



August 29, 2024

NOTICE REGULAR MEETING OF THE COLORADO RIVER BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN pursuant to the call of the Chairman, J.B. Hamby, by the undersigned Executive Director of the Colorado River Board of California that a regular meeting of the members of the board is to be held as follows:

Board Meeting

Date: Wednesday, September 11, 2024

Time: **10:00 AM**

Place: San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123

The Colorado River Board of California welcomes any comments from members of the public pertaining to items included on this agenda and related topics. Members of the public may provide comments in the following ways: (1) Oral comments can be provided at the beginning of each board meeting; and (2) Public comments may be submitted by electronic mail, addressed to the board's Chairman, J.B. Hamby, at crb@crb.ca.gov and will be accepted up until 5:00 p.m. on September 9, 2024. Please note, written submissions will be read aloud at the public comment period to the extent they fit within the five-minute time limit.

If accommodations for individuals with disabilities are required, such persons should provide a request at least 24 hours in advance of the meeting by electronic mail to board staff at crb@crb.ca.gov.

Requests for additional information may be directed to: Mr. Christopher S. Harris, Executive Director, Colorado River Board of California, 770 Fairmont Avenue, Suite 100, Glendale, CA 91203-1068. A copy of this Notice and Agenda may be found on the Colorado River Board's web page at www.crb.ca.gov.

A copy of the meeting agenda, showing the matters to be considered and transacted, is attached.



REGULAR MEETING AGENDA

Wednesday, September 11, 2024 — 10:00 AM

At the discretion of the board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action by the board. Items may not necessarily be taken up in the order shown.

CALL TO ORDER

WELCOME FROM SAN DIEGO COUNTY WATER AUTHORITY

PUBLIC COMMENTS (Limited to 5 minutes.)

SPECIAL PRESENTATION: Applying the Basin Characterization Model by the California Department of Water Resources

ADMINISTRATION

1. 2024 Board Work Plan Update **(Information)**
2. 2024 Board Meeting Schedule Update **(Information)**

REPORTS

3. Local and State Water Supply and Operations Reports
4. Colorado River Basin Water Supply and Operations Reports
5. Colorado River Basin Programs Staff Reports
6. Member Agency and Public Member Reports
7. Executive Director's Report
8. Chairman's Report

EXECUTIVE SESSION

- A. Search for Executive Director update. (Gov. Code, § 11126, subdivision (a)(1).)

OTHER BUSINESS



FUTURE AGENDA ITEMS & ANNOUNCEMENTS

ADJOURNMENT

Next Scheduled Board Meeting

Date: Wednesday, October 9, 2024

Time: 10:00 AM

Place: Palm Desert, CA

Colorado River Board of California 2024 Workplan

1. Establish an interactive annual strategic and budget planning process.
2. Develop a plan, resources, and tools to ensure effective and ongoing communications and outreach.
3. Review options to optimize board meeting frequency and location.
4. Establish a calendar for special presentations and speakers at board meetings.
5. Coordinate to appropriately reestablish agency managers' meetings.
6. Evaluate and optimize the functions of the Six-Agency Committee and the Colorado River Authority.
7. Explore future opportunities for state funding.
8. Ensure regular opportunities for board self-evaluation.

2024 Colorado River Board Meetings

Date	Location	Time
January 10	Cancelled	
February 13	Blythe	01:00 p.m.
March 13	Rancho Mirage	10:00 a.m.
April 10	Hemet	01:00 p.m.
May 15	Palm Desert	10:00 a.m.
June 12	San Diego	10:00 a.m.
July 10	Cancelled	
August 14	Poway	01:00 p.m.
September 11	San Diego	10:00 a.m.
October 9	Palm Desert	10:00 a.m.
November 19-20	Winterhaven	10:00 a.m.
December 4	Las Vegas, Nevada	10:00 a.m.

9/3/2024

LOWER COLORADO WATER SUPPLY REPORT

River Operations
Bureau of Reclamation

Questions: BCOOWaterops@usbr.gov

(702) 293-8373

<http://www.usbr.gov/lc/region/g4000/weekly.pdf>

	PERCENT	Content 1000 ac-ft (kaf)	Elev. (Feet above mean sea level)	7-Day Release (CFS)
CURRENT STORAGE	FULL			
LAKE POWELL	40%	9,367	3,580.91	11,400
* LAKE MEAD	33%	8,681	1,063.38	9,500
LAKE MOHAVE	93%	1,683	642.43	8,700
LAKE HAVASU	94%	581	448.05	6,800
TOTAL SYSTEM CONTENTS **	44%	25,606		
As of 9/2/2024				
SYSTEM CONTENT LAST YEAR	44%	25,613		

*Percent based on capacity of 26,120 kaf or elevation 1,219.6 feet.

**Total System Contents includes Upper & Lower Colorado River Reservoirs, less Lake Mead exclusive flood control space.

Salt/Verde System	80%	1,828		
Painted Rock Dam	0%	0	530.00	0
Alamo Dam	12%	121	1,119.83	35

Forecasted Water Use for Calendar Year 2024 (as of 9/3/2024) (values in kaf)

NEVADA	204	
SOUTHERN NEVADA WATER SYSTEM		196
OTHERS		8
CALIFORNIA	4,001	
METROPOLITAN WATER DISTRICT OF CALIFORNIA		983
IRRIGATION DISTRICTS		3,002
OTHERS		16
ARIZONA	1,930	
CENTRAL ARIZONA PROJECT		894
OTHERS		1,037
TOTAL LOWER BASIN USE		6,135
DELIVERY TO MEXICO - 2024 (Mexico Scheduled Delivery + Preliminary Yearly Excess)		1,336

OTHER SIGNIFICANT INFORMATION

UNREGULATED INFLOW INTO LAKE POWELL - SEPTEMBER FINAL FORECAST DATED 9/3/2024

	MILLION ACRE-FEET	% of Normal
FORECASTED WATER YEAR 2024	8.078	84%
OBSERVED APRIL-JULY 2024	5.327	83%
AUGUST OBSERVED INFLOW	0.335	89%
SEPTEMBER INFLOW FORECAST	0.305	88%

	Upper Colorado Basin	Salt/Verde Basin
WATER YEAR 2024 PRECIP TO DATE	103% (28.3")	108% (26.7")
CURRENT BASIN SNOWPACK	NA% (NA)	NA% (NA)

¹Delivery to Mexico forecasted yearly excess calculated using year-to-date observed and projected excess.



LOWER COLORADO BASIN REGION
CY 2024

ARIZONA, CALIFORNIA, NEVADA, MEXICO

FORECAST OF END OF YEAR CONSUMPTIVE USE

FORECAST BASED ON USE TO DATE AND ANNUAL WATER ORDERS¹
(ACRE-FEET)

	Use To Date CY 2024	Forecast Use CY 2024	Approved Use CY 2024	Excess to Approval CY 2024
WATER USE SUMMARY				
Arizona	1,420,652	1,930,417	1,983,141	(52,724)
California	2,720,015	4,000,615	4,000,615	0
Nevada	147,549	203,686	203,686	0
States Total³	4,288,216	6,134,718	6,187,442	(52,724)
Total Deliveries to Mexico ⁴	1,030,114	1,306,376	1,306,376	
Creation of Mexico's Recoverable Water Savings ⁵	2,000	30,000	30,000	
Creation of Mexico's Water Reserve ⁶	2,871	3,597	3,597	
Delivery of Mexico's Water Reserve ⁷	(20,804)	(22,973)	(22,973)	
Creation of System Water ⁸	42,125	133,000	133,000	
Total to Mexico in Satisfaction of Treaty Requirements ⁹	1,056,306	1,450,000	1,450,000	
To Mexico in Excess of Treaty ¹⁰	18,247	29,607	27,417	
Water Bypassed Pursuant to IBWC Minute 242 ¹¹	93,912	133,486	117,909	
Total Lower Basin & Mexico¹²	5,430,489	7,604,187	7,639,144	

¹ Incorporates 80 daily reporting stations which may be revised after provisional data reports are distributed by the USGS. Use to date has been updated through June for users reporting monthly and is estimated for users reporting annually.

² These values reflect adjusted apportionments. See Adjusted Apportionment calculation on each state page.

³ Includes unmeasured returns based on estimated consumptive use/diversion ratios by user from studies provided by Arizona Department of Water Resources, Colorado River Board of California, and Reclamation.

⁴ Includes deliveries to Mexico at the Northerly International Boundary, Southerly International Boundary, Limitrophe, and Diversion Channel Discharge; and diversions at Parker Dam for Emergency Delivery to Tijuana to meet Mexico's schedule. Does not include Creation of Mexico's Water Reserve or Creation of Mexico's Recoverable Water Savings.

⁵ Water deferred by Mexico pursuant to Section IV of IBWC Minute 323 and the Joint Report of the Principal Engineers with the Implementing Details of the Binational Water Scarcity Contingency Plan in the Colorado River Basin dated July 11, 2019. (Mexico's required Binational Water Scarcity Contingency Plan Contribution).

⁶ Water deferred for Mexico's Water Reserve in accordance with Minute No. 323 Section V and Minute No. 330.

⁷ Delivery from Mexico's Water Reserve pursuant to Section V.E.13 of IBWC Minute 323.

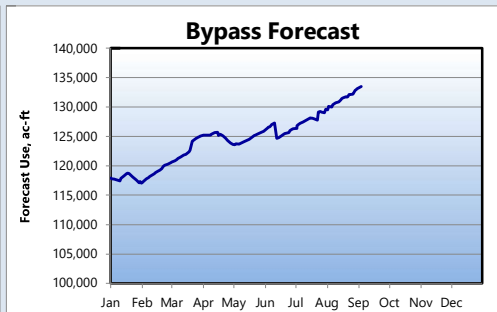
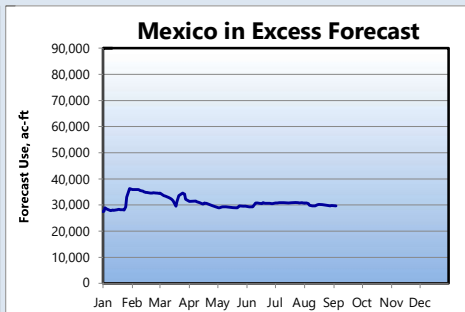
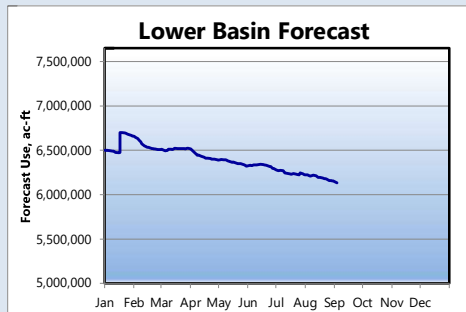
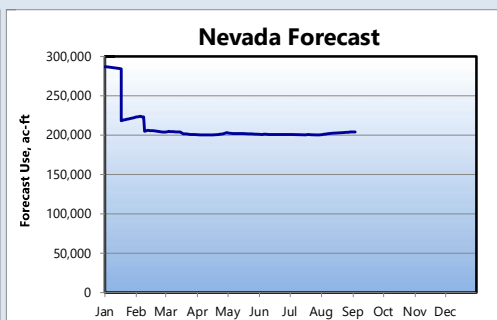
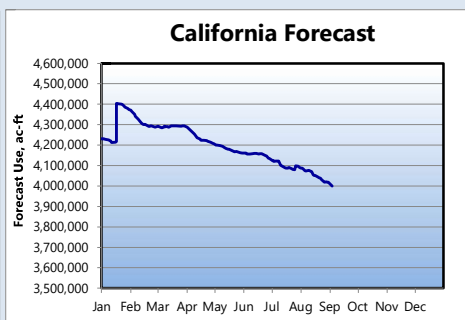
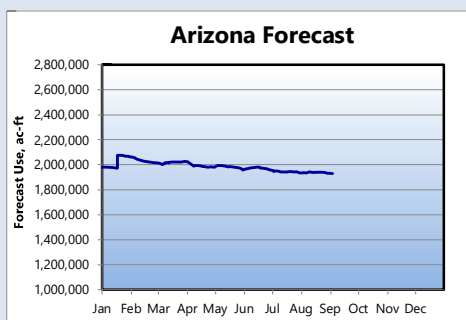
⁸ Creation of System Water pursuant to IBWC Minute 330.

