

Approved November 2, 2001

**San Juan River Basin
Recovery Implementation Program
Coordination Committee
June 19, 2001
Meeting Summary**

Members Present:

Joy Nicholopoulos

Henry Maddux

Susan Jordan

Stanley Pollack

Dan Israel

Scott McElroy

Brent Uilenberg

Christine Karas

Tom Pitts

John Whipple

Randy Seaholm

Bob Krakow

Representing:

Fish and Wildlife Service, Region 2

Fish and Wildlife Service, Region 6

Jicarilla Apache Nation

Navajo Nation

Ute Mountain Ute Tribe

Southern Ute Indian Tribe

Bureau of Reclamation

Bureau of Reclamation

Water Development Interests

State of New Mexico

State of Colorado

Bureau of Indian Affairs

Welcome and Introductions: Joy Nicholopoulos welcomed everyone to the meeting and then those in attendance introduced themselves. A list of attendees is shown in Appendix A.

Review and Approve Agenda: The agenda was reviewed and several items were added. These included responses to the Program Evaluation Report under Biology Committee Update, and an update on the status of the Recovery Goals. Action items from this meeting are shown in bold italics and in Appendix B.

Approval of January Meeting Summary: There was a correction on page 2, under Old Business, it should read with fish passage, irrigation diversion and maintenance. There were also some editorial changes submitted by John Whipple that were clarified prior to the start of the meeting. The meeting summary was approved as amended.

Coordination Update: The Committee reviewed action items from the January 30 meeting. All items have been completed or are on schedule. Shirley Mondy then gave brief updates on the following:

Congressional tour - We are proposing a one-day float trip the third week in August, looking at the spawning bar and other habitat, showing sampling techniques, showing changes in the river, and nonnative removal techniques. It was suggested by the Committee to hold a briefing for the Congressional Staff the day before the float trip on what we are accomplishing in the Program. It should start around 3:00 pm, with a barbeque afterwards to meet the members of the Committees. It was requested that we schedule a stop to see the Hogback Diversion and see what has been done with capital projects funding so far. We will invite the delegation and their Washington and local staffers.

Minor depletions - Shirley discussed the status of the minor depletion account. According to the records, it appears that we are approaching the ceiling of 3,000 acre feet of minor depletions. Members of the Committee thought that there were two different allocations of 3,000 acre feet, the original and a new one that started with the new biological opinion. ***Shirley will get with John Whipple, Randy Seaholm and Ron Bliesner to sort out what depletions are in the baseline and where we actually are in terms of the 3,000 acre feet of minor depletions. This will be added to the agenda for next meeting.***

Biology Committee Update: Jim Brooks gave an update on the Biology Committee.

Genetics Management Plan: Larry Crist is working on a final draft of the genetics management plan. It will be available by the end of the fiscal year. He is trying to roll it in with all the propagation discussions that are going on, but it will not address facilities needs.

Augmentation Plans: Dale Ryden recently sent out a revised augmentation plan for the razorback sucker, and a new one is out for review on the Colorado pikeminnow. There was a question on whether these augmentation plans meet the recovery goals and if so, in what time frame? The plan says it will take 10 years to get 800 adult pikeminnow. The initial plan for the pikeminnow includes stocking 200,000 fingerlings in 2002. The population goal is not separable from the habitat conditions. We can't just stock twice as many fish and get to the goal twice as fast. The augmentation will be based on survivability, and we would increase the number of stocked fish if the habitat is available. The Biology Committee is doubling the stocking rates that were used during the experimental stocking program.

Positive population response criteria: The criteria is out for review and Larry Crist and

Reclamation have the lead for this. It has been discussed at the last two Biology Committee meetings. The recovery goals will be removed from appendixes because the Service is still revising them. Reclamation is responsible for submitting this report to the Service as one way to determine if flows are having the desired affect on recovery of the endangered fish. The criteria are consistent with the recovery goals and can be modified if needed. There was a question on whether there would be opportunities for others to comment on the document? It is a technical biological document to be completed by Reclamation as part of their responsibilities for the Animas/La Plata project. Comments from outside parties may delay the time frame set by the Service.

