

Minutes of Regular Meeting  
COLORADO RIVER BOARD OF CALIFORNIA  
Wednesday, June 15, 2011

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, June 15, 2011.

Board Members and Alternate Present

Dana Bart Fisher, Jr., Chairman  
W. D. "Bill" Knutson  
Henry Merle Kuiper  
John Pierre Menvielle  
John Palmer Powell, Jr.

Bill D. Wright  
Jeanine Jones, Designee  
Department of Water Resources

Board Members and Alternates Absent

Thomas M. Erb  
John V. Foley

Terese Marie Ghio  
James B. McDaniel

Others Present

Steven B. Abbott  
John Penn Carter  
Mitch Dion  
Dave Fogerson  
Leslie M. Gallagher  
William J. Hasencamp  
Mark L. Johnson  
Richard Johnson  
Jeremy Junbreis  
Kevin E. Kelley  
Michael L. King  
Jan P. Matusak  
Nathan Miller  
Carrie Oliphant  
Glen Peterson  
Halla Razak

Steven B. Robbins  
Jack Seiler  
Tina L. A. Shields  
Ed W. Smith  
Catherine M. Stites  
Mark Stuart  
Michael Quesada  
Joseph A. Vanderhost

J.C. Jay Chen  
Christopher S. Harris  
Michael W. Hughes  
Lindia Y. Liu  
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 item on the agenda.

## **ADMINISTRATION**

### Approval of Minutes

Chairman Fisher requested the approval of the April 13<sup>th</sup> meeting minutes. Mr. Knutson moved the April 13<sup>th</sup> minutes be approved. Mr. Menvielle seconded the motion. Unanimously carried, the Board approved the April 13<sup>th</sup> meeting minutes.

### Fiscal Year 2011-12 Board Budget

Acting Executive Director Harris reported that the 2011-12 Budget was included in the Board folder for review by the Board members. Mr. Harris briefed the Board on the cooperative programs, such as weather modification, Basin Water Study, and non-native phreatophyte control, that the Board contributes to in conjunction with the other Basin States. Mr. Harris requested approval of the final Fiscal Year 2011-12 budget and authorization for the Acting Executive Director to execute Standard Agreement No. 44. Upon the motion of Mr. Kuiper, seconded by Mr. Menvielle and unanimously carried, the Board approved the Fiscal Year 2011-12 budget, and authorized the Acting Executive Director to sign Standard Agreement No. 44 in support of the Board's activities in Fiscal Year 2011-12.

### New General Manager of the Imperial Irrigation District

Mr. Menvielle introduced Mr. Kevin Kelley to the Board as the new General Manager of the Imperial Irrigation District. The Board welcomed him.

### Ethics Orientation Training

Chairman Fisher reported that a state mandate for Board members is the completion of ethics orientation training. The training can be completed online. The web address to take the test is: <http://ethics.doj.ca.gov/>. Completion of the course takes about two hours. The deadline to take the course is June 30<sup>th</sup>.

## **AGENCY MANAGERS' MEETING**

Mr. Harris reported that the Agency Managers have not met since the last Board meeting, and that he's planning on scheduling a meeting next month. Mr. Harris reported that he will be canvassing the Agency Managers to determine a few dates to hold the next Agency Managers meeting.

## **PROTECTION OF EXISTING RIGHTS**

### Colorado River Water Report

Mr. Harris reported that as of June 6<sup>th</sup>, precipitation in the Basin was 128 percent of normal. The snowpack water equivalent was 264 percent of normal. The unregulated inflow into Lake Powell forecast for April through July was about 12.6 maf, or 159 percent of normal. The 2011 water year forecast unregulated inflow into Lake Powell was about 16.6 maf, or about 138 percent of normal.

Mr. Harris reported that the monthly precipitation for May 2011, showed that much of the Upper Basin was above normal, particularly the Green River Sub-basin where precipitation was over 150 percent of normal. In the Lower Basin, particularly southeastern Arizona was drier than normal, with monthly precipitation in May of less than 50 percent, and currently suffering from a wildfire that has burned over 730 square miles.

Mr. Harris reported that water storage in Lake Powell was 14.5 million acre-feet (maf), or 60 percent of capacity. The Lake Powell water surface elevation was about 3,626.8 feet above mean sea level. Water storage in Lake Mead was about 11.38 maf, or 44 percent of capacity. The Lake Mead water surface elevation is 1,098.8 feet above mean sea level. Total System storage is 33.58 maf, or 56 percent of capacity, at this time last year the System storage was 33.51 maf, or 56 percent of capacity.

