

COLORADO RIVER BOARD OF CALIFORNIA

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March 1, 2010

**NOTICE OF REGULAR MEETING OF THE
COLORADO RIVER BOARD**

NOTICE IS HEREBY GIVEN pursuant to the call of the Chairperson, Dana B. Fisher, Jr., by the undersigned, the Executive Director of the Colorado River Board of California, that a regular meeting of the Board Members is to be held as follows:

Date: March 10, 2010, Wednesday
Time: 10:00 a.m.
Place: Vineyard Room
Holiday Inn Ontario Airport
2155 East Convention Center Way
Ontario, CA 91764-4452
TEL: (909) 212-8000, FAX: (909) 418-6703

The Colorado River Board of California welcomes any comments from members of the public pertaining to items included on this agenda and related topics. Oral comments can be provided at the beginning of each Board meeting; while written comments may be sent to Mr. Dana B. Fisher, Jr., Chairperson, Colorado River Board of California, 770 Fairmont Avenue, Suite 100, Glendale, California, 91203-1068.

An Executive Session may be held in accordance with provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and in accordance with Sections 12516 and 12519 of the Water Code to discuss matters concerning interstate claims to the use of Colorado River System waters in judicial proceedings, administrative proceedings, and/or negotiations with representatives from other states or the federal government.

Requests for additional information may be directed to: Gerald R. Zimmerman, Executive Director, Colorado River Board of California, 770 Fairmont Avenue, Suite 100, Glendale, CA 91203-1068, or 818-500-1625. A copy of this Notice and Agenda may be found on the Colorado River Board's web page at www.crb.ca.gov.

A copy of the meeting agenda, showing the matters to be considered and transacted, is attached.


Gerald R. Zimmerman
Executive Director

attachment: Agenda

Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
March 10, 2010, Wednesday
10:00 a.m.

Vineyard Room
Holiday Inn Ontario Airport
2155 East Convention Center Way
Ontario, CA 91764-4452

A G E N D A

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action by the Board. Items may not necessarily be taken up in the order shown.

1. Call to Order
2. Opportunity for the Public to Address the Board (Limited to 5 minutes)
As required by Government Code, Section 54954.3(a)
3. Administration
 - a. Minutes of the Meeting Held February 10, 2010,
Consideration and Approval (**Action**) TAB 1
 - b. Election of Vice-Chairman (**Action**)
4. Agency Managers Meetings
Report from the Executive Director
5. Protection of Existing Rights
 - a. Colorado River Water Report(s) TAB 2
Report from Board Staff on current reservoir storage, reservoir releases, projected water use, forecasted river flows, scheduled deliveries to Mexico, and salinity
 - b. State and Local Water Reports TAB 3
Reports from Board members on current water supply and use conditions
 - c. Colorado River Operations TAB 4
Report(s) from the Executive Director
 - Reclamation's "Lower Colorado Region Policy for Apportioned but Unused Water"
 - Mr. Michael Abatti's Letter to Secretary of the Interior Regarding the Invalidation of the Quantification Settlement Agreement; and Mr. Stuart Somach's Comments Before IID Board; and Imperial Valley Press Online News, "Mr. Abatti OK with No Quantification Settlement Agreement"
 - Department of the Interior's News Release Regarding the WaterSMART (Sustain and Manage America's Resources for Tomorrow) Initiative and Interior's WaterSMART Workshop, Las Vegas, Nevada
 - Reclamation's Release of "The Literature Synthesis on Climate Change Implications for Reclamation's Water Resources"
 - Reclamation's Letter to California Agencies Regarding Continued Implementation of the Colorado River Water Delivery Agreement

Agenda (continued)

- d. Basin States Discussions TAB 5
 - Report(s) from the Executive Director
 - Joint Cooperative Projects and Programs with Mexico
 - Reclamation's Notification Regarding the Colorado River Basin Water Supply and Demand Study (Basin Study)
- e. Colorado River Environmental Issues TAB 6
 - Report from the Board Staff
 - Department of the Interior's Response Letter to Grand Canyon Trust Regarding Its Request of "Equalized Monthly Volumes" Release at the Glen Canyon Dam
- 6. Water Quality
 - Report(s) from the Board Staff
 - a. Colorado River Basin Salinity Control Activities
 - Colorado River Basin Salinity Control Forum Work Group Meeting, February 8-10, 2010
- 7. Executive Session

An Executive Session may be held by the Board pursuant to provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and Sections 12516 and 12519 of the Water Code to discuss matters concerning interstate claims to the use of Colorado River system waters in judicial proceedings, administrative proceedings, and/or negotiations with representatives from other states or the federal government.
- 8. Other Business
 - a. Next Board Meeting: Regular Meeting
 - April 14, 2010, Wednesday, starting 10:00 a.m.
 - Holiday Inn Ontario Airport
 - 2155 East Convention Center Way
 - Ontario, CA 91764-4452
 - TEL: (909) 212-8000, FAX: (909) 418-6703
 - b. Special Board Meeting to be held in conjunction with
 - ACWA 2010 Spring Conference TAB 7
 - May 5, 2010, Wednesday, Starting 4:30 p.m.
 - Monterey Conference Center, Portola & Marriott Hotels
 - Two Portola Plaza
 - Monterey, CA 93940
 - ACWA TEL: (916) 441-4545, FAX: (916) 325-2316
 - Toll Free (888) 666-2292, e-mail: events@acwa.com
 - Online Registration Available at: www.ACWA.Com

3.a. - Approval February 13, 2010, Board Meeting Minutes

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, February 10, 2010

A Regular Meeting of the Colorado River Board of California (Board) was held in the Vineyard Room, at the Holiday Inn Ontario Airport, at 2155 East Convention Center Way, Ontario, California, Wednesday, February 10, 2010.

Board Members and Alternates Present

Dana Bart Fisher, Jr., Chairman

Russell Kitahara

W. D. Bill Knutson

Henry Merle Kuiper

James B. McDaniel

Bill D. Wright

Jeanine Jones, Designee

Department of Water Resources

Board Members and Alternate Absent

Terese Marie Ghio

James C. Hanks

John W. McFadden

John Pierre Menvielle

Christopher G. Hayes, Designee

Department of Fish and Game

Others Present

Steven B. Abbott

John Penn Carter

David Fogerson

John V. Foley

William J. Hasencamp

Mark L. Johnson

Michael L. King

Jan P. Matusak

David R. Pettijohn

Halla Razak

John L. Scott

Jack Seiler

Ed W. Smith

Cathy Stites

Mark Stuart

Joseph A. Vanderhorst

J.C. Jay Chen

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 10:16 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 13th meeting minutes. Mr. Kuiper moved January 13th minutes be approved. Mr. Knutson seconded the motion. Unanimously carried, the Board approved the January 13th meeting minutes as amended.

Governor's Executive Order

Mr. Zimmerman reported that Governor Schwarzenegger issued Executive Order S-01-10 directing state agencies to implement an additional five percent salary savings through attrition or other means beginning March 1st. A copy of the executive order was included in the Board folder. The Board submitted a plan with identified salary savings that was not expected to affect staff operations.

Professional Engineers in California Government Lawsuit

Mr. Zimmerman reported that the organization, Professional Engineers in California Government (PECG), has filed a lawsuit, January 21st, in the California Superior Court in Alameda County. The PECG lawsuit alleges that the furloughs for positions not funded by the General Fund are illegal. The PECG lawsuit was filed against the Governor's office and each of the state agencies. Chairman Fisher has been served. It is not clear yet how, or if, the Board will be affected by the PECG lawsuit.

California Unions for Reliable Energy Public Records Act Request

Mr. Zimmerman reported that the California Unions for Reliable Energy (CURE) have requested all materials related to the Solar Millennium's Blythe Solar Power Project. Board staff is currently assessing the information available and plans to respond to CURE within the designated time period of the Public Records Act request.

AGENCY MANAGERS' MEETING

Mr. Zimmerman reported that the agency managers met following the January 13th Board meeting. Solar power/energy projects within the Palo Verde Valley as well as along the Colorado River were discussed. The Agency Managers are scheduled to meet after the Board meeting to consider a couple of draft papers developed with the help of MWD and to further discuss solar power/energy development in the desert area and water supply issues related to potential development.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Zimmerman reported that precipitation from October 1st to February 1st was 85 percent of normal. The snow water equivalent was 85 percent of normal. Reclamation's projections of unregulated inflow into Lake Powell were 5.800 million acre-feet (maf) for April through July 2010 or 73 percent of average; and water year projections from October 1, 2009 through September 30, 2010 were 8.893 maf, about 74 percent of average.

Mr. Zimmerman reported that the latest snow-pack map, February 9th, of the Upper Colorado River Basin shows much of the Upper Basin is still below normal. There has been some increase in snow water equivalent in the lower part of the Upper Basin, such as the San Juan and the Colorado Plateau. The Upper Green River has increased from 50 to 56 percent, however, it is still early in the season. As of February 3rd the snow water equivalent was about 81 percent of normal.

Mr. Zimmerman reported that as of January 31st, the storage in Lake Powell was 13.991 maf, or 58 percent of capacity. The water surface elevation was 3,622.1 feet. The storage in Lake Mead was 11.493 maf, or 44 percent of capacity, and water surface elevation was 1,100.0 feet. Total System storage was about 33.093 maf, or 55 percent of capacity. Last year at this time, there was 33.002 maf in storage, or 55 percent of capacity.

Mr. Zimmerman reported that Reclamation's estimated consumptive use (CU) during calendar year 2009 for the State of Nevada to be below its entitlement of 300,000 acre-feet (248,000 AF); and Arizona's estimated CU to be slightly above its entitlement of 2.8 maf (2.827 maf); and California is expected to be slightly below its basic entitlement of 4.4 maf (4.364 maf). In 2009, the Lower Basin CU was about 7.439 maf.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources, reported on the current climate conditions in California. Precipitation for most of California is slightly above or at normal for most of California. Snowfall is also slightly above or at normal for this time of year. However, runoff for this year has only been about 65 percent of normal. The storage in Lake Oroville is about 1.2 maf, or 34 percent of capacity. Water storage, as of February 1st, in the northern State Water Project (SWP) was about 1.3 maf, or 35 percent of capacity. SWP storage in the south was about 1.2 maf, or 64 percent of capacity. Total SWP storage is at 44 percent of capacity. SWP projected deliveries for 2010 are currently five percent of Table A Entitlements.

Mr. Stuart reported that the draft SWP Delivery Reliability Report 2009 was recently released and copies were available. He mentioned that the current estimate of SWP deliveries at the 50 percentile exceedence delivery volume was about 300,000 acre-feet less than the 2007 Final SWP Delivery Reliability Report.

Mr. Wright, 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, was about 582,000 acre-feet, or about 56 percent of capacity. As of February 1st, Lake Mathews had about 159,000 acre-feet, or 87 percent of capacity an increase of about 34,000 acre-feet from last month. Lake Skinner had about 37,000 acre-feet or about 84 percent of capacity. Diamond Valley Lake had about 386,000 acre-feet in storage, or about 48 percent of capacity. Though no water was delivered to Diamond Valley Lake during January, the water storage increased by just over 1,000 acre-feet from rainfall and runoff. Colorado River water has not been stored at Diamond Valley Lake due to concerns of Quagga mussels could get established in the Lake. In addition pumping restrictions in the Sacramento Delta had essentially reduced delivery from the SWP in January by about 50,000 acre-feet.

Mr. McDaniel, of the City of Los Angeles Department of Water and Power (LADWP), reported that as of February 1st, the Eastern Sierra Snow Survey results are similar to the rest of the state, slightly better than normal for this time of year. The northern most catchment, the Mammoth Lakes area are about 97 percent of normal, the Rock Creek area is about 101 percent of normal, the Big Pine area is about 97 percent of normal and the Cottonwood area is about 140 percent of normal. Overall the Eastern Sierra snowpack is about 105 percent of normal or 67 percent of the April 1st normal. The current snow pack represents about 67 percent of an average season.

Colorado River Operations

New Commissioner for the U.S. Section of the International Boundary and Water Commission

Mr. Zimmerman reported that on January 15th, President Barack Obama appointed Mr. Edward Drusina to the post of the Commissioner of the U.S. Section of the International Boundary and Water commission. Mr. Drusina was sworn in as Commissioner on January 19th. Mr. Drusina is a registered professional engineer and has worked in the City of El Paso region for many years.

National Science Foundation Climate Funding

Mr. Zimmerman reported that Board staff prepared a letter requesting that the National Science Foundation (NSF) establish a "regional climate modeling fund" to provide grants to universities and other research institutions for the development of regional climate models. The Board requests the NSF to set aside \$25 million in research grants to be issued for regional climate research over the next three years.

Proposed Solar Energy Projects

Mr. Zimmerman reported that included in the Board folder is the *Federal Register* notice announcing that the Bureau of Land Management (BLM) has initiated a National Environmental Policy Act (NEPA) process for proposed solar energy project near Desert

Center in Riverside County. BLM held an open house on February 4th in the City of Needles associated with the proposed solar energy project. Board staff attended a public hearing held by the California Energy Commission and BLM on January 25th in Blythe, California. Before the public hearing there were tours of the proposed solar energy projects near Blythe, Palen, and Rice. Currently, BLM is processing 128 applications for 77,000 megawatts of potential solar projects on 1.2 million acres of public land.

Water SMART Program Workshop

Mr. Zimmerman reported that the Department of the Interior is hosting the Water SMART Program Workshop (workshop) on February 23-24, 2010 at the Aria in City Center in Las Vegas, Nevada. Assistant Secretary for Water and Science, Ms. Anne Castle, will be at the workshop. The workshop announcement and agenda was included in the Board folder and registration is due Friday, February 12th. Mr. Zimmerman encouraged those in attendance to take part in the Water SMART Program Workshop. Several from the MWD as well as the San Diego County Water Authority are scheduled to attend and participate at the workshop.

Update on the Quantification Settlement Agreement Litigation

Mr. Zimmerman acknowledged the presentation of Mr. Abbott at the last Board meeting. Mr. Zimmerman asked if there had been additional activity on the case. Mr. Steven Abbott, consultant for the Coachella Valley Water District, reported that Sacramento County Superior Court issued a Final Decision. The Judge held a status conference where he issued an Order proposing to send the remaining parts of the cases (the challenge to the Western Farms, the fallowing purchase and the fallowing program and the one Cross-Complaint) back to Imperial County. He also issued a proposed judgment for the parties to comment and file objections on. The proposed judgment does not contain an injunction against implementing the agreements and proposes to stay the judgment declaring them invalid, until the time to notice an appeal expires. A request was made to set a hearing date for a motion to stay the cases during the pendency of the appeal. There has not yet been a response. Objections to parts of the proposed judgment dealing with cost issues in the CEQA cases and dealing with the cost of preparing the Administrative Record have been filed. A hearing was scheduled Thursday morning, February 11th, dealing with the objections on the Court's proposal to sever the remaining cases and send them back to Imperial County.

