

## MANAGEMENT COMMITTEE MEETING

Denver, Colorado  
November 22, 2005

CONVENE: 10:00 a.m.

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper -  
The agenda was modified as it appears below.
2. Approve meeting summaries - August 10-11, 2005, meeting: page 3, item # 7, change “does require extending” to “does require increasing”; minor editorial change made to this and September 8, 2005, conference call summary. >Angela Kantola will post revised summaries to the listserver.
3. Progress on integrating UCREFRP and San Juan outreach (information/education) materials - Debbie Felker distributed and discussed a revised proposal and noted that the recent newsletter included a story on the San Juan. Debbie said she’s continuing to work on an exhibit to cover both programs; in the interim a “banner stand” exhibit for the San Juan Program is being made for use at the Colorado River Water Users Association meeting in Las Vegas. Debbie described and distributed copies of the draft banner. Debbie said that Dave Campbell will propose to the San Juan Coordinating Committee a 50/50 cost share on the overall integration proposal (excludes cost share for the \$4K for a web site design contract, which Dave doesn’t believe the San Juan Program will need). Tom Pitts said he wouldn’t object to a 66/33 funding split since the Colorado River Program receives significantly more funding than the San Juan Program. Tom also encouraged linking the two programs’ web sites, but not integrating them. John Shields said it will be very important for us to develop a concise statement explaining why the two programs are separate (e.g., history, participants, species objectives). Tom Pitts added that integrating the outreach materials will also help coordinate other aspects of the two programs and make sure we’re moving toward recovery together.
4. FY 06-07 work plan/budget status and Biology Committee recommendations for new projects - Angela Kantola said ~\$150K of annual funds remain unobligated for FY 06. Dave Speas said Utah has identified \$100K to be deobligated from the past 3 years of funds they’ve received from Reclamation (which would return to the Basin Fund unless the Program spends it in FY 06). Angela said that after nonnative fish management needs are determined, the Program Director’s office will make recommendations for use of the remaining \$250K in FY 06 (on nonnative fish management projects and other projects already prioritized by the Biology Committee).
5. Thunder Ranch levee repair and damage claim - Brent Uilenberg said this issue arose from the peak flows on the Green River and introduced Mike Walters representing Thunder Ranch and its owner John Thorton. Mike said the dike blew out with the high flows and affected property that is not part of the easement. Mike reviewed his initial estimates, averaged the four cuttings and took into consideration that they were able to repair the road themselves, and determined that the damages amounted to half a ton of hay per acre for a total of \$55,483. Mike said that Reclamation is rebuilding the dike so this doesn’t happen again, but they do believe they should be reimbursed for the damages they incurred. John Shields asked if the Ranch would incur additional costs to file a tort

claim with Interior (the method prescribed in the easement for making a damage claim). Brent said he thinks a tort claim would be an administrative, not a judicial procedure, but he's not familiar with the details. Brent said Reclamation is not authorized to pay damages with Federal funds other than through the Tort Claims Act. Tom Pitts asked if Reclamation has reviewed the revised estimate of damages and Brent said they have not yet had the opportunity to do so. The Committee will discuss the matter further and get back to Mr. Walters and Mr. Thorton. >The Program Director's office and John Shields will send Thunder Ranch a letter informing them of the Committee's decision.

6. Aspinall EIS/Gunnison PBO process - Brent Uilenberg said they've been working to define the no-action alternative for nearly a year, trying to resolve opposing viewpoints and how to address potential future water development in the Gunnison River. There are disagreements among the cooperating agencies on the no-action alternative. Reclamation has drafted a decision document on the no-action alternative that Rick Gold will consider in December. John Shields asked what will happen if one or more parties are unhappy with that decision document. Carol said Reclamation is doing everything they can to understand all the parties' positions and make the right decisions. They've spent considerable time discussing action alternatives in the process of trying to come to agreement on the no-action alternative. The related concern is a programmatic biological opinion (PBO) for the Gunnison River. Brent Uilenberg reminded the Committee of the commitment to move ahead on a Gunnison PBO that Reclamation and the Service made in a letter to the Colorado Water Conservation Board. Some basic information could be gathered and informal consultation could occur on a PBO concurrently with preparation of the Aspinall EIS, but the PBO couldn't be finalized until the preferred alternative for Aspinall operation is determined. Larry Gamble said the Service also has concerns about their ability to staff the EIS and the PBO at the same time. Peter Fleming and Carol DeAngelis said they believe the water users fully support a PBO. Brent clarified that Gunnison water users have expressed concern about a PBO if it would include a large development allowance. Peter said the District's concern is that the EIS would result in a BO on Aspinall, but that doesn't provide simultaneous certainty for all the other Federal and non-Federal current and potential future depletions. Carol believes the scope of a PBO is way beyond the scope of the EIS and Reclamation. Bob Muth asked the group what they believe the proposed action would be that would launch a PBO. Tom Pitts agreed the Program needs to address what the PBO might look like. Bob Muth suggested it would be good to have a draft outline before the next Aspinall EIS meeting in February. The Service and Reclamation will begin developing an outline of what the PBO would address, then Tom Pitts, Bob Muth, Patty Gelatt, Al Pfister, Carol DeAngelis, River District, Randy, Tom Blickensderfer, Tom Iseman, Gary Burton, John Reber, power customers will meet to discuss that draft (tentatively on January 12 or 13 in Grand Junction; >Bob Muth and Larry Gamble will check Patty and Al's schedule and set a firm date). Randy Seaholm said he'd also like to have some discussion about how much additional certainty a PBO would afford in addition to what the Recovery Program already provides.
7. Elkhead Reservoir - Dan Birch presented an update on progress. The fall cement shortage problem has been resolved. Construction will close for the season in early December. There's been a delay in fabricating the tower outlet gates, but the fish screens

