



# Upper Colorado River Endangered Fish Recovery Program

Dated: November 9, 2010

## MANAGEMENT COMMITTEE MEETING

### Final Meeting Summary

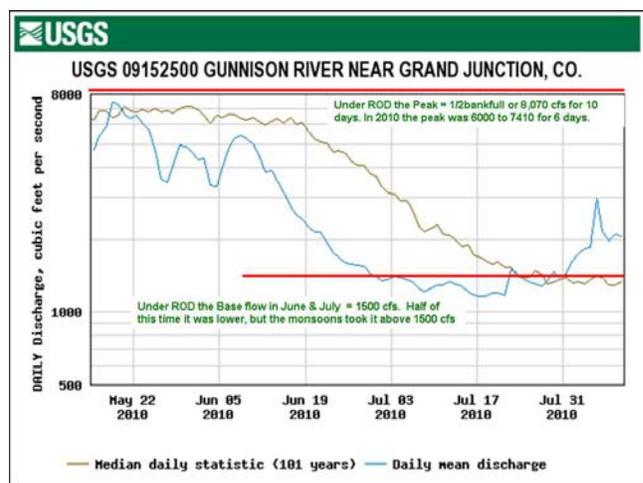
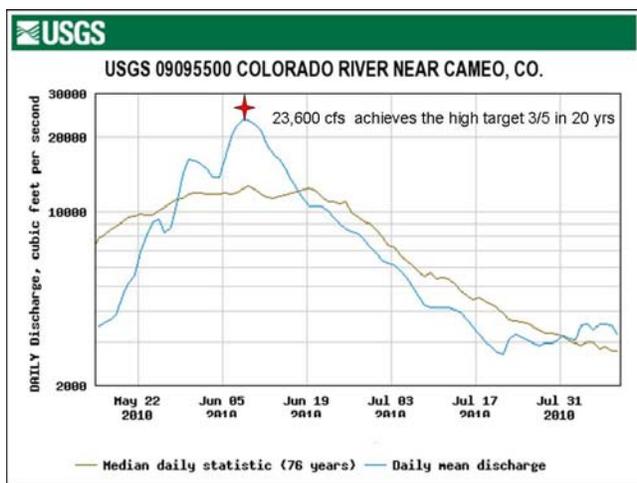
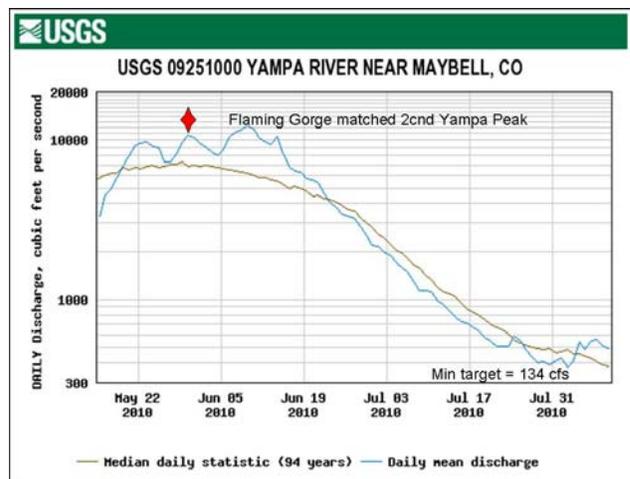
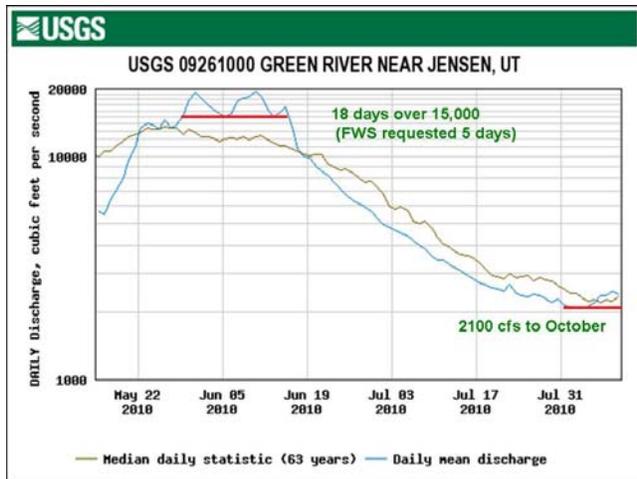
August 11-12, 2010

