



SAN JUAN RIVER RECOVERY IMPLEMENTATION PROGRAM

Coordination Committee

Conference Call

November 7, 2008

Meeting Summary

Participants

CC Members:

Catherine Condon
Joel Farrel
Dan Israel
Herb Becker
Steve Lynch
Chuck McCada for Al Pfister
Tom Pitts
Stanley Pollack
Randy Seaholm
Brent Uilenberg
John Whipple
Adrian Oglesby
Absent

Representing:

Southern Ute Indian Tribe
Bureau of Land Management
Ute Mountain Ute Tribe
Jicarilla Apache Nation
U.S. Bureau of Indian Affairs
U.S. Fish and Wildlife Service, Region 6
Water Development Interests
Navajo Nation
State of Colorado
U.S. Bureau of Reclamation
State of New Mexico
Conservation Interests
U.S. Fish and Wildlife Service, Region 2

Others:

Paul Holden, BC Chair
Pat Page
Mark McKinstry
Terry Stroh

Jicarilla Apache Nation
U.S. Bureau of Reclamation
U.S. Bureau of Reclamation
U.S. Bureau of Reclamation

Program Management:

David Campbell, Program Coordinator
Sharon Whitmore, Asst. Program Coordinator
Scott Durst, Program Biologist

U.S. Fish and Wildlife Service, Region 2
U.S. Fish and Wildlife Service, Region 2
U.S. Fish and Wildlife Service, Region 2

August 14, 2008, Draft Meeting Summary - approved.

Long Range Plan – The Program Office sent a final draft LRP and recommendations for completion to the BC and CC on October 23 (status report attached). Campbell said the LRP is a living document that will be reviewed and revised annually. The Program Office plans to modify the recovery priority-setting process to make it more defensible and develop a decision-making matrix to assist in this process. Pitts emphasized the importance of the LRP as a cornerstone of the Program. The CC generally agreed with the Program Office’s recommendations.

SJRB Hydrology Model/Baseline Workgroup Meeting Update – Campbell gave an update referring to the attached meeting notes from the October 17 workgroup meeting (a revision from Condon regarding Tribal water rights in the baseline is included). He said the group agreed on building the Operations Model entirely in Riverware, continuing to use StateMod for calculations of natural flows, for now, and streamlining the model to the extent possible. He said outstanding issues include FWS policy on tribal water rights in the baseline, agreement on State calculations for existing depletions with time steps, and a future build-out scenario for full depletions. He said the BC will re-visit the criteria for the midrange flow recommendations, i.e., 2,500-5,000 cfs.

Program Office Report

Integration Report RFP Update – The data integration report will focus on integrating data in support of the flow recommendations review/revision. It will summarize data and integrate across protocols to assess progress toward recovery and management actions (augmentation, NNF removal, flow/habitat mgt.). Deliverables will include: integrated data, recommendations on future data collection methodologies to answer important questions and improve future integration efforts, and a report that documents analysis methods, data used, and results. The Program Office is developing the RFP.

Shortage Sharing Agreement Update – Pollack said they are looking at a 4-year shortage sharing agreement that would be re-negotiated if a shortage occurs during the term of the agreement.

Status of Recovery Goals Revision – Pitts reported Tom Czapla is getting outside peer review but there is no time frame for another draft.

Capital Projects Update:

Uvalde NFH Capital Improvements Request – Uilenberg said there is a substantial balance in the NFWF account and that it could be used to cover Uvalde’s request. Whipple conveyed that NM’s contribution to the NFWF account has involved three separate appropriations and that two of them have been spent/expired. The third has had no charges yet but will cover the rest of NM’s obligation to the Program. He said that with declines in oil and gas revenue, the Governor needs to cut the State’s budget and could potentially look to this appropriation. He said the money is there now but may not be when the bills come in. He asked when new charges will be billed and if CO has gotten their contribution into the account. Pitts asked how much was in NM’s third appropriation. Whipple replied that more than \$1 million had already been contributed so there is more than needed in the appropriation to meet NM’s full obligation. Pitts encouraged Whipple to ensure the State knows what the funds are for and offered his help.