will still be in place for 2006. The December 2004 budget included a \$3.2M contingency; all of which is now taken up in revised cost estimates based on existing and anticipated change orders and additional construction costs (due to requirements resulting from the State Engineer's Office review, changed subsurface conditions, and changes in quantities). The revised cost estimates do not include additional engineering costs or other costs such as property acquisition. During the winter shutdown, the District will complete a comprehensive budget update and try to get a CWCB mitigation grant, in part as a way to offset cost increases. Bob Muth asked about the conservation pool and emphasized that it's important for CDOW's fish survey work to keep the conservation pool at 1250 acre feet.

8. Duchesne River gages and sediment monitoring - George Smith introduced revised scopes of work for: 1) gages (CUWCD has requested that the Program cover O&M of the Myton gage at a cost of \$6,750 annually); and 2) Duchesne River sediment monitoring to evaluate/refine flow recommendations (the proposed scope of work for \$35,000 from USGS [\$20,900 from the Program and \$14,100 from USGS] has increased by \$20,000 [\$12,000 from the Recovery Program and \$8,000 from USGS] for installation of a cableway necessary to conduct the sediment monitoring). This work relates to the flow recommendations and the biological opinion on the Duchesne River and test flows conducted by the Duchesne River Working Group last year. The Committee approved the increase in the sediment monitoring scope of work and the Myton gage O&M. Terry Hickman said CUWCD would have discontinued operation of the Myton gage absent the need to try to meet the flow recommendations. George also introduced the District's proposal to rehabilitate the Myton Townsite Diversion. Terry explained the diversion needs considerable work (automated gates, SCADA system, gages, etc.) at a cost of ~\$360K so that they can deliver, measure, monitor, and shepherd the flows. O&M would be paid by the Duchesne County Water Conservancy District. Brent Uilenberg said this is similar to a project on the San Juan where the San Juan Program cost-shared the upgrade because there was underlying benefit to the water users to upgrade the structure. Brent suggested that the Committee wait to see how Elkhead budget plays out over the next year, and then if capital funds remain, consider a cost-share option. Brent added that it would be less expensive to measure the flow in a return than over the dam. >Brent will coordinate with Terry to determine the cost of a single-purpose alternative and will have someone from the Grand Junction office conduct a site review with Wade Brackett to see what options might be considered. Meanwhile, the working group will continue to explore cost-sharing. >Terry will try to move the January Duchesne River Working Group meeting to Salt Lake City so Reclamation can present their field review findings.

9. Updates

- a. Progress on achieving FY 07 funding and legislation to extend authorization to complete capital projects - John Shields reported that the House Resources Committee marked H.R. 3153 out of Committee on November 16 and the bill was reported out of the Senate the same day. John prepared joint thank-you letters to Representative Cubin and Senator Allard from the non-federal Management Committee members. John said now we need to ask the delegation to get this moved up on the unanimous consent calendar to get approved.

