

Minutes of Regular Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, August 14, 2013

A Regular Meeting of the Colorado River Board of California (Board) was held in the Vineyard Room, of the Holiday Inn Ontario Airport, 2155 East Convention Center Way, Ontario, California, Wednesday, August 14, 2013.

Board Members and Alternates Present

Dana Bart Fisher, Jr., Chairman
Stephen W. Benson
Franz W. De Klotz
Henry Merle Kuiper
Glen D. Peterson
David R. Pettijohn
W.D. Bud Pocklington

Jeanine Jones, Designee
Department of Water Resources

Board Members and Alternates Absent

John V. Foley
Michael T. Hogan
James Cleo Hanks
James B. McDaniel

Christopher G. Hayes, Designee
Department of Fish and Wildlife

Others Present

Steven B. Abbott
Tim Blair
John Carter
J.C. Jay Chen
Dan Denham
Michael Hughes
Thomas E. Levy
Lindia Y. Liu
Jan P. Matusak
Autumn Plourd

Halla Razak
Tom Ryan
Jack Seiler
Ed W. Smith
Joanna Smith
Gary F. Tavetian
Tanya M. Trujillo
Charles Van Dykes
Mark Van Vlack

CALL TO ORDER

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:07 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Fisher asked if there was anyone in the audience who wished 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 asked if there was a motion to approve the June 12th minutes. Mr. Jones moved the minutes to be approved. Seconded by Mr. Kuiper and unanimously carried, the June 12th meeting minutes were approved.

PROTECTION OF EXISTING RIGHTS

Colorado River Water Report

Mark Van Vlack, an engineer with the Colorado River Board, reported that the precipitation during July 2013 increased by 5%, from 76% to 81%. The April through July unregulated inflow into Lake Powell was 2.56 million acre-feet, which is 36% of average. The water-year forecast is for 4.33 million acre-feet of inflow or 40% of average, which indicates a very dry year. Lake Powell's storage is at 11.2 million acre-feet with a water surface elevation of 3,594.2 feet, which is 46% of capacity. As of August 1, 2013, the storage at Lake Mead is at 12.27 million acre-feet, with a water surface elevation of 1,105.9 feet, which is 47% of capacity. Total system storage is 30.3 million acre-feet or 51% of capacity. At this time last year, total storage was at 35.34 million acre-feet, or 59% of capacity. Current system storage is nearly 5 million acre-feet less than this time last year. Mr. Van Vlack noted that 2013, 2012, and 2002 have been among the driest years in the last 100 years, while 2011 was a wet year with 16 million acre-feet of inflow.

Ms. Trujillo added that before the Board meeting, the Bureau of Reclamation hosted a conference call to review the results of the August 24-month Study. During the call, it was noted that while precipitation increased in July, inflows to Lake Powell did not increase. The additional water was most likely absorbed into the dry ground before reaching the reservoir. During the call, Reclamation reiterated its prediction of a 7.48 million acre-feet release of water next year from Lake Powell. Ms. Trujillo added that the 7.48 million acre-feet release would be triggered by the requirements in the 2007 Interim Guidelines. Mr. Fisher noted that although the releases from Lake Powell will be lower than usual, Lower Basin releases from Lake Mead and California's allocation will remain the same. However, if the poor hydrology were to continue it could have significant impacts on the levels of both reservoirs. Mr. Fisher stated that this reality has prompted the Basin States to meet and discuss methods to slow the draining of the reservoirs.

State and Local Water Reports

Ms. Jeanine Jones of the California Department of Water Resources reported that the winter runoff season has ended and the State is experiencing its second dry year. Consequently, the sustained dry period has caused declining reservoir levels, particularly in San Luis Reservoir, and dwindling ground water supplies in the San Joaquin Valley. Preliminary modeling results by the Mid Pacific Region of the Bureau of Reclamation indicate that certain agricultural water users in the region will receive a zero allocation. Further, Ms. Jones reported that DWR has begun outreach activities to prepare for a dry 2014.

Mr. Glen Peterson, of the Metropolitan Water District, reported that MWD's total system storage is approximately 806,000 acre-feet, or 78% of capacity. The Colorado River Aqueduct is operating a seven-pump flow through August. MWD's current Colorado diversion target may include taking some of the intentionally created storage out of the reservoirs. Further, Mr. Peterson reported that sales have increased due to high demand, which is higher than the ten-year average.