Uilenberg asked if the CC wanted to use NFWF funds for Uvalde’s request and said it would mostly come from NM’s portion. He said expenditures, to date, are \$6 million federal, \$175,000 CO, \$830,000 NM, and \$600,000 power revenue. He said these need to be brought into balance. Upcoming expenses include Hogback construction (\$3 million) and possibly stationary/floating pit

tag detectors. Whipple emphasized State contributions should be in line with agreements. The CC approved use of NFWF funds for Uvalde's request.

Pit Tag Antenna (floating and stationary) – McKinstry reported on preliminary investigations into stationary and floating PIT tag detectors. Plans are in the works for another spring trip to further test the floating antenna. No testing of the stationary system has occurred yet but would probably be more expensive to deploy and maintain. Both systems could increase the number of detections of tagged fish while decreasing the use of electrofishing, the number of times that fish are handled, and costs. Capital funds could be used to pay for these systems. Further details about the feasibility will come after further tests are conducted this coming spring.

Hogback Diversion Fish Barrier – Uilenberg said the Hogback fish preclusion device design is complete. They have met with local water users and Navajo Nation and are waiting on an O&M contract, NEPA compliance, biological assessment, and biological opinion. He is confident they can award a contract to construct in summer of 2009. One caveat is that they are having some difficulty in moving the negotiated contract through the Solicitor's Office. San Juan Dine Water Users Association will handle O&M and be funded by the Program. The average annual costs for traditional fish screens run about \$60,000-80,000 but Uilenberg anticipates the one at Hogback will be substantially less, ~\$20,000-30,000, as there are much fewer mechanical components. McKinstry mentioned PNM's O&M costs are adequately covered by the quasi-contract that is in place.

Lower Reach Fish Passage/Barrier Update – McKinstry said Reclamation is still working on an initial feasibility study and cost analysis of placing a fish barrier at various locations in the lower river to prevent upstream movement of non-native fish when/if the waterfall gets inundated. Preliminarily, it looks like there is some potential for accessing the river to construct. To do the cost analysis, Bob Norman had numerous questions for the BC regarding biological and physical requirements. The BC discussed this at their last meeting and expressed concerns about the biological significance of fragmenting the habitat with a barrier. If the CC decides to pursue this further, the BC requested the opportunity to comment further.

Whipple asked when NM could expect to get the next invoice including for which projects and for how much. Uilenberg said Uvalde's request was just approved, no decision has been made on pit tag antennas, and construction on the Hogback fish preclusion facility will not start until summer of 2009. He said if Whipple was in agreement, he could invoice ~\$200,000 for design work on Hogback right now. Whipple asked if design costs were typically part of capital projects that require cost-share. Uilenberg said it is typical but he would check with UNJ. Whipple said it would be helpful to get an invoice. He inquired about CO's contribution again.

Seaholm responded to Whipple's questions about CO's contribution to the NFWF account. He said it was approved, a contract was signed, and CO should be proportionate now although he has not yet seen it on an updated quarterly report from NFWF. He will follow-up to insure CO's contribution is in order. Uilenberg said contact with NFWF needs to be re-established now that Rebecca Kramer is gone. Campbell said the Program Office has been working with her replacement, Liz Epstein, and that she has been very responsive and good to work with. Campbell will send her contact information to Uilenberg. Uilenberg will set up a conference call with NFWF, Seaholm, Whipple, and Campbell to discuss the account.

Biology Committee Meeting Update – Holden reported on the November 5-6 BC meeting. Bill Miller was unanimously voted in as the new BC Chair. Contaminants continue to be problem in the system so the BC will work on addressing sampling needs. Kevin Bestgen gave a preliminary report on his recapture data analysis and will give a full report at the annual meeting. His results will help the Program develop population estimates and help inform the stocking program. The BC plans to hold two technical workshops on habitat and fish monitoring in the spring and summer 2009 and are identifying important questions to focus each workshop. The BC believes the LRP is acceptable recognizing updating and revision will be done annually through committee review. The Integration Report is similar to the workshops in that it needs to be focused and relevant to important Program information needs. Dave Propst and Miller want to do a case history of the scientific aspects of the Program for publishing in a scientific journal. They are putting together an outline for BC review and recognize CC review of the document will be needed. The BC scheduled a conference call for January 6 and a meeting for February 18-19. He said two weeks, May 11 or May 18, were set aside for the annual meeting for CC consideration. Trout fishermen were represented at the BC meeting and voiced concerns about reservoir releases and flow recommendations. They were directed to the CC.

