

Minutes of Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, March 13, 2024

A meeting of the Colorado River Board of California (Board) was held on Wednesday, March 13, 2024, at the Rancho Mirage City Council Chambers, 69-825 Highway 111, Rancho Mirage, CA, 92270.

Board Members and Alternates Present:

Gloria Cordero (MWD)	Jeanine Jones (DWR Designee)
Gina Dockstader (IID Alternate)	Jim Madaffer, Vice Chairman (SDCWA)
Dana B. Fisher, Jr. (PVID)	Frank Ruiz (Public Member)
John B. Hamby, Chairman (IID)	David Vigil (DFW Alternate)
Jordan Joaquin (Public Member)	

Board Members and Alternates Absent:

David De Jesus (MWD Alternate)	Delon Kwan (LADWP Alternate)
Castulo Estrada (CVWD Alternate)	Peter Nelson (CVWD)
Christopher Hayes (DFW Designee)	David R. Pettijohn (LADWP)
Eric Heidemann (SDCWA Alternate)	Jack Seiler (PVID Alternate)

Others Present:

Steven Abbott	Jessica Neuwerth
Nick Bahr	Alan Pace
Robert Cheng	Angela Rashid
JR Echard	Alexi Schnell
Jeff Faxon	Carrie Scott
Christopher Harris	Gary Tavetian
Ned Hyduke	Joseph Vanderhorst
Laura Lamdin	Petya Vasileva
Aaron Mead	Jerry Zimmerman
Yuanyuan Myint	

CALL TO ORDER

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

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Hamby invited members of the audience to address the Board on items on the agenda or matters related to the Board. Hearing none, he moved on to the next item on the agenda.

LOCAL AND STATE WATER SUPPLY AND OPERATIONS REPORTS

Member Jones, representing the California Department of Water Resources (DWR), reported that there has been a big improvement in precipitation compared to February, noting that the month turned out to be very wet and increased the snowpack. She added that in February, statewide precipitation was close to normal and lagging.

Member Jones reported that statewide reservoir storage is above average due in part to carryover storage from last year. Member Jones reported on natural flow conditions of several California rivers such as Shasta, Feather, and Kern. She stated that current streamflow conditions have greatly improved compared to the drought periods of 2014, 2015 and 2021.

Member Jones reported that the statewide snowpack is 104% of normal and 94% of April 1st average. She noted that average snowpack may not translate into average runoff.

Member Jones reported on the Basin Characterization Model, which was funded by the U.S. Geological Survey (USGS) to model the Colorado River Basin. She reported that the model is a diagnostic model that allows you to look at how changes in observed conditions are shifting in response to climate change. She presented a graph displaying precipitation and potential evapotranspiration and runoff efficiency in the Upper Colorado River Basin from 1951 to 2023. She reported that precipitation fluctuates on an up-and-down basis, but evaporative demand is steadily increasing. She added that evapotranspiration is driven by temperature and relative humidity. She stated that over the period of record (1951 to 2023) there is a gradual decline in runoff efficiency over the long-term average. She added that it illustrates the effect of a warming atmosphere. She explained that groundwater contributes a fair amount of base flow to river systems and is not affected by atmospheric temperatures.

Member Cordero, representing the Metropolitan Water District of Southern California (MWD), reported that MWD's combined reservoir storage as of March 1st is 91% of capacity. She reported that the Colorado River Aqueduct has been shut down for maintenance until about March 28th, then will ramp up to a seven-pump flow through May. The 2024 diversion target is 984,000 AF as of March 8th, and MWD has diverted about 103,492 acre feet (AF). She noted that information on January deliveries for its member agencies is not yet available, but the 2024 delivery target for the Desert Water Agency in Coachella Valley water district is 133,000 AF.

Executive Director Harris reported on precipitation conditions in the Eastern Sierra. He reported that as of March 12th, precipitation was 84% of April 1st normal and 91% normal to date.

