### The Metropolitan Water District of Southern California



The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

### **Exec Committee**

A. Ortega, Chair

M. Camacho. Board Vice

Chair

S. Goldberg, Board Vice

Chair

N. Sutley, Board Vice

L. Fong-Sakai, Board

Secretary

J. Armstrong

G. Cordero

D. De Jesus

D. Erdman

J. Garza

G. Gray

F. Jung

M. Luna

T. McCov

B. Pressman

T. Quinn

T. Smith

### **Executive Committee**

J. Abdo, Board Vice Chair Meeting with Board of Directors \*

June 25, 2024

12:30 p.m.

**Tuesday, June 25, 2024 Meeting Schedule** 

> 09:30 a.m. PWSCRC 12:00 p.m. Break

12:30 p.m. Exec

Agendas, live streaming, meeting schedules, and other board materials are available here: https://mwdh2o.legistar.com/Calendar.aspx. Written public comments received by 5:00 p.m. (business days) before the meeting is scheduled will be posted under the Submitted Items and Responses tab available here: https://mwdh2o.legistar.com/Legislation.aspx. If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or https://us06web.zoom.us/j/81520664276? pwd=a1RTQWh6V3h3ckFhNmdsUWpKR1c2Zz09

MWD Headquarters Building - 700 N. Alameda Street - Los Angeles, CA 90012 **Teleconference Locations:** 

3008 W. 82nd Place • Inglewood, CA 90305 1368 Highland Oaks Dr. • Arcadia, CA 91006 13 Pumphouse Road • Garden Valley, ID 83622 34819 Calle Del Sol • Capistrano Beach CA 92624 525 Via La Selva • Redondo Beach, CA 90277

- \* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.
- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

#### OTHER MATTERS AND REPORTS 2.

Chair's Report a.

Executive Committee June 25, 2024

Page 2

- b. General Manager's Report of Metropolitan Activities
- c. General Counsel's Report of Metropolitan Activities
- d. General Auditor's Report of Metropolitan Activities
- e. Ethics Officer's Report of Metropolitan Activities

### \*\* CONSENT CALENDAR ITEMS - ACTION \*\*

### 3. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Executive Committee Meeting of May 28, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

<u>Attachments</u>: 06252024 Exec 3A (05282024) Minutes

**B.** Approve draft Committee and Board meeting agendas and <a href="https://doi.org/21-3501">21-3501</a> schedule for July 2024

Attachments: 06252024 Exec 3B Draft Packet

### 4. CONSENT CALENDAR ITEMS - ACTION

**NONE** 

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 5. COMMITTEE INFORMATION ITEMS

**a.** Spotlight on Metropolitan Employee(s) Retiring with over Twenty

Years of Service

b. Report on the Colorado River Board Meeting <u>21-3502</u>

c. Colorado River Activities <u>21-3503</u>

Attachments: 06252024 Exec 5c Presentation

### 6. COMMITTEE ITEMS

**a.** Report, discuss, and provide direction to Audit Subcommittee of the Executive Committee

### 7. FOLLOW-UP ITEMS

NONE

Executive Committee June 25, 2024

Page 3

### 8. FUTURE AGENDA ITEMS

### 9. ADJOURNMENT

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### THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA MINUTES

### **EXECUTIVE COMMITTEE**

May 28, 2024

Chair Ortega called the meeting to order at 11:30 p.m.

Members present: Directors Abdo, Camacho, Cordero (teleconference posted location), De Jesus (teleconference posted location), Garza, Goldberg, Gray (teleconference posted location), Luna, McCoy, Ortega, Quinn, and Sutley.

Members absent: Director Armstrong, Erdman, Fong-Sakai, Jung, Pressman, and Smith.

Other Board members present: Directors Bryant, Dennstedt, Dick, McMillan, Miller (teleconference posted location), and Morris.

Committee staff present: Hagekhalil, Hudson, Salinas, Scully, Suzuki, Wheeler, and Upadhyay.

Chair Ortega called Director McCoy to introduce Metropolitan Guest, Mayor Emma Sharif, City of Compton. Director McCoy and Mayor Sharif made remarks.

Chair Ortega welcomed and thanked Mayor Sharif for joining the committee and encouraged her to comment on matters important to the City of Compton.

### 1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE'S JURISDICTION

NONE

### 2. OTHER MATTERS AND REPORTS

a. Subject: Chair's Report

Presented by: Chair Ortega

Chair Ortega stated there is no written report; today, there is a celebration with other dignitaries to accept a Federal Government Grant in Carson; please let the staff know if they would like to join the group.

b. Subject: General Manager's Report of Metropolitan activities

Presented by: General Manager Adel Hagekhalil

General Manager Hagekhalil reported on the following:

- Testimony U.S. Senate Budget Committee at a hearing entitled "Droughts, Dollars, and Decisions: Water Scarcity in a Changing Climate
- Climate Resiliency Bond advocating efforts
- Meeting with the U.S. Bureau of Reclamation
- Treated water surcharge meeting with member agencies
- Metropolitan received awards by the National Association of Government Communication
- Upcoming Employee Appreciation Picnic
- Headquarters Construction Update

c. Subject: General Counsel's report of Metropolitan activities

Presented by: General Counsel Marcia Scully

General Counsel Scully stated she had nothing to add to her report.

d. Subject: General Auditor's report of Metropolitan activities

Presented by: General Auditor Scott Suzuki

General Auditor Suzuki thanked the Board for their input and discussion at the Audits Subcommittee meeting.

e. Subject: Ethics Officer's report of Metropolitan activities

Presented by: Ethics Officer Abel Salinas

Ethics Officer Salinas stated he had nothing to add to his report.

