

Final
MANAGEMENT COMMITTEE MEETING SUMMARY
 Grand Junction, Colorado
 October 13-14, 2009

Tuesday, October 13

2:00 p.m. – 5:00 p.m.: Bob Norman (Reclamation) gave a Powerpoint overview of the OMID irrigation efficiency improvement project (to be provided to the Committee after the meeting via pdf), then the group toured OMID facilities, led by OMID’s manager, Max Schmidt.

Wednesday, October 14

CONVENE: 8:00 a.m.

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper – The agenda was modified as it appears below.
2. OMID tour follow-up – Brent doesn’t see any major roadblocks for this project, but Reclamation will work through any local concerns as they arise. John Shields said he trusts Reclamation will clearly communicate the cooperative nature of the Recovery Program and the OMID project. Reclamation will schedule scoping meetings shortly and will post the notices to the listserver. Brent reviewed the status of potential O&M funds for OMID:

OMID O&M Status (costs would begin ~2013)			
	Capitalized	Annual	Cumulative Annual Total
OMID	NA	\$100,000	\$100,000
CRWCD	\$1,250,000	\$50,000	\$150,000
Power revenues	NA	\$11,000-\$25,000	\$161,000
UCREFRP??	NA	\$100,000	\$261,000
CWCB/CO??	\$1,975,000	\$79,000	\$340,000

Randy said he can’t guarantee the proposed \$1.975M and given Colorado’s fiscal conditions shouldn’t hold out great hope, but Colorado will make the request. Reclamation plans to firm up design and cost estimates in 2010, with a contract award and construction start in 2011 (this date assumes an O&M agreement is reached and capital funds appropriated). The O&M commitments need to be in place before the contract is awarded (therefore, preferably by October 1, 2010).

3. Follow-up to September 24, 2009, Implementation Committee meeting – The Service and Program Director’s office is following up on assignments in the meeting summary.
4. Approve August 10-11, 2009, meeting summary and review previous meeting assignments – The summary was approved as written. Assignments are listed at the end of this summary.
5. Review of tasks specified in the June 11, 2009 FY 2009 sufficient progress memo – See Attachment 2.

6. Aspinall PBO & [EIS](#) – Carol DeAngelis said the goal today is to review with the Committee the status of the EIS, PBO, and selenium management plan. (The Powerpoint presentations will be sent to the Committee after the meeting in pdf format.) Steve McCall reviewed the status of the EIS, the purpose of which is to reoperate the Aspinall Unit to avoid jeopardy to downstream endangered fishes and maintain the Unit’s authorized purposes and with the intent of assisting in their recovery (see also Kent Holsinger’s question and Steve’s response, below). The draft EIS looks at 5 alternatives. In the preferred alternative, the goal for meeting peak flow targets at Whitewater will be to match Aspinall releases with peaks on the North Fork. The preferred alternative also addresses peak flow duration, base flows, and flows needed at the Redlands fish passage and screen. Reclamation is working on the final EIS, and then will prepare a record of decision (ROD). They will provide an advanced draft final EIS to cooperators for review after the PBO is finalized (another cooperator review of the PBO is not anticipated at this time). Reclamation expects to provide this draft final EIS to the cooperators by late 2009 or early 2010. Reclamation hopes to complete the ROD before next spring’s runoff (a draft of the ROD also will go out for cooperator review). Steve said Reclamation will operate the Unit with the intent of meeting the Black Canyon Reserved water right, the endangered fish flow recommendations, and the authorized Unit purposes. Clayton Palmer said he’d like to see more *in writing* that releases for all of these purposes will be coordinated. John Shields asked if there’s been consideration of upgrading power capacity; Steve said the facilities have been upgraded somewhat over the years; Crystal Reservoir’s powerplant capacity is the main bottleneck, but there are no plans to upgrade it at this time. Bart asked about the difference in the approach to very dry years in the Black Canyon water right settlement and the draft EIS. Randy Seaholm said that the 300 cfs baseflow has dual protection in the Black Canyon decree and in the donated water right (state instream right). Operation of Aspinall has increased the baseflow about two-fold. Randy strongly encouraged Reclamation to say very little in the EIS about the Black Canyon decree (let the decree speak for itself) and not to add any language that would try to interpret that decree; Ed Warner agreed. Kent Holsinger asked about how the purpose and need is characterized in the draft EIS versus the 2004 Federal Register document. Steve said they’ll use more consistent language in the final EIS, but that in addition to the purpose and need as defined in the Federal Register, there’s also an *intention* that Aspinall reoperation will help with recovery.

