



# Upper Colorado River Endangered Fish Recovery Program

April 8, 2010

DRAFT  
MANAGEMENT COMMITTEE MEETING SUMMARY  
April 7, 2010

**CONVENE: 9:30 a.m.**

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper – The agenda was modified as it appears below. Angela Kantola noted that Jim Martin has appointed Rebecca (Becky) Mitchell as Colorado’s new Management Committee representative. The Committee welcomed Becky.
2. Approve [February 25, 2010, conference call summary](#) and review previous meeting assignments – Based on Mike Robert’s clarification that the Green River Water Acquisition Team has not yet discussed the schedule for alternative Green River flow protection, Angela Kantola suggested revising under item 4.g. to read “The Utah State Engineer’s office has proposed a schedule ...” Dave Speas said that Mark McKinstry clarified that the negative CPI was applied to the San Juan Program in FY 10. (Explanation of the CPI figures used in the Upper Basin can be found in Angela’s posting to the listserv on February 6, 2010.) The Committee approved the summary as revised. >Angela will post the revised summary to the listserv.
3. Review of tasks specified in the June 11, 2009 FY 2009 sufficient progress memo (see Attachment 2).
4. Review and follow-up on Washington, D.C. briefing trip – John Shields said the trip report is pending. The trip and all 35 meetings were very successful. Six of eight Democrats signed the funding support letter on the House side (Republicans were not signing support letters this year). Seven of the eight Senators signed the letters on the Senate side. Tom Pitts congratulated John both on his efforts in organizing the trip and the meetings and on getting Senator Barrasso (R-WY) to sign the joint delegation funding support letters (a monumental accomplishment in light of the fact that Wyoming hasn’t signed on to the joint delegation letter since 1996). Twenty-five people attended the Friday luncheon; John thanked the water users for their sponsorship. John thanked the Program Director’s staff for the briefing book, noting it’s probably the best to date. Follow-up: John prepared joint letters from the non-Federal participants of both recovery programs thanking those who signed the joint funding support letters. Tom Pitts said they met with Representative McClintock’s staff who were particularly interested in reports of progress toward recovery. Tom and John are preparing a list of issues/questions from McClintock’s staff and then will work with the Program Director’s office to provide answers over the next six weeks. John stressed the importance of having basic information available when back in D.C. as well as more in-depth information (e.g., population status) for folks very familiar with the Program who want to see greater levels of detail.

5. Legislative update – Annual funding: Tom Pitts said he doesn't believe the House legislation will move forward until DOI's report to Congress is delivered. The House legislation would change a portion of the annual funding from power revenues to annual appropriations. The Senate legislation does not change the funding source, but would seek offsets, instead. We probably won't know for another few months which (if either) bill will move forward successfully.
  
6. Review of draft RIPRAP revision, assessment, and revisions to draft FY 2011 work plan – The Implementation Committee has given the Management Committee their proxy to approve these documents. Angela reviewed the process: draft documents from the Program Director's office were posted to the fws-coloriver listserver on 2/11/10; revised drafts incorporating technical committee comments were posted on March 26. The draft assessment of progress (far right column) was again combined with recommended revisions to the RIPRAP tables (spreadsheet). Italics and strikeout indicate changes to the RIPRAP tables, with changed cells highlighted in green for further clarification. A few technical committee notes also are included for Management Committee's information. Recommended revisions to the RIPRAP text are indicated in track changes in Word. The Committee reviewed the RIPRAP assessment and suggested revisions to the RIPRAP assessment, tables, and text; Angela Kantola recorded recommended changes on those documents. With the Implementation Committee's proxy, the Management Committee approved the draft revised RIPRAP and assessment (and FY 11 budget) with the revisions they discussed. >Angela Kantola will incorporate the Committee's changes and post the final documents to the web, making sure that the text is consistent with changes made to the tables.
  - a. RIPRAP assessment – No major changes (exclamation points added for Duchesne River Work Group instream flow work and Redlands fish passage operation).
  
