

**FINAL Summary of the
January 19, 2000, Meeting
of the San Juan River Basin
Recovery Implementation Program
Coordination Committee**

Welcome and Introductions: Ren Lohofener, Chairman, welcomed everyone to the meeting. Members and the audience introduced themselves. Committee members or their substitutes in attendance included:

Renne Lohofener, Chairman	US Fish and Wildlife Service, Region 2
Carol Taylor	US Fish and Wildlife Service, Region 6
Randy Seaholm	State of Colorado
Les Taylor	Jicarilla Apache Indian Tribe
Tom Pitts	Water Development Interests
John Whipple	State of New Mexico
Scott McElroy	Southern Ute Indian Tribe
Christine Karas	U.S. Bureau of Reclamation
Brent Uilenberg	U.S. Bureau of Reclamation
Vince LaMarra (for Stanley Pollack)	Navajo Nation
Earnest Teller (for Bob Krakow)	U.S. Bureau of Indian Affairs
Joel Farrell	U.S. Bureau of Land Management

Biology Committee members in attendance included:

Jim Brooks, Chairman	U.S. Fish and Wildlife Service, Region 2
David Propst	State of New Mexico
Larry Crist	U.S. Bureau of Reclamation
Tom Wesche	Water Development Interests
Bill Miller	Southern Ute Indian Tribe
Frank Pfeifer	U.S. Fish and Wildlife Service, Region 6

Also in attendance were Shirley Mondy, Program Coordinator, and Cindy Schulz, U.S. Fish and Wildlife Service, Region 2.

It was announced that Joe Webster, U.S. Fish and Wildlife Service, Region 6, had retired and that Carol Taylor was the representative from that Region.

Review and Approval of Agenda: Renne Lohofener

There were no changes to the agenda, and it was approved as written. However, the updates on Capital Expenditures and the Navajo Dam Environmental Impact Statement were given at the end of the Old Business when Brent Uilenberg arrived.

Approval of the April 8 and September 15, 1999, Meeting Minutes:

The revised April 8, 1999, minutes were accepted as written.

The September 15, 1999, minutes were accepted with the condition that four editorial changes submitted by Randy Seaholm, State of Colorado, will be made.

Old Business:

Biology Committee Update: Jim Brooks

-Monitoring Report: The Monitoring Report will be finalized at the next Biology Committee meeting in February. The revised Monitoring Report will be sent to Coordination Committee members March 15.

-Long Range Plan and Program Evaluation Report: The first draft will be sent to Biology Committee members on January 31, and reviewed by the Biology Committee February 15-16. The revised draft will then be reviewed with the Peer Review Panel at the Biology Committee meeting to be held April 11-12, 2000.

The final Long Range Plan and Program Evaluation Report will be sent to all Coordination Committee members on May 15.

-Fish Health Report: The draft report is going through a final revision.

-1998/1999 Collected Data: The data will be summarized and put into the annual report by March 31, 2000. The data are cumulative and will be added to the 1991-1997 data already collected.

Hydrology Committee Proposal: Randy Seaholm

Randy Seaholm met with Ron Bliesner on the proposal. They could not agree on the scope of activity the Hydrology Committee would be involved with. Should it be narrowly focused on the program objectives or also provide information on the impacts of the flow recommendations on recreation or rafting? Bureau of Reclamation representatives pointed out that recreation is not related to the Program.

It was stated that the proposal implied that the Coordination Committee was responsible for the operation of Navajo Dam. That is not true. Dam operations are the sole responsibility of the Bureau of Reclamation.

Members also stated that meetings should be held in the Basin at least once or twice a year.

A revised draft of the Hydrology Committee Proposal will be sent out to all Coordination Committee members once comments are received. Comments should be sent to

Randy Seaholm by February 15. Mr. Seaholm also wants the Navajo Dam Operating Committee and the Ad Hoc Committee to review and comment on the proposal.

Funding Legislation Update: Tom Pitts

Legislation seeking \$18 million in funding for annual activities and capital improvements for the Program has been introduced in the U.S. House of Representatives and the

U.S. Senate by Representative Hanson from the State of Utah and Senator Allard from the State of Colorado. Hearings in October 1999 went well. There is Congressional support as well as support from the White House for the Program, and there seems to be no serious opposition. The Program needs to respond to Congressional comments and questions before hearings for the Senate subcommittee are scheduled in February or March 2000. The Program has the support of a wide variety of constituents including water users, State Governors, and environmentalists, but more letters still need to be sent to Congress supporting the Program—especially during February and March when the hearings will be held.

