

The meeting was held at 2:00 p.m. on Monday, October 10, 2011, at the Clark County Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada.

COMMISSIONERS IN ATTENDANCE

Chairman	George F. Ogilvie III
Vice Chairwoman	Marybel Batjer
Commissioner	Bob Coffin
Commissioner	J. Brin Gibson
Commissioner	Duncan R. McCoy
Commissioner	Berlyn D. Miller

COMMISSIONERS NOT IN ATTENDANCE

Commissioner	Tom Collins
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DEPUTY ATTORNEYS GENERAL

Senior Deputy Attorney General	Jennifer T. Crandell
Senior Deputy Attorney General	Ann C. Pongracz

COMMISSION STAFF IN ATTENDANCE

Executive Director	Jayne Harkins, P.E.
Deputy Executive Director	James D. Salo
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director of Engineering and Operations	Robert D. Reese
Manager, Hydropower Program	Craig N. Pypier
Manager, Natural Resources Group	McClain L. Peterson
Hydropower Program Specialist	Michael S. Harris
Natural Resource Analyst	Jason Thiriot
Natural Resource Specialist	Kimberly E. Maloy
Senior Energy Accountant	Gail Benton
Senior Energy Accountant	Rich Sanders
Energy Accountant	Kalora Snyder
Office Manager	Judy K. Atwood
Administrative Assistant IV	Brenda Haymore
Administrative Assistant II	Carol Perone

OTHERS PRESENT; REPRESENTING

JNA Consulting Group	Marty Johnson
JNA Consulting Group	Matt Shaver
Overton Power District No. 5	Mendes Cooper
Overton Power District No. 5	Delmar Latham
Self	Lois Tarkanian

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF OCTOBER 10, 2011**

INDEX

<u>Agenda Item</u>	<u>Subject</u>	<u>Page No.</u>
A.	Conformance to Open Meeting Law.....	1
B.	Comments and questions from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)	1
C.	<i>For Possible Action:</i> Approval of minutes of the September 13, 2011 meeting.....	1
D.	<i>For Possible Action:</i> Consideration of and possible action to adopt Colorado River Commission of Nevada Resolution 2011-2, commending Lois Tarkanian for her service to the Commission.....	1
E.	<i>For Possible Action:</i> Consideration of and possible action to adopt Colorado River Commission of Nevada Resolution 2011-3, commending Mark Amodei for his service to the Commission.....	2
F.	<i>For Possible Action:</i> Consideration of and possible action to approve an agreement between the Nevada Department of Transportation (NDOT) and the Colorado River Commission of Nevada (Commission) for reimbursement of preliminary engineering costs for the relocation of the Commission’s transmission line structures due to NDOT’s Boulder City Bypass Project.....	3
G.	<i>For Possible Action:</i> Consideration of and possible action to approve Amendment No. 4 to Contract No. SA-02-02 between PAR Electrical Contractors, Inc. and the Colorado River Commission of Nevada for high-voltage transmission and distribution system maintenance support services.....	4
H.	<i>For Possible Action:</i> Consideration of and possible adoption of a resolution designated the “State of Nevada Colorado River Commission 2011 B Refunding Bond Resolution”; authorizing the sale and issuance of the State of Nevada Colorado River Commission General Obligation (Limited Tax) (Revenue Supported) Hoover Upgrading Refunding Bonds, Series 2011 B; providing the purpose for which the bonds are being issued; the form, terms and conditions of such bonds; the manner and terms of their issuance and execution; the	

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INDEX (Continued)

<u>Agenda Item</u>	<u>Subject</u>	<u>Page No.</u>
	method of their payment; the security therefore; the levy and collection of annual general (ad valorem) taxes for the payment of such bonds; the pledge of revenues for the payment thereof; and other related matters	7
I.	<i>For Possible Action:</i> Consideration of and possible action to approve and ratify the Colorado River Commission’s appearance and participation as an Intervenor-Defendant-Appellee in <i>Grand Canyon Trust v. United States Bureau of Reclamation, et.al</i> in the Ninth Circuit Court of Appeals	9
J.	<i>For Possible Action:</i> Consideration of and possible action to approve the Colorado River Commission’s submission of a comment letter to the Bureau of Land Management in regards to the draft Environmental Impact Statement on the Southern Nevada Water Authority’s Groundwater Development Project.....	10
K.	<i>For Information Only:</i> Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin, Nevada’s consumptive use of Colorado River water, and other developments on the Colorado River	11
L.	Comments and questions from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)	12
M.	Comments and questions from the Commission members	12
N.	Selection of the next possible meeting date	12
O.	Adjournment.....	13

The Colorado River Commission meeting was called to order by Chairman Ogilvie at 2:00 p.m. followed by the pledge of allegiance.

