Colorado River Board of California

MONTHLY REPORT TO THE COLORADO RIVER BOARD OF CALIFORNIA

April 12, 2023

ADMINSTRATION

Consideration of Application for Water Subcontract from the Lower Colorado Water Supply Project (Action)

Overview of the Lower Colorado Water Supply Project

The Lower Colorado Water Supply Act (Public Law 99-655) was enacted by Congress in 1986 as a mechanism for California water users without Boulder Canyon Project Act Section 5 contracts for small amounts of water for domestic and industrial uses by exchange of up to 10,000 acre-feet of water per year from the Colorado River for current and future uses within California. Constructed by the U.S. Bureau of Reclamation (Reclamation), the Lower Colorado River Supply Project (Project) consists of four wells and pumping facilities in the Sand Hills area along the All-American Canal in Imperial County. The Project water is intended for domestic, municipal, industrial, and recreational uses only. Eligible Project beneficiaries are limited to "persons or Federal or non-Federal governmental agencies whose lands or interests in lands are located adjacent to the Colorado River in the State of California, who do not hold rights to Colorado River water or whose rights are insufficient to meet their present or anticipated future needs as determined by the Secretary."

The City of Needles serves as the Administrator for the Project, which enables eligible water users to subcontract for the use of Colorado River water subject to Project availability. In the subcontract, Reclamation and the City of Needles periodically re-examine the subcontractor's reasonable and beneficial use of water at 5-year intervals beginning 10 years after the effective date of the subcontract and reduce as necessary the amount of water that may be diverted pursuant to the subcontract. The Board reviews applications for use of Project water supplies and then provides a recommendation to Reclamation as to whether a subcontract should be approved. Since 2001, the Board has received over 650 applications for the use of Project water and has recommended approximately 5,900 acre-feet of current or future water uses for subcontracting with the City of Needles. This includes approved current uses of 798 acre-feet and approved future uses of 5,097 acre-feet.

Staff Recommendation for Board Consideration

The Board packet includes proposed Board Resolution 2023-1 recommending a subcontract for Lower Colorado Water Supply Project water in San Bernardino County, California, be offered to the applicant and directs the executive director to forward the application to Reclamation. Mr. Jeff Sievers is requesting a new contract for 1.0 acre-feet of current use. If the Board recommends approval, a new subcontract would be developed by Reclamation for the owner at a future point in time. Board staff recommends that the Board approve and adopt Resolution 2023-1 during its meeting on April 12, 2023.

COLORADO RIVER BASIN WATER SUPPLY CONDITIONS REPORT

As of April 3rd, the surface water elevation of Lake Powell was 3,521.85 feet with nearly 5.37 million-acre feet (MAF) of storage, or 23% of capacity. The surface water elevation of Lake Mead was 1,046.04 feet with 7.4 MAF of storage, or 28% of capacity. As of April 2nd, the total System storage was 19.0 MAF, or 32% of capacity, which is about 1.89 MAF less than the total System storage at this time last year.

As of April 4th, storage in the Upper Basin reservoirs, excluding Lake Powell, included the following volumes: 33% of capacity at Fontenelle Reservoir in Wyoming; 67% of capacity at Flaming Gorge Reservoir in Wyoming and Utah; 94% of capacity at Morrow Point and 36% of capacity at Blue Mesa Reservoir in Colorado; and 57% of capacity at Navajo Reservoir in New Mexico.

As of March 20th, the February observed inflow into Lake Powell was 0.27 MAF (74% of normal) and the March forecasted inflow is 0.50 MAF (84% of normal). The forecasted unregulated inflow into Lake Powell for Water Year (WY) 2023 is 12.92 MAF (135% of normal). The April through July 2023 forecasted unregulated inflow into Lake Powell is 10.0 MAF (156% of normal).

Colorado Basin River Forecast Center Webinar

On April 7th, the Colorado Basin River Forecast Center (CBRFC) held a webinar to review the current and forecasted water supply conditions as well as the peak runoff forecast. The wet weather pattern that began in mid-February continued through March. Precipitation conditions in March were above 150% of average across the Colorado River Basin. The best precipitation conditions were in northwest and southwest Colorado, central Arizona, and Utah. Colder temperatures in March allowed for snow accumulation at lower elevations and minimal

snowmelt. In March, several SNOTEL sites across the Colorado River Basin recorded snow water equivalent (SWE) ranking in the wettest top-three on record and above the 90th percentile.

