

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, February 13, 2008

A Regular Meeting of the Colorado River Board of California (Board) was held in the Strawberry Peak Room, of the Ontario Airport DoubleTree Hotel, at 222 North Vineyard Avenue, Ontario, California, 91764-4428, Wednesday, February 13, 2008.

Board Members and Alternate Present

Dana Bart Fisher, Jr., Chairman
Thomas M. Erb
John V. Foley
Terese Marie Ghio
W. D. 'Bill' Knutson
Henry Merle Kuiper
John W. McFadden

Christopher G. Hayes, Designee
Department of Fish and Game

Jeanine Jones, Designee
Department of Water Resources

Board Members and Alternate Absent

James Cleo Hanks
James B. McDaniel

John Pierre Menvielle

Others Present

Steven B. Abbott
Celia A. Brewer
Mark D. Buehler
John Penn Carter
David Fogerson
William J. Hasencamp
Russell Kitahara
Thomas E. Levy
Jay W. Malinowski
Jan P. Matusak
Douglas B. Noble
David R. Pettijohn

Steven B. Robbins
Mark Stuart
Peter E. von Haam
Carlos Z. Villalois
Bill D. Wright

Abbas Amir-Teymoori
J.C. Jay Chen
Christopher S. Harris
Gary E. Tavetian
Mark Van Vlack
Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:07 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 January 9th meeting minutes. Mr. Zimmerman added that there were some editorial corrections made by Mr. Jan Matusak that had not made it into the final version of the minutes of the January 9th Board meeting. The comments did not change the intent of the original minutes. The comments are requested to be made to the minutes.

Ms. Jones moved the January 9th minutes be approved per inclusion of editorial comments. Mr. Foley seconded the motion. Unanimously carried, the Board approved the January 9th meeting minutes as amended.

Approval of Sub-Lease with Department of Water Resources for Colorado River Board Office Space

Mr. Zimmerman requested approval to sign the Sub-Lease with the Department of Water Resources, included in the Board folder, for the Board's office space. Ms. Terese Ghio moved that the Executive Director be authorized to execute the Sub-Lease. Mr. Foley seconded the motion. Unanimously carried, the Board authorized the Executive Director to execute the Sub-Lease for the Board office space.

State of California Conflict of Interest Statements

Mr. Zimmerman reminded the Board members that Form 700 "Conflict of Interest Statement" should be turned in to Board staff to be filed.

AGENCY MANAGERS' MEETING

Mr. Zimmerman reported that the agency managers have not met since the January 9th Board meeting. The agency managers are expected to meet before the next Board meeting.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported that as of February 6th, the storage in Lake Powell was 10.854

million acre-feet (maf), or 45 percent of capacity. The water surface elevation was 3,590.4 feet. The storage in Lake Mead was 13.050 maf, or 50 percent of capacity, and water surface elevation of 1,116.8 feet. Total System storage was about 31.36 maf, or 53 percent of capacity. Last year at this time, there was 33.66 maf in storage, or 56 percent of capacity.

Mr. Harris reported that precipitation from October 1st to February 7th is 125 percent of normal, and the snowpack is 131 percent of normal. The forecast, April through July inflow into Lake Powell for Water Year 2008, is currently projected to be about 9.5 maf, or 120 percent of normal. The projected 2008 water year unregulated inflow into Lake Powell is about 13.45 maf, or about 112 percent of normal.

Mr. Harris added that Reclamation's projected consumptive use (CU) for Calendar Year 2007 for the State of Nevada is 300,000 acre-feet; and for Arizona, the CU is projected to be their basic entitlement of 2.8 maf (2.801 maf); and for California the CU is projected to be 4.374 maf. The total projected CU in the Lower Basin is expected to be about 7.475 maf. In 2006, the total Lower Basin CU was about 7.373 maf.