Basin States Discussion

Status of Binational Discussions

Mr. Zimmerman reported that the binational discussions within the U.S. and between the U.S. and Mexico are continuing. The binational discussions have focused on: potential environmental and conservation pilot projects, and modeling six identified scenarios. The six identified modeling scenarios include: 1) Baseline scenario where the same assumptions are included in the 2007 Environmental Impact Statement (EIS) for the Shortage Guidelines and the Coordinated Operation of Lakes Powell and Mead; 2) The U.S. scenario; 3) The Mexico

scenario; 4) Mexico surplus scenario; 5) Mexico no shortage scenario; and 6) Mexico basin-wide shortage scenario.

Mr. Zimmerman reported that at the binational meeting January 28th and 29th, Mexico identified three environmental and two conservation potential pilot projects. Reclamation explained key modeling assumptions that had been revised from the 2007 EIS. Instead of reservoir conditions as they were in 2007, the updated reservoir conditions as of January 2010 were used. The Upper Basin depletion schedule was updated. Originally the maximum ICS creation and delivery schedule was used, the revised schedule included current conditions and the most likely ICS creation and delivery schedule was used. The shortage and coordinated operations criteria was extended to 2036 to cover the modeling period. Reclamation presented their results from modeling the six scenarios. The Mexico modeling team were surprised that the U.S. team had changed key modeling assumptions and the modeling results of the two teams were based on different assumptions.

Mr. Zimmerman reported that at the January 28th meeting Mexico reported on the three pilot projects. One of the projects was the Laguna Grande. This project was funded by the Six Agency Committee, where the Six Agency Committee contributed \$75,000 to provide restoration of the Laguna Grande area. Mexico is proposing the restoration area be expanded. Mexico identified a potential project in the Limitrophe Section further downstream from the Laguna Grande area. Two conservation pilot projects proposed by Mexico would essentially be operational storage areas and a couple of major reservoirs in Mexico. Regarding experimental high flows through the Limitrophe Section, there was discussion concerning the high water table in the Yuma and the potential damage to crops if that water table rises due to the experimental periodic high flows through the Limitrophe Section.

Mr. Zimmerman reported that Reclamation presented an analysis of the salinity impacts at the Northerly International Boundary (NIB) with Intentionally Created Mexico Apportionment (ICMA). The modeling results indicate that with the creation of 100,000 acre-feet of ICMA there would be an increase of 11 parts per million (ppm) salinity at the NIB. Further, with the creation of 400,000 acre-feet of ICMA, there would be an increase in salinity of 60 ppm. Mr. Zimmerman reported that according to Reclamation for 100,000 acre-feet of ICMA created an additional 12,000 acre-feet would need to be released from Lake Mead to compensate for the 11 ppm salinity at the NIB.

The next binational meeting is scheduled for February 16th for the Pilot Projects, and February 25th and 26th for the modeling group. The U.S. Principals are tentatively scheduled to meet March 1st.

Status of the "Basin Study" Program

Mr. Zimmerman reported that the initial meeting of the Basin Study Program was held January 22nd. This study will be cost-shared between Reclamation and the seven Basin states. Reclamation will fund the study at \$1 million and the seven Basin states will equally provide \$1 million in cash and services. Reclamation and the Basin states have finalized and executed the Contributed Funds Agreement, and finalized the Plan of Study and Public

Involvement Plan. At the initial meeting three teams were formed. The first team deals with water supply, the second team focuses on water demand, and a third team on system reliability. Reclamation recently issued a request-for-proposal for technical services in support of preparing the Basin Study. A sub-team was formed to review the proposals.

Mr. Zimmerman reported that the water supply team is scheduled to submit a report on their findings of current and future water supply assessment by September 2010. The water demand team is scheduled to submit a report describing their assessment of current and future water demand by September 2010. The system reliability analysis team is scheduled to report on their findings by April 2011. A report on opportunities analysis is expected by August 2011. The draft Basin Study and appendices are expected to be available by October 2011. The Basin Study Program report and appendices are expected to be completed by December 2011.

Reclamation's Water Conservation Initiative

Mr. Zimmerman reported that Ms. Pat Mulroy was scheduled to testify before the Water and Power Subcommittee in support of Reclamation's Water Conservation Initiative. Given the snow conditions near the capital and unavailable flights, the Water and Power Subcommittee hearing may be postponed. Ms. Mulroy's written testimony addressed the water supply and demand imbalances in the Colorado River Basin, and the impact that climate change could have on the imbalances. She also supported the Basin States/Reclamation Basin Study process and encouraged Congress to provide additional funding for the Basin Study Program.

Colorado River Environmental Activities

Status of the Glen Canyon Dam Adaptive Management Program

Mr. Zimmerman reported that on December 31st, Reclamation published a notice in the *Federal Register* of its intention to prepare an experimental protocol for high-flow releases from Glen Canyon Dam. The NEPA review, via an Environmental Assessment, will be prepared. The recent Glen Canyon Dam Adaptive Management Program (GCD AMP) meeting served as a scoping meeting. The review will look at the frequency, magnitude, and duration of potential high-flow releases. The review will also assess the types and level of monitoring necessary to gauge the effectiveness of high-flow releases.

Mr. Zimmerman reported that the U.S. Geological Survey (USGS) issued a news release, February 2nd, that stated that the 2008 experimental flow-release was beneficial to downstream resources: benefitted trout in Lees Ferry reach; benefitted beaches in the riverine corridor; and reduced amount of non-native vegetation seedling germination. The GCD AMP Work Group met in Phoenix on February 3-4th to discuss the desired future conditions, experimental flow-release protocols, and the biennial budget and work plan.

Status of the Lower Colorado Multi-Species Conservation Program

Mr. Zimmerman reported that the Water Accounting Agreement relating to the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) was finalized and in the process of being executed by all of the LCR MSCP parties. Mr. Zimmerman reported that Chairman Fisher signed the final agreement on January 22nd. The Water Accounting Agreement is intended to guide Reclamation in acquiring and accounting for mainstream water use associated with implementation of the approved LCR MSCP conservation activities. Mr. Zimmerman reported that the final package was sent to California Department of Fish and Game (DFG) while a letter was received from DFG with comments on the final package. Board and Agency staff are scheduling a meeting with DFG and working to address the DFG's comments.

OTHER BUSINESS

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be on Wednesday, March 10, 2010, at 10:00 a.m., at the Holiday Inn Ontario Airport, at 2155 East Convention Center Way, 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. Wright, and unanimously carried, the meeting was adjourned 11:24 a.m. on February 10, 2010.

Gerald R. Zimmerman
Executive Director

5.a. - Colorado River Water Reports

**SUMMARY WATER REPORT
COLORADO RIVER BASIN
March 8, 2010**

RESERVOIR STORAGE (as of March 7)	February 4, 2010					
	MAF	ELEV. IN FEET	□ of Capacity	MAF	ELEV. IN FEET	□ of Capacity
Lake Powell	13.758	3,620.0	57	13.991	3,622.1	58
Flaming Gorge	3.178	6,025.5	85	3.209	6,026.3	86
Navajo	1.215	6,049.1	72	1.226	6,050.0	72
Lake Mead	11.703	1,102.4	45	11.493	1,100.0	44
Lake Mohave	1.722	643.8	95	1.736	644.3	96
Lake Havasu	0.554	446.6	89	0.597	448.9	96
Total System Storage	32.917		55	33.093		55
System Storage Last Year	32.618		55	33.002		55

			February 4, 2010	
WY 2010 Precipitation (Basin Weighted Avg) 10/01/09 through 3/08/10		83 percent (13.4")		85 percent (10.5")
WY 2010 Snowpack Water Equivalent (Basin Weighted Avg) on day of 3/08/10 (Above two values based on average of data from 116 sites.)		83 percent (12.5")		85 percent (9.2")
			February 4, 2010	
March 3, 2010 Forecast of Unregulated Lake Powell Inflow	MAF	% of Normal	MAF	% of Avg.
2010 April through July unregulated inflow forecast	5.400	68 %	5.800	73%
2010 Water Year forecast	8.356	69 %	8.893	74%

USBR Forecasted Year-End 2009 and 2008 Consum. Use, March 8, 2010 a./					MAF	
			2010	2009		
			Diversion	- Return =	Net	
Nevada (Estimated Total)			0.496	0.222	0.274	0.249
Arizona (Total)			3.671	0.881	2.790	2.829
CAP Total					1.617	1.660
Az. Water Banking Authority					0.134	0.134
OTHERS					1.172	1.169
California (Total) b./			5.021	0.623	4.398	4.364
MWD					1.054	1.105
3.85 Agriculture					<u>Forecasted</u>	<u>Estimated</u>
IID c./			2.931	-0.290	2.641	2.572
CVWD d./			0.362	-0.031	0.331	0.309
PVID			0.275	0	0.275	0.285
YPRD			0.040	0	0.040	0.038
Island e./			0.006	0	0.006	0.006
Total Ag.			3.614	-0.321	3.293	3.210
Others					0.051	0.049
PVID-MWD following to storage (to be determined)					--	0
Arizona, California, and Nevada Total f./			9.188	1.726	7.462	7.442

- a./ Incorporates Jan. USGS monthly data and 75 daily reporting stations which may be revised after provisional data reports are distributed by USGS. Use to date estimated for users reporting monthly and annually.
- b./ California 2010 basic use apportionment of 4.4 MAF has been adjusted for payback of Inadvertent Overrun and Payback Policy overruns (1,461 AF), MWD recovery of interstate underground storage from Arizona (8,159 AF) Delivery of Extraordinary Conservation ICS to MWD (27,569 AF), Delivery of System Efficiency ICS to MWD (34,000 AF), plus delivery of Drop 2 Construction Water (280 AF).
- c./ 0.105 MAF conserved by IID-MWD Agreement as amended in 2007: 105,000 AF for SDCWA under the IID-SDCWA Transfer Agreement as amended, 70,000 AF of which is being diverted by MWD; 12,000 AF for CVWD under the IID-CVWD Acquisition Agreement, 67,700 AF from the All-American Canal Lining Project.
- d./ 30,850 acre-feet conserved by the Coachella Canal Lining Project.
- e./ Includes estimated amount of 6,470 acre-feet of disputed uses by Yuma Island pumpers and 0 acre-feet by Yuma Project Ranch 5 being charged by USBR to Priority 2.
- f./ Includes unmeasured returns based on estimated consumptive use/diversion ratios by user from studies provided by Arizona Dept. of Water Resources, Colorado River Board of California, and Reclamation.

Monthly Total Colorado River Basin Storage

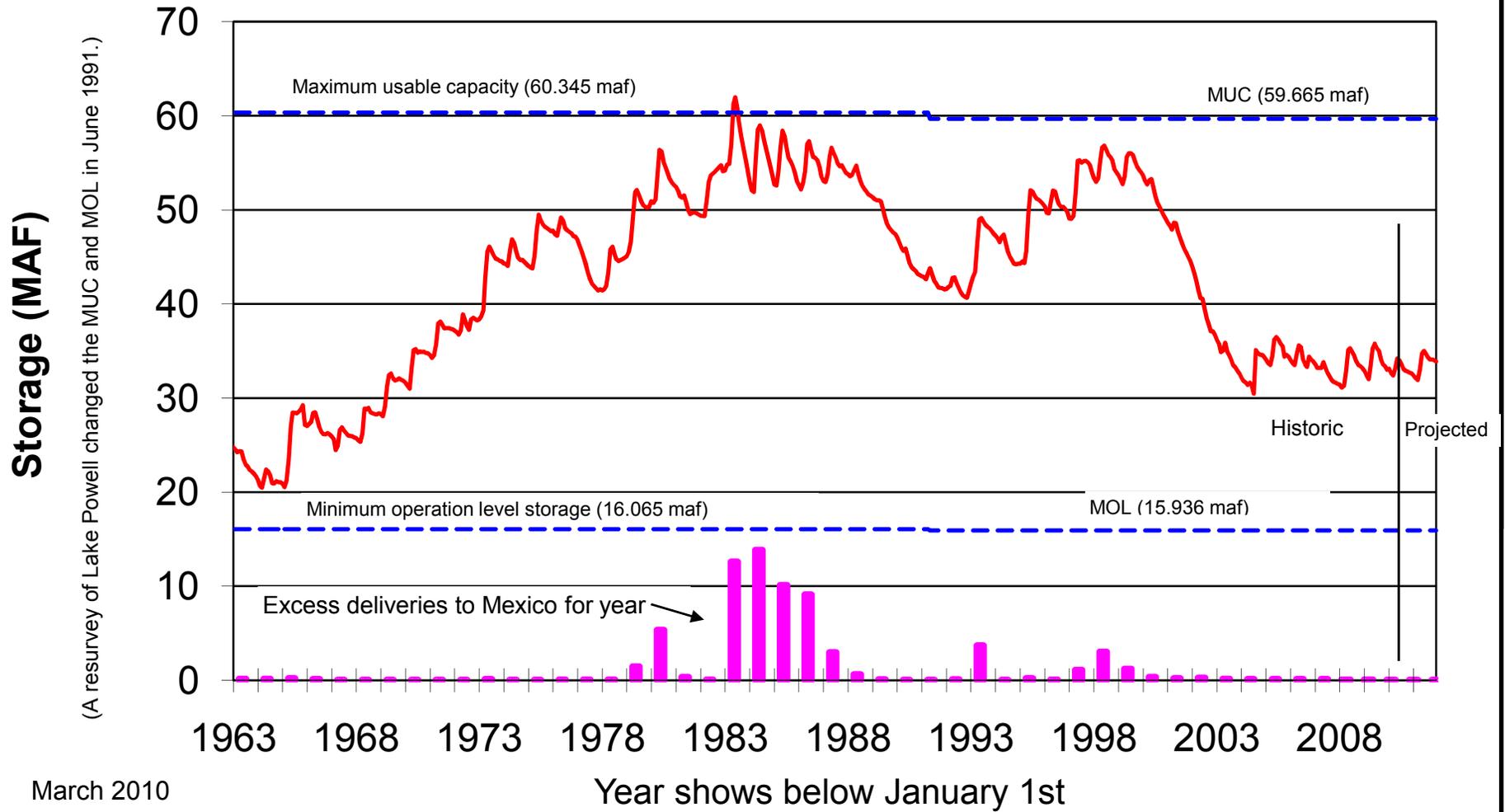
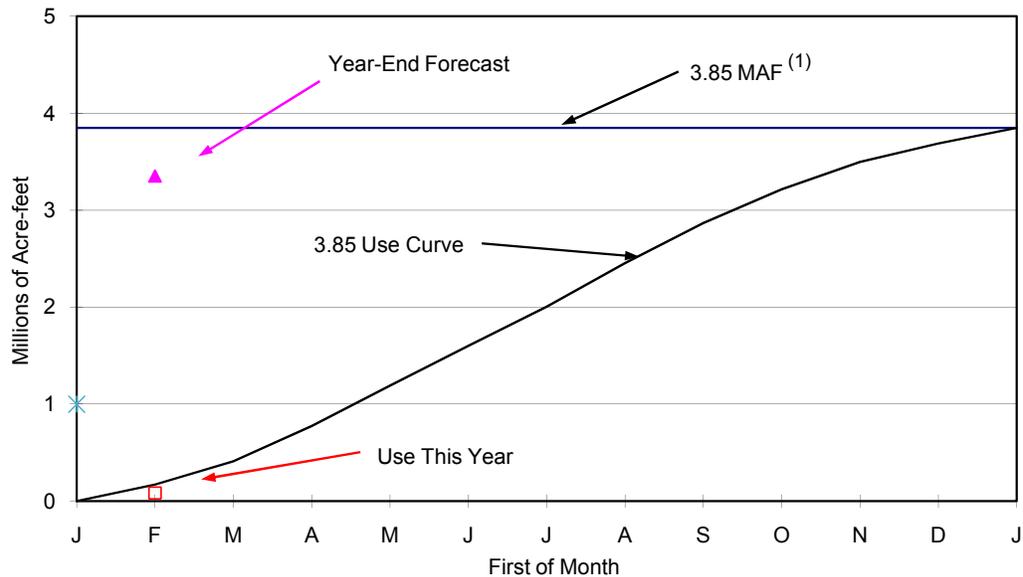