The fall 2022 modeled soil moisture conditions are near to below normal across several of the runoff producing Basins such as the Green River Basin. In contrast, modeled soil moisture conditions in the Lower Colorado River Basin are above average, a result of above average precipitation conditions from previous summer monsoonal events. Soil moisture conditions are expected to significantly improve as a result of the strong winter.

Water Year-2023 precipitation continues to be above average in most areas of the Colorado River Basin. Similar to last month, the Upper Green River Basin above Fontenelle Reservoir received less precipitation (105% of average) compared to the surrounding basins such as the Yampa/White River (135% of average).

Overall, early April SWE conditions for the Upper and Lower Colorado River Basin were above normal. In the Upper Colorado River Basin, SWE ranged from 120% of normal in the Colorado River headwaters to 250% of normal in the Prince/San Rafael/Dirty Devil River Basin. In the Lower Colorado River Basin, SWE conditions in southwest Utah and central Arizona were near to close to record conditions. CBRFC noted that at this time of year, central Arizona's SNOTELs would have typically melted out by now.

The CBRFC discussed the implications of high and low elevation snow distribution. Snow distribution can impact the timing of snow melt, reservoir inflows, peak flows, and spring runoff volumes.

The April 1 water supply forecast for April to July runoff volumes for the Upper Colorado River Basin increased over the last month and ranged from 90% to 260% of average and 177% of average for Lake Powell. In the Lower Colorado River Basin, which has a runoff period from January to May, runoff volumes range from 210% to 575% of median. The CBRFC noted that the Lower Colorado River Basin benefitted from several atmospheric rivers in the previous months.

As of April 6th, several basins in the Upper and Lower Basin had a peak forecast greater than 150% of average. The White/Yampa and Gunnison River Basins have a greater than 50% flood stage exceedance probability. The CBRFC also provided a tutorial of how to use its website to access additional peak flow data and forecasts.

Currently a ridge of high pressure over the western states will usher in dry and warm conditions in the Colorado River Basin through April 12th. After which, cooler and wetter conditions are anticipated in the Upper Colorado River Basin.

The next CBRFC Water Supply briefing is scheduled for Friday, May 5th. Register for the future webinars at the following link: https://www.cbrfc.noaa.gov/news/wswebinar.html.

COLORADO RIVER BASIN PROGRAM UPDATES

Water-Year 2023 Operations Update

At a meeting of the seven Basin states and federal team in Phoenix, Arizona, on March 24th, agreement was reached among the states and Reclamation to discontinue the use of "operational neutrality" and include the 480 KAF that was withheld in the WY-2022 annual Glen Canyon Dam release. As Lake Powell is currently in the Lower Elevation Balancing Tier, the 480 KAF would be included in the total volume of water scheduled to be released through the remainder of WY-2023 as balancing release volume. By discontinuing the use of "operational neutrality", Reclamation's future operations, including balancing operations, will now be guided by actual elevations in both Lakes Powell and Mead.

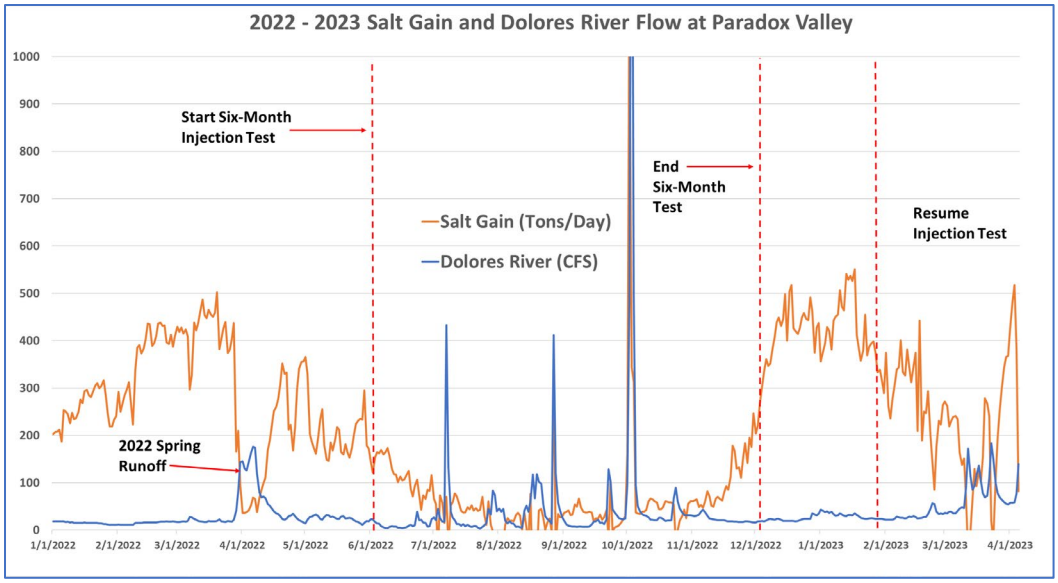
Additionally, Reclamation and Lower Basin contractors have committed to coordinate with Reclamation in order to provide more accurate water use and water conservation assumptions for inclusion in subsequent 24-Month Study Reports and continue to refine those assumptions through WY-2023.

