

**MANAGEMENT COMMITTEE MEETING SUMMARY**  
**8/12-13/98**



Meeting: Colorado River Management Committee, Cheyenne, Wyoming

Date: August 12-13, 1998

Attendees: See Attachment 1

Assignments are highlighted in the text, and in Attachment 2.

CONVENE: 9:00 a.m., Wednesday, August 12

1. Review/modify agenda and time allocations - The agenda was revised as it appears below.

2. Approve April 15th meeting and June 12th and July 15th conference call summaries - April 15 - under Item 4C, change "H3669" to "HR3669" in reference to the long-term funding legislation. The other summaries were approved as written.

3. Review action items from recent meetings - The Committee reviewed action items on the recent action items list (Attachment 2).

4. Program activities updates:

- a. Grand Valley Water Management - Brent Uilenberg reported that this is on hold until the 15-Mile Reach programmatic biological opinion is finalized; when that is done, everything is in place to move forward.
- b. Grand Valley Project Diversion & Price-Stubbs passage construction - Brent reported that they are working to combine passage on the Grand Valley Project with rehabilitation of the diversion. The railroad and DOT are reviewing the technical analysis on the effects of removing the Price-Stubbs diversion. Reclamation is working to address remaining concerns about possible landslide on the west side of the river, effects of releasing the sediment behind the diversion, and so forth. Hopefully, construction can begin in 1999.
- c. Ouray hatchery construction - Larry Shanks reported that the problems with the plumbing contract have been resolved and construction is close to being back on schedule. >Henry Maddux will ask the Service's Grand Valley hatchery facility to post monthly hatchery reports.
- d. Colorado water users' discussions/15 MR Biological Opinion - Peter Evans reported that negotiations are continuing and he has taken the lead since Jim Lochhead has resigned. The Strategy group meets again Monday. Five subgroups have been formed to resolve specific issues. >Management Committee members will express the Committee's concern regarding the schedule of the negotiations and the importance of reaching some major milestones before the Implementation Committee meeting.
- e. Ruedi Reservoir O&M Costs/Contract - Peter reported that the CWCB agreed to the contract for 21,650 acre-feet this year. The amendment to the biological opinion is expected by October 1, at which time the Round II contracts can go forward.
- f. Orchard-Mesa Check Settlement Case - Brent reported that they don't yet have a contract for delivery of surplus Green Mountain water but noted that the "Managing Entities" group is working well together. Brent is waiting for review of two contract options by the Solicitor's office.
- g. Duchesne River Coordinated Reservoir Operations Study - Gene Shawcroft reported that the work group had their first meeting this week and will meet again at the end of September. Their goal is to develop a model showing when and where water could be made available (without affecting project yields). >The Service will post the reasonable and prudent alternatives from the Duchesne biological opinion to the listserver.

h. Flaming Gorge Synthesis Report & Biological Opinion Schedule - Referring to Bob Muth's update posted to the listserver on August 7, Chris Karas reported that the Flaming Gorge reports are being closely tracked and the synthesis team meetings have resulted in significant improvements. The draft final synthesis report will be ready for Program peer review in early October. (Perhaps that review period should be slightly greater than 45 days.) >Henry, Larry Shanks, and Reclamation will develop a schedule for peer review, Biology Committee review, and completion of the biological opinion. This will include an explanation of additional FY 99 costs, if any. >Henry will include this schedule in his Program Director's update to the Implementation Committee.

i. Pond Reclamation and Related Public Information Efforts - Tom Nesler said the reality of pond reclamation is very different than their initial expectations. Complicating issues have included: which ponds to reclaim; how many and under what ownership; limited CDOW staff time; and new information indicating that there are 300-600 ponds to reclaim (~80% of which are in private ownership). Therefore, the goal of 25 ponds per year in the RIPRAP and sufficient progress memo is not realistic. CDOW has chemically reclaimed 3 ponds and are working on another 14 ponds this year (methods will be broadened beyond chemical reclamation). Public involvement is currently confused and overwhelmed. Tom Pitts said he thinks the Program staff should take the lead to develop a plan for how to proceed in light of the new information. Frank Pfeifer recommended placing emphasis on screening ponds with chronic escapement problems (this should be clearly identified as an option in the scope of work). >Bruce McCloskey will convene a group (to include CDOW, FWS, the Program Director's office, and BOR) to prioritize the ponds to be reclaimed in FY 99 and make recommendations for how to proceed with pond reclamation over the long-term, given the realities that we now better understand. The group's report will then be presented to the Biology Committee.

