

Minutes of Meeting  
COLORADO RIVER BOARD OF CALIFORNIA  
Wednesday, June 15, 2016

A meeting of the Colorado River Board of California was held at the Holiday Inn Ontario Airport hotel, 2155 East Convention Center Way, Ontario, California, on Wednesday, June 15, 2016.

Committee Members and Alternates Present

Stephen Benson	John Powell, Jr.
Brian Brady	Jack Seiler
Dana Bart Fisher, Jr., Chairman	Michael Touhey
Jeanine Jones	David Vigil
Glen D. Peterson	Doug Wilson
David R. Pettijohn	

Committee Members and Alternates Absent

James Hanks  
Hank Kuiper  
Peter Nelson

Others Present

Steve Abbott	Joanna Smith-Hoff
Brian Brady	Philip Southard
Dan Denham	Gary Tavetian
Karen Donovan	Tanya Trujillo
Christopher Harris	Donnell Wilcox
Bill Hasencamp	Gerald Zimmerman
Michael Hughes	
Ned Hyduke	
Tom Levy	
Kara Matthews	
Vic Nguyen	
Autumn Plourd	
Angela Rashid	
Harry Ruzgerian	
Tom Ryan	

## **CALL TO ORDER**

Chairman Fisher announced the presence of a quorum and called the meeting to order at 10:04 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.

## **Consideration and Approval of the Minutes**

Chairman Fisher asked for a motion to approve the May 11, 2016 meeting minutes. Mr. Pettijohn moved that the minutes be approved, seconded by Mr. Peterson, and by unanimous support and an abstention by Mr. John Powell, the May 11, 2016 meeting minutes were approved.

Executive Director Trujillo explained the elements of the Colorado River Board's budget to include personnel expenses for 11 employees, general operating expenses such as rent and payment of the State's portion of certain expenses such as dues for the Salinity Control Forum and the MSCP program. Ms. Trujillo noted that the actual expenses for last fiscal year will be lower than the authorized level and that any unexpended funds will carry over for use in future budget years. Mr. Pettijohn moved that the 2016-17 Fiscal Year Budget be approved and to grant authorization to the Executive Director to execute the Standard Agreement with the Six Agency Committee, seconded by Mr. Peterson, and approved by unanimous support.

## **COLORADO RIVER BASIN WATER REPORTS**

### **Colorado River Basin Water Reports and State and Local Water Reports**

Ms. Trujillo reported that as of June 6 2016, the total Colorado River system storage was at 50% of capacity. Lake Mead's storage was at 36% of capacity, while storage in Lake Powell was 51% of capacity. Water Year 2016 precipitation to date is 100% and Upper Basin snowpack is 155% for this time of year. The unregulated inflow into Lake Powell forecasted for WY 2016 was 90% of normal. Ms. Trujillo noted that soil moisture levels have been low, contributing to the below average inflows to Lake Powell over the past few years. Precipitation in the Basin was above average in April but below average except for some of the western portions of Utah and southwestern portions of Arizona in May.

Ms. Trujillo reported that the Upper Basin has received good precipitation and storage levels are nearly full, with some of the reservoirs spilling for flood control purposes. As of June 5, 2016 Upper Basin reservoirs levels, other than Lake Powell were 76% of capacity at

Fontenelle and 91% of capacity at Flaming Gorge in Wyoming, 73% of capacity at Blue Mesa and 92% of capacity at Morrow Point in Colorado, and 92% of capacity at Navajo in New Mexico.

Ms. Trujillo reported that as of June 9, Brock and Senator Wash Reservoirs have captured up to 75,790 acre-feet and 29,580 acre-feet, respectively. As of June 8, bypass flows per Minute 242 were 38,904 acre-feet. As of June 13, excess flows to Mexico were 1,313 acre-feet.