Finally, Reclamation will begin to coordinate with representatives of the Upper Division States regarding operations and activities associated with the recovery of drought response operations release volumes during WY-2023, and potentially into WY-2024 if necessary. Reclamation will track and document the drought response operations release volume recovery efforts and provide updates in subsequent 24-Month Study Reports.

Colorado River Basin Salinity Control Program Implementation

Paradox Valley Unit Salinity Control Project

The Paradox Valley Unit salinity control project brine injection well continues operation with an injection rate of 115 gallons per minute. Injection operations are expected to continue at this rate unless adverse seismic conditions are observed and while Reclamation continues to conduct a seismic risk analysis. Reclamation lost one of the extraction well pumps on April 1st, which may have contributed to the spike in salt load observed in the figure below. A new pump is being installed. From January 27 to March 31, 12,081 tons of salt were controlled by the project.



Salinity Control Forum Work Group Meeting

The next Salinity Control Forum Work Group meeting is scheduled for April 25-27th in Glenwood Springs, CO. The focus of the meeting is to further refine the 2023 draft Triennial Review of water quality standards for salinity in the Colorado River System. The Federal Water Pollution Control Act requires that at least once every three years the Basin States review water quality standards relating to the salinity of the Colorado River. The other key topic under discussion will be updates on the Paradox Valley Unit salinity control project. The work group will also receive updates from federal agencies funding program implementation or conducting research on salinity control activities.

GENERAL ANNOUNCEMENTS AND UPDATES

Salton Sea Management Program Updates

SSMP Annual Report Submitted to State Water Board

The California Natural Resources Agency has submitted its 2022 Annual Report on the Salton Sea Management Program (SSMP) to the State Water Resources Control Board, prepared in compliance with Order WR 2017-0134. The report summarizes progress in 2022 toward reducing exposed playa and creating habitat at the Salton Sea. Highlights include continuous work to deliver on the SSMP's Phase-1: 10-Year Plan projects and taking steps toward programmatic access agreements with landowners to help accelerate dust suppression and aquatic habitat projects at the Sea. The report is available here:

https://saltonsea.ca.gov/wp-content/uploads/2023/03/2023AnnualReportEnglishMar20Red.pdf .

State Water Board Salton Sea Management Program Workshop

The State Water Board will be holding its annual workshop on the status of the California Natural Resources Agency's Salton Sea Management Program. The workshop will take place during the State Water Board's regularly scheduled meeting on May 16, 2023, from 12:00 p.m.-4:00 p.m., and May 17, 2023, from 5:00 p.m.-9:00 p.m. Before the annual workshop, California Natural Resources Agency will also host a public pre-workshop to provide details on their annual report and program updates. The specific workshop date is still being determined, check https://saltonsea.ca.gov for updates.

Samantha Arthur Appointed to Serve as Assistant Secretary for Salton Sea Policy

Governor Gavin Newsom has appointed Ms. Samantha Arthur to serve as the Assistant Secretary for Salton Sea Policy at the Natural Resources Agency. Ms. Arthur has served as Working Lands Director for Audubon California since 2019 and was Conservation Project Director there from 2016-2019 and Conservation Project Manager from 2014-2106. She is also a member of the California Water Commission.

California's Snowpack is Now One of the Largest Ever, Bringing Drought Relief, Flooding Concerns

On April 3rd, the California Department of Water Resources (DWR) conducted the fourth snow survey of the season at Phillips Station. The manual survey recorded 126.5 inches of snow depth and a snow water equivalent of 54 inches, which is 221 percent of average for this location on April 3. The snow water equivalent measures the amount of water contained in the snowpack and is a key component of DWR's water supply forecast. DWR's electronic readings from 130 snow sensors placed throughout the state indicate the statewide snowpack's snow water equivalent is 61.1 inches, or 237 percent of average for this date. This year's April 1 result from the statewide snow sensor network is higher than any other reading since the snow sensor network was established in the mid-1980s and matches the historical high from 1952 taken with manual measurements.