FIGURE 1
MARCH 1, 2010 FORECAST OF 2010 YEAR-END COLORADO RIVER WATER USE
BY THE CALIFORNIA AGRICULTURAL AGENCIES



Forecast of Colorado River Water Use by the California Agricultural Agencies (Millions of Acre-feet)			
Month	Use as of First of Month	Forecast of Year End Use	Forecast of Unused Water (1)
Jan	0.000	-----	-----
Feb	0.084	3.352	0.191
Mar			
Apr			
May			
Jun			
Jul			
Aug			
Sep			
Oct			
Nov			
Dec			
Jan			

(1) The forecast of unused water is based on the availability of 3.543 MAF under the first three priorities of the water delivery contracts. This accounts for the 85,000 af of conserved water available to MWD under the 1988 IID-MWD Conservation agreement and the 1989 IID-MWD-CVWD-PVID Agreement as amended; 70,000 AF of conserved water available to SDCWA under the IID-SDCWA Transfer Agreement as amended being diverted by MWD; an estimated 28,500 AF of conserved water available to SDCWA and MWD as a result of the Coachella Canal Lining Project; 67,700 AF of water available to SDCWA and MWD as a result of the All American Canal Lining Project; 14,500 af of water IID and CVWD are forbearing to permit the Secretary of the Interior to satisfy a portion of Indian and miscellaneous present perfected rights use of Indian and miscellaneous present perfected rights use. As USBR is charging disputed uses by Yuma island pumpers to priority 2, the amount of unused water has been reduced by those uses - 6,470 af. The CRB does not concur with USBR's viewpoint on this matter.

COLORADO RIVER BOARD OF CALIFORNIA

January 28, 2010

COLORADO RIVER WATER REPORT

The following report summarizes data obtained from provisional reports of the U.S. Geological Survey, U.S. Bureau of Reclamation, International Boundary and Water Commission, and Imperial Irrigation District.

I. Active Surface Storage^{1/} in Reservoirs at end of Month (Thousand Acre-feet).

December 2009

<u>Upper Basin</u>	<u>Storage</u>	<u>Elevation in feet</u>	<u>% of Capacity</u>	<u>Change During Month</u>	<u>Change from 2008</u>
Lake Powell	14,434	3,626.2	59%	-543	893
Flaming Gorge	3,249	6,027.4	87%	-49	269
Fontenelle	198	6,485.4	58%	-40	18
Navajo	1,245	6,051.6	73%	-21	-33
Blue Mesa	579	7,489.7	70%	-24	-4
Morrow Point	112	7,153.1	95%	0	1
Crystal	14	6,743.6	80%	-1	0
Sub-total	19,831		64%	-678	1,145
<u>Lower Basin</u>					
Lake Mead	11,162	1,096.3	43%	243	-1,334
Lake Mohave	1,582	638.7	87%	81	-3
Lake Havasu	568	447.3	92%	-5	10
Sub-total	13,312		47%	319	-1,326
Upper and Lower Basin Total	33,143 ^{2/}		56%	-359	-182

^{1/} Figures shown do not include reservoir dead storage.

^{2/} Storage above minimum operation level is 33,143 - 15,936 = 17,207 thousand acre-feet. Minimum operation level (15,936 thousand acre-feet) is defined as the sum of active content at minimum power pool plus minimum active content required to make surface diversions at Lake Havasu and Navajo Reservoir.

II. Upper Basin Discharge (Acre-feet).

<u>Station</u>	<u>Meas. Flow December 2009</u>	<u>Cumulative Flow October thru December</u>	<u>Meas. Flow Adjusted for CRSP Surface Storage Changes</u>	
			<u>December 2009</u>	<u>% of Dec. 88- year average (1922-2009 water years)</u>
Green River at Green River, Utah	147,100	512,000	98,100	82%
Colorado River near Cisco, Utah	158,900	631,000	133,800	71%
San Juan River near Bluff, Utah	48,800	125,900	28,300	56%
At Lee Ferry (Compact Point)	926,200	2,262,900	289,000	80%

III. Lower Basin Discharge (Acre-feet).

<u>Station</u>	<u>December 2009</u>	<u>Cumulative Flow October thru December</u>
Below Hoover Dam	645,700	1,906,700
Below Davis Dam	592,700	1,930,200
Below Parker Dam	290,000	1,122,100
Above Imperial Dam	306,000	1,068,000

IV. Consumptive Use of Lower Colorado River Mainstream Water (Acre-feet).
December, 2009

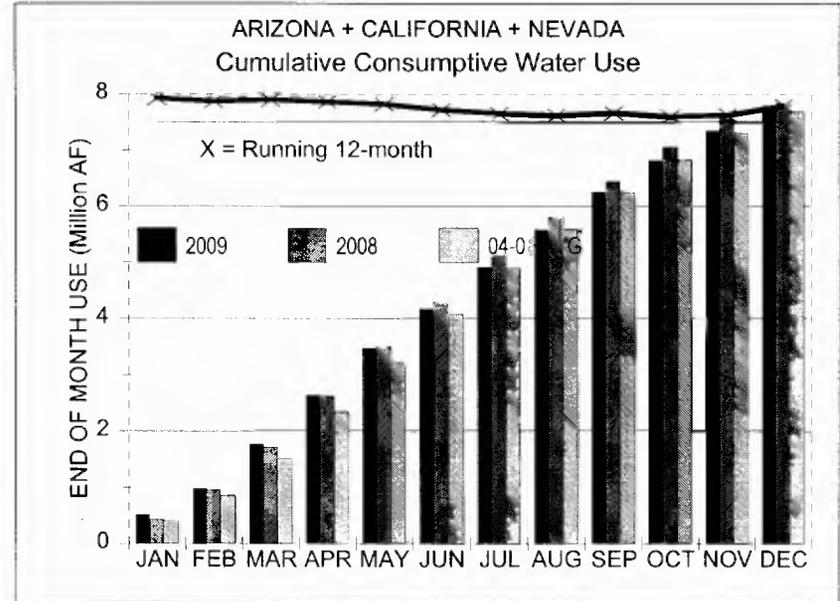
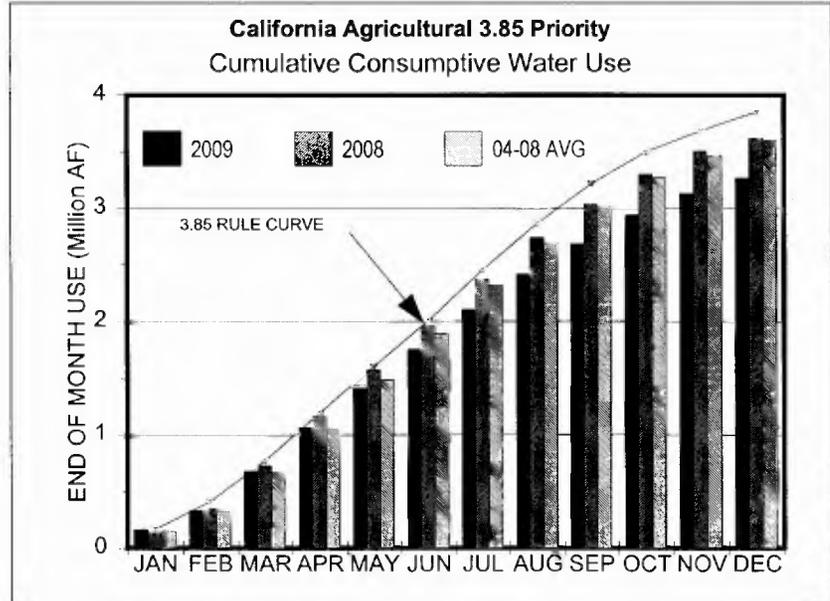
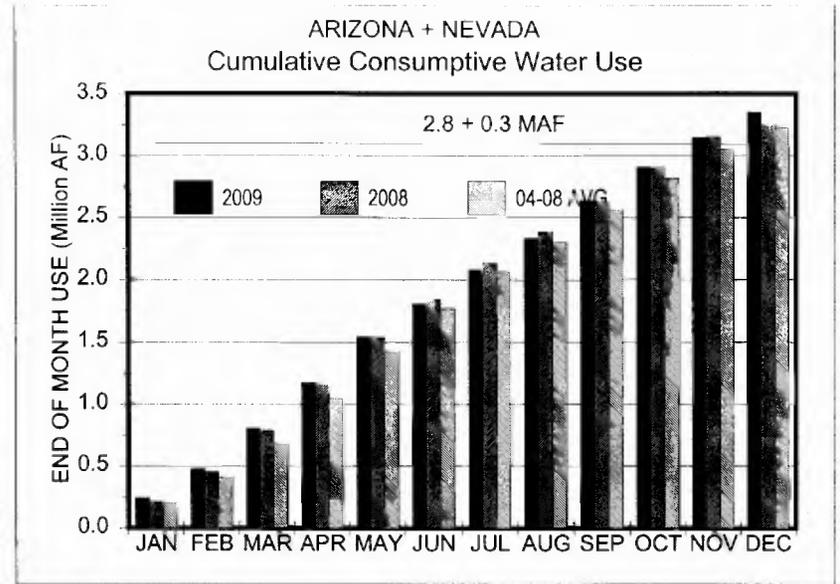
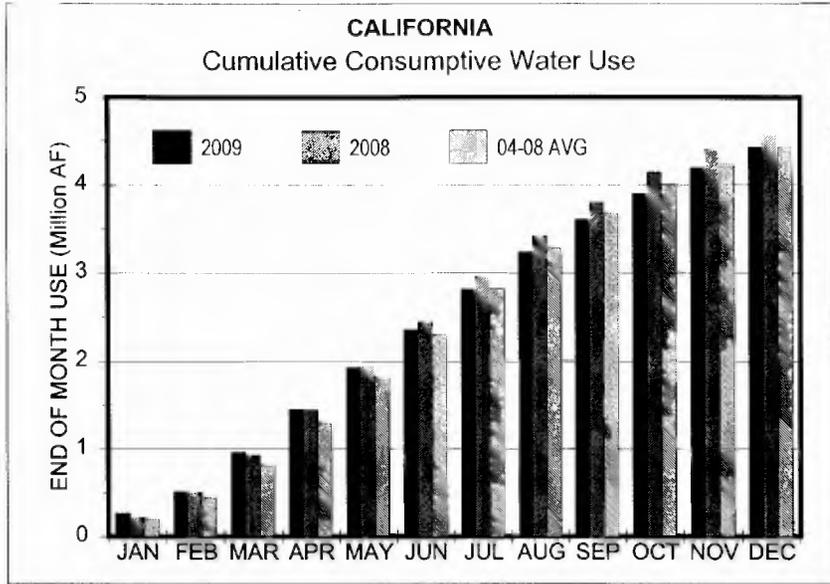
California Users	Diversion	Return	Consumptive Use	Change in Cons. Use From Dec 2008	Cumulative Cons. Use		
					January thru December	Change from prev. Jan. thru Dec.	12 Months thru December
Palo Verde Irrig. Dist.	32,030	29,240	2,790	80	326,860	-99,170	326,860
Yuma Proj. (Res. Div.) ^{b/}	3,100	2,520	580	1,490	37,220	-9,690	37,220
Imperial Irrig. Dist. ^{a/}	112,850		112,850	14,180	2,564,500	-255,750	2,564,500
Salton Sea Mitigation	1,200		1,200	800	30,090	4,040	30,090
USBR SaltonSea Operations	0		0	0	0	0	0
IID plus Salton Sea Mitigation	114,050		114,050	14,980	2,594,590	-251,710	2,594,590
<u>Coachella Val. Wat. Dist. ^{a/}</u>	<u>17,190</u>		<u>17,190</u>	<u>2,370</u>	<u>307,970</u>	<u>9,440</u>	<u>307,970</u>
Subtotal	166,370	31,760	134,610	18,920	3,266,640	-351,130	3,266,640
Fort Mojave Ind. Res. ^{c/}	840		840	0	24,760	0	24,760
Cal. Miscellaneous ^{d/}	950		950	0	34,000	0	34,000
<u>Metropolitan Water Dist.</u>	<u>104,340</u>	<u>430</u>	<u>103,910</u>	<u>37,350</u>	<u>1,107,780</u>	<u>199,550</u>	<u>1,107,780</u>
Total	272,500	32,190	240,310	56,270	4,433,180	-151,580	4,433,180
<u>Arizona Users</u>							
Central Arizona Project	149,450		149,450	84,670	1,660,010	98,380	1,660,010
Colorado River Ind. Res.	22,390	18,050	4,340	-1,760	438,980	6,480	438,980
Gila Gravity Main Canal	32,100	13,650	18,450	14,260	550,110	25,070	550,110
Yuma Proj. (Valley Div.)	21,470	11,330	10,140	10,690	209,440	-16,500	209,440
Fort Mojave Ind. Res. ^{c/}	7,450		7,450	0	85,130	0	85,130
Havas Nat. Wildlife Ref.	260	0	260	260	36,080	-1,300	36,080
<u>Arizona Miscellaneous ^{d/}</u>	<u>3,700</u>		<u>3,700</u>	<u>0</u>	<u>85,000</u>	<u>0</u>	<u>85,000</u>
Total	236,820	43,030	193,790	108,120	3,064,750	112,130	3,064,750
<u>Nevada Users</u>							
From Lake Mead ^{b/}	27,250	14,990	12,260	520	284,640	-11,820	284,640
<u>Mohave Steam Plant</u>	<u>30</u>		<u>30</u>	<u>-10</u>	<u>500</u>	<u>20</u>	<u>500</u>
Total	27,280	14,990	12,290	510	285,140	-11,800	285,140
Total Consumptive Use (Ariz., Cal., Nev.)	536,600	90,210	446,390	164,900	7,783,070	-51,250	7,783,070

a. Based on measurements below Pilot Knob (assumed to be equal to USBR Article V data after credit is given for unmeasured California return flows between Imperial Dam and Pilot Knob). In addition, Salton Sea mitigation is not part of IID's use but is included in IID total diversion. IID diversions for April are not available

b. Return flow estimates based on averages of past returns as calculated by USBR for Article V data.

c. Assumed equal to August, 1983 use estimated by Fort Mojave Indian Tribe.

d. An estimated residual made by the Colorado River Board of California combining such items as small diversions along the river, unmeasured groundwater return flow, etc., which, when combined with other quantities listed to arrive at the State's total, presents an estimate of the State's Consumptive use of Lower Colorado River water.