Patty Gelatt discussed the PBO on the proposed action to modify the Aspinall Unit to meet or attempt to meet spring peak targets and minimum duration; base flows, and fish ladder/fish screen and migration flows below Redlands Diversion Dam. The PBO includes all existing depletions in the Gunnison Basin and 3,500 af of new unspecified depletions, 22,000 af of Aspinall Unit subordinations for Upper Gunnison Basin water users and the Dallas and Dolores projects, for a total annual average depletion of 640,600 af. The Dolores Project depletions are fully developed; and approximately one-third of the Dallas Creek Project depletions are now being used

The PBO’s major conservation measure (which is part of the proposed action) is the selenium management program (SMP), which includes accelerated implementation of salinity/selenium control programs for irrigated agriculture lands; reduction of other non-point sources of selenium loading; water quality monitoring; and monitoring endangered

fish populations. The PBO concludes non-jeopardy and not likely to adversely modify critical habitat. That determination is based on implementation of the proposed action: Aspinall reoperation and implementation of the SMP. It is expected to result in overall beneficial effects – a more natural hydrograph and improved water quality. The PBO has an incidental take statement anticipating the amount of take, including reasonable and prudent measures, and exempting parties from prohibition against take. It is essential that the SMP be fully implemented in order to be exempt from take. The R&P measures are: Reclamation will work through the Recovery Program to implement appropriate monitoring and research to test the results of implementing the proposed action; Reclamation will produce an annual operations report; and Reclamation will develop an MOA to facilitate the SMP. The PBO's Terms and Conditions contain more details and address the study plan, Reclamation's operations report, and the SMP. Recovery Program obligations under the PBO are: 1) monitoring fish populations in the Gunnison and Colorado rivers; 2) collecting fish tissue samples during monitoring; and 3) assisting in the development of the Study Plan to evaluate the effects of reoperation (the study plan is to be completed within one year of the PBO).

The Committee discussed issues downstream of the Gunnison River. Robert Wigington expressed concern about how the PBO is structured to address depletions in the Dolores River. Robert sees PBO's as a puzzle defining and working to fit together what's needed for recovery and assessing/addressing blocks of depletions. When 50,000 af of historic depletions are added to the 99,200 af by the Dolores Project, the total depletions on the Dolores could approach 150,000 af /yr and yet we don't have a specific flow assessment on/below the Dolores River. Robert therefore believes this raises the risk of criticism that blanket coverage is being extended to a block of depletions without having a specific flow needs assessment in the Dolores and downstream. Randy Seaholm stated that 99,200 af have been developed by the Dolores Project since 1989. there are no other depletions associated with the Dolores Project (private Montezuma Valley Irrigation Company depletions are a separate issue. The Gunnison PBO is seeking to cover only Dolores Project depletions, not all historic depletions in the Dolores Basin. The previous BO for the Dolores Project anticipated reoperations of other CRSP reservoirs to offset Dolores Project depletions and therefore Colorado sees it as completely appropriate for the Service to cover the Dolores project in this consultation. Tom Pitts asked if Robert believes the draft PBO does not contain adequate benefits to offset impacts from the Dolores Project on the fish. Robert confirmed that the PBO did not seem to provide a sufficient basis for offsetting all depletion impacts on endangered fish habitat dependent on the Dolores River and Colorado River below the Dolores. Ed Warner clarified that the EIS and PBO do not contemplate that the entire Dolores *Basin* is covered, just the Dolores *Project*. For example, Montezuma Valley is not covered.

