

**The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, October 10, 2023, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.**

**COMMISSIONERS IN ATTENDANCE**

Chairwoman	Puoy K. Premsrirut
Commissioner	Cody Winterton
Commissioner	Dan Stewart
Commissioner	Justin Jones
Commissioner	Marilyn Kirkpatrick

**COMMISSIONERS PRESENT VIA TELECONFERENCE**

Vice Chairwoman	Kara J. Kelley
Commissioner	Allen J. Puliz

**DEPUTY ATTORNEY(S) GENERAL**

Special Counsel, Attorney General	David W. Newton
Special Counsel, Attorney General	Michelle D. Briggs

**COMMISSION STAFF IN ATTENDANCE**

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Chief of Finance and Administration	Douglas N. Beatty
Assistant Director, Engineering and Operations	Bob Reese
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Hydropower Program Manager	Craig Pyper
Hydropower Engineer	Stevie Espinosa
System Coordinator	Chris Smith
Executive Assistant Manager	Gina L. Goodman
Office Manager	Noah Fischel
Administrative Assistant III	Saira Castillo
Administrative Assistant II	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland

**OTHERS PRESENT: REPRESENTING**

City of Boulder City  
City of North Las Vegas  
Clark County Water Reclamation District  
Las Vegas Valley Water District  
Legislative Counsel Bureau  
NV Energy  
NV Energy

Bill Bruninga  
Tom Brady  
Peter Beaulieu  
Chaunsey Chau-Duong  
Justin Luna  
Mike Hulin  
Jana Stewart

**COLORADO RIVER COMMISSION OF NEVADA**

**MEETING OF**

**October 10, 2023**

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The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Premsrirut at 1:33 p.m., followed by the pledge of allegiance.

**A. Conformance to Open Meeting Law.**

Executive Director, Eric Witkoski confirmed that the meeting was posted in compliance with the Open Meeting Law.

**B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.**

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

**C. For Possible Action: Approval of minutes of the September 12, 2023.**

Commissioner Kirkpatrick moved for approval the minutes of the September 12, 2023, meeting. The motion was seconded by Commissioner Cody Winterton and approved by unanimous vote.

**D. For Possible Action: Adoption Hearing for LCB File No. R023-23. Hearing by the Commission to receive comments followed by consideration of and possible action, including adoption, revision, or rejection, regarding the following proposed amendment to the Nevada Administration Code (NAC) Chapter 538; Specifically,**

**NAC 538.370, NAC538.460, NAC 538.470, NAC 538.490 are deemed unnecessary and are therefore being repealed. NAC 538.025 is being placed near other similar regulations for clarity.**

Executive Director Eric Witkoski in opening comments indicated Agenda Item D is the Public Hearing on the proposed changes to Nevada Administrative Code Chapter 538 contained in LCB File No. R23-23.

Chairwoman Premsrirut opened the Public Hearing on the proposed changes at 1:33 pm and asked Staff to confirm that the Notice of Intent to Act Upon a Regulation:

- was properly posted,
- give us a brief overview of the changes proposed; and
- the process that staff has engaged into date.

Following Staffs presentation, Chairwoman Premsrirut indicated that comments from the public would be invited. Commissioners were asked to hold any questions until after the public has commented.

Mr. Witkoski confirmed that the Notice of Intent to Act upon a Regulation for LCB File No. R23-23 was properly posted on September 5, 2023, in accordance with NRS 233B.060.

**An overview of the proposed changes are as follows:**

Staff are proposing to repeal: NAC 538.370, NAC 538.460, NAC 538.470, and NAC 538.490 as they are deemed unnecessary and are therefore the proposal is to repeal those regulations.

NAC 538.025 is being placed near other similar regulations for clarity and where other definitions of hydropower are defined.

**Process engaged by Staff:**

The review of the regulations was undertaken at the request of Governor Lombardo's Executive Order 2023-03 issued January 12, 2023.

In response, the matter of the Executive Order was presented to the Commission at its February 14, 2023, meeting. The Staff proposed to do a Public Hearing in March and the Commission approved the holding of the March Public Hearing and requested that a second Public Hearing be held at the next Commission meeting in April as part of the regulation review.

Public Hearings on the Commission regulations were held on March 15, and April 11, 2023. No comments were received from the public.