### 2015 Accounting Review

Ms. Rashid provided an overview of the Colorado River Accounting and Water Use Report for the Lower Basin States of Arizona, California and Nevada. Ms. Rashid reported that the consumptive use for all three lower Basin states was 7.45 million acre-feet. The consumptive use for Arizona, California, and Nevada was 2.6 million acre-feet, 4.6 million acre-feet, and 222,729 acre-feet, respectively. Ms. Rashid provided a detailed overview of the consumptive use of each lower basin state, reporting on whether activities such as fallowing programs, interstate banking or ICS retrieval increased or decreased their consumptive use.

### Update on the California Drought

Ms. Trujillo reported that 21% of the State was in the exceptional drought category. Board member Peterson noted that Oroville Reservoir was nearly full. Ms. Trujillo noted that the U.S. Drought Monitor maps are not the only method used to track the severity of drought in California, noting that reservoirs levels are also used. Ms. Jones added that the U.S. Drought Monitor maps focus on precipitation trends, soil moisture and temperature and do not account for stored water.

Vice Chairman Wilson added that some areas of Southern California received low precipitation but received imported water. Ms. Trujillo added that some areas have different sources of supply that include local and imported supply. For some areas, if the local supply is diminished, then imported supplies can be used to make up the difference.

Ms. Jones reported that much of the precipitation season is over, expect for potential monsoonal activity in the Southeast part of the State. Ms. Jones stated that there is no snowpack remaining in the Central and Southern Sierra and it is diminishing rapidly in the Northern Sierra. Ms. Jones reported that the San Joaquin reservoirs did not fare well but the Oroville reservoir is close to peaking. Runoff season is coming to its end and runoff forecasts have dropped over the last four to six weeks. Ms. Jones reported that inflow to the northern end of the system with Lake Shasta and Oroville has peaked and has begun to decline, noting that some of the runoff has been lost to dry soil and vegetation.

Vice Chairman Wilson reported that San Diego County's regional basins have reduced water use by more than 21%, noting that their conservation target has been reduced to 13% because of the credit given for the operation of the Carlsbad Desalination Plant. Mr. Wilson stated that SDCWA voted to set their own conservation target, which adheres with the State's new conservation rules. Mr. Wilson also stated that SDCWA's current conservation practices, IID water transfer, and Carlsbad Desal Project have put their water supplies in a good place.

Board member Peterson reported that as of June 1, total system storage, in Diamond Valley Lake and Lakes Mathews and Skinner is 55% of capacity. The Colorado River aqueduct is on a seven-pump flow and is on target to deliver 910,000 acre-feet. Currently, the aqueduct has delivered 425,000 acre-feet. Mr. Peterson noted that Metropolitan Water District (MWD) is still conserving water in response to the Governor's mandate. Mr. Peterson also reported that MWD celebrated the 75<sup>th</sup> anniversary of delivering water to the Colorado River Aqueduct to Southern California.

Board member Pettijohn reported that all the snow in the Eastern Sierra has melted and he will resume his snow reporting in fall. Mr. Pettijohn stated that conservation efforts in Los Angeles are being driven by the city's Sustainable City Plan. The plan calls for strong conservation targets and by January 1, 2017, the city's per capita water use must be reduced to 104 gallons per capita per day (gpcd), with a future reduction to 100 gpcd. Mr. Pettijohn stated that the Los Angeles Department of Water and Power (LADWP) has performed a stress test as required by the State's new conservation rules and can certify that they have enough stored water on-hand to meet the targets. He also noted that LADWP's conservation has exceeded the State's conservation target.

Board member Powell reported that the Coachella Valley Water District voted to adopt a domestic rate increase, which is the first increase in six years. Mr. Powell noted that there was great opposition to the increase. Mr. Powell stated that there was a large increase to the fixed meter charge, noting that CVWD has revised their budget based tiered rates that were implemented in 2009. He also stated that CVWD is working to make the Governor's 25% conservation mandate permanent within their budget based tiered rates. He noted that Colorado River water is used to continue to address the overdraft in the aquifer.

