

CR/FY-09 UCRRIC
Mail Stop 65115

Memorandum

To: Implementation Committee
Management Committee, Consultants, and Interested Parties
Meeting Attendees

From: Director, Upper Colorado River Recovery Implementation Program

Subject: Final February 23, 2009, Recovery Implementation Committee Meeting Summary

Attached are the final action and assignment summary and the general meeting summary from the recent Implementation Committee meeting.

Attachment

- Summary -
Actions and Assignments
Recovery Implementation Committee–February 23, 2009

ACTIONS:

1. Approved the [February 27, 2008, meeting summary](#) as written.
2. Concurred with extending the [Upper Colorado River Endangered Fish Recovery Program cooperative agreement](#) through 2023.
3. Granted the Management Committee their proxy to approve the RIPRAP revisions, assessment, 2010-2011 Program Guidance and related documents on March 27.

ASSIGNMENTS:

4. The Program Director's office will mark the [February 27, 2008, meeting summary](#) as final. *Done.*
5. Brent Uilenberg will send Larry Walkoviak's memo regarding the capital cost-share start date to the Management Committee.
6. Tom Pitts will distribute electronically the proposal to extend the [Upper Basin Recovery Program's cooperative agreement](#) through 2023.
7. Implementation Committee members with signatories to the Program's cooperative agreement (Interior, Colorado, Utah, Wyoming, and Western Area Power Administration) will determine in advance of the March 27, Management Committee, meeting if they are willing to sign the extension before June 1, 2009. (Note: signatures would be done serially rather than trying to gather all the signatories in one location simultaneously. State and Western's signatures may be required before the Secretary of the Interior can sign.)
8. Clayton Palmer will send Western's Washington, D.C. DOE liaison office a note suggesting potential times the Program partners could brief them in March.
9. The Program Director's office will work to schedule the next IC meeting at Tri-State's office in Thornton on a Thursday this September.

CONVENE: 10:00 a.m.

1. Introductions, modify/review agenda – The agenda was modified as it appears below. The Committee remembered Pat Nelson, the Recovery Program's former habitat restoration and nonnative fish coordinator, who passed away this weekend after a battle with cancer.

2. Approve February 27, 2008 meeting summary – The Committee approved the summary as written. >It will be shown as final on the Program’s website. *Done.*
3. Update from the Program Director’s office on the Recovery Program, status of the fish and coordination with San Juan Program – Bob Muth and the Program coordinators reviewed Program accomplishments, issues, and future direction by recovery element. (See also [2009 Program Highlights](#).)
4. Jamie Lanier and Bruce Hastings of the U.S. Fish and Wildlife Service hosted the Committee on a tour of the Rocky Mountain Arsenal National Wildlife Refuge.
5. Status report on capital projects for the Upper Colorado and San Juan recovery programs – Brent Uilenberg reviewed highlights of capital construction projects and distributed a summary of expenditures to date. Brent expects to complete cost ceiling indexing before the March 27 Management Committee meeting and >will send Larry Walkoviak’s memo regarding the cost-share start date to the Management Committee. Brent emphasized the success of the Grand Valley Water Management project in providing water for the endangered fishes as well as the significant benefit of the Recovery Program’s investment in that project to Grand Valley water users (for example, in the 2002 drought, the project provided water for irrigation that would not otherwise have been available). Dan Luecke suggested writing up the broad array of benefits this project provides as a journal article. Brent noted that Program participants also may want to voice their support for similar improvements to irrigation efficiency on the Orchard Mesa Irrigation District (OMID).
6. Update on status of 2007 – 2008 sufficient progress items – See Attachment 2. Bob Muth said the Service will meet to begin their 2008-2009 review in early April.
7. Discussion: Extending the Program’s cooperative agreement through 2023 – Tom Pitts noted that the legislation authorizing the Program will cease if the agreement is not extended one year before the expiration date. Legislation is before Congress that would extend capital funding through 2023; legislation extending the annual funding through 2023 also is under consideration. The San Juan Program has already extended their Program through 2023. Tom distributed a proposal to extend the Upper Basin Program through 2023 (and also >will e-mail it). There is no risk to the extension, since any partner has the ability to withdraw from the Program. The Management Committee and Ad Hoc Legislative Committee recommend this extension. >Implementation Committee members with signatories to the agreement (Interior, Colorado, Utah, Wyoming, and Western Area Power Administration) will determine in advance of the March 27, Management Committee, meeting if they are willing to sign the extension before June 1, 2009 (so that when Program partners testify on extending the annual funding legislation, the extension will have been made). Signatures would be done serially rather than trying to gather all the signatories in one location simultaneously. State and Western’s signatures may be required before the Secretary of the Interior can sign. The Committee agreed that the Program should be extended through 2023.