#### **CONSENT CALENDAR ITEMS – ACTION**

#### 3. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Executive Committee Meeting for April 23, 2024.

Chair Ortega asked the Directors if there were any additions, corrections, or omissions on the minutes of the April 23, 2024, Executive Committee Meeting. None were made.

B. Approve the draft of the Committee and Board meeting agendas and schedule for June 2024.

Chair Ortega announced that the Executive Committee on June 25, 2024, time changed to 12:30 p.m.

Chair Ortega asked if there were any additions or deletions to the June 2024 draft packet.

Committee Vice Chair Dick reported that at the Finance and Asset Management Committee, the following item subject has been revised:

Authorize amending agreements with Hazen and Sawyer for a new not-to-exceed amount of \$2,000,000 and CDM Smith Inc. for a new not-to-exceed amount of \$500,000, and authorize a new agreement with Arup US, Inc. for a not-to-exceed amount of \$500,000 for a period of three years to provide support services in the development and implementation of the CAMP4W; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

#### 4. CONSENT CALENDAR ITEMS - ACTION

7-1 Subject/Motion: Approve General Auditor's Audit Plan for fiscal year 2024/25

Presented by: General Auditor Suzuki

Chair Ortega called for the vote on Items 3A, 3B and 7-1.

Director Garza made a motion, seconded by Director Sutley, to approve the consent calendar Items 3A, 3B as listed and revised, and 7-1. The vote was:

Ayes: Directors Abdo, Camacho, Cordero, De Jesus, Garza, Goldberg, Gray,

Luna, McCoy, Ortega, Quinn, and Sutley.

Abstention: None Recusal: None

Absent: Armstrong, Erdman, Fong-Sakai, Jung, Pressman, and Smith.

The motion for Items 3A, 3B, and 7-1 passed by a vote of 12 ayes; 0 noes; 0 abstention; and 6 absent.

#### **END OF CONSENT CALENDAR ITEMS**

#### 5. COMMITTEE INFORMATION ITEMS

a. Subject: Report on the Colorado River Board Meeting.

Presented by: Director Cordero

Director Cordero reported on the Colorado River Board Meeting.

b. Subject: Colorado River Activities

Presented by: William Hasencamp, Manager of Colorado River Resources

Mr. Hasencamp reported on Colorado River activities.

The following Directors provided comments or asked questions:

1. Ortega

Staff responded to the Directors' questions and comments.

### 6. SUBCOMMITTEE REPORTS AND DISCUSSION

General Auditor Suzuki reported on the Audit Subcommittee of the Executive Committee.

#### 7. FOLLOW-UP ITEMS

NONE

#### 8. FUTURE AGENDA ITEMS

Director De Jesus requested a closed session to discuss the status of a letter sent to the Board on May 17, 2024, by the General Counsel regarding a confidential employment matter.

General Counsel Scully informed the Committee that correspondence would be sent to the full Board today regarding the letter, and that she would not be handling the item, and that Henry Torres, Assistant General Counsel, would be handling the matter.

Chair Ortega informed the Committee that he would be recusing himself and that Legal and Claim's Committee Chair Luna and Director Pressman would lead the board on any process or discussion on the item.

#### 9. ADJOURNMENT

The meeting was adjourned at 12:13 p.m.

Adán Ortega, Jr. Chair of the Board

### **Draft**

# July 8-9, 2024 Committee and Board Meeting Agenda Packet



The Metropolitan Water District of Southern California

### Schedule of Meetings – July 2024

### Monday, July 8

9:00 a.m. Engineering, Operations, and Technology Committee

11:30 a.m. Break

12:00 p.m. Legislation and Communications Committee

1:30 p.m. Legal and Claims Committee

3:30 p.m. One Water and Stewardship Committee

### Tuesday, July 9

8:30 a.m. Finance and Asset Management Committee

10:30 a.m. Equity, Inclusion, and Affordability Committee

12:30 p.m. Break

1:00 p.m. Ethics, Organization, and Personnel Committee

2:30 p.m. Board of Directors Meeting

3:30 p.m. Special Executive Committee

### Tuesday, July 23

9:30 a.m. Audit Subcommittee of the Executive Committee

11:30 a.m. Break

12:00 p.m. Executive Committee

### Wednesday, July 24

9:30 a.m. Subcommittee on Long-Term Regional Planning Processes and Business Modeling

(CAMP4W Task Force)

June 14, 2024

### The Metropolitan Water District of Southern California



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### **EOT Committee**

- D. Erdman, Chair
- M. Camacho, Vice Chair
- D. Alvarez
- G. Bryant
- B. Dennstedt
- S. Faessel
- L. Fong-Sakai
- R. Lefevre
- J. McMillan
- C. Miller
- J. Morris
- M. Petersen
- K. Seckel
- T. Smith

### Engineering, Operations, and Technology Committee - Hidden

Meeting with Board of Directors \*

July 8, 2024

9:00 a.m.

| Monday, July 8, 2024 | ļ |
|----------------------|---|
| Meeting Schedule     |   |