j. Comments on Interim Management Objectives - Tom Czaplá posted an update to the listserver on August 10 outlining the comments received. Larry Shanks said he believes the Service will accept these as IMO's (not recovery goals) and > will ask the Recovery Team to develop the habitat management components and incorporate those and the IMO's into recovery goals. >The Service will see that the inconsistencies in population numbers in the IMO's and recovery plans are addressed when the recovery plans are revised. Clayton Palmer may send the Service a letter identifying specific issues he believes need to be resolved in this regard.

k. Long-term funding legislation - Dan McAuliffe reported on the status of the legislation (Attachment 3). Larry Shanks reported that the Service will oppose the 3% overhead rate both in the FY 99 appropriation and the long-term legislation. However, the Service will support an 11% overhead rate (half the new 22% standard rate). >Dan will send out copies of CREDA's amendments to the long-term funding legislation. >The ad hoc group will meet informally on September 10, right after the Implementation Committee meeting.

1. Biological opinions - The Service distributed an updated table of Section 7 consultations, which also was posted to the listserver on August 6.

m. Reports due list - The Committee considered the August 7 list and Tom Pitts' August 5 recommendation. The Committee agreed to the following guidelines regarding Program reports:

1. Recovery Program staff should implement a tracking system for all reports and other items due, procedures to follow up on reports due, and provide regular reports (at least at every other meeting) to the Management Committee regarding overdue reports and other work items.

2. The Recovery Program will not initiate new contracts with contractors who have reports overdue in the absence of an adequate explanation or rationale for report tardiness.

3. Previous performance on due dates by contractors will be considered in evaluating new scopes of work and letting contracts in the future, with the objective of screening out contractors with poor on-time performance records.

>The Program Director's office will continue to update the reports due list and fill in missing information.

n. RIPRAP status report - Henry provided a table showing the status of RIPRAP items ongoing or due in FY 98 (also posted to the listserver) for the Committee's information. This information eventually will be part of the tracking system.

o. Update on structure repair at Ouray NWR - Henry said that construction of the Leota and Johnson Bottom outlet structures will be more costly than the \$240K originally expected: Johnson will cost \$219K and Leota will be \$236K, for a total of \$455K. Henry recommends funding Leota construction now (with the available funds) and deferring construction at Johnson until the funds are available. The Management Committee agreed and later asked Henry and Brent to make recommendations on this and other end-of-year funding actions, such as Ouray hatchery construction oversight cost overrun and a \$15K cost-share with BLM for nonnative screens on Pariette Draw.

## 5. FY 99 Appropriations Process and Program Budget Update

a. Reclamation FY 99 capital construction budget - Brent provided a copy of Reclamation's FY 99 budget information and said he expects the Program will receive the \$7.628M expected in capital funds.

b. FY 98 capital construction carry-over - Brent provided an August 6 budget summary which reflects the decisions made in the Committee's July 15 conference call. New information since then includes: 1) a cost overrun on Ouray hatchery construction oversight (by BOR Provo) of \$332K; 2) \$219K construction at Johnson bottom outlet structure; 3) probable excess of \$200K in Grand Valley Water Management; 4) an unknown excess within the \$750K for land acquisition; and 5) \$15K needed for a cost-share with BLM for nonnative screens on Pariette Draw. The Committee approved covering only \$300K of the \$332K of cost overruns on Ouray construction oversight and approved the funding for screens on Pariette Draw. >Brent and Henry will recommend resolution on the remaining items. >Reclamation will get Provo to tighten their future estimates and >John Shields will send a letter to the manager of BOR Provo's office (cc: to Charlie Calhoun), as well.