DWR Announces Increase in State Water Project Allocation

On March 24, 2023, The Department of Water Resources announced an increase in forecasted State Water Project (SWP) deliveries this year due to strong gains in the Sierra snowpack. DWR now expects to deliver 75 percent of requested water supplies to the 29 public water agencies that serve 27 million Californians. In determining available SWP supplies, DWR has considered several factors including SWP contractors' projected 2023 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements from the federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority. DWR may revise the SWP allocation if warranted depending on the rest of the year's hydrologic conditions and available SWP water supplies.

Biden-Harris Administration Announces Nearly $585 Million from Bipartisan Infrastructure Law to Repair Aging Water Infrastructure, Advance Drought Resilience

On April 5th, Deputy Secretary of the Interior Tommy Beaudreau, Senior Advisor to the President and White House Infrastructure Implementation Coordinator Mitch Landrieu, and Bureau of Reclamation Commissioner Camille Calimlim Touton announced a nearly $585 million investment from President Biden's Bipartisan Infrastructure Law for infrastructure repairs on water delivery systems throughout the West. Funding will go to 83 projects in 11 states to improve water conveyance and storage, increase safety, improve hydro power generation, and provide water treatment. Some highlights to the funding include:

- $10.2M for Brock Reservoir Forebay/Afterbay Inlet Gates Rehabilitation/Replacement.
- $4M for Laguna Dam Settling Basin Dredging.
- $5.67M for Imperial Dam All American Canal Desilting Works Radial Gates Repair.
- $1.1M for Laguna Dam Gate Refurbishment.
- $9.5 Million for Imperial Irrigation District's Upstream Reservoir Storage Project.

Biden-Harris Administration Announces Up to $233 Million in Water Conservation Funding for Gila River Indian Community

On April 6th, Deputy Secretary of the Interior Tommy Beaudreau, Senior Advisor to the President and White House Infrastructure Implementation Coordinator Mitch Landrieu, and Deputy Bureau of Reclamation Commissioner David Palumbo announced up to $233 million in historic funding and conservation agreements to help the Gila River Indian Community and water users across

the Colorado River Basin protect the stability and sustainability of the Colorado River System. They were joined by federal, state, local and Tribal leaders.

The Gila River Indian Community will receive $50 million in funding from the Inflation Reduction Act via the Lower Colorado River Basin System Conservation and Efficiency Program, which will help finance a system conservation agreement to protect Colorado River reservoir storage volumes amid persistent climate change-driven drought conditions. This conservation initiative will result in nearly 2 feet of elevation in Lake Mead for the benefit of the Colorado River System. The agreement also includes the creation of up to 125,000 acre-feet of system conservation water in both 2024 and 2025, with an investment of an additional $50 million for each additional year. This is among the first allocations for a system conservation agreement from the Lower Colorado River Basin System Conservation and Efficiency Program.

Washington, D.C. Report

Fiscal-Year 2024 Appropriations

On March 9th, President Biden transmitted his fiscal year 2024 budget to Congress. This was roughly a month later than the budget is typically sent to Congress and the Administration points to the fact that the fiscal year 2023 omnibus did not pass until December, which delayed the fiscal year 2024 budget development.

Details from the Bureau of Reclamation include:

- $13.6 million for WaterSMART grants (FY23 enacted = $65 million)
- $2.2 million for Cooperative Watershed Management under WaterSMART (FY23 enacted = $5 million)
- $24 million for Drought Response under WaterSMART (FY23 enacted = $38 million)
- $7 million for Desal and Water Purification Research Program (FY23 enacted = $17 million)
- $2 million for Salton Sea Research Project (FY23 Enacted = $2 million)
- $33 million for CALFED (FY23 Enacted = $33 million)
- $48.5 million for CVPIA Restoration Fund (FY23 Enacted = $45.7 million)

On Wednesday March 29th, Commissioner Touton testified on Reclamation's budget in the House Appropriations Subcommittee on Energy and Water Development and Related Agencies. The Commissioner received a question from Rep. Quigley (D-IL) about how Reclamation can use its budget to deal with flood control in the west post-drought. The Commissioner responded that Reclamation is trying to prioritize investments in places where they can get multiple benefits and pointed to the BF Sisk Dam (San Luis Reservoir) raise as an example of a project that is intended

to address seismic issues, but also creates more storage capacity for water supply and for flood control. She also mentioned that Reclamation is partnering with the Corps on Forecast Informed Reservoir Operations (FIRO).

