

DRAFT MEETING MINUTES
Colorado River Authority of Utah
August 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. Each attendee briefly introduced themselves. A list of attendees is included in Attachment I.

2. **Approval of the Minutes of June 18, 2024, Colorado River Authority of Utah Meeting and August 1, 2024 Special Meeting to approve FY25 Budget – Gene Shawcroft**

There being no comments on the June 18 or August 1, 2024 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) – Gene Shawcroft**

There were no public comments.

4. **Report of the Chair – Gene Shawcroft**

Mr. Shawcroft introduced Marc Stilson, the new Principal Engineer at the Authority who was previously a Regional Engineer with Division of Water Rights in Price, Utah.

Mr. Shawcroft stated the Upper Division States met with the six Upper Basin Tribes in Ignacio, Colorado August 6-7, 2024, and explained the purpose of the meetings was to ensure the Upper Division Commissioners understand Tribal concerns, interests and challenges. Mr. Shawcroft stated in April the Upper Colorado River Commission signed a Memorandum of Understanding with the Upper Basin Tribes agreeing to meet every other month to sort through issues. Mr. Shawcroft explained the Tribes have expressed concerns about undeveloped, unquantified, unused and uncompensated water, referred to as “the 4 U’s.” Mr. Shawcroft explained the six Tribes have drafted a letter to the Bureau of Reclamation Commissioner Touton urging the Bureau of Reclamation to work with the Upper Basin Tribes and States to address the 4 U’s. Mr. Shawcroft stated the Upper Division States have drafted a letter of support citing the Tribes’ right to develop settled, quantified, and adjudicated reserved water rights and offering to help the Tribes do this through federal Inflation Reduction Act (IRA) funding. Mr. Shawcroft explained the Upper Division States retain a sovereign-to-sovereign relationship with the Tribes in terms of quantification of any unquantified Tribal rights.

Mr. Shawcroft discussed the 38 Sovereigns Meeting held August 8, 2024, in Phoenix, Arizona which was the seventh meeting of the sovereigns since the first meeting in August 2023. Mr. Shawcroft explained the discussion focused on the Bureau of Reclamation’s modeling of the five major Post-2026 Alternatives, including one Tribal Alternative (Gila River Indian Community’s). Mr. Shawcroft explained the Lower Division States were very vocal about what they perceive is their burden to shoulder a large part of the reductions.

Mr. Shawcroft discussed Basin States Meetings where discussions regarding the Post-2026 and Lower Division States reductions were discussed and explained the sticking points continue to be the Lower Basin reductions beyond 1.5 million acre-feet (MAF), the Upper Basin contributions (hydrologic shortage), measuring system contents (seven versus two reservoirs) and the term of

agreement.

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

Ms. Haas discussed the federal Bipartisan Infrastructure Law (BIL) funding and explained the Upper Basin has been allocated \$50 million (M) to support implementation of the 2019 Drought Contingency Plans. Ms. Haas explained during the first year of BIL funding \$8.7M was spent on measurement, stream gaging, snow and runoff forecasting, and eddy covariance (EC) stations. Ms. Haas stated the Year 2 BIL Spend Plan has programmed \$29.8M among the Upper Division States in the areas of measurement/monitoring and data enhancement. Ms. Haas stated Utah's priorities include diversion measurement and telemetry, an incidental use study in Emery County, identifying radar data gaps, and a couple of additional research projects. Ms. Haas stated the money is authorized for expenditure through September 2026.

Ms. Haas discussed the status of federal Inflation Reduction Act (IRA) opportunities where \$500M was allocated to the Upper Division States. Ms. Haas recalled \$50M ("Bucket 1") went to the implementation of the System Conservation Pilot Program (SCPP) for 2023 and 2024 and the remaining balance is approximately \$450M which will be divided into two more "Buckets." Ms. Haas explained that on July 22, 2024, the Bureau of Reclamation released its Request for Applications (RFA) for project proposals with environmental benefits or ecosystem/habitat restoration benefits in the Colorado River Basin (short formed as Bucket 2 E (B2E)) the need for which results from drought in the Colorado River Basin. Ms. Haas explained that qualifying public entities and Tribes are eligible to apply, and funding is made available through the federal Inflation Reduction Act. Ms. Haas explained the second "Bucket" is B2W (W for water) which is more durable, longer-term conservation activities and similar demonstration projects. Many B2W projects will consist of infrastructure improvements, and some will result in credit for conserved water at key reservoirs such as Lake Powell. Ms. Haas explained the Upper Division States currently don't receive credit for water conserved through the SCPP, and unlike B2E, the states will work directly with Reclamation and the participants in the B2W program. Ms. Haas stated the Authority will administer the program on behalf of Utah and Reclamation will begin procuring qualifying projects in October.

