



Upper Colorado River Endangered Fish Recovery Program

Dated: August 22, 2011

August 10-11, 2011 Management Committee Meeting Draft Summary
Room B-63, Basement Level, Herschler Building, 122 West 25th Street, Cheyenne, WY

Wednesday, August 10

CONVENE: 1:00 p.m.

1. Approve [February 16, 2011](#) meeting, [March 25, 2011](#) webinar, and [April 29, 2011](#) conference call summaries and review previous meeting assignments. All summaries were approved as written.
2. Legislation and Congressional activities
 - a. Status of annual funding legislation – John Shields described the ongoing efforts of the non-Federal parties (see also Tom Pitts’ email of August 4). Tom Pitts outlined the authorization history. 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 Tom McClintock (R-CA) (a meeting is pending). 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 23rd Senate Energy and Natural Resources hearing on this bill) for funding the recovery programs, but said appropriations were not a reliable funding source.

With respect to progress towards getting a House bill drafted and introduced, the House Subcommittee supports extending funding with hydropower revenues for the recovery programs. The term would be for 7 years after the first fiscal year that funding is authorized (to 2019) based on protocol established by the House Majority Leader (<http://www.majorityleader.gov/protocols/>). The Subcommittee has raised questions about the 11% overhead rate and about using funds to cover delisting activities under ESA. (Note: Region 2 of USFWS is now working on an overhead waiver similar to the Region 6 agreement that has been in place since Fiscal Year 1999.) Tom said the provision for post-delisting activities has been removed from the draft legislation. “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 and submitted through non-Federal channels. Tom said this report will be kept very brief; he will produce a draft, have it reviewed by the Programs’ participants, and then transmit

- it. The House Water and Power Subcommittee staff expects 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 (John Shields has prepared a draft letter that can be used as a template and will provide it at the appropriate time).
- b. Status of FY 2012 Program-related funding within Reclamation and Service appropriations bills FY 2012 – Tom Pitts said the House passed an Interior appropriations bill, in which it appears the larger Reclamation fund was cut ~10%. Brent said this would likely result in \$5-6M in capital funds in FY12 for the recovery programs, or, if a continuing resolution freezes capital funds to the FY11 level, it would be ~\$8.3M. Brent said he anticipates keeping construction on track for the Horsethief Ponds and OMID. Tom Pitts said it's not clear what the Service budget would be. The Senate is anticipating a series of omnibus funding bills.
 - c. FY 2012 funding plans in light of impending power revenue restrictions – The FY12-13 draft budget tables show projects which would not qualify as O&M or monitoring and which therefore would not be eligible for power revenue funding if the PL106-392 partial sunset clause takes effect in FY2012. Brent said Reclamation's Commissioner approved their Upper Colorado River Regional Director's obligation of \$2M in FY 2011 capital funds as a back-up for the potential ~\$3M of FY12 power revenue shortfall that we are facing. John Shields said his request to use Upper Colorado River Basin Fund MOA dollars as a backup has not yet been favorably received. >The Recovery Programs' directors will make recommendations for FY12 work plan formulations based on a potential ~\$1M shortfall.
 - d. Congressional staff conference call – Tom Pitts recommended scheduling another call toward the end of September. Tom said he thought the D.C. trip would fall somewhere between March 12 and 27, 2012 (see related discussion under item # 5h).
3. Technical Committee Legislation and Congressional activities
- a. Information and Education Committee (Randy Hampton, the I&E Committee's new chair, via phone). Randy said his goal is to keep communication lines open between the I&E and other committees and to keep I&E Committee members engaged. They are changing tactics somewhat to focus more on the Program's many benefits (as opposed to focusing on nonnative fish management). Randy emphasized that I&E is a group effort on the part of I&E professionals serving on the Committee. Debbie has served as the I&E Committee's unofficial ring leader for the past 11 years. Her primary duties include organizing the production of the annual Program Highlights document, which serves as the focal point for the DC briefing trip as well as for many general outreach opportunities throughout the year. Debbie represents the Program at formal gatherings (including the annual conferences of the Colorado River Water Users Association, Colorado Water Congress, Utah Water Users Association and Wyoming Water Association) and is in nearly constant communication with field workers to ensure that their important findings see the light of day via various popular media outlets. Justyn Hock with Reclamation's Western Colorado Area Office helped coordinate the recent Grand Junction television spot and the Water Education Foundation's Colorado River bus tour and represented the Program at the Ute Water Festival. Diane Katzenberger offered the Fish and Wildlife Service's help to promote the Program through the Service's social media sites and to help

set up congressional conference calls. Her office issues Recovery Program news releases to congressionals, tribes and news media so the Program office doesn't have to maintain updated contacts. Mark Hadley with the Utah Division of Wildlife Resources provides Utah news media contacts to help the program get better coverage of news releases and Zane Olsen continues to staff water user exhibits and bring fish to draw attendees to the booth. Martha Moore, Chris Treese, and Jim Pokrandt of the CO River District, and Peter Roessmann with Western Resource Advocates, promote our Program through a variety of important water and environmental events, contacts and publications. Kara Lamb with Reclamation's Eastern Area office promoted the Program during her presentations to participants of this summer's CO Water Education Foundation's Colorado River Basin bus tour and at Ruedi Reservoir annual operations meetings. She recently included the Recovery Program in a commemorative video that Reclamation is producing for the Fryingpan-Arkansas project's anniversary. Leslie James continues to promote the Program to lower basin programs and works to help ensure consistent messaging about the fish and our Program.

John Shields and Tom Pitts continue to inform I&E Committee members about legislative issues and to ask for their help as needed. They take every opportunity to raise awareness about both the Upper Basin and San Juan programs in a broad variety of ways including presentations and articles. Melissa Trammell with the National Park Service looks for opportunities within the parks to distribute outreach materials and takes photos for program publications as she conducts her field activities. Joann Perea-Richmann continues to coordinate outreach efforts with the San Juan Program and provide photos and content for Recovery Program publications and exhibits. Randy said much of his Program-related work involves responding to public questions about Program activities (Randy gave an example of an e-mail he received from an angler in the Craig area last week). Brent Uilenberg said they hosted Senator Mark Udall for a visit to the Grand Valley Project fish screen on Monday, at which FWS employee Bob Burdick provided an informative, hands-on demonstration. John Shields emphasized the importance of responding to folks like the angler in Craig as well as maintaining our big-picture I&E efforts (e.g., the annual D.C. briefing trip, articles in national magazines like the recent ones in *Irrigation Leader*).