Ned Hyduke commented that PVID finished the installation of their second dam gate and is planning to install the new third gate next January or February. Director Hanks reported for IID that the current under-run level is approximately 82,000 acre-feet and that wheat harvest is almost completed.

## **Drought Contingency Planning Update**

Ms. Trujillo provided additional background relating to the drought contingency planning discussions among the Lower Basin States. She presented background slides describing the current drought levels and explained that approximately 1.5 million acre-feet less inflow has been coming into the system on average over the past 16 years and the precipitation in most years has been below average. The framing question for the current drought contingency planning discussions has been whether additional tools are needed beyond the 2007 Interim Guidelines, which provided mechanisms and programs to utilize for 20 years through 2026. The 2007 Interim Guidelines did not address rules for withdrawal of Intentionally Created Surplus below Lake Mead's elevation at 1,075 feet, so in order to incentivize more creation of ICS, it would make sense to create rules for withdrawal of ICS under lower reservoir levels. For 2018, Reclamation is projecting a 50% chance of hitting the first shortage trigger under the 2007 Interim Guidelines, with increasing likelihood after that. The current round of Lower Basin drought contingency planning discussions began in 2013 after record low inflows in 2012-13, and included an agreement in 2014 among the municipal agencies to work with Reclamation to fund system conservation projects in both basins under the System Conservation Pilot Program. Phase 2 of that program is underway in the Lower Basin and there have been bills introduced in Congress to authorize additional funding for the program. In December 2014, the Lower Basin States, municipalities and Reclamation entered into a Memorandum of Understanding to support additional voluntary actions to store additional water in Lake Mead, with a goal of developing between 1.5 and 3 million acre-feet of storage over the next 5 years, and addressing the need for operational certainty at lower reservoir elevations, such as developing rules for the withdrawal of ICS, and confirming the goal to avoid letting Lake Mead hit critically low elevation levels. The States and agencies are encouraging Reclamation to be as efficient as possible with its operations in the Lower Basin and to decrease over deliveries to Mexico.

Current discussions have continued to stress the need to reduce the risk of Lake Mead dropping below the 1,020 feet elevation level. One of the concepts that is being discussed is the possibility of all three Lower Basin states voluntarily contributing additional water that can help maintain elevations in Lake Mead. California's senior priorities would be maintained through initial contributions from Arizona in larger volumes at higher elevations than provided in the 2007 Interim Guidelines. If those contributions were not sufficient to prevent Lake Mead's continued decline, California's contractors would supply additional contributions of water at lower elevation levels. The stored contributions would be recoverable when Lake Mead elevations reached higher levels. In order to incentivize additional storage, rules for the storage and release of ICS below elevation 1,075 would be developed. The US would be encouraged to continue to develop programs to generate water for the system such as constructing additional pumping capabilities at the Minute 242 wellfield and operating the Yuma Desalting Plant.

Contractors within each of the Lower Basin States are evaluating the feasibility of the proposed drought contingency plan elements. Considerations include the likelihood that Lake

Mead would reach the critically low elevation level of 1,020, which has approximately doubled since the adoption of the 2007 Interim Guidelines. Storage and recovery of the drought contingency planning contributions would be tied to the volumes associated with the ICS program in the 2007 Interim Guidelines. California's total available storage volume is 1.5 million acre-feet. Arizona and Nevada have smaller ICS accounts and would be contributing higher volumes of water under the drought contingency plan. Arizona has acknowledged the junior priority of the Central Arizona Project pursuant to the 1968 Act, and is motivated to avoid the uncertainty associated with leaving the decisions regarding allocations of water at low reservoir elevations to the Secretary of the Interior. Arizona is currently storing additional water in Lake Mead and has not been contributing water to the groundwater programs over the past few years to help protect Lake Mead elevations. Utilizing the existing conservation efforts and the planned drought contingency contributions, the probability of Lake Mead reaching elevation 1,020 would be reduced to approximately the level of risk that existed at the time of the 2007 Interim Guidelines. The planned contributions would be timed based on the potential continuing decline of Lake Mead, and initial modeling under the scenario under discussion indicates there is a 70% chance that no contributions would be needed from California. The timing and probability of recovery would be parallel to the recovery rules for ICS.

