

MANAGEMENT COMMITTEE MEETING SUMMARY

Little America
Cheyenne, Wyoming
September 15-16, 2004

Wednesday, September 15

CONVENE: 1:00 p.m.

1. Introductions, review/modify agenda and time allocations, and appoint a time-keeper - The agenda was modified as it appears below.
2. Approve June 22, 2004, meeting summary – Brent Uilenberg asked for the following addition to page 2, item 4.b. second to last sentence: “or with appropriated funds or CRSP power revenues.” >Angela Kantola will post a revised summary to the listserv.
3. Population estimates update
 - a. Report on 8/24-25 upper basin workshop – Bob Muth outlined his perception of the current (some preliminary) population estimates for humpback chub in Black Rocks, Westwater, Desolation/Gray Canyons, Yampa, and Cataract and Colorado pikeminnow in the Colorado and Green rivers. A population estimates ad hoc group will produce a summary of the workshop which will help guide our next steps, and analysis of the preliminary data will continue. In light of the results to date, Bob believes the Program should explore ways to improve sampling efficiency and fill data gaps, explore the feasibility and efficacy of additional data analysis and implement that as appropriate, and continue (revising as supported by data) our management actions to reduce threats to the fish. Tom Pitts noted that the data show that environmental conditions (e.g., water clarity, etc.) affect sampling efficiency. Dan Luecke commented that the apparent decline in the Green River Colorado pikeminnow populations from the 1990’s is very troubling and noted that we possibly haven’t been collecting appropriate environmental data to go along with the fish data. This has important implications for both our research and action agenda. John Shields added a note of caution, asking if environmental data has been successfully linked to causal mechanisms in any basin. Dan said we have to find a way to get more information to examine our fundamental hypotheses about what it will take to achieve recovery. Bob Muth said decline is probably not surprising given the long drought and increase in nonnative fishes. Dan pointed out the need for comparative analysis, since the Colorado River Colorado pikeminnow population appears stable and apparently has not had the level of adult mortality seen on the Green River. (Melissa Trammell noted that we may not have the level of data analysis on the Colorado River to speak about adult mortality.) Tom Nesler reminded the group that even in the middle Green River, the estimates statistically are *not* significantly different, although there does appear to be a downward

trend. This trend bears close monitoring and we need to try to discover the reasons behind the apparent decline. Dan Luecke pointed out the difference between an apparent population *decline* with uncertainty versus an apparent *increase* with uncertainty. >Bob Muth will e-mail the Management Committee members a copy of the PowerPoint presentation for their review (understanding that much of the data are preliminary and the presentation is a draft). >For the Implementation Committee meeting, Bob will add more specificity to the “next steps” part of the presentation and include a reference map.

- b. Lower basin humpback chub estimates - Tom Czapla said that Regions 2 and 6 of the Service and Arizona have now recommended that GCMRC put out an RFP for someone to look at simulation modeling, how a concurrent sampling structure would be set up, and comparison criteria. From that, it would be determined how a concurrent mark-recapture population estimate would be conducted and a second RFP would be issued to conduct that estimate (this could still occur in the fall of 2005).
4. Yampa Plan, EA, and PBO - The final Yampa River Management Plan and EA have been completed and sent out for printing. The Program Director’s office expects 200 copies of the Plan/EA and appendices by the end of next week. Gerry Roehm is preparing a Finding of No Significant Impact (FONSI) to accompany these documents when they are distributed to Committee members and interested parties later this month. Gerry also will take copies to the Yampa River Basin Partnership annual meeting on September 29. Completion of the EA and FONSI for the Plan will allow the Corps of Engineers to proceed with the permitting process for the Elkhead Reservoir Expansion Project. A separate EA will be prepared for this project to address site-specific impacts not addressed in the EA for the Plan. Concurrently, the Service has completed a draft programmatic biological opinion (PBO) for the Plan, which has been posted to the Recovery Program website for courtesy review and comment by Committee members and other interested parties (<http://www.r6.fws.gov/crrip/yampaPBO.htm>). Appendix D, which has not been posted, will describe the depletion accounting methodology, similar to that which was used for the Colorado River PBO. The final Yampa River PBO should be completed in late October or early November. Ray Tenney questioned the necessity of some of the rather specific details in the PBO regarding construction of the Elkhead enlargement (e.g., approval of a lake management plan prior to beginning construction [which may be a rather involved and lengthy process], etc.). Gerry recommended that CRWCD incorporate that concern in their comments, and added that he thinks that could be taken out. Tom Iseman said the environmental groups’ comments will focus on the link between the PBO and the status of the fish in the Yampa. >Comments should be submitted to the Program Director’s office with a courtesy copy to the Management Committee. >The Program Director’s office will distribute to the Management Committee any comments submitted by outside parties who don’t copy the Management Committee.
 5. Elkhead enlargement, agreements/contracts, and 404 permit application - According to Dan Birch, all matters continue to progress well on the Expansion of Elkhead Reservoir. Absent

