

Management Committee Meeting Summary  
March 3, 2003  
Denver, Colorado

Attendees: See Attachment 1

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

CONVENE - 9:00 a.m.

1. Review/modify agenda and time allocations and appoint a time-keeper - The agenda was modified as it appears below.
2. Approve January 29, 2003, meeting summary - The summary was approved as written.
3. Recovery Program updates -
  - a. Status of environmental group representation on the Implementation Committee - Tom Iseman said this is proceeding smoothly and they're waiting for confirmation from a major funder for Dan Luecke's representation. That should come very soon and they plan to submit resolutions from TNC and the Land and Water Fund of the Rockies on March 10 or 11<sup>th</sup>. Iseman will attend first week of the Washington, D.C. briefing trip and Dan will attend the second. Bob McCue said Tim Sullivan of Environmental Defense has said they still support the Recovery Program. Tom Iseman will find out what Tim means by that (e.g., does their resolution still stand, should ED still appear on the Program list of partners, will they include language supporting the Program in their testimony on appropriations bills, etc.).
  - b. National Fish and Wildlife Foundation - Brent said NFWF is closing its Rocky Mountain office and their Colorado River program will be administered out of their Sacramento office.
  - c. Tusher Wash screen - Robert King and Sherm Hoskins said Thayne has proposed a draft agreement (for 715 cfs) with the Green River Canal Company that is under consideration. Within the next month, Sherm believes he'll either have an agreement with both or just with the canal company. Sherm expressed concern that construction has been pushed out to FY 06-07. Since the dam may have to be raised a few inches, it would be better to do this during low flow. Brent said he doesn't believe it will be possible to construct any sooner.
  - d. Coordinated Facilities Operations Plan (CFOP's) - George Smith said the draft final report has been completed. The Executive Committee will meet March 6 to draft recommendations and then finalize those with another meeting about a month later. The Water Acquisition Committee is then expected to review the report and the Executive Committee recommendations.
  - e. Flaming Gorge EIS process - Brent Uilenberg said the draft EIS will be out in June, the comment period will end in late August, the final EIS will be released in

November, and the record of decision will be issued in January 2004. John Shields again encouraged Reclamation to carefully articulate the reason for the EIS (in the context of the overall Recovery Program) so that the public clearly understands why it's been prepared.

- f. Selective fish passage at Price-Stubb - Reclamation determined that it would cost >\$1.5 million to include a fish trap as part of the Price-Stubb fish passage. This was discussed by the Biology Committee at their February 20–21 meeting and they recommended building selective fish passage at the most downstream location that is economically feasible. Brent said selective passage does not seem economically feasible at Price-Stubb and also would present significant safety issues, so he recommends we maintain the current plan of placing selective fish passage at Government Highline. The Committee agreed. Brent noted that they've tried unsuccessfully to contact Mr. Jacobsen about a construction easement (construction is scheduled to begin in 2004).
- g. Upcoming nonnative fish control activities and planned information and education - Bob Muth said the FY 03 scopes of work are being revised to follow a treatment/control research approach for evaluating the effectiveness of control projects in depleting the target nonnative fishes. The revisions address Colorado and Utah issues, and are in line with the downlisting requirements of the recovery goals, recommendations from the nonnative fish workshop, and plans to expand control efforts. Colorado will review the revised scopes of work to ensure their adequacy before granting collecting permits. In Colorado, all reasonable efforts will be made to save the removed nonnative fish for human uses. A separate scope of work to evaluate responses of the native fish community to nonnative fish control activities will be developed for FY 04. The I&E effort can now complete the appropriate key messages needed to implement the strategic communication plan. About 20 landowners between Craig and Hayden will be contacted, as well as some in the critical habitat reach between Craig and Dinosaur National Monument. Ray Tenney said some of the Moffat County Commissioners believe that the Program agreed to only remove nonnative fish of specific lengths that are a threat to the native fish; Bob said they will clarify that in their I&E effort (fish of all sizes will be removed). Tom Blickensderfer will ask CDOW supervisors to contact their field people to make sure they understand that Colorado supports the nonnative fish research/removal effort and they should work with the Recovery Program to provide consistent messages to the public.
- h. Update on options for Gunnison River EIS/consultation process - Tom Pitts met with Gunnison water users February 17 to discuss options for ESA compliance on the Gunnison River. They identified a number of issues (e.g., concerns about future depletions and east slope use; the Dolores project reliance on Aspinall, etc.). The Gunnison water users would like to meet with Reclamation in May to discuss the options and issues, how they would affect other federal projects in the basin, etc. Bob Muth checked with Chuck McAda and he will send out the revised Gunnison flow recommendations around mid-March.

