

**DOLORES RIVER DIALOGUE
STEERING COMMITTEE**

Sept. 29, 2010

~~draft~~—7 pages

Present: Randy Carver, MVIC; Vern Harrell, Bureau of Reclamation; Meghan Maloney, San Juan Citizens Alliance; Peter Mueller, The Nature Conservancy; Don Schwindt, DWCD. Guests: Ken Curtis, DWCD; Ann Oliver, DRD science; Chuck Wanner, Trout Unlimited. Also Marsha Porter-Norton (facilitator), and Gail Binkly (guest recorder).

Agenda: The agenda was approved with no changes.

DRD funding: Marsha said commitments totaling about \$22,000 have been made to date. Randy said MVIC will assess how much it can give after the first of the year. Marsha will write the grant proposal to be taken to the Southwestern Water Conservation District board for the next round of funding. The request is due Jan. 25 for the February, '11 Board meeting. Marsha emphasized that no one has to contribute money to be on the Steering Committee (DRD-SC).

Framework coordination: There was discussion of the possibility of having a paid staff person or persons to do framework coordination for the DRD. Marsha said the idea is that if the DRD is going to give proposals thorough and fair treatment, someone will need to “shepherd” the proposals to make sure they are complete and comprehensible to the DRD-SC and the larger DRD. Marsha said there may not be a pressing need for the framework coordinator at present.

Don said the DRD has always been a volunteer organization, but it may have reached the point where some staff is needed. Ann is the science coordinator and Don said he had hoped that Ken Curtis from DWCD would be the hydrology coordinator, if that is acceptable to MVIC. Don said it is critical to have someone who really “savvies” Dolores Project operations rather than someone not familiar with the Project because one of the roles of the Hydrology Committee will be education.

Marsha said she does strategic planning for different groups and tells them that “form follows function.” She said it’s necessary to figure out what function you are looking for, and then the form will follow. Science coordination has been valuable but the exact configuration of the coordination for the Framework Project may need to evolve based on proposals coming to the DRD. Some questions were raised in this discussion:

- What staffing is necessary and is the DRD responsible for when proposals are developed?
- When a proposal proponent or team have a question(s) (such as science or hydrology), what are the best and most efficient and effective ways to get those questions answered?

Don said he thinks the need is for gathering information that will offer “fleshed-out answers” in order to do the communication process that has been agreed to. He sees the “framework shepherd” helping with that educational effort.

Meghan said she thought it was clear that the DRD-SC is not a “God committee”. The DRD-SC can say that more information is needed, and it’s the proposal proponent that is responsible for getting questions answered. Marsha said that process has already been agreed on, but this conversation makes it evident that the framework coordination needs some work. Marsha said she was envisioning that as proposals come to the DRD-SC, there may be a need for the DRD to acquire more information. Peter said he thinks that will indeed be necessary, and it would be helpful to have someone who could lay out the assets and liabilities of a proposal. Meghan agreed.

Meghan said the proposals so far have been the SLOWs and the Legislative Committee’s proposal for a Native Fish inquiry, and both involve people who are very familiar with the topics. At some point, there may be proposals coming from people not so familiar with the DRD issues which are hydrology and science. Will it be as easy for them to get questions answered and to get up to speed on the process?

Marsha said the consensus seems to be that the staffing function is needed throughout the Framework Proposal steps and to keep it at \$7,500 as per the original proposal. So the question remaining is who should do the job. Don said he thought it had been agreed that Ann and Ken would be asked to tackle the framework position. Marsha said that had been agreed to in July but that Randy had talked to her after that meeting and wished this decision to be revisited so that MVIC had a voice/role in the framework coordination issues around hydrology. The group agreed that Jim Siscoe can be added so the DWCD isn’t given too much weight through Ken’s presence. Everyone agreed that framework coordination will be done by Jim, Ken Curtis and Ann.

Coordination of Hydrology Committee: It was suggested that the Hydrology Committee could be asked to govern itself. Peter and Don said that was acceptable, and everyone else agreed as well. Vern asked what if the Hydrology Committee wants some outside help coordinating. Marsha said funding would have to be considered. It was agreed that the Hydrology Committee should decide at its next meeting how to govern itself and if additional money will be needed for coordination. The next Hydrology Committee meeting is tentatively scheduled for November 2nd.

Update on funding for SLOWs Phase II: Meghan said David Graf secured \$2,000 from the Division of Wildlife, which leaves \$8,787. San Juan Citizens Alliance already paid \$3,000 of that, which means DWCD and TNC will each pay \$2,893.88. Don and Peter said that would be fine with both organizations. Randy said DOW’s contribution of \$2,000 might encourage MVIC’s board to decide about possible funding sooner than January.