COLORADO RIVER BASIN WATER SUPPLY AND OPERATIONS REPORT

Executive Director Harris reported that as of March 11th, the water level at Lake Powell was 3,560.99 feet with 7.86 million-acre feet (MAF) of storage, or 34% of capacity. The water level at Lake Mead was 1,076.32 feet with 9.71 MAF of storage, or 37% of capacity. The total system storage was 24.78 MAF, or 33% of capacity, which is 5.96 MAF more than system storage at this time last year.

Executive Director Harris reported that as of March 5th, the Water Year 2024 (WY-2024) forecasted unregulated inflow into Lake Powell is 7.66 MAF, or 80% of normal. He reported that the forecasted April to July inflow into Lake Powell is 5.0 MAF, or 78% of normal. He stated that observed inflow into Lake Powell for February was 95% of normal and the March inflow forecast was 77% of normal. He reported that WY-2024 precipitation to date is 101% of normal and the current Basin snowpack was 104% of normal.

Executive Director Harris reported on monthly precipitation conditions in January and February 2024. He noted that in February the Basin received an increased amount of precipitation, particularly in the southern Arizona region. He added that a significant snowstorm is expected for Denver, Colorado. He stated that the winter started off drier but has gotten progressively wetter. He stated that SNOTEL data for snowpack conditions above Lake Powell are slightly above median.

Executive Director Harris reported on January and February CRMMS projections for Lakes Powell and Mead. He stated that Lake Powell's projected most probable elevation for the end of calendar 2024 is 3,565.61 (35% of capacity) and the projected most probable elevation at the end of calendar year 2025 is 3,575.66 (38% of capacity). He explained that Lake Powell's elevation will increase during runoff season and over the course of fall and winter, decrease. He stated that for WY-2024 Glen Canyon Dam release will be 7.48 MAF and the same release is projected for

WY-2025. He stated that the lower releases will impact Lake Mead's elevation and its most probable elevation is 1,050 feet at the end of calendar year 2025.

Executive Director Harris reported that through the end of February, the Brock and Senator Wash regulating reservoirs captured 11,861 AF and 12,660 AF respectively. He also reported that excess deliveries to Mexico were 10,199 AF, compared to 9,966 AF at this time last year. He remarked that the Bureau of Reclamation (Reclamation) has tightened up the lower end of the system, but the excess flows could have occurred from water ordered but not diverted. He explained that this is due to some of the winter storms that occurred in the San Diego region and moved down into the Imperial Valley, causing a reduction of water orders. He stated that saline drainage bypass to the Cienga de Santa Clara is currently about 24,776 AF.

COLORADO RIVER BASIN PROGRAMS STAFF REPORTS

Salinity Control Program

Deputy Executive Director Neuwerth reported that the Work Group of the Colorado River Basin Salinity Control Forum (Work Group) met in March.

Deputy Executive Director Neuwerth reported that the well in Paradox Valley is operating. Testing continues following the seismic events observed a number of years ago and a seismic risk analysis is scheduled for the end of the year. In 2023, the well disposed of approximately 53,000 tons of salt. Deputy Executive Director Neuwerth added that the well is not operating at full capacity.

Deputy Executive Director Neuwerth reported that cosponsors are being sought for a bill that changes the required cost share for the Salinity Control Program. Deputy Executive Director Neuwerth explained that many of the Salinity Control projects have a federal and a non-federal cost share. The non-federal cost share has been pulling down the Lower Basin Development Fund. The proposed change would adjust the state cost share down to reduce the impact on the Lower Basin Development Fund.

Deputy Executive Director Neuwerth added that the proposed changes are not anticipated to have a significant impact on the program. However, it would help ensure solvent funding going forward.

Finally, Deputy Executive Director Neuwerth reported that the Colorado River Basin Salinity Control Advisory Council will be meeting in June in Durango, CO.

Glen Canyon Dam Adaptive Management Program

Deputy Executive Director Neuwerth reported that the Glen Canyon Dam Adaptive Management Program's Adaptive Management Work Group (AMWG) held a meeting in February.

