

Management Committee Meeting Summary
April 29, 2002
Denver, Colorado

Attendees: See Attachment 1

Assignments are highlighted in the text and listed at the end of the summary.

CONVENE - 9:30 a.m.

1. Introductions
2. Review/modify agenda and time allocations and appoint a time-keeper - The agenda was modified as it appears below.
3. Approve January 23 meeting summary and February 19 and March 29 conference call summaries - All summaries were approved as written and previously revised.
4. Recovery Program updates
 - a. Recovery goals - Bob Muth said the package of responses to public comments will be sent to the Service for internal review by May 10; Bob hopes to have any needed revisions made and goals finalized (and notice published in the Federal Register) by about July 5.
 - b. Tusher Wash screen - Utah will meet with the parties involved this week and it appears they will be ready to proceed with construction in the near future. We need to respond to the Canal Company's letter and let them know we'll need to see a signed carriage contract in order to proceed. >The Program Director's office will draft the letter and circulate it to the Management Committee for review before Bob Muth sends it on behalf of the Committee.
 - c. Ouray hatchery completion - Brent Uilenberg reported that the water recirculation system is installed and operational. A few additional modifications to pumps and plumbing will be made later this summer; the total cost will be within the \$126,000 previously approved by the Management Committee. Brent complimented Frank Pfeifer's excellent efforts to make the hatchery operational.
 - d. Flaming Gorge EIS process Brent noted a status update was posted to the listserver on April 19. There has been no change to budget or schedule. Reclamation will conduct modeling on the run-of-the-river alternative per the Park Service's request. A final EIS is still anticipated in April 2003 and the ROD in May of 2003.
 - e. Duchesne River Coordinated Reservoir Operations - Bob Muth said the combined biology/hydrology report containing flow recommendations went out for peer review two weeks ago. Water availability modeling is complete and that report is pending. Bob noted that the endangered fish primarily use the lower Duchesne

River, and mostly during the spring and summer. Operational flexibility on the Duchesne appears limited.

- f. Drought impacts - Brent Uilenberg said Blue Mesa will be drawn down below 400,000 af by the end of the year to provide 300 cfs below the Redlands fish passage. Bob Muth said the Service has shut down the Redlands passage in hopes that there will be sufficient flows to operate the ladder in June or July when the fish most need it. Biologists are working to determine if the ladder could be operated with something less than 300 cfs. Tom Pitts asked that the Committee be kept informed on how this will work. Brent reported that the Colorado River reservoirs also are substantially low and most won't fill. The Orchard Mesa check settlement will be operative, so if there's any surplus water available late in the season, it will be available for the fish. The water available for fish from Wolford and Ruedi will probably be reduced. The good news is that the managing entities who coordinate operations are already working together and if any water is available for fish habitat, it will be provided. GVIC passage is closed with very little water going over the dam now. Reclamation is working with GVIC to automate the passage operation (\$30-50K). The recently installed fish screen at GVIC is working, but has been pulled from operation because there's not enough water available to keep it clean and return fish to the river.
- g. Gunnison River flow recommendations and PBO - Gerry Roehm reported that he and Bob Muth have been working with Argonne, the Service, and John Pitlick to address issues raised in the minority report and have developed proposed revisions to the flow recommendations. The revised recommendations call for a lower spring peak, but longer duration, resulting in larger overall volume of water. The proposed revisions will go to the Management and Biology committees by May 10 with the hope of concurrence by June. If the revised recommendations are adopted, McAda's full report will need to go back to the committees for review this summer. When the recommendations are approved, Reclamation can begin modeling. (However, Brent noted that the schedule for the EIS process may be affected by the Park Service's Federal reserved water right claim for the Black Canyon of the Gunnison National Monument.) Bob Muth said a list of uncertainties associated with the recommendations has been developed; resolving those likely will require additional work by the Program in upcoming years.
- h. Yampa PBO Status - Gerry Roehm distributed an update on the Yampa Management Plan and copies of the recent press release about Yampa River northern pike translocation. A revised draft management plan and draft EA are expected by the end of June (or mid-July at the latest). Gerry hopes to complete the final PBO early as October 2002. Dan Birch noted that last week's angler's roundtable held at the Carpenter Ranch went very well.
- i. Status of identifying future Gunnison River depletions - Brent said Reclamation released a draft report identifying possible future depletions through 2050 of 11,000 af, based on the State demographer's estimates. The report assumes no

increase or decrease in irrigated agriculture in the basin and makes no predictions about transmountain diversions. Reclamation received comments on this draft report calling for future depletions totaling 45,750 acre-feet within the basin and 240,000 af in transmountain diversions. Clearly, the region and the State will have to make the call as to expected future depletions. The best approach may be to establish a generic depletion amount (not associated with specific projects), make it clear that it doesn't create a final cap on depletions, and perhaps structure that depletion amount incrementally. >Tom Blickensderfer will work on finding a way to develop an estimate future depletions and report back to the Management Committee at their next meeting.

