



**DRAFT MEETING MINUTES**

**Colorado River Authority of Utah  
December 2, 2022 --1:00 p.m. MT  
VIRTUAL ONLY VIA ZOOM**

**1. Call to Order—Joel Ferry, Vice Chair**

Mr. Ferry called the meeting to order at 1:00 pm MT and explained that Director Shawcroft was unable to attend due to a conflict so he would be chairing the meeting in his absence. Mr. Ferry also stated that the reports from each of the three Advisory Councils are being deferred until the January 12<sup>th</sup> meeting given the absence today of Chair Shawcroft and Directors Tsosie and Renstrom. Mr. Ferry asked Mr. Schoenfeld to introduce the virtual attendees, which he did. A list of attendees is included as Attachment 1.

**2. Approval of Minutes of the October 19, 2022, Colorado River Authority of Utah Meeting – Joel Ferry**

There being no comments on the October 19, 2022 minutes, a motion was made by Mr. Humphrey and seconded by Mr. Larsen to approve the minutes. The motion was unanimously approved by the Board.

**3. Public Comment Pursuant to the Public Comment Policy of the Authority (limit of 2 minutes per person) – Joel Ferry**

There were no public comments.

**4. Hydrology Update – Bart Leeftang**

Mr. Leeftang provided a hydrology update beginning with the status of Lakes Powell and Mead stating they were 25% and 28% full, respectively, and stating that the current elevation of Lake Powell at 3,528' was very close to the critical elevation of 3,525'. Mr. Leeftang discussed the Upper Basin Storage and explained that both Blue Mesa and Navajo reservoirs were very low. Mr. Leeftang discussed the Average Soil Saturation and Snow Water Equivalent in the Upper Colorado Region and explained the comparison of 2002 vs 2021 unregulated inflow and natural flow which were both poor years. Mr. Leeftang discussed the Lake Powell Unregulated Inflow and explained the November minimum probable was 4.94 maf, the most probable was 8 maf, and maximum probable was 14.74 maf. Mr. Leeftang discussed the Lake Powell and Lake Mead end-of-month elevations and projections which show level 3 shortage and minimum power pool conditions in 2023 under the minimum probable hydrology. Mr. Leeftang discussed the shortages that have been agreed to under the 2007 Interim Guidelines, Minute 323, and the Drought Contingency Plan (DCP) and explained the shortages only amount to 1.4 maf, stating there was a huge gap between what's currently on the table for response to the severe conditions and the potential real physical conditions of the system, which he stated is why Reclamation is pursuing a Supplemental Environmental Impact Statement (SEIS).

**5. Runoff vs. Snow Water Equivalent Inquiry Update – Lily Bosworth, Staff Engineer, Colorado River Authority of Utah**

Mr. Ferry announced this agenda item would be presented at the January 12<sup>th</sup> meeting as Director Renstrom requested the information and he is not in attendance today.

## 6. Status of Basin States/US Discussions – Amy Haas and Bart Leeflang

Ms. Haas welcomed and introduced the Authority's newest Staff Engineer, Betsy Morgan, who started with the Authority in early November and joins Lily Bosworth as in-house technical support. Ms. Haas explained that both Betsy and Lily will be critical to the implementation of the Authority Management Plan as well as participate in myriad interstate activities.