- b. Biology Committee – Melissa Trammell noted the increasing interaction between Program committees. The Biology Committee has nine active members at this point. In July, the Biology Committee reviewed scopes of work for the draft FY 12-13 work plan, but many projects were left on the contingency list (including a number of activities required in the RIPRAP and biological opinions) and several nonnative fish management activities were reduced by ~20% (therefore, restoring those reductions also should be considered part of the contingency list). Melissa said the Committee recently approved Kevin Bestgen's floodplain synthesis report, which will be important in understanding effects of Green River flows on razorback sucker. The Price River report will be considered during the Committee's September webinar. Current ad-hoc committee activities include humpback chub genetics, revision of the integrated stocking plan, screening the Tusher Wash diversion, and the nonnative fish strategy. The Biology Committee has moved certain items (e.g., approval of previous meeting summaries) to "consent items" to improve meeting efficiency. However, the Committee's assignment list remains long with considerable history included. Tom Pitts recommended the Biology Committee develop an action plan for establishing refugia for humpback chub and avoid getting bogged down

in genetic analysis. Dave Speas suggested asking Manuel Ulibarri to provide a summary of the recent hatchery meeting at Dexter that touches on this topic. Mike Roberts recommended also building in limiting factor/life history studies to better understand what's going on in the system that's affecting humpback chub populations.

- c. Water Acquisition Committee – Jana Mohrman gave an overview of WAC and various sub-group activities. The White River flow recommendations are out for BC/WAC review. Next steps are a White River Management Plan and then a PBO. The USGS sediment report also is being reviewed by the WAC and BC and they will have a webinar with the report's author in September. The web-based PIT-tag GIS mapping of fish occurrence is almost ready to launch.
4. FY 2012-2013 Work Plan Review – The Program Director's draft FY12-13 Work Plan was sent to the technical committees on 6/20/11 (see fws-colorriver listserver 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 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. Under the current draft funding projections (which do not currently project any increase in available power revenues over FY12 amounts), the draft budget totals show a cushion of ~\$275K for FY12, which, if carried forward, would leave a surplus of ~\$175K for FY13. Projects likely ineligible for power revenue funding in FY12 total ~\$950K for the San Juan and ~\$1.7M for the upper Colorado. As mentioned above, the Recovery Programs' directors will need to make recommendations for FY12 work plan formulations based on a potential ~\$1M shortfall and bring that back to their technical committees and, if legislation isn't passed or other funds aren't found, to the Management (Upper Colorado) and Coordination (San Juan) committees. Meanwhile, the >Recovery Programs' directors offices and Reclamation should discuss allocation of the \$2M of FY 2011 capital funds Reclamation is making available to help meet the shortfall. Clayton Palmer said Western is willing to help fund Upper Green aerial photography image processing. Clayton said his BC representative expressed concern about maintaining electrofishing gear and making sure that in asking field personnel to do more with less on nonnative fish management, we're not compromising sampling efficiencies. Melissa said we have not cut the equipment budgets and we continue to work to standardize electrofishing equipment. The Committee approved the budget as currently written, assuming a full-funding scenario. The Committee further directed the Program Director and staff to coordinate with the San Juan Recovery Program's personnel to develop recommendations and prioritizations for the FY12 work plan based on a potential ~\$1M shortfall.
5. Updates
 - a. Hydrology – Jana Mohrman reviewed this year's incredible spring hydrology. The reservoir water level at Lake Powell has increased >50ft since April 1st and it has been 10 years since it was at this level (October 2001, near the beginning of the drought). Tom Chart said the San Juan Program captured large numbers of pikeminnow and razorback at the mouth of the San Juan River where it flows into Lake Powell this year and will continue their sampling next year. Jana showed spring hydrographs for: the Yampa at

Maybell (where in 94 years the peak has been higher than 2011 only once); the Green River at Jensen (peak higher only twice in 64 years); White River at Watson (peak higher only three times in 82 years); Colorado at Cameo (peak higher six times in 77 years); Gunnison; and Duchesne rivers. Jana said 355 river miles of aerial photography was captured on June 7 – 9 on the Gunnison, Colorado, Yampa, Elkhead Creek, White, Green and Colorado rivers (*see* hydrographs shown on page 2 of the [July 11-12 Biology Committee summary](#)).

- b. Green River flow protection – Jana said the Green River Water Acquisition Team (GRUWAT) met by phone yesterday to discuss Reclamation’s Flaming Gorge model and Utah’s water rights model. These models will be combined, starting with runs of minimum flows in a dry year (and they will subsequently make projections beyond minimum flows). On September 27 the Team will take a first look at the modeled scenarios. Utah will provide an annual progress report to the Management Committee.
- c. Yampa River/America Great Outdoors – Tom Chart said the Department of the 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 morphed somewhat into an [America’s Great Outdoors](#) (AGO) project on the Yampa, although it’s not yet clear what shape that will take or if there will be associated funding. Each agency reviewed information they’ve been gathering in the Yampa. The Recovery Program has a base flow recommendation, but the group is moving in the direction of a spring flow recommendation from the Recovery Program (the Water Acquisition Committee has been discussing the Program’s need for a year-round flow recommendation on the river – and this is something the Recovery Program will be pursuing). Melissa confirmed that Dinosaur National Park is interested in doing the best science they can to support this effort and fully recognizes the need to work within the Recovery Program (within the context of year-round instream flow recommendation for the endangered fish and the Yampa PBO). Melissa distributed a summary of ~\$350K of work the Park Service began on the Yampa this year. John Shields recommended emphasizing the importance of nonnative fish management as a means of helping to restore the Yampa River. Tom Pitts recommended increasing coordination between the research projects funded by NPS and similar work that the Recovery Program is doing to evaluate flow recommendations, since there is likely some overlap. Clayton pointed out that NPS is looking more broadly at flows to protect the River whereas he thought the Program should only consider flows needed to recover the endangered fish. The Management Committee will continue to receive updates on this.
- d. [10,825 Alternatives](#) & agreements update and status of Ruedi legislation – Tom Pitts said 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 a draft EA out in August (they are currently working out questions about potential impact on the Historic Users Pool), followed by public meeting in September, a ROD in October, and all contract modifications in place by mid-2012. Ruedi legislation has been tabled until a contract for the Ruedi complement of 10,825 alternatives is signed in 2012.