c. Service: FY 99 base-funding and overhead limitation legislative language - Larry Shanks said the 3% language will go to conference for FY 99 because it's in the Senate, but not the House language. After discussing what the overhead charge covers, the Management Committee agreed that 10% or 11% is reasonable and that they believe the Program should support 10% for FY 99 and in the long-term funding legislation. >The States, water users, and environmental groups will make sure their Implementation Committee members are in agreement and let John Shields know within a week. >Then Barry Saunders will make sure that Senator Bennett is informed. Larry reported that the Section 6 funds will likely come out of the Service's Region 6 allocation again. The Service's \$636,000 in resource management funds is in both the House and Senate FY 99 appropriations language.

## 6. Review and Develop FY 99 Work Plan for Implementation Committee Approval

Linda Lee gave an overview of the Information and Education Committee's recommendations. The next I&E meeting is scheduled for October 21. Mike Carnevale and George Smith said their committee's comments have been reflected in the work plan summary table and they'll be happy to answer any questions. Henry highlighted projects that may need additional discussion by the Management Committee, including: the Yampa Management Plan; selenium studies cost-share; role of levee removal on mosquito abundance; bonytail reintroduction, *Gila* hybridization; Colorado squawfish stocking/translocation; distribution of hatchery-reared razorbacks; and contribution of tributaries to recovery.

Discussion and Revision of Draft Work Plan - The Committee made revisions to the recommended work plan, which are reflected in their work plan summary table (Attachment 4).

Brent emphasized that Reclamation views both the Federal cost ceiling and cost sharing "clocks" beginning in FY 99.

Flaming Gorge synthesis - No funds included because PI's said they'd finish the work within existing (FY 98) budget; >Chris Karas will determine if any additional funds will be needed from the Program for Joe Lyons' hydrology support.

Tom Pitts commented on the great variability in the PIP cost estimates and overall PIP costs and asked the >Program Director's office to address the issue of level of effort, parties affected, and total cost in the FY 2000 PIP's.

## 7. Development of system to better track Program products and reports (assignment from Implementation Committee to Program Director and Management Committee) - Referring

to her memo of August 5, Angela Kantola gave an update on development of the Program tracking system. >If any Management Committee members have recommendations regarding personal information management (PIM) software they've used, the Program Director's office would like to hear from them. The Program Director's office plans to have the tracking system operational and available on the Program participant web pages by December 31.

8. Discussion of process to better ensure timely billing by contractors - Brent distributed an updated unliquidated obligations report current through July 31 (which reflects considerable improvement) and a memo recommending how they will prevent this problem in the future. Brent said they're working to track payments in the Federal finance system more aggressively, since that's where some of the information is getting held up. The Committee agreed to the following:

Reclamation will contact each contractor/recipient and request an update on the status of work accomplishment and projected cost to complete. Surplus funds will be de-obligated and made available to meet other needs. To minimize the problem in the future, all existing contracts and cooperative agreements will be modified to include a requirement that the contractor/recipient file an expenditure report within 90 days following the end of the Federal fiscal year. The report will indicate the status of work accomplishment and projected costs to complete. (Note: this information will be incorporated into the Program's annual report process which also will provide additional motivation to meet report deadlines.) Surplus funds will be de-obligated or deducted from the then current Federal fiscal year fund transfer. If no report is submitted within the 90 day deadline, ALL unliquidated obligations may be considered surplus and deducted from the then current Federal fiscal year fund transfer or de-obligated and reprogrammed to meet other needs.

>Angela will add appropriate language to the annual report format and to the annual work plan and/or Program guidance.

9. Avoiding budget surpluses in future year's expenditures of Capital Project Funding - The Committee will again conduct a mid-year progress check. The Committee asks that the >Biology Committee provide recommendations for capital contingency projects (preferably from approved RIPRAP items) at their 9/1-2 meeting.

10. Need for Implementation Committee - The Committee is needed and the Management Committee encourages Implementation Committee members to attend and not send

delegates whenever possible. The Management Committee recommends that the Implementation Committee members notify the other members as a courtesy, when/if they can't attend an Implementation Committee meeting. >The Program Director's office will send Management and Implementation committee members a list of Implementation Committee member email addresses. The Committee noted that the Secretarial liaison is again vacant.

