

**EXECUTIVE DIRECTOR'S REPORT
TO THE
COLORADO RIVER BOARD OF CALIFORNIA**

November 13, 2019

ADMINISTRATION

Minutes of the October 9th Meeting of the Colorado River Board

A draft of the minutes from the October 9, 2019, Board meeting held in Ontario, California, has been prepared and is included in the Board folder for review and proposed adoption during the November 11th Board meeting.

COLORADO RIVER BASIN WATER REPORT

As of November 4th, the water level at Lake Powell was 3,612.85 feet with 13.02 million-acre feet (MAF) of storage, or 54% of capacity. The water level at Lake Mead was 1,082.74 feet with 10.24 MAF of storage, or 39% of capacity. As of November 3rd, the total system storage was 31.2 MAF, or 52% of capacity, which is about 3.5 MAF more than the system storage at this same time last year.

As of November 3rd, the Upper Colorado River basin reservoirs, excluding Lake Powell, ranged from 73% of capacity at Fontenelle Reservoir in Wyoming; 90% of capacity at Flaming Gorge Reservoir in Wyoming and Utah; 93% of capacity at Morrow Point and 82% of capacity at Blue Mesa Reservoir in Colorado; and 80% of capacity at Navajo Reservoir in New Mexico.

As of November 1st, the observed unregulated inflow into Lake Powell for Water Year 2019 was 12.95 MAF (120% of normal). The observed April to July 2019 runoff into Lake Powell was 10.41 MAF (145% of normal). The October observed Lake Powell inflow was 0.27 MAF (52% of normal), and the November Lake Powell inflow forecast is 0.35 MAF (74% of normal). To date, the WY-2020 precipitation is 66% of normal.

COLORADO RIVER BASIN PROGRAM UPDATES

Salinity Control Program Update

The Basin's Salinity Control Program Work Group, Forum, and Advisory Council meetings were held on October 22-25 in Phoenix, Arizona. The main topics of discussion at these meetings were the draft 2020 Triennial Review Salinity Control Report, the Paradox Valley

Unit project status and project replacement status, the federal accomplishments report, and Program funding recommendations.

The Federal Water Pollution Control Act requires that at least once every three years the seven Basin States review water quality salinity standards for the Colorado River, and describe actions by states to achieve compliance with those salinity standards. The states collectively initiated this review under the direction of the Forum. For the 2020 Triennial Review, the Forum is evaluating up to four scenarios of salinity control ranging from 1.31 million tons to 2.34 million tons of salinity control activities per year. The low end represents no additional projects beyond 2020 and the high end represents the implementation of the maximum potential controls through 2040 assuming no funding limitations.

Reclamation provided an update on the Paradox Valley Unit (PVU) Environmental Impact Statement (EIS) schedule. Reclamation has identified four alternatives to be analyzed in the EIS including: A) No Action, B) New Injection Well, C) Evaporation Ponds, and D) Zero Liquid Discharge. Reclamation has received comments on the Administrative Draft EIS from the Cooperating Agencies, including the Board, and anticipates releasing a Public Draft EIS for a 45-day public comment in December of this year. The Basin States anticipate some special meetings in December and January to discuss consensus recommendations for a selected Paradox Valley project alternative. The Final EIS is scheduled for release in May 2020, with a Record of Decision in June 2020.

The PVU remains shut down since March 4, 2019 when a Magnitude 4.5 earthquake occurred near the injection well facility. The number and strength of aftershocks experienced at the site is gradually dissipating. Reclamation has been conducting a seismic analysis of the project including stress analysis, seismic hazard, and aftershock analysis. Results of the analysis are expected in late December, after which Reclamation will evaluate options for restarting the project. It is looking increasingly likely that the existing project will not be restarted anytime soon.

The Advisory Council received a briefing on the 2019 Federal Accomplishments Report for the Salinity Control Program. This annual report describes the salinity control actions conducted during the fiscal year by the federal agencies including the Department of Agriculture, Environmental Protection Agency, Fish and Wildlife Service, U.S. Geological Survey, Bureau of Land Management, and Reclamation. Information provided includes summary of funding obligated, project accomplishments, and research activities.

The Forum and Advisory Council adopted funding recommendations to the federal agencies to continue implementation of the Salinity Control Program over the next several fiscal years. These adopted funding requests are used by the Forum in its annual testimony to

Congress and then generally passed on to the Advisory Council, which it then includes in its recommendations to the agencies in the annual Advisory Council Report. Recommendations for Fiscal Years 20-23 include \$10.1 million per year for the Basinwide Program, \$2.0 million per year for the Bureau of Land Management, and approximately \$13.0 million per year for the Natural Resources Conservation Service (USDA).

