



# Upper Colorado River Endangered Fish Recovery Program

Dated: August 11, 2010

Draft

## MANAGEMENT COMMITTEE CONFERENCE CALL SUMMARY

June 7, 2010

### CONVENE: 1:00 p.m.

1. Roll call, review/modify agenda and time allocations, and appoint a timekeeper – Participants are listed in Attachment 1. The agenda was modified as it appears below.
2. Approve [April 7, 2010 conference call summary](#) and review previous meeting assignments – The summary was approved as written.
3. Review of draft 2010 sufficient progress memo – The Service provided its draft 2010 sufficient progress memo to the Committee for courtesy review on May 27 and requests any comments by June 11 (Tom Pitts and Mike Roberts indicated they would provide comments). Tom Pitts commented that we need some follow-up action item(s) to address concerns about humpback chub populations; the Program Director’s office agreed to suggest those. Angela Kantola said the Service reviewed the question of Yampa River depletion accounting and accepts the StateCU model as the best available information for the July 1, 2010 accounting (noting there have been few new projects in the Yampa River in the last five years). The Service agrees that StateMod will need to be used as depletions increase, is encouraged that CWCB is working with TNC on StateMod, and will look forward to reviewing those results when they are available (CWCB has said they will complete their review of TNC’s work on StateMod later in July). The Service assumes StateMod will be used for the 2015 accounting.<sup>1</sup>
4. Congressional Activities
  - a. Approval of Washington, D.C. briefing trip summary – John Shields sent the draft to the Implementation, Management, and Information & Education committees on May 6, 2010. Tom Pitts said he thought the summary was complete and thanked John for his

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<sup>1</sup> TNC does not agree that only comparing two periods of historic depletions as determined in StateCU is sufficient to meet the requirements of Appendix D to the PBO. Although the comparison of average depletions from 1975-1998 and from 1999-2009 both as determined by StateCU provides one indication of the depletion levels through 2009, this indication does not provide an updated baseline for 2005 or 2010 that can be consistently compared with depletions as determined by StateMod in 2015 or later years. TNC does not believe that such an indication meets the requirements of Appendix D that changes in depletions be consistently compared in StateMod. StateCU only documents historic trends over climatically variable periods of record, and does not back cast current and future levels of depletions over the same period of record, so as to distinguish historic variations in depletions, from long term increases. At minimum, TNC believes that Appendix D requires that the baseline for depletions in 2005 be updated in StateMod, and for 2010 as soon as practical.

effort on both the summary and the trip. The Committee approved the summary for posting to the Program website.

- b. Ruedi legislation – Tom Pitts said this legislation is essential to compliance with the PBO and provides other benefits, as well. The legislation has been introduced and he’s sent non-Federal Program participants requests for letters of support. The hearing is Wednesday at 3 p.m. EDT and will be live-cast on the Senate Energy and Natural Resources website. Reclamation will oppose the legislation because it: 1) makes the cost of the water non-reimbursable; and 2) would authorize release of water without a contract. However, Tom understands there will be follow-up conversations to resolve those issues. Rep. Salazar will request a hearing of the House Water and Power Subcommittee of the House Resources Committee. The bill is expected to score favorably under paygo.
- c. Annual funding legislation – Tom Pitts said HR 2288 passed the House; this version would shift ~\$2M for the upper basin and ~\$1M for the San Juan to appropriations. With regard to S.1453, Senator Bingaman is looking for an offset that would allow continued use of power revenues, but if that’s not found, the Senate might pass the House version. The overhead issue mentioned in the House report likely will be raised every time the non-federal participants go before the House Resources Committee regarding the programs’ authorizing legislation (e.g., the upcoming Ruedi legislation, etc).
- d. Response to Rep. McClintock – John Shields, Tom Pitts, Mike Roberts and the Upper Colorado and San Juan Program Directors’ office have been working to pull together the information requested by Rep. McClintock. The group has scheduled a conference call June 17 and hopes to send the response to Congress in early July.