Pitts asked about the peer reviewer's comment that not enough fish are being stocked. Holden replied that survival is the issue and that this topic will be the subject of one of the workshops. Pitts asked how the BC will address it. Holden said one of the focuses of the fish monitoring workshop will be to get a better understanding of survival rates and that the pit tag antennas McKinstry reported on may help. He said no adult pikeminnows were caught this year. Campbell said the augmentation plan will be updated using Bestgen's survival curves and results from the workshop. He said the Program Office/Service will take the lead in doing the update and will come back to the BC with a revised plan for review. The issue of appropriate stocking numbers will be addressed during that process. Bestgen's survival results will be available February/March. Pitts said a similar report by Bestgen for the Upper Basin Program might result in changes to their stocking program. If survival in the SJR is poorer than thought, it could affect the SJRRIP's current capital program.

Feasibility of Improving Flow Management with Mechanical Manipulation;

TNC SOW - Campbell described TNC's SOW titled, *Conservation Action Planning: Analysis of Potential San Juan Ecosystem Restoration Sites & Hazardous Material Threats*. It is a planning/mapping project with two primary objectives: 1) identifying high value restoration sites important for recovery; and, 2) identifying hazardous materials threats. He emphasized the threats assessment will contribute to the recovery plan requirements to identify sites where catastrophic spills that could impede recovery could occur. Considering the increased oil and gas development in the basin, the Service wants this done sooner than later. He said the total cost is only \$20,000 because Program staff will work in conjunction with TNC. He said the restoration site identification is linked to the NMED RERI project and to upcoming consultations. Projects could potentially use these activities for mitigation. Oglesby explained that TNC will be doing a site specific Conservation Action Plan (CAP) for the San Juan River starting next year. He explained that CAP's are more expansive than just focusing on endangered species but two elements directly overlap with species recovery. TNC can contribute to the Program by bringing those two elements to the front of this CAP effort.

Israel said he does not see how identifying hazardous threats assessment sites where catastrophic spills could occur fits with what the Program does. Campbell said the Program has not been

addressing this requirement of the recovery plans but needs to. Campbell explained that after sites are identified, the next step will be to coordinate with appropriate agencies, individuals, and others to develop contingency plans. Oglesby emphasized that the primary focus of TNC's project is on identifying restoration sites but information on hazardous material threats can be gathered at the same time. Campbell said the CC can have as much involvement in the next step as they want.

Pitts asked about deliverables. Oglesby said it will be restoration mapping with a hazmat overlay. Pitts suggested moving #4 under *Hazardous Materials Threat Assessment* to *Habitat Restoration Planning* to under *Study Methods/Approach* and indicate that the rest of the items under *Hazardous Materials Threat Assessment* are contingent upon additional funding. Pitts asked about the low cost. Oglesby explained that TNC will be contributing all of the expenses of one Principal Investigator. Pitts asked that Program Office contributions of time and staff and a schedule for completion be included in the SOW. McKinstry asked that contact information be added. The CC approved the SOW with the modifications discussed. Oglesby will make changes and redistribute.

RERI Grant – McKinstry submitted a proposal to the New Mexico Environment Department for a River Ecosystem Restoration Initiative grant that was subsequently accepted. The proposal was for \$498,000 but was awarded \$398,000 with the idea that the project could find the additional \$100,000 elsewhere during the 5-year project period. The IDIQ contract was modified to also cover this work. Six sites were identified in the proposal, based on work done by Melissa Stamp and BioWest, where side channel and/or backwaters could be restored by various actions such as removing armoring, removing invasive vegetation, and making structural modifications. Those sites can change based on a site evaluations using new information such as TNC's work. The Program's primary contribution to the project will be monitoring. Planning and environmental compliance will be done during the first part of 2009. Actual on-the-ground work is expected to start in winter of 2009-2010. This project and the additional funds will enable the Program to get started on implementing non-flow improvements to habitat. Uilenberg asked about environmental compliance work. Campbell said he would like to handle it programmatically to cover all the restoration activities. McKinstry, Campbell, Uilenberg, and Terry Stroh will get together to work out the details.

