

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, September 15, 2010

A Regular Meeting of the Colorado River Board of California (Board) was held in the Orchard Room, at the Holiday Inn Ontario Airport, at 2155 E. Convention Center Way, Ontario, California, Wednesday, September 15, 2010.

Board Members Present

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

David Elms, Designee
Department of Fish and Game

Jeanine Jones, Designee
Department of Water Resources

Board Members Absent

Terese Maria Ghio

Henry Merle Kuiper

Others Present

Steven B. Abbott
James M. Barrett
James H. Bond
John P. Carter
Ron Derma
Thomas M. Erb
Dave Fogerson
Leslie Gallagher
William J. Hasencamp
Mark L. Johnson
Richard Johnson
Michael L. King
Dante C. Kitahara
Jan P. Matusak
Douglas B. Noble
Dan Parks
David R. Pettijohn

Halla Razak
Tom J. Ryan
John Eldon Seiler
Ed W. Smith
Catherine M. Stites
Mark Stuart
William H. Swan
Bill D. Wright

Abbas Amirteymoori
J.C. Jay Chen
Lindia Y. Liu
Gary E. Tavetian
Mark Van Vlack
Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum, called the meeting to order at 10:05 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 August 11th meeting minutes. Mr. Knutson moved the August 11th minutes be approved. Mr. Foley seconded the motion. Unanimously carried, the Board approved the August 11th meeting minutes.

Governor's Memorandum Regarding Hiring Practices

Mr. Zimmerman reported that, on August 31st, the Governor's Office issued a memorandum implementing a hiring freeze, and curtailing promotions, transfers, and the retaining of contract services. Exceptions to this policy will require the approval of the Governor's office. A copy of the Governor's memorandum was included in the Board folder.

Warren H. Brock Reservoir Name Official

Mr. Menvielle, of the Imperial Irrigation District, reported that Mr. Michael King, of the Imperial Irrigation District, announced at the September 14, 2010, Imperial Irrigation District Board meeting that the Drop-2 reservoir was officially renamed as the Warren H. Brock Reservoir by the Secretary of the Interior, Ken Salazar. Mr. Menvielle noted the efforts of Mr. King and Mr. John Curtis and also thanked the support of the Board.

New Assistant Counsel for the San Diego County Water Authority

Mr. Knutson, of the San Diego County Water Authority, announced that Ms. Leslie Gallagher is the new Assistant Counsel for the San Diego County Water Authority regarding the Colorado River. The Board welcomed her.

AGENCY MANAGERS' MEETING

Mr. Zimmerman reported that the Agency Managers have not met since the August Board meeting. Chairman Fisher requested that the Agency Managers meet after the September Board meeting.

Upper Basin Inspection Tour

Mr. Zimmerman reported that the Colorado River Authority (Authority) conducted an Upper Colorado River Basin inspection tour from September 7th through September 11th. He reported that Mr. Tom Levy, General Manager of the Authority, is scheduled to give a more

detailed report on the inspection tour at the October Board meeting.

Mr. Zimmerman briefly mentioned the locations visited and representatives met during the tour. Chairman Fisher discussed the implementation of conservation measures and suggested on-farm conservation practices need to be made consistent in the Upper and Lower Basins.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Amirteymoori reported that from October 1st to September 7th, precipitation was 91 percent of normal, and that there was no measureable snowpack water equivalent. The observed April through July inflow into Lake Powell for Water Year 2010 was 5.80 maf, or 73 percent of normal. The projected 2010 Water Year unregulated inflow into Lake Powell was about 8.86 maf, or about 74 percent of normal.

Mr. Amirteymoori reported that as of September 7th, the reservoir storage in Lake Powell was 15.3 million acre-feet (maf), or 63 percent of capacity. The water surface elevation was 3,634.3 feet. The storage in Lake Mead was 10.3 maf, or 40 percent of capacity. The water surface elevation was 1,086.4 feet. Total System storage was 33.6 maf, or 56 percent of capacity. Last year at this time, there was 34.7 maf of water in storage, or 58 percent of capacity. Total System storage was about 1.1 maf less than the storage at this time last year.

Mr. Amirteymoori reported that Reclamation's estimated consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (i.e. 274,000 acre-feet); and for Arizona, the CU is projected to be slightly under its basic entitlement of 2.8 maf (i.e. 2.788 maf); and for California the CU is also projected to be under its apportionment of 4.4 maf (i.e. 4.318 maf). The total projected CU in the Lower Basin is expected to be about 7.381 maf.

