

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, July 12, 2006

A Regular Meeting of the Colorado River Board of California (Board) was held in the Grand Ballroom Salon 1 of the Ontario Airport Marriott Hotel, at 2200 East Holt Avenue, Ontario, California, on July 12, 2006.

Board Members and Alternate Present

Dana Bart Fisher, Jr. Chairman

James H. Bond

Thomas M. Erb

John V. Foley

Henry Merle Kuiper

John W. McFadden

Jeanine Jones, Designee

Department of Water Resources

Christopher G. Hayes, Designee

Department of Fish and Game

Board Member and Alternate Absent

Terese Marie Ghio

John Pierre Menvielle

Others Present

Steve B. Abbott

Mark D. Buehler

John Penn Carter

William I. DuBois

David Fogerson

William J. Hasencamp

Gordon A. Hess

Michael L. King

Russell Kitahara

George I. Loveland

Le Val Lund

Jay W. Malinowski

Linus Masouredis

Jan P. Matusak

Doug McPherson

Roger K. Patterson

David R. Pettijohn

Steven B. Robbins

John L. Scott

Peter S. Silva

Ed W. Smith

William H. Swan

James J. Taylor

Deven Upadhyay

Peter E. von Haam

Bill D. Wright

William S. Abbey

Abbas Amir-Teymoori

J.C. Jay Chen

Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher, announced the presence of a quorum, called the meeting to order at 10:03 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 to the next agenda item.

ADMINISTRATION

Approval of Minutes

Chairman Fisher noted that the June 14th meeting minutes were not available. The approval of the meeting minutes was postponed until the next Board meeting.

[Tribute to Lloyd W. Allen](#)

Mr. Zimmerman reported that a video tribute had been prepared by Mr. Jay Malinowski honoring Mr. Lloyd Allen. The video tribute contained portions of an earlier interview with Mr. Huell Howser. In the tribute, Mr. Allen discusses his history with the Imperial Valley and talks about the challenges faced by farmers in the region.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Zimmerman reported that as of July 5th, the storage in Lake Powell was 12.7 million acre-feet (maf), or 52 percent of capacity. The water surface elevation was 3,610 feet. The storage in Lake Mead was 14.2 maf, or 55 percent of capacity, and a water surface elevation of 1,128 feet. Total System storage was about 35 maf, or 59 percent of capacity. Last year at this time, there was 36 maf in storage, or 60 percent of capacity. Storage is down about one million acre-feet from this time last year.

Mr. Zimmerman reported that precipitation is about 91 percent of normal, and the snowpack is less than 10 percent of normal. The projected April through July runoff into Lake Powell is expected to be about 5.25 maf, or 66 percent of normal. The projected water year unregulated inflow into Lake Powell is about 8.63 maf, or about 72 percent of normal.

Mr. Zimmerman added that the Reclamation forecast of consumptive use (cu) for the State of Nevada to be about 300,000 acre-feet, and for Arizona the cu is expected to be 2.8 maf, and for California the cu is expected to be 4.37 maf. Overall cu in the Lower Basin is expected to be about 7.5 maf.

State and Local Water Reports

Ms. Jeanine Jones of the California Department of Water Resources reported that precipitation in California is about the same as last month. The State Water Project (SWP) storage reservoirs are nearly full. Deliveries from the SWP are projected to 100 percent of SWP

contractors requests.

Mr. Foley of The Metropolitan Water District of Southern California (MWD) took a moment to thank and congratulate those who organized the Upper Basin Salinity Inspection Tour, June 28th through June 30th. Mr. Foley then reported that Diamond Valley Lake storage is 807,000 acre-feet, or 100 percent of capacity. Storage in Lake Mathews is about 160,000 acre-feet, or 88 percent of capacity, and storage in Lake Skinner is about 37,000 acre-feet, or 84 percent of capacity. Overall, storage in the MWD's reservoirs are over 1.0 maf, or 97 percent of capacity.

Mr. Erb of the Los Angeles Department of Water and Power (LADWP) reported that though all of the measurable snow has melted, the LADWP reservoirs are full and the Los Angeles Aqueduct is expected to be operated at capacity until the end of summer.

