

Minutes of Meeting  
COLORADO RIVER BOARD OF CALIFORNIA  
Wednesday, March 15, 2017

A meeting of the Colorado River Board of California was held on Wednesday, March 15, 2017.

Committee Members and Alternates Present

Brian Brady  
Dana Bart Fisher, Jr., Chairman  
Hank Kuiper  
Peter Nelson

David R. Pettijohn, Vice-Chairman  
Jack Seiler  
Michael Touhey  
Doug Wilson

Committee Members and Alternates Absent

James Hanks  
Christopher Hayes  
Jeanine Jones

Glen D. Peterson  
John Powell, Jr.  
David Vigil

Others Present

Steve Abbott  
David De Jesus  
Dan Denham  
Karen Donovan  
Christopher Harris  
Bill Hasencamp  
Michael Hughes  
Ned Hyduke  
Tom Levy  
Kara Mathews  
Jan Matusak  
Jessica Neuwerth  
Vic Nguyen  
Angela Rashid  
Shanti Rosset  
Tom Ryan  
Jack Seiler  
Gary Tavetian  
Alina Tishchenko  
Donnell Wilcox  
Gerald Zimmerman

## **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 invited members of the audience to address the Board on items in the agenda or matters related to the Board. Mr. Tom Levy, General Manager of the Colorado River Authority, reported that representatives from the other six Colorado River Basin States had been invited to take part in a tour of the Lower Colorado River scheduled for March 27-30. Mr. Levy noted that the tour would start in Las Vegas, Nevada and continue down the Colorado River to Yuma, before heading west across the Imperial and Coachella valleys. Mr. Levy invited Board agencies to provide names of their staff that might be interested in filling open seats on the tour.

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

Chairman Fisher asked for a motion to approve the February 8, 2017 meeting minutes. Mr. Wilson moved that the minutes be approved, seconded by Mr. Kuiper, and by unanimous support, the February 8, 2017 meeting minutes were approved.

## **Resolution in Honor of Tanya Trujillo**

Mr. Harris presented a resolution for the Board's consideration honoring Tanya Trujillo's service to the Colorado River Board of California as the Executive Director.

Mr. Wilson moved that the resolution be approved, seconded by Mr. Kuiper, and by unanimous support, the resolution for Tanya Trujillo was approved.

## **Appointment of New Executive Director**

Chairman Fisher announced two candidates under consideration for the Executive Director position. The first was Ned Hyduke, the General Manager of Palo Verde Irrigation District. The second was Christopher Harris, the Deputy Director of the Colorado River Board.

Mr. Touhey made a motion to appoint Mr. Christopher Harris as Executive Director, seconded by Mr. Pettijohn. Chairman Fisher requested a roll call vote of each Board member present. By unanimous vote, Mr. Harris was appointed the Executive Director of the Colorado River Board of California.

## **COLORADO RIVER BASIN WATER REPORT**

Board Staff Rashid reported that as of March 6, 2017, the water level at Lake Mead was 1,089.46 feet with 10.81 million acre-feet of storage, or 41% of capacity. The water level at Lake Powell was 3,594.06 feet with 11.19 million acre-feet of storage, or 46% of capacity. As of March 5, 2017, the total system storage was 29.58 million acre-feet, which is 50% of capacity. Ms. Rashid reported that as of March 2, 2017, the unregulated forecasted inflow into Lake Powell for WY-2017 was 14.35 million acre-feet, or 132% of normal. As of March 2, 2017, the forecasted April to July inflow was 10.40 million acre-feet, or 145% of normal. Ms. Rashid reported that as of March 2, 2017, the Basin snowpack was 148% of normal.

Ms. Rashid reported that the Colorado Basin River Forecast Center (CBRFC) held a webinar on March 7, 2017 to review the water supply conditions and forecast. Ms. Rashid reported that the Basin experienced one of the wettest periods on record over the past three months. In addition, the snowpack has remained above average as of early March, with some SNOTEL sites ranked in the top three. Ms. Rashid reported that the precipitation in the Basin for January 2017 was significantly above average and that precipitation in February was almost as significant.

Ms. Rashid reported on the Regulatory Storage and Excess Flows in the Lower Basin. As of March 9, 2017, Brock and Senator Wash reservoirs captured 23,014 acre-feet and 10,697 acre-feet, respectively. As of March 12, 2017, excess flows to Mexico were 5,704 acre-feet. As of March 6, 2017, the Bypass Flows per Minute 242 were 18,256 acre-feet.