09:00 a.m. EOT 11:30 a.m. Break 12:00 p.m. LEG 01:30 p.m. Legal 03:30 p.m. OWS

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

**A.** Approval of the Minutes of the Engineering, Operations, and Technology Committee for June 10, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

21-3538

<sup>\*</sup> The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

**21-3525** 

21-3524

### 3. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Award a \$2,197,460 contract to J.F. Shea Construction Inc. for the replacement of a section of steel pipe on the Rialto Pipeline and rehabilitation of Service Connection CB-11; and authorize an increase of \$150,000 to an existing agreement with Brown and Caldwell for a new not-to-exceed amount of \$395,000 to provide technical support during construction; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
- 7-2 Authorize an agreement with Arcadis, U.S. Inc., in an amount not to exceed \$1.755 million for Data Management and Data Analytics Consulting & Implementation Services to implement Phase 1 of the Data Analytics project; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

8-1 Authorize a \$600,000 increase to an existing agreement with J.F. Shea Construction Inc. for a new not to exceed amount of \$10.4 million to purchase long-lead equipment for the Sepulveda Feeder Pump Stations project; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (This action is part of a series of projects that are being undertaken to improve the supply reliability for State Water Project dependent areas)

### 5. BOARD INFORMATION ITEMS

NONE

### 6. COMMITTEE ITEMS

| a. | Value Engineering Program Update                   | 21-3539 |
|----|--|---------|
| b. | Metropolitan Headquarters Construction Update      | 21-3540 |
| c. | Artificial Intelligence Introduction               | 21-3541 |
| d. | Ensuring Compliance with Water Quality Regulations | 21-3542 |

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. Engineering Services activities
 Information Technology activities
 Water System Operations activities

### 8. SUBCOMMITTEE REPORTS AND DISCUSSION

a. Discuss and provide direction to Subcommittee on Pure Water
 Southern California and Regional Conveyance

### 9. FOLLOW-UP ITEMS

NONE

### 10. FUTURE AGENDA ITEMS

### 11. ADJOURNMENT

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### The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

### **LEG Committee**

- F. Jung, Chair
- A. Kassakhian, Vice Chair
- J. Abdo
- L. Ackerman
- B. Dennstedt
- A. Fellow
- J. Garza
- G. Grav
- C. Citay
- J. Lewitt
- M. Luna
- J. McMillan
- T. Phan
- B. Pressman
- M. Ramos
- T. Smith

### Legislation and Communications Committee - Hidden

Meeting with Board of Directors \*

July 8, 2024

12:00 p.m.

| Monday, July 8, | 2024 |
|-----------------|------|
| Meeting Sched   | dule |

09:00 a.m. EOT 11:30 a.m. Break 12:00 p.m. LEG 01:30 p.m. Legal 03:30 p.m. OWS

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

#### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the minutes of the Legislation and Communications
 Committee for June 10, 2024 (copies have been submitted to each Director, any additions, corrections, or omissions)

### 3. CONSENT CALENDAR ITEMS - ACTION

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NONE

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

NONE

### 5. BOARD INFORMATION ITEMS

NONE

### 6. COMMITTEE ITEMS

| a. | Presentation on CAMP4W Outreach and Engagement | 21-3570 |
|----|--|---------|
| b. | Update on Social Media Influencer Projects     | 21-3576 |
| c. | Report on Activities from Sacramento           | 21-3578 |
| d. | Report on Activities from Washington, D.C.     | 21-3579 |
|    |  |         |

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. External Affairs activities 21-3577

### 8. FOLLOW-UP ITEMS

NONE

### 9. FUTURE AGENDA ITEMS

### 10. ADJOURNMENT

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### The Metropolitan Water District of Southern California



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### **L&C Committee**

- M. Luna, Chair
- J. Garza, Vice Chair
- M. Camacho
- G. Cordero
- L. Dick
- C. Douglas
- C. Kurtz
- T. McCoy
- C. Miller
- M. Ramos
- ivi. I valilos
- K. Seckel

### **Legal and Claims Committee - Hidden**

Meeting with Board of Directors \*

July 8, 2024

1:30 p.m.

Monday, July 8, 2024 Meeting Schedule

> 09:00 a.m. EOT 11:30 a.m. Break 12:00 p.m. LEG 01:30 p.m. Legal 03:30 p.m. OWS

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

### 2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

**A.** General Counsel's report of monthly activities

21-3566

\*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

3. CONSENT CALENDAR OTHER ITEMS - ACTION

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Page 2

A. Approval of the Minutes of the Legal and Claims Committee for June 10, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

21-3567

### 4. CONSENT CALENDAR ITEMS - ACTION

NONE

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 5. OTHER BOARD ITEMS - ACTION

8-4 PLACEHOLDER Baker Electric case

21-3537

### 6. BOARD INFORMATION ITEMS

NONE

### 7. COMMITTEE ITEMS

 Discussion of Department Head Performance and Goal Setting [Public employee performance evaluation – General Counsel; to be heard in closed session pursuant to Gov. Code Section 54957]

21-3568

### 8. FOLLOW-UP ITEMS

NONE

### 9. FUTURE AGENDA ITEMS

### 10. ADJOURNMENT

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### The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

### **OW&S Committee**

- T. Quinn, Chair
- S. Faessel, Vice Chair
- L. Ackerman
- D. Alvarez
- J. Armstrong
- G. Cordero
- D. De Jesus
- D. Erdman
- L. Fong-Sakai
- S. Goldberg
- C. Kurtz
- R. Lefevre
- J. Lewitt
- C. Miller
- B. Pressman
- N. Sutley