- b. Capital projects - Brent said the Redlands fish screen is operating in manual mode; it should be fully automated soon, then they will begin working on automating the Grand Valley Project. Reclamation also is working with GVIC to get automated gates installed on the fish passage and to make modifications to the fish screen. Funding for the kayak park portion of Price-Stubb is in the final round of GOCO's selection process (decision expected December 2). Reclamation can't award new contracts until the increased cost ceiling is authorized.
- c. Tusher Wash fish screen design - Brent said the design work is continuing and they met recently with representatives from a company that makes plastic traveling belt screens that could be very cost effective.
- d. Flaming Gorge EIS - Brent Uilenberg said copies of the final Flaming Gorge EIS have been mailed and were available on the internet as of Tuesday, November 15. The Federal Register Notice of Availability of the final EIS was published Tuesday, November 25, and the EIS was filed with EPA. The target date for signing the Record of Decision is December 27, 2005. A draft ROD will be shared with the cooperating agencies prior to signature; with a request for a quick turnaround on comments. After the ROD is signed, Reclamation will move expeditiously to have an initial meeting of the Technical Working Group to formulate specific flow and temperature targets for spring 2006. Those recommendations would then be shared with the public at the April 2006 Flaming Gorge Working Group meeting. The Technical Working Group will consist of interested and qualified biologists and hydrologists from Reclamation, Western and the Fish and Wildlife Service, and from other agencies if they wish. Tom Iseman said the environmental groups want to be kept informed of the Working Group meetings. Dave Speas said Reclamation would like to get requests for spring flows in January.
- e. Grand Valley irrigators meeting - Bob Muth said this meeting was very helpful (he sent the Committee a summary of this meeting last week).
- f. Research framework - Tom Czapla referred to the update sent to the Committee last week. Tom said this will "start with the species' biology" with a conceptual model that looks at the threats affecting each life stage and how we're addressing those threats. >Tom Czapla will copy Tom Iseman with all communication to the Biology Committee on this project.
- g. Nonnative fish workshop - Pat Nelson distributed copies of the agenda for this upcoming workshop, which will focus on management of smallmouth bass and northern pike as our current highest priorities. Objectives of the workshop are to develop: 1) recommendations for FY 06 nonnative fish management activities; and 2) general recommendations for the Program's overall nonnative fish management strategy.
- h. Status of humpback chub recovery goals lawsuit - Bob Muth said there's still no word from the court.

- i. Reports status - Angela Kantola distributed an updated reports list. Dave Speas said the Price report is important as it relates to the Narrows project and we need to try to get the report completed as soon as possible.
10. Additional agenda items
  - a. Angela Kantola posted an updated list of consultations to the listserver yesterday. The Service is drafting another amendment to the small depletion opinion.
  - b. The Program Director's office is drafting justifications for sole source under Reclamation's new requirements. Tom Pitts said he believes all the members of the TPEC should be outside the Biology Committee; Dave Speas said he believes there would be value in having one person from the Biology Committee on a TPEC. John Shields noted that this underscores the importance of getting our procedures worked out in advance.
  - c. Tom Pitts proposed March 8 -14 for the 2006 Washington, D.C. trip.
  - d. Tom Blickensderfer said Colorado should be able to catch up their contributions to Elkhead now that Referendum C has passed, but it may not happen until the end of April or early May.
  - e. Bob Muth distributed reprints of the article he and Rich Valdez wrote for a recent AFS publication.
11. Implementation Committee meeting schedule for 2006 and agenda items - The Management Committee proposes a conference call in early 2006, but strongly believes the Implementation Committee should resume its personal approval of the work plan in September 2006.
12. Upcoming Management Committee tasks and schedule next meeting - February 28 in Salt Lake City from 9 to 3.

ADJOURN 4:20 p.m.

## Assignments

1. Angela Kantola will post revised August 10-11, 2005, and September 8, 2005, summaries to the listserv.
2. The Program Director's office and John Shields will send Thunder Ranch a letter informing them of the Committee's decision with regard to their damage claim.
3. Bob Muth and Larry Gamble will check Patty and Al's schedule and set a firm date (January 12 or 13) for a meeting with Tom Pitts, Bob Muth, Patty Gelatt, Al Pfister, Carol DeAngelis, River District, Randy, Tom Blickensderfer, Tom Iseman, Gary Burton, John Reber, and power customers to discuss a draft outline of what a Gunnison PBO would address.
4. Brent Uilenberg will coordinate with Terry Hickman to determine the cost of a single-purpose alternative for rehabilitating the Myton townsite diversion dam and will have someone from the Grand Junction office conduct a site review with Wade Brackett to see what options might be considered.
5. Terry Hickman will try to move the January Duchesne River Working Group meeting to Salt Lake City so Reclamation can present their field review findings.
6. Tom Czapla will copy Tom Iseman with all communication to the Biology Committee on the research framework project.

Attendees  
Colorado River Management Committee, Denver, Colorado  
November 22, 2005

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Tom Blickensderfer	State of Colorado.
Robert King	State of Utah
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Larry Gamble	U.S. Fish and Wildlife Service
Dave Mazour	Colorado River Energy Distributors Association
John Reber	National Park Service
Tom Iseman	The Nature Conservancy
Gary Burton	Western Area Power Administration

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
Pat Nelson	U.S. Fish and Wildlife Service
Tom Czapl	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service

Others:

Peter Fleming	Colorado River Water Conservation District
Steve Berendzen	U.S. Fish and Wildlife Service.
Dan Birch	Colorado River Water Conservation District
George Smith	U.S. Fish and Wildlife Service
Terry Hickman	Central Utah Water Conservancy District
Dave Speas	U.S. Bureau of Reclamation
Mike Walters	Thunder Ranch
Randy Seaholm	Colorado Water Conservation Board
Carol DeAngelis	U.S. Bureau of Reclamation
Wade Brackett	U.S. Bureau of Reclamation