ADJOURN: 4:55 p.m.
Thursday, August 11

CONVENE: 9:00 a.m.

Updates, continued:

- e. Capital projects – Brent Uilenberg distributed an updated copy of the capital projects 5-year work plan. The Orchard Mesa Canal Automation Project will likely be a 4-year construction project extending into 2014. The OMID Board recently agreed to assume an additional \$40K of annual operating expenses for an annual total of \$140K; agreements are now in place for full O&M funding for OMID. Reclamation is now set to close on the property. Tom Chart asked if the Committee would like to track and credit the River District for the difference between what they paid for the property and the current appraisal amount which is what the Bureau of Reclamation can pay as the purchase price for the property. >Tom Pitts will work with Clayton and Brent and provide a list of additional Program contributions, including this one, to be added to the Program’s budget pie chart that appears in each year’s briefing book. Brent next reviewed NFWF’s statement of account of State-contributed capital funds: \$254K of Utah contribution remains in the account along with \$115K of what was contributed by Wyoming. Brent would like the MC’s approval to use \$200K of these remaining funds to enter into a contract with the Irrigation Training and Research Center (ITRC) of the California Polytechnic State University to design a SCADA system. The Committee approved Reclamation awarding this contract. This is part of the OMID SOW, >which Brent will modify to reflect this approval and the PD’s office will post to the web.

Brent said this year’s high runoff damaged some floodplain management structures, especially at Thunder Ranch. Of the three breaches in the riverside levee and the setback levee we constructed there, flows overwhelmed the armored notch and damaged ~350’ of levee. Tom Chart and Brent are working with Dan Schaad to determine the cost of repair (which we’re required to make under the terms of our flood easement with the owners of the Ranch), and to estimate the cost of a water control structure that would retain water to maintain entrained larval razorback through the winter and allow the site to be re-set. (The Biology Committee identified a water control structure at Thunder Ranch as a very high priority after last year’s floodplain tour.) Brent will provide the Committee a cost estimate and will need the Committee’s approval via conference call or e-mail to spend capital project funds on the repair and potentially the additional water control structure (the latter also would need Biology Committee approval). Brent said Reclamation recently met with Service and Program staff at Ouray NFH about water quality. We may need to install another bank of filters to deal with manganese in the water supply to the NFH. At some point, Brent may propose bringing a private consulting firm that has worked with the water district at Clifton to solve similar water quality/constituent issues to resolve the problem.

- f. Aspinall [EIS](#) – Brent Uilenberg provided a report from Steve McCall: Reclamation completed the draft EIS in February 2009. Additional input was provided from Interior in late July, and Reclamation completed additional revisions August 9. Interior will be contacting cooperators to schedule a meeting. Reclamation anticipates completing a ROD by spring of 2012 (contrary to the 2011 date in the RIPRAP); however, a firm schedule has not been established. Clayton said Western has some issues still to work out after Black Canyon is resolved. Committee members should contact Steve McCall with any questions on the EIS. Tom Chart said this is a sufficient progress issue and the Service has been in

contact with Interior about problems the delay creates with the Aspinall PBO and consultations dependent on it. Clayton suggested that the current spring releases have benefitted the fish; therefore, the Service might compare those releases with the EIS alternatives to determine if this must be considered a PBO and sufficient progress issue.

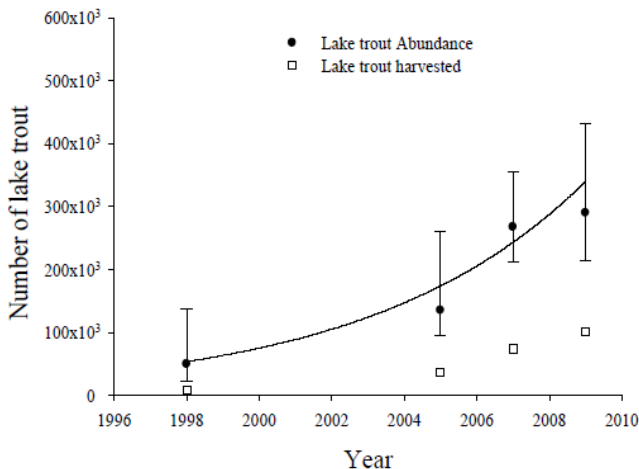
- g. Nonnative fish management activities – Pat Martinez reviewed recent efforts on implementation of the 2009 Nonnative Fish Stocking Procedures, comparing Yellowstone Lake and Yampa River invasive species removal, and the Nonnative/Invasive Species Prevention/Control Strategy.

Colorado’s Fish Health Board (FHB) expressed several concerns about the 2009 Procedures at their April 19, 2011 meeting:

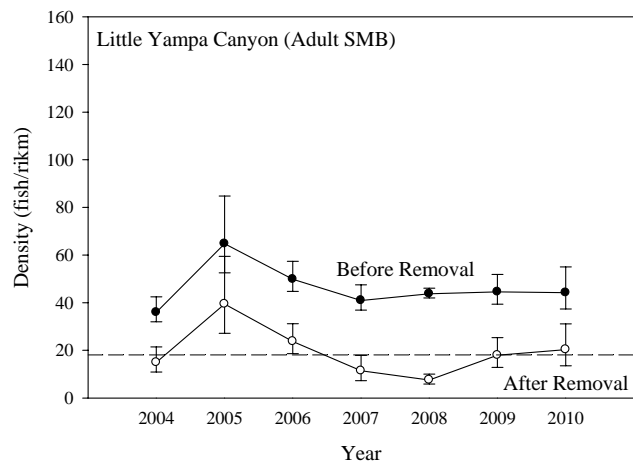
PDO’s Office advised:	FHB’s concerns:
Increase berms from 50- to 100-yr. floodplain for all ponds <6,500 ft.	Increased berm height: how many more private ponds will be affected?
Inspections, permits & ¼ in. screens for nonsalmonid stocking ≥ 6,500 ft.	¼ in. screen maintenance & function problematic – may clog & overflow.
No stocking of nonsalmonids in any stream connected to critical habitat	- 6,500 ft. elev.-maintain statewide permit – no inspections – mostly stock grass carp & fathead minnows. - Fathead minnow stocking used for trout management – major income source for private aquaculture
Apply <u>Stocking Procedures</u> to San Juan River basin	Do not want to apply <u>Stocking Procedures</u> to San Juan River basin – affects more private waters.
Review stocking, connectivity, berms & screens for all private waters	
GPS/GIS compatible coordinates for all nonsalmonid stocking locations	

