

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, November 9, 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, November 9, 2011.

Board Members Present

Dana B. Fisher, Chairman
John V. Foley
Henry Merle Kuiper
W.D. "Bill" Knutson
John Palmer Powell, Jr.

Christopher G. Hayes, Designee
Department of Fish and Game

Jeanine Jones, Designee
Department of Water Resources

Board Members and Alternates Absent

Thomas M. Erb
Terese Marie Ghio
James Cleo Hanks

James B. McDaniel
John Pierre Menvielle

Others Present

Steven B. Abbott
James H. Bond
Brenda Burman
John P. Carter
Dave Fogerson
Leslie Gallagher
William J. Hasencamp
Michael L. King
Thomas E. Levy
Jan P. Matusak
Carrie Oliphant
Tom J. Ryan
Steven B. Robbins
Glen Peterson

David R. Pettijohn
Jack Seiler
Ed W. Smith
Mark Stuart
Bill D. Wright

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, 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 October 12th meeting minutes. Mr. Knutson moved the October 12th minutes be approved. Mr. Chris Hayes seconded the motion. Unanimously carried, the Board approved the October 12th meeting minutes.

Proposed 2012 Board Meeting Schedule

Chairman Fisher reported that included in the Board folder is the proposed 2012 calendar year Board meeting schedule. Mr. Kuiper suggested that since schedule is essentially the same as in years past and the Board can agree to change the schedule as needed that the Board might as well adopt the 2012 schedule as presented in the Board folder. Mr. Knutson moved the Board 2012 meeting schedule be adopted. Mr. Kuiper seconded the motion. Unanimously carried, the Board adopted the Board's 2012 meeting schedule.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mr. Harris reported that from October 1st to October 30th, precipitation in the Basin was about 136 percent of normal. There were some storms that tracked through the Basin and precipitation was reported but Snowpack water equivalent wasn't yet reported for October. The observed April through July unregulated flow into Lake Powell for 2011 was 12.9 million acre-feet (maf) or 162 percent of capacity. The observed 2011 water year unregulated flow into Lake Powell was 16.8 maf, or 139 percent of capacity.

Mr. Harris reported that as of October 31st the reservoir storage in Lake Powell was 17.26 maf, or 71 percent of capacity. The water surface elevation was 3,650.4 feet. The storage in Lake Mead was 13.45 maf, or 52 percent of capacity. The water surface elevation was 1,120.9 feet. Total System storage was 38.53 maf, or 65 percent of capacity. Last year at this time, there was 32.78 maf of water in storage, or 55 percent of capacity. Total System storage was about five million acre-feet more than this time last year.

Mr. Harris reported that Reclamation's estimated consumptive use (CU) for the State of Nevada is under its entitlement of 300,000 acre-feet (244,000 acre-feet); and for Arizona, the CU is projected to be under its basic entitlement of 2.8 maf (2.796 maf); and for California the CU is also projected to be under its apportionment of 4.4 maf (4.317 maf). The total projected CU in the Lower Basin is expected to be about 7.357 maf.

Mr. Smith of the Palo Verde Irrigation District, asked if Mexico would be diverting their full amount. Mr. Zimmerman responded that Mexico is planning on creating up to 50,000 acre-feet of Intentionally Created Mexican Apportionment water this year, by reducing that amount from their 1.5 maf diversion.

State and Local Water Reports

Mr. Stuart of the Department of Water Resources, Southern District, reported that precipitation in California during the month of October was good. Storage in Lake Oroville was about 2.89 maf, or 82 percent of capacity. North of the Delta total State Water Project (SWP) was 3.02 maf. South of the Delta SWP storage was about 1.585 maf, or 87 percent of capacity. Total SWP storage was 4.607 maf or 84 percent of capacity.

Mr. Foley, of The Metropolitan Water District of Southern California (MWD), reported that as of November 1st, 2011 the storage in Diamond Valley Lake was about 763,000 acre-feet, or 94 percent of capacity. Storage in Lake Mathews was about 151,000 acre-feet, or 83 percent of capacity. Storage in Lake Skinner was 36,000 acre-feet, or 82 percent of capacity. Total storage of the three reservoirs was about 950,000 acre-feet or 92 percent of capacity. Total delivery to member agencies as of October 1st, was about 1.30 maf, or 79 percent of average (last ten years).

