

Colorado River Recovery Implementation Committee
August 15, 1991 Meeting
- Minutes -

Attendees: (Attachment 1)

Agenda: (Attachment 2)

Actions and Assignments: (Attachment 3)

Major Topics Discussed/Decided:

1. Review/Modify Agenda: The Committee agreed to discuss National Park Service membership in the Recovery Program after approving the last meeting minutes. Tom Pitts asked John Hamill to give a status report on our request to Congress for an increase in the Service's contribution to the Recovery Program.
2. Approval of Last Implementation Committee Meeting Summary: The summary was accepted as written.
3. National Park Service Request for Membership on the Implementation Committee: Steve Chaney apologized for submitting their request such a short time before the Implementation Committee meeting, but explained that it had been delayed by the impending transfer of their Regional Director. Steve noted that Park Service and Recovery Program activities and responsibilities overlap in Dinosaur National Monument, Canyonlands National Park, Glen Canyon National Recreation Area, and to a lesser extent, Black Canyon of the Gunnison National Monument, and Curecanti National Recreation Area. The Park Service also is involved in water rights issues. The Park Service was active in the formation stage of the Recovery Program, but assumed an observer role once the Program was in place (primarily due to their lack of fishery biologist expertise in the Upper Basin). Realizing their need to become more involved in the Recovery Program, the Park Service now requests formal membership. The Park Service would contribute in-kind services (comparable to those of some other Recovery Program participants) in the areas of water rights, information and education, and some fishery management. They plan to establish a 3-year fishery research program and position, but their funding is not yet assured.

Jeff Fassett asked what the Park Service believed they would gain by formal participation in the Recovery Program, and Steve replied they would like to fully participate in the technical committees and in decisionmaking to allow consideration of Park Service perspectives where appropriate.

Ken Salazar suggested tabling the request for a year to allow the Park Service's new Regional Director to participate in preparing a more complete proposal, which would include the sort of agreement apparently called for in the Recovery Program. During that time, the Management

Committee could develop clear criteria for considering membership requests. Dan Luecke suggested that common sense would dictate the Park Service's participation, given their interest in Recovery Program activities, and that the Committee should accept the Park Service now rather than waiting a year. John Spinks asked if Steve thought their new Regional Director would have a different perspective on Park Service participation. Steve replied that he expected their position to be stronger, if anything, and that a year was too long to continue the lack of Park Service involvement in the Program.

Tom Pitts expressed concern about: a) admission criteria (numerous parties potentially have interest in the Recovery Program); b) the Park Service's proposal to contribute only in-kind services; c) the Park Service carrying out research that the Recovery Program previously reviewed and rejected as lower priority; and d) the fact that the Department of the Interior already has representatives in the Recovery Program. Dan Luecke responded that he did not know of many interests clamoring to become members of the Implementation Committee, and that while we probably should have clear admission criteria, this should not be the basis for rejecting the Park Service participation at this time.

Jeff Fassett asked if the Park Service was fully prepared to support the goals of the Recovery Program. Steve replied the Park Service was ready to support the overall mission, and would like to add their perspective to the direction of the Recovery Program. Barry Saunders noted that the Recovery Program operates by consensus and another participant could make this more difficult. John Hamill reminded the Committee that similar concerns were expressed when the Western Area Power Administration requested participation just before Recovery Program was signed. John noted that Western is no more or less connected with the Recovery Program than is the Park Service. The Recovery Program was intended to bring all affected parties to the table to achieve compromise, and John believes the door was left open to Park Service participation.

Rick Gold asked why the Park Service could offer only in-kind services. Steve replied that the Park Service currently has no source of hard funding, and that he believed their in-kind services would be equitable with the contributions of some other Recovery Program participants. John Spinks noted that the Park Service would need considerable lead time to get any additional money from Congress, and that Congress would certainly question why they need that money if they were not members of the Recovery Program.

Ken Salazar said he was not yet convinced that including the Park Service will further the goals of the Recovery Program. John Spinks asked Steve if the Park Service could develop a draft agreement, as apparently called for in the Recovery Program, while the Management Committee established criteria for new membership, so that the Implementation Committee could reconsider Park Service participation at a meeting in January or

February. Steve said the Park Service would be willing to do that. John Spinks emphasized that the Service strongly supports the concept of the Park Service involvement, but that we need to work through the procedural concerns.

The Committee agreed that: a) they would table the issue for today; b) the Park Service will draft an agreement as called for in the Recovery Program (with help from John Hamill); c) the Management Committee will develop criteria for membership; and d) the Implementation Committee will meet again in 6 months to reconsider the Park Service's request.