Tom Pitts asked if the FHB is aware of how much money the Upper Colorado and San Juan recovery programs are spending on nonnative fish removal every year. Tom and John Shields emphasized that with nonnative fish currently considered the primary impediment to recovery, it’s vital to resolve these issues with the FHB. Tom Chart agreed – these issues *must* be taken seriously if we’re to achieve recovery.

Pat compared Yellowstone Lake lake trout removal with our Little Yampa Canyon smallmouth bass removal efforts:



7



Based on the Yellowstone results, recommendations were to double removal efforts (which may be done with the assistance of contract netters). In Little Yampa Canyon, smallmouth bass abundance before each year's removal efforts has remained steady despite our intensive efforts. To reduce smallmouth abundance in this reach, it appears we'll need to apply significantly more removal effort and be more effective in shutting off smallmouth bass sources (e.g., adjacent reaches, Elkhead Reservoir, and juvenile recruitment).

Pat just completed the preliminary draft of the Upper Colorado River Basin Nonnative and Invasive Species Prevention and Control Strategy for Tom Chart's review. Tom said this would go to the Biology Committee by September 1 (then the BC will make recommendations to the Management Committee). The goals of the strategy are to:

- 1) Prevent introduction of additional problematic nonnative aquatic species and expansion in distribution or abundance of potentially or demonstrably invasive species currently existing in the UCRB;
- 2) Provide an assessment of current efforts to manage problematic nonnative fish species in the UCRB, shifting the basis of nonnative fish control from simply a fishery imbalance issue (too many nonnative fish) to a need to promote and protect a relatively intact native aquatic species community free from invasive impacts or threats by nonnative aquatic species;
- 3) Develop a stronger adaptive management framework to identify and implement nonnative aquatic species management actions of sufficient scale and intensity to achieve measurable success criteria based on reductions in populations of target nonnative aquatic species over the shortest plausible timeframe to promote and sustain recovery of endangered fishes; and
- 4) Achieve enduring control of problematic nonnative aquatic species in critical habitat and associated waters, identify and minimize risks of invasive impacts due to the introduction of new species or recurrences of existing species, and recommend and implement maintenance treatments to sustain suppression of problematic species as the status and management of endangered fishes transfers from federal to state oversight by 2023.

The Strategy document has four sections: 1) Prevention, Information & Education; 2) Eradication, Control, and Management; 3) Research and Monitoring; and 4) Policy and Enforcement.

- h. 5-year species status reviews – These are reviews of the four endangered fish species' listing status (based on the 2002 recovery goals and no change in status expected). Tom Czaplá said the Colorado pikeminnow and humpback chub packages were signed by Region 6 in March; Tom believes we're close to getting concurrence from Regions 2 and 8 on these and they should be complete by September 30. Tom Czaplá still needs to incorporate comments from these packages applicable to the bonytail and razorback packages, which should be done by December 31 (the PD's office will give Regions 2 and 8 advance review of these before sending them for Steve Guertin's approval). John

Shields suggested scheduling the Congressional staff conference call so that we can provide them the two completed packages in advance of the call.

- i. Recovery goal schedule and recovery timelines – With regard to the shift to revising only the recovery goals, Tom Chart said the Regional Office and the Solicitor agreed earlier this year that the goals are the more important document and that revising the entire recovery plans would be too time-consuming. Tom Czapla said they have another meeting with Rich Valdez and Bob Muth next week. We expect a fairly extensive revision to the demographic criteria; therefore, Tom Chart can't yet provide a timeline for completing the revised goals.
- j. Section 7 Consultation
 - Review sufficient progress action items – See Attachment 3
 - Updated consultation list – The [updated list of consultations](#) through June 30, 2011 is posted on the Program's website. Totals are:

Upper Colorado River Endangered Fish Recovery Program Summary of Section 7 Consultations by State 1/1988 through 6/30/2011				
		HISTORIC DEPLETIONS	NEW DEPLETIONS	TOTALS
State	Number of Projects	Acre-feet/year	Acre-feet/year	Acre-feet/year
Colorado ^{1,2}	1161	1,915,681.75	206,380.77	2,122,062.52
Utah	210	517,669.95	89,758.71	607,428.66
Wyoming ²	353	83,498.31	34,141.21	117,639.52
Regional ^{3,4}	238	(Regional)	(Regional)	0.00
TOTALS	1,962	2,516,850.01	330,280.70	2,847,130.71

(Note: we are working on correcting the rounding errors in the depletion totals in this table.)

¹ Includes depletions covered under the 15-Mile Reach Programmatic Biological Opinion, 12/20/99, on 1 million AF/Y of historic depletions (through September 30, 1995) and up to 120,000 AF/Y of new depletions in the Colorado River above the confluence with the Gunnison River. The total includes 403 projects under the PBO plus all other Colorado projects.

² Includes projects consulted on after Recovery Implementation Program Initiation (January 1988) which are eligible to participate in the Yampa Programmatic Biological Opinion. The Yampa River PBO covers up to 167,854 AF of historic depletions and up to 53,532 AF of new depletions. The totals include 60 projects in Colorado and 4 projects in Wyoming under the PBO plus all other Colorado and Wyoming projects.

³ Number of small depletion projects not assigned to individual states pre-9/30/97.

⁴ Depletion charges waived by USFWS for consultations on depletions of less than 100 AF/Y.

