



# Upper Colorado River Endangered Fish Recovery Program

Dated: October 19, 2010

## MANAGEMENT COMMITTEE MEETING DRAFT AGENDA

Utah Department of Natural Resources, Salt Lake City

November 9, 2010

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. Committee members are reminded that this makes for a more efficient conference call, so please comply with this request if possible.

### **CONVENE: 9:00 a.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 August 11-12 meeting summary and review (All, 10 min.) – *Comments on the August summary were submitted by Gene Shawcroft. A draft, revised summary with tracked changes was e-mailed with this agenda.*
3. Congressional activities (30 min)
  - a. Ruedi legislation (Pitts)
  - b. Annual funding legislation (Shields, Pitts)
  - c. Report to Rep. McClintock (Shields, Pitts)
  - d. Conference calls to brief Congressional staff (Felker, Shields, Pitts, 10 min)
  - e. March 15-22, 2011, briefing trip (Shields, 15 min)
4. Budget Issues
  - a. FY 2012 use of power revenues (Pitts, Uilenberg, 10 min)
  - b. FY 2011 Work Plan update (Kantola, 10 min)
5. Nonnative Fish Management
  - a. Update on development of a Basinwide NNF Management Strategy and its focus on prevention (Chart, Martinez, 10 min)
  - b. Update on Yampa River Aquatic Management Plan and the Wildlife Commission's Regulations Change process (R. Mitchell and Chart, 10 min)
  - c. Current Direction for the NNF Workshop (Chart and Martinez, 5 min).
6. Section 7 Consultation
  - a. Review sufficient progress action items (Attachment 2) (Kantola, All, 10 min)
  - b. Format/process for future sufficient progress memos (Lyke, Chart, 15 min.). *The Service has proposed modification to the process/steps we go through to prepare this*

*memo each year in order to best address both Service and Management Committee comments and to complete the memo as expeditiously as possible. The Committee will review the Service's proposal (to be sent to the Committee in advance of the meeting).*

- c. Updated consultation list (Kantola, 5 min)
  
7. Green River flow protection (Lindon, Mohrman, King, 10 min) – *The Committee will discuss/approve Utah's Green River flow protection plan (to be sent to the Committee in advance of the meeting).*
  
8. Updates
  - a. Hydrology (Mohrman, 10 min)
  - b. Capital projects (Uilenberg, 15 min)
  - c. [10.825 Alternatives](#) and agreements update (Pitts, 10 min.)
  - d. Aspinall [EIS](#) and Gunnison River Study Plan (and implications for future budgets) (Uilenberg, Chart, 15 min)
  - e. 5-year species status reviews (Czapla, 5 min)
  - f. Recovery plan schedule and recovery timelines (Czapla, 15 min)
  - g. Floodplain restoration activities
  - h. Southern Rockies LCC (Landscape Conservation Cooperative)
  
9. Upcoming Management Committee tasks, schedule next meeting, previous meeting assignments (Attachment 1). (All, 15 min). *The Committee will schedule its next meeting.*

**ADJOURN by 3:00 p.m.**

## Attachment 1

### Assignments from Previous Meetings

1. The **Fish and Wildlife Service** will meet to consider if it would be acceptable to screen the irrigation water and not the low-head hydropower water at Tusher Wash or if other methods (e.g., a weir wall) might achieve our objectives for screening Tusher Wash. *Discussions underway; but pending decisions on dam rehabilitation. 8/10/09: Robert King said no decision has been reached yet on dam rehabilitation. Brent said a fish preclusion weir such as the one that will be installed at the Hogback Diversion on the San Juan could be an option if fish mortality in the power turbines isn't a significant problem (would cost much less than the \$7-\$9 million to screen the entire canal flow). Brent Uilenberg will draft a recommendation for reviewing this. (Ask Biology Committee to review, first considering work done on similar turbines and potential for fish-friendly turbines, if needed. If this is unclear, field work may be needed to determine mortality at Tusher; this might be considered pre-design work under capital funds). Brent will prepare a decision tree outline. 2/25/10: Brent will send this out. The key decision point is to determine if fish entrainment mortality through the turbines acceptable (which may require a scope of work to do some monitoring and evaluation). Perhaps "fish-friendly" turbines would be a good alternative. Another question is whether the owners plan to raise the height of the dam. 3/24/10: Discussed by Biology Committee. The Program Director's office is preparing a list of issues to be resolved (e.g., what levels of mortality are acceptable for what size classes, potential O&M costs, etc.) to help move a decision on Tusher forward. 7/27/10: As identified in the sufficient progress memo, Biology Committee to make a recommendation to the Management Committee by 12/31/10.*
2. **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. Pending. 2/25/09: Service Solicitor strongly 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. 6/7/10: This schedule will be out shortly. Tom 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 the Glen Canyon program 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).

