

**MANAGEMENT COMMITTEE MEETING SUMMARY**  
**11/13/97**



**MEETING SUMMARY**

Meeting: Colorado River Management Committee, Denver, Colorado

Date: November 13, 1997

Attendees: See Attachment 1

Assignments are highlighted in text

CONVENE: 9:30 a.m.

1. Review/modify agenda and time allocations - The agenda was revised as it appears below.
  
2. Approve August 14 and September 2, 1997, meeting summaries: The summaries were approved as written.
  
3. Review action items from recent meetings:
  - a. Henry Maddux said he believes the management objectives have progressed to a point where the >Biology Committee can review the need for humpback chub propagation and augmentation.

b. Language waiving the Service overhead charge on funds transferred from Reclamation was not included in the final appropriation bill (although the conference report says "*The managers expect the Service to keep any necessary administrative charges to an absolute minimum, and to provide a report to the Committees that justifies any overhead charges on funds transferred to the Upper Colorado River recovery program.*") The Committee agreed that: 1) >The Program Director's office should prepare justification for a waiver (including the conference report language and noting the precedent set for a waiver with the FY 88 \$1M appropriation) and let Program participants know when that's going forward. >Program participants will raise this issue during the Washington, D.C. briefings next week. >The Program Director's office will provide an estimate of the amount of overhead that would be saved if a waiver was granted.

c. The Wyoming wetland ponds turned out to be less than 3,000 af in aggregate, so this is no longer an issue.

#### 4. Activities updates:

a. Grand Valley Water Management - Brent Uilenberg said the administrative review draft environmental assessment will be out next week; the Green Mountain surplus water contract is in process; and the trust agreement is in draft. Brent said he believes that the 15-Mile Reach programmatic opinion is still a critical step for GVWM, and the group discussed whether a separate biological opinion just on GVWM might be acceptable. The cooperative agreement authority language was not included in Reclamation's FY 98 appropriations language, so for FY 98 work, we might consider construction via a third party (this would be more costly and would probably only construct the bypass line [~\$1M]), or the Colorado River Water Conservation District might be able to serve as a contracting entity (although Ray Tenney cautioned they probably would charge 5% overhead). Brent emphasized the need to keep the cooperative agreement language in the long-term funding legislation.

b. GVIC passage construction - Brent noted some cost overruns due to: 1) a need for three additional control gates to prevent added operational costs at the Orchard Mesa check (\$30-50K); and 2) re-building the coffer dam (the Grand Valley Water Users Association accidentally released too much water which took out the coffer dam) (\$50-75K).

c. Ouray hatchery construction - The additional pond construction is underway, the outside of the water treatment building is complete; the outside of the hatchery building is underway and should be completed by winter so the inside can be finished; the road is to be constructed this winter. The Committee reviewed FY 98 Ouray costs as presented by the Service and approved up to \$780K (amount shown in draft CAP-7 scope of work). They also raised the total CAP-7 funding cap from \$1,500K to \$1830.6K (total of all proposed work under CAP-7), so that none of the proposed work would be precluded (however, >the Biology Committee still needs to review the number and location of growout ponds needed for the Green River). >The Service will send results of the Fort Morgan Fish Health review to the Biology Committee. The Committee agreed that if we continue to have significant problems at Ouray after construction is completed, then we need to have an outside review done.

d. Colorado water user's discussions - Peter Evans provided an update on recent meetings. The West slope has raised issues of compensatory storage, 15-mile reach flow appropriations, and the hold on Round II Ruedi sales. The East slope has raised issues about providing assurance that existing water supplies won't be impaired and sharing the risk of Program failure among all water users. The issue of certainty also has been raised. The next meeting is scheduled for early December when the water users will present their concept to the Service and environmental groups for their feedback. >Colorado will prepare a summary of that meeting and share it with other Program participants.

e. Colorado River Water Conservation District adopted resolution - Copies of this resolution were distributed. Ray Tenney said it primarily addresses compensatory storage and pushing for non-flow recovery activities.

f. Long-term funding legislation - The group agreed that it's time to get feedback from people in Washington, D.C., even though some issues remain. The briefings are scheduled for November 20 and 21 (the schedules have been posted to the listserv). Revised briefing materials and schedules also will be posted to the list. Peter outlined some Colorado funding proposals: 1) a declining species fund with \$60-70M from state taxpayer general fund to be put in trust to generate \$3-5million per year (or perhaps \$10M for 2-5 years) (>Colorado will circulate a draft of this proposal to Program participants); and 2) grants from the Colorado Water Conservation Board mitigation account for species recovery projects. John Shields said that Wyoming is considering a proposal to appropriate half of their cost share in the 99-00 biennium. The group agreed that >Wayne Cook should convene the environmental groups and other parties with remaining issues (primarily "credits") on the long-term funding legislation to continue their discussions and see what they can work out. Kathy Kanda and Connie Young are working on the briefing booklet for the trip next week.