Ms. Haas provided an update on the implementation of the Upper Basin 5-Point Plan which was created in response to the Commissioner's request to conserve 2-4 MAF in the Colorado River Basin to protect critical reservoir elevations at Lake Powell and Lake Mead. Ms. Haas explained we are well on our way to re-establishing the System Conservation Pilot Program in the Upper Basin, which is temporary, voluntary, compensated conservation in the Upper Basin. Ms. Haas discussed the November 21<sup>st</sup> UCRC Special Meeting to approve two critical agreements, a funding, and a participation agreement, and explained although the funds are available, an extension of federal authorization enabling the US to participate is pending. Ms. Haas explained the RFP will be for 1-year participation in 2023 and is scheduled to be released on December 14<sup>th</sup> with a February 1<sup>st</sup> deadline to submit proposals. Ms. Haas explained the two-tiered RFP includes a firm fixed price at \$150/acre-foot of water or if a proponent feels their conserved is worth a higher price, they can propose a price and contract directly with UCRC. Ms. Haas announced there will be an informational meeting with Key Stakeholders Friday, December 9<sup>th</sup> at 2:00 pm and stated Lily Bosworth would be reaching out to Board Members regarding Key Stakeholders in the Price/San Rafael and Uintah Basin and their availability to participate in a call next week. Chair Ferry asked about anticipated participation and financial allocation and Ms. Haas responded that exact participation was unknown, although we were hopeful for greater participation than the 2015-2018 System Conservation Pilot Program (SCPP), and that the target was \$125M from the Inflation Reduction Act for the program.

Ms. Haas discussed Demand Management, the second point of the Upper Basin 5-Point Plan, which is a pursuit of both interstate and intrastate investigations on the feasibility of a program in the Upper Basin, which is a requirement of the 2019 Drought Contingency Plan (DCP). Ms. Haas explained that UCRC received an \$800k grant from the Bureau of Reclamation (BOR) to conduct interstate investigations, which were completed in September, and that key findings from these investigations are currently being prepared and a summary report on deliverables will be delivered by the December 14<sup>th</sup> UCRC Meeting. Ms. Haas explained the hope was that UCRC would be able to act on a Demand Management Program in the Spring or Summer of 2023, and that although there is a strong desire to have a 4-State program, Utah was exploring alternatives in the event there is no Upper Basin Program. Ms. Haas explained the differences between System Conservation and Demand Management, stating the major differences were shepherding and storage. Ms. Haas further explained that System Conservations doesn't contain a shepherding mechanism and that Demand Management must be shepherded to Lake Powell or another Upper Basin Initial Unit. Additionally, Ms. Haas stated there was currently up to 500 kaf of free storage space designated for water under Demand Management, which is not true for System Conservation.

Ms. Haas discussed the third element of the 5-Point Plan, the Drought Response Operations Agreement (DROA) 2023, which would be developed and ready to deploy in April 2023, contingent on hydrological conditions. Ms. Haas mentioned that considering the projected declining elevations at Lake Powell, Reclamation has just recently recommended that we modify release patterns out of Glen Canyon Dam beginning this month and continuing through September of 2023 to keep elevations as high as possible. Ms. Haas explained this modification will require an amendment to the current 2022 DROA Plan.

Mr. Leeftang discussed the preparation of a DROA 2023 Plan and explained that if we have a good hydrologic year there are opportunities to recover DROA water. Mr. Leeftang explained the importance of recovery in a DROA 2023 Plan as we need to be confident the DROA water is recovered and not sent downstream. Ms. Haas mentioned half of the 500 kaf has been released from Flaming Gorge to Lake Powell and the 2022 DROA year will continue through April 2023. Ms. Haas and Mr. Leeftang explained they were working with Reclamation to ensure DROA water is accounted for separately from system water and protected from being released to the Lower Basin. Mr. Leeftang explained the minimum target elevation Reclamation is currently proposing for Flaming Gorge is 5,890' for DROA purposes, and currently we project to be at 6,008' on April 30, 2023.

Ms. Haas discussed the Lower Basin conservation efforts stating California has committed to conserve 400 kaf through 2026, and in addition, the Lower Basin is currently working on its 500+ Plan. Ms. Haas mentioned the Lower Basin System Conservation and Efficiency Program that IRA funding will be used for, and discussed the Salton Sea Agreement, which was negotiated between the US and Feds to provide a total of \$250 million from IRA to benefit the Salton Sea, with \$22M available in 2023 and \$230M over the next 4 years which will be available subject to voluntary conservation activities by California. Ms. Haas stated she recently attended the semi-annual meeting of the Minute 323 Oversight Group in Tijuana and explained that per the 1944 US-Mexico Water Treaty, Mexico receives 1.5 maf per year from the Colorado River, and they have received the full amount every year until 2022. Ms. Haas explained that Mexico has agreed to take shortages and reductions in the amount of 80 kaf in 2022 and 104 kaf in 2023 as well as additional measures conserving 180 kaf over the next couple of years.