3. The **Program Director** will further discuss with the Service developing a programmatic biological opinion for the White River Basin when the Gunnison River PBO nears completion. *Pending. 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. 5/24: Pending completion of the White River flow recommendations addendum (12/31/10).*
4. The **Program Director's Office (Tom Czapla)** will alert the committee when the 5-year 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. 7/27/10: In progress/review by FWS regional office.*
5. The **Program Director's Office** will develop FY 2011 guidance for research to determine levels of selenium that affect eggs of endangered Colorado pikeminnow and razorback sucker (working with the San Juan Program). *2/22: Not yet developed; should be a component of the Gunnison River Study Plan (which also includes the affected area of the Colorado River from the Gunnison River confluence to Lake Powell). 4/1: Summary of FWS-Ecological Services contaminants activities sent to Biology and Management committees on 3/22/10. On March 30, Tom Czapla, Jana Mohrman, and Tom Chart met with Kevin Johnson (FWS-Region 6 Contaminants Coordinator) and David Campbell to discuss elevated levels of selenium (and mercury) detected in endangered Colorado River fishes throughout the Upper Basin (similar information has been reported from the Lower Basin as well). The group agreed the primary information need was to determine how these contaminants are affecting our ability to recover the fish, i.e., better understand what constitutes harmful levels. The SJRRIP is tasked with reducing all threats to the recovery of Colorado pikeminnow and razorback sucker, but the upper basin Program has not historically dealt with threats associated with degraded water quality. In any case, the primary information need likely is larger than the recovery programs' budgets could handle and perhaps beyond our expertise. Kevin agreed to start a dialogue with his colleagues in Region 6 as well as with FWS-Region 2, EPA and USGS to explore ways to answer this question. Meanwhile, during fish community monitoring in the lower Gunnison River, tissue samples will be collected from razorback suckers, as well as a chosen surrogate species, to determine selenium concentrations. 4/7: The water users and other Program participants want to have input into development of the work plan that is produced to address this primary information need. >The Service will provide the Committee an outline of the process for developing the work plan. John Shields suggested that the Service develop an e-mail list or listserv for these conversations so everyone interested can remain informed and involved. 7/27/10: The PD's office is currently focusing on the Aspinall study plan in light of its end-of-year deadline.*