Tom Pitts stated that he believes that only those with major responsibilities for fish and/or water management should be members of the Recovery Program. Tom was not sure the Park Service would meet that standard. John Hamill noted that page 3-2 of the Recovery Program says that the Park Service "will participate or observe as appropriate." Jeff Fassett said he did not see any fundamental problem with Park Service participation, but would appreciate a better explanation of their role, responsibilities, and activities related to the goals of the Recovery Program. Ken Salazar agreed.

4. Program Highlights, Shortcomings, Future Plans: John Hamill summarized his impressions of the status of the endangered fishes in the Upper Basin, noting that these were general observations that had not been verified statistically:

Species	River		
	Green	Yampa	Colorado
Colorado squawfish	Increasing Moderate	Increasing Moderate	Stable Small
Humpback chub	Stable/ Small	Stable/ Small	Stable/ Large
Razorback sucker	Few adults	--	No Recruitment
Bonytail chub	Very rare	--	No Recruitment

John then reported on the status of Recovery Program goals:

A. Program Management

Goal: Ensure effective implementation and coordination of the Recovery Program

- Status:
- o All parties actively participating in various technical and Management Committees
 - o Program fully funded
 - o Reorganization of committees complete
 - o Draft Long-Range Plan for the Recovery Program has been developed

- Issues/Concerns:
- o Program Management costs excessive
 - o Slow progress in the development of the Long-Range Plan and Recovery Goals
 - o Process too bureaucratic and political

Additional Comments: The environmental groups recently received a grant that will allow them to participate at all Recovery Program committee levels. For FY 92 appropriations, the Senate has added \$300,000 and the House \$200,000 to the Service's budget for the Recovery Program, so it would appear the Service will receive at least an additional \$200,000. Of the amount received, \$100,000 will be earmarked for operation and maintenance of the Ouray research hatchery. Last year's reorganization of the Recovery Program has been successful. The Biology Committee now has four technical subcommittees which have increased researchers' involvement in the Program.

B. Habitat Management

Goal: To protect sufficient instream flow to support self-sustaining population of the fishes

- Status:
- o Flow recommendations developed for Colorado, Yampa, and Green Rivers
 - o 10,000 AF being provided from Ruedi Reservoir
 - o Active efforts to acquire major water rights on the Yampa and Little Snake Rivers
 - o Biological opinion to be issued on Flaming Gorge Dam in September 1991
 - o Studies starting on the Aspinall Unit (Gunnison River)

- Issues:
- o Defensibility of Service flow recommendations
 - o Little progress in acquiring water after 3 years

Additional Comments: The Bureau plans to release an additional 10,000 acre-feet of water from Ruedi Reservoir this year, under a 1-year, renewable agreement with the Service and the Colorado Water Conservation Board. However, the proposal is receiving stiff resistance from Pitkin County and Aspen because of concerns about impacts to recreation in Ruedi Reservoir.

C. Habitat Development and Maintenance

Goal: To provide or enhance habitat for the rare fishes through habitat development or management measures such as:

- o fish passageways
- o backwater habitat development

- Status:
- o Evaluating merits of restoring passage to the Gunnison River
 - o Restoring access to flooded bottomlands on Green River (demonstration project)

D. Stocking Native Fishes

- Goal: A. Produce a sufficient supply of hatchery reared fish to support research and recovery activities
B. Conserve the genetic diversity present in the wild

- Status: o Genetic surveys underway
o Refuge/brood stock populations being established
o Colorado conducting hatchery feasibility study
o The Service's hatchery/research facility at Ouray, Utah, being expanded
o Imprinting and chemoreception study being conducted

- Issues: o Role of stocking in Recovery
o Need for a major hatchery/research facility

Additional Comments: Preliminary recommendations from Colorado's hatchery feasibility study should be out in about 6 months. The Service needs to expand the current Propagation and Genetics Management Plan to include a coordinated approach to hatchery facilities and refuge ponds.

E. Research, Monitoring, and Data Management

- Goal: Collect critical information on the life history and habitat needs of the endangered fishes to support recovery efforts.

- Status: o Habitat/flow needs of the fish
o Clarify confusion in the taxonomy of Gila
o Monitoring
- fish populations
- flow
- habitat
- channel change
o Interagency data base management program

- Issues: o Too much or too little emphasis on research
o Need for better integration of studies

F. Nonnative Fishes and Sportfishing

- Goal: Minimize the impacts of nonnative fishes and incidental take associated with sport fishing on the endangered fishes.