- i. Reports status - Angela Kantola distributed copies of the updated reports list. The Program Director's office will discuss how they might add a tally of the *number* of late reports (without creating arguments over what reports are "really" late, versus those delayed for good reason, etc.).
- j. Capital Funds - Brent Uilenberg distributed the January 27, 2003 table and said he believes the budget leveling approach will work for Utah and Wyoming, but he's unsure about Colorado. Tom Blickensderfer said they're looking at ways to make this work, but it depends on the overall status of Colorado's capital funds. Tom believes they'll get their capital appropriation for this year, but the remaining \$3.5 million of their species conservation trust fund is expected to be frozen, at least temporarily. Tom Pitts said the water users will be discussing with Colorado how this problem can be addressed. Brent said budget leveling also depends on a construction loan for Elkhead enlargement from CWCB. Tom Blickensderfer asked about current balances with NFWF and Brent said Reclamation is working with NFWF to resolve invoicing issues. Brent said Reclamation got a 9% underfinancing in addition to the 0.65% across-the-board cut in FY 03 funds, but they don't yet know how that will affect their FY 03 capital funds.
- k. Elkhead enlargement - Ray Tenney said they're pursuing a 404 permit, but it will require that the NEPA process for the enlargement be in step with the NEPA process for the overall Yampa plan, so we need to be sure to meet the deadlines for the Yampa plan. Bob Muth said we should meet those deadlines (the final plan/EA should be completed between July 31–August 31). Ray said permitting and design are on schedule and they plan to award a contract next January.
- l. Drought impacts to ongoing studies - Bob Muth said the Biology Committee and principal investigators are watching water conditions, but it's too early to determine effects on studies at this point. Projects at greatest risk are population estimates in canyon-bound reaches and some nonnative fish removal efforts.
- m. Redlands fish screen - Brent said Reclamation and the Service have been discussing with Redlands Water and Power the operation and maintenance of the proposed fish screen and how to address associated take issues. It wouldn't be appropriate for Reclamation's biological opinion to address operation and maintenance, since Redlands, not Reclamation will be operating the screen. A habitat conservation plan (HCP) is one option under consideration. Tom Pitts said he's not opposed to an HCP, per se, but would object if it put the burden on Redlands. Bob McCue said the Service hopes to find a solution with the least impact to Redlands.
- n. Recovery agreements for small depletions projects under the 15-Mile Reach PBO - Bob McCue said the Service is drafting an amendment to the PBO that would eliminate the requirement for projects depleting less than 10 af (average annual depletion) to sign a recovery agreement. In response to a question from Tom Pitts, Bob McCue agreed to check the PBO to make sure that it allows depletions less than 100 af not to pay a depletion charge (these projects don't currently pay a

depletion charge, but there is some question as to whether that's clear in the PBO). Bob also will check to make sure the project proponents will still get something that indicates that they are benefitting from the Recovery Program.

