

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

May 9, 2006

**ADMINISTRATION**

Fiscal Year 2006-07 Budget

Both the Assembly Subcommittee No. 3 on Natural Resources and Environmental Protection and the Senate Subcommittee No. 2 on Resources, Environmental Protection and Energy have approved the Board's budget as recommended by the Governor. The Board's FY 2006-07 budget, which is funded 100 percent from reimbursements, totals \$1,427,000.

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

**PROTECTION OF EXISTING RIGHTS**

Colorado River Water Report

As of May 1, 2006, storage in the major Upper Basin reservoirs increased by 508,860 acre-feet and storage in the Lower Basin reservoirs decreased by 376,100 acre-feet during April 2006. Total System active storage as of May 4<sup>th</sup> was 33.808 million acre-feet (maf) or 57 percent of capacity, which is 2.030 maf more than one year ago.

April releases from Hoover, Davis, and Parker Dams averaged 16,640, 16,020 and 12,200 cubic feet per second (cfs), respectively. Planned releases from those three dams for the month of May 2006 are 16,000, 15,500, and 11,700 cfs, respectively. The May releases represent those needed to meet downstream water requirements including those caused by reduced operation of Senator Wash Reservoir.

As of May 4<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 2006, as forecasted by Reclamation, totals 7.412 maf and is described as follows: Arizona, 2.774 maf; California, 4.341 maf; and Nevada, 0.297 maf. The Central Arizona Project (CAP) will divert 1.575 maf, of which 0.178 maf are planned to be delivered to the Arizona Water Bank. The Metropolitan Water District of Southern California (MWD) will use about 0.656 maf, which is 241,000 acre-feet less than its 2005 use of mainstream water.

The preliminary end-of-year estimate by the Board staff for 2006 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 3.733 maf. This estimate, by Board staff, is based on the collective use, through March 2006, 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

#### *State Water Contractor's Letter to Regional Board (Santa Ana Region)*

Included in the Board folder is a copy of an April 27<sup>th</sup> letter from State Water Contractor's organization requesting an extension of time to file comments on a proposed resolution and order prepared by the California Regional Water Quality Control Board (Santa Ana Region). The Regional Board's proposed resolution and order would modify the water quality parameters associated with water recharged to local aquifers within the Santa Ana Region. In its letter, the State Water Contractor's organization requested additional time to review the jurisdictional basis for the proposed order and resolution, as well as, prepare technical comments associated with the numerical water quality criteria identified in the proposed order.

### Transboundary Aquifer Assessment Act (HR 469)

HR 469, introduced by Assemblyman Kolbe of Arizona, would authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, and for other purposes. Pursuant to the Act, the Hueco Bolson and Mesilla aquifers underlying parts of Texas, New Mexico, and Mexico; the Santa Cruz River Valley aquifers underlying Arizona and Sonora, Mexico; and the San Pedro aquifers underlying Arizona and Sonora, Mexico, would be designated as priority transboundary aquifers. The Secretary may also designate and evaluate additional aquifers as priority transboundary aquifers, using the criteria contained in the Act. There would be \$50,000,000 authorized to be appropriated to carry out this Act for the period of fiscal years 2006 through 2015. Of that amount 50 percent would be made available to the water resources research institutes to provide funding to appropriate entities in the Border States (including Sandia National Laboratories, State agencies, universities, the Tri-Regional Planning Group, and other relevant organizations) and Mexico to conduct activities under the program, including the binational collection and exchange of scientific data.

A copy of HR 469 along with a letter from the University of California Center for Water Resources to Congressman George Radanovich, the Chairman of the Water and Power Subcommittee, strongly supporting passage of the Transboundary Aquifer Assessment Act.

### Basin States Discussions

#### *Seven Basin States Representatives Meetings*

Discussions among representatives of the Colorado River Basin states are continuing. There have been meetings among representatives of the seven Basin states, the Lower Basin states, and the Basin States Technical Committee. During the Basin states meeting held on

April 13<sup>th</sup>, the primary focus of the discussions was on Reclamation's Scoping Report, Reclamation's schedule for completing the NEPA and ESA processes, and the alternatives that will be included in the NEPA process. Reclamation has indicated that it is working on the Alternatives Report, which is anticipated to be released at the end of May. A lot of the discussion focused on the "No Action" alternative. It was suggested that this alternative is extremely difficult to model because the operational decisions under a "No Action" alternative would be negotiated and made annually. These decisions would likely vary from year to year and are extremely difficult to predict.