Chairman Ogilvie welcomed the newest member of the Colorado River Commission, Councilman Bob Coffin. Commissioner Coffin is the Las Vegas City Council member from Ward 3. He has lived in Las Vegas for over 60 years and served in the Nevada Legislature over 20 years. Chairman Ogilvie welcomed Commissioner Coffin and said he hoped he will enjoy his time on the Commission since it deals with weighty issues on the Colorado River.

Commissioner Coffin thanked the chairman for the welcome and said he looked forward to serving on the Commission.

A. Conformance to Open Meeting Law.

Jayne Harkins, Executive Director, confirmed that the meeting was in compliance with the Open Meeting Law.

B. Comments and questions from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)

Chairman Ogilvie asked if there were any comments or questions from the public. There were none.

C. For Possible Action: Approval of minutes of the September 13, 2011 meeting.

Commissioner McCoy moved for approval of the minutes. The motion was seconded by Vice Chairwoman Batjer and approved by a unanimous vote.

D. For Possible Action: Consideration of and possible action to adopt Colorado River Commission of Nevada Resolution 2011-2, commending Lois Tarkanian for her service to the Commission.

Mrs. Harkins introduced Colorado River Commission of Nevada Resolution 2011-2 and read it into the record. A copy of the resolution is attached and made a part of the minutes. (See Attachment A.)

Chairman Ogilvie said that he has had the privilege of knowing Lois and her family for close to 35 years and had the pleasure of working with her for four years on the board of the Colorado River Commission of Nevada. He said he heartily endorses this commendation.

Vice Chairwoman Batjer moved to approve the resolution. The motion was seconded by Commissioner Miller and approved by a unanimous vote.

Chairman Ogilvie asked that Mrs. Harkins convey the heartfelt thanks of the entire Colorado River Commission of Nevada to Dr. Tarkanian when the resolution is presented to her.

Mrs. Harkins assured him she would.

<p><i>E. For Possible Action: Consideration of and possible action to adopt Colorado River Commission of Nevada Resolution 2011-3, commending Mark Amodei for his service to the Commission.</i></p>

Mrs. Harkins introduced Colorado River Commission of Nevada Resolution 2011-3 and read it into the record. A copy of the resolution is attached and made part of the minutes. (See Attachment B.)

Chairman Ogilvie pointed out that Mark Amodei is the newest member of Nevada's federal delegation. He was recently elected to the House of Representatives representing the Nevada's Second Congressional District. He will be a good friend in Congress to the Colorado River Commission of Nevada.

Commissioner Coffin said that he had served with Mark in the Nevada Legislature and that he heartily recommends this resolution. He said that if it is appropriate to amend the resolution, he felt mention should be made of his recent election to Congress. He said he felt Mark Amodei will represent our interests well in the House of Representatives.

Chairman Ogilvie agreed with Commissioner Coffin's suggestion and asked that the motion include amendment of the resolution.

Vice Chairwoman Batjer moved to approve adoption of the resolution and to amend the language to include Congressman Amodei's recent election to the Second Congressional District of Nevada. The motion was seconded by Commissioner Coffin and approved by a unanimous vote.

Jim Salo, Deputy Executive Director, pointed out that in drafting a resolution, there is a physical constraint on size. To include additional information in this resolution will require shortening other paragraphs. That will cause no substantive change, but will alter the current language somewhat.

Chairman Ogilvie thanked Mr. Salo for pointing that out.

A copy of the revised Colorado River Commission of Nevada Resolution 2011-3 is attached and made a part of the minutes. (See Attachment C.)

F. *For Possible Action:* Consideration of and possible action to approve an agreement between the Nevada Department of Transportation (NDOT) and the Colorado River Commission of Nevada (Commission) for reimbursement of preliminary engineering costs for the relocation of the Commission's transmission line structures due to NDOT's Boulder City Bypass Project.