- o. Depletion payments - Angela Kantola said that the Service is reviewing the latest Section 7 consultation list and following up with action agencies on projects for which depletion payments may be outstanding.
- 4. Budget Issues Basin Fund (annual power revenues) - Clayton Palmer distributed a February 19, 2003, projection of the Colorado River Basin Fund cash flow. Clayton explained that CRSP expenses, paid out of the Colorado River Basin Fund, are higher than revenues, hence the Basin Fund is being depleted rapidly. The projections provided by Palmer show that if 2004 is also a minimum release year (as is 2003), the Basin Fund could be depleted by December, 2003. Federal law prohibits the Basin Fund from going deficit. Clayton said they've been making these projections weekly, but only recently got information on FY 04 water releases and increased prices for purchased power required as a result of low water and environmental test flows. Leslie James noted the revenue projections already incorporate Western's October 1, 2002 18% rate increase. Clayton said Western has already exercised their option to secure a CWCB loan to cover their capital contributions in 2002 and 2003, as well as doing other "easy" things to decrease costs. Public Law 106-392, the Upper Colorado and San Juan River Basin Recovery Programs' long-term funding authorization, provides that Western Area Power Administration and the Bureau of Reclamation shall maintain sufficient revenues in the Colorado River Basin Fund to meet their obligation to provide base funding and that "If the Western Area Power Administration and the Bureau of Reclamation determine that the funds in the Colorado River Basin Fund will not be sufficient to meet the obligations of section 5(c)(1) of the Colorado River Storage Project Act for a 3-year period, the Western Area Power Administration and the Bureau of Reclamation shall request appropriations to meet base funding obligations." Reclamation and Western met last week to consider alternatives (which Rick Gold is currently considering). Clayton noted that BPA is experiencing similar problems and has limited their fish and wildlife expenditures for FY 03, so Congress is at least aware of that situation. Tom Pitts asked why the Grand Canyon experiments continue to be conducted in this situation (since they cost ~\$10 million/year). Clayton said that's a valid question, but it's a Federal decision. Clayton said he wanted to make the participants aware of the situation prior to their trip to Washington, D.C. John Shields pointed out that the primary objective of the D.C. trip is to support the President's budget, of which annual funding from power revenues are not a part. John suggested we not dilute or confuse our message and thus, we should address this concern about power revenues separately (not during the upcoming D.C. trip). Leslie replied that if Western and Reclamation decided to pursue a supplemental request for FY 03, it would probably come within 2 weeks of the D.C. trip, so to maintain credibility, the participants may want to consider at least raising the funding concern. (Tom Pitts agreed.) John Shields noted that the CRSP reservoir releases have been and will continue to be for the foreseeable future at the minimum annual release objective level of 8.23 million acre feet of water and to attempt to "blame" the ongoing drought for the anticipated Basin Fund shortfall is misleading. He also pointed out the funding authorization statute requires a "three year look ahead" so as to avoid situations where

supplemental appropriation requests would be put on the table and today's discussion is about a potential situation *next* fiscal year. Clayton maintained that the shortfall is due to the prolonged drought, high purchased power costs and experimental flow impacts which have made it impossible to catch up. The Committee agreed that the requests during the D.C. trip will be as already planned, but Program participants will give a "heads-up" if and when appropriate that a shortfall in the basin fund is projected (which affects the annual funding for the Upper Colorado River and San Juan programs) and so they may be getting a request from Reclamation & Western. Brent and Carol said that if worse comes to worse, there's also potential to reprogram a certain percent of capital funds to cover annual funding needs. Shields requested updated information about this matter as soon as it becomes available, and noted this topic would be placed on the agenda for the next Management Committee meeting as well.

5. Floodplain restoration

- a. Development of floodplain habitat management plans - Bob Muth said the Biology Committee approved developing these. Rich Valdez has prepared a scope of work that is undergoing a few additional revisions and should go back out to the Biology Committee by March 5<sup>th</sup> or 6<sup>th</sup>. The Management Committee gave the scope of work conditional approval pending Biology Committee approval. Tom Iseman said he had some comments on this scope, but would communicate those to Bob Muth and John Hawkins.
- b. FY 03 floodplain research - Bob Muth said The Biology Committee considered proposals for floodplain related research; those scopes of work need some additional revisions, but those should go back to the Biology Committee by March 5<sup>th</sup> or 6<sup>th</sup>.. The Management Committee gave the scopes of work conditional approval pending Biology Committee approval.
- c. Thunder Ranch - Bob Muth distributed a summary of FY 03 land acquisition costs and a proposal for Thunder Ranch. If we went ahead with everything in our land acquisition "pipeline," we'd go over the amount of funds available in FY 03. Brent asked if any of the construction costs could be moved into FY 04 and Bob said he construction at the Hot Spot complex might be deferred. Brent said he can support moving forward on this, but some construction costs (e.g., Hot Spot complex and \$130K of the Government Highline screen) will need to be deferred until FY 04. George Smith said he thinks Thunder Ranch is one of the most important areas we can acquire. The Committee agreed to move forward and make the landowner an offer.
- d. Review of land acquisition capital expenditures - Brent Uilenberg distributed a revised summary of capital expenditures for land acquisition from 1998–2001 totaling just over \$5 million.

