

Water Acquisition Committee
Draft Conference Call Summary
9 a.m. – 10:15 a.m., December 2, 2009

Participants: Dan Luecke, Matt Lindon, Paul Abate, Andrew Gilmore, Brent Uilenberg, Mike Roberts, Michelle Garrison, Tom Pitts, Malcolm Wilson, Heather Patno, Jeff Painter, Gene Shawcroft, Jana Mohrman, and Angela Kantola.

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

1. Approve meeting notes from October 5, 2009 – The summary was approved as written.
2. Utah's Updates - Matt Lindon said they've now formed a water acquisition team for Utah that will have its first meeting on December 10. Matt met with TNC folks to discuss concepts for protecting flows (similar to contracts used in the 15-Mile Reach, for example) and has also discussed those concepts with Malcolm and Heather at Reclamation.
 - a. Meeting with BOR modelers – Matt has talked with Malcolm and Heather about the work underway to turn the monthly model turned into a daily model over the next six month. This model also will help with some pending water rights decisions (e.g., Green River nuclear power plant, etc.)
 - b. Agenda the next meeting of working group, December 10th in SLC – Matt said the team will look at a full range of options including no action, protection of minimum flow recommendations, meeting full flow recommendations, and legislation to provide the necessary flow protection tools. Utah is working with Reclamation to coordinate models (Utah's is more water-rights driven, Reclamation's is more hydrology-driven). Matt said that the State Engineer is very supportive of this more wholistic approach to the flow protection. Tom Pitts noted that we appear to be asking Utah to achieve full legal flow protection earlier than we're asking Colorado to accomplish the same. In Colorado, we've understood the need to evaluate the flow recommendations before filing for instream flow rights to provide full legal protection. Tom recommends that as the Utah water acquisition team develops recommendations for how Utah flow protection will be achieved, this should be incorporated into the RIPRAP so that it more realistically reflects the complex interim steps required. Gene Shawcroft echoed Tom's suggestion. Angela Kantola agreed, noting that as long as interim steps provide appropriate certainty, then it has been common practice in the Recovery Program to elaborate on the tasks required to accomplish RIPRAP objectives, and Martgot Zallen could be helpful with this. Dan Luecke said he didn't disagree, but does want to see a form of flow protection that doesn't foreclose opportunities as we learn more about what's needed in the future. Utah told the Program they'd use subordination to protect flows and the Program offered considerable time to accomplish that; Dan said he just wants to be sure we don't now delay protection/options for protection in the future.
3. 10825 update - Tom Pitts said this initiative will replace the 10,825 af burden on Ruedi Reservoir from previous biological opinions and is shared equally between West and East slopes. The West Slope proposes to enter into a new arrangement for 5412.5 af from Ruedi and the East Slope

proposes to convert some old, reliable irrigation rights near Lake Granby (which also would improve Colorado River flows near Kremmling, enhancing flows and water quality there). Contracts with Reclamation will be required which trigger the NEPA process that was begun a few months ago. The NEPA process should be completed in mid-August of 2010, and then Reclamation can issue a ROD. The interim agreements for this water in place since 1999 expire July 1 2010, so: 1) the parties likely will renew the interim agreements through ~2013 (until the other two alternatives are fully implemented); and 2) permanent agreements between the East and West slopes and the Service will be written to identify the permanent sources of water and their expected date of implementation (to satisfy requirements of the PBO).

4. Ruedi legislation update (Tom Pitts said the West Slope has proposed to make this component (\$8M plus annual O&M) non-reimbursable (it comes from Reclamation's marketable yield pool), consistent with Reclamation policy to make water for environmental purposes non-reimbursable. The legislation has been drafted, Reclamation is aware of it, and parties are working to resolve some contractual concerns before introducing the legislation next spring.
5. Letter from Ruedi Water & Power Authority - Jana Mohrman previously e-mailed the Authority's letter outlining concerns about the high releases last August. They also raised these concerns in the 10,825 NEPA scoping meeting. Reclamation and the Service will meet with the Authority and other concerned parties in Basalt in early January to discuss issues and potential solutions. Andrew said Ruedi Water & Power will invite folks from the community that they believe are needed at this meeting. This meeting is not to discuss the 10,825 process. >After the meeting, Reclamation will provide a meeting summary to the Water Acquisition Committee.
6. CFOPS update - Tom Pitts said a requirement of the PBO in to enhance spring flows (in addition to CROS) is for water users and Reclamation to determine ways to enhance flows up to 20,000 (at no significant cost to the water users). Study has shown it's possible to enhance flows, but it would require releases from storage from both Federal and non-Federal projects. If reservoirs made releases and then didn't refill, the deal would be that they could make exchanges from late summer fish flow pools. The reason for this is that the Service in some years may determine a large peak flow is more important than later summer releases. Participants did some groundwork on this in 2007 and identified issues, but the work was in hiatus in 2008 due to the 10,825 priorities. They are reinitiating efforts now and will complete a report by September 30, 2010. Tom will reconvene the team to review issues with a conference call in December or early January. The group will identify issues that can be solved, then prepare a draft report (for WAC's review sometime next spring) and finalize it by September 30. Andrew from Reclamation, Michelle from CWCB, and Jana from the Service will be participating in this group.
7. OMID - Brent Uilenberg outlined the proposal for a canal automation system (similar the one on the Grand Valley Water User Association system) which would reduce diversions by ~17,000 af (but perhaps up to 30,000 af). The Management Committee agreed to fund constr. with caveat that majority of increased O&M would be non-Program funds. Getting close to having that lined up. May be able to start 3-yr construction timeframe in FY 11.

USGS Sediment Monitoring Report – Jana said the Water Acquisition and Biology Committees' review process should begin in February 2010. The review process is as follows:

- 2/1/10 Report submitted for supervisory and Recovery Program 2 week review

- 3/1/10 Report submitted for technical review to peer reviewers (30 days) and Biology/Water Acquisition committee members (45 days). At this point, the draft (uncitable) also may be made available to folks working on synthesis efforts. Potential peer reviewers include Paul von Guerard (USGS retired), Scott Wright (USGS), John Pitlick (CU), Kirk LaGory (Argonne), and Bob Mussetter. We'll all begin to discuss and contact potential peer reviewers so that by July we'll already have determined their willingness to provide a timely review.

- 4/1/10 Peer review due

- 4/15/10 Biology/Water Acquisition committees member reviews due

- ~6/1/10 Revised report to Biology/Water Acquisition committees for joint review/approval

8. New flood elevation for Cameo - Jana Mohrman said the National Weather Service will coordinate a conference call to discuss raised elevations that would allow our higher flow recommendations (the 23,400 cfs peak at Cameo) to be met. Brent agreed this may be good news, but cautioned that the next pinch point is the I-70 ~~Bridge~~ near Fruita which could restrict our flows if Gunnison flows are high at the same time. >Jana will look into getting updated information from NWS on this.

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9. Schedule next WAC conference call – Those remaining on the call at this point scheduled the next call for Tuesday, January 19 from 9 to 11 a.m.; >Jana will confirm this date with the whole Committee in the e-mail transmitting this draft meeting summary. >Jana and Angela will make sure the Water Acquisition Committee e-mail list is working properly.