Deputy Executive Director Neuwerth reported that humpback chub, an endangered species in the canyons, are doing well, with the population spreading closer to Lake Mead and an estimated population of 60,000 adults. Deputy Executive Director Neuwerth added that the potentially temporary success of the species is likely due to warmer water temperatures.

Deputy Executive Director Neuwerth relayed that Reclamation provided a report on concerns related to the River Outlet Works at Glen Canyon Dam. In April 2023, Reclamation conducted a High Flow Experiment to push sediment downstream and rebuild beaches. This experiment utilized the bypass tubes at full capacity. Following the experiment, Reclamation found minor cavitation in the bypass tubes. Deputy Executive Director Neuwerth reported that Reclamation is studying the issue and planning to release a report this month.

Deputy Executive Director Neuwerth added that Reclamation reported an additional concern in utilizing the bypass tubes – a potential for build-up of sediment in front of the power plant that could be problematic. Deputy Executive Director Neuwerth added that operating the bypass tubes at less than full capacity can significantly reduce the cavitation risk.

Deputy Executive Director Neuwerth reported that Reclamation is preparing to conduct a study to potentially add power generation to the bypass tubes. The power intakes in Lake Powell are relatively high, approximately 100 feet higher in elevation than the bypass tubes. The study is anticipated in late 2025 or early 2026.

Deputy Executive Director Neuwerth reported that there is a double-edged sword with the warmer water temperature. While native fish, including the humpback chub, are enjoying the warm water releases from Glen Canyon Dam, unfortunately so are the warm water non-native species.

Deputy Executive Director Neuwerth showed a cartoon illustrating that as the level of the reservoir declines, warm water at the top of the reservoir is pulled into the turbines, passing through some of the fish, including the non-native fish that live in Lake Powell. The water being released is also much warmer water than that typically seen downstream of Glen Canyon Dam.

Deputy Executive Director Neuwerth reported that smallmouth bass, one of the worst predators in the Upper Basin, have been identified below Glen Canyon Dam. The smallmouth bass population below Glen Canyon Dam is currently estimated at 4,000 to 5,000 fish. Although the humpback chub is doing well now, there is concern if the smallmouth bass population continues to expand.

Deputy Executive Director Neuwerth reported that one of the actions being considered by Reclamation is currently being evaluated through the LTEMP SEIS. The options being considered would use the bypass tubes to cool the water. Such an action would result in moving water through the bypass and not through the power station, resulting in reduced power generation. As a result, the experimental flows would be expensive.

Deputy Executive Director Neuwerth reported that federal agencies are considering additional actions including modifying a warm water slough downstream from Glen Canyon Dam that is a known refuge for warmwater non-native invasive fish as well as potentially installing a net or curtain above the dam or below Glen Canyon Dam that could change the temperature and/or prevent fish from passing through the dam.

Lower Colorado River Multi-Species Conservation Program

Deputy Executive Director Neuwerth reported that the Steering Committee of the Lower Colorado River Multispecies Conversation Program (LCR MSCP) met in February. The Steering Committee approved up to approximately \$25.5 million to acquire close to 2,000 acres of land in the Palo Verde Valley.

Deputy Executive Director Neuwerth added that this was the property visited during the site visit by the Board last month. The total acquisition cost of that property is approximately \$35 million. The purchase is subject to identifying \$10 million dollars in matching funds to complete that purchase.

Deputy Executive Director Neuwerth stated that ideally the property will be the last habitat purchase needed for the program. Once the LCR MSCP has acquired sufficient property, the program will focus solely on building and maintaining those habitats through the duration of the program.

Member Fisher asked for clarification that this would be the last habitat acquisition we'd need, including for the post-2026 guidelines. Deputy Executive Director Neuwerth responded that yes, that is the anticipation.

Deputy Executive Director Neuwerth reported that the LCR MSCP's Financial Work Group met in February. The Financial Work Group received a report from Reclamation that the LCR MSCP is on track regarding implementation and budgeting.

Deputy Executive Director Neuwerth reported that the program costs approximately \$23-\$24 million dollars per year for the next couple years of the program.