February 16, 2010, Observed Colorado River Flow into
Lake Powell (1) (Million Acre-feet)

	<u>USBR and National Weather Service</u>		<u>Change From Last</u> <u>Month's Projected</u>	
	<u>April-July 2010</u>	<u>Water Year 2010</u>	<u>April-July 2010</u>	<u>Wat Yr 2010</u>
Maximum (2)	7.900	11.357	2.100	2.464
Mean	5.600 *	8.657 **	-0.200	-0.236
Minimum (2)	4.000	7.057	-1.800	-1.836

* This month's A-J observed is 71% of the 30-year A-J average shown below.

** This month's W-Y observed is 72% of the 30-year W-Y average shown below.

Comparison with past records
of Colorado River
inflow into Lake Powell
(at Lee Ferry prior to 1962)

	<u>April-July Flow</u>	<u>Water Year Flow</u>
Long-Time Average (1922-2008)	7.741	11.519
30-yr. Average (1961-90)	7.735	11.724
10-yr. Average (1999-2008)	5.203	8.449
Max. of Record	15.404 (1984)	21.873 (1984)
Min. of Record	1.115 (2002)	3.058 (2002)
Year 2000	4.352	7.310
Year 2001	4.301	6.955
Year 2002	1.115	3.058
Year 2003	3.918	6.358
Year 2004	3.640	6.128
Year 2005	8.810	12.614
Year 2006	5.318	8.769
Year 2007	4.052	8.231
Year 2008	8.906	12.356
Year 2009	7.804	10.633
Total Years 2000 - 2004	17.326	29.809
5-Year Average (2000-2004)	3.465	5.962

(1) Under conditions of no other Upper Basin reservoirs.

(2) USBR and NWS forecasts indicate the probability of 95 percent of the time the actual flow will not exceed the maximum value, and will not be less than the minimum value.

VI. Scheduled Flows to Mexico — Arrivals and excess arrivals of Water for Calendar Year 2009
(Acre-feet)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	<u>Scheduled</u>	<u>Total</u>	<u>Excess</u>	<u>Other</u>	<u>Total</u>	<u>Cumulative</u>	<u>Flow</u>	<u>Flow By-Pass</u>
	<u>Flow ⁽⁹⁾</u>	<u>Arrivals</u>	<u>in accord</u>	<u>Excess</u>	<u>Excess</u>	<u>Excess</u>	<u>Through</u>	<u>Southerly</u>
			<u>with</u>	<u>Arrivals</u>	<u>Arrivals</u>	<u>Arrivals</u>	<u>NIB and</u>	<u>International</u>
			<u>Minute</u>				<u>Limitrophe</u>	<u>Boundary</u>
			<u>242</u>					
Jan.	119,428	131,137	10,033	1,677	11,710	11,710	108,313	10,024
Feb.	152,979	171,990	9,433	9,578	19,011	30,721	151,373	9,433
March	208,455	219,177	10,164	558	10,722	41,443	195,714	10,164
April	199,629	215,258	9,702	5,927	15,629	57,072	192,856	9,702
May	112,754	132,812	10,422	9,631	20,053	77,125	110,896	10,422
June	112,353	123,213	9,645	1,215	10,860	87,985	102,298	9,645
July	118,342	129,556	9,525	1,689	11,214	99,199	108,508	9,525
August	92,284	107,840	6,621	8,935	15,556	114,755	89,839	6,621
Sept.	89,307	103,561	10,286	3,968	14,254	129,009	81,195	10,286
Oct.	72,742	88,648	11,572	4,334	15,906	144,915	64,619	11,572
Nov.	102,967	104,338	6	1,365	1,371	146,286	92,708	12,548
Dec.	118,762	141,617	6,812	16,043	22,855	169,141	124,431	4,829
	<u>1,500,002</u>	<u>1,669,147</u>	<u>104,221</u>	<u>64,920</u>			<u>1,422,750</u>	<u>114,771</u>

- Column (1). Flow schedule requested by Mexico. In surplus years as determined by the United States, Mexico can schedule up to 1.7 rather than 1.5 million acre-feet.
- (2). Total Colorado River waters reaching Mexico. It is the sum of: 1) Colorado River water measured at the Northerly International Boundary, 2) drainage waters measured at the Southerly International Boundary near San Luis, Arizona, and 3) Wellton-Mohawk drainage waters measured at the Southerly International Boundary. It is the sum of Columns (1) + (5).
- (3). Arizona's Wellton-Mohawk Irrigation and Drainage District drainage water. This water is discharged to the Santa Clara Slough in Mexico via a concrete-lined canal.
- (4). Excess arrivals other than Wellton-Mohawk drainage. It is the sum of: 1) a delivery of about 5,000 a. f. per year to ensure that Mexico receives what is scheduled, 2) releases from Parker Dam which are not used due to unexpected rainfall in the Palo Verde, Coachella, Imperial, and and Yuma areas, 3) controlled flood releases on the Gila and Colorado River, and 4) local runoff.
- (5). Sum of Columns (3) and (4).
- (6). Cumulation of Column (5).
- (7). Including Colorado River flow at the Northerly International Boundary plus flow from Cooper, 11-mile, and 21-mile spillways.
- (8). Including flow at the Southerly International Boundary, from the East and West Main canals, Yuma Valley Main, 242 Lateral plus diversions from Lake Havasu for Tijuana.
- (9). Revised schedule of Calander Year 2009 as of November 20, 2009

WEIGHTED MONTHLY SALINITY AT
SELECTED COLORADO RIVER STATIONS
AND RUNNING 12-MONTH NIB-IMPERIAL FLOW-WEIGHTED SALINITY DIFFERENTIAL
(in parts per million)

	Below Hoover Dam			Below Parker Dam ^{3/}			Palo Verde ^{3/} Canal Near Blythe			At Imperial Dam			At Northerly Inter- national Boundary			Running 12-Month Flow-Wtd. Differential ^{2/}	
	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	5-Year avg. ^{1/}	2008	2009	2008	2009
<u>Month</u>																	
Jan.	690	685	665	709	685	689	751	713		913	717	768	1,041	821	933	130.7	146.4
Feb.	675	692	655	706	678	678	732	682		835	675	745	998	822	862	135.9	145.5
March	684	674	649	699	668	663	727	686		805	717	703	925	803	804	139.4	147.0
April	680	659	636	700	675	661	714	697		801	699	710	892	805	798	144.9	144.6
May	677	676	646	698	681	673	709	696		822	725	727	962	914	907	141.4	144.0
June	678	648	637	695	671	662	712	686		812	718	717	956	896	889	137.1	143.4
July	682	655	630	688	683	638	709	701		797	720	698	909	865	847	137.3	144.0
August	690	641	619	686	677	646	706	692		800	734	706	907	894	882	135.7	145.5
Sept.	672	646	603	686	676	658	737	693		815	747	705	952	944	865	139.3	143.9
Oct.	680	638	611	689	657	657	739	689		854	758	719	1,070	1,010	875	139.6	140.3
Nov.	682	642	626	692	674	646	746	705		897	765	741	1,010	931	836	140.2	135.3
Dec.	681	651	638	702	671		731	723		877	834	759	999	912	905	140.5	138.2

General Notes:

^{1/} 5-Year averages are arithmetical.

^{2/} 12-month flow-weighted differential between NIB and Imperial Dam through month shown in left column.

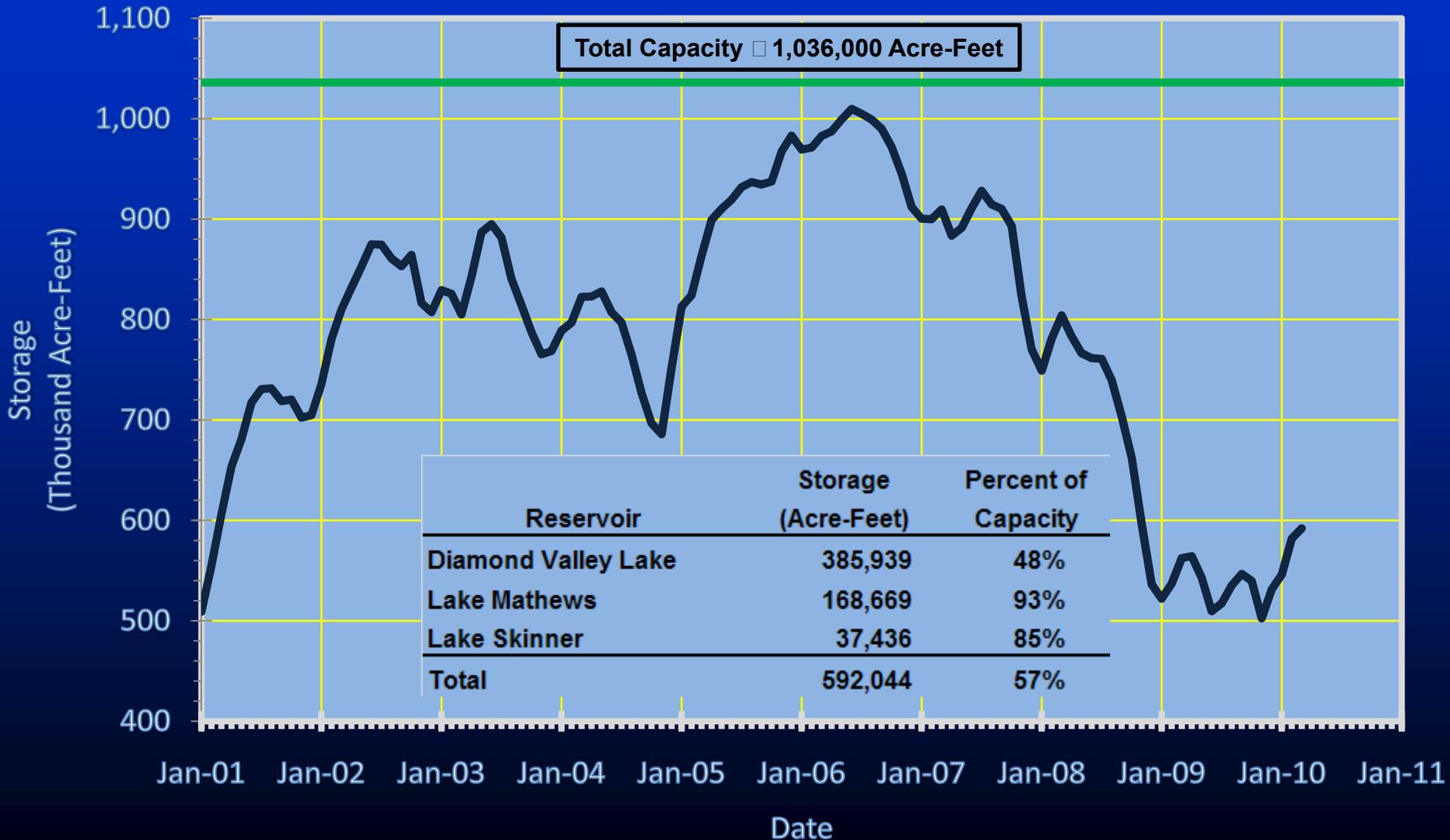
^{3/} Operational values only.

^{4/} Preliminary

5.b. - State and Local Water Reports

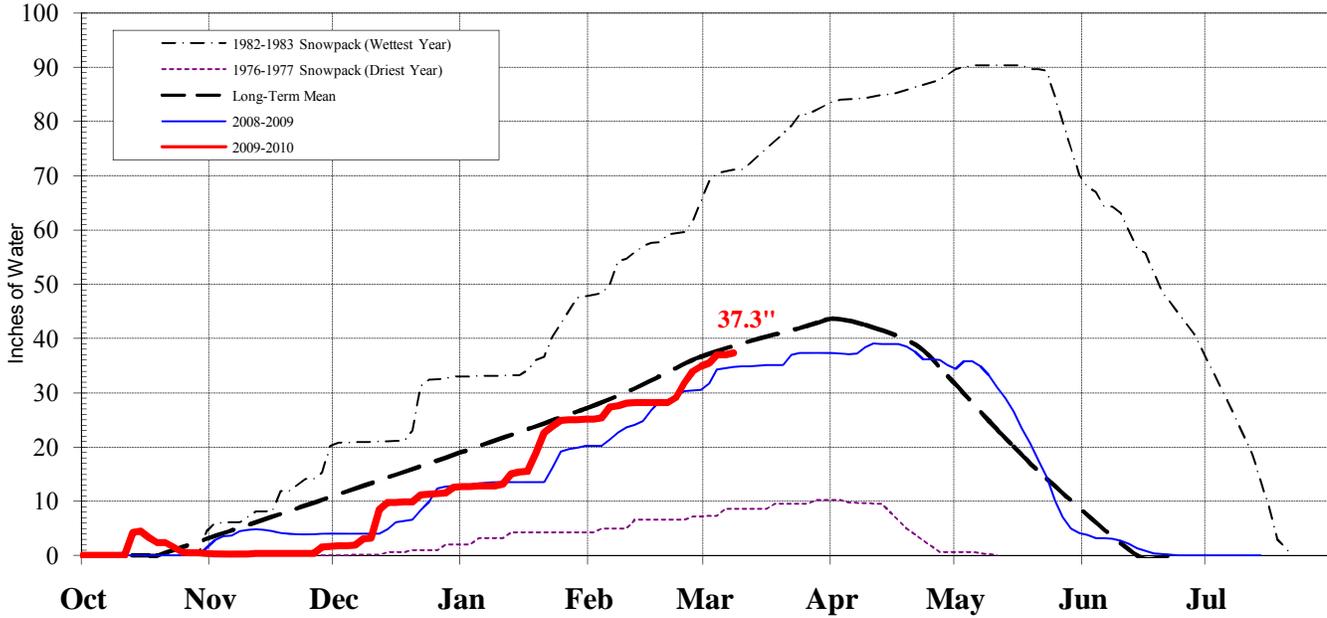
MWD's Combined Reservoir Storage as of March 1, 2010