**Wednesday, August 11**

**CONVENE: 12:30 p.m.**

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper – The agenda was modified as it appears below.
2. Approve [June 7, 2010 conference call summary](#) and review previous meeting assignments – The Committee considered comments submitted by Tom Pitts and Mike Roberts. With an additional correction of one typo, the summary was approved as revised by those comments. Angela Kantola posted the revised summary to the fws-coloriver listserver.
3. Congressional activities
  - a. Annual funding legislation – Little change since the June update. The Senate is still looking for an offset to make continued use of full power revenues possible. If not, they are expected to pass a bill similar to the House's (which would require appropriations to replace the lost portion of power revenues), likely bundled in a large public lands bill. If the no-offset version passes, appropriations for FY 12 and 13 are a major concern (of which Reclamation and our Congressional representatives are aware).
  - b. Report to Rep. McClintock – John Shields said the report and synopsis are in draft; Tom Pitts said he thinks they'll submit it within the next couple of weeks. John Shields added that he thinks we can expect continued scrutiny along these lines. John and Tom will >send a draft to the Committee members for a fatal-flaw review before finalizing.
4. Updates
  - a. Hydrology – Jana Mohrman gave an update on current hydrologic conditions and endangered fish flows (see graphs in attached pdf with fish flow targets shown in red). Runoff came quickly this year, with higher than normal peaks, but subsequent runoff was lower than normal. Current conditions are above normal due to monsoonal moisture. Shoshone didn't take it's full water right again this year, but Denver Water, Reclamation and Northern again worked together to voluntarily release water (a virtual call) from their reservoirs to make up for this.

Jana said the sediment study has gone through peer review the author is working to address comments (and also will add a list of major findings). Jana will be arranging a webcast with the author and the Biology and Water Acquisition committees.



- b. Green River flow protection – Jana reported that the Utah Division of Water Rights met on August 10 with representatives from Central Utah Water Conservancy District (Gene Shawcroft, Jared Hansen), The Nature Conservancy (Mike Roberts), and Tom Pitts to continue development of a plan leading to legal protection of Green River flows under state law. The plan will identify: issues associated with legal protection; computer modeling that needs to be completed by Reclamation and the state to identify flows that need protection; and any legal or institutional leads, including possible changes in state law that are needed to ensure protection of flows and a schedule for these activities. Completion of the plan is contingent upon completion of the Reclamation modeling effort.

One option that appears to be promising is protection of water releases from Flaming Gorge to the St. George Pipeline, which will divert water from Lake Powell. The State of Utah and Reclamation will execute a contract for delivery of this water. A relatively minor modification of state law regarding the pipeline would be needed to allow the state engineer to protect these contract releases from Flaming Gorge, through the Green River and into Lake Powell. It is likely that the releases can be timed to help meet flow recommendations.

Both Tom Pitts and Gene Shawcroft have discussed development of a work plan with Dennis Strong, Utah Department of Water Resources. Dennis is committed to

delivering the plan to the Program by September 30, as specified in the RIPRAP, and stated that Utah is committed to finding the means of protecting flows needed for endangered fish recovery in the Green River.

c. Capital projects

Horsethief Canyon: Brent Uilenberg said the fish rearing ponds EA will be released as soon as the water supply configuration is determined. An infiltration gallery would be fairly expensive with considerable excavation. The alternative, well-field design should be available this week and hopefully will be more cost-effective. Water quality analyses show high manganese is the only problem (can clog well screens or infiltration gallery slots, so water level in the well field would need to be carefully managed as is done at Ouray NFH). If we use a well field, Reclamation will file for a well permit (needed before construction begins) and water right (just over 1 cfs). Reclamation still hopes to contract this by late fall and complete construction in late spring or early summer 2011.

OMID: The River District has drafted the necessary contracts for the OMID canal automation trust fund. With the \$100K/year from the Recovery Program, the remaining deficit is either \$400K capital (there is some discussion of this under east/west slope “global settlement”) or \$16K/year; if unsuccessful, OMID might be willing to assume the shortfall. The \$100K commitment from the Program will need to be incorporated into the work plan beginning in FY 2014. The EA has been drafted and community meetings held (with indication of strong support). The 3-year construction period could begin winter 2011/2012 with completion in 2013 or 2014 (assuming adequate Congressional appropriations).

Hogback Fish Barrier (San Juan): should be under contract in FY 11 with completion in spring 2012.

Other: Brent noted that proposals are due this December under the Salinity Control Program for ~\$30M of selenium remediation work to begin in Uncompaghre Valley beginning in 2011.

Capital funds: Brent provided a table showing remaining capital funds if all planned projects come in as estimated: \$11M for San Juan and \$5.9M for Upper Colorado through 2023. Brent therefore urges extreme caution in funding additional capital projects in the Upper Colorado until we know actual costs for OMID and Tusher Wash. Melissa said the Biology Committee has brainstormed potential additional projects and had planned to prioritize them; Brent said he thinks that’s still useful in that it prioritizes activities we believe are needed to achieve recovery, however, he doesn’t believe we can commit capital funds to additional projects at this time. Dave Speas noted that the Yampa PBO calls for quantifying incidental take in Maybell Canal and that researchers from USU may be able to install a passive PIT-tag antenna array to this end, but it’s a small-scale project (~\$30K) which may not be appropriate for capital funds. Tom Chart and Tom Pitts have a meeting scheduled with the Maybell Ditch owners to discuss options. Tom Czaplá showed photos of installation of the Price-Stubb passive PIT-tag antenna installation (August 10-12), from which data will be downloaded by cell phone.