8. Update on Management Committee activities

- Washington, D.C. briefing trip (March 4 – 10, 2009) – John Shields described the upcoming trip and the process of getting signatures on the joint delegation funding support letters. The Congressional staff appreciation luncheon will be in the new Congressional visitor center on March 6. Eight of the fourteen House members are new this year, so partners will be starting from scratch in educating them about the Program. The fact that both Programs received the DOI Cooperative Conservation Award will be noted in the briefings. One difference this year is that the President's 2010 budget will not have been released, so this will require considerable follow-up work after the trip when that budget is released. Clayton Palmer suggested that the group visit the Western's Washington, D.C. DOE liaison office; >Clayton will send that office a note suggesting potential meeting times.
- Proposed legislation – Tom Pitts said the capital projects authorization bill introduced last year (authorizing an additional \$15M for the Upper Colorado and \$12M for the San Juan) was rolled into the omnibus public lands bill that has passed the Senate and is now in the House. Separate annual funding legislation would extend authorization for all annual costs (as opposed to only operation and maintenance costs) beyond 2011 (to 2023). Senator Bingaman has been asked to introduce it in the Senate and Representative DeGette will be asked to introduce it in the House. The proposed annual funding legislation has raised the issue of the solvency of the Basin Fund; however, that issue goes far beyond the Recovery Programs, and won't be dealt with in this legislation.
- The Implementation Committee's gave the Management Committee their proxy to approve RIPRAP revisions and assessment and FY 2010 – 2011 Program Guidance on March 27.

9. Wrap-up and schedule next Implementation Committee meeting – >The Program Director's office will work to schedule the next IC meeting at Tri-State's office in Thornton on a Thursday this September. The Committee will not try to schedule meetings in February in the future (unless via conference call).

ADJOURN: 3:05 p.m.

Attachment 1 - Participants
Colorado River Recovery Implementation Committee Meeting, February 23, 2009

IMPLEMENTATION COMMITTEE MEMBERS:

Julie Lyke for Steve Guertin, U.S. Fish and Wildlife Service (Chairman)
Carol DeAngelis, U.S. Bureau of Reclamation
John Reber, National Park Service
Dan Luecke, Environmental Groups
Dave Mazour for Leslie James, Colorado River Energy Distributors Association
Robert King for Mike Styler, Utah Department of Natural Resources
Clayton Palmer, Western Area Power Administration
Tom Pitts, Upper Basin Water Users
Pat Tyrrell, Wyoming State Engineer's Office
Ted Kowalski for Harris Sherman, Colorado Department of Natural Resources
Program Director Bob Muth, U.S. Fish and Wildlife Service (nonvoting)

OTHERS:

Tom Ryan, U.S. Bureau of Reclamation
Brent Uilenberg, U.S. Bureau of Reclamation
John Shields, Wyoming State Engineer's Office
Tom Nesler, Colorado Division of Wildlife
Tom Chart, U. S. Fish and Wildlife Service, Recovery Program
Tom Czapla, U.S. Fish and Wildlife Service, Recovery Program
Debbie Felker, U.S. Fish and Wildlife Service, Recovery Program
Jana Mohrman, U.S. Fish and Wildlife Service
Angela Kantola, U. S. Fish and Wildlife Service, Recovery Program

Status of Action Items from 2008 Sufficient Progress Memo

General (Upper Colorado River and Green River Subbasins)

ACTION ITEM (1): 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. The Program needs to initiate second-level synthesis of nonnative fish removal data beginning in 2008. *The Nonnative Fish Subcommittee has been working on this and the Program Director's Office expects to recommend issuing an RFP. 11/26/08: A draft RFP is expected in January 2009. 2/23/09: RFP released 2/20/09.*

ACTION ITEM (2): The Program Director's office will coordinate with the Wahweap hatchery to ensure that the middle Green River bonytail are stocked near Jensen (in the alluvial reach) rather than at Island Park. The Mumma hatchery will continue to expose bonytail to flows for as long as two weeks prior to stocking. *Being done.*