Colorado River Operations

Ms. Lorri Gray-Lee Appointed Regional Director of Reclamation's Pacific Northwest Region

Mr. Harris reported that Ms. Lorri Gray-Lee was appointed as the new Regional Director for the Pacific Northwest Region. She has been the Regional Director of the Lower Colorado Region for about four years, and will be assuming her duties full-time as the Regional Director for the Pacific Northwest Region on January 1, 2012. Mr. Terry Fulp has been appointed the Acting Regional Director for the Lower Colorado Region.

Final Draft 2012 Annual Operating Plan for Colorado River System Reservoirs

Mr. Harris reported that the final draft of the 2012 Annual Operating Plan (2012 AOP) was forward to the Commissioner's Office for review and approval. The 2012 AOP will then be forwarded to the Secretary's Office for his review and concurrence. Upon the Secretary's approval, the Final 2012 AOP will be posted to Reclamation's web-pages in the Upper and Lower Colorado Regions.

Reclamation's Letter Regarding 2011 Inadvertent Overrun and Payback Policy Payback Obligation for the Fort Mojave Indian Tribe in California

Mr. Harris reported the Reclamation and the Fort Mojave Indian Tribe (FMIT) had reached an agreement on the actual amount of Inadvertent Overrun and Payback Policy (IOPP) payback obligation that the FMIT owes for 2011 on its uses in California. Originally Reclamation maintained that the obligation was 4,557 acre-feet, and the Tribe maintained that the amount 2,255 acre-feet. Reclamation and the FMIT now agree that the payback obligation is 2,049 acre-feet. The discrepancy was apparently associated with communication difficulties, differences in

accounting methodologies, and reporting timelines.

Three Lower Basin Water Agencies' Joint Letter to Reclamation Concerning Implementation of Actions to Enhance Storage in Lake Mead 2011

Mr. Harris reported that Central Arizona Water Conservation District, The Metropolitan Water District of Southern California, and the Southern Nevada Water Authority recently submitted a letter, included in the Board folder, to Reclamation's Lower Colorado Regional Office requesting that any "unused apportionment" not be reapportioned and released, but retained in storage in Lake Mead. The municipal entities are committed to continuing various water conservation programs (e.g., interstate water banking, creation of intentionally created surplus, operations of Warren H. Brock Reservoir, etc.). Retaining any unused apportionment (i.e., unused Nevada apportionment) in Lake Mead benefits the System and all users in the Lower Basin.

Basin States Discussions

Status of the U.S./Mexico Binational Discussion

Mr. Zimmerman reported that little substantive progress has been made since our last meeting, however, the objective still remains to have a signed Treaty Minute, acceptable to both countries, by the beginning of 2012. Mr. Zimmerman reported that several smaller subgroups have been meeting, and the Legal Committee will receive reports from these groups on November 10th. Further information regarding any major legal issues associated with development of the Minute as it has been explained in the Exploratory Cooperative Binational Package.

Mr. Zimmerman reported that the technical modeling group including technical staff from the U.S. and Mexico, have been modeling the trigger elevations in U.S. reservoirs as well as Climatic triggers. Numerous modeling runs and studies have been done. The U.S. maintains that surface water elevations in Lake Mead, some similar storage trigger need to be used, where Mexico and the U.S. would be sharing shortages and surplus at the same time. Mexico want climatic triggers that can be used, because Mexico believes that climatic triggers cannot be affected by man's activities. The U.S. and Mexico have been discussing this for several months. The technical modeling group has shared their information and Reclamation is preparing a report on shortage and surplus triggers associated with reservoir elevations, storage contents, and climatic indices. Reclamation is also working on a more detailed draft of the Exploratory Cooperative Binational Package that is anticipated to be available for review by the states in mid-November. A conference call among the Basin States' principal representatives and Reclamation is scheduled November 21st. There was discussion regarding the time and effort typically involved with Basin-wide agreements among the Basin stakeholders.

Status of the Colorado River Basin Water Supply and Demand Study Report (Basin Study)

Mr. Zimmerman reported that the California Basin Study participants have been working with Reclamation to finalize the current trends demand data and developing data for each of the alternative demand scenarios. The current trends documents and demand data for each of the scenarios will be used in the next phase of the study. The goals of the Options and Strategies Phase of the Basin Study are to: 1) receive broad input on potential options for addressing future water supply and demand imbalances; 2) evaluate representative options for major categories of

options received; 3) explore effectiveness of various combinations of options; and 4) summarize findings related to performance and robustness of various options and portfolios.