  - b. RIPRAP revisions – General: the petroleum pipeline/shutoff valve item was modified. Green: the flow protection items were modified to read "Identify legal and technical process and schedule for streamflow protection (FY 10)" and "Implement process for streamflow protection (FY 11 and FY 12)." >The Water Acquisition Committee should discuss this on their upcoming conference call and work with the WAT and the policy group to provide a process and schedule for Management Committee approval. Yampa: The Nature Conservancy asked about modeling requirements for depletion accounting under the Yampa PBO. Michelle Garrison said one portion of the PBO appendix indicates either StateCU or StateMod can be used; another part indicates that StateMod must be used. >The Service will discuss this in their sufficient progress review next week and get back to Becky Mitchell and Adam Bergeron. This also will go on the April 21 >Water Acquisition Committee conference call agenda. Michelle said that as more depletions occur, there will be greater reason to use StateMod, but at this point they believe StateCU is adequate. (Additional minor changes were noted in the RIPRAP tables.)
  
  - c. Updated FY 11 Work Plan – FY 11 is the second year of our two-year FY 10-11 work plan. The current FY 2010-2011 budget estimate tables contain no major changes to FY 11 plans. Contingency projects are shown at the end of the budget table, and the

budget is already too tight to accommodate those. However the Program Director's office anticipates enough FY 10 carry over to at least be able to cover the most critical contingencies (e.g., 2011 PIT tag purchases, floodplain easement management, potential lease of Elkhead water), but the budget is too tight to recommend any new starts at this time. >Angela Kantola will update the budget table with Brent Uilenberg's revised capital costs.

LUNCH 12:10 – 1:15 p.m.

Review/approval of proposed new rearing ponds at Horsethief – As outlined in the proposal sent to the Committee on March 26, the Grand Valley Propagation Facility uses free and leased ponds to meet razorback sucker production targets, but re-capturing fish from the ponds is inefficient, and lerneia infestation and otter predation have been problems. One of the best production ponds will revert to gravel production this year and leases are expiring on the others this year and next. Reclamation and the Service propose shifting all Grand Valley growout pond production to new ponds at Horse Thief Canyon. The total ~6 acres would be composed of 12 – 0.25 acre, 4 – 0.5 acre, 2 – 0.29 acre and 4 – 0.1 acre ponds at an estimated cost of ~\$5.4 million. Four 0.25 acre ponds (1/6 of total) would be used by the San Juan Program, which would share proportionately in construction and O&M costs (as has been approved by the San Juan Coordination Committee). The new ponds will improve efficiency of producing razorback suckers in the Grand Valley, position the Recovery Program to address potential changes to the Integrated Stocking Plan in light of CSU's razorback sucker stocking survival study, and provide flexibility for a backup of bonytail broodstock held at Dexter NFH and accommodating potential humpback chub refuge/production. Total estimated O&M costs are expected to be in the range of \$30,000 to \$60,000 per year. The Biology Committee received a full briefing on this proposal at their [March 10-11 meeting](#) (see item #8 beginning on page 4) and recommended moving forward to construct the ponds. Funds are available to begin construction this year (~\$2M in capital funds are available that originally were intended for the San Juan Program and which will be lost if not spent this year). Brent reviewed engineering upgrades and noted that the water supply will either be individual wells or an infiltration gallery, based on results of ongoing pump tests (the infiltration gallery is the more expensive option; cost of the project will be less if individual wells are more appropriate). John Reber asked about the evaporation and Brent said the water supply is sized to compensate. John Shields asked if the San Juan Program would be covering their fish transport costs as well as their portion of the O&M. Brent said they would. The Committee approved this proposal to cost-share construction and O&M the proposed Horse Thief Canyon Fish Rearing Ponds on a proportional basis with the San Juan Recovery Implementation Program (5/6ths of the construction costs for the Upper Colorado River's 5 acres of ponds and 5/6 of the O&M costs). >The Program Director's office will inform the San Juan Program. >Debbie Felker will work with Reclamation, the Service, and CDOW to develop appropriate press releases.