No written comments were filed prior, at the meetings, or after the meetings. Staff did receive a phone call regarding the proposed changes from one of its major customers and an explanation of the changes was given.

It should be noted that all notices of the changes are emailed to the Commission contractors to ensure they are aware of any potential changes.

Chairwoman Preamsirut opened the Hearing for Public Comment. There were none. The public comment section of the Hearing was closed.

Chairwoman Preamsirut asked Commissioners if there were any questions or comments. There were none.

Chairwoman Preamsirut moved to consideration of adoption of LCB File No. R023-23 as recommended by Staff.

Commissioner Kirkpatrick moved to approve LCB File No. R023-23. The motion was seconded by Commissioner Stewart and approved by unanimous vote.

The Adoption Hearing closed at 1:38 pm.

**E. *For Possible Action: Consideration of and possible action to approve the proposed Assignment, Assumption, and Consent Agreement among the Colorado River Commission (Commission) of Nevada, Basic Water Company and Henderson WC LLC of existing hydropower contracts and related agreements between the Commission and Basic Water Company.***

Executive Director Eric Witkoski stated a hearing was held by the Bankruptcy Court for Basic Water Company Case No.: 22-13252-MKN this morning. Ms. Briggs will provide an update for Agenda Item E.

Special Counsel Michelle Briggs addressed the Commission explaining that the bankruptcy court approved the plan with conditions. Staff are asking for approval of the assignment that is in the materials which have been updated. Once approved, Henderson WC LLC (HWC) assumes all of the water and the power contracts that are listed.

Chairwoman Premsrirut asked did this item previously presented before the Commission with some minor obstacles would it be safe to assume that those obstacles have been addressed and hence the approval of the bankruptcy court.

Ms. Briggs said yes.

Chairwoman Premsrirut asked Ms. Briggs in terms of the position of the Commission if the Commission is in the places, it would have been, but for prior insolvency.

Ms. Briggs responded that is correct, yes.

Chairwoman Premsrirut asked Commissioners if there were any questions or comments from Commissioners?

Commissioner Stewart asked if Ms. Briggs was stating that producers opposed contract issues between the Basic Water Company (BWC) and the purchaser of BWC worked out.

Ms. Briggs responded yes, that is correct. Attorney Schwartz, counsel for the debtors, is available if the Commission would like to hear from him.

Chairwoman Premsrirut asked Commissioners if there were any further questions or comments from Commissioners on Agenda item.

Commissioner Kirkpatrick stated the Commission was right to stand our ground and now there is some protection for the smaller water companies asking is that correct. She asked what happened to the smaller players during the bankruptcy.

Mr. Witkoski responded, please keep in mind this happened today. CRCNV Staff are still reviewing the details. However, it is his understanding that the issues have been resolved. There might have been one, OLIN, but the rest are in agreement, and they were able to work out an arrangement. It is also my understanding that the court would be positioned to approve it.

Commissioner Kirkpatrick stated once the Commission has time to review it, come back with updates.

Mr. Witkoski responded that Special Counsel Briggs will bring updates. CRCNV Staff are looking to get approval as to form with the terms, once the paperwork is completed and lines up with what is proposed. Staff would not have to come back and bother the Commission again on this unless it is not what Staff anticipated. In that case Staff will come back to report to the Commission.

Commissioner Kirkpatrick responded that is what I needed to affirm.

Chairwoman Premsrirut stated the record reflect, Debtors' counsel is at the podium. If anyone has any questions or points of clarification for Attorney Sam Schwartz.

Commissioner Winterton addressed Attorney Schwartz, stating that the job of this Commission is to make sure that this Commission and the contracts that are being assigned are going to put the Commission in the exact same position we were in, and asked is there anything the Commission should be aware of, in your opinion, that would alter or cause the Commission pause to go ahead and consent to this assignment.

Attorney Schwartz, on behalf of Basic Water Company, Basic Water SPE stated Basic Water is selling the water system to one of the producing companies, TIMET and its parent company Precision Cast parts. They then reached agreements, so for question previously asked by Commissioner Kirkpatrick, it is clear they reached agreements to continue delivering water one to themselves, certainly, and then to two of the other producing companies, including Borman and Lhoist and then the fourth being Olin had agreed that it was no longer going to take water through the new process, so that it is a fully agreed transfer of contracts, including what starts with the 1969 contract, which is the one that governs the delivery of water.