Lake Skinner, Lake Mathews, and Diamond Valley Lake

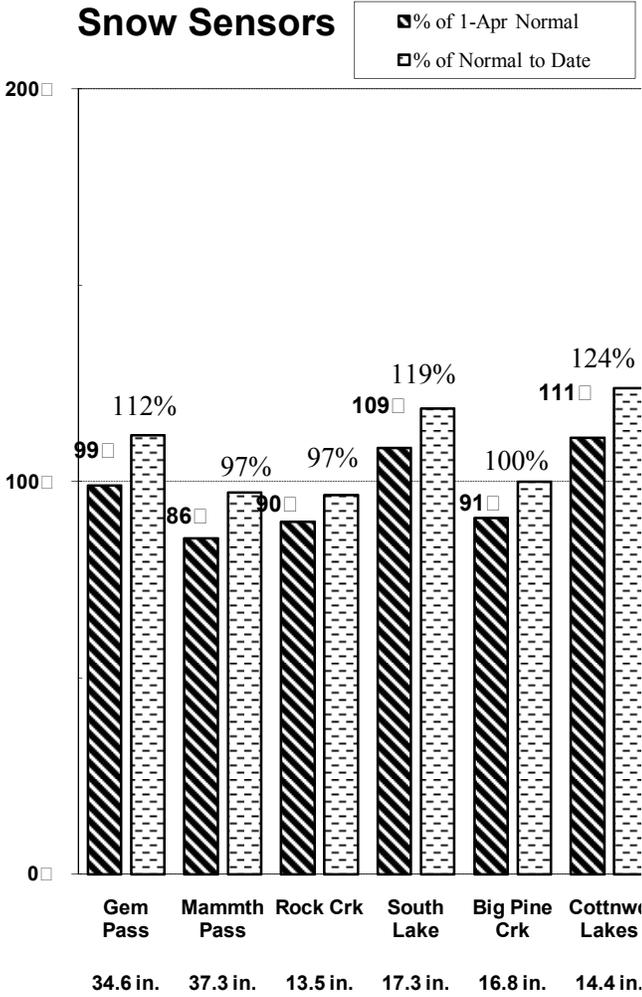


EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS As of March 9, 2010

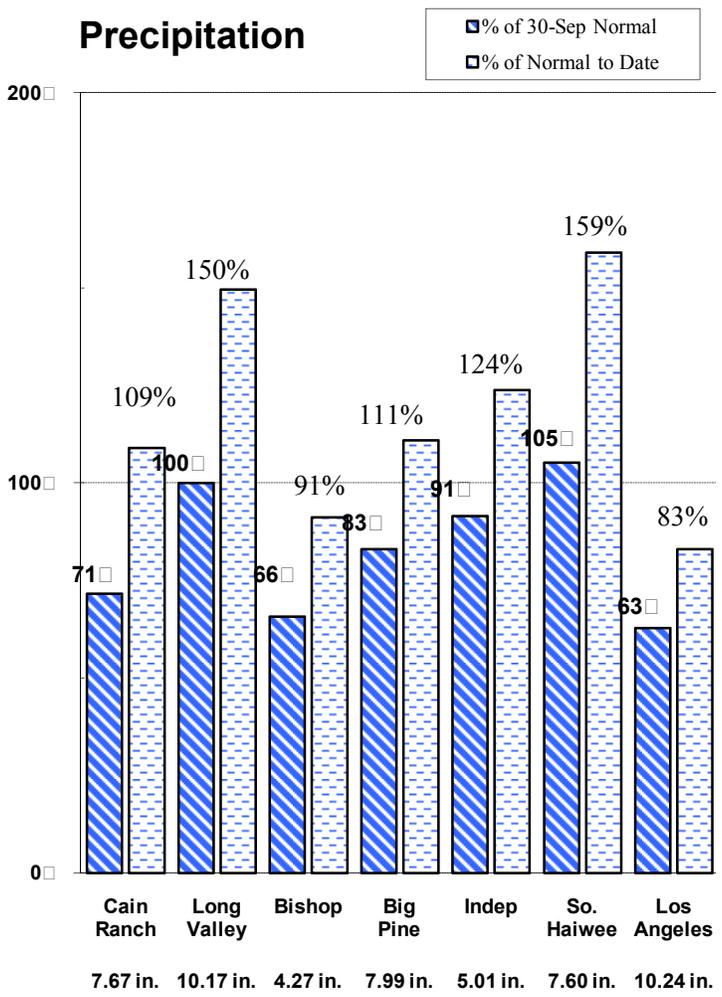
Mammoth Pass Snowpack



Snow Sensors



Precipitation



Station Location and Actual Measurement as Inches Water Content

Precipitation totals are cumulative for water year beginning Oct 1

EASTERN SIERRA SNOW SURVEY RESULTS

March 1, 2010

MAMMOTH LAKES AREA (Contributes 27% of Owens River runoff)

<u>Course</u>	<u>Water Content</u>	<u>Normal to Date</u>	<u>April 1 Normal</u>	<input type="checkbox"/> <u>of Normal to Date</u>	<input type="checkbox"/> <u>of April 1 Normal</u>
Mammoth Pass	34.9	36.6	43.6	95%	80%
Mammoth Lakes	19.4	18.7	21.1	104%	92%
Minarets 2	24.9	26.0	30.2	96%	83%
Average:	26.4	27.1	31.6	97 <input type="checkbox"/>	83 <input type="checkbox"/>

ROCK CREEK AREA (Contributes 16% of Owens River runoff)

<u>Course</u>	<u>Water Content</u>	<u>Normal to Date</u>	<u>April 1 Normal</u>	<input type="checkbox"/> <u>of Normal to Date</u>	<input type="checkbox"/> <u>of April 1 Normal</u>
Rock Creek 1	8.2	8.3	7.3	100%	112%
Rock Creek 2	9.0	10.3	10.6	87%	85%
Rock Creek 3	12.7	13.6	15.0	94%	85%
Average:	10.0	10.7	11.0	93 <input type="checkbox"/>	91 <input type="checkbox"/>

BIG PINE AREA (Contributes 32% of Owens River runoff)

<u>Course</u>	<u>Water Content</u>	<u>Normal to Date</u>	<u>April 1 Normal</u>	<input type="checkbox"/> <u>of Normal to Date</u>	<input type="checkbox"/> <u>of April 1 Normal</u>
Big Pine Creek 1	17.3	18.5	22.1	94%	79%
Big Pine Creek 2	11.6	13.3	14.2	87%	81%
Big Pine Creek 3	16.0	16.2	18.5	99%	86%
Average:	15.0	16.0	18.3	93 <input type="checkbox"/>	82 <input type="checkbox"/>

COTTONWOOD AREA (Contributes 25% of Owens River runoff)

<u>Course</u>	<u>Water Content</u>	<u>Normal to Date</u>	<u>April 1 Normal</u>	<input type="checkbox"/> <u>of Normal to Date</u>	<input type="checkbox"/> <u>of April 1 Normal</u>
Cottonwood Lakes 1	14.0	11.2	13.0	125%	108%
Cottonwood Lakes 2	15.5	11.9	14.5	130%	107%
Trailhead <input type="checkbox"/>	15.5	11.7	13.6	132%	114%
Average:	15.0	11.6	13.7	129 <input type="checkbox"/>	109 <input type="checkbox"/>

EASTERN SIERRA OVERALL SNOW PACK (Weighted by contribution to Owens River runoff)

Average of all Snow Courses	<u>Water Content</u>	<u>Normal to Date</u>	<u>April 1 Normal</u>	<input type="checkbox"/> <u>of Normal to Date</u>	<input type="checkbox"/> <u>of April 1 Normal</u>
	17.3	17.1	19.6	101 <input type="checkbox"/>	88 <input type="checkbox"/>

Normals are based on the 1956-2005 period.
 Trailhead has only been measured since 1982, so the normal is estimated.

5.c. - Colorado River Operations



United States Department of the Interior

BUREAU OF RECLAMATION
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, NV 89006-1470



IN REPLY REFER TO:
LC-1000
ADM-1.10

FEB 11 2010

Mr. Dana B. Fisher, Jr.
Chairman
Colorado River Board of California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035

Subject: Transmittal of the Lower Colorado Region Policy for Apportioned but Unused Water

Dear Mr. Fisher:

Please find attached the Lower Colorado Region Policy for Apportioned but Unused Water, developed in consultation with the Basin States. This policy is effective immediately and will remain in effect until rescinded by the Lower Colorado Regional Director. I ask that the representatives of each Lower Division state distribute the policy to entitlement holders within their respective state. Should you have questions, please contact Dr. Terrance Fulp, Deputy Regional Director, at 702-293-8411.

Sincerely,

Lorri Gray-Lee
Regional Director

Enclosure

Identical Letter Sent To:

Ms. Pat Mulroy
General Manager
Southern Nevada Water Authority
P.O. Box 9956
Las Vegas, NV 89193-9956

Mr. George Caan
Executive Director
Colorado River Commission of Nevada
555 E. Washington Ave, Ste 3100
Las Vegas, NV 89101-1065

Continued on next page.

Identical Letter Sent To:

Continued from previous page.

Mr. Herb Guenther
Director
Arizona Department of Water Resources
3550 North Central Avenue
Phoenix, AZ 85012-2105

Mr. John D'Antonio
New Mexico State Engineer
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504

Mr. Dennis Strong
Director
Utah Division of Water Resources
P.O. Box 146201
Salt Lake City, UT 84114

Ms. Jennifer Gimbel
Director
Colorado Water Conservation Board
Department of Natural Resources
1313 Sherman Street, Room 721
Denver, CO 80203

Mr. Pat Tyrrell
Wyoming State Engineer
State Engineer's Office
122 West 25th Street
Cheyenne, WY 82002

cc: BCOO-1000 (SHvinden), UC-400 (DTrueman)

Lower Colorado Region Policy for Apportioned but Unused Water¹

1. Prior to the operating year:

- 1.1. During the preparation of the Annual Operating Plan (AOP) for the operating year, the Secretary of the Interior (Secretary) will determine the existence of any apportioned but unused water before determining the existence of a Surplus Condition and, under Article II(B)(6) of the Consolidated Decree,² allocate any such water for use within another Lower Division State by applying the priorities in Section 1 of the Interim Guidelines.³
- 1.2. During the preparation of the AOP, the Secretary may, but is not required to, reallocate apportioned but unused water under Article II(B)(6) when determining a Normal Condition or Intentionally Created Surplus (ICS) Surplus Condition.
 - 1.2.1. In making the determination that unused water is available and will be reallocated, the Secretary will consider all relevant factors including but not limited to, the current storage conditions in Lake Mead and Lake Powell, the projected depletions in the Upper Basin, the Lower Basin, and Mexico for the operating year, the projected inflows into the Upper Basin and Lower Basin for the operating year, the water supplies available to the entitlement holders, and the likelihood of future determinations of a Shortage Condition.⁴ In making these projections, the Bureau of Reclamation will utilize the technical information used in the development of the AOP and for making subsequent monthly operational updates.
 - 1.2.2. To the extent the Secretary reallocates apportioned but unused water under Article II(B)(6), the Secretary may, but is not required to, follow the priorities set forth in Section 1 of the Interim Guidelines (i.e., the priorities applicable to any reallocation of apportioned but unused water prior to the determination of a Surplus Condition).
- 1.3. During the preparation of the AOP, the Secretary will reallocate apportioned but unused water under II(B)6 when determining a Shortage Condition only under extraordinary circumstances and in consultation with the Basin States.

2. During the operating year:

- 2.1. If apportioned but unused water becomes available, the Secretary may, but is not required to, reallocate such water under Article II(B)(6).
- 2.2. In making the determination that unused water is available and will be reallocated, the Secretary will consider all relevant factors including, but not limited to, the current storage conditions in Lake Mead and Lake Powell, the projected depletions in the Upper Basin, the Lower Basin, and Mexico for the operating year, the projected inflows into the Upper Basin and Lower Basin for the operating year, the water supplies available to the entitlement holders, and the likelihood of future determinations of a Shortage Condition.⁴ In making these projections, Reclamation will utilize the technical information used in the development of the AOP and for making subsequent monthly operational updates.

¹ This policy does not apply to the administration of Intentionally Created Unused Apportionment pursuant to 43 CFR Part 414.

² *Arizona v. California*, 547 U.S. 150 (2006).

³ Record of Decision, Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Lake Mead, December 13, 2007.

⁴ A determination by the Secretary that insufficient mainstream water is available for release to satisfy annual consumptive use of 7,500,000 acre-feet in Arizona, California, and Nevada under Article II(B)3 of the Consolidated Decree.

2.3. To the extent the Secretary reallocates apportioned but unused water under Article II(B)(6), the Secretary may, but is not required to, follow the priorities set forth in Section 1 of the Interim Guidelines (i.e., the priorities applicable to any reallocation of apportioned but unused water prior to the determination of a Surplus Condition).

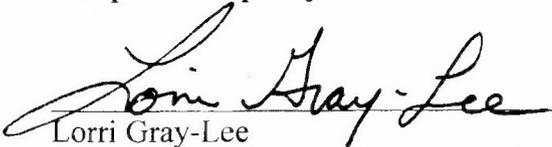
3. After completion of the operating year:

- 3.1. The Secretary will not reallocate apportioned but unused water under the authority of Article II(B)(6) that is discovered after December 31 of the operating year.
- 3.2. Before the publication of the Water Accounting Report⁵ for the operating year:
 - 3.2.1. Any apportioned but unused water discovered will be used to offset overrun obligations incurred in that operating year within the state found to have had unused water.
 - 3.2.1.1. If an entitlement holder in the under-consuming State incurred an overrun obligation in the operating year by consuming water within the upper limit of its entitlement and that water was put to a reasonable and beneficial use, Reclamation will apply the unused water as an offset to the overrun in accordance with the Inadvertent Overrun and Payback Policy (IOPP) on an acre-foot for acre-foot basis.
 - 3.2.1.2. If there is more than one such entitlement holder within the under-consuming State, Reclamation will reduce the payback obligations in accordance with the IOPP procedures to be adopted in consultation with the Lower Division States.
 - 3.2.1.3. If the quantity of the apportioned but unused water in the operating year exceeds the overruns incurred in the operating year by such entitlement holders within the under-consuming State, Reclamation will consult with the Lower Division States to determine the appropriate course of action.
- 3.3. After the publication of the Accounting Report for the operating year:
 - 3.3.1. As is standard operating procedure, Reclamation will correct Accounting Reports when errors are discovered.
 - 3.3.2. If, after correcting an Accounting Report, water apportioned to a State was not used within that State, Reclamation will not apply the apportioned but unused water as an offset to any IOPP payback obligation incurred in that operating year or otherwise make that water available (i.e., the water stays in the system).

4. Term of the policy

- 4.1. This policy is in effect immediately and will remain in effect until rescinded by the Regional Director, in consultation with the Lower Division States.

Adopted as a policy of the Lower Colorado Region, Bureau of Reclamation:


Lorri Gray-Lee

Regional Director

FEB 04 2010

Date

⁵ Colorado River Accounting and Water Use Report, Arizona, California, and Nevada. This report, among other things, contains appropriate information in satisfaction of Article V of the Consolidated Decree.

