

CR/FY-03 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: Draft September 4, 2003, Recovery Implementation Committee Meeting
Summary

Attached are the draft action and assignment summary and the general meeting summary from the recent Implementation Committee conference call. Please review these documents and contact Angela Kantola or myself (303/969-7322, ext. 221 or 268, respectively) if you think any changes are necessary.

Attachment

- Summary -
Actions and Assignments
Recovery Implementation Committee–September 4, 2003

ASSIGNMENTS:

1. The Management Committee should review the draft cooperative agreement to implement the Yampa plan at its next meeting.
2. The Service will address ways to raise larger Colorado pikeminnow in the San Juan Program in a Region 2/Region 6 meeting.
3. Angela Kantola will ask the National Fish and Wildlife Foundation to send copies of future capital fund reports to each of the States, Reclamation, and the Program Director's office. The Program Director's office will schedule a conference call between the States, NFWF, and Reclamation. The Management Committee will discuss any remaining issues regarding reporting and interest rates at their next meeting.
4. Bob Muth will draft content for a nonnative fish management policy statement at a meeting of the nonnative fish project leaders next week. The policy statement will then go to the Management Committee and then Implementation Committee for approval (perhaps via conference call).
5. Dan Luecke will ask David Getches became of the notice of intent to sue and FOIA request from the Grand Canyon Trust.
6. The Service will finalize the sufficient progress letter.
7. Clayton Palmer will find out if Reclamation was party to the understanding that appropriations will be sought to replace power revenues for base funding in the next budget cycle.
8. Bob McCue will send the draft Senate language (which contained \$700K for recovery and \$400+K for Ouray NFH) to the Implementation Committee.
9. The Program Director's office will arrange a meeting room for March 8, 2004, in Denver near DIA from 10:00 a.m. - 3:00 p.m.

CONVENE: 10:00 a.m.

1. Introductions, modify/review agenda - The agenda was modified as it appears below.
2. Approve April 15, 2003, conference call summary - The Committee approved the summary as written.
3. Program Director's update on the Recovery Program and the status of the fish - Bob Muth reviewed the September 2003 update (posted to the Program listserver on August 28, 2003).

After this year it is expected that the Program will have at least initial point estimates for all of the upper basin Colorado pikeminnow and humpback chub populations (it is unknown whether the Cataract Canyon humpback chub population can be sampled this year due to low flows). To illustrate the types of estimates, Bob distributed graphs of population estimates for Colorado pikeminnow in the Upper Colorado River subbasin and humpback chub in Westwater canyon. Dan Luecke asked how the Service would interpret this data in light of the 15-Mile Reach Programmatic Biological Opinion. Bob Muth said the graph does not address recruitment (which is addressed in the PBO), but does seem to show a steady number of adults ~600–700. Dan noted this has implications for the second increment of water development under the PBO and Bob agreed.

Bob distributed copies of the Coordinated Facilities Operations Study (CFOP's) Executive Summary and CFOP's Executive Committee's recommendations (noting this provides a more detailed explanation of those recommendations than does the Program Director's Update). With regard to the first recommendation, the Program is already doing coordinated reservoir operations, and will be working with the various reservoir operators to maximize those.

Yampa Management Plan and Elkhead enlargement - John Shields noted that to keep everything on schedule, the >Management Committee needs to review the draft cooperative agreement to implement the Yampa plan at its next meeting.

Management plans are being developed to help focus our floodplain management efforts and should be available for Biology Committee review at the end of September. The model to estimate floodplain habitat needed for razorback sucker recovery reaffirmed the importance of the Thunder Ranch property on the Green River. As of last Friday, a contract was signed for a habitat restoration easement on that property. Although seeps on the property bring some selenium down to the floodplain, the Program will install manifolds and pipe the water away to the river. The additional flushing from flooding the habitat also will reduce selenium. Frank added that the new owner also has changed irrigation practices, resulting in less water to be piped away.

Dan Luecke noted that the 15-Mile Reach PBO is not entirely clear as to how the Service will address the increments relative to bonytail and razorback sucker. What if the fish are stocked but never become established, for example?