- 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 in FY 12 include White River Management Plan consulting, continued standardization of the electrofishing fleet, recovery goals technical assistance, and geomorphology peer review.
6. Flaming Gorge trigger – Beverly Heffernan reviewed Reclamation’s implementation of the [2000 Green River Flow and Temperature Recommendations](#), [2005 Final EIS](#), and [2006 ROD](#) and the Recovery Program’s plans to request flows triggered by the presence of larval razorbacks in Reach 2 habitats. Reclamation has been able to meet the ROD objectives every year since 2006. If a larval trigger will be the overriding factor to cue spring flow releases, Reclamation would like to know:
- Is the timing of peak flows to larval presence meant to occur a) with the current ROD flow targets in place or b) can those targets be relaxed or ‘suspended’ under certain circumstances? Note: using larval presence as a trigger during average years could be particularly challenging. For example, if Yampa flows fell quickly 7-14 days before larval appearance, how much water would be needed from Flaming Gorge, and to what extent might we need to exceed power plant capacity?
 - 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?

Reclamation would like more information before the end of 2011 so they can better analyze the expected 2012 request relative to dam operations under different hydrologies. >The Service and the Biology Committee will work on answering the questions Reclamation has raised and the Management Committee will receive updates.

7. Review of the [2000 Flow & Temperature Recommendations](#) – Clayton Palmer said Western agrees with the need to address the questions Beverly raised and also would like to review the Green River flow and temperature recommendations (as called for in the RIPRAP, Green River Mainstem item # I.D.2). Clayton distributed a written recommendation that the Biology Committee report: 1) how it will approach the required review of the flow and temperature recommendations; and 2) which recommendations are most in need of review/reconsideration in light of new scientific findings. >This will be on the next Biology Committee agenda along with addressing Reclamation’s questions, above. Tom Pitts said he’d also like the Service to first look at Bestgen’s (and other relevant) recommendations and provide the BC with an analysis of what they mean and what the options are; the group agreed. >The PD’s office will work with the Service on this. Clayton said Western is willing to assist in starting the review of the recommendations by providing research expertise.
8. [DOI Scientific Integrity Policy](#) – 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). 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. *Deferred, but see Attachment 4 for additional information:* The Committee deferred discussion and comments on the policy, presentation regarding Reclamation's implementation of the policy, and discussion of eventually adopting the Final Policy via resolution.

9. Development of September 21, 2011, Implementation Committee agenda – The biennial Colorado River Symposium starts at 1:00 p.m. on September 21 in Santa Fe; therefore, >the PD's office will work to reschedule this (perhaps as a 2-hour conference call). Agenda items 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. The Committee scheduled its next meeting October 12 from 10 a.m. to 4 p.m. in Denver near DIA.
11. Roundtable with [San Joaquin River Restoration Program](#) (SJRRP) representatives – Program Manager Ali Forsythe gave an overview of the SJRRP. The SJRRP is looking at our recovery program and others to see how they can improve their organizational structure for the long term. Questions discussed included: how we've handled opposition to our Program; ways we've done public outreach as a Program and by individual partners; how continuity of a number of players in the Program has helped build relationships and trust; how to illustrate program benefits; ways of providing certainty to stakeholders; the fundamental importance of establishing a common, unified vision; establishing an organizational structure that will endure for the next few decades; benefits of streamlined regulatory/permitting processes; simplifying messages for public understanding and support; making plans and objectives clear and publicly available; where to focus public relations efforts; getting accomplishments on the ground as quickly as possible (recognizing that mistakes are unavoidable, but we learn from them); and basing recommendations in the best possible science.

ADJOURN: 2:15 p.m.

Attachment 1: Attendees
Colorado River Management Committee, Cheyenne, Wyoming, August 10-11, 2011

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Rebecca Mitchell	State of Colorado
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Doug Frugé for Julie Lyke	U.S. Fish and Wildlife Service
Melissa Trammell	National Park Service
Mike Roberts	The Nature Conservancy
Clayton Palmer	Western Area Power Administration
Not represented	Colorado River Energy Distributors Association
Not represented	State of Utah

Nonvoting Member:

Tom Chart	Recovery Program Director, U.S. Fish and Wildlife Service
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Recovery Program Staff:

Tom Czaplá	U.S. Fish and Wildlife Service
Angela Kantola	U.S. Fish and Wildlife Service
Debbie Felker	U.S. Fish and Wildlife Service
Pat Martinez	U.S. Fish and Wildlife Service
Ellen Szczesny (via phone)	U.S. Fish and Wildlife Service

Others

Jana Mohrman	U.S. Fish and Wildlife Service
Michelle Garrison	Colorado Water Conservation Board
Dave Speas	Bureau of Reclamation
John Reber	National Park Service
Beverly Heffernan	Bureau of Reclamation
Gene Shawcroft	Central Utah Water Conservancy District
Tyler Abbott	U.S. Fish and Wildlife Service
Harry Crockett	Colorado Parks and Wildlife
Randy Hampton (via phone)	Colorado Parks and Wildlife
Krissy Wilson (via phone)	Utah Division of Wildlife
Adam Bergeron (via phone)	The Nature Conservancy
Kevin McAbee (via phone)	U.S. Fish and Wildlife Service

San Joaquin River Restoration Program (SJRRP) Guests

Pedro "Pete" Lucero	Bureau of Reclamation, Public Affairs Officer
Alicia "Ali" Forsythe	Bureau of Reclamation, SJRRP Program Manager
Kaylee Allen	Bureau of Reclamation, Office of the Solicitor
Margaret Gidding	Bureau of Reclamation, Project Coordination Specialist
Bill Luce	Friant Water Authority, Resources Manager
Steve Ottemoeller	Friant Water Authority, Water Resources Manager
Rhonda Reed	National Marine Fisheries Service
Robert Clarke	U.S. Fish and Wildlife Service
John Netto	U.S. Fish and Wildlife Service