### One Water and Stewardship Committee - Hidden

Meeting with Board of Directors \*

July 8, 2024

3:30 p.m.

| Monday, July 8, 2024 |
|----------------------|
| Meeting Schedule     |

09:00 a.m. EOT 11:30 a.m. Break 12:00 p.m. LEG 01:30 p.m. Legal 03:30 p.m. OWS

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

#### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the One Water and Stewardship Committee for June 10, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

21-3545

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### 3. CONSENT CALENDAR ITEMS - ACTION

| 7-3 | Authorize entering into a funding agreement with Inland Empire Utilities Agency under the Future Supply Actions Funding Program for the Identifying and Removing PFAS Used in Well Drilling Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA         | <u>21-3528</u> |
|-----|---|----------------|
| 7-4 | Authorize entering into a funding agreement with Inland Empire Utilities Agency under the Future Supply Actions Funding Program for the Identifying and Removing PFAS Used in Well Drilling Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA         | 21-3529        |
| 7-5 | Authorize entering into a funding agreement with the San Diego County Water Authority under the Future Supply Actions Funding Program for the Lake Henshaw Oxygenation Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA                              | <u>21-3530</u> |
| 7-6 | Authorize entering into a funding agreement with Long Beach Utilities under the Future Supply Actions Funding Program for the Groundwater Augmentation, Groundwater Collection System, and New Wells Site Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA | 21-3531        |
| 7-7 | Authorize entering into a funding agreement with Los Angeles Water and Power under the Future Supply Actions Funding Program for the Headworks Reservoir Complex Direct Potable Reuse Pilot; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA                     | 21-3532        |
| 7-8 | Authorize entering into a funding agreement with Las Virgenes Municipal Water District under the Future Supply Actions Funding Program for the Ocean Well Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA   | 21-3533        |

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

21-3527

| 8-2 | Authorize the General Manager to enter into (1) a forbearance           | <u>21-3526</u> |
|-----|---|----------------|
|     | agreement with Coachella Valley Water District, Imperial Irrigation     |                |
|     | District (IID), Palo Verde Irrigation District, and the City of Needles |                |
|     | to allow water conserved under the U.S. Bureau of Reclamation's         |                |
|     | (Reclamation) conservation program to be added to Lake Mead,            |                |
|     | and (2) an agreement with IID and San Diego County Water                |                |
|     | Authority (SDCWA) under Reclamation's conservation program to           |                |
|     | add water conserved by IID to Lake Mead that would otherwise            |                |
|     | accrue to Metropolitan and SDCWA; the General Manager has               |                |
|     | determined that the proposed action is exempt or otherwise not          |                |
|     | subject to CEQA   |                |
|     | ,   |                |
|     |   |                |

By a two-thirds vote, authorize payments of up to \$4.18 million for participation in the State Water Contractors for fiscal year 2024/25 and up to \$4.30 million for fiscal year 2025/26; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA

### 5. BOARD INFORMATION ITEMS

NONE

### 6. COMMITTEE ITEMS

| a. | Update on Delta Levee Real-Time Monitoring Innovation Project                                  | 21-3551 |
|----|--|---------|
| b. | Science Update: Salmon Reorienting to Recovery Project   | 21-3552 |
| c. | Update on the State Water Project: Presented by John Yarborough, Department of Water Resources | 21-3553 |
| d. | Palo Verde Valley Regenerative Farming Studies Update  | 21-3555 |
| e. | Update on Conservation Program   | 21-3554 |

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

Bay-Delta Resources activities
 Colorado River Resources activities
 Sustainability, Resilience and Innovation activities
 Water Resource Management activities

### 8. COMMITTEE REPORTS

| a. | Report<br>Authorit |      |        |        | Conveyance     | Design    | and    | Construction | 21-3547 |
|----|--------------------|------|--------|--------|----------------|-----------|--------|--------------|---------|
| b. | Report             | on D | elta ( | Convey | ance Finance A | Authority | Meetii | ng           | 21-3548 |

Page 4

**c.** Report on the Bay-Delta Ad Hoc Meeting

21-3549

### 9. SUBCOMMITTEE REPORTS AND DISCUSSION

a. Discuss and provide direction to Subcommittee on Demand 21-3550
 Management and Conservation Programs and Priorities

### 10. FOLLOW-UP ITEMS

NONE

### 11. FUTURE AGENDA ITEMS

### 12. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx. This committee will not take any final action that is binding on the Board, even when a guorum of the Board is present.

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### The Metropolitan Water District of Southern California



The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

### **FAM Committee**

- T. Smith, Chair
- L. Dick, Vice Chair
- D. Alvarez
- J. Armstrong
- G. Bryant
- D. De Jesus
- B. Dennstedt
- L. Fong-Sakai
- J. McMillan
- C. Miller
- M. Petersen
- B. Pressman
- T. Quinn
- K. Seckel

### Finance and Asset Management Committee - Hidden

Meeting with Board of Directors \*

July 9, 2024

8:30 a.m.

| Tuesday, Ju<br>Meeting S | - · · · · · · · · · · · · · · · · · · · |
|--------------------------|---|
|                          |   |

08:30 a.m. FAM 10:30 a.m. EIA 12:30 p.m. Break 01:00 p.m. EOP 02:30 p.m. BOD

03:30 p.m. Sp Exec

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Finance and Asset Management Committee Meeting for June 11, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

