

DRAFT MEETING MINUTES
Colorado River Authority of Utah
February 27, 2024 -- 1:00 p.m. MT

1. Call to Order – Gene Shawcroft, Chair

Mr. Shawcroft called the meeting to order at 1:00 pm stating there was a quorum and asked each attendee to briefly introduce themselves. A list of attendees is included in Attachment I.

2. Approval of the Minutes of the January 30, 2024, Colorado River Authority of Utah Meeting – Gene Shawcroft

There being no comments on the January 30, 2024, minutes, a motion was made by Mr. Ferry 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) – Gene Shawcroft

There were no public comments.

4. Report of the Chair – Gene Shawcroft

Mr. Shawcroft discussed the Post 2026 Operations process stating Reclamation has requested an initial submission of alternatives in early March and that they will begin modeling in April with the objective of releasing a Draft EIS in December 2024. Mr. Shawcroft explained the seven Basin States have met numerous times to discuss the potential for a Seven-State Alternative but given the complexity of the challenges and the short amount of time for an initial submittal, it is unlikely that a consensus Seven-State Alternative will be developed within the next couple of weeks. Mr. Shawcroft explained that the four Upper Division States are working to develop a Four-State Alternative in the event a consensus alternative is not developed, and that the three Lower Basin States are preparing a Three-State alternative as well. Mr. Shawcroft stated the Upper Division States continue to believe that the best path forward is for all seven states to reach agreement on a Seven-State consensus alternative and explained that he believes there will be other opportunities beyond March to refine the two basin alternatives into a single consensus alternative.

Mr. Shawcroft stated the Lower Basin States continue to talk about their commitment to reduce uses by 1.5 million acre-feet (MAF) per year to account for evaporation and system losses, which would make a significant difference in the river. Mr. Shawcroft explained that while the Lower Basin has committed to the 1.5 MAF reduction as an element of Post 2026 operations, we don't have any details about how this reduction would be implemented between the three states, how much Arizona and California would each shoulder, nor do we know the expectations regarding Mexico.

Mr. Shawcroft explained that an Upper Basin Alternative will focus on Lake Powell, where releases will be in the range of 6 to 9 MAF and will be based on Powell elevations and actual hydrology. Mr. Shawcroft further explained that Lake Powell releases will be determined by Powell contents and are independent of Lower Basin uses, and that releases will not be "balanced" or "equalized" as they are under the current Guidelines. Mr. Shawcroft stated the Upper Basin is prepared to commit to additional, parallel activities that are outside of the NEPA

process provided the Post 2026 Criteria is being adhered to and the hydrology cooperates. Mr. Shawcroft explained the Upper Basin supply is uncertain every year due to hydrology and that hydrologic shortage results in involuntary, uncompensated reductions in consumptive water use due to the lack of physical and legal availability of water. Mr. Shawcroft stated this hydrologic shortage must be acknowledged in the Post 2026 operations as well as for any commitments for parallel activities the Upper Basin may take to complement the new operations.

5. **Report of the Executive Director – Amy Haas, Executive Director**

Ms. Haas discussed the Drought Response Operations Agreement (DROA) and stated that full recovery of all water previously released from Flaming Gorge in 2021 and 2022, which is approximately 588 KAF, will be achieved tomorrow (February 28th) and explained that storage at Blue Mesa Reservoir in Colorado was fully recovered in December. Ms. Haas stated that Reclamation anticipates reaching the Flaming Gorge Drawdown Target of 6027' by May 1st, and that this full recovery concludes operations under the 2023 DROA Plan which is exclusively focused on recovery. Ms. Haas discussed the February 24 Month Study modeling that does not project the Lake Powell elevation to fall below the 3525' Target Elevation under the minimum probable scenario and explained that Reclamation and the Upper Division States believe it's prudent to continue meeting monthly and that Reclamation continue to undertake enhanced monitoring should snowpack conditions deteriorate.

Ms. Haas provided an update on the 2024 System Conservation Pilot Program (SCPP) projects explaining there were 123 applications submitted for this year's SCPP with 32 from Utah. Ms. Haas explained that since the December application deadline, application review has been occurring in earnest and the fixed-firm price strategy for 2024 has greatly improved and simplified the review process compared to 2023. Ms. Haas stated the Division of Water Rights has been highly involved in ensuring all water enrolled in SCPP follows state regulations and thanked Ted Sonnenburg, Deputy Director Mike Drake, and the Regional Engineers for their help.