Tom Pitts asked the >Service to address raising larger Colorado pikeminnow in the San Juan River Recovery Program in a Region 2/Region 6 meeting.

John Shields endorsed the Program's exhibit at the Wyoming Water Association and Colorado River Water Users Association meetings, noting that this always provides good opportunity for one-on-one contact and pays excellent dividends in terms of Program promotion and understanding.

National Fish and Wildlife Foundation - The Program's accounts have been moved to the Foundation's Southwest Regional Office in San Francisco. Sherm noted that the interest earned on these accounts has only been ~1%, whereas the management fee is 3% per contribution, and asked if the Program has explored other entities for managing these

funds. The Program still needs one consolidated report on the capital funds (either from the Foundation or have the Program prepare one). >Angela will ask the Foundation to send future capital project reports to each of the States, Reclamation, and the Program Director's office. The reports also need to show distributions (Colorado's did not show distributions, but Wyoming's did, so there is some question about that). >The Program Director's office will look into this and schedule a conference call among the Foundation, the States, and Reclamation. >The Management Committee can then discuss the outcome at their next meeting. Margot Zallen said the Platte River looked into other entities to manage funds (and didn't really find anyone acceptable); Larry Schultz could provide information on that research.

4. Briefing on the status of and strategy/needs for nonnative fish management - As we've implemented major nonnative fish removal projects in the field this year, nonnative fish management has become the Program's biggest technical and political issue. Bob Muth said the Program's nonnative fish management actions date back to the beginning of the Program, with efforts becoming more focused after the recovery goals were published. This year the geographic scope of removal efforts was expanded and a treatment/control approach implemented to determine the level of control required to minimize or remove the threat of nonnative fishes. The Program will review results of this season's removal efforts in December and determine how to proceed in FY 04/05. Bob said he believes we can overcome the technical issues, but that we lack a clear, coordinated, top-level institutional message to the public supporting the nonnative fish management effort and its necessity for recovering the fish. It's difficult for field biologists to take all the heat from the public. Tom Pitts agreed we have a policy gap and suggested the States should take a position on this at a high level, supporting recovery and the Program's nonnative fish management efforts. Perhaps a policy statement can be adopted by the Implementation Committee that the States and other Program participants can use as a basis for explaining to the public what we are doing in the nonnative fish management arena. The biologists definitely need policy support from the State natural resources departments. Dan Luecke agreed. Ralph Morgenweck said he meets periodically with State fish and wildlife agency heads and will make a personal appeal to Kevin in Utah and Russ in Colorado in this regard. Referring to some of the unfortunate press on this issue, John Shields suggested the possibility of a workshop for various media outlets in the basin to encourage them to provide more balanced reporting. Ralph agreed that cultivating a relationship with the media (especially the reporters who do much of the reporting) is very important and that our I&E folks need to spend time on that. Clayton suggested we need to clarify our objective, including areas/species we aren't going to affect. Tom Pitts said we need a clear policy statement that the wildlife departments and congressional staff can refer to when they get complaints. Chas Cartwright agreed that a policy strongly backed by all the states will be a big help in getting over this hurdle, but we also need to evaluate how to improve our relationship with the sportfishing community (public meetings and media outlets may not be the best way). Chas added that he doesn't believe our current level of nonnative fish control effort is enough to be able to show an effect. Pat Tyrrell suggested the possibility of high-level agency folks giving talks at sportfishing group banquets, etc. Frank Pfeifer agreed that we need a centralized policy statement and emphasized that anglers need to receive the same message from any and every agency person they talk to. That message should include the connection to water development, because many people are still completely unaware

of that. Ray Tenney agreed. Sherm Hoskins emphasized the need to prioritize areas for nonnative fish control. Bob Muth said the recovery goals talk about managing nonnative fish in occupied habitat, which is a broad area, but we need to focus our efforts more narrowly to begin with. Tom Blickensderfer suggested that we consider inviting someone from the congressional offices and perhaps angler organizations to the fall meeting where the biologists review last year's data and determine what to do in FY 04/05. Dan Luecke asked Tom Nesler and Frank Pfeifer if the Yampa is in worse shape than it was 10 years ago due to the expansion of northern pike. Tom replied that with the expansion of smallmouth bass, things have really declined. Frank Pfeifer agreed we've lost ground in the Yampa. Ralph Morgenweck asked how we should move forward on this and Bob Muth offered to >draft the content of a policy statement at a meeting of the nonnative fish project leaders next week. The policy statement will then go to the Management Committee and then Implementation Committee for approval (perhaps via conference call). Clayton emphasized that the statement should address the question of where we are focusing our efforts and what species/areas we won't be affecting..