- j. National Fish and Wildlife Foundation funds status - Don Glaser reported that all the contracts are in place with each of the states. Colorado is to be commended for working through all the issues and getting the necessary exceptions. Colorado's funds should begin flowing to the Foundation very soon. The Foundation has executed a contract for the computer controls on the Grand Valley Water Management SCADA system, and next will execute a contract for the larger portion. Don noted that he's been asked to serve in D.C. as the Foundation's temporary operations officer, but will maintain his regional responsibilities during that time. While in D.C., Don will be preparing reports on Colorado and Utah's contributions and welcomes their comments on the report format. Don also will prepare a report on the status of the Program's "Section 7 funds." Don noted that the Foundation's re-authorizing legislation requires them to give Congress a 30-day notice of proposed expenditures. This means that the Foundation needs 6 weeks to provide funds to the Program. Beginning in 2003, Don proposes letting Congress know at the start of the fiscal year all the contracts that the Foundation may award. Don recommends meeting with the Program Director's office and Reclamation in late August or early September to develop that list. >Bob Muth will schedule that meeting.
- k. Government Highline Fish Passage and Screening - Brent said that although construction was scheduled to begin this coming winter, the design requires materials from Luxemborg and considerable lead time to order them. Another issue is the possible need to interrupt hydropower over two years for screen and passage construction. The proposed solution is to construct the screen this winter with a bypass channel to prevent hydropower interruption (which would be left in permanently for use in preventing the screen from over-topping during ice conditions). Hydropower production would still be interrupted when the passage is constructed, and that is expected to raise serious concerns with the water users.
- l. Coordinated Facilities Operations - Bob Muth said the consultant is conducting the additional analyses requested by the Executive Committee. This project is a year behind schedule. >Tom Blickensderfer will provide a status report on the schedule for completing this work at the next meeting.
- m. Price-Stubb - Brent said FERC issued a motion preventing Jacobsen from proceeding with constructing a hydropower facility, but he could appeal through

Congress. To bring this to resolution, the Program will need to move ahead and finalize the EA. Of some concern is the fact that Jacobsen owns the land on the river right abutment which the Program will need for any of the three passage alternatives. This item will be on the agenda for the June Management Committee meeting. >Management Committee members will brief their Implementation Committee representatives on these issues.

- n. Bluestone Ditch/Debeque grow-out ponds - Brent said the ponds are filled, but pumping from the river is an expensive and difficult way to do this.

5. Floodplain Habitat Restoration

- a. Synthesis report - Bob Muth said the draft report will go to the Biology and Management committees on May 10.
- b. FLOODPLAIN model - Bob said the draft will be completed by May 31st and sent to the Biology and Management committees. This will help quantify the amount of habitat needed.
- c. Land acquisition budget report - Brent Uilenberg distributed a draft summary of land acquisition expenditures from 1998 through 2001 totaling \$6.35M (does not include FY 95-97 activities). >Bob Muth and Brent Uilenberg will work on refining this draft and determining FY 95-97 costs.
- d. Status of Thunder Ranch and Hot Spot evaluations - Bob Muth said they've gotten the green light from the contaminants standpoint to proceed on Thunder Ranch. Work to refine flood surveys will begin soon. Assessment of restoration work and the appraisal are forthcoming and the Program Director's Office will report back to the Committee when the appraisal is prepared. Bob said he had nothing new to report on Hot Spot pond.

6. Funding

- a. FY 02 budget update
 - 1. Status of FY 02 funds and fund transfers - Brent Uilenberg distributed a summary of how the budget shortfall in FY 2002 annual funds (power revenues) can be resolved. The Committee approved.
 - 2. Capital funds status report - Brent distributed the February 15 budget planning spreadsheet and timeline, noting items which will likely change. Brent said his strategy for surplus capital funds (based on the items on hold or being pushed out a year) will be to spend Federal money first and keep the surplus in state funds in the interest-bearing Foundation account. >Toward the end of FY 2002, Brent will re-calculate needed State capital contributions for FY 03.
 - 3. Land acquisition lawsuit - Brent recalled the lawsuit resulting from the Program making and subsequently withdrawing an offer for the Pennington property (island in the Colorado River). Department of

Justice attorneys recommend accepting settlement at \$227K (down from the disputed \$245K), under which the Program would get the easement. Based on their understanding of the facts of the case, some Committee members were surprised at the Department of Justice's recommendation for settlement and asked Reclamation to provide more information to substantiate the recommendation. The Committee recognized there may be deadlines in this case and is willing to consider the information immediately via conference call, if necessary. >Brent will ask for the additional information and also let the Committee know what the deadlines are. John Shields asked >Reclamation to inform the Committee what will be done differently in the future to prevent a problem like this from recurring.

