

Management Committee Meeting Summary
January 29, 2003
Salt Lake City, Utah

Attendees: See Attachment 1

Assignments are highlighted in the text and listed at the end of the summary.

CONVENE - 9:00 a.m.

1. Review/modify agenda and time allocations and appoint a time-keeper - The agenda was modified as it appears below.
2. Approve November 20, 2002, meeting and December 5, 2002, conference call summaries - The November 20, 2002, summary was approved with minor revisions and the December 5, 2002, conference call summary was approved as written. >Angela Kantola will post the revised November meeting summary to the listserv (*done*).
3. Recovery Program updates
 - a. P.L. 107-375 - The President signed into law the legislation extending the authorization period for construction of capital facilities for the Upper Basin and San Juan recovery programs. Tom Pitts sent letters of appreciation to Senators Bingaman, Allard, and Campbell.
 - b. Status of environmental group representation on the Implementation Committee - Tom Iseman said they're completing an agreement with the Land and Water Fund of the Rockies for Dan Luecke's participation in the Program. They are pursuing grants, which appear promising, and expect Dan will be on board by the next Implementation Committee meeting. Supporting resolutions from The Nature Conservancy and the Land and Water Fund of the Rockies will be forthcoming at that time. Tom said he's had some conversations with Rick Johnson from Flagstaff about interest of other environmental groups in participating in the Program. Now that Dan is almost back on board, they will resume exploring this broader environmental representation. Tom Pitts noted that if other groups want to participate, they should sign a resolution of support of the Program.
 - c. Tusher Wash screen - Sherm Hoskins reviewed the history of this project: Lee Thayne and the Green River Canal Company are the key players. Thayne has a water right with the State Engineer for 635 cfs and Green River has a right for 60 cfs (however, they believe they have right to 80 cfs). Sherm said they've tried to create an agreement to screen 715 cfs, but Thayne has declined to sign such an agreement because he believes it could give Green River the additional 20 cfs. Green River Canal Company is unwilling to sign an agreement to screen 695 cfs, so there's currently a stalemate, even though an agreement to screen 715 cfs would not commit the water rights one way or another. Tom Pitts questioned why Thayne has to be a party to the agreement in the first place. Because of the court case, it's possible that Thayne's hydropower right could be reduced to a

point that would significantly reduce the cost of the screen. While we await the outcome of the court case, Reclamation will work with the Green River Canal Company only on an agreement for construction and operation and maintenance of the fish screen, with the screen size contingent on the outcome of the litigation. >Sherm will let Thayne know that the agreement is moving forward between Green River Canal Company and Reclamation.

- d. Lease agreement for Grand Valley water management pumping plant - Tom Blickensderfer said he and Randy Seaholm reviewed the Highline Lake storage appraisal and supporting documents and are now drafting recommendations for Greg Walcher and Rod Kuharich. Tom believes they will make a counter offer and that they can reach agreement with Reclamation fairly quickly. Tom Pitts asked Colorado and Reclamation to try to reach resolution by the March 21 Implementation Committee meeting; Tom Blickensderfer agreed. Deviation from the appraisal amount does require approval by Reclamation's Regional Director.
- e. Coordinated Facilities Operations Plan (CFOP's) - Randy Seaholm's office submitted a written update. Requested changes were made to some exchange operations in the model to more closely approximate current conditions. Most of the modeling results for the alternatives examined remain very similar to those previously done. A revised draft of the Phase II report was provided to the Executive Committee for review on January 6 and the Committee met on January 17. While some members of the Executive Committee aren't totally satisfied with the results, most believe the report is sufficient with the addition of some conditions to be included in the report concerning the results. The Executive Committee will provide any additional comments by February 14. Brown & Caldwell in consultation with the State will review the comments and finalize the report. If necessary, the Executive Committee will meet on March 6th or 7th. The goal is to present the report to the Management Committee shortly thereafter along with a recommendation on the most viable alternative(s). Bob Muth said he thinks both short and long-term alternative solutions will be proposed. Short-term solutions that would incorporate flexible real-time management (e.g., provisions to allow building up storage in an average or wetter year after several years of drought) are being discussed. Construction of additional storage may be part of the long-term proposal.
- f. Flaming Gorge EIS process - Tom Chart said they continue to work on the draft EIS and are working to address issues in Reach 1 (Dam to Yampa River). The first issue is the potential to increase the number of nonnative fish (especially smallmouth bass) in Reach 1 if the frequency of spills from Flaming Gorge was increased to meet the flow recommendations in the floodplain (Reach 2, Yampa to White). Bob Muth said he has serious reservations about the model's accuracy regarding the frequency of spills and asked if management flexibility could be built into the EIS to allow for sensible, real-time management. Bob noted that they've previously discussed a long list of things that should be done to refine the model. Tom Chart said the second issue is whether they can go beyond current temperature constraints (15°C to 16° or 17°) to warm water in Lodore and match