something unforeseen, the project should be out to bid this fall and early winter, for construction starting in February 2005, finishing in the fall of 2006 with park re-opening and water deliveries in 2007. The reservoir should fill with water available for fish releases in 2007. Engineering is progressing well and Ray Tenney and URS (engineering consultants) are doing a good job of refining the design to reduce costs -- on the order of \$1M. In spite of dramatic increases to fuel costs and steel prices, the project is still under budget. The final two major agreements are nearing final form. The suite of Federal and State agreements are expected to be executed in November after project permits have been received. Ray Tenney said the operating agreement with Yampa Participants and the City of Craig is awaiting final comments from the Yampa Participants and is expected to be executed in October. Offers have been tendered for the 35 or so acres needed from five private property owners adjacent to the reservoir and conceptual agreements have been reached with two of those owners. All properties are expected to close by the end of the year. The District is also pursuing an exchange for the 740 acres that the State Land Board owns at Elkhead with land that the River District owns in Juniper Canyon. The 404 permit application is still pending. The Corps of Engineers should be in a position to make a permit decision with final action on the Yampa Plan in the next few weeks.

- a. Fish Screen – Brent Uilenberg noted the fish screen hasn't been in the capital projects budget. Ray said the 3 tower outlets and the small outlet will be screened (Bob Muth agreed this is what the Biology Committee believes needs to be screened) which will cost an additional \$750K-\$800K. Ray said that with this and the various other cost increases, they've still been able to modify designs and believe they can build the project within their total budget of \$21M + \$1M for fish screens.
6. Capital Projects Update - Brent Uilenberg distributed an indexed capital projects budget, showing a total of \$65.334M. The Redlands (\$5M) and Grand Valley (\$7M) screens together will be ~\$500K over previously projected costs. Price-Stubb and Tusher Wash will take the total capital projects cost to ~\$67M, for a probable ~\$2M shortage, not including the cost of Elkhead screens. The Program's share of Elkhead enlargement calculated in this is \$8.732M (and the Program would fund up to a 5% overage). The \$1M for fish screens agreed to by the Implementation Committee would be over and above the \$8.7M. Bob Muth pointed out that the last capital projects spreadsheet identifies \$612K for hatchery facilities that shouldn't be needed, so those funds should be available to go toward Elkhead screening. Bob said the Program may also need to consider some additional habitat restoration costs (e.g., evaluation of sites and construction at the Hot Spot Complex).
 7. Nonnative fish management update - Pat Nelson reviewed the numbers of nonnative fishes removed from the Yampa, Green and Colorado rivers this season. Thus far from the Yampa River, nearly 1600 northern pike have been relocated to the Yampa State Wildlife Area ponds, Loudy-Simpson pond, and Rio Blanco Reservoir and more than 2500 smallmouth bass have been relocated to Elkhead Reservoir. Looking at this preliminary data, Pat said it appears we may be able to get northern pike under control, but it's too early to tell about smallmouth bass. Dan asked if Pat believes the current effort is intense enough and Pat said he has some ideas

about how we may be able to improve our efficiency. Dan asked if a second boat could help net missed fish and Pat said there may be some instances where a chase boat could be helpful, but probably only rarely. Tom Nesler suggested there may be a number of things we can try in selected reaches to improve efficiency. A nonnative fish workshop will be held December 8-10 to discuss the results of this year's efforts and plans for next year. Debbie Felker said biologists have indicated basically no public reaction to the removal efforts except from anglers fishing in the relocation ponds, who have been very appreciative. Tom Nesler said some of the CDOW field staff apparently are still sensing some negative response, but Tom added that those field personnel will need to provide more definitive information on this kind of feedback if we're going to be able to track it. Ray Tenney said there is a bag limit on Elkhead Reservoir of only 2 bass over 16" and said it would be nice if that restriction were lifted by the time the reservoir is reopened. Tom Nesler said that issue has been raised and he believes the restriction will be lifted by that time.

