

Colorado River Recovery Implementation Committee
February 23, 1988, Meeting
- Minutes -

Attendees: (See Attachment 1)

Agenda: (See Attachment 2)

Major Topics Discussed/Decided:

1. Welcome and Introductions: Meeting minutes will be recorded by the Service and a summary sent to attendees for review before being finalized.
2. Implementation Committee Membership and Representation
 - a. Nominations and selection of representatives of water development and conservation interests:
 - Tom Pitts was accepted as the representative of water development interests on the Implementation Committee. Tom was requested and agreed to seek supporting resolutions from the Utah and Wyoming water development groups.
 - Carse Pustmueller was accepted as the provisional representative of conservation interests pending receipt of a nomination and supporting resolution from the environmental community. Carse will receive full voting status on the committee upon receipt of the supporting resolution.
 - b. Nomination and selection of chairperson: Galen Buterbaugh was selected to be Chairman until the Implementation Committee decides otherwise.
 - c. Selection of a Program Director: John Hamill was selected to be Program Director. The position will be a full-time responsibility. The Program Director will serve as staff to the Implementation Committee and work groups. He will be a non-voting member.
 - d. Appointee to represent the Secretary of the Interior: It was agreed that Galen Buterbaugh will write a letter to the Secretary of the Interior to request appointment of a Secretarial observer who will serve as a liason between the Secretary and the Implementation Committee. The Implementation Committee recommended that the appointee be someone at the level of Assistant Secretary (including immediate staff).
 - e. Request by CREDA to be a nonvoting member: Rather than create a new participation category (nonvoting member), it was agreed that CREDA's needs would be served by including CREDA's representative (Russ Bovaird) on the mailing list. This would afford CREDA the opportunity to be kept apprised of ongoing developments and attend meetings to make CREDA's views known.

3. Review and Discuss Recommendations of the Task Group re: the Recovery Implementation Committee

- a. Organization and responsibilities of the Implementation Committee: The recommendations outlined in the January 28, 1988, memo to the Upper Colorado River Basin Coordinating Committee were accepted as written, with wording changes made to clarify the Implementation Committee's responsibilities vis-a-vis determination of instream flow needs and formation of subcommittees/ad hoc groups (see Attachment 3).
- b. Implementation Committee meeting schedule:
 - The Implementation Committee will convene in August and January to discuss program needs and priorities. Decisions will then conveniently feed into the Federal budget development and field work planning processes.
 - Reclamation requested budget information to support FY90 work initiatives.
- c. Responsibilities of the Management and Technical Work Groups: Their roles and responsibilities are similar to those of the former Recovery Implementation Task Group and Biological/Hydrological Subcommittees, respectively.
- d. Appoint members and chair to Management and Technical Work Groups:
 - Management Work Group: Reed Harris (Reclamation), Clayton Palmer (Western), Laurie Mathews (Colorado), Larry Shanks (Service), Barry Saunders (Utah), John Shields (Wyoming), Tom Pitts (water developers), Bob Weaver (conservation groups).
 - Technical Work Group: Reed Harris (Reclamation), Jim Bennett (Colorado), Denise Knight (Utah), Al Mauzy (Wyoming), Tom Pitts (water developers). The Service and Western have not decided on their respective representatives, though Bob Green (Service) will participate, as needed. Conservation groups will not have a representative.
 - Chairpersons will be elected by each work group.
- e. Role of the Program Director: Refer to Item 2c.

4. Recovery Program Funding and Fund Administration

- a. Payment of the Federal and State annual contributions:
 - For FY89: Funding commitments due by 10/1/88. Wyoming will probably provide cash, while Colorado and Utah will provide inkind services. Decisions governing FY89 work will be made at the next (8/30/88) Implementation Committee meeting; final decisions on FY89 work will be made at 1/89 Implementation Committee meeting.
 - For FY88: No set amounts were specified. Work conducted in FY88 that is substantially new or different from previous work will be credited to FY89 work commitments (e.g., Colorado Water Conservation Board work on instream flows). However, all such "advance spending" should be approved as a legitimate expenditure on a case-by-case-basis, to avoid overobligation of future years' funds.

- Tasks to be done in the future:
 - Need to further clarify links between the Federal and State budget processes and the work plan.
 - If annual budget needs are less than \$2.3 million in one year, need to decide if or how money will be refunded to participants.
 - The Implementation Committee should develop a list of priority projects (total cost greater than \$2.3 million) for the Program Director. [Management work group directed to develop list.]
 - Wyoming requests information on the process used by Reclamation and the Service to develop and fund annual work plans.
 - Wyoming requests information on the level of effort that the conservation groups are contributing to the recovery program. Robert Wigington agreed to provide an accounting to Wyoming within two weeks.

- b. Guidelines concerning credit for in-kind services: Laurie Mathews' draft guidelines (dated 2/22/88) were accepted as written, with the words "operating plan" changed to "work plan" throughout. (See Attachment 4)

- c. Role of Fish and Wildlife Foundation in administering funds: The Fish and Wildlife Foundation is prepared to administer recovery funds for water rights acquisition. The Foundation would levy a modest overhead charge to cover their direct costs (estimated as 1-2% of total funds). Although the Service and Foundation have executed a General Agreement to transfer federally appropriated funds, actual transfer awaits resolution of specific concerns within the Service's contracting and financial offices. Once resolved, a draft agreement will be circulated to the Implementation Committee for review.