21-3571

<sup>\*</sup> The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

21-3535

### 3. CONSENT CALENDAR ITEMS - ACTION

- 7-9 Authorize the General Manager to grant a Permanent Easement to San Diego Gas & Electric for natural gas pipeline purposes on Metropolitan fee-owned property in the County of San Diego and identified as Assessor Parel Number 102-650-065; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA
- **7-10** Authorize the execution of an amendment to an existing lease with Nish Noroian Farms to increase the size of the leased premises from 759 acres to 1,760 acres of Metropolitan's fee-owned land in the Palo Verde Valley in Riverside County, California, and to make necessary associated changes. The additional proposed leasehold parcels are commonly known as Riverside County Assessor Parcels Numbers 833-060-004; 833-060-008; 833-060-018; 833-100-005; 833-100-007; 833-100-011; 833-100-012; 833-100-016; 833-100-017; 833-060-001; 833-060-024; 833-060-025: 827-190-003; 827-190-004; 827-190-005; 827-190-006; 827-190-007; 827-190-009; 827-190-010; 827-190-012; 833-060-026; 006-090-008; 006-090-009; 006-090-010: 006-090-011; 006-090-012; 006-090-013; 006-090-029: 006-120-089: 006-150-065: 006-120-082: 006-220-057. The General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with real property negotiators; agency negotiators: Kevin Webb and Kieran Callanan; negotiating parties: Linda D. Noroian dba Nish Noroian Farms; under negotiation: price and terms; to be heard in closed session pursuant to Government Code Section 54956.8]

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

NONE

#### 5. BOARD INFORMATION ITEMS

**9-3** Update on financial conditions and metrics

21-3575

### 6. COMMITTEE ITEMS

NONE

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

**a.** Finance and Asset Management activities

21-3572

### 8. SUBCOMMITTEE REPORTS AND DISCUSSION

- Report from Subcommittee on Long-Term Regional Planning
   Processes and Business Modeling
- b. Discuss and provide direction to Subcommittee on Long-Term 21-3574
   Regional Planning Processes and Business Modeling

### 9. FOLLOW-UP ITEMS

**NONE** 

### 10. FUTURE AGENDA ITEMS

### 11. ADJOURNMENT

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### The Metropolitan Water District of Southern California



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### **EI&A Committee**

- T. McCoy, Chair
- G. Cordero, Vice Chair
- D. De Jesus
- B. Dennstedt
- L. Dick
- S. Faessel
- A. Fellow
- L. Fong-Sakai
- J. Garza
- G. Gray
- M. Luna
- N. Sutley

### Equity, Inclusion, and Affordability Committee - Hidden

Meeting with Board of Directors \*

July 9, 2024

10:30 a.m.

| Tuesday, July 9, 2024<br>Meeting Schedule |
|---|
| 08:30 a.m. FAM                            |
| 10:30 a.m. EIA                            |
| 12:30 p.m. Break                          |
| 01:00 p.m. EOP                            |

02:30 p.m. BOD

03:30 p.m. Sp Exec

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- \* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.
- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

#### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Equity, Inclusion, and Affordability
 Committee for May 14, 2024 (Copies have been submitted to each Director, Any additions, corrections, or omissions)

### 3. CONSENT CALENDAR ITEMS - ACTION

NONE

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

**NONE** 

### 5. BOARD INFORMATION ITEMS

NONE

### 6. COMMITTEE ITEMS

Panel Discussion on Spanish Language Inspection Trip and 21-3557
 Outreach Opportunities

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. Diversity, Equity, and Inclusion activities

21-3558

### 8. FOLLOW-UP ITEMS

NONE

### 9. FUTURE AGENDA ITEMS

### 10. ADJOURNMENT

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### The Metropolitan Water District of Southern California



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### **EO&P** Committee

- B. Pressman, Chair
- T. Phan, Vice Chair
- G. Bryant
- M. Camacho
- G. Cordero
- C. Douglas
- D. Erdman
- S. Faessel
- L. Fong-Sakai
- F. Jung
- A. Kassakhian
- J. McMillan
- M. Ramos
- N. Sutley

### Ethics, Organization, and Personnel Committee - Hidden

Meeting with Board of Directors \*

July 9, 2024

1:00 p.m.

| Tuesday, | July | 9, | 2024 |
|----------|------|----|------|
| Meeting  | Sch  | ed | lule |

08:30 a.m. FAM 10:30 a.m. EIA

12:30 p.m. Break

01:00 p.m. EOP

02:30 p.m. BOD

03:30 p.m. Sp Exec

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https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpKR1c2Zz09

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1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))

### \*\* CONSENT CALENDAR ITEMS -- ACTION \*\*

#### 2. CONSENT CALENDAR OTHER ITEMS - ACTION

A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for June 11, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)

21-3559

<sup>\*</sup> The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

21-3561

### 3. CONSENT CALENDAR ITEMS - ACTION

NONE

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 4. OTHER BOARD ITEMS - ACTION

NONE

### 5. BOARD INFORMATION ITEMS

**NONE** 

### 6. COMMITTEE ITEMS

| a. | Monthly Ethics Education  | 21-3560 |
|----|---|---------|
| b. | Equal Employment Opportunity Statistical Report   |         |
| c. | Ethics Office FY 2023/24 Annual Report and FY 2024/25 Annual Plan   | 21-3564 |
| d. | Discussion of Department Head Performance and Goal Setting [Public employee performance evaluation – Ethics Officer; to be heard in closed session pursuant to Gov. Code Section 54957] | 21-3565 |

### 7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

Ethics Officer's report on monthly activities

b. Equal Employment Opportunity activities
 Human Resources activities
 Safety, Security, and Protection activities

### 8. FOLLOW-UP ITEMS

NONE

a.

