

IMPLEMENTATION COMMITTEE MEETING SUMMARY
8/30/99

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Memorandum

To: Implementation Committee

Management Committee, Consultants, and Interested Parties

Meeting Attendees

From: Director, Colorado River Recovery Implementation Program

Subject: Draft August 30, 1999, Recovery Implementation Committee Meeting Summary

Attached are the draft action and assignment summary and the general meeting summary from the recent Implementation Committee meeting. Please review these documents and contact Angela Kantola (ext. 221) or myself (ext. 223) if you think any changes are necessary.

Attachment

- Draft Summary -

Actions and Assignments

Recovery Implementation Committee-August 30, 1999

COMMITTEE ACTIONS:

1. Approved the April 1, 1999, meeting summary with minor revisions.
2. Approved the draft FY 2000 work plan.
3. Approved the Management Committee's recommended approach to defer Colorado instream flow filings.

ASSIGNMENTS:

1. The Program Director's Office will remove the username/password protection from the Program participants web site and provide a link to that site on the Program's "public" web site.

2. The RIPRAP will be modified to reflect deferring Colorado instream flow filings and to add a task to review the need for those filings each year.

3. Bruce McCloskey will check with Greg Walcher and the Program Director's Office will check with Kathleen Clarke to determine if they are available on March 8, 2000, for the next Implementation Committee meeting.

- Draft Summary -

AUGUST 30, 1999, IMPLEMENTATION COMMITTEE MEETING

CONVENE: 10:10 a.m.

1. Introductions

2. Approve April meeting summary - The Implementation Committee approved with minor revisions as suggested by Leslie James:

Tom Pitts distributed a summary of the Program participants' March 22-24 Washington, D.C. briefing trip on the long-term funding legislation ... Leslie James noted that Commissioner Martinez *expressed concern about budget priorities and claims by entities about "mission creep."* CREDA emphasized the need to extend the Program's cooperative agreement to match the term of the legislation...

Extending the Recovery Program beyond 2003 ... Leslie James emphasized the need to put the extension in place sooner *as soon as possible*, ~~prior to hearings on the long-term~~

~~funding legislation~~ (either that or to amend the legislation to include an earlier sunset clause if the agreement isn't extended)...

3. Program Director's review - Henry Maddux gave an overview of Program history, recent accomplishments, and future direction. In discussion of Program activities, Greg Walcher asked if it might be more feasible to put selective fish passage (one that does not pass nonnative fishes) at Price Stubb and simple passage at the Roller Dam, noting that he believes there will be serious dam owner rights issues if we try to put selective passage (which requires more space) at the Roller Dam. Tom Pitts recommended removing the password from the Program participants web site and have a link to it on the public web site. Henry agreed.

4. Recovery goal update - Rich Valdez briefed the Committee on progress to develop recovery goals for the endangered fishes. With input from the Recovery Team and the Recovery Program, Rich is developing recovery goals that will identify desired population size and structure for each population segment of each species based on genetic considerations and habitat availability. The recovery goals are to be developed by April 30, 2000, after which they will be published in the Federal Register for public comment. The goals will be in the form of a range of numbers, population structure, and demographics, and also will include recommendations for tracking these numbers. The Service will make sure that the goals are written in such a way that they are consistent with down-listing and de-listing criteria.

5. Update on 15-Mile Reach programmatic biological opinion (PBO) and Yampa Basin

Tom Pitts briefed the Committee on the status of the programmatic biological opinion on the 15-Mile Reach (which covers existing projects and an additional 120,000 acre-feet of new development). The Service issued a second draft of the 15-Mile Reach PBO on June 29th, then held a meeting with all the interested parties on July 19th. The group has another meeting scheduled for tomorrow, August 31. Dan Luecke said that he has some as-yet unresolved issues with the PBO, which they will discuss at tomorrow's meeting. The Service hopes to provide a final draft by October 15 and to finalize the opinion by this November. Plans also are underway for a Yampa Basin programmatic biological opinion; Henry said the Service hopes to complete the PBO for the Yampa within one

year. Rick Gold recommended identifying the federal action up front in the Yampa PBO process, as that issue caused some difficulty with the 15-Mile Reach PBO.

6. Lunch with invited guests (local community leaders). Catered courtesy of the Colorado River Water Conservation District. Henry Maddux provided an overview of the Recovery Program and the status of the endangered fishes, with emphasis on recovery activities in the Grand Valley.

7. Update on long-term funding legislation - Tom Pitts gave an update on the status of the long-term funding legislation introduced in the House (by Representative Hansen of Utah) and Senate (by Senator Allard of Colorado) this summer for the Upper Colorado River and San Juan River recovery programs. Tom reviewed outstanding issues with the legislation, and noted that he still hopes that we will get the legislation passed this year. CREDA's continuing concerns are with the proportionate funding and the "sunset" language issues. The Ad Hoc Legislation Group needs to meet again before Congress reconvenes. Members of the Ad Hoc group present at the Implementation Committee will meet later today to resolve what issues they can. Dan said that EDF probably has the most serious reservations with regard to CREDA's proposed changes to the legislation, noting that making changes now invites requested revisions from any number of interested parties.

8. Discussion on extending the Recovery Program beyond 2003 - The Committee discussed, but did not act on the recommendations of the Management Committee regarding extending the Recovery Program beyond the 2003 date in the current Cooperative Agreement. In light of Colorado's desire to complete the recovery goals before addressing Program extension, the Committee agreed that further discussion of extension should be deferred.

