

Minutes of Regular Meeting  
COLORADO RIVER BOARD OF CALIFORNIA  
Wednesday, July 14, 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, July 14, 2010.

Board Members Present

Dana B. Fisher, Jr., Chairman  
John V. Foley  
Russell C. Kitahara  
W. D. 'Bill' Knutson  
Henry Merle Kuiper  
James B. McDaniel

John Pierre Menvielle  
Jeanine Jones, Designee  
Department of Water Resources

Board Members Absent

Terese Marie Ghio

David Elms, Designee  
Department of Fish and Game

Others Present

Steven B. Abbott  
James M. Barrett  
James H. Bond  
Ron Derma  
Dave Fogerson  
William J. Hasencamp  
Mark L. Johnson  
Richard Johnson  
Michael L. King  
Douglas B. Noble  
David R. Pettijohn  
John L. Scott  
Jack Seiler  
Cathrine M. Stites

Ed W. Smith  
Mark Stuart  
William H. Swan  
Bill D. Wright  
Abbas Amirteymoori  
J.C. Jay Chen  
Christopher S. Harris  
Lindia Y. Liu  
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 10:10 a.m.

## **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Chairman Fisher asked if there was anyone in the audience who wanted to address the Board on items on the agenda or matters related to the Board. Hearing none, Chairman Fisher moved to the next agenda item.

## **ADMINISTRATION**

### Approval of Minutes

Chairman Fisher requested the approval of the June 9<sup>th</sup> meeting minutes. Mr. Knustson moved the June 9<sup>th</sup> minutes be approved. Ms. Jones seconded the motion. Unanimously carried, the Board approved the June 9<sup>th</sup> meeting minutes.

## **AGENCY MANAGERS' MEETING**

Mr. Zimmerman reported that the Agency Managers had met following the June 9<sup>th</sup> Board meeting. The focus of the meeting was on the discussions with Mexico and Mexico's latest comprehensive proposal. Numerous meetings and conference calls were held to develop the Basin states counter-proposal.

## **PROTECTION OF EXISTING RIGHTS**

### Colorado River Water Report

Mr. Amireteymoori reported that precipitation from October 1<sup>st</sup> through July 6<sup>th</sup>, was 88 percent of normal. The snowpack in the headwaters regions has largely melted. The projected April through July unregulated inflow into Lake Powell was 5.7 maf, or 72 percent of normal. The projected water year inflow (October 1<sup>st</sup> through September 30<sup>th</sup>) was 8.7 maf, also 72 percent of normal.

Mr. Amireteymoori reported that as of July 6<sup>th</sup>, Lake Powell storage was about 15.9 million acre-feet (maf), or 65 percent of capacity. The water surface elevation was 3,638.8 feet above the mean sea level. Lake Mead storage was 10.6 maf, or 41 percent of capacity, with the water surface elevation 1,089.2 feet above sea level. Total System storage was 34.6 maf, or 58 percent of capacity; whereas, this time last year the total System storage was 35.7 maf, or 60 percent of capacity. Total System storage this year is about 1.1 million acre-feet greater than this time last year.

Mr. Amireteymoori added that Reclamation's projected consumptive use (CU) for the State of Nevada is approximately 265,000 acre-feet; for Arizona, the CU projection is about 2.799 maf; and for California the CU projection is just under 4.4 maf (4.332 maf). Currently the total projected CU in the Lower Basin is expected to be about 7.396 maf.

## State and Local Water Reports

Mr. Mark Stuart of the California Department of Water Resources, reported on the current climate conditions in California. He mentioned that the Northern Sierra Precipitation 8-station index was slightly above normal (109 percent of normal). Statewide precipitation as of July 1<sup>st</sup>, was about 110 percent of normal, runoff is expected to be about 90 percent of normal. The Sacramento River Index as of July 1<sup>st</sup> was 14.5 maf. North of the Sacramento Delta, the State Water Project (SWP) as of July 1<sup>st</sup> was at 77 percent of capacity, or 2.8 maf. South of the Delta, the SWP was about 65 percent of capacity, or 1.190 maf. Current SWP projected deliveries had just been raised from 45 to 50 percent of Table A entitlements.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of July 1<sup>st</sup>, storage in the main Southern California reservoirs was about 595,000 acre-feet, or 57 percent of capacity. Diamond Valley Lake was about 430,000 acre-feet or 53 percent of capacity. The storage in Lake Mathews was about 124,000 acre-feet or 68 percent of capacity, and Lake Skinner was about 42,000 acre-feet or 95 percent of capacity. Mr. Foley added that there was an increase of about 33,000 acre-feet in Diamond Valley Lake due to the increase in deliveries of the SWP. Currently, only SWP water is being diverted to storage at Diamond Valley Lake. Colorado River water is not currently being diverted into Diamond Valley Lake due to the potential for Quagga mussel contamination from the Colorado River.

## Colorado River Operations

### *2011 Annual Operating Plan for Colorado River Reservoirs*

Mr. Zimmerman reported that the first consultation meeting of the Colorado River Management Work Group for the development of the Annual Operating Plan for the Colorado River System Reservoirs (2011 AOP) was held on June 25<sup>th</sup> in Las Vegas, Nevada. Currently, the draft 2011 AOP includes the following Secretarial determinations: Upper Basin delivery will likely be consistent with the “Upper Elevation Balancing Tier” and shall be 8.23 maf; It is likely that the “Equalization Tier” will govern operations following an evaluation of the April 2011 24-Month Study; Lower Basin delivery would be governed by the “ICS (Intentionally Created Surplus) Surplus Condition.” No unused apportionment is anticipated and the Inadvertent Overrun and Payback Policy will be in effect; ICS may be created and delivered; mainstream water may be stored off-stream pursuant to SIRAs (Storage Interstate Release Agreements) and 43 CFR (Code of Federal Regulations) Part 414; and 1.5 maf will be available for deliveries to Mexico pursuant to the 1944 Treaty.