Ms. Haas stated that 31 Utah projects have been recommended or conditionally recommended, and that although some projects need to be adjusted to ensure water rights compliance, a path forward has been identified for all 31 projected. Ms. Haas explained that the Upper Colorado River Commission (UCRC) will hold a Special Meeting on March 4th to recommend projects to the Commissioners for approval.

6. **Legislative Update – Cadi Sande, Manager of Administration and Finance & Cody Stewart, Director of Strategic Engagement**

Ms. Sande provided an update on State legislation and discussed two House Bills and two Senate Bills that affect the Authority. Ms. Sande explained HB 80 – Candidate and Officeholder Disclosure Modifications, requires annual conflict of interest disclosures from Authority board members and public posting of those disclosures, and HB 280 – Water Related Changes, directs the Authority to coordinate with the Division of Water Resources and other water entities to develop a state water plan. Ms. Sande explained SB 254 – Independent Entities Amendments, classifies the Authority as an independent entity and establishes a legislative review process, and SB 211 – Generational Water Infrastructure Amendments, creates a Utah water agent and Water District Water Development Council to study solutions to Utah's water shortage.

Mr. Stewart provided an update at the Federal level and stated that in early February he accompanied Don Barnett, Director of the Salinity Control Forum, to Washington, DC to advocate for the Salinity Control Fix Act, which would increase the federal cost-share for salinity

control programs across the Colorado River Basin. Mr. Stewart explained the bill is incredibly complex and that it took Mr. Barnett multiple conversations to gain support and that a committee hearing would be held on the bill in early spring.

Vice-Chair Ferry discussed some funding items that impact the Authority in the proposed supplemental budget including \$2M for endangered species and additional funding for a small reservoir in Kane County.

7. **Hydrology and System Status Report – Betsy Morgan, Staff Engineer**

Ms. Morgan discussed hydrology and explained the Upper Colorado River Snow Water Equivalent (SWE) is currently 99% of median. Ms. Morgan discussed the month & water year to date precipitation and explained that although February was a wet month, we are seeing average to slightly below average conditions. Ms. Morgan displayed a map showing basin by basin seasonal streamflow forecasts and noted that we are seeing below average runoff forecasts. Ms. Morgan discussed system operations and noted that as of February 25th, Lake Powell is 34% full and Lake Mead 37% full, and that the most probable Lake Powell Unregulated Inflow forecast is 7.36 MAF, which is 77% of average. Ms. Morgan also displayed a table showing unregulated inflow to the Upper Basin reservoirs and noted that most reservoirs had an improvement in the forecast compared to January. Ms. Morgan discussed the monthly Lake Powell release distribution through September 2024 and noted that these release patterns are from the Long Term Experimental and Management Plan (LTEMP) Record of Decision. Ms. Morgan provided reservoir elevation projects for Lake Powell and Lake Mead from Reclamation's 24 Month Study Model and noted that while the minimum probable forecast for Lake Powell no longer drops below 3525', there are still three traces that drop below this elevation in 2025.

8. **Glen Canyon Dam Long-Term Experimental and Management Plan (LTEMP) NEPA Process Overview – Betsy Morgan**

Ms. Morgan stated that Reclamation first published the LTEMP Record of Decision in December 2016 and explained that LTEMP provides a framework for adaptively managing Glen Canyon Dam operations consistent with the Grand Canyon Protection Act (GCPA). Ms. Morgan further explained that LTEMP identifies specific options for dam operations based on timing of hourly, daily, and monthly releases and identifies appropriate experimental and management actions that may be conducted to meet resource goals. Ms. Morgan explained that the first juvenile smallmouth bass (SMB) was detected in July 2022, a directive was given to begin a NEPA process for SMB flow alternatives in August 2022, and that a draft Environmental Assessment (EA) for flow alternatives was released in February 2023. Ms. Morgan discussed that the EA has since transitioned into an LTEMP Supplemental EIS (SEIS) and a Draft SEIS was released in February 2024.

Ms. Morgan explained the primary purpose and need of the LTEMP SEIS is for Reclamation to analyze additional flow options at Glen Canyon Dam in response to the nonnative smallmouth bass and other warmwater nonnative species recently detected directly below the dam. Ms. Morgan further explained the need to disrupt the establishment of smallmouth bass below Glen Canyon Dam by limiting additional recruitment, which could threaten populations of threatened humpback chub below the dam.