- Status: o Service reviewing state proposal to stock nonnatives in Colorado (Utah agreement under development)
o Research on the problem is continuing
o Altering flow regimes to provide unfavorable conditions for nonnatives
o Information & Education efforts directed at anglers

- Issues: o Disagreement over the impacts on nonnatives

- o Disagreement over the use of flows to control nonnatives

G. Information and Education

Goal: To promote public understanding, appreciation, and support for efforts to recover the endangered fish.

- Status:
- o Biannual newsletter
 - o Information about the fish and Recovery Program
 - Brochure and poster
 - Signs and fishing regulations
 - Slide/tape show
 - Video
 - o Attitude survey
 - o Media relations and press releases

Concerns: Information and education should be given a higher priority in the program.

Additional Comments: A professional quality video on the endangered fishes and the Recovery Program is being produced by Utah's Les Smith and will be released to area public broadcasting stations. A public attitude survey has been planned to establish a baseline from which to measure success of the information and education effort. Recent media relations activities have been very successful: the press kit is helping keep accurate information before the public; and our news releases are being picked up regularly by area papers (and occasionally by Associated Press in New York).

John noted that while the Recovery Program process is working well, we have reached a crossroad where several difficult decisions on nonnative fishes, barriers to passage, water acquisition, and Federal reservoir reoperation must be made to progress towards recovery of the endangered fishes.

5. Instream Flow and Water Acquisition Activities:

- A. John Hamill described proposals to: 1) hire a senior scientist to review the Service's instream flow methodologies and recommendations; and 2) hire an expert familiar with Colorado's water law and instream flow program to identify and recommend solutions to the legal, policy, and institutional issues which could prevent timely and effective water rights acquisition under the Recovery Program. The Management Committee approved the first proposal for inclusion in the FY 92 work plan and requested revisions (now done) to the second. These are proposed for funding with Section 7 funds because they evolved parallel to development of the work plan and because they are directly related to water acquisition. (Further, the nearly \$500,000 remaining in the Service's noninterest bearing Section 7 account needs to be spent at a reasonable rate since it's losing value with inflation.)

- 1) Independent review of Service flow recommendations. Jeff Fassett asked why identifying nontechnical issues also is mentioned in this proposal. John Hamill noted that it was included before the second proposal was considered and it would be taken out. In response to questions about potential contractors, John Hamill explained that the advisory nature of the review mandates a complex contracting process if the project manager is chosen from the private sector. Therefore, the project manager will be chosen from within the Federal (or other easily contracted) sector, unless an objective person cannot be found there. John Hamill noted that while the Service believes their flow recommendations are valid and biologically defensible, they support this review as a way to resolve the current stalemate over flow recommendations. The Committee approved the proposal, on the condition that Tom Pitts be allowed to suggest minor modifications to the scope-of-work.
- 2) Independent review of nontechnical (legal, policy, and institutional) instream flow issues. Jeff Fassett asked if these issues were not already known, and John Hamill explained that the mechanics of acquiring instream flows are clear, but their implementation and what affects it are not. Peter Evans noted that although Colorado did not initiate the proposal, they believe it will be a worthwhile effort. Although Colorado intends to proceed with (in fact, increase) their efforts to appropriate instream flows, they believe the results of these two reviews will be useful, particularly if they have difficulty with their appropriations. The Committee approved the proposal.

B. 15-Mile Reach flow recommendations.

- 1) October-June flow recommendations--The Committee discussed a draft letter transferring the Service's report on October-June flow recommendations for the 15-Mile Reach of the Colorado River to the Colorado Water Conservation Board. The letter asks the Board to: (1) determine if the report is adequate to meet requirements for appropriation and acquisition of water; (2) determine how much water is physically and legally available for appropriation; and (3) make recommendations for implementing the flows. Tom Pitts and John Hamill noted that comments received on the report and the Service's response to those comments would be attached to the letter. Tom Pitts had serious reservations about the methodology used to develop the flow recommendations, but still wanted them sent to the Board. John Hamill questioned how the Board would respond to flow recommendations not supported by all members of the Implementation Committee. Tom pointed out that he had similar reservations about the July-September recommendations, which the Board adopted. Peter Evans suggested consensus might be achieved by amending the letter to say: "the Implementation

Committee believes that the process of reviewing these recommendations should begin now," as opposed to "the Implementation Committee believes that the process of implementing these recommendations should begin now." The Committee approved that change. Peter also noted that the Colorado Division of Wildlife would provide the Board with a complete explanation and discussion of the comments received on the Service's report. The Committee approved sending the amended letter to the Board.

