

April 10, 2003

**San Juan River Basin  
Recovery Implementation Program  
Biology Committee  
Conference Call Summary  
February 12, 2003**

**Members Present:**

Bill Miller  
Tom Chart  
Tom Wesche  
Ron Bliesner  
Vince LaMarra  
Jim Brooks  
Dave Propst  
Paul Holden  
Dale Ryden (for Chuck McAda)

**Representing:**

Southern Ute Indian Tribe  
U.S. Bureau of Reclamation  
Water Development Interests  
U.S. Bureau of Indian Affairs  
Navajo Nation  
U.S. Fish and Wildlife Service  
State of New Mexico  
Jicarilla Apache Nation  
U.S. Fish and Wildlife Service

**Others Participating:**

Jason Davis	U.S. Fish and Wildlife Service
Shirley Mondy	Program Coordinator
Marilyn Greenberg	Program Assistant
John Whipple	State of New Mexico
Pat Page	U.S. Bureau of Reclamation
Ed Warner	U.S. Bureau of Reclamation
Brent Uilenberg	U.S. Bureau of Reclamation
Mike Buntjer	U.S. Fish and Wildlife Service
Bill Ostheimer	U.S. Fish and Wildlife Service

The purpose of the conference call is to discuss the shortage sharing proposal for the summer 2003 for the San Juan River. The draft language came from Reclamation and the State of New Mexico.

Pat Page stated that Reclamation and the State met with contractors beginning in October 2002 with an additional four or five meetings since then. It all started from a request from the Navajo Nation to Reclamation in October 2002 to declare a shortage for the San Juan River.

Reclamation has been meeting with contractors to determine how to handle or share the shortage. Cooperation of the direct flow diverters is needed as well. A proposal to "share and share alike" is on the table. Reclamation would calculate a shortage percentage to each contractor (i.e. NIIP, Hammond, PNM, Jicarilla, San Juan Chama).

A draft agreement has been created to be signed by all major contractors. Direct diverters would share the same shortage percentage as the contractors. How do we determine how the fish share in the shortage?

John Whipple added that this was a way to try to avoid chaos and legal quagmires in the courts. Early indications from the Service indicate that if users took shortages, then the fish might also be able to take shortages. This agreement is only for 2003.

Currently the proposal is written that there would be no spring peak flow out of Navajo, and the flow would remain at 500 cfs minimum in the critical habitat unless a shortage is declared. If a shortage is declared by the Secretary, then the 500 cfs minimum in the critical habitat would be reduced by the same percentage, but never would it go below 350 cfs.

Where does this substantially deviate from the proposed flow recommendations? Having no spring peak does not deviate from the flow recommendations. There would be no release this year unless conditions were right and it was calculated that there would be a release. Could language be added that there could be a release this year if conditions arose that allowed us to?

It is hoped that percentage of shortage would vanish as actual runoff materialized and then the percentage could be adjusted. Reclamation currently plans to re-evaluate the runoff and forecasts every 2 weeks.

Pat Page indicated that the flow in critical habitat would not immediately be reduced. The release out of Navajo Dam would be 350 cfs through April. It would then go to 500 cfs from May through August and then drop to 250 cfs through December. Late summer is when the minimum flow would become an issue. Currently, Reclamation cannot go below the 500 cfs in the critical habitat without someone coming up with a new agreement.

Most likely, the older fish would make it, but the younger fish probably would not. As flows are reduced, you get more pool/riffle river complex in the main channel. We saw a striper invasion in the summer 2000 when we saw the low flows that were clear. There would be limited habitat to stock fish. There would be more predation on younger fish. When we had the lower flows, we didn't see fish die off in the lower portion of the river. The striper invasion was knocked back in the fall with the high flows.

There were some suggestions that 250 cfs should be the target in the critical habitat, not a minimum flow. There was concern with summer sampling further stressing the fish. Should current scopes of work be revised to deal with this? Specifically, do we want to put 300,000 fingerlings in the river when there would be no habitat for them? There would be some affect on the fish , but lowering from 500 to 250 cfs wouldn't have significant impacts.

After further discussion, the Biology Committee agreed to the following language being included in the shortage sharing agreement:

“The Bureau of Reclamation shall not make any spring peak flow release from Navajo Dam for endangered fish habitat purposes during 2003 unless the inflow and reservoir storage conditions described in the flow recommendations necessary for a release occur. Reclamation shall operate the dam during 2003 to maintain a target minimum base flow of 500 cfs in the San Juan River from its confluence with the Animas River downstream to Lake Powell; provided, that the Secretary of the Interior does not declare a shortage in the Navajo Reservoir Supply. The parties agree that if the Secretary declares a shortage in the Supply in accordance with the preceding provisions, then the target minimum base flow through October 31, 2003, shall be reduced by the same percentage as the percentage shortage declared by the Secretary; provided, that the target minimum base flow shall not be reduced below 250 cfs. The base flow in the San Juan River during 2003 shall be measured as the minimum of: (1) the average of the flows in the river at the Shiprock, Four Corners and Bluff gages; and (2) the average of the flows in the river at the Farmington, Shiprock and Four Corners gages.”