g. Biological opinions - Angela Kantola distributed a table of Section 7 consultations updated through September 30, 1997. Larry Shanks said that a revised draft opinion on the Duchesne River is being circulated and will be sent to the Management Committee once the participating agencies are satisfied with it. Gene Shawcroft said that CUWCD believes this version looks much better, although they're still reviewing some of the details. Larry said that the draft Flaming Gorge opinion will be 3-4 months late and that a >letter outlining the schedule should be forthcoming to the Committee from the Service.

h. Henry Maddux gave an update on the diesel spill in the Williams Fork (Yampa River tributary) last week. The River District or Bill Miller needs to be reimbursed for a flight to track tagged Colorado squawfish which was made to determine if the spill had any effects on them (>Henry Maddux will follow up on this). Additional flights may be funded with NRDA initiation funds. The Committee agreed that the Program needs a contingency fund for emergency response; >the Program Director's office will put this in their FY 99 scope of work.

i. Mosquito abatement group scope of work - The committee is in place and their first meeting is November 19.

j. Selenium - Brent reported that the NIWQP has determined that selenium is limiting razorback reproduction in the Grand Valley and they want to start remediation work. By December 5, they want to know if the Program is comfortable with this statement. The Committee agreed that the >Program Director's office should prepare a letter from the Program saying we think that the problem statement is too strong; that the Program will need to review the report first; and if the report identifies it's a problem needing remediation, we will coordinate with NIWQP. The letter also should explain what the Program has been doing with regards to selenium (avoiding restoring contaminated sites, etc.).

5. Presentation on Management Objectives - Leo Lentsch distributed and discussed a summary on the MO's. Leo said that most questions raised by biologists have been in regard to the model and that they are holding a workshop on December 4-5 to discuss the model (after biologists have been given an opportunity to work with model themselves). After the model is refined, Leo said he thinks there's some potential for the Colorado squawfish target population numbers to decrease and razorback numbers to increase. The MO report will be finalized after the workshop. Larry Shanks said the current package is going out for outside peer review, review by the Recovery Team, and also will be announced in the Federal Register. Tom Pitts said they have some questions about two populations of squawfish and razorbacks in the Green River, and also a question as to why we need four populations of humpback in the Upper Basin when the Glen Canyon biological opinion calls for two populations in the Lower Basin and the Recovery Plan calls for a total of five populations. Robert Wigington said that the environmental groups view the MO's as population goals, not as recovery objectives. Leo said they really tried to address the issues Robert raised in his memo in this latest draft.

## 7. FY 98 Program Budget Update

a. Reclamation - Brent reported that they have \$2.13 million in unobligated FY 97 capital construction carry-over. This doesn't included money which has been obligated, but not expended under cooperative agreements (Reclamation is working on determining those

amounts). Brent proposed using \$300K for pre-construction activities on Price Stubb and Roller Dam fish passage; and the Management Committee approved. (Getting this work done helps get fish passage activities back on track and also provides a place to obligate any carry-over at end of FY 98.) Brent said that in light of the carry-over, none of the FY 98 capital funds shortfall (~\$1M) would be restored.

b. Service - Larry Shanks reported \$567K of FY 97 hatchery construction carry-over.

c. Program Director's Office - Angela Kantola reported ~\$50K of FY 97 program management funds carry-over. Angela said she was not able to find any evidence indicating that any funds remain in the FY 88 appropriation account (other than the \$9,400 slated for expenditure this year).

Budget summary:

+ 2,130.0K FY 97 unobligated capital funds carry-over

+ 50.0K Program Director office FY 97 carry-over

- 300.0K Price Stubb/Roller Dam fish passage pre-construction activities

- 330.6K CAP-7 place-holder increase

1,549.4K

+ ???????K FY 97 capital funds obligated but unexpended

+/- ??????K Overhead on Reclamation funds transferred to FWS in FY 98

??????K >Remainder to be assigned to projects by Management Committee in January.

- >The Committee agreed to better identify funding decisions on future meeting agendas.
- >The Committee asked Reclamation to clearly indicate when we are in danger of major non-performance on capital funds and agreed to review the capital funds expenditure status/outlook before the March Implementation Committee meeting.

