



# Upper Colorado River Endangered Fish Recovery Program

Dated: July 29, 2010

## MANAGEMENT COMMITTEE MEETING AGENDA

[Little America](#), 2800 West Lincolnway, Cheyenne, WY

August 11-12, 2010

NOTE: Those who have the lead for the agenda items listed below are *expected* to post a synopsis of your report on the fws-coloriver list-server or to the Management Committee in advance of the meeting. Committee members are reminded that this makes for a more efficient conference call, so please comply with this request if possible.

### Wednesday, August 11

#### CONVENE: 12:30 p.m.

1. Introductions, review/modify agenda and time allocations, and appoint a timekeeper (5 min.)  
– *The Committee will consider the agenda, allotted time for each item, and make any necessary additions or revisions.*
2. Approve [June 7, 2010 conference call summary](#) and review previous meeting assignments (Attachment 1) (All, 10 min.) – *Comments on the April summary were submitted by Tom Pitts and Mike Roberts. A draft, revised summary with tracked changes was e-mailed with this agenda.*
3. Congressional activities (30 min)
  - a. Ruedi legislation (Pitts)
  - b. Annual funding legislation (Shields, Pitts)
  - c. Report to Rep. McClintock (Shields, Pitts)
4. Updates
  - a. Hydrology (Mohrman, 10 min)
  - b. Green River flow protection (Mohrman, King, 10 min)
  - c. Capital projects (Uilenberg, 20 min)
  - d. [10,825 Alternatives](#) and agreements update (Pitts, 10 min.)
  - e. Aspinall [EIS](#) and Gunnison River Study Plan (and implications for future budgets) (Uilenberg, Chart, 15 min)
  - f. Nonnative fish management activities (Martinez, 15 min)
  - g. 5-year species status reviews (Czapla, 5 min)
  - h. Recovery plan schedule and recovery timelines (Czapla, 15 min)
  - i. I&E update (Felker, 10 min)
  - j. Section 7 Consultation (Kantola, 15 min)
    - [2010 Sufficient Progress memo](#) – *The memo was signed on July 16, 2010 and*

*posted to the listserver by Angela Kantola on July 21.*

- Review sufficient progress action items (Attachment 2)
  - Comments on sufficient progress memo not addressed (Attachment 3) - *The Service appreciates the many helpful comments that Management Committee member and others s provided on the draft sufficient progress memo and tried to incorporate most of them. Comments not addressed are discussed in Attachment 3. The Service suggests that the Committee discuss the format for future sufficient progress memos at their next meeting. At that time, the Service also would like to discuss potential modification to the process/steps we go through to prepare this memo each year in order to best address both Service and Management Committee comments and to complete the memo as expeditiously as possible.*
- Updated consultation list

**ADJOURN: 4:00 p.m.**

**BBQ and Evening Social Event: Begins at 5:30 p.m**

John & Janelle Shields' Home: 7535 Jessica Drive

*Travel Directions (same location as last year's event):*

*Travel East (towards downtown Cheyenne) on Lincolnway.*

*Turn left (North) onto the I-25 Northbound ramp.*

*Travel 4 miles North on I-25, then exit West (Left) onto Vandehei Ave. (Exit 13)*

*Turn North (right) on Bishop Blvd (the first right on westbound Vandehei)*

*Travel North on Bishop for approx. 1/4 mile, then turn West (left) on Brittany Ave.*

*(turn left at the big steel power-line pole)*

*Turn North (right) on Jessica Drive – 7535 Jessica Drive is the third house on the (East) right side of the cul-de-sac.*

**Wednesday, August 11**

**CONVENE: 9:00 a.m.**

5. Southern Rockies LCC (Landscape Conservation Cooperatives) Update (Avra Morgan, 30 min.)
6. Development of September 22, 2010, Implementation Committee agenda. (All, 15 min)) *The Committee will discuss agenda items for the Implementation Committee meeting.*
7. Upcoming Management Committee tasks, schedule next meeting. (All, 10 min). *The Committee will schedule its next meeting.*