Study of Long-Term outlook for Colorado River Basin by Scripps Institute

Vice-chairman McFadden asked about a study done under the auspices of Scripps Institute, that had been reported by various news outlets. Ms. Jeanine Jones reported that she had participated in a policymakers conference call, that mostly consisted of congressional staff. Scripps Institute had arranged the conference call to brief government staff before the study was released to the press.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources, reported on the current climate conditions in California. For the first few months of water year 2008, precipitation was good. Along the coast, in the Sierras and Southern California precipitation has been well above normal for this time of year. Snow water content was above normal in the northern and southern part of the state, the central part of the state is right at normal for this time of year. The Sacramento River Index as of January is 91 percent of average. Precipitation overall, for 233 stations, is 110 percent of average. Runoff, for thirty-one rivers, is 55 percent and reservoir storage, for 155 reservoirs, is 85 percent of normal.

Mr. Stuart added that State Water Project (SWP) storage in northern California is 1.4 maf, or 39 percent of average and in southern California 1.4 maf or 78 percent of average. Total SWP storage is 2.8 maf or 52 percent of average. SWP projected deliveries are 35 percent of entitlements.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of February 1st, MWD's combined reservoir storage of Lakes Skinner, Mathews, and Diamond Valley, is about 781,000 acre-feet, or about 75 percent of capacity. The rainfall in Southern California during January helped reduce demands and resulted in a slight increase to regional storage. As of February 1st, Diamond Valley Lake had about 600,000 acre-feet in storage, or about 74 percent of capacity. Lake Mathews had about 144,000 acre-feet, or 79 percent of capacity. Lake Skinner had about 36,000 acre-feet or

about 83 percent of capacity.

Mr. Erb, of the City of Los Angeles Department of Water and Power (LADWP), reported that as of February 11th, precipitation in the Mammoth watershed is tracking at the average for this time of year. However, the rest of the Eastern Sierra is already approaching the season average.

Colorado River Operations

2008 Annual Operating Plan

Mr. Zimmerman reported that the final 2008 Annual Operating Plan (2008 AOP) has not yet been released. The final 2008 AOP should be consistent with the recently signed Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lakes Powell and Mead. It is anticipated that the Final 2008 AOP will include that Glen Canyon Dam releases be governed by the Upper Elevation Balancing Tier. With projected runoff, releases from Glen Canyon Dam expected to be at least 8.23 maf. Releases from Hoover Dam are expected to be governed by the Intentionally Created Surplus (ICS) condition. ICS allows water users to take surplus water that each particular water user had stored in previous years as ICS. Mexico is to be permitted to schedule the delivery of 1.5 maf for 2008. Unused apportionment is not anticipated to be available. Twenty-five thousand acre-feet of Intentionally Created Unused Apportionment stored in Arizona is expected to be recovered by California. Also, payback of inadvertent overruns from previous years is expected to occur in 2008 under the Inadvertent Overrun Payback Policy.

Reclamation's Letters to Fort Mojave Indian Tribe and Gila Monster Farms Regarding 2006 Overrun of Colorado River Entitlements

Mr. Zimmerman reported that included in the Board folder were Reclamation's notification letters sent to Fort Mojave Indian Tribe and Gila Monster Farms regarding inadvertent overrun of their 2006 entitlements. The Fort Mojave Indian Tribe's diversion entitlement of 16,270 acre-feet per year of Colorado River water was overrun by 2,107 acre-feet. The Gila Monster Farms entitlement of 9,156 acre-feet per year of mainstream Colorado River water was overrun by 174 acre-feet. Both Fort Mojave Indian Tribe and Gila Monster Farms must submit extraordinary water conservation plans to show how the overruns will be repaid to the System.

All-American Canal Lining Project Tour, February 28-29, 2008

Chairman Fisher circulated a list for those attending the All-American Canal Lining Project tour. Mr. Tom Levy, General Manager of the Colorado River Authority, encouraged those interested to sign up so that logistics to accommodate those planning to attend the tour could be finalized.

Temporary Sheet Pile Cofferdam Failure near Drop 2 of All-American Canal Lining Project

Mr. Carlos Villalois, of Imperial Irrigation District (IID), reported that there was a failure of a sheet pile cofferdam at 1 p.m. on Monday, February 11th. The breach in the

cofferdam was sealed off by 10:30 p.m. Through the breach, water backed up about five miles up the newly lined canal, roughly 50 feet wide about 25 feet deep. It is expected to take three to four weeks to get back on schedule. Most of the water that escaped through the breach was recaptured and all water orders were fulfilled.

