

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, January 11, 2006

A Regular Meeting of the Colorado River Board of California (Board) was held in the Grand Ballroom Salon 3, at the Ontario Airport Marriott Hotel, 2200 East Holt Boulevard, Ontario, California, on January 11, 2006.

Board Members Present

Lloyd W. Allen, Chairman
James H. Bond
D. Bart Fisher, Jr.
John V. Foley
Terese Marie Ghio
Henry M. Kuiper
James B. McDaniel
John W. McFadden

Christopher G. Hayes, Designee
Department of Fish and Game
Jeanine Jones, Designee
Department of Water Resources

Others Present

Steve B. Abbott
John Penn Carter
James H. Davenport
William I. DuBois
William J. Hasencamp
Gordon A. Hess
Michael L. King
Jeffrey V. Kightlinger
Russell Kitahara
George Loveland
Jay W. Malinowski
Dirk Marks
Jan P. Matusak
Dan Parks
Roger K. Patterson
Randy A. Record

Steven B. Robbins
John L. Scott
Peter Silva
Ed W. Smith
Mark Stuart
James J. Taylor
Joseph A. Vanderhorst
Deven Upadhyay
Bill D. Wright

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

CALL TO ORDER

Chairman Allen, in the presence of a quorum, called the meeting to order at 10:13 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Allen 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 apologized to the Board that the minutes of the December 14, 2005, Board meeting were not available in time to be included in the Board folder. The December 14th Board meeting minutes will be included in the Board folder for the February 15th Board meeting.

2006 Board Meeting Schedule

Mr. Zimmerman reported that the Board meeting schedule for 2006 was included in the Board folder.

Special Board Workshop

Mr. Zimmerman requested that the Board hold a workshop regarding the Board's negotiating position in response to the Basin States discussions. The Board agreed to meet on January 23rd at 11:00 a.m. at the Ontario Airport Marriott Hotel. Part of the Workshop may be held in closed session.

AGENCY MANAGERS MEETING

Mr. Zimmerman reported that the Agency Managers and attorneys have been meeting and holding conference calls related to the ongoing Basin States discussions. The focus of the discussions has been on the proposed shortage guidelines, coordinated reservoir operations guidelines, and Nevada's proposals to supplement existing water supplies through the Colorado River System and non-Colorado River System water sources. Also being discussed are elements of the proposal that need to be part of the Basin States package to provide the agencies within California the needed water supply reliability, as well as, provide operational flexibility in meeting long-term needs.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported that as of January 5th, the storage in Lake Powell was 11.544 million acre-feet (maf) or 47 percent of capacity. The water surface elevation was about 3,597.8 feet. The storage in Lake Mead was about 15.161 maf, about 59 percent of capacity. The water surface

elevation was 1,137.8 feet. The total System storage is 34.456 maf, or 58 percent of capacity. Last year at this time, there were 29.862 maf in storage, or 50 percent of capacity. There has been an increase in storage of about five maf from this time last year.

Mr. Harris reported that precipitation in the Basin from October 1st through January 5, 2006, is 117 percent of normal. The snowpack equivalent, which is based on 116 SNOTEL sites through out the Basin, is 109 percent of normal. The projected unregulated flow into Lake Powell for April through July 2006 is estimated to be 8.5 maf, or 111 percent of normal. The observed unregulated inflow into Lake Powell for water year 2005 is about 12.614 maf, or 105 percent of normal.

Mr. Harris reported that the Reclamation-estimated consumptive use within the Lower Division States for calendar year 2005 for Nevada is expected to be 288,000 acre-feet. Arizona is expected to consumptively use about 2.436 maf, and California is expected to use about 4.355 maf. Overall Reclamation has estimated that the consumptive use for 2005 in the Lower Basin to be 7.079 maf.

State and Local Water Reports

Mr. Mark Stuart of the California Department of Water Resources reported that statewide precipitation as recorded at 233 stations was up to 145 percent of normal and runoff from thirty-one rivers was up to 195 percent of normal. Reservoir storage is approximately 135 percent of normal. As of January 1st, there were three maf of water in storage in the northern State Water Project reservoirs.

Mr. Stuart displayed slides that depicted the precipitation in the California. Noting that there were some areas in the north where precipitation was over twenty inches both in December and first part of January. Ms. Jeanine Jones added that the snow pack was below normal as most of the storms so far have been warmer than usual, resulting in more rain, but less snow.

Mr. Stuart closed the state report with a slide showing six foot waves crashing into levee's around Twitchell Island in the Sacramento Delta on January 2, 2006.

Mr. Foley of The Metropolitan Water District of Southern California (MWD) reported that as of January 5, 2006, the combined storage of Lake Skinner, Lake Mathews, and Diamond Valley Lake was 971,000 acre-feet, or 92 percent of capacity. Diamond Valley Lake had 784,000 acre-feet, or 95 percent of capacity. Lake Mathews had 149,000 acre-feet, or 82 percent of capacity. Lake Skinner had 37,000 acre-feet, or 86 percent of capacity.