6. Lease agreement for Grand Valley water management pumping plant - Tom Blickensderfer said Colorado reviewed Reclamation's appraisal. Tom distributed a motion that the Committee approve a one-time expenditure of \$322,500 in FY 04 for

purchase of Highline Lake water storage (\$150,000 credit to Colorado's capital obligation, which is the appraised value) and for the associated water quality monitoring and analysis (\$172,500 cash payment to Colorado Department of Parks and Recreation). Tom Pitts expressed concern about USGS conducting the water quality work because they seem to have difficulty submitting reports on time. Brent said he supports this motion and it fits within the FY 04 budget. He would amend the motion to say \$172,000 for a water quality sampling and analysis, because part of the funds go to Parks and part to USGS. The exact wording of the motion may need some revisions, but the Committee approved the concept and the expenditure.

7. Program planning

- a. Schedule - Bob Muth distributed a copy of the work-planning schedule for revising the RIPRAP and preparing the FY 04-05 work plan.
- b. RIPRAP assessment - Bob Muth said the Service will hold their sufficient progress meeting May 20-21 and will also discuss progress under the 15-Mile Reach PBO at that time. Bob said he would like the Program to have an opportunity to discuss progress under the PBO prior to the Service meeting. Tom Iseman, Tom Pitts, Tom Blickensderfer, Brent Uilenberg, Bob McCue and perhaps Dave Mazour will meet at 1:30 p.m. on April 10 at Bob Muth's office to discuss this. Tom Pitts and Bob Muth will distribute a draft list of required items and progress in advance of that meeting. Tom Pitts noted that we need to add something to the assessment regarding the Yampa Management Plan. (The Committee noted that the *FY 2002* RIPRAP assessment and explanation of changes to the RIPRAP were mistakenly posted to the listserv on February 25 instead of the *FY 2003* assessment and explanation of changes.) Angela Kantola will make the change recommended by Tom Pitts and post the revised **FY 2003** RIPRAP assessment to the listserv this week for the Implementation Committee's consideration on March 21.
- c. RIPRAP revisions - Brent Uilenberg said the dates for all the capital project items have been appropriately revised.

26, IA3d      Delete 'x' in FY 03 (operation of Flaming Gorge pursuant to new biological opinion won't begin until FY 04).

32, IA5e1      Tom Pitts will try to get an answer this week regarding options for permanent delivery of 10,825 af.

Bob Muth will check to see how the I&E program will incorporate the need for signs about the endangered fish above Government Highline.

Angela Kantola will make the necessary changes and post the revised RIPRAP to the listserv for the Implementation Committee's consideration on March 21.

d. FY 04-05 Program Guidance

Brent Uilenberg asked if the Program will still be getting \$150,000 of CRDSS work in FY 04 and 05. George said they've been doing coordinated reservoir operations work and will be looking at the 15-Mile Reach depletion accounting.

III-2: John Shields suggested that we at least give the Implementation Committee a date by which Program Guidance for the new project to evaluate native fish response to nonnative fish control efforts will developed. Bob Muth will check with Tom Nesler to see how quickly we can get that done and also will check with Kevin Christopherson to see how quickly we can get guidance for young of the year Colorado pikeminnow monitoring (V-3).

Angela Kantola will make sure the budget detail requirements table in the final Program Guidance translates adequately in both Word and WordPerfect.

Angela Kantola will make any needed changes and post the Program Guidance to the listserver for the Implementation Committee's consideration on March 21.

