

Water Acquisition Committee
Draft Conference Call Summary
April 21, 2010

Participants: Sam Loftin (WAPA, Salt Lake City), Tom Pitts, Dan Luecke, Matt Lindon, Mike Roberts, Brent Uilenberg, Andrew Gilmore, Michelle Garrison, John Shields, Malcolm Wilson, Jana Mohrman, and Angela Kantola.

Assignments are indicated in the document in bold, preceded by a “>”.

1. Review/modify agenda – The agenda was modified as it appears below.
2. Approve meeting notes from February 24, 2010 – The meeting summary was approved as previously revised.
3. Utah’s WAT updates (Matt Lindon) - Approval of the timeline for flow protection (see email attachment) – The dates proposed by the State Engineer’s office won’t be put in the RIPRAP this year (instead the RIPRAP will contain a task to “Identify legal and technical process and schedule for streamflow protection (FY 10)” and “Implement process for streamflow protection (FY 11 and FY 12)”). Process and schedule need to be reviewed by the WAT as well as the smaller, Utah policy group (which is looking at legal options, etc.). So, by September 30, Utah will develop a plan and schedule for the legal and technical process for streamflow protection (Matt said he believes the WAT can provide input on this while they’re also working on the technical issues). Tom Pitts suggested that the WAT also should to identify expected model outcomes. Tom Pitts encouraged Utah to make this a realistic plan; Mike agreed that we need to be as aggressive as possible, but also realistic and noted the modeling due dates that Reclamation has offered. Angela noted that the Service’s sufficient progress memo will recognize the changes in the RIPRAP and Utah’s progress, but will continue to stress the importance of Utah flow protection. The Committee encouraged the WAT and the policy group to establish good communication; >Matt Lindon will coordinate with Robert King and perhaps Dennis Strong and also encourage Robert to come to the WAT meetings as a liaison. Mike said Boyd has referred to the policy group as the “Utah Executive Water Issues Task Force,” but Mike said this is a broader scale group. Jana noted that Boyd Clayton’s April 8 e-mail also discusses potential legislative solutions. Boyd said: “I am hopeful it will be a subject of the Utah Executive Water Issues Task Force this summer and proposed legislation will come out of the task force which could shift the policy burden from the state engineer to the Utah Legislature which would be appropriate. I am hopeful we can generate the legislative support to address the issue by 2012.” Malcolm asked if the Recovery Program should be looking at educating the public so they will be supportive of any legislation. Angela Kantola suggested that Utah could best suggest what specific audiences and messages would be helpful and the Program Director’s Office will gladly support that; Jana suggested putting this on the WAT agenda for next week and Matt said Utah’s Water Rights Division has an outreach staff which might be helpful. Mike Roberts agreed to the need for education, but cautioned that we first need to make significant progress on the technical front so that we don’t generate more questions than we have answers. Matt mentioned Utah’s desire to coordinate with Colorado on flow protection in the Colorado River and Dan Luecke emphasized the Service’s position regarding the need for the Green River (and recommended target flows) to support minimum viable populations.

Matt clarified that the Utah supports both recovering endangered fish and allowing state water development to proceed as allowed under the Colorado River Compacts. Dan said he just wants to assure than no one is attempting to re-negotiate the Green River target flows.

4. Yampa River Depletion report update – Michelle said Colorado proposes to rely on StateCU (as opposed to StateMOD) to calculate consumptive use estimates for this 5-year period. For projects that don't take as much water as they can; StateCU does have the option of looking at diversion records. Colorado will run StateCU from 1975 forward and compare 1975-2004 with the most recent 5-year period; if this doesn't show significant increases in depletions, then Colorado believes this would meet the PBO tracking requirements to determine if depletions are increasing. Colorado doesn't currently have time or funds to update StateMOD. However, Colorado also will be meeting with TNC in the next week or two to review what TNC has done with StateMOD (and will use StateMOD if TNC has already updated it). StateMOD has the benefit of getting actual consumptive use for every year and comparing current demands over historic hydrology to improve the comparison for what today's demands mean in terms of average consumptive use. As Yampa depletions increase, Colorado agrees the more intensive StateMOD will be needed. Angela said she hasn't heard specifically from the Service if they're comfortable with this approach. Dan noted we battled over this issue on the Colorado River PBO, agreed to accept StateCU for the most recent reporting period, but agreed to disagree on what the PBO actually requires. John Shields said that Wyoming's depletion memo (which will be incorporated in the Yampa depletions report) is in review and revision but that this is high on his list of priorities.