## 5. Updates

- a. Green River pikeminnow population good news – Tom Czapla reported that the Biology Committee accepted the Bestgen et al. 2010 report which estimated the adult population in 2008 at 3,672 fish. This represents an increase from the 2006 estimate of 2,454 adults, which Bestgen attributed to better recruitment and survival rates than was observed during the 2000 to 2004 sampling period. The apparent increased abundance of all life stages may be related to increased flows and continued removal of nonnatives, but mechanisms remain unknown. Mike Roberts said their comments on the sufficient progress memo will recommend providing the most quantitative information on population status as possible (also in the McClintock response).
- b. Tusher Wash update – The Biology Committee's discussed Tusher Wash screening during their May meeting. The Program Director’s office developed a matrix of potential effects of different screening options, with the caveat that we don’t know amount of current mortality. Kevin Bestgen ran some conceptual scenarios estimating mortality (sans actual flow numbers). The Biology Committee did not make a recommendation, but leaned toward a retrofitting of the turbines and screening of the irrigation water. The Biology Committee assembled a smaller team to continue assessing potential effects. Tom Pitts has asked Reclamation to provide flow data to

Kevin Bestgen. Tom Pitts added that the Biology Committee discussed that if we're contemplating spending \$2-\$8M on Tusher, we also should consider whether there are other things we might do that would benefit more than avoiding mortality of 2% of the adult Colorado pikeminnow population.

- c. Green River flow protection – Jana Mohrman said this is progressing and is DNR's third of 23 priorities this year. Utah has created a small, internal policy committee and the modeling work is proceeding with a draft model anticipated by mid-summer. Mike Roberts said the scope of the technical side originally involved two different models; one accounting for water rights (Utah) and one accounting for water availability (Reclamation). Robert King said Utah is committed to determine how to protect the flows and will get a plan for that protection to the Management Committee by September 30.
- d. Hydrology – Jana referenced the river forecast map at <http://www.cbrfc.noaa.gov/> Snowpack increased toward the end of the season and temperatures are now above average causing rapidly peaking flows. The National Weather Service said the peaks will occur this week. Earlier this season, it didn't look like coordinated reservoir operations would be possible to augment the peak on the Colorado River, but that changed and releases began last week. Flows aren't predicted to reach flood stage, but should be above bankfull for 3-5 days. On the Gunnison River, 65% of average runoff was predicted on the Gunnison River, with 48% on the Green River. So, although the snowpack wasn't high, warm temperatures are resulting in good peak flows. Reclamation kept releases from Flaming Gorge at powerplant capacity for 10 days, meeting the Program's request for 15,000 cfs in Reach 2 for 5 consecutive days for the razorback recruitment study at Stirrup. The instantaneous peak at Jensen was 20,000 cfs. The Yampa River peaked twice and will peak again in the next few days. Reclamation matched the second peak with Flaming Gorge releases (and is now ramping down).
- e. Capital projects – Brent Uilenberg said Reclamation got the Horsethief Pond pump test information back and it's now being reviewed in Denver for recommendations on a well field or infiltration gallery. If those won't yield the required flow rate, Reclamation will consider alternatives such as a river pump station with a sedimentation pond and UV treatment. Tom Pitts asked if fish from the proposed new Horsethief ponds could be released in Utah. Tom Czaplá said he's been working with Krissy Wilson regarding UDWR's stocking regulations, and Krissy said Utah can receive fish if the facility has been certified (the concern was more about the potential for aquatic invasive species from leased and public ponds). >Tom Czaplá will confirm this with Krissy and Dave Campbell. The Colorado legislature authorized capitalizing OMID O&M at \$1.5M. With other available funds, that probably leaves us ~\$40-50K/year short for O&M (assumes the Program will contribute \$100K/year). The OMID construction schedule would extend to 4 yrs if Reclamation doesn't receive carry-over authority for the Hogback fish barrier construction (San Juan Program). Bob Norman has drafted the O&M contract and it is under review by the various parties.
- f. [10,825 Alternatives](#) update – Tom Pitts said the NEPA process stalled out in January, but he hopes it will get back on track in July with an EA completed in February 2011.

