

SAN JUAN RIVER RECOVERY IMPLEMENTATION PROGRAM
COORDINATION COMMITTEE
6 NOVEMBER 1996
FARMINGTON, NEW MEXICO

The meeting was called to order by Joe Mazzoni, Geographic Manager - New Mexico, the Fish and Wildlife Service (Service) Chair of the Coordination Committee. Mr. Mazzoni then opened the meeting with an introduction of the Committee members and the audience.

All Coordination Committee members, or their representatives, were in attendance:

Joe Mazzoni	Fish and Wildlife Service, Region 2
Mike Stempel	Fish and Wildlife Service, Region 6
Patrick Schumacher	Bureau of Reclamation
Bob Krakow	Bureau of Indian Affairs
Stephanie Odell	Bureau of Land Management
(for Joel Farrell)	
Bill Miller	State of New Mexico
(for Tom Turney)	
Peter Evans	State of Colorado
Scott McElroy	Southern Ute Indian Tribe
Les Taylor	Jicarilla Apache Indian Tribe
Dan Israel	Ute Mountain Ute Indian Tribe
Tom Pitts	Water Development Interests

Summary of 11 April 1996 Meeting

The summary of the previous meeting, revised according to comments received, has been distributed. Those Coordination Committee members who had not received the revised document were provided copies and the Committee approved them as amended.

Agenda

The agenda for the meeting (attached) was reviewed and modifications in timing of discussions and additional items for consideration by the Committee were included.

Long Range Funding Legislation

Peter Evans, Colorado, led the discussion. Following the initial effort by CREDA, the participants of the Upper Basin and the San Juan Recovery Implementation Programs have developed draft legislation on their own to address long term funding and capital improvements needed to support recovery of the endangered fish species. Discussions have addressed concerns of the water development community concerning certainty of consultations under the Endangered Species Act (Biological Opinions on all historic and new depletions in the Upper Basin and a single Opinion on the Duchesne River, both in Region 6), constraints on allocating monies contributed by states participating in one Recovery Program but not in another to activities in the other Program, accounting of Colorado River Storage Act project revenues, and the newly initiated federal mediation efforts on Animas-La Plata.

In-Kind Cost Estimates

Program Coordinator Jim Brooks was assigned the responsibility of contacting all participants in the Program to obtain estimates of in-kind expenditures. Responses have not been received from several participants (see attached draft worksheet). The committee members were asked to provide the needed information directly to Joe Mazzoni by November 29, 1996. Mr. Mazzoni will then finalize the estimates and redistribute to committee members.

Navajo Nation Participation

Bob Krakow, BIA, moved that the committee consider the revision of the Program Document noted below and vote to include the Navajo Nation in the San Juan Recovery Program.

Section 1.8...delete the references to the Navajo Nation and the Governor of Utah signing the Cooperative agreement and add the following paragraph.

The Navajo Nation has not executed the Cooperative Agreement. The Navajo Nation, by and through a letter dated October 21, 1996, from its President to the Project Leader for the Implementation Program, has agreed to participate in and commit itself to the timely implementation of this Program. This commitment includes the utilization of the authorities of the Navajo Nation to protect flow releases from Navajo Dam for the benefit of endangered fish made pursuant to this Program. The Coordination Committee approved the Navajo Nation's participation in this Implementation Program on November 6, 1996.

New Mexico State Engineer Tom Turney addressed the Coordination Committee in support of the motion to include the Navajo Nation. The Committee voted unanimously to accept the revision to the Program Document and the participation of the Navajo Nation in the Program.

Subcommittee on Section 7

Mr. Evans, Colorado, and Mr. Stempel, Service Region 6, led the discussion summarizing the results of the deliberations of the subcommittee concerning the Program and section 7. Minor disagreements remain in the interpretation and wording of recommendations concerning sufficient progress, the determination of minor depletions, the role of the Program in consultations, and the ability of the Program to serve as a reasonable and prudent alternative to remove jeopardy.

Recommendations for limiting minor depletion projects to those depleting only 100 acre-feet or less were discussed. Although Region 6 utilizes this threshold, Region 2 has included a wide variety of projects ranging in depletions from less than 1 acre-feet to 500 acre-feet in the minor depletions category, depending upon duration and type of impact resulting from the depletion. A summary of these minor projects is attached.