- b. Status of CWCB loan to WAPA - Shane Collins said WAPA has decided to enter into the loan and Reclamation is currently reviewing the paperwork and agreement package.
 - c. FY 03 agency contributions and inflation increases table - Angela Kantola distributed the revised table. >Brent will revise Reclamation's "outyear discussion workplan," State Committee members will let Brent know their FY 01 and FY 02 capital contributions (in-kind and cash), then Angela will revise her table after Reclamation's table is revised.
 - d. FY 03-04 budget projections - Angela Kantola distributed for the Committee's information the draft FY 03 and 04 budget planning tables used for Reclamation's budget request for power revenues. These planning tables reflect the maximum annual power revenues per P.L. 106-392.
7. Extending the authorization period for federal and non-federal funding under P.L. 106-392 - John Shields distributed a briefing paper on this topic which incorporates most of CREDA's and WAPA's comments. The Committee discussed the recommended changes and agreed to incorporate all of CREDA and WAPA's comments. >John Shields will post a revised draft to the listserver by Tuesday, April 30. Shane Collins previously provided a draft paper on alternatives and Dave said it meets CREDA's needs for their Board meeting. Brent said the section on extending Reclamation's authority will likely be removed (he'll let John know by Tuesday, April 30). The Implementation Committee will discuss this on their May 14 conference call.
8. Approval of summary of March 13-19, 2002, D.C. briefing trip - Tom Pitts provided some editorial comments. >John Shields will revise and finalize the summary and post it to the listserver and ask Ellen Szczesny to post on the web page.
9. Program planning
- a. Schedule - Angela Kantola updated the Committee on the schedule for finalizing RIPRAP revisions; and making revisions to the FY 03 work plan. Final revisions to the RIPRAP this year will be made after: 1) the Water Acquisition and

Information & Education committees have had opportunity to comment; 2) the Program Director's office provides additional recommended revisions (in light of modifications to floodplain restoration and nonnative fish control activities and identification of additional population monitoring); and 3) the Management Committee reviews these in June. Modifications to the 03 work plan also will follow the revisions to floodplain restoration and nonnative fish control activities and identification of additional population monitoring. Tom Pitts noted the water users have some recommended new starts for FY 03 related to Gunnison and Colorado river flow needs and will send those to the Management and Biology committees.

- b. RIPRAP assessment - >The Program Director's Office will elaborate on what is meant by "The stocked razorbacks did not do well over the summer, *presumably because of poor water quality*" on page 2. John Shields suggested that the recovery goals item should receive both a check and an "x" in light of the time it's taken to develop them. >The Program Director's office will revise the assessment and post the final to the listserver. The Committee asked the >Service to discuss what FWS-ES is doing to evaluate and resolve contaminants concerns.
 - c. RIPRAP revisions - Referring to I.D. on page 24, Tom Pitts recommended adding "evaluate and revise as needed, flow regimes to benefit endangered fish populations" to each section of the RIPRAP where flow recommendations have been or are being determined. Committee members may still submit recommended revisions to the RIPRAP, as the comment deadline is due April 30.
10. Agenda for May 14, 2002, Implementation Committee conference call agenda:
- a. Extending the authorization period for federal and non-federal funding under P.L. 106-392
 - b. Recovery Program environmental group representation (Environmental Defense [ED] has withdrawn from the Recovery Program; Dan Luecke is no longer with ED; Greg Walcher has asked that the Service request Dan's continued involvement in the Upper Colorado and Platte River programs.) >Tom Blickensderfer will post Greg's letter to the listserver. Tom Iseman said The Nature Conservancy hopes there will be a way Dan can continue on the Implementation Committee. Finding funding has been difficult (thus endorsements from the Program may be helpful). Tom Pitts noted that various Program participants supported a matching NFWF grant to ED for their participation in the Recovery Program. Since Environmental Defense has withdrawn from the Program, NFWF is withholding the funds they'd planned to provide to ED. Therefore, if a match can be found from another independent source, NFWF still has matching funds.
11. Section 7 update - Angela Kantola distributed an updated consultation list, noting that since January 1988, the Service has consulted on 659 projects depleting a total of 1,704,088 af in the Upper Colorado River Basin (of which 1,481,133 af are historic

depletions) >The Program Director's office will provide information to the Committee on the pending "Ditch Bill" consultation with the Forest Service >Angela Kantola will send John Shields a copy of the Bridger power plant biological opinion.