Deputy Executive Director Neuwerth reported that planting at one of our newest conservation areas, the Dennis Underwood Conversation Area, has been completed. Reclamation is continuing to work on repairs to fish hatcheries.

Deputy Executive Director Neuwerth reported that the Steering Committee will be meeting in April.

MEMBER AGENCY REPORTS

Palo Verde Irrigation District (PVID)

PVID General Manager JR Echard reported that last year PVID installed three catwalks above check gates to make removing debris from the gates easier, noting that they are in the process of finishing them. He noted that two are completed now, and that they are hoping to do two more before the end of this year.

Executive Director Harris noted his appreciation that Mr. Echard shared PVID's staff's names with the Board.

San Diego County Water Authority (SDCWA)

Vice Chairman Madaffer first thanked the Chairman and Board staff for the Board meeting location.

Vice Chairman Madaffer reported that at SDCWA's board meeting in February, SDCWA approved a Memorandum of Understanding with the Moulton Niguel Water District, which serves the southern part of Orange County. He explained that it is a three-year MOU for the two agencies to discuss potential transfer of water supplies to support their efforts in water supply reliability while combating the long-term effects of drought in their service areas. He explained that the transfer would come mainly from SDCWA's desalination plant, noting the plant's capacity and that it came online with 56,000 acre-feet per year. He stated that the plant has the

potential to expand by another 6,000 acre-feet and noted that SDCWA thinks desalination should be a part of the mix for long-term solutions for the Colorado River.

Vice Chairman Madaffer expressed that he thinks these kinds of water exchanges are a good step in the right direction to help Southern California, noting that these benefits were seen in the agreements signed at the Colorado River Water Users Association (CRWUA) conference between SDCWA, IID, MWD and Reclamation, resulting in 50,000 acre-feet of 2023 Quantification Settlement Agreement (QSA) supplies left in the river to help increase the elevation of Lake Mead.

Vice Chairman Madaffer closed by noting that SDCWA will also be talking to MWD about the desalination plant, as there are opportunities there as well to help keep water in the river.

California Department of Water Resources (DWR)

Member Jones started by wishing meeting participants a happy Groundwater Awareness Week. She then noted that this week DWR is doing several activities to highlight their accomplishments in groundwater management.

Member Jones noted that this is the 15th anniversary of enactment of the Sustainable Groundwater Management Act (SGMA) legislation, noting further that it was the first state legislation that required reporting groundwater levels to the state to enable the state to see how the state as a whole is doing with respect to groundwater.

Member Jones then showed a slide of DWR's Cal Groundwater Live data set representing 3,700 wells statewide.

Member Jones closed by noting that this season DWR has seen some recovery of groundwater levels towards normal conditions in many of the wells statewide, and that there were some persistent areas of dryness in places like the San Joaquin Valley.

Metropolitan Water District of Southern California (MWD)

Member Cordero reported that the MWD board has spent the last several months looking at their biannual budget. She indicated that the budget talks relate to balancing fiscal stability, operations and investments for the next two years, and that conservation has come up often during the budget discussions. She reported that MWD Chair Ortega and General Manager Hagekhalil have begun a series of discussions with their member agencies about where they are going in the future, updates on water supply conditions, and major projects moving forward.

Member Cordero reported that shortly MWD will have a one-year progress report on their Climate Action Management Plan (CAMP). She noted that the CAMP will be utilized to make decisions in the future.

Member Cordero reported that MWD has been conducting a series of focus groups, which, she noted, has given them some public attitude survey results on affordability and what people think about the value of water, tap water, conservation, and trust in decision making. Ms. Cordero reported that another focus has been on MWD's Pure Water Southern California project, noting that they get a lot of support and accolades for it because people see it as important going forward. Ms. Cordero noted that some of these public focus groups will help MWD make decisions on their communications with communities.

Member Cordero reported that MWD has started a tree replacement program, which is new. She noted that this is in addition to their turf replacement program. She further noted that homeowners are eligible to receive one hundred dollars per tree for up to five trees for their yard and indicated that MWD thinks this will be a beneficial program to the communities that they serve.