Rep. Lee (D-NV) asked Commissioner Touton if the Colorado River was oversubscribed to which the Commissioner replied, "The hydrology that we are seeing shows less water coming into the reservoirs." Rep. Lee encouraged Commissioner Touton to move forward with the six-state agreement and asked for an update on the SEIS process currently underway. Commissioner Touton stated that the process is on an expedited path and that a draft SEIS will be available later this spring.

Waters of the United States (WOTUS)

A federal judge in Texas recently blocked implementation of the U.S. EPA's revised WOTUS rule in two states – Idaho and Texas – but stopped short of granting a nationwide injunction. The new rule took effect in the rest of the country on Monday, March 20th. Opponents of the rule continue to argue that the Supreme Court decision in the *Sackett vs. EPA* case, which is expected later this summer, will nullify large parts of the new WOTUS rule and therefore implementation should be put on hold until the Supreme Court has ruled on the issue.

The Senate voted 53-43 to repeal the WOTUS rule, with four Democrats joining Republicans in voting to overturn the regulation. President Joe Biden is expected to veto the measure (H.J. Res. 27), which passed the House earlier this month. Sens. Manchin (D-WV), Rosen (D-NV), Cortez Masto (D-NV), and Tester (D-MT), as well as Sen. Sinema (I-AZ), voted for the resolution disapproving of the WOTUS rule.

Colorado River

On March 15th, Rep. Neguse (D-CO) and Rep. Ciscomani (R-AZ) announced the formation of a Colorado River Caucus in the House. Current caucus members include the following:

- Greg Stanton (D-AZ)
- Grace Napolitano (D-CA)
- Jay Obernolte (R-CA)
- Doug Lamborn (R-CO)
- Dina Titus (D-NV)
- Mark Amodei (R-NV)
- Melanie Stansbury (D-NM)
- Teresa Leger Fernandez (D-NM)
- Chris Stewart (R-UT)
- John Curtis (R-UT)

House Natural Resources Committee

On Tuesday March 28th, the House Natural Resources Committee's subcommittee on Water, Wildlife and Fisheries held a hearing title "Why We Need to Store More Water and What is Stopping Us" with the following individuals serving as witnesses:

- William Bourdeau, Vice Chair, San Luis & Delta-Mendota Water Authority
- Tricia Hill, Board Member, Klamath Water Users Association
- Andy Mueller, General Manager, Colorado River Conservation District
- Joshua Sewell, Senior Policy Analyst, Taxpayers for Common Sense

During the hearing, Republicans made the case that the ESA and NEPA are what slow down new storage projects. Democrats pushed back and pointed out that the beneficiary pays principle, which both sides of the aisle said they support, is the real hinderance because many of the good locations for dams have already been developed. Democrats made the case that places where dams are proposed today have lower water yields due to their less-than-ideal locations, and therefore are not economically viable.

There seemed to be tacit agreement on both sides of the aisle that there are places where improving, raising, or retrofitting existing dams makes sense but there was clear disagreement over the need for additional surface storage. There was also agreement that better forest management, particularly in high mountain watersheds, has positive impacts on water supply.

On Tuesday, April 11, 2023, at 2:00 p.m. PDT the Subcommittee on Water, Wildlife and Fisheries held a legislative field hearing at the World Ag Expo in Tulare on the following bills:

- H.R. 215 (Rep. Valadao) "Working to Advance Tangible and Effective Reforms for California Act" or the "WATER for California Act".
- H.R. 872 (Rep. Calvert) "Federally Integrated Species Health Act" or the "FISH Act".

Open Access Evapotranspiration Data (OpenET) Act

Reps. Susie Lee (D-NV), Chris Stewart (R-UT), Jared Huffman (D-CA), and Burgess Owens (R-UT) introduced the OpenET Act, which directs the Interior secretary to establish a program to share evapotranspiration data. Such data would help farmers, ranchers, and cities understand water availability. The bill authorizes $23 million a year for five years. Sen. Catherine Cortez Masto (D-NV) and Sen. John Hickenlooper (D-CO) reintroduced companion legislation in the Senate.

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