There was some discussions regarding consumptive use of Colorado River regarding diversions and return flows.

State and Local Water Reports

Mr. Mark Stuart, of the California Department of Water Resources, reported on the storage conditions of the State Water Project (SWP) in California. As of September 1st, storage in Lake Oroville was about 2 maf, or 58 percent of capacity. Storage in San Luis Reservoir was about 0.5 maf, or 50 percent of capacity. Total storage of the SWP was about 3.2 maf, or 59 percent of capacity. Mr. Stuart reported that SWP deliveries were 50 percent of the Table A Entitlements.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that, as of September 1st, there was an increase of about 43,000 acre-feet of storage in Diamond Valley Lake since August 1st, for a total of 513,700 acre-feet, or 63 percent of capacity. The total combined storage of Diamond Valley Lake, Lake Mathews, and Lake Skinner was about 668,200 acre-feet, or 64 percent of capacity. Storage in Lake Mathews was about 115,800 acre-feet, or 64 percent of capacity, and the storage in Lake Skinner was about 38,600 acre-feet, or 88

percent of capacity.

Colorado River Operations

2011 Annual Operating Plan for Colorado River System Reservoirs

Mr. Zimmerman reported that consultation meetings have been held during the development of the draft of the 2011 Annual Operating Plan for the Colorado River System Reservoirs (2011 AOP). The most recent consultation meeting was held in Las Vegas, Nevada, on August 26, 2010. During the meeting, a number of comments were received by Reclamation on the previous draft of the 2011 AOP. There is still concern among the representatives of the Basin states associated with the inclusion of specific language in the draft 2011 AOP regarding operations at Glen Canyon Dam. Reclamation has committed to re-evaluating the proposed language, based upon the Basin states' comments. The current draft of the 2011 AOP contains the following Secretarial determinations:

- Upper Basin Delivery – the annual release volume from Lake Powell during water year 2011 shall be consistent with Section 6.B (Upper Elevation Balancing Tier) of the Interim Guidelines and shall be 8.23 maf unless conditions cause Section 6.B.3 or Section 6.B.4 apply;
- Under the most probable runoff forecast, equalization releases will occur in 2011;
- Colorado River water may be stored off-stream pursuant to individual Storage and Interstate Release Agreements (SIRAs) and 43 CFR Part 414 within the Lower Division States;
- The Secretary shall make Intentionally Created Unused Apportionment (ICUA) available to contractors in the Lower Division States pursuant to SIRAs and 43 CFR Part 414;
- The Inadvertent Overrun and Payback Policy will be in effect during calendar year 2011; and
- Mexico Water Treaty Delivery – A volume of 1.5 maf will be available to be scheduled for delivery to Mexico during calendar year 2011 in accordance with Article 15 of the 1944 United States-Mexico Water Treaty and Minutes 242 and 314 of the International Boundary and Water Commission.

Mr. Zimmerman reported that Reclamation is scheduled to hold the final stakeholder consultation meeting associated with the 2011 AOP on September 24, 2010, in Las Vegas, Nevada, at McCarran International Airport.

Seventy-Fifth Anniversary of the Dedication of Hoover Dam

Mr. Zimmerman reported that on August 17th, Reclamation released an announcement scheduling an event celebrating the seventy-fifth anniversary of the dedication of Hoover Dam. Reclamation plans to hold the celebration at Hoover Dam on September 30th, between 11:30 a.m. and 12:30 p.m. Mr. Zimmerman reported that a copy of the event invitation and information was included in the Board folder. He added that those wanting to attend the celebration are required to send an R.S.V.P. to Reclamation by September 17th.

Reclamation's Proposed Procedures for Administering the Inadvertent Overrun and Payback Procedures

Mr. Zimmerman reported that on August 25th, Reclamation's Lower Colorado Regional Office released the latest draft of the proposed Inadvertent Overrun and Payback Program (IOPP). The IOPP have been discussed at previous Board and Agency Managers meetings. The IOPP were developed in consultation with the Lower Division states and entitlement holders. Comments on the IOPP will be accepted by Reclamation through September 30th. The IOPP is expected to remain in final draft form until the Intentionally Created Surplus procedures have been finalized.

There was discussion about affixing the threshold of the IOPP to a stakeholders entitlement rather than the water ordered by that entitlement holder.