Ms. Haas discussed the Notice of Intent for SEIS for the 2007 Interim Guidelines and explained that on October 28<sup>th</sup> the Department of Interior issued a Notice of Intent to begin a public scoping process necessary to prepare a SEIS for the 2007 Interim Guidelines, which is the criteria that governs Colorado River operations and will expire in 2026. Ms. Haas explained that with the current Notice of Intent, the US is looking for authority via NEPA to modify the 2007 Interim Guidelines and the 2019 Drought Contingency Plan so actions can be taken as early as 2023/24 to address the emergency on the river. Ms. Haas explained that the US is considering Lake Powell releases below 7 maf, and deeper reductions to Lower Basin uses, both of which require a change to the 2007 guidelines to accomplish, and additional releases to Lake Powell from Upper Initial Units (Flaming Gorge) under the DROA. Ms. Haas explained that Utah, as well as 6 other states, are also insisting the US actions include assessing evaporation and losses against Lower Basin contractors' uses, which amount to as much as 1.2 maf. Ms. Haas stated the responses to this Notice of Intent are due on December 20<sup>th</sup> and that our hope was to have a multi-state collective response letter, as well as a Utah only letter that the Authority is drafting, in coordination with DNR, the Governor's Office, and the Attorney General's Office, that will be shared with the Board.

Ms. Haas discussed Post-2026 Operations stating a pre-scoping Notice was issued in June to solicit comments on Post-2026 Operations prior to the formal NEPA kick-off, which is anticipated to occur in January 2023. Ms. Haas explained that Utah joined a 7 State Letter which was submitted on September 1<sup>st</sup> in response to the notice, and the formal scoping process is scheduled to begin in January by a Federal Register notice.

Ms. Haas asked Ms. Hasenyager to discuss the Smallmouth Bass Environmental Assessment. Ms. Hasenyager provided an overview of the increased risk to humpback chub below Glen Canyon Dam due to the drought, low elevations at Lake Powell, and transit of smallmouth bass through the dam

that could eat or outcompete humpback chub. Ms. Hasenyager explained the importance of preventing smallmouth bass establishment in the Colorado River and the efforts being taken by the smallmouth bass ad hoc group.

**7. Upper Colorado River Commission/Upper Basin Tribal Discussions – Amy Haas**

Ms. Haas mentioned there have been three meetings since August with the 6 Upper Colorado River Basin Tribes, four of whom have lands in Utah, the Ute Tribe of Uintah and Ouray, the Navajo Nation, the Shivwits Band of the Paiute and the Ute Mountain Ute Tribe. Ms. Haas explained the Tribes are key stakeholders on the river and will likely play a very important role in river operations and governance in the future, as well as participating in potential solutions to the deteriorating future hydrology. Ms. Haas stated the discussions have focused on information exchange between the four Upper Division States and the six Tribes, as well as areas of common ground.