6. **Tom Czapla** said he's been working with Krissy Wilson regarding UDWR's stocking regulations and Krissy said Utah can receive fish if the facility is certified (the concern was more about the potential for aquatic invasive species from leased and public ponds). Tom will confirm this with Krissy and Dave Campbell. *8/12: Tom Czapla said they're still working with New Mexico, but believes Utah's concerns have been resolved.*
7. **John Shields and Tom Pitts** will send a draft of the Rep. McClintock response to Committee members for a fatal-flaw review before finalizing it. *Done.*
8. The **Service/Program Director's office** will prepare a memo on the proposed revised sufficient progress memo development process for consideration at the next meeting. *Pending.*
9. **Becky Mitchell and Tom Chart** will arrange a meeting among Program staff, the Service, Colorado DNR, CDOW, and if interested, water users, to have a more thorough discussion of nonnative fish management issues and alternatives.
10. **Becky Mitchell** will find out when the overdue final Yampa Aquatic Management Plan will be submitted.
11. Regarding fish condition below screen return pipes and potential injury to fish when the gates on the Grand Valley screen are narrowed to maintain the diversion, the **Program Director's office** will request a scope of work to seine below the Grand Valley Project screen return pipe and assess physical condition of fish (perhaps employing white suckers captured in the passage as surrogates). *Draft SOW pending.*
12. The **Program Director's office** will make a recommendation regarding a participant/liaison to the Southern Rockies LCC to be considered at the September 22 Implementation Committee meeting. *Done (Tom Chart with Michelle Shaughnessy as alternate).*
13. **Angela Kantola** will send a Doodle request (*done*) to try to set up a web conference to brainstorm about Congressional communications before September 1 among John Shields, Gene Shawcroft/Darin Bird, Becky Mitchell, Tom Pitts, the Program Director's office and San Juan Program staff, Mike Roberts, Leslie James, Matt Kales, and Matt's counterpart in Region 2 (potentially Charna Lefton). The **group** will work to develop a list of options for Implementation Committee consideration. *Done.* **Brent Uilenberg** will see if someone from Reclamation's Washington, D.C. office can participate. *Done.*
14. **Angela Kantola and Tom Chart** will prepare a comparison of the current work plan showing what projects would be lost in 2012 if we don't get full power revenues or a ~\$3M appropriation to replace full power revenues and outline consequences for ESA compliance. *Done.*
15. **Tom Pitts** (recovery goals), **John Shields** (budget), and **Mike Roberts** (communications) will develop the three documents (with assistance from the Program Director's office) for the Implementation Committee. If possible, they should outline issues as well as potential alternatives for resolution. Drafts will be in briefing paper format and shared with the

Management Committee with the goal of sending them to the Implementation Committee by September 1, but no later than September 8. **Management Committee members** will alert their Implementation Committee members right after this meeting to these issues in order to help prepare them for the September meeting. *Done.*

16. **John Shields** will ask Leslie James about a new CREDA representative on the Management Committee (to replace Dave Mazour, who is retiring).
17. **Gene Shawcroft** will arrange a meeting room be in Salt Lake on Nov 9 from 9 a.m. to 3 p.m., at DNR and make sure this date works for Utah. *Done.*

## ATTACHMENT 2

Action Items from the [2010 Sufficient Progress Memo](#)

October 7, 2010

ACTION ITEM	LEAD	DUE DATE	STATUS
The Service will continue to closely follow the effectiveness of nonnative fish management actions and the responses of the endangered and other native fishes. Data should continue to be reported annually, and necessary changes to nonnative fish management actions should be made in a timely fashion.	FWS, CDOW, UDWR	Ongoing	Ongoing.
A <a href="#">research framework project</a> (building on results and recommendations of previous population estimate reports and information developed as a result of previous population estimate workshops) was initiated in 2005 to conduct additional data analyses to further understand environmental variables and life-history traits influencing the dynamics of Colorado pikeminnow and humpback chub populations. The draft research framework report is significantly behind schedule (originally due in 2007), but the Program Director's office is working with the principal investigators to get the draft report to the Biology Committee for review in the summer of 2010. Results will be used to refine hypotheses and direct management actions.	PDO, Valdez, Bestgen		7/26/10: Draft sent to BC for review 7/16/10; comments due back to authors 8/31/10. Environmental groups, Service and Utah have submitted comments on the draft. PD's office will meet discuss with the environmental groups (and perhaps other commenters) prior to the December Biology Committee discussion/review of the framework so that the Committee can have a fairly focused discussion.
By September 30, 2010, the State of Utah will identify the legal and technical process and schedule to protect recommended year-round flows for the endangered fishes in the Utah.	Utah	9/30/10.	8/27/10: Draft work plan in review.
The Program Director's office will complete the Price River position paper and submit it for Biology Committee review by September 1, 2010.	PDO	<del>9/1/10</del> <del>10/4/10</del> 10/31/10	In FWS review; now anticipated October 2010.
The Biology Committee (assisted by an ad hoc technical group) will analyze existing data to understand impacts and what could be gained by various screening options at Tusher Wash and make a final recommendation to the Management Committee by December 31, 2010.	BC	12/31/10	
CDOW will complete the Yampa River Aquatic Management Plan (with an Upper Yampa River northern pike strategy) by July 31, 2010. The Program will use this strategy and available information to evaluate the need for additional northern pike control upstream of Hayden to Steamboat Springs.	CDOW	7/31/10	8/11/10: Still not received; Becky Mitchell will find out when this will be submitted. Subsequent to receiving this plan from CDOW, the Program can consider any management actions called for in the plan which the Program may need to implement (and/or whether the plan adequately identifies actions which may be needed to manage nonnative fish sources in the upper Yampa River). 9/22/10: CDOW working on response letters to UT and FWS; Becky will see if this can be expedited.
Based on their analysis of smallmouth bass recapture information, CDOW and the Recovery Program must decide, prior to the 2011 sampling season, if Elkhead Reservoir can continue to serve as a translocation site for smallmouth bass removed from the Yampa River.	CDOW	2/1/11	
In cooperation with the Service, the CUWCD will draft a water management report (chronicling how flow recommendations have been met over the past 5 years, describing yearly efforts, available water and evolution of past operations [release triggers, etc.]) This report will replace the "water management plan" that the 2005 Biological Opinion called for by	CUWCD / FWS / DRWG	Fall 2010	