conditions in the Green compared to the Yampa River. Tom Pitts commented that Lodore is not specifically referenced in the Recovery Goals. Tom Chart said these issues should be resolved by the end of February and the draft EIS hopefully revised by mid-March. John Shields encouraged Reclamation to carefully articulate the reason for the EIS (in the context of the overall Recovery Program) so that the public clearly understands why it's been prepared. >Tom Chart will ask Beverly Heffernan to send out another update on the schedule.

- g. Plans to conduct information and education for nonnative fish control activities - The Action Planning Teams for the Yampa and Colorado rivers met in early December, with participation from Colorado Division of Wildlife, Colorado State University, U.S. Fish and Wildlife Service, National Park Service, Yampa River Basin Partnership and The Nature Conservancy's Carpenter Ranch. Concerns were expressed about possible negative reaction to expanding removal work to include catfish and smallmouth bass. The teams are finalizing scopes of work for this year and developing key messages to be used with all target audiences. These messages will be discussed at the I&E Committee meeting on February 13. The Colorado Division of Wildlife is working internally to consolidate their message as an agency. Debbie Felker is on the agenda for the Yampa River Basin Partnership meeting on Wednesday, January 29 to keep them informed and ask for their continued support of expanded nonnative fish management efforts. Utah Division of Wildlife Resources is developing its key messages and may be ready to discuss them at the I&E Committee meeting. Utah does not anticipate any adverse public reaction to its upcoming removal work. >Bob Muth will have Debbie send an update on tonight's Yampa Partnership meeting to the Management Committee. Tom Pitts recommended meeting individually with the landowners along the Yampa River who may be affected by the expanded nonnative fish removal work.
- h. EarthJustice/Grand Canyon Trust FOIA/NOI - Bob Muth said the Service recieved a Freedom of Information Act (FOIA) request for information related to development of the recovery goals from Earthjustice on behalf of Grand Canyon Trust on October 8, 2002. The Program Director's office compiled the requested documents, and the Service responded on January 24, 2003. (Bob distributed copies of the FOIA request letter and the Service's response.) Bob McCue noted that if the Service had denied Earth Justice's request for a fee waiver (which they could have done under new FOIA regulations), the cost of responding to the FOIA would have been \$5-6K. Bob Muth distributed copies of the 60-day notice of violations of the ESA, which notified the Secretary of the Interior and Director of the Fish and Wildlife Service of intent to sue over approval of the recovery goals. This notice was received from Earthjustice on behalf of the Grand Canyon Trust and other interested parties on November 25, 2002, and stated that Earthjustice should be contacted if the Service believed any of the information provided in their letter was incorrect. The Program Director's office prepared a written response for the Service, which was signed by Ralph Morgenweck on January 28 and faxed to Earthjustice (Bob distributed copies). The letter responds to Earthjustice's concerns and offers to meet with the Grand Canyon Trust Board

of Trustees. Bob Muth said he, Ralph Morgenweck, Margot Zallen and Mary Henry will meet with Regional Director Dale Hall and others from Region 2 on February 10.