Mr. Zimmerman reported that the current draft of the 2011 AOP is available on Reclamation’s website at: [http://www.usbr.gov/uc/water/rsvrs/ops/aop/AOP11\\_draft.pdf](http://www.usbr.gov/uc/water/rsvrs/ops/aop/AOP11_draft.pdf). The next consultation meeting is scheduled to be held on August 26<sup>th</sup> and the final consultation meeting is scheduled for September 24<sup>th</sup>.

*Arizona Water Banking Authority's Certification of Intentionally Created Unused Apportionment (ICUA) for 2009*

Mr. Zimmerman reported that on June 11<sup>th</sup>, the Arizona Water Banking Authority (AWBA) issued a certification report of the amount of intentionally created but unused apportionment created for the benefit of The Metropolitan Water District of Southern California (MWD) and stored by the Central Arizona Water Conservation District. The AWBA report certifies that MWD received 27,504 af in calendar year 2009, created pursuant to the "1992 Demonstration Agreement".

*Final Draft of the Inadvertent Overrun and Payback Policy Procedures*

Mr. Zimmerman reported that Reclamation recently released the final draft of the proposed Inadvertent Overrun and Payback Policy (IOPP) procedures. Reclamation has invited stakeholder comments. Mr. Zimmerman reported that the IOPP procedures are expected to remain in draft form until final ICS procedures are developed.

Basin States Discussion

*Status of Negotiations and Discussions Associated with Joint Cooperative Projects and Programs with Mexico*

Mr. Zimmerman reported that on June 17<sup>th</sup>, the U.S. and Mexican Sections of the International Boundary and Water Commission (IBWC) executed Minute 317 to accomplish the following: promote cooperative Colorado River management; explore potential projects that conserve water, minimize shortage conditions, and generate additional supplies of new water; note interest in Mexican involvement in the storage of Mexican entitlement in the U.S. reservoir facilities (i.e., Intentionally Created Mexican Apportionment (ICMA) creation and storage); and define a stakeholder participation process through the various binational groups that have been created. Mr. Zimmerman added that an important feature of Minute 317 is the creation of the consultative working group that could negotiate future minutes that would lay the foundation to enable cooperative projects between the two countries for the benefit of Colorado River water users on both sides of the border.

Mr. Zimmerman reported that because of the recent Mexicali earthquake, the U.S. has suggested that Mexico be allowed to store up to 200,000 acre-feet in the U.S. reservoir system as a one-time project, and in 2011 Mexico would be allowed to divert up to 1.7 maf. In response to the U.S. proposal, Mexico has proposed a more comprehensive agreement become memorialized in a new Treaty Minute (Minute No. 318). The binational meeting was held on June 23<sup>rd</sup> and 24<sup>th</sup>.

Mr. Zimmerman reported that the proposed Minute 318 contains the procedures for: the creation and storage of ICMA in the U.S. reservoir system; U.S. investment in repair of damaged infrastructure in Mexicali irrigation districts; U.S. investment in binational conservation and desalination projects; U.S. investment in binational environmental projects; and temporary Mexican use of treated wastewater from U.S. wastewater treatment plants in Nogales, Arizona and San Diego, California.

There was discussions regarding the logistics of facilitating the Basin states participation leading up to the negotiations between Mexico and Reclamation. There was also discussion regarding salinity impacts brought about by the creation and delivery of ICMA water.

### Colorado River Environmental Issues

#### *Moab Uranium Mill-Tailings Remediation Project*

Mr. Harris reported that the Board has submitted letters of support for continued federal appropriations in support of the Department of Energy's Moab Uranium Mill-Tailings Relocation and Remediation Project. Mr. Harris reported that identical letters in support of continuing the current level of funding were sent to U.S. Senator Feinstein, and U.S. Representatives Lewis and Calvert. With continued support at the current level, the mill-tailings could be fully relocated by 2019. The original date to complete relocation of the mill-tailings was expected to be in 2029.

#### *Status of the Grand Canyon Trust v. U.S. Bureau of Reclamation, et.al. Lawsuit*

Mr. Harris reported that a comprehensive order was issued by the judge on the *Grand Canyon Trust v. United States Bureau of Reclamation, et.al.* court case. The U.S. District Court remanded the 2009 Incidental Take Statement (ITS) back to the U.S. Fish and Wildlife Service (USFWS) to reconsider the causal link between the Glen Canyon Dam operations and the potential take, and failure to address Reasonable and Prudent Measures to offset the take of the endangered Humpback chub. The USFWS is to reconsider any potential revisions and resubmit the ITS by September 1<sup>st</sup>. The Court largely ruled against the Grand Canyon Trust in many remaining claims. The Court will formally consider Claim No. 3 (i.e., 'Does the operation of Glen Canyon Dam take Humpback chub?') after the USFWS resubmits the ITS in September 2010.

## **OTHER BUSINESS**

### Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Wednesday, August 11, 2010 at 10:00 a.m., at the Holiday Inn Ontario Airport, 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. Mr. Knutson moved the Board meeting be adjourned. Mr. Kuiper seconded the motion, and with unanimous approval, the Board meeting was adjourned at 11:54 a.m. on July 14, 2010.

*/S/Gerald R. Zimmerman*

Gerald R. Zimmerman  
Acting Executive Director