6. Plans for the March 2003 D.C. Briefing Trip - John Shields distributed the draft itinerary and background document. John discussed the proposed luncheon event at Tortilla Coast Restaurant. George Smith will give a short Powerpoint presentation on how we allocated water during this past drought year. The itinerary is shaping up well; we need to be sure to meet with someone from the National Park Service and we need go schedule a meeting with John Keyes. Bob McCue will ask Matt Kales to provide the information needed for the FWS Director's office (phone numbers and name of assistant).
7. Agenda for March 21, 2003 Implementation Committee (Shields, Muth) (5 min.) -  
Agenda items will include:
  - Review and approval of recommended RIPRAP revisions
  - Review and approval of RIPRAP status assessment
  - Review and approval or recommended FY 04-05 Program Guidance
  - Report on recovery activities in the Lower Basin.
  - Status of Annual funding (power revenues)
  - Highlights from Washington, D.C. tripCommittee members will let Bob Muth or Angela know if they have other agenda items they would like add.
8. Next meeting - May 15-16 in Vernal, Utah. Committee members will tour the Ouray National Fish Hatchery the morning of the 15<sup>th</sup> and meet the afternoon of the 15<sup>th</sup> through the morning of the 16<sup>th</sup>. There may also be a barbecue the evening of the 15<sup>th</sup>. Angela will ask Frank Pfeifer to arrange a meeting room. Agenda items will include: Coordinated Facilities Operations Plan (CFOP's), Tusher Wash, capital funds status, annual funds (power revenues) status, drought impacts, and addressing potential take associated with operation and maintenance of the Redlands fish screen.

ADJOURN: 4:00 p.m.

## ASSIGNMENTS

1. Tom Iseman will find out what Tim Sullivan means when he says Environmental Defense still supports the Recovery Program (e.g., does their resolution still stand, should ED still appear on the Program list of partners, will they include language supporting the Program in their testimony on appropriations bills, etc.).
2. Tom Blickensderfer will ask CDOW supervisors to contact their field people to make sure they understand that Colorado supports the nonnative fish research/removal effort and they should work with the Recovery Program to provide consistent messages to the public.
3. The Program Director's office will discuss how they might add a tally of the *number* of late reports (without creating arguments over what reports are "really" late, versus those delayed for good reason, etc.). *Done: truly "late" reports (reports which are outstanding and no new due date has been negotiated) will now appear at the top of the list.*
4. Bob McCue will check the PBO to make sure that it allows depletions less than 100 af not to pay a depletion charge (these projects don't currently pay a depletion charge, but there is some question as to whether that's clear in the PBO). Bob also will check to make sure that when the recovery agreement requirement for projects <10 af is lifted, project proponents will still get something that indicates that they are benefitting from the Recovery Program.
5. In advance of the April 10 meeting to review progress under the 15-Mile Reach PBO, Tom Pitts and Bob Muth will distribute a draft list of required items and progress.
6. Angela Kantola will revise and post the draft FY 2003 RIPRAP assessment, RIPRAP tables, and 2004/2005 Program Guidance to the listserv this week for the Implementation Committee's consideration on March 21. *Done.* Angela will make sure the budget detail requirements table in the final Program Guidance translates adequately in both Word and WordPerfect.
7. Bob Muth will check to see how the I&E program will incorporate the need for signs about the endangered fish above Government Highline.
8. Bob Muth will check with Tom Nesler to see how quickly we can prepare Program Guidance for the new project to evaluate native fish response to nonnative fish control efforts and also check with Kevin Christopherson to see how quickly we can prepare guidance for young of the year Colorado pikeminnow monitoring (V-3).
9. Bob McCue will ask Matt Kales to provide the information needed in the D.C. trip itinerary for the FWS Director's office (phone numbers and name of assistant).
10. Angela will ask Frank Pfeifer to arrange a meeting room for the May 15-16 meeting in Vernal, Utah. *(Done.)*

**ATTACHMENT 1**  
**Colorado River Management Committee, Denver, Colorado**  
**March 3, 2003**

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Tom Blickensderfer	State of Colorado (via phone)
Robert King and Sherm Hoskins	Utah Department Of Natural Resources
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Mark Wieringa	Western Area Power Administration
Bob McCue	U.S. Fish and Wildlife Service
Leslie James for Dave Mazour	Colorado River Energy Distributors Association
John Wullschleger for 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
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Others:

Clayton Palmer	Western Area Power Administration
George Smith	U.S. Fish and Wildlife Service
Randy Seaholm	Colorado Water Conservation Board
Ray Tenney	Colorado River Water Conservancy District
Carol DeAngelis	Bureau of Reclamation