



# Upper Colorado River Endangered Fish Recovery Program

Dated: July 27, 2011

## MANAGEMENT COMMITTEE MEETING AGENDA

Room B-63, Basement Level, Herschler Building  
122 West 25<sup>th</sup> Street, Cheyenne, WY  
August 10-11, 2011

**The Herschler Building is located directly north of the Wyoming State Capitol Building. Feel free to park in the parking lot that is directly east of the Capitol – a one block parking lot that is bounded by Warren and Central Avenues (on the east and west, respectively) and 24<sup>th</sup> and 25<sup>th</sup> Streets.**

NOTE: Those who have the lead for the agenda items listed below are *expected* to post a synopsis of your report on the fws-coloriver list-server or to the Management Committee in advance of the meeting. All on the Committee will recognize prior access to information facilitates a more efficient meeting, so please comply with this request if possible.

### **Wednesday, August 10**

#### **CONVENE: 1:00 p.m.**

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper (5 min.)  
– *The Committee will consider the agenda, allotted time for each item, and make any necessary additions or revisions.*
2. Approve [February 16, 2011](#) meeting, [March 25, 2011](#) webinar, and [April 29, 2011](#) conference call summaries and review previous meeting assignments (Attachment 1) (All, 20 min.)
3. Legislation and Congressional activities
  - a. Status of annual funding legislation (Pitts and Shields, 30 min) – *(Taken, with appreciation, from July 20 SJ Coordinating Committee call): Water users from CO, WY, and UT were asked to contact their Congressional delegates to garner support; those contacts have been made for the most part. Representative Bishop (R-UT) will be the primary sponsor for the legislation. He is working out issues with House Water and Power Subcommittee Chairman McClintock (R-CA). Senator Bingaman-NM introduced a bill, S. 1224, to maintain annual base funding for the recovery programs through fiscal year 2023 with appropriations. This bill is a placeholder until the final terms of the House bill are determined, then the Senate bill will be made consistent with the House bill at markup. Reclamation testified favorably (at the June 23<sup>rd</sup> Senate Energy and Natural Resources hearing on this bill) for funding the recovery program, but said appropriations were not a reliable funding source.*

*With respect to progress towards getting a House bill drafted and introduced, the Subcommittee supports extending funding with hydropower revenues for the recovery programs. The term would be for 7 years (to 2019) based on new House protocol. The Subcommittee raised questions about the 11% overhead rate and about using funds to cover delisting activities under ESA. “Cutgo” will require offset of ~\$21M (7 years @ \$3M). Tom has requested assistance from the Subcommittee and Reclamation in finding offsets, as this has not been done before. The Subcommittee wants a report addressing several issues including cost-sharing by the States, use of hatcheries in recovery, and the success of the Programs in achieving recovery. A report produced in late 2010 to address Rep McClintock’s concerns included most of the information requested and will be updated. The House Water and Power Subcommittee staff expect a hearing no sooner than September. When the bill is introduced, Program partners should be asking for bipartisan co-sponsorship and submitting letters of support.*

- b. Status of FY 2012 Program-related funding within Reclamation and Service appropriations bills FY 2012 (Pitts and Shields, 10 min)
  - c. FY 2012 funding plans in light of current power revenue restrictions (All, 20 min) – *The FY12-13 draft budget tables show projects which would not qualify as O&M or monitoring and would not receive funding if the PL106-392 annual funding partial sunset clause takes effect in FY2012. The Committee will discuss back-up plans.*
4. Technical Committee Reports
- a. Information and Education Committee (Randy Hampton) (10 min)
  - b. Biology Committee (Melissa Trammell) (10 min)
  - c. Water Acquisition Committee (Jana Mohrman) (10 min)
5. FY 2012-2013 Work Plan Review (45 min) – *The Program Director’s draft FY12-13 Work Plan was sent to the technical committees on 6/20/11 (see fws-coloriver listserv posting by Angela Kantola) and draft FY12-13 scopes of work are posted at <http://www.coloradoriverrecovery.org/documents-publications/work-plan-documents/project-scopes-of-work.html>.) The technical committees reviewed the draft work plan and scopes of work in July and made minor modifications (technical committee annotations will appear in green (Biology Committee), blue (Water Acquisition Committee) and pink (Information & Education Committee) text in the comments columns of the draft FY 12-13 Work Plan budget spreadsheet, **which will be provided under separate cover**. Under the current draft funding projections (which do not currently project any increase in available power revenues over FY12 amounts), the **very** tight draft budget totals (to be confirmed in the pending FY12-13 Work Plan budget spreadsheet) show a little under \$100K surplus for FY12, which, if carried forward would leave a surplus of just under \$1K for FY13. The Committee will review, modify as needed, and tentatively approve the FY 12-13 Work Plan subject to ratification by the Implementation Committee in September.*

6. Updates

- a. Hydrology (Mohrman, 15 min)
- b. Green River flow protection (Mohrman, King, 10 min)
- c. Yampa River/America Great Outdoors (15 min) (Chart, Uilenberg, Trammell) – *Interior has held two meetings on the importance of the Yampa River (initiated by the National Park Service with regard to spring flows in Dinosaur National Monument). This subsequently also morphed into an [America's Great Outdoors](#) (AGO) project on the Yampa. In reality, this likely will come down to a spring flow recommendation from the Recovery Program, which is something the Program has needed to work on. Dinosaur National Monument is interested in doing best science they can to support this effort, and fully recognizes the need to work within the Recovery Program.*
- d. [10,825 Alternatives](#) & agreements update and Status of Ruedi legislation (Pitts, 15 min.) – *The components of the 10,825 solution will require three new contracts and modification of one existing contract with Reclamation, and therefore are subject to NEPA. Water users hope to have draft EA out in August followed by public meeting and all contract modifications in place by mid-2012. Ruedi legislation has been tabled until contract for the Ruedi complement of 10,825 alternatives is signed in 2012.*