⁹ In accordance with Section XI.G.2.D.1.a of the 2007 Interim Guidelines, a Tier 1 Shortage Condition will govern the operation of Lake Mead and the lower Colorado River in 2024. In accordance with Section III.A of Minute 323, Mexico's scheduled deliveries incorporate the required reduction of 50,000 AF from its 1.5 million AF Colorado River water allotment. "Total to Mexico in Satisfaction of Treaty Requirements" adds in creation of Mexico's Recoverable Water Savings and Mexico's Water Reserve and subtracts out Delivery of Mexico's Water Reserve.

¹⁰ "To Mexico in Excess of Treaty" forecast is based on the 5-year average for the period 2018-2022.

¹¹ "Water Bypassed Pursuant to IBWC Minute 242" forecast is based on the average for the period 1990-2022.

¹² Includes States Total, Total Deliveries to Mexico, To Mexico in Excess of Treaty, and Water Bypassed Pursuant IBWC Minute 242.



Graph notes: January 1 forecast use is scheduled use in accordance with the Annual Operating Plan's state entitlements, available unused entitlements, and over-run paybacks. A downward sloping line indicates use at a lower rate than scheduled, upward sloping is above schedule, and a flat line indicates a use rate equal to schedule. Lower priority users such as CAP, MWD, and Robt.B.Griffith may adjust use rate to meet state entitlements as higher priority use deviates from schedule. Abrupt changes in the forecast use line may be due to a diversion schedule change or monthly updating of provisional realtime diversions



**LOWER COLORADO BASIN REGION
CY 2024**

NOTE:

- Diversions and uses that are pending approval are noted in **red italics**.
- Water users with a consumptive use entitlement - **Excess to Estimated Use** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a diversion entitlement.
- Water user with a diversion entitlement - **Excess to Approved Diversion** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a consumptive use entitlement.

ARIZONA WATER USERS

Forecast end of year diversion/consumptive use

Forecast based on use to date and approved annual water orders

[Arizona Schedules and Approvals](#)[Historical Use Records \(Water Accounting Reports\)](#)

WATER USER	Use To Date CY 2024	Forecast Use CY 2024	Estimated Use CY 2024	Excess to Estimated Use CY 2024	Diversion To Date CY 2024	Forecast Diversion CY 2024	Approved Diversion CY 2024	Excess to Approved Diversion CY 2024
TV Marble Canyon, AZ LLC	8	10	10	---	11	15	15	0
Lake Mead NRA, AZ - Diversions from Lake Mead	43	64	65	---	43	64	65	-1
Lake Mead NRA, AZ - Diversions from Lake Mohave	171	244	244	---	171	244	244	0
McAlister Family Trust	5	7	7	---	8	10	10	0
Bureau of Reclamation - Davis Dam Project	2	2	2	---	7	9	9	0
Bullhead City	4,929	8,046	8,799	---	7,459	12,308	13,730	-1,422
Mohave Water Conservation District	648	854	854	---	968	1,275	1,275	0
Mohave Valley I.D.D. ¹	5,813	9,283	12,267	---	10,763	17,187	22,716	-5,529
Fort Mojave Indian Reservation, AZ	25,147	36,425	46,167	---	46,359	67,248	85,500	-18,252
Golden Shores Water Conservation District	219	289	289	---	329	433	433	0
Havas National Wildlife Refuge	2,052	2,697	3,564	---	17,110	24,671	41,835	-17,164
EPCOR Water Arizona, Inc. - CSA No. 1	381	584	595	---	585	898	916	-18
Crystal Beach Water Conservation District	55	73	73	---	85	112	112	0
Lake Havasu City	6,630	10,002	10,002	---	10,693	16,130	16,130	0
Arizona State Parks (Windsor Beach)	7	9	9	---	11	14	14	0
Central Arizona Water Conservation District ²	678,422	893,568	---	---	678,422	893,568	---	---
Springs Del Sol Domestic Water Improvement District	2	2	2	---	2	3	3	0
Hillcrest Water Company	14	18	18	---	20	27	27	0
Frontier Communications West Coast	1	1	1	---	1	1	1	0
Town of Parker	217	326	388	---	518	795	897	-102
EPCOR Water Arizona, Inc. - CSA No. 2 (fka Brooke Water, LLC)	199	305	318	---	297	454	474	-20
Colorado River Indian Reservation, AZ	264,596	331,287	360,641	---	399,649	557,004	662,402	-105,398
GM Gabrych Family	0	0	0	---	0	0	0	0
Ehrenberg Improvement District	200	270	257	---	316	425	391	34
B&F Investment	7	9	7	---	9	11	10	1
North Baja Pipeline	158	208	208	---	243	320	320	0
Arizona State Land Department - Domestic	27	45	57	---	44	70	87	-17
Cibola Island	553	728	728	---	773	1,018	1,018	0
Cibola Valley I.D.D.	1,829	2,789	2,958	---	2,556	3,899	4,137	-238
Red River Land Co.	203	234	214	---	283	326	300	26
Hopi Tribe	0	0	0	---	0	0	0	0
GSC Farms, LLC	0	0	0	---	0	0	0	0
Arizona Game & Fish	1,586	2,011	2,032	---	2,218	2,811	2,838	-27
Western Water, LLC	129	236	379	---	179	329	530	-201
Bishop Family Trust	228	300	300	---	319	420	420	0
Cathcarts	5	6	6	---	6	8	8	0
Cibola Sportsman's Club	117	154	154	---	164	216	216	0
Cibola National Wildlife Refuge	11,163	15,425	15,575	-150	18,004	24,879	25,122	-243
Imperial National Wildlife Refuge	3,330	4,717	4,717	0	5,374	7,610	7,610	0
BLM - Leased by L. Pratt	19	25	25	---	30	39	39	0
BLM Permittees (Parker Dam to Imperial Dam)	988	1,302	1,302	0	1,521	2,003	2,003	---
Martinez Lake Cabin Sites	5	7	7	---	8	11	11	---
Fisher's Landing Water and Sewer, LLC	6	8	8	---	9	12	12	0
Shepard Water Company	12	16	16	---	19	25	25	0
U.S. Army Yuma Proving Grounds	319	433	421	---	319	433	421	12
JRJ Partners, LLC	469	618	618	---	721	950	950	0
Perricone Arizona Properties, LLC/Meyer Farms, LLC (fka Cha Cha)	711	1,098	1,365	---	1,092	1,688	2,100	-412
Beattie Farms Southwest	399	645	722	---	613	990	1,110	-120
Gila Monster Farm	2,488	3,619	4,812	---	4,385	6,392	8,500	-2,108
Wellton-Mohawk I.D.D.	172,157	245,705	278,000	-32,295	247,532	365,867	424,350	-58,483
BLM Permittees (Below Imperial Dam)	87	114	114	0	133	175	175	---
City of Yuma	10,902	15,361	15,548	-187	17,757	26,258	27,500	-1,242
U.S. Marine Corps Air Station Yuma	526	881	1,219	---	526	881	1,219	-338
Union Pacific Railroad	18	27	29	---	32	48	48	0
University of Arizona	398	635	839	---	398	635	839	-204
Yuma Union High School District	62	101	150	---	82	136	200	-64
Desert Lawn Memorial	21	28	28	---	30	40	40	0
North Gila Valley Irrigation District	6,900	8,857	9,231	---	24,716	37,616	43,500	-5,884
Yuma Irrigation District	22,22	33,67	38,977	---	39,50	61,38	73,400	-12,017
Yuma Mesa I.D.D.	38,212	52,16	63,417	---	116,191	168,104	188,219	-20,115
South Gila Valley/Yuma Mesa - Other Users	256	337	337	---	914	1,204	1,204	0
Unit "B" I.D.D.	9,497	11,316	10,652	---	19,930	26,56	28,300	-1,737

	Use To Date CY 2024	Forecast Use CY 2024	Estimated Use CY 2024	Excess to Estimated Use CY 2024	Diversion To Date CY 2024	Forecast Diversion CY 2024	Approved Diversion CY 2024	Excess to Approved Diversion CY 2024
WATER USER								
Arizona State Land Department - Agriculture	2,437	3,705	4,295		3,794	5,746	6,607	-861
Ott Family	188	248	248		290	382	382	0
Ogram Boys' Enterprises	436	574	574		670	883	883	0
Fort Yuma Indian Reservation	2,369	3,121	3,121	---	3,645	4,801	4,801	0
BLM - Leased by M. Lee	112	148	148		172	227	227	0
Armon Curtis	98	129	129		150	198	198	0
Yuma County Water Users' Association	137,742	221,894	279,319	---	200,359	317,079	367,300	-50,221
R. Griffin	24	32	32		37	49	49	0
Power	78	103	103		120	158	158	0
Cocopah Indian Tribe (PPR No. 7)	194	256	256		299	394	394	0
Griffin Ranches (PPR No. 7)	74	98	98		114	150	150	0
Milton Phillips (PPR No. 7)	42	55	55		65	85	85	0
Griffin Family Ltd. Partnership (PPR No. 7)	17	23	23		27	35	35	0
Cocopah Indian Reservation	844	1,536	1,821	---	1,078	2,145	2,812	-667
Reclamation - Yuma Area Office	76	100	100	---	76	100	100	0
Arizona Public Service Company	0	0	0		0	0	0	0
Gary Pasquinnelli	150	198	198		232	305	305	0
Total Arizona	1,420,652	1,930,417	2,088,192		1,891,588	2,669,002	2,976,394	
Central Arizona Project (CAP) ²	678,422	893,568				893,568		
All Others	742,230	1,036,849	1,190,264			1,775,434	2,078,466	
Yuma Mesa Division, Gila Project	67,335	94,693	111,625	-16,932		267,103		
Total 242 Well Field Pumping ³	45,864	54,311	54,945					

ARIZONA ADJUSTED APPORTIONMENT CALCULATION

Arizona Basic Apportionment	2,800,000
Reduction for Tier 1 Shortage ⁴	(320,000)
Reduction for Arizona DCP Contributions ⁵	(192,000)
System Conservation Water - Pilot System Conservation Program ⁶	(400)
System Conservation Water - CAP Subcontractors ^{7,8}	(129,400)
System Conservation Water - Cathcarts ^{7,9}	(61)
System Conservation Water - CVIDD ^{7,10}	(2,328)
System Conservation Water - FMYN ^{7,11}	(13,933)
System Conservation Water - GM Gabrych ^{7,12}	(3,240)
System Conservation Water - GRIC ^{7,13}	(125,000)
System Conservation Water - Hopi ^{7,14}	(3,059)
System Conservation Water - MVIDD ^{7,15}	(13,441)
System Conservation Water - YMIDD ^{7,16}	(21,795)
System Conservation Water - Reclamation (Estimated) ^{7,17}	(23,182)
Delivery of ICS (CAWCD) ¹	up to 30,980
Total State Adjusted Apportionment	1,983,141
Excess to Total State Adjusted Apportionment	(52,724)
Estimated Allowable Use for CAP	946,344

¹ Approved/forecasted values include up to 1,250 AF of diversion for domestic use pursuant to MVIDD's Subcontract No. 09-101 with the Mohave County Water Authority.

² Forecast Use incorporates CAWCD's operational schedule. Amount shown includes the diversion of up to 2,033 AF to be delivered via the CAP to the Town of Queen Creek pursuant to Reclamation Wheeling Contract No. 20-XX-30-W0691 and the diversion of 72,000 AF of Arizona third priority Colorado River water to be delivered via the CAP to fulfill water rights settlements pursuant to the Stipulated Judgment and the Stipulation for Judgment entered on November 21, 2007.

³ In accordance with the Colorado River Water Conservation Letter Agreement 16-XX-30-W0603, Revision No. 1 (Revised Letter Agreement) between Reclamation and the Central Arizona Water Conservation District (CAWCD), pumping above the Historical Average Baseline (31,129 AF), up to 32,000 AF per year, will remain in Lake Mead as Colorado River System water.

⁴ In accordance with Section XI.G.2.D.1.a of the 2007 Interim Guidelines, a Tier 1 Shortage Condition will govern the operation of Lake Mead and the lower Colorado River in 2024, resulting in a 320,000 AF reduction to the state of Arizona's Colorado River basic apportionment.

⁵ In accordance with Section III.B.1.a of *Lower Basin Drought Contingency Operations* (LBOs), the state of Arizona is required to make DCP Contributions of 192,000 AF in 2024.

⁶ The estimated amount of System Conservation Water that will be created by the City of Bullhead City pursuant to System Conservation Implementation Agreement (SCIA) No. 15-XX-30-W0587, as amended. This System Conservation Water will remain in Lake Mead to benefit system storage.