Water users are in the process of extending the interim agreements and expect to sign both those and the permanent agreements with the Service by June 30 to maintain compliance with the PBO.

- g. Aspinall [EIS](#) and Gunnison River Study Plan (and component to determine what levels of selenium may impede recovery) – Steve McCall said Reclamation believes the EIS and ROD will be completed before the 2011 runoff season. Tom Chart said the first study plan meeting will be held next week, June 15-16, in Grand Junction. Tom has circulated materials in advance of that meeting and is preparing additional materials to go out this week. The Aspinall Study Plan will be closely patterned after the Flaming Gorge Study Plan and the goal is to complete it by December 31, 2010.
6. Upcoming Management Committee tasks, schedule next meeting. The Committee scheduled its next meeting in Cheyenne on August 11 (starting at 12:30 p.m.) and 12<sup>th</sup> (adjourning by noon) ; >John Shields will arrange a meeting room (possibly at the Herschler building), hopefully with a conference line. John also will see about getting a block of rooms at the Little America. John will host a BBQ at his house Wednesday night. Agenda items will include updates, capital projects, an update from Avra Morgan on LCC's, 5-year status reviews; schedule for recovery plan completion and review, Aspinall study plan update and implications for future budgets; discussion of overhead issue (to be discussed with the San Juan Program in advance), and development of the September 22 Implementation Committee agenda (that meeting will held from 10:30 a.m. to 3:30 p.m. near DIA). Tom Pitts suggested providing the Implementation Committee with an updated long-view of where the Program is headed. The issue of overhead charged by the Service on funds transferred from Reclamation may be raised during the hearing on the Ruedi legislation, so that could go back to Implementation Committee. Mike Roberts mentioned the research framework; Tom Czaplak said that will go to the Biology Committee in a couple of weeks should be on their August 17-18 agenda. Tom Chart said he'll ask Pat Martinez, our new nonnative fish coordinator to come to the Management Committee's August meeting in Cheyenne.

ADJOURN 2:40 p.m.

Attachment 1  
Participants  
Colorado River Management Committee Conference Call  
June 7, 2010

Management Committee Voting Members:

Steve McCall	
then Brent Uilenberg	Bureau of Reclamation
Rebecca (Becky) Mitchell	State of Colorado
Robert King	State of Utah
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Julie Lyke	U.S. Fish and Wildlife Service
Dave Mazour	Colorado River Energy Distributors Association
John Reber	National Park Service
Mike Roberts	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:

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

Others:

Jana Mohrman	U.S. Fish and Wildlife Service
Melissa Trammell	National Park Service
Leslie James	Colorado River Energy Distributors Association
Adam Bergeron	The Nature Conservancy

## Attachment 2

### 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. See also agenda item #5b.*
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.*

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 Czaplá)** 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. 6/7/10: In progress.*
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 Czaplá, 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. See agenda item #5g.*
6. **Angela Kantola** will post the revised October 13-14, 2009, meeting and February 25, 2010 conference call summaries to the listserv. *Pending.*

7. **Angela Kantola** will incorporate the Committee's changes to the RIPRAP tables and text (making sure changes to the tables are accurately reflected in the text) and post the final RIPRAP documents to the web. *Done and on the website.* Angela also will incorporate the new capital projects cost estimates in the FY 10 and FY 11 work plan budget tables. *Done.*
8. **Tom Pitts** will distribute the final version of the Ruedi legislation to the Management Committee before it is introduced. *Done.*

### **New Assignments**

9. **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.
10. **John Shields** will make meeting room and related arrangements for the August 11-12 meeting in Cheyenne.