Reactivation and Operation of the Yuma Desalting Plant

Mr. Zimmerman reported that the Yuma Desalting Plant Advisory Committee has been formed to evaluate the reactivation and operation of the Yuma Desalting Plant. Last month it was reported that a Memorandum of Understanding (MOU) was to be signed among the participating parties to accomplish the goals of the Advisory Committee. Instead of an MOU, the parties decided to develop a work plan. The parties include the Arizona Department of Water Resources, the Southern Nevada Water Authority, The Metropolitan Water District of Southern California, the Central Arizona Water Conservation District, the Yuma County Water Users Association, the City of Yuma, Environmental Defense, and Reclamation. The Advisory Committee met on January 24th where a work plan was approved and three Work Groups were formed. The goals of the Work Groups are:

- Reduce the impacts caused by the high groundwater tables in the Yuma Valley;
- Provide additional water supplies to Arizona mainstream entitlement holders during periods of declared shortages;
- Provide Reclamation a portion of the drainage water bypassed to the Cienega de Santa Clara;
- Provide long-term certainty for flow releases to the Cienega de Santa Clara and Limitrophe reach of the Colorado River mainstream;
- Provide interim water supplies to MWD and the Southern Nevada Water Authority;
- Provide high quality water for agricultural and municipal water users in the Yuma area; and
- Aid in accomplishing the purposes of the Colorado River Basin Salinity Control Act.

Mr. Zimmerman added that the Work Groups and Advisory Committee are scheduled to meet on February 21st and 22nd to review the progress of the Work Groups. The intent of the Advisory Committee is to finalize their recommendations by April 15, 2008.

Basin States Discussion

Colorado River Long-Term Augmentation Studies

Mr. Zimmerman reported that the Basin States Technical Committee released the final review draft of the Long-Term Augmentation Options report. Included in the Board folder is a one-page fact sheet as well as a copy of the summary of the report. Augmentation of the Colorado River water supply includes conservation and efficiency projects within the Basin, and importation of water supplies from outside the Colorado River Basin.

Central Arizona Water Conservation District Letter of Support for Proposed Federal Legislation Regarding Weather Modification, January 23, 2008

Mr. Zimmerman reported that Central Arizona Water Conservation District (CAWCD) recently sent a letter to Senator John McCain (R-AZ) in support of the Weather Mitigation Research and Development Policy Authorization Act (H.R. 3445, and S. 1807). The Board had sent letters in support of the legislation after last month's Board meeting. A copy of the CAWCD letter is included in the Board folder.

International Boundary and Water Commission Discussions

Mr. Zimmerman reported that on August 13, 2007, Secretary Kempthorne announced that the federal governments of the United States and Mexico had renewed their commitments to cooperate and collaborate on Colorado River issues. The two countries pledged to address issues related to: water uses, conservation, and efficiencies; coastal desalination opportunities; environmental needs; and climate change impacts. The International Boundary and Water Commission (IBWC) has moved forward on this bi-national effort. Core Groups in both the U.S. and Mexico are being formed. The Core Groups will be focusing on the Terms of Reference that are being developed by both the IBWC and Mexico's "Comisión Internacional de Límites y Aguas" (CILA). In addition, the core groups will begin identifying projects and programs that both countries mutually support. The U.S. Core Group includes representatives from IBWC, Reclamation, Arizona, California, Nevada, the Upper Basin, and nongovernmental officials or organizations, currently, Environmental Defense. The IBWC is finalizing the Terms of Reference that will guide the discussions. The next bi-national Core Group meeting is scheduled for March 11th, where the Terms of Reference are anticipated to be approved by an exchange of letters between the IBWC's Commissioner Carlos Marin and CILA's Commissioner José Herrera. The Terms of Reference contain broad goals identified by both countries. The Core Groups of both countries are to begin developing an annual work plan to guide the discussions of this effort.

