

Management Committee Meeting Summary
June 22, 2004
Salt Lake City, Utah

Attendees: See Attachment 1

Assignments are highlighted in the text and listed at the end of the summary.

CONVENE - 8:30 a.m.

1. Review/modify agenda and time allocations and appoint a time-keeper - The agenda was modified as it appears below. >Tom Blickensderfer will check with Bruce McCloskey on a new Management Committee alternate for Colorado and post that information to the listserv.
2. Approve April 8, 2004, meeting summary - The summary was approved as written.
3. Yampa Plan, EA, PBO and Cooperative Agreement - Gerry Roehm said Margot Zallen is currently reviewing the draft Yampa Plan and EA. Gerry also gave Margot a copy of the agency draft PBO. The final draft PBO should be available by the end of July and a final by end of August.
4. Elkhead enlargement, agreements/contracts, and 404 permit application - Gerry Roehm distributed a report from Dan Birch. The suite of Federal and State agreements and the agreement with Craig and the Yampa Participants are essentially in final form. The River District has submitted the 404 permit application (public comments due by June 28) and is well underway with final engineering. The bid for construction should go out this fall and construction should begin early in 2005 (with water available for delivery to the endangered fish in spring of 2007). >Gerry will provide Tom Iseman with the reinitiation criteria in the draft PBO and Yampa plan.
 - a. Screening - Bob Muth distributed the Biology Committee's recommendations for screening the proposed enlarged Elkhead Reservoir and a cost breakout of screening alternatives. The Biology Committee recommended that the Program screen all controlled releases of water up to 540 cfs through the bottom tower and service outlets/conduits and also installing hardware for future installation (as needed) of screens on the middle and upper tower intakes and anchors for future installation (as needed) of a spillway net. This is alternative #3 on the cost estimate table and would cost \$542K. The River District would prefer to screen the upper and middle outlets now (alternative #4 at \$660K [or perhaps \$760K if the cost of the additional backwash systems is incorrect in the cost estimate]). The only possible foreseeable use of the middle and upper outlets would be to address water quality issues for a sportfishery in the reservoir (although Tom Nesler said at the Biology Committee that he thought it was doubtful they would be needed for that purpose). The District is concerned about potentially being required to release water from the middle or upper outlet on an emergency basis and being in violation of the PBO if those outlets aren't screened. Tom Pitts suggested that the PBO allow for unscreened releases from the middle or upper

outlets due to unforeseen circumstances (which would then trigger installation of screens, but allow an emergency release without screens). Melissa Trammell suggested that “emergency” or “unforeseen circumstances” would need to be fairly tightly defined. Frank Pfeifer questioned why the middle and upper outlets are being installed given the fact that no need for them is anticipated at this time. Tom Pitts said there’s a very real possibility that EPA will begin to regulate reservoir releases and Colorado has new regulations on release temperatures as it relates to coldwater fisheries, so there is a potential need for the upper and middle outlets. Bob Muth said he believes a decision needs to be made on this by October 2004. Brent said he can agree to the Biology Committee’s recommendations, but he’s reluctant to screen anything more. Tom Blickensderfer said he needs to discuss this further with folks in Colorado. The Committee deferred making a decision on this. >Gerry Roehm will find out why the middle and upper outlets are needed. >The Service was asked to consider the need for emergency releases in the PBO. The Management Committee will discuss this again at their next meeting.

- b. Payment of CRWCD 2003 invoices for Elkhead - Tom Blickensderfer proposed that the Management Committee resolve that Colorado pay \$6,395.18 (their remaining funds in their NFWF account) of the two 2003 CRWCD invoices totalling \$280,338.67 (preliminary Elkhead costs) and that Utah and Wyoming would split the remainder (66.97% from Utah and 33.03% from Wyoming), with Utah paying \$183,459.96 and Wyoming paying \$90,483.53. Colorado will pay the remainder of their capital project cost obligation to the Recovery Program (\$8,065,000 minus previous payments to NFWF and previous direct payments for capital projects, the latter of which still needs to be confirmed) directly for Elkhead (not passing these funds through NFWF). The \$2M-\$2.7M additional costs of Elkhead over and above Colorado’s direct payment will be paid through NFWF with Wyoming and Utah funds. The Committee so resolved. >Angela Kantola will provide this meeting summary to NFWF as direction to pay the CRWCD invoices after June 30.
5. Capital Projects Update - Brent Uilenberg said the modified GVIC fish screen is working well, the Grand Valley Project fish passage is nearly completed (will be tested with razorback suckers next week), and Reclamation is ready to award the Grand Valley Project and Redlands fish screen contracts by August 4. The Highline Pumping Plant may not be online until late August due to delay in delivery of electronic equipment for the pumps. The comment period for the Price Stubb fish passage EA was just completed, but CDOT remains reluctant about access to construct the recreational water park portion. >Tom Blickensderfer will ask the Denver CDOT office about this. Brent anticipates awarding a contract in early FY 2005 with fish passage available in spring of 2006. With the three aforementioned contract awards, Brent said we should have a pretty good idea of where we are with our capital construction ceiling by late calendar year 2004. With escalating materials and energy costs, the Program may either have to decide not to construct something, or go back to Congress, the States, and power users for additional capital funds. Leslie James said that unless something changes dramatically with the Basin Fund and current obligations, CREDA won’t be able to support additional

