

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

IN RE:

PUBLIC HEARING ON THE DRAFT EIS,)
COLORADO RIVER INTERIM)
GUIDELINES FOR LOWER BASIN SHORTAGES)
AND COORDINATED OPERATIONS FOR)
LAKE POWELL AND LAKE MEAD.)
)

Held at the Hilton Hotel
Salt Lake City, Utah
April 5, 2007, 6:00 PM

1 APPEARANCES:
2
3 BUREAU OF RECLAMATION STAFF PARTICIPATING:
4
5 AMBER CUNNINGHAM
6 NAN YODER
7 TERRANCE FULP
8
9 Comments and Questions by:
10
11 David Kanzer, Colorado River Water Conservation District
12 Tony Willardson, Western States Water Council
13 V.C. Danos, AMWUA
14 Janice Houston, University of Utah
15
16
17
18
19
20
21
22
23
24
25

1 SALT LAKE CITY, UTAH, APRIL 5, 2007, 6:00 PM
2 (Opening comments by Nan Yoder and Presentation of
3 Project by Terrance Fulp.)
4 MR. KANZER: This might be too specific, but the
5 Drop 2 reservoir, is that an ICS conservation measure?
6 You guys are assuming that it gets built?
7 MR. FULP: That's a good question and it is fairly
8 detailed, I don't mind at all you asking it.
9 MR. KANZER: I'm sorry, my name is David Kanzer,
10 Colorado River Water Conservation District.
11 MR. FULP: Great. All five alternatives,
12 including no action, assume the Drop 2 reservoir is
13 constructed, okay? And so, under no action or other
14 alternatives that have no mechanism, that water that's
15 conserved is just treated as system water. Okay? It
16 just goes into Lake Mead and stays and is available for
17 future delivery as any system water is. Okay? Does that
18 make sense?
19 And then under -- for this particular proposal,
20 the proposal was Nevada would pay for that reservoir and
21 get an equivalent amount of water back and we've modeled
22 that in this mechanism essentially. So, up until, oh,
23 remind me, 250,000 acre feet? 300,000 acre feet was
24 assumed, based on some assumption of the price of the
25 reservoir, would be assumed that Nevada could draw on of

0003

1 the conserved water due to Drop 2. And it's spread out
2 through, I don't know, 10, 12 years, is that about
3 right?
4 MR. KANZER: And that's only in one alternative?
5 MR. FULP: It's actually in three alternatives and
6 we'll get to that. There's three other alternatives
7 that have this mechanism. They all assumed that same
8 participation by Nevada, okay? Did that answer it,
9 Dave?
10 MR. KANZER: Yes.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

0004

1 (Presentation continues.)
2 MR. KANZER: Dave Kanzer, Colorado River Water
3 Conservation District. The CSD service area has got
4 that break in it. Is that the Salt River -- what's the
5 link there?
6 MR. FULP: Well, this is back here, these are some
7 reservations out here. I will not remember who all is
8 sitting here, but we can find out for you.
9 MR. KANZER: Do they get tap water through the
10 Indian settlement?
11 MR. FULP: Right.
12 MR. WILLARDSON: Tony Willardson with Western
13 States Water Council. Can you say if there had been any
14 discussions on the definition of the ICS water, and how
15 that would be monitored? What actions would create ICS
16 water?
17 MR. FULP: Oh, sure, there's been discussions.
18 Absolutely. The states themselves, in their proposal in
19 February that they sent to us that we published in our
20 scoping, proposed some things that they thought were
21 reasonable in terms of creating conserved water.
22 Certainly internally, Interior and Reclamation, we are
23 having discussions as we move forward in the process to
24 figure out how the guidelines might end up being written
25 and what they say with regard to that.

