

## **SAN JUAN RIVER RECOVERY IMPLEMENTATION PROGRAM**

### **COORDINATION COMMITTEE**

**DECEMBER 15, 1998**

**FARMINGTON, NEW MEXICO**

Renne Lohofener, Geographic Assistant Regional Director-Arizona/New Mexico called the meeting to order. Committee members and the audience introduced themselves. Coordination Committee members or their substitutes in attendance were:

Renne Lohofener	U.S. Fish and Wildlife Service, Region 2
John Hamill	U.S. Fish and Wildlife Service, Region 6
Errol Jensen (for Patrick Schumacher)	U.S. Bureau of Reclamation
Bob Krakow	U.S. Bureau of Indian Affairs
Joel Farrell (for Lee Otteni)	U.S. Bureau of Land Management
Randy Seaholm (for Peter Evans)	State of Colorado
John Whipple (for Tom Turney)	State of New Mexico
Scott McElroy	Southern Ute Indian Tribe
Jessica Aberly and Les Taylor	Jicarilla Apache Tribe
Dan Israel	Ute Mountain Ute Indian Tribe
Stanley Pollack	Navajo Nation
Tom Pitts	Water Development Interests

Biology Committee members in attendance:

Jim Brooks	U.S. Fish and Wildlife Service, Region 2
Frank Pfeiffer	U.S. Fish and Wildlife Service, Region 6
Larry Crist	U.S. Bureau of Reclamation
Ron Bliesner	U.S. Bureau of Indian Affairs
David Propst	State of New Mexico
Bill Miller	Southern Ute Indian Tribe
Paul Holden	Jicarilla Apache Tribe
Vince Lamarra	Navajo Nation
Tom Wesche	Water Development Interests

The Biology Committee member for the State of Colorado was not present; the Bureau of Land Management and the Ute Mountain Ute Indian Tribe currently do not have representatives on the Biology Committee.

**Minutes of February 25, 1998, Coordination Committee Meeting:** Final minutes of the February meeting are available and will be transmitted to Coordination Committee members. With the provision that any comments provided on the draft minutes have been incorporated into the final version, the minutes were approved. Further comments will be added as an addendum to the minutes.

**Minutes of October 15, 1998, Coordination Committee Meeting:** Committee members will review the draft minutes and make comments before final approval.

**Agenda:** The agenda was reviewed, and minor changes and additions were made. The discussion topics provided below are in the order of the revised agenda.

***Review and clarification of motions and actions taken at the October 15, 1998, Coordination Committee meeting to adopt the flow recommendations report:***

State of New Mexico representative John Whipple opened the discussion concerning the differing understandings of the motion passed by the Coordination Committee at the October 15 meeting. The specific question was the disposition of certain cited sections of chapters 7 and 8 of the report - whether they were deleted or whether they were not adopted pending revisions submitted by the Biology Committee. The motion passed at the October meeting stated:

***It is moved that the Coordination Committee adopt the San Juan River flow recommendation report with the exception of the text beginning with Parameter Selection and Optimization Process Section on page 7-16 through page 7-20 and the text beginning with Model Results on page 8-10 through 8-19 and with the expansion of the***

***document to include the additional examination of both the 5000 cfs and the 6000 cfs release scenarios.***

This was reported in the draft minutes of the meeting as worded. Mr. Whipple's understanding was that the sections would be deleted, not left unapproved until amended. Based on Mr. Whipple's comments, the motion had been revised in the draft minutes to include the deletion of these sections. The Coordination Committee corrected the minutes to indicate that the intent of the motion was to not adopt certain sections of the report pending additional revisions. The motion will stand as originally worded.

In order to avoid future misunderstandings concerning the exact wording of motions before the Committee and actions taken by the Committee, it is requested that all members provide in writing the motion they are proffering to the recordkeeper at the meeting.

***Submission and discussion of revised Draft Report on Flow Recommendations for the San Juan River:***

Because the Biology Committee received the bulk of comments from Coordination Committee members around November 24, rather than the requested date of November 9, the revised report was late in being transmitted to the Committee. All comments received on this and other versions have been circulated to the Biology Committee members. To the extent that the report is modified, responses to comments are evident. However, other comments that are not reflected in the new text or answered by the Committee are of concern.

There are several editorial changes to be made to the report; in addition, the comments by the peer review panel will be incorporated or addressed by the Biology Committee. All comments on the December 4, 1998, draft report are to be provided to Paul Holden no later than January 15, 1999. The Biology Committee will make final revisions or additions to the report and, in a separate document, address all comments received and complete the record.