Robert Reese, Assistant Director of Engineering and Operations for the Power Delivery Group, explained that the Nevada Department of Transportation (NDOT) is planning a highway improvement project on State Highway 93/95 in the Railroad Pass area (the Boulder Bypass Project). The Boulder Bypass Project requires relocation of a portion of the Colorado River Commission of Nevada's (Commission's) River Mountains Project 230-kV transmission line. This work will require transmission line modifications and design and preparation of the construction documents for the relocation.

Mr. Reese provided a brief PowerPoint presentation with an overview of the Boulder Bypass Project. A copy is attached and made a part of these minutes. (See Attachment D.)

Mr. Reese noted that the facilities to be relocated include the Newport/Mead 230-kV transmission structure and the Equestrian #1 230-kV transmission structure. The project will relocate the two structures 10 feet south of their current locations, and raise the structures to 85 feet for the clearances necessary to accommodate the Boulder Bypass Project.

NAC 408.343 authorizes NDOT to contract with the Commission for the engineering services required to research evidence of compensable interest, conduct field studies, investigate methods of facility adjustment, develop and submit itemized cost estimates and detailed plans, and/or other associated work in preparation for the relocation and/or adjustment of the Commission's existing utility structures affected by this project. This agreement facilitates NDOT's payment to the Commission for those preliminary costs.

The Commission's total estimated cost for preliminary engineering fees is \$47,200.00. Details of the estimated costs are set forth in Exhibit B of the agreement. Actual costs might exceed this original estimated cost and NDOT agrees to pay the Commission's actual costs.

Staff recommended the Commission approve the agreement and authorize the Executive Director to execute it on behalf of the Commission.

Commissioner McCoy moved to accept Staff's recommendation to approve the agreement. The motion was seconded by Commissioner Gibson and approved by a unanimous vote.

G. For Possible Action: Consideration of and possible action to approve Amendment No. 4 to Contract No. SA-02-02 between PAR Electrical Contractors, Inc. and the Colorado River Commission of Nevada for high-voltage transmission and distribution system maintenance support services.

Mr. Reese said that the Commission entered into Contract SA-02-02 with PAR Electrical Contractors, Inc. (PAR) in August of 2002, for maintenance support for the Power Delivery Project and the Basic Substation Project. The contract, as amended in May 2005 and June 30, 2008, extends through June 30, 2013.

The existing service contract with PAR is an enabling type contract that allows the Commission's operation and maintenance staff to receive support from PAR on an as-needed basis for certain tasks that cannot be efficiently performed with existing Commission personnel. Experience has shown that most of the operation and maintenance functions that are performed regularly or on a frequent basis on the Power Delivery Project or the Basic Substation Project can be performed efficiently and economically by Commission staff. However, certain functions can be more effectively performed utilizing the services of support contractors. These categories are: (1) infrequent work requiring specialized tools, equipment or expertise; (2) emergency restoration work requiring the availability of an abundance of manpower and equipment; and (3) small improvement or replacement projects that require a short-term increase in manpower and equipment.

To date the services provided by the contractor have included high-voltage bus work repairs at the Basic Substation, control wiring, crane services, retrofitting of existing substations. The Commission has not had to request emergency restoration work from any contractor. Recently, the Commission has utilized this maintenance support contract to complete installation of metering and communication circuits to facilitate the transfer of operational responsibility for various Southern Nevada Water Authority substations from NV Energy to the Commission.

Mr. Reese said he anticipates a continued need for these support services and emergency response and repair services. Staff proposed amending Contract SA-02-02 with PAR Electrical Contractors, Inc. by increasing the maximum aggregate cost of services by \$200,000.00 to a not-to-exceed contract amount of \$1,085,480.00. All other conditions of the existing contract will remain the same.

Staff recommended the Commission amend the existing contract with PAR Electrical Contractors, Inc., and authorize the Executive Director to execute the amendment on behalf of the Commission.

Chairman Ogilvie asked how PAR was originally retained by the Commission.

Mr. Reese explained that a request for proposals process was used. From that process the Commission contracted with three companies—PAR, Wasatch and Brink for labor services. Brink has since chosen not to renew its contract.

The labor services provided by these companies are, as mentioned in the briefing material, for infrequent work requiring specialized tools, equipment or expertise; emergency restoration work requiring the availability of an abundance of manpower and equipment; and small improvement or replacement projects that require a short-term increase in manpower and equipment.