Finally, Member Cordero expressed optimism that the latest snowpack, which is above average, will increase allocations from the State Water Project.

California Department of Fish and Wildlife (CDFW)

Member Vigil, noting the York fire last year in the Mojave National Preserve, reported that CDFW has been using their MOU with the preserve and the National Park Service. He reported that CDFW's Colorado River Program staff has been going into the preserve and doing some cleanup. He showed a photo of cleanup activities, highlighting that after the fire there was nothing left but metal and debris. He also noted that the area burned was 93,000 acres.

Chairman Hamby asked Member Vigil if there were lessons the state learned from the complications of not being able to create fire breaks due to their ecological harm, but with the fire itself causing harm.

Member Vigil responded with a clarification that Wilderness has restrictions on the type of machinery that can be used in the preserve, and that the presence of Joshua trees complicates things further. He stated that he does not know exactly what exemptions firefighter crews had, but that Wilderness still has some restrictions in place that limits their ability to use conventional firefighting tactics.

Imperial Irrigation District (IID)

Chairman Hamby began by thanking Rancho Mirage City Council for allowing the Board to use their facility for the Board meeting.

Chairman Hamby reported that a delegation of the Imperial Valley Vegetable Growers Association visited Washington, D.C. this week. He reported that they visited Senator Padilla's office and conveyed to him their connection to "the farmer who saved sriracha". He showed a short video about pepper growing in the Imperial Valley for Huy Fong's sriracha sauce (Sriracha). After the video, he explained how popular Sriracha is, noting there was an article in one of the agricultural publications about the Sriracha story, and that you can now find Sriracha in Starbucks. He explained that the company that makes it had a dispute with their pepper farmers in Ventura County and were not able to buy peppers, causing the price of Sriracha bottles to rise significantly, to as much as one hundred dollars a bottle. He explained that they tried to find growers in New Mexico, but that that didn't work. He finally explained they ended up getting peppers from Imperial Valley Growing.

Chairman Hamby expressed that a little video series is being put together highlighting some of the fun things that are grown in the Imperial Valley with Colorado River water using water conservation.

EXECUTIVE DIRECTOR'S REPORT

Supplement Environmental Impact Statement for Interim Operations

Executive Director Harris reported that on March 5th, Reclamation released the final Supplemental Environmental Impact Statement (SEIS) for interim period operations of Lakes Powell and Mead. The SEIS will guide operations through 2026. Executive Director Harris noted that when Reclamation decided to prepare an SEIS in 2022, the reservoir system was in rough shape. In 2022, to protect Lake Powell, Drought Response Operations Agreement (DROA) operations were initiated to move water from upstream reservoirs to Lake Powell. The Lower Basin also agreed to a historic reduction of Lake Powell releases to boost Powell's elevation, significantly affecting the elevation of Lake Mead. The effort to craft a Basin States' proposal for the SEIS resulted in the January 2023 submittal of dueling California and six-state proposals. Executive Director Harris noted that this dispute galvanized recommitment among the Lower Basin States to work collaboratively, resulting in the May 2023 Lower Basin Interim Period Plan.

Executive Director Harris reported that the Lower Basin Plan was selected as the preferred alternative in the recently released Final SEIS, with a few additional operational features to

maximize Reclamation's operational flexibility. Through the Lower Basin Plan, the Lower Basin states will provide up to an additional 3.0 MAF of conservation through 2026, in addition to the Lower Basin's existing obligations under the Interim Shortage Guidelines and Drought Contingency Plan. The preferred alternative would also allow Reclamation to reduce the annual release from Glen Canyon Dam to a minimum of 6.0 MAF if necessary to prevent Lake Powell from declining below 3,500'. The preferred alternative is modeled to significantly reduce the likelihood of Lakes Mead and Powell declining to critical elevations. Finally, Executive Director Harris reported that a Record of Decision for the SEIS was expected in April or May.