**ADJOURN: 4:45 p.m.**

**BBQ and Evening Social Event: Begins at 5:30 p.m.**

*All Management Committee members, meeting attendees and guests are invited to attend a catered meal social event beginning at 5:30 p.m. at John & Janelle Shields' home located at: [7535 Jessica Drive](#) in northwest Cheyenne.*

*A head-count is needed for the caterer – who must be given the information several days before the event so please, please **RSVP for the event by sending an e-mail to John Shields at: [john.shields@wyo.gov](mailto:john.shields@wyo.gov)**. See Attachment 6 for more details.*

**Thursday, August 11**

**CONVENE: 9:00 a.m.**

Updates, continued:

- Capital projects (Uilenberg, 20 min) *Brent will provide updates on the Horsethief Rearing Ponds, OMID, and other capital project activities. Reclamation may ask the Management Committee if they are willing to go ahead and close on the property transaction with the River District this fiscal year, even though we don't yet have final O&M agreements. (The estimated O&M cost is \$340K, we currently have commitments for \$307K, so we're about \$33K short. Excel pulled out of the hydro contract, and Grand Valley and OMID are taking over the O&M, which will increase their profits. Reclamation has approached GVWUA about reconsidering providing some funds from this increased profit, and also will approach OMWUA.*

- e. Aspinall [EIS](#) (Uilenberg, 5 min)
  - f. Nonnative fish management activities (Martinez, 15 min)
  - g. 5-year species status reviews (Czapla, 5 min)
  - h. Recovery plan schedule and recovery timelines (Czapla, 10 min)
  - i. Section 7 Consultation (Kantola, 15 min)
    - Review sufficient progress action items – *(See Attachment 2)*
    - Updated consultation list – *A list updated through June 30, 2011, will be provided under separate cover.*
    - Section 7 funds update – *Through March 31, 2011, \$395K was available in the NFWF-managed Section 7 funds account with less than \$33K of that amount potentially obligated. Potential new expenditures include White River Management Plan consulting, continued standardization of the electrofishing fleet, recovery goals technical assistance, water rights consulting and geomorphology peer review.*
7. Flaming Gorge Trigger (Beverly Heffernan, 30 min) – *Beverly will review Reclamation’s implementation of the [Green River Flow and Temperature Recommendations](#) , [final EIS](#), and [ROD](#) to date and discuss the Recovery Program’s plans to request flows triggered by the presence of larval razorbacks in Reach 2 habitats. If a larval trigger will be the overriding factor to cue spring flow releases, Reclamation would like to know if they’ll be expected to simultaneously meet current ROD flow targets, how the Program would apply use of this trigger under various hydrologic conditions, and whether there’s a science plan for evaluation. As discussed in the July 11-12 Biology Committee meeting summary posted to the fws-coloriver listserv by Melissa Trammell on July 18, please review Attachment 3 with your Biology Committee representative in advance of the Management Committee meeting.*
8. [DOI Scientific Integrity Policy](#) (Chart and Pitts, 15 min) – *In February 2011, the Department of the Interior established a new policy to ensure and maintain the integrity of scientific and scholarly activities used in Departmental decision making. The policy includes designation of a Departmental Science Integrity Officer (Dr. Ralph Morgenweck, U.S. Fish and Wildlife Service Senior Science Advisor, and former Mountain-Prairie Regional Director and Recovery Program Implementation Committee Chairman). The policy calls for use of science and scholarship to inform management and public policy decisions and establishes scientific and scholarly ethical standards, including codes of conduct, a process for the initial handling of alleged violations, and clear guidance on how employees can participate as officers or members on the board of directors of non-Federal organizations and professional societies. Key provisions of the policy are outlined in Attachment 4. This policy will apply to all work conducted under the Recovery Program and Tom Pitts has recommended that the Recovery Program formally adopt the policy for via an Implementation Committee resolution. According to Ralph Morgenweck, the intradepartmental team that wrote the policy is planning to revise it around the end of the calendar year. Ralph expects that soon-to-be-developed online training will be available to*

*partners, cooperators, contractors, etc. The Management Committee will discuss the policy, solicit comments, hear from Reclamation on their implementation of the policy, and discuss eventually adopting the Final Policy via resolution.*

9. Development of September 21, 2011, Implementation Committee agenda. (All, 10 min)) *The Committee will discuss agenda items for the Implementation Committee meeting, which will include a Program Director's update, funding/legislation update, sufficient progress update, approval of the FY12-13 Work Plan, and discussion of a resolution to adopt the DOI Scientific Integrity Policy.*
10. Upcoming Management Committee tasks, schedule next meeting. (All, 10 min). *The Committee will schedule its next meeting, webinar, and/or conference call (typically held in October or November).*