Commissioner Miller questioned why this contract has been amended so many times and for a considerable increase to the original contract amount. He said in his experience it is unusual to keep the same contract for 11 years and to increase the contract amount from \$150,000.00 to \$1,085,480.00.

Mr. Reese explained that PAR has an excellent safety record which is extremely important to our customers and staff. Its familiarity with the Commission's electrical transmission system is another factor in utilizing their services—there is no learning curve. It is important to have the resources such as PAR and Wasatch available in the event of an emergency. He further explained that a task authorization and scope of work are developed for all work to be performed by one of these outside companies. It is then sent to each contractor for a competitive internal bid. PAR is a local company and has a competitive edge over Wasatch, which is based in Salt Lake City, since there are mobilization and demobilization costs that must be factored into its bid. PAR's bid is usually lower and they are a local union shop so that emergency situations can be handled quickly.

Commissioner Miller asked if the Attorney General's Office sees any legal problem with amending this contract four times and for the increase in the contract amount.

Ann Pongracz, Senior Deputy Attorney General, said there were no legal constraints against amending the contract multiple times and for increasing the contract total.

Commissioner McCoy asked if increasing PAR's contract amount by \$200,000.00 would provide for the reimbursed service for the transmission line relocation mentioned in the previous agenda item.

Mr. Reese clarified that if PAR were to be selected to perform construction services on the NDOT project, it would be fully funded by NDOT—not by the Commission's customers.

Commissioner Miller asked if there is a possibility that the transmission line relocation might require the use of PAR to handle the construction aspect of the project. He asked for clarification of the process used for selecting a company for that project.

Mr. Reese said that the decision has not been made whether this will be handled as a public works project, which requires competitive bidding, or whether it will fall under the Power Delivery Group's operation and maintenance responsibilities. Typically, such a modification to the system would be considered an operation and maintenance issue.

Commissioner Miller asked if NDOT has indicated whether they want it handled as a public works project.

Mr. Reese said he does not think they care which way it is handled since the Commission's part of the project is such a small portion of the whole project.

Commissioner Gibson asked about the process used for selecting labor services. He asked if there is a pool of contractors that the Commission selects from.

Mr. Reese explained that for a capital project there is a list of pre-qualified contractors that meet the Commission's criteria for transmission line and substation experience.

Commissioner Gibson asked how many companies were on that list.

Mr. Reese said there were six contractors currently on that list. However, when a bid is advertised, the announcement is advertised in the local papers, sets of plans are given to local plan rooms and are available through the Commission to anyone who would like to bid on the project. He stressed that anyone can bid, but the bidder must be qualified for the work to be undertaken.

Vice Chairwoman Batjer moved to accept Staff's recommendation to approve the amendment. The motion was seconded by Commissioner McCoy and approved by a unanimous vote.

Chairman Ogilvie said that before moving on to the next agenda item, he would like to recognize a distinguished visitor in the audience. He asked Dr. Lois Tarkanian to come forward to the podium. He said that a resolution in her honor had been read into the record and adopted. He said he wanted to personally thank Dr. Tarkanian for her work as an educator, a member of the Clark County School Board, the Las Vegas City Council and the Southern Nevada Water Authority, and for her four years as a member of the Colorado River Commission. He read the following excerpt from the resolution, ". . . That Dr. Lois Tarkanian is hereby recognized and commended for her diligence and dedication on behalf of the State of Nevada and the Colorado River Commission of Nevada. . ." He said that it has been his pleasure to work with her on the Commission and they are all thankful for her participation.

Dr. Tarkanian said that it was an honor to be on the Commission and to work with such stellar professionals. The experience and the knowledge that she gained on the Commission she probably couldn't have gotten anywhere else. She said she has appreciated the background and

historical information that was provided, that will come in handy in her other areas of work. She thanked everyone for that help and information.

H. *For Possible Action:* Consideration of and possible adoption of a resolution designated the “State of Nevada Colorado River Commission 2011B Refunding Bond Resolution”; authorizing the sale and issuance of the State of Nevada Colorado River Commission General Obligation (Limited Tax) (Revenue Supported) Hoover Uprating Refunding Bonds, Series 2011B; providing the purpose for which the bonds are being issued; the form, terms and conditions of such bonds; the manner and terms of their issuance and execution; the method of their payment; the security therefore; the levy and collection of annual general (ad valorem) taxes of the payment of such bonds; the pledge of revenues for the payment thereof; and other related matters.