- d. 10,825 Alternatives and agreements update / Ruedi legislation – Temporary sources of the 10,825 water are Williams Fork and Wolford Mountain (agreements extending these or other sources for three years [and up to five years] have been signed). The agreement for permanent sources (due June 30, 2010) has been drafted, but not yet signed due to issues with Ruedi legislation. The draft Ruedi legislation addresses the west slope portion of the 10,825. As proposed, it would be non-reimbursable, with no contract required, but Reclamation had concerns and counter-proposed a \$1.1M 40-year water service contract with ~\$18K/year in O&M costs to be paid by west slope water users. Remaining questions include whether a 40-year contract would meet the Service’s requirement for a permanent agreement and what the future burden would be on west slope water users. Discussions with Reclamation continue and the water users are keeping the Service informed of progress. An environmental assessment is underway, and though it is behind schedule, it is getting back on track with completion and a ROD expected April 1, 2011.
- e. Aspinall [EIS](#) and Gunnison River Study Plan – Brent Uilenberg said he understands Reclamation and Department of Interior solicitors are still working to resolve how the Black Canyon water right is treated in the EIS; hopefully the EIS may still be finalized this calendar year. Erin Williams emphasized that the Service sees it as critical to finalize the EIS before spring 2011 runoff so that the flow recommendations can finally be implemented (as referenced in the Service’s recent sufficient progress memo). Clayton Palmer said that moving this forward seems to be beyond the control of Program participants. John Shields suggested this may be another issue to discuss at the Implementation Committee, and noted that the Departmental liaison position on that committee remains vacant. Tom Chart said the Aspinall Study Plan work group met in June and is crafting a plan using the Green River plan as a template. Tom and Dave Speas have been working on uncertainties/anticipated effects and information needs and will provide a draft plan within the next week for the work group to review at their September 1-2 meeting. Fish community monitoring and potential habitat work will be among new work which will need to be incorporated into the RIPRAP and work plans.
- f. Nonnative fish management activities – Pat Martinez, the Program’s new nonnative fish management and instream flow coordinator, gave an update on recent activities and issues. Pat and the Nonnative Fish Subcommittee are working on drafting a basinwide nonnative fish control strategy, which will place a strong emphasis on prevention. Pat reviewed highlights from the June genetic biocontrol symposium in Minnesota, which addressed reproduction interference, chromosome-based, and gene-based methods of biocontrol. Pat has begun working to clarify meanings in the [2009 Nonnative Fish Stocking Procedures](#) so that states implement them appropriately (especially with regard to stocking private waters in Colorado). Tom Pitts observed that as a signatory to the Procedures, Colorado needs to incorporate them into stocking regulations. Pat also recently assisted Service regional office personnel in the preparation of comments/recommendations on Colorado’s proposed regulations regarding spearfishing, bait fish, crayfish, walleye, and illegally stocked sportfish, which the Service will submit to the Colorado Wildlife Commission. Pat noted the recent capture of a burbot in the Green River upstream of the Split Mountain boat ramp in Dinosaur NM (and UDWR’s “no tolerance” fishing regulation for burbot). Tom Pitts suggested

that Colorado should implement a similar “no tolerance” regulation.

- g. Chubs at Mumma Hatchery – Melissa Trammell visited Mumma on July 27. She and the Mumma staff sorted and pit-tagged the 122 chubs remaining on station from the 200 brought in from the Yampa River in Dinosaur NM in 2007. Melissa identified 16 putative humpback chub, although none of them looked 100% HBC. Of these 16, 10 now remain (six apparently lost to predation). Genetic samples (fin clips in ethanol) were taken from all 16 humpback chubs and 9 roundtail chubs. The remaining humpback chubs will be transferred to Ouray NFH and the roundtails returned to the Yampa River in Dinosaur NM. Tom Czapla said we seem to have averaged ~15% humpback chubs from the young chubs removed from the wild. We will have two refuge populations at Ouray NFH: the Yampa fish and fish from Desolation (25 adults captured last year).
- h. 5-year species status reviews – Tom Czapla said the humpback chub and pikeminnow reviews are in the Service’s Regional Office for review/surname (humpback also will need concurrence from Region 2, and pikeminnow from Regions 2 and 8). The bonytail and razorback drafts are in an earlier stage and are being reviewed by Service personnel in both field and regional offices.
- i. Recovery plan schedule and recovery timelines (see also agenda item #6) – Tom Chart said we’ll begin working on the recovery plans next. Tom agreed we need to do a reality check on recovery timelines and communicate the likelihood that we won’t achieve the 2013 downlisting goals for humpback chub and Colorado pikeminnow. Regarding a proposal to do the recovery goals, then the full recovery plans, Tom said doesn’t think much time would be saved, but agrees that his office will need to seek outside assistance to complete the plans. Clayton mentioned that Western is eager for revised recovery plans/goals to resolve the concerns about humpback chub numbers in Grand Canyon.
- j. I&E update – Debbie Felker reviewed recent information and education activities, including exhibits at the Utah Water Users’ Workshop (March), Endangered Species Day at the Denver Aquarium (May), the Grand Junction Children’s Water Festival (May), an educational field event with Uintah High School in Vernal (May), installation of the interpretive sign at Elkhead Reservoir, a display at the Living Planet Aquarium in Sandy, UT, a Community Agricultural Alliance bus tour of the Yampa River Basin, and the National Boy Scout Jamboree. The Program’s website ([www.coloradoriverrecovery.org](http://www.coloradoriverrecovery.org)) redesign is now complete, with much thanks to Ellen Szczesny for all her hard work. Upcoming activities include a booth at the Grand Junction Market Festival (September 2), presentation to the Community Agricultural Alliance in Craig, CO, exhibit at the Wyoming Water Association in Laramie (October 27-29) and the Colorado River Water Users Association meeting (Las Vegas, December 15-17). Debbie also is preparing the next issue of our *Swimming Upstream* newsletter.