Program Evaluation Report (PER): Official comments from the Coordination Committee were submitted in July 2000, but written responses weren't completed until April 2001. There were concerns from the Coordination Committee about the process and the need to clarify responsibilities. Paul Holden stated that the Biology Committee had received comments from many people. The Biology Committee reviewed them and worked out changes at their meetings. There was a misunderstanding on whether a formal written response was due to the Coordination Committee and that accounted for the time delay.

The Coordination Committee asked the Biology Committee to produce a report that evaluates the biology, where we are and where we need to go. The PER does this and is to be used by the Coordination Committee for future direction. There is some disagreement on the wording in the PER, whether to legally protect flow recommendations or legally protect flows for endangered fish.

The Water Development Interests believe that the Biology Committee has attempted to redefine the goals of the Program because the original Program document does not have the roundtail chub as a separate goal in the Program but it is shown as Goal 3 in the PER. The Water Development Interests wanted their comments addressed and changed in the document before it was finalized because they think that the Biology Committee has wandered into policy areas. Water Development Interests were concerned that the Program Evaluation Report incorrectly asserts that the flow recommendations must be legally protected and that the goal of benefitting the roundtail chub is not a Program goal. Members of the Biology Committee pointed out that the Roundtail Chub has been part of the Program Long Range Plan from the beginning. The Ute Mountain Tribe wanted to know if biologically, we are making progress towards recovery of the fish. The Biology Committee responded that it is indeed making progress towards recovery.

Because of all the confusion, it was decided that we will add a sentence on the website version of the PER to say that it is a document of the Biology Committee and doesn't change policy or goals of the Program. ***John Whipple and Tom Pitts will draft a paragraph for the website.***

Rearing ponds: Rearing pond discussions began in November, were expanded in February and continued in May. There were discussions on the pros and cons of having all of the ponds in one area. We need 16 ½ acres of additional ponds for razorback suckers.

Private ponds - The Bluff water quality sampling was done in April and the water looks good. The sulfates are elevated, but not different from what you would expect for the geologic formations in the area. Two private parties may be interested in providing pond space for the Program. One is a landowner that has 5- 6 acres of pond space that is already being used for rearing fish, and the other is the City of Farmington which has approximately 30 acres of ponds.

Frank Pfeifer and Tom Wesche are putting together criteria for using private ponds. Private ponds are good for public relations, but there are some maintenance issues. We would need to come up with a lease, appraise the ponds, and make sure the private landowners have incidental take coverage under the Endangered Species Act.

BIA submitted a proposal for building all of the ponds on NIIP land. BIA can maintain them easier than if there were isolated ponds. The price is very reasonable compared to Upper Basin pond costs. We really need to build the ponds this fall in order to get fish in them in the spring. If BIA is patient about getting reimbursed for Hogback and Cudei, then we should move on it. Water Development Interests are supportive if it is consistent with water allocations and State law. According to BIA, the water allocation would come from NIIP, which is using Secretary of Interior water for agriculture and ESA purposes.

The Coordination Committee voted to accept and fund the proposal provided by BIA. The State of New Mexico passed on the vote.

Hydrology Committee Update: Errol Jensen reported that the model is being worked on and one of the biggest accomplishment was to get RiverWare and the State of Colorado s model to start talking. The modeling efforts are behind schedule. The modelers found that were a number of tasks that were interrelated. Table 2 shows what tasks are being combined. The Hydrology Committee proposal for work on the model is now \$454,000, originally \$400,000.

USGS will be coming twice as often as they had been to check the gages in the San Juan River. They will be gaging very near the time of the low flow test to ensure accuracy. There is nothing in the 2002 Work Plan for additional gaging. We need to do some work and verify that the gages are responding more closely.

