

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

Board Members and Alternates Present

W. D. 'Bill' Knutson, Vice Chairman

Thomas M. Erb

John V. Foley

Russell C. Kitahara

Henry Merle Kuiper

Jack Seiler

Jeanine Jones, Designee

Department of Water Resources

Board Members and Alternate Absent

Dana B. Fisher, Jr. Chairman

Terese Marie Ghio

James Cleo Hanks

James B. McDaniel

John Pierre Menvielle

David Elms, Designee

Department of Fish and Game

Others Present

Steven B. Abbott

Zachary H. Ahineja

James H. Bond

John P. Carter

Ron Derma

Dave Fogerson

Leslie Gallagher

William J. Hasencamp

Mark L. Johnson

Richard Johnson

Michael L. King

Thomas E. Levy

Jan P. Matusak

Halla Razak

Steven B. Robbins

David Pettijohn

John L. Scott

Tina L. A. Shields

Ed W. Smith

Catherine M. Stites

Deven N. Upadhyay

Joseph A. Vanderhorst

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**

Vice Chairman Knutson announced the presence of a quorum, called the meeting to order at 10:08 a.m.

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

Vice Chairman Knutson 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, Vice Chairman Knutson moved to the next agenda item.

## **ADMINISTRATION**

### Approval of Minutes

Vice Chairman Knutson requested the approval of the October 13<sup>th</sup> meeting minutes. Mr. Foley moved the October 13<sup>th</sup> minutes be approved. Mr. Kitahara seconded the motion. Unanimously carried, the Board approved the October 13<sup>th</sup> meeting minutes.

### Proposed 2011 Board Meeting Schedule

Vice Chairman Knutson reported that included in the Board folder is the proposed 2011 calendar year Board meeting schedule. Action on the 2011 meeting schedule is expected at the December Board meeting.

## **AGENCY MANAGERS' MEETING**

Mr. Zimmerman reported that the Agency Managers are scheduled to meet after the November Board meeting to discuss the Colorado River Basin Study and specifically California's demands trend.

## **PROTECTION OF EXISTING RIGHTS**

### Colorado River Water Report

Mr. Amireteymoori reported that from October 1<sup>st</sup> to November 1<sup>st</sup>, precipitation in the Basin was about 153 percent of normal. There was no measurable snowpack. The observed April through July unregulated flow into Lake Powell for 2010 was 5.795 million acre-feet (maf) or 73 percent of capacity. The observed 2010 water year unregulated flow into Lake Powell was 8.738 maf, or 73 percent of capacity.

Mr. Amireteymoori reported that as of November 7<sup>th</sup> the reservoir storage in Lake Powell was 15.2 maf, or 63 percent of capacity. The water surface elevation was 3,633.3 feet. The

storage in Lake Mead was 9.96 maf, or 38 percent of capacity. The water surface elevation was 1,082.2 feet. Total System storage was 32.8 maf, or 55 percent of capacity. Last year at this time, there was 33.8 maf of water in storage, or 57 percent of capacity. Total System storage was about one million acre-feet less than this time last year.

Mr. Amireteymoori reported that Reclamation's estimated consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (258,000 acre-feet); and for Arizona, the CU is projected to be under its basic entitlement of 2.8 maf (2.766 maf); and for California the CU is also projected to be under its apportionment of 4.4 maf (4.348 maf). The total projected CU in the Lower Basin is expected to be about 7.372 maf.

Mr. Amireteymoori reported that last time the storage in Lake Mead was the same as the current storage was in the mid-fifties and sixties. Mr. Zimmerman added that prior to the construction of the Glen Canyon Dam there was considerable fluctuation of Lake Mead water surface elevation. Afterwards the fluctuation in the water level of Lake Mead had dampened considerably. If the current rate of precipitation continues, then the Upper Basin reservoirs would fill and bring Lake Mead water storage up as well.

#### State and Local Water Reports

Mr. Stuart of the Department of Water Resources, Southern District, reported that precipitation in southern California at selected sites for the first month (October) of the water year show that precipitation is above normal for nearly all of the southern California. The highest precipitation to date is in Imperial with about a quarter of an inch, or 527 percent of normal. The Sacramento River Index was 7.6 inches, or 253 percent of normal. State Water Project storage north of the Delta was 1.8 maf, or 48 percent of normal. South of the Delta, San Luis Reservoir, storage is about 440,000 acre-feet, or 41 percent of capacity. Total storage is about 2.8 maf or 52 percent of capacity. Water storage in Lake Oroville indicates current water supply, not as much as we'd like but more storage than last year.

Ms. Jones, of the Department of Water Resources (DWR), reported that in the handout materials is an announcement for DWR's '2011 Winter Outlook Workshop', scheduled to be held in San Diego. The '2011 Winter Outlook Workshop' brings together climate scientists from the research world together to give their best projections on what the upcoming water-year will bring. The current forecast is a La Nina condition that typically brings dry conditions in the south, but conditions in the north are not yet clear. The '2011 Winter Outlook Workshop' is scheduled to be webcast and the website for the webcast is: [http://www.water.ca.gov/drought/docs/winter\\_workshop/Winter%20Outlook%202011/msh.htm](http://www.water.ca.gov/drought/docs/winter_workshop/Winter%20Outlook%202011/msh.htm).