12. Reports status - Angela Kantola provided an updated list of pending and late reports.
13. Schedule next meeting - June 27 from 9 a.m. - 4 p.m. at UDNR. >Robert King will arrange a meeting room. Agenda items will include status updates on determining future Gunnison River depletions, Government Highline fish passage and screening, completing the coordinated facilities operations studies, and Price-Stubb fish passage. Other agenda items will include review of final RIPRAP revisions, discussion of FY 03 work plan, etc.

ADJOURN: 4:00 p.m.

ASSIGNMENTS

The **Program Director's office** will draft a response to the Canal Company's letter and let them know we'll need to see a signed carriage contract in order to proceed. That letter will be circulated to the Management Committee for review before Bob Muth sends it on behalf of the Committee.

Tom Blickensderfer will work on finding a way to determine the appropriate number for Gunnison River depletions and report back to the Management Committee at their next meeting.

Bob Muth will schedule a meeting between the Foundation, the Program Director's office, and Reclamation in late August or early September to develop a list of all the contracts that the Foundation may award in 2003.

Tom Blickensderfer will provide a status report on the schedule for completing the Coordinated Facilities Operations study at the next meeting.

Management Committee members will brief their Implementation Committee representatives on the Price-Stubbs issues.

Bob Muth and Brent Uilenberg will work on refining the land acquisition cost summary draft and determining FY 95-97 costs.

Toward the end of FY 2002, **Brent Uilenberg** will re-calculate needed State capital contributions for FY 03.

Brent Uilenberg will ask for additional information requested by the Committee on the recommended Pennington settlement and let the Committee know what the deadlines are. Brent also will inform the Committee what is being done to prevent a problem like this from recurring.

Brent Uilenberg will revise Reclamation's outyear budget planning table now to correct the FY 01 and FY 02 capital contributions. **State Committee members** will let Brent know their FY 01 and FY 02 capital contributions (in-kind and cash). **Angela Kantola** will revise the annual budget adjustment table after Reclamation's table is revised.

John Shields will post a revised draft of the briefing paper to the listserver by Tuesday, April 30. The section on extending Reclamation's authority will likely be removed (**Brent Uilenberg** will let John know by Tuesday, April 30). (Done.)

John Shields will revise and finalize the Washington, D.C. trip summary and post it to the listserver and ask **Ellen Szczesny** to post on the web page. (Done.)

The Program Director's Office will elaborate on what is meant by "The stocked razorbacks did not do well over the summer, *presumably because of poor water quality*" on page 2 of the RIPRAP assessment. The Program Director's office will revise the assessment and post the final to the listserver.

The Fish and Wildlife Service will discuss what FWS-ES is doing to evaluate and resolve contaminants concerns, as noted in the RIPRAP.

Tom Blickensderfer will post to the listserver Greg Walcher's letter to the Service asking that the Service request Dan Luecke's continued involvement in the Upper Colorado and Platte River programs. *There was not a letter, but there was a press release.*

The Program Director's office will provide information to the Committee on the pending "Ditch Bill" consultation with the Forest Service.

Angela Kantola will send John Shields a copy of the Bridger power plant biological opinion. (Done.)

Robert King will arrange a meeting room for the next meeting (June 27 from 9 a.m. - 4 p.m. at UDNR).

**Colorado River Management Committee, Denver, Colorado
April 29, 2002**

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Tom Blickensderfer	State of Colorado
Robert King	Utah Department Of Natural Resources
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Shane Collins	Western Area Power Administration
Bob McCue	U.S. Fish and Wildlife Service
Dave Mazour	Colorado River Energy Distributors Association
John Reber	National Park Service
Tom Iseman	The Nature Conservancy

Nonvoting Member:

Bob Muth	Recovery Program Director, U.S. Fish and Wildlife Service
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Recovery Program Staff:

Angela Kantola	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service
Gerry Roehm	U.S. Fish and Wildlife Service

Others:

Dan Birch	Colorado River Water Conservation District
Don Glaser	National Fish and Wildlife Foundation