This led to a conversation about how the depletion threshold in the Section 7 Agreement applies to historic vs. new depletions. Patty and Tom Pitts confirmed that for a historic project greater than 4,500 af, the Service selects an item in the RIPRAP to be completed *according to the timeframe outlined in the RIPRAP*; and for a new project greater than 4,500 af, the Service selects an item in the RIPRAP that must be completed *before* the depletion occurs.

Back to the previous discussion, Tom Pitts characterized Robert's fundamental question as "is the PBO adequate to cover the effects of Dolores Project depletions?" Robert agreed that this was the question. Patty said the draft PBO does state that the actions will offset the depletion impacts of the Dolores Project. Patty said they have added language to better describe the justification for that determination. Tom Chart added that if the approach the Service proposes in the PBO is not getting us to recovery, then we'll circle back to determine if our recovery actions and our foundational documents (w/implication to the flow recommendations, Recovery Goals, RIPRAP, and this PBO) need to be revised.

John Shields asked if Reclamation has considered releasing another draft of the PBO to the cooperating agencies; Carol said they'll continue to discuss that possibility.

Randy asked if Colorado will receive credit under the selenium management program for the work they've already initiated through the Salinity Control Program and CWCB; Patty said yes. John Shields asked about the certainty that selenium levels are adversely affecting razorback suckers in the Gunnison River. Patty said they believe selenium does have adverse effects on the fish. If no action was taken, the Service would consider that adverse modification of critical habitat based on water quality. Mike Baker outlined the Selenium Management Program (SMP) and related ongoing efforts in the Gunnison River basin. The SMP objective is to ensure selenium levels in the Gunnison and Colorado Rivers are "no longer inhibiting survival and recovery of the endangered fishes." An *initial* goal is to meet the current State water quality standard (4.6 ppb in water) for selenium in critical habitat in the Gunnison & Colorado Rivers by a timeframe to be established in a Long Range Plan. Tom Pitts pointed out that the data on which the state standard was based 20 years ago has since been shown to be fallacious. Clayton expressed Western's concern that Reclamation may establish a precedent requiring state water quality standards to be met, but Brent and Ed clarified that it will establish no such precedent. Tom Pitts said what's needed in the PBO is adaptive management language recognizing that the selenium science is evolving and target numbers and toxicity levels may change. Patty said they have added such language and additional literature citations to the draft PBO. With regard to questions about the MOU, etc., Carol DeAngelis clarified that the appropriate mechanisms are still being developed. Clayton said that if power revenues are contemplated as funding mechanisms, Western wants to be involved in developing the MOU's, etc. Brent and Carol re-directed the Committee's attention to the *main objective* of the SMP, which is to ensure selenium levels in the Gunnison and Colorado Rivers are "no longer inhibiting survival and recovery of the endangered fishes." Therefore, if we achieve recovery before reaching the current State standard of 4.6 ppb (or whatever number may be established in the future), then the state standard (or whatever number) would not be applicable. (This addressed an earlier question from John Shields as to how much water quality improvement is needed to drop below adverse modification standard.) Patty said this has been clarified in the most recent draft of the PBO.

7. Report on Green River flow protection – Matt Lindon gave a Powerpoint presentation modeled after the ones they've given at their recent public meetings. Only 361,500KAF of depletions remain available in the Green River to Utah, but Utah has undeveloped applications (in varying states of approval) for potential additional depletions of roughly 493,100 af. Utah's rules for forfeiture changed in 2008, reducing the State's latitude to withdraw undeveloped water right applications. Matt outlined ways Utah is considering