**LUNCH: 11:30 – 12:30**

11. Roundtable with [San Joaquin River Restoration Program](#) (SJRRP) representatives (All, 1.5 hours) – *The SJRRP is looking to glean insights from our Recovery Program that may help them in their efforts, especially as they relate to governance and decision-making structure. A list of questions the SJRRP has about how our Recovery Program operates is found in Attachment 5 (and the Program Director's office hopes to provide some initial responses prior to the Management Committee meeting). The SJRRP is a comprehensive long-term effort to restore flows to the San Joaquin River from Friant Dam to the confluence of Merced River and restore a self-sustaining Chinook salmon fishery in the river while reducing or avoiding adverse water supply impacts from restoration flows. The SJRRP is a direct result of a Settlement reached in September 2006 on an 18-year lawsuit to provide sufficient fish habitat in the San Joaquin River below Friant Dam near Fresno, California, by the U.S. Departments of the Interior and Commerce, the Natural Resources Defense Council (NRDC), and the Friant Water Users Authority (FWUA).*

**ADJOURN: by 2:00 p.m.** *(SJRRP guests to continue conversation with the Program Director's office, some Management Committee members, and others for a bit longer.)*

## Attachment 1

- 1. Program Director's office** will provide a more specific recommendation regarding establishing a basinwide recovery/conservation oversight team for the endangered fishes. *8/10/09: Tom Czapla said the Program Director's office believes that continuing coordination by Service staff in California/Nevada and Regions 2 and 6 is the best way to accomplish this. As with recovery goals, these Service offices would maintain communication with their stakeholders and then coordinate with one another. Tom will ask that Service group for their suggestions on how they would like to continue this coordination role as the recovery goals revision process wraps up. 2/25/09: Service Solicitor recommended revising the full recovery plans (which will include the recovery goals). Tom Pitts asked if the recovery team would be reconvened; >the Service will look into this and also into Tom's question as to whether recent regulations have expanded potential recovery team membership. 4/7: The Service will maintain consistency with what has been done so far on recovery goal revisions, that is, relying on Service personnel to work with the partners in each program (e.g., Upper Colorado, San Juan, GCDAMP, etc.) throughout the Colorado River Basin. The Service does not plan to reconvene a recovery team at this time. Tom Pitts and others asked >the Service to provide a process and schedule for completing the recovery plans to the Recovery Program as soon as possible (request reiterated 11/9/10). 6/7/10: This schedule will be out shortly. Tom Czapla met recently with Lower Basin folks from the two Reclamation and two Service regions. The group recommended a meeting or conference call of the Program Directors with Reclamation and the Service in both regions twice a year to maintain coordination. Leslie James asked if Glen Canyon would be addressed in those meetings and Tom Czapla said that Sam Spiller participated in the meeting via phone. Tom Pitts asked for a short summary of the difference between recovery plans and recovery goals (provided by Tom Czapla 6/14/10). 2/16/11: Tom Chart said the Service is working with Bob Muth and Rich Valdez to revise just the recovery goals at this point (having re-negotiated this with the Solicitor and Regional Office).*
- 2. The Program Director** will further discuss with the Service developing a programmatic biological opinion for the White River Basin *8/10/09: We need to review the flow recommendations. Tom Pitts also suggests reviewing water demand data from the state (unclear if that's been updated to include projected needs for oil and gas development). Dan McAuliffe said a pending roundtable report should address oil and gas development and associated water demand estimates. (Dan Birch can provide status update). 4/7: The Service will begin discussing a White River PBO during their sufficient progress review next week. The draft White River flow recommendations report was submitted for review 7/1/11. An Ad hoc group on a proposed White River Management Plan held their first conference call 4/26/11. A scope of work to develop the Plan is being drafted and there is a placeholder in the draft FY12-13 Work Plan.*
- 3. The Program Director's Office (Tom Czapla)** will alert the committee when the 5-year species status reviews are completed and provide a link to the documents. *Pending; no change in listing status anticipated. The Program Director's office confirmed these will be done before the end of the calendar year, as was reported on the Washington, D.C. trip. 11/9/10: In review by FWS Regional Office; Julie Lyke to prioritize review to meet deadline. 2/7/11: Julie Lyke secured a final round of Regional Office input on the HBC 5-year by mid-November, 2010. The HBC 5-year was subsequently revised and submitted back to the RO*

for surnaming (on Jan 31, 2011); 7/7/11 in revision to address Region 8 comments. The CPM 5-year was revised similarly and submitted for surnaming on Feb 7, 2011; May 2011 responding to comments from Regions 2 & 8.

4. The **Management Committee** will consider naming a floodplain site for Pat Nelson.
5. The **Program Director's office** will ask Ouray NWR to document their floodplain management recommendations in their draft FY 12-13 easement scope of work (and also ask how the Program might better participate in the Refuge's planning process).
6. By September 30, 2011, as required in the RIPRAP, the **Water Acquisition Committee** will review mechanisms of current flow protection under the PBO's for the Yampa and Colorado rivers to determine if additional mechanisms or instream flow filings are needed at this time (and this will be reviewed every 5 years). This discussion will include whether or not depletion accounting is working (are we able to adequately document depletions); however, the depletion accounting does not need to be completed in order to determine if additional mechanisms or instream flow filings are needed at this time. Peak flows on the Yampa should be discussed, but a peak flow recommendation may be the first step in this process.  
*7/19/11: WAC began discussing this; tabled until next call.*
7. **Tom Chart** will ask the Service if they're comfortable with stating in the sufficient progress memo that the clock was started toward monitoring toward delisting when we started doing population estimates. *Done; the following language was included in the [June 13, 2011 sufficient progress memo](#): "Closed-population, multiple mark-recapture estimators are being used (where possible) in the Upper Colorado River Basin to derive population point estimates for Colorado pikeminnow and humpback chub for tracking of population trends. The accuracy and precision of each point estimate is assessed by the Service in cooperation with the Recovery Program and in consultation with investigators developing the point estimates and with qualified statisticians and population ecologists. Draft revised recovery goals for the Colorado pikeminnow and humpback chub require the Service to evaluate annual point estimates for each population in order to determine if the estimates are accurate, precise, and reliable. The Service accepts the Colorado pikeminnow and humpback chub estimates described below as the best available information. However, we recognize that trends for some of these populations have been declining since the first estimates were made, and that downlisting does not occur until the demographic criteria are met."*
8. **Brent Uilenberg** will confirm the currently anticipated Aspinall EIS completion date (April 2012?).
9. **Angela Kantola** will e-mail Becky Mitchell to ask if Colorado will have any comments on the draft elements of the sufficient progress letter for the Service to consider. *Done.*
10. **Management Committee members** will submit any additional comments on the draft elements of the sufficient progress memo to the Program Director's office by c.o.b. Wednesday, May 4. *Done.*