Mr. McDaniel of the Los Angeles Department of Water and Power reported that as of January 10th, the Eastern Sierra snow pack is 124 percent of average. The current snow pack is 60 percent of the season average.

Arizona v. California

Mr. William Abbey of the Attorney General's Office reported that the proposed Decree has been submitted to the Solicitor General's Office. The Solicitor's review has been thorough and a

couple of extensions were sought and granted by the Supreme Court so that the Solicitor could finish his review. A conference call has been scheduled for Friday January 13th, among the parties' attorneys and the Solicitor General's Office before the Decree is to be submitted to the Supreme Court for final approval.

Colorado River Operations

Speeches Given by Mr. Mark Limbaugh, Assistant Secretary of the Interior for Water and Science, and John W. Keys, III, Commissioner of Reclamation, to the Colorado River Water Users Association During its 60th Annual Conference in Las Vegas, Nevada, and Miscellaneous News Articles on Those Remarks During Conference

Mr. Zimmerman reported that comments from both the Assistant Secretary of the Interior and the Commissioner of Reclamation, stressed the importance of the ongoing negotiations among the Basin States regarding development of shortage guidelines for the Lower Basin and coordinated management guidelines for Lakes Powell and Mead. Both also paid tribute to Mr. Dennis Underwood and his accomplishments within the Colorado River Basin, the Department of the Interior, and Reclamation. Copies of their comments, as well as, a couple of news articles regarding the conference and the speeches were included in the Board folder.

Speech Given by Mr. John W. Keys, III, Commissioner of Reclamation, to the Mid-West Electric Consumers Association Annual Meeting, Denver, Colorado, December 7, 2005

Mr. Zimmerman reported that Mr. John Keys, Commissioner of Reclamation, spoke at the Mid-West Electric Consumers Association. Commissioner Keys also paid tribute to Mr. Dennis Underwood and discussed issues of concern to the hydroelectric community. His speech is also included in the Board Folder.

Final 2006 Annual Operating Plan for the Colorado River System Reservoirs and News Article Announcing "Government Releases Colorado River Plan"

Mr. Zimmerman reported that Secretary Norton had signed the 2006 Annual Operating Plan for the Colorado River System Reservoirs (2006 AOP). The 2006 AOP allows for a partial domestic surplus; however, none of the eligible agencies have yet indicated that they will utilize any of the surplus at this time. The plan also allows under certain low storage conditions for a mid-year review in April 2006. The Board's position was that, pursuant to the Long-Range Operating Criteria, the mid-year review is not in accordance with the "Law of the River." The text of the 2006 AOP is available at the U.S. Bureau of Reclamation web site: http://www.usbr.gov/lc/region/g4000/AOP2006/AOP06_final.pdf

Basin States Discussion

Mr. Zimmerman reported that the Basin states met last week January 5th and 6th. Some progress has been made on several concepts, one of which is that the Scope of the National Environmental Policy Act (NEPA) process needs to be expanded. Conceptually, all seven Basin states concur that the scope of the document to be prepared by Reclamation should address the full range of operations of the reservoirs. Another area of expansion of the scope of the NEPA process

would be the need to accommodate water supply augmentation programs. The Basin states are discussing a number of programs that would deal with both non-Colorado River System and Colorado River System water sources, as well as, basin-wide initiatives. An example of non-Colorado River System water would be importation of water that would not otherwise enter the Colorado River System; such as proposals by the State of Nevada to import non-Colorado River System groundwater to meet its needs in the future. An example of Basin-wide initiatives would be implementation of a weather modification program to enhance the overall flow of the Colorado River System. In addition, proposals to fund projects that achieve system water savings are being discussed where the funding entity would obtain a temporary benefit by receiving a portion of the water that is salvaged.

Regarding operation of the Colorado River System reservoirs, the Basin states have agreed that the coordinated operations of Lakes Powell and Mead can provide benefits to both the Upper Basin and Lower Basin. In that regard the Basin states have selected the “hybrid” operating strategy that has trigger elevations in both Lake Powell and Lake Mead where stepped releases would be made from Lake Powell and at other trigger elevations where releases would be made from Lake Powell to attempt to balance the contents in both reservoirs.

Regarding shortage declarations in the Lower Basin, the Basin states have conceptually agreed that the shortage declarations should be based upon stepped shortages; i.e., as Lake Mead’s water elevations drop, the shortage amount becomes larger. However, at this time there is not agreement on the trigger elevations in Lake Mead for the shortage declarations or the amount of the shortage at each trigger elevation.

