

DRAFT MEETING MINUTES

Colorado River Authority of Utah
May 16, 2023 --2:30 p.m. MT
60 E South Temple, 1st Floor Conference Room
Salt Lake City, UT 84111

1) Call to Order – Gene Shawcroft, Chair

Mr. Shawcroft called the meeting to order at 2:30 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 April 20, 2023, Colorado River Authority of Utah Meeting – Gene Shawcroft

There being no comments on the April 20, 2023 minutes, a motion was made by Mr. Renstrom 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

Jordan Nielson, Utah Trout Unlimited, publicly expressed appreciation to the Authority for their work on the development of SCPP Projects and particularly for covering the gap between what the Bureau of Reclamation was willing to pay and what was originally agreed on with water users. Mr. Nielson explained he thought it was the right thing to do and helped to build a positive relationship with Ag and rural water users.

4) Report of the Chair – Gene Shawcroft

Mr. Shawcroft discussed the Draft Supplemental Environmental Impact Statement (DSEIS) and explained that before the release of the document, the Commissioner of Reclamation and Deputy Secretary called the Basin States Commissioners to give them a heads up of what would be happening. Mr. Shawcroft explained there would be “bookends” on the two action alternative items, one would distribute reductions in the Lower Basin States by priority, which would leave Arizona with very little water, and the other would distribute reductions by use, which would leave California with very little water. Mr. Shawcroft stated that while there have been many meetings and discussions with some progress, any final actions or commitments that would provide permanent and verifiable reductions have not been seen.

Mr. Shawcroft discussed the April 24th Upper Colorado River Commission (UCRC) work meeting with the Upper Basin States in Denver to discuss a 4-state comment letter to the DSEIS which is due at the end of May and mentioned Ms. Haas would be discussing this in further detail. Mr. Shawcroft briefly discussed the SCPP and explained the difference between the compensation UCRC negotiated for 2023 projects and what the Bureau of Reclamation is willing to pay would be covered by the Authority (Utah) to make our water users whole. Mr. Shawcroft explained that this decision is consistent with our commitments under the Management Plan and related state appropriations and that Ms. Bosworth would provide specific details under Agenda Item 8.

Mr. Shawcroft discussed the May 8th and 9th Upper Basin Tribes-States Dialogue meetings that were held in Salt Lake City and included six Upper Basin Tribes, the four Upper Division States, and UCRC staff. Mr. Shawcroft explained the Upper Basin States have been working closely with the Tribes, and from his perspective the Tribes have been supportive of Upper Basin States in the implementation of the 5-Point Plan and the SEIS process, particularly the treatment of DROA releases.

Mr. Shawcroft announced that Brian Steed, former Director of the Department of Natural Resources and a former Authority Board Member, has been appointed as the Great Salt Lake Commissioner.

5) Quarterly Authority Budget Report: Year to Date Expenditures – Danny Schoenfeld, Director of Finance & Administration

Mr. Schoenfeld discussed the fiscal year (FY) 2023 budget estimates that are through March of 2023 and explained the appropriated budget was approximately \$9.5M, year-to-date expenditures were approximately \$1.3M, and the forecast for future expenditures between now and the end of this year were approximately \$1.8M. Mr. Schoenfeld stated the surplus of approximately \$7.7M was tied up in the Management Plan and Work Plan with various contracts, and that overall the Authority is staying exceptionally well within our budget. Mr. Schoenfeld mentioned he would be presenting the preliminary FY 2024 budget and FY 2023 closeouts at the next Board Meeting.

6) Preparing for Curtailment, Division of Water Rights – Teresa Wilhelmsen, P.E., State Engineer / Division Director, Division of Water Rights

Ms. Wilhelmsen discussed efforts by the Division of Water Rights (DWRi) to prepare for curtailment and explained DWRi is working to ensure Utah is ready for Curtailment. Ms. Wilhelmsen discussed a chart showing the approximate water right delivery priority for 2019-2021 that quantified what deliveries were made for priority dates between 1870 and 1970. Ms. Wilhelmsen discussed the Stream to Screen system that was designed to bring water right data to the screen to make it more transparent. The Stream to Screen system includes diversion and flow data, water rights, priority, nature of use, place of use, and reporting. Ms. Wilhelmsen discussed the Water Right Network, which is specific to DWRi, and includes accounting models, diversion and flow data, water right information, hydrographic mapping, and place of use mapping. Ms. Wilhelmsen discussed a map that can be found on the DWRi website that displays various layers and identifies what water rights can be used, and explained they are finding water users are not using the correct water based on their rights and they plan to work with those users.