8. Management Committee discussion of sufficient progress threshold (assignment from Implementation Committee) - John Shields distributed a ranking of consultations by depletion size. The Committee agreed that the programmatic consultations (on the 15-Mile Reach and Duchesne) will have considerable bearing on this topic and >agreed to reconsider the threshold question after we see how those consultations come out.

9. Development of system to better track Program products and reports (assignment from Implementation Committee to Program Director and Management Committee) - Henry Maddux distributed a short discussion paper about tracking Program activities. The Committee offered a variety of suggestions, including: using Primavera software for tracking; placing the tracking system on a web site; not using a web site, but rather generating a report for the Management Committee to review at each of their meetings; treating the relationship between the Program and principal investigators as a contractual one; using the \$50K carry-over in the Program Director's budget (see item #7 above) to design and implement a tracking system; providing incentives for products and reports completed ahead of schedule; and implementing a system that will help make Program decision-makers (those who approve products and reports) aware of the impact of delaying decisions and approvals. The Committee agreed that >the Program Director should provide a proposal for a tracking system by January. >John Shields will assist in developing that proposal.

10. Discussion of process to better ensure timely billing by contractors - Possibilities for rectifying the problem of agencies waiting a long time (even years) to bill Reclamation for Reclamation-funded Program activities include: establishing a "date-certain" beyond which Reclamation will not accept further billing; and for agreements which Reclamation modifies each year, requiring billing 60 days from the time charges are incurred. >Brent

Uilenberg will look into this problem further and report at the next Management Committee meeting what needs to be done.

11. Initiation of discussion of the Recovery Program's peer review process - deferred.

12. Process and schedule for development of FY 99 work plan - Angela Kantola distributed the FY 99 work plan development schedule.

13. Meeting review: Realizing they had spent a great deal of time talking about activities updates, the Committee agreed that, in the future, when the Committee agenda identifies someone as the lead on an item, then >that person should prepare a few sentences or paragraphs in writing and post it to the listserver in advance of the meeting (if possible), or at least bring copies to the meeting. The Committee also agreed that they need to make good use of the "okay, you three discuss that over lunch and see what you can get resolved" technique to avoid protracted discussions among the entire group. >The Program Director's office and Committee Chair will better describe agenda items and try to more clearly identify action items.

13. Next meeting: Tuesday, January 27, from 8 a.m. to 5 p.m. in Salt Lake City. Agenda items will include: presentation of the reasonable and prudent alternatives in the Duchesne biological opinion (Service); and update on the long-term funding legislation (States), resolution of the FY 98 budget (this will be a major agenda item to finalize the FY 98 budget); approval of floodplain issue paper (Phase I); discussion of tracking system proposal from the Program Director's office; discussion of how to remedy delayed billing (Reclamation); discussion of the Program's peer review process (Utah?); and scheduling the February meeting.

14. Colorado stocking regulations - Peter reported that Colorado hasn't yet made progress on private pond stocking regulations (as per the agreement in the nonnative fish stocking procedures). They will try to complete the integration process by October '98, but they may not be able to have the regulations in place until perhaps January '99. Colorado believes they will need to implement some kind of a landowner incentive process. They also will need to discuss cost share with the Program, as the needed private pond reclamation is quite extensive. Peter also noted that when they're working with landowners on pond reclamation, they also will need to carefully coordinate with floodplain restoration and other Program activities involving landowners. >This should be included in the '99 Program Guidance (or made part of the pond reclamation work in that Guidance).

ADJOURN: 4:30 p.m.

### **Attachment 1**

#### **Colorado River Management Committee, Denver, Colorado**

#### **November 13, 1997, Meeting Attendees**

#### Management Committee Voting Members:

Brent Uilenberg Bureau of Reclamation

Peter Evans State of Colorado (via conference call)

Tom Pitts Upper Basin Water Users

Kathleen Clarke Utah Department of Natural Resources

Larry Shanks Fish and Wildlife Service

Robert Wigington Environmental Groups

John Shields State of Wyoming

Gary Burton for Clayton Palmer Western Area Power Administration

Nonvoting Members:

Dave Mazour Colorado River Energy Distributors Association

Henry Maddux Recovery Program Director, U.S. Fish and Wildlife Service

Recovery Program Staff:

Angela Kantola U.S. Fish and Wildlife Service

Tom Czapla U.S. Fish and Wildlife Service

Pat Nelson U.S. Fish and Wildlife Service

Others:

Ray Tenney Colorado River Water Conservation District

Jenny McCurdy Denver Water

Gene Shawcroft Central Utah Water Conservancy District

Larry Fluharty Bureau of Reclamation

Vance Wooley Oxy USA, Inc.

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