- 2) Water availability study--The water availability study for the 15-Mile Reach for July-September is overdue from the Colorado Water Conservation Board. Gene Jencsok informed the Committee that the Board has completed study and will have a draft available by the Board's September meeting.
 - 3) Alternative water sources report--A report from Reclamation on potential alternative water sources in the 15-Mile Reach was due in early 1990. A draft report was provided, and extensive comments made, but Reclamation has not yet finalized the report because they have learned of additional sources they want to include. Reclamation agreed to complete the report by the end of September, and to write a later addendum for the additional sources.
- C. Approval to lease water from Steamboat Lake--The Water Acquisition Committee has drafted a resolution to lease 2,000 acre-feet of water from Steamboat Lake (Colorado Department of Parks and Recreation [Parks]) at up to \$15/acre-foot each year for 5 years to augment flows in the Yampa River (Attachment 4). Payment of the lease would be made from the \$1 million appropriated by Congress for water acquisition. Jeff Fassett asked why we wanted to lease the water instead of buying it, and why the lease was for only 5 years. Tom Pitts explained that the water might not be needed if some of the Juniper-Cross Mountain water right is converted to instream flows, and that Parks was reluctant to tie up their water for a longer time. Colorado asked that the part of the resolution calling for Parks to obtain a change of its decree to include release of storage water for instream flow uses be changed to: "The Colorado Department of Natural Resources will resolve several outstanding issues, including the possible need to amend the Parks' decree (Case # 90-CW-01) to include the release of stored water for instream flow uses by the Colorado Water Conservation Board to protect the natural environment to a reasonable degree and to evaluate the impacts to the recreational fishery caused by releases of stored water from Steamboat Lake." The Committee approved the resolution, as amended.
- D. Ruedi Reservoir releases--John Hamill explained that the Service asked Reclamation to provide an additional 10,000 acre-feet of water from Ruedi Reservoir this year, since much of that water has not yet been contracted and no immediate demands are in sight. A 1-year,

renewable agreement has been drafted for signature by Reclamation, the Service, and the Colorado Water Conservation Board. A longer term agreement might be considered after Reclamation is further along in their process for contracting the Ruedi water. The agreement is being pursued despite considerable opposition from the Aspen area due to potential impacts of the releases on recreation in Ruedi (reservoir drawdown).

6. Coordination of Endangered Fish Hatchery Activities: John Hamill presented a draft recommendation for Implementation Committee approval regarding coordination of hatchery facility development (Attachment 5). The recommendation calls for the Service to develop a plan integrating all ongoing hatchery and propagation activities and recommending what type of facilities the Recovery Program should be developing. The Plan is to be completed and have Biology and Management Committees review by January 1, 1992. Colorado asked that the Division of Wildlife be directly involved in developing the plan. Barry Saunders noted that the Utah Division of Wildlife should be involved in discussions related to Ouray. Tom Pitts asked that item #4 be changed to "the need for facilities in different geographic parts of the basin (e.g., a centralized hatchery research center with satellite facilities and other options)." The Committee approved the amended recommendation.

7. Section 7 Consultation Update:

- A. Status of sufficient progress--Jim Lutey provided a summary of progress of the Recovery Program to date (Attachment 6). Jim said progress in water acquisition to date would likely be considered insufficient for the Service to give a favorable biological opinion on any large depletions (greater than 3,000 acre-feet) at this point. Dan Luecke supported that position and noted that the environmental community remains concerned over the stumbling blocks to acquiring water. Tom Pitts reminded the Committee that in a previous discussion, six of the eight Committee members felt the Service was not interpreting sufficient progress in accordance with the Recovery Program. John Hamill noted that the Service received a Solicitor's opinion on sufficient progress and is implementing Section 7 consultation in accordance with that opinion.

Peter Evans said he thought it unrealistic to expect further progress than has been made at this point, in light of the size of the problem and issues faced. Colorado thinks a better definition of our target, or recovery goal, is needed in order to progress. Although the Service plans to use Population Viability Analysis (PVA) to quantify recovery goals, PVA requires some data we do not have, and thus, will be partially built on professional judgement. The Colorado Division of Wildlife is working on a definition of "interim" recovery objectives that they plan to have completed by October 1, 1991. While these will not be final recovery goals, Colorado hopes they will serve as a temporary target while the Service develops legally adequate recovery goals.