ADJOURN by noon

## Attachment 1

### Assignments 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 other methods (e.g., a weir wall) might 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. 2/25/10: Brent will send this out. The key decision point is to determine if fish entrainment mortality through the turbines acceptable (which may require a scope of work to do some monitoring and evaluation). Perhaps "fish-friendly" turbines would be a good alternative. Another question is whether the owners plan to raise the height of the dam. The Committee agreed to put a discussion of this item on their April meeting. 3/24/10: Discussed by Biology Committee. The Program Director's office is preparing a list of issues to be resolved (e.g., what levels of mortality are acceptable for what size classes, potential O&M costs, etc.) to help move a decision on Tusher forward. 7/27/10: As identified in the sufficient progress memo, Biology Committee to make a recommendation to the Management Committee by 12/31/10.*
2. **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 with the recovery goals, these Service offices would maintain communication with their stakeholders and then coordinate with one another. Tom will 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. Pending. 2/25/09: Service Solicitor strongly recommended revising the full recovery plans (which will include the recovery goals). Tom Pitts asked if the recovery team would be reconvened; >the Service will look into this and also into Tom's question as to whether recent regulations have expanded potential recovery team membership. 4/7: Tom said the Service will maintain consistency with what has been done so far on recovery goal revisions, that is, relying on Service personnel to work with the partners in each program (e.g., Upper Colorado, San Juan, GCDAMP, etc.) throughout the Colorado River Basin. The Service does not plan to reconvene a recovery team at this time. Tom Pitts and others asked >the Service to provide a process and schedule for completing the recovery plans to the Recovery Program as soon as possible. 6/7/10: Tom Czapla said this schedule will be out shortly. Tom met recently with Lower Basin folks from the two Reclamation and two Service regions. The group recommended a meeting or conference call of the Program Directors with Reclamation and the Service in both regions twice a year to maintain coordination. Leslie James asked if the*

*Glen Canyon program would be addressed in those meetings and Tom Czapla said that Sam Spiller participated in the meeting via phone. Tom Pitts asked for a short summary of the difference between recovery plans and recovery goals (provided by Tom Czapla 6/14/10).*

3. 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). 4/7: **The Service** will begin discussing a White River PBO during their sufficient progress review next week. 5/24: Pending completion of the White River flow recommendations addendum (12/31/10).*
4. 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; no change in listing status anticipated. The Program Director's office confirmed these will be done before the end of the calendar year, as was reported on the Washington, D.C. trip. 7/27/10: In progress/review by FWS regional office.*
5. 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). *2/22: Not yet developed; should be a component of the Gunnison River Study Plan (which also includes the affected area of the Colorado River from the Gunnison River confluence to Lake Powell). 4/1: Summary of FWS-Ecological Services contaminants activities sent to Biology and Management committees on 3/22/10. On March 30, Tom Czapla, Jana Mohrman, and Tom Chart met with Kevin Johnson (FWS-Region 6 Contaminants Coordinator) and David Campbell to discuss elevated levels of selenium (and mercury) detected in endangered Colorado River fishes throughout the Upper Basin (similar information has been reported from the Lower Basin as well). The group agreed that the primary information need was to determine how these contaminants are affecting our ability to recover the fish, i.e., better understand what constitutes harmful levels. The SJRRIP is tasked with reducing all threats to the recovery of Colorado pikeminnow and razorback sucker, but the upper basin Program has not historically dealt with threats associated with degraded water quality. In any case, the primary information need likely is larger than the recovery programs' budgets could handle and perhaps beyond our expertise. Kevin agreed to start a dialogue with his colleagues in Region 6 as well as with FWS-Region 2, EPA and USGS to explore ways to answer this question. Meanwhile, during fish community monitoring in the lower Gunnison River, tissue samples will be collected from razorback suckers, as well as a chosen surrogate species, to determine selenium concentrations. 4/7: The water users and other Program participants want to have input into development of the work plan that is produced to address this primary information need. >**The Service** will provide the Committee an outline of the process for developing the work plan. John Shields suggested that the Service develop an e-mail list or listserv for these conversations so everyone interested can remain informed and involved. 7/27/10: The PD's office is currently focusing on the Aspinall study plan in light of its end-of-year deadline.*

6. **Tom Czapla** said he's been working with Krissy Wilson regarding UDWR's stocking regulations and Krissy said Utah can receive fish if the facility is certified (the concern was more about the potential for aquatic invasive species from leased and public ponds). Tom will confirm this with Krissy and Dave Campbell.