## 7. Updates

### a. Capital projects

- Budget - Brent Uilenberg distributed updated capital projects budget summary. With the Horse Thief ponds and other items already on the books, adequate unallocated capital funds remain in the ceiling to cover unanticipated repairs, etc.

The projected cost of Farmers Mutual Ditch Repair has increased by \$2M; some of the folks in Washington, D.C., asked if ARRA funds might be available for this or other of the recovery programs' projects, but that is unlikely. Brent expressed concern about the very large capital budget appropriations which would be required in 2013 and 2014.

- OMID - Colorado's \$1.5M for future OMID O&M costs has so far survived in the Species Conservation Trust Fund (this fund will be discussed in the Colorado Legislature next Tuesday), so Colorado believes these funds will be available. Brent said total O&M \$340K (\$240K of which is electric costs): OMID will assume \$100K; CRWCD will capitalize (assuming 4%) the \$1.3M they're repaid for the reregulating reservoir land purchase yielding \$52K; \$12K from increased hydropower production at the Grand Valley Power Plant (OMID's share); \$100K from Recovery Program, Colorado's \$1.5M capitalized would yield \$60K. All of this leaves just a \$16K deficit which Brent thinks can be found. Brent believes they can begin construction in FY 2011 if all the O&M funding falls into place as expected. The project would be fully operational in 2014, but some water savings would become available sooner (when the check structure is completed). A peer review of the design and cost estimates has confirmed the anticipated costs.
  - Tusher Wash screen - Brent distributed a flow chart for Tusher Wash screening options. We still don't know if the dam will be raised; Brent said some of the ideas proposed as part of increasing the height of the dam (e.g., a new diversion on the east side) raise concerns about stability and passage and screening, so Tusher screening is becoming more complicated. If we want to move ahead before we know if the dam will be modified, we would have to build over-sized screens to accommodate a potentially increased diversion. At this point, what we can reasonably do is determine what, if any, mortality is acceptable.
  - Butch Craig – The contract has been let and repairs should be completed by the end of April.
- b. [10.825 Alternatives](#) update – Tom Pitts said Reclamation and Northern are working to resolve issues on Granby related to the East slope portion, then the NEPA process can resume, with a ROD expected this fall. The draft Ruedi legislation for the West slope portion will hopefully be introduced soon, but likely not passed until next year. >Tom will send out the final version of this legislation before it is introduced.
- c. Aspinall [EIS](#) and Gunnison River Study Plan – Brent Uilenberg said Reclamation is still working with the DOI solicitor on the EIS, and hopes to finalize the EIS in 2010 (but not before spring runoff). Angela Kantola said the Program Director's office will be working with the Biology Committee and others to develop a Gunnison River Study Plan by December as called for in the Gunnison River PBO (similar to the Green River Study Plan). A full mark-recapture population estimate of Colorado pikeminnow in the Gunnison River due to the small population size; instead, more of a fish community catch-per-effort approach like that being done in Lodore may be in order.

- d. Green River flow protection – Jana Mohrman sent the Committee an update on these activities on April 6 (see Attachment 3). >Jana will let the Committee know what other entities have objected to unperfected water right claims in Utah.
8. Upcoming Management Committee tasks, schedule next meeting – Conference call Monday, June 7 from 1 to 3 pm. Agenda items will include: Green River flow protection, other WAC updates, discussion of Service’s draft sufficient progress letter; legislative update; hydrology update, scheduling an August meeting in Cheyenne, etc.

ADJOURN: 3:45 p.m.