B. Biological opinion update--Jim Lutey provided a table of Section 7 consultations on the Colorado River (Attachment 7) and a summary of biological opinions and total depletions since the beginning of the Recovery Program (Attachment 8). Tom Pitts asked if the Service had determined if depletion charge payments that were made under biological opinions which appear to earmark the funds for fish passage at Redlands could be used for other recovery activities instead. Jim replied that the Service had reviewed all the relevant opinions and believed the funds could be used for other purposes. A report on the Service's analysis will be distributed soon.

(1) Flaming Gorge--The Service's Regional Office is reviewing the preliminary draft biological opinion. A final draft should be available in early September. Rick Gold said Reclamation would share that draft with the Implementation Committee.

(2) Aspinall Unit--The FY 92 work plan contains studies to be implemented over the next 5 years to develop a biological opinion on the Aspinall unit. These studies will differ from those initially conducted on the Green River for the Flaming Gorge consultation in that they will measure the effects of test releases (which Reclamation has agreed to) on the fishes and their habitat. The biological opinion will be issued after the 5 years of research are complete. However, an interim biological opinion may be triggered by Western Area Power Administration's Environmental Impact Statement on their power marketing strategy.

(3) Grand Valley Government Highline Canal diversion (Roller Dam)--A rehabilitation and betterment loan from Reclamation for repair of this dam constitutes a Federal action requiring Section 7 consultation. Reclamation has requested a list of threatened and endangered species in the area from the Service; formal consultation will be triggered if the Service determines that the action may adversely affect any threatened or endangered species. The repair will make the dam more efficient, thus increasing the amount of depletion. Eric Kuhn asked if the dam is a federally-owned facility (despite the fact that it is privately operated), which will determine whether or not a depletion charge would be paid. John Hamill pointed out that a key question is whether or not the loan will result in a new depletion as the Recovery Program only addresses how Section 7 consultation will be conducted on new (not historic) depletions. Further, how Section 7 applies to the situation must be resolved before we can discuss how the Recovery Program applies. Bob Caskey asked if the Recovery Program had not previously charged for historic depletions at Colorado Division of Wildlife's Rio Blanco Reservoir and Crystal River Hatchery. John Hamill replied that both projects had been charged because a Federal action had been required and a "may affect" situation occurred. Barry Saunders noted that the Recovery Program said existing depletions would not pay a

depletion charge. John Hamill said that although it had been discussed in the past, no consensus was ever reached as to how historic projects with new Federal actions would be treated under the Recovery Program. Bob Jacobsen noted that the issue of historic depletions applies to other basins and Service regions, as well, and that a Solicitor's opinion on how they will be treated may be required. Clayton Palmer said he would like the Service to share the opinion he assumes their solicitor is preparing on historical depletions. Bob Jacobsen said the Service would share that opinion if one were sought. Barry Saunders noted he did not think Utah would have signed the Cooperative Agreement if they thought depletion charges would apply to the repair of existing facilities. However, Barry agreed that such repair might still be subject to Section 7. John Hamill noted that such actions are not exempt from Section 7, and therefore, something has to be done to offset their impacts. Tom Pitts suggested that the offset is the Recovery Program. John Hamill said he could compile the various opinions and the facts from the administrative record for the Implementation Committee if they desired. Tom Pitts said he thought the administrative record contained a reference where he, Barry Mulder, and Laurie Mathews told the Colorado Water Conservation Board that the depletion charge would not apply to historic projects. John Hamill said he did not know of that record. Tom Pitts noted that all the depletion charge funding projections were based only on new depletions. Peter Evans asked if the Recovery Program does not address historic depletions, should the Management Committee lay out the options for how they will be treated under the Recovery Program? Bob Jacobsen said the Service is working on doing that internally (and informally with the Solicitor's office), and he would be concerned that Management Committee involvement could take it to a more formal point than we may be ready for (formal Solicitor's opinion).

- (4) Other--The Service provided the Soil Conservation Service a draft opinion on Price-San Rafael and is now analyzing their comments. The Service hopes to finalize the opinion in September.

8. FY 92 Work Plan:

- A. Management Committee's recommended work plan--John Hamill outlined development of the recommended FY 92 work plan. In July 1990, the Service produced a draft Long Range Plan (Plan) identifying priority activities to recover the endangered fishes. This draft was based on the collective input of numerous researchers on a previous draft. A workshop was held in December 1990 to prioritize the long list of tasks in the Plan, which were reduced to 60 to 70 of the highest priority. The Management Committee used that Plan to develop FY 92 guidance for areas of ongoing, increased, and decreased emphasis. An expanded version of the Long Range Plan will be

completed by Pat Nelson and Angela Kantola by the end of September.