Agreement has not yet been reached on wording that reflects areas of concurrence and the subcommittee has been charged to meet again. New Mexico Ecological Services Field Supervisor Jennifer Fowler-Propst was invited to meet with the subcommittee to discuss consultation issues in Region 2.

Baseline Depletions

In order to address and update the Animas-La Plata water depletion baseline table that has served as the baseline for all depletions in the San Juan River basin since the completion of the consultation on that project, Regions 6 and 2 of the Service have assigned staff to review all available records and provide the necessary detailed information. This will be used to assess whether water depletions of projects undergoing consultation have already been accounted for in the reduction of flows in the river. Mr. Stempel estimated that the baseline update should be completed by 1 March 1997.

Sufficient Progress

The Committee requested the Service to explain what would be considered sufficient progress to allow a project to proceed. As indicated in the Program Document, the Service relies upon the positive biological response of the fish and their habitat to the management of the river. Because the Program remains in the research phase without the identification or implementation of recovery actions (milestones in the long range plan), such a response has not been detected to date. Consequently, the Program has not been used as a reasonable prudent alternative for the consultations completed by the Service. However, other reasonable and prudent alternatives have been found in order to allow projects to go forward in this research period.

Winter Reduced Flow Studies

Rege Leach, Bureau of Reclamation, summarized for the committee the terms of the settlement agreement (attached) arrived at by the plaintiffs and defendants in the lawsuit concerning the low flow test. Mr. Leach then reviewed the commitments to study the effects of the reduced flows on the trout fishery immediately below Navajo Dam. The study plan involves collection of information in 5 areas:

- a. fish health (related to the stress of fish under low flow conditions)
- b. trout food base
- c. trout movement
- d. angler use and creel census (fishing pressure and success)
- e. water quality

These investigations are not connected with the endangered species studies ongoing in the downstream reaches of the river. The Biology Committee will provide a list of their research to be accomplished either during the low flow period or after it to the Coordination Committee in late November.

FY1997 Workplan

The workplan is in preparation. The Biology Committee will meet December 9 and 10 and will have the workplan available for submission to the Coordination Committee by mid December.

Peer Review

Jim Brooks has contacted a number of potential reviewers and has requested their responses as to willingness and ability to serve on the peer review panel. Mr. Brooks has requested responses by November 8.

Program Milestones

A preliminary status table of the identified milestones was distributed to the Committee. A copy is attached. Deadlines that have not been met are either those that they have been requested to delay in order to incorporate similar actions in the Upper Basin (stocking policy) or that are dependent upon provision of data from other sources that have not been forthcoming (results of genetic analyses from the Upper Basin).

Procedures for Biology Committee and the Coordination Committee

Tom Pitts, Water Development Interests, requested that the Coordination Committee revisit the question of procedures governing the meetings of committees and subcommittees of the Recovery Program. Mr. Pitts distributed proposed procedures (attached). Discussions among the Committee members, Biology Committee representatives, and the audience did not result in agreement on the need or the feasibility of the newly proposed procedures with respect to those previously agreed upon at the 3 November 1994, 20 April 1995, 28 September 1995, and 11 April 1996 meetings of the Coordination Committee (see attached summaries). A subcommittee was formed, consisting of Tom Pitts, Stephanie Odell, Dan Israel, David Propst, and Larry Crist to re-address the questions raised.

Program Coordinator

Region 2 of the Service has decided that the dedication of a single, full-time position is necessary to consistently and cohesively address the recovery initiatives ongoing and planned in the Colorado River Basin. The position has been advertised and is expected to be filled by the end of this year. With the thanks of the Service and the Program participants, upon the filling of that position, Jim Brooks, who has been performing the duties of Program Coordination in addition to his duties as Project Leader for the New Mexico Fishery Resources Office, will return to his primary responsibilities for long term research and monitoring of aquatic communities, including the San Juan River.

Public Information and Education

Although the Coordination Committee was unanimous in recognizing the need for and the benefits to be derived from an active and effective public information program, the San Juan Recovery Implementation Program has, to date, left such an effort unfunded. The limited funds of the Program have been directed toward supporting the high priority research effort. Until such a time that the public information program can be funded, it was acknowledged that Coordination Committee members should make every effort to keep their respective constituencies informed of the progress of the program.