Ms. Rashid reported that Reclamation held a webinar on February 13, 2017 to present an overview of the latest MTOM and CRSS projections for system operations over the next 5 years. Ms. Rashid reported on the results of the January 2017 MTOM/CRSS probabilities of shortage and equalization. Ms. Rashid also noted that the probabilities were likely to change due to the above average precipitation the Basin has received over the past few months. Executive Director Harris added that current probability for shortage in 2018 is close to zero and the probability for equalization is closer to 50%. Further, Mr. Harris explained that the mid-year adjustment that occurs in April 2017 is based on the elevations of Lakes Powell and Mead, and will mostly likely indicate that Lake Powell will release 9 million acre-feet this year. Mr. Harris noted that a release of greater than 9 million acre-feet could occur next year.

### **State and Local Reports**

Above average precipitation in California over the past few months has greatly improved drought conditions within California. Mr. Harris reported that the State has experiencing a very good water year and areas of San Luis Obispo, Blythe, and Imperial have been very wet. Mr. Harris reported that the Northern Sierra, San Joaquin, Tulare indices have recorded over 200% of

average precipitation as of March 1, 2017. The statewide snow water content was at 163% of average. Mr. Harris also noted California's reservoir storage has improved and that the storage in the State Water Project has increased from 2.9 million acre-feet in 2016 to 5.5 million acre-feet with 85% capacity as of January 2017.

Mr. Touhey, representing the Metropolitan Water District of Southern California (MWD), reported that as of February 1, MWD's reserve was at 81% of capacity. He also reported that the Colorado River Aqueduct shutdown was completed on March 9, 2017 and is on a two-pump flow until March 20, 2017. MWD's diversions for 2017 are currently estimated at 554,000 acre-feet. Mr. Touhey stated that MWD's water deliveries were lower due to the wet winter and the public's continued good response to the Governor's conservation mandate.

Mr. Pettijohn, representing the Los Angeles Department of Water and Power (LADWP), displayed a graph that showed the stark difference in the Eastern Sierra precipitation in 2014-2015, which was the driest year on record, compared to the current water year, which is currently 253% of normal, as of March 7, 2017. He reported that as of March 15, 2017, precipitation is 241% of normal. He stated that a storm is forecasted for next week, which could produce up to two feet of snow in the Mammoth area. Mr. Pettijohn reported that about 1 million acre-feet of water will be coming to the LA Aqueduct system but the in-city demands are less than half a million acre-feet. He also mentioned that no water will be exported from the Mono Basin. Mr. Pettijohn stated that LADWP has been managing the excess water by spreading it from turn-outs along the aqueduct system onto the alluvial fans and to let it percolate down into the groundwater. Mr. Pettijohn explained that LADWP is limited on the amount of water they can spread on the alluvial fans in this area because it can make its way down into Owens Lake and impact dust mitigation measures implemented in the area. He also explained that LADWP is discussing storing additional water with MWD, but no agreements have been made yet. Mr. Harris asked whether adding water to Mono Lake would create flexibility to withdraw water from that system in the future. Mr. Pettijohn stated that there are trigger elevations in Mono Lake, and if the level of the lake increases LADWP may be allowed to export more water from that system.

### **Status of the Basin States Drought Contingency Planning**

Mr. Harris reported that the Basin States continue to work on the Lower Basin drought contingency planning (DCP). He explained that a terms sheet had been developed and distributed to the Lower Basin states and agencies. He added that the Department of the Interior's Solicitor for Reclamation, Mr. Bob Snow, will be managing the terms sheet going forward. Mr. Harris stated that Lower and Upper Basin states and agency principals are also working to develop a draft Operations and Management Agreement which will help manage how the DCPs will be implemented. Mr. Harris noted that an operations and management agreement was also developed

for the 2007 Guidelines and Minute 319. Mr. Harris reported that the Basin States are also concurrently evaluating the modeling assumptions and results. He stated that sensitivity analyses associated with implementation of the DCPs are being performed related to the frequency and volume of annual releases from Lake Powell, and potential impacts on the minimum power pool elevation of 3,490 feet at Lake Powell.

Mr. Harris reported that the Upper Basin DCP is comprised of three elements: the Drought Operations Memorandum of Agreement (MOA), weather modification activities, and demand management. Mr. Harris explained that the demand management could comprise fallowing or system efficiency programs. He added that the demand management may be challenging to implement because of the state-based water rights systems. Mr. Harris explained that as part of the Drought Operations MOA, operations of all the Upper Basin reservoirs would be integrated so that they could release water to Lake Powell if its elevation declined. When the system recovers, the Upper Basin reservoirs would recover those volumes that were released earlier by holding those volumes in storage in the Upper Basin reservoirs. Mr. Harris added that this proposed operation will be difficult because several of the Upper Basin reservoirs operate under various Records of Decision that stipulate operational criteria related to fish populations and/or irrigation projects in the Upper Basin. More operational aspects of the Upper Basin draft Drought Operations MOA document are expected to be released soon for review and comment.