### 9. FUTURE AGENDA ITEMS

### 10. ADJOURNMENT

Page 3

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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### The Metropolitan Water District of Southern California



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### **Board of Directors - Hidden**

July 9, 2024

2:30 PM

Tuesday, July 9, 2024 Meeting Schedule

08:30 a.m. FAM

10:30 a.m. EIA

12:30 p.m. Break

01:00 p.m. EOP

02:30 p.m. BOD

03:30 p.m. Sp Exec

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https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpKR1c2Z z09

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### 1. Call to Order

a. Invocation: TBD

b. Pledge of Allegiance: TBD

### 2. Roll Call

### 3. Determination of a Quorum

4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code §54954.3(a))

### 5. OTHER MATTERS AND REPORTS

A. Report on Directors' Events Attended at Metropolitan's Expense 21-3514

B. Chair's Monthly Activity Report 21-3515

|            | Board of Directors Page 2  July 9, 2024 |  |                |  |  |
|------------|---|--|----------------|--|--|
|            | C.                                      | General Manager's summary of activities  | 21-3516        |  |  |
|            | D.                                      | General Counsel's summary of activities  | 21-3517        |  |  |
|            | E.                                      | General Auditor's summary of activities  | 21-3518        |  |  |
|            | F.                                      | Ethics Officer's summary of activities   | 21-3519        |  |  |
|            | G.                                      | Presentation of Commendatory Resolution for Director Michael Gualtie representing Central Basin Municipal Water District   | ri             |  |  |
|            | H.                                      | Presentation of Commendatory Resolution for Director Glen Peterson representing Las Virgenes Municipal Water District  |                |  |  |
|            |   | ** CONSENT CALENDAR ITEMS ACTION **  |                |  |  |
| 6.         | CONSENT CALENDAR OTHER ITEMS - ACTION   |  |                |  |  |
|            | A.                                      | Approval of the Minutes of the Board of Directors Meeting for June 11, 2024 and Special Board Meeting for June 13, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions)  | 21-3520        |  |  |
|            | B.                                      | Approve Committee Assignments  |                |  |  |
| <b>7</b> . | CONSENT CALENDAR ITEMS - ACTION         |  |                |  |  |
|            | 7-1                                     | Award a \$2,197,460 contract to J.F. Shea Construction Inc. for the replacement of a section of steel pipe on the Rialto Pipeline and rehabilitation of Service Connection CB-11; and authorize an increase of \$150,000 to an existing agreement with Brown and Caldwell for a new not-to-exceed amount of \$395,000 to provide technical support during construction; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) | 21-3523        |  |  |
|            | 7-2                                     | Authorize an agreement with Arcadis, U.S. Inc., in an amount not to exceed \$1.755 million for Data Management and Data Analytics Consulting & Implementation Services to implement Phase 1 of the Data Analytics project; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FOT)  | <u>21-3525</u> |  |  |

(EOT)

| 7-3 | Authorize entering into a funding agreement with Inland Empire Utilities Agency under the Future Supply Actions Funding Program for the Identifying and Removing PFAS Used in Well Drilling Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)                                     | <u>21-3528</u> |
|-----|---|----------------|
| 7-4 | Authorize entering into a funding agreement with Inland Empire Utilities Agency under the Future Supply Actions Funding Program for the Identifying and Removing PFAS Used in Well Drilling Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)                                     | 21-3529        |
| 7-5 | Authorize entering into a funding agreement with the San Diego County Water Authority under the Future Supply Actions Funding Program for the Lake Henshaw Oxygenation Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)  | 21-3530        |
| 7-6 | Authorize entering into a funding agreement with Long Beach Utilities under the Future Supply Actions Funding Program for the Groundwater Augmentation, Groundwater Collection System, and New Wells Site Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)                             | <u>21-3531</u> |
| 7-7 | Authorize entering into a funding agreement with Los Angeles Water and Power under the Future Supply Actions Funding Program for the Headworks Reservoir Complex Direct Potable Reuse Pilot; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)   | 21-3532        |
| 7-8 | Authorize entering into a funding agreement with Las Virgenes Municipal Water District under the Future Supply Actions Funding Program for the Ocean Well Pilot Study; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)   | <u>21-3533</u> |
| 7-9 | Authorize the General Manager to grant a Permanent Easement to San Diego Gas & Electric for natural gas pipeline purposes on Metropolitan fee-owned property in the County of San Diego and identified as Assessor Parel Number 102-650-065; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAM) | 21-3534        |