BASIN STATES DISCUSSIONS

Status of Bi-National Projects and Programs with Mexico

Mr. Zimmerman reported at the August Board meeting the proposed U.S. response to Mexico's draft of Minute 318, specifically the creation and delivery of Intentionally Created Mexican Apportionment (ICMA); the conversion of ICMA to Intentionally Created Surplus (ICS); surplus and shortage sharing; and the mechanism for pursuit of new water and environmental projects. Mr. Zimmerman reported that a Bi-National meeting was held August 6th in Las Vegas, Nevada, to begin negotiations on the key terms to be included in Minute 318. During the August 6th meeting:

- International Boundary and Water Commission (IBWC) and the Department of the Interior representatives presented the United States' position on the key terms to be included in Minute 318;
- Mexico raised concerns with several of the provisions that were contained in the United States proposal;
- The Mexican delegation planned to provide a counter offer at the next meeting, scheduled to be held in El Paso, Texas, September 10, 2010;
- A number of states raised concerns regarding not being a part of the process; and
- It was agreed the United States and Mexico modelers would hold a technical meeting in El Paso, Texas, on August 25th and 26th in an attempt to reconcile the differences in the results that are occurring in the model runs by the two countries.

Mr. Zimmerman reported that during the August 25th and 26th meeting, the technical modelers were able to identify several difference in the assumptions that were being used for the U.S. and Mexican model runs and these differences are being addressed in the two models.

Mr. Zimmerman added that since the August 6th meeting, there was a shift in the negotiations. Mexico had proposed that Minute 318 focuses on the earthquake water; although there remains interest in reaching agreement on the comprehensive package that was contained in the original draft of Minute 318.

Mr. Zimmerman reported that at the September 10th meeting, Mexico presented a draft of Minute 318 dealing with the earthquake water. Mexico's September draft of Minute 318 proposes:

- The deferred delivery be extended to two years, at least 40,000 acre-feet in 2010 and 100,000 acre-feet in 2011;
- The delivery of the stored water would be in addition to its normal Treaty apportionment;
- In accordance with Commission procedures, the delivery of water to Mexico would be compatible with system operations in the U.S.; and
- Should the delivery of the stored water extend beyond 2013, the Commission will agree upon the terms of delivery.

Mr. Zimmerman reported that Mexico's September draft of Minute 318 was more than a one-year deal and did not address: the salinity differential issues; the maximum delivery or a specific timeframe for the delivery; the effect the delivery may have on Lake Mead; and the three-percent annual evaporation or the five-percent system benefit cut that is included with current interstate agreements.

Mr. Zimmerman reported that during the September 10th meeting, Mexico agreed to a proposal to store 40,000 acre-feet in 2010, and 100,000 acre-feet in 2011; agreed to a subsequent minute that would address the delivery of stored water; indicated an interest in taking the deferred water in 2012/2013 but also stated deliveries could occur sometime after 2013; and agreed to the three-percent annual evaporation applies to the stored water. Mexico indicated a desire to attempt to reach a comprehensive agreement in spring 2011.

Mr. Zimmerman reported that upcoming meetings and conference calls include:

- September 15th – Basin states principal conference call.
- September 16th – Legal Group conference call.
- September 20th – U.S. Technical meeting, Las Vegas, Nevada.
- September 23rd – Bi-National Technical meeting in El Paso, Texas.
- September 28th – Bi-National meeting, El Paso, Texas.
- October 6th and 7th – Bi-National modeling meeting, El Paso, Texas.

Recent Article "Mexico, US talking about Colorado River water"

Mr. Zimmerman reported that a copy of a recent article from the *Sacramento Bee*, dated August 14th, was included in the Board folder. The article discusses the status of the Bi-National negotiations associated with the U.S. working with Mexico in improving water deliveries following the Easter Sunday earthquake in the Mexicali Valley, and points out that these discussions are also part of the larger framework of discussions associated with overall Colorado River reservoir system management with an emphasis on looking for ways of providing Mexican water users with additional storage and delivery efficiency opportunities.

Letter to Bureau of Land Management (BLM) Regarding Solar Energy Development

Mr. Zimmerman reported that on August 12th, the Lower Basin states sent a letter to BLM Director, Robert Abbey, regarding the siting and development of solar energy projects on public lands administered by the BLM, and potential long-term impacts to water supplies. While the Lower Basin states support the goal of energy independence and implementation of more solar energy projects, there is concern that water uses associated with these projects may not be utilizing best management practices (BMP's) and the most efficient technologies. The letter requests that BLM include provisions in future right-of-way grants or leases that require use of BMP's and water use efficient technologies. The letter that was signed by the three Lower Division states was included in the Board folder.