### Assignments

1. The **Fish and Wildlife Service** will meet to consider if it would be acceptable to screen the irrigation water and not the low-head hydropower water at Tusher Wash or if other methods (e.g., a weir wall) might achieve our objectives for screening Tusher Wash. *Discussions underway; but pending decisions on dam rehabilitation. 8/10/09: Robert King said no decision has been reached yet on dam rehabilitation. Brent said a fish preclusion weir such as the one that will be installed at the Hogback Diversion on the San Juan could be an option if fish mortality in the power turbines isn’t a significant problem (and would cost much less than the \$7-\$9 million to screen the entire canal flow). Brent Uilenberg will draft a recommendation for reviewing this. (Ask Biology Committee to review, first considering work done on similar turbines and potential for fish-friendly turbines, if needed. If this is unclear, field work may be needed to determine mortality at Tusher; this might be considered pre-design work under capital funds). Brent will prepare a decision tree outline. 2/25/10: Brent will send this out. The key decision point is to determine if fish entrainment mortality through the turbines acceptable (which may require a scope of work to do some monitoring and evaluation). Perhaps “fish-friendly” turbines would be a good alternative. Another question is whether the owners plan to raise the height of the dam. The Committee agreed to put a discussion of this item on their April meeting. 3/24/10: Discussed by Biology Committee. The Program Director’s office is preparing a list of issues to be resolved (e.g., what levels of mortality are acceptable for what size classes, potential O&M costs, etc.) to help move a decision on Tusher forward. See also capital projects discussion.*
2. **Program Director’s office** will provide a more specific recommendation regarding establishing a basinwide recovery/conservation oversight team for the endangered fishes. *8/10/09: Tom Czapla said the Program Director’s office believes that some continuing coordination by Service staff in California/Nevada and Regions 2 and 6 is the best way to accomplish this. As with the recovery goals, these Service offices would maintain communication with their stakeholders and then coordinate with one another. Tom will ask that Service group for their suggestions on how they would like to continue this coordination role as the recovery goals revision process wraps up. Pending. 2/25/09: Service Solicitor strongly recommended revising the full recovery plans (which will include the recovery goals). Tom Pitts asked if the recovery team would be reconvened; >**the Service** will look into this and also into Tom’s question as to whether recent regulations have expanded potential recovery team membership. 4/7: Tom said the Service will maintain consistency with what has been done so far on recovery goal revisions, that is, relying on Service personnel to work with the partners in each program (e.g., Upper Colorado, San Juan,*

GCDAMP, etc.) throughout the Colorado River Basin. The Service does not plan to reconvene a recovery team at this time. Tom Pitts and others asked >the Service to provide a process and schedule to the Recovery Program as soon as possible.

3. The **Program Director** will further discuss with the Service developing a programmatic biological opinion for the White River Basin when the Gunnison River PBO nears completion. *Pending. 8/10/09: We need to review the flow recommendations. Tom Pitts also suggests reviewing water demand data from the state (unclear if that's been updated to include projected needs for oil and gas development). Dan McAuliffe said a pending roundtable report should address oil and gas development and associated water demand estimates. (Dan Birch can provide status update). 4/7: The Service will begin discussing a White River PBO during their sufficient progress review next week.*
4. The **Program Director's Office (Tom Czapla)** will alert the committee when the 5-year status reviews are completed and provide a link to the documents. *Pending; no change in listing status anticipated. The Program Director's office confirmed these will be done before the end of the calendar year, as was reported on the Washington, D.C. trip.*
5. The **Program Director's Office** will develop FY 2011 guidance for research to determine levels of selenium that affect eggs of endangered Colorado pikeminnow and razorback sucker (working with the San Juan Program). *2/22: Not yet developed; should be a component of the Gunnison River Study Plan (which also includes the affected area of the Colorado River from the Gunnison River confluence to Lake Powell). 4/1: Summary of FWS-Ecological Services contaminants activities sent to Biology and Management committees on 3/22/10. On March 30, Tom Czapla, Jana Mohrman, and Tom Chart met with Kevin Johnson (FWS-Region 6 Contaminants Coordinator) and David Campbell to discuss elevated levels of selenium (and mercury) detected in endangered Colorado River fishes throughout the Upper Basin (similar information has been reported from the Lower Basin as well). The group agreed that the primary information need was to determine how these contaminants are affecting our ability to recover the fish, i.e., better understand what constitutes harmful levels. The SJRRIP is tasked with reducing all threats to the recovery of Colorado pikeminnow and razorback sucker, but the upper basin Program has not historically dealt with threats associated with degraded water quality. In any case, the primary information need likely is larger than the recovery programs' budgets could handle and perhaps beyond our expertise. Kevin agreed to start a dialogue with his colleagues in Region 6 as well as with FWS-Region 2, EPA and USGS to explore ways to answer this question. Meanwhile, during fish community monitoring in the lower Gunnison River, tissue samples will be collected from razorback suckers, as well as a chosen surrogate species, to determine selenium concentrations. 4/7: The water users and other Program participants want to have input into development of the work plan that is produced to address this primary information need. >The Service will provide the Committee an outline of the process for developing the work plan. John Shields suggested that the Service develop an e-mail list or listserv for these conversations so everyone interested can remain informed and involved.*
6. **Angela Kantola** will post the revised October 13-14, 2009, meeting and February 25, 2010 conference call summaries to the listserv. *Pending*