## ATTACHMENT 2

### Action Items from the [2011 Sufficient Progress Memo](#)

General – Upper Basin-wide				
#	Recommended Action Items	Lead	Due Date	Status
1	Cory Williams to send revised draft to USGS editorial by June 1, then revise & send to BC/WAC for final approval by August 1.	USGS	8/1/11	Sent to BC/WAC July 22; review webinar being scheduled for early September.
2	The Program Director's office will work with the signatories to the Nonnative Fish Stocking Policy to develop a Nonnative Fish Strategy that squarely addresses the issue of illicit stocking (draft due 9/1/11).	USFWS-PD	9/1/11	In progress.
3	The Larval Fish Lab is scheduled to submit the draft razorback monitoring plan by May 31, 2011.	LFL	5/31/11	Behind schedule, but larval razorback monitoring is included in draft FY12-13 Work Plan in project #22f, #160 & #163, as well as an additional placeholder.
4	The Program Director's Office will monitor results from ongoing humpback chub population estimates (Deso-Gray 2010-2011; Black Rocks and Westwater 2011-2012 and monitoring (Cataract Canyon annual CPUE; Yampa River information gathered through nonnative fish management projects). The Program Director's Office will convene a panel to discuss humpback chub genetics and captivity and identify actions necessary to ensure the survival and recovery of humpback chub and an implementation plan for those actions in 2011.	USFWS-PD		The Program Director's Office is assembling an ad hoc group to work on a humpback chub genetics management plan.
Green River				
5	The Program Director's Office will provide a draft Upper Basin Nonnative Fish Strategy for Program review by September 1, 2011. This strategy will identify actions needed to prevent introduction of new invasive species and also identify actions to eliminate newly-emerging invasives such as burbot and gizzard shad.	USFWS-PD	9/1/11	In progress.
6	The Program Director's Office will provide a final draft Role of the Price River in Recovery of Endangered Fish and the Need for Flow Management for Program review by July 1.	USFWS-PD	7/1/11	<b>Provided.</b> Submitted 6/21/11 and discussed at 7/11-12/11 BC meeting. BC deferred review/approval to their September 30 webinar (unless earlier approval needed based on Narrows EIS dates).
7	The Tusher Wash Ad Hoc Group is gathering information (literature review to be completed in summer 2011, and a potential mortality study, if needed and funding available). to develop a screening recommendation.	Tusher Wash Ad Hoc Group		Most recent BC discussion deferred to 9/30/11;
Yampa River				
8	The Water Acquisition Committee will review mechanisms of current flow protection under the PBO's for both the Yampa and Colorado rivers to determine if additional mechanisms or instream flow filings are needed at this time (this will be reviewed every 5 years). As part of this review, the Committee will discuss the need for peak flow protection (which would require a peak flow recommendation).	WAC		7/19/11: WAC began discussing this; tabled until next call.
9	CWCB will create a Consumptive Uses & Losses Report for 1975-	CWCB, FWS,	6/1/11	

	2009, compare those to the old 1975-1998 numbers, and compare their new estimates for 1975–1998 to 1999–2009. The StateCU model will be completed by June 1, 2011; Subsequently, meetings will be held with TNC to discuss StateMOD. CWCB, the Service, and the Water Acquisition Committee also should discuss whether we are able to adequately document depletions.	TNC, WAC		
10	CSU will complete the programmatic synthesis of smallmouth bass removal efforts (2012) which will provide a comprehensive evaluation of the Program's removal efforts as well as a thorough assessment of escapement.	CSU-LFL	8/31/2012	Draft final report due to Recovery Program 8/31/2012.
11	CSU will conduct a programmatic synthesis of northern pike removal efforts (2011-2012) which will evaluate current removal efforts in the context of northern pike life history throughout the Yampa River drainage. The Service supports the Program Director's Office recommendation that there be additional emphasis on northern pike control above Hayden.	CSU-LFL	6/30/13	Draft final report due to Recovery Program 6/30/13.
<b>White River</b>				
12	The Program Director's Office will submit a draft report to BC/WAC by July 1, 2011. Program participants have initiated efforts to develop a White River Management Plan that likely will lead to a programmatic biological opinion.	USFWS-PD	7/1/11	<b>Draft report submitted</b> July 1, 2011.
<b>Colorado River</b>				
13	Recovery Program participants will consider options and opportunities for meeting flow recommendations on a more consistent basis after completion of 10,825 EA and agreements.	Program	Pending	
14	Recovery Program participants will complete the final CFOPS report by September 30, 2011.	Program	9/30/11	2008, 2009, and 2010 CROS reports that will allow completion of the assessment of the potential benefits of CFOPS distributed; conference call scheduled for 8/3/11.
15	The Service will document condition of a surrogate species (white sucker) below the Grand Valley Irrigation Company return pipe (begins July 2011).	USFWS	2011	Results and recommendations to be documented in annual report.
16	CDOW and the Recovery Program have coordinated with Parks so that the 2011 unscreened outlet release will be scheduled in the summer when oxygen is depleted at depth to prevent fish escapement. The Recovery Program also will coordinate with Parks to revise the scope of work accordingly (to assure that unscreened outlet releases only occur when oxygen levels are $\leq 2$ mg/l).	CDOP&W	2011	In progress and <b>SOW revised</b> .
<b>Gunnison River</b>				
17	The Aspinall Study Plan will begin to be implemented in FY11. Reclamation will complete the final Aspinall Environmental Impact Statement by December 31, 2011.			SOW at <a href="http://www.coloradoriverrecovery.org/documents-publications/work-plan-documents/sow/10-11/rsch/163.pdf">http://www.coloradoriverrecovery.org/documents-publications/work-plan-documents/sow/10-11/rsch/163.pdf</a>