⁷ In accordance with the applicable conservation agreements, Section 3.b of the *Lower Basin Drought Contingency Plan Agreement* dated May 20, 2019 (LB DCP Agreement), and Section II.3.e of the *Agreement Regarding Lower Basin Drought Contingency Plan Obligations*, this System Conservation Water will remain in Colorado River reservoirs in the Lower Basin to benefit system storage. The Bureau of Reclamation intends to apply this water towards the Secretary of the Interior's commitment to create or conserve 100,000 AF per annum or more of Colorado River System water to contribute to conservation of water supplies in Lake Mead and other Colorado River reservoirs in the Lower Basin.

⁸ The estimated amount of System Conservation Water that will be created by certain CAP Subcontractors pursuant to executed SCIA's.

⁹ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0776.

¹⁰ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0771.

¹¹ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0750.

¹² The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0774.

¹³ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0760.

¹⁴ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0779.

¹⁵ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0770.

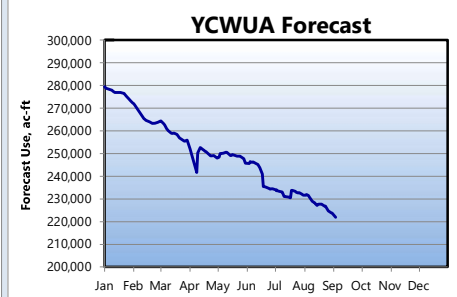
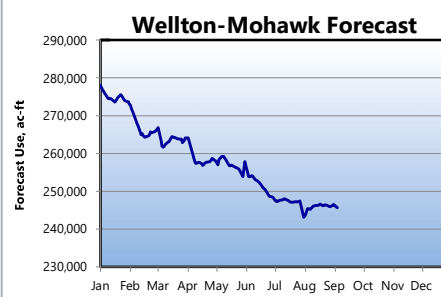
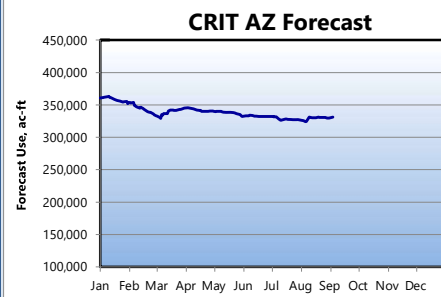
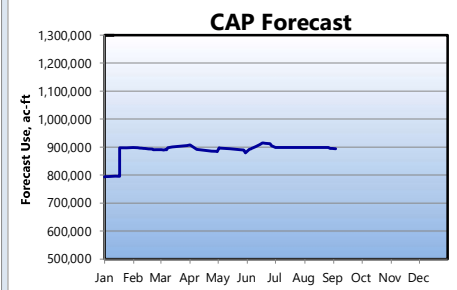
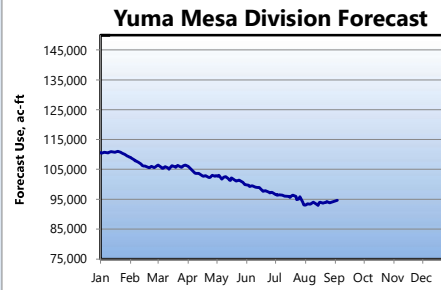
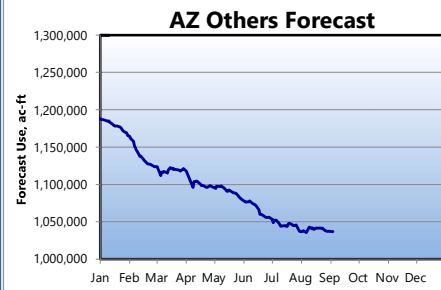
Footnotes continued on next page.

Footnotes continued from previous page.

¹⁶ The estimated amount of System Conservation Water that will be created pursuant to SCIA No.23-XX-30-W0769.

¹⁷ The estimated amount of System Conservation Water that will be created by additional pumping from the 242 Well Field Expansion pursuant to Letter Agreement No. 16-XX-30-W0603, Revision No. 1, which will remain in Lake Mead to benefit system storage

¹⁸ The maximum amount of EC ICS delivery per CAWCD's approved water order. Actual amount of EC ICS delivered will be based on final accounting records.



NOTES: Click on Arizona Schedules and Approvals above for incoming diversion schedules and approvals.



**LOWER COLORADO BASIN REGION
CY 2024**

CALIFORNIA WATER USERS

Forecast end of year diversion/consumptive use
Forecast based on use to date and approved annual water orders
[California Schedules and Approvals](#)
[Historical Use Records \(Water Accounting Reports\)](#)

NOTE:
• Diversions and uses that are pending approval are noted in *red italics*.
• Water users with a consumptive use entitlement - **Excess to Estimated Use** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a diversion entitlement.
• Water user with a diversion entitlement - **Excess to Approved Diversion** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a consumptive use entitlement.

	Use To Date CY 2024	Forecast Use CY 2024	Estimated Use CY 2024	Excess to Estimated Use CY 2024	Diversion To Date CY 2024	Forecast Diversion CY 2024	Approved Diversion CY 2024	Excess to Approved Diversion CY 2024
WATER USER								
Fort Mojave Indian Reservation, CA	4,031	6,140	8,994	---	7,492	11,412	16,720	-5,308
City of Needles (includes LCWSP use)	845	1,337	1,605	-268	1,350	2,041	2,261	-220
PPR No. 30 (Stephenson)	12	16	16	---	22	29	29	0
PPR No. 38 (Andrade)	17	23	23	---	31	41	41	---
PPR No. 40 (Cooper)	5	6	6	---	8	10	10	---
Chemehuevi Indian Reservation	140	184	184	---	8,609	11,340	11,340	0
The Metropolitan Water District of Southern California ¹	573,460	983,220	---	---	575,423	986,008	---	---
Colorado River Indian Reservation, CA	3325	4,380	4,380	---	5,510	7,258	7,258	0
Palo Verde Irrigation District	240,465	322,740	353,444	---	498,077	717,410	773,000	-55,590
PPR No. 31 (Mendivil)	2	3	3	---	4	5	5	0
Yuma Project Reservation Division	17,822	31,032	46,515	---	44,192	71,934	95,734	-23,800
Yuma Project Reservation Division - Bard Unit	---	---	---	---	16,707	31,340	49,800	-18,460
Yuma Project Reservation Division - Indian Unit	---	---	---	---	27,485	40,593	45,934	-5,341
Fort Yuma Indian Reservation - Ranch 5 (Surface Delivery)	610	972	1,194	---	1,099	1,754	2,160	-406
Fort Yuma Indian Reservation - Other Ranches (Pumpers)	1,479	1,948	1,948	---	2,674	3,522	3,522	0
Yuma Island Pumpers	1,516	1,997	1,997	---	2,743	3,613	3,613	0
Imperial Irrigation District ²	1,654,678	2,305,807	2,612,800	-306,993	1,645,766	2,347,112	2,782,987	---
Coachella Valley Water District	221,192	340,261	357,937	-17,676	229,202	357,524	382,525	---
Other LCWSP Contractors	377	497	497	---	578	761	761	0
City of Winterhaven	39	52	52	---	57	75	75	0
Total California	2,720,015	4,000,615	4,375,954		3,022,837	4,521,849	5,069,105	

CALIFORNIA ADJUSTED APPORTIONMENT CALCULATION

California Basic Apportionment	4,400,000
System Conservation Water - Pilot System Conservation Program ³	(145)
System Conservation Water - CVWD ^{4,5}	(36,063)
System Conservation Water - MWD/PVID Following Program ^{4,6}	(117,021)
System Conservation Water - Quechan Indian Tribe ^{4,7}	(13,000)
Creation of Extraordinary Conservation ICS - MWD (Estimated) ⁸	(233,156)
Total State Adjusted Apportionment	4,000,615
Excess to Total State Adjusted Apportionment	0

Estimated Allowable Use for MWD

1,216,376

¹ Forecast Use is based on an MWD operational projected diversion of 0.98 MAF.

² IID's total approved consumptive use is 2,622,800 AF, of which up to 10,000 AF is anticipated to be supplied from the LCWSP.

³ The estimated amount of System Conservation Water that will be created by the City of Needles pursuant to System Conservation Implementation Agreement (SCIA) No. 15-XX-30-W0596, which will remain in Lake Mead to benefit system storage.

⁴ In accordance with the applicable system conservation agreements and Section 3.b of the *Lower Basin Drought Contingency Plan Agreement* dated May 20, 2019, the Bureau of Reclamation intends to apply all or a portion of this water towards the Secretary of the Interior's commitment to create or conserve 100,000 AF per annum or more of Colorado River System water to contribute to conservation of water supplies in Lake Mead and other Colorado River reservoirs in the Lower Basin. This System Conservation Water will remain in Lake Mead to benefit system storage.

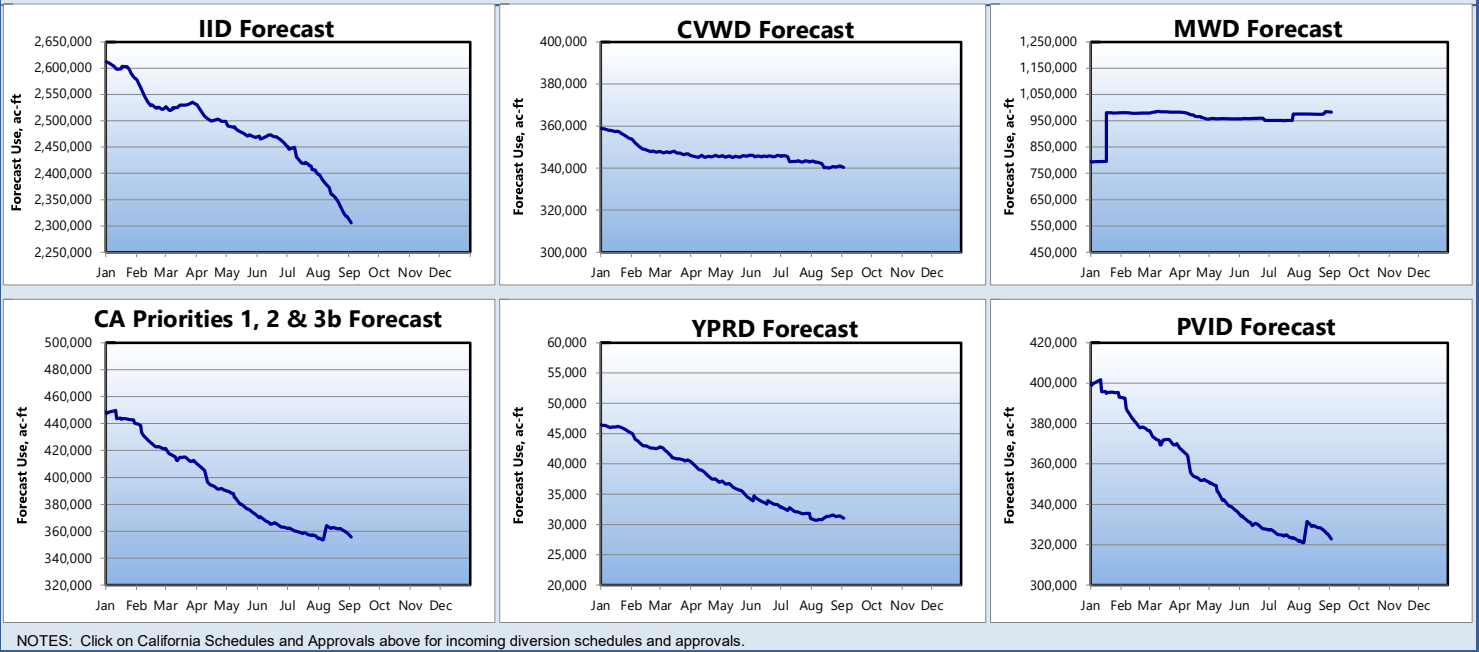
⁵ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0764 (35,000 AF) and SCIA No. 23-XX-30-W0821 (1,063 AF).

⁶ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0772.

⁷ The estimated amount of System Conservation Water that will be created pursuant to SCIA No. 23-XX-30-W0783.