protecting flows for the endangered fish and discussed planned activities/strategy for 2009 and 2010. One potential strategy is to form a Water Acquisition Team to help address these issues. Utah's first goal is to adopt a policy for 4-season minimum flows for reaches one and two by the end of this calendar year. Robert Wigington and Bart Miller asked if this potentially could restrict Utah's ability to later protect peak flows and flows downstream. The Committee agreed that if it could, then the RIPRAP should to be adjusted so that in the long-run, Utah will be able to achieve the full flow protection needed for recovery. Tom Chart agreed and suggested someone from Utah's Ecological Service office in Salt Lake be part of the water acquisition team. Robert noted the contracts protecting flows on the 15-Mile Reach in Colorado and suggested consideration of contract options to protect flows in the Green River. Randy added that Colorado does have some baseflow protection (two instream flow water right decrees), but the larger amounts of water are protected through contracts. The Committee agreed that Utah should form a water acquisition team which should identify options and make recommendations to the Committee for revising the RIPRAP to more accurately reflect what actions will work to protect flows in the Green River in Utah. (Note from Program Director's office: perhaps this same team would then later address protecting flows in the Colorado River in Utah.) In light of the Implementation and Management committees' recent emphasis that this item be given high priority, Angela noted that the new approach discussed today will need to be covered in the next Sufficient Progress review.

8. Butch Craig floodplain site – The Biology Committee toured and discussed the site last week and concluded that it likely will still provide low-velocity nursery habitat even if it's recaptured by the river. They felt the best thing would likely be to let the river take its course, but recommended having a geomorphologist do a quick review and render an opinion on what changes are likely at the site (which would then be reviewed by the geomorphology panel). Potential impacts on the railroad directly opposite the current downstream outlet also are a concern. >Brent Uilenberg will find out if Reclamation has someone their Denver Technical Service Center who is qualified to do this; if not, the Committee approved the use of Section 7 funds held by NFWF to hire an outside geomorphologist.
9. Updates/Follow-up on Legislative and Program Authority-related activities
 - a. Status of legislation to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through FY2023 – A Senate hearing was held on S. 1453 on July 23 and a House hearing on H. 2288 on September 22. >Tom Pitts will post a summary to the fws-coloriver listserver (including the answers provided to follow-up questions). Bart said he believes that the group e-mail discussion method used to questions from Congress seemed like a good way for Program participants to respond to these kinds of Congressional inquiries. Robert generally agreed this is desirable, but it may not always be possible. The Committee would appreciate coordinating with if possible, and at minimum, receiving copies of any Program participants' responses to related inquiries.
 - b. Status of requested legislation to permanently reallocate 5,412.5 acre-feet of the regulatory capacity of Ruedi Reservoir for delivery to endangered fish habitat on the Colorado River and assign all costs associated with the re-allocated water as non-

reimbursable – This was discussed on the Water Acquisition Committee meeting conference call last Monday. The legislation would become effective when the NEPA compliance is completed. Dan Birch emphasized how critical this legislation is. Colorado will proceed with this legislation. Bart Miller questioned the “to the maximum extent practicable...” language in line 36 and suggested it be removed because there was not a consensus by the Recovery Program that it be included (it was apparently added by congressional staffers). >Tom Pitts will follow up on why the “to the maximum extent practicable...” phrase was added to this most recent draft. Randy Seaholm objected to the removal of that language stating its purpose was no different than reopener provisions in Section 7 consultations.

- c. DC trip lodging – The group discussed this (earlier in the meeting) to determine if they will meet the requisite number of rooms and concluded 8 rooms could be guaranteed, so the contract with the Holiday Inn can be signed.
10. Addressing drilling in the floodplain – With renewed interests in drilling for oil and gas in the upper Colorado River floodplain, on October 2 Tom Chart e-mailed the Committee to ask if the Program may want to consider letters to State mineral development divisions asking that they restrict oil and gas activities to areas outside the 100 -yr floodplain (recognizing that the potential risk of an oil or gas catastrophe in Critical Habitat could, in relatively short order, undo the Program’s 20+ years of ecosystem restoration). Tom said this is in response to conversations between the Program Director’s office and the Service’s Ecological Service’s offices in Utah and Colorado. Some drilling already has occurred in the floodplain in critical habitat. Not all of this activity has a Federal nexus (although, as Tom Pitts clarified, Section 9 will apply if this falls under the definition of take, which Tom Chart said he believes it would). Tom Chart said Colorado has expressed some concerns about his suggested approach, which we would need to address. John Reber raised another potential situation where BLM has leased a site before the State permitting process kicks in. Randy said Colorado has just gone through extensive oil and gas rulemaking and would like to have a little more time to discuss this before any positions are taken. >The Program Director’s office will discuss this further with the states’ Management Committee members to determine appropriate next steps.