Meeting schedule for Science and Hydrology committees: The Science Committee was meeting at 1 p.m. today. Marsha asked whether it might meet every other month, alternating

with the Hydrology Committee, and stated this was an idea that Ann Oliver had raised. This was agreed to.

DRD Framework Proposal #2 (SLOWs): Ann gave a PowerPoint about the proposal. Marsha said this proposal is a little different because a long time ago (2009) the “old” DRD-Technical Committee had agreed to support the SLOWs project. Therefore this isn’t a new proposal. Phase I of the process is initial discussion with DRD-SC, and that has already occurred. Phase II is proposal development, and Ann has worked on that this summer. Today’s presentation represented the first part of Phase III – education and common understanding. Phase IV will be review and recommendations from the DRD-SC, and Phase V will be review by the full DRD.

Ann said in December 2009, Chester Anderson put together a letter and a proposal around the SLOWs to the Biology Committee. In March, Ann and Chester attended the Biology Committee meeting and Chester raised the concept of the proposal.

Ann drew a map to show the reaches where DOW biologists J. White and D. Kowalski have reported sampling results for fish on the river and the results of that sampling. DOW data (as presented by J. White and by D. Kowalski to DRD) shows:

- **Metaska to Bradfield Bridge** – Seven^[GD1] out of 14 years were sampled from 1992 to 2005. No roundtail chub were reported here. According to Jim White, there are currently roundtail in both Plateau and Beaver Creeks (above the dam), suggesting that this first reach below the dam was historic roundtail habitat. Flannelmouth sucker and bluehead sucker have been sampled -historically and in early post-dam efforts, but neither species has been caught in this reach in at least 10 years.
- **Bradfield to Dove Creek pumps** – 4 out of 15 years sampled, 1993-2007^[GD2]. Roundtail chub reported in 1993 and 2005 in very low numbers. Flannelmouth suckers were well represented in early samples, but were not found in 2005 nor 2007. Bluehead sucker numbers were much smaller than those for flannelmouth, but did occupy the whole reach in 1993 and 1997. Only one bluehead was found in the 2005 and 2007 surveys. The trend for suckers for this reach is reflected by the data from the long-term Dove Ck Pump site.
- **Long term sampling site just below Dove Creek Pumps** – 22 out of 24 years sampled from 1986 to 2009. The roundtail was variable but declined to a 10-year minimum in 2009. Roundtail showed the consistently highest number sampled of any native species in this reach. For the other natives there were small numbers sampled 1986-1994, but since 1995, only 10 flannelmouth or bluehead suckers have been caught.^[GD3] No flannelmouth were caught in 10 of the last 14 sample years.

Don asked about Ann’s use of the word “trend”. Ann said it’s her term, used when there are at least two years of data, and that she is just describing apparent trends, not necessarily statistically significant trends.

- **Pyramid to Disappointment** – Ann said this is a difficult reach to sample. CDOW reported two years: 2007 and 2008. Very few natives were captured. The fish captured were 90% non-natives in the 2007 sample, mostly smallmouth bass and brown trout.

- **Big Gyp Reach** – Roundtail captures appear to be in slow decline since 2000[GD4]. Flannelmouth captures have declined since 2005, and bluehead sucker are extremely rare. Big Gyp reach showed highest catch-per-unit for both fish of any reach for which sampling was reported. There are non-natives here but no smallmouth bass – they don't seem to go past Disappointment.
- **Reach 6 (Slickrock Canyon)** – Just one year reported, but the DOW found the second-highest catch-per-unit in 2007 for flannelmouth and roundtail.

Ann said the SLOWs proposal entails using the full range of tools to use temperature to manage the downstream environment and to manage fisheries. There are three fisheries in this river: trout (sport), native and non-native. She said a status review by Bezzerides and Bestgen (2002) explained that:

- Temperature influences growth and survival of embryos and young fish.
- Growth rates are affected by temperature, as is the ability to overwinter and the ability to escape predation.
- Cold shock may affect larvae.
- Temperature affects swimming performance.
- For adults, temperature affects growth and fertility.

Chester has been using a model that can predict water temperature at any given location between the dam and the San Miguel confluence using the factors of: water temperature at discharge, volume of discharge, air temperature and date (angle of sun). Chester thinks the dam may influence temperatures all the way to the San Miguel confluence, contrary to the common belief that it influences temperatures only as far as Bradfield Bridge.

What problem or issue is this proposal intended to address?

1. Chester has found that dissolved oxygen sometimes falls below the critical threshold for trout, and temperatures are sometimes above the critical level for trout in summer.
2. If the dam is influencing temperature to the confluence with the San Miguel, this cold water could have some effect on Native Fish. Native Fish in the Dolores are typically smaller than in other major tributaries to the Colorado within the state of Colorado such as the Gunnison and Yampa. No one is sure why, but temperature might be one factor.
3. Dissolved oxygen may periodically be limiting to Native Fish. Chester was sampling DO when there was a storm that washed organic matter and sediment into the river. He saw fish gasping for air and measured the DO falling. He believes several such events could damage the reproduction of native and other fish.