WATER QUALITY

Colorado River Environmental Activities

Glen Canyon Dam Adaptive Management Program

Mr. Zimmerman reported that the Glen Canyon Dam Adaptive Management Work Group (AMWG) met in Phoenix, Arizona, on August 24-25, 2010. The purpose of the AMWG meeting was to approve the work plan and budget for the upcoming year, and a potential water-year hydrograph governing releases from Glen Canyon Dam pursuant to the 2011 Annual Operating Plan and the goals of the Glen Canyon Dam Adaptive Management Program (GCDAMP) Work Plan for Fiscal Year 2011. Also discussed was the adoption of a proposed hydrograph for release from the Glen Canyon Dam, consideration to be given to:

- The total volume of water to be released from Lake Powell pursuant to the 2011 AOP;
- The sediment budget of the Glen and Grand Canyon reaches of the mainstream Colorado River; and
- The needs of the terrestrial and aquatic species being managed for under the tenets of the GCDAMP.

Mr. Zimmerman reported that the AMWG adopted the proposed 2011 hydrograph that was prepared by the Departments of the Interior and Energy. The proposed hydrograph utilizes two potential Water-Year Scenarios, and both scenarios conform to the interim guidelines for the coordinated operations of Lakes Powell and Mead (2007). Decisions or modifications associated with which Water-Year Scenario will be utilized during Water-Year 2011 is made after evaluation of forecasts made in the 24-Month Study, the 2011 AOP, and consultation with the Basin states and other stakeholders.

Mr. Zimmerman reported that Scenario Number One would facilitate the release of between 8.23 maf and 9.0 maf from Glen Canyon Dam (GCD), and falls within the Balancing Tier of the interim guidelines. Monthly release volumes would be adjusted based upon the 24-month forecast and would fall under the Modified Low Fluctuating Flow (MLFF) alternative specified in 1996 Record of Decision for GCD operations with daily peak releases no greater than 16,000 cubic feet per second (cfs). This scenario would also accommodate steady flow

release in September and October (i.e., peak releases would not exceed 8,000 to 10,000 cfs).

Mr. Zimmerman reported that Scenario Number Two would facilitate releases above 9.0 maf from GCD. Monthly release volumes would be developed based upon a review of the forecasts and the 24-Month Study, and would also be intended to fit under the MLFF EIS alternative. Daily peaks would be no greater than 22,000 cfs, and could incorporate Seasonally Adjusted Steady Flows (SASF) in September and October. The goal of Scenario Number Two would be to reduce damage to the overall storage of sediment in the mainstream in the Glen and Grand Canyon reaches, and reduce damage to existing beaches and sandbars.

Mr. Zimmerman reported that Reclamation provided an update on the status of the proposed Temperature Control Device (TCD) to control the temperature of releases from GCD. The TCD would be a significant construction project involving the attachment of louvered gates on the upstream face of the dam through which warmer water taken from near the top of Lake Powell could be routed through the penstocks and discharged below the dam. Mr. Zimmerman reported that it was agreed to set the proposal aside until additional data could be collected and analyzed. The concern was that while warm water could benefit the humpback chub, it could also encourage a proliferation of non-native warm water aquatic species which could negatively impact the endangered humpback chub.

Mr. Zimmerman reported that Reclamation continues to work with the Grand Canyon Monitoring and Research Center to collect and evaluate the results from all of the previous high-flow release experiments and prepare a detailed "High-Flow Experimental Protocol Environmental Assessment" (HFEP EA). The HFEP EA would guide the planning and development of all future high-flow experimental releases from GCD, and allow careful scientifically-based hypothesis-testing, develop rigorous monitoring plans, and require the collection of data, and timely synthesis and evaluation of experimental results in a report following each high-flow experiment.

OTHER BUISNESS

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Wednesday, October 13, 2010, starting 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. Menvielle moved that the Board meeting be adjourned. Mr. McDaniel seconded the motion, and with unanimous approval, the Board meeting was adjourned at 11:21 a.m. on September 15, 2010.

/S/Gerald R. Zimmerman

Gerald R. Zimmerman
Acting Executive Director