11. Updates

- a. [10,825 Alternatives](#) update – On track. Tom Pitts said a consultant has been hired and the NEPA analysis is proceeding. The first public scoping meetings will be in Granby and Carbondale on November 4th and 5th. The schedule calls for completion of the NEPA process by July 26, 2010. (See also item 9.b. and the last item in the sufficient progress table in Attachment 2.)
- b. Capital projects – Brent Uilenberg said the contract to rehabilitate the 24 Road Hatchery is going well and, even with change orders, he expects completion by mid-November. Brent noted he still owes the Committee an outline of the decision tree on how we’ll address Tusher Wash. Tom Czaplá said he met with BioMark, Reclamation and the Service to review options for a loop antenna on Price Stubb. It would cost \$72K-\$84K and would be done with capital funds, pending Committee approval after

the Service, Reclamation and the PD's office provide recommendations (this also will go through Biology Committee review).

- c. Hydrology update – Jana Mohrman said that by September, it was an average year for late summer/fall hydrology. Jana and Brent praised the excellent cooperation on Green Mountain and related releases. Jana's Powerpoint presentation (not given at the meeting, due to time constraints) will be provided to the Committee after the meeting via pdf.
 - d. Program Director's Office updates – Tom Chart said we've had almost no evidence of Colorado pikeminnow reproduction in the middle Green for 10-15 years (this is one of the things that triggered the research framework project), but Utah found approximately 600 age-0 pikeminnow this year (about as high as we've ever seen), so this is very, very good news!
 - e. Humpback Chub captivity plan – The Committee discussed the plan for captive maintenance of humpback chub captured from the Yampa River (previously approved by the Biology Committee). The Management Committee approved the plan.
 - f. Update on environmental groups' representatives to the Management, Biology, and Information and Education committees – Robert Wigington said they interviewed finalists to replace Tom Iseman yesterday and should make a decision very soon. Bart Miller believes they'll have a Biology Committee representative on board by the December nonnative fish workshop.
 - g. Reports status – In the interest of time, Committee members will contact Angela Kantola or the appropriate coordinator if they have questions when she posts the updated list to the fws-coloriver listserver later this week.
12. Upcoming Management Committee tasks, schedule next meeting –The Committee's next meeting will be on February 17 from 9:30 a.m. to 4:00 p.m. near DIA in Denver; >the Program Director's office will arrange a meeting room.

ADJOURN 3:15 p.m.

Attachment 1 **Assignments**

Carry-over from previous meetings:

1. The **Fish and Wildlife Service** will meet to consider if it would be acceptable to screen the irrigation water and not the low-head hydropower water at Tusher Wash or if there are other ways (e.g., a weir wall) to achieve our objectives for screening Tusher Wash. *Discussions underway; but pending decisions on dam rehabilitation. 8/10/09: Robert King said no decision has been reached yet on dam rehabilitation. Brent said a fish preclusion weir such as the one that will be installed at the Hogback Diversion on the San Juan could be an option if fish mortality in the power turbines isn't a significant*

*problem (and would cost much less than the \$7-\$9 million to screen the entire canal flow). **Brent Uilenberg** will draft a recommendation for reviewing this. (Ask Biology Committee to review, first considering work done on similar turbines and potential for fish-friendly turbines, if needed. If this is unclear, field work may be needed to determine mortality at Tusher; this might be considered pre-design work under capital funds). Brent will prepare a decision tree outline.*