Attachment 2: Assignments

1. The **Management Committee** will consider naming a floodplain site for Pat Nelson. *The Service's Grand Junction field office is considering what might be an appropriate location. We do have a memorial to Pat on the pikeminnow bench at Walter Walker SWA.*
2. 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). *Pending: PD's office is discussing with Ouray NWR.*
3. 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.*
4. The **Recovery Programs' directors** will make recommendations for FY12 work plan formulations based on a potential ~\$1M shortfall and bring that back to their technical committees and, if legislation isn't passed or other funds aren't found, to the Management (Upper Colorado) and Coordination (San Juan) committees. In addition, the **Recovery Programs' director's offices and Reclamation** should discuss allocation of the FY 11 \$2M capital funds Reclamation is making available to help meet the shortfall.
5. **Tom Pitts** will work with **Clayton Palmer and Brent Uilenberg** and provide a list of additional Program contributions, including this one, to be added to the Program's budget pie chart that appears in each year's briefing book.
6. **Brent Uilenberg** will modify the OMID scope of work to reflect the ITRC contract to design the SCADA system. The **PD's office** will post the revised SOW to the web.
7. The **Service and Biology Committee** will work on answering the questions Reclamation has raised about the Flaming Gorge trigger and the **Management Committee** will receive updates.
8. How to approach the required review of the Flaming Gorge flow and temperature recommendations and which recommendations are most in need of review/reconsideration in light of new scientific findings will be on the next **Biology Committee** agenda along with addressing Reclamation's questions, above. The **Service and PD's office** will provide guidance, reviewing Bestgen's (and other relevant) recommendations and providing the BC with an analysis of what they mean and what the options are.
9. The **PD's office** will work to reschedule the September Implementation Committee meeting (perhaps as a 2-hour conference call).
10. **John Shields** will prepare and share a separate summary of the roundtable discussion with the San Joaquin River Restoration Program participants.

ATTACHMENT 3

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

August 12, 2011

General – Upper Basin-wide				
#	Recommended Action Items	Lead	Due Date	Status
1	Cory Williams to send revised draft sediment report 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 review; to BC by 9/1/11. Tom Chart also sent a letter to the States about illicit introductions and addressing this issue in the nonnative fish strategy.
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 review; to BC by 9/1/11.
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	Provided. 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. MC: WAC needs to make call on whether instream flow filings currently necessary AND add language to RIPRAP to allow review before 5 more years, if needed. Also need to consider whether additional mechanisms for flow protection are needed.
9	CWCB will create a Consumptive Uses & Losses Report for 1975-2009, compare those to the old 1975-1998 numbers, and compare their new estimates for 1975-1998 to 1999-2009. The	CWCB, FWS, TNC, WAC	6/1/11	8/11/11: Report not yet ready for sharing, but will be by 12/31/11.

	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.			
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.
White River				
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	Draft report submitted July 1, 2011.
Colorado River				
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 held 8/3/11, schedule revised: draft report to CFOPS team by 9/23/11, to WAC 10/31/11; final to Program 11/30/11.
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 their 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 ≤ 2 mg/l).	CDOP&W	2011	In progress and SOW revised .
Gunnison River				
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.	Program/Reclamation	2011	SOW at http://www.coloradoriverrecovery.org/documents-publications/work-plan-documents/sow/10-11/rsch/163.pdf . Final EIS now expected in spring 2012.

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.



Upper Colorado River Endangered Fish Recovery Program

Write-up of Roundtable Discussion

Among Upper Colorado River Endangered Fish Recovery Program Management Committee Members and Representatives of the [San Joaquin River Restoration Program](#) (SJRRP)

At the August 11, 2011 Management Committee Meeting, Cheyenne, Wyoming

Program Manager Ali Forsythe gave an overview of the SJRRP using a PowerPoint presentation. She noted that the SJRRP participants are looking at the Upper Colorado recovery program as well as other ongoing efforts to see how they can improve their organizational structure for the long term. During the discussion that followed various matters and aspects of program governance, administration and public outreach were addressed, including:

- how we've handled opposition to our Program;
- ways we've done public outreach as a Program and by individual partners and where to focus public relations efforts;
- how continuity of a number of players in the Program has helped build relationships and trust; how to illustrate program benefits;
- ways of providing certainty to stakeholders;
- the fundamental importance of establishing a common, unified vision;
- establishing an organizational structure that will endure for the next few decades;
- benefits of streamlined regulatory/permitting processes;
- simplifying messages for public understanding and support;
- making plans and objectives clear and publicly available;
- getting accomplishments on the ground as quickly as possible (recognizing that mistakes are unavoidable, but we learn from them);
- basing recommendations in the best possible science.

Tom Pitts, the Water Users Representative to the Recovery Program (and an original negotiator of the Program's tenets and operational parameters) noted the intention of having the recovery programs provide ESA compliance for water depletion impacts of new projects and all impacts, direct and depletion, of historic (pre-Recovery Program) projects was built into the Upper Colorado and San Juan recovery programs from their inception. He pointed out that this fact provided a substantial incentive to the states and water users for participating in and supporting the programs.

Pitts also pointed out that there was universal skepticism regarding the Upper Colorado River Recovery Program when it was initiated in 1988 and this skepticism continued for some time. It was overcome with 1) actions taken to recover the species, 2) improvements in species populations, and 3) the USFWS using the Program for ESA compliance. He noted, in hindsight,

it is his opinion that both the Upper Colorado and San Juan programs waited too long to take obvious actions needed to benefit the species. Some actions could have been taken much earlier and should have been. Others involved with the Program agreed with this assessment.

Shields noted that the Recovery Program representatives have been asked by Congressional staff members going back a number of years to describe what factors and program attributes and behaviors have allowed our efforts to continue to make positive progress towards recovery. He recalled on one occasion he and Pitts being told by a staff member for the Senate Energy and Natural Resources Committee's Water and Power Subcommittee commenting that she would like to distill our collaborative success formula and "bottle it up" to share with certain dysfunctional efforts with which she had ongoing contacts. Shields noted that as a result of that discussion and others, representatives of the two recovery programs had conducted and documented a discussion that resulted in a write-up that he had sent on to Forsythe prior to the August 2012 Management Committee meeting (*see* Addendum Item 1) summarizing a roundtable discussion held years ago on the topic of how the two ongoing recovery programs have addressed the apparent dichotomy with aquatic endangered species recovery progressing in the same basin areas where resource development has continued to occur.