Colorado River Operations

Draft 2007 Annual Operating Plan

Mr. Zimmerman reported that on June 16th, the Colorado River Management Work Group had its first meeting to develop the 2007 Annual Operating Plan for the Colorado River System Reservoirs (2007 AOP). Under all of the potential water supply scenarios, the draft 2007 AOP still projects an objective minimum release of 8.23 maf from Lake Powell. If there is an extremely large runoff, then the objective minimum release could be increased. Current and projected water surface elevations in Lakes Mead and Powell indicate that the reservoirs are to be operated under a Partial Domestic Surplus condition. Also within the draft AOP, Mexico will be able to schedule the delivery of 1.5 maf. Copies of the draft 2007 AOP are available on the website at: http://www.usbr.gov/uc/water/rsvrs/ops/aop/aop07_draft.pdf

Reclamation's Managing for Excellence

Mr. Zimmerman reported that Reclamation is implementing an action plan to revise how it will conduct business well into the next century. Reclamation held a series of meetings in July in Las Vegas, to receive public input to the management planning process. Two additional public meetings are yet to be scheduled. However, comments can be submitted regarding Reclamation improving its interaction with its stakeholders at their website: <http://www.usbr.gov/excellence>. The report, as well as progress on the components of the process, can also be downloaded from Reclamation's website. Mr. Roger Patterson of the MWD, who previously worked for Reclamation, added that this process was the result of a National Academy of Science (NAS) review. The review occurred while Bennett Raley was the Assistant Secretary for Water and Science. The planning process is a response to 41 specific areas identified by the NAS. Many of the items are procedural and relatively easy to rectify. All but 12 action items are expected to be completed by the end of 2006.

Reclamation's Letters Regarding Temporary Re-regulation of Excess Colorado River Flows

Mr. Zimmerman reported that Reclamation has entered into letter agreements with IID and MWD to permit temporary re-regulation and storage of excess Colorado River flows. Flows in excess of the 1944 treaty obligations at the Northerly International Boundary (NIB) will be

permitted to be stored in the Salton Sea by IID, and within MWD's storage facilities by MWD. Both agreements assist Reclamation in managing excess flows of Colorado River water in the Lower Basin. Within the letter agreement with IID, twenty-five percent of the captured excess flows would be credited by Reclamation in the year chosen by IID to be used to repay IID's accrued over-run and payback requirement. Reclamation's agreement with MWD is similar. IID had accommodated similar requests of Reclamation in 2004, and 2005; whereas MWD had accommodated similar requests in 2005. Also in 2005, Arizona through the Central Arizona Project (CAP), was given the opportunity to assist Reclamation in putting excess Colorado River flows to beneficial use, but at the time there was no available capacity in the CAP system to accommodate these excess flows.

All-American Canal Lining Lawsuit

Mr. Zimmerman reported that the Board folder and handout materials included copies of court orders, decisions, and articles related to the All-American Canal (AAC) Lining lawsuit. Mr. Zimmerman briefed the Board that on July 3rd, U.S. District Court in Nevada, ruled in favor of the United States and dismissed all eight of the complaints in the AAC Lining lawsuit. The court ruled that all necessary environmental compliance was in place. The court ruled that the alleged negative economic and environmental impacts related to the AAC lining project were "highly speculative". The court also denied the preliminary injunction associated with the initiation of construction of the project. There was some discussion about the plaintiffs in the case appealing to the Ninth U.S. Circuit Court of Appeals.

IID to Participate in the Intentionally Created Surplus Demonstration Program

Mr. Zimmerman reported that the Board folder included a recent news release from IID. The IID Board of Directors has approved participation in Reclamation's Intentionally Created Surplus (ICS) program. IID has approved the storage of 1,000 acre-feet in Lake Mead during 2006, and another 1,000 acre-feet in 2007. The ICS water is to be made available through existing land fallowing programs, and stored in Lake Mead to be used by IID at a later date. The ICS program is expected to become a permanent feature of future Colorado River System operations after Reclamation's environmental review process is completed later this year.

Miscellaneous News Article on Colorado River Delta

Mr. Zimmerman reported that the Board folder includes a recent article in the San Diego Union Tribune about the Colorado River Delta in Mexico. The article discusses current ecological conditions in the Delta region and potential habitat restoration opportunities. The article stressed the need for a dedicated supply of water for the Delta region and upper Gulf of California.

Basin States Discussion

Mr. Zimmerman reported that the Basin states met on June 15th and 16th. Discussions at the meetings continue to revolve around four main items: (1) Participation and recovery of water stored through the ICS demonstration program; (2) recovery and transfer of system credits for the construction of the Drop 2 reservoir along the AAC; (3) Southern Nevada Water Authority's water supply augmentation program studies; and (4) the Draft EIS alternatives for the

development of shortage guidelines and coordinated reservoir operations.