⁸ MWD has an approved ICS Plan for the creation of up to 450,000 AF of Extraordinary Conservation (EC) ICS in 2024. The actual amount of EC ICS created by MWD in 2024 will be based on final accounting and verification. In accordance with Section XI.G.3.B.4 of the 2007 Interim Guidelines and Section IV.B of *Lower Basin Drought Contingency Operations* (LBOs), the total amount of EC ICS that may be created by the states of Arizona, California, and Nevada in 2024 will be limited to 625,000 AF. Additionally, the total amount of EC ICS, Binational ICS and DCP ICS accumulated in Arizona, California and Nevada's ICS Accounts will be limited in accordance with Section IV.C. of LBOs.

Continued on next page.





LOWER COLORADO BASIN REGION
CY 2024

NOTE:

- Diversions and uses that are pending approval are noted in *red italics*.
- Water users with a consumptive use entitlement - **Excess to Estimated Use** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a diversion entitlement.
- Water user with a diversion entitlement - **Excess to Approved Diversion** column indicates overrun/underrun of entitlement. Dash in this column indicates water user has a consumptive use entitlement.

NEVADA WATER USERS

Forecast end of year diversion/consumptive use

Forecast based on use to date and approved annual water orders

[Nevada Schedules and Approvals](#)

[Historical Use Records \(Water Accounting Reports\)](#)

	Use To Date CY 2024	Forecast Use CY 2024	Estimated Use CY 2024	Excess to Estimated Use CY 2024	Diversion To Date CY 2024	Forecast Diversion CY 2024	Approved Diversion CY 2024	Excess to Approved Diversion CY 2024
WATER USER								
Robert B. Griffith Water Project (SNWS)	307,921	438,746		---	307,921	438,746		---
Lake Mead NRA, NV - Diversions from Lake Mead	405	831	1,500	---	405	831	1,500	-669
Lake Mead NRA, NV - Diversions from Lake Mohave	156	302	500	---	156	302	500	-198
Basic Management, Inc.	0	0	0	---	0	0	0	0
City of Henderson (BMI Delivery)	0	0	0	---	0	0	0	0
Nevada Department of Wildlife	0	0	0	0	0	0	0	---
Pacific Coast Building Products, Inc.	568	881	928	---	568	881	928	-47
Boulder Canyon Project	137	180	180	---	228	300	300	0
Big Bend Water District	1,797	3,340	4,823	---	3,545	6,715	10,000	-3,285
Fort Mojave Indian Tribe	1,519	2,294	3,683	---	2,267	3,424	5,500	-2,076
Las Vegas Wash Return Flows	-164,954	-242,888	-232,886	---				
Total Nevada ¹	147,549	203,686	212,000	0	315,090	451,199	452,000	-6,275
Southern Nevada Water System (SNWS)	142,967	195,858				438,746		
All Others	4,582	7,828				12,453		
Nevada Uses Above Hoover	144,077	197,750				440,758		
Nevada Uses Below Hoover	3,472	5,936				10,441		

Tributary Conservation (TC) Intentionally Created Surplus (ICS)

Southern Nevada Water Authority (SNWA) Creation of TC ICS (Approved) ² 44,000

NEVADA ADJUSTED APPORTIONMENT CALCULATION

Nevada Basic Apportionment	300,000
Reduction for Tier 1 Shortage ³	(13,000)
Creation of Extraordinary Conservation ICS - SNWA (Estimated) ⁴	(83,314)
Total State Adjusted Apportionment	203,686
Excess to Total State Adjusted Apportionment	0

¹ The State of Nevada has been approved to consumptively use up to 287,000 AF in CY 2024. Forecast Use shown here is based on Nevada's operational projected consumptive use of 212,000 AF.

² SNWA has an approved ICS Plan for the creation of up to 44,000 AF of TC ICS in 2024. The actual amount of TC ICS created by SNWA in 2024 will be based on final accounting and verification.

³ In accordance with Section XI.G.2.D.1.a of the 2007 Interim Guidelines, a Tier 1 Shortage Condition will govern the operation of Lake Mead and the lower Colorado River in 2024, resulting in a 13,000 AF reduction to the state of Nevada's Colorado River basic apportionment.

⁴ SNWA has an approved ICS Plan for the creation of up to 100,000 AF of Extraordinary Conservation (EC) ICS in 2024. The actual amount of EC ICS created by SNWA in 2024 will be based on final accounting and verification. In accordance with Section XI.G.3.B.4 of the 2007 Interim Guidelines and Section IV.B of *Lower Basin Drought Contingency Operations* (LBOs), the total amount of EC ICS that may be created by the states of Arizona, California, and Nevada in 2024 will be limited to 625,000 AF. Additionally, the total amount of EC ICS, Binational ICS, and DCP ICS accumulated in Arizona, California, and Nevada's ICS Accounts will be limited in accordance with Section IV.C of LBOs.

Robert B. Griffith Forecast



LV Wash Return Forecast



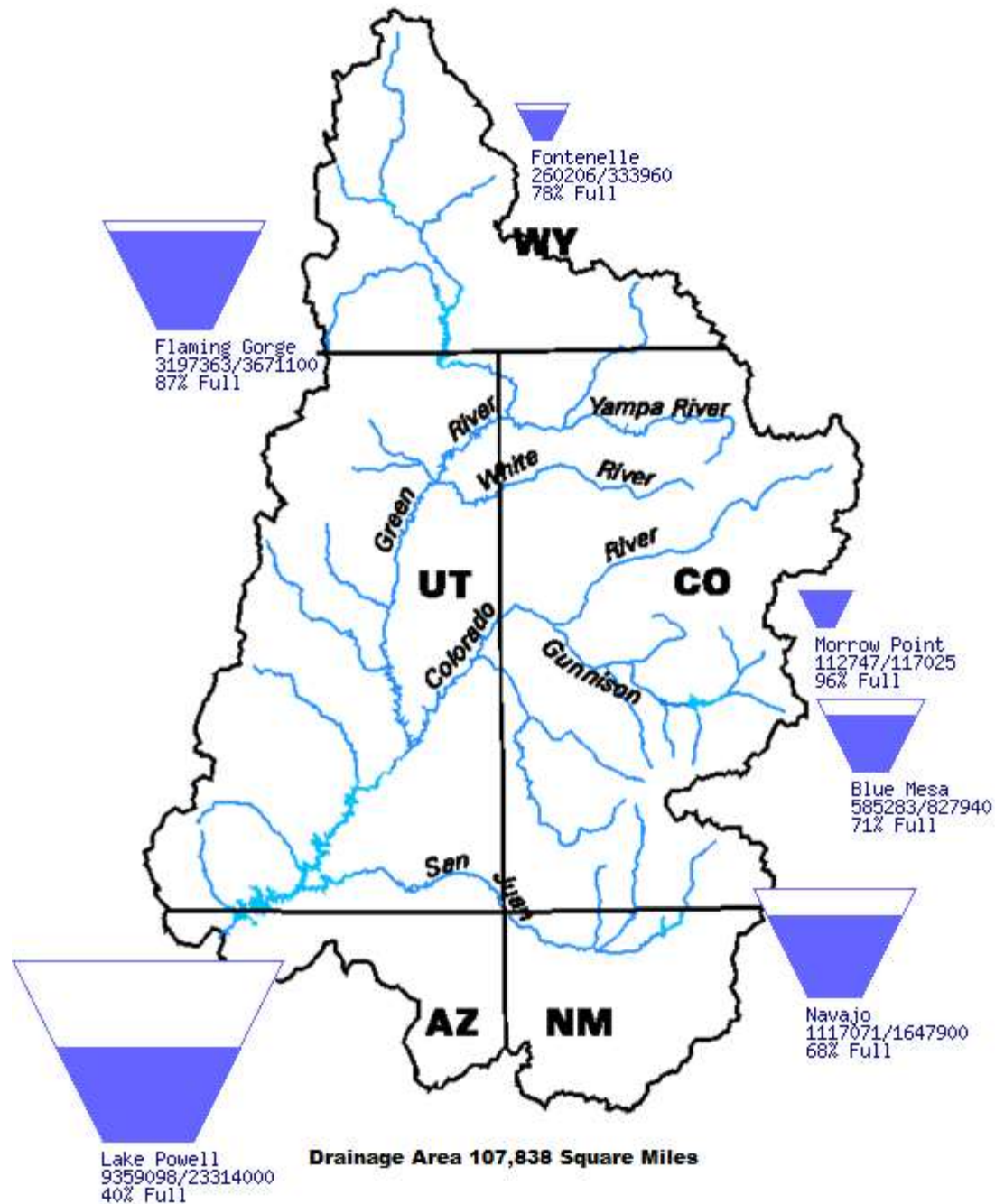
NOTES: Click on Nevada Schedules and Approvals above for incoming diversion schedules and approvals

Upper Colorado Region Water Resources Group

River Basin Tea-Cup Diagrams

Data Current as of:
09/03/2024

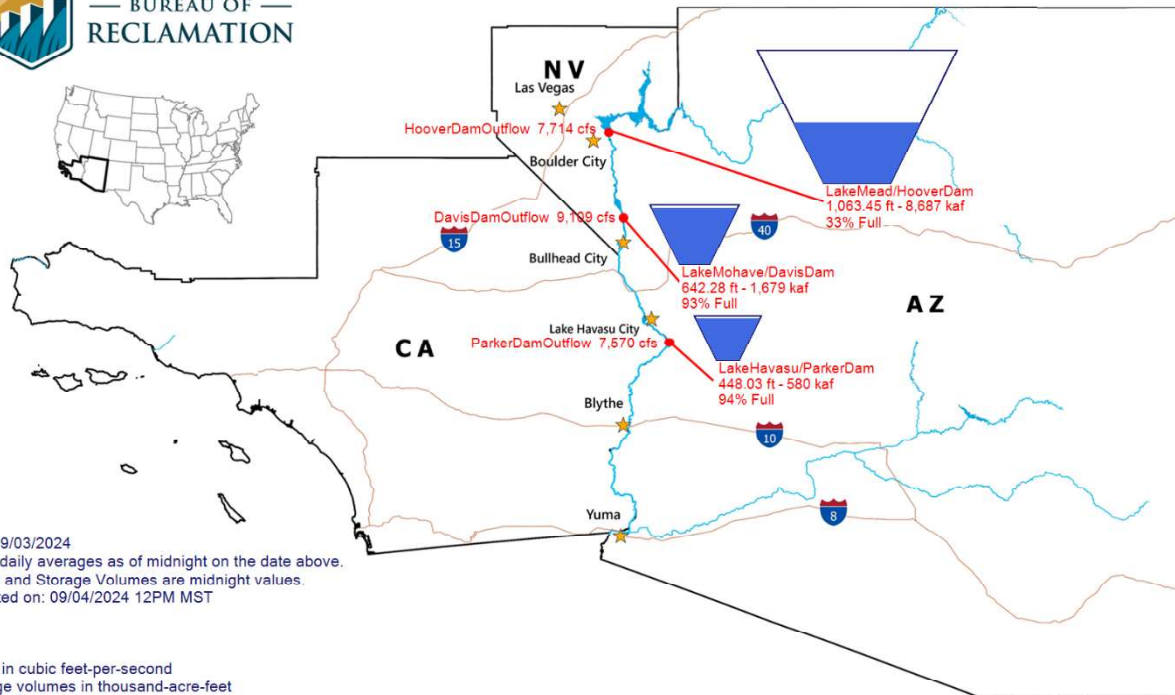
Upper Colorado River Drainage Basin



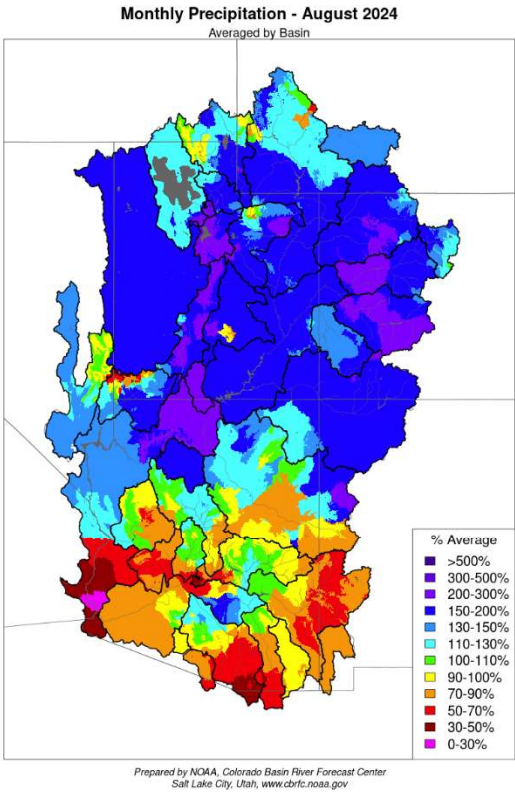
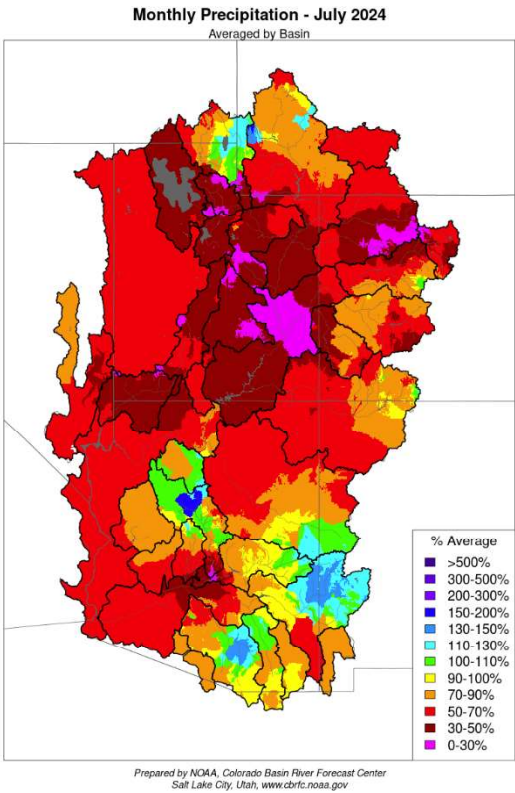
Lower Colorado River Teacup Diagram