Mr. Harris reported that Reclamation's projected consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (263,000 acre-feet); and for Arizona the CU is projected to be under its entitlement of 2.8 maf (2.780 maf); and for California the CU is also projected to be slightly under its entitlement of 4.4 maf (4.100 maf). The Lower Basin projected CU for 2011 is estimated to be 7.143 maf.

Mr. Harris reported that Basin Storage Curve projects an increase in Basin storage, that should delay any threat of shortages in the Lower Basin for awhile.

### State and Local Water Reports

Mr. Stuart, of the California Department of Water Resources, reported on the climate conditions in California. Precipitation in the Los Angeles area is about 20 inches so far, where the normal for this time of year is about 15 inches. In the Northern Sierra precipitation was 70 inches, where the normal is 50 inches. The San Joaquin watershed precipitation was about 62 inches. The normal for this time of year is 40 inches of precipitation. As of June 10<sup>th</sup>, the Northern Sierra snowpack is still 83 percent of the April 1<sup>st</sup> normal, the Central Sierra snowpack is 84 percent of the April 1<sup>st</sup> normal, and the Southern Sierra is about 56 percent of the April 1<sup>st</sup> normal.

Mr. Stuart reported that as of June 1<sup>st</sup> the State Water Project (SWP) was 97 percent of capacity, as is expected to fill completely. The SWP allocation is currently at 80 percent of entitlements.

Mr. Bill Wright of The Metropolitan Water District of Southern California (MWD) reported that Diamond Valley Lake began filling around June 2010 and as of June 2011 is

considered operationally full. As of June 1<sup>st</sup>, 2011, Diamond Valley Lake was about 795,000 acre-feet, or 98 percent of capacity, Lake Mathews was about 151,000 acre-feet, or 83 percent of capacity, and Lake Skinner was about 37,000 acre-feet, or 85 percent of capacity.

Mr. Wright reported that the MWD Board approved the delivery of 225,000 acre-feet of discounted groundwater replenishment deliveries, to some of their member agencies. Some of this water and some of the San Diego deliveries are being delivered via the Diamond Valley Lake, thereby generating power through the turbines at the Diamond Valley Lake. In addition, the out of basin storage on the SWP is 300,000 acre-feet and increasing the Colorado River supplies by 200,000 acre-feet.

Mr. Harris reported that the Mammoth Pass Snowpack was about 55 inches, and the Gem Pass snow pillow reported snow of about 500 percent of normal. All of the precipitation stations are well above normal for this time of year.

### Colorado River Operations

#### *2011 Annual Operating Plan*

Mr. Harris reported that the meeting to begin development of the 2011 Annual Operating Plan (2011 AOP) was recently hosted by Reclamation via a webinar format, and was well received by those attending online. Mr. Harris reported that the 2011 AOP hydrologic determinations are based on the April 2011 24-month study. Subsequent drafts of the 2011 AOP will be updated based on the progression of the water year. The current draft of the 2011 AOP projects operations to be based on the “Upper Basin Balancing Tier” from the Interim Guidelines. The current projected releases from Glen Canyon Dam for calendar year 2012 are expected to be 9.6 maf. For the Lower Basin, operations of Lake Mead and Hoover Dam will be based on The “Intentionally Created Surplus Conditions”. Reclamation expects that there will not be any unused apportionment available for reallocation. Mexico is also scheduled to receive 1.5 maf, according to the 1944 water treaty. The draft 2011 AOP is available online at: [http://www.usbr.gov/lc/region/g4000/AOP2012/AOP12\\_draft.pdf](http://www.usbr.gov/lc/region/g4000/AOP2012/AOP12_draft.pdf) and there is an additional link to a cleaned up version of the draft with changes highlighted, at: [http://www.usbr.gov/lc/region/g4000/AOP2012/AOP12\\_draft\\_alternate\\_version.pdf](http://www.usbr.gov/lc/region/g4000/AOP2012/AOP12_draft_alternate_version.pdf).

Mr. Harris reported that to the extent possible Reclamation intends to release water from Glen Canyon Dam through the turbines, possibly releasing part of the water intended to be released in 2011 and in the early part of 2012. Reclamation is planning on continuing with an aggressive maintenance schedule that requires some of the turbines to be temporarily out of service. Reclamation intends to minimize any bypass releases.