7. **Angela Kantola** will incorporate the Committee's changes to the RIPRAP tables and text (making sure changes to the tables are accurately reflected in the text) and post the final RIPRAP documents to the web. Angela also will incorporate the new capital projects cost estimates in the FY 10 and FY 11 work plan budget tables.
8. The **Water Acquisition Committee** should discuss Green River flow protection on their upcoming conference call and work with the WAT and the policy group to provide a process and schedule for Management Committee approval.
9. The **Service** will discuss Yampa PBO depletion accounting requirements (StateMod vs. StateCU) in their sufficient progress review next week and get back to Becky Mitchell and Adam Bergeron. This also will be discussed during the April 21 **Water Acquisition Committee** conference call.
10. The **Program Director's office** will inform the San Juan Program that the Management Committee has approved Horse Thief Pond construction. *Done.* >**Debbie Felker** will work with Reclamation, the Service, and CDOW to develop appropriate press releases.
11. **Tom Pitts** will distribute the final version of the Ruedi legislation to the Management Committee before it is introduced.
12. **Jana Mohrman** will let the Committee know what other entities have objected to unperfected water right claims in Utah.

Attachment 1  
Participants  
Colorado River Management Committee Conference Call  
February 25, 2010

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Rebecca (Becky) Mitchell	State of Colorado
Robert King	State of Utah
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Julie Lyke	U.S. Fish and Wildlife Service
Dave Mazour,	Colorado River Energy Distributors Association
John Reber	National Park Service
Mike Roberts	The Nature Conservancy
Clayton Palmer (via phone)	Western Area Power Administration

Nonvoting Member:

Angela Kantola (for Tom Chart)	Assistant Recovery Program Director, U.S. Fish and Wildlife Service
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Recovery Program Staff:

Tom Czapl	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service

Others:

Jana Mohrman	U.S. Fish and Wildlife Service
Melissa Trammell	National Park Service
Ted Kowalski	Colorado Water Conservation Board
Leslie James (via phone)	Colorado River Energy Distributors Association
Dave Speas (via phone)	Bureau of Reclamation
Krissy Wilson (via phone)	Utah Division of Wildlife Resources
Matt Lindon (via phone)	Utah State Engineer's Office
Adam Bergeron	The Nature Conservancy
Tom Nesler	Colorado Division of Wildlife
Michelle Garrison	Colorado Water Conservation Board

ATTACHMENT 2  
Action Items from the Draft 2009 Sufficient Progress Memo  
April 7, 2010