What is the specific proposal?

Ann said it is to conduct experimental full use of SLOWs 1, 2 and 3 immediately following the spill in 2011, depending on what fishery is to be helped or hindered. SLOWs 1 and 2 have never been used because of the concern about fish escapement and water temperature. Water is always released through the big/bypass gates at the bottom of SLOW 3. However, Ann said it now appears that the risk of live escapement from any of the SLOWs may not be significant. The proposal is really about the ability to warm the water, but it also could involve the timing of

cold-water releases. In order to avoid releasing water through the bypass at the low point of the dam during a base-flow period you would need to either:

1. Release water in exact increments of 25, 50 or 75 cfs to continue use of the power plant;
OR
2. To allow for flows other than those increments, the power plant would have to be bypassed.

The proposal is to pursue #1, not #2.

Vern said the Biology Committee will need to be informed and will be a key player.

Don said in order to have a very good model for future proposals, this proposal will need to be carefully word-smithed. It is important for the DRD-SC to make sure this is done accurately.

Marsha said today is the beginning of Step 3 of the Framework Process and suggested scheduling another session with Ann and maybe Chester so committee members have time to digest and consider the information. Vern said he believes a separate meeting is needed for each of the proposals that come before the committee.

Ann said partners in the SLOWs proposal would be BOR, DOW, DWCD, BUGS Consulting, DRD, USFWS, the Dolores Project Biology Committee and possibly Trout Unlimited. Don and Meghan said TU would be a good partner. Vern said he has concerns about having the Biology Committee as a partner and this can be discussed later.

Randy said MVIC's only concern is what would happen if there is ever a call on the river. Ann said the proposal should not affect water quantities. Vern said if the releases have to go to 50 or 75 cfs it could affect water quantities because you can't use those year-round. Randy said that would be where MVIC would be involved. Marsha suggested Ann have this discussion with the Hydrology Committee, and that was agreed.

Vern said the BOR does have environmental commitments and this proposal may fly in the face of those if warmer water is to be released. Ann said the proposal does not dictate any fishery goals, only the use of temperature to achieve fishery goals, whatever they may be. She said there may be some ways through timing and reach to tweak the temperature to benefit one fishery without adversely affecting the other. She said not all the specifics will be fleshed out until Chester's data from this summer is added. She said there would need to be agreement on the fishery objectives by December or January in order to implement the proposal in June 2011, but it could wait for another season if necessary. Don said the timeline and obstacles need to be expanded upon in the proposal.

Marsha said this proposal could dovetail with the Legislative Subcommittee's efforts and the idea of prioritizing Native Fish for the spill and fish pool. This is not a stand-alone idea. However, there could be time-line conflicts between this, the prioritizing of native fish and the Legislative Subcommittee's efforts. She said identifying fishery goals is what the Legislative Subcommittee is trying to do, and that could also be a conflict if people say there are different priorities (trout vs. natives).

Don said McPhee needs to be operated to benefit trout to the Bradfield Bridge. That is a commitment. But the whole DRD purpose is to bring political momentum to find ways to help

native fish, driven by Endangered Species Act concerns. The Legislative Subcommittee really wants to address that, but Don thinks everybody on the DRD, including rafters and TU, agrees that Native Fish need to be considered. He said the DRD-SC is the best entity to help find the do-able path.

Ann said Chester has found that high levels of nutrients and algae in the trout reaches may be due to the releases from the bypass gate. She said there would need to be an agreement, formal or informal, to release water only through SLOWs 1, 2 and 3, to do monitoring of water-quality parameters and fishery responses, and to release water in increments.

Don asked whose proposal this is. Who is the advocate? Marsha said this proposal bridged the transition between the Technical Committee and Steering Committee and Ann was asked to look into it. It could be a Steering Committee or Science Committee proposal.

Marsha said Step 4 is for the DRD-SC to make a recommendation on proposals which are given to the larger DRD for discussion. The options are:

- A. Recommend that DRD support it.
- B. Recommend that DRD support it but that it is implemented by a combination of partners.
- C. Recommend some other action should be taken.
- D. Recommend no action at present by DRD.

Don said there are main players on the DRD and on the DRD-SC that may not want to be partners in the proposal because of conflicts. Meghan asked whether the DRD-SC would take on this proposal as implementers if Alternative C is chosen. Marsha said the DRD-SC's role is vetting, education and consensus-building. Don said it is not limited to that, and when the DRD-SC hired Ann to develop this using DRD funding, the DRD-SC began the proposal. Meghan said the funding entities – SJCA, DWCD, TNC, DOW and CWCB – could be the proponents. Don said that was too nebulous. Ann said she thinks DOW, BOR or DWCD will be the entities to make the proposal happen. Don said those represent constraints, not advocates.