There was a request in the State of New Mexico Governor's budget for \$350,000 to cover New Mexico's share. The State of Colorado will also provide matching funds.

Senior Congressional staff/aides need to see what is going on in the Program. A Congressional recess would offer an excellent opportunity for them to visit the river and see meaningful results. Use of the Outreach Plan could facilitate this through a one-two day tour along the San Juan River. Lisa Morrison, External Affairs Specialist, U.S. Fish and Wildlife Service, might be able to assist in developing such a tour.

Coordination Update: Shirley Mondy

Previous action items were reviewed. Joel Farrell stated that the Bureau of Land Management would not share a vote with the National Park Service.

-Meeting minutes and Program documents are being scanned and placed on the web site.

-Links to Coordination Committee member sites are being set up. Members are encouraged to provide input and comment on what they want to see on the web page.

-The draft Outreach Plan was sent out to all members the week of January 10 for review and comments. Some comments received already included the need for more public informational meetings, the need for displays, and more extensive electronic mailing lists. The Fish and Wildlife Service will look into setting up a "list server" for the Program.

Some members want to explore the possibility of utilizing the Southwest Strategy Program. The Fish and Wildlife Service will ask a representative from the Southwest Strategy to attend the next meeting and give a presentation on their program.

-Congressional Briefing Book: Ms. Mondy is hoping to complete the Briefing Book by

mid-March. It was suggested that she work with Debbie Felker, Fish and Wildlife Service, Region 6, and share information on the San Juan Program since Upper Colorado River staff will be meeting with Congressional staff in April.

-Members wanted to know the dates on when there would be brochures and exhibits for the Program. Costs for brochures and exhibits haven't been determined and priorities haven't been set on what type of outreach needs to occur. Members were encouraged to let Ms. Mondy know exactly what they envision for the brochures and exhibits.

Members will have their comments on the Outreach Plan to Ms. Mondy by March 1. Members should be sure to let her know what they want to see in a Program brochure or exhibit. Members need to let her know particular areas where outreach efforts should be concentrated.

At the next meeting, Ms. Mondy will have a revised Outreach Plan outlining what members selected as priority items.

Capital Expenditures Update: Brent Uilenberg

Originally, \$1,577 million was set aside by the Bureau of Reclamation for capital improvements for the San Juan River. However, some of that money has been reprogrammed. The Bureau now has approximately \$690,000 for capital improvements. Of that amount, \$200,500 has been spent leaving \$489,000 still available. A summary will be sent to all members.

It was formally proposed that \$45,000 be spent for a razorback fish rearing pond on NIIP lands (an area called Hidden Pond). The motion carried with 8 yeas, and New Mexico passed. Two members were not present.

A proposal from the Biology Committee suggested reimbursing the Bureau of Indian Affairs for work done on the Cudei structure. However, some members wanted to know what was spent before reimbursement takes place--how was it spent and what portion of the money spent actually benefitted the endangered fish. The Bureau of Indian Affairs needs to give an accounting of expenditures at the Cudei structure--especially in terms of what portion benefitted the program and what portion was used for other purposes before any reimbursement is approved.

The spending limit on capital improvement projects as shown in the pending legislation for the San Juan Program is \$18 million. Some members wondered exactly what falls into the

capital improvement category. Is it actual projects or would research and monitoring, and post-project evaluations also be considered a capital improvement? According to the Bureau of Reclamation, it is not black and white, and each project would need to be reviewed on a case by case basis.

The Bureau of Reclamation wants to award a contract in Fiscal Year 2001 for the PNM weir, with NEPA work being completed in 2000. At the next meeting, Brent Uilenberg will have an estimate of what it will cost to award a contract for the PNM weir.

EIS Update: Brent Uilenberg

The Bureau of Reclamation's December newsletter has information on the Environmental Impact Statement for the implementation of the flow recommendations. The four recommendations being considered are:

	Spring	Winter
Alternative 1	5,000 cfs maximum	250 cfs minimum
Alternative 2	6,000 cfs maximum	250 cfs minimum
Alternative 3	5,000 cfs maximum	500 cfs minimum
Alternative 4	6,000 cfs maximum	500 cfs minimum

New Business:

CWA Section 404 Regional Permit: Shirley Mondy

Ms. Mondy was asked to look into obtaining a Clean Water Act Section 404 Regional Permit for the San Juan River Recovery Implementation Program similar to the one obtained by the Upper Colorado River Program. The permit should be as flexible as possible to allow for stream habitat improvement structures designed to improve the overall habitat. The Program is still uncertain as to what is needed to complete habitat restoration so there must be as much flexibility in the permit as possible—and get the work done quickly. There still may be a need for other permits from State agencies, but a 404 permit cuts down on the time required for public comment.