Executive Director Harris reported that on March 5th, Reclamation also announced finalization of several new System Conservation Implementation Agreements in California, including a cooperative Bard Water District and MWD program for up to 18,090 AF through 2026; CVWD program for up to 30,000 AF through 2026; and a cooperative PVID and MWD program for up to 351,063 AF through 2026. Executive Director Harris noted that this brought the total number of system conservation contracts to 24, with an expected yield of 1.58 MAF through 2026. Executive Director Harris reported that additional system conservation contracts are still under development.

Proposed Northeast Arizona Indian Water Rights Settlement

Executive Director Harris reported that a proposed Northeastern Arizona Indian Water Rights settlement has been developed between the State of Arizona, Navajo Nation, Hopi Tribe, San Juan Southern Paiute Tribe, and non-Indian parties. The majority of Arizona's 50,000 AF Upper Basin apportionment would be allocated to the Navajo Nation and Hopi Tribe, along with some mainstream Priority 4-6 water and local surface and groundwater resources. Executive Director Harris noted that the settlement would require Congressional authorization, in part because it would require the movement of Colorado River water between the Upper and Lower basins.

Basin States' Alternatives for Post-2026 Operations

Executive Director Harris reported that on March 6th, the Upper and Lower Basins released respective proposed alternatives for the operation of the post-2026 Colorado River system. Executive Director Harris noted that stakeholders in the Lower Basin had been meeting regularly since mid-2023 to develop the proposal. The Lower Basin shared their framework concept with the Upper Basin states in the fall of 2023 with a series of meetings. Executive Director Harris reported that the two Basins were unable to reach a consensus by Reclamation's early March deadline for alternative submittals.

Executive Director Harris reported that the Lower Basin alternative would resolve the structural deficit in the Lower Basin through reductions from AZ, CA, and NV; respond to climate change with additional shared reductions by the entire Basin; manage the system as a whole, accounting for water in reservoirs across the Basin, rather than just elevations at Lakes Powell and Mead; establish increased storage opportunities, incentivizing conservation and augmentation; and operate Powell flexibly with annual releases that are adaptable to a broad range of hydrologies and respond to Upper Basin “hydrologic shortages”.

Executive Director Harris reported that the Lower Basin alternative takes a more holistic approach to triggering reductions, assessing total system storage rather than just the elevation of Lake Mead. This broader approach provides a better snapshot of system health and allows for more flexibility in where water is stored within the system. The total system storage calculation includes Lakes Powell, Mead, Mohave, Havasu, and the Colorado River Storage Project Initial Units (Flaming Gorge, Blue Mesa, and Navajo).

Executive Director Harris reported that the Lower Basin reductions follow a “z graph,” with reductions increasing as system storage decreases. The reduction volumes and inflection points were tailored over months of meetings and modeling to prevent or eliminate instances of the system declining below 23% of live storage. From 69% to 58% total system storage, reductions in the Lower Basin and Mexico would increase from 0 to 1.5 MAF/yr. Reductions to the Lower Basin and Mexico would then remain steady at 1.5 MAF/yr until the total system storage reached 38%, at which point the Lower Basin, Upper Basin, and Mexico would increase reductions to a maximum of 3.9 MAF/yr at 23% of total system storage.

Executive Director Harris reported that Arizona, California, and Nevada have agreed how to divide the reductions in the initial reduction zone and static reduction zone. In the initial reduction zone, Arizona would begin taking reductions before California, in recognition of their junior priority status. In the static reduction zone, Arizona would reduce by 760,000 AF/yr, California by 440,000 AF/yr, and Nevada by 50,000 AF/yr. Mexican reductions were estimated at 250,000 AF/yr based on their proportional share of the total reduction volume. No reductions would be required of the Upper Basin states in the static reduction zone. Executive Director Harris noted that the 1.5 MAF/yr static reduction exceeds the estimated annual system losses in the Lower Basin and would likely serve to build storage in Lake Mead.

Executive Director Harris reported that once total system storage declines to 38%, additional reductions would be triggered in the Lower Basin, Upper Basin, and Mexico. These reductions would be split evenly between the Upper Basin and the Lower Basin and Mexico, reaching 3.9 MAF/yr at around 23% of total system storage.