During the Lower Basin states meeting, held on April 19<sup>th</sup>, the discussions focused on the required forbearance agreements and the differences of opinion between Arizona and Nevada on how the forbearance agreements should operate for the various types of Intentionally Created Surplus (ICS) credits. During the meeting there was no resolution of these issues and there will be further discussions among the Lower Basin states.

The Basin States Technical Committee met on April 19<sup>th</sup> and again on April 24<sup>th</sup>. During these meetings there were discussions of the modeling assumptions to be used by Reclamation and what should constitute the "No Action" alternative for the NEPA and ESA processes. It was suggested that the "No Action" alternative could best be characterized by a qualitative description and that quantitatively there could be a wide range of possible operational decisions. Also, there was discussion that inherent in the 602(a) storage calculations for the Upper Basin reservoirs there is a protection of the power pool at Lake Powell. In alternatives considered by Reclamation where the power pools are not being protected, the 602(a) storage calculation must be modified accordingly.

Progress has been made regarding the 2006 and 2007 ICS Demonstration Program. Agreements for MWD and IID are being drafted to allow these entities to create ICS storage credits through land fallowing programs in 2006. MWD has indicated that it would like to create up to 50,000 acre-feet from its Palo Verde Irrigation District Land Management, Crop Rotation and Water Supply Program in 2006. For 2007 MWD has indicated that either separately, or in conjunction with the other California agencies, up to 200,000 acre-feet of ICS storage credits would be created in 2007. IID, in its letter agreement, has proposed that it would create up to 5,000 acre-feet and 25,000 acre-feet of ICS storage credits in 2006 and 2007, respectively. Both the MWD and IID programs are progressing toward implementation. Also, discussions are occurring on San Diego County Water Authority and Coachella Valley Water District participating in this demonstration program in 2007.

The next meeting of the Basin States Technical Committee will be held on May 15<sup>th</sup> and the next meeting of representatives from the seven Basin states will be held on May 17<sup>th</sup>.

#### *Miscellaneous News Articles*

Included in the Board folder are several miscellaneous news articles of interest. These articles describe the proposed Lake Powell to St. George, Utah, pipeline that would provide additional water resources for the southwestern corner of Utah in the St. George region. Another article discusses potential climate changes and impacts to water supplies and demand in the

Denver, Colorado, metropolitan region. Finally, an article discusses Denver's interest in acquiring additional mainstream water supplies associated with the Shoshone Power Plant near Glenwood Springs, Colorado. This water supply, if acquired, would be shifted to meet increasing water demands in the Denver metropolitan area, but could exacerbate water quality issues for municipalities downstream of Glenwood Springs, because of the high salinity emanating from the hot springs at Glenwood Springs.

*Lower Colorado River Review Field Inspection (Fall 2006, or Spring 2007)*

As you may recall at the last Board meeting, the Board discussed the Lower Colorado River field inspections that Reclamation typically conducts for interested stakeholders in the spring and fall each year. These trips generally start in Yuma, Arizona, and terminate at Lake Mohave near Laughlin, Nevada. The trips are scheduled over a three day period with stops at all of the prominent features along the Lower Colorado River. An emphasis is placed on water operations, the frontwork and levee maintenance, and environmental activities. Most of the inspection trip is conducted by boats. The river review trip provides an excellent opportunity to see the river and all related facilities and have in-depth discussions with Reclamation and agency staff regarding topical issues related to water management, water uses, river operations, and ongoing or proposed environmental mitigation activities.

Following the discussion at the April Board meeting, I contacted Reclamation staff in the Yuma Area Office and they have indicated a willingness to provide a trip for Colorado River Board members and selected agency staff in the fall of 2006. The date for this tour is currently scheduled to occur from October 16<sup>th</sup> through October 18<sup>th</sup>. Please, keep these dates open. You will be provided additional information as we approach the dates for the tour.