Douglas Beatty, the Commission’s Chief of Finance and Administration, reminded the Commission that at its September meeting, he indicated that staff and the State Treasurer had been reviewing a number of State bonds for potential refund. The Commission’s Hoover Refunding bonds series 2001 are now potentially refundable with very desirable savings if done in conjunction with other State issues.

Staff has been working closely with JNA Consulting Group (a financial advisory firm contracted by the State Treasurer) with regard to the potential refunding for some months now. The bonds are the debt of the State, issued by the Commission, and are paid for revenues from the sale of Hoover Hydropower. Commission staff and the staff of the State Treasurer plan to take a large refunding (which will include a number of other State bonds eligible for refunding totaling approximately \$200,000,000.00) to the market.

The refunding meets the criteria for Commission debt, which require that refunding result in at least a 3% net present value (NPV) savings (the lower of refunding or refunded comparison) and result in a dollar value that provides adequate savings over the costs of issuance. The current projections of NPV savings are in the 15 to 17 percentage range.

The refunding can be accomplished by the Commission’s adoption of the refunding resolution, which will allow the competitive bid to go forward. Bids will be received and evaluated by the State Treasurer and accepted based on adequate savings to the overall program.

Mr. Beatty asked the representative from JNA Consulting Group, Marty Johnson, to provide a status update on the market conditions and a schedule for the sale of the bonds.

Mr. Johnson reported that interest rates on municipal bonds are up from what they were a month ago when this process was started, so the savings has gone down somewhat. However, a \$1,000,000.00 savings is still a substantial amount of money. He said that the actual pricing on the bonds will happen in approximately two weeks. The effective interest rate on the refunding bonds will be approximately 2.35% and that is at least a 3% savings. The expectation is to price

the bonds on October 26, 2011. At that point, the interest rate will be locked in and the transaction will close on November 16, 2011.

Chairman Ogilvie asked if the projected \$1,000,000.00 savings is the net, minus commission and administrative costs.

Mr. Johnson said that was the net amount.

Chairman Ogilvie asked whether voting in favor of this resolution today commits the Commission to selling the bonds if the rates were to rapidly increase and the \$1,000,000.00 savings was not realized.

Mr. Johnson said the Commission would not be committed to issuing the refunding bonds. It would be up to staff to determine what level of savings from the sale of the bonds would be acceptable. That decision can be postponed until October 26 and then a decision must be made whether or not to move forward with the bond sale.

Commissioner Coffin asked if there was a greater divergence in the interest rates because there is a greater risk in the market's eyes for local issuances.

Mr. Johnson said what is driving the rates to increase now is a simple supply and demand scenario. He said typically the market has a demand for about \$6,000,000,000.00 worth of bonds. Last week there were \$8,000,000,000.00 in bonds on the market, which drives up the rates. He said it doesn't appear that there is any expectation that the states' are in any worse shape than anyone else. He said an announcement is expected on Tuesday, October 11, 2011 regarding the state's bond rating. It is anticipated to remain the same.

Mr. Beatty reminded the Commission that when the bond refunding was first considered, the projected savings was \$800,000.00, which is an excellent savings.

Mr. Beatty pointed out a change in the resolution. Page 45, Section 907 of the resolution—the "Continuing Disclosure Covenant", requiring annual financial disclosure by the Commission, has been deleted. Several small, non-substantive changes have also been made to correct typographical errors.

Staff recommended the Commission adopt the bond resolution and authorize staff to complete the refunding as outlined in the resolution.

Commissioner Miller moved to accept Staff's recommendation. The motion was seconded by Commissioner McCoy and approved by a unanimous vote.

I. For Possible Action: Consideration of and possible action to approve and ratify the Colorado River Commission's appearance and participation as an Intervenor-Defendant-Appellee in *Grand Canyon Trust v. United States Bureau of Reclamation, et.al* in the Ninth Circuit Court of Appeals.