Ms. Mondy requested and received Coordination Committee members approval to pursue a 404 permit for the Program. The Fish and Wildlife Service will work on obtaining a CWA 404 Permit for the Program.

ESA: Section 7 Agreement: Tom Pitts

Three years ago, the Coordination Committee was asked to draft Section 7 recommendations describing how and under what conditions the Fish and Wildlife Service would use the Program as a Reasonable and Prudent Alternative for jeopardy opinions. On January 15, 2000, a draft for a Section 7 Agreement was sent out to all Coordination Committee members for comment. The document included the use of the Program as a Reasonable and Prudent Alternative for jeopardy opinions and Reasonable and Prudent Measures for incidental take. The draft will be presented to the Coordination Committee once all comments have been received. Several comments have already been submitted.

Comments will be forthcoming from the Fish and Wildlife Service. Department of Interior Solicitors need to review the draft document, and Renne Lohofener still needs to be briefed by his staff. Christine Karas, Bureau of Reclamation, will also be submitting comments.

Committee members were asked if the document should be a solid agreement or guiding, general principles. After discussion, Committee members felt the document should be solid and patterned after the agreement in place on the Upper Colorado River. Tom Pitts wants to be able to go to Congress and say that the Agreement is providing ESA compliance for water development in the Basin. Randy Seaholm, State of Colorado, also wants a firm document and will seek comments from the Water Board of Colorado. Carol Taylor will

compare the draft with the Upper Colorado River's Section 7 document. Renne Lohofener stated that the Fish and Wildlife Service would be a party to the final Section 7 document provided it allowed the Service to comply with the law and regulations that govern the Section 7 process. The Service would work to be flexible in the process.

Comments on the draft Section 7 Agreement should be submitted to Tom Pitts by April 15, 2000.

Flooding Problems Due to Flow Recommendations: Tom Pitts

Tom Pitts has been contacted by ditch operators and several landowners on the San Juan River. Large spring releases (5,000 cfs) can cause extensive damage to ditches and other water structures along the river. In August, due to heavy rainfall, releases caused further damage. Mr. Pitts felt that the Program should take a more active role in providing assistance to landowners and ditch operators in preventing problems from reoccurring. If not, they will turn to Congress for help.

Bureau of Reclamation representatives were asked if they could provide any technical assistance. It was also mentioned that the Corps of Engineers and San Juan County might have programs that would provide assistance in solving current problems. Currently, high flows destroy or severely damage ditch structures—some of which are not permanent structures. Because there are spring and fall high flows, some structures have to be rebuilt twice. There are also problems with silt deposits, and landowners along the river need assistance in bank stabilization.

It was mentioned that landowners need to contact the State of New Mexico and request assistance. If funding is available, the Bureau of Reclamation is also willing to offer assistance. Impacts and problems to ditch structures and land along the river need to be evaluated and possible solutions developed. However, it was noted that funding for the Bureau of Reclamation for Fiscal Year 2000 was severely cut back. Christine Karas stated that members need to know how much of the problems mentioned are due to normal water releases and how many are due to the flow recommendations. The State of New Mexico has formally requested assistance from the Bureau of Reclamation in evaluating the problem.

Mr. Pitts will see if there are any Corps of Engineer programs that could help pay for solutions. He also wanted the Bureau of Reclamation to meet with San Juan County officials and the Corps of Engineers to discuss possible solutions. The problem is real and it is now.

The Bureau of Reclamation will initiate discussions with the Corps of Engineers and San

Juan County to see what can be done to offer assistance to ditch operators and landowners. They will let Committee members know what is available at the next meeting.

Fiscal Year 2000 Navajo Dam Operations: Brent Uilenberg

The projected spring 2000 runoff into Navajo Reservoir is 350,000 acre-feet, which is about 45 per cent of average. The forecast for low runoff this year could change if there is above normal precipitation during the next few months in the Basin above Navajo Dam. Currently, however, the extended weather outlook is for drought conditions to continue. Based on the low runoff forecast and the recommended operating rules for Navajo Dam, Reclamation anticipates that it will not make spring reservoir releases for fish habitat maintenance in the year 2000 unless water supply conditions improve substantially. It is anticipated that releases this spring will remain at 500 cfs.