Executive Director Harris reported that, based on historic system storage, the Lower Basin alternative would require static reductions in most of the last twenty years, with additional reductions triggered in 2022 as reservoir storage declined.

Executive Director Harris reported that the Lower Basin Alternative includes a rule curve for releases from Lake Powell. The releases are determined by 1.) Average Upper Basin depletions over the previous three years, and 2.) Total live storage in the Upper Basin reservoirs of Lake Powell, Flaming Gorge, Blue Mesa, and Navajo. If the Upper Basin states use less water because of the effects of drought or “hydrologic shortage,” releases from Glen Canyon Dam would be reduced. When Upper Basin reservoir live storage is above 80% capacity, Lakes Powell and Mead would be equalized. When Upper Basin reservoir live storage is below 30% capacity, Glen Canyon Dam releases would be reduced to a minimum of 6.0 MAF, with the opportunity to balance the contents of Lakes Powell and Mead if Mead is projected to decline below elevation 1,000’ while Powell is projected to be above 3,510’.

Executive Director Harris reported that some additional detail was needed in the Lower Basin Alternative on storage mechanisms and rules. Entitlement holders meeting certain criteria would be allowed to develop storage accounts similar to current Intentionally Created Surplus (ICS) accounts. The water in these accounts would not count toward total system storage calculations, ensuring that reduction decisions aren’t distorted by stored water earmarked for a particular user. Executive Director Harris noted that the goal would be to continue incentivizing activities like conservation, augmentation, and water storage.

Executive Director Harris reviewed the Upper Basin and Lower Basin alternatives side-by-side. While the Lower Basin Alternative triggers reductions based on total system storage, the Upper Basin uses the combined storage in Lakes Powell and Mead. Both alternatives would set reductions based on actual storage in the preceding fall. Although the general timing and volume of reductions are similar between the two proposals, the Upper Basin alternative allocates all reductions to the Lower Basin. The Lower Basin alternative proposes sharing additional reductions needed when total system storage declines below 38%.

Executive Director Harris compared Glen Canyon Dam releases in the respective alternatives. He noted that the Upper Basin significantly limited releases from Glen Canyon Dam, with releases greater than 8.1 MAF occurring only when Lake Powell’s elevation exceeded 80%. From 80%-20%, Glen Canyon Dam releases would decrease linearly from 8.1 to 6.0 MAF/yr. Both alternatives include static releases of 6.0 MAF/yr when Upper Basin storage declines below 20%.

Executive Director Harris reported that Reclamation is still receiving proposed alternatives and will begin modeling them for release of a draft Environmental Impact Statement (EIS) in late

2024. Executive Director Harris noted that proposals may be submitted by Basin tribes or NGOs. Over the next several months, Reclamation will be working with Lower Basin stakeholders to ensure accurate modeling of the Lower Basin alternative.

Chairman Hamby reported that there had been significant media attention on the proposed alternatives. The Lower Basin had coordinated public outreach and prepared a joint press briefing for the morning of March 6th. Chairman Hamby noted that the Upper Basin states submitted their alternative just before the Lower Basin's press conference, so the Lower Basin was reacting to the Upper Basin's proposal in real time. The simultaneous submittals allowed for direct comparison for the two proposals, highlighting the stark difference between the Basins on the allocation of shortages. Chairman Hamby noted that a barrier to restarting negotiations between the Basins was the unwillingness of Upper Basin negotiators to compromise and provide a reasonable offer.

Chairman Hamby recognized Member Ruiz, who participated in the preparation of a joint NGO letter to Becky Mitchell of Colorado. Member Ruiz reported that the goal of the letter was to urge collaboration rather than litigation.

