

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, August 11, 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 E. Convention Center Way, Ontario, California, Wednesday, August 11, 2010.

Board Members Present

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

John Pierre Menvielle
Jeanine Jones, Designee
Department of Water Resources

Board Members and Alternate Absent

Thomas M. Erb
James B. McDaniel

David Elms, Designee
Department of Fish and Game

Others Present

Steven B. Abbott
James M. Barrett
Sarah Bartlett
John P. Carter
David Fogerson
Mark L. Johnson
Thomas Levy
David R. Pettijohn
Halla Razak
Steven B. Robbins
Tom J. Ryan

Jack Seiler
William H. Swan
Joseph A. Vanderhorst
Bill D. Wright
Abbas Amirteymoori
J.C. Jay Chen
Kathleen Kenealy
Lindia Y. Liu
Gerald R. Zimmerman

CALL TO ORDER

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:11 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 July 14th meeting minutes. Mr. Knutson moved the July 14th minutes be approved. Mr. Menvielle seconded the motion. Unanimously carried, the Board approved the July 14th meeting minutes.

Board Welcomes new Alternate Member

Mr. Zimmerman reported that on July 26th, Governor Schwarzenegger appointed Mr. Jack Seiler as the Alternate Member to the Board representing Palo Verde Irrigation District (PVID). The Board welcomed Mr. Seiler as PVID's Alternate Member.

State Furloughs

Mr. Zimmerman reported that on July 28th Governor Schwarzenegger issued an executive order (S-12-10) reinstating the three-furlough-days per month, effective August 1st. The Governor has taken this action because of the lack of an approved state budget. A copy of the Governor's executive order was included in the Board folder.

AGENCY MANAGERS' MEETING

The Agency Managers met immediately following the July 15th Board meeting. The focus of the meeting was the discussions with Mexico and Mexico's latest comprehensive proposal. There were numerous meeting and conference calls held to develop the Basin states' counter-proposal.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Amirteymoori reported that precipitation from October 1st to August 2nd, was 91 percent of normal. The snowpack in the headwaters regions has largely melted. The projected April through July unregulated inflow into Lake Powell was 5.77 maf, or 73 percent of normal. The projected water year inflow (October 1st through September 30th) was 8.76 maf, or 73 percent of normal.

Mr. Amirteymoori reported that as of August 2nd, Lake Powell storage was about 15.6 million acre-feet (maf), or 64 percent of capacity. The water surface elevation was 3,636.8 feet above sea level. Lake Mead storage was 10.4 maf, or 40 percent of capacity. The water

elevation was 1,087.1 feet above sea level. Total System storage was 34.2 maf, or 57 percent of capacity, whereas, this time last year the Total System storage was 35.5 maf, or 59 percent of capacity.

Mr. Amirteymoori added that Reclamation's projected consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (272,000 acre-feet); and for Arizona, the CU is projected to be slightly under its basic entitlement of 2.8 maf (2.795 maf); and for California the CU is also projected to be under its basic apportionment of 4.4 maf (4.306 maf). Currently the total projected CU in the Lower Basin is expected to be about 7.373 maf.

Ms. Ghio, public Board member, inquired about the operational concerns for Lake Mead and the Lower Basin. Mr. Zimmerman reviewed the current criteria and discussed possible near-future scenarios.

State and Local Water Reports

Ms. Jeanine Jones, of the California Department of Water Resources (DWR), reported that as of August 2010, precipitation for most of California (except for the Klamath Basin in the northern part of the state) the water year had been above average. Current State Water Project (SWP) storage is about 65 percent of capacity and the projected deliveries from the SWP are 50 percent of Table A Entitlements. Ms. Jones added that the Central Valley Project, a federal project that serves the San Joaquin Valley, has limited exports to the Westside of the San Joaquin Valley to 45 percent of allocations.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of August 1st, storage in the main southern California reservoirs was about 634,000 acre-feet, or 61 percent of capacity. Diamond Valley Lake was about 470,000 acre-feet, or 58 percent of capacity. Lake Mathews was about 125,000 acre-feet, or 69 percent of capacity. Lake Skinner was 38,000 acre-feet, or 87 percent of capacity. Storage has increased from 57 percent of capacity as of July 1st, to 61 percent of capacity as of August 1st.

Colorado River Operations

Draft 2011 Annual Operating Plan for the Colorado River

Mr. Zimmerman reported that the current draft of the 2011 Annual Operating Plan (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 the "ICS Surplus Condition" is the criterion governing Lake Mead operations.
- No unused apportionment is anticipated; and Inadvertent Overrun and Payback Policy procedures will be in effect.
- ICS may be created and delivered: and mainstream water may be stored off-stream pursuant to SIRAs and 43 CFR Part 414.

- Mexico Treaty Deliveries a volume of 1.5 maf will be available for scheduling and delivery during 2011 pursuant to the 1944 Treaty.

Mr. Zimmerman reported that since the June 25th AOP consultation meeting, an issue regarding language included in the 2011 AOP referencing the authority of the Secretary has surfaced with regard to “stewardship and responsibility for a wide range of natural, cultural, recreational, and tribal resources along the Colorado River and its tributaries that maybe affected by system operations.” It was viewed that the statement was overly broad with respect to tributaries within the Basin states. Mr. Zimmerman reported that representatives of the Basin states are working on alternative language that could be included in the paragraph that more accurately reflects the Secretary’s authority.

Mr. Zimmerman reported that the next consultation meeting is scheduled to be held on August 26th, and the final 2011 AOP consultation meeting is scheduled for September 24th.