- i. Habitat workshop(s) and strategic plan - Argonne National Lab was contracted to develop a strategic plan for geomorphic research addressing refinement of flow recommendations and requirements of the recovery goals. The first workshop was held in Grand Junction on December 11–12, 2002, where Kirk LaGory and John Hayse presented a linked-matrix approach to prioritize research needs for the strategic plan. Since then, Argonne has met with Recovery Program Director's staff to refine the matrices and presented an update of the approach at the January 15–16, 2003, Researchers Meeting. The next workshop is scheduled for February 3–4 in Grand Junction. A draft of the strategic plan is expected in March 2003, with the final plan expected in June 2003. Tom Pitts said he believes this is going to be a very effective process and commended Bob Muth for his work to make this happen.
- j. Thunder Ranch - Thunder (Mountain) Ranch, located just downstream of the primary razorback sucker spawning bar on the Green River near Jensen, Utah, is one of two floodplain property complexes not affected by the moratorium on land acquisitions. Because of its close proximity to the spawning bar and therefore apparent high value as an adult staging area and larval nursery area, the Management Committee previously agreed to move forward with pre-acquisition activities, with the requirement that acquisition is subject to committee approval. Pre-acquisition activities have been or are nearly completed. The Service's Regional Contaminants Coordinator has verbally cleared the property for contaminants, contingent upon allowing the river to flow through a portion of the site and installing a drain field and PVC pipe to capture "hot" selenium seeps; Contaminants is sending a clearance letter to FWS Realty. The appraisal is expected to be completed by February 12. Once the final pre-acquisition paperwork is in, the Management Committee will receive the approved appraisal values for acquiring easements on the property and estimated construction costs for habitat enhancement and selenium remediation (i.e., piping of seeps). It is hoped that a decision to move forward with an offer can be made in timely fashion, as time is running out for continued cooperation by the landowner. Brent Uilenberg asked if the 2003 capital budget for floodplain work will accommodate this acquisition and other planned construction activities. >Tom Pitts asked Bob to also provide the Management Committee with a bullet outline of how the site would be managed, what we can expect from it, etc.
- k. Reports status - Angela Kantola distributed copies of the updated late reports list.
- l. Yampa Management Plan and EA - The next draft of the Yampa Management Plan is nearly complete, with the exception of three stream-flow augmentation water-supply alternatives that remain to be modeled in CRDSS. Remaining alternatives are Alternative 2 (Supply Interruption Contracts), Alternative 3 (Instream Flow Water Rights) and Alternative 13 (partially satisfied with supply

interruption contracts). Alternatives 2 and 13 also include increased irrigation efficiencies (from 60% to 80%) simulating conversion to sprinkler irrigation to minimize impacts to agriculture. CWCB is carrying out this modeling (full results expected by early February), and the Program Director's office has received partial results for alternative 13. Impacts to agriculture still need to be assessed.

Significant portions of an environmental assessment have been completed, but the results of the CRDSS modeling is needed for a thorough assessment of all the augmentation water supply alternatives. The Elkhead strategy agreed to by the Management Committee and subsequently approved by the Implementation Committee incorporates elements of several alternatives, but was not evaluated as a separate alternative. However, based on the performance of the alternatives whose elements it borrows, this option is likely to perform better than any of the alternatives modeled to date.

It will take at least a month after all of the modeling results are in to complete the draft EA. Realistically, we can expect the draft EA to be published concurrently with the revised management plan by the end of March 2003. This also would mark the formal initiation of the 135-day Section 7 consultation process.

After allowing 30 days for review, public meetings would be scheduled early in May 2003, probably in the same locations as the November 2001 meetings (Steamboat Springs, Craig and Baggs). It may be appropriate to schedule at least one meeting outside the basin also (Grand Junction and/or Denver?). There would be an additional opportunity to submit written comments following the meetings, but no later than the end of May. A final plan and EA would be prepared following the close of the comment period. Depending upon the extent of revisions required, the final plan/EA should take 2–3 months to complete (July 31–August 31). The PBO should be wrapping up in the same timeframe, and contingent upon its findings, the Service would enter into a Cooperative Agreement with Colorado and Wyoming to implement the plan before the end of the fiscal year.

A meeting with Ken Jacobsen of the Corp of Engineers, Grand Junction, has been arranged for February 5 to discuss submission of a 404 permit application for the potential enlargement of Elkhead Reservoir. It is hoped that the permitting/NEPA process for the proposed enlargement can move forward soon thereafter. The discussion may also include potential mitigation opportunities.

Tom Pitts emphasized that these deadlines can't slip any further and asked Bob Muth to let him know if any problems are encountered.

- m. Researchers Meeting - Bob Muth summarized important findings reported at this year's researchers meeting and provided copies of the abstracts. Doug Osmundson received the researcher of the year award and George Smith was given an award for his work managing water. Next year's meeting may be in St.

George to encourage San Juan River and Lower Basin participation. Tom Pitts encouraged Bob to set the meeting date early and publicize it widely. >Bob Muth will send George Smith's PowerPoint presentation to the Committee.