**8. Implementation of Authority Management Plan – Bart Leeftang**

Mr. Leeftang reminded the Board of the three primary areas of the Management Plan: Measurement, Hydrology and Operations, and Drought Mitigation, for each of which a great deal of work is currently being done. Mr. Leeftang discussed the recent Colorado River Initiatives meeting held November 30<sup>th</sup> at the Authority which had representation from OpenET, DWRe, DWRi, PWRE, Follum Hydrologic Solutions (subcontractor to PWRe), Jacobs, Bowen/Collins – Jones & DeMille (J&D), Utah Geological Survey (UGS) and the Authority. Mr. Leeftang explained because there are areas of overlap, the goal of the meeting was for each organization to present on the work they are doing, with emphasis on its connection to OpenET/Remote Sensing of consumptive use so that the Authority could make connections, optimize coordination, minimize duplication of efforts, and help all involved to better understand how the pieces fit together. Mr. Leeftang explained that UGS has five sites for EC towers with four agreements in place, and all the equipment has been purchased. Mr. Leeftang stated an award was made to Bowen/Collins, who is partnered with J&D, for the Gauging and Metering Gap Analysis. Mr. Leeftang explained that initial meetings have already occurred and the target completion for the Gauging and Metering Analysis will be June 30, 2023. Mr. Leeftang explained that the Authority is in the middle of executing on an Agricultural Resiliency Plan, in conjunction with CUWCD, which is characterizing agricultural consumptive use to evaluate the opportunities for voluntary drought mitigation programs. Mr. Leeftang mentioned exploring a potential pilot demonstration program in partnership with Utah State that would include outreach, public workshops, and irrigation management plans. Mr. Leeftang explained the first portion of the Utah/Colorado River Accounting and Forecasting Model (UCRAF) was currently being developed by PWRe and the pilot is in the Duchesne Basin with the model replicating deliveries to certain canals with very promising results. Mr. Leeftang discussed OpenET, which he explained was a critical piece to making the entire Management Plan work, and explained we were very close to finalizing an agreement with OpenET.

**9. Fiscal Update – Danny Schoenfeld, Director of Administration and Finance**

Mr. Schoenfeld stated we were halfway through the Fiscal Year and the Authority is currently well below their appropriation amounts. Mr. Schoenfeld stated the Authority would not be asking for any ongoing appropriations or one-time funds in the 2023 Legislative Session and are expecting an appropriation base budget amount of \$1,540,000 which includes all personnel and expenses. Mr. Schoenfeld explained that part of the funds received last year was for our lease operations, which have been accounted for the next 5 years. Ms. Haas commented that while we are well under budget our expenditures are going to accelerate as we implement the Management Plan and build capacity.

**10. Update on Advisory Councils – Cody Stewart, Director of Strategic Engagement**

Mr. Stewart stated the Councils were eager to report at the January 12<sup>th</sup> Board meeting and provide recommendations and suggestions. Mr. Stewart commented on how successful the Councils have been and believes they have met the goals of the Legislature when they included the Councils in the framework for the Authority.

**11. Other Business**

Mr. Ferry announced that Director Renstrom offered to host the April 20, 2023 Board Meeting at the Washington County Water Conservancy District Offices in St. George and asked if there were any concerns with doing so, which there were not, and the Board agreed to hold the April 20, 2023 Board Meeting in St. George.

**12. Next Meeting: January 12, 2023 1:00 pm – USU Campus in Roosevelt, UT**

**13. Adjourn**

Mr. Larsen motioned to adjourn, and the Board unanimously agreed to adjourn the meeting at 2:38 pm.

**Attachment #1 – December 2, 2022 Attendee List**

**December 2, 2022**

**Colorado River Authority of Utah Board Meeting**

**Attendee List**

**Virtual Board Member Attendees:**

Joel Ferry, Vice Chair  
Jay Mark Humphrey  
Candice Hasenyager  
Dan Larsen

**Virtual Attendees:**

Amy Haas, CRAU  
Danny Schoenfeld, CRAU  
Betsy Coleman, CRAU  
Cody Stewart, CRAU  
Lily Bosworth, CRAU  
Betsy Morgan, CRAU  
Holly McCall, CRAU  
Teresa Wilhelmsen, State Engineer  
Wendy Crowther, Attorney General  
Bart Leeﬂang, CUWCD  
Bryan Dixon  
Malcolm Nash  
Jon Richens  
Dex Winterton  
Dana Van Horn  
Dan Hartman  
Carl Albrecht  
Eric McCulley  
Cody Allred  
Susan Andrechak  
McKenna Murray  
Nick Halberg  
Lisa Anderson  
Sue Bellagamba