Status of Report by Secretary of the Interior to Congress re: Annual Funding – Pitts reiterated that if Congress takes no action, the current level of annual power revenue funds available to the Programs will decline by about 40% in 2011. The report was sent to Reclamation and Service WA Offices in January. It moved through the Service fast but did not get out of Reclamation until May. It went from the Solicitor's Office and Executive Secretary's Office for Interior to OMB in late June where it is stalled. OMB has issues with the backstop provision of getting a loan from Colorado Water Conservation Board to cover annual O&M expenses if the Basin fund goes bust and/or power revenues are unavailable and with borrowing from the States to cover capital funds. They recently asked for help from congressional representatives to write letters to the Secretary of Interior but have not heard back yet. If the report is not out of OMB by the time the administration changes, they will have to start over getting signatures and approvals, which could significantly delay that part of the legislation. Annual funding is not part of the Omnibus Bill but the capital funding part is. Condon asked if there was anything anyone could do to help move the report. Pitts said it is difficult to do anything when it is in OMB but if anyone had any ideas, let him know.

Approved February 26, 2009

Status of Authorizing Legislation – Pitts reported that the capital funding authorization which would provide an additional \$12 million for the SJRRIP including money for the rock slide cleared the Senate Environment and Natural Resources Committee (the annual funding part was pulled out because of CREDA's issues) and is bundled with an Omnibus Bill which includes 153 bills. He said there is a possibility the Omnibus Bill could pass this year but it is a long shot. The likelihood is that they will be back next year trying to get annual funding and capital funding passed in Congress.

Navajo-Gallup – Campbell said the Service is in the process of updating all of the San Juan River fish information in the draft BO. The Service is required to consider new information and update species status after a certain period of time has elapsed. He expects this will be done in another 2-3 weeks and that the BO should be through internal review by the end of the month provided the Solicitor's Office does not have any major problems with it.

Colorado River Science Symposium, hosted by USGS, will be held November 18-21, in Scottsdale, AZ. There will be a session on all of the Colorado River recovery programs. Campbell will be presenting on the SJRRIP.

Next Meetings

February 18-19, 2009 - BC Meeting

February 26, 2009 - CC Meeting; location to be determined (possibly at Southern Ute Tribe's new hotel and casino in Ignacio, CO – Condon will check on arrangements)

May 20, 21, 22, 2009 - Annual Meeting (BC meeting, Annual Meeting, CC ½-day meeting, respectively); location Durango; agenda items for CC meeting – 2010 AWP and budget approval

**Status of Draft LRP
October 23, 2008**

1. **Rich Valdez revised 4-18-08 Draft LRP based on comments received (summary of comments attached)**
2. **Program Office received revised LRP draft on 8-16-08**
3. **Program Office prepared Final Draft LRP for discussion at November BC and CC meetings**
4. **Program Office recommendations:**
 - **Identify steps needed to “complete” the LRP by end of 2008.**

Program’s annual work plan and budget development process (page 35, #3, Program Document):

- *The Program Coordinator will update the long range plan following the annual meeting.*
- *The Coordination Committee, technical committees and the Service will provide recommendations to the Program Coordinator for updating the Long Range Plan.*
- *The update will reflect accomplishments during the past year, new projects needed to achieve goals, changes in timing of projects.*
- *The Program Coordinator will provide the updated Long Range Plan to the technical committees and the Coordination Committee for initial review and comment.*
- *Following receipt of comments, the Program Coordinator will modify the long range plan and begin working with the technical committees to develop a draft Long Range Plan for presentation to the Coordination Committee.*
- *The draft long range plan will be approved by vote of the Biology Committee, Hydrology Committee, and Coordination Committee. Prior to the vote of approval of the draft Long Range Plan by the committee, any member of a technical committee may call for a vote on any element/task proposed by that committee for inclusion in the draft Long Range Plan. The proposed element/task will be included in the draft long range plan if two-thirds of the members vote in favor of the element/task.*