Board of Directors July 9, 2024

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Authorize the execution of an amendment to an existing lease with 21-3535 Nish Noroian Farms to increase the size of the leased premises from 759 acres to 1,760 acres of Metropolitan's fee-owned land in the Palo Verde Valley in Riverside County, California, and to make necessary associated changes. The additional proposed leasehold parcels are commonly known as Riverside County Assessor Numbers 833-060-004; Parcels 833-060-008; 833-060-018; 833-100-005: 833-100-007; 833-100-011: 833-100-012; 833-100-016; 833-100-017; 833-060-001; 833-060-024; 833-060-025; 827-190-003; 827-190-004; 827-190-005; 827-190-006; 827-190-007; 827-190-009; 827-190-010; 827-190-012; 833-060-026; 006-090-008; 006-090-009; 006-090-010; 006-090-011; 006-090-012; 006-090-013; 006-120-089; 006-150-065: 006-090-029: 006-120-082: 006-220-057. The General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with real property negotiators; agency negotiators: Kevin Webb and Kieran Callanan; negotiating parties: Linda D. Noroian dba Nish Noroian Farms; under negotiation: price and terms; to be heard in closed session pursuant to Government Code Section 54956.8] (FAM)

### 8. OTHER BOARD ITEMS - ACTION

- 8-1 Authorize a \$600,000 increase to an existing agreement with J.F. Shea Construction Inc. for a new not to exceed amount of \$10.4 million to purchase long-lead equipment for the Sepulveda Feeder Pump Stations project; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (This action is part of a series of projects that are being undertaken to improve the supply reliability for State Water Project dependent areas) (EOT)
- 8-2 Authorize the General Manager to enter into (1) a forbearance agreement with Coachella Valley Water District, Imperial Irrigation District (IID), Palo Verde Irrigation District, and the City of Needles to allow water conserved under the U.S. Bureau of Reclamation's (Reclamation) conservation program to be added to Lake Mead, and (2) an agreement with IID and San Diego County Water Authority (SDCWA) under Reclamation's conservation program to add water conserved by IID to Lake Mead that would otherwise accrue to Metropolitan and SDCWA; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS)

21-3526

21-3524

Board of Directors July 9, 2024

Page 5

8-3 By a two-thirds vote, authorize payments of up to \$4.18 million for participation in the State Water Contractors for fiscal year 2024/25 and up to \$4.30 million for fiscal year 2025/26; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (OWS)

**8-4** PLACEHOLDER Baker Electric case (LC)

**21-3537** 

### \*\* END OF CONSENT CALENDAR ITEMS \*\*

### 9. BOARD INFORMATION ITEMS

**9-1** Conservation Report **21-3522** 

9-2 Community Planners 21-3536

### 10. OTHER MATTERS

NONE

### 11. FOLLOW-UP ITEMS

NONE

### 12. FUTURE AGENDA ITEMS

### 13. ADJOURNMENT

NOTE: Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item, e.g. (EOT). Board agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx

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### The Metropolitan Water District of Southern California



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### **Sp.Exec Committee**

A. Ortega, Chair

M. Camacho. Board Vice

Chair

S. Goldberg, Board Vice

Chair

N. Sutley, Board Vice

L. Fong-Sakai, Board

Secretary

J. Armstrong

G. Cordero

D. De Jesus

D. Erdman

J. Garza

G. Gray

F. Jung M. Luna

T. McCov

B. Pressman

T. Quinn

T. Smith

### Special Executive Committee - Hidden

J. Abdo, Board Vice Chair Meeting with Board of Directors \*

July 9, 2024

3:30 p.m.

| Tuesday, July 9, 2024 |
|-----------------------|
| Meeting Schedule      |

08:30 a.m. FAM 10:30 a.m. EIA

12:30 p.m. Break

01:00 p.m. EOP

02:30 p.m. BOD

03:30 p.m. Sp Exec

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https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpK R1c2Zz09

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\* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

1. Opportunity for members of the public to address the Committee limited to the items listed on agenda. (As required by Gov. Code §54954.3(a))

#### 2. COMMITTEE ITEMS

a. Discussion of Department Head Performance and Goal Setting [Public employee performance evaluation – General Auditor; to be heard in closed session pursuant toGov. Code Section 54957]

21-3506

#### **FOLLOW-UP ITEMS** 3.

NONE

### 4. FUTURE AGENDA ITEMS

### 5. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx. This committee will not take any final action that is binding on the Board, even when a guorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site https://mwdh2o.legistar.com/Calendar.aspx.



### **Executive Committee**

## Update on Colorado River Issues

Item 5c June 25, 2024

### Subject

Post-2026 Operational Guidelines for Colorado River system reservoirs

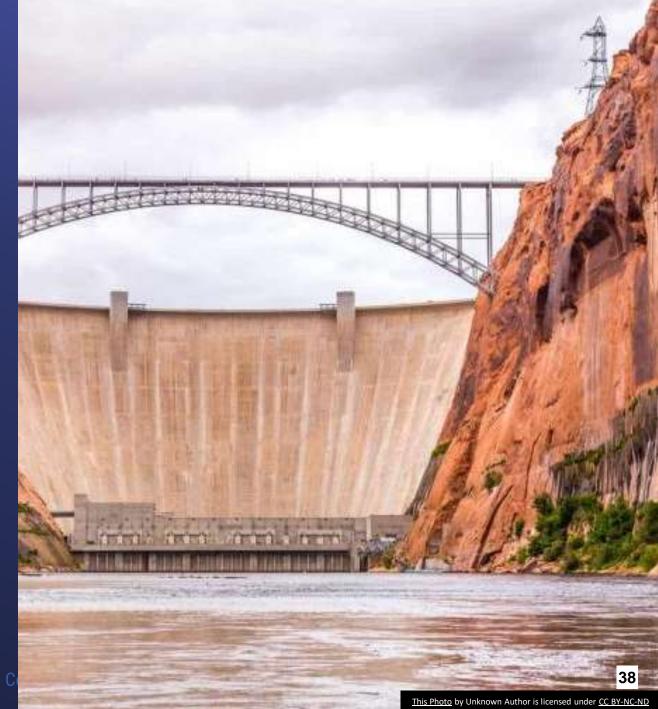
### Item 5c Colorado River Update

### Purpose

Provide recent updates on development of the Post-2026 Operational Guidelines Environmental Impact Statement (EIS) and related efforts