What is important for the Commission is that the power contracts will then be transferred to the buyer that will allow the water system to continue to operate. If those power contracts did not move, then arguably the system would shut down and that would be a catastrophic issue. He believed Commissioner Kirkpatrick was worried for everyone.

This is a completely consensual agreement. It protects the contracts. The bankruptcy court agreed that the buyer will be designated the successor under the 1969 contract and will step into Basic Water Company's shoes.

TIMET and its parent company Precision Cast Parts is a multibillion-dollar company that can continue to perform as the Commission would expect. In answer to Commissioner Winterton question, yes, the Commission is really in the same place. It will just have a different counterparty, one that is much bigger and very well financed.

Commissioner Winterton asked how are the series of deposits that being handled.



Mr. Schwartz responded they are in a closing process so the deposits will be moved to the buyer. So those deposits will stay in place.

Commissioner Winterton asked will all the accounts stay the same.

Mr. Schwartz responded that that is correct, it should stay the same. Essentially, just a transfer of ownership of the buyer from Basic Water Company to what will be Henderson Water Company or HWC will be the successor.

Commissioner Winterton addressed Special Counsel Briggs asking are the deposits set based on different situations. Will the deposits stay the same under the Commission's rules and formats, there are no adjustments that the Commission will need to make.

Mr. Witkoski answered that the Commission has \$170,000 from Basic Water Company covering their collateral needs. Staff will be reviewing the collateral for customers in December 2023. The Commission may want to retain this collateral similar to what the Commission did with Borman to ensure that the Commission has collateral.

The Commission is positioned well currently. Staff have been laying off the power contracted to Basic Water Company to Southern Nevada Water Authority (SNWA) since last fall and SNWA is able to use it and being paid for the power.

Chairwoman Premsrirut asked Commissioners if there were any additional questions or comments for debtors Counsel.

Commissioner Stewart stated, BWC and or HWC is not delivering any water, right. At this point, Henderson is delivering water in cooperation with Las Vegas Valley Water District to the producers.

Mr. Schwartz clarified the water that is being delivered through the system, so in reference to Basic Water Company, our position is it is in fact delivering water. But the current route that is coming from to answer Commissioner Stewart question, that is correct. It comes from the City of Henderson, through the system and then out to the producing companies. So, it is BWC position that water is still be delivered. It is just where it is coming from, the source of the water has changed.

Chairwoman Premsrirut added the comment that when this matter was first brought to the Commission, she was in favor of approving it, primarily because it restored the Commission's position to where it was prior to the insolvency proceedings. Today, she is happy to hear that the approval not only does that, but also does not operate to prejudice any of the others that are part of this process.

**Commissioner Justin Jones moved for approval of the proposed Assignment, Assumption, and Consent Agreement among the Colorado River Commission (Commission) of Nevada, Basic Water Company and Henderson WC LLC of existing hydropower contracts and related agreements between the Commission and Basic Water Company. for approval for Basic Water Company and Henderson WC LLC of existing hydropower contracts and related agreements. The motion was seconded by Commissioner Stewart and approved by unanimous vote.**

**F. *For Possible Action:* Consideration of and possible action to approve contract CRCBF-09 between successful bidder, Peak Substation Services, LLC., and the Colorado River Commission of Nevada based on bid solicitation 69CRC-S2457 for Boulder Flats Solar Interconnection Project for HV Circuit Breakers for \$1,045,000.**

Executive Director Eric Witkoski introduced item F stating this contract is similar to the four contracts that Staff presented in September 2023. This should be the last material RFP and contract for this project. The background on the project that Staff is overseeing the building and construction of the transmission line for a new 230kV switchyard and ten-mile long 230kV transmission line in Boulder City, Nevada for SNWA's Boulder Flats Solar Interconnection Project.

This is the last material contract that the Commission needed, and it is for specialized high voltage circuit Breakers. These are circuit breakers procured by an RFP, Staff sent it out to 71 potential bidders, PEAK Substation Services was the sole bidder for this solicitation.

Assistant Director, Engineering and Operations Robert Reese stated the next contract Staff will be presenting to the Commission for this project will be the construction contract. Staff intends to release that RFP at the end of the month.

Staff recommended the Commission approve the contract CRCBF-09, with Peak Substation Services, LLC., for circuit breakers and authorize the Executive Director to sign it on behalf of the Commission.