2. **The Program Director's office** will provide a more specific recommendation regarding establishing a basinwide recovery/conservation oversight team for the endangered fishes. *8/10/09: Tom Czapla said the Program Director's office believes that some continuing coordination by Service staff in California/Nevada and Regions 2 and 6 is the best way to accomplish this. As done with the recovery goals, these Service offices would maintain communication with their stakeholders and then coordinate with one another. Tom would like to ask that Service group for their suggestions on how they would like to continue this coordination role as the recovery goals revision process wraps up.*
3. **Brent Uilenberg** will provide a revised RIPRAP budget table ASAP. *Pending now that capital funds indexing has been determined. 8/10/09: Brent said they're working on this. They will need an estimate of needed rearing ponds (number, acreage, flow needs). **Tom Czapla** will provide additional information on pond space needed for humpback chub, backup bonytail broodstock, etc. Ponds may be developed at Horsethief State Wildlife Area and the Upper Basin may be first in line for capital funds in 2010-2012 due to delays in San Juan projects. 10/14: Pending shortly; Michelle Shaughnessy is meeting with Reclamation regarding ponds next week.*
4. **The Program Director** will further discuss with the Service developing a programmatic biological opinion for the White River Basin when the Gunnison River PBO nears completion. *Pending. 8/10/09: We need to review the flow recommendations. Tom Pitts also suggests reviewing water demand data from the state (unclear if that's been updated to include projected needs for oil and gas development). Dan McAuliffe said a pending roundtable report should address oil and gas development and associated water demand estimates. (Dan Birch can provide status update).*
5. **Randy Seaholm** will update a relevant Board memo to better explain the issues related to the proposed Ruedi legislation, then **Tom Pitts** will schedule a conference call of the non-federal Program participants (before the August Management Committee meeting). *8/10/09: Although the bill has been drafted, more discussion is needed among Program participants to better understand the legislation. **Dan McAuliffe** will ask Randy if he has updated the board memo yet. 10/14: Done.*
6. **Randy Seaholm** will talk to the Division Engineer about Reclamation and/or the Division Engineer summarizing Aspinall/Black Canyon operations each year for the first several years. *8/10/09: This needs to be done before Randy retires in November. Dan McAuliffe said Randy is reviewing the comments about reoperation (and also is developing a transition plan, with his Aspinall work going to Michelle Garrison). 10/14: Randy has spoken with Robert Hurford requesting this annual reporting; Randy e-mailed Angela the summary of operations (everything went very well this year) and Angela forwarded the e-mail to the Management Committee on 10/14.*

7. **Dan McAuliffe** will discuss Yampa River habitat modifications with Tom Nesler and Sherm Hebein. Reclamation remains available to assist.
8. The Program Director's Office (**Tom Czapla**) will alert the committee when the 5-year status reviews are completed and provide a link to the documents. *Pending (anticipate completion by the end of the year).*
9. **Tom Pitts** will send the current draft Ruedi legislation and briefing paper to the Management Committee for review and schedule a conference call to discuss it. *10/14: Done & discussed on WAC call and at today's meeting.*
10. **The Program Director's Office** will develop FY 2011 guidance for research to determine levels of selenium that affect eggs of endangered Colorado pikeminnow and razorback sucker (working with the San Juan Program). *Pending.*

New Assignments

1. **Angela Kantola** will work with Reclamation (Bob Norman, Mike Baker) and Patty Gelatt to convert the OMID and Aspinall presentations to pdf and then will e-mail those to the Committee.
2. **Utah** (Matt Lindon) will form a water acquisition team to identify options and make recommendations to the Management Committee for revising the RIPRAP to more accurately reflect what actions will work to protect flows in the Green River in Utah. (Note from Program Director's office: perhaps this same team would then later address protecting flows in the Colorado River in Utah.)
3. **Brent Uilenberg** will find out if Reclamation has someone their Denver Technical Service Center who is qualified to assess the Butch Craig site; if not, the Committee approved the use of Section 7 funds held by NFWF to hire an outside geomorphologist.
4. **Tom Pitts** will post a summary on the Program legislation to the fws-coloriver listserver (including the answers provided to follow-up questions).
5. **Tom Pitts** will follow up on why the "to the maximum extent practicable..." phrase was added to this most recent draft of the Ruedi legislation.
6. The **Program Director's office** will discuss drilling in the floodplain further with the states' Management Committee members to determine appropriate next steps.
7. The **Program Director's office** will arrange a meeting room for February 17 from 9:30 a.m. to 4:00 p.m. near DIA in Denver.