December 2009. A second or third draft will be presented at the fall 2010 DRWG meeting. The DRWG will continue to examine the feasibility of other options for obtaining water.			
The Program Director's office will complete the addendum to the <a href="#">White River report</a> and provide a status update and recommendation on the draft Schmidt and Orchard report on peak (channel maintenance) flows for Biology Committee review by December 31, 2010.	PDO	12/31/10	
Implementation of CROS provided good peak flow augmentation in 2009; however, some constraints on operations due to flooding concerns may remain. The CROS working group will consider Cameo flood guidance to maximize benefits of CROS operations for endangered fish habitat.	CROS working group	4/1/10	Good operations in 2010; draft flood criteria were incorporated into decision-making.
Work on CFOPS has resumed and the Phase III CFOPS report will be completed by September 30, 2010.	CFOPS working group	12/30/10	When CWCB completes the report (anticipated Nov. 1), the group can then analyze how reservoir releases to augment the peak could be made. The concept is to the extent necessary, we would use a portion of the Service's pools of fish water to augment the spring peak, instead of later during base flows. Will require legal review. Concerns may remain regarding flows in the Fryingpan and reservoir levels for the Aspen Yacht Club.
Close coordination will be maintained by meeting twice a year with Grand Valley water users and conducting conference calls as needed to discuss river conditions prior to the weekly Historic User Pool calls. The focus should be on taking full advantage of water savings brought about by operation of the Grand Valley Water Management project for late summer flow augmentation.	PDO, water users	Meetings ongoing.	
The <a href="#">15-Mile Reach PBO</a> requires agreement(s) for permanent sources of the "10,825" water by June 30, 2010. Water users will extend existing interim agreements through 2013 (and another 2 years, if necessary) until the permanent water is in place. They also are preparing permanent agreements (were due June 30, 2010), which propose to provide water from Ruedi and Granby reservoirs (contingent upon the various steps that still need to occur). The water users will provide water from interim sources until that time. The permanent agreements currently are in draft and being reviewed by the Service. Work will continue on the National Environmental Policy Act process for the permanent water from Ruedi and Granby reservoirs to be completed in early 2011.	Upper Basin water users, FWS	6/30/10	Interim 10825 agreements to provide water from Wolford and Williams Fork executed in July 2010. They extend the interim arrangements through July 1, 2013, with the possibility of a 2-year extension.  Reclamation proposed additional comments on the permanent 10825 agreement. Representatives of the River District, Southeastern Colorado Water Conservancy District, CWCB, and the Executive Committee met with Interior and Reclamation staff in Washington on June 25 to discuss Ruedi legislation. Reclamation proposed alternatives for resolution of issues associated with capital costs, timing of releases, and payment of operation and maintenance costs.  The River District Board reviewed Reclamation's comments on the permanent agreement on July 21 and decided to review Reclamation's pending Ruedi legislative proposals prior to accepting any changes to the permanent agreement proposed by Reclamation. Negotiations are underway on a water service contract.