Chairwoman Premsrirut noted that Peak Substations is the sole bidder for this solicitation, so irrespective of Staff sending it out to the 71 approximate eligible bidders, only Peak Substation, which is a vendor that the Commission consistently work with so this is something that the Commission can move to approve.

**Vice Chairwoman Kelley moved for approval of contract CRCBF-09 between successful bidder, Peak Substation Services, LLC., and the Colorado River Commission of Nevada based on bid solicitation 69CRC-S2457 for Boulder Flats Solar Interconnection Project for HV Circuit Breakers for \$1,045,000. The motion was seconded by Commissioner Jones and approved by unanimous vote.**

**G. *For Possible Action: Consideration of and possible action on presentation from the Bureau of Reclamation regarding stranded funds collected for post-retirement benefits in rates set by the Western Area Power Administration and transferred to the Bureau of Reclamation's Colorado River Dam Fund.***

Executive Director Eric Witkoski introduced Item G stating that Staff proposed to withdraw this Item and bring it back at another time.

Chairwoman Premsrirut responded the Commission will deem agenda item G withdrawn and move to the next item.

**H. *For Information Only: Presentation by representative from Bureau of Reclamation at Hoover Dam regarding Visitor Center cost of operations and maintenance, revenue shortfall, and options to raise revenue to pay for the costs of operations to reduce costs paid by hydropower contractors.***

At the Commission meeting on September 12, 2023, Terri Saumier, Facilities Services Manager for the Bureau of Reclamation (Reclamation) Lower Colorado River District Office made a presentation about the under-recovery of expenses incurred by Reclamation to support Visitor Services at Hoover Dam and the need to charge an entry fee per vehicle to eliminate the subsidy paid by power customers.

The presentation showed that Visitor Services earns revenue from tours, parking, merchandise sales, and commercial use authorization, but Reclamation still under recovers all the costs imposed by Visitor Services at the facility and hydropower customers are required to cover the deficit and subsidize Visitor Services. Reclamation has considered charging an entry fee at Hoover Dam to offset the costs of Visitor Services.

Following the September 12, 2023, meeting, Staff requested and received updated information from Reclamation regarding the costs associated with Visitor Services and a revenue forecast with and without the proposed entry fee of \$15 per vehicle.

Assistant Director, Hydropower Gail Bates gave a presentation on Reclamation's updated numbers. A copy of the presentation is attached. (See Attachment A)

Chairwoman Premsrirut responded the chart presented definitely helps in terms of the math and removing the parking fee if Reclamation is charging the proposed entry fee per car.

Ms. Bates stated yes, that is correct.

Chairwoman Premsrirut stated as mentioned by Ms. Bates these proposals are not intended to be a profit center for the contractors It is more of a policy change such that those that are seeking to visit and enjoy the visitor center are the ones that are incurring and paying those costs. In the event of an excess amount how will that be handled and then conversely, are deficiencies still going to be handled by the power customers.

Ms. Bates responded that the major replacements in capital improvements is a number that floats up and down depending upon how much outside funding Reclamation receives, and it is intended, she believes, is the line will adjust either up and down for either revenue, shortfalls, or small overages. If the overages became significant, she believes the Bureau would have to look at adjusting fees at that point.

Commissioner Kirkpatrick commented that the goal is to keep the rates low for our customers. The customers already have some of the cheapest rates and \$5 per person is a lot for a family in today's environment.

Mr. Witkoski replied it is \$15 a car.

Ms. Bates replied yes, the entry fee is proposed to be \$15 a car, not a person.

Commissioner Kirkpatrick commented on how Reclamation gets here as opposed to the suggestion of accepting donations. There are some people that can make that \$20 donation or a couple dollars. It is already so expensive to do so many things, and this is part of Nevada's history, \$15 could be whether or not someone goes or not; Will Reclamation advertise this on the side of the roadway when people get off or are people going to drive all the way there and then realize they do not have enough to get in or it is really not what they intended and then people leave. Are we going to leave a sour taste for those visitors. People in DC are so lucky to be able to get free entrance to everything and when tourists come to Nevada, we tax the tourist on everything, and Nevada pay nothing. At the end of the day, we can agree to disagree, and I am always fiscally responsible. \$15 per carload, why is it not free or why is there not another option I have a different philosophy and do not agree with charging people to see history.