Attachment 1
Attendees
Colorado River Management Committee, Grand Junction, CO
October 14, 2009

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Randy Seaholm (via phone) For Dan McAuliffe	State of Colorado
Matt Lindon for Robert King	State of Utah
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Julie Lyke	U.S. Fish and Wildlife Service
Leslie James	Colorado River Energy Distributors Association
John Reber	National Park Service
Mike Roberts (via phone) & Robert Wigington	The Nature Conservancy
Clayton Palmer	Western Area Power Administration

Nonvoting Member:

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

Angela Kantola	U.S. Fish and Wildlife Service
Tom Czapla	U.S. Fish and Wildlife Service

Others:

Melissa Trammell	National Park Service
Jana Mohrman	U.S. Fish and Wildlife Service
Dan Birch	Colorado River Water Conservation District
Patty Gelatt	U.S. Fish and Wildlife Service
Mike Baker	Bureau of Reclamation
Steve McCall	Bureau of Reclamation
Terry Stroh	Bureau of Reclamation
Ed Warner	Bureau of Reclamation
Bart Miller	Western Resource Advocates
Carol DeAngelis	Bureau of Reclamation
Michelle Shaughnessy	U.S. Fish and Wildlife Service
Dave Kanzer	Colorado River Water Conservation District
Rebecca Mitchell (via phone)	Colorado Department of Natural Resources
Kent Holsinger (via phone)	Attorney

ATTACHMENT 2
Action Items from the Draft 2009 Sufficient Progress Memo
 October 14, 2009

ACTION ITEM	LEAD	DUE DATE	STATUS
<p>The Service will continue to closely follow the effectiveness of nonnative fish management actions and the responses of the endangered and other native fishes. Data should continue to be reported annually, and necessary changes to nonnative fish management actions should be made in a timely fashion.</p>	<p>FWS, CDOW, UDWR</p>	<p>Ongoing</p>	<p>7/13/09: Critical data from 2008 have now been submitted. CDOW has discontinued translocation of smallmouth bass to Craig Justice Center Ponds, which will be returned to a trout fishery. Elkhead Reservoir will remain the primary translocation site for smallmouth bass (subsequent to spills or until the upper reservoir can be accessed). CDOW will continue to translocate northern pike to State Parks Headquarters Pond (Kyle's pond), Loudy Simpson, and Yampa State Wildlife Area ponds (subsequent to connection in the latter two locations). Northern pike CDOW is removing from Catamount Lake are now euthanized. Future actions are contingent on further contaminant results from riverine samples of northern pike and smallmouth bass. Elkhead Reservoir is still under a public fish consumption advisory. 2009 nonnative fish workshop scheduled for December 8-9.</p>
<p>A research framework project was initiated in 2005 to conduct additional data analyses to further understand environmental variables and life-history traits influencing the dynamics of Colorado pikeminnow and humpback chub populations. The draft research framework report is behind schedule (originally due in 2007), but is expected in July 2009. Results will be used to refine hypotheses and direct management actions.</p>	<p>Valdez, Bestgen</p>	<p>7/31/09</p>	<p>8/24/09: Draft sent to PD's office and co-authors for review; target date for BC review is 11/15/09.</p>
<p>The Flaming Gorge Technical Work Group (Reclamation, the Service, and Western) needs to continue to provide brief updates on current and projected Flaming Gorge operations at Biology Committee meetings.</p>	<p>USBR, FWS, WAPA</p>	<p>Ongoing</p>	<p>Ongoing and on track.</p>
<p>The Recovery Program and the Utah State Engineer's office have been working on mechanisms to protect year-round flows in the Green River; however, this is behind schedule. A schedule and outline of the steps required for both the year-round protection above the Duchesne (to occur in 2009) as well as flow protection below the Duchesne is needed: a) the public meeting held by August 31, and the protection finalized by December 31, 2009; and b) by September 30, 2009, a schedule outlining steps for year-round protection downstream of the Duchesne to the confluence with the Colorado River.</p>	<p>Utah</p>	<p>Public meeting: 8/31/09 Schedule/outline: 9/30/09</p>	<p>Public meeting held 8/20/09 for above Duchesne; completion anticipated by 12/30/09 (year-round above Duchesne). Outline/schedule for protection below Duchesne anticipated by 9/30/09. Program partners (Service, Reclamation, and Utah) are working to identify specific flow targets that would trigger subordination. The Water Acquisition Committee has been working on this and the State has held several public meetings in the basin.</p>