**ADJOURN: 5:00 p.m.**

**Thursday, August 12**  
**CONVENE: 8:00 a.m.**

k. Section 7 Consultation

[2010 Sufficient Progress memo](#) – Angela Kantola said the memo was signed on July 16, 2010 and she posted it to the listserver on July 21.

Comments on sufficient progress memo not addressed were provided with the agenda for this meeting. The Service has suggested that the Committee discuss the format for future sufficient progress memos at their next meeting (intended audience of the sufficient progress memo and where/how to reflect population status [e.g., sufficient progress memo, 5-year status reviews, annual Program Highlights document, research framework, etc.]). At that time, the Service also has suggested discussing potential modification to the process/steps to prepare this annual memo in order to best address both Service and Management Committee comments and to complete the memo as expeditiously as possible. Specifically, to reduce the need for extensive recommended changes to the Service's draft sufficient progress memo, the Program Director recommends that after the RIPRAP assessment is completed and approved by the Program each year, the PD's office would then draft the following elements of the sufficient progress memo: 1) the population status update; 2) list of accomplishments and shortcomings; and 3) discussion and recommended action items. These items would then be provided to both the Management Committee and the Service for review and comment. The Service would subsequently take the Management Committee's comments into consideration in preparing its sufficient progress memo/determination. Tom Pitts said he'd still like for the Management Committee to have an opportunity to review the draft sufficient progress memo, especially if there are significant issues/concerns. John Shields said he thinks the revised process could help provide more input from all parties on what we need to do to rectify shortcomings we identify. >The Service/Program Director's office will prepare a memo on the proposed revised process for consideration at the next meeting.

Review sufficient progress action items (see Attachment 3) - The Committee reviewed these items, and discussed nonnative fish management in Colorado at some length. Tom Chart said he's proposed a meeting of his office, the Service, Colorado DNR, CDOW, and if interested, water users, to have a more thorough discussion of issues and alternatives for dealing with them. >Becky Mitchell and Tom Chart will arrange this meeting. >Becky Mitchell also will find out when the overdue final Yampa Aquatic Management Plan will be submitted. Regarding fish condition below screen return pipes and potential injury to fish when the gates on the Grand Valley screen are narrowed to maintain the diversion, >the Program Director's office will request a scope of work to seine below the Grand Valley Project screen return pipe and assess physical condition of fish (perhaps employing white suckers captured in the passage as surrogates).

Updated consultation list – The [updated list of consultations](#) through June 30, 2010 is posted on the Program’s website. Totals are:

**Upper Colorado River Endangered Fish Recovery Program  
Summary of Section 7 Consultations by State  
1/1988 through 6/30/2010**

		<b>HISTORIC DEPLETIONS</b>	<b>NEW DEPLETIONS</b>	<b>TOTALS</b>
		Acre-feet/year	Acre-feet/year	Acre-feet/year
Colorado	1126	1,915,321.75	205,936.34	2,121,258.09
Utah	202	517,669.95	85,908.15	603,578.10
Wyoming	241	83,498.31	33,833.69	117,332.00
Regional	238	(Regional)	(Regional)	0.00
<b>TOTALS</b>	<b>1,807</b>	<b>2,516,490.01</b>	<b>325,678.19</b>	<b>2,842,168.20</b>

Section 7 funds update – Angela reported that the balance in the NFWF Section 7 funds account was \$373K as reported through March 31, 2010. Current draws on the account include the electrofishing standardization project (up to ~\$13.5K remaining). Through 2009, assistance from Dr. Valdez on recovery goals and similar projects was being billed at ~\$25K/year; however, Dr. Valdez has very limited time available and the PD’s office proposes finding other assistance (likely continuing payment from Section 7 funds). In addition, the GIS fish tag mapping database needs to be moved from ARCims to ArcGIS on USFWS servers (and 2009 data added) for a total of \$4,500, with annual updating costs (short-term) of <\$1K).