Ms. Bates responded that the intent is to treat the Dam similar to the other national parks. The other national parks charge higher fees than \$15 a car. Some of the proposals are free days, at certain times of the year, to allow those that cannot afford it to be able to enjoy it.

The overriding reason why Reclamation is taking this so seriously is because there is a lot of pressure on power rates for Hoover Dam. Reclamation has a significant number of expenditures coming up at the plant because the infrastructure is aging, and repairs are needed. Hydrology has impacted generation rates.

Even though the rates are competitive, when there are customers, for example like Lincoln County Power District, who has 90% Hoover, even a couple of dollars increase on that rate, is impactful to the people in that community. There are a lot of small customers like Lincoln in the customer base and those are the customers we are trying to protect.

Commissioner Kirkpatrick stated no, it is understood. But at the same time, the customers also have to look at other avenues for power as a whole. This is why it is so concerning. Reclamation itself should have to step up and help fund some of this at the end of the

day, what are our federal counterparts saying? Because this is their responsibility. We are all working to preserve it so that water can flow through it. I disagree.

Commissioner Kirkpatrick explains our children in Nevada do not know our history because families cannot afford to go, or it costs every time they turn around. This is why children have no idea, or families today have no idea why we exist. It bothers me as a long term, Nevadan. I would rather see the Dam have a donation box.

Mr. Witkoski said this is why the Staff is putting it out here for discussion. National parks have 5 free days a year. The Commission could convince the feds to include Nevada Day as well, that is a lot of time where people are off and they could visit the Dam and have a free day that way. Staff is just looking for feedback. The dilemma is that Nevada has people out in Pahrump, people in Overton, and people at Lincoln Power District subsidizing the visitor center, and so that are some of challenges for the Commission. This is an odd request; it is something that has come up time and time again. The Engineering and Operations Committees (Committee) are dealing with the contractors and looking for answers. This is an odd request, but Reclamation is asking us to take a look at it.

Commissioner Winterton commented that this seems really simple. Reclamation cannot charge an entry fee why not change the parking fee to \$15 a car, which can be done today. To address Commissioner Kirkpatrick concerns, Reclamation could just do a parking voucher if the public goes online and if they can prove that they are a resident of Clark County and have a child of school age or whatever the criteria is, then Reclamation can issue a free parking voucher online and people can still go and do it for free. Reclamation can change the parking fee to \$15 a car and accomplish the exact same thing.

Ms. Bates replied yes, Reclamation could raise the parking fee except for the fact that there are only about 25% of the visitors to the Dam that actually go in the parking garage and park in the garage.

Commissioner Winterton responded then why would tie it to per car.

Ms. Bates replied Reclamation has a lot of traffic that comes on to Reclamation property and are using the facilities, but they are not paying the parking fee.

Commissioner Winterton asked where those cars are going to park. Are they pulling in and then pulling out.

Ms. Bates stated there are several areas that are not established parking garages. People can park for free, people come to the property, enjoy the facilities, use the restrooms, go to the exhibits. People do not pay a dime to do it.

Commissioner Winterton stated there is not enough parking. There is a way around this. It is not that complicated. The donation thing could start tomorrow. As for parking, call it temporary parking, do it in the name of a parking fee.

Ms. Bates stated Reclamation has exhaustively looked at many options. Reclamation is studying, though they are studying the donation approach as a way to supplement what we are getting, especially if they can implement it rather quickly so they are looking at that.

Commissioner Jones stated it seems like statutorily there is only one thing that Reclamation cannot call it, and that is the thing that the Commission is asking for permission to go get federal authority for. Why not call it an exit fee? There is only one thing that you cannot call it in and charge for it, whether it is a parking fee, whether it is a use fee, whether it is an exit fee, come up with a different name for it.

Ms. Bates responded the solicitors have looked at many of these approaches and Reclamation has been shut down for the most part on many of these other approaches.

Mr. Witkoski stated the dilemma faced is that we are the state, we do not run the feds, it is a little bit challenging. Staff has a customer meeting scheduled for October 19<sup>th</sup> and there is a Engineering and Operating Committee meeting at the end of this month so maybe Staff can learn more and bring it back in December.

Ms. Bates responded Yes, the Hoover Dam and Committee meets the last week of the month.