#### *The Associated Press’ News Article Entitled “Feds stop work on Flaming Gorge pipeline study”*

Mr. Harris reported that on May 26<sup>th</sup> the Associated Press reported that the U.S. Army Corps of Engineers had suspended its evaluation of the proposed Flaming Gorge Pipeline. The Flaming Gorge Pipeline is several hundred miles long and was to convey 250,000 acre-feet annually from the Green River watershed along the border of Wyoming and Colorado, and then along the Rocky Mountain Front-range from Fort Collins, terminating in Pueblo, Colorado. The suspension was initiated by Mr. Million, who believes

the project would create more energy that it consumes and thus is seeking another federal agency, as in the Federal Energy Regulatory Commission, to act as the lead agency for the pipeline.

*U.S. Department of Energy Announces that 25 Percent of Moab tailings Pile has been Relocated*

Mr. Harris reported that in a June 3<sup>rd</sup> news release the Department of Energy announced that it had successfully completed the relocation of 25 percent of the uranium mill tailings at the Moab site. The radioactive materials were relocated approximately 30 miles north to a permanent disposal site near Crescent Junction, Utah. The Department of Energy is using trains to relocate the material and because of the additional input of “Stimulus Funding” was able to run 10 trains per week. The Department of Energy plans to revert back to four trains per week upon the expiration of the remaining stimulus funding.

*Colorado River Basin Water Study Report*

Mr. Harris reported that on June 6<sup>th</sup> Reclamation finalized its Interim Report No. 1 of the Colorado River Basin Water Study Report. Interim Report No. 1 is available on Reclamations website at: <http://www.usbr.gov/lc/region/programs/crbstudy.html>. Mr. Harris reported that included in the Board folder was a copy of the news release announcement as well as the Executive Summary. On Reclamations website you’ll also find the Status Report, Technical Reports A, B, C, and D, as well as Fact Sheets, additional information, and related links to climate change in the Basin States. Mr. Harris reported that the Interim Report No. 1 is worth reading and he encouraged Board members and agency technical staff to read it. Reclamation requests that comments be submitted by July 8<sup>th</sup>, for review by the Project Study Team. The Project Study Team timeline lists a total of three interim reports with a final report to be completed by July 2012. The Final Basin Study will be a compilation of the previous Interim Reports.

Mr. Harris reported that Reclamation held an on-line webinar on June 14<sup>th</sup> to provide a general overview of Interim Report No. 1 and give everyone the background, purpose and intent of each section of the report.

Mr. Harris reported that on June 3<sup>rd</sup>, the seven Basin States sent a letter to Reclamation Commissioner Michael Conner reiterating the States’ position regarding the use of the Basin Study Report. In the letter the States requested that the Basin Study Report define current water supply and demand imbalances over the next 50 years and develop potential mitigation and adaption strategies to address imbalances. The letter also requested that the report not be used by one state in litigation with another Basin state, and reaffirmed that the Basin Study Report will not alter factual or legal positions or current Colorado River water entitlements. Mr. Harris reported that Commissioner Conner responded, via letter, on June 6<sup>th</sup> in support of the Basin States’ points, and congratulated the states for continuing to cooperate and collaborate on difficult Colorado River issues.

Basin States Discussion

Chairman Fisher reported that the Basin States met May 31<sup>st</sup>, in San Diego, and discussed the Basin Study Report, tributary stream flow issues in Arizona, the current Glen

Canyon release schedule in regards to the turbine flow capacity and meeting the Interim Guidelines without spilling through the reservoir, as well as the binational discussions with Mexico.

There was some discussion about how the releases from Glen Canyon Dam could also generate electricity via the turbines. Some of the turbines are up for regular maintenance that requires they be temporarily taken out of commission. The maintenance schedule might be adjusted to accommodate the flows required to equalize the reservoirs according to the Interim Guidelines. Mr. Zimmerman added that the Interim Guideline was originally based on the water year but expanded to calendar year to accommodate years when additional releases would be needed to equalize the reservoirs. If additional flows are allowed to extend beyond the calendar year into the next calendar year, then there is the concern that during wet periods the release schedule could fall further and further behind.