Ms. Wilhelmsen discussed distribution accounting models that have distribution information and are being used so DWRi can make water rights decisions. Ms. Wilhelmsen discussed other preparations that DWRi is taking to ensure they are prepared for Curtailment including coordination between agencies, meetings with water users, additional measurement and reporting that is consistent statewide, and SB144 Instream Flow Amendments that the State Engineer can approve. Ms. Wilhelmsen stressed the need to get water rights in order and in the correct place and encouraged the Board to have water users who were unsure of their rights contact DWRi at any of their Regional Offices in Vernal, Price, Cedar City, Richfield, Utah Lake/Jordan River, or the Main Salt Lake Office.

7) Management Plan Implementation and Preview of FY 2024 Work Plan – Betsy Morgan, Staff Engineer, and Lily Bosworth, Staff Engineer

Ms. Bosworth explained that the five-year Management Plan and the FY 2023 and FY 2024 Work Plans are based on three priority areas: Measurement, Drought Mitigation, and Hydrology and Operations, and displayed a slide depicting the Advisory Council recommendations that were considered when drafting the FY 2024 Work Plan. Ms. Morgan explained that the Work Plan content will be organized according to the three priority areas: Measurement, Hydrology and Operations, and Drought Mitigation, and that for each project there will be a general description and sections outlining FY 2023 progress, the FY 2024 Work Plan, contract, budget, and funding information, and key partners. Ms. Morgan explained the Measurement projects will fall into two categories: Streamflow and Diversion Measurement or Consumptive Use Measurement. Ms. Bosworth explained the Hydrology and Operations projects will also fall into two categories: Short- Mid-, and Long-Term

Operations Modeling or Climate and Hydrology Research. Ms. Morgan explained the Drought Mitigation projects will fall into three categories: Agricultural Optimization Investigations, Agricultural Resiliency Pilot Projects, and Utah Colorado River Accounting and Forecasting Model (UCRAF).

Ms. Bosworth discussed the next steps stating that in early June the Board will review the FY 2024 Work Plan, provide feedback, and approve a resolution on the FY 2024 Work Plan in the mid-June Board Meeting.

8) 2023 Upper Basin System Conservation Pilot Program (SCPP) – Lily Bosworth

Ms. Bosworth explained that SCPP is an opportunity for temporary, voluntary, and compensated consumptive water use reduction in the Upper Colorado River Basin, is open to municipal, industrial, and agricultural water users, and is federally funded and administered by UCRC. Ms. Bosworth explained there were a total of 72 proposals selected, 21 in the state of Utah, and the total expense was approximately \$16.4M with almost 40,000 acre-feet being conserved (15,000 acre-feet in Utah).

Ms. Bosworth discussed the Bureau of Reclamation pricing decision, explaining that late in the SCPP process and irrigation season, Reclamation lowered the per-acre-foot compensation cap to as low as \$595/acre-foot in Utah from the original UCRC offer of \$650/acre-foot. Ms. Bosworth further explained the State of Utah is “filling the gap” for 2023 in alignment with the Management Plan, striving to honor original offers to maintain trust with water users. Ms. Bosworth explained there were 11 impacted projects and the price paid by the State of Utah to “fill the gap” was at most \$128,000, about 2% of Utah’s total SCPP 2023 compensation.

9) Hydrology Update – Bart Leeflang, P.E., Colorado River Authority of Utah

Mr. Leeflang discussed the Snow Water Equivalent (SWE) for the State of Utah vs for the Upper Colorado Region and explained Utah was in better shape than the rest of the region with almost 30 inches of SWE. Mr. Leeflang discussed the 8 to 14-day precipitation and temperature outlook, which were both above average. Mr. Leeflang compared the water year 2023 precipitation to date as of April 16th versus May 14th and noted increases in Lake Powell of approximately 1 million acre-feet, and 17 feet of surface elevation gain. Mr. Leeflang displayed the 24-month outlook from Reclamation, which was released the day before the May Board Meeting, that showed Lake Powell End of Month Elevations most probable at 3,588 feet, which is 43% full, and Lake Mead End of Month Elevations most probable at 1,071 feet, which is 35% full.

10) 2023 Drought Response Operations Plan and Status of Current Operations – Bart Leeflang and Amy Haas, Executive Director

Mr. Leeflang discussed the Drought Response Operations Agreement and the March 2023 Timeline that includes DROA releases, suspension, recovery, and normal operations and explained there was a projected recovery of 588,000 acre-feet in Flaming Gorge in the 2023 DROA Plan. Mr. Leeflang explained that September 30th is an important date as Reclamation uses it to determine balancing releases through the remainder of calendar year 2023. Mr. Leeflang explained that from May through September, Reclamation calculates balancing releases and if there is unrecovered DROA water, (there will be approximately 360,000 acre-feet), it is included in the balancing releases, which influences the volume of releases from Lake Powell. Mr. Leeflang stated that approximately 180,000 acre-feet is projected to be “mined” from Lake Powell with the current scenario.