Jennifer Crandell, Senior Deputy Attorney General assigned to the Commission, explained that in December 7, 2008, the Plaintiff Grand Canyon Trust filed a lawsuit in the United States Federal District Court, District of Arizona, against the Bureau of Reclamation (BOR) seeking a change in the operation of the Glen Canyon Dam. It claims that the BOR has violated the Endangered Species Act (ESA) because it allegedly failed to follow elements of a reasonable and prudent alternative to the flow regime adopted and set forth in a 1995 Biological Opinion as well as the 2007 Biological Opinion issued by the U.S. Fish and Wildlife Service. They claim the adopted flow regime negatively impacts an endangered fish called the humpback chub. Plaintiff further claims that BOR's 2008 Experimental Plan violates the Grand Canyon Protection Act and the Administrative Procedures Act. Finally, Plaintiff claims that BOR violated the National Environmental Policy Act (NEPA) when it allegedly failed to undergo a NEPA process on the Annual Operating Plans for Glen Canyon Dam. Throughout the course of the litigation, the Plaintiff amended their Complaint to include additional claims and amend existing claims.

All seven Basin States, including the sovereign State of Nevada, through the Attorney General, the Colorado River Commission and Southern Nevada Water Authority, The Metropolitan Water District, Imperial Irrigation District, Central Arizona Water Conservation District, and Colorado River Energy Distributors Association intervened in the lawsuit as Defendants-Intervenors.

The BOR and Defendant-Intervenors have prevailed on all claims asserted by the Plaintiff, through a series of four Orders issued by the Arizona Federal District Court's Judge Campbell. The Plaintiff has appealed the Orders to the Ninth Circuit Court of Appeals. The Commission has filed its Notice of Appearance with the Ninth Circuit Court of Appeals and has jointly filed a Combined Joinder Memorandum in Support of the United States' Response to Grand Canyon Trust's Motion for Injunction Pending Appeal, both of which are attached.

This lawsuit continues to directly challenge the BOR's operations of Glen Canyon Dam and the current Annual Operating Plan process. It challenges BOR's comprehensive environmental compliance processes under both ESA and NEPA and seeks to impose a duplicative environmental review that would be impossible to achieve. The Commission has been an integral part of Annual Operating Plan process with BOR. The Commission is also a member of the chartered Federal Advisory Committee called the Adaptive Management Work Group (AMWG), along with the Plaintiff and twenty-five other stakeholders, formed to meet and make recommendations to the Secretary of the Interior regarding research and monitoring programs in the Grand Canyon, as well as experimental modifications to dam operations to benefit the various resources of the River. The lawsuit attempts to circumvent the AMWG process. Moreover, Nevada, the Colorado River Commission and the Southern Nevada Water Authority have an interest in the operation of Glen Canyon Dam as it has an effect on power generation and

quantity of water in Lake Mead. Finally, the Plaintiff's proposed changes to the Dam operations could impact the BOR's compliance with the 2007 Guidelines, making it difficult to implement under certain hydrologic and operational conditions. Imposing the low steady flow rate advocated by the Plaintiff could cause a significant amount of water to be held back in Lake Powell that would otherwise be required to be released to Lake Mead pursuant to the 2007 Guidelines.

The Senior Deputy Attorney General and staff to the Commission believe it is in the best interest of the State of Nevada and the Colorado River Commission to continue to defend their interests throughout the appeal in the Ninth Circuit, and therefore seek the Commission's ratification and continued approval of the Commission's participation in the case.

Vice Chairwoman Batjer moved to approve and ratify the Commission's appearance and participation as an Intervenor-Defendant-Appellee in *Grand Canyon Trust v. United States Bureau of Reclamation, et.al* in the Ninth Circuit Court of Appeals. The motion was seconded by Commissioner Coffin and Commissioner Miller and approved by a unanimous vote.

J. *For Possible Action:* Consideration of and possible action to approve the Colorado River Commission's submission of a comment letter to the Bureau of Land Management in regards to the draft Environmental Impact Statement on the Southern Nevada Water Authority's Groundwater Development Project.

Mrs. Harkins noted that since 1991, Southern Nevada Water Authority (SNWA) and its member agencies have cooperated in the preparation of a regional water resource portfolio which included a plan to diversify its supply by pursuing development of three separate in-state water resource projects.

The Commission has previously recognized the importance of the acquisition, development and sustainable use of additional water supplies and its critical importance to the public welfare of the citizens of the Las Vegas Valley. The Commission has passed two resolutions, 2006-01 and 2009-04, supporting the development of the in-state, non-Colorado River water resources and the completion of environmental documentation and permitting for these non-Colorado River resources by the SNWA.