### Post-2026 Operational Guidelines

- U.S. Bureau of Reclamation (Reclamation) owns and operates Glen Canyon Dam and Hoover Dam
- Currently, Reclamation operates these dams pursuant to the 2007 Interim Guidelines
- Reclamation initiated a process to develop new guidelines last year because the current guidelines expire in 2026



### Post-2026 Operational Guidelines

### The guidelines determine:

River water

- Releases from Lake Powell
- Water uses/shortages in the Lower Basin
- Storage of conserved water (like Intentionally Created Surplus)
   The Post-2026 Operational Guidelines will not change underlying elements of the Law of the River that apportion the Basin States' rights to use Colorado

| Anticipated to Change                         | Will Not Change   |
|---|---|
| Lake Powell Release<br>Regime                 | Upper Basin Obligations<br>in 1922 Colorado River<br>Compact    |
| Lake Mead Release<br>Regime                   | Lower Basin Allocation in<br>1929 Boulder Canyon<br>Project Act |
| Lower Basin Water Use<br>Reductions/Shortages | Supreme Court decree in Arizona v. California                   |

### Reclamation's EIS Schedule

### Post-2026 Milestone Schedule

**Public Scoping Period -Development of EIS Operational** opportunity for public to provide Alternatives by Reclamation, **Publication of Draft EIS with** input on scope of EIS and Purpose partners, and stakeholders public comment period to follow and Need for Proposed Action **DECEMBER 2024** JUNE - AUGUST 2023 **FALL 2023 - SPRING 2024 AUGUST - OCTOBER 2023** 2025 - 2026 **JUNE 2023 SPRING - FALL 2024 Reclamation prepares Publication of Final EIS and Reclamation publishes Reclamation develops Scoping** Record of Decision issued **Draft EIS NOI to Prepare EIS -Summary Report with** anticipated Purpose & Need initiates NEPA Process -**Begins public Scoping** Period

### Reclamation to Analyze Alternatives

Reclamation will analyze reasonable alternatives in the EIS. The Preferred Alternative selected in the Final EIS may only include provisions in the alternatives analyzed.

### Post-2026 Alternatives

- Lower Basin States
- Upper Division States
- Gila River Indian Community
- Cooperative Conservation (NGOs)
- National Park Service Fish & Wildlife Service
- Continued Current Strategies
- No Action

### No Action Alternative Assumptions

- Before taking a new action, federal agencies must compare the impacts of taking *no action* against the proposed federal action and reasonable alternatives
- The No Action Alternative represents what would happen without the agency taking new action, the "base case"
- After the 2007 Interim Guidelines expire, the base case would be Glen Canyon and Hoover Dams operations consistent with the Law of the River, including the 1968 Colorado River Basin Project Act and 1970 Long Range Operating Criteria
- The Upper and Lower Basins disagree regarding the assumptions that Reclamation should make in the No Action Alternative









Bune 11, 2024

Commissioner Camille Calimlim Touton Bureau of Reclamation 1849 C Street NW Washington, DC 20240-0001

VIA ELECTRONIC MAIL mtouton@usbr.gov

> BE: Reclamation's Consideration of 602(a) Storage in the No Action Alternative

#### Dear Commissioner Touton:

The Upper Division States of Colorado, New Mexico, Utah, and Wyoming ("Upper Division States") appreciate the opportunities the Bureau of Reclamation ("Reclamation") has provided for engagement in the National Environmental Policy Act ("NEPA") process related to the post-2026 guidelines for operation of Lake Powell and Lake Mead ("Post-2026 Guidelines").

Recently, Reclamation presented the proposed No Action Alternative for the Post-2026 NEPA analysis. The presentations raised questions and concerns for the Upper Division States related to: (1) Reclamation's determination of the volume of water stored pursuant to § 602(a)(3) of the Colorado River Basin Project Act (P. 190-537) (\*§ 602(a) Storage\*); and (2) Reclamation's implementation of the long · range operating criteria pursuant to P.L. 90-537 (\*LROC\*) under the proposed No Action Alternative. We request that these issues be addressed prior to undertaking further NEPA analysis in relation to the Post-2026 Guidelines.

Reclamation has made it clear that the proposed No Action Alternative does not meet the purpose and need for the Post-2036 Guidelines nor does it represent future operations in the absence of an action alternative. In the NEPA process, no action alternatives are intended to represent current conditions and reasonably foreseeable actions that could occur during the life of the project absent an action alternative being implemented. The No Action Alternative is therefore the "baseline," against which the Action Alternatives are compared.

Section 602(a) Storage is intended to allow the Upper Division States to continue to meet their obligations under the 1922 Colorado River Compact "Compact") without impairing their ability to consumptively use the waters of the Colorado River System apportioned to them in perpetuity by the Compact. Therefore, § 602(a) storage is of profound importance to both the Upper and the Lower Basins.

# During this Phase of EIS Development

 While Reclamation analyzes the alternatives, work in the Basin States continues