5. Lower basin issues/coordination - Bob McCue said Region 2 and Region 6 of the Service met recently (and will continue to meet twice a year), and also included Duane Schroufe from Arizona Game and Fish. A major topic of discussion was methodology for estimating the Grand Canyon humpback chub population. The two regions and Arizona will write a letter to AMWG asking them to conduct a mark-recapture estimate of humpback chub next fall in Grand Canyon in both the mainstem and Little Colorado River. Clayton noted that since AMWG is an advisory (not decision-making) committee, the letter should go to the funding agency. The group also discussed potential oversampling of humpback populations (which should be resolved by going to the fall mark-recapture method). The group believes it's too early to know if we need a captive broodstock of Grand Canyon humpback chub, but will develop a genetics management plan in FY 04 and also determine what facilities could be used if a refugia population should be needed. Tom Pitts asked that the genetics management plan be a Service document. Bob McCue said the parties agreed we need to control nonnative fish below Lee's Ferry, but maintain the trout fishery above. The draft RIPS WG also was discussed; Tom Czapl a will work with them to finalize this document so that our input is provided. Clayton said RIPS WG is supposed to address recovery goals, but currently doesn't address recovery actions for humpback chub in the Grand Canyon. Margot noted the plan also needs to address the recovery goals up front. Clayton said Western proposed getting started on an implementation program in the Grand Canyon that would eventually tie in with the lower basin. Ralph concluded that we've made progress in coming to agreement on technical questions, but much more is needed on management and implementation (more than just the Fish and Wildlife Service is required for that). Tom Pitts asked what became of the notice of intent to sue and FOIA request from the Grand Canyon Trust. >Dan Luecke will ask David Getches (who is on their Board).
6. Sufficient progress determination - Bob McCue said this year's letter also addresses progress under the 15-Mile Reach PBO. The sufficient progress portion concludes progress has been sufficient for the Program continue to serve as a reasonable and prudent alternative for depletions up to 4,500 af. >The Service will finalize the letter.

7. Aspinall EIS - Brent said Reclamation and the Service will meet soon to outline the process for the EIS. It will likely take 3 - 3.5 years to get to a record of decision. With regard to the modeling for the Flaming Gorge EIS, Dan said the environmental community found it difficult to analyze alternatives because the model kept changing. He hopes that won't be the case for Aspinall. Brent said the Aspinall EIS will be an iterative process, but will be open to all parties.
8. Flaming Gorge EIS - Brent Uilenberg said the latest projection is for a record of decision in June of 2004.
9. Capital projects budget update - Brent Uilenberg distributed the January 27, 2003 version of the capital projects budget worksheet (noting that actual FY 03 expenditures have not yet been updated and FY 04 and 05 have not been updated to reflect the current work plan). Brent reviewed projects to be accomplished in FY 04. FY 03 is the last year that shows funds for floodplain restoration and there is very little room for adjustment left in the budget. For the Government Highline screen, Brent said Reclamation estimated a cost of \$7.6M, but received 3 bids for \$4.7M, \$5.6M, and \$7.3M. Reclamation is concerned that the project can't be done well for \$4.7M, and is trying to address that problem. For Price-Stubbs, a late FY 04 award should be possible, but issues remain to be worked out with CDOT and the railroad. Sherm Hoskins said no decision has yet been rendered on the dispute between the parties involved in Tusher Wash. Brent emphasized we're nearing the authorized expenditure ceiling for our capital projects, so we need to be very careful about any additional expenditures. Ray Tenney said the District is still working on the agreements (~13) necessary for the Yampa project. The Corps of Engineers doesn't want to exceed the 120-day review period for the 404 permit and wants the MOA among the Program participants in place in order to give approval, so the District is waiting to be sure the MOA is on track before they submit the 404 permit request. Tom Blickensderfer said he believes approval of the CWCB bridge loan will come before the Board in November.
10. Review and approval of recommended FY 04-05 Work Plan - Bob Muth introduced the work plan, which has gone through technical and Management committee review and approval. Three major placeholders in the work plan are: geomorphological research; nonnative fish management; and floodplain research. The Committee approved the work plan as recommended by the Management Committee.
11. Basin Fund update - Clayton Palmer recalled the Management Committee meeting where he reported that the power revenues basin fund had been drawn down due to drought and wouldn't be able to meet its obligations for Recovery Program base and capital funding if the fund expenditure rates continued. Clayton said Western met with their customers to find ways to reduce costs and will do so by lowering power commitments in FY 04 (reducing Western's power purchases by about a third), and may also reduce commitments for the next 20 years by about 10%. This should allow Western to fully fund their obligations to the Recovery Program. Western also committed to their customers that they will seek appropriations to replace power revenues for base funding for the next budget cycle (possibly FY 05, but perhaps not until FY 06). (Seeking appropriations, of course, does not necessarily mean the appropriations will be made.) Appropriations will be sought one year at a time, depending on the status of the basin