February 18, 2010

Honorable Ken Salazar
Secretary of the Interior
Office of the Secretary
Department of the Interior
1849 C Street N.W.
Washington D.C., 20240

Dear Secretary Salazar:

The recent court decision last month by Sacramento Superior Court Judge Roland Candee invalidating the Quantification Settlement Agreement (QSA) water transfers has resulted in rampant speculation among many of the water stakeholders in the nation's southwest. The most recent example to which I draw your attention is the comments by water attorney Stuart Somach on February 9, 2010 before the Imperial Irrigation District (IID) Board that the federal government will take over district's water if the district does not appeal Judge Candee's decision. Attached is a copy of the local newspaper article describing Mr. Somach's comments. Normally such speculation would simply be dismissed as boisterous bluster, but Mr. Somach's well known reputation in Colorado River and California water matters leads me to ask you directly as to whether such speculation is true.¹

In December of 2002, Secretary Gale Norton in what was widely acknowledged as strong-arm tactics cut IID's Colorado River water order for 2003 by 330,400 acre feet after the district initially failed to approve the QSA. The district subsequently won an injunction against that decision averting the proposed cut, but the message sent to the district was heard loud and clear. Notwithstanding the pressure exerted by Secretary Norton, the district's decision to not sign the QSA at that time was well founded in that there were insufficient safeguards to mitigate the environmental impacts of the water transfers on the Salton Sea. Without these safeguards, the Salton Sea threatens to choke the Imperial and Coachella valleys with an air quality nightmare as newly exposed sediments beneath the receding sea are blown skyward. It was only after the State of California accepted responsibility for mitigating the impacts of the water transfers on the Salton Sea that the IID's board of directors subsequently approved the QSA in October 2003.

Not surprisingly, the issue of Salton Sea restoration lies at the heart of Judge Candee's recent ruling to invalidate the QSA. The court ruled that the state's obligations to restore the sea under the QSA violated the state's constitution. The court also found that the state's obligations under the agreements differed from those which the IID Board believed they had secured in 2003. The current IID Board is now faced with the same dilemma as the prior Board concerning the future prospect of the sea. The question as to whether the federal government will take over the district's water management should it chose not to appeal the judge's QSA ruling or pursue a different course from that desired by the other QSA parties is not trivial. I would rather hope that the federal government would take the opportunity to assist the IID and the other water agencies in fashioning an acceptable resolution to Salton Sea issues consistent with its duties under the

¹ In addition to his work for the Imperial Irrigation District, Mr. Somach has also worked for the State of Arizona and the Central Arizona Water Conservation District on Colorado River matters. His firm also represents the Central Valley Project Water Association in California whose membership includes approximately 300 agricultural, municipal, and industrial water users in the Bureau of Reclamation's Central Valley Project.

Honorable Ken Salazar
Secretary of the Interior
February 18, 2010
Page 2 of 2

Salton Sea Reclamation Act of 1988 (HR 3267) which directs “the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea, and for other purposes.” Efforts by the Bureau of Reclamation to date have fallen far short of these goals. There is no federal plan to reclaim or restore the sea and with the recent court ruling there is now no state plan either. Aside from the judge’s ruling, disagreements exist among the water parties as to what the state restoration plan under the QSA actually encompassed.

Yet, despite the recent ruling invalidating the QSA and the uncertain status of a future restoration plan for the Salton Sea, Bureau of Reclamation Commissioner Michael Connor recently informed the House Subcommittee on Water and Power on January 25, 2010 that the Bureau intends to continue implementing the QSA water transfers – presumably with or without IID’s concurrence. Continuing to transfer water under the QSA program without a Salton Sea restoration plan in place presents a grave threat to both the Salton Sea environment and the health and welfare of those living in the Imperial and Coachella valleys. These issues are too serious to just ignore. Please clarify the Department’s position with respect to the foregoing matters. I look forward to your response.

Sincerely,



Michael Abatti

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Imperial Irrigation District board hears second Quantification Settlement Agreement opinion

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By DAVID STEFFEN, Staff Writer

Wednesday, February 10, 2010 1:53 AM PST

Attorney Stuart Somach forecasted a federal takeover of Imperial Irrigation District water if the district failed to appeal the invalidation of the Quantification Settlement Agreement.

"To do anything else is just dumb," Somach said. "It just makes no logical common sense or legal sense not to appeal the judge's decision."

During his remarks at Tuesday's IID board meeting, he also said the failure to continue the water transfer during the appeals process could negatively impact the Valley. He said it would be foolish for anyone to think discontinuing the QSA would benefit the Valley.

"I think you're living in another world, and I think you're going to be sadly mistaken," Somach said about those in favor of discontinuing the QSA. "You're playing with some dangerous things, and you're playing with people's lives and livelihoods in suggesting that's the course the district could take."

On Jan. 15, Judge Roland Candee of the Superior Court of California made his final decision rendering the QSA invalid. The QSA, signed in 2003, transfers water from the IID to the San Diego County Water Authority, the Coachella Valley Water District and the Metropolitan Water District of Southern California.

Somach, of the Somach, Simmons and Dunn law firm in Sacramento, has argued water cases before the California Supreme Court and the U.S. Supreme Court. He cited the situations in the Central and San Joaquin valleys as the path IID may follow if it does not seek an appeal and a stay — or continuation — of the QSA water transfer during the appeals process.

"Just take a look at what's happening in the San Joaquin Valley today — 10 percent of supply," Somach said.

He said the federal government may take control of the water without the protection of the QSA and cited the federal government's takeover of water elsewhere in California.

"If you feel comfortable letting the federal government coming in to solve the problem, I guess it's something you could be comfortable doing," he said.

Somach said he thought Candee's decision was wrong and the appellate court would likely overturn his ruling, given his own experience with the court. He said there is a "substantial likelihood" that the district would prevail during the appeals process.

Somach also said it is unwise to try to use the QSA invalidation as a way for the district to earn more money by establishing a "new" QSA. He said today's economy and water shortages mean water districts would not pay higher rates for IID water.

"The thought that today is a better day to cut a deal than it was back when the QSA was (approved) seems to be a bit nonsensical," he said.

Somach ended his remarks by suggesting that IID speak with SDCWA, CVWD and MWD and that it negotiate with the parties in opposition to the QSA. He also suggested IID attempt to make big and small fixes alike rather than one or the other.

IID Director John Pierre Menvielle said he was receptive of Somach's remarks to the board.

"I thought Mr. Somach gave an outstanding and honest second opinion on the QSA," he said.

Director Michael Abatti said he was interested in what Somach had to say.

"That's his opinion — I found it interesting," he said. "He was asked by staff to come in and give his professional opinion."

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Abatti OK with no Quantification Settlement Agreement

By DAVID STEFFEN, Staff Writer

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Print Page

Saturday, February 20, 2010 11:52 PM PST

Imperial Irrigation District Director Michael Abatti said he believes the Quantification Settlement Agreement drains district water at the benefit of the coastal cities.

He said he has no objections to Superior Court Judge Roland Candee's recent ruling that invalidates the QSA.

"If they want to call off the QSA, that's fine," Abatti said. "It should be less water, more money and for a shorter period of time."

Water users on the coast should and would accept higher water rates under any new water transfer, he said. He said desalination is another option at \$700 per acre-foot of water.

"They pay \$3 a gallon for gasoline, and they haven't stopped paying for that," he said.

Abatti said those who crafted the QSA would not be well-suited to prepare any future water transfers.

"They can't fix the problems with the same minds that created them," he said.

Abatti said the Imperial Valley needs to protect the water that it first began using when it brought water from the Colorado River to the Valley.



MIKE ABATTI IID director.

"We are kings on the river on our priorities and privileged rights with the law of the river," Abatti said in reference to the Imperial Valley. "We should respect those rights that were developed and fought for by our past generations and forefathers and defend those as my oath requires me to."

The Valley's claim to Colorado River water is the basis of his statement about "the kings of the river," he said.

"I consider ourselves the kings of the river because we have the biggest entitlement in California," he said.

Abatti said a lack of urban planning on the coast led the water agencies there to need more water and they should not impose on the Valley for it.

"The other parties brought this thing into the Valley with demands," Abatti said about the 2003 QSA signing. "It was their lack of planning that resulted in a crisis of ours."

Abatti also said he did not think the federal government would take over IID. He said he doubted the federal government would take over IID's water rights, either.

"I don't know if they could, as long as we're beneficially using it, which we've been doing for the past 100 years," Abatti said.

Demands were made in 2003 before the QSA was signed, Abatti said, and he cited documents from members of Congress about the matter. He said the big cities have been demanding the water.

"They're demanding we give them resources to make them a better place, but at the same time we need to continue to grow and be a better place for it," he said.

Among the positive uses of water would be renewable energy in the Valley, he said.

"Geothermal, solar — these need to be developed," he said. "We're a hotspot. It's going to be good for the Imperial Valley's economy and for the state and the West to meet their required mandates for renewable efforts."

The QSA, while serving a beneficial purpose for the coastal cities, infringes on the Valley's water rights, Abatti said.

"The QSA is a good deal for everyone outside Imperial County lines, but it's a bad deal for everybody inside Imperial County lines," he said.

>> Staff Writer David Steffen can be reached at 760-337-3452 or dsteffen@ivpressonline.com

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OFFICE OF THE SECRETARY
**U.S. Department
of the Interior**

www.doi.gov

News Release

Interior Launches WaterSMART Initiative

02/22/2010

Contact: Joan Moody, (202) 208-6416

WASHINGTON, D.C.—Secretary of the Interior Ken Salazar today signed a Secretarial order establishing a new water sustainability strategy for the United States. Salazar showcased the Department of the Interior's WaterSMART Initiative at a press conference featuring a geospatial presentation on water supply and demand in the high-tech operations center at the Department's headquarters. The "SMART" in WaterSMART stands for "Sustain and Manage America's Resources for Tomorrow."

"The federal government's existing water policies and programs simply aren't built for 21st century pressures on water supplies," Salazar said. "Population growth. Climate change. Rising energy demands. Environmental needs. Aging infrastructure. Risks to drinking water supplies. Those are just some of the challenges."

He noted that the 2011 budget proposed by President Obama for the Department of the Interior doubles the current enacted 2010 appropriations for water programs to move the initiative forward. It includes \$72.9 million for the WaterSMART program, which is a total increase of \$36.4 million over 2010.

"Local entities – water districts, water users, and local governments – have demonstrated the greatest foresight and leadership in recent years," added Salazar. "I believe it is time for the federal government to join the movement toward a more sustainable water future."

As part of his order, Salazar announced that he is directing the Department to increase available water supply for agricultural, municipal, industrial, and environmental uses in the western United States by 350,000 acre-feet by 2012.

Joining the Secretary were Deputy Secretary David Hayes, Assistant Secretary for Water and Science Anne Castle, Bureau of Reclamation Commissioner Mike Connor, and other Interior officials.

Salazar noted that stakeholders from the seven Colorado River Basin states will participate in a WaterSMART workshop tomorrow in Nevada to help frame the new initiative and to discuss issues such as how to adjust to the anticipated 20% reduction in water flow in the Colorado River due to climate change. Assistant Secretary Castle, who made the geospatial presentation today, is convening the workshop in Nevada tomorrow.

The WaterSMART Secretarial Order has several parts, all of which are focused on improving water conservation and helping water and resource managers make wise decisions about water use, including:

- A national framework to integrate and coordinate water sustainability efforts of the Department and its federal, state and private partners. WaterSMART expands the Bureau of Reclamation's various grant programs and its studies of entire river basins. WaterSMART will also give a big boost to the U.S. Geological Survey's National Water Census, which will be conducted for the first time in 30 years.
- A WaterSMART Clearinghouse for the American public. Through the clearinghouse, the Department will provide leadership and assistance to state and local governments, tribal nations, and others in water conservation and sustainable water strategies. The clearinghouse will bring all stakeholders together to identify best practices in water conservation, incentives, and the most cost-effective technologies.
- Criteria that the Department applies to identify and support energy projects and actions that promote sustainable water strategies. WaterSMART will identify the water footprint of various energy technologies and make sure that it is considered as part of any decision process on the development of such technologies.
- A water footprint reduction program for facilities and water-consuming operations to achieve and exceed the goal established by President Obama to reduce overall consumption of potable water by 26 percent by 2020 and industrial, landscaping, and agricultural water by 20 percent by 2020.

WaterSMART will coordinate with the Department's Task Force on Energy and Climate Change and its Climate Change Response Council, working with the Department's regional Climate Science Centers and Landscape Conservation Cooperatives to obtain the best available science and ensure sustainable water strategies in the field offices of bureaus and agencies. The program will make recommendations for enhancements to information collection, analysis and delivery where needed.

A complete copy of the Secretarial order can be found at
<http://doi.gov/news/pressreleases/upload/WaterSMARTOrder.pdf>

ORDER NO.

Subject: Department of the Interior WaterSMART Program – Sustain and Manage America’s Resources for Tomorrow

Sec. 1 **Purpose.** To secure and stretch water supplies for use by existing and future generations to benefit people, the economy, and the environment, and identify adaptive measures needed to address climate change and future demands. Through this Order, the Department of the Interior (DOI) will pursue a sustainable water supply for the Nation by establishing a framework to provide federal leadership and assistance on the efficient use of water, integrating water and energy policies to support the sustainable use of all natural resources, and coordinating the water conservation activities of the various Interior bureaus and offices. DOI’s efforts will contribute to the development of domestic expertise in water-related technologies and sustainable water management practices, thereby enhancing U.S. competitiveness in providing solutions to world-wide water issues in the 21st century.

Sec. 2 **Background.** Water is our most precious natural resource, and is increasingly stressed by the demands our society places on it. Adequate water supplies are an essential element in human survival, ecosystem health, energy production, and economic sustainability. Significant climate change-related impacts on water supplies are well documented in the scientific literature and scientists are forecasting changes in hydrologic cycles. DOI must address and plan for these cycles.

DOI is uniquely positioned to provide leadership in working toward the goal of sustainable water supplies. DOI is the largest wholesaler of water in the country, providing water for municipal, agricultural, and environmental purposes, and administering cost share programs for water efficiency, recycling, and reuse projects. It is the steward of more than one-fifth of our Nation’s lands, which include thousands of miles of streams and rivers and the headwaters of many major watersheds, and is charged with protection of those ecosystems, including fish, wildlife, and plants, and their habitat. DOI holds millions of acres of Indian reservations and other lands, and associated water resources, in trust for the benefit of Indian tribes and individuals. It plays an important role in the development of both conventional and renewable energy, which can require substantial quantities of water. Finally, DOI monitors and assesses the Nation’s water resources and water use, and provides unbiased scientific information needed by water managers. Accordingly, DOI is exceptionally qualified to lead the way in pursuing water sustainability in the U.S. and has a responsibility to do so. The solutions employed in the U.S. will be applicable

elsewhere, providing opportunities to avoid projected water crises worldwide where water use in the past century has grown twice as fast as world population.

Aggressive action is required to address future water supply challenges, including degradation in water quality caused by pollution and land use practices, decreases in flow, declines in groundwater levels, and aging water infrastructure. Anticipated increases in population, development of tribal water rights, and renewed emphasis on domestic energy development will place additional demands on already stressed supplies. Ecosystems require adequate supplies of clean water and appropriate timing and volume of critical flows to survive and flourish, and recognition of the need for water to support environmental values is increasing over time.

Poor water quality and water shortages often impact low income communities, Native American communities and reservations, Insular Areas, and other disadvantaged sectors of the economy more intensely than other populations. Addressing water equity issues is one of the DOI's highest priorities.