COLORADO RIVER OPERATIONS

Development of the 2014 Annual Operating Plan

Ms. Trujillo reported that on July 30, 2013, Reclamation hosted its second consultation meeting for the 2014 Annual Operating Plan, which was followed up by the conference call relating to the August 24-Month Study. As was explained by Reclamation, next year's operations for 2014 will involve a 7.48 million acre-feet release from Lake Powell to Lake Mead as provided by the 2007 Guidelines. This action is historically significant because it is the first time in the history of normal reservoir operations that the release has been at such a low level. Lake Mead will be operated under normal or ICS surplus conditions, and Lower Basin deliveries will be consistent with normal operations. Reclamation will conduct its third review of the 2014 Annual Operating Plan on September 5.

Ms. Trujillo indicated that in accordance with the requirement within the 2007 Interim Guidelines for California to report on its progress in implementing California's Colorado River Water Use Plan, she made a presentation during the July 30 Annual Operating Plan consultation meeting outlining California's implementation efforts and it to stay within its normal 4.4 million acre-feet normal allocation.

Colorado River Environmental Activities

Ms. Trujillo reported that the Colorado River Basin Salinity Control Forum Workgroup met from July 10 through the 12 in Salt Lake City, UT. Lindia Liu, a water resource engineer with the Colorado River Board, attended the meeting. Ms. Trujillo stated that impending funding shortages are a major concern for the Lower Basin due to the projected funding shortfalls within the Lower Colorado Basin Development Fund (LCBDF). In response to a question from Halla

Razak regarding funding, Jan Matusak confirmed that the LCBDF receives funds from hydropower revenues levied on Arizona, California and Nevada. Currently, the Workgroup is evaluating short and long-term solutions to either reduce the costs of the program or increase revenue to the LCBDF. The Workgroup will present a report regarding these solutions during the next Salinity Control Forum meeting that will be held in October in Los Angeles.

Ms. Trujillo updated the Board on the status of the process to evaluate alternatives for brine water disposal at the Paradox Valley Injection Unit. Due to seismic activity that occurred in January 2013, operations of the unit have been reduced by 10%, resulting in a current salt disposal rate of approximately 100,000 tons. The Bureau of Reclamation and cooperating agencies, including the Colorado River Board, have begun the EIS process to determine alternatives to the existing disposal well.

Ms. Trujillo also reported that the Governor of California appointed Tom Howard, the Executive Director of the State Water Resources Control Board, as an additional California member to the Salinity Control Forum and Advisory Council.

BASIN STATES DISCUSSIONS

Minute 319 Updates and Next Steps

Ms. Trujillo reported on the status of the Minute 319 implementation efforts specifically relating to the formation of small bi-national workgroups. Ms. Trujillo stated that one of the most active workgroups relates to the environmental flow component that is designed to provide improvements to the Colorado River Delta utilizing Mexican water allocations. Chris Harris of the Colorado River Board will be attending a workshop from August 12 to August 14 in Tijuana, Mexico involving experts who are working to develop a pulse flow recommendation and a monitoring plan. One of the other workgroups that will be meeting is the Operations and Accounting Group that will be ensuring that the environmental flows into Mexico will be in compliance with normal operations in the U.S. In addition, Ms. Trujillo stated that there are still on-going discussions about Mexico's request to create a bi-national connection to the All-American Canal. Ms. Trujillo explained that an additional Minute would be required to implement that particular agreement.

Ms. Trujillo updated the Board on the on-going issues relating to Mexico's delivery obligations to the United States on the Rio Grande. There have been efforts by Texas to link the delivery issues on the Rio Grande to implementation efforts of Minute 319. DOI and the Department of State have expressed opposition to any linkage between the Rio Grande and the Minute 319 implementation efforts. The Basin States sent a letter to the Department of State and the Department of the Interior expressing their opposition to any linkage but have also offered their support to Texas and believe that the relationship with Mexico in the Colorado River Basin can serve as a model for the Texans on the Rio Grande.

Colorado River Basin Water Supply and Demand Study Report Next Steps

Ms. Trujillo reported that several Colorado River Board member agencies are participating in the Basin Study's on-going "Next Steps" process on the three workgroups that address Municipal and Industrial Conservation, Agricultural Conservation and Transfers, and Environment and Recreational Flows. The workgroups have been meeting on a monthly basis to develop their respective scopes of work. Work products from each of the workgroups are expected by the spring of next year.

Ms. Trujillo updated the Board on the United States Geological Survey's on-going National Water Census project for the Colorado River Basin. Ms. Trujillo stated that concerns exist regarding USGS' project and its relationship to the existing Basin Study but noted that the USGS plans to coordinate with the Basin States as the project moves forward.