Marsha said it would be premature to name the advocates today. She said Chester, Ann and the Science Committee should discuss who should advocate for this, and then come back to the DRD-SC.

Don said there needs to be some real iterative discussions among all the parties here. The expertise of the DRD-SC can help evaluate different options. Ann said this is only a proposal; if the DRD accepts it, then it can be decided how to implement it. Don said he sees implementation as part of the proposal. Marsha said a "pathways" discussion needs to take place to reaffirm support for the proposal, ask further questions, and then see what steps are next and how to frame it through the full DRD.

It was decided that people should read Ann's presentation online and send her questions by e-mail. The questions should be cc'd to the entire group. This will be discussed further at the next DRD-SC meeting.

Proposal for the DRD-SC to work on making Native Fish a priority for the spill and fish pool:

Don read a rough draft of a written proposal reflecting this concept. The idea is to make Native

Fish viability a priority for the management of the water that is presently committed to leaving the Dolores River out of McPhee through the spill and fish pool management. Native Fish, he said, are not currently on par with trout and rafting due to past decisions which are binding. This proposal would change their priority so Native Fish have standing and this would afford more management options for them. It was noted that this action may not necessarily be to the detriment of trout and rafting and that this is where science and hydrology questions come into play.

He said the BOR currently has commitments through the Dolores Project for those two pieces of water. The BOR would have to do some environmental compliance and probably would have to prepare a new environmental assessment for both the spill and the fish pool, and then figure out the best way to accomplish that end result. It will also be necessary to identify the players and their expected roles. The BOR is the main player because the process, commitments and compliance are the BOR's, but the agency will not push the proposal. SJCA is also a key player.

Don said an advocate for the concept must be identified – possibly the DRD-SC or the full DRD, or a coalition. He said the knowledge that is needed must be identified:

- What is the BOR's commitment specifically for the pool and spill?
- Vern has done a categorical exclusion to make Native Fish considerations part of the spill. That is a useful foundation of information. Don said the idea is to do some adaptive management, not just "cut off" trout.
- Identify a preferred process and the advocate(s). Process is a piece of the proposal. Lay out some scenarios.
- Talk about funding.

There was discussion of possible proponents. It was agreed that Don and Ken will put the proposal in a more definite written form that fits into the Framework Process. Marsha said the DRD-SC needs to decide if it wants to take this on as per a request made by Don. If not, someone else may. If the DRD-SC wants to advocate for it, next steps will have to be decided.

Meghan said the Dolores River Coalition and SJCA believe the concept has merit. They want clear, consistent management of all those aspects of the river – base flows, spill and fish pool – to benefit both fisheries as well as recreation. Peter offered his help to Don to provide feedback on their work on the emerging proposal.

Summation: The SLOWs project has been an ongoing project of the DRD since 2009, and SLOWs work has been funded by DRD grants. The project is now in Phase II and there are many things that need to occur for it to move forward (as outlined in Ann's proposal). The DRD-SC members were asked to submit questions to Ann after reading her full proposal which had gone out on email yesterday (9/28/10). At the next DRD-SC meeting, the DRD-SC will make a decision on recommendations (as per the list of choices outlined above). It was not decided who exactly the proposal proponent is because of the nature of how this proposal came about (it was a DRD Technical Committee project and Chester and Ann have been doing the bulk of the work on it). It was agreed that if SLOWs is to move forward, someone or some entity really needs to take it on as "their thing."

Ann was thanked for doing a lot of work on this and for putting SLOWs into the DRD framework format.

Public comment: Chuck said Colorado TU is a member of the Dolores River Coalition. He said oxygen levels and nutrient levels are probably influential in the viability of trout. He said advocates are needed for proposals, but cautioned that the DRD-SC should not take on too much. If the DRD-SC is tightly involved in every proposal, it becomes a “God committee”. He also said one of the things he has not heard discussed in a significant way is riparian and aquatic habitat. Fish are not the only factor to be considered when talking about flows.

Minutes: The September minutes were approved with the addition of one sentence on Page 4, so that the end of the fourth full paragraph reads, “Randy said any water spilled will be MVIC call water, so MVIC should have input. *Vern said it was not.*” The July minutes were approved with two changes: a) Don asked that it be noted he requested a conversation about a Native Fish proposal would be added to the agenda; and b) Don also requested a change to the language about the staffing of the Framework Project be edited to not reflect a vote was taken because the group works on consensus.

Next meetings: The DRD-SC will meet on Nov. 2 and Dec. 7, at 9 a.m. The full DRD will have its fall meeting on Tuesday, Nov. 30.