BUREAU OF
RECLAMATION



NOAA National Weather Service Monthly Precipitation Map June and July 2024



U.S. Drought Monitor West

August 27, 2024

(Released Thursday, Aug. 29, 2024)

Valid 8 a.m. EDT

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	18.72	81.28	34.08	10.04	2.44	0.11
Last Week 08-20-2024	21.49	78.51	33.60	9.73	2.16	0.11
3 Months Ago 05-28-2024	60.29	39.71	18.88	5.33	1.30	0.16
Start of Calendar Year 01-02-2024	51.19	48.81	25.08	13.17	4.67	0.66
Start of Water Year 09-26-2023	55.99	44.01	31.24	17.70	6.09	0.70
One Year Ago 08-29-2023	54.48	45.52	30.75	13.31	2.92	0.00

Intensity:

None	D2 Severe Drought
D0 Abnormally Dry	D3 Extreme Drought
D1 Moderate Drought	D4 Exceptional Drought

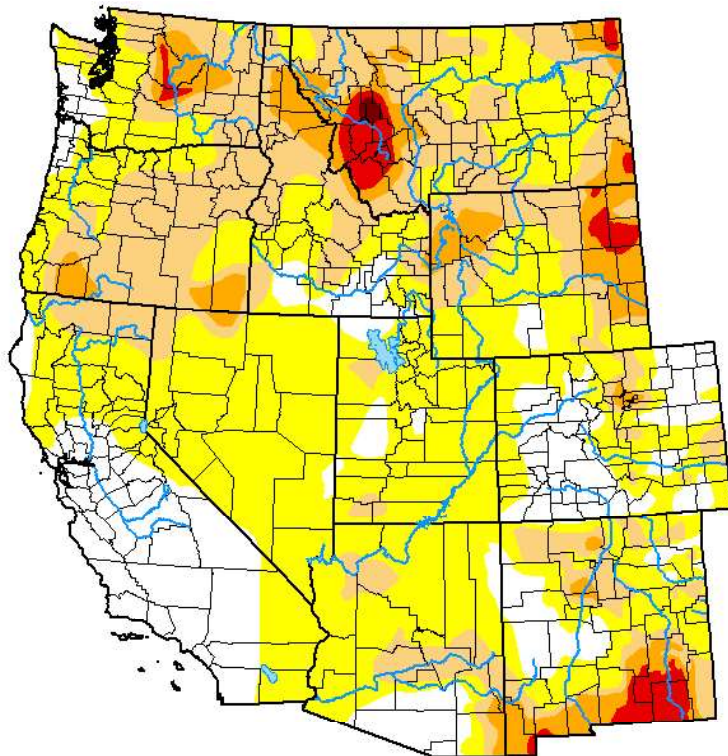
The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

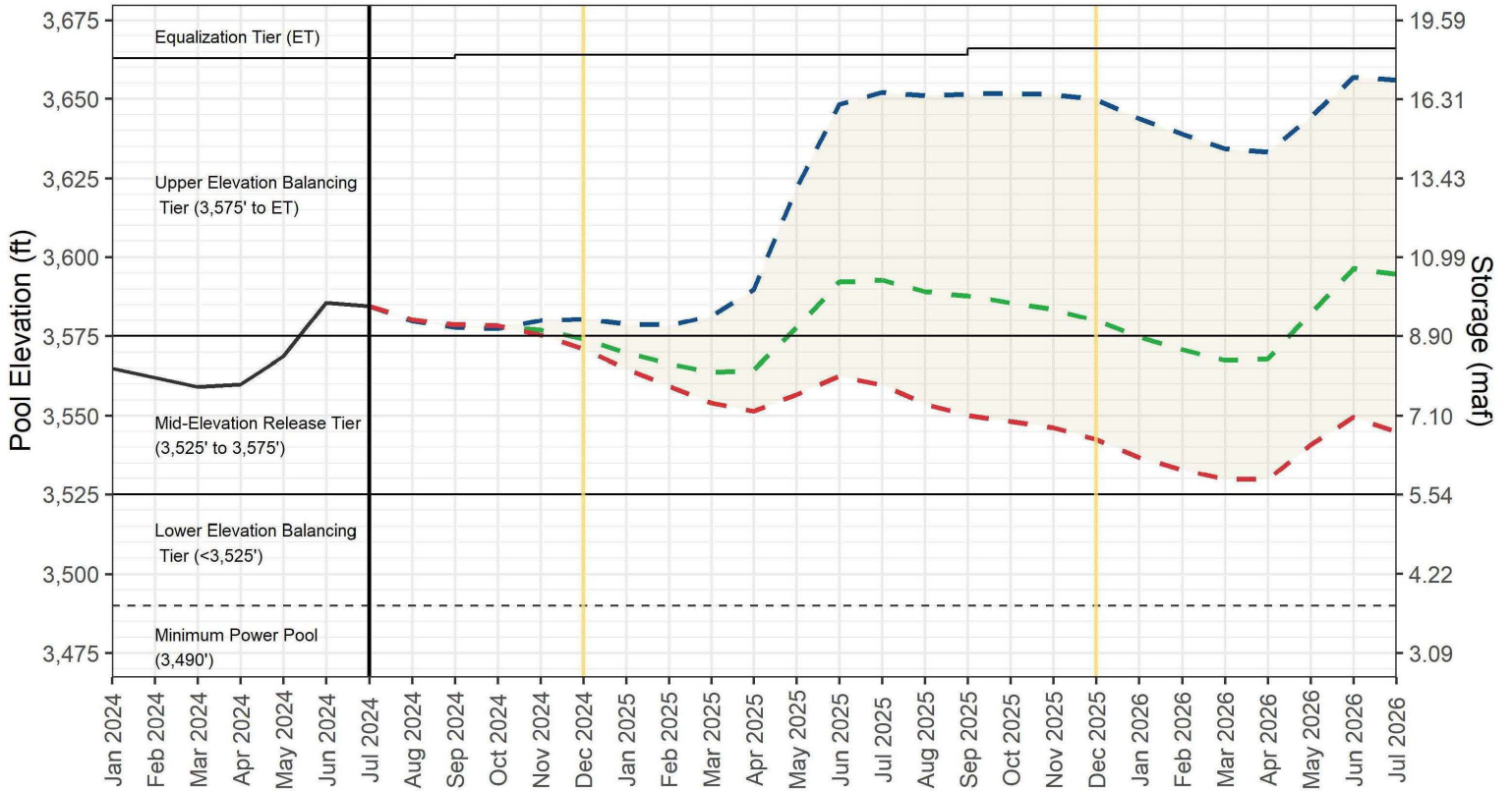
Richard Heim
NCEI/NOAA



droughtmonitor.unl.edu

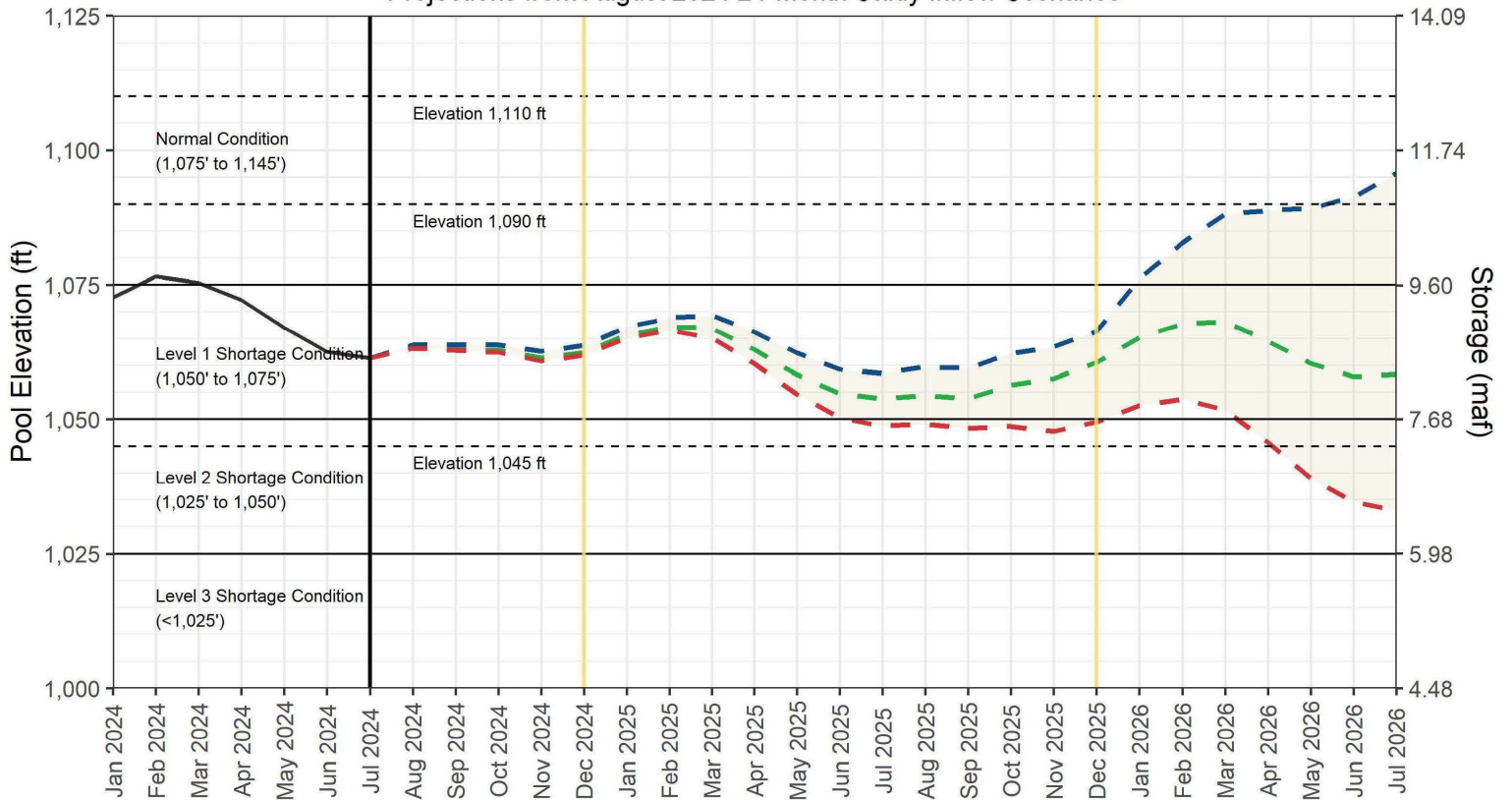


Lake Powell End-of-Month Elevations Projections from August 2024 24-Month Study Inflow Scenarios



- Historical Elevations
- August 2024 Probable Maximum Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025
- August 2024 Most Probable Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025
- August 2024 Probable Minimum Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025

Lake Mead End-of-Month Elevations Projections from August 2024 24-Month Study Inflow Scenarios



- Historical Elevations
- August 2024 Probable Maximum Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025
- August 2024 Most Probable Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025
- August 2024 Probable Minimum Inflow with a Lake Powell release of 7.48 maf in WY 2024 and WY 2025