5. Southern Rockies LCC ([Landscape Conservation Cooperatives](#)) Update – Kevin Johnson (FWS, kevin\_m\_johnson@fws.gov) and Avra Morgan (USBR, aomorgan@usbr.gov) discussed LCC’s, intended to help conservation organizations work collaboratively toward common landscape goals. LCC’s: focus on developing, providing, and sharing science; provide funding to leverage science/scientists; provide a forum to collaborate, coordinate and communicate; and support adaptive management and monitoring strategies. Each LCC will have a formal steering committee as well as support staff. The LCC vision is to be a functional and productive partnership focused on acquiring and sharing information to support on-the-ground strategic conservation efforts in light of climate change and other landscape-scale stressors (e.g. energy development, transportation, invasive species, etc.). Kevin emphasized that LCC’s are not intended to replace existing partnerships. All but a small portion of the upper Colorado River basin falls in the [Southern Rockies LCC](#), which encompasses large portions of Utah, Colorado, Arizona and New Mexico, as well as smaller parts of Wyoming, Idaho, and Nevada. Through October, Kevin and Avra will be working to identify potential additional partners. Questions for partners are: 1) what landscape conservation programs does your organization have underway that could benefit from or contribute to the LCC; and 2) are there specific landscape-scale science or information priorities that the LCC could focus on? Kevin said they would like to see someone from the Recovery Program designated as a participant/liaison to the Southern Rockies LCC; >the Program Director’s office will make a recommendation to be considered at the September 22 Implementation Committee meeting. The time may be ripe for a presentation on the Southern Rockies LCC at the Implementation Committee’s February 2011 meeting.

6. Development of September 22, 2010, Implementation Committee agenda – John Shields referenced the three draft issue papers he sent on behalf of himself, Tom Pitts and Mike Roberts. They attempt to take a longer-term view of Program activities/approaches related to annual and funding, recovery goals, and communication with Congress and the Administration. Discussion of these topics arose from the work to prepare responses to Rep. McClintock’s questions and from review of species status information in the draft *Program Highlights*, sufficient progress memo, etc. How do we best communicate the information we’re beginning to get on species status and response to management activities, for example?

Recovery goals – Developing the recovery goals/plans is, of course, a Service-led activity, but the Recovery Program may discuss and provide input for Service consideration. Clayton reiterated that Western believes the Service should resolve how its Regions 6 and 2 view the Grand Canyon humpback chub population number and when the clock starts for downlisting/delisting monitoring. Tom Pitts emphasized the need for consistent, realistic down- and delisting targets (e.g. the 2002 recovery goals say downlisting/delisting pikeminnow could be proposed in 2006/2013, the draft revised recovery goals say 2013/2016 [what we put in *Program Highlights*]). To maintain credibility with Congress, all these dates need to be correct and consistent. Tom Pitts has suggested possibility of doing this in two segments: 1) update recovery goals; and then 2) update full recovery plans, incorporating the updated goals. Tom is concerned about having a credible answer (and rationale) for Congress on this issue by next March. Tom Chart thinks the work done on recovery goals so far will take us a long way to a full revision of the recovery plans; however, the wild card is the review process. Work on the recovery goals stalled in 2009 when the Solicitor said selenium language in the goals must be consistent with that in the Aspinnall PBO. The PBO was finalized in December 2009 and in January 2010, the Solicitor recommended making the recovery goals full recovery plans. Tom Chart affirmed that we need to outline the full process: identify the date we expect to start the clock for monitoring, the date we expect to downlist, and the date we expect to delist. Clayton thought we’d resolved the question of when we’d start the clock for upper basin populations, but not for Grand Canyon. Tom Chart responded that we don’t monitor populations every year, and in the case of humpback chubs, monitoring showed several of the populations appeared to be declining, thus it’s difficult to say when we’d start the clock. We don’t yet fully understand how the fish populations fluctuate through time. If additional monitoring indicates that the populations are rebounding and that their numbers fluctuate over time, then the Service could conceivably back-cast the start date to incorporate earlier data. Recovery goals will need to take into account the best information available regarding the population fluctuations. With regard to resources to revise the goals/plans, Tom Chart agreed the Program Director’s office (tasked by the Service to draft the goals/plans) will need assistance. Tom Pitts said he believes the Service should bear some of the responsibility to provide this assistance, not just the Recovery Program. Without diverting significant resources from revising the actual recovery goals/plans, Program participants will need credible downlisting/delisting targets from the Service in advance of the Congressional briefing trip in March.