A member of the audience asked the Coordination Committee when the report would be available to the public. The date at which the document could be released for public information depends upon when all comments from the Coordination Committee are received.

***Status of Peer Review, Synthesis Report, and Monitoring Plan:***

Paul Holden distributed comments on the previous draft flow recommendation report that had been received by the Biology Committee after the printing of the December 4 version. These comments will be addressed in the final version, together with any comments on that version from the Coordination Committee. (Comments must be resubmitted specific to the December 4 draft; comments on earlier versions of the document may not be pertinent any longer to this version.)

The Biology Committee has identified two windows of time in February to meet with the peer review panel (specific dates will depend upon availability of members of the panel). At that meeting, the committee and the panel will

review the monitoring plan, the outline for the synthesis report, and the long-range plan. (Some members want to see the synthesis report address nonflow issues. The synthesis report will be reviewed by the Peer Review group and will check to see if the Biology Committee did what they said they would do.)

Some members would like to see public education and more public involvement become a goal of long-range planning. It was suggested that possible development of a web site for the San Juan Recovery Implementation Program would be a viable option in informing the public about the program and providing copies of documents to the public. It was further suggested that final documents be distributed for public review.

Members of the Coordination Committee also stated that the long-range plan should include recovery goals for the endangered fish and/or their habitats, and that the synthesis document should address adaptive management. One member suggested that an adaptive management document include a definition of the adaptive management process with goals and milestones of the program included. Defined recovery goals for the San Juan River need to be identified. Adaptive management will identify responsibilities directing the program and will guide the program.

#### ***Implementation of Flow Recommendations:***

Water Development Interests representative Tom Pitts introduced a resolution for consideration by the Coordination Committee that underwent lengthy review, discussion, and revision. The Coordination Committee unanimously approved the resolution in the following format:

### **Draft Motion for Consideration by Coordination Committee**

#### **Regarding Implementation of Flow Recommendations**

#### **WHEREAS**

- San Juan River Basin Recover Implementation Program has completed 7 years of research, and the Biology Committee is proposing to draft a "bridge document" to guide the transition of the Program from research to recovery actions; and
- One of the important products of that 7-year research is initial flow recommendations for the San Juan River; and
- Implementation of flow recommendations will involve re-operation of Navajo Dam, development of an environmental impact statement regarding re-operation of Navajo Dam by U.S. Bureau of Reclamation, development of procedures for future section 7 consultations in the San Juan River Basin, and a continuous process of adaptive management, and
- The Coordination Committee supports public input regarding Recovery Implementation Program activities, and
- The Recovery Implementation Program is in transition from a research phase to active implementation of

recovery actions.

### **BE IT RESOLVED that**

- The Coordination Committee adopts the flow recommendations in the December 4 draft report.
- The Biology committee will provide written responses to written comments on the December 4 draft and the comments of the peer reviewers. The written comments and responses will be made part of the record. The coordination Committee will consider approval of the final report in early 1999.
- During 1999, the Coordination Committee will consider procedures for application of section 7 consultation in the San Juan Basin, the Biology Committee will complete a bridge document to guide the transition of the Recovery Program from a research effort to recovery actions, and the long-range implementation plan will be revised and adopted by the Coordination Committee.
- As part of its adaptive management process, the Coordination Committee will conduct a review of the Recovery Implementation program in December 1999. The Coordination Committee will solicit public input on the future direction of the Recovery Implementation Program as a part of its review.
- As part of its public education and input effort, the Coordination Committee will provide for wider public circulation and discussion of the flow recommendations and the actions being taken to implement those recommendation, section 7 procedures for the San Juan Basin, long-range implementation plan, and bridge document.
- The Coordination Committee supports full implementation of the public notice procedures adopted in February 1997 by the Recovery Implementation Program.
- The Coordination Committee will consider public input on the Recovery Implementation Program as an integral part of the adaptive management process, and will continue to provide opportunities for public input to the Recovery Implementation Program in the future. The Recovery Implementation program Coordinator will develop and implement a public involvement plan in early 1999.

**Coordination Committee decision making process:** Tom Pitts initiated the discussion stating that the Coordination Committee should make more effort to ensure consensus in decision-making. This was evident in the votes of the October 15 meeting concerning the flow recommendations and in the Service's attempt to bring the National Park Service into the Recovery Implementation Program as a voting participant through requiring such participation as a reasonable and prudent measure in a nonjeopardy biological opinion.

State of Colorado representative Randy Seaholm concurred with Mr. Pitts and stated that he will be drafting an amendment to the Recovery Implementation Program Document to state that any Federal entity brought into the Recovery Implementation Program through section 7 consultation would not be an independent voting participant, but would rather share a vote with another appropriate Federal agency.