Colorado River Environmental Activities

*Status of the Lower Colorado River Multi-Species Conservation Program*

The Steering Committee of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) met in Las Vegas, Nevada on April 26<sup>th</sup>. At the meeting, Reclamation distributed a draft report describing the Fiscal Year 2005 Accomplishments related to program implementation. Additionally, Reclamation distributed copies of the proposed budget and work plan for Fiscal Year 2007. The proposed FY-2007 budget is estimated to be \$12.6 million, with the non-federal share of the budget being approximately \$6.3 million.

*Center for Biological Diversity, et al., vs. U.S. Bureau of Reclamation, et al.*

On May 1<sup>st</sup>, the United States filed a motion to dismiss the plaintiff's first claim for relief in the pending lawsuit regarding Glen Canyon Dam operations and the Glen Canyon Dam Adaptive Management Program. As you may recall, this lawsuit was filed by several environmental/conservation organizations interested in modifying Glen Canyon Dam operations to benefit endangered species and habitats below Glen Canyon Dam in the Grand Canyon National Park. The plaintiffs, in their original complaint, allege that the United States is not meeting the requirements of the Grand Canyon Protection Act, and should immediately reinstate

Section 7 consultation and conduct additional analysis pursuant to the National Environmental Policy Act. The government, in its motion to dismiss, asserts that the plaintiffs claim fails to state a claim for which relief can be granted by the court. The government believes that the plaintiff's first claim for relief must be dismissed because it deals with issues related to the Secretary's discretion and seeks to compel actions that are not required by existing law. A copy of the government's motion to dismiss the first claim for relief has been included in the Board folder.

## **WATER QUALITY**

### Colorado River Basin Salinity Control Forum

The Colorado River Basin Salinity Control Forum (Forum) met in St. George, Utah, on May 2-4, 2006. On May 2<sup>nd</sup> there was a Forum Work Group meeting. The Work Group discussed the Forum agenda and the issues to be presented to the Forum for approval. There was a tour on May 3<sup>rd</sup> focusing on water quality issues within the area. During the Forum meeting on May 4<sup>th</sup>, there were reports from each of the federal agencies implementing salinity control measures. Also, Commissioner Marin, of the United States Section of the International Boundary and Water Commission provided a report on U.S./Mexico border and water resource issues.

The main issues that required the Forum's decision and approval were as follows:

- In the election of officers, the Forum elected Mr. Gerald R. Zimmerman (Forum member from California) as the Forum Chairman to replace outgoing Chairman, Mr. Rod Kuharich of Colorado and Mr. Patrick Tyrrell of Wyoming was elected the Vice-chairman.
- The current Work Group chairman, Mr. Tim Henley of Arizona has announced his retirement from state service. As a result, the Forum has been considering it options for naming a new Work Group Chairman. In discussions with the Arizona Department of Water Resources (ADWR), ADWR has indicated a willingness to hire Tim as a consultant and to have him continue to serve as the Work Group chairman. Based upon that information, and with Tim's concurrence, he was appointed to continued to serve as the Work Group chairman.
- Forum's budget shortfall was another important issue that was discussed. Because of the additional time that is being spent by the Forum's contractual staff in coordinating salinity control activities among the federal agencies, at the current rate of expenditures, there could be as much as a \$30,000 shortfall this year. With that information, the Forum decided to explore options for filling the budget gap this year and the potential budget gap next year. The Forum instructed Mr. Jack Barnet (the Forum's Executive Director) to minimize the costs for the remaining time during this fiscal year by restricting the work of the Forum's staff to priority items. The Forum also authorized part of the reserve to be used for this year's budget shortfall.

- Forum concurred with Reclamation’s proposal on repayment of Paradox Project costs. Reclamation offered a new repayment schedule, in which a 30-year life is considered for the well and a 50-year life for other facilities. With this repayment method, a lower annual payment and a lower lump sum payment is required from Basin Fund.
- Forum approved Silt Area in Colorado as a new Salinity Control project.

Other items that were discussed at the Forum meeting included: the cost sharing ratio associated with USDA’s salinity control activities, the brochures that are being prepared by the Forum’s Work Group, and the Environmental Protection Agency’s activities associated with treating Native American Tribes as states in establishing water quality standards.

A handwritten signature in black ink, reading "Gerald R. Zimmerman". The signature is written in a cursive style with a long horizontal flourish underneath.

Gerald R. Zimmerman  
Executive Director