Communication with Congress/Administration - This is related both to the recovery goals and to funding and to how we reflect population status/response to management actions to Congress and other audiences. We may want to outline for the Implementation Committee

the information requests from and responses to Rep. McClintock and Sen. Barasso (who want to see more detailed population data than the briefing books have contained; thus we'll have to provide tables and graphs every year along with information on how those are to be interpreted/understood). Tom Chart asked if there might be a way we could better engage local Congressional staff. The Committee agreed to brainstorm this on a web conference among John Shields, Gene Shawcroft/Darin Bird, Becky Mitchell, Tom Pitts, the Program Director's office and San Juan Program staff, Mike Roberts, Leslie James, Matt Kales, and Matt's counterpart in Region 2 (potentially Charna Lefton). >The group will work to develop a list of options for Implementation Committee consideration. >Brent Uilenberg will see if someone from Reclamation's Washington, D.C. office can participate. >Angela Kantola will send a Doodle request to try to set up the web conference before September 1.

Annual and capital funding – We'll need to make it clear to the Implementation Committee that if the Senate doesn't find offsets, a concerted effort will have to be made to get ~\$3M (adjusted annually for inflation) into Reclamation's annual budget beginning in FY 2012, otherwise we would have to significantly cut ongoing recovery actions and Program management (with consequences for ESA compliance). >Angela Kantola and Tom Chart will prepare a comparison of the current work plan with what would be lost in 2012 if we don't get full power revenues or ~\$3M in appropriations to replace full power revenues and outline consequences for ESA compliance.

>Tom Pitts (recovery goals), John Shields (budget), and Mike Roberts (communications) will develop the three documents (with assistance from the Program Director's office) for the Implementation Committee. If possible, they should outline issues as well as potential alternatives for resolution. Drafts will be in briefing paper format and shared with the Management Committee with the goal of sending them to the Implementation Committee by September 1, but no later than September 8. > Management Committee members will alert their Implementation Committee members right after this meeting to these issues in order to help prepare them for the September meeting.

Other Implementation Committee meeting agenda items will include nonnative fish management, with a focus on prevention (especially in Colorado) and promoting the necessary changes in state regulations and policies; the Program Director's update; and updates on Aspinall, capital projects, Green River flow protection, and the Southern Rockies LCC (including consideration of a recommendation for representation from the Recovery Program).

7. Upcoming Management Committee tasks, schedule next meeting. The next meeting will be in Salt Lake on Nov 9 from 9 a.m. to 3 p.m., at DNR; >Gene Shawcroft will arrange a meeting room and make sure this date works for Utah. Agenda items will include: the usual updates, including congressional activities, fall hydrology, capital projects, and nonnative fish management issues; discussion of 2012 annual funding; Implementation Committee meeting follow-up; and discussion of the Service's proposal to modify the process for development of the annual sufficient progress memo. >John Shields will ask Leslie James about a new CREDA representative on the Management Committee (to replace Dave Mazour, who is retiring).

**ADJOURN: 12:00 noon**

Attachment 1  
Attendees  
Colorado River Management Committee, Grand Junction, CO  
August 11-12, 2010

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Rebecca Mitchell	State of Colorado
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Erin Williams for Julie Lyke	U.S. Fish and Wildlife Service
Dave Mazour	Colorado River Energy Distributors Association
Melissa Trammell for John Reber (John also participated via phone)	National Park Service
Mike Roberts	The Nature Conservancy
Clayton Palmer (State of Utah not represented)	Western Area Power Administration

Nonvoting Member:

Tom Chart	Recovery Program Director, U.S. Fish and Wildlife Service
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Recovery Program Staff:

Angela Kantola	U.S. Fish and Wildlife Service
Tom Czaplá	U.S. Fish and Wildlife Service
Pat Martinez	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service

Others:

Melissa Trammell	National Park Service
Jana Mohrman	U.S. Fish and Wildlife Service
Gene Shawcroft	Central Utah Water Conservancy District
Michelle Garrison	Colorado Water Conservation Board
Dave Speas (via phone Wed.)	U.S. Bureau of Reclamation
Leslie James (via phone Wed.)	Colorado River Energy Distributors Association
Kevin Johnson (Thurs.)	U.S. Fish and Wildlife Service
Avra Morgan (Thurs.)	U.S. Bureau of Reclamation

## Attachment 2

### Assignments from Previous Meetings

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 (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. 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. 7/27/10: As identified in the sufficient progress memo, Biology Committee to make a recommendation to the Management Committee by 12/31/10.*
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 Czaplá said the Program Director's office believes that continuing coordination by Service staff in California/Nevada and Regions 2 and 6 is the best way to accomplish this. As with 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: 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 for completing the recovery plans to the Recovery Program as soon as possible. 6/7/10: This schedule will be out shortly. Tom met recently with Lower Basin folks from the two Reclamation and two Service regions. The group recommended a meeting or conference call of the Program Directors with Reclamation and the Service in both regions twice a year to maintain coordination. Leslie James asked if the Glen Canyon program would be addressed in those meetings and Tom Czaplá said that Sam Spiller participated in the*

meeting via phone. Tom Pitts asked for a short summary of the difference between recovery plans and recovery goals (provided by Tom Czapla 6/14/10).