## ATTACHMENT 2

## Action Items from the 2010 Sufficient Progress Memo

July 26, 2010

ACTION ITEM	LEAD	DUE DATE	STATUS
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.	FWS, CDOW, UDWR	Ongoing	
A research framework project (building on results and recommendations of previous population estimate reports and information developed as a result of previous population estimate workshops) 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 significantly behind schedule (originally due in 2007), but the Program Director's office is working with the principal investigators to get the draft report to the Biology Committee for review in the summer of 2010. Results will be used to refine hypotheses and direct management actions.	PDO, Valdez, Bestgen		7/26/10: Draft sent to BC for review 7/16/10; comments due back to authors 8/31/10. Revised draft due to BC 9/30/10.
By September 30, 2010, the State of Utah will identify the legal and technical process and schedule to protect recommended year-round flows for the endangered fishes in the Utah.	Utah	9/30/10.	
The Program Director's office will complete the Price River position paper and submit it for Biology Committee review by September 1, 2010.	PDO	9/1/10	

The Biology Committee (assisted by an ad hoc technical group) will analyze existing data to understand impacts and what could be gained by various screening options at Tusher Wash and make a final recommendation to the Management Committee by December 31, 2010.	BC	12/31/10	
CDOW will complete the Yampa River Aquatic Management Plan (with an Upper Yampa River northern pike strategy) by July 31, 2010. The Program will use this strategy and available information to evaluate the need for additional northern pike control upstream of Hayden to Steamboat Springs.	CDOW	7/31/10	
Based on their analysis of smallmouth bass recapture information, CDOW and the Recovery Program must decide, prior to the 2011 sampling season, if Elkhead Reservoir can continue to serve as a translocation site for smallmouth bass removed from the Yampa River.	CDOW	2/1/11	
In cooperation with the Service, the CUWCD will draft a water management report (chronicling how flow recommendations have been met over the past 5 years, describing yearly efforts, available water and evolution of past operations [release triggers, etc.]) This report will replace the "water management plan" that the 2005 Biological Opinion called for by December 2009. A second or third draft will be presented at the fall 2010 DRWG meeting. The DRWG will continue to examine the feasibility of other options for obtaining water.	CUWCD / FWS / DRWG	Fall 2010	
The Program Director's office will complete the addendum to the White River report and provide a status update and recommendation on the draft Schmidt and Orchard report on peak (channel maintenance) flows for Biology Committee review by December 31, 2010.	PDO	12/31/10	
Implementation of CROS provided good peak flow augmentation in 2009; however, some constraints on operations due to flooding concerns may remain. The CROS working group will consider Cameo flood guidance to maximize benefits of CROS operations for endangered fish habitat.	CROS working group	4/1/10	Good operations in 2010; draft flood criteria were incorporated into decision-making.
Work on CFOPS has resumed and the Phase III CFOPS report will be completed by September 30, 2010.	CFOPS working group	9/30/10	
Close coordination will be maintained by meeting twice a year with Grand Valley water users and 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	PDO, water users	Meetings ongoing.	Fall meeting to be scheduled.