ACTION ITEM	LEAD	DUE DATE	STATUS
The Service will continue to closely follow the effectiveness of nonnative fish management actions and the responses of the endangered and other native fishes. Data should continue to be reported annually, and necessary changes to nonnative fish management actions should be made in a timely fashion.	FWS, CDOW, UDWR	Ongoing	7/13/09: Critical data from 2008 submitted. CDOW discontinued translocation of SMB to Craig Justice Center Ponds, which will be returned to a trout fishery. Elkhead will remain primary translocation site for SMB (subsequent to spills or until the upper reservoir can be accessed). CDOW will continue to translocate northern pike to State Parks Headquarters Pond (Kyle's pond), Loudy Simpson, and Yampa State Wildlife Area ponds (subsequent to connection in the latter two locations). Northern pike CDOW is removing from Catamount are euthanized. Future actions contingent on further contaminant results from riverine samples of northern pike and smallmouth bass. Elkhead under a public fish consumption advisory. After 12/8-9/09 nonnative fish workshop, PI's and the Program immediately began revising 2010 SOW's, (approved by BC 1/14/10). Revisions respond to need to increase removal / disruption of SMB spawning throughout Upper Basin by adjusting previous sampling schedules to better align with SMB spawning (a very strong year class of SMB spawned in 2007 is expected to reach sexual maturity in 2010).
A research framework project was initiated in 2005 to conduct additional data analyses to further understand environmental variables and life-history traits influencing the dynamics of Colorado pikeminnow and humpback chub populations. The draft research framework report is behind schedule (originally due in 2007), but is expected in July 2009. Results will be used to refine hypotheses and direct management actions.	Valdez, Bestgen	7/31/09	8/24/09: Draft sent to PD's office and co-authors for review; target date for BC review is <del>11/15/09</del> . PD's office met to discuss March 3, working to schedule conference call with PI's by mid-April and then provide revised due dates to the Management Committee.
The Flaming Gorge Technical Work Group (Reclamation, the Service, and Western) needs to continue to provide brief updates on current and projected Flaming Gorge operations at Biology Committee meetings.	USBR, FWS, WAPA	Ongoing	Ongoing and on track.
The Recovery Program and the Utah State Engineer's office have been working on mechanisms to protect year-round flows in the Green River; however, this is behind schedule. A schedule and outline of the steps required for both the year-round protection above the Duchesne (to occur in 2009) as well as flow protection below the Duchesne is needed: a) the public meeting held by August 31, and the protection finalized by December 31, 2009; and b) by September 30, 2009, a schedule outlining steps for year-round protection	Utah	Public meeting: 8/31/09 Schedule/outline: 9/30/09	Public meeting held 8/20/09 for above Duchesne; completion anticipated by 12/30/09 (year-round above Duchesne). Outline/schedule for protection below Duchesne anticipated by 9/30/09. Program partners (Service, Reclamation, and Utah) are working to identify specific flow targets that would trigger subordination. The Water Acquisition Committee has been working on this and the State has held several public meetings in the basin. A Green River Utah Water Acquisition Team is established and is meeting regularly to identify alternative approaches for protecting flows for the endangered fish in the Green River. RIPRAP tasks/due dates to be revised (suggested dates still being discussed). Modeling group is meeting and expects to have a product by late June. 4/7: MC revised RIPRAP to