Arizona Water Banking Authority Intentionally Created Unused Apportionment Certification Report

Mr. Zimmerman reported that on June 29th, the Arizona Water Banking Authority (AWBA) issued a final verified accounting on the Southern Nevada Water Authority’s (SNWA) Interstate Account for Calendar Year 2009. The AWBA certifies that SNWA started the year with 527,520 acre-feet of long-term storage credits, and that during the year SNWA earned 55,252 acre-feet of additional long-term storage credits. Consequently, the SNWA has a total of 582,772 acre-feet of long-term storage credits in its account, with 532,772 acre-feet available for recovery and diversion after losses have been taken into account.

Basin States Discussion

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

Mr. Zimmerman reported that the bi-national discussions with Mexico are progressing. Several meetings have been held among representatives of the Basin states and their technical representatives to develop a response to a draft Minute 318 that contains Mexico’s proposal for a comprehensive deal that addresses the creation and delivery of Intentionally Created Mexican Apportionment (ICMA), the conversion of ICMA to Intentionally Created Surplus (ICS), surplus and shortage sharing, and pursuit of new water and environmental projects.

Mr. Zimmerman reported that the U.S. representatives agreed on a counter proposal. The counter proposal was presented to Mexico prior to the August 6th bi-national meeting. Mr. Zimmerman briefly discussed a comparison of the U.S. and Mexican proposals. He reported the comparison based on six categories: 1) General context of discussions and negotiations; 2) ICMA Storage and Delivery; 3) Conversion of ICMA to ICS; 4) Mexico’s Voluntary Shortage Reductions; 5) Surplus; and 6) other, or logistics of implementation. In addition, Mexico had expressed concerns including:

- Salinity
- Five percent cut to the System
- Voluntary shortages
 - Amount
 - Being able to off-set with ICMA
- Sharing in System surpluses
- The U.S. and Mexican models are producing different results

Mr. Zimmerman reported that Reclamation has scheduled a conference call on August 18th to provide an update on the negotiations. The U.S. and Mexican modelers are scheduled to hold a technical modeling meeting in El Paso, Texas on August 25th and 26th in an effort to reconcile the differences in the results that are occurring in the model runs. Mexico is planning to provide a counter-offer, on at least some issues, at the next meeting in El Paso, Texas on September 10th.

Mexican Water Use

Ms. Jones gave a brief overview of water use throughout Mexico. She answered questions on water use in the various Mexican regions including regions along the border. She showed slides depicting water allocation by use and areas of known over allocation and overdraft.

House of Representatives Enacted H.R. 4719 to Establish a Southwest Border Region Water Task Force

Mr. Zimmerman reported that several members in the U.S. House of representatives have introduced proposed legislation that would create a “Southwest Border Region Water Task Force” to address the water needs of border communities, assess whether those water needs are being met, and if those needs are not being met, make proposals as to how those needs could be met. The proposed legislation would create a task force composed of a representative from different organizations. The task force members include representatives from the Southwest Border Regional Commission, the Environmental Protection Agency, the U.S. Department of Agriculture, Housing and Urban Development, U.S. Corps of Engineers, Economic Development Commission, Indian Health Service, Reclamation, and relevant state agencies in Arizona, California, New Mexico, and Texas. A copy of the proposed legislation was included in the Board folder.

Three Lower Basin States’ Draft Letter to U.S. Bureau of Land Management Regarding Water Efficient Solar Energy

Mr. Zimmerman reported that the Lower Basin states are in the process of preparing a letter to Bureau of Land Management (BLM) Director, 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 requests that BLM include provisions in future right-of-way grants or leases that require use of Best Management Practices and water use efficient technologies. A copy of the draft letter was included in the Board folder. Mr. Zimmerman requested authorization from the Board to sign the letter when it was finalized. Upon the motion of Ms. Jones, seconded by Mr. Kuiper and unanimously carried. The Board

authorized Mr. Zimmerman to execute the final letter from the Basin states to BLM Director Robert Abbey regarding efficient use of water for solar power projects on BLM land.

Colorado River Environmental Issues

Glen Canyon Dam Adaptive Management Program

Mr. Zimmerman reported that the Glen Canyon Dam Adaptive Management Work Group (AMWG) has scheduled a meeting in Phoenix, Arizona on August 24-25, 2010. In addition to receiving status reports from participating federal agencies, the AMWG meeting is scheduled to approve the work plan and budget for the upcoming year and a potential water-year hydrograph governing release from Glen Canyon Dam. The adoption of a proposed hydrograph for releases from the Glen Canyon Dam needs to be developed in conjunction with 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 pursuant to the Glen Canyon Dam Adaptive Management Plan. Currently, there are three potential release scenarios being evaluated, 9.0 maf, 11.5 maf, and 13.0 maf. Because of the large volume of water that is projected to be released, consideration has been given to restricting the maximum daily release to 16,000 cubic feet per second (cfs). This maximum release restriction has caused concern from the power customers and others because it limits the peaking power capabilities and potential revenues that support various purposes of the Colorado River Storage Project power revenues. The maximum release limit may not be consistent with the 1996 Record of Decision regarding operations of Glen Canyon Dam. In addition the maximum release limit has not been supported by the scientific information that has been gathered by the Glen Canyon Monitoring and Research Center.

OTHER BUSINESS

Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be held on Wednesday, September 15, 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. Kuiper moved that the Board meeting be adjourned. Mr. Menvielle seconded the motion, and with unanimous approval, the Board meeting was adjourned at 12:01 p.m. on August 11, 2010.

/S/Gerald R. Zimmerman

Gerald R. Zimmerman
Acting Executive Director