- B. Implementation Committee discussion and revisions--Jeff Fassett asked if the Federal Agencies were comfortable with the proposed amounts of their contributions. John Hamill noted that the Service's contribution would be met with the requested (and expected) FY 92 congressional add-on. Rick Gold explained that Reclamation has a significant cash shortage in the Colorado River Storage Project fund due to several years of drought, unexpected expenses, and the potential of reduced revenues from the Colorado River Storage Projects. Nonetheless, Reclamation is optimistic that they can meet their scheduled contribution, and they view it as a high priority, but it may not be firm on October 1.

Jeff Fassett asked if changes could be made to cut the cost of program management over time. John Hamill replied that the Management Committee had recommended establishing a 15 percent (of total budget) cap on program management, and to so indicate that cap in the yearly guidance. The only program management cost anticipated at the onset of the Recovery Program was the Program Director's Office. Other agency costs were not anticipated. John Hamill suggested that 15 percent is not excessive considering the number of agencies involved and the levels of subcommittees in the Recovery Program. Although program management costs could be cut back by less agency interaction, less committee involvement, and increased Service direction of the Recovery Program, such action would tend to alienate other participants and put the Service in more dictatorial position. John recommended that the Implementation Committee impose a 15 percent limit on program management costs, which could not be exceeded without adequate justification.

Lloyd Greiner noted that the Western Area Power Administration has been accepted as a participant in Section 7 consultation on Flaming Gorge, and would like the opportunity to review the proposed Flaming Gorge studies. John Hamill said the Management Committee had recommended sending the Flaming Gorge and Aspinall study packages back for revision, and that Western could participate in that. Lloyd noted Western would be hiring a well-qualified fishery biologist in Golden, Colorado, who would work on Flaming Gorge issues, among others. Jeff Fassett asked if the Flaming Gorge studies would address issues and needs identified in the biological opinion, and John Hamill replied that was one reason for their revision.

Tom Pitts noted that "Section 7 funds" should be a subheading under "Water Users" on page 1 of the work plan, and that section 4 on page 5 should be titled "Water User Funds." Tom objected to the use of \$9,100 of Section 7 funds to conduct a PVA on the Colorado squawfish. John Hamill noted that no other funds were available, unless the Service receives more than a \$200,000 add-on to their FY 92 budget. Tom was concerned about: 1) the PVA method, which

has not received consensus; 2) the entire recovery goals process, which has been dragging on for some time; and 3) the use of Section 7 funds for this purpose. Pat Nelson explained that PVA involves combining several major components to predict the probability of a species' persistence, including demographics, genetics, environmental and catastrophic factors, spatial distribution of populations, and interaction and feedback loops among these components. While it is rare to have all the component data, the model can be run with partial data. The model results in estimates of the probability of species persistence under various scenarios. John Hamill noted that PVA has been used on several other species, but never on a migratory fish such as the Colorado squawfish. The proposal is to bring in one of the leading experts in the country to complete PVA on the Colorado squawfish (for which we have the most information) by September 1992. Since the PVA model assumes stable populations, it could only determine the time of extinction for the bonytail chub and razorback sucker. However, the interim recovery goal for these species is simply to prevent extinction. The Committee agreed to direct the Biology Committee to review their budget and find \$9,100 to fund the PVA from existing funding for their projects. Dan Luecke noted that this agreement should not imply consensus that Section 7 funds are inappropriate for this purpose.

Tom Pitts asked if proposals #3 and #4 (Colorado River flow recommendations and flow effects on young-of-the-year Colorado squawfish, respectively) were supposed to be included in the Aspinall proposal. Bob Williams replied that proposal #4 should be part of Aspinall, but not #3, since it ends this year.

With regard to contingency projects (Attachment 9), Tom Pitts noted that the environmental education curriculum was not funded because the Management Committee did not reach a consensus on funding it, not because funding was limited. It was therefore agreed this project should not be among contingency projects.

Jeff Fassett asked if the concerns identified in John Hamill's earlier program overview are all being dealt with. John replied that our numerous monitoring efforts need evaluation. Frank Pfeifer noted that the Service would complete evaluation of the standardized monitoring (including videography) and data management programs by May 1, 1992. The Habitat and Life History Subcommittee will have the lead to work with the Service on that review.