Chairman Fisher commented on the difficulty of trying to finalize the Lower Basin DCP at the end of last year. Mr. Fisher noted that after the Colorado Rivers Water Users Association (CRWUA) conference, the Upper Basin raised significant questions about the plan but now, both Basins have a better understanding of what each Basin would like to accomplish within the DCP.

Mr. Harris added that Arizona has put together a proposal known as DCP Plus, which would have allowed for additional contributions for the period 2017-2019, but with the improved hydrology some Arizona entities may be reevaluating the need for this additional agreement.

### **Status of the Implementation of Minute 319 and Negotiation of Minute 32X**

Mr. Harris reported that the current minute, Minute 319, is set to expire on December 31, 2017. The hope among many Basin States is to get a successor minute in place before Minute 319 expires, and a draft of the new minute, Minute 32X, was largely completed in late-2016 and has general agreement among the parties. Mr. Harris noted that multiple domestic agreements, both intra- and interstate, as well as between the states and the federal government remain to be developed. These domestic agreements will need to be developed and finalized in order to finalize and execute Minute 32x. The current positions of the stances of senior leadership in both Mexico and United States are also uncertain, particularly given changes in administration within the U.S. agencies.

Chairman Fisher noted that Minute 32x also includes a “water scarcity contingency planning component,” similar and proportional to the U.S. domestic DCP. Chairman Fisher and Mr. Harris reported that Minute 32x would aim to continue with or expand many of the components of Minute 319, including sharing of shortages and surplus, storage of Mexican water in Lake Mead, and the creation and delivery of water to habitat restoration sites in the Colorado River Delta. Mr. Harris also reported that members of the Department of Interior and International Boundary and Water Commission recently briefed the Senate Foreign Relations Committee on the status of Minute 32x. Finally, the Arizona Legislature recently enacted a resolution which authorizes the Arizona Department of Water Resources to enter into the domestic agreements required to implement Minute 32x by December 31, 2017.

Board Member Nelson asked what volumes and sources of water were used for environmental purposes under Minute 319. Mr. Harris responded that the water for environmental purposes came from a number of sources, including conservation activities from both countries and Mexican water stored in Lake Mead through Minute 318. Approximately 102,000 acre-feet of water was utilized for the pulse flow, while 50,000 acre-feet was delivered directly to the habitat restoration sites. The proposed habitat restoration and maintenance use under Minute 32x targets an annual water use of 45,000 acre-feet per year.

### **Colorado River Basin States Meeting**

Mr. Harris reported that a Basin States meeting was held on March 8, 2017. During the meeting, Basin State principals received updates from Reclamation on the current hydrologic conditions and received an overview of the technical modeling tasks associated with both the Upper and Lower Basin DCPs. Reclamation provided an update on the Upper and Lower Basin DCPs and term sheets. Mr. Harris explained that the Basin States provided direction to Reclamation to continue working on issues such as reservation of rights and other interpretation issues as it relates to the development of a proposed Management and Operations Agreement. In addition, they discussed the status, timing and sequencing of Minute 32x and the DCPs.

Mr. Harris reported that the group also finalized a letter to the new Secretary of Interior, Ryan Zinke, from the seven Basin States that stressed the importance of continuing the efforts to complete both the DCP and Minute 32x and requested continued involvement of the Secretary and his leadership team. In addition, the letter reinforced the desire and expectation that the Basin States will continue to play key roles in Colorado River issues and processes. The letter also requested a face-to-face meeting with the Secretary to discuss these issues.

## **Status of the Colorado River Basin Salinity Control Program**

Mr. Harris reported that the Work Group is updating the 2017 Triennial Review, which covers three years of salinity control implementation through 2019 in the Upper Basin. The plan of implementation would remove approximately 1.4 million tons of salt annually through 2019. The numeric criteria at the three stations at Hoover Dam, Parker Dam, and Imperial Dam would not change. Mr. Harris reported that Reclamation is working with the seven Basin States to update the salinity economic impact model. The Board's Principal Engineer, Mr. Vic Nguyen had taken the lead in collecting information for the non-MWD service areas in California. Information collected included crop acres, crop types, water quality, and blending are all incorporated into the model and the price indices are updated to 2014 dollars. Mr. Harris added that Reclamation will be hiring a contractor to review the current damage functions and formulas. This review would help design the appropriate plan of implementation going forward.