Precipitation Statistics (period of record: 1981-current)

Statewide as of 09/03/2024

Water Year to Date: **23.67"**

% of Average: **101%**

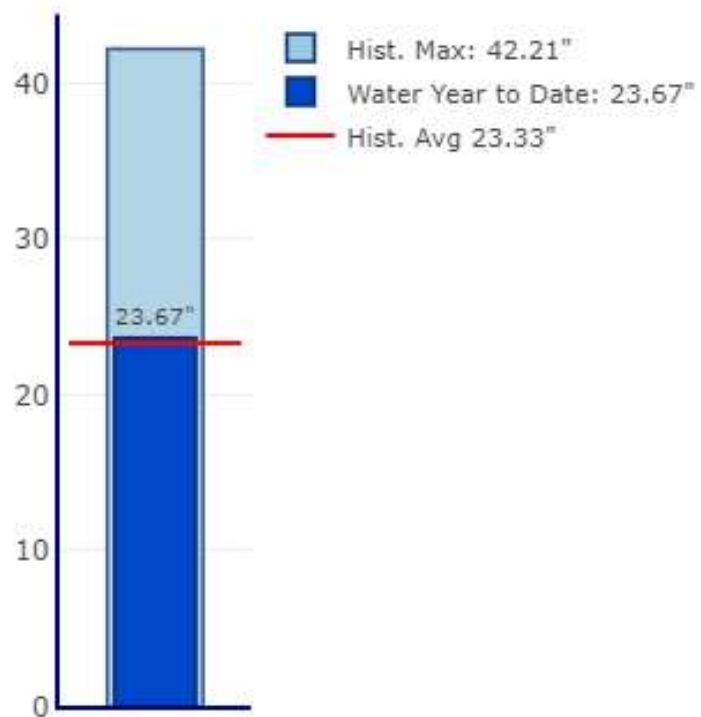
Precipitation % of average for
full water year through
September 30th: **100%**

Historical Record to Date:

Max: **42.21"**

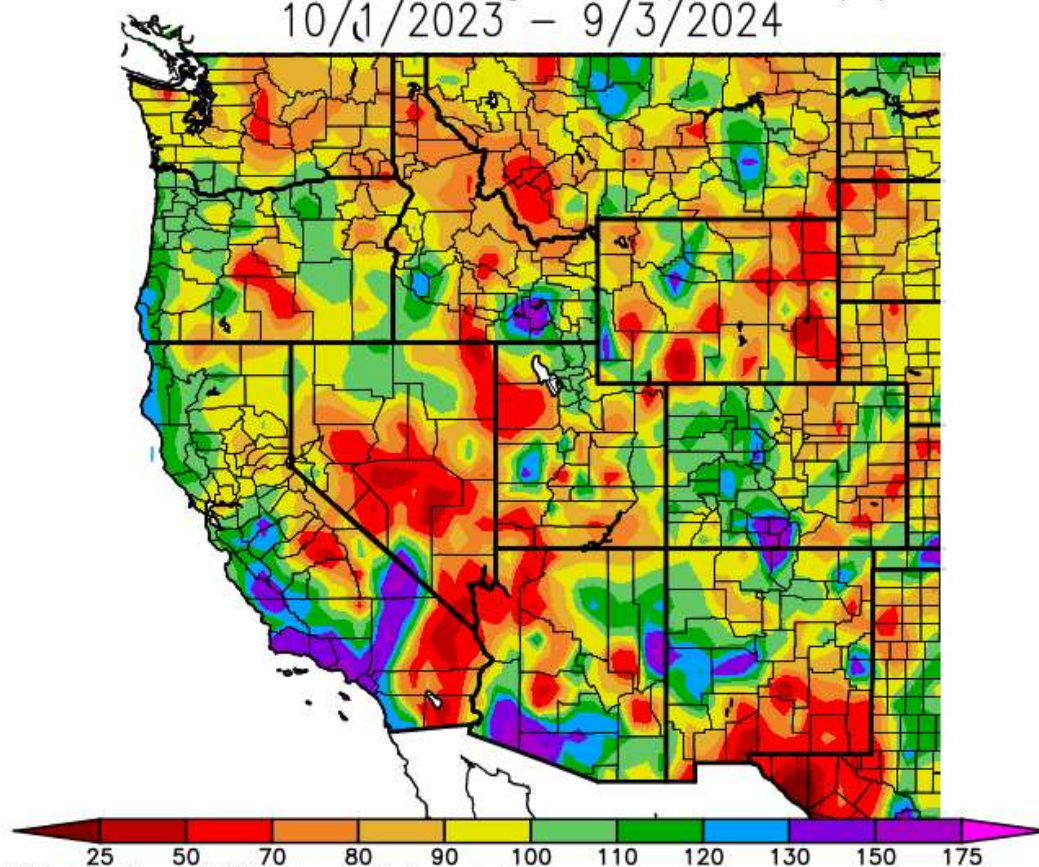
Mean: **23.33"**

Min: **11.51"**



Precipitation for water year to date is
101% of historical average

Percent of Average Precipitation (%)
10/1/2023 – 9/3/2024



Generated 9/ 4/2024 at WRCC using provisional data.
NOAA Regional Climate Centers