Ms. Haas discussed credits and explained there is no current mechanism to capture credit where Utah and the other Upper Division States can claim conserved water that makes its way to Lake Powell. Ms. Haas explained that at the June 2024 UCRC meeting a motion was approved directing staff and state advisors to prepare a proposal for conservation and other projects that identified project criteria and defines a mechanism for generating credit resulting from those projects that would be credit bearing. Ms. Haas explained the proposed concept that involved an agreement between the Upper Division States and Reclamation that provides for provisional accounting of conserved water for related projects.

6. **Hydrology and System Status Update – Alex Pivarnik, U.S. Bureau of Reclamation**

Mr. Pivarnik discussed Upper Basin Storage for each major federal reservoir and noted total system storage is 44%. Mr. Pivarnik discussed month to date precipitation and water year to date precipitation and stated the Upper Basin has received above average precipitation for both timescales. Mr. Pivarnik discussed the Weather Prediction Center and Climate Prediction Center Precipitation Forecasts and explained the short-term forecast suggests near normal or slightly below normal precipitation. Mr. Pivarnik explained the Upper Colorado River Basin snow-water equivalent (SWE) totaled 104% of median for the water year, peaked in April, and the current

SWE is 0% of median. Mr. Pivarnik discussed the most probable August Forecast for Water Year 2024 and explained the preliminary observed unregulated inflow for each reservoir. Mr. Pivarnik explained the most probable August forecast for water year 2025 and displayed percent of average inflow for each reservoir. Mr. Pivarnik noted that based on the forecasted Lake Powell unregulated inflow for water year 2025, the most probable release scenario is 7.48 MAF. Mr. Pivarnik discussed Upper Basin Reservoir Operations and explained Lake Powell will be operated consistent with the 2007 Interim Guidelines, the Upper Basin Drought Response Operations Agreement and the Upper Basin Record of Decision. Mr. Pivarnik explained the July operations and 24-Month Study will reflect decisions from the Glen Canyon Dam Long-Term Experimental and Management Plan Final Supplemental Environmental Impact Statement. Mr. Pivarnik discussed the Lake Powell and Lake Mead operational table and explained there is an 8.23 MAF release pattern. Mr. Pivarnik discussed the potential Lake Powell monthly release volume distribution release scenarios for water year 2026 where the most probable is 9.0 MAF. Mr. Pivarnik discussed Bureau of Reclamation's Operational Modeling and the Colorado River Mid-term Modeling System (CRMMS) 24-month study and explained the ensemble mode, or rule-based mode, should be released by the end of the month. Mr. Pivarnik discussed Lake Powell end-of-month elevations where the most probable end of calendar year 2024 projection is 38% full and the most probable end of calendar year 2025 projection is 40% full.

7. Update on Final Supplemental Environmental Impact Statement (SEIS) and Record of Decision for the Glen Canyon Dam Long-Term Experimental and Management Plan – Betsy Morgan, Staff Engineer

Ms. Morgan stated that Reclamation published the Long-Term Experimental and Management Plan (or LTEMP) Record of Decision in December 2016 and explained LTEMP provides a framework for adaptively managing Glen Canyon Dam operations consistent with the Grand Canyon Protection Act (GCPA). Ms. Morgan explained the LTEMP SEIS process was initiated because of declining Lake Powell elevations causing the warmer top layer of the reservoir to coincide with the Penstock releases at Glen Canyon Dam which has allowed non-native fish in this warm layer to be entrained through the dam and caused the dam to release warmer water compared to previous years. Ms. Morgan explained that in July 2022 the first juvenile small mouth bass (SMB) was detected below the dam at the slough and that although other non-native fish are being entrained, smallmouth bass are particularly concerning because of their predatory nature and potential to impact the threatened humpback chub. Ms. Morgan discussed the LTEMP Supplemental Environmental Impact Statement Timeline and explained the National Environmental Policy Act (NEPA) SEIS process was first initiated in August 2022 with a directive to pursue an Environmental Assessment and that during the public comment period, Reclamation received an extensive number of comments which led them to pursue a Supplemental Environmental Impact Statement. Ms. Morgan explained Reclamation published the Notice of Intent fall 2023, the draft SEIS in February of 2024, the final SEIS at the end of May 2024, and signed the Record of Decision on July 3, 2024.

Ms. Morgan explained the Record of Decision has two parts, first it provides the ability to conduct operational flows at Glen Canyon Dam to disrupt SMB spawning and recruiting, and second it amends the High Flow Experiment Protocol to include adjustments to the sediment accounting and implementation windows. Ms. Morgan displayed a map of the Colorado River and noted the core Humpback Chub population is located between Glen Canyon Dam in and River Mile 61, the target location for maintaining 15.5 degrees Celsius and the confluence of the Little Colorado River. Ms. Morgan discussed 2024 operational flows and explained SMB operational flows were triggered at the end of June 2024 after the Final SEIS was published. Ms.