Program Chair

With his decision to retire from the Service in early January 1997, Joe Mazzone announced his departure from the Recovery Program and the Coordination Committee. Committee members thanked Mr. Mazzone for his dedication to the Program during his tenure and noted that he leaves holding the record for the most expeditious handling of a Committee meeting.

Next Meeting

The next meeting of the Coordination Committee is scheduled for 8:00 am, January 14, 1997, in Durango, Colorado.

Attachments

AGENDA

SAN JUAN RIVER RECOVERY IMPLEMENTATION PROGRAM

COORDINATION COMMITTEE MEETING

6 November 1996
Farmington, New Mexico

8:00 AM	Opening Remarks	Joe Mazzoni
8:15	Review of Minutes From 11 April 1996 Meeting	Joe Mazzoni
8:45	Navajo Nation Participation	Bob Krakow
9:45	Status of Long Range Funding - CREDA Legislation - In-kind Estimates	Peter Evans Jim Brooks
10:30	Section 7 - Minor Depletion - Procedures for San Juan RIP - Pending Consultations	Jennifer Fowler-Propst Mike Stempel
12:00 PM	LUNCH	
1:00	Winter Reduced Flow Studies - Results of Settlement Conference - Public Involvement - Study Plan	Pat Schumacher Pat Schumacher Ret Leach
2:00	FY 97 Workplan	
2:30	Study Integration Update - Status of Milestones and Research Projects - Peer Review	Larry Crist
3:00	Procedures for Biology Committee	
3:30	Other Business	
4:00	ADJOURN	

**SJRRIP In-Kind Contributions
DRAFT Worksheet**

PARTICIPANT	DIRECT	INDIRECT	TOTAL
Bureau of Indian Affairs	-	-	-
Bureau of Reclamation Salt Lake City Durango	\$ 45,300 35,000	\$ 37,500 20,000	\$ 82,800 55,000
Region 2 Region 6	\$ 26,190 -	\$ 42,930 -	\$ 69,120 -
Jicarilla Apache Tribe	\$ 50,000	\$ 9,725	\$ 59,725
Navajo Nation Department of Water Resources Department of Justice	\$ 5,200	\$ 32,600	\$ 37,800
Southern Ute Indian Tribe	\$100,000	-	\$100,000
State of Colorado Division of Wildlife CWCB	\$ 2,250 -	\$ 14,600 -	\$ 16,850 -
State of New Mexico Game and Fish Department State Engineer	\$211,115 29,945	\$ 37,780 \$ 95,139	\$248,895 \$125,084
State of Utah	-	-	-
Ute Mountain Ute Tribe	-	-	-
Water Development Interests	\$318,000	\$281,000	\$599,000

Minor Depletions, San Juan River
6 November 1996

Date	Entity (State)	Depletion	Duration	Annual Accounting of 3,000 a-f Minor Depletions						
				1992	1993	1994	1995	1996	1997	1998
3/5/92	Meridian Oil (NM)	50 a-f	5 years	50	50	50	50	50	0	0
3/5/92	Northern Heights Bloomfield Water and Sanitation (NM)	40 a-f	5 years	40	40	40	40	40	0	0
3/5/92	Elks Lodge No. 1747 (NM)	20 a-f	5 years	20	20	20	20	20	0	0
3/5/92	Mr. Douglas Lee (NM)	80 a-f	5 years	80	80	80	80	80	0	0
3/5/92	Nielson Incorporated (NM)	14 a-f	1 year	14	0	0	0	0	0	0
3/5/92	Bloomfield Refinery	340 a-f	1 year	340	0	0	0	0	0	0
3/5/92	San Juan Basin Water Haulers (NM)	500 a-f	5 years	500	500	500	500	500	0	0
12/22/92	North Heights Bloomfield Water and Sanitation (NM)	20 a-f	5 years	20	20	20	20	20	0	0
6/26/92	Forest Groves Estates Homeowners Association (CO)	43 a-f ¹	5 years	0	0	0	0	0	0	0
6/26/92	Los Ranchitos, Inc. (CO)	36 a-f ¹	5 years	0	0	0	0	0	0	0
6/26/92	Country Aire Estates (CO)	7 a-f ¹	5 years	0	0	0	0	0	0	0
5/18/93	Burns Fish Pond (CO)	1 a-f		0	1	1	1	1	1	1
6/17/93	Pagosa Springs (CO)	4 a-f		0	4	4	4	4	4	4
8/30/93	Elk Springs Ranch (CO)	3 a-f		0	3	3	3	3	3	3
1/6/94	Pond Construction (CO)	5.1 a-f		0	0	5.1	5.1	5.1	5.1	5.1