<https://wrcc.dri.edu/>

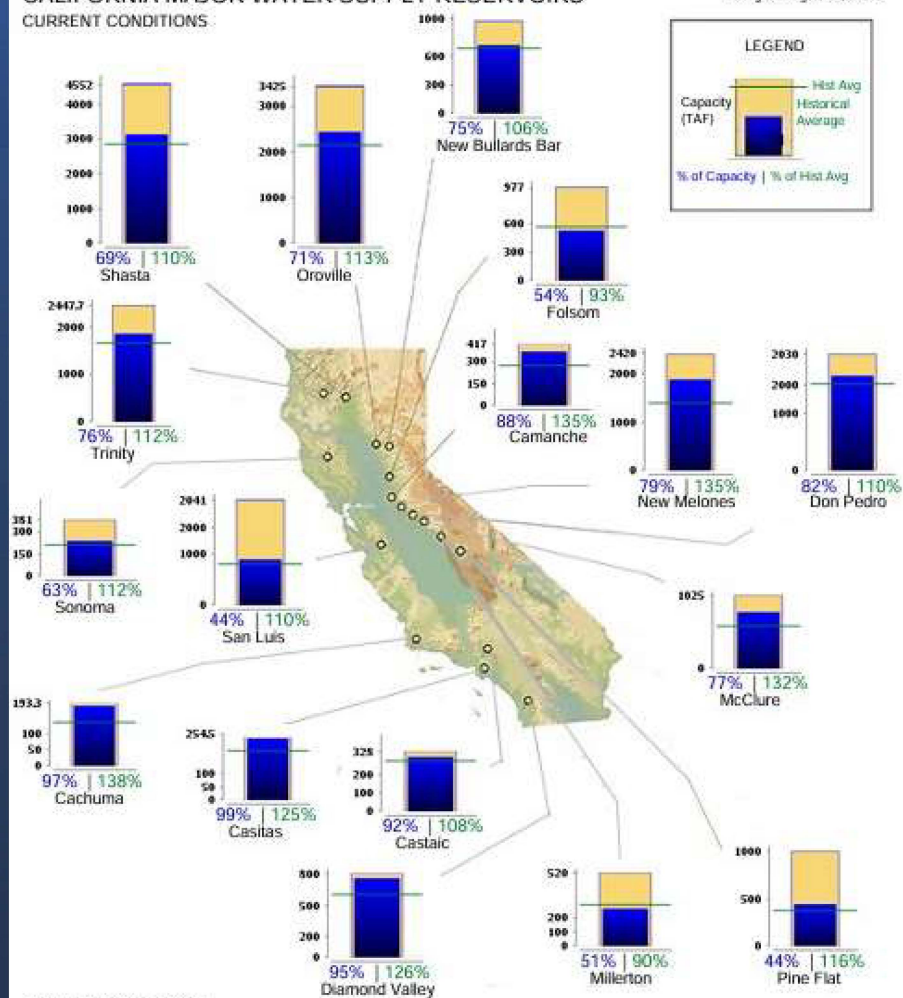


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - August 21, 2024

CURRENT CONDITIONS

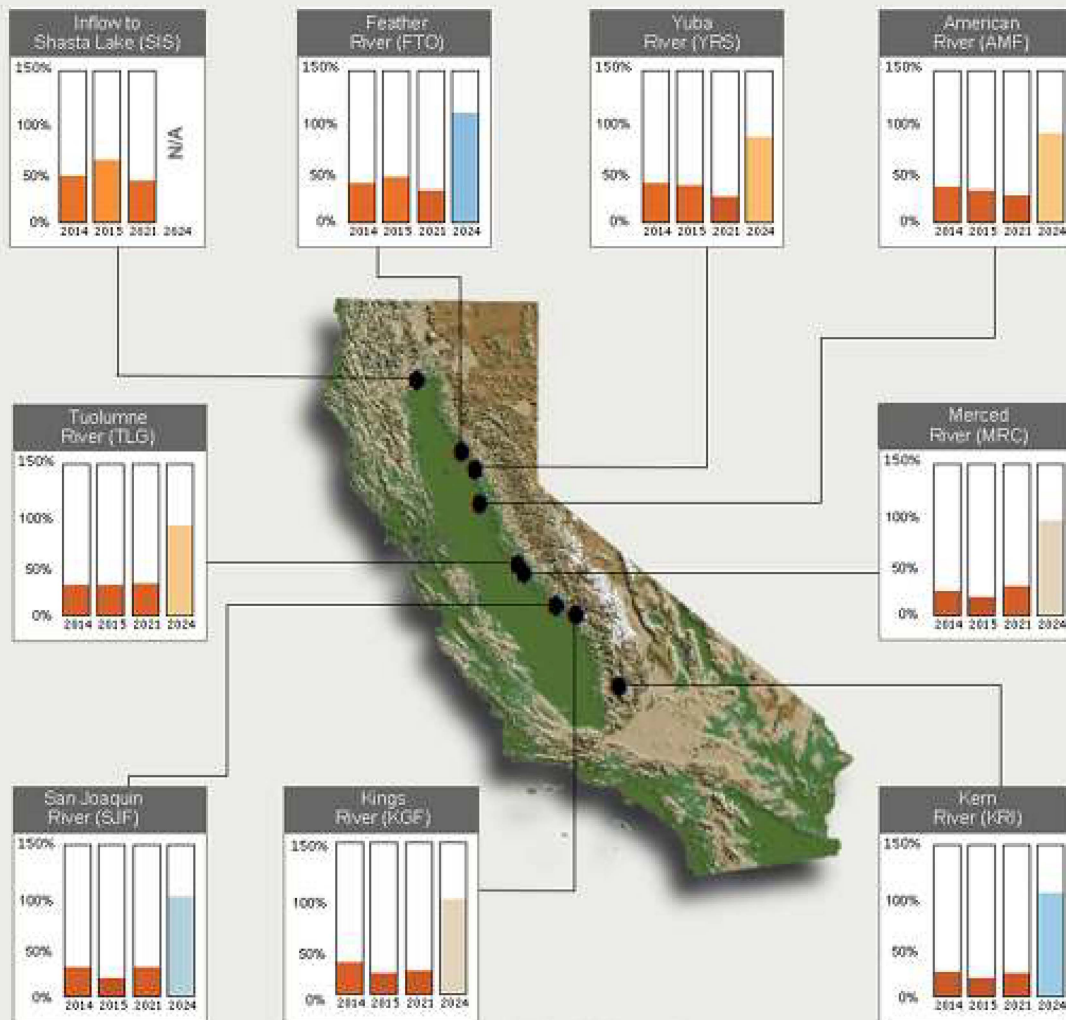


Updated 06/22/2024 02:52 PM

Full Natural Flow at DWR Forecast Points on Selected California Rivers

Shown as a Percent of Average to Date

Data as of Midnight: 03-Sep-2024

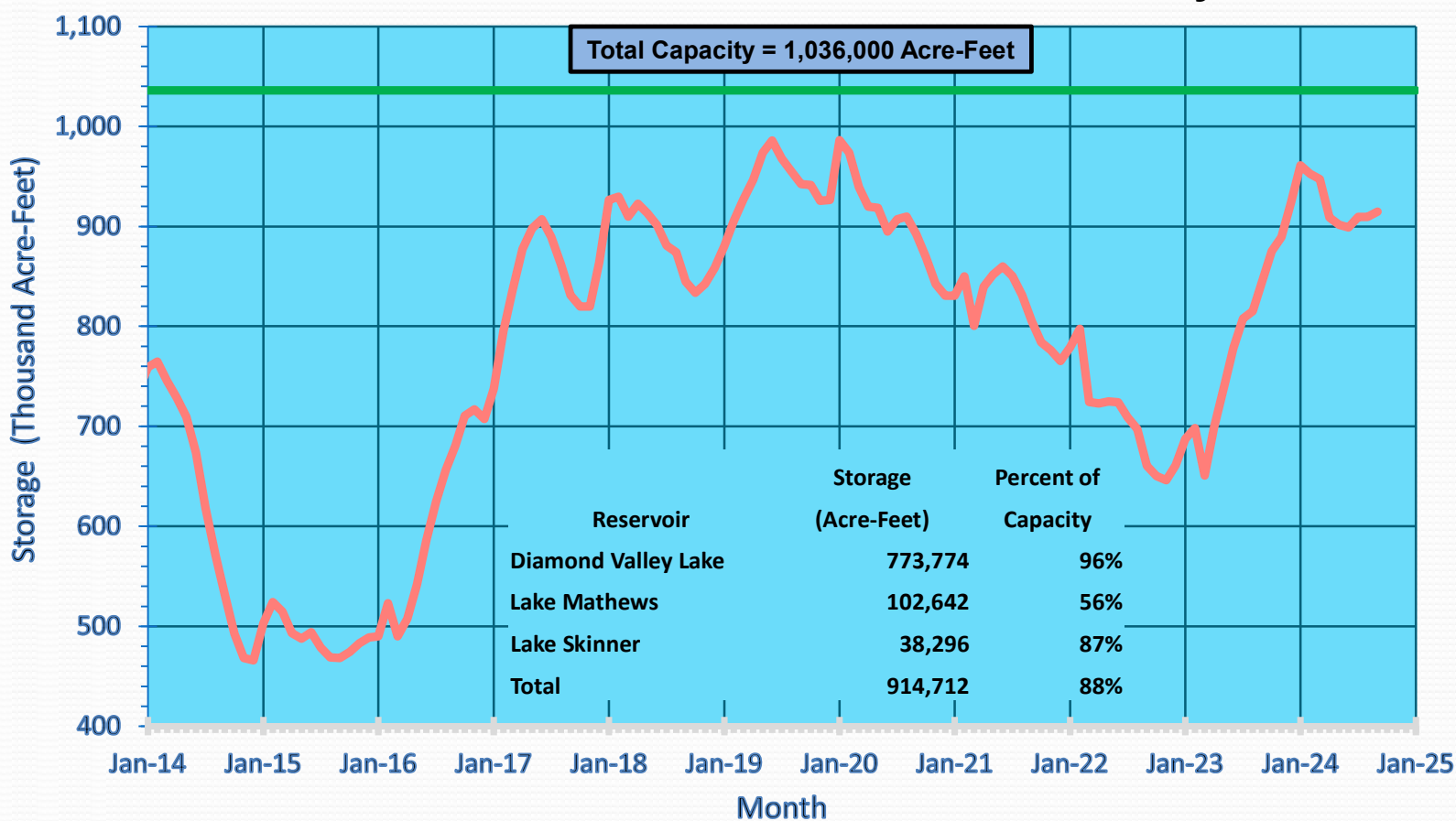


(XYZ) = CDEC Station ID

Date Created: 09/04/2024

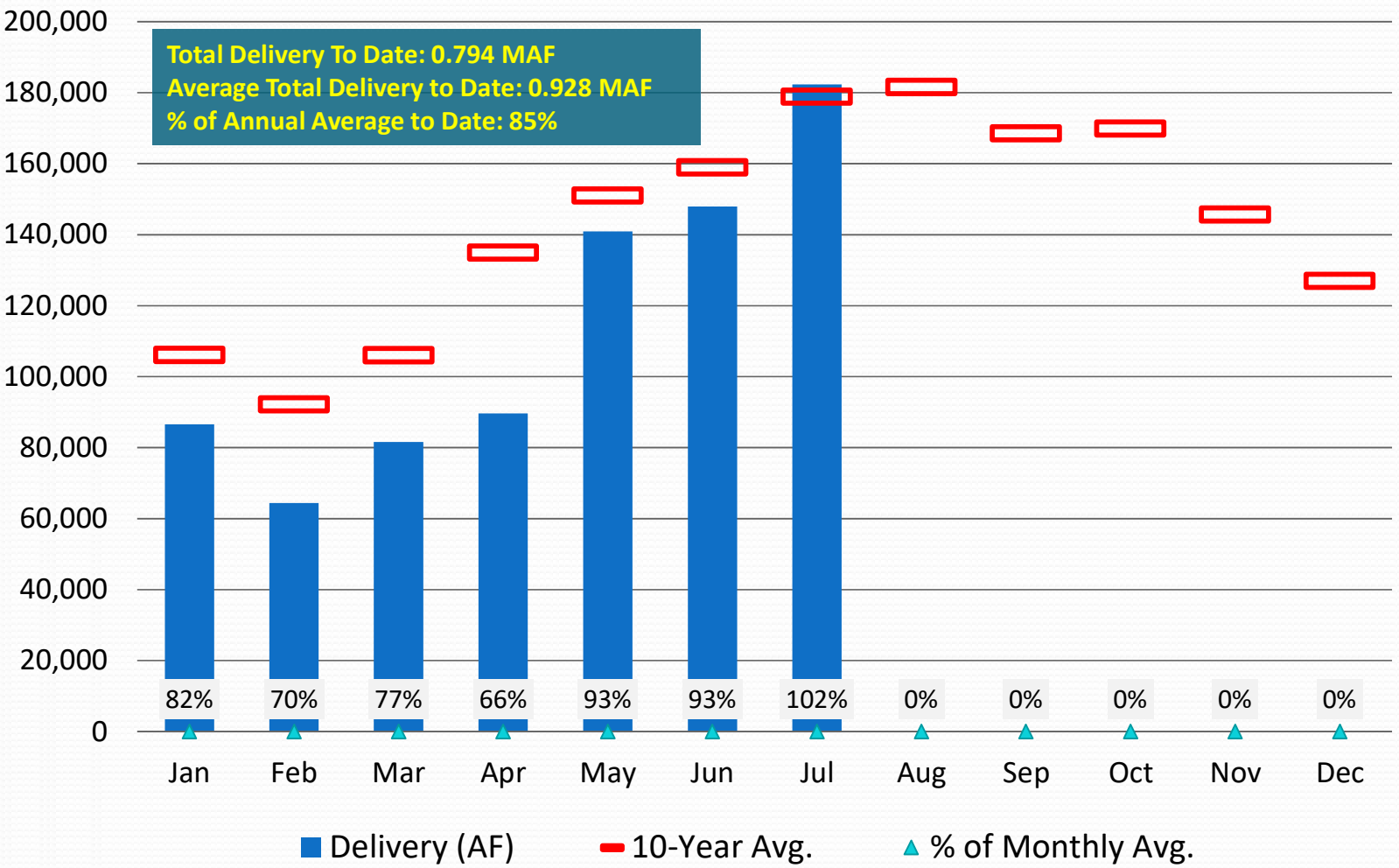
MWD's Combined Reservoir Storage as of September 1, 2024

Lake Skinner, Lake Mathews, and Diamond Valley Lake



2024 Water Deliveries to Agencies (AF)

Total Delivery To Date: 0.794 MAF
Average Total Delivery to Date: 0.928 MAF
% of Annual Average to Date: 85%





Colorado River Basin SALINITY CONTROL FORUM

MEMORANDUM 2024-36

GOVERNORS

Katie M. Hobbs, AZ
Gavin Newsom, CA
Jared Polis, CO
Joe Lombardo, NV
Michelle Lujan Grisham, NM
Spencer Cox, UT
Mark Gordon, WY

TO: Forum Members

FROM: Don A. Barnett, Executive Director

SUBJECT: Update on Salinity Fix Legislation

DATE: August 24, 2024

FORUM MEMBERS

Arizona

Clint Chandler
Patrick Dent
Erin Jordan

California

Joaquin Esquivel
Bill Hasencamp, Chair
Jessica Neuwerth

Colorado

Rebecca Mitchell, Vice Chair
Nicole Rowan
David Robbins

Nevada

Andrew Burns
Sara Price

New Mexico

Mike Hamman
Hannah Riseley-White
John Rhoderick

Utah

Candice Hasenyager
John Mackey
Dan Larsen

Wyoming

Jack Morey
Chad Espenscheid
David Waterstreet

This memorandum is to provide you with a brief update on the salinity fix legislation. Congress is still out for another week and a half on its summer recess and not much has been happening generally with legislation this summer. However, I can tell you that Rosy Brummette Weber with Senator Bennet's office and Cody Stewart from the Utah Colorado River Authority working with Congressman Curtis' office have continued to look for options to move our legislation forward yet in this session. If the legislation does not make it all the way into law in this session, then though we may begin with a bit of a leg up, we nonetheless will need to start anew in the new Congress next year.

Of course we are still watching the Farm Bill, but more and more people are speculating that it will not move forward this year. If it doesn't, then it will need an extension and there is an outside chance to seek to place language in that legislation. There is also movement to put together a collection of water bills if they are able to gain bipartisan support. We've received tentative permission from the sponsors to include our legislation with this effort if it begins to move forward, though we have not yet resolved all of our jurisdictional concerns in the Senate. Our legislation passed out of the House Natural Resources Committee with unanimous consent and, if looks like there is a similar path forward in the Senate, we could request that it be placed on the House's Suspension Calendar.

So, I am just letting you know that though the legislation has not progress for several months, we are still watching for opportunities to move it forward as we watch the activities and direction of Congress.

cc: Work Group, Sara Tucker, Abby Schneider

EXECUTIVE DIRECTOR
Don A. Barnett

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118TH CONGRESS
2D SESSION

S. _____

To establish an interest-bearing account for the non-Federal contributions to the Lower Colorado River Multi-Species Conservation Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PADILLA introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish an interest-bearing account for the non-Federal contributions to the Lower Colorado River Multi-Species Conservation Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lower Colorado River
5 Multi-Species Conservation Program Amendment Act of
6 2024”.

1 **SEC. 2. INTEREST-BEARING FUND.**

2 Section 9402 of the Omnibus Public Land Manage-
3 ment Act of 2009 (Public Law 111–11; 123 Stat. 1328)
4 is amended by adding at the end the following:

5 “(c) INTEREST-BEARING ACCOUNT FOR NON-FED-
6 ERAL CONTRIBUTIONS.—

7 “(1) DEFINITIONS.—In this subsection:

8 “(A) AGREEMENT.—The term ‘Agreement’
9 means the agreement entitled the ‘Lower Colo-
10 rado River Multi-Species Conservation Program
11 Funding and Management Agreement’ and
12 dated April 4, 2005.

13 “(B) FUND.—The term ‘Fund’ means the
14 Non-Federal Funding Account for the Lower
15 Colorado River Multi-Species Conservation Pro-
16 gram established by paragraph (2).

17 “(C) NON-FEDERAL CONTRIBUTION.—The
18 term ‘non-Federal contribution’ means an
19 amount contributed by a State Party for the
20 non-Federal cost share described in section 8 of
21 the Agreement.

22 “(D) STATE PARTY.—The term ‘State
23 Party’ has the meaning given the term in sec-
24 tion 3 of the Agreement.

25 “(2) ESTABLISHMENT.—There is established in
26 the Treasury of the United States a fund, to be

1 known as the ‘Non-Federal Funding Account for the
2 Lower Colorado River Multi-Species Conservation
3 Program’, consisting of—

4 “(A) any amounts deposited in the Fund
5 under paragraph (3); and

6 “(B) any interest earned on investment of
7 amounts in the Fund under paragraph (4).

8 “(3) DEPOSITS TO FUND.—

9 “(A) IN GENERAL.—Pursuant to section
10 8.4 of the Agreement, the Secretary of the
11 Treasury shall deposit in the Fund—

12 “(i) any unexpended non-Federal con-
13 tributions provided before the date of en-
14 actment of this subsection; and

15 “(ii) any non-Federal contributions
16 provided on or after the date of enactment
17 of this subsection.

18 “(B) AVAILABILITY OF AMOUNTS; EX-
19 PENDITURE.—Amounts deposited in the Fund
20 under subparagraph (A) and any interest on
21 those amounts in the Fund shall be made avail-
22 able to the Secretary, without further appro-
23 priation, for expenditure—

24 “(i) as provided in the Program Docu-
25 ments; and

1 “(ii) in accordance with this section.