## Attachment 3

Questions about use of larval fish presence as a trigger for spring Flaming Gorge Dam peak flows

Prepared by Dave Speas, Fish Biologist

Bureau of Reclamation, Upper Colorado Regional Office

Environmental Resources Office

7/1/11

**Background:** In a letter dated April 6, 2011 Reclamation received a letter from Recovery Program director Tom Chart stating “request[ing] that Reclamation’s spring 2011 operations be timed to coincide with the presence of larval razorback sucker in Reach 2 habitats.” While consistent with certain portions of the Flaming Gorge EIS and ROD, the request appeared to some as a departure from action alternative and operational descriptions in those documents, which focused mainly on use of the predicted Yampa River spring peak as a trigger for high dam releases. The request letter was discussed both at the Flaming Gorge Technical and Working group levels, and considered by Reclamation management in formulating their final decision for spring operations. In a letter dated April 15<sup>th</sup>, also, the USFWS Ecological Services office stating their support for the request and that

...we further recognize that timing releases from Flaming Gorge Dam consistent with the Recovery Program’s 2011 Spring Flow Request may require the hydrologic tradeoff of not meeting the 2000 Flow and Temperature Recommendations for Reach 2. Nevertheless, we support Reclamation following the Recovery Program’s 2011 Spring Flow Request, and consider that doing so will meet Reclamation’s responsibility to the ROD objectives in 2011.

With these assurances, Reclamation agreed take steps to meet the request (hydrologic conditions and dam safety later became the overriding operational criteria, however).

Reclamation recognizes that the 2011 flow request which outlines the concept of the larval trigger was intended to be largely experimental in nature which is consistent with use of adaptive management as outlined in the EIS and 2005 Biological Opinion. However, while Reclamation is fully committed to complying with the Flow and Temperature Recommendations outlined in the ROD and supporting documents, managers recently expressed a desire to learn more about the Recovery Program’s plans to request flows triggered by presence of larvae in the future.

### **Specifically:**

- 1) Reclamation hydrologists and managers need to know whether the timing of peak flows with presence of larval endangered fish is meant to occur a) with the current ROD flow targets in place or b) can those targets be relaxed or modified under certain circumstances. Meeting criteria (a) may be challenging under certain hydrologic conditions and may require additional hydrological analyses for planning (and perhaps

- compliance) purposes. Meeting criteria (b) likely has fewer implications, but concurrence by FWS Ecological Services office will probably be necessary.
- 2) Reclamation requests guidance to understand the specifics of how the Recovery Program plans to implement the larval trigger, particularly how it would be applied during specific hydrologic categories outlined in the ROD and associated documents. For example, does the Recovery Program expect to apply the larval trigger under any and all hydrologic conditions? Would requests appear similar among hydrologic categories, or would they be tailored to specific hydrologies?
  - 3) One piece of information that would help BOR analyze the larval trigger approach as it affects operations would be to look at what is the historical average length of time between presence of larvae and the Yampa River peak. Perhaps this information can be gleaned from the most recent Bestgen and Haines (2011) document synthesizing what the Recovery Program knows about timing of larval drift in relation to regulated spring flows.
  - 4) Reclamation would also like to learn more about the Recovery Program's scientific plan to evaluate the efficacy of the larval trigger, particularly as much information as possible on the projected experimental timeframe.

Other questions may arise as development of guidance and scientific plans proceeds. Reclamation looks forward to discussing and helping to develop these products with the Recovery Program through its Biology and Management committee processes. We hope that development of this guidance and for use during spring of 2012 and beyond can proceed in a timely manner.

## Attachment 4

The Department of the Interior's new [Scientific Integrity Policy](#), which will continue to be updated as necessary, is based on the principles found in [Secretarial Order 3305](#) and guided by the [Office of Science and Technology Policy memo](#), issued in December of 2010. The policy applies to all Departmental employees when they engage in, supervise or manage scientific or scholarly activities; analyze and/or publicly communicate scientific or scholarly information; or use this information or analyses to make policy, management or regulatory decisions. Additionally, the policy includes provisions for contractors, partners, grantees, leasees, volunteers and others, who conduct these activities on behalf of the Department.