downstream of the Duchesne to the confluence with the Colorado River.			reflect need to identify process and schedule, and then implement; WAC to provide process and schedule for MC approval.
The Colorado Division of Wildlife will complete the Yampa River Aquatic Management Plan (with an Upper Yampa River northern pike strategy) by early July 2009. The Program will use this strategy and available information to evaluate the need to expand northern pike control upstream of Hayden to Steamboat Springs, possibly including removal efforts.	CDOW		8/10: Draft is in internal CDOW review. 9/22: CDOW sent the draft to the Program Director who forwarded it to the States and Service for a courtesy review prior to final approval. 10/14: Biology Committee comments are due back by the end of October 2009. 2/19: CDOW addressing comments (Ted Kowalski or Dan McAuliffe will follow up with CDOW). 3/10: Sherm Hebein said he and Tom Nesler hope to finalize this by March 19. 4/7: Sherm and Tom Nesler reviewed yesterday; Sherm is incorporating changes, reviewing suggested changes that are policy-related within CDOW, and responding to suggested revisions they to which they can't respond. Tom says they expect it will be ready for signature by the end of April 2010 (the 98a synthesis report also will be completed by the end of April).
Now that the Myton Diversion rehabilitation has been completed, the Program, Service, and Duchesne Work Group will work together to determine if any changes are needed in ongoing monitoring efforts necessary to evaluate the flow recommendations.	PD, FWS, DWG	Ongoing	8/10: Diversion operational and SCADA now online. Hydrological monitoring: after a full year's operation, the data will be examined to assure that the water is reaching the Randlette gage. Biological monitoring: Ute Tribe is conducting fish community surveys in the Duchesne; PD/FWS to define monitoring needed to evaluate flow recommendations. 4/1: The Duchesne River Working Group (DRWG) is preparing a water management report and investigating ways to provide additional water for delivery. Initial analysis shows that flow recommendations are improving flows for fish. Not yet enough information for revision or review of the Duchesne River Flow Recommendations. A few more years of operating with Myton Diversion rehabilitated will be needed before analyzing success.
Implementation of Coordinated Reservoir Operations (CROS) provided some peak flow augmentation in 2008; however, constraints on operations due to flooding concerns need further investigation to determine the feasibility of further enhancing CROS benefits.	NWS, Mohrman, CWCB, WAC	March 1, 2010	7/22/09: National Weather Service began a flood stage investigation last season which should provide some answers before 2010 peak flow. 11/27/09: NWS recommended revised bankfull, action and flood stage levels and will host a mid-December conference call to discuss. 2/19/10: NOAA met with Palisade and decided to raise the official flood stage at CAMC2 by 0.5 feet instead of 1 foot. Proposed advisory and flood stages are now: Bankfull --> 11 Feet (20.3 kcfs) Advisory --> 12 Feet (23.7 kcfs) Flood--> 12.5 Feet (~25.4 kcfs) FWS is working on operational language clarifying the minimal risk with flows up to 27,000 cfs (13 ft). NWS's final report is conservative, setting the Flood Warning Stage at 25,400 cfs (12.5 ft). The highest fish flow during CROS is 25,000 cfs. CROS should still be able to meet the high flow at the 15 Mile Reach if 3 days for delivery at Cameo allow the 25,400 cfs to occur and flows at the confluence of the Gunnison and Colorado River are at 12 feet or below.
Work on Coordinated Facilities Operations Project (CFOPS) will resume and is expected to be completed in 2010, but a specific schedule needs to be developed by October 1, 2009.	Upper Basin water users	October 1, 2010.	Implementation schedule provided Oct. 1, 2009 and approved by Service 10/27; calls for completion of a final CFOPS report by September 30, 2010. The team is now organized and will be moving forward shortly with goal of completing Phase III report by September 30, 2010.

Close coordination will be maintained by meeting twice a year with Grand Valley water users	PD's office, water users	Meetings ongoing.	Fall meeting held December 1; PD's office working to schedule meeting in April (potentially April 23).
Close coordination will be maintained by conducting conference calls as needed to discuss river conditions prior to the weekly Historic User Pool calls. The focus should be on taking full advantage of water savings brought about by operation of the Grand Valley Water Management project for late summer flow augmentation.	CWCB, Reclamation	8/1/2010	10/14: CWCB is working with the Colorado Basin River Forecasting Center (CBRFC) to update their models and forecasting tools to provide late-summer forecasts for the HUP managing entities. Beginning in 2010, CBRFC will provide an early-August forecast of expected flow volumes for Green Mountain Reservoir and the Grand Valley for August – October. CBRFC also will provide statistical information about expected flows. CBRFC began providing additional short-term forecast information to the weekly HUP calls in 2009. 4/1: Reclamation agreed to meet twice with Basalt during the release season to keep them informed of planned releases.
The goal of the 10,825 Project is to have agreements signed with the Service prior to Dec. 2009 committing east & west slope water users to permanent sources of Ruedi replacement water (as required by the Colorado River PBO).	Upper Basin water users, FWS	Agreements to be signed by July 2010	8/3/09 Tom Pitts will work with water user attorneys to draft commitments by the water users to implement the two-component 10,825 solution and provide drafts for Service review (meetings to begin in September). 10/14: Interim agreements actually don't expire until July 1, 2010, that's the date by which new agreements need to be in place. Agreements will be extended until permanent 10825 is finalized. Delivery of permanent 10825 should occur in summer 2013. There will be temporary extensions for Williams Fork and Wolford through 2013. 4/1: agreements are being drafted and reviewed.