- d. Future funds for water rights acquisition:
 - For FY90: Region 6 of the Service has requested \$10 million of the Land and Water Conservation Fund to acquire water rights in its FY90 budget submittal. However, the Service and Reclamation should discuss strategy on the most effective means to request these funds in the Federal budget process.
 - For FY89: Need to see progress on FY88 water rights acquisition before seeking additional Congressional appropriations in FY89.

5. Review of Recovery Activities

- a. Water rights acquisition priorities and activities: Final document identifying Yampa River and 15-mile reach priorities will be ready for review on April 1, 1988. White River work plan to be developed later.

- b. Concurrence with Service's work plan for identifying instream flows in the Yampa River and the 15-mile reach: The work plans (process) for identifying these priorities is shown in Attachment 5. Rather than having the Implementation Committee approve/disapprove these plans today, the Management work group will review these documents. On 4/1, a draft report will be completed and distributed to the Management work group. The Management work group will review the work plan and report, discuss them with their respective Implementation Committee representatives, and send their comments/approval by mail.

- c. Plan for propagation and rearing of endangered fishes: The Service is working on a plan that evaluates existing hatchery capacity to determine if it is sufficient for rearing endangered fishes and looks at other options. It may result in a budget request. Colorado is considering building a hatchery. Carse Pustmueller emphasized that before a hatchery is built, research must confirm that hatchery-reared fish will contribute to a self-sustaining population.
- d. Flaming Gorge Consultation: Attachment 6 depicts the process by which the draft Flaming Gorge biological opinion will be developed.
- e. When do water projects get "no jeopardy" opinions for depletion impacts?/Does it apply to the Sandstone project?: In response to concerns raised by Carse Pustmueller, Implementation Committee members discussed, but were not able to come to agreement as to whether sufficient progress had been made in program implementation (see page 5-4 of Plan, second paragraph) to permit the acceptance of the \$10/af contribution from water developers to offset depletions. Several Committee members indicated that they felt sufficient progress had been made to implement the Section 7 portion of the plan.

6. Future Activities

- a. Priority work items for the Management and Technical work groups: Attachment 7 outlines priority work activities. Carse Pustmueller requested that item 4 be amended to include the words "for research".
- b. Lloyd Greiner asked that Western be kept in the loop on the Flaming Gorge consultation. The Service agreed to do so.
- c. Next meeting: The Implementation Committee will meet on August 30, 1988, from 8:30am to 3:00pm.

Attachment 1

COLORADO RIVER RECOVERY
IMPLEMENTATION COMMITTEE
MEETING
2/23/88

| <u>NAME</u> | <u>AFFILIATION</u> | <u>PH. #</u> |
|---------------------|--------------------------------|----------------|
| Reed Harris | BR-SLC | 801-524-5498 |
| Jim Bennett | CDOW - Denver | (303) 291-7450 |
| Robert Wightington | TNC | 303 444-2950 |
| John Shields | Wyoming State Engineers Office | (307) 777-6151 |
| ALAN MAUZY | WYOMING WATER Devel. Comm. | (307) 777-7626 |
| KWON BOKWELL | CREEDIA | 303-452-6111 |
| Clayton Palmer | WAPA | 801-524-3522 |
| Nancy Chu | FWS | 303-236-7398 |
| Patrick Nelson | FWS | 303-236-7398 |
| Bob Jacobson | FWS | 303-236-8119 |
| DON DOBIEL | FWS | 303-236-8189 |
| LARRY SHANKS | FWS | 303-236-7898 |
| CLIFFORD BARRETT | USBR | 801-524-5592 |
| Lloyd Greiner | WAPA-SLCA | 801-524-6372 |
| Chips Barry | Colorado DNR | 303 866-3311 |
| Laurie Matthews | " " | 303 866-3311 |
| GALLEN BUTERBAUGH | U.S.F.W.S. | 303-236-7920 |
| DEE C. HANSEN | UTAH DNR | 801-538-7800 |
| JEFF FASSETT | Wyo. State Engineer | 307-777-7354 |
| Tom Pitts | Water Users | 303-667-3650 |
| Carole Probstmuller | National Aud. Society | 303-499-0251 |
| Barry Saunders | Utah Div of Water Resources | 801-538-7258 |

Attachment 2

Agenda
Colorado River Recovery Implementation Committee
February 23, 1988
Third Floor Conference Room
134 Union Blvd.
Lakewood, Colorado

10:00 am - Convene

1. Welcome and Introductions (Buterbaugh)
2. Implementation Committee Membership and Representation (Buterbaugh)
 - o nominations and selection of representatives of water development and conservation interests
 - o nomination and selection of chairperson
 - o selection of a Program Director
 - o appointee to represent the Secretary of the Interior
 - o request by CREDA to be a nonvoting member
3. Review and discuss recommendations of the Task Group re: the Recovery Implementation Committee (Hamill)
 - o organization and responsibilities of the Implementation Committee
 - o responsibilities of the Management and Technical Work Groups
 - o appoint members and chair to Management and Technical Work Group
 - o role of the Program Director

11:30 - 12:30 Lunch

4. Recovery Program funding and fund administration
 - o payment of the Federal and State annual contributions (Hamill)
 - o guidelines concerning credit for inkind services (Mathews)
 - o role of Fish and Wildlife Foundation in administering funds (Collins)
5. Review of Recovery Activities
 - o water rights acquisition priorities and activities (Hamill)
 - o concurrence with Service's work plan for identifying instream flows in the Yampa River and the 15-mile reach (Hamill)
 - o plan for propagation and rearing of endangered fishes (Mills)
 - o Flaming Gorge Consultation (Hamill)
 - o other activities
6. Future activities (Hamill)
 - o priority work items for the Management and Technical Work Groups
 - o next meeting

3:00 pm - Adjourn