Management project for late summer flow augmentation.			
The <a href="#">15-Mile Reach PBO</a> requires agreement(s) for permanent sources of the “10,825” water by June 30, 2010. Water users will extend existing interim agreements through 2013 (and another 2 years, if necessary) until the permanent water is in place. They also are preparing permanent agreements (were due June 30, 2010), which propose to provide water from Ruedi and Granby reservoirs (contingent upon the various steps that still need to occur). The water users will provide water from interim sources until that time. The permanent agreements currently are in draft and being reviewed by the Service. Work will continue on the National Environmental Policy Act process for the permanent water from Ruedi and Granby reservoirs to be completed in early 2011.	Upper Basin water users, FWS	6/30/10	Interim 10825 agreements to provide water from Wolford and Williams Fork executed in July 2010. They extend the interim arrangements through July 1, 2013, with the possibility of a 2-year extension.  Reclamation proposed additional comments on the permanent 10825 agreement. Representatives of the River District, Southeastern Colorado Water Conservancy District, CWCB, and the Executive Committee met with Interior and Reclamation staff in Washington on June 25 to discuss Ruedi legislation. By July 16, Reclamation committed to proposing alternatives for resolution of issues associated with capital costs, timing of releases, and payment of operation and maintenance costs (proposal not yet received).  The River District Board reviewed Reclamation’s comments on the permanent agreement on July 21 and decided to review Reclamation’s pending Ruedi legislative proposals prior to accepting any changes to the permanent agreement proposed by Reclamation. Thus, approval of the permanent agreement is on hold pending receipt and reaction to Reclamation’s proposal re: Ruedi legislation.
Condition of fish passing through the return pipes in the Grand Valley area fish screens has never been evaluated. The Program Director’s Office will work with the Service and Reclamation to prepare a white paper on this issue and work with the Biology Committee to develop recommendations for conducting an evaluation in Fiscal Year 11 or 12.	PDO, Service, Reclamation, BC	TBD	PD has initiated discussions with Reclamation; data-gathering underway.
Biennial scopes of work and annual reports are needed from <i>each</i> fish screen/passage facility (Grand Valley Project, Grand Valley Irrigation Company and Redlands). The Program Director’s Office will work with Reclamation and the projects’ operators to make sure these are submitted in a timely fashion (each November for annual reports and April in odd years for 2-year scopes of work).	PDO, facility operators, Reclamation	November 2010	
The Program Director’s Office will work with the Biology Committee to craft a timeline/process for developing the Aspinall Study Plan and to form a subcommittee to prepare the plan (similar to the <a href="#">plan developed for the Green River in 2007</a> ). The plan will be completed by December 2010.	PDO, BC	December 2010	First ad hoc group meeting held in June 2010; drafting underway; next meeting scheduled in September.

## **2010 Sufficient Progress Memo: Comments Not Addressed**

### **1. Comments to be Discussed by Management Committee Fall 2010**

*NPS: Tying each accomplishment to the criteria on page 1.*

*Environmental groups: Providing more graphical representation of population numbers. Providing more specific details/quantitative data in the population status tables and related discussion.*

The Management Committee should discuss with the Service the intended audience of the sufficient progress memo and where/how to reflect population status (e.g., sufficient progress memo, 5-year status reviews, annual *Program Highlights* document, research framework, etc.)

General: Process – To reduce the need for extensive recommended changes to the Service’s draft sufficient progress memo, the Program Director recommends that in the future, after the RIPRAP assessment is completed and approved by the Program each year, the PD’s office would then draft the following elements of the sufficient progress memo: 1) the population status update; 2) list of accomplishments and shortcomings; and 3) discussion and recommended action items. These items would then be provided to both the Management Committee and the Service for review and comment. The Service would subsequently take the Management Committee’s comments into consideration in preparing its sufficient progress memo/determination.

### **2. Comments the Service Did Not Address in the Sufficient Progress Memo (and Why)**

#### Water User Comments

*Research framework – what to do about it/when expected?* Addressed in Section C.

*Status of razorback and bonytail* are addressed in Table 2.

*Transit loss report on Elkhead Creek* addressed in RIPRAP assessment. FWS didn’t believe it rose to level to address in sufficient progress memo (though it is mentioned in the Yampa PBO status review).

*Cohort of smb spawned in 2007 coming on.* True; but not included as a specific concern because Program developed and is implementing plan

*Future conditions not treated consistently.* In the sufficient progress memo, FWS has attempted to primarily address the period evaluated, but also highlight future items of concern which it appears the Recovery Program may not yet be adequately prepared to address.