0005

1 MR. WILLARDSON: My understanding is extraordinary
2 conservation methods have to be verifiable.
3 MR. FULP: Verifiability is an important part in
4 our opinion. We usually use the term it needs to be wet
5 water. It needs to really create a benefit and be water
6 that's truly stored and ends up in Mead, you know. But
7 there's certainly -- it's not been settled on completely
8 by any means.
9 MR. KANZER: But the Drop 2 is one?
10 MR. FULP: The Drop 2 system efficiency, the
11 state's termed that, but yes, Drop 2 certainly would be
12 one, too.
13 MR. KANZER: Most obvious and the biggest, right?
14 MR. FULP: Yes. Okay, any other questions?
15 MR. LIND: Gordan Lind, Sierra Club. Which is the
16 environmentally preferred alternative?
17 MR. FULP: We have not identified that either.
18 MR. LIND: In the draft, you will identify one in
19 the final?
20 MR. FULP: We will. Yes, we will. I looked at my
21 NEPA person and she said yes, she absolutely will.
22 Thank you Nan.
23 MR. DANOS: Val Danos of AMWUA. I have one
24 question. What happens between September of 2007 and
25 December of 2007? I mean, it would seem to me that the

1 Record of Decision presumably would be consistent with
2 the final alternative in the final EIS.
3 MR. FULP: That's a good question. We will have
4 the public comment period, as I mentioned, of 30 days.
5 We've built -- this is a little bit of our float that's
6 left, a little bit, not much. There's a little. But
7 then also we'd have to develop the Record of Decision,
8 write it and work through all the details of how the
9 guidelines would work so that we can include those in
10 the Record of Decision. So, we won't, I'm sure, be
11 twiddling our thumbs during that period.
12 MR. DANOS: It's not like you're gonna spend three
13 weeks with spell check.
14 MR. FULP: Not at all. Dave?
15 MR. KANZER: Dave Kanzer, Colorado River District.
16 It's more of a comment. I mean, the way that we're --
17 we do the, what do you call it, the management group,
18 we're always looking one year ahead, right? Now, this
19 year we're doing 2008. So, in fact, we wouldn't
20 implement these guidelines until 2009, correct? And so,
21 are we incorporating any of this stuff into this year's
22 process and do you need to change one of your slides to
23 talk about the guidelines that really start in 2009?
24 MR. FULP: That's a really good question and I
25 think we don't have a firm answer. It's not been

1 obviously decided. But one approach might be that
2 obviously we would develop our 2008 operating plan based
3 on the guidance we have today, and that is not a
4 decision yet. So we know what the guidance is, we have
5 no storage criteria, we know what Powell's release, how
6 it would be determined, right? There would be no
7 storage and delivery mechanism, etcetera, right? One
8 possibility might be, if we're successful and we
9 implement a Record of Decision, as you well know Dave,
10 you've been through this many times, there is a mid year
11 review option in the AOP and we might, in fact if we
12 have guidelines, sit down with the work group and say
13 hey, we think it's appropriate to do review and see if
14 we really need to change this operation based on the
15 current knowledge.

16 And so that might be a possible way to go about
17 it. So I guess to answer your question, no, we weren't
18 willing to put 2009 down on the slide yet. We want to
19 go ahead and see the process through and let us see. If
20 we got into '08 and we have these guidelines in place
21 and it looks like they ought to be applied, it seems to
22 us we ought to apply them. That's one way we could do
23 that.

24 MR. KANZER: So there may be discussion in this
25 year's process which starts next month?

1 MR. FULP: June actually. I can almost guarantee
2 there will be discussion. Yes.
3 MS. HOUSTON: Janice Houston, University of Utah.
4 Just a quick question about water delivery. I see that
5 on the slide. Was there any consideration taken into
6 the modeling of water delivery with the potential
7 project that the State of Utah is kicking around about
8 building of the pipeline from Lake Powell to St. George?
9 MR. FULP: There was not any assumption made with
10 regard to that. Now, what we would point out that we
11 did take the, you know, essentially the depletion
12 schedules that are in the model, and I think you're
13 probably familiar with that, that the Upper Colorado
14 River Commission has supplied. Those are constant
15 through the alternatives and no additional assumptions
16 were made.
17 Anyone else?
18 (BEGINNING OF COMMENT PORTION)
19 MR. WECHSLER: I'm Jim Wechsler, I'm with the
20 Sierra Club Southwest Waters Committee, which is a
21 Regional committee, and we were one of the environmental
22 groups that submitted the conservation before shortage
23 proposal which was originally submitted as a
24 conservation before shortage and then later adapted to
25 the basin states. And I haven't read the DEIS yet. I

1 have been practicing with the Manhattan telephone book,
2 but I haven't read it yet. And so these comments are
3 all taken from somebody else who glanced at Volume I and
4 this managed to arrive in my E-mail this morning and I
5 think it needs some clarification.

