported that the IBWC held a meeting among newly appointed members of the forum. The focus of the meeting was flood control issues in the Yuma area.

Basin States Discussion

Mr. Zimmerman reviewed some of the discussions regarding provisions that were included in the 2005 AOP; particularly, those provisions that had been requested by the Upper Division states. Namely, those are for Reclamation to perform a mid-year review of releases from Glen Canyon Dam. The mid-year could have triggered an adjustment to those releases if the drought had persisted. In 2004, when the 2005 AOP was compiled, it was not expected that the mid-year review would become an annual event. Mr. Zimmerman continued that during 2004 and 2005 as the storage in the reservoir system was dropping, representatives from the Basin States met to discuss management of the reservoir system under low runoff and drought conditions. Simulation studies were performed under potential hydrologic sequences and potential future water supply conditions. Potential programs and management activities were identified and included in the simulations. Both long- and short-term programs that could be implemented to reduce the reservoir system drawdown and hasten the recovery of reservoir system storage were explored with the simulation programs. Through modeling simulations it was shown that even small conservation efforts, though having little effect in the first year, over time could conserve a substantial quantity of water for a number of years and begin to have an impact on the storage both in Lake Powell and Lake Mead.

Mr. Zimmerman indicated that efforts to obtain a consensus on potential reservoir management options were not successful. In part, this was due to different positions regarding the amount of water to be released from Glen Canyon Dam in 2005. There was also a lack of consistent future management objectives for Lakes Powell and Mead.

There was some review and discussion regarding the positions of the Upper and Lower Division states. The proposed inclusion by the Department of Interior of a mid-year review in the 2006 AOP was also discussed.

Mr. Zimmerman reported that Secretary Norton had posted a *Federal Register* notice June 15th announcing the public process to develop Lower Basin Shortage Guidelines and development of Conjunctive Management guidelines for Lakes Powell and Mead. The process would conclude by December 31, 2007.

Mr. Zimmerman went over the key considerations for the “Minimum Objective Release” of 8.23 maf from Glen Canyon Dam contained in the Long Range Operating Criteria.

- The release of 8.23 maf be a negotiated release and not an interpretation of the 1922 Colorado River Compact.
- The “minimum release” be used as a basis for:
 - The 602(a) storage requirement.
 - The Upper Basin’s hydrologic determination
 - The Colorado River Storage Project power rate and repayment studies
- The defined release from Glen Canyon Dam are critical for establishing shortage guidelines for the Lower Basin.
- The Lower Division states are placed at substantial risk, if releases from Glen Canyon Dam are modified without adjusting other determinations that are made by the Secretary.

Central Arizona Project News Release

“A Solution to the Yuma Desalting Plant (YDP) /Cienega Controversy”

Mr. Zimmerman reported that Jennifer Pitt of Environmental Defense and Sid Wilson of the Central Arizona Project, with input from water users and environmentalists, have written a paper “Balancing Water Needs on the Lower Colorado River”. The paper outlines recommendations of the YDP/Cienega de Santa Clara Workgroup. The focus of the paper, which is included in the Board folder is:

- Utilize Yuma area excess groundwater
- Create a shortage alleviation contingency fund
- Implement basinwide consumptive use and forbearance program
- Fund YDP renovation and operation
- Implement Cienega monitoring and research program
- Reduce over-deliveries to Mexico
- Utilize YDP product water for municipal and industrial uses in the U.S. and Mexico

Colorado River Environmental Activities

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

Mr. Harris reported that the first LCR MSCP implementation meeting was held May 13th in Las Vegas, NV. The Board’s Executive Director was selected as Chairman of the Committee. George Caan of the Colorado River Commission in Nevada was selected as the vice chair. The Regional Director of Reclamation, Ms. Lorri Gray was selected as Program Administrator of the LCR MSCP.

Mr. Harris added that the City Council of the City of Los Angeles has authorized

the Department of Water and Power to execute all of the remaining documents. Their signature sheets have been forwarded to Reclamation will be included in the complete program documents and will be available in both electronic form and in bound editions and will be distributed to all the signatories.

Comments Related to the Designation of Critical Habitat for the Southwestern Willow Flycatcher (WIFL)

Mr. Harris reported that the U.S. Fish and Wildlife Service has recently completed the economic analyses associated with the designation of critical habitat for the WIFL. Comments on the critical habitat designation and economic analyses were due by close of business on May 31st. Board staff had submitted comments regarding exclusion of the area within the mainstream of the Colorado River based on the implementation of the LCR MSCP.

White House Conference on Cooperative Conservation

Mr. Harris reported that the White House Counsel on Environmental Quality is to convene a conference on cooperative conservation. The conference will highlight successful examples of cooperative partnerships. The LCR MSCP will be focused on as an example of conservation planning. The conference is to be held in St. Louis, Missouri, in late August 2005.

Assembly Bill 1466

Mr. Harris reported that California legislation had introduced Assembly Bill 1466 to control or eradicate Saltcedar in the Colorado River watershed. The Bill requires collaboration between the Department of Water Resources, Board, Department of Fish and Game and the Department of Food and Agriculture. The Bill would also require re-establishment of native riparian vegetation. AB 1466 has passed out of the Assembly and is now in the Senate.

Mr. Harris added that a recent journal article is included in the hand out materials describing the current state of knowledge on Saltcedar control and management.

Lower Colorado River Water Supply Program (LCRWSP) Status

Mr. Zimmerman reported that included in the Board folder is an excerpt from H.R. 2419 that is to authorize construction of the second phase of the LCRWSP and allow the advance delivery of project water to non-project beneficiaries. The legislation is moving through Congress. Additional applications and property changes are expected to be presented to the Board for action at the July meeting.

WATER QUALITY

Colorado River Basin Salinity Control Forum (CRBSCF) Work Group Meeting

Mr. Abbas Amir-Teymoori reported that CRBSCF Work Group meeting was held in Grand Junction, Colorado, from June 6th through June 8th. Finalization of the recommended projects were discussed. On the 6th of June the International Boundary and Water Commissioner (IBWC) Arturo Q. Duran reported on IBWC activities. Other Federal agencies also provided reports on their activities. On the 7th of June a tour of the area project was provided to the attendees. The Work Group meeting was held on the 8th of June. State cost share allocation was also a topic of discussion. The 2005 Triennial Review Report was presented and the draft of that Report was approved by the Forum. The Forum recommended the proportion allocation distribution of funds. The Fall 2005 Forum meeting is to be held in California in October or November.

OTHER BUSINESS

Next Board Meeting

Chairman Allen announced that the next meeting of the Colorado River Board will be held on Wednesday, July 13, 2005, at 10:00 a.m., at the Ontario Airport Marriott Hotel.

There being no further items to be brought before the Board, Mr. McDaniel moved that the meeting be adjourned.

MOTION: Upon the motion of Mr. McDaniel, seconded by Mr. Fisher, and unanimously carried, the meeting was adjourned 12:01 p.m. on June 15, 2005.


Gerald R. Zimmerman
Executive Director