Mr. Witkoski stated Arizona is trying to look for a way around the entry fee. Staff could bring this item back in December to gather some more information. This is a worthwhile discussion, and realizing that everyone is a little frustrated, but if Staff can get this kind of feedback, then Staff can go talk with and see what else Reclamation can do, then can bring more information back in December.

Chairwoman Premsrirut stated furtherance of that discussion, she received some clarifying questions for Commissioner Kirkpatrick. The question is it the resistance to implementing something like charging a fee to everyone or charging a fee to particular people.

Commissioner Kirkpatrick expressed there is a lot of field trips of Nevadans that go out to that Hoover Dam. Whether it is, our senior citizens, parks and recreations, whether it is the summertime the kids going, and she does not want people to not be able to go. So, a daycare cannot go because they have to figure in all the costs for all this and parents can only pay so much.

Commissioner Kirkpatrick asked is there a donation amount that we can ask companies to help a little bit so the prices can be lowered. Why can there not be a donation entry fee or can Reclamation start out with a smaller entry fee, maybe \$10. Most people can pay \$10. She worries that Nevadans will not go because of the cost. It makes or breaks whether daycare goes out to Hoover for the day, that cost adds up.

Ms. Bates stated she was not sure about seniors, Mr. Pyper did clarify that school children are exempt from fees. Schools are allowed to participate on field trip days.

Chairwoman Premsrirut stated that Commission welcomes Commissioner Kirkpatrick's comments. It always adds another layer and dimension that those who are not in day-to-day government think about or are on the forefront of our minds and basically valid criticisms of policies that come before us, it is the Commission's job to balance all the competing interests, being the power customers and the ability to subsidize this versus the right that Commissioner Kirkpatrick feels for Nevadans having access one of our state treasures.

Chairwoman Premsrirut asked if this agenda item is brought back or if the Commission moves on this today, is it to support seeking federal legislation, does this mean if something is approved, the Commission is approving this \$15 price tag, or is it just the spirit of the legislation.

Mr. Witkoski stated it would just be the spirit, that is the dilemma Staff has, it is only through the Committee which meets quarterly with Reclamation, the Commission will not be controlling the charge. It is a little concerning but when the Committee looks at other national parks and what they charge, which is more, Staff, the Committee and Reclamation try to look at other options.

Chairwoman Premsrirut stated so in essence, if we let the proverbial cat out of the bag, we are not sure where the cat is going to go.

Mr. Witkoski replied yes in full disclosure.

Commissioner Kirkpatrick asked can Reclamation seek legislation that just allows for an entry fee and then regulations established on the local, on this level. Is there a way to divide this up so that Reclamation can spread it out or will Reclamation go through the same thing in 10 years if the costs have outgrown the fee, what happens then. Reclamation does not have an ability to do it, so why not leave it as a broad scope with a local Colorado River regulation making ability or something.

Mr. Witkoski said yes, we can look at this. The other reason for mentioning the December meeting were discussions with Arizona and Arizona talked with their representatives. Arizona has different ideas. Arizona may want to have similar things for Arizona residents. We could give the Commission a better picture if brought this back in December.

Commissioner Kirkpatrick asked if this is both sides of the Dam.

Mr. Witkoski replied yes, because the public can no longer go over the Dam to get to Arizona.

Commissioner Kirkpatrick stated there has to be a way, next month the Commission will figure out how to start a foundation to save the Dam and its history. There has got to be a better way for at least the public sector to keep this at a reasonable amount and to actually finish it, because this does not do anything more than keep status quo for the long term.

Chairwoman Premsrirut asked if there is a time constraint imposed on this agenda item H.

Mr. Witkoski stated no, getting federal legislation is a challenge, this would be a long-term project. As far as federal law is concerned, the feds just want to have the work done and a bill language, so the opportunity comes up, then the feds are ready. But this is long term.

Chairwoman Premsrirut asked is this something that the Commission feels we would benefit from with more information or more research so which the Commission would table this or alternatively, is there something else that the Commission wishes to see done with this agenda item, as a preliminary measure.

Commissioner Stewart suggested that the Commission wait and see what Arizona's input is and until the Commission has all the facts, all the asks, and all the objections at this time. That would be the suggestion that the Commission maybe table this until after the meeting at the end of this month.

Commissioner Stewart stated for better understanding of the fee structure, is the \$11 million in tour revenue from people purchasing a ticket to go inside the Dam and merchandise in the shops.

Ms. Bates stated yes, that is correct. There is a power plant tour and then there is a more expensive Dam tour.