- **Forego further extensive revising/updating of text at this time.** The LRP is a dynamic document that will be thoroughly reviewed and revised through the Program’s annual work plan and budget development process. Once the LRP is integral in the annual process, it will be updated regularly. It is a living document that will always be a work in progress. For example, after the monitoring workshops in 2009, Action 5.2.2, *Implement a standardized monitoring program for habitat*, will be reevaluated and reworked based on outcome.
- **Keep both Appendix A and B**, recognizing that both need some additional work (e.g., need to distinguish between work done during 7-year research period; more meaningful priority system). Both appendices provide a good history of Program activities and are needed for tracking activities and sufficient progress.

- **Identify specific updates/changes for Program Office to make to complete the annual LRP process. Modifications identified from the most recent review include:**
 - If possible, reduce redundancy between similar actions/tasks under different Elements
 - Appendix A - develop a better priority system for recovery planning
 - Appendix A – distinguish between work done during 7-yr. research period and other completed work and work that is ongoing (e.g., Task 1.1.3.3., *Evaluate water quality as potential limiting factors*, work was done during research period but because it is identified as needed for recovery, it needs to also continue); all completed tasks need references to final reports
 - Appendix A – update timeframes
 - Appendix B – crosswalk with Appendix A; review and revise timeframes
 - ?
 - ?
 - ?
 - ?
-

**Summary of Comments from Rich Valdez
Review of 4-18-08 Draft LRP**

Comments received on 4-18-08 Draft LRP:

- Biology Committee (clarification of waterfall at Lake Powell inflow)
 - Water Development Steering Committee (Itemized comments and comments in Draft 4)
 - Steve Ross (Itemized comments and comments in Draft 4)
 - Ron Bliesner (Itemized comments and comments in Draft 4)
 - Dave Propst (Itemized comments and comments in Draft 4)
 - Bill Miller (Itemized comments)
 - Uilenberg (Itemized comments)
 - Mark McKinstry (e-mail)
 - Chuck McAda (short comment on Mumma Hatchery)
-
- Valdez said addressing the comments was challenging and would not normally be problematic if reviewers generally agreed on the content and basic tenant of the document. He was troubled by the disparity of views on which issues the Program should pursue as part of a Long-Range Plan. Even more troubling, he said was the lack of consensus on such issues as the ability to meet flow recommendations, and further investment on development of flow to habitat relationships. He said the genesis of this document may have reached the point at which

Reclamation and the Service need to unilaterally make these determinations on behalf of the Program in order to finalize the Plan and go forward with it as a living document.

- Valdez did not update the Table of Contents, nor Appendices A or B. Some reviewers (e.g., Ross) did not see the need for either Appendix; others recommended deleting Appendix B. He said this is probably a decision that needs to be made by Reclamation and the Service with regard to the utility of the Plan. He did not develop responses to comments from each reviewer because of the time that would be required to do so. The extent, complexity, and disparity of the comments would make this a long and arduous task.
- Valdez flagged several items he could not/did not address (the majority were related to listed priorities in Appendix A). He indicated further discussion may be needed.
 - Flow Recommendations/Protection - Valdez said there seems to be some disagreement among reviewers on the status and role of flow recommendations. Other comments by reviewers reflect the view that flow recommendations have been evaluated and cannot be met with existing flow conditions. He said this needs to be reconciled throughout the document. For example, in reference to **Goal 3.1, Provide Suitable Flows to Support Recovery of Colorado Pikeminnow and Razorback Sucker Populations**, a reviewer commented that this goal assumes there is a relationship between flow-habitat-fish that can be defined. This has not been demonstrated. Suggest an Action and Tasks to further evaluate this relationship using data collected prior to initiating the other Actions and Tasks.
 - Climate Change/Hydrologic Variability - Valdez said some reviewers expressed reservation about further investigation and use of the term "climate change" in the document. They seem to prefer the concept "flow or hydrologic variability." This will need to be sorted out to reflect a consistent theme through the document. For example, in reference to **Action 3.1.5, Review and evaluate San Juan River stream flow in light of hydrologic variability**, a reviewer commented that an approach and specific tasks need to be approved by the CC before this action item is added to the LRP. This action item should be deleted from the current LRP and included in an update after the CC has approved an approach.
 - Identify and refine habitat/fish relationships – Valdez said the Water Development Steering Committee took a strong position on the tasks listed under **Action 5.2.3, Identify and refine habitat/fish relationships**. He said they commented that this should be deleted and replaced with tasks to determine if a relationship can be defined or not, the probability of success, the level of data needed to accomplish this, and the cost of collecting that data. Embarking on these tasks will result in expenditure of hundreds of thousands of dollars with no results, just a list of reasons why this could not be successfully accomplished, and recommendations for more study, as has happened in the past. Tasks 5.2.3.2 through 3.5 adopt an unproven, extremely expensive procedure with little or no chance of success. There has been no demonstration that such detailed information is needed to recover the fish.
Valdez said other reviewers either did not comment on these actions or supported the concept through the comments.