ACTION ITEM (3): Principal investigators and the Program Director's Office should meet to further scrutinize initial population estimates, techniques, and environmental influences (at least for humpback chub in 2008). A [research framework project](#) (building on results and recommendations of previous population estimates and information developed as a result of previous population estimate workshops) is conducting 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 expected in August 2008. Results will be used to refine hypotheses and direct management actions. *Draft research framework report may be late (pending Rich Valdez work). 8/12: John Shields asked if we've considered starting this with a subbasin approach (e.g., Green River) first, then developing the larger report. 12/8: The work completed to date on the research framework project has been an Access database of the literature, and two draft reports dated December 2006 and October 5, 2007 to the Program Office. The draft reports contain conceptual life history models for each endangered fish species that identify and describe principal environmental stressors to various life stages and an initial spreadsheet identifying principal Recovery Action Plan management actions and monitoring programs. A final draft report will be submitted to the Program Director's Office by April 1 and to the Biology Committee by May 1, 2009. This report will link RIPRAP activities with hypotheses for each species by life stage, analyze how well we're addressing those hypotheses, and make recommendations for future management, research, and monitoring.*

Green River Subbasin – Green River

ACTION ITEM (4): The Flaming Gorge Technical Work Group (Reclamation, the Service, and Western) needs to continue to provide brief updates on current and projected Flaming Gorge operations at each Biology Committee meeting. In 2008, the Program will initiate a Request for Proposal to synthesize the physical and biological information

on backwater nursery habitats. *RFP pending. 11/26/08: PD's office reconsidering need for RFP; may pursue a collaborative proposal by recognized experts, instead. 2/23/09: Will be sole-sourced to Argonne and Larval Fish Laboratory.*

ACTION ITEM (5): The Recovery Program and the Utah's State Engineer's office will work on mechanisms (extending the existing subordination) to protect year-round flows in the Green River below the Duchesne River to the Colorado River confluence. *In progress since this summer; anticipated to take about one year. 11/26/08: On track down to Duchesne/White confluence, the next step will be to pursue protection down to Green/Colorado confluence. (2/23/09: The 1994 subordination was only for summer-fall flows to the Jensen gage.)*

Green River Subbasin – Yampa River

ACTION ITEM (6): The Program's Yampa nonnative fish management program needs to be modified in 2009 to match the [Yampa River Nonnative Fish Management Strategy](#). In particular, northern pike removal efforts need to focus on reproduction/recruitment sources and the Program needs to take advantage of every opportunity to remove smallmouth bass (e.g., remove smallmouth bass wherever northern pike removal occurs). *Pending. John Shields noted Colorado also needs to complete their Yampa River Aquatic Management Plan by May 2009, as promised. 11/21/08: On track; based on recent data, CDOW seriously considering expanding smallmouth bass removal throughout critical habitat in the Yampa River (to be decided by January 2009). CDOW will provide an outline of a conceptual framework for upper Yampa River northern pike strategy for December 2008 nonnative fish workshop. CDOW will complete Yampa River Aquatic Management Plan and upper Yampa northern pike strategy by May 2009. 2/23/09: Conceptual framework of strategy was provided prior to January 2009 researchers meeting.*

Green River Subbasin – Duchesne River

ACTION ITEM (7): Following completion of the Myton Diversion rehabilitation, the Program, Service, and Duchesne Work Group will work together to determine changes in ongoing monitoring efforts necessary to further evaluate the flow recommendations. *Construction begins this fall and will be completed before irrigation season next spring. 11/25/08: Construction work on the Myton Diversion Dam Rehabilitation is proceeding on schedule. Concrete placements will be completed fall 2008. Gates and associated controls will be installed in February 2009 and the entire project completed in March 2009 prior to the 2009 irrigation season.*

Green River Subbasin – White River

ACTION ITEM (8): The Service and the Program Director's Office will revise and finalize [flow recommendations for the White River](#). The program should emphasize timely completion of the flow recommendations and work with Colorado to protect the recommended flows. *The Program Director's office will bring recommendations on finalizing the White River flow recommendations report to the Biology Committee next week. John Shields emphasized the importance of this report in light of the scrutiny it*

will receive from the energy industry. Dan McAuliffe asked if the Program contemplates acquiring water rights, noting that CWCB has \$500,000/year available to acquire instream flows to protect endangered species (an acquisition plan is required). 11/26/08: the Service and Program Director's office will provide the Committee a draft addendum to the White River report that will present the measured flow requirements in a historical hydrologic perspective by the end of January 2009 (also will recommendations for the Price River). 2/23/09: Behind schedule, but will be sent to the Biology Committee for review by 3/31/09.