Shields noted that believes that establishing appropriate power sharing relationships between partners and participants in collaborative efforts is vitally important. He noted that he had addressed this topic in remarks that he made at the April 2008 Department of the Interior Cooperative Conservation Award Workshop held in Washington, DC. He stated that he has long held that it is not sufficient to just address the physical sciences and biological sciences in recovery and restoration efforts; it is vitally important to also address the political sciences associated with administering programs and partnerships. He offered to send on his written statement concerning these matters to the San Joaquin program participants for their consideration (*see* Addendum Item 2). One of the exercises during the Workshop included a brainstorming session during which Workshop participants addressed those matters needing attention when they returned to their communities. Participants were asked to think of what new partners, resources, or ideas would enable them to **sustain their collaborations**. What new policies, resources, or practices did they need to ramp up or take their collaborations to the next level? Participants generated over 100 ideas for improving and expanding cooperative conservation in the United States. The attached Addendum Item 3 document was distributed to the April 22-23, 2008 Cooperative Conservation Award Workshop attendees provides a synopsis of most of the ideas, organized into general categories.

Addendum Item 4 provides some interesting – and hopefully useful – excerpts of the write-up prepared as one of the outcome documents from a public attitudes survey that was conducted by Colorado State University in 2000 for the Upper Colorado River Endangered Fish Recovery Program.

ADDENDUM ITEM 1

Recap of March 14, 2002
CONGRESSIONAL WESTERN WATER CAUCUS-SPONSORED
LUNCH BRIEFING AND ROUNDTABLE on
“Progressing Towards Endangered Species Recovery As Resource Development Continues - A
Western Case Study”

On March 14, 2002, representatives of the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program held a luncheon briefing and roundtable discussion on the topic: "Progressing Towards Endangered Species Recovery as Resource Development Continues - A Western Case Study." The roundtable was held in the Board Room, Annex Building, Capitol Hill Suites Hotel located at 200 C Street S.E., Washington, D.C. from noon to 1:15 p.m. The purpose of the roundtable was to address how the two ongoing recovery programs have addressed the apparent dichotomy between aquatic endangered species recovery while resource development has continued.

During the roundtable, the following points relative to reasons for our success were made:

1. We understand the challenges associated with competing interests and have been able to listen to all sides; figure out how to give everyone what they need; and all have recognized that they can't have everything that they want to have – this cooperative and compromising attitude is vitally important.
2. Sound science builds trust.
3. Respect others' values while not necessarily sharing them.
4. The right answer is the one we reach together and THE issue is how do we move forward.
5. We have incorporated the truism that we must “land when we have to land” and that delay only damages our process.
6. We have avoided litigation.
7. We have taken a critter-friendly approach that assures that the money is put into measures on the ground.
8. We understand the concept that we all must remember to “don't take it personally.”
9. Our program reflects a comprehensive and robust approach that draws upon the synergy that our joint collaboration produces.
10. The federal and non-federal money has been there and we are committed to making sure that we obtain the needed financial resources in the future to complete the job.
11. The program has been blessed with reasonably good leadership and there has been willingness, particularly on the part of the USFWS, to take risks in order to achieve benefits and get things done.
12. The peer review in this Program is as good as any we have seen.
13. We have recognized and dealt with the fact that if you fail to plan you are planning to fail.
14. We have recognized that it is easy to tear things down and darn hard to build them up.
15. We have recognized that information sharing is critical.

ADDENDUM ITEM 2

**Summary Presentation and Background Information
For the Department of the Interior's Cooperative Conservation Workshop
Held on April 22-23, 2008**

**Presented on behalf of Cooperative Conservation Award Recipients:
Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin
Recovery Implementation Program
By John W. Shields, Chairman, Management Committee
Upper Colorado River Endangered Fish Recovery Program**

“ *** The remainder of my allotted time must be spent on what I believe to be two key principles that relate to program operation practices that have been very important to sustaining our two partnership programs since their initiation in 1988 and 1992. First, true committed partnership efforts will not succeed and remain viable over time unless each of the partners share a **common unified vision** of the collectively-sought, mutually-agreeable outcome. Successfully moving diverse partners ahead requires a **unified vision**. This is a basic tenet of sustaining personal relationships at all levels and critically important to keep constantly in mind. The reason that we so often hear phrases like “being on the same page,” is because they describe this most important attribute of teamwork. As Winston Churchill is famously quoted as having said: “If we are together nothing is impossible. If we are divided all will fail.”

A key event that helped our programs' participants continue to share our common vision of what “recovery” of the four fish species will look like was our considerable and joint involvement with **developing the recovery goals** for the four fish species that were published on August 1, 2002. Two other factors have helped our recovery programs maintain our common unified vision: first is our **continuity** – many of the same people have been involved in our programs' leadership and administration for many years; and, secondly, the fact that these programs were created with an **adaptive management approach**. Sound science builds trust. Recognizing the need to make mid-course corrections and implementing needed changes in a timely manner maintains trust.

Secondly, true partnership efforts – those that afford appropriate levels of participant involvement, input, decision-making and joint accountability – **MUST** be founded upon and employ a **workable set of checks and balances**. Fundamentally, cooperative conservation partnerships involve people – and their relationships among one-another, information-sharing and shared decision-making --- including the real rubber-meets-the-road topic of how the money gets spent. Every sustainable organization must have **workable and practical means to govern their bureaucratic processes**, that is, accomplish their “governance.” **While that government must be limited to its proper ends, its means must be capable of effecting those ends**¹.

It is **not enough** to appropriately use sound **biological and physical science** in recovering endangered species; our programs realized it is **absolutely essential** to meaningfully incorporate

¹ “Limited Government: Are the Good Times Really Over,” Charles R. Kesler, Professor, Claremont McKenna College, *Imprimis*, Hillsdale College, March 2008, Volume 37, Number 3, <http://www.hillsdale.edu>.

political science as well. In this respect, our Nation's Founding Fathers left to the world their enduring and wonderful handiwork we know and obey as the United States Constitution. In framing our programs' governance structures, our negotiators wisely incorporated **checks and balances** and **distribution and separation of powers** into their organizational hierarchies, akin to the United States Constitution. **There is room for compromise -- indeed demand for it -- in a system founded on checks and balances².** Accordingly, our programs' governance systems are grounded upon and recognize **fundamental human nature** as well as the **wide-ranging diversity of our participants' views and values.** This has allowed us to productively continue working together with one another for a very long time and to confidently predict we will be able to continue to do so -- as much remains to yet be accomplished. *** ”

² “First Speech To Parliament,” The Honorable Peter Costello MP, Member for Higgins (Victoria), House of Representatives, Parliament of Australia, October 5, 1990, http://www.aph.gov.au/P_Costello_MP/.