Ms. Haas stated recovery operations are going to begin in earnest at Flaming Gorge under the 2023 DROA Plan, and that while the plan is very Flaming Gorge centered, it also includes recovery of 36,000 acre-feet released from Blue Mesa Reservoir in 2021 that has yet to be recovered. Ms. Haas

stated that the day following the May Board Meeting there will be a special meeting of the UCRC to vote on the 2023 DROA Plan which she believes will be approved. Ms. Haas noted that while there are different definitions of a year for water and operations, the DROA year runs from May 1 through April 30. Ms. Haas explained that she hoped to have an update on the early recovery releases of the DROA 2023 Plan at the next Board Meeting, and the target date for a full recovery was February 2024.

11) Draft Supplemental Environmental Impact Statement (DSEIS) to 2007 Interim Guidelines – Amy Haas

Ms. Haas explained the DSEIS is a modification of the current operations at Lake Powell and Lake Mead and Reclamation is currently in the middle of a NEPA process that will modify these operations for the next 3 years and get the Basin States to 2026 when the interim guidelines expire. Ms. Haas stated the Bureau of Reclamation issued the DSEIS before the previous Board Meeting and it is a very respectable effort to increase cuts in the Lower Basin. Ms. Haas explained that it was positive to remove balancing releases at Lake Powell and not require any mandatory or voluntary cuts for the Upper Basin. Ms. Haas explained the proposed reductions in the Lower Basin happen when Lake Mead is at a very low level and suggested it would be better if the shortages were taken when Lake Mead was at a higher level. Ms. Haas also explained there was concern about DROA, specifically the potential for DROA water that exists at Lake Powell and is not fully recovered to put Lake Powell releases into a higher balancing release tier. Ms. Haas explained there would be a collective comment letter on the DSEIS by the Upper Division States, the Authority would be commenting on behalf of the State of Utah, and that comments are due May 30th. Ms. Haas mentioned the Lower Basin representatives had been working on a possible alternative and had expressed an interest in delaying the May 30th deadline.

12) Update and Recommendation from Central Advisory Council (CAC) – William Merkley, General Manager, Uintah Water Conservancy District, Co-Chair CAC

Mr. Merkley introduced himself and thanked the Authority Board for their efforts. Mr. Merkley discussed the DSEIS response and how it fits into the recommendations to the Board made by the CAC at the January meeting this year. Mr. Merkley explained the CAC strongly encourages the Board to ensure that any water released from Flaming Gorge makes it to Lake Powell and stays in Lake Powell, and emphasized Utah's leaders need to stand up against any efforts to move Flaming Gorge water further downstream without clear, identifiable, system-wide benefits. Mr. Merkley explained that the original intent of the Colorado River storage project was for the Upper Basin to deliver the required water to the Lower Basin and have full use of apportioned water in the Upper Basin for irrigation of new land, supplemental water for presently irrigated land without adequate water supplies, water for municipalities and industry, recreation, and fish and wildlife purposes. Mr. Merkley explained the CAC believes that reasonable Flaming Gorge elevations are worth protecting, and additional releases from Flaming Gorge are not appropriate unless they are unquestionably used to preserve critical elevations in Lake Powell.

13) Remarks from the Board - There were no remarks from the Board.

14) Other Business - There was no other business.

15) Next Meeting: June 22, 2023 1:00 – 2:30pm World Trade Center 1st Floor Conference Room, 60 East South Temple, Salt Lake City, UT 84111

Adjourn

The meeting was adjourned at 4:00pm.

Attachment #1 – May 16, 2023 Attendee List

**May 16, 2023
Colorado River Authority of Utah Board Meeting
Attendee List**

Board Member Attendees:

Gene Shawcroft, Chair
Joel Ferry, Vice Chair (Virtual)
Dan Larsen
Paul Tsosie (Virtual)
Jay Mark Humphrey
Candice Hasenyager
Zach Renstrom

In Person Attendees:

Amy Haas, CRAU
Danny Schoenfeld, CRAU
Betsy Coleman, CRAU
Cody Stewart, CRAU
Lily Bosworth, CRAU
Betsy Morgan, CRAU
Scott McGettigan, Utah Division of Water Resources
Teresa Wilhelmsen, Utah Division of Water Rights
Wendy Crowther, Utah Assistant Attorney General
Bart LeeFlang, Central Utah Water Conservancy District
Cody Allred, Rocky Mountain Power
Jordan Nielsen, Trout Unlimited
William Merkley, Uintah Water Conservancy District, CAC Co-Chair

Virtual Attendees:

Cash Stallings
Bryan Dixon
David Horsley
Evan Curtis
Drew Stock