John Hamill noted that the only remaining issue was that of nontechnical influence at technical levels within the Recovery Program committee structure. John Hamill suggested that "political tampering" may be occurring at a low level in the Program. Jeff Fassett asked if such influence was inappropriately affecting the outcome of decisions. John Hamill noted that if the FY 92 budget had been tighter, there was concern that nontechnical considerations would have affected what projects were recommended for funding by

the technical committees. Bob Williams explained that some of the concern was over having nontechnical people on technical committees. John Hamill noted that the Biology Committee contains some nonbiologists, and the Information and Education Committee some members who are not journalists or information and education specialists. This presents a problem due to the large learning curve, and a lessening of our credibility. Tom Pitts suggested that the Management Committee look into this issue and determine if "political tampering" is occurring at the technical level, and if so, recommend corrective measures. Peter Evans asked if this should be expanded to include any other concerns any committee may have with the way the newly reorganized process/structure is working. The Committee agreed that it should.

Jeff Fassett asked if flow impacts on nonnatives were being addressed, and John Hamill replied they were addressed within the Flaming Gorge studies. Jeff asked about the role of stocking in recovery, and John replied that the Service is preparing a position paper on this. Bob Williams noted that the Biology Committee is reviewing the razorback sucker augmentation plan, as well as Tom Nesler's recent work on nonnative fishes. Tom Pitts asked when the Service's nonnative stocking agreement with Utah would be complete, and Barry Saunders replied that they were working on it.

The FY 92 work plan was approved as amended, subject to technical corrections.

- C. Policy statement on outside funding--John Hamill explained that this policy is intended to facilitate coordination between the Recovery Program and related studies which it does not fund. The policy was approved (with minor technical corrections).
9. San Juan River Recovery Program: Bob Jacobsen explained that the Service issued a draft jeopardy opinion with reasonable and prudent alternatives, which would require, among other things, a Memorandum of Understanding (Memorandum) among the Secretary of the Interior, the four Indian tribes, Colorado, Utah, and New Mexico to reoperate Navajo reservoir to provide 300,000 acre-feet of water in the San Juan River. The Memorandum is still being negotiated. Frank Pfeifer noted that four adult Colorado squawfish had been caught and implanted with radio transmitters in the San Juan this year. Two others also were seen, as well as one roundtail chub (which are very rare in the San Juan). No razorback suckers were seen. Larval collections have not yet been analyzed.
10. Next Meeting: The next meeting will be held January 30, 1992, in the Service's 3rd floor conference room in Denver. Issues for discussion at that meeting will include the Park Service's request for membership in the Recovery Program, a plan for hatchery facility development, the Flaming Gorge biological opinion (which should be complete by then), and historic depletions.

Attachment 1

Attendees
Recovery Implementation Committee Meeting
August 15, 1991

- * Rick Gold¹, U.S. Bureau of Reclamation
 - * John Spinks², U.S. Fish and Wildlife Service
 - * Ken Salazar, Colorado Department of Natural Resources
 - * Lloyd Greiner, Western Area Power Administration
 - * Dan Luecke, Environmental Defense Fund
 - * Tom Pitts, Upper Basin Water Users
 - * John Hamill, U.S. Fish and Wildlife Service
 - * Barry Saunders³, Utah Department of Natural Resources
 - * Jeff Fassett, State of Wyoming
 - Bob Williams, U.S. Bureau of Reclamation
 - Bob Jacobsen, U.S. Fish and Wildlife Service
 - Jim Lutey, U.S. Fish and Wildlife Service
 - Pat Nelson, U.S. Fish and Wildlife Service
 - Frank Pfeifer, U.S. Fish and Wildlife Service
 - George Smith, U.S. Fish and Wildlife Service
 - Bob Green, U.S. Fish and Wildlife Service
 - Daryl Jennings, U.S. Fish and Wildlife Service
 - Angela Kantola, U.S. Fish and Wildlife Service
 - Steve Chaney, National Park Service
 - Peter Evans, Colorado Department of Natural Resources
 - Connie Young, Colorado Division of Wildlife
 - Bob Caskey, Colorado Division of Wildlife
 - Gene Jencsok, Colorado Water Conservation Board
 - Sue Uppendahl, Colorado Water Conservation Board
 - Eric Kuhn, Colorado River Water Conservation District
 - John Shields, Wyoming State Engineer's Office
 - Becky Mathisen, Wyoming State Engineer's Office
 - Russ Bovaird, Tri-State Generation & Transmission Assoc., Inc.
 - Bill Davis, Colorado River Energy Distributor's Association
 - Clayton Palmer, Western Area Power Administration
 - Robert Wigington, The Nature Conservancy
 - Herrick Roth, Colorado Forum
- * Implementation Committee Member

¹ For Roland Robison.

² For Galen Buterbaugh.