Morgan explained that only July 9 2024 Reclamation began implementing cool mix flows through Glen Canyon Dam which consist of releases from the penstocks and river outlet works to maintain a daily average temperature of 15.5 degrees Celsius at River Mile 61. Ms. Morgan discussed the initial weekly release pattern noting Reclamation works with WAPA to develop weekly release patterns one week at a time. Ms. Morgan discussed temperature monitoring at River Mile 61 and explained the impact the SMB releases are having, noting that while there is some fluctuation, daily average temps are staying near or below 15.5 degrees Celsius at River Mile 61. Ms. Morgan explained the National Park Service will be initiating a draft Environmental Assessment (EA), a separate NEPA process from the LTEMP SEIS process, and they plan to release a draft sometime in September 2024.

8. **Agricultural Water Resiliency Study: Key Takeaways – Bart Leeftang, Central Utah Water Conservancy District, and Scott Morrison, Jacobs Engineering Group**

Mr. Leeftang discussed the Agricultural Water Resiliency Study that began approximately two years prior at Central Utah Water Conservancy District and was expanded to examine the entire Colorado River Basin in Utah and Central Utah Water Conservancy District's service area. Mr. Leeftang explained the need for the study including climate change impacts, potential declines in the Colorado River supply, expected increases in crop water demand, 1922 Colorado River Compact compliance, and maintaining economic vitality. Mr. Leeftang explained the objective of the study is to understand the potential for conserved water to be a leasable asset while minimizing lost yield and getting credit for conservation as discussed by Ms. Haas. Mr. Morrison discussed the study components, results, and collaborators. Mr. Morrison explained what was learned regarding current agricultural demand, including an estimation of the study area's average agricultural depletion from 2017-2020. Mr. Morrison discussed the opportunities for water demand reduction through irrigation system conversion, emphasizing the results were theoretical in nature and based on assumptions relevant to the study. Mr. Morrison discussed potential savings from crop changes from alfalfa and grass hay to spring grain, and temporary fallowing of marginal lands. Mr. Morrison discussed the future available supply vs. future demand and explained the economic analysis where irrigation system conversions may slightly increase economic activity and temporary land fallowing may decrease economic activity. Mr. Morrison discussed next steps which include sharing the work, continued partnerships with producers, performance evaluation of agricultural optimization projects, and building consensus.

9. **Advisory Councils Update – Cody Stewart**

Mr. Stewart recognized the newly created Agricultural Advisory Council which has held several meetings and is going well and thanked Chairs and Co-Chairs for their support of all the Advisory Councils which are working very well. Mr. Stewart discussed the float tour of the Upper Green River that was hosted on August 27, 2024, and attended by the River Commissioner, Advisory Council Members, several Board Members, local officials and members of the Governor's Office. Mr. Stewart explained this was an important networking and educational event for leaders to see the river and collaborate with one another.

10. **Conflict of Interest Disclosure Fee (H.B. 80) – Betsy Coleman, Executive Assistant**

Ms. Coleman discussed the conflict-of-interest disclosure which statutorily requires the Board Members to complete disclosures in January 2025 and explained there will be a \$100 fine for those not completing the disclosure.

11. **Remarks from the Board**

Mr. Humphrey expressed concern for the gap analysis stating not all districts are sending in reports and they need to be accounted for. Mr. Renstrom commented that Washington County had hot weather, but their conservation measures are paying off and although they have the fastest growth in the state, their numbers of water production are doing well, and their reservoirs are not dropping as fast as in other years. Mr. Ferry thanked the Board Members for the important discussion on these topics that drive decision-making.

12. **Other Business**

There was no other business.