- n. Drought impacts to ongoing studies - Bob Muth updated the Committee on Program activities and studies which may be deferred a year or more due to drought. Tom Pitts asked that this be on the next meeting agenda, also.
 - o. Evaluation of flow recommendations - Tom Pitts noted that we now have flow recommendations for the Green, Yampa and Colorado rivers and we'll have them for the Gunnison soon. After the geomorphology workshop is complete, Tom recommends that we determine how we're going to evaluate the flow recommendations and then get those activities into the RIPRAP. >Bob Muth agreed to provide a proposal after the workshop. John Shields noted that we also need to move forward on conservation plans.
4. Options for Gunnison River EIS/consultation process - Tom Pitts said the PBO process has been on hold pending outcome of the Aspinall consultation, Black Canyon water right, and Gunnison River flow recommendations. Tom has worked with several others to develop a list of options for how to get EIS/consultation process back on track. The options are: 1) no PBO, but project-by-project consultation; 2) PBO on existing depletions (thus avoiding argument over whether there will be future transbasin diversions); or 3) PBO on existing and future depletions (~50,000 af of future in-basin needs). Tom said he's tried to make it very clear in this option paper that the Service cannot consult on speculative depletions (in basin or transbasin). One outstanding question is ESA compliance for the Dolores Project, whose current reasonable and prudent alternative refers to releases from an upstream reservoir (Aspinall, although it wasn't named in the opinion). >Tom will e-mail the option paper to the Management Committee. Tom will discuss these options with the water users and River District on February 17.
5. Capital Funds - Brent Uilenberg distributed a capital projects spreadsheet dated January 27, 2003, that proposes a fixed schedule for state and power revenue payments. On the first page, FY 99-02 represent history; FY 03 is what's in the work plan, and FY 04-08 is what's in the RIPRAP. The second page is a budget leveling proposal for discussion purposes that would level the state contributions from year to year. The last row on the first sheet shows yearly surpluses and deficits that would occur under this proposal. A CWCB loan for Elkhead construction could address the deficit years. This proposal would require each state to provide their contribution up front each year (which may be an issue for Colorado and New Mexico). >The States (especially Colorado) will discuss this proposal with their fiscal people. Brent Uilenberg noted that Federal contributions may be increased (indexed for inflation), but the State and power portions can not be indexed. Tom Blickensderfer said another million dollars was taken out of their species conservation trust fund last week.

- a. Government Highline fish passage and screen - Brent Uilenberg reported that the land ownership issue has not yet been resolved for the canal screen. Reclamation hopes to construct the screen and passage in the winter of 2003-2004.
6. FY 2004 depletion charge and budget adjustments - Angela Kantola distributed a draft spreadsheet showing adjustments to the depletion charge and Program participant contributions for FY 2004, based on the FY 2002 CPI index (1.6%). >Capital fund contributions shown in this table will be modified based on Reclamation's proposal to level annual capital fund contributions.
 7. FY 2003 place holders
 - a. C-18/19 - Bob Muth introduced the revised scope of work which has been approved by the Biology Committee and now comes before the Management Committee for approval. The Committee approved the revised scope of work.
 - b. Floodplain restoration activities
 - Proposal for management plans/synthesis report - Bob Muth discussed principles for implementing the floodplain habitat program he posted to the listserver on January 27. (This will also be on the February Biology Committee meeting agenda.) As part of these principles, larval razorback suckers excess to the stocking plans will be placed in certain floodplain sites. Bob proposes leaving the current synthesis report in draft form (rather than trying to finalize it) and moving forward to develop site management plans (Green River subbasin first, followed by the Colorado River subbasin). Brent Uilenberg asked about costs, noting that FY 2003 is the last year that has capital funds for floodplain restoration. Bob Muth replied that our first priorities will be to work with Federally owned land and facilities and partnering with other entities. Tom Iseman emphasized that local land trusts would be excellent partners. Tom Pitts endorsed this process. Tom Iseman did, also, but noted that they have some concerns about relying too heavily on the floodplain model to determine required floodplain habitat.
 - Expenditures report - Brent said Reclamation is still working on this (a great deal of work has to go into comparing scopes of work to actual expenditures). The Committee and Bob Muth said they would still like to get this report. The Program Director's office will assist with preparing the report, as needed.
 - FY 03 work - The Biology Committee will consider three proposals for floodplain related research in February (which, if approved, will then come to the Management Committee for approval). Whatever comes to the Management Committee will include a discussion of how the proposed work fits into the overall management plans.
 - c. Review of status of other placeholders: Channel monitoring and other habitat monitoring remain contingent on the outcome of the geomorphic strategy. Bob

Muth said he doesn't anticipate a need for funds to determine tributary water projections this year and recommended deleting the \$20,000 placeholder. The Committee did so, with the understanding that >Bob Muth will double-check with Tom Blickensderfer. Northern pike exclusion assessment is a \$50,000 placeholder awaiting the draft report that was due this last December. Coordinated reservoir operations are unlikely this year due to drought. The Committee deleted the \$28,800 placeholder for this project.