³ For Dee Hansen.

Attachment 2

Agenda
Colorado River Recovery Implementation Committee Meeting
August 15, 1991

Convene - 9:30 a.m.

1. Review/Modify Agenda
2. Approval of last Implementation Committee Meeting Summary
3. National Park Service request for membership on the Implementation Committee (NPS).
4. Program Highlights, Shortcomings, Future Plans (Hamill)
5. Instream Flow and Water Acquisition Activities (Hamill)
 - o independent review of Service flow recommendations
 - o independent review of non technical instream flow issues
 - o 15-mile reach flow recommendations
 - o October - June flow recommendations
 - o water availability study (Pitts)
 - o alternative water sources report (Pitts)
 - o approval to lease water from Steamboat Lake (Pitts)
 - o Ruedi Reservoir releases
6. Coordination of Endangered Fish Hatchery Activities (Hamill)

LUNCH (11:45 a.m. - 1:00 p.m.)

7. Section 7 Consultation Update (Lutey)
 - o status of sufficient progress
 - o biological opinion update
 - Flaming Gorge
 - Aspinall Unit
 - Grand Valley diversion (roller dam)
 - other
8. FY 92 Work Plan (Hamill)
 - o Management Committee's recommended work plan
 - o Implementation Committee revisions
 - o policy statement re: outside funding
9. San Juan River Recovery Program (Jacobsen)
10. Next Meeting

Adjourn: 4:00 p.m.

Attachment 3

Actions and Assignments
Recovery Implementation Committee Meeting
August 15, 1991

COMMITTEE ACTIONS:

Modified and approved agenda.

Approved minutes of August 22, 1990, meeting.

Agreed to meet in 6 months to reconsider the Park Service's request for membership in the Recovery Program.

Approved a proposal to hire a senior scientist to review the Service's instream flow methodologies and recommendations.

Approved a proposal to hire an expert familiar with Colorado's water law and instream flow program to identify and recommend solutions to the legal, policy, and institutional issues which could prevent timely and effective water rights acquisition under the Recovery Program.

The Committee approved sending an amended letter transferring the Service's report on October-June flow recommendations for the 15-Mile Reach of the Colorado River to the Colorado Water Conservation Board.

Approved a resolution to lease 2,000 acre-feet of water from Steamboat Lake (Colorado Department of Parks and Recreation) at up to \$15/acre-foot each year for 5 years to augment flows in the Yampa River.

Approved a recommendation that the Service develop a plan integrating all ongoing hatchery and propagation activities and recommending what type of facilities the Recovery Program should be developing.

Approved a 15 percent limit on program management costs (to be noted in each year's guidance). The limit cannot be exceeded without justification.

Approved work plan with recommendations and conditions.

Approved a policy statement regarding sanction of projects funded outside of the Recovery Program.

ASSIGNMENTS:

With help from John Hamill, the Park Service will draft an agreement for their participation in the Recovery Program.

The Management Committee will develop criteria for membership in the Recovery Program.

The Colorado Water Conservation Board will have a draft report on their water availability study for the 15-Mile Reach from July-September available at their September 26, 1991, meeting.

Reclamation agreed to complete the report of alternative water sources for the 15-Mile Reach by the end of September, and to write a later addendum discussing additional identified sources.

The Service will develop a plan integrating all ongoing hatchery and propagation activities and recommending what type of facilities the Recovery Program should be developing by January 1, 1992. Colorado and Utah will be consulted as this plan is developed.

The Colorado Division of Wildlife is working on a definition of "interim" recovery objectives that they plan to have completed by October 1, 1991.

The Service will provide a report on their analysis of biological opinions which would appear to earmark depletion charges for fish passage at Redlands (the Service believes the opinions allow for these funds to be used for other recovery activities, as well).

John Hamill will compile the various opinions and the facts from the administrative record regarding historic depletions.

An expanded version of the Long Range Plan will be completed by Pat Nelson and Angela Kantola by the end of September 1991.

The Biology Committee will review their budget and find \$9,100 to fund the PVA from existing funding for their projects (as opposed to Section 7 funds).

The flow effects on young-of-the-year Colorado squawfish project will be included in the Aspinall proposal.

The Service will complete evaluation of the standardized monitoring (including videography) and data management programs by May 1, 1992. The Habitat and Life History Subcommittee will have the lead to work with the Service on that review.

The Management Committee will determine if "political tampering" is occurring at the technical level, and if so, recommend corrective measures. Examination of this issue will include any other concerns any committee may have with the way the newly reorganized process/structure is working.