6 It's about how the conservation before shortage is
7 represented in this DEIS. One thing that he noticed,
8 and other people have said, is that the term voluntary
9 shortage is quite common. We actually think that -- we
10 didn't think anybody needs practice, and so we think
11 voluntary conservation would probably be a better way to
12 say it. Or as it said in one place, voluntary
13 compensated reductions in water use. As Terry pointed
14 out, compensation is a major feature. And another
15 comment is that the ICS intentionally created surplus
16 under the conservation before shortage proposal, can be
17 assigned to other entities, and they aren't specified.
18 And the other entities that we would -- was in our mind
19 and we thought in our proposal were U.S. agencies, non
20 governmental organizations, Mexican agencies and water
21 users. So for unassigned, read that.

22 And I'm not sure this is correct. But he said
23 that the way he read it was that the federal funding for
24 ICS appeared to be limited to flows that were bypassed
25 to the wetlands of Mexico to the Senega to Santa Clara.

1 If it gives that impression, it's wrong, and I think
2 everybody agrees that would be wrong.
3 And finally, that the ICS has talked about,
4 relative to evaluation before shortage, suggests that
5 all of it is assigned to Mexico. One of the things that
6 the conservation before shortage proposal does is it's
7 saying why not add Mexico to the mix, not just the basin
8 states can create these, through extraordinary
9 conservation events, a intentionally created surplus,
10 but Mexico could as well. The reason for doing that is
11 one, it adds flexibility and two, it does go directly to
12 something we're interested in, which is the Delta area
13 New Mexico. And to give an example of how you could add
14 Mexico into that mix is, for example, southern Nevada is
15 looking for more water. Southern Nevada could fund a
16 project in Mexico that would conserve water. Some of
17 that water would presumably go to Mexico, and Mexico,
18 we've certainly had talks with them about the
19 possibility of using some of their, what amounts to
20 additional water. I mean, this could be lots of things.
21 But for example, taking the most, perhaps most
22 significant asset would be for southern Nevada to say
23 construct a desalinization plant for agricultural runoff
24 in Mexico, give some portion of that water back to
25 Mexico.

0011

1 We would only be happy if we could convince Mexico
2 in putting some of that to environmental uses in Mexico.
3 The other portion would be stored in Lake Mead for
4 southern Nevada's use. So, that that's a way for
5 southern Nevada to gain more water out of the total
6 system. That's one concept there, and that's why we
7 added or suggested adding Mexico to the mix.
8 And those are just things I wanted to point out
9 when you're reading this. Thanks.
10 MS. YODER: Thanks Jim.
11 MR. KANZER: I noticed on the list of areas where
12 hard copies are available, none in western Colorado?
13 I'm wondering whether the western area office could
14 receive a copy?
15 MR. FULP: Absolutely.
16 MR. KANZER: Is this the full list, or what do you
17 have to do to -- or maybe --
18 MR. FULP: We'll make sure they have it, we'll make
19 sure they get a hard copy right away, that's an
20 oversight.
21 (End of questions and comment session.)
22
23
24
25

1 STATE OF UTAH)
2
3 COUNTY OF SALT LAKE)
4

5
6 I, Linda J. Smurthwaite, Certified Shorthand
7 Reporter, Registered Professional Reporter, and notary
8 public within and for the county of Salt Lake, State of
9 Utah do hereby certify:

10 That the foregoing proceedings were taken by me at
11 the time and place set forth herein, and was taken down
12 by me in shorthand and thereafter transcribed into
13 typewriting under my direction and supervision.

14 That the foregoing pages contain a true and
15 correct transcription of my said shorthand notes so
16 taken.

17 In Witness Whereof, I have subscribed my name this
18 7th day of April, 2007.
19
20

21 LINDA J. SMURTHWAITE
22 CERTIFIED SHORTHAND REPORTER
23
24
25

Speaker Request Form

Please write clearly so that we do not misspell any personal details. Give the completed card to a project representative prior to the meeting's comment session.

4/5/07
Date

JIM WECHSLER
Name*

Address* *Please check this box if you'd like your address withheld from publication*

2975 EMERSON AVE.
SALT LAKE CITY, UT 84108
Sierra Club Southwest Waters Committee
Organization

(801) 583-2090
Telephone

**Mandatory Information*