During the fall of 1999, the area received unprecedented rainfall. The Dam could have made a large pulse release but management opted to make a more gradual release for safety reasons. The Dam released 4400 cfs, which is close to spike releases mentioned in the flow recommendations. Flood safety was a major concern.

Fiscal Year 2000 Work Plan: Jim Brooks

Jim Brooks went over the Work Plan with Coordination Committee members. The Work Plan was broken down into three main areas: Monitoring, Program Management/Reporting, and Research/Recovery. An issue in the Work Plan is the study design, and responsibility and budget for the pikeminnow stocking plan.

Program funding totaled \$561,500, with a shortfall of \$8,800. However, an additional \$5,000 was later added to the original \$225,000 submission from the Bureau of Reclamation leaving a shortfall of \$3,800. Christine Karas said her agency would find an additional \$3,800 for the Program.

Several issues were brought up by Tom Pitts:

- The Denver Finance Center is charging 22 percent overhead costs on Fish and Wildlife Service financial transactions. The Center charges half of that amount to the Upper Colorado River Program through an agreement. Could something similar be set up for San Juan River Program?

Carol Taylor and Renne Lohofener will make inquiries on whether such an agreement can be set up for the San Juan River Program. However, there are no guarantees that it can be done as such agreements are on a case-by-case basis.

-The University of New Mexico is currently charging 15 percent overhead charges over and above project costs. Is there any way to reduce that figure?

Steve Platania stated that 10 years ago an agreement was set up with the University agreeing to a rate of 15 percent for overhead charges. The University usually charges 46-48 percent. He felt that the University would never agree to a rate of 15 percent today.

-Several projects have no completion dates listed or reporting dates.

It was decided by the Biology Committee that March 31 of the following year was set as the due date for all reports.

-Concern was expressed over the fact that of the allocated funds of \$800,000, only \$124,000 was slated for recovery activities. Mr. Pitts had hoped for a faster transition from research to actual recovery activities.

Jim Brooks felt that the research completed so far has not shown the need for any big ticket items other than the structures already identified. It was also pointed out that it is difficult to separate research and monitoring from recovery. Researchers are looking for favorable habitat changes due to the implementation of the flow recommendations. Monitoring will be a critical factor in seeing if the flow recommendations are working in the recovery effort. Implementing the flow recommendations and monitoring the effects on the recovery of the fish will be an ongoing research effort.

Part of the problem might be the categories in the Work Plan which came from the Program document—there really are not any black and white categories. Biology Committee members felt recovery could not be separated from monitoring. Monitoring

relates to recovery actions which relate directly to habitat changes and fish dealing with those changes, which in turn relates back to recovery. Many questions still remain such as the best size of pikeminnow to stock in the river; data on that are still being collected. Short-term activities are not defined but they relate to the overall recovery goals. Each element relates to the overall recovery of the fish. Structure improvements are a hard fix while stocking numbers for fish are a soft fix.

-Mr. Pitts is interested in getting the habitat improved and fish numbers up. He would like to see a list of what could be done to enhance fish population numbers.

Biology Committee members emphasized the importance of implementation of the flow recommendations in meeting recovery goals.

-A great deal of data has been collected under the Long-Range Monitoring Plan and put into a GIS database. Has there been any analysis of these data on an annual basis and is it being applied to the recovery goals for the Program? Three and five-year data are just sitting there—it just seems to be a data collection program.

David Propst stated that the Long-Range Monitoring Plan provides for the integration of data as it becomes appropriate. However, researchers have not been able to get data every single year. Unless data really stands out, it is considered on a 3-5 year basis.

-Who has all the GIS data? And, is it possible for Coordination Committee members to look at the data now?

Currently, Ron Bliesner has the majority of the data collected, and annually updates the GIS database. The U.S. Fish and Wildlife Service technically should be keeping the data which has been compiled. If Ron Bliesner were to leave, the data would need to be transferred to the Service and staff trained. Biology Committee members felt that Ron Bliesner could share information upon request with the Coordination Committee members.

The first draft of the Program Evaluation Report will be sent out for review in April 2000. The Program Evaluation Report showed \$35,000 in 1999 funding and \$55,000 in 2000 funding. Some of that money will be used to cover cost overruns on the Flow Recommendation Report. The overruns were due to increased publishing costs and changes to the report. Some members requested that the Work Plan state the reason for the cost overruns.

The Work Plan will be finalized with the suggested changes and sent out to all Program members. Biology Committee members will work with Bureau of Reclamation representatives to try and meet the Bureau's funding submission needs.

