

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, July 11, 2007

A Regular Meeting of the Colorado River Board of California (Board) was held in the Lake Silverwood Room, at the Ontario Airport Double Tree Hotel, at 222 N. Vineyard Avenue, Ontario, California, Wednesday, July 11, 2007.

Board Members and Alternates Present

D. Bart Fisher, Jr., Chairman

John V. Foley

Terese Maria Ghio

W. D. Bill Knutson

James B. McDaniel

John W. McFadden

John Pierre Menvielle

Jeanine Jones, Designee

Department of Water Resources

Board Members Absent

Henry Merle Kuiper

Christopher G. Hayes, Designee

Department of Fish and Game

Others Present

Mark D. Beuhler

Anna Brathwaite

John P. Carter

William I. Dubois

Dave Fogerson

William J. Hasencamp

Michael L. King

Russell Kitahara

Jay W. Malinowski

James Mizell

Roger K. Patterson

David R. Pettijohn

Robert Robinson

John L. Scott

Mark Stuart

Gary Tavetian

Joseph Vanderhorst

Bill D. Wright

William S. Abbey

Abbas Amir-Teymoori

J.C. Jay Chen

Christopher S. Harris

Mark Van Vlack

CALL TO ORDER

Chairman Fisher, announced the presence of a quorum, called the meeting to order at 10:08 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 requested the approval of the June 13th meeting minutes. Mr. Knutson moved the April 11th minutes be approved. Mr. Menvielle seconded the motion. Unanimously carried, the Board approved the June 13th meeting minutes.

AGENCY MANAGERS' MEETING

Mr. Harris reported that the agency managers had not met since the June Board meeting, though there were several conference calls and discussions regarding the Basin states issues.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported the current water year reporting season is essentially concluded. Regarding the reservoir conditions, he reported that as of July 5th, the storage in Lake Powell was 12.850 million acre-feet (maf), or 53 percent of capacity. The water surface elevation was 3,611.2 feet. The storage in Lake Mead was 12.712 maf, or 49 percent of capacity, and water surface elevation was 1,113.3 feet. Total System storage was about 33.7 maf, or 56 percent of capacity. Last year at this time, there was 34.9 maf in storage, or 59 percent of capacity. Total System storage was about one maf less than the storage at this time last year.

Mr. Harris reported that precipitation from October 1st to July 5th, was 84 percent of normal, and the snowpack was less than 5 percent of normal. The forecast for April through July inflow into Lake Powell for Water Year 2007, is projected to be about 4.2 maf, or 53 percent of normal. The projected 2007 Water Year unregulated inflow into Lake Powell was about 8.39 maf, or about 70 percent of normal.

Mr. Harris added that Reclamation's projected consumptive use (CU) for the State of Nevada is slightly over its entitlement of 300,000 acre-feet (314,000 acre-feet); and for Arizona, the CU is projected to be slightly under its basic entitlement of 2.8 maf (2.777 maf); and for California the CU is also projected to be slightly under its apportionment of 4.4 maf (4.356 maf). The total projected CU in the Lower Basin is expected to be about 7.447 maf.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources, reported on the climate conditions in California. He reported that of the seven major precipitation centers in southern California, as of July 1st, Mammoth Lakes has the highest precipitation, 12.51 inches, or 50 percent of normal, and the Imperial Valley had the lowest, 0.09 inches, or four percent of normal.

Mr. Stuart reported that the State Water Project (SWP) has about 3.7 maf in storage, or 67 percent of capacity, down about 1.5 maf from last year. In the northern SWP, there is 2.7 maf, or 74 percent of capacity, about 0.6 maf less than last year. In the Southern SWP, there is 0.9 maf in storage, or 51 percent of capacity, about 0.6 maf less than last year. The southern SWP has been drawn down due to the cut-backs in pumping at the Delta pumps.

Mr. Stuart added that the Coachella Valley Water District is hosting a workshop on July 26th regarding the California Water Plan (Bulletin 160) update 2009. The California Water Plan is updated every five years. The update starts out with a series of workshops throughout the state, where the public has an opportunity to be informed and to contribute to the Water Plan development process.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of July 1st, storage in the main Southern California reservoirs is at 0.928 maf, or 90 percent of capacity. The Delta pumps have resumed operation and with anticipated SWP allocations at 60 percent, storage may hold at 90 percent. Diamond Valley Lake had about 730,000 acre-feet, or 90 percent of capacity. Lake Mathews had 159,000 acre-feet in storage, or 87 percent of capacity. Lake Skinner had nearly 40,000 acre-feet in storage, or 91 percent of capacity.

Mr. James McDaniel, of the Los Angeles Department of Water and Power, reported that the Eastern Sierra was dry, and there is nothing further to report.

Colorado River Operations

Mr. Harris reported that Assistant Secretary of the Interior, Mr. Mark Limbaugh, had notified the Board via an email in late-June of his intention to resign from public office and return to the private sector. Mr. Limbaugh's last day of public service is scheduled to be July 13th. During a conference call on July 10th, Mr. Limbaugh conveyed his approval and appreciation with the progress that the Department of the Interior and the Basin states had made on Colorado River matters during his time in office. Mr. Limbaugh thanked each of the Basin states for their diligence and efforts in moving forward with the Interim Guidelines and other Colorado River issues.