capital funds. >The Program Director's office will follow up with Brent on FY 04 PIT tag costs and Wahweap design.

- a. Redlands power cost replacement update - Brent said that since our conference call, Reclamation indicated to Redland's board that the Program would pay the cost of replacement power (amount to be determined), and the contract was signed (Brent will seek a modification to one of the whereas clauses that needs to be corrected). Brent said they're waiting for data from the Board to determine the amount. On a related matter with OMID/Grand Valley Water Users, the previous estimate was skewed because the canal was not offline through all of March, but as soon as they get the necessary information from Xcel, Reclamation will revise amount and bring that back to the Committee for approval.
6. Nonnative fish management update - Bob Muth distributed a status report on this year's nonnative fish management activities. Bob said he believes we're having a depletive effect on northern pike, but that it's too soon to tell if and how much we're depleting smallmouth bass. Frank Pfeifer said they've found definite downstream movement of northern pike from the upper reach of the Yampa River to the lower reaches, so he would anticipate expanding removal efforts through that reach next year. Frank said that all their crews' public contact has been positive, although Tom Nesler said CDOW did receive a negative comment via their website. >The Program Director's office will send the newspaper (and upcoming newsletter) articles to the State legislators and Wildlife Commissioners in that area. Frank added that they caught a 616 mm Colorado pikeminnow above Craig (this is the farthest upstream Colorado pikeminnow have ever been captured in the Yampa River). Unfortunately, other than this fish and 5 mountain whitefish, no other native fishes were caught in the electrofishing passes in this upper reach. Bob Muth said CDOW crews and boats have been on the Yampa River working with John Hawkins on his nonnative fish removal and that has worked out very well. Frank said he expects that hybridization with white suckers is going to be an issue.
7. Program project funding through Reclamation - Brent Uilenberg introduced Mike Ward and Melynda Roberts from the Acquisitions Management group of Reclamation's Regional Office. Mike Ward outlined changes in financial assistance (grants and cooperative agreements) that require advertising and competing just about all financial assistance. None of the exclusions appear to apply to the Recovery Program. Mike said he understands there has been some degree of competition in the Program, but the new regulations require specific advertising requirements. Mike said he is willing to begin Recovery Program compliance with these new regulations with the FY 2006-2007 work plan. Between now and then, Reclamation will work with us develop a process (although there may be a few agreements that need modification prior to 2006). Mike said there are also some things that need to be addressed with regards to the difference between contracts versus financial assistance (grants and agreements). A service to a government agency (which requires a contract) is differentiated from a service to the Program. Mike said he is willing to seek a waiver to the competition requirements where State game agencies have distinct management responsibilities. Angela Kantola asked and Mike clarified that the new competition requirement does not apply to funds which are transferred to other Federal agencies (e.g., U.S. Fish and Wildlife Service and U.S.G.S).

Angela noted that most of the funds from Reclamation go to the Service, Utah, CSU's Larval Fish Lab, Colorado, and other contracts (including USGS). >Mike said they will look into an existing (already competed) mechanism for funding Larval Fish Lab, as it is part of CSU. >Mike will e-mail Angela an explanation of the difference between exclusions to competition for contracts versus financial assistance. >Angela will work with Reclamation on developing a process for incorporating necessary additional competition, beginning with outlining State activities in the Program where their jurisdiction dictates that they do the work. >The Program Director's office will provide an update on this at the next Management Committee meeting.