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. 5/24: Pending completion of the White River flow recommendations addendum (12/31/10).*
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. 7/27/10: In progress/review by FWS regional office.*
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 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. 7/27/10: The PD's office is currently focusing on the Aspinall study plan in light of its end-of-year deadline.*

6. **Tom Czapla** said he's been working with Krissy Wilson regarding UDWR's stocking regulations and Krissy said Utah can receive fish if the facility is certified (the concern was more about the potential for aquatic invasive species from leased and public ponds). Tom will confirm this with Krissy and Dave Campbell. *8/12: Tom Czapla said they're still working with New Mexico, but believes Utah's concerns have been resolved.*

#### New Assignments

1. **John Shields and Tom Pitts** will send a draft of the Rep. McClintock response to Committee members for a fatal-flaw review before finalizing it.
2. The **Service/Program Director's office** will prepare a memo on the proposed revised sufficient progress memo development process for consideration at the next meeting.
3. **Becky Mitchell and Tom Chart** will arrange a meeting among Program staff, the Service, Colorado DNR, CDOW, and if interested, water users, to have a more thorough discussion of nonnative fish management issues and alternatives.
4. **Becky Mitchell** will find out when the overdue final Yampa Aquatic Management Plan will be submitted.
5. Regarding fish condition below screen return pipes and potential injury to fish when the gates on the Grand Valley screen are narrowed to maintain the diversion, the **Program Director's office** will request a scope of work to seine below the Grand Valley Project screen return pipe and assess physical condition of fish (perhaps employing white suckers captured in the passage as surrogates).
6. The **Program Director's office** will make a recommendation regarding a participant/liaison to the Southern Rockies LCC to be considered at the September 22 Implementation Committee meeting.
7. **Angela Kantola** will send a Doodle request (*done*) to try to set up a web conference to brainstorm about Congressional communications before September 1 among John Shields, Gene Shawcroft/Darin Bird, Becky Mitchell, Tom Pitts, the Program Director's office and San Juan Program staff, Mike Roberts, Leslie James, Matt Kales, and Matt's counterpart in Region 2 (potentially Charna Lefton). The **group** will work to develop a list of options for Implementation Committee consideration. **Brent Uilenberg** will see if someone from Reclamation's Washington, D.C. office can participate.
8. **Angela Kantola and Tom Chart** will prepare a comparison of the current work plan showing what projects would be lost in 2012 if we don't get full power revenues or a ~\$3M appropriation to replace full power revenues and outline consequences for ESA compliance.
9. **Tom Pitts** (recovery goals), **John Shields** (budget), and **Mike Roberts** (communications) will develop the three documents (with assistance from the Program Director's office) for the Implementation Committee. If possible, they should outline issues as well as potential alternatives for resolution. Drafts will be in briefing paper format and shared with the

Management Committee with the goal of sending them to the Implementation Committee by September 1, but no later than September 8. **Management Committee members** will alert their Implementation Committee members right after this meeting to these issues in order to help prepare them for the September meeting.

10. **Gene Shawcroft** will arrange a meeting room be in Salt Lake on Nov 9 from 9 a.m. to 3 p.m., at DNR and make sure this date works for Utah.

## ATTACHMENT 3

## Action Items from the 2010 Sufficient Progress Memo

August 13, 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	Ongoing.
A research framework project (building on results and recommendations of previous population estimate reports and information developed as a result of previous population estimate workshops) 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 significantly behind schedule (originally due in 2007), but the Program Director's office is working with the principal investigators to get the draft report to the Biology Committee for review in the summer of 2010. Results will be used to refine hypotheses and direct management actions.	PDO, Valdez, Bestgen		7/26/10: Draft sent to BC for review 7/16/10; comments due back to authors 8/31/10. Revised draft due to BC 9/30/10.
By September 30, 2010, the State of Utah will identify the legal and technical process and schedule to protect recommended year-round flows for the endangered fishes in the Utah.	Utah	9/30/10.	
The Program Director's office will complete the Price River position paper and submit it for Biology Committee review by September 1, 2010.	PDO	9/1/10	
The Biology Committee (assisted by an ad hoc technical group) will analyze existing data to understand impacts and what could be gained by various screening options at Tusher Wash and make a final recommendation to the Management Committee by December 31, 2010.	BC	12/31/10	
CDOW will complete the Yampa River Aquatic Management Plan (with an Upper Yampa River northern pike strategy) by July 31, 2010. The Program will use this strategy and available information to evaluate the need for additional northern pike control upstream of Hayden to Steamboat Springs.	CDOW	7/31/10	8/11/10: Still not received; Becky Mitchell will find out when this will be submitted. Subsequent to receiving this plan from CDOW, the Program can consider any management actions called for in the plan which the Program may need to implement (and/or whether the plan adequately identifies actions which may be needed to manage nonnative fish sources in the upper Yampa River).