ADDENDUM ITEM 3

Learning and Visioning Themes From 2008 Cooperative Conservation Workshop Participants

As you know, the Upper Colorado and San Juan Recovery Programs were recipients of the Secretary of the Interior's Cooperative Conservation Award in 2008. A part of the honor was invitation to participate in a DOI-sponsored workshop, held on April 22-23, 2008 at the Octagon House in Washington, DC. It was limited to representatives of the 22 Award recipients, consisting of about 100 individuals who met to share their approaches for successful conservation partnerships and to generate ideas for future conservation initiatives and collaborative opportunities. One of the exercises during the Workshop included a brainstorming session wherein Workshop participants were asked to think about everything they needed to do when they returned to their communities. Participants were asked to think of what new partners, resources, or ideas would enable them to **sustain their collaborations**. What new policies, resources, or practices did they need to ramp up or take their collaborations to the next level? Participants generated over 100 ideas for improving and expanding cooperative conservation in the United States. This is a synopsis of some of those ideas, organized into general categories.

Reaching Out to New Partners

Extend a hand early-on to land owners. They need to be on board early to increase the relevance of the project and ground it in local knowledge.

Reach out to Tribal communities more actively and consistently.

Involve minority groups in partnerships. They are frequently under-represented in partnerships.

Partner with education institutions at all levels. This increases community support and builds long-term capacity and sustainability.

Extend partnerships to local, county, State, and Federal elected officials and involve local government agencies.

Reach out to realtors, developers, and resource extraction and use companies. These business interests often are looking for ways to give back to their communities and may have organizational resources.

Improving Incentives for Partnerships

Review tax codes to make sure landowners and business are not penalized for participating in partnerships and create more tax incentives to reward participation.

Enact "Good Samaritan" legislation to remove legal risks for business that participate in remediation or restoration.

Make sure that every government agency has a way to measure and reward participation in cooperative conservation efforts. Continue to expand personnel rewards and Government Performance and Results Act measures.

Getting the Word Out

Develop educational materials on cooperative conservation for school children and the public. Make these materials widely available.

Develop relationships and partnerships with local, regional, and national media. Continue to feed them success stories.

Make more partnership movies about success stories.

Continue to gather information in easy to find locations about how to collaborate, best practices, and success stories.

Improving Individual and Organizational Collaboration Capacity

Training and learning needs to happen at all levels.

Continue to improve collaborative leadership capacity within city, State, and Federal agencies.

Educate appointed agency leaders about the importance of cooperative conservation.

Strengthening Government Coordination

Citizens like the concept of “one government” for partnerships and problem solving. Continue to remove barriers for agencies to work together. Seek common authorities across agencies.

Develop collaborative research initiatives with communities, local, State, and Federal agencies.

Remove incentives for departments, divisions, and agencies to “flag plant” or create kingdoms. Budgets and personnel mechanisms have to reward coordination.

Keep improving budgeting, contracting, and procurement policies and procedures so that agencies can work together.

Build more effective agency roundtable structures to improve coordination around major initiatives.

Improving Legal and Administrative Mechanisms

Need Federal legislation for liability protection.

Make umbrella, national agreements or MOUs between agencies to accomplish and authorize specific initiatives.

Develop congressional stewardship area designation.

Revise policies on wages to encourage and count donated time.

Leverage and Increase Resources

Work more actively with businesses and other institutions to leverage support.

Provide more resources for research and data collection that supports partnerships and adaptive monitoring and management.

Simplify grants and procurement processes for partnerships.

Streamline agreement processes to move funds more easily and to allow for multi-jurisdictional and multi-year funding.

Develop new ways to track pooled resources for partnerships. Groups want to be accountable not accountants.

Develop Social Capital to Weather Transitions

Make sure that current partnerships and programs are housed in critical programs and policies so they will withstand political transitions.

Develop clear visions, goals, and values for cooperative conservation so that the progress continues even if specific programs change.

Work with local, State, and Federal elected officials to ensure that cooperative conservation continues to be funded.

Develop a transition strategy for new presidential administration so that improvements are not lost.

ADDENDUM ITEM 4

Synopsis of Certain Key Results of Survey of Upper Colorado River Endangered Fish Recovery Program Participants Conducted in 2000.

“Institutional Design

- The Program contains the following aspects of institutional structure that lead to institutional success for collaborative decision-making:
 - A well-defined group of stakeholders, with legitimate stakes in management of the natural resources and sufficient autonomy to act on their decisions.
 - Financial resources to sustain the institution
 - Sanctions to encourage cooperation once decisions have been made
 - Mechanisms for resolving conflict
- The program does not contain the following aspects of institutional structure that lead to institutional success for collaborative decision-making:
 - A balance of power among the stakeholders³
- The program makes decisions “by consensus, and if consensus is not reached on an issue the Program does not move forward until consensus is reached.”
 - Consensus in the Program means “Stakeholders may have serious concerns, but they can live with the decision.”

Conclusions

- Broader social and ecological conditions significantly impact stakeholder participation in collaborative partnerships.
- The benefits of collaborative partnerships can be harnessed when the ecological framework within which they operate do not present overwhelming challenges.
 - In the Recovery Program this has been accomplished by changing dam operations
 - Endangered fish are being recovered at a cost to power generation. Stakeholders have agreed to sacrifice some power benefits for the benefit of the endangered fish, thus reducing the severity of the ecological problems the fish confront.
- The severity of the environmental problem can be a catalyst for the formation of collaborative partnerships, but in the end it can serve as a barrier to meaningful stakeholder participation. The Recovery Program has been able to overcome this barrier.”

³ HOPEFULLY WE HAVE CORRECTED THIS SHORTCOMING some since the survey was conducted in 2000, or at least we have, through our system of checks and balances, developed mechanisms that allow all Program participants to cope with power inequalities that still exist in the Program. I continue to think about this one, as I don't think it is possible to equalize power among the Program participants. I also think it must be realized that there are different kinds of power and that some entities have more of one kind and less of another – and that through synergy created through our collaboration, we have been able to create force multipliers.