Hydrology Committee Proposal: Randy Seaholm indicated that he had not received further changes to the proposal since the last meeting. The Coordination Committee made additional changes as noted below:

- " Page 1, add in accordance with standard operating procedures to the end of the first paragraph
- " Page 2, 3rd bullet - add In coordination with the Biology and Coordination Committees,
- " Page 2, 4th bullet - add In coordination with the Coordination Committee,
- " Page 2, 5th bullet - add In coordination with the Biology Committee,

Randy Seaholm presented a motion as follows: I move adoption of the final Proposal - San Juan River Basin Recovery Implementation Program Recommendation for Hydrology committee dated June 14, 2001, as modified today, and that said document formally replace in its entirety, Section 5.1.3 Navajo Dam Operating Committee of the Program Document dated February 1995. I further move that the Program Document be formally amended and reissued. The Hydrology Committee Proposal was approved. ***Shirley is directed to incorporate these changes and reissue the Program document.***

Section 7 Guiding Principles: - The version dated 06/08/01 is the option being discussed today.

There was a discussion about page 8, second full paragraph. If a project changes, the consultation could be handled informally. The Service is concerned that reinitiation has to be done every time, even if the project changes and is still in compliance with the biological opinion. If the Service can handle it informally, that is the preferred method. This is shown in the Section 7 part, not the reinitiation part.

- " Page 8, it was decided to delete the second sentence of paragraph two which starts with The option of requesting...
- " Page 7, 3rd paragraph substitute reinitiated for subsequent
- " Renumber (letter) Section 7
- " Under Section 3. Long Range Plan, third sentence from the bottom was changed to read The LRP will be reviewed annually by the Program and modified as needed....

The Principles for Conducting Endangered Species Act Section 7 Consultations was approved as amended.

Hogback/Cudei Breakdown of Costs: Bob Krakow passed out information on the total costs of Hogback (\$3,958,486), Cudei (\$83,809), and Hogback canal improvements (\$233,355). BIA thinks that the total costs (\$4,275,650) should be reimbursed by the Program. Reclamation thinks we should break out the fish passage costs.

BIA explained that they had to ensure a stable diversion structure at Hogback to enable Cudei to be taken out. BIA was asked to look at costs of maintaining the old diversion structure vs. building the new one. That information wasn't provided and the Committee didn't think there was enough information presented to make a decision.

The Committee would like to see a justification for the costs that are to be reimbursed. If the Program was looking at fish passage at Hogback right now, we would do a feasibility design for fish passage only. It was decided that there are still some unresolved issues between the BIA and the Program on how much of the costs should be reimbursed. ***Representatives from BIA, the Navajo Nation and Reclamation will get together and discuss this issue and bring a proposal back to the Coordination Committee.***

PNM Fish Passage: The Biological Assessment was delivered to the Service on April 27. The Service is now working on the biological opinion. Reclamation is working with the Navajo Nation to develop a scope of work for operating the fish passage.

Low Flow Test: Reclamation still has the low flow test scheduled for the week of July 9. NMDG&F wants Reclamation to cover total replacement of fish lost during the test. Reclamation has \$25,000 to replace fish. Some Committee members are concerned about when Reclamation would terminate the test and what would cause the test to be stopped?

In the Environmental Assessment, Reclamation indicated that they will take into consideration the following factors:

- " notification from the State Engineer s Office that senior water rights are not protected
- " endangered fish are being adversely affected
- " trout fishery is being adversely affected
- " native fish are being adversely affected
- " public health and safety are being compromised (if municipality s water supply is adversely affected)
- " critical habitat flows are less than 500 cfs.

Political influences may stop the test as well. Service and NMDG&F personnel will be on the river every day and will help assess the impacts on the fishery resources.