Sec. 3 Authority. This Order is issued under the authority of Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended; the SECURE Water Act (P.L. 111-11, Subtitle F, Sections 9501 – 9510); and Executive Order 13514 on Federal Leadership in Environmental, Energy and Economic Performance.

Sec. 4 WaterSMART Program. This Order establishes the DOI WaterSMART Program – Sustain and Manage America's Resources for Tomorrow. Through this Program, DOI will provide leadership in identifying strategies to ensure that this generation and generations to come will have adequate supplies of clean water for drinking, economic activity, recreation, and ecosystem health. Each bureau and office will exercise its discretion within the scope of its mission to carry out the purpose of this Order to sustain and manage water resources.

a. **Coordination.** DOI will maximize the effectiveness of the water sustainability efforts and programs of DOI agencies, including the Bureau of Reclamation's Title XVI, Basin Studies Programs, WaterSMART Grants, and the U.S. Geological Survey's WaterSMART Availability and Use Assessment program by coordinating among them and with ongoing water conservation and sustainability programs of other federal and state agencies.

(1) The DOI WaterSMART Program will coordinate with the Task Force on Energy and Climate Change to identify the water footprint of various energy technologies in order to ensure that this use of resources is considered as part of any decision process on the development of such technologies.

(2) The DOI WaterSMART Program will also work with the Energy and Climate Change Council, the DOI Climate Science Centers, and the Landscape Conservation Cooperatives to obtain the best available science on the impacts of climate change on water supplies and to ensure integration of sustainable water strategies within the field offices of the Department's bureaus and agencies.

(3) The DOI WaterSMART Program will coordinate with the relevant offices within the Office of the Assistant Secretary – Policy, Management and Budget to develop a water footprint reduction program for facilities and water-consuming operations within the Department; provide input and information on water conservation methods and technology to bureaus and offices; and work together with the Senior Sustainability Officer (the Assistant Secretary – Policy, Management and Budget) in order to achieve and exceed the Department’s water consumption goal set forth in Executive Order 13514.

b. WaterSMART Clearinghouse. This Order establishes the WaterSMART Clearinghouse as a public resource to provide leadership and assistance to state and local governments, tribal nations, and others in coordinating and integrating water conservation and sustainable water strategies. The Clearinghouse will convene interested governmental entities, water user and supplier organizations, conservation and scientific organizations, and others to identify best practices in water conservation, incentives, the most cost-effective technologies that stretch existing water supplies, and actions that integrate energy and water policies, including land use planning. Through the WaterSMART Clearinghouse, DOI will also facilitate access to and information sharing for conservation-related government grants, funding, and programs. The Clearinghouse will provide appropriate recognition and focus national attention on outstanding examples of water sustainability efforts. The WaterSMART Clearinghouse will assist the U.S. in securing its own water future while taking a leadership role in providing the technologies and management strategies that will be key to addressing global water issues in the 21st Century.

c. Integration of Energy and Water Policies: Water and energy are inextricably linked. Water shortages can affect energy production. energy development requires substantial quantities of water, and reduction in water demand can reduce the energy requirements for water distribution, to name just a few of the connections. The WaterSMART Program will ensure that DOI applies criteria that identify and support projects and actions that promote sustainable water strategies, and support development of incremental hydroelectric power generation.

d. Scientific Information to Support Sustainable Water Supplies. The DOI WaterSMART Program will adhere to the principle that one cannot adequately manage a resource that is not measured. As such, the Program will evaluate the information needed for sound decision-making on sustainable water and will determine whether there is adequate information about the availability, quality, and use of water across the Nation for this purpose. The Program will make recommendations for enhancements to information collection, analysis and delivery where needed.

Sec. 5 WaterSMART Task Force. A WaterSMART Task Force is established to implement the WaterSMART Program. The Task Force is chaired by the Assistant Secretary – Water and Science and includes the Assistant Secretaries, heads of bureaus, and the Solicitor, or their designees. The Secretary and Deputy Secretary serve as ex officio members of the Task Force. The Task Force may enlist the services of subject matter or scientific experts to inform its actions. The Task Force is responsible for:

a. Developing a strategy and implementing the DOI WaterSMART Program. The DOI WaterSMART Strategy will be documented in a written plan, which will be provided for public review and comment. Nothing in this Strategy is meant to, or in fact does, affect the substantive or legal rights of third parties or bind the Federal agencies.

b. Taking appropriate action to further the policies in this Order, including conducting education, awareness, and outreach activities.

c. Working within existing relationships and developing new partnerships with the States and Tribes to collaborate on implementation of the WaterSMART Strategy.

d. Evaluating and making recommendations for incorporating water conservation criteria and the water/energy nexus in the Department's planning efforts, including recommending measures to reduce conflict in water management.

Sec. 6 Implementation. The Assistant Secretary – Water and Science is responsible for ensuring implementation of all aspects of this Order. This responsibility may be delegated, as appropriate. This Order does not alter or affect any existing duty or authority of individual bureaus.

Sec. 7 Expiration Date. This Order is effective immediately and will remain in effect until its provisions are converted to the Departmental Manual or until it is amended, superseded, or revoked, whichever occurs first.

Secretary of the Interior

Date:

The Mercury News

MercuryNews.com

Federal official meeting with Colorado River users

The Associated Press

Posted: 02/23/2010 10:46:52 AM PST

Updated: 02/23/2010 10:47:10 AM PST

LAS VEGAS—A top federal water official is hosting a workshop in Las Vegas about drought, climate change and the chance that states sharing the Colorado River may have to do with less water.

Bureau of Reclamation spokesman Bob Walsh said Tuesday that Assistant Secretary for Water and Science Anne Castle and officials from California, Arizona, Nevada, Wyoming, Utah, Colorado and New Mexico are taking part in the WaterSMART conference at the new Aria Hotel.

Interior Secretary Ken Salazar said Monday in Washington that the states should decide now how to deal with the possibility of 20 percent less Colorado River flow due to climate change.

The workshop runs through Wednesday.

The same states inked a pact in 2007 setting rules to cooperate during an ongoing drought gripping the Southwest region.

Reclamation Releases Literature Synthesis on Climate Change Implications for Reclamation's Water Resources

Reclamation Releases Literature Synthesis on Climate Change Implications for Reclamation's Water Resources

Source: Bureau of Reclamation, U.S. Department of the Interior

Building on Secretary Salazar's announcement today of the WaterSMART initiative, Reclamation today released a scientific report summarizing recent literature on the past and projected effects of climate change on hydrology and water resources in the western United States.

The report entitled "The Literature Synthesis on Climate Change Implications for Reclamation's Water Resources," leverages the latest understanding of the science of climate change and ongoing research.

"This information will provide a foundation for water resources planning by providing consistent, peer-reviewed material to staff throughout Reclamation and water managers throughout the West," said Commissioner Michael L. Connor.

The scientific data is organized around the five Reclamation regions, which correspond roughly with the Columbia River basin, the Sacramento-San Joaquin Rivers, the upper Colorado River basin, the lower Colorado River basin, and the Great Plains.

It was developed following talks of the Climate Change and Water Working Group, a partnership between Reclamation, NOAA, U.S. Geological Survey, and the U.S. Army Corps of Engineers. This group identified that water managers and planners needed consistent, credible material that could provide a background for many kinds of operational and environmental studies. This document will be updated annually to take advantage of ongoing research developments.

+ [Full Report \(PDF; 7.7 MB\)](#)



United States Department of the Interior



BUREAU OF RECLAMATION
Lower Colorado Regional Office
P.O. Box 61470
Boulder City, NV 89006-1470

IN REPLY REFER TO:
LC-4226
WTR-4.03

FEB 25 2010

Mr. Brian J. Brady
General Manager
Imperial Irrigation District
P.O. Box 937
Imperial, CA 92251-0937

Subject: Continued Implementation of the Colorado River Water Delivery Agreement

Dear Mr. Brady:

I am writing to you regarding the ongoing implementation of the Colorado River Water Delivery Agreement of 2003 (Water Delivery Agreement). As you know, the Water Delivery Agreement was signed on October 10, 2003, and provides an agreed-upon mechanism for the quantification and transfer of Colorado River water within the State of California. Execution of the Water Delivery Agreement addressed and resolved for a substantial period of years difficult and contentious issues that had been the subject of controversy, disputes, and litigation for over seven decades.

In recent weeks, renewed attention has focused on the Water Delivery Agreement in light of rulings issued in pending litigation in consolidated proceedings by the Superior Court of the State of California for the County of Sacramento. Given the range of interests that are implicated with respect to the delivery of Colorado River water under the Boulder Canyon Project Act of 1928 and the Consolidated Decree of the U.S. Supreme Court in *Arizona v. California*, 547 U. S. 150 (2006) (Consolidated Decree), we are formally communicating our position to each of the districts in California that are parties to the Water Delivery Agreement: the Bureau of Reclamation continues to deliver water pursuant to the Water Delivery Agreement and it remains our position that the Water Delivery Agreement represents a binding agreement between the District and the Department of the Interior. Reclamation Commissioner Michael Connor articulated this position in recent Congressional testimony in a field hearing before the House Subcommittee on Water and Power, held on January 25, 2010.

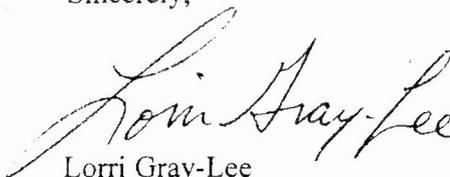
With respect to the litigation pending in California Superior Court, the United States has advised the Court that there is no applicable waiver of the sovereign immunity of the United States that provides the Superior Court with jurisdiction over the Secretary's actions associated with the execution and implementation of the Water Delivery Agreement (e.g., environmental compliance activities).

Since execution of the Water Delivery Agreement in 2003, Reclamation has approved the diversion of Colorado River water consistent with the provisions contained in the agreement. Most recently, on December 24, 2009, on behalf of the Secretary, this Office approved the diversion of Colorado River water for the District during calendar year 2010. The approval of water diversions for calendar year 2010 remains in effect, and was expressly approved by Reclamation pursuant to the provisions of the Water Delivery Agreement. Reclamation's ongoing water delivery actions under the Supreme Court's permanent injunction are being taken pursuant to the provisions contained in the Water Delivery Agreement. Consistent with applicable contracts executed pursuant to the Boulder Canyon Project Act, the Water Delivery Agreement and our December 24, 2009, letter provide your district with the requisite authorization of diversions required by Article III(C) of the Consolidated Decree of the U.S. Supreme Court. 547 U.S. 150, 159-60 (2006).

Along with representatives from California and the other six Colorado River Basin states, the Department invested many years of analysis, negotiation, and effort to conclude the historic agreements with the California entities in 2003. On behalf of the Department, Reclamation intends to continue to honor and implement the provisions and obligations of the Water Delivery Agreement throughout the term of the agreement (see Water Delivery Agreement at ¶¶ 6(b)-(d)).

Please feel free to contact me directly at 702-293-8411 if you have any questions regarding this matter.

Sincerely,



Lorri Gray-Lee
Regional Director

cc: Mr. Gerald Zimmerman
Executive Director
Colorado River Board of
California
770 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035

Similar Letters Sent To:

Ms. Maureen A. Stapleton
General Manager
San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123-1233

Mr. Jeffery Kightlinger
General Manager
The Metropolitan Water District
of Southern California
P.O. Box 54153
Los Angeles, CA 90054-0153

Continued on next page.

Continued from previous page.

Mr. Steve B. Robbins
General Manager – Chief Engineer
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236-1058

5.d. - Basin States Discussions

RECLAMATION

Managing Water in the West

Subject: Notification Regarding the Colorado River Basin Water Supply and Demand Study

Dear Colorado River Stakeholder:

You are receiving this notification due to your involvement in past Reclamation studies on the Colorado River Basin. The purpose of the notification is to inform you of a new study and to gauge your interest in participating in the associated public involvement process.

Reclamation's Upper and Lower Colorado Regions, in collaboration with representatives of the seven Colorado River Basin States (Basin States), are embarking on a two-year, \$2 million study titled the "Colorado River Basin Water Supply and Demand Study". The objectives of the study include characterization of current and future water supply and demand imbalances in the Basin, assessment of the risks to Basin resources, and identification of potential strategies and options to resolve those imbalances. The cost of the study is being shared equally between Reclamation and agencies in the Basin States.

Additional information regarding the study is available at: <http://www.usbr.gov/lc/region/programs/crbstudy.html>. This information includes a fact sheet (attached) and the Public Involvement Plan. The first public meeting is targeted for mid- to late-March 2010.

If you are interested in participating in the study's public involvement process please complete the attached form and return to Ms. Amber Cunningham via email at azcunningham@usbr.gov, via fax at 702-293-8156, or via U.S. Mail at:

Bureau of Reclamation
Attn: Ms. Amber Cunningham, LC-4001
P.O. Box 61470
Boulder City, NV 89006-1470

Sincerely,



Terry Fulp
Reclamation Study Manager



U.S. Department of the Interior
Bureau of Reclamation

Colorado River Basin Water Supply and Demand Study Basin Study Program

Contact: Deborah Lawler, 801-524-3685
Amber Cunningham, 702-293-8472
Email, ColoradoRiverBasinStudy@usbr.gov

Spanning parts of the seven states of Arizona, California, Colorado, New Mexico, Nevada, Utah, and Wyoming (Basin States), the Colorado River Basin (Basin) is one of the most critical sources of water in the West. The Colorado River and its tributaries provide water for the municipal supply to 30 million people, irrigation of nearly 4 million acres of land, and hydropower facilities that generate more than 4,200 MW, helping to meet the power needs of the West and offset the use of fossil fuels. The Colorado River is also the lifeblood for at least 15 Native American tribes, seven National Wildlife Refuges, four National Recreation Areas, and five National Parks.

Water supply and demand imbalances already exist in some geographic areas in the Basin and are projected to increase in both magnitude and spatial extent in the future. Storage capacity of approximately four times the average inflow has provided the ability to meet most demands even over periods of sustained drought, such as is currently being experienced. However, studies indicate that droughts of greater severity have occurred in the far past and climate experts and scientists suggest that such droughts are likely to occur in the future. Furthermore, studies have postulated that the average yield of the Colorado River could be reduced by as much as 30 percent due to climate change. Meanwhile, the Basin States include some of the fastest growing urban and industrial areas in the United States.



Increasing demands coupled with decreasing supplies may exacerbate imbalances throughout the Basin. The study will:

- analyze water supply and demand imbalances throughout the study area through 2060;
- assess options for resolving such imbalances; and
- develop recommendations to address current and projected imbalances.

Non-Federal cost-share partners include each of the seven Basin States, water management authorities, and irrigation and water districts. Broad support for the study exists among stakeholders throughout the Basin and their input and participation will be sought throughout the study.

The total cost of the study is \$2 million (50/50 cost share).