Mr. Sieler, of the Palo Verde Irrigation District, added that the 'Winter Outlook Workshop' is a good workshop and has always been informative.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that November 2009 the storage in Diamond Valley Lake was at the lowest amount since the reservoir was built. Since November 2009 storage has increased about 220,000 acre-feet. The current combined storage of Diamond Valley Lake, Lake Mathews, and Lake Skinner, as of

November 1, 2010, was about 722,800 acre-feet, or 70 percent of capacity. Storage in Diamond Valley Lake was about 576,200 acre-feet, or 71 percent of capacity. Currently, the water storage in Diamond Valley Lake is expected to increase to 620,000 acre-feet.

### Colorado River Operations

#### *Status of Solar Millennium's Blythe Solar Power Project*

Mr. Zimmerman reported that at the last Board meeting, a letter from Solar Millennium, dated September 20<sup>th</sup>, was discussed and direction was provided by the Board to respond to the letter. The letter contained several misconceptions associated with the Board's September 14<sup>th</sup> letter to the California Energy Commission. Board staff prepared a response to Solar Millennium's letter that was circulated among the agencies for their review and comment. Mr. Zimmerman thanked the agencies for their help in preparing and finalizing the letter. The response letter was sent to Solar Millennium on October 21<sup>st</sup>, as well as those on the courtesy copy list of Solar Millennium's September 20<sup>th</sup> letter. A copy of the Board's October 21<sup>st</sup> letter was included in the Board folder.

Mr. Zimmerman reported that on October 25<sup>th</sup>, Solar Millennium issued a press release announcing that the U.S. Bureau of Land Management (BLM) had issued a Record of Decision (ROD) that approved the Blythe Solar Power Plant's Right of Way Grant application. The BLM ROD, in the words of Solar Millennium, "paves the way for Solar Millennium, LLC to build and operate its Blythe Solar Project, which will be the largest solar power facility in the world." A copy of the press release was included in the Board folder.

#### *Yuma Island Water Use Accounting*

Mr. Zimmerman reported that on October 13<sup>th</sup> the Board received a letter from Reclamation to MWD regarding MWD's request to extend the deadline for Reclamation taking action associated with a regulatory determination of water use on the Yuma Island in California. Reclamation and interested California parties continue to work on developing feasible alternatives associated with accounting for the diversion and use of mainstream Colorado River water on Yuma Island, and specifically how that mainstream water use should be charged. In its letter, Reclamation has indicated that it will defer decision-making associated with this issue until March 31, 2012. A copy of Reclamation's letter to MWD was included in the Board folder.

#### *Proposed Navajo Water Rights Settlement*

Mr. Zimmerman reported on a brief Associated Press news article, dated November 4<sup>th</sup>, indicates that the Navajo Tribal Council has approved a proposed water rights settlement agreement for the State of Arizona's portion of the Lower Colorado River Basin. According to the news article, the Navajo Nation would receive: thirty-one thousand acre-feet per year of Colorado River water; the unappropriated flows of the Little Colorado River; and nearly unlimited access to two groundwater aquifers beneath the reservation. A copy of the article was included in the Board folder.

## **BASIN STATES DISCUSSIONS**

### *Status of the Binational Projects and Programs with Mexico*

Mr. Zimmerman reported that discussions with Mexico have been refocused on developing a minute to the 1944 Mexican Water Treaty that only addresses the water that Mexico would like to delay delivery during calendar years 2010 and 2011 because of damage to its infrastructure resulting from the April 2010 Mexicali Valley earthquake. Mr. Zimmerman reported that the primary reason for this refocus of direction is a result of the limited time available to address all of the technical and legal issues associated with a comprehensive deal, as well as allow Mexico to delay the delivery of its apportioned water this year and next year and to take delivery of it in future years. Mr. Zimmerman reported that the storage of this water benefits both countries. It is water that Mexico cannot use in 2010 and 2011 and the storage of this water raises Lake Mead's water surface elevation.

Mr. Zimmerman reported that with this refocus of the discussion several meetings and conference calls have been held among representatives of the Basin states and their technical and legal representatives. The U.S. provided Mexico with a revised draft of Minute 318. Upon receiving the revised draft, Mexico had several questions and is preparing a response. If both countries accept the jointly prepared minute 318, then it would be executed. Following execution of Minute 318, preparation of a comprehensive minute could begin.