Southern Nevada Water Authority's Water Augmentation Program Studies

There was discussion regarding Southern Nevada Water Authority's (SNWA) plans to augment its water supply. The SNWA's augmentation plan considered two principal types of water: (1) One would be non-system water. For example, groundwater would be pumped and moved into the Colorado River and into Lake Mead that would be delivered to SNWA's intakes in Lake Mead via the Colorado River; (2) The other type of water would be created through fallowing agricultural land along the Virgin and Muddy Rivers; (3) A third type would be the application for new water rights on the Virgin River, but SNWA agreed to forego development of those water rights provided that SNWA could augment its supply by 75,000 acre-feet. At issue, are the terms and conditions of the legal tools that would allow the conveyance of water developed to augment the water supplies of the SNWA. The details are yet to be worked out.

Status of the Draft Environmental Impact Study (DEIS) for Shortage Guidelines and Coordinated Reservoir Operations

Mr. Zimmerman reported that a major topic discussed at the Basin states meetings has been the National Environmental Policy Act/Environmental Impact Statement (NEPA-EIS) process. Reclamation has identified five alternatives to be evaluated in the DEIS: (1) The "no action" alternative; (2) the Basin States Preliminary Alternative; (3) a revised version of the Conservation Before Shortage (CBSII); (4) the Water Supply Alternative; and (5) the Reservoir Storage Alternative. The DEIS is expected to be released in late 2006.

Mr. Zimmerman briefed the Board that the no-action alternative would continue the current management of the Colorado River System without long-term shortage criteria. When the Colorado River reservoirs are full, the Interim Surplus Guidelines are in place to guide the operation of the reservoir system. Without long-term shortage criteria, each year when the reservoirs are at lower elevations, operations would be managed through development of the Annual Operating Plan (AOP). Typically, each of the Basin states representatives would go to AOP meetings arguing various positions on how the System should be operated. Reclamation is attempting to model what might occur under the no-action alternative.

The second DEIS alternative is the Basin States' Preliminary Alternative. This alternative coordinates reservoir operations, has step shortages, facilitates the storage and delivery of non-System water, conserves System water, allows some exchanges, extends and modifies the 2001 interim surplus guidelines period to coincide with the duration of the shortage criteria period.

The third alternative, developed by several non-governmental organizations (NGOs), was the revised Conservation Before Shortage (CBSII). The original CBS version required conservation in Lake Mead below 1,075 feet, mean sea level, of between 400-600 KAF. This conservation, though required, would be voluntary and compensated for under the terms of the alternative. In non-conservation conditions, Reclamation can obtain up to 100 KAF for environmental purposes. The voluntary conservation would be funded by federal appropriations and user fees. In addition to the original components, CBSII included the ICS program and the Basin states coordinated operations of Lakes Powell and Mead.

The fourth alternative, identified in the DEIS, is the Water Supply Alternative. This alternative was developed by Reclamation with stakeholder input. The alternative consists of maximizing water deliveries in the Lower Basin at the expense of retaining water in storage for future use. Shortages would occur only if there is insufficient supply to meet all normal demands. Shortages would not be declared until the reservoirs were functionally empty. While these shortages may not be frequent, they could be large.

The fifth alternative Reclamation included in the DEIS is the Reservoir Storage Alternative. This alternative was developed by federal cooperating agencies. Those agencies include the U.S. Fish and Wildlife Service, National Park Service, Western Area Power Administration, Bureau of Indian Affairs, and International Boundary and Water Commission. The gist of this alternative is to retain storage in Lakes Powell and Mead. Water deliveries would be reduced to maintain higher water surface elevations, both for recreation and power generation. There would be an increased risk of shortages to water entitlement holders. Shortages would be declared when the water levels within Lakes Powell and Mead are at higher water surface elevations. For Lake Mead, the first shortage would be declared when the water surface elevation dropped to 1,100 feet mean sea level. This elevation is twenty five feet higher than the Basin states preliminary alternative, or the CBSII alternative. All of the alternatives are to be modeled and results of the simulations are to be presented in the DEIS scheduled for release in late 2006.

Colorado River Basin States Weather Modification Workshop

Mr. Zimmerman reported that the Water Education Foundation and Ms. Jeanine Jones helped organize and facilitate a weather modification workshop that was held in Boulder, Colorado on June 20th to 21st. The workshop brought together representatives from private and public organizations conducting weather modification activities and research. Though more research and testing was suggested, those that were operating weather modification programs reported that rainfall was greater than normal in the target watersheds.