11. Implementation Committee Meeting Agenda - Agenda items will include: introductions; modify/review agenda; approve March meeting summary; Recovery Program general update by Program Director; long-term funding legislation update; Colorado water users' discussions/15-Mile Reach biological opinion update (with emphasis on the relationship to the long-term funding legislation and with a written summary to be provided in advance of the meeting); a discussion of the Service's position on Colorado's instream flow filings; discussion/resolution of the Orchard Mesa check settlement contract (if not already resolved); discussion on extending the Recovery Program beyond 2003; FY 99 Reclamation and Service budgets update; review/approval of the FY 99 work plan; approval of the Interim Management Objectives; discussion of Management Committee's recommendation to retain the Implementation Committee; final approval of Biology Committee report review process (unless approved in advance of the meeting); update on Flaming Gorge and Aspinall report and biological opinion schedules; recognition of service to the Recovery Program. > The Program Director's office will provide clear explanation of the nature of the expected action on each agenda item.

12. Extending the Recovery Program beyond 2003 - The Committee considered: dates in the long-term funding legislation, the San Juan River Program, and the 15-Mile Reach opinion; the need to release Program participants from providing annual funding after 2003; and other factors which might come into play in extending the agreement. The Committee recommends that the Program be extended to either 2007 or 2010, consistent with the long-term funding legislation, but Wyoming and Utah would require a caveat that such an extension would not obligate participants to extend their annual funding obligations as identified in the Blue Book beyond 2003. The Committee defers action on this item to the Implementation Committee.

13. Propagation Ad-Hoc Committee proposal - The Committee discussed Henry Maddux's August 6 memo and more recent flow chart and a list of additional issues provided by Robert Wigington. The Committee discussed who would be appropriate as members of the ad hoc group (Biology Committee members, Genetics panel members, Program staff, expertise beyond that of hatchery managers, etc.) and what an ad hoc group versus the Biology Committee should consider (facilities needs based on existing plans or addressing all the issues in Henry and Robert's memos). Henry will revise his memo based on the input he's received and give it to the >Biology Committee to consider during their September 1-2 meeting. Robert asked that we >always document when we make decisions/changes related to the Genetics Guidelines, Management Plan, or hatchery plans.

14. Next meeting - Agenda items will include follow-up from the Implementation and Biology committee meetings, a discussion of how we're going to deal with fish screening, and possibly a joint meeting (at least a few hours) with the Information and Education Committee. The meeting will be held on October 30 at the Fish and Wildlife Service office in Denver, starting around 9:00 a.m.

ADJOURN: 3:00 p.m., Thursday, August 13.

### **Attachment 1**

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

#### **April 15, 1998, Meeting Attendees**

##### Management Committee Voting Members:

Brent Uilenberg Bureau of Reclamation

Chris Karas Bureau of Reclamation

Bruce McCloskey & Peter Evans State of Colorado

Tom Pitts Upper Basin Water Users

Barry Saunders Utah Department of Natural Resources

Robert Wigington The Nature Conservancy

John Shields State of Wyoming

Larry Shanks U.S. Fish and Wildlife Service

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

Pat Nelson U.S. Fish and Wildlife Service

Tom Czapla U.S. Fish and Wildlife Service

Connie Young U.S. Fish and Wildlife Service

Ellen Szczesny U.S. Fish and Wildlife Service

Others:

Dan McAuliffe State of Colorado

Robert King State of Utah

George Smith U.S. Fish and Wildlife Service

Gene Shawcroft Central Utah Water Conservation District

Frank Pfeifer U.S. Fish and Wildlife Service

Mike Carnevale Wyoming Water Development Commission

Ray Tenney Colorado River Water Conservation District

Gary Burton Western Area Power Administration

Sue Lowry State of Wyoming

Tom Nesler State of Colorado

Linda Lee The Nature Conservancy

Pat Schumacher Bureau of Reclamation, Durango (SJRBRIP)

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