Executive Director Harris reported that a coalition of sixteen Native American tribes, including ten in the Lower Basin, submitted a letter to Reclamation on post-2026 operations. The three principals identified in the letter included: 1) The United States must meet its trust responsibility to the Basin tribes, protecting both quantified and unquantified tribal rights; 2) The United States should empower tribes to determine how and when to use their water rights by adopting and supporting a portfolio of flexible tools, and 3) The United States should provide for a permanent formalized structure for tribal participation in implementing post-2026 guidelines and any future Colorado River policies processes. Executive Director Harris encouraged Board members to review the letter, which was provided as a meeting handout. He also noted that Reclamation's recently initiated Fed-States-Tribes Working Group had met several times, providing for good discussions.

Member Fisher commented that the Lower Basin plan is reasonable, logical, and sensible, and this seems to be understood by the public and other stakeholders. He noted that the four Upper Basin states, and particularly Colorado, appear to be adopting a scorched earth policy by being unwilling to move off their initial position. Member Fisher stated that the Lower Basin has offered a reasonable plan proposal that reflects an endpoint for negotiations, not an initial negotiating position, but given the stance of the Upper Basin, collaboration isn't happening.

Chairman Hamby agreed, noting that the Colorado Sun published an article that morning, which included a quote from Steve Wolff of Colorado stating that the Upper Basin would only

consider taking reductions when the Lower Basin uses equal those in the Upper Basin, which would mean a reduction of nearly 50% to Lower Basin users.

Member Joaquin noted that the Quechan tribe was proud to have signed the tribal coalition letter, and he expected other tribes may also sign onto the letter in the future. Member Joaquin agreed with the comments by Member Fisher and Chairman Hamby, noting that it's unreasonable for a party in negotiations to refuse to budge off their position. He noted that all tribes wouldn't be happy with the eventual outcome of negotiations, but that it was important to present a reasonable proposal for everyone to consider. He noted that although the Quechan Tribe has senior water rights through the *Arizona v. California* decree, the tribe would continue advocating for all tribes to have their rights settled. Member Joaquin stated that with the tribes' seat at the table comes the responsibility of decision-making and a commitment to strong leadership. Member Joaquin congratulated California for demonstrating leadership on the river and encouraged California's negotiators to continue collaborating and compromising to reach a solution. He stated that a living river benefits all states, not just one.

Washington, D.C. Report

Executive Director Harris reported that the President just released his FY-2025 budget, which included \$1.6 billion for Reclamation. The House and Senate reached agreement on a six-bill funding package for FY-2024 that includes \$1.9 billion for Reclamation.

CHAIRMAN'S REPORT

Chairman Hamby reported that Reclamation is working to evaluate and begin funding long-term water conservation projects through Bucket 2. He reported that IID is still working on its Bucket 1B contract for 2024-2026, as they address environmental issues at the Salton Sea with endangered fish and birds. Chairman Hamby stated that this requires a complicated joint effort between IID, the State of California, and Reclamation.

Chairman Hamby reported that although the Lower Basin proposal includes the broad outline of post-2026 operations, there are still several gaps that need to be filled in. The Lower Basin states will be continuing to work throughout 2024 to refine their proposal. He reported that at some point there would also be continued discussions with the Upper Basin.

Chairman Hamby reported that there are rising concerns about the likelihood of litigation in the Basin. In response, Chairman Hamby suggested an effort to identify legal risks and prepare for potential future litigation.

Chairman Hamby reported that the Upper Basin had recently visited D.C. in conjunction with the release of their alternative. Chairman Hamby noted that Lower Basin stakeholders should continue engaging with Congressional staff to ensure they're up to speed as negotiations progress.

Member Cordero echoed Member Joaquin's statement and encouraged continuing to work closely with Arizona and Nevada. She also encouraged negotiators to continue working closely with tribes, NGOs, and Mexico.

Executive Director Harris reported that a small group of Lower Basin representatives had a virtual briefing with Mexican water officials prior to the release of the Lower Basin alternative. He stated that Mexico has been a solid partner for decades and the Lower Basin didn't want them to be surprised by the Lower Basin alternative. Executive Director Harris reported that there have been subsequent meetings calendared to allow for more detailed briefings and discussions with Mexico.

ADJOURNMENT

With no further items to be brought before the Board, Chairman Hamby adjourned the meeting at 11:50 a.m.