fund. >Clayton will find out if Reclamation was party to the understanding that appropriations will be sought in the next budget cycle. For capital funds for FY 04 and 05, Western has requested a CWCB loan, as outlined in the legislation, and thinks that will go through.

12. Meeting with Representative Beauprez (CO) - Tom Blickensderfer said he, Bob Muth, and Doug Kemper from the City of Aurora met with Representative Beauprez last week. (Beauprez did not sign the Program's "dear colleague" letter last year, probably because he was focused on other spending priorities his first year). They met with the congressman for about an hour, showed him the Grand Valley video, and generally explained the Program and how it serves as a reasonable and prudent alternative to jeopardy for water depletions. Rep. Beauprez asked that the Program call him well in advance of the Washington D.C. briefings next year so that he can attend personally. On another topic, Tom noted that Kent Holsinger will be leaving the Department to return to practicing law.
13. Congressional appropriations - Ralph Morgenweck said the Service's budget should go to conference within the next week or so. Carol DeAngelis said she hasn't heard the status of Reclamation's budget (Ralph noted it may be ahead of the Service's, since Congress usually treats it as a high priority). Bob McCue reported that the draft Senate language had \$700K for recovery and \$400+K for Ouray NFH (>Bob will send the language out to the Committee).
14. Scheduling next Implementation Committee meeting - March 8, 2004, in Denver near DIA from 10:00 a.m. - 3:00 p.m. >The Program Director's office will arrange a meeting room.

ADJOURN: 2:50 p.m.

Attachment 1 - Participants
Colorado River Recovery Implementation Committee Meeting, September 4, 2003

IMPLEMENTATION COMMITTEE MEMBERS:

Ralph Morgenweck, U.S. Fish and Wildlife Service (Chairman)
Carol DeAngelis, U.S. Bureau of Reclamation
Chas Cartwright for Ron Everhart, National Park Service
Dan Luecke, Environmental Groups
Dave Mazour for Leslie James, CREDA
Bob Morgan, Utah Department of Natural Resources
Clayton Palmer, Western Area Power Administration
Tom Pitts, Upper Basin Water Users
Pat Tyrrell, Wyoming State Engineer's Office
Tom Blickensderfer for Greg Walcher, Colorado Department of Natural Resources
Program Director Bob Muth, U.S. Fish and Wildlife Service (nonvoting)

OTHERS:

Sherm Hoskins, Utah Department of Natural Resources
John Shields, Wyoming State Engineer's Office
John Reber, National Park Service
Bob McCue, U. S. Fish and Wildlife Service
Frank Pfeifer, U. S. Fish and Wildlife Service
Tom Nesler, Colorado Division of Wildlife
Brent Uilenberg, Bureau of Reclamation
Angela Kantola, U. S. Fish and Wildlife Service, Recovery Program
Gary Burton, Western Area Power Administration
Ray Tenney, Colorado River Water Conservancy District
Margot Zallen, Department of Interior
Su Ho Lee, National Park Service (intern)