Mr. Zimmerman added that a technical group has been formed to consider what may be done in regards to weather modification in the Colorado River Basin. The technical group plans to develop and propose funding for a program for 2007, as well as, develop the outline for a five-year program. The 2007 program would extend programs in Colorado, Utah, and Wyoming with an anticipated cost of \$300,000 to be split evenly among Nevada, Arizona, and California. In addition to the extension of on-going precipitation augmentation programs, further research and monitoring of targeted basins would also be done. This would include the use of isotopic tracers to quantify the effectiveness of the precipitation augmentation programs.

The Lower Basin Drought Planning Meeting

Mr. Zimmerman reported that the Lower Basin states met in Phoenix, Arizona, on July 6th to discuss interstate drought planning measures and the development of a drought planning Memorandum of Understanding (MOU). Each state provided an overview of state-level drought planning activities. A draft MOU will be circulated for review and comment when it becomes available.

Agenda Items on Upcoming Meetings

Mr. Zimmerman reported that at the Lower Basin states meeting scheduled for July 13th, and the Seven Basin state meeting on July 14th, that Reclamation would be expected to explain the recently released Upper Basin hydrologic Determination that was made to increase the available supply in the Uppper Basin, particularly within the State of New Mexico. Also on the agenda are Reclamation's use and accounting for ICS, non-System, and conserved water, and non-System water exchanges. Issues and concerns regarding weather modification will likely be discussed. The status of the SNWA water augmentation program study may be discussed as well.

Colorado River Environmental Activities

Glen Canyon Dam Adaptive Management Program

Mr. Zimmerman reported that Assistant Secretary for Water and Science Mark Limbaugh distributed a memorandum to members of the Glen Canyon Dam Adaptive Management Work Group (AMWG). Mr. Limbaugh had recently been appointed by the Secretary to be the Secretary's Designee for the AMWG. Within the letter, Assistant Secretary Limbaugh discussed briefing Secretary Kempthorne on the importance of the overall adaptive management program. Assistant Secretary Limbaugh described his trip through the Grand Canyon and meetings with staff of the Grand Canyon Monitoring and Research Center. He mentioned the positive progress in protecting the endangered Humpback chub population in the Grand Canyon. Mr. Harris had reported at previous Board meetings how lower water levels behind Glen Canyon Dam have meant warmer temperatures, warmed downstream releases, thereby benefiting the native fish population particularly at the mouth of the Little Colorado River. In his letter, Assistant Secretary Limbaugh emphasized the importance of a temperature control device (TCD) for releases from Glen Canyon Dam. He charged the AMWG to consider the potential construction and operation of a TCD in their long-term plans associated with the Glen Canyon adaptive management program. Mr. Limbaugh also mentioned that preliminary settlement discussions are underway between the United States and the plaintiffs of the Grand Canyon Lawsuit.

WATER QUALITY

Upper Basin Salinity Tour

Mr. Zimmerman reported that Upper Basin Salinity Inspection Tour for California representatives, took place June 28th through June 30th. The tour started in Denver, Colorado, and concluded in Salt Lake City, Utah. Sites visited included Dillon Reservoir, Glenwood Springs, Grand Junction, Paradox Valley, Moab uranium mill tailings, and several on-farm salinity control projects near Ferron, Utah. Several attendees of the tour touted the benefits of seeing first-hand how the Salinity Control Program is addressing water quality issues in the Upper Colorado River Basin. Several Board members expressed their appreciation for the hospitality shown by various Upper Basin representatives.

PG&E Topock Hexavalent Chromium Issue

Mr. Zimmerman reported that Arizona Department of Environmental Quality (ADEQ) is currently preparing a technical report analyzing the potential impacts of the hexavalent chromium contamination of local groundwater in the Topock-Needles area. ADEQ had anticipated that its report may be completed by the July Board meeting, but ADEQ is still working on it. ADEQ offered to brief the Board when the results of the study are completed.

OTHER BUSINESS

The Colorado River Segment On The Huell Howser Television Program

Mr. Zimmerman reported that Mr. Huell Howser interviewed Mr. Chris Harris at one of the proposed LCR MSCP habitat restoration and conservation areas for a television program on the Colorado River. The program is part of a series on California's Water covering the importance of the Colorado River to California. The program will be aired on the public television station KCET on August 7th at 6:00 p.m., and again on August 31st at 9:30 p.m. Other public television stations usually air Mr. Huell Howser's programs after they have first been shown on KCET.

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Tuesday, August 29, 2006, 2:00 p.m., at the Hyatt Regency Islandia Hotel, Mission Bay, 1441 Quivira Road, San Diego, California.

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

MOTION: Upon the motion of Mr. Bond, seconded by Mr. Kuiper, and unanimously carried, the meeting was adjourned 11:31 a.m. on July 12, 2006.



Gerald R. Zimmerman
Executive Director