Based on their analysis of smallmouth bass recapture information, CDOW and the Recovery Program must decide, prior to the 2011 sampling season, if Elkhead Reservoir can continue to serve as a translocation site for smallmouth bass removed from the Yampa River.	CDOW	2/1/11	
In cooperation with the Service, the CUWCD will draft a water management report (chronicling how flow recommendations have been met over the past 5 years, describing yearly efforts, available water and evolution of past operations [release triggers, etc.]) This report will replace the "water management plan" that the 2005 Biological Opinion called for by December 2009. A second or third draft will be presented at the fall 2010 DRWG meeting. The DRWG will continue to examine the feasibility of other options for obtaining water.	CUWCD / FWS / DRWG	Fall 2010	
The Program Director's office will complete the addendum to the White River report and provide a status update and recommendation on the draft Schmidt and Orchard report on peak (channel maintenance) flows for Biology Committee review by December 31, 2010.	PDO	12/31/10	
Implementation of CROS provided good peak flow augmentation in 2009; however, some constraints on operations due to flooding concerns may remain. The CROS working group will consider Cameo flood guidance to maximize benefits of CROS operations for endangered fish habitat.	CROS working group	4/1/10	Good operations in 2010; draft flood criteria were incorporated into decision-making.
Work on CFOPS has resumed and the Phase III CFOPS report will be completed by September 30, 2010.	CFOPS working group	9/30/10	CWCB to have the 2008 report the week of 8/9/10 and the 2009 report shortly thereafter. Then can analyze how reservoir releases to augment the peak could be made. The concept is to the extent necessary, we would use a portion of the Service's pools of fish water to augment the spring peak, instead of later during base flows. Will require legal review. Concerns may remain regarding flows in the Fryngpan and reservoir levels for the Aspen Yacht Club.
Close coordination will be maintained by meeting twice a year with Grand Valley water users and 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.	PDO, water users	Meetings ongoing.	Fall meeting to be scheduled.

<p>The <a href="#">15-Mile Reach PBO</a> requires agreement(s) for permanent sources of the “10,825” water by June 30, 2010. Water users will extend existing interim agreements through 2013 (and another 2 years, if necessary) until the permanent water is in place. They also are preparing permanent agreements (were due June 30, 2010), which propose to provide water from Ruedi and Granby reservoirs (contingent upon the various steps that still need to occur). The water users will provide water from interim sources until that time. The permanent agreements currently are in draft and being reviewed by the Service. Work will continue on the National Environmental Policy Act process for the permanent water from Ruedi and Granby reservoirs to be completed in early 2011.</p>	<p>Upper Basin water users, FWS</p>	<p>6/30/10</p>	<p>Interim 10825 agreements to provide water from Wolford and Williams Fork executed in July 2010. They extend the interim arrangements through July 1, 2013, with the possibility of a 2-year extension.</p> <p>Reclamation proposed additional comments on the permanent 10825 agreement. Representatives of the River District, Southeastern Colorado Water Conservancy District, CWCB, and the Executive Committee met with Interior and Reclamation staff in Washington on June 25 to discuss Ruedi legislation. By July 16, Reclamation committed to proposing alternatives for resolution of issues associated with capital costs, timing of releases, and payment of operation and maintenance costs (proposal not yet received).</p> <p>The River District Board reviewed Reclamation’s comments on the permanent agreement on July 21 and decided to review Reclamation’s pending Ruedi legislative proposals prior to accepting any changes to the permanent agreement proposed by Reclamation. Thus, approval of the permanent agreement is on hold pending receipt and reaction to Reclamation’s proposal re: Ruedi legislation.</p>
<p>Condition of fish passing through the return pipes in the Grand Valley area fish screens has never been evaluated. The Program Director’s Office will work with the Service and Reclamation to prepare a white paper on this issue and work with the Biology Committee to develop recommendations for conducting an evaluation in Fiscal Year 11 or 12.</p>	<p>PDO, Service, Reclamation, BC</p>	<p>TBD</p>	<p>PD has initiated discussions with Reclamation; data-gathering underway. Reclamation is closely watching the Grand Valley Project gates, but believes we need to seine below the return pipe to assess physical condition of fish passing through that pipe. The primary concern is high velocities especially when the gate openings are narrowed to maintain adequate water diversions &gt;The Program Director’s office will request a scope of work on this (perhaps employing white suckers captured in the passage).</p>
<p>Biennial scopes of work and annual reports are needed from <i>each</i> fish screen/passage facility (Grand Valley Project, Grand Valley Irrigation Company and Redlands). The Program Director’s Office will work with Reclamation and the projects’ operators to make sure these are submitted in a timely fashion (each November for annual reports and April in odd years for 2-year scopes of work).</p>	<p>PDO, facility operators, Reclamation</p>	<p>November 2010</p>	
<p>The Program Director’s Office will work with the Biology Committee to craft a timeline/process for developing the Aspinall Study Plan and to form a subcommittee to prepare the plan (similar to the <a href="#">plan developed for the Green River in 2007</a>). The plan will be completed by December 2010.</p>	<p>PDO, BC</p>	<p>December 2010</p>	<p>First ad hoc group meeting held in June 2010; drafting underway; next meeting scheduled in September.</p>