Other areas that require further discussions before agreement can be achieved include: 1) the details of, and parties to, the required forbearance agreements; 2) how water obtained through system efficiency projects will be made available to the entity that funds the project; 3) the details of how saved or conserved water can be stored in Lake Mead; 4) the details of verification and accounting processes related to water conservation or augmentation programs/projects; 5) how tributary development in the Lower Basin, future development in the Upper Basin, and Compact call will be handled; and the form, nature, and parties to the Basin states agreement.

Mr. Zimmerman indicated that between now and the beginning of February a number of meetings have been scheduled among the Basin states. These include:

- January 11th and 12th – a Lower Basin states meeting to further define its Conceptual Paper on the operations of Lake Mead and the delivery of water within the Lower Basin
- January 17th -- a Technical Committee meeting to refine the trigger elevations related to the “hybrid” operating strategy
- January 19th -- a Drafting Committee meeting to develop the form and contents of the agreement among the states
- January 23rd -- a Colorado River Board workshop to review the Basin states package and provide further guidance to take into the discussions
- January 30th and 31st -- a Basin states meeting to finalize the response to Secretary Norton on the scope of the states preferred alternative of the NEPA process

- February 3rd -- The Basin states submittal to be transmitted to Secretary Norton

Southern Nevada Water Authority Comments – Lower Basin Shortage Guidelines

Mr. Zimmerman reported that, since the last Board meeting, the Southern Nevada Water Authority (SNWA) has sent a letter regarding the Secretary of the Interior’s scoping process to obtain guidelines for the declaration of shortages in the Lower Basin and coordinated management of the Colorado River System reservoirs. The SNWA suggests that 1) conjunctive reservoir management is essential; 2) urban area issues need to be recognized; 3) operating measures need to include the full-range of reservoir operations; and 4) operating measures need to be implemented in a timely manner.

Heartland Institute Article, “Las Vegas Views Desalination as Potential Water Source”

Mr. Zimmerman reported that a recent paper published by the Heartland Institute, on the potential for Las Vegas to incorporate desalination as a future potential water source, is included in the Board folder. The paper explores the political and environmental hurdles that would be encountered before a project could be constructed.

Board’s Letter to House of Representatives in Support of H.R. 2995 to establish the Weather Modification Operation and Research Board, and for Other Purposes

Mr. Zimmerman reported that included in the Board folder is a copy House of Representatives Bill 2995 (H.R. 2995), also known as the Weather Modification Research and Technical Transfer Authorization Act. H.R. 2995 was introduced by Congressman Udall of Colorado. The Bill would create a board to oversee the policy development and directs research and technology activities related to weather modification. Federal funding of about \$10 million per year starts in 2006 through 2015. Included in the Board folder is a draft letter that would be sent to Congressional representatives and others supporting the enactment of this legislation.

Mr. Zimmerman requested Board approval of this letter and authorize him to sign the proposed letter.

MOTION: Upon the motion of Ms. Jones, seconded by Mr. Foley, and unanimously carried, the Board authorized Mr. Zimmerman to sign the proposed letter to be sent on behalf of the Board.

Colorado River Environmental Activities

Mr. Harris reported that on December 12th the California Department of Fish and Game (CDFG) issued a Notice of Public Availability regarding the proposed development of a “planning agreement” pursuant to the California Natural Communities Conservation Planning Act (NCCPA). The planning agreement is to develop a habitat conservation plan to provide species and habitat conservation related to the existing IID-San Diego County Water Transfer Project. The comment period for the Notice of Public Availability closed on January 2nd.

WATER QUALITY

Colorado River Basin Salinity Control Forum Triennial Review

Mr. Zimmerman reported that the Colorado River Basin Salinity Control Forum (Forum) adopted the 2005 Triennial Review report. The 2005 Triennial Review maintains the existing salinity control standards for the Colorado River Basin. The 2005 Triennial Review is now being considered by each of the Basin states, and as each state approves the salinity standards, they will be forwarded to the Environmental Protection Agency for final approval.

As for California, the State Water Resources Control Board (SWRCB) has scheduled a hearing on February 1st regarding the approval and adoption of the salinity standards within California. The Board submitted a comment letter to the SWRCB urging the approval and adoption of the 2005 Triennial Review report and adoption of the salinity standards.

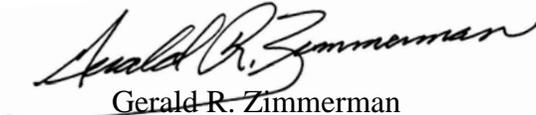
OTHER BUSINESS

Next Board Meeting

Chairman Allen announced that the next meeting of the Colorado River Board will be held on Wednesday, February 15, 2006, 10:00 a.m., at the Ontario Airport Marriott Hotel, Ontario, California.

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

MOTION: Upon the motion of Mr. Kuiper, seconded by Mr. McFadden, and unanimously carried, the meeting was adjourned 11:48 a.m. on January 11, 2005.



Gerald R. Zimmerman
Executive Director