Commissioner Stewart thanked Ms. Bates for the confirmation and providing the Commission information to have all the different revenue sources in mind when it is revisited in December.

Commissioner Puliz asked are the costs shared between Nevada, California, and Arizona. Since the power companies have to pay for it, does that mean California pays most of it since they get most of the power.

Ms. Bates replied yes, Nevada, California and Arizona pay in proportion to our Hoover contract shares.

Commissioner Puliz stated this is something that the Commission should look at. California is paying for 70% of the power instead of our tourists having to pay for all it. Ms. Bates stated California pays 50% Arizona's roughly 25, and Nevada is 25%.

Commissioner Puliz stated if others are paying for it, then our tourists maybe should not have to pay for everything.

Vice Chairwoman Kelley supports the effort to continue the conversation. She is interested in how the \$15 per car arrived upon and what kind of price elasticity research was done. Commissioner Kirkpatrick has raised valuable perspective. She appreciated Commissioner Winterton's effort to simplify what is trying to be achieved.



Vice Chairwoman Kelley has no interest in making this more complicated but there is the tourism perspective, the resident perspective, the public can no longer cross over Hoover Dam and get into Arizona to travel, they have to go back so this is really a Nevada-centric problem, which she thinks appeals to the Commission who are Nevadans. So, we want to make sure that we can support our customers want we believe collectively is the right thing.

The Commissioners agreed to table this discussion until December 12, 2023.

**I. For Information Only: Update on pending legal matters, including Federal Energy Regulatory Commission or Public Utilities Commission of Nevada filings.**

Special Counsel, David Newton gave an update on “Save the Colorado” stating the Commission received a notice about two weeks ago that the court is going to set oral argument, Staff is looking for the dates to be set either in February or April 2024.

Chairwoman Premsrirut asked Commissioners if there were any questions or comments for this agenda item I. There were none.

**J. For Information Only: Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada’s consumptive use of Colorado River water, the drought contingency plan, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski shared the Dr. Turkett unfortunately was unable to be present for this item due to circumstances beyond his control but added that Lake Mead is at 1066-1065 and doing well.

Staff anticipates sending an email update within this month.

**K. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action.**

Chairwoman Premsrirut asked if there were any comments from any member of the public present in the Chamber or any member of the public participating remotely that wish to address the Commission. There were none.

**L. Comments and questions from the Commission members.**

Chairwoman Premsrirut asked if there were any comments or questions from any Commission members. There were none.

**M. Selection of the next possible meeting date.**

The next meeting is tentatively scheduled for time 1:30 p.m. on November 14, 2023, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155.

**N. Adjournment.**

The meeting was adjourned at 2:22 p.m.



Eric Witkoski, Executive Director

APPROVED:



Kara J. Kelley, Vice Chairwoman

<b>Hoover Dam Revenue vs Expenses FY2025 Comparison</b>		
	2025 Projected w/o Entry Fee	2025 Projected w/ Entry Fee
Annual Vehicle Count	938,526	938,526
<b>Estimated Revenue</b>		
Proposed Entry Fee (\$15 per car)		\$ 14,077,895
Tour Revenue & Merchandise	\$ 10,800,000	\$ 10,800,000
Parking <sup>1</sup>	\$ 3,500,000	\$ -
Commercial Use Authorization	\$ 2,700,000	\$ 2,700,000
<b>Total Estimated Annual Visitor Revenue</b>	<b>\$ 17,000,000</b>	<b>\$ 27,577,895</b>
<b>Estimated Expenses</b>		
Annual O&M	\$ 18,000,000	\$ 18,000,000
Major Replacements/Capital Improvement <sup>2&amp;3</sup>	\$ 3,832,895	\$ 3,832,895
Debt Repayment (Visitor Center)	\$ 5,745,000	\$ 5,745,000
<b>Total Estimated Annual Visitor Expenses</b>	<b>\$ 27,577,895</b>	<b>\$ 27,577,895</b>
<b>Power Customer Annual Subsidy</b>	<b>\$ 10,577,895</b>	<b>\$ 0</b>

1. Parking fees will be eliminated with implementation of Entry fee
2. Budget Target is \$7M - Project execution will be adjusted to align with actual Visitor Services Revenue
3. Hoover Dam aggressively seeks outside funds for Capital Improvement projects