5. Other updates:

10825 update –Tom Pitts said the EIS process continues, but has been delayed while working out issues associated with release schedules from Ruedi and Granby. As soon as they work through issues raised by the proposed releases from Granby proposed by CDOW to reduce water temperatures, this will get back on schedule. Likely it will be November or December before the EA and ROD are completed. The PBO requires an agreement for permanent sources of water to be in place by 6/30/10; the water users are proposing to extend the interim agreements through 2013 (and another 2 years, if necessary) until the permanent water is in place, but also sign the permanent agreements proposing to provide water from Ruedi and Granby (contingent upon the various steps that still need to occur) and provide from water from the interim sources in the interim. If the currently proposed permanent solutions were to fall apart, they would continue to provide water from the interim sources, while working out other permanent solutions. The agreements are in draft and being reviewed by the Service.

Ruedi legislation update – Tom Pitts said they're working out one last glitch on making the Ruedi complement of the 10825 non-reimbursable and hope to introduce the legislation this year and see it passed next year.

CFOPS update –Tom Pitts said he's assembled team and is working to schedule meeting in late April or early May to meet deadline of completing Phase III analysis by September 30, 2010.

OMID – Brent said they’ve drafted series of agreements for the trust fund for O&M; now waiting to see if the grant funds (\$1.5M) from the State of Colorado are received. If those funds are received, we’ll still need about \$16K annual (\$400K capital); Dan Birch and others are looking for ways that might be met. Meanwhile, topographic surveys for design completion are underway, as is water quality sampling, and spill monitoring.

Butch Craig levee repair work – Brent said this was completed last week and may come in about \$100K under the estimated costs.

Horse Thief Canyon fish rearing ponds – Brent said that the pump testing needed to finalize the decision on water supply (well field or infiltration gallery) will occur next week.

Hydrology – Jana noted that this will be her year working to coordinate flows in a drier year. Brent noted that runoff is early. Michelle said she’s been thinking about CROS and she and Jana will start talking with operators about a first meeting very soon; she doesn’t yet know if CROS will be possible.

6. Tusher Wash – Brent said they don’t have anything new to report other than the development of the decision flow chart they presented to the Management Committee. The Program really can’t move forward on Tusher until we know the intent of the Green River Canal Company regarding raising the dam.
7. New timeline for the USGS "Gunnison, Green, and Colorado Rivers Interpretive Sediment Transport Report 85F" – Jana said the Program Director’s office asked for some revisions to make the report more understandable and to better explain the relevance of the results to recovery. The proposed revised schedule is:

5/15/10	USGS Supervisor comments back to Author
6/1/10	Resubmit to Supervisor and Jana/Tom/Angela
6/8/10	Return Comments back to Author from Supervisor and Jana/Tom/Angela
6/15/10	Report submitted to Biology/Water Acquisition Committees for 45 day review. Peer review will be for 30 days. Currently peer reviewers include; Scott Wright (USGS), John Pitlick (CU), Kirk LaGory (Argonne), and Bob Mussetter (Tetra Tech?).
7/15/10	Peer review due
7/30/10	Biology/Water Acquisition Committees’ reviews due
9/1 -10/1	Revised report to Biology/Water Acquisition committees for joint review/approval
	Publish in early 2011

8. Review “Ideas for CROS Flood Guidance at Cameo” – Jana said the National Weather Service first thought the flood elevation could be a foot higher, but dropped to only a half-foot increase due to Palisade’s concern. This draft guidance she sent to the Water Acquisition Committee would make clear to the operators that there is not threat to life at a one-foot increase. If the Committee doesn’t object, Jana will share this with the CROS group for their consideration. Michelle said she has a couple of comments she’ll discuss with Jana.

9. Status of USGS' Elkhead Creek Transit Loss Report – Jana will distribute this to the WAC for their review. USGS has given us a very brief turnaround time, but it's a short report. Michelle said Barbara Ruddy told her that it's neither a gaining nor a losing reach.

10. Schedule next WAC conference call – August 5, 2-4 p.m.

ADJOURN: 10:30 a.m.