Colorado River Board Testimony to U.S. Senate Subcommittee on Water And Power Regarding S. 1171 (Northwestern New Mexico Rural Water Projects Act, June 27, 2007)

Mr. Harris reported that, as authorized at the last Board meeting, the Board submitted written testimony on the Northwestern New Mexico Rural Water Projects Act, Senate Bill

1171, before the Senate's Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The testimony, included in the Board folder, is basically in agreement with the Water Projects Act. A number of clarifications and issues of consistency with the "Law of the River," were requested to be made in the legislation.

Basin States Discussion

Mr. Harris reported that the Basin States Technical Committee met and are continuing to work on documents related to the Interim Colorado River Operations and Shortage Guidelines. Also, the Water Delivery Agreement has gone through several drafts. There have been re-writes from Arizona and a significant rewrite from the Department of the Interior. The Lower Basin Forbearance Agreement, and specific water supply project descriptions, are documents the Technical Committee is also working on. The next Basin States Technical Committee meeting is scheduled on July 12th and 13th, to be held in San Diego. At the next Technical Committee meeting, work will continue on the Water Delivery Agreement, and the Forbearance Agreement Project exhibits will be reviewed and modified. Also the recently released proposed alternative from the Draft Environmental Impact Statement (DEIS) pursuant to the National Environmental Policy Act (NEPA) and associated technical data further describing implementation of the alternative will be reviewed.

Mr. Harris reported that the Basin States met in Denver, Colorado, on June 25th to discuss Reclamation's proposed preferred alternative for the Interim Operations DEIS. There was also discussion of the Draft Water Supply Augmentation Options report, funded by the Southern Nevada Water Authority, the status of the Water Delivery Agreement between the Lower Basin States and the Department of the Interior, the Central Arizona Project aqueduct capacity issue and the Basin states letters, as well as the Mexican Treaty issues and potential involvement in the Intentionally Created Surplus storage opportunities in Lake Mead.

Reclamation Releases Preferred Alternative for Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations of Lake Powell and Lake Mead

Mr. Harris reported that on June 18th, Reclamation released its preferred alternative for the DEIS. The preferred alternative and ensuing documents are available on Reclamations website; <http://www.usbr.gov/lc/region/programs/strategies.html>. Generally, Reclamations preferred alternative includes the Basin States Alternative with additional flexibility for storage of Colorado River or non-Colorado River water in Lake Mead. Reclamation's schedule is for the preferred alternative to be fully analyzed and evaluated in the Final EIS that is scheduled to be released in September 2007.

Mr. Harris reported that the main elements of Reclamations preferred alternative include:

- Shortages to Lower Basin users tied to Lake Mead water surface elevations.
- Adopt detailed guidelines to improve coordinated operations of Lakes Powell and Mead.
- Give credit for conserved water in Lower Basin and allow up to 2.1 maf initially, and then increased up to 4.2 maf in future years.
- Interim Surplus Guidelines would be modified and extended through 2026; and

address operation of Lake Mead at relatively full reservoir conditions and specify when surplus supplies would be made to Lower Basin water users.

Environmental Issues

Lower Colorado River Multi-Species Conservation Project Act. (H.R. 2515)

Mr. Harris reported that a hearing has been scheduled in the House Subcommittee on Water and Power associated with the Lower Colorado River Multi-Species Conservation Project (LCR MSCP) Act (H.R. 2515). A copy of the legislation is included in the hand out materials. The legislation will: 1) authorize funding, long-term appropriations for the LCR MSCP, rather than depend on Reclamations budget process which can vary from year to year, and 2) direct the Secretary of the Interior to establish specific agreements with entitlement holders for the use and acquisition of mainstream water supplies for habitat restoration projects in conjunction with the program. In addition, there are provisions that would provide enforceability to ensure implementation of the program over the 50-year period. Finally, the legislation provides the Steering Committee with an exemption to the Federal Advisory Committee Act. It is likely that representatives of each of the Lower Basin states and the Administration will be asked to provide testimony during the hearing. Mr. Harris anticipates the Board will provide testimony in support of the legislation.

Miscellaneous

There was a question regarding the importation of a non-native insect (Chinese leaf miner beetle) to control the non-native salt-cedar tree. This has been studied by the US Department of Agriculture and three pilot studies with Chinese leaf miner beetle. There has been limited success in a series of small pilot projects, but issues still remain regarding the widespread release of the beetle in the western U.S.

There was also a question regarding impacts of potential shale burning power plants in the Upper Basin. It was mentioned that at the May 2007 Board meeting a presentation by Ms. Cathy Kay, the Oil Shale Organizer for the Western Colorado Congress, regarding the impacts resulting from commercial oil shale production in Colorado. Ms. Kay encouraged the Board to support efforts to slow down the development of oil shale mining in the Upper Basin. Mr. Amir-Teymoori added that the Salinity Forum is also working on the issue.

Other Business

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held in conjunction with the Urban Water Institute 14th Annual Southern California Urban Water Conference, on Wednesday, August 22, 2007 at 3:00 p.m., at the San Diego Marriott Del Mar, 11966 El Camino Real, San Diego, California.

There being no further items to be brought before the Board, Chairman Fisher asked for a motion to adjourned. Mr. McFadden moved the Board meeting be adjourned. Mr. Menvielle seconded the motion, and with unanimous approval the Board meeting was adjourned at 10:35 a.m. on July 11, 2007.

A handwritten signature in black ink, appearing to read "Gerald R. Zimmerman". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Gerald R. Zimmerman
Executive Director