8. Review of format for Washington, D.C., synopsis document – Debbie Felker distributed assembled copies. Debbie also passed around a new cover design for the folder. Tom Pitts said this 6-page synopsis is meant for Program participants to use in their very brief meetings with Congressional staff, since the Program Highlights document is a bit long for this purpose. John Shields said they would still use a folder cover, and would put this synopsis in it along with letters of support, etc. Dan Luecke supported the idea of compressing the information and asked if instead of a 6-page synopsis, we might want to create a series of front-and-back page fact sheet inserts on various topics (e.g., budget, nonnative fish removal, etc.) that could be assembled in the folder according to the audience. Tom Nesler suggested asking some of the Congressional aides who've worked with us over the years for their input on the synopsis. Robert King suggested a 1-page document outlining "what's new since last year." John Shields distributed copies of Interior's letter to the House and Senate in response to Program participants' request regarding the Service's contribution to the Program in FY 06. Tom Pitts said the Senate's Interior Appropriations committee passed a bill adding the Service's \$691K back in for FY 05 (the House already passed a bill with \$700K added in).
9. Reports status - Angela Kantola distributed an updated reports status list.
 - a. Report on Biology Committee process for reviewing non-Program reports - Per discussion at the August 23 meeting, entities submitting non-Program reports to the Biology Committee are asked make clear what they're asking the Committee to do (e.g., approve the report, consider the recommendations, etc.). The Biology Committee will inform the requesters of the timeframe in which the Committee can consider the report. The Committee also will ask the requesters to go through the typical process of peer review, revision, etc.
 - b. Update on review of Anderson instream flow methodology - The Biology Committee discussed the report and agreed to submit additional comments by the end of September. Rick will respond to those, then the Program will consider those responses

and let CWCB know if they believe this is an appropriate methodology for making endangered fish flow recommendations. Tom Pitts said he thinks the Management Committee should make a formal recommendation back to the CWCB.

- c. Colorado aquatic management plans – Tom Nesler said the Gunnison and San Juan plans are awaiting signature. The Colorado plan needs more editing so it's about 45 days out. The review of the Yampa plan (which needs to be revised) has just begun.

Thursday, September 16

Convene: 8:15 a.m.

10. Section 7 consultation

- a. Sufficient progress determination - Bob McCue said the Service provided a draft letter, but subsequent to comments received and the population estimates workshop, they have decided to reconvene to review and perhaps revise the letter. The Service will provide another draft before finalizing the letter.
- b. Flaming Gorge EIS update – Brent Uilenberg reported that draft EIS was made available on 9/3 and public meetings have been scheduled for October in Moab, Salt Lake City, Rock Springs, Dutch John and Vernal. John Shields recommended that someone from the Service be present at these meetings to answer questions related to the Recovery Program.
 1. Floodplain White Paper - The Biology Committee discussed the paper in late August. A number of questions were raised about the authors hypotheses, but the Committee agreed that they do want to address uncertainties the paper identifies and that the hypotheses will be useful in testing the Green River flow recommendations. This would probably take the form of outyear Program guidance, although if existing scopes of work can address the uncertainties with some modification, that also could be considered. Committee members agreed to submit any additional comments on the paper by September 17. Gary Burton distributed copies of the PowerPoint presentation John Hayse gave to the Biology Committee and then went through a brief review of that presentation. Clayton Palmer discussed the policy issues, and said WAPA doesn't believe it's entirely the responsibility of Flaming Gorge to meet the Green River flow recommendations in the upper reaches. Clayton distributed graph showing historic January flows versus “stylized” action alternative flows, intended to represent how Flaming Gorge would be operated under the proposed action. WAPA has argued that the cumulative effect of reoperating Flaming Gorge for endangered fish has been to eviscerate the power purposes of the dam and is perhaps even out of compliance with the CRSP Act.

WAPA's concern is the 2-week duration at 18,600 cfs peak flow recommendation for one out of four years in the average hydrologic condition. Flaming Gorge and the Yampa River are the two potential sources for flows to meet this recommendation, and the 50,000 af future depletion planned in the Yampa River would be enough to meet one week of these flows. Fortunately, it seems as though depression floodplains are most important for the razorback sucker and most depression floodplains near the spawning bar are inundated at 13,000 cfs. (which would eliminate the impact to power production at 18,600 cfs). Clayton said it appears modifications could be made to studies in FY 05 to study these hypotheses and WAPA is ready to support flows needed to do that (including bypass flows, if necessary). If the studies are done and we find 18,600 cfs is needed, then WAPA will be back asking the Program to look at other alternatives (e.g., suggesting that the Yampa River meet part of these flows or considering non-flow alternatives). Ray Tenney asked what portion of the recommendations the Yampa is contributing currently and argued that the Yampa is currently meeting the overwhelming portion of the peak flows. Tom Pitts expressed alarm at Clayton's assertion that there needs to be a tradeoff between the Yampa and the Green contributions to meet the flow recommendations. The peak flows on the Yampa have hardly been touched, there is no regulation on the Yampa, and one purpose of the Program is to allow the States to develop their Compact allocations. Gary Burton said they are developing comments on ways to modify Christopherson's floodplain scope of work. Bob Muth cautioned that the uncertainty with regard to floodplain inundation is only one of many identified in the flow recommendations. John Shields recommended this be on the next meeting agenda and modifications to the scopes of work be discussed. Ray Tenney asked that the modeling also address Colorado's obligation to deliver 5MAF in 10 years, as provided in the Compact.