Attachment 3  
Water Acquisition Team (Green River) Update  
for MC April 7, 2010

1. The Utah State Engineer's Office sent Julie Lyke a letter in February describing Utah's recent activities to protect flows for the endangered fishes (copy sent to the Management Committee on February 18). Feedback received during four public meetings in 2009 indicated that year-round subordination of new water rights to the recommended flows for endangered fishes was not acceptable to the public. Since that time, the State Engineer's Office and Recovery Program participants have been working to identify alternative approaches to protect flows for the endangered fishes in the Green River. The current focus is on a Reclamation model to Jensen due in mid summer. Analysis of the model queries will be completed by the end of 2010. Samples of the queries include:
  - ID available water potential – storage, flow, water right, water storage contract
  - ID future demands such as Blue Castle, Million, Shell in Yampa, climate change, and deforestation
  - ID pinch points and mechanisms to alleviate using ten year moving average
  - Model supply and demand scenarios including fish flows and water rights demands
  - Quantify full measure of Compact Entitlements for future demands
  - Demonstrate system's ability to deliver high flows on the prescribed basis
  - Consider potential limitation of upstream transfers of unperfected rights
  - Consider potential limitation of new storage projects in basin
  - Coordinate use of Water Service Contracts for water from Flaming Gorge with various entities such as the Lake Powell - St George Pipeline water.
  
2. Tools available to the State Engineer to protect instream flows for the endangered fishes include:

Declarative – instream flow with perfected rights held by Wildlife or Parks  
Restraint - Compacts  
Agreement – Contracts  
Public Welfare and Stream Environment – Policy

At the Utah Water Users meeting in St George in March, Director Division of Water Resources, Dennis Strong and the Director of Natural Resources, Mike Styler both stated in their speeches that the endangered fish need to be recovered before water development will occur. Dennis Strong said DNR may go to the legislature to secure instream flows.

3. In the fall of 2009, after subordination of new claims to fish flows was withdrawn as a method to protect fish flows, the Service began objecting to extensions of unperfected claims and other change applications over 100 acft. To date Service has objected to 12 such applications on the basis of the endangered fish needs and Utah's 3 species of concern.

Water Rights		AC-FT	Source	Protests in Utah since Fall 2009
41-3532	A30414dx	200	Flaming Gorge	Utah Board of Water Resources
43-12258	A30414doy	500	Flaming Gorge Colorado	Ouray Park Water Improvement District and Uintah WCD
05-3163	A30414dt	622	River	Grand County Water Conservation District
41-3529	A30414du	655	Flaming Gorge	Utah Board of Water Resources
49-2295	F78340	800	White River	Erroll and Linda Johnson
41-3516	A30414dj	2,000	Flaming Gorge	Red Cut Water Company Inc. and State of Utah Board of Water Resources
49-1654	A30414dg	2,400	Flaming Gorge	Utah Board of Water Resources
41-3487	A30414db	7,700	Flaming Gorge	Uintah Water Conservancy District and State of Utah Board of Water Resources.
41-12263	A30414doz	8,500	Flaming Gorge	Uintah Water Conservancy District and State of Utah Board of Water Resources
09-462	a35874	24,000	San Juan River	San Juan Water Conservation District
89-74	a35402	29,600	Wahweap Ck	Kane County Water Conservations District
41-3479	A30414d	299,684	Flaming Gorge	Utah Board of Water Resources

4. The Service and Western Resource Advocates requested an extension of the comment period from the State Engineer's office for the change application for the Blue Castle nuclear plant in Green River. The Service objected to this change application for ~53,600 ac-ft of unperfected water moved from Lake Powell (largest proposed single depletion since the Program's inception). Blue Castle requested that the Service drop its protest by the end of the last comment period. Kane Co. has offered the Service a 10,000 ac-ft pool for fish, but the Service has not received a copy of this water right for review. The Service asked that Reclamation's model be complete before a settlement is made for the Nuclear Plant.