Recovery Goals Update: The Service has been meeting with several parties, including the State of Colorado to discuss their issues regarding the recovery goals. *Shirley Mondy will request that Bob Muth, Program Director for the Upper Basin, give us an update on the status of the recovery goals.*

Navajo/Gallup Pipeline Update: BIA has initiated informal consultation with the Service. There is minimal funding this year or the project so it looks like the schedule will slide past fall. BIA and the Navajo Nation are still figuring out how to deal with depletions. Colorado said there is not an adequate water supply in the New Mexico portion of the compact to supply the project. Reclamation, Colorado and the Navajo Nation have been working on those issues. The State of New Mexico would like to be involved in the Section 7 consultation. BIA is currently engaged in discussions with the Service on the depletions and how to take the depletions out on a schedule that does not hurt the fish. Colorado has significant issues on how this goes forward and wants to remain in the loop. *Keep as an update item for next meeting.*

Turley-Manzanares Ditch: Because the high spring flows were causing impacts to the Turley-Manzanares Ditch, Reclamation and the Corps of Engineers provided technical assistance and design alternatives to ditch users. Two alternatives for minimizing impacts to the ditch were developed. One is using a pump (\$250,000 plus operating and maintenance costs) and one utilizes their existing facilities (\$430,000). Although the second is more expensive, they would save \$700,000 in operating and maintenance costs. There are potential sources of funding,

providing 92.5 % of the cost. The remainder of the cost (\$32,000) would have to be borne by the ditch users.

At 5000 cfs, the water is over a foot above their head gate. The folks on the ditch do not have the financial ability to do the work, but they are impacted the most. Implementation of the flow recommendations impacts the group. The Corps proposes that the Program help with the \$32,000. There was some concern from Committee members that if we help the Turley - Manzanares Ditch, then all the other ditches will come forward. The New Mexico Interstate Stream Commission could be approached to provide a low interest (2 ½ %) loan for the remainder of the project cost.

It was mentioned that NMDG&F has money for river access. Dave Propst was asked to pass on this information to the appropriate department.

The discussion was tabled. Committee members would like to see if they could come up with other sources of funding. ***Add this item to the agenda for the next meeting. Someone from the Water Development Interests will help explore funding possibilities.*** Thank you to Reclamation and the Corps for doing this work. Dick Kreiner is the point of contact if people come up with other sources of funding.

2002 Work Plan: The Program Coordination, Program Management, Capital Projects and Capital Projects Management, Utah s, Bill Miller s integration report, and PNM Fish Passage scopes of work are still under discussion or have not been submitted yet.

Coordination Committee comments are due on all scopes of work by July 3. All revised scopes of work and missing ones are due July 24. Shirley will compile them and get a revised draft Work Plan back to the Coordination Committee by August 1 for discussion at the September 5 meeting. The Biology Committee will hold a conference call after this meeting and revise scopes of work as appropriate.

Because of time constraints, it was decided to look at the overall work plan for any big picture items. It was brought up that there were scopes of work for water temperature monitoring, water temperature analysis, and water temperature modeling. Should the temperature modeling wait until some of the analysis has been done? If not, we are making a big assumption that the temperature modification is necessary. We need to make sure we have a good history of data before modeling. The modeling effort was discussed at the Biology Committee, but it was decided that concurrent efforts would be ok.

Roundtail chub scope of work: How important are the roundtail chub for the recovery of the pikeminnow? Committee members would like to make sure that we build a process in a logical order. FWS, water users and the States of Colorado and New Mexico were supposed to help look for additional funds. Some members do not want this included for Program funds.

Peer review scope of work: What is the process for selecting peer reviewers? We need to identify the expertise we need and the criteria to select them. It was decided that we need some other reviewers so others are being contacted. The funding proposal is to pay for three people and David Galat, who is paid by Biological Resources Division of USGS, with any combination of expertise - fisheries biologist, geomorphologist, statistician/biologist. Tom Pitts recommended that the Peer Review Panelists should be reviewed and approved by Coordination Committee.

Integration report scope of work: We may need more expertise than what is shown and may need an outsider to do the integration. The cost of \$200,000 appears to be really high.