The Commission's comments to the Bureau of Land Management regarding the Environmental Impact Statement are in furtherance of the Commission's efforts to support the northern pipeline project.

Mrs. Harkins read the letter into the record. A copy of the letter is attached and made a part of the minutes. (See Attachment E.)

A verbatim of agenda item J was requested and is attached and made a part of the minutes. (See Attachment F.)

A copy of the revised letter incorporating the Commission's suggested changes is attached and made a part of the minutes. (See Attachment G.)

Vice Chairwoman Batjer moved to approve the submission of the comment letter, with the suggested revisions, to the Bureau of Land Management. The motion was seconded by Commissioner McCoy and approved. Commissioner Gibson abstained.

K. *For Information Only:* Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin and Nevada's consumptive use of Colorado River water, and other developments on the Colorado River.

Kim Maloy, the Commission's Natural Resources Specialist, provided a report on the following:

- Unregulated Inflow Into Lake Powell
- Storage Conditions
- Precipitation – Colorado River Basin
- Lake Mead Daily Water Levels
- Lake Power Daily Water Levels
- Drought & Climate
- Water Year 2012 Operations
- Water Use in Southern Nevada
- CRC Volunteers Helping Out with the Las Vegas Wash Green-up

McClain Peterson, Manager of the Natural Resources Group, provided a report on the following:

- Lake Mead End of Month Elevation

A copy of the report is attached and made a part of the minutes. (See Attachment H.)

Vice Chairwoman Batjer asked what the annual precipitation was for 2011 for the Las Vegas Valley. She said she heard that it was 2 inches, which seemed low for a very wet year.

Mr. Peterson said he would get that information to the Commission at its next meeting and will include the latest precipitation amounts.

Mrs. Harkins provided an update on the Hoover allocation bill. The bill passed in the House on Monday, October 3, 2011. Congressman Heck, the lead sponsor of the House version of the bill, spoke in favor of the bill on the floor. Last week Chairman Ogilvie, Ann Pongracz and Mrs. Harkins visited Washington, D.C. and met with Nevada's congressional delegation. They congratulated Congressman Heck on his work in getting the bill passed. The support of the other

House members was also acknowledged. The group also met with Nevada's two Senators and heard that we continue to have the Senators full support on the bill. Senator Reid is working with his staff along with the Arizona senators to put together a package of non-controversial, revenue neutral bills to move forward in the Senate. In the past two years, no bills have come out of the Water and Power Subcommittee, so it will be a tough process.

The Commission's representatives stressed to the Senators how important it is that this bill move forward and preferably before the end of the year since Western Area Power Administration's (Western) regulatory process is striving to make the decision before the end of the year to apply the Power Marketing Initiative. The Commission is not in favor of Western moving forward with the allocation of power by the end of 2011. The Arizona Power Authority and the Commission have submitted letters requesting the date for the decision on the power allocation be moved to 2012. Western has not replied to those letters.

Mrs. Harkins asked if the Chairman or Ann had anything they would like to add.

Chairman Ogilvie said it was a very productive trip and he enjoyed being an observer of the fine work that Ann Pongracz has done and continues to do; and the work that Jayne Harkins and Marcus Faust, the Commission's lobbyist, does. They make one heck of a team. He said he was impressed that there wasn't a question that was asked that couldn't be answer by that team. A good strategy has been developed in terms of the options available to us. As Mrs. Harkins said, the delegation was very receptive and it is hoped that some action will take place by the end of the year.

L. Comments and questions from the public. (No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.)

Chairman Ogilvie asked if there were any comments or questions from the public. There were none.

M. Comments and questions from the Commission members.

Chairman Ogilvie asked if there were any comments or questions from the Commission members.

Commissioner McCoy thanked Clark County for its hospitality for the use of its chambers and for getting new chairs.

N. Selection of the next possible meeting date.

The next meeting was tentatively scheduled for 1:00 p.m. on November 8, 2011 at the Grant Sawyer Building in Suite 4401.

Chairman Ogilvie thanked everyone for accommodating his schedule and changing this meeting to a Monday. He had a conflict with the usual Tuesday date.

O. Adjournment.

The meeting adjourned at 3:31 p.m.

Jayne Harkins, P.E., Executive Director

APPROVED:

George F. Ogilvie III, Chairman