***Proxy Voting by Coordination Committee members:***

In the interests of time, Mr. Pitts offered to table this discussion until the next meeting of the Coordination Committee.

***Fiscal Year 1999 Annual Budget and Work Plan:***

The Fiscal Year 1999 Work Plan has restructured work items into 4 categories:

Monitoring (\$200,000)

Program Management and Reporting (\$138,000)

Research Activities (\$180,000)

Recovery Actions (\$180,000)

Funding Sources are as follows:

Southern Ute Indian Tribe (Misidentified as Jicarilla in the draft Work Plan.) \$14,025

Bureau of Reclamation \$400,000

Bureau of Indian Affairs (Program and Direct) \$604,948

Fish and Wildlife Service \$126,500

It was noted that the Project Proposal for Program Coordination (\$38,000) by the Fish and Wildlife Service had no deliverables, particularly with respect to the identified needs for public information and involvement. It was also noted that although Bureau of Land Management representative Joel Farrell stated that their monitoring was continuing, no scope of work or project proposal had been provided for inclusion in the Fiscal Year 1999 Work Plan.

The Coordination Committee, by unanimous vote, approved the Fiscal Year 1999 Work Plan with the provision that the Fish and Wildlife Service provide a scope of work with deliverables for the Program Coordinator, and that the Bureau of Land Management provide the project description and funding commitment for the ongoing monitoring conducted by that agency. These additions to the Work Plan are due to Ron Bliesner no later than December 24, 1998.

There was a discussion on endangered/threatened fish in the river and that only larvae were being stocked. Biology Committee members pointed out that ongoing studies are now being done on the stocking of razorback larvae in the river. Data from those studies will be used in stocking Colorado squawfish. It was also pointed out that it is

irresponsible to stock fish without studying the impact of the stocking on the river. Information is being accumulated on razorback sucker stockings and will be incorporated into research on the Colorado squawfish. Since the Colorado squawfish are a predator so Biology Committee members want to move slowly. In the work plan for Fiscal Year 2000, some members want specific information on the Colorado squawfish and razorback sucker stocking program. Others preferred to wait until carrying capacities and information on the food base was determined.

***National Park Service membership: Continuation of October 15 discussion:***

The interpretation of the Recovery Implementation Program Document by the New Mexico Ecological Services Field Office that a nondiscretionary reasonable and prudent measure requiring participation by the National Park Service (NPS) in the Recovery Implementation Program was within the purview of the Fish and Wildlife Service was found to be in error. The Fish and Wildlife Service has amended the Biological Opinion issued to the NPS to rectify this misinterpretation and remove the requirement for participation in the Program.

National Park Service representative John Rittenour addressed the Coordination Committee and described the responsibilities of the NPS for the 45 miles of free flowing San Juan River and the inflow area to Lake Powell that lie within the boundaries of the Glen Canyon Recreation Area. As the recovery of the endangered fish species focuses on the importance of these downstream areas, the NPS views its ability to support the goals of the Recovery Implementation Program and the recovery of the endangered fishes as beneficial to both the Recovery Implementation Program and the NPS. This issue will be revisited at the next Coordination Committee meeting. Information will continue to be provided to the NPS.

***Public Service of New Mexico's offer to fund the design of modifications to their weir.***

The Bureau of Reclamation is considering the request of PNM to renew and extend its water contract for 16,200 af for the San Juan Generating Station. The Generating Station obtains its water from the San Juan River via a weir and diversion. Preliminary discussions with the Fish and Wildlife Service identified fish passage as a potential issue for the weir. In 1996 and 1997, when discussions concerning the consultation took place, the Service stated that the issues of impediment to fish movement be investigated and that, if the weir were found to be a block for endangered fishes gaining access to upstream critical habitat, the weir be modified either operationally or structurally to remove such blockage. No action has been taken on this contract for 2 years, but the Bureau of Reclamation has informed the Service that a revised Biological Assessment will be submitted in the near future.

Mathew Laverly of PNM presented his company's proposed resolution for consideration by the Coordination Committee to cost share the expense of design and modification of the weir for this consultation. That proposed resolution is attached.

The Service requested that action on the resolution be delayed until the Service can review the Biological Assessment and until members of the Coordination Committee can determine the role of the Committee in such

consultations.

### *Scheduling of next Coordination Meeting*

The next meeting of the Coordination Committee will be held following the February meeting of the Biology Committee, which is pending due to coordination with the peer review panel. Chairman Lohofener will contact Coordination Committee members after the Biology Committee has agreed upon a date.

The meeting adjourned at 4:40 p.m.

### *Attachments*