Mr. Zimmerman reported that during the February 12th meeting the U.S. Core Group identified seven potential projects: 1) extend Minute 310, related to the Otay connection where currently water is delivered to Tijuana by using the MWD and San Diego facilities; 2) identify potential desalination opportunities in Mexico, possibly forming task groups to explore the viability of individual projects; 3) Drought management would consider shortages, irrigation efficiency, fallowing, and conservation. Mexico has indicated its interest in considering something to improve infrastructure in the Mexicali Valley; 4) Traditional Storage opportunities in Mexico; 5) Operational storage within Mexico such as off-site and/or conjunctive use; 6) Potential for Mexico to participate in an ICS type program; and 7) Wetland protection projects, such as possibly preserving areas along the Limitrophe reach of the Colorado River on the Mexico side, similar to the Multi-Species Conservation Program in the U.S.

Mr. Zimmerman added that he plans to meet with the Agency Managers to further discuss, the Terms of Reference, the goals of this effort, the potential projects, and the 2008 Work Plan.

Ms. Jones mentioned that Secretary Adams of the California Environmental Protection Agency (Cal EPA) and Secretary Chrisman of the California Resources Agency have recently signed an agreement with Mexico's Environmental Protection Agency, the Secretariat for the Environment and Natural Resources (SEMARNAT), for coordination and cooperation on environmental matters including water quality and quantity. In addition the President of Mexico is in California meeting with the Governor of California, and is today meeting with Secretary Chrisman and Cal EPA Secretary Adams.

Colorado River Environmental Activities

Lower Colorado River Multi-Species Conservation Program Legislation Trip to Washington, D.C.

Mr. Harris reported that non-federal Lower Colorado River Multi-Species Conservation Program (LCR MSCP) participants were in Washington, D.C. to meet with congressional committee and subcommittee staff February 12-14, 2008. The purpose of the trip was to discuss the need for proposed LCR MSCP implementing legislation to include a long-term federal funding commitment providing a waiver of sovereign immunity. In addition, the implementing legislation would permit the Secretary to acquire and use mainstream water for MSCP purposes. Without this proposed legislative fix, it appears the Consolidated Decree, in *Arizona v. California*, could prohibit the use of mainstream water for habitat restoration and maintenance purposes. The proposed implementing legislation would also provide an exemption to the Federal Advisory Committee Act. This would allow the MSCP Steering Committee to continue to act as an ecosystem conservation and recovery implementation team under Section 4 of the Endangered Species Act.

Water Quality

Colorado River Basin Salinity Control Forum Work Group Meeting

Mr. Amir-Teymoori reported that the Colorado River Basin Salinity Control Forum Work Group (Work Group) met in Salt Lake City, Utah, on January 30th through February 1, 2008. The Work Group discussed potential amendments to the Colorado River Basin Salinity Control Act that are included in the current Farm Bill to permit Reclamation's management of state funding in the USDA cost-share Parallel Program. There is a requirement in the Farm Bill for Reclamation to report to Congress before any funding is allocated and money spent. The Work Group views this as an opportunity to explain the program's benefits to the Upper Basin, the benefit of reducing the damages to the Lower Basin and the importance of continued funding for the program.

Mr. Amir-Teymoori added that The Work Group also discussed the preparation of the 2008 Triennial Review Report. The Work Group anticipates having the draft 2008 Triennial Review report available for Forum review and comment in early May 2008, prior to the Forum's spring meeting in Montrose, Colorado.

Other Business

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be on Wednesday, March 12, 2008, at 10:00 a.m., at the Ontario Airport DoubleTree Hotel Ontario, 222 North Vineyard Avenue, Ontario, California.

There being no further items to be brought before the Board, Chairman Fisher asked for a motion to adjourn the meeting. Upon the motion of Mr. Knutson, seconded by Mr. Foley, and unanimously carried, the meeting was adjourned 11:24 a.m. on February 13, 2008.



Gerald R. Zimmerman
Executive Director