Executive Director Trujillo stated she would continue to provide updates to the Board regarding the planning process and that any actual agreements would have to be agreed to and approved by the board of the various contractor agencies.

### **Salinity Control Forum**

Ms. Trujillo noted that a Cooperating Agency meeting for the Paradox Valley Unit Alternative Study/EIS was held on June 1, 2016. Various alternatives are being considered including a replacement well, evaporation pond, and potential for commercial use from brine crystallization. A demonstration project for brine crystallization is being planned. The completion date for the EIS has been moved to September 2019. There is an emergency back-up plan to drill a new well in the event that the existing well fails prior to the completion of the EIS and Decision. A question was asked about where power supply would come from for the project and Ms. Trujillo replied that Reclamation is evaluating several options including the use of renewable energy from solar and geothermal resources. Four studies were conducted for the evaporation pond alternative and Ms. Trujillo stated that the major challenge related to the evaporation pond alternative is the potential impacts on wildlife.

A 20th anniversary celebration for the operation of the Paradox Valley Unit is being planned to coincide with the Salinity Control Forum meeting in October 2016. At the Salinity Control Forum meeting on June 8-9, 2016, Ms. Trujillo was selected as the new

Chairperson for the Forum, and Eric Millis, Director of the Utah Division of Water Resources, was selected as the Vice-Chair.

### **Minute 319/32x**

Ms. Trujillo reported that the bi-national workgroup met in May in Mexico City, Mexico to continue discussions of Minute 32x, noting that recent changes in personnel within the Mexican negotiation team have slowed down the discussions. Ms. Trujillo reported that they have been working with Mexico to strengthen their knowledge of the legal framework regarding how the Colorado River System is operated and how the hydrology drives the 2007 Guidelines. She stated that the United States has set-up a primer on these topics with the Mexican delegation for on June 16-17 in Salt Lake City. The next negotiation meeting is scheduled for July 5-6 in Washington D.C. Ms. Trujillo added that Minute 319 will serve as a model for future agreements, as it contains components for potential projects constructed in Mexico, which translates into water savings for the U.S. and funding entities. Ms. Trujillo added that Minute 319 also includes a shortage sharing agreement and an environmental component that may be expanded to include additional habitat restoration.

### **Glen Canyon Dam Adaptive Management Program**

Ms. Trujillo reported that the Board has been previously briefed on the EIS process for the Long Term Experimental Management Program (LTEMP). Reclamation has received 3,000 comments on the document and they are in the process of reviewing, documenting and addressing the comments. It is expected that the LTEMP EIS will be completed in the fall. Ms. Trujillo reported that Jessica Neuwerth, staff biologist at the Colorado River Board, is attending a Technical Workgroup meeting on June 14-15 in Salt Lake City, Utah. The next AMWG meeting is scheduled for August 24-25 in Flagstaff, Arizona.

### **Multiple Species Conservation Program**

Mr. Harris reported that the Work Group met in Phoenix, Arizona to review the proposed work plan for the upcoming fiscal year. Mr. Harris stated that the monitoring is showing evidence that the yellow-billed cuckoo has been using the newly created and maintained habitats. He also reported that for the first time ever, a territorial southwestern willow flycatcher appeared in some of the MSCP habitat areas. Mr. Harris noted that the willow flycatcher is very territorial and will return to areas where they are born, reared, and fledged. Mr. Harris also stated that some of the birds are starting to shift out of the salt cedar and into cottonwood willow. Mr.