Under this new policy, the Department will:

- Use clear and unambiguous codes of conduct for scientific and scholarly activities to define expectations for those covered by this policy.
- Facilitate the free flow of scientific and scholarly information, consistent with privacy and classification standards, and in keeping with the Department's Open Government Plan.
- Document the scientific and scholarly findings considered in decision making and ensure public access to that information and supporting data through established Departmental and Bureau procedures—except for information and data that are restricted from disclosure under procedures established in accordance with statute, regulation, Executive Order, or Presidential Memorandum.
- Ensure that the selection and retention of employees in scientific and scholarly positions or in positions that rely on the results of scientific and scholarly activities are based on the candidate's integrity, knowledge, credentials, and experience relevant to the responsibility of the position.
- Ensure that public communications policies provide procedures by which scientists and scholars may speak to the media and the public about scientific and scholarly matters based on their official work and areas of expertise. In no circumstance may public affairs officers ask or direct Federal scientists to alter scientific findings.
- Provide information to employees on whistleblower protections.
- Communicate this policy and all related responsibilities to contractors, cooperators, partners, permittees, leasees, grantees, and volunteers who assist with developing or applying the results of scientific and scholarly activities on behalf of the Department, as appropriate.
- Encourage the enhancement of scientific and scholarly integrity through appropriate, cooperative engagement with the communities of practice represented by professional societies and organizations.
- Examine, track, and resolve all reasonable allegations of scientific and scholarly misconduct while ensuring the rights and privacy of those covered by this policy and ensuring that unwarranted allegations do not result in slander, libel, or other damage to them.
- Facilitate the sharing of best administrative and management practices that promote the integrity of the Department's scientific and scholarly activities.

Key to the policy is Section 3.7, Code of Scientific and Scholarly Conduct:

### **3.7 Code of Scientific and Scholarly Conduct.**

A. All Departmental Employees, and all Volunteers, Contractors, Cooperators, Partners, Permittees, Leasees, and Grantees as described in section 3.3 (Scope) of this chapter, will abide by the following code of scientific and scholarly conduct to the best of their ability.

- (1) I will act in the interest of the advancement of science and scholarship for sound decision making, by using the most appropriate, best available, high quality scientific and scholarly data and information to support the mission of the Department.
- (2) I will communicate the results of scientific and scholarly activities clearly, honestly, objectively, thoroughly, accurately, and in a timely manner.
- (3) I will be responsible for the resources entrusted to me, including equipment, funds, my time, and the employees I supervise.
- (4) I will adhere to the laws and policies related to protection of natural and cultural resources and to research animals and human subjects while conducting science and scholarship activities.
- (5) I will not engage in activities that put others or myself in an actual or apparent conflict of interest.
- (6) I will not intentionally hinder the scientific and scholarly activities of others or engage in scientific and scholarly misconduct.
- (7) I will clearly differentiate among facts, personal opinions, assumptions, hypotheses, and professional judgment in reporting the results of scientific and scholarly activities and characterizing associated uncertainties in using those results for decision making, and in representing those results to other scientists, decision makers, and the public.
- (8) I will protect, to the fullest extent allowed by law, the confidential and proprietary information provided by individuals, communities, and entities whose interests and resources are studied or affected by scientific and scholarly activities.
- (9) I will be responsible for the quality of the data I use or create and the integrity of the conclusions, interpretations, and applications I make. I will adhere to appropriate quality assurance and quality control standards, and not withhold information that might not support the conclusions, interpretations, and applications I make.
- (10) I will be diligent in creating, using, preserving, documenting, and maintaining scientific and scholarly collections, records, methodologies, information, and data in accordance with federal and Departmental policy and procedures.

B. In addition, for Scientists and Scholars:

(1) I will place quality and objectivity of scientific and scholarly activities and reporting of results ahead of personal gain or allegiance to individuals or organizations.

(2) I will maintain scientific and scholarly integrity and will not engage in fabrication, falsification, or plagiarism in proposing, performing, reviewing, or reporting scientific and scholarly activities and their products.

(3) I will fully disclose methodologies used, all relevant data, and the procedures for identifying and excluding faulty data.

(4) I will adhere to appropriate professional standards for authoring and responsibly publishing the results of scientific and scholarly activities and will respect the intellectual property rights of others.

(5) I will welcome constructive criticism of my scientific and scholarly activities and will be responsive to their peer review.

(6) I will provide constructive, objective, and professionally valid peer review of the work of others, free of any personal or professional jealousy, competition, non-scientific disagreement, or conflict of interest. I will substantiate comments that I make with the same care with which I report my own work.

C. In Addition, for Decision Makers:

(1) I will do my best to support the scientific and scholarly activities of others and will not engage in dishonesty, fraud, misrepresentation, coercive manipulation, censorship, or other misconduct that alters the content, veracity, or meaning or that may affect the planning, conduct, reporting, or application of scientific and scholarly activities.

(2) I will offer respectful, constructive, and objective review of my employees' scientific and scholarly activities and will encourage their obtaining appropriate peer reviews of their work. I will respect the intellectual property rights of others and will substantiate comments that I make about their work with the same care with which I carry out and report the results of my own activities.

(3) I will adhere to appropriate standards for reporting, documenting and applying results of scientific and scholarly activities used in decision making and ensure public access to those results in accordance with Departmental policy and established laws.

