

The meeting was held at 1:00 p.m. on Tuesday, May 12, 2009, at the Clark County Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada.

COMMISSIONERS IN ATTENDANCE

Chairman	Jay D. Bingham
Vice Chairman	Ace I. Robison
Commissioner	Andrea Anderson
Commissioner	Tom Collins
Commissioner	George F. Ogilvie III

COMMISSIONERS NOT IN ATTENDANCE

Commissioner	Marybel Batjer
Commissioner	Lois Tarkanian

DEPUTY ATTORNEYS GENERAL

Senior Deputy Attorney General	Ann C. Pongracz
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COMMISSION STAFF IN ATTENDANCE

Executive Director	George M. Caan
Deputy Executive Director	James D. Salo
Chief, Finance and Administration	Douglas N. Beatty
Assistant Director of Engineering and Operations	Robert Reese
Hydropower Program Manager	Craig N. Pyper
Manager, Natural Resources Group	McClain L. Peterson
Natural Resources Analyst	Nicole Everett
Natural Resources Analyst	Esther Valle
Natural Resources Analyst	Jason Thiriot
Senior Energy Accountant	Gail L. Benton
Office Manager	Judy K. Atwood
Administrative Assistant IV	Brenda Haymore
Administrative Assistant II	Gina L. Goodman

OTHERS PRESENT; REPRESENTING

Consultant	Sara Price, Esq.
Southern Nevada Water Authority	Kathy Flanagan

**COLORADO RIVER COMMISSION
OF NEVADA
MEETING OF MAY 12, 2009**

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The Colorado River Commission meeting was called to order by Chairman Bingham at 1:01 p.m.

A. Conformance to Open Meeting Law.

Executive Director George Caan confirmed that the meeting was in compliance with the Open Meeting Law.

The Pledge of Allegiance was then recited.

B. Approval of minutes of the March 10 and 31, 2009 meetings.

Vice Chairman Ace Robison moved for approval of the minutes of the March 10 and 31, 2009 meetings as written. The motion was seconded by Commissioner Anderson and approved by a unanimous vote.

C. Consideration of and possible action to ratify Amendment No. 2 to a contract for legal services of an independent contractor with JHDavenport, LLC.

Mr. Caan explained that since 2006, the Commission has utilized the services of Mr. James Davenport, Special Deputy Attorney General and former Water Chief of the Colorado River Commission of Nevada, as a special consultant. Mr. Davenport provides legal advice, counsel and representation on water and natural resources issues, pursuant to assignments from the Commission's Executive Director, the Manager of Water and Natural Resources, or the Commission's assigned Senior Deputy Attorney General.

The contract amendment reduces the monthly cost from \$10,000 per month to \$5,000 per month. The scope of work has also been revised to more succinctly define the work as legal advice, counsel and representation on water and natural resources issues, rather than presenting a defined list of tasks. Staff recommends that it is in the best interest of the Commission and the State of Nevada to retain the continuing service and expertise of Mr. Davenport.

Commissioner Anderson moved for approval of the ratification of Amendment No. 2 of the contract. The motion was seconded by Vice Chairman Ace Robison and approved by a unanimous vote.

D. Presentation of the Colorado River Commission Power Delivery Group's Annual Safety Report.

Robert Reese, Assistant Director of Engineering and Operations, presented the Power Delivery Group's Annual Safety Report, which included an overview of the facilities, safety

certifications and awards, details of an unscheduled outage that occurred on April 20, 2009 caused by a Ring-Tail cat, the group's preventative maintenance activities, and 2009 projects.

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

E. Presentation of the Colorado River Commission's Sustainability Initiative.

Esther Valle, Natural Resources Analyst, presented the Colorado River Commission's sustainability initiative by defining sustainability along with the global, regional and local issues. Ms. Valle explained the Commission's involvement in this initiative, what it means, how the plan will be developed, showing the returns and benefits to the program, and concluded with the Commission's next steps in the process.

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

F. Status update on the hydrologic conditions, drought, and climate of the Colorado River Basin and Nevada's consumptive use of Colorado River water.

Nicole Everett, Natural Resource Analyst, provided a report on the following:

- Storage Conditions
- Precipitation – Colorado River Basin
- Unregulated Inflow into Lake Powell
- Monthly Max Temp Deviation for February 2009
- Monthly Precipitation for February 2009
- Flow Forecast in context with similar Historic Years (Apr – Jul, 1909 -2008)
- Unregulated Inflow into Lake Powell
- Lake Powell Elevation Projections
- Lake Mead Elevation Projections
- Hoover Plant Capacity: Percent of Maximum Rating
- U.S. Drought Monitor
- U.S. Seasonal Drought Outlook
- Record of Precipitation – Las Vegas, Nevada
- Water Use in Southern Nevada

During the report from Ms. Everett, the following comments and questions were asked relating to the slide on Hoover Plant Capacity.

Commissioner Ogilvie asked whether there was a relationship between lake levels and power output.

Mr. Caan responded that there is such a relationship, but that staff has not received any formulas that would define the relationship. The capacity is monitored on a month-by-month basis at Hoover Dam and the Commission keeps in close contact with the Bureau of Reclamation regarding any changes.

Vice Chairman Robison asked what was the effect of reduced output on Commission customers, and whether there is there a requirement by either the Commission or the Bureau to make up the difference.

Mr. Caan responded that Hoover Dam is a “Run of the River” system, and that any power deficiencies resulting from lower lake levels would have to be made up by the customers. In other words, customers would be required to purchase more expensive power to make up the difference. The new cost would be two to three times as much as the rate charged for Hoover Dam hydroelectricity.

Commissioner Collins asked what is the effect on the Commission of the rate increase being proposed by NV Energy.

Mr. Caan responded that the Southern Nevada Water Authority, the Commission’s major retail customer, is fully served by the Commission and the rate increase would have a minimal impact. The costs the Commission pays for using NV Energy transmission and distribution are formulated in a different regulatory process.

Mr. Caan informed the Commissioners that due to the drop in lake levels and its effect on the output at Hoover Dam, this slide will be provided in future Commission meetings. Staff will continue to follow this situation with our customers, the Bureau of Reclamation, and the Commission.

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

Commissioner Ogilvie left at this time.

G. Comments and questions from the public and discussion. (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 Bingham asked if there were any comments or questions from the public. There were none.

H. Comments and questions from the Commission members.

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

Commissioner Collins thanked Robert Reese for the Power Delivery Facilities tour given on March 19, 2009.

I. Selection of the next possible meeting date.

The next meeting is tentatively scheduled for 1:00 p.m. on Tuesday, June 9, 2009, at the Clark County Government Center in the Clark County Commission Chambers.

J. Adjournment.

The meeting adjourned at 2:25 p.m.

George M. Caan, Executive Director

APPROVED:

Jay D. Bingham, Chairman