Upper Colorado River Subbasin – Colorado River

ACTION ITEM (9): Closer 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. *Brent said the HUP calls began last week. Tom Pitts asked about the meaning of the last sentence; Brent Uilenberg said at issue is arriving at a consensus on Green Mountain Reservoir surplus early enough in the process to do the most good for fish habitat. Brent said Eric Kuhn has suggested an arrangement with FWS in which if too much water is released early on, FWS would back-stop that with water from the "fish pools" in Ruedi, Wolford and/or Williams Fork; another approach would be to get better predictions (based on snow pack) of expected base flows at Cameo.*

11/25/08: An HUP Managing Entities and Water Managers Meeting was conducted on June 25, 2008, to begin coordination activities for the 2008 irrigation season. The first HUP weekly conference call was conducted on August 5, 2008, and continued through October 29, 2008. Green Mountain Reservoir releases to augment flows in the 15-Mile Reach were initiated on August 27, 2008, and concluded on October 29, 2008. A total of 73,024 acre-feet of water was released from Green Mountain Reservoir. Additionally, 20,423 acre-feet, 10,431 acre-feet and 10,377 acre-feet were released from Ruedi, Wolford Mountain and Williams Fork reservoirs respectively. These releases were the result of the cooperative efforts of participating reservoir operators and Grand Valley irrigation entities, 9,586 af of which were to address the unique circumstances caused by operational issues at the Shoshone Power Plant. Diversion records for the 2008 irrigation season have not yet been compiled for the Grand Valley Water Users Association; however, based upon preliminary information irrigation diversions were reduced by a substantial amount as a result of the operations of the Grand Valley Water Management Facilities. A report on actual results will be provided when irrigation diversion records are available from the Colorado Division 5 Office of the State Engineer. Fish and Wildlife Service 15 Mile Reach flow targets were met or exceeded for the majority of the irrigation season. (This data is based upon early provisional data provided by the Colorado Division 5 Office of the State Engineer.)

ACTION ITEM (10): The goal of the [10,825 Project](#) is to have agreements signed with the Service prior to December 2009 committing east slope and west slope water users to permanent sources of Ruedi replacement water, as required by the Colorado River programmatic biological opinion. *Alternative selected and this is on track.*

Upper Colorado River Subbasin – Gunnison River

ACTION ITEM (11): Pending completion of the [Aspinall EIS](#) (and while continuing to emphasize timely completion of the EIS), Reclamation, the Service, and Western Area Power Administration and other cooperators need to determine how they can better manage Aspinall spring flows to meet endangered fish needs within existing operational procedures. *Brent Uilenberg said the draft EIS may go out to the cooperators this week, to the public by late October or early November. The last formal schedule from BOR contemplated a final EIS and ROD by the end of 2008; however, given the required review timeframes it is more likely that these will be in place before spring 2009. Clayton Palmer said that based on their review of the alternatives, Western is likely to have substantive comments on the draft released to the cooperating agencies.*

11/25/08: Cooperating agencies have completed reviews of the preliminary draft EIS on Aspinall Unit operations. Reclamation has tentatively identified a preferred alternative in informal consultation with the Fish and Wildlife Service. Many issues have been resolved with the cooperating agencies and an operation plan including peak flow targets, duration targets, and base flows is generally agreed upon. A programmatic biological assessment is being prepared concurrently with the draft EIS. The assessment would address public and private water uses in the Gunnison Basin. The selenium issue is the major factor in delaying completion of the BA, and consequently the EIS. The issue includes the significance of selenium levels in fish recovery and the significant costs associated with accelerating selenium reduction programs. At the present time, the draft EIS is scheduled for release in January 2009 with a final EIS and Record of Decision in June and July of 2009 respectively. 12/11: Brent said there will be an internal review draft of the draft EIS and biological assessment next week, then it will go to the printer with possible release to the public in January 2009. Reclamation will have a pre-consultation meeting with the Service on the biological assessment, particularly related to the selenium issue. 2/23/09: The draft EIS was released 2/13/09.