Population model scope of work: Bill Miller and Vince LaMarra met to revise the razorback numbers, but found a problem in the model. They made contact with Wisconsin to fix the problem as the program is a freebie from them. The pikeminnow model is in progress. It has gone from conceptual model to a more usable model and will help us answer questions about survivability.

Hydrology Committee proposal needs to be rewritten so it does not cross reference last year's proposal.

Program Coordination scope of work: We need to make sure that all of those items listed in the February 1997 list of duties are shown. Coordination of all scopes of work, including expanding the bidding process, should also be included.

Overall, Coordination Committee members would like to see hourly costs, out year costs identified, comparisons with last year's proposal and more detail in the scopes of work. We need more accountability.

Tom Pitts would like a letter from Reclamation stating that sole sourcing of this work is ok and that all Federal acquisition regulations are being followed.

It was mentioned that it would be beneficial if Coordination Committee members would talk to their Biology Committee members to address their concerns and to get questions answered.

Next meeting: September 5, 9:30 am - 4 pm in Durango, Colorado

Appendix A

Others Present	Representing
Jim Brooks (Fish and Wildlife Service)	Biology Committee (Chair)
Errol Jensen (Bureau of Reclamation	Hydrology Committee (Chair)
Shirley Mondy, Program Coordinator	Fish and Wildlife Service
Paul Holden (Biology Committee)	Jicarilla Apache Nation
Dave Propst (Biology Committee)	State of New Mexico
Steve Platania (Biology Committee)	University of New Mexico
Steve Harris (Hydrology Committee)	Colorado Water Users
Ed Warner	Bureau of Reclamation
Rob Ashman	PNM
Bill Miller (Biology and Hydrology Committee)	Southern Ute Indian Tribe
Randy Kirkpatrick (Hydrology Committee)	NM Water Users
Ron Bliesner (Biology Committee)	Bureau of Indian Affairs
Nancy LaMascus	City of Farmington
Dick Kreiner	Corps of Engineers
Amy Kraft	Water Development Interests
Bernadette Tsosie	Navajo Nation
Bob Richards	Northwest New Mexico Council of Governments
Jason John	Navajo Nation
Matt Lavery	Public Service Company of NM
Rob Clifford	Four Corners Power Plant
Rob Ashman	Public Service Company of NM

Action Items

Appendix B

<i>Action Item</i>	<i>Responsible Party</i>	<i>Due Date</i>
Sort out what depletions are in the baseline and where we actually are in terms of the 3,000 acre feet of minor depletions.	Shirley Mondy, John Whipple, Randy Seaholm, Ron Bliesner	September 5, 2001
Add minor depletions to the agenda for next meeting.	Shirley Mondy	September 5, 2001
Draft a disclaimer paragraph for the Program Evaluation Report for the website.	John Whipple, Tom Pits	September 5, 2001
Incorporate the Hydrology Committee changes and reissue the Program document.	Shirley Mondy	September 30, 2001
Discuss the cost of Hogback and Cudei and bring a proposal for reimbursement back to the Coordination Committee.	Representatives from BIA, the Navajo Nation and Reclamation	September 5, 2001
Request that Bob Muth, Program Director for the Upper Basin, give an update on the status of the recovery goals.	Shirley Mondy	September 5, 2001
Have the Navajo/Gallup pipeline as an agenda item for the next meeting.	Shirley Mondy Bob Krakow	September 5, 2001
Add the Turley-Manzanaras Ditch technical assistance item to the agenda for the next meeting. Someone from the Water Development Interests will help explore funding possibilities.	Shirley Mondy Water Development Interests	September 5, 2001
Coordination Committee comments are due on all scopes of work.	Coordination Committee Members	July 3, 2001
All revised scopes of work and missing ones are due	All Principle Investigators	July 24, 2001
Compile the scopes of work and get a revised draft Work Plan back to the Coordination Committee for discussion at the September 5 meeting.	Shirley Mondy	August 1, 2001