Harris reported that the Wildlife Service has initiated a status review of the southwestern willow flycatcher range-wide, which will affect the entire southwestern United States. Genetic evidence has indicated that the southwestern willow flycatchers may not be a distinct sub-species and would therefore fall back to the overall species of willow flycatcher, which is not threatened. Mr. Harris stated that if the Wildlife Service confirms this, they could move to de-list the southwestern willow flycatcher. Mr. Harris added that the Wildlife service is performing a similar review of the coastal sage scrub and the gnatcatcher.

Ms. Trujillo noted that the Western Governors Association has conducted a workshop associated with Endangered Species Act (ESA) issues. She stated that the workshop provided a good analysis of current policy and recommendations relating to ESA issues and species conservation. Mr. Harris stated that the flycatcher is still a covered species under the ESA program and will remain so through 2055. He noted that the work being doing for the flycatcher benefits other riparian obligate species. Mr. Harris reported that the MSCP is ahead of schedule with building out habitats along the Lower Colorado, including habitats in California. He noted that they have been working with the Blythe Field office to identify the last remaining batch of habitat needed in California which is approximately between 600 and 1,000 acres left pursuant to the CESA permit for the MSCP.

Mr. Harris reported that they are ready to start the planning for the conservation area on the newly acquired Planet Ranch property, which is located on the Lower Bill Williams River, east of the Bill Williams River National Wildlife Refuge. The conservation area will contain riparian, marsh and aquatic habitat as well as fishery ponds to raise razorback and bonytail.

The final budget approval call for the Steering Committee is scheduled for June 22.

### **Background Review and Updates Regarding the Lower Colorado River Water Supply Project and Desert Energy Projects**

Deputy Director Harris gave an overview of the Lower Colorado River Water Supply Project (Project). California's basic mainstream apportionment of Colorado River water is fully apportioned and allocated, so the Project provides a mechanism for water users along the mainstream of the river who are either using or have the potential to impact Colorado River resources to legally use water. The Lower Colorado Water Supply Act (Act) was set up in 1986 to authorize the Project and establish a mechanism to bring non-contract users in California under contract. The Project water use is accounted for in the Decree Accounting Report. The Act also sets up a contracting process where the City of Needles would contract with the Secretary of the Interior on behalf of all users, and then the City of Needles would enter into and administer subcontracts with individual water users. The Act was amended in 2005 to authorize construction of Stage 2 of the Project to be able to deliver up to 10,000. Metropolitan Water

District (MWD) contracts for water that is not utilized by other users in accordance with the amended Act in 2005. Mr. Harris described the application and review process with the Colorado River Board. Stage 2 of the Project is currently under construction at about 70% completion with plans to have the additional wells completed by the end of 2017.

Mr. Harris also provided an overview of the status of desert energy projects in Riverside County that are operational, have been approved, or are under review. The U.S. Geological Survey Accounting Surface boundary is used to determine whether a project would be pumping water that would be impacting Colorado River water resources. The CRB staff continues to work with the California Energy Commission, Reclamation, MWD, and other stakeholders to identify feasible water conservation offset options for new projects. The goal is to support renewable energy policies while protecting Section 5 entitlement holders.

A question was asked regarding how the amended Water Supply Project Act allows MWD to take the excess water. Mr. Harris explained that MWD's provided funding for the Project in exchange for the ability to use the excess capacity. Mr. Peterson requested that future applications that are presented to the Board for approval include a map as an attachment. Ms. Plourd asked whether the Project would be an appropriate temporary water supply for transportation projects whose owner sometimes request water from IID.

## **ANNOUNCEMENTS**

Ms. Trujillo reviewed the Bureau of Reclamation's recent announcements for the Title XVI Grant Program and other WaterSMART funding announcements. She also reminded the Board regarding the EIS process for the Lake Powell pipeline that will be starting soon.

## **ADJOURNMENT**

With no further items to be brought before the Board, Chairman Fisher adjourned the meeting at 12:14 P.M.