9. Colorado's instream flow filings - Since withdrawal of the recovery flow and base flow filings on the Colorado River and the Yampa River by the Colorado Water Conservation Board, there has been much discussion and uncertainty regarding future instream flow

filings for endangered fish in Colorado. Meanwhile, a programmatic biological opinion is being completed on the 15-Mile Reach, and other programmatic opinions are expected. The Committee approved the Management Committee's recommended approach to defer instream flow filings:

- a. on the Colorado River, for 5 years, contingent upon implementation of the programmatic biological opinion;
- b. on the Yampa River, pending completion of a programmatic biological opinion; and
- c. on the Gunnison River, pending outcome of the Aspinall biological opinion and, if needed, a programmatic biological opinion on the Gunnison River.

The RIPRAP will be modified to reflect this and a task to review the need for instream flow filings each year.

10. Incidental Take Update - Henry Maddux gave an update on incidental take of endangered fish at the Tusher Wash Diversion on the Green River, as well as potential take in the Grand Valley and options for addressing this issue. A razorback sucker was found dead at the Tusher Wash diversion on the Green River earlier this year. Minor modifications have been made at this diversion to reduce the chances of take until we find a permanent solution, but the risk of take is still significant. Henry said that the best way to address this problem may be to do a Habitat Conservation Plan (HCP), Section 10 permit to authorize limited take while we're designing and installing a permanent screen to prevent fish entrainment. On a related topic, the Program would like to begin stocking razorback suckers on the Colorado River, but there are risks that stocked fishes could be lost in diversion canals. This potential take issue will be addressed through the permit that Frank Pfeifer's office has to stock and work with these fish.

11. Report from new I&E Coordinator - Debbie Felker introduced herself and gave a brief update on recent information, education and public involvement activities in the Program and the I&E Committee's efforts to provide more strategic and integrated public involvement planning. The Committee's next meeting is scheduled for early January.

12. Review/approve FY 2000 work plan - Henry Maddux gave a brief overview of the draft work plan, which has the unanimous recommendation of the Management Committee. The Implementation Committee approved the recommended work plan with no modifications.

13. Next meeting - Set for Wednesday, March 8 somewhere near DIA. >Bruce McCloskey will check to see if this fits in Greg Walcher's schedule and the Program Director's office will check to see if it fits with Kathleen Clarke's schedule.

ADJOURN: 2:00 p.m.

Attachment 1 - Attendees

Colorado River Recovery Implementation Committee: August 30, 1999

IMPLEMENTATION COMMITTEE MEMBERS:

Ralph Morgenweck, U.S. Fish and Wildlife Service (Chairman)

Rick Gold, U.S. Bureau of Reclamation

Greg Walcher, Colorado Department of Natural Resources

Dave Sabo, Western Area Power Administration

Dan Luecke, Environmental Defense Fund

Tom Pitts, Upper Basin Water Users

Jeff Fassett, State of Wyoming

Leslie James, Colorado River Energy Distributors Association (nonvoting)

Henry Maddux, U.S. Fish and Wildlife Service (Program Director) (nonvoting)

OTHERS:

Bruce McCloskey, Colorado Division of Wildlife

Shane Collins, Western Area Power Administration

Debbie Felker, U.S. Fish and Wildlife Service, Recovery Program

Jone Wright, U.S. Bureau of Reclamation

Robert Wigington, The Nature Conservancy

John Shields, State of Wyoming

Dave Mazour, Colorado River Energy Distributors Association

Angela Kantola, U.S. Fish and Wildlife Service, Recovery Program

Brent Uilenberg, U.S. Bureau of Reclamation

Margot Zallen, Department of Interior Solicitor's Office

Susan Baker, U.S. Fish and Wildlife Service

Christine Karas, U.S. Bureau of Reclamation

Larry Cleaver, Ute Water Conservancy District

Charlie Stockton, Ute Water Conservancy District

Kent Holsinger, Colorado Department of Natural Resources

Dave Soker, U.S. Fish and Wildlife Service, Recovery Program

Peter Evans, Colorado Water Conservation Board

George Smith, U.S. Fish and Wildlife Service

Clayton Palmer, Western Area Power Administration

Rich Valdez, SWCA Environmental Consultants

Ron Ryel, Ryel and Associates

Carol DeAngelis, U.S. Bureau of Reclamation

Ray Tenney, Colorado River Water Conservation District

Frank Pfeifer, U.S. Fish and Wildlife Service

Keith Rose, U.S. Fish and Wildlife Service

Randy Seaholm, Colorado Water Conservation Board

Pat Kennedy, Colorado Riverfront Commitssion

Paul Nelson, Colorado Riverfront Commitssion

Phil Bertrand, Grand Valley Irrigation Company

Glenn Baxter, Green River Canal Co.

Jim Rooks, Orchard Mesa Irrigation District

Dick Proctor, Grand Valley Water Users Association

Charlie Gunther, Grand Valley Irrigation Company

Gregg Strong, Redlands Water and Power

Greg Trainor, City of Grand Junction

Monica Atkinson, W.A.T.E.R. Club

Harley Bauer, Grand Junction Drainage District

Jack Yates, Town of Palisade

Bob Norman, U.S. Bureau of Reclamation

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