The Colorado Division of Wildlife will complete the Yampa River Aquatic Management Plan (with an Upper Yampa River northern pike strategy) by early July 2009. The Program will use this strategy and available information to evaluate the need to expand northern pike control upstream of Hayden to Steamboat Springs, possibly including removal efforts.	CDOW		8/10: Draft is in internal CDOW review. 9/22: CDOW sent the draft to the Program Director who forwarded it to the States and Service for a courtesy review prior to final approval. 10/14: Biology Committee comments are due back by the end of October 2009.
Now that the Myton Diversion rehabilitation has been completed, the Program, Service, and Duchesne Work Group will work together to determine if any changes are needed in ongoing monitoring efforts necessary to evaluate the flow recommendations.	PD, FWS, DWG	Ongoing	8/10: Diversion operational and SCADA now online. Hydrological monitoring: after a full year's operation, the data will be examined to assure that the water is reaching the Randlette gage. Biological monitoring: Ute Tribe is conducting fish community surveys in the Duchesne; PD/FWS to define monitoring needed to evaluate flow recommendations.
Implementation of Coordinated Reservoir Operations (CROS) provided some peak flow augmentation in 2008; however, constraints on operations due to flooding concerns need further investigation to determine the feasibility of further enhancing CROS benefits.	NWS, Mohrman, CWCB, WAC	March 1, 2010	7/22/09: National Weather Service began a flood stage investigation last season which should provide some answers before the 2010 peak flow.
Work on Coordinated Facilities Operations Project (CFOPS) will resume and is expected to be completed in 2010, but a specific schedule needs to be developed by October 1, 2009.	Upper Basin water users	October 1, 2010.	Implementation schedule to be provided by Oct. 1, 2009. 10/14: Tom Pitts has sent this to Tom Chart and Patty Gelatt and Tom Chart will send this to the Management and Water Acquisition committees.
Close coordination will be maintained by meeting twice a year with Grand Valley water users	PD's office, water users	Meetings ongoing.	10/14: Fall meeting to be held December 1.
Close coordination will be maintained by conducting conference calls as needed to discuss river conditions prior to the weekly Historic User Pool calls. The focus should be on taking full advantage of water savings brought about by operation of the Grand Valley Water Management project for late summer flow augmentation.	CWCB, Reclamation	8/1/2010	10/14: CWCB is working with the Colorado Basin River Forecasting Center (CBRFC) to update their models and forecasting tools to provide late-summer forecasts for the HUP managing entities. Beginning in 2010, CBRFC will provide an early-August forecast of expected flow volumes for Green Mountain Reservoir and the Grand Valley for August – October. CBRFC also will provide statistical information about expected flows. CBRFC has already begun providing additional short-term forecast information to the weekly HUP calls in 2009.
The goal of the 10,825 Project is to have agreements signed with the Service prior to Dec. 2009 committing east & west slope water users to permanent sources of Ruedi replacement water (as required by the Colorado River PBO).	Upper Basin water users, FWS	Agreements to be signed by December 2009	8/3/09 Tom Pitts will work with water user attorneys to draft commitments by the water users to implement the two-component 10,825 solution and provide drafts for Service review (meetings to begin in September). 10/14: Interim agreements actually don't expire until July 1, 2010, that's the date by which new agreements need to be in place.