

CR/FY-01 UCRRIC
Mail Stop 65115

Memorandum

To: Implementation Committee
Management Committee, Consultants, and Interested Parties
Meeting Attendees

From: Director, Upper Colorado River Recovery Implementation Program

Subject: Draft April 23, 2001, Recovery Implementation Committee Conference Call
Summary

Attached are the draft action and assignment summary and the general summary from the recent Implementation Committee conference call. Please review these documents and contact Angela Kantola (ext. 221) if you think any changes are necessary.

Attachment

- Summary -

Actions and Assignments
Recovery Implementation Committee–April 23, 2001

ASSIGNMENTS:

1. The Program Director's office will distribute copies of all comments received to the Management and Implementation committees.

- Summary -
April 23, 2001, Implementation Committee Conference Call

CONVENE: ~9:00 a.m.

1. Recovery Goals - Ralph Morgenweck said the Service received comments from numerous upper basin and some lower basin interests. >The Program Director's office will distribute copies of all comments received to the Implementation and Management committees. Bob Muth summarized the major comments received.
 - Wyoming is concerned about development and implementation of conservation plans. Encouraged the Recovery Program to begin working on the process in very near future. Urged Service to address and accommodate (to extent possible) comments from other Program participants, and quickly proceed with publication for public comment.
 - National Park Service urged publication for public comment at earliest possible date. Will provide detailed comments at that time.
 - Provision ("procurement") and legal protection of flows (Colorado and Tom Pitts). Pitts recommended language for assurances that requirements would be consistent with Federal and State laws. Both recommended that "flows" be changed to "habitat" or "environmental conditions".
 - Service should conduct DPS analysis for Colorado pikeminnow and humpback chub (Colorado) and bonytail now (Pitts).
 - Service needs to determine what are "first best estimates" of populations to start clock (Colorado).
 - Requirements for San Juan River based on estimates of adult Colorado pikeminnow carrying capacity are too high given current state of data (Pitts). Related to this are concerns over unacceptable delays in downlisting and delisting caused by current stocking plans for San Juan River.
 - Statistical guidelines for populations estimates and demographic standards for downlisting and delisting too stringent or unrealistic (Pitts and Colorado).
 - No scientific basis for requiring an effective population size (N_e) of 1,000 for razorback sucker and bonytail, which results in grossly inflated MVP; use N_e of 500 (Pitts). Related to this is the requirement for 50,000 adult razorback suckers in Lake Mohave.
 - Concerns over lack of organized effort in lower basin. How will recovery be implemented (Pitts)?

- Asking for two MVPs for Colorado pikeminnow in upper basin to provide necessary redundancy; metapopulation concept being misused (Luecke).
- Numerous minor comments were received from Pitts.
- Western's comments arrived late and have not yet been reviewed.

Ralph said he would like to incorporate all the comments received to date into revised drafts of the recovery goals by about the end of May. Whether to focus effort on these revisions or to work with lower basin states to get their additional comments (e.g., California) is something of a dilemma, however.

Ralph asked Colorado to clarify their position on where the recovery goals need to be before Colorado is willing to sign the extension of the Program's cooperative agreement. The authorities of PL 106-392 (the long-term funding legislation) are terminated on January 21, 2003, unless the Program is extended. Ralph said his understanding of Colorado's position has been that the recovery goals must be *finalized* before Colorado will sign the extension. Ralph emphasized that it will take *a minimum* of 4 months from time the draft goals are published in the Federal Register before they can be finalized, and given the potential for extensive comments from the lower basin and power interests, finalizing the goals could, in fact, take even longer. Tom Pitts and Dan Luecke agreed that it is unlikely the goals can be finalized by January 2002. Greg Walcher disagreed, saying he thinks there's plenty of time to finish the goals by then. Tom Pitts reminded the Committee that the Program's funding authority disappears if the cooperative agreement is not extended by January 2002. Asked what the Service would do if that happened, Ralph responded that the Service would have to reopen consultation on all projects that have used the Recovery Program as a reasonable and prudent alternative. Greg suggested that a better solution would be to finalize recovery goals that the States can agree with before January 2002. Ralph agreed, but in order to meet that deadline, the next draft of the goals would have to be published in the Federal Register, and he can't guarantee that all parties will agree to that version. Before the goals can be finalized, there will have to be reasonable agreement from all parties (including those in the lower basin). Greg said that although Colorado will have to make a judgement call at that time, he doesn't intend to withhold their signature on the cooperative agreement extension based on concerns that California still has with the recovery goals, for example. This gives the Program "breathing room" to extend the cooperative agreement before the recovery goals are *finalized*. Greg said that Colorado would like the concerns expressed in their recent comments on the goals addressed before the draft goals are published in the Federal Register, however.

Ralph said the Service will work with each commenting entity as they revise the draft goals over the next month. Tom Blickensderfer and Kent Holsinger will be available to meet to discuss Colorado's concerns. Dan Luecke and John Reber expressed doubt that each commenting party can accept the issues raised by each of the other parties, so it may not be possible to work out all the issues in bilateral meetings. We will try this approach,

however, and as the Service crafts solutions to the various issues, they will inform all the other parties via e-mail, conference calls, or whatever is needed.

2. September 2001 Implementation Committee meeting - Reminder: the next Committee meeting is September 6, 2001 in Denver.

ADJOURN: ~9:50 a.m.

Participants
Colorado River Recovery Implementation Committee Call: April 23, 2001

IMPLEMENTATION COMMITTEE MEMBERS:

Ralph Morgenweck, U.S. Fish and Wildlife Service (Chairman)
Rick Gold, U.S. Bureau of Reclamation
Greg Walcher, Colorado Department of Natural Resources
Clayton Palmer for Dave Sabo, Western Area Power Administration
Dan Luecke, Environmental Defense
Tom Pitts, Upper Basin Water Users
Pat Tyrrell, Wyoming State Engineer's Office
John Reber for Karen Wade, National Park Service
Leslie James, Colorado River Energy Distributors Association
(No representative was available from the Utah Department of Natural Resources)
Bob Muth, U.S. Fish and Wildlife Service (Program Director) (nonvoting)

OTHERS:

Margot Zallen, Department of Interior Solicitor's Office
Chris Treese, Colorado River Water Conservation District
John Shields, Wyoming State Engineer's Office
Bruce McCloskey, Colorado Division of Wildlife
Geoff Tischbein, Colorado Division of Wildlife
Shane Collins, Western Area Power Administration
Debbie Felker, U.S. Fish and Wildlife Service, Recovery Program
Angela Kantola, U.S. Fish and Wildlife Service, Recovery Program
Brent Uilenberg, U.S. Bureau of Reclamation
Susan Baker, U.S. Fish and Wildlife Service
Kent Holsinger, Colorado Department of Natural Resources
Tom Blickensderfer, Colorado Department of Natural Resources
Tom Czaplá, U.S. Fish and Wildlife Service, Recovery Program
Dan Sobieck, U.S. Fish and Wildlife Service (Acting Assistant Regional Director for External Affairs)