*Was 1,630 target met?* Yes, part of the time (which is why we said “an attempt was made). The target was dropped in response to hydrologic forecasts. Details of 15-Mile Reach flow augmentation can be found in the RIPRAP assessment and assessment tables/graphs.

*Expiring 2012 agreement references a future condition.* True, FWS has attempted to primarily address the period evaluated, but also highlight the uncertainty for OMID irrigation efficiency to serve as an offset.

*Is condition of fish once they've passed through fish screen return pipes in 2011 work plan?* Not yet; Reclamation and PD's office discussing/investigating.

*What is the action item re: reduced humpback chub populations? Do we need a stocking plan?* Some fish from Yampa Canyon and Desolation Canyon have been taken into captivity and are being managed under a refugia plan, which will continue to be implemented to build a suitable refuge population. In the Yampa, capture of additional age-0 *Gila* is temporarily on hold pending NEPA.

*Add to the Aspinall Study Plan discussion: "It will identify Program responsibilities for the PBO conservation recommendation that the Recovery Program initiate investigations to determine appropriate levels of selenium to insure recovery of Colorado pikeminnow and razorback sucker."* Rather than putting this in the Aspinall Study Plan as was indicated in the description of Gunnison RIPRAP item I.D.1, the Program Director's office believes the Aspinall Study Plan should focus on evaluation of the effects of proposed Aspinall operations and how those improve habitat and contribute to recovery. An action to support Reclamation's implementation of the Selenium Management Plan should be added to the Gunnison RIPRAP under II.C.1 (Support actions to reduce or eliminate contaminant impacts of selenium) with sub-items to: 1) provide tissue samples for contaminants analysis; and 2) initiate investigations to determine appropriate levels of selenium to insure recovery of Colorado pikeminnow and razorback sucker.

#### Park Service Comments

*"Not always (rarely) do we have #s or % increase in efficiency, but try wherever to itemize and state best knowledge. Earlier in the memo, there are statements with less backup, but knowledgeable ones!"* It's unclear what's meant by this comment, but if the more detail is desired, we suggest it may be found in the RIPRAP assessment (which is referenced and linked to in the sufficient progress memo)

#### Environmental Groups Comments

*Duchesne water management report at least a year behind schedule.* Already addressed in RIPRAP/assessment and the delay was not considered significant enough to warrant mention in the concerns column. In the interim, water is being provided to enhance baseflows.

*Any new management, or specific re-focus of new management should be included in Action item #1.* None included because those which the Service recommends at this point are already being addressed (e.g., see previous bullet).

*Research framework scope of work seems to have been narrowed.* Yes, it has been somewhat (and this has been discussed with Program participants at Biology and other committee

meetings). We believe the other questions addressed in the RFP but not in the current scope of work are being addressed through the synthesis projects for floodplains and backwaters and in project #158 (removal of nonnative fishes from Green River backwaters).

*Question regarding whether FG flow and temperature recommendations were met for Reach 3.* There are no temperature recommendations for Reach 3. The flow recommendation has now been addressed in the revised sufficient progress memo.

*Make 12/13/10 the deadline for White River flow recommendations and add a note regarding implications for the timing of a White River PBO.* We understand the urgency, but need to be realistic, thus can only commit to the draft addendum and update to the Biology Committee by December 31, 2010.

*Add “if there is a sufficiently positive endangered fish population response” to the footnote about the 15-Mile Reach PBO.* This footnote reads just as it has since the PBO was instituted and is not meant to describe all the qualifiers in any of the PBOs.

*Delete “remain attentive to the impacts of drought conditions and nonnative fishes on the recovery of the endangered fishes and to” from the beginning of the last paragraph in Section I, which begins “The Service strongly encourages...”* No reason is given for this suggested deletion, and the Service does, in fact, encourage this.

*Yampa River models (StateCU vs StateMOD) –* Agreed with Mike Roberts that we would schedule Robert W. and Mike and Patty and Chart on a call at some point, but not try to resolve this in the suff prog memo.