## Attachment 5



### **Exploring Options for Long-term Sustainability and Structure Enhancement for the San Joaquin River Restoration Program (SJRRP)**

#### **Site Visit Focus**

- Upper Colorado River Endangered Fish Recovery Program Information/briefing Sources
  - Debbie Felker, Information and Education, 303-969-7322, ext 227
  - Angela Kantola, Assistant Program Director
  - Tom Chart, Program Director
  - Tom Pitts, John Shields, Env. Contact, Biology Chair

#### **Site Visit Attendees:**

Ali Forsythe, Reclamation, Program Manager, San Joaquin River Restoration Program  
Margaret Gidding, Reclamation, Program Coordinator, San Joaquin River Restoration Program  
Pete Lucero, Reclamation, Public Affairs Officer, Mid-Pacific Region  
Kaylee Allen, Office of the Solicitor, Assistant Solicitor  
Bill Luce, Friant Water Authority, Resources Manager  
Steve Ottemoeller, Friant Water Authority, Water Resources Manager  
Monty Schmitt, Natural Resources Defense Council, Project Manager  
Doug Obegi, Natural Resources Defense Council, Attorney

#### **Other Possible Program Examples:**

- Lower Colorado River Multi-Species Conservation Program
- Platte River Restoration Program

#### **Strong Points for the Program Examples:**

- Strong, established management and decision-making structure
- Formal meetings on a quarterly basis with all stakeholders
- Annual coordinated Hill visits by several entities involved with the Program in DC with jointly published briefing materials to OMB, CEQ, Interior, and congressional members of the delegation.

#### **Key Information Sought for Site Visit Briefings/Discussions:**

- Governance and Program structure
  - What is the current governance structure?
  - How did you achieve it?
  - Pros and Cons – What has and has not worked well and why?
  - How do you incorporate non-Federal partners into the structure? Do they have a role in making Program decisions?
  - How do you establish annual and long-term goals? How do you track progress towards these goals on an annual basis?
  - How are responsibilities shared among partners and how are program partners held accountable?
  - Who pays for the Program? What creative funding sources have you explored? How do you develop your annual budgets? How do you share annual Federal budget request information?

- Did you have large infrastructure as part of your program? If so, how did you prioritize these in the context of all of your other priority actions?
- Issue management and resolution
  - What is your decision making structure and how are key decisions made?
  - Do non-Federal partners have a role in decision-making and if so, what is the role and how do you implement it?
  - How do you resolve different interpretations of what needs to be done without being the responsible party for all disputes, or are you the deciding factor for disagreements among the parties?
- Outreach and information
  - Can you provide an overview of your outreach program?
  - Who implements the program - USFWS or all partners?
  - If it is all partners, how do you engage the partners in this effort? Do you coordinate to ensure consistent messaging among partners?
- Annual DC visits
  - How did you accomplish this?
  - How do you support these visits?
  - Do you attend with the outside representatives?
  - What are your goals / what is the purpose of these meetings? Do you feel you accomplish these?
- Sensitive information or disclosure issues
  - How do you handle embargoed information, like upcoming budget information, when conveying Program funding needs?
  - How does this work for DC Hill visits?

### **Approach**

- Site visit to talk with identified Program information sources and attend a Program Management meeting the week of August 7.

### **Future Potential Action(s)**

- Outline the approach to implement any changes that would benefit the SJRRP
- Potential future site visit for on-the-ground projects, possibly Grand Junction location

## Attachment 6

# 2011 Evening Social & BBQ Event

On the Patio at 7535 Jessica Drive

August 10<sup>th</sup> beginning at 5:45 p.m.

Meal will be served at 6:15 p.m.

Campfire to be lit at Dusk

Event to end when you'all get tired



PLEASE R.S.V.P. *IN ADVANCE* by contacting John Shields via e-mail: [john.shields@wyo.gov](mailto:john.shields@wyo.gov) or by calling me at 307-631-0898 or 307-777-6151. *THANKS.*

Per head charge to cover the meal and supplies cost is **\$15.00 per person**; funds will be collected at the Management Committee meeting on August 10<sup>th</sup>.



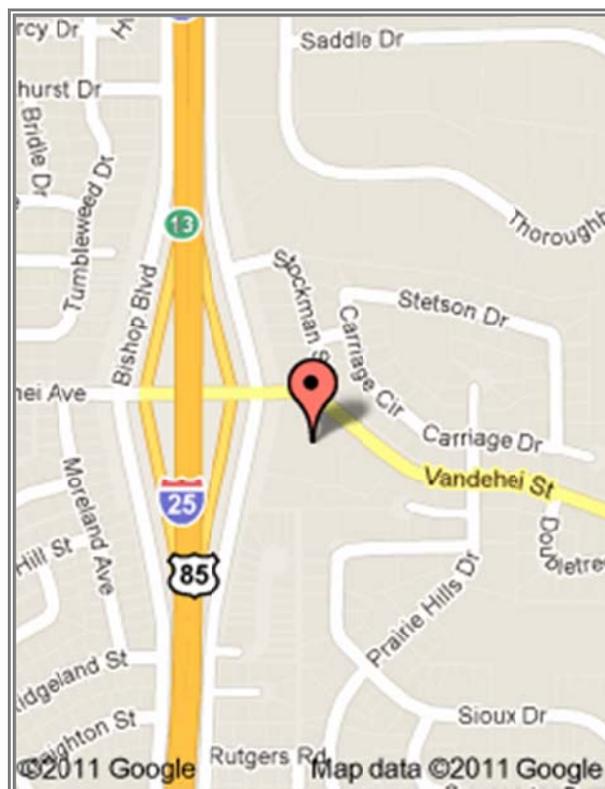
Light appetizers will be served prior to the meal.