2 “(4) INVESTMENT OF AMOUNTS.—

3 “(A) IN GENERAL.—The Secretary may re-
4 quest the Secretary of the Treasury to invest
5 any portion of the Fund that is not, as deter-
6 mined by the Secretary, required to meet the
7 current needs of the Fund.

8 “(B) REQUIREMENT.—An investment re-
9 quested under subparagraph (A) shall be made
10 by the Secretary of the Treasury in a public
11 debt security—

12 “(i) with a maturity suitable to the
13 needs of the Fund, as determined by the
14 Secretary; and

15 “(ii) bearing interest at a rate deter-
16 mined by the Secretary of the Treasury,
17 taking into consideration current market
18 yields on outstanding marketable obliga-
19 tions of the United States of comparable
20 maturity.

21 “(C) CREDITS TO FUND.—The income on
22 investments of the Fund under this paragraph
23 shall be credited to, and form a part of, the
24 Fund.

25 “(5) TRANSFERS OF AMOUNTS.—

1 “(A) TRANSFER OF PREVIOUSLY CONTRIB-
2 UTED FUNDS.—The amounts required to be de-
3 posited in the Fund under paragraph (3)(A)(i)
4 shall be transferred from the general fund of
5 the Treasury to the Fund not later than 90
6 days after the date of enactment of this sub-
7 section.

8 “(B) TRANSFER OF FUTURE CONTRIB-
9 UTED FUNDS.—As soon as practicable after the
10 date on which amounts described in paragraph
11 (3)(A)(ii) are contributed, those amounts shall
12 be transferred to the Fund.

13 “(C) RESPONSIBILITY OF STATE PAR-
14 TIES.—In accordance with the Agreement, on
15 deposit of amounts in the Fund under para-
16 graph (3), the State Parties shall not be re-
17 sponsible for any losses due to investment of
18 those amounts the Fund.”.

**Proposal for Federal Authorization to Establish
an Interest-Bearing Account in the Treasury for Funds Collected for the
Lower Colorado River Multi-Species Conservation Program**

Background

The Colorado River is the lifeblood of the American Southwest. Arising in the Rocky Mountains, the River flows through the canyonlands of Utah and the Grand Canyon in Arizona before crossing the vast Mojave and Sonoran Deserts on its way to Mexico. Below the Grand Canyon, the river acts as the boundary between the Lower Colorado River Basin States of Arizona, Nevada, and California. Its waters serve the great urban centers in the Southwest -- Las Vegas, Phoenix, and Los Angeles -- while also irrigating the farmland that produces winter vegetables for the entire nation.

Throughout the 20th Century, dams and diversions were constructed on the Lower Colorado River to provide water and power supplies across the Southwest. The highly modified river helped to create the economies of the Lower Basin States, but at the cost of changing the riverine environment that was home to numerous species that thrived in the unique aquatic and riparian world surrounded by desert.

Beginning in 1996, a group of interested parties joined with the Bureau of Reclamation, which acts as the watermaster for the Lower Colorado River, to establish a program to re-create lost habitats along the river corridor. Ten years of planning resulted in a program designed to establish areas along the river that would provide habitat for the native species of the area.

The Lower Colorado River Multi-Species Conservation Program (LCR MSCP or Program) was formally established in 2005. The Program is supported by agencies within the federal government, as well as state, tribal, and local water, power and wildlife agencies (see list of participants in Attachment 1). Within the geographic scope of the LCR MSCP from Lake Mead to the Mexican border, the program will establish over 8,000 acres of native riparian and aquatic habitat (see map of the Program habitat sites in Attachment 2). It includes additional science-based research and management efforts focused on expanding knowledge of the local wildlife and the quality of the habitat restoration efforts. As of 2024, the program has already achieved success in stocking thousands of native fish and increasing numbers of breeding migratory birds within 5,000 acres of new riparian habitat.

Congress formally approved the LCR MSCP in 2009 and authorized the Secretary of the Interior to implement the LCR MSCP in accordance with the program agreements executed by the participants. (Omnibus Public Land Management Act of 2009, Public Law 111-11, Title IX Bureau of Reclamation Authorizations, Subtitle E Lower Colorado River Multi-Species Conservation Program, sections 9401-9404 [123 Stat. 991, 1327-1329]).

LCR MSCP Funding

The LCR MSCP has a budget of \$626 million (2003 dollars) for its 50-year term. The funding is shared among the program participants on the basis of 50% Federal, 25% California, and 12.5% each from Arizona and Nevada. The State participants that provide funding are the water and power agencies listed in Attachment 1. The LCR MSCP Funding and Management Agreement (FMA) provides that all contributed funds are paid to the Bureau of Reclamation which manages the habitat creation projects in accordance with annual work plans approved by the LCR MSCP Steering Committee.

Through the LCR MSCP agreements, the state funding parties committed to make payments quarterly to cover the program costs based on the initial budget estimates established in 2005. For Fiscal Year 2024, the program budget calls for funding of \$38.8 million, with the state participants paying \$19.4 million. Reclamation collects the LCR MSCP payments on a quarterly basis and uses those funds as needed for costs incurred to execute the approved annual work plans. The contributed funds are retained in separate federal accounts until expended.

Over time the pace of funding has exceeded the work expenditures resulting in Reclamation accumulating over \$60 million in contributed funds for future costs. Given the pace of habitat development, the accumulated funds are expected to exceed \$80 million in the near term before program spending begins to reduce the balance, which is anticipated to occur over the next number of years. However, the account in which the Bureau of Reclamation holds the contributed funds do not earn interest or any investment return. The principal amount remains available, but its value is eroded over time by the effect of inflation that results in higher costs to implement projects. In the current interest rate environment, the lack of investment effectively costs the LCR MSCP at least \$2 million annually that could be used to fund future program work.

There are multiple examples of funds established by congressional action in the U. S. Treasury that are directed to be invested or to earn interest. Funds held on behalf of Native American Tribes are paid interest semi-annually and may be deposited in interest-bearing accounts at banks. 25 U.S.C. §§161, 162a. Unused funds in the Lower Colorado River Basin Development Fund may be invested by the Treasury and earnings are credited to the fund. 43 U.S.C. §1543(f)(4). The Utah Reclamation Mitigation and Conservation Account holds both State and Federal contributions and earns interest based on Treasury yields. Reclamation Projects Authorization and Adjustment Act of 1992, Pub. Law 102-575, §402, 106 Stat. 4600, 4648-4650.

Proposal

It is proposed that Congress take similar action for funds appropriated for and contributed to the Bureau of Reclamation to be used for any purposes related to the LCR MSCP. Such legislation should be in a form similar to other Acts of Congress related to funds established for use by the Department of the Interior.

DRAFT LEGISLATION

Title: To establish an interest-bearing account for the non-Federal contributions to the Lower Colorado River Multi-Species Conservation Program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lower Colorado River Multi-Species Conservation Program Amendment Act of 2024”.

SECTION 2. INTEREST-BEARING FUND.

Section 9402 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat 1328) is amended by adding at the end the following:

“(c) Interest-bearing Account for Non-Federal Contributions.—

“(1) DEFINITIONS.—In this subsection:

“(A) AGREEMENT.—The term ‘Agreement’ means the agreement entitled the ‘Lower Colorado River Multi-Species Conservation Program Funding and Management Agreement’ and dated April 4, 2005.

“(B) FUND.—The term ‘Fund’ means the Non-Federal Funding Account for the Lower Colorado River Multi-Species Conservation Program established by paragraph (2).

“(C) STATE PARTY.—The term ‘State Party’ has the meaning given the term in section 3 of the Agreement.

“(D) NON-FEDERAL CONTRIBUTIONS.—The term ‘Non-Federal Contributions means the funds contributed by the State Parties as their Non-Federal cost share described in section 8 of the Agreement.

“(2) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ‘Non-Federal Funding Account for the Lower Colorado River Multi-Species Conservation Program’, consisting of—

“(A) any amounts deposited in the Fund under paragraph (3); and

“(B) any interest earned on investment of amounts in the Fund under paragraph (4).

“(3) DEPOSITS TO FUND.—

“(A) IN GENERAL.—Pursuant to section 8.4 of the Agreement, the Secretary of the Treasury shall deposit in the Fund—

“(i) any unexpended Non-Federal Contributions by the State Parties for the benefit of the Bureau of Reclamation before the date of enactment of this subsection; and

“(ii) any Non-Federal Contributions by the State Parties for the benefit of the Bureau of Reclamation on or after the date of enactment of this subsection.

“(B) AVAILABILITY OF AMOUNTS; EXPENDITURE.—Amounts deposited in the Fund under subparagraph (A) and any interest on those amounts in the Fund shall be made available to the Secretary, without further appropriation, for expenditure—

“(i) as provided in the Program Documents; and

“(ii) in accordance with this section 9402.

“(4) INVESTMENT OF AMOUNTS.—

“(A) IN GENERAL.—The Secretary may request the Secretary of the Treasury to invest any portion of the Fund as is not, as determined by the Secretary, required to meet the current needs of the LCR MSCP.

“(B) REQUIREMENT.—An investment requested under subparagraph (A) shall be made by the Secretary of the Treasury in a public debt security—

“(i) with a maturity suitable to the needs of the LCR MSCP, as determined by the Secretary; and

“(ii) bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

“(C) CREDITS TO FUND.—The income on investments of the Fund under this subsection shall be credited to, and form a part of, the Fund.

“(5) TRANSFERS OF AMOUNTS.—

“(A) TRANSFER OF PREVIOUSLY CONTRIBUTED FUNDS. The amounts required to be deposited in the Fund under paragraph (3)(A)(i) shall be transferred from the general fund of the Treasury to the Fund not later than 90 days after the date of enactment of this subsection.

“(B) TRANSFER OF FUTURE CONTRIBUTED FUNDS.—As soon as practicable after the date on which amounts described in paragraph (3)(A)(ii) are contributed, those amounts shall be transferred to the Fund.

“(C) RESPONSIBILITY OF STATE PARTIES.—In accordance with the Agreement, on deposit of amounts in the Fund under paragraph (3), the State Parties shall not be responsible for any losses due to investment of those amounts in the Fund.”.

ATTACHMENT 1

LIST OF LCR MSCP PARTICIPANTS

Federal Participant Group

Bureau of Reclamation
U.S. Fish and Wildlife Service
National Park Service
Bureau of Land Management
Bureau of Indian Affairs
Western Area Power Administration

Arizona Participant Group

Arizona Department of Water Resources
Arizona Electric Power Cooperative, Inc.
Arizona Game and Fish Department
Arizona Power Authority
Central Arizona Water Conservation District
Cibola Valley Irrigation and Drainage District
City of Bullhead City
City of Lake Havasu City
City of Mesa
City of Somerton
City of Yuma
Electrical District No. 3, Pinal County, Arizona
Golden Shores Water Conservation District
Mohave County Water Authority
Mohave Valley Irrigation and Drainage District
Mohave Water Conservation District
North Gila Valley Irrigation and Drainage District
Town of Fredonia
Town of Thatcher
Town of Wickenburg
Salt River Project Agricultural Improvement and Power District
Unit "B" Irrigation and Drainage District
Wellton-Mohawk Irrigation and Drainage District
Yuma County Water Users' Association
Yuma Irrigation District
Yuma Mesa Irrigation and Drainage District

California Participant Group

Bard Water District
California Department of Fish and Wildlife
City of Needles
Coachella Valley Water District
Colorado River Board of California
Imperial Irrigation District
Los Angeles Department of Water and Power
Palo Verde Irrigation District
San Diego County Water Authority
Southern California Edison Company
Southern California Public Power Authority
The Metropolitan Water District of Southern California

Nevada Participant Group

Colorado River Commission of Nevada
Nevada Department of Wildlife
Southern Nevada Water Authority
Colorado River Commission Power Users
Basic Water Company

Native American Participant Group

Hualapai Tribe
Colorado River Indian Tribes
Chemehuevi Indian Tribe

Conservation Participant Group

Ducks Unlimited
Lower Colorado River RC&D Area, Inc.
The Nature Conservancy

Other Interested Parties Participant Group

QuadState Local Governments Authority
Desert Wildlife Unlimited

ATTACHMENT 2

MAP OF HABITAT SITES OF THE LOWER COLORADO RIVER MULTI-SPECIES CONSERVATION PROGRAM