- c. Aspinall EIS and consultation process update – Bob McCue said the Service has drafted a letter recommending that Reclamation begin a normal EIS process on Aspinall (over a 4-year period). Brent Uilenberg said they concur and they will be moving forward and requesting a meeting with the cooperating agencies in October.
- d. Update on 10,825 af commitment – Tom Pitts said the water users are looking at options, including Sulfur Creek and Wolcott.
- e. Proposed Wolcott Reservoir update – Tom Iseman said he attended a meeting where CRWCD, Denver and Northern presented information on Wolcott. The 10,825 would be a leading purpose of the proposed reservoir. Tom Iseman said he would like to know more about all the options the water users are considering to meet the 10,825 obligation. Ray Tenney said the potential for other water-saving options are also being considered.

- f. Consultation list update - Angela Kantola distributed the most recent list of consultations (through June 30, 2004). Angela noted that nearly 7,000 af of the current 7,500 af allotment for depletions <100 af has been reached, so the >Service will be considering whether it is appropriate at this time to conduct an intra-Service consultation on an additional increment of these small depletions. >Angela will ask the Service's Ecological Services field offices to review the list of major ongoing consultations for accuracy. Tyler Abbott explained the language in the letter regarding abandoned mine reclamation that John Shields asked about at the previous meeting. Some of the language is intentional to make sure project proponents don't misunderstand and assume they're not required to consult when they are. Tyler said the language regarding where water is depleted and returned will be clarified.

11. Funding issues

- a. Status of FY 05 agency contributions – Angela called the Committee's attention to the various agencies' FY 05 obligations and said as far as she knew, these amounts will be forthcoming. >Brent Uilenberg will confirm Reclamation's FY 05 annual power funds contribution.
- b. Upper Basin fund status & ramifications for Program annual and capital funding – Clayton Palmer recalled that the CRSP basin fund has recently had to fund the cost of purchasing power due to the drought conditions, but they expect a \$30M balance at the end of FY 05 so they foresee no funding problems for the Upper Basin Recovery Program or with any of the environmental programs funded with power revenues in FY 05. In FY 06 ad 07, however, there is a 15% chance that power could not be generated out of Lake Powell, which would result in cutbacks, and another 10% chance that releases would be substantially reduced and result in cutbacks. This total 25% chance for cutbacks would increase if Interior decided to reduce releases from Powell. WAPA is working on a management plan to address this potential; some hydrologic conditions would require this Program to seek appropriated funds to replace power revenues. John Shields recommended that WAPA and Reclamation make a regular report to the Program on their 3-year forecast for available funding. Clayton said he thinks >he or Gary could provide a written estimate to the Committee semi-annually. Dave Mazour said power customers are very concerned about the basin fund and the serious consequences that would result if the drought continues another two years and are considering recommending legislation in early 2005 that would establish triggers requiring certain things happen (e.g., if Lake Powell continues to drop). Dave said they believe this is an important contingency, and if the legislation does go forward, they will want the support of the entire basin. Tom Pitts asked if this could get rolled into a larger drought relief bill and Dave said it might. John Shields said the 7 basin States also are looking at options for what can be done if the drought continues.