Mr. Harris reported that implementing salinity control activity at the proposed Pah Tempe Springs Salinity Control Project in Utah, on the Virgin River would be beneficial to the system. An original Title II project, it is a point-source of salt loading that averages between 70,000 to 90,000 tons per year. He reported that the USGS is at the last stages of collecting and evaluating information that will help design a project at Pah Tempe Springs. The Washington County Water Conservancy District, the local water management entity, is interested in a partnership between the Salinity Control Program and its water users. Mr. Nelson asked how the salt load would affect the salinity level in the Lower Basin. Mr. Harris responded that since the salt load would go straight down the Virgin River and right into Lake Mead, improving the quality of the Virgin River would be beneficial to Lower Basin water users.

Mr. Harris also reported that a magnitude 2.9 earthquake occurred on March 12th about 13 kilometers from the injection well of the Paradox Valley Unit. Following protocol, Reclamation has shut down the well and is going through a careful evaluation process prior to restarting the brine injection. He added that Reclamation believes this earthquake was related to the injection activity, and that earthquakes will continue to be an element of concern for the local people and Reclamation as long as the current injection well is in production. Mr. Wilson asked how many people lived in the nearby town of Paradox. Mr. Harris responded that he believed it to be less than 200.

Mr. Harris reported that the Work Group is having a meeting at Salt Lake City, Utah on April 19th and 20th to focus on the development of the next iteration of the triennial Review. The Forum and the Advisory Council will meet in Grand Teton National Park at Jackson Lake Lodge on June 8th and 9th, with the Work Group meeting on June 7th.

### **Status of the Glen Canyon Dam Adaptive Management Program**

Board Staff Ms. Jessica Neuwerth reported that the Glen Canyon Dam Adaptive Management Work Group (AMWG) met February 15-16 in Tempe, Arizona. Ms. Neuwerth noted that the group was currently working on the FY18-20 triennial work plan, which guides research and monitoring for the next three years. The plan needs to be completed by August 2017, and readied for adoption by the Adaptive Management Work Group.

Ms. Neuwerth also reported that the group recommended a workshop for the nonnative brown trout population below Glen Canyon Dam, which has been expanding in recent years. The workshop will explore the causes of this increase, as well as potential management options. Finally, Ms. Neuwerth noted that the Technical Work Group would meet April 20-21 in Phoenix, Arizona.

### **Status of the Lower Colorado River Multi-Species Conservation Program**

Ms. Neuwerth reported that the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) held a financial workgroup meeting on March 2<sup>nd</sup>. LCR MSCP staff reported on FY16 expenditures, which were very consistent with FY16 budgeted costs. Ms. Neuwerth reported that the FY17 budget will be \$30.9 million and the FY18 budget will be \$31.3 million, following the cost schedule laid out in the program's Habitat Conservation Plan (HCP).

Ms. Neuwerth reported that the US Fish and Wildlife Service released an Environmental Assessment for the addition of the northern Mexican gartersnake to the LCR MSCP as a covered species. This addition will provide Endangered Species Act coverage for the species and will not require the program to construct additional habitat beyond that described in the HCP, nor will it require additional fiscal contributions by the Program participants.

Finally, Ms. Neuwerth noted that the LCR MSCP will hold a Technical Work Group meeting on March 29th and a Steering Committee meeting on April 26th, both in Las Vegas, Nevada. The Technical Work Group will meet again May 10-11 in San Diego, California.

### **ANNOUNCEMENTS**

Mr. Harris reported that there were still many vacancies at the federal level as the new administration still needs to fill many senior leadership positions in the Department of Interior, State Department, and the Department of Agriculture. Many positions, including Deputy Secretary of Interior, Assistant Secretary of State, and Commissioner of Reclamation still do not have nominees. The Department of Agriculture, which plays a significant role in the Salinity Control Program, does not have a Secretary appointed yet.



Mr. Harris reminded the Board Members that the next Colorado River Board meeting will be held at the Palo Verde Irrigation District office on April 12, 2017 starting at 10:00 a.m.

Finally, Mr. Nelson announced that the U.S. Ninth Circuit Court of Appeals ruled in favor of the Agua Caliente Tribe, in the recent litigation between *Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District* that the tribe has a federal reserved right to groundwater in the Coachella Valley. CVWD are weighing potential legal options, including appealing to the United States Supreme Court.

### **ADJOURNMENT**

With no further items to be brought before the Board, Chairman Fisher adjourned the meeting at 11:21 A.M.