Proposed Total Maximum Daily Load Listing for the Colorado River

On September 27, 2019, the Colorado River Basin Regional Water Quality Control Board (Regional Board) released draft proposed listing recommendations for the Clean Water Act Section 303(d) List of Impaired Waters and Section 305(b) Surface Water Quality Assessment (Staff Report). Clean Water Act Sections 303(d) and 305(b) require states to assess the quality of their surface waters on a regular basis. The purpose of these assessments is to identify water bodies that are impaired and do not meet water quality standards. The draft Staff Report currently includes recommendations for several new total maximum daily load (TMDL) listings for the California section of the Colorado River including total dissolved solids (TDS), specific conductivity, manganese, and sodium.

The proposed listings for TDS and specific conductivity were of particular concern because the long-standing Colorado River Salinity Control Program already has standards in place to address these constituents across the entire Colorado River Basin. Staff provided testimony describing the Salinity Control Program purpose and activities at the Regional Board's October 10th public workshop on this subject. Staff have worked diligently with Reclamation to provide the Regional Board with the data and tools used by the Salinity Control Program to ensure compliance with existing standards. The Board and several Board member agencies provided written comments to the Regional Board in late October.

The additional information provided to Regional Board staff resulted in the removal of the proposed listing for TDS, specific conductivity, and sodium for the Colorado River. For the Colorado River, proposed listings are still being considered for manganese from Imperial Dam to California-Mexico Border and for turbidity from Lake Havasu Dam to Imperial Dam. A public hearing on the proposed listings is set for the November 14th Regional Board meeting in El Centro, CA.

Agency Technical Staff Meeting

Agency and Board technical staff met at the headquarters office of the Coachella Valley Water District on November 7th to initiate discussions regarding the Agencies role in Reclamation's evaluation of the effectiveness of the 2007 Interim Shortage Guidelines called for in Section 7.D of the Guidelines. The group discussed Reclamation's proposed timeline for

completion of the Guidelines effectiveness review and initial thoughts regarding preparation for the development of the next set of Interim Operating Guidelines for the Colorado River System, which will need to be finalized by the end of 2025. Board staff is proposing, on an as needed basis, to establish *ad hoc* work groups comprised of Board and member agency staff to support the next steps and that can provide technical expertise, data and information as the process to develop the next set of Guidelines begins.

Glen Canyon Dam Adaptive Management Program

The Technical Work Group (TWG) of the Glen Canyon Dam Adaptive Management Program met October 21-22 in Phoenix, Arizona. The TWG received an update on the recently completed National Park Service (NPS) Expanded Non-Native Aquatic Species Management Plan, which includes tools and strategies to prevent or control the expansion of harmful nonnative aquatic species. The plan was prompted by the recent, dramatic expansion of the nonnative brown trout population below Glen Canyon Dam. The NPS will be implementing several of the measures in the Management Plan, including incentivized angler harvest, to target this population.

Researchers also reported that contacts with larval and adult endangered razorback sucker in the lower reaches of the Grand Canyon have declined precipitously since 2014. It is unclear what has caused this change, but researchers hypothesize that the waterfall at Pearce Ferry, which has grown as Lake Mead levels remain low, may be serving as a barrier to upstream movement from the Lake Mead population of razorback sucker. Preliminary discussions have started on the possibility of augmenting the Lake Mead and lower Grand Canyon population of razorback sucker with stocked fish.

The TWG discussed potential experimental management actions available during the next twelve months, which include a spring high-flow experiment (HFE), a trout management flow, “bug flows”, and a fall HFE. These experiments depend on stakeholder input and the condition of various resources. The group also discussed the potential to conduct spring high flows that fall outside the spring HFE triggering conditions set forth in the 2016 Long-Term Experimental and Management Plan (LTEMP), which guides Glen Canyon Dam routine and experimental releases. An *ad hoc* group was established to continue the discussion.

The TWG will meet in Phoenix on January 14-16 for its Annual Reporting Meeting, at which researchers provide updates on the past year’s monitoring and research activities.

Lower Colorado River Multi-Species Conservation Program

The Steering Committee for the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) met via teleconference on October 23rd. The group discussed the upcoming 15-year LCR MSCP anniversary tour, which will be held March 24-26, 2020, starting in Yuma, Arizona. The Steering Committee also received an update on the Lake Mead Razorback Sucker Workgroup, which has recently discussed the possibility of stocking razorback sucker in Lake Mead. LCR MSCP researchers also reported that there had been five successful nests of the endangered southwestern willow flycatcher at Topock Marsh this last year, producing 12 fledglings. Over 14 northern Mexican gartersnakes, the most recent addition to the LCR MSCP, were also detected in the past year, most of them at the program's Beal Lake Conservation Area.

The Program's two annual research report-out meetings, the Colorado River Aquatic Biologists (CRAB) and Colorado River Terrestrial and Riparian (CRTR), will be held in Laughlin, Nevada on January 8-9, 2020 and January 28-30, 2020, respectively.