**Draft Hydrology Model Subgroup Meeting Notes
October 17, 2008**

Attendees: Dave Campbell, Sharon Whitmore, Katrina Grantz, Ryan Christianson, John Whipple, Randy Seaholm, Bill Miller, Al Pfister, Tom Pitts, Ron Bliesner, Cathy Condon, Jim Brooks, Scott Durst, Steve Cullinan

Grantz:

- Technical transfer from Dave King through April ,09
- Technical transfer to Ryan Christianson and FWS rep(s) and others to spread out model knowledge
- Streamline model
- Model goals:
 - Transparency
 - Ability to run multiple inflow scenarios essential to evaluate future water availability scenarios; considering probabalistic output
 - Ability for any technical user to view/run it with RiverWare viewer
 - Documentation
- Future steps:
 - Streamline the Model
 - Port StateMod Baseline Scenario to RiverWare using Hydrologic Baseline agreed upon by the work group
 - Documentation

Group Discussion:

Purpose of the Model: Support the accomplishment of the two Program Goals (i.e., Water Development and ESA Compliance)

Uses of Model:

1. One of the tools that will be used to evaluate the impact of depletions of a water project on the listed species
2. Evaluate the impact of depletions on the ability to meet the flow recommendations
3. Assist in the development of the flow recommendations
4. Assist in the development of Navajo Dam operating criteria
5. Evaluate the effects of future hydrologic variability in consultations and for recovery purposes
6. Evaluate timing of future depletions to facilitate recovery planning and reservoir operations

Group Agreement on:

- Building Operations Model (functionality) entirely in Riverware
- StateMod will be continued to be used for calculations of natural flows, for now, but subject to change (would be a separate model regardless and would take ~2 years to develop it in River

Approved February 26, 2009

- Streamlining model

What's in the Model:

New Mexico

- Baseline irrigated acres reflects 1965 NMAS depletion estimate minus 5% for fallow acres
- 15,600 af +800 af for fallow
- 1948 Echo Ditch decree

Colorado

- Baseline irrigated acres reflects 1995 estimate
- Likely less than 1965 estimate of 216,000 af
- Does not include *future* Tribal Water Rights; *includes ALP and current depletions*

Need FWS POLICY decision on whether or not to include Tribal Settlement water rights in baseline.

Agreement on calculating existing depletion baseline. CO and NM should calculate existing depletion periodically (10 yrs), calibrated with actual use from the previous 5-10 years.

FWS will work with NM/CO to work out and write down the technical details on calculating existing depletions. This write up will then go out to the group.

“Existing depletion” will be calculated for all depletions in the baseline and time stepped out until full implementation.

Model existing depletions and future build out scenario (full implementation). Analyze impacts on flows/recovery. If needed, add other intermediate time steps. Develop recovery actions to offset impacts, if necessary.

Revisit BC recommendation on revising criteria for 2,500 and 5,000 cfs flows and recommend operating process for enhancing higher flows. Report to CC.