### *Colorado River Basin States Meeting with the Secretary of Interior*

Mr. Zimmerman reported the Basin States' representatives met with Secretary Salazar of The Department of the Interior, as well as, Assistant Secretary Anne Castle, Deanna Archuleta, and the Regional Directors from Reclamation on October 20<sup>th</sup> in Phoenix, Arizona, to begin discussions on communication and coordination between the Basin states and the Department of the Interior (DOI). Based on this meeting, a follow-up meeting was scheduled for November 30<sup>th</sup> in Washington, D.C. among the Basin States' representatives and Secretary Salazar and other assistant secretaries of the DOI to continue that dialogue and discussion on the communication and coordination between the Basin States and the DOI. Ms. Halla Razak requested that talking points to be included in the discussions be made available prior to the November 30<sup>th</sup> meeting. Mr. Zimmerman agreed that would help clarify what the states are requesting of the DOI.

### *Letter to the Bureau of Land Management Regarding Solar Energy Development*

Mr. Zimmerman reported that on August 12<sup>th</sup>, the Lower Basin states sent a letter to BLM Director, Mr. Robert Abbey, regarding the siting and development of solar energy projects on public lands administered by the BLM and long-term impacts to water supplies. The letter stated that while the Lower Basin states support the goal of energy independence and implementation of more solar energy projects, there was concern that water uses associated with these projects may not be utilizing the best management practices and efficient technologies. The letter requested that BLM include provisions in future right-of-way grants or leases that require use of Best Management Practices (BMP) and water use efficient technologies. The letter was signed by representatives of the three Lower Division states. On October 5<sup>th</sup>, a

response was received from Mr. Abbey. In his letter, Mr. Abbey assured the states that as a part of the environmental analysis required by the National Environmental Policy Act (NEPA) that water supplies, water conservation, and water use are being considered in the decision-making process. Mr. Abbey indicated that the BLM is currently working on a Programmatic Environmental Impact Statement (PEIS), and invited the states to review the draft PEIS and provide comments. The draft PEIS can be accessed and reviewed at <http://solareis.anl.gov>. A copy of Mr. Abbey's letter was included in the Board folder.

### *DOI Launches a New Regional Climate Science Center and Water Census*

Mr. Zimmerman reported that at the October 20<sup>th</sup> meeting with the Basin states, Secretary Salazar announced that a new Regional Climate Science Center was being established at the University of Arizona in Tucson, Arizona. The Southwest Climate Center is the fourth of eight planned regional climate science centers. This Center will focus on assessing the effects of climate change on regional river systems and the development of potential management activities to mitigate those potential impacts. Other academic institutions that will be involved in the consortium at the University of Arizona include: University of California at Davis; University of California at Los Angeles; University of Nevada-Desert Research Institute, Reno; University of Colorado, Boulder; and Scripps Institution of Oceanography at University of California at San Diego. Secretary Salazar also announced that as part of DOI's WaterSMART initiative, the U.S. Geological Survey (USGS) will be conducting a water census in the Colorado River Basin to evaluate water supplies, uses and how much water may be needed to support ecosystem. The USGS census is planned to take approximately three years to conduct at a cost of \$1.5 million dollars. This is the first comprehensive water census to be conducted in the nation since 1978. The water census is intended to complement the River Basin Supply and Demand grant awarded for the Colorado River Basin by Reclamation in 2010. The two announcements describing the establishment of the regional climate science center and the water census were included in the Board folder.

## **OTHER BUSINESS**

### Executive Session

At 10:45 a.m., Vice Chairman Knutson called the meeting into Executive Session.

### Resumption of Open Meeting of the Board

Vice Chairman Knutson reconvened the Board meeting at 11:19 a.m. and asked for a motion to add an emergency item to the Agenda. Mr. Kuiper moved the emergency item be included in the Agenda. Mr. Jack Sieler of the Palo Verde Water Irrigation District seconded the motion. Unanimously carried, the Board approved the additional Agenda item that the Board accepts the resignation of Acting Executive Director, Mr. Zimmerman, and appoint Mr. Harris as the Acting Executive Director and direct Mr. Harris to retain Mr. Zimmerman as retired annuitant as an advisor to the Board Chairman and the Acting Executive Director.

*Coachella Valley Water District, Colorado River Board Representation*

Vice Chairman Knutson reported that Board member Mr. Russell Kitahara will be re-assigned and no longer representing the Coachella Valley Water District at the Colorado River Board meetings. Vice Chairman Knutson noted the Mr. Kitahara will be missed and wished him well on his future endeavors.

Next Board Meeting

Vice Chairman Knutson announced that the next meeting of the Colorado River Board will be held on Wednesday, December 15, 2010, at 3:00 p.m., at Caesars Palace Hotel, Las Vegas, Nevada, in conjunction with the annual conference of Colorado River Water Users Association.

There being no further items to be brought before the Board, Vice Chairman Knutson asked for a motion to adjourn. Mr. Foley moved the Board meeting be adjourned. Mr. Seiler seconded the motion. With unanimous approval, the Board meeting was adjourned at 11:23 a.m. on November 10, 2010.

/S/

Gerald R. Zimmerman  
Acting Executive Director