8. Gunnison River transit losses - Angela Kantola noted she had posted to the listserver a scope of work for USGS to measure streamflow transit losses in the lower Gunnison River. The Program Director's office approved expenditure of \$10,000 in Section 7 funds toward the FY 03 portion of this work (consistent with the RIPRAP), which will assist in managing future releases of water from the Aspinall Unit. There will be no FY 04 cost to the Recovery Program. The Committee endorsed this work.
9. Plans for the March 2003 D.C. Briefing Trip - >Colorado, Utah, and Wyoming all need to call New Mexico and request that they participate in the trip. John Shields proposes 35-minute blocks for each of the meetings so that the group can better stay on schedule. John Shields asked >Tom Blickensderfer to provide a listing of all the Colorado legislative staff (environment and natural resources). John Shields reminded the group to >contact Kathy Wall to make their hotel reservations by February 5. Matt Kales will help set up appointments with the Interior and Fish and Wildlife Service. >John will draft a 1-page document that makes it clear that we need the the Congressional member's signature on the support letter. The "brown-bag" lunch session on Friday could address recovery goals, how we're dealing with drought, etc.
10. Agenda for March 21, 2003 Implementation Committee - Agenda items will include:
 - Review and approval of recommended RIPRAP revisions
 - Review and approval of RIPRAP status assessment
 - Review and approval or recommended FY 04-05 Program Guidance
 - Lease agreement for Grand Valley water management pumping plantCommittee members should let Bob Muth or Angela know if they have other agenda items they would like add.
11. Section 7 Consultation List - Angela Kantola distributed the list updated through 12/31/02. It has been modified to show amount and date of depletion fee payments (columns which showed the consultation initiation and due date have been deleted).
12. Next meeting - March 3 (9-4) in Denver near DIA. Agenda items include: revised RIPRAP, Program guidance, drought impacts to ongoing studies, and floodplain restoration placeholder scopes of work.
13. Committee members thanked Shane Collins for her contributions to the Program over the last four years. Shane moves to a position with WAPA in Denver in early March and will no longer be serving on the Management Committee.

ADJOURN: 3:15 p.m.

ASSIGNMENTS

1. Angela Kantola will post the revised November 20, 2002, meeting summary to the listserver (*done*).
2. Sherm Hoskins will inform Lee Thayne that the screen agreement is moving forward between Green River Canal Company and Reclamation.
3. Tom Chart will ask Beverly Heffernan to send out another update on the Flaming Gorge EIS schedule.
4. Bob Muth will have Debbie Felker send the Management Committee an update on the January 29 Yampa Partnership meeting.
5. When the Thunder Ranch acquisition comes back to the Committee for approval, Bob Muth will include an outline of how the site would be managed, what we can expect from it, etc.
6. Bob Muth will e-mail the the Management Committee the PowerPoint presentation George Smith gave at the researchers meeting.
7. After the geomorphology workshop is complete, Bob Muth will provide a proposal for how we will evaluate flow recommendations and then get those activities into the RIPRAP.
8. Tom Pitts will e-mail the Gunnison River EIS option paper to the Management Committee.
9. The States (especially Colorado) will discuss Reclamation's capital funds budget leveling proposal with their fiscal people.
10. Once the capital funds outyear budget is known, Angela Kantola will modify the capital funds section of the draft FY 04 budget table she distributed.
11. Bob Muth will double-check with Tom Blickensderfer that there's no need for the \$20,000 placeholder for tributary water projections this year.
12. Colorado, Utah, and Wyoming will call New Mexico and request that they participate in the D.C. briefing trip this year. Tom Blickensderfer will send John Shields a listing of all the Colorado legislative staff (environment and natural resources). Trip participants should call Kathy Wall to make their hotel reservations by February 5. John Shields will draft a 1-page document that makes it clear that we need the Congressional member's signature on the support letter.

ATTACHMENT 1
Colorado River Management Committee, Salt Lake City, Utah
January 29, 2003

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Tom Blickensderfer	State of Colorado (via phone)
Robert King and Sherm Hoskins	Utah Department Of Natural Resources
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Shane Collins	Western Area Power Administration
Bob McCue	U.S. Fish and Wildlife Service
Dave Mazour	Colorado River Energy Distributors Association
John Reber	National Park Service
Tom Iseman	The Nature Conservancy

Nonvoting Member:

Bob Muth	Recovery Program Director, U.S. Fish and Wildlife Service
----------	---

Recovery Program Staff:

Angela Kantola	U.S. Fish and Wildlife Service
----------------	--------------------------------

Others:

Tom Chart	Bureau of Reclamation
Gene Shawcroft	Central Utah Water Conservation District