8. Population estimates update
 - a. Upper basin workshop - Bob Muth said the workshop has been postponed until the week of August 23.
 - b. Lower basin humpback chub estimates - Bob Muth recalled that the Service asked for a mark-recapture closed population estimate in the mainstem lower Colorado River. Tom Czaplak will attend a meeting in mid-July to discuss criteria to compare output of their existing model to data generated from a closed mark-recapture estimate. About a month ago, GCMRC sent Mike Gabaldon a letter asking that the motion to do the population estimate be reconsidered because they believe the model output is providing the data needed and a concurrent population estimate isn't needed. Gary Burton said he understood GCMRC's issues were with cost and concern that a one-time comparison won't provide adequate information. Mike Liszewski said GCMRC is not aware of any factors that the independent review panel did not consider. Bob Muth emphasized that the Service makes the decision on downlisting and delisting and the Service wants a closed, mark-recapture population estimate to compare with the model output.
 - c. Litigation - The Grand Canyon Trust filed suit against Interior on March 31 on the adequacy of the humpback chub recovery goals; Interior's response was filed May 31. >Bob Muth will find out if that response is available, and if so, provide it to the Management Committee.
9. Update on Program funding for FY 05 & 06 - John Shields distributed a draft joint delegation letter to the Secretary of the Interior (and rosters of the Congressional contacts they've been working with) requesting that the Service fully meet its funding commitment to the recovery programs in 2006. When the letters have been signed, >John Shields will scan them and post them to the listserver. For 2005, the Platte (\$1M) and Colorado (\$700K) funds have been restored in the House Interior Appropriations Committee. >Tom Pitts will check on the progress on the Senate side. John Shields suggested that the Committee look at a prototype of a revised Washington, D.C., briefing document at one of its next two meetings.
 - a. Update on the Basin fund - Leslie James said Western has said the Basin Fund (which funds all the power customer repayment obligations) is perilously low. Over the last year and a half, Western went through a process to reduce their

obligations by 26% for the next 20 years. Then at last Thursday's rate meeting, Western said much less power than previously modeled is now predicted to be available due to the drought. It's also predicted that if this winter is drier than the last few, power generation could be unavailable from Glen Canyon beginning in 2006. Leslie said they're looking at every avenue to reduce the obligations from the Basin Fund, including seeking appropriations to replace power revenues for the recovery programs. >Don Ostler will send Brad's report to John Shields who will distribute it to the Management Committee. Robert King emphasized that the problem is drought-caused not operations related.

10. Update on FY 04 projects and funding - Angela Kantola reported on FY 04 annual/O&M budget issues, including expected cost savings for floodplain projects, Duchesne River nonnative fish control, and coordinated reservoir operations and additional costs for lease of water from Steamboat Lake (or elsewhere) for the Yampa River, and monitoring test flows from the Duchesne River.
11. Flow predictions and implications for Program projects - Bob Muth distributed charts showing expected flows in the Green, Yampa, and Colorado rivers through August and a table of water available for the fish in the 15-Mile Reach from 2001 through 2004 (projected). The Green River at Jensen will probably be around 800 cfs, the Yampa optimistically 40-50 cfs at Maybell, and perhaps around 400 cfs in the Colorado River at Palisade. Total water from reservoirs (and check structure savings) for the 15-Mile Reach will probably be between 30,000 and 40,000 acre feet.
12. Section 7 consultation
 - a. Sufficient progress determination - Bob McCue distributed the draft sufficient progress letter. Bob asked for any comments on the letter by July 16. Tom Iseman said they're seriously concerned about declining Colorado pikeminnow catch rates in the Green River and asked how the Service views that decline and takes it into account in making their sufficient progress determination. Bob Muth noted that this will be the first set of estimates on the Green River (the report is not out yet, however) and that we haven't seen a decline on the Colorado River. Tom Iseman recommended that the Service explain its sufficient progress call as it relates to these improved population estimates. Bob McCue clarified that this would apply to next year's letter, since this letter is based on progress through 2003.
 - b. Flaming Gorge EIS update - Randy said the agency comments are being incorporated, a draft will be out in July, and the final ROD will be done by the end of 2004 (in time for next spring's operations).
 - c. Aspinall EIS and consultation process update - One round of scoping meeting has been held and the Service and Reclamation are discussing expectations.
 - d. Duchesne River draft biological opinion - Bob McCue distributed a page from the preliminary draft, calling attention to the section that discusses legal protection

and delivery of flows. The Service still needs to brief the Ute Tribe, then the draft BO should be out within the next few weeks. Rich Tullis said they began test flows today. Gary Burton said Clayton Palmer has some concerns regarding how Flaming Gorge may be involved.