GENERAL ANNOUNCEMENTS AND UPDATES

General Announcements

Salton Sea Summit

Pacific Institute and UC Riverside co-hosted a Salton Sea Summit in Palm Desert on October 17-18. The Summit was a multi-disciplinary event intended to attract a broad range of interests, promote an exchange of ideas, and develop new opportunities and partnerships. The Board was well represented among the moderators and panelists of the Summit including the Board's Executive Director and representatives from the Imperial Irrigation District, San Diego County Water Authority, and the Los Angeles Department of Water and Power. During the two-day Summit discussion topics included the connection between the Sea and the Colorado River, hydrology, habitat and ecology, water quality, air quality, and implementation of habitat and dust control projects. The Summit included a keynote speech by California Natural Resources Agency Secretary Wade Crowfoot.

Coachella Valley Water District Receives 2019 Platinum Award for Utility Excellence

The Board and its staff wish to congratulate our colleagues at the Coachella Valley Water District (CVWD) for receiving the 2019 Platinum Award for Utility Excellence from the Association of Metropolitan Water Agencies (AMWA). AMWA is an organization of the largest publicly owned water utilities in the U.S. CVWD is one of only two agencies across the U.S. to

earn this honor this year. To win this award, CVWD had to rank highly on AMWA's Ten Attributes of Effective Utility Management: product quality, employee and leadership development, financial viability, operational resiliency, water resource adequacy, customer satisfaction, operational optimization, infrastructure stability, community sustainability and stakeholder understanding and support. Congratulations!

A link to an article regarding this award to CVWD has been included for your information

<http://californiawaternewsdaily.com/industry/coachella-valley-water-district-honored-by-association-of-metropolitan-water-agencies/>

Washington, D.C. Updates

Appropriations Update

Last week, the full U.S. Senate took votes on two “minibus” appropriations packages. The first “minibus” included the Interior-Environment bill which includes funding for most of the Department of the Interior, but not the Bureau of Reclamation or EPA. This package passed the Senate with overwhelming support by a vote of 84 to 9. The second package containing the Defense appropriations bill failed on partisan lines amid concerns that the bill would allow for funds to be diverted to build the wall along the U.S.-Mexico border. The Energy and Water appropriations bill, containing funding for Reclamation, was expected to be attached to this “minibus” were it to advance.

It is unlikely that Congress will finalize the minibus package containing the Interior-EPA appropriations bill, or other appropriations bills, until the House concludes its impeachment inquiry into the President. Congress will likely have to pass a Continuing Resolution to keep the Government funded past the November 21st shutdown deadline.

Hearing on Water Security and Economic Development in the West

On October 30th, the Senate Energy and Natural Resources Subcommittee on Water and Power held a hearing on water security to enable economic development. The Committee invited a panel of witnesses including academics, a representative from Intel Corporation, farming interests, and the CEO of the Las Vegas Metro Chamber of Commerce. Ms. Mary Beth Sewald, CEO of the Las Vegas Chamber of Commerce, described the city's efforts to reduce water use as a means of attracting business, noting that the Las Vegas Valley has added 10,000 new businesses and 180,000 new jobs since 2011. The Panel went on further to discuss technological advances and natural ecosystem restoration projects that could or are already being employed to conserve water in the arid West.

Waters of the United States Update

The EPA and U.S. Army Corps of Engineers (Corps) finalized the repeal of the Obama Administration's Waters of the United States Rule. The repeal hinged on the notion that the former rule exceeded the agencies' legal authority and took away land use regulatory authority that is traditionally reserved for state governments. Litigation is already ensuing as a result of the repeal. Environmental groups are contending that the EPA and Corps did not properly follow the Administrative Procedures Act in its repeal. Specifically, the agencies claim the repeal decision was prejudged and that public comment was not considered. Meanwhile, the EPA and Corps are currently working on a new rule. This rule would further limit the regulatory reach of the Clean Water Act, beyond the "significant nexus" analysis test proposed by Justice Kennedy in the 2006 *Rapanos v. United States* decision of the U.S. Supreme Court.

Senate Climate Caucus

Last week Senators Mike Braun (R-IN) and Chris Coons (D-DE) formally announced the creation of the Senate Climate Solutions Caucus as a forum to develop business friendly climate change legislation. While no specific legislation has been announced, the members have not ruled out a gas tax or carbon fee dividend, and both concepts have the backing of some industry groups. Currently, the only other notable Republican on the Caucus is Energy and Natural Resources Committee Chair- Lisa Murkowski (R-AK). The Caucus is expected to announce new members including several more Republicans in the coming weeks.

California Water and Fish

The U.S. Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS) recently issued updated Biological Opinions for the operation of the Central Valley Project (CVP). These documents build on ten years of science and are central to the Administration's push to update California's water plan to provide more water to Central Valley farmers. The Biological Opinions have updated management provisions for CVP reservoirs like Shasta, as well as new Delta operations that are based on real-time science and monitoring. Under the California Endangered Species Act, Governor Newsom's Administration will have to decide whether or not to issue a consistency determination for the Biological Opinions, which would essentially mean that the protections under the federal Endangered Species Act are sufficient and applicable to the State Water Project. Environmental groups have criticized the rule as destructive to already distressed fish populations.