RECLAMATION

Managing Water in the West

Colorado River Basin Water Supply and Demand Study Public Participation Form

Please select your preferences:

<input type="checkbox"/>	I wish to remain on the notification list for this study.
<input type="checkbox"/>	I am interested in attending public meetings depending upon location, timing, and availability.
<input type="checkbox"/>	I would prefer that public meetings be held at the following location(s):
<input type="checkbox"/>	I would be interested in participating in public meetings via a webcast.

To ensure that Reclamation has your correct contact information, please complete the following information:

Name: _____

Organization (if applicable): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Fax (if desired): _____

Email: _____

If you would like to provide additional information, please do so below or send an email to ColoradoRiverBasinStudy@usbr.gov:

THANK YOU!



U.S. Department of the Interior
Bureau of Reclamation

5.e. - Colorado River Environmental Issues



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

FEB 22 2010

Mr. Rick Johnson
Colorado River Science Director
Grand Canyon Trust
2601 North Fort Valley Road
Flagstaff, Arizona 86001

Dear Mr. Johnson:

On behalf of Secretary Salazar, I am responding to your letter dated October 23, 2009, regarding the *Glen Canyon Dam Annual Operating Plan*, in which you recommended that the Bureau of Reclamation change its monthly distribution of releases from Glen Canyon Dam (GCD). In your letter, you requested that the normal ongoing operation of GCD be modified to discharge 1/12th of the annual volume of water each month (which you refer to as "Equalized Monthly Volumes" or "EMV"), beginning in the 2010 water year, which began on October 1, 2009. You also suggested that such operations could be included in the 2010 Annual Operating Plan (AOP) for Colorado River System Reservoirs. We also recognize that the current operation of Glen Canyon Dam is the subject of ongoing litigation brought by your organization against the Bureau of Reclamation and the U.S. Fish and Wildlife Service.

The 2010 AOP was recently finalized, and as you are likely aware, it addresses operations for multiple Colorado River reservoirs and addresses multiple issues, not just operations of GCD. Modifying releases from GCD to an approach based on EMV, as your letter suggested, would be a significant modification of GCD operations. The 2010 Annual Operating Plan does not adopt an EMV operation for GCD. We believe that a more detailed hydrologic explanation of how your proposal would work under the numerous operating requirements applicable to GCD would facilitate a more detailed consideration of your suggestion. The Glen Canyon Dam Adaptive Management Program (GCDAMP) was specifically established to address ongoing concerns over the operation of GCD and effects on downstream resources. The GCDAMP includes a Federal Advisory Committee, the Glen Canyon Dam Adaptive Management Work Group (AMWG). We encourage you to address this issue through the GCDAMP and the AMWG, the appropriate fora to propose experimental and management changes to the operation of GCD for the improvement of environmental resources in the Grand Canyon.

Your letter also suggested that the Colorado River Management Work Group (CRMWG) should be chartered as a Federal Advisory Committee Act (FACA) group. The CRMWG is an ad hoc group of stakeholders who the Department consults with during the development of the AOP. For context, the CRMWG includes a mailing list of over 160 individuals, members of the general public, and organizations that are notified and included as part of the AOP consultation process. The AOP consultation process is one in which the Department of the Interior consults with a broad range of Federal, tribal, state and non-governmental interests as it prepares a report on the past and projected operations of the Colorado River each year as required by the Colorado River Basin Project Act. Meetings of the CRMWG provide the opportunity for the Department and Reclamation to share important information with the parties (including information regarding past and projected hydrologic conditions and past and projected operations) and to discuss the specific information that will be included in the report. As you know, this year we held three public consultation meetings on the 2010 AOP, and a representative of the

Grand Canyon Trust attended the first of these consultation meetings. This process enables us to involve interested parties and to consider their comments.

With respect to FACA, in order to establish an advisory committee, an agency has to provide an explanation stating why the advisory committee's functions cannot be performed by the agency, another existing committee, or other means, such as public hearings. 41 C.F.R. § 102-3.60(b)(2). As you know, there is already an existing FACA committee designed to seek public participation in Glen Canyon Dam management: the AMWG, on which you serve as Grand Canyon Trust's representative. As noted above, there also have been multiple public consultation meetings with respect to development of previous AOPs. We will hold additional public consultation meetings in the future as appropriate. Chartering the CRMWG as a FACA committee is not only unnecessary, it would be discouraged by the FACA regulations.

Thank you for your letter and ongoing interest in the resources of the Colorado River. We recognize your concern and interest in management of Glen Canyon Dam, and we will continue to work with you on these important issues. If you have any questions or concerns, you may contact Mr. Dave Trueman, Manager of Reclamation's Upper Colorado Region Resources Management Division, at 801-524-3759.

Sincerely,



Anne J. Castle
Assistant Secretary
for Water and Science

Identical letter sent to:

Mr. Nikolai Lash
Grand Canyon Trust
2601 North Fort Valley Road
Flagstaff, Arizona 86001

Preliminary Conference Agenda

Monday, May 3

8-9:15 a.m.

- ACWA/JPIA Workers' Compensation Subcommittee

9:30-10:45 a.m.

- ACWA/JPIA Risk Management Subcommittee

11 a.m.-Noon

- ACWA/JPIA Executive Committee

1:15-2:30 p.m.

- ACWA/JPIA Town Hall Meeting

3-5 p.m.

- ACWA/JPIA Board of Directors

5-6 p.m.

- ACWA/JPIA Board of Directors' Reception

Tuesday, May 4

8 a.m.-6 p.m.

- Registration

8:30-9:30 a.m.

- ACWA/JPIA Seminar I

9:45-10:45 a.m.

- ACWA/JPIA Seminar II

10-11:45 a.m.

- Clean Water Subcommittee
- Safe Drinking Water Subcommittee

11 a.m.-Noon

- ACWA/JPIA Seminar III
- Outreach Task Force

Noon-2 p.m.

- ACWA 101 & Luncheon
- Committee Lunch Break

1-2:45 p.m.

- Finance Committee
- Groundwater Committee
- Membership Committee
- Scholarship Subcommittee
- Water Quality Committee

1:30-3:30 p.m.

- ACWA/JPIA Seminar IV

2-4 p.m.

- SDFL Special District Administrator Certification Test

2-4:15 p.m.

- Ethics Training

3-4:45 p.m.

- Communications Committee
- Energy Committee
- Federal Affairs Committee
- Insurance & Personnel Committee
- Local Government Committee
- Water Management Committee

5-6:30 p.m.

- Welcome Reception in the Exhibit Hall

Wednesday, May 5

7:30 a.m.-5 p.m.

- Registration

8-9:45 a.m.

- Opening Breakfast

8 a.m.-Noon & 1:30-5 p.m.

- Exhibit Hall

10-11:50 a.m.

- Attorneys Program
- Communications Committee Program
- Exhibitor Technical Presentations
- Finance Program
- Human Resources Program
- Region Forum hosted by **Region 5**
- Statewide Issue Forum
- Water Trends Program

Noon-1:30 p.m.

- General Luncheon

1:45-2:15 p.m.

- Prize Drawing/Dessert Break sponsored by **Krieger & Stewart, Incorporated, Consulting Engineers**

2:15-3:45 p.m.

- Attorneys Program
- Energy Program
- Exhibitor Technical Presentations
- Finance Program
- Human Resources Program
- Town Hall Meeting
- Water Trends Program

2:15-4:30 p.m.

- Ethics Training

4-5 p.m.

- Anadromous Species Task Force
- "California's Water" Series Screenings
- Region 6 Business Meeting
- Region 7 Business Meeting
- Region 8 Business Meeting
- Region 9 Business Meeting
- Region 10 Business Meeting

May 3-7, 2010

4-6 p.m.

- Legal Affairs Committee

5-7 p.m.

- CH2M Hill Hosted Reception

Thursday, May 6

7:30 a.m.-12:15 p.m.

- Exhibit Hall

7:30 a.m.-4 p.m.

- Registration

8-9:15 a.m.

- Networking Continental Breakfast

9:45 a.m.-Noon

- Ethics Training

10-11:50 a.m.

- Attorneys Program
- Energy Committee Program
- Exhibitor Technical Presentations
- Finance Program
- Region Forum hosted by **Region 4**
- Statewide Issue Forum
- Water Trends Program

11:50 a.m.-12:15 p.m.

- Prize Drawing in the Exhibit Hall

12:15-1:45 p.m.

- General Luncheon

1:45-2:15 p.m.

- Dessert Break sponsored by **Krieger & Stewart, Incorporated, Consulting Engineers**

2:15-3:45 p.m.

- Attorneys Program
- Commissioner's Forum
- Exhibitor Technical Presentations
- Water Debate
- Water Trends Program

4-4:30 p.m.

- "California's Water" Series Screenings

4-5 p.m.

- Region 1 Business Meeting
- Region 2 Business Meeting
- Region 3 Business Meeting
- Region 4 Business Meeting
- Region 5 Business Meeting

6-10 p.m.

- No-Host Reception, Dinner and Entertainment

Friday, May 7

8-9:30 a.m.

- Registration

8:30-10 a.m.

- Hans Doe Forum Breakfast sponsored by **AECOM**

Other Events

Monday, May 3

1-6 p.m.

- Water Education Foundation Board of Directors

Tuesday, May 4

8 a.m.

- ACWA/MWH Golf Tournament

Wednesday, May 5

4:30-7:30 p.m.

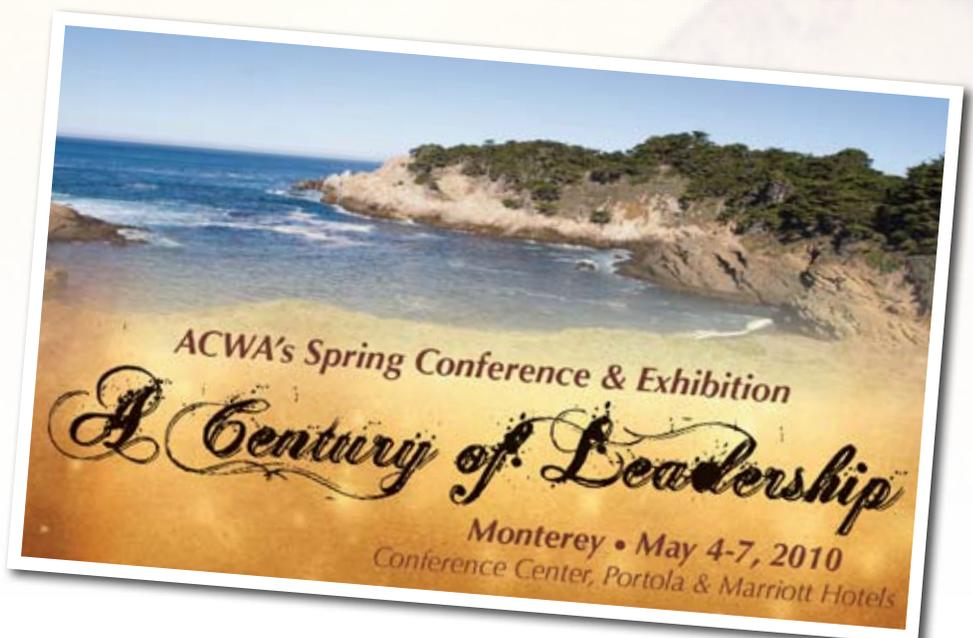
- Colorado River Board of California

Thursday, May 6

6:45-8:15 a.m.

- San Joaquin Valley Agricultural Water Committee

All conference programs are subject to change.



ACWA's 2010 Spring Conference & Exhibition Preregistration

Conference Center, Portola & Marriott Hotels, Monterey • May 4-7, 2010

ONLINE REGISTRATION NOW AVAILABLE: WWW.ACWA.COM

PREREGISTRATION DEADLINE IS APRIL 2, 2010.

Those received after April 2 will be returned, regardless of postmark. Deadline to cancel and receive refund voucher is April 2. There is a \$50 handling fee on all cancellations prior to this date.

OFFICE USE ONLY - SC10

ENT _____
DATE _____

Fill in Completely - Please Print/Type Clearly

* Required Fields (if bringing a guest, guest's name and e-mail address are required as well.)

My info has changed. Please update it.

* Name on Badge to Read _____ Guest (\$35 fee if attending) _____ Guest E-mail (MUST be different from attendee's e-mail) _____

* Title _____

* Organization _____

* Address _____

* City _____ * State _____ * Zip _____

* Phone: () _____ FAX: () _____

* Attendee E-mail: _____

* Confirmation E-mail: _____

If registering on someone's behalf, please be sure to include YOUR e-mail address here and a copy of the confirmation email will be sent to you.

Credit Card Payment Information

Please charge my fee to my credit card:

Credit Card Number:

_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|_____|

Exp. Date: ____|____|____|____| Amount: \$ _____

Cardholder's Name (as seen on card): _____

Please print clearly.

Signature: _____

Preregistration PACKAGE – For ACWA public agency members, affiliates & associates only
(Includes registration and all meals. Does not include guest registration.) (20) \$625 \$ _____

Conference Registration (21) (Meals not included)	Preregistration	On Site	Amount
Advantage*	\$465	(\$490)	\$ _____
Standard	\$695	(\$720)	\$ _____
Guest (Non-refundable) (22)	\$35	(\$45)	\$ _____

2-Day Conference Registration (Meals not included)	Preregistration		On Site		Amount
	(Advantage)	(Standard)	(Advantage)	(Standard)	
<input type="checkbox"/> Tues., May 4/Wed., May 5 (23)	\$250	\$375	\$275	\$400	\$ _____
<input type="checkbox"/> Thurs., May 6/Fri., May 7 (24)	\$250	\$375	\$275	\$400	\$ _____

MEALS FUNCTIONS		Quantity	Preregistration	On Site	Amount
Wednesday, May 5					
Opening Breakfast (30)	_____		\$40	(\$42)	\$ _____
Luncheon (31)	_____		\$45	(\$47)	\$ _____
Thursday, May 6					
Networking Continental Breakfast (35)	_____		\$25	(\$30)	\$ _____
Luncheon (32)	_____		\$45	(\$47)	\$ _____
Dinner (33)	_____		\$75	(\$80)	\$ _____
Friday, May 7					
Hans Doe Forum Breakfast, sponsored by AECOM (34)	_____		\$40	(\$42)	\$ _____

Ethics Training Registration (Choose ONE - No additional fee required if registered for conference.) TOTAL \$ _____

Tues., May 4, 2-4:15 p.m. (50) Wed., May 5, 2:15-4:30 p.m. (51) Thur., May 6, 9:45 a.m.-Noon (52)

* People eligible for ACWA advantage pricing include: any ACWA member organization's officers/directors; any employee on an ACWA public agency member, affiliate or associate organization's payroll; any individual or honorary life member; any ACWA board member whose fee is paid for by a member agency; any state or federal administrative or legislative personnel in elective, appointive or staffing positions; staff of ACWA/JPIA, Water Education Foundation, or California Water Awareness Campaign.

Make checks payable to ACWA, and send to: ACWA, P.O. Box 2408, Sacramento, CA 95812-2408.
or FAX to (916) 325-2316. **If you mail this form, please do not also fax to avoid duplicate registration.**
Questions? Contact ACWA at (916) 441-4545, toll free (888) 666-2292, or e-mail: events@acwa.com.