Date	Entity (State)	Depletion	Duration	Annual Accounting of 3,000 a-f Minor Depletions						
				1992	1993	1994	1995	1996	1997	1998
5/1/94	E. Earl Hickman	150 a-f	1 year	0	0	150	0	150	150	150
6/1/94	Bureau of Land Management	176 a-f	5 years	0	0	176	176	176	176	176
7/20/94	Pine Gulch Ponds (CO) CoE	.5 a-f		0	0	0.5	0.5	0.5	0.5	0.5
8/10/94	Delzell Stock Tank (CO) SCS	.5 a-f		0	0	0.5	0.5	0.5	0.5	0.5
8/10/94	Delzell Stock Tank (CO)	.5 a-f		0	0	0.5	0.5	0.5	0.5	0.5
10/11/94	Bureau of Land Management	50 a-f		0	0	0	50	50	50	50
12/22/94	Pine River CoE	.14 a-f		0	0	0	.14	.14	.14	.14
1/23/95	FHwy	87 a-f		0	0	0	87	87	87	87
2/21/95	Scott Gravel CoE	15 a-f		0	0	0	15	15	15	15
4/26/95	Shenandoah CoE	54.9 a-f		0	0	0	54.9	54.9	54.9	54.9
5/8/95	Cortez Ponds NRCS	6.33 a-f		0	0	0	6.33	6.33	6.33	6.33
6/7/95	Durango CoE	85 a-f		0	0	0	85	85	85	85
6/16/95	Mary Fletcher CoE	0.07 a-f		0	0	0	0.07	0.07	0.07	0.07
6/16/95	Day Gravel CoE	11.6 a-f		0	0	0	11.6	11.6	11.6	11.6
6/28/95	San Juan NF	1.3 a-f		0	0	0	1.3	1.3	1.3	1.3
8/8/95	CoE	12.3 a-f		0	0	0	12.3	12.3	12.3	12.3
8/14/95	CoE	68 a-f		0	0	0	68	68	68	68
8/14/95	CoE	340 a-f		0	0	0	340	340	340	340

Date	Entity (State)	Depletion	Duration	Annual Accounting of 3,000 a-f Minor Depletions						
				1992	1993	1994	1995	1996	1997	1998
8/31/95	NPS Mesa Verde NP	79.2 a-f		0	0	0	79.2	79.2	79.2	79.2
9/29/95	N.F. Stock Tanks	3.4 a-f		0	0	0	3.4	3.4	3.4	3.4
1/17/96	CoE Stock Ponds	0.02 a-f		0	0	0	0	.02	.02	.02
3/6/96	CoE Fire Ponds	0.65 a-f		0	0	0	0	.65	.65	.65
3/7/96	San Juan NF	283.47 a-f		0	0	0	0	283.47	283.47	283.47
5/19/96	San Juan-Rio Grande NF	4.64 a-f		0	0	0	0	4.64	4.64	4.64
7/25/96	San Juan-Rio Grande NF	0.12 a-f		0	0	0	0	0.12	0.12	0.12
8/1/96	BLM-Sultan Spring	0.03 a-f		0	0	0	0	0.03	0.03	0.03
9/17/96	CoE Redi Mix	13.3 a-f		0	0	0	0	13.3	13.3	13.3
9/17/96	CoE Dalton Pit	2.6 a-f		0	0	0	0	2.6	2.6	2.6
10/1/96	CoE Pond	3.3 a-f		0	0	0	0	3.3	3.3	3.3
Cumulative Annual Total (a-f).....				1064	718	1038	1706.6	2164.76	2164.76	2164.76
Balance Available (a-f).....				1936	2282	1960	1293.4	838.24	838.24	838.24

¹ Not included as a minor depletion because it was included in the 18,000 a-f baseline depletion for Colorado -- Region 6 (FWS) did not issue a biological opinion for these depletions.