Ms. Trujillo reported that the Senate Energy and Natural Resources Committee's Subcommittee on Water and Power, held an oversight hearing regarding the Basin Study on July 16, 2013. Ms. Trujillo testified at the hearing on behalf of the Lower Basin States' interests. Don Ostler represented the Upper Basin, and Reclamation Commissioner Mike Connor presented testimony for the Department of the Interior. The second panel included the Chairs from each of the workgroups. No congressional action is needed or anticipated in connection with the Basin Study.

Status of the Development of the Glen Canyon Dam Long-Term Experimental and Management Plan EIS Process and the Adaptive Management Workgroup

Ms. Trujillo reported on the status of the Glen Canyon Dam Long-Term Experimental Management Program (LTEMP) EIS, which will govern operations from Glen Canyon Dam down through the Grand Canyon area. During the first week of August, Reclamation and the National Park Service hosted a workshop in Arizona to describe some of the decision-making tools that will be used during the EIS process. Chris Harris and Mark Van Vlack from the Colorado River Board attended the workshop. The workshop included presentations regarding the status of endangered species and ecosystems in the area, as well as the results of sediment flow modeling.

The Adaptive Management Workgroup meeting followed the workshop. Part of the meeting included a report on the results of last year's high flow experiment and an evaluation of the impact of higher releases from Lake Powell on sediment movement and endangered species populations below the dam. There was also an update regarding the status of the LTEMP EIS. It is anticipated that a first draft of the LTEMP EIS is expected in the spring of 2014.

Board Member Peterson asked for clarification regarding sedimentation imbalances and restoration efforts below the dam. Ms. Trujillo explained that the dam is preventing sediment from depositing further down the river, preventing the formation of sandbars and beaches, which Mr. Fisher noted are important for rafters and fisheries in the area. Ms. Trujillo added that the high flow experiments evaluate impacts on those resources and also evaluate the impacts on hydropower generation, which can impact funding available for endangered species programs in

the Upper Basin.

Update regarding the Weather Modification Program

Tom Ryan, from the Metropolitan Water District, gave a thorough presentation about the Basin States' on-going Weather Modification Program. The program began in 2006 with Programs in the Southwestern Water Conservation District and Durango areas. Since 2006, funding for the Weather Modification Program has totaled approximately \$2.3 million, in which the Six Agency Committee has funded \$773,000. Mr. Ryan discussed the status of various on-going projects, stating that the States are participating in twenty projects in Colorado, Utah, and Wyoming. Partners include water management agencies, recreational entities such as ski resorts and research institutes. Responding to a question from Ms. Trujillo regarding the mechanics of cloud seeding, Mr. Ryan explained that the process deposits silver iodide into clouds to generate snow within the target area. Mr. Ryan added that additional precipitation would only be generated when clouds are already present. Mr. Ryan estimated that since 2006, the program has generated nearly half a million acre-feet in precipitation at a cost of \$20 to \$30 per acre-foot.

Update regarding Innovative Water Conservation Grants

Tim Blair of the Metropolitan Water District reported on the status of the Innovative Conservation Grant Program. The program started in 2001 and awards grants up to \$50,000 for research on technologies that will conserve water. For this year's program MWD will be partnering with Reclamation, Central Arizona Project and Southern Nevada Water Authority. Mr. Blair explained that this program targets conservation technologies for urban water use. Ms. Trujillo added that Reclamation has similar innovation grant programs for agricultural conservation that could be highlighted during future meetings.

Quantification Settlement Agreement (QSA) Legal Status Update

Steve Abbott provided a general overview and explained that in 2010, Judge Candee invalidated the QSA and related agreements because he found that the QSA Joint Powers Authority violated the State Constitution. The water districts appealed the decision to the Court of Appeals and in December 2011, the ruling was reversed and sent back to the trial court. The cases were assigned to a new judge and were tried in November 2012. The cases included IID's direct validation action to confirm the validity of the QSA and related agreements, a CEQA challenge to the IID Transfer Program EIR, and a CEQA challenge to the QSA Program EIR. On July 31, 2013, the judge entered judgment in the three cases upholding the QSA and related agreements and denying the two CEQA petitions. Mr. Abbott explained the details of each judgment and noted that the County of Imperial and Imperial County Air Pollution Control District have filled appeals against the judgment related to the CEQA challenges to the QSA program.

OTHER BUSINESS

Ms. Trujillo noted that Reclamation Commissioner Mike Connor has been nominated to be the new Deputy Secretary of the Department of the Interior. Mr. Connor will be replacing David Hayes.

There being no further items to be brought before the Board, Chairman Fisher asked for a motion to adjourn the meeting. Upon the motion of Mr. Kuiper, seconded by Mr. Pockington and unanimously carried, the meeting was adjourned 11:44 am on August 14, 2013.

/S/

Tanya M. Trujillo
Executive Director