Ms. Morgan discussed high flow experiments (HFE) and stated Reclamation is considering adjusting sediment accounting periods and HFE implementation windows. Ms. Morgan discussed the alternatives including no action, cool mix alternative, cool mix with flow spike alternative, cold shock alternative, cold shock with flow spike alternative, and non-bypass alternative and

briefly described each action alternative. Ms. Morgan explained the 45-day comment period closes March 25th and a final supplemental EIS with Record of Decision is anticipated to be available by early summer 2024.

9. **Colorado River 101 – Amy Haas**

Ms. Haas explained the next element of the Law of the River is the 2007 Interim Guidelines for Lower Basin Shortages and the Coordinated Operations of Lake Powell and Lake Mead which are the subject of the Post 2026 Operations negotiation because they expire in 2026. Ms. Haas explained that in the 1990s and early 2000s the Lower Basin began to fully use and exceed its apportionment which caused the levels at Lake Powell and Lake Mead began to decline precipitously and the Basin to plunge into a prolonged drought where it lost approximately 24 MAF in combined storage. Ms. Haas explained there was no plan in place to operate the reservoirs under very low conditions and no plan for the Secretary to administer a shortage in the Lower Basin. Ms. Haas stated the Minimum Objective Release from Lake Powell of 8.23 MAF was established in 1970 under the Long-Range Operating Criteria and explained that with natural flows dipping to as low as 5.87 MAF in 2002 and Lower Basin use of about 11.2 MAF and a steady 8.23 MAF Powell release, the status quo was unsustainable. Ms. Haas explained that to address this imbalance, California was cut back to its 4.4 MAF; however, a deficit of about 1.2 MAF still remained which today is referred to as the “structural deficit.”

Ms. Haas explained that after two years of negotiations culminating in an Environmental Impact Statement and Record of Decision, the 2007 Interim Guidelines for Lower Basin Shortages and Coordinated Operation of Lake Powell and Lake Mead were issued. Ms. Haas discussed the three key elements of the Guidelines which she explained have been detrimental to the Upper Basin and that extending the Guidelines is no longer an option especially considering climate change impacts and depleted storage.

Ms. Haas discussed the major deficiencies with respect to the 07 Guidelines which included equalization/balancing releases from Lake Powell, the Tier Structure, forecast-based operations, tying Powell releases to Lower Basin uses, insufficient Lower Basin reductions, and equity regarding California taking no shortages.

10. **Remarks from the Board**

There were no remarks from the Board.

11. **Other Business**

There was no other business.

12. **Closed Session as needed to discuss interstate claims to the use of water from the Colorado River System and to protect classified records, legal strategy, or the ability of the state to carry out negotiations (UCA 52-4-205 (2)(f)**

Chair Shawcroft suggested the Board enter closed session. Mr. Renstrom made a motion to enter closed session which was seconded by Mr. Humphrey and unanimously approved by the Board. Ms. Coleman recorded individual votes of each member to enter closed session and the Board entered a closed session with a majority vote.

13. **Open Session**

The Open Session was resumed at 3:19 PM.

14. **Next Meeting:** April 23, 2024, 1:00 PM, World Trade Center 1st Floor Conference Room, 60 East South Temple, Salt Lake City, UT 84111
15. **Adjourn**
Mr. Larsen motioned to adjourn the meeting, which was unanimously agreed to by the Board. The meeting was adjourned at 3:20 PM.



Attachment #1 – February 27, 2024 Attendee List

February 27, 2024
Colorado River Authority of Utah Board Meeting

Board Member Attendees:

Gene Shawcroft, Chair

Joel Ferry, Vice Chair

Dan Larsen

Candice Hasenyager

Zach Renstrom

Jay Mark Humphrey

Attendees:

Amy Haas, CRAU

Betsy Coleman, CRAU

Betsy Morgan, CRAU

Cody Stewart, CRAU

Lily Bosworth, CRAU

Holly McCall, CRAU

Cadi Sande, CRAU

Bart Leeflang, Central Utah Water Conservancy District

Wendy Crowther, Utah Assistant Attorney General

Gordon Rowe, Utah Assistant Attorney General

Virtual Attendees:

Teresa Wilhelmsen, DWRI

Ed Andrechak

Ted Sonnenburg

Dex Winterton

Norma Willis

Evan Curtis

Mike Drake

Michael Eytel

Nick Schou

Adam Jones