This year's Catered Dinner will be delivered at 6:15 pm and will feature Pulled Pork Sandwiches, Beef Brisket, Cole Slaw, Potato Salad and Baked Beans.

Iced tea, bottled water and coffee will be provided – however, the customary practice of attendees is to bring a beverage (BYOB) to this event.

An excellent and convenient choice for beverage shopping is conveniently located in the small shopping marketplace just east of the (Exit 13) Vandehei Avenue interchange off of I-25 (where you will be exiting to come over to our house). *Vinos Wine and Spirits* is located at 453 Vandehei Ave # 200. Once you exit I-25, turn right (to the east - you will see the Fitness One sign on the tall building) and *Vinos* establishment is at the east end of the small shopping marketplace on the South side of Vandehei Avenue.

*Vinos* has a good selection, however, for the hard to please and just plain difficult members of the Committee, the largest selection of beers and wines in the entire State of Wyoming can be found at Town and Country Supermarket Liquors, located at 614 South Greeley Highway.



Driving directions from Little America Hotel to the BBQ event are provided here:

Trip to 7535 Jessica Dr  
Cheyenne, WY 82009-1164  
6.34 miles - about 9 minutes

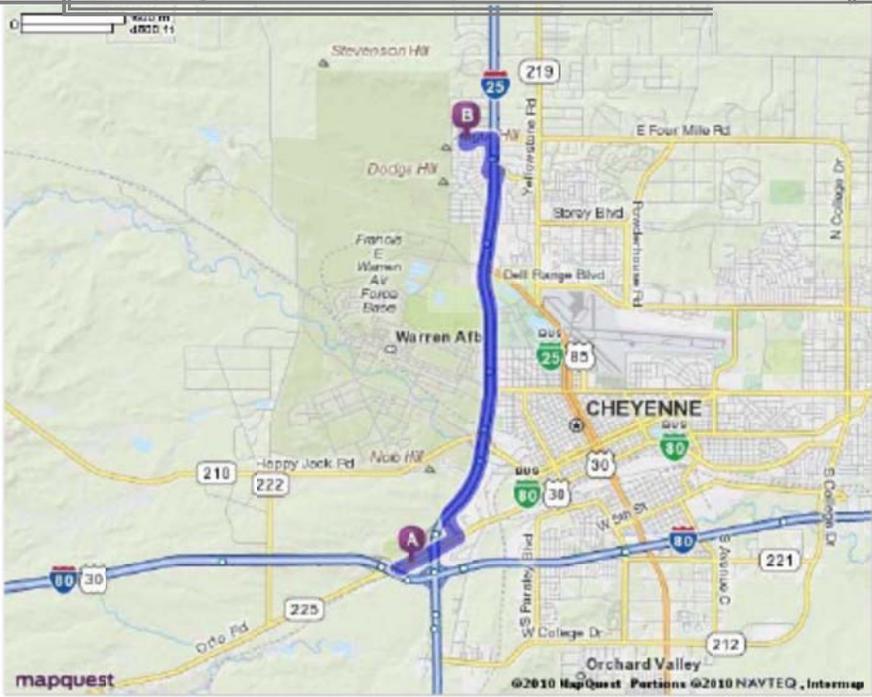
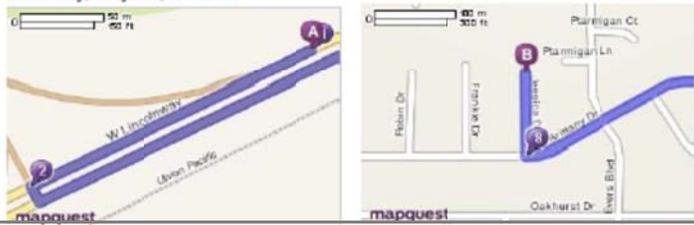
**Little America Hotels & Rsrts - (307) 775-8400**  
2800 W Lincolnway, Cheyenne, WY 82001

1. Start out going **SOUTHWEST** on **W LINCOLNWAY / I-80 BL W / US-30 W / OTTO RD.** go 0.2 mi  
Continue to follow **W LINCOLNWAY / OTTO RD.**
2. Make a **U-TURN** onto **I-80 BL E / US-30 E / W LINCOLNWAY / OTTO RD.** go 0.8 mi
3. Merge onto **I-25 N / US-87 N** via the ramp on the **LEFT.** go 4.3 mi [Map](#)
4. Take the **VANDEHEI AVENUE** exit, **EXIT 13.** go 0.2 mi
5. Turn **LEFT** onto **VANDEHEI AVE.** go 0.1 mi
6. Turn **RIGHT** onto **BISHOP BLVD.** go 0.4 mi
7. Turn **LEFT** onto **BRITTANY DR.** go 0.3 mi
8. Turn **RIGHT** onto **JESSICA DR.** go 0.1 mi
9. **7535 JESSICA DR** is on the **RIGHT.** go 0.0 mi

**7535 Jessica Dr, Cheyenne, WY 82009-1164**  
Total Travel Estimate : 6.34 miles - about 9 minutes

**Start Map** [Hide](#)  
A: Little America Hotels & Rsrts, 2800 W Lincolnway, Cheyenne, WY 82001

**End Map** [Hide](#)  
B: 7535 Jessica Dr, Cheyenne, WY 82009-1164



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