#### *Status of Binational Discussions – U.S. and Mexico*

Chairman Fisher reported that the binational discussions with Mexico, held in San Diego on June 1<sup>st</sup> was attended by the Commissioner of Reclamation, the Commissioners of both the U.S. and Mexico sections of the International Boundary and Water Commission, all the Basin States representatives and their staffs, both the Mexico and the U.S. sides. The common goals and benefits were expressed from both sides. Chairman Fisher reported that Commissioner Drusina wanted to complete a deal where Mexico would get funding to begin its list of projects. The protocol and procedures with the necessary checks and balances to satisfy the different styles of governments on both sides of the border has not yet been completed. Chairman Fisher reported that Mexico has made it clear that they have not shared in any of the surpluses in the past, and that Mexico would want a share in any future surpluses, if they are going to share in any of the drought shortages of the future. Not having a share when the river was in a declared surplus condition has not set well with Mexico; and that if they would be included in surplus sharing then Mexican consideration of shortage sharing, during a drought, may not be as difficult to accept. Chairman Fisher reported that there appeared to be a general consensus that this could be acceptable. Chairman Fisher noted that there seemed to be a focus on the Mexico side to get started on its list of projects, where the states were more focused on shortage sharing. Ms. Razak, of the San Diego County Water Authority, reported that two new core work groups, in addition to the four already formed, were added to address Mexico's need for information on the results of cooperative process both nations are discussing. The fifth work group will look at salinity and the impacts to the salinity of the Colorado River deliveries to Mexico, if Mexico is allowed to store water in the U.S., and the sixth core work group is on hydrology, because Mexico insists that shortages on the Colorado River be tied to a hydrologic event. Ms. Razak reported that both core work groups are meeting June 15<sup>th</sup> to work together and answer each other's questions.

Chairman Fisher reported that Mexico wants the current binational negotiations that would help fund its list of water projects to culminate in a new Minute that would be completed by April 1, 2012. Mr. Michael King of the Imperial Irrigation District (IID) reported that IID was approached by Mexico to build a turnout on the All American Canal for emergency delivery of water to Mexico (Mexicali, Tecate, and Tijuana) in the event of a catastrophic earthquake and delivery system disruption in Mexico. Mr. King reported that there were a number of issues that need to be resolved beforehand. In addition, Mexico's

timeline didn't leave enough time to complete the environmental impact report, and ensure that IID water users would not suffer during the operation of the turnout. Chairman Fisher added that there should be more discussion before emergency preparedness plans could be approved, let alone construct the infrastructure.

Mr. Harris reported that the Basin states sent a letter to IBWC Commissioner Drusina and Reclamation Commissioner Conner on May 20<sup>th</sup>, affirming the Basin States' interests in continued participation in the discussions and negotiations with Mexico on Colorado River water management opportunities, identified the principal representative and alternate designated to participate in the process, and acknowledged that the states planned to attend the meeting to be held on June 1<sup>st</sup> in Tijuana, Mexico.

### Colorado River Environmental Activities

#### *Status of Grand Canyon Trust Lawsuit*

Mr. Michael Hughes of the California Attorney General's Office reported that a couple months ago the Judge on the Grand Canyon Trust case issued a final decision in favor of the defendant on all the remaining claims, and recently the Grand Canyon Trust has filed an appeal of that decision to the Ninth Circuit Court and filed a request for a preliminary injunction with the District Court in Arizona. Mr. Hughes reported that it's not yet clear what relief they are seeking with the injunction. The preliminary injunction and appeal may take months to be resolved.

## **WATER QUALITY**

### Salinity Control Forum Meeting

Mr. Harris reported that the Colorado River Basin Salinity Control Forum (Forum) and Advisory Council (Council), held meetings in Glenwood Springs, Colorado, on May 23-24, 2011. The Colorado River Basin Salinity Control Work Group (Work Group) held meetings on May 25-26, 2011. The Forum recommended the cost share in Environmental Quality Incentives Program (EQIP) expenditures for Salinity Control activities outside of the U.S. Department of Agriculture (USDA) designated salinity control project areas. The selected projects from the Application Review Committee process associated with Reclamation's Basinwide Funding Opportunity announcements are anticipated to create salt-loading reductions of more than 30,000 tons of salt annually. The awarded projects are targeted to come in at less than eighty dollars per ton of salt removed.

Mr. Harris reported that the Grand Valley Salinity Control Project completion wrap-up is expected over the next two years. Most of the Valley has been brought into the program, and that there are only about 2,000 acres where remediation measures can be implemented.

Mr. Harris reported that the Forum adopted the 2011 Draft Triennial Review Report and should be available soon. The draft will be open for review and comment and is expected to be adopted at the next Forum meeting.

Mr. Harris reported that Reclamation is moving forward with the Environmental Assessment and design portions of the pilot evaporation pond alternative study for the Paradox Valley Unit Injection Well Facility. The current concern for potential impacts to migratory birds will be addressed in the National Environmental Policy Act assessment.

## **OTHER BUSINESS**

### Next Board Meeting

Chairman Fisher announced that the next meeting of the Colorado River Board will be on Wednesday, July 13, 2011 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 the meeting. Mr. Menvielle moved the Board meeting be adjourned. Mr. Knutson seconded the motion, unanimously approved the Board meeting adjourned at 11:18 a.m. on June 15, 2011.

/S/

Christopher S. Harris  
Acting Executive Director