Mr. Zimmerman reported a public release of the Options and Strategies Phase of the Basin Study is anticipated by November 22nd. There will also be a public outreach process that will include meetings and webinars, and a booth at the Colorado River Water Users Association conference in Las Vegas, Nevada.

Board's Comments on the Proposed Rule Designating Critical Habitat of the Southwestern Willow Flycatcher

Mr. Harris reported that the U.S. Fish and Wildlife proposed rule designating revised Critical Habitat for the Southwestern Willow Flycatcher (WIFL) was issued on August 15th. The Board submitted a comment letter stating: 1) that all lands within planning and implementation area of the Lower Colorado River Multiple Species Conservation Program should be excluded from designation as critical habitat for the WIFL, pursuant to Endangered Species Act Section 4(b)(2), including National Wildlife Refuge lands managed by the U.S. Fish and Wildlife Service (USFWS); and 2) that no critical habitat should be designated for the WIFL within the operation full-pool of Lake Mead.

Mr. Harris thanked the Board member agencies for their review and input on the Board's comment letter that was submitted to the USFWS by the October 14th deadline.

Reclamation's Upper Colorado Region News Release Entitled "Public Invited to Open Houses on Plan for Glen Canyon Dam Operations", and Federal Register Notice Entitled "Notice to Solicit Comments and Hold Public Scoping Meetings on the Adoption of a Long-term Experimental and Management Plan for the Operation of Glen Canyon Dam"

Mr. Harris reported that Reclamation is beginning the next phase of the National Environmental Policy Act (NEPA) process for the development of the "Long-Term Experimental Plan" (LTEMP). Reclamation has scheduled a series of public meeting associated with its development of the LTEMP for Glen Canyon Dam operations. Mr. Harris added that there has not been another environmental review of the Glen Canyon Dam operations since the 1995 Glen Canyon Dam Environmental Impact Study (EIS). Mr. Harris reported that LTEMP is intended to determine the following: 1) Timing and volume of water flows; 2) Whether modification to dam operations may be required; and 3) Whether there is a need for a recovery implementation program for endangered species in Glen and Grand Canyons. Mr. Harris reported that all of the options and alternatives identified in the LTEMP will be analyzed in an EIS pursuant to NEPA.

There was some discussion on the process, Mr. Matusak mentioned that the draft EIS is scheduled to be released December 2012, the final EIS is scheduled for December 2013, and the Record of Decision, expected by Winter 2013.

WATER QUALITY

Colorado River Basin Salinity Control Forum and Advisory Council Meeting

Mr. Harris reported that the Salinity Control Forum (Forum) and Advisory Council met in

Santa Fe, New Mexico on October 24-26, 2011. The Forum adopted the October 2011 Triennial Review, Water Quality Standards for Salinity, Colorado River System. The Triennial Review reports that there is little probability of exceeding the numeric criteria with the Plan of implementation in place. Each state is asked to adopt this Triennial Review pursuant to their own state's water quality standards. The Triennial Review report is posted at www.coloradoriversalinity.org.

Mr. Harris reported that the Forum urged Reclamation to continue moving forward with its pilot evaporation pond study, and complete the environmental assessment process associated with other potential alternatives, including a complete replacement of the brine injection well, for the aging Paradox Valley Unit.

Mr. Harris reported that the current Farm Bill is set to expire on September 30, 2012. The Basin states need to become involved in discussions associated with development of the next Farm Bill in congress. The Farm Bill provisions must continue to support and encourage the U.S. Department of Agriculture's (USDA) successful on-farm salinity control program. Mr. Harris reported that a letter is being sent to the USDA-National Resource Conservation Service (NRCS) in support of the three-year funding plan developed by the three NRCS state Conservationists and the requested Environmental Quality Incentives Program funding plan for salinity control activities. The Forum approved having the Forum's Executive Director, and other representatives, continue to work with Congressional delegations to maintain full funding for the Salinity Control Program. The next Forum meeting is tentatively scheduled end of May, or early June 2012, and likely held in Utah.

OTHER BUSINESS

Next Board Meeting

Vice Chairman Knutson announced that the next meeting of the Colorado River Board will be held on Wednesday, December 14, 2011, at 2:00 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, Chairman Fisher asked for a motion to adjourn. Mr. Knutson moved the Board meeting be adjourned. Mr. Kuiper seconded the motion. With unanimous approval, the Board meeting was adjourned at 11:20 a.m. on November 9, 2011.

/S/

Christopher S. Harris
Acting Executive Director