- e. Consultation list update - A list updated through 6/30/04 will be sent out in mid-July. John Shields asked >the Service to take a look at the Cheyenne field office request regarding quantifying depletions (e.g., for dust abatement) for abandoned mine reclamation.
- 13. Encouraging increased participation in the CROPS process - Tom Pitts said he discussed this with George Smith. While we're in a drought, there won't be conditions conducive to increasing participation. There might be some possibility to work with CBT in the future (if they modified their operations), but the potential is very low for other projects. Bob Muth noted that relaxing the Shoshone call was identified in the CROPS report as the most feasible (and fairly inexpensive) way for providing extra water on the peak. West Slope water users are struggling with permanent provision of their 5,412 af. Automating canals in Orchard Mesa Irrigation District could provide both the west and east slope commitments. >Tom Pitts will set up a meeting in July to discuss this and other options for providing the 10,825 af.
- 14. Reports status - Angela Kantola distributed an updated reports list.
- 15. Schedule next meeting - September 15-16 in Cheyenne, Wyoming. >John Shields will arrange lodging and a meeting room. Agenda items will include: Elkhead screening; competition requirements; revised prototype Washington, D.C., briefing document; FY 05 work plan changes.

ADJOURN 3:00 p.m.

ASSIGNMENTS

1. Tom Blickensderfer will check with Bruce McCloskey on a new Management Committee alternate for Colorado and post that information to the listserver.
2. Gerry Roehm will provide Tom Iseman with the reinitiation criteria in the draft PBO and Yampa plan.
3. Gerry Roehm will find out why the middle and upper outlets are needed for Elkhead.
4. The Service will consider addressing the need for emergency releases in the PBO.
5. Angela Kantola will provide this meeting summary to NFWF as direction to pay the CRWCD 2003 Elkhead invoices after June 30.
6. Tom Blickensderfer will ask the Denver CDOT office about their concerns regarding construction access for the recreational water park portion of the Price Stubb fish passage.
7. The Program Director's office will follow up with Brent on FY 04 PIT tag costs and Wahweap design.
8. The Program Director's office will send the newspaper (and upcoming newsletter) articles to the State legislators and Wildlife Commissioners in the Yampa River area.
9. Reclamation (SLC) will look into an existing (already competed) mechanism for funding Larval Fish Lab.
10. Mike Ward will e-mail Angela Kantola an explanation of the difference between exclusions to competition for contracts versus financial assistance.
11. Angela Kantola will work with Reclamation on developing a process for incorporating necessary additional competition, beginning with outlining State activities in the Program where their jurisdiction dictates that they do the work. The Program Director's office will provide and update on this at the next Management Committee meeting.
12. Bob Muth will find out if Interior's response to the humpback chub lawsuit is available, and if so, he will send it to the Management Committee.
13. When the joint delegation letters to the Secretary of the Interior has been signed, John Shields will scan and post them to the listserver.
14. Tom Pitts will check on the status of the Program's 2005 funding in the Senate.
15. Don Ostler will send Brad's report on water conditions and power generation to John Shields who will distribute it to the Management Committee.

16. Comments on the Service's draft sufficient progress letter are due July 16.
17. The Service will review their Cheyenne field office request regarding quantifying depletions (e.g., for dust abatement) for abandoned mine reclamation.
18. Tom Pitts will set up a meeting in July to discuss options for providing the 10,825 af.
19. John Shields will arrange lodging and a meeting room September 15-16 in Cheyenne,

ATTACHMENT 1
Colorado River Management Committee, Salt Lake City, Utah
June 22, 2004

Management Committee Voting Members:

Brent Uilenberg & Randy Peterson	Bureau of Reclamation
Tom Blickensderfer	State of Colorado
Robert King for Sherm Hoskins	Utah Department Of Natural Resources
Tom Pitts	Upper Basin Water Users
John Shields	State of Wyoming
Bob McCue	U.S. Fish and Wildlife Service
Leslie James for Dave Mazour	Colorado River Energy Distributors Association
Melissa Trammell for John Reber	National Park Service
Tom Iseman	The Nature Conservancy
Gary Burton	Western Area Power Administration

Nonvoting Member:

Bob Muth	Recovery Program Director, U.S. Fish and Wildlife Service
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Recovery Program Staff:

Gerry Roehm	U.S. Fish and Wildlife Service
Angela Kantola	U.S. Fish and Wildlife Service

Others:

Frank Pfeifer	U.S. Fish and Wildlife Service
Robert King	Utah Division of Water Resources
Terry Hickman	Central Utah Water Conservancy District
Mike Liszewski	Grand Canyon Monitoring and Research Center
Don Ostler	Upper Colorado River Commission
Melynda Roberts	Bureau of Reclamation
Mike Ward	Bureau of Reclamation
Rich Tullis	Central Utah Water Conservancy District