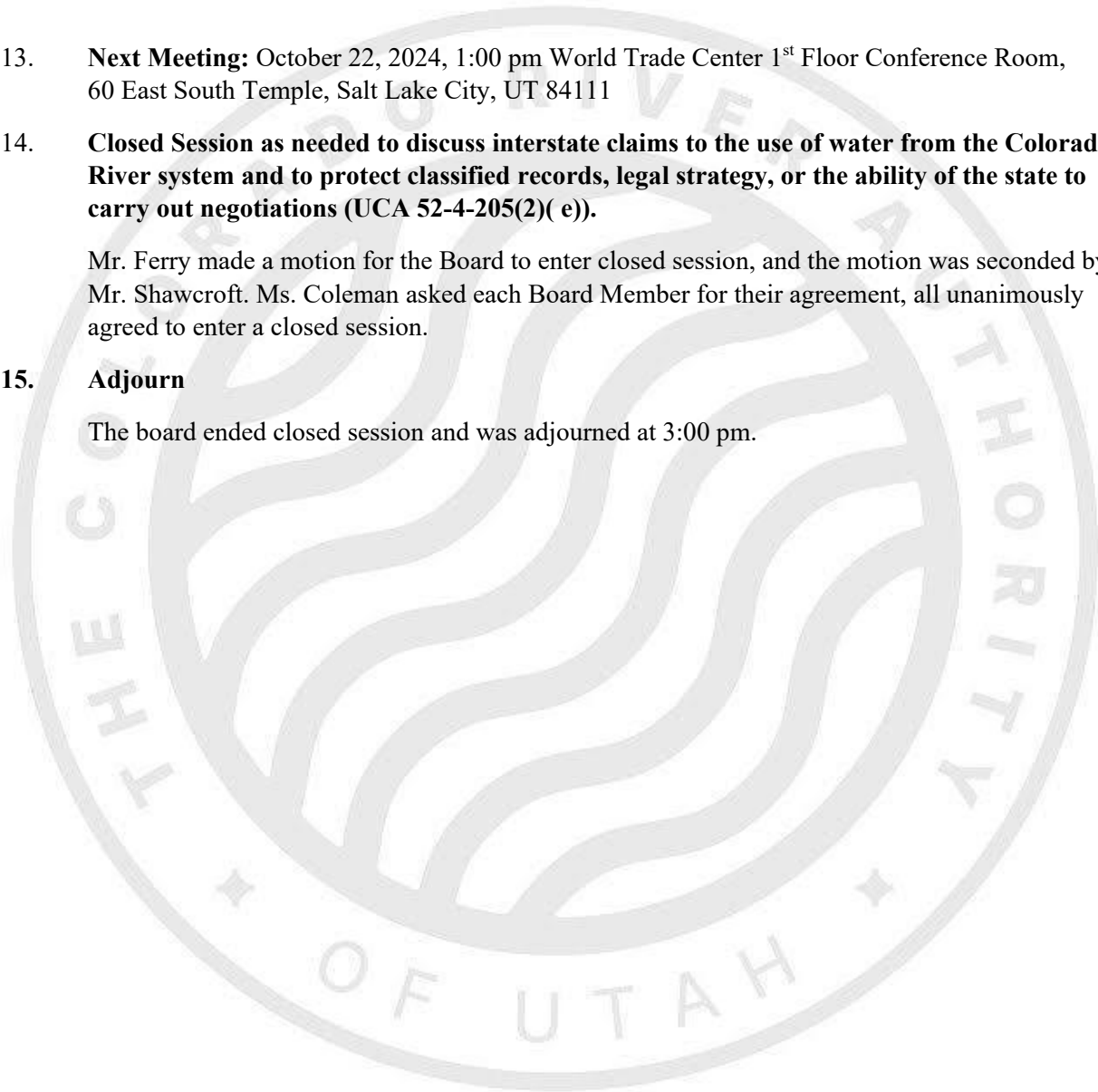
13. **Next Meeting:** October 22, 2024, 1:00 pm World Trade Center 1st Floor Conference Room, 60 East South Temple, Salt Lake City, UT 84111

14. **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)(e)).**

Mr. Ferry made a motion for the Board to enter closed session, and the motion was seconded by Mr. Shawcroft. Ms. Coleman asked each Board Member for their agreement, all unanimously agreed to enter a closed session.

15. **Adjourn**

The board ended closed session and was adjourned at 3:00 pm.



August 27, 2024
Colorado River Authority of Utah Board Meeting

Board Member Attendees:

Gene Shawcroft, Chair
Joel Ferry, Vice-Chair
Candice Hasenyager
Jay Mark Humphrey
Zach Renstrom
Dan Larsen

In-Person Attendees:

Amy Haas, CRAU
Betsy Coleman, CRAU
Betsy Morgan, CRAU
Lily Bosworth, CRAU
Holly McCall, CRAU
Cody Stewart, CRAU
Marc Stilson, CRAU
Scott McGettigan, Division of Water Rights
Wendy Crowther, Utah Assistant Attorney General
Gordon Rowe, Utah Assistant Attorney General
Bart Leeftang, CUWCD
Rachel Musil, CUWCD
Scott Morrison, Jacobs Engineering Group
Rachel Anderson, AE2S
Josh Ward, Bowen Collins & Associates
Ben Winslow, Fox 13 News

Virtual Attendees:

Alex Pivarnik - U.S. Bureau of Reclamation
Cody Allred – Pacificorp
Tom Bruton – Member of the Public
Cam Walker – HDR Engineering