- c. Update on Reclamation procurement procedures – Angela Kantola said she provided a spreadsheet to Reclamation identifying projects in the work plan to which she does not believe the new competition regulations for grants and cooperative agreements would apply. Reclamation has hired David Speas to replace Tom Chart and Angela will be working with Dave and others in Reclamation to work out any issues. However, Angela said she cannot predict at this point how Reclamation’s interpretation of their competition regulations and delays in finalizing the FY 05 work plan will affect our ability to transfer funds in a timely fashion in FY 05. >Brent Uilenberg will contact Mike Ward and ask him to let Angela Kantola know the status of clarifying the competition requirements (see previous Management Committee meeting summary) and Reclamation’s review of the spreadsheet Angela provided regarding applicability of competition to projects in the Program’s work plan. This will be put on Implementation Committee meeting agenda.
 - d. FY 05 work plan update – Bob Muth said revisions are still being made to the FY 05 work plan, especially with workshop recommendations still coming in. >Bob Muth will get an assessment from the biologists regarding whether all of Tusher Wash needs to be screened. Bob Muth said he believes we need to add \$58.1K in capital funds under C-6HYD to evaluate restored floodplain sites if adequate flows are available. With regard to ceiling insulation repair at the Grand Valley Hatchery, Angela recommended assessing available funds mid-fiscal year and doing the entire \$45.8 repair if funds are available. Brent Uilenberg and Bob Muth endorsed that.
 - e. NFWF funds management status - >Brent Uilenberg will check on the last statements to make sure New Mexico is getting the information they need. >Sherm Hoskins will review the amendments needed to the cooperative agreements and discuss those with the other states and then NFWF.
12. Review agenda for Implementation Committee meeting - The Committee made minor modifications to the agenda. >Ray Tenney will provide a 1-page project schedule update on Elkhead enlargement. >Angela Kantola will post the revised agenda to the listserver.
13. Schedule next meeting – Monday, December 13 at a hotel near DIA. 10:00 a.m. – 4:00 p.m. >The Program Director’s office will reserve a room at the Marriott which has a fairly quick buffet lunch. Topics will include: floodplain hypothesis testing (see discussion regarding the floodplain white paper); population estimates workshop summary; Washington, D.C. briefing trip; and FY 05 work plan changes.

ADJOURN 12:25 p.m.

ASSIGNMENTS

1. Angela Kantola will post a revised June 22, 2004 meeting summary to the listserver.
2. Bob Muth will e-mail the Management Committee members his PowerPoint presentation for their review (understanding that much of the data are preliminary and the presentation is a draft). For his presentation to the Implementation Committee, Bob will add more specificity to the “next steps” part of the presentation and include a reference map.
3. Comments on the Yampa PBO should be submitted to the Program Director’s office with a courtesy copy to the Management Committee. The Program Director’s office will distribute to the Management Committee any comments submitted by outside parties who don’t copy the Management Committee.
4. The Service will consider whether it is appropriate at this time to conduct an intra-Service consultation on an additional increment of these small depletions.
5. Angela Kantola will ask the Service’s Ecological Services field offices to review the list of major ongoing consultations for accuracy.
6. Brent Uilenberg will confirm Reclamation’s FY 05 annual power funds contribution.
7. Western Area Power Administration will provide a written estimate of available CRSP power revenues to the Committee semi-annually.
8. Brent Uilenberg will contact Mike Ward and ask him to let Angela Kantola know the status of clarifying the competition requirements (see previous Management Committee meeting summary) and Reclamation’s review of the spreadsheet Angela provided regarding applicability of competition to projects in the Program’s work plan.
9. Bob Muth will get an assessment from the biologists regarding whether all of Tusher Wash needs to be screened.
10. Brent Uilenberg will check on the last NFWF statements to make sure New Mexico is getting the information they need.
11. Sherm Hoskins will review the amendments needed to the cooperative agreements and discuss those with the other states and then NFWF.
12. Ray Tenney will provide a 1-page project schedule update on Elkhead enlargement.
13. Angela Kantola will post a revised Implementation Committee agenda to the listserver.

14. The Program Director's office will reserve a room at the Marriott (which has a fairly quick buffet lunch) for the Management Committee meeting on Monday, December 13.

ATTACHMENT 1
Colorado River Management Committee, Cheyenne, Wyoming
September 15-16, 2004

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Tom Blickensderfer	State of Colorado
Sherm Hoskins	Utah Department Of Natural Resources
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Bob McCue	U.S. Fish and Wildlife Service
Dave Mazour (Sept. 16)	Colorado River Energy Distributors Association
John Reber	National Park Service
Tom Iseman	The Nature Conservancy
Gary Burton	Western Area Power Administration

Nonvoting Member:

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

Gerry Roehm	U.S. Fish and Wildlife Service
Angela Kantola	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service
Tom Czapl	U.S. Fish and Wildlife Service
Pat Nelson	U.S. Fish and Wildlife Service

Others:

Dan Luecke	Western Resource Advocates
Melissa Trammell	National Park Service
Robert King	Utah Division of Water Resources
Terry Hickman	Central Utah Water Conservancy District
Tom Nesler	Colorado Division of Wildlife
Tyler Abbott	U.S. Fish and Wildlife Service
Ray Tenney	Colorado River Water Conservation District
Clayton Palmer (Sept. 16)	Western Area Power Administration