The Work Plan was approved with the stipulation that a column for the total be added, and a line added showing how much will be used to cover cost overruns on the Flow Recommendation Report, as well as a shortfall line. Tom Pitts agreed to approve the Work Plan but reiterated his concerns about having more recovery actions in the Work Plan and less research.

The Bureau of Land Management (BLM) is finalizing river samples on Polycyclic Aromatic Hydrocarbons (PAHs) which are a byproduct of the oil and gas industry. Right now, air samples are being collected. The BLM is in the process of eliminating variables. They will be sending out the results of the monitoring study this summer.

Other Business:

Flooding: A local landowner reiterated that many living along the San Juan River did not know about the high releases from Navajo Dam this past fall. Some lost land and trees along the river. The landowner sought assistance from the Corps of Engineers and was informed that she needed to develop a plan to protect her remaining land, which would then need approval from the Corp before any work could be done. The Bureau of Reclamation has a program in place to inform landowners about high releases, but unfortunately it did not reach everyone.

Landowners need to know what their responsibilities are, what the responsibilities of the Program are, and how problems can be fixed. Hopefully, the Bureau of Reclamation, Corp of Engineers, and San Juan County can meet and see what options there are for providing assistance to landowners.

Work Plan: Christine Karas asked if there is a process in place for completing the Work Plan in timely fashion? The Bureau of Reclamation needs projections for the upcoming year earlier than received in the past. Unfortunately, the Flow Recommendation Report and other research reports, and the Monitoring Plan took longer than anticipated to complete and interfered with work on the Work Plan for Fiscal Year 2000. Biology Committee members stated that

they were willing to work with the Coordination Committee in meeting deadlines for budget submissions and funding requests. The Bureau of Reclamation has the lead in proposing a timeline for future Work Plans.

Published Reports: It was requested that published research and other program documents be given to the public libraries in Farmington, New Mexico, and Durango, Colorado, and the libraries at Ft. Lewis College and San Juan College.

Biology Committee: The Biology Committee will have the Long-Range Plan revisions and the Program Evaluation out to Program members by May 15, 2000. That will allow 3 weeks for review before the next meeting of the Coordination Committee.

Dam Operations: Navajo Dam representative Ed Warner stated that the Bureau of Reclamation is hoping to have public meetings resembling those of the Upper Colorado River Program. The next meeting will be held February 3, 2000, in Farmington, New Mexico, at 1:00 p.m. in the Bureau of Reclamation building. The flow recommendations, hydrology, inflows, and the development of an Operating Plan will be discussed.

Action Items:

-Hydrology Committee comments are due to Randy Seaholm by February 15. He will try to have a second draft out to members by March 1.

-Shirley Mondy will work on developing a Congressional tour schedule for the Program area.

-The Fish and Wildlife Service will look into setting up a "list server" for the Program.

-The Fish and Wildlife Service will ask a representative from the Southwest Strategy to give a presentation at the next Coordination Committee meeting.

-Comments on the Outreach Plan and outreach priorities should be given to Shirley Mondy by March 1.

-The Bureau of Indian Affairs needs to send members an accounting of expenditures at the Cudei structure.

-Brent Uilenberg will provide a cost estimate on the contract for the PNM weir at the next meeting.

The Fish and Wildlife Service will take the lead in trying to obtain a Regional 404 Permit

for the Program.

-Comments on the Section 7 Agreement should be submitted to Tom Pitts by April 15, including comments from the Department of Interior Solicitor's office.

-The Bureau of Reclamation will initiate dialogue with the Corp of Engineers, the States of Colorado and New Mexico, and San Juan County on any programs that would assist ditch owners and landowners along the River.

-The Fish and Wildlife Service will see if an agreement for a reduced rate for overhead expenses can be obtained from the Denver Finance Center (half of the current prevailing rate of 22 percent).

Set Next Meeting Date: The next meeting of the San Juan River Recovery Implementation Program will be held on June 7, 2000, in Farmington, New Mexico. The meeting will be held in the Farmington Civic Center and begin at 10:00 a.m.

The meeting adjourned at 2:15 p.m.

Handouts:

- Agenda
- Updated Coordination Committee List
- Audience Attendee List

- Revised Minutes of the Coordination Committee Meeting, April 8, 1999
- Summary of the Coordination Committee Meeting, September 15, 1999
- Draft Proposal for a Hydrology Committee
- Ad Hoc Committee Contact List
- Navajo Dam Committee Contact List
- Public Outreach Plan
- Nationwide Permit/Section 404
- Navajo Dam and Reservoir Update Pamphlet
- Annual Budget and Work Plan: FY 2000