

Glen Canyon Dam Adaptive Management Work Group
October 25-26, 2004

Conducting: Michael Gabaldon, Secretary's Designee
Facilitator: Mary Orton

Date: Oct. 25, 2004
Convened: 10:05 a.m.

Committee Members:

Joe Alston, NPS
Darryl Beckmann, USBR
Amy Heuslein, BIA
Pamela Hyde, Grand Canyon Wildlands Council
Loretta Jackson, Hualapai Tribe
Leslie James, CREDA
Arden Kucate, Pueblo of Zuni
Rod Kuharich, State of Colorado

Phillip S. Lehr, Colo. River Commission/NV
Clayton Palmer, WAPA
Ted Rampton, UAMPS
Nikolai Ramsey, Grand Canyon Trust
Bruce Taubert, AGFD
Mark Steffen, Federation of Fly Fishers
Gerald Zimmerman, CRB/CA

Committee Members Absent:

D. Larry Anderson, UDWR
John R. D'Antonio, NM Interstate Stream Comm.
Loretta Jackson, Hualapai Tribe

John Shields, WY State Engineer's Office
Bill Werner, AZ Dept. of Water Resources

Alternates Present:

Robert King
John O'Brien
Don Ostler
Don Ostler
Sam Spiller
Mike Yeatts

For:

D. Larry Anderson, UDWR
Andre Potochnik, GrandCanyon River Guides
John R. D'Antonio, State of New Mexico
John Shields, WY State Engineer's Office
State Supervisor, USFWS
Leigh Kuwanwisiwma, The Hopi Tribe

Interested Persons:

Mary Barger, WAPA
Gary Burton, WAPA
Holly Cheong, SNWA
Kerry Christensen, Hualapai Tribe
Lew Coggins, USGS/GCMRC
Wayne Cook, NM rep
Jeff Cross, NPS/GRCANP
Jonathan Damp, Pueblo of Zuni
Bill Davis, CREDA
Helen Fairley, USGS/GCMRC
Denny Fenn, USGS/GCMRC
Dave & Pam Garrett, M³Research
Jay C. Groseclose, NM Interstate Stream Comm.
David Haskell, Living Rivers
Norm Henderson, NPS
Doug Hendrix, USBR
Chris Kincaid, NPS/GLCA

Glen Knowles, USFWS
Lisa Leap, NPS/GRCA
Paul Li, IEDA
Lilas Lindell, USBR
Mike Liszewski, USGS/GCMRC
Jeff Lovich, USGS/GCMRC
Ken McMullen, NPS/GRCA
Ted Melis, USGS/GCRM
Mary Orton, The Mary Orton Company
Bill Persons, AGFD
Randall Peterson, USBR
Tom Ryan, USBR
Randy Seaholm, State of Colorado
Linda Whetton, USBR
Barbara Wilson, NPS/GLCA

Meeting Recorder: Linda Whetton, USBR

Introductions and Administrative Items. Michael Gabaldon welcomed the members, alternates, and general public. Attendance sheets were distributed and a quorum established. He introduced Lilas Lindell who will start preparing status reports on where AMWG recommendations are in the process.

Approval of Meeting Minutes. Pending no objections, the August 9-10, 2004, Minutes were approved.

Legislative Updates. Nothing to report.

Old Business. Nothing to report

New Business. Joe Alston reported that The Colorado River Management Plan is available and said there were a couple of things in it which might affect the AMP.

Report from the Technical Work Group. Norm Henderson reported the TWG met on Sept. 27-28, 2004, and elected him as chair for the next fiscal year. He provided a new version of the Timeline (**Attachment 1**) and the following updates:

- The TWG passed the following motion relative to the SCORE report: "Move that the TWG have an opportunity to review the Table of Contents of the SCORE Report as soon as available and to review a draft before it is sent out for a formal internal USGS review. GCMRC will provide a timeline of when the report will be available for review."
- The TWG accepted the following reports: (1) The Feasibility of Developing a Program to Augment the Population of Humpback Chub in the Grand Canyon Final Report by Randy Van Haverbeke; and (2) Terrestrial Vegetation Monitoring by Mike Kearsley.
- The TWG heard an update by the Long Term Experimental Plan Ad Hoc Group. Dennis Kubly will provide additional information at today's meeting.
- The Core Monitoring Plan was given to the TWG at the same time it was mailed to the AMWG. The TWG did provide comments to GCMRC.
- The REDDS Mortality Report prepared by Josh Korman has essentially been completed.
- The TWG also discussed a proposed FY06-07 Budget. However, without having the Core Monitoring Plan and the Research Plan, they were limited in their discussions.

AMWG Recommendations. The Chairman addressed previous recommendations made by the AMWG:

- **Concurrent Population Estimates.** The DOI agencies came up with a recommendation for the Secretary which is still being reviewed. He hopes to hear something by tomorrow.
- **BHBF Discussion.** Mike reminded the AMWG that at the last meeting there were two opposing motions passed. The DOI agencies met via a conference call and provided some clarifying language to the Secretary. He will report to the AMWG once he hears back from the Secretary.
- **Tribal Funding.** In the past there have been some problems with getting the funds from each of the DOI agencies prior to the start of the fiscal year. It is the Department's preference to have the money come directly from the Department rather than from each DOI agency. As soon as the details can be worked out, he will advise the AMWG.

Update on Paria Sand Inputs. Ted Melis said activity started in the Paria River as early as late June-early July but it wasn't very significant. However, he reported that substantial inputs came in during the month of September (**Attachment 2**).

Comments:

- Would like to reiterate from a fisherman's point of view that we're opposed to the 8,000 steady, would prefer the 6,000-9,000 cfs. (Steffen)
- Depending on how much flexibility there is, I would really hope that people would look at if you're going to do some kind of an alternate operation in the short time, look at possibly the 8,000 flat on the weekend or the periods would have the least economic impact. (James)

The second part of Ted's presentation was based on work done by Steve Wiele and how he actually simulated the sediment supply conditions for Marble Canyon under the enriched conditions. Ted presented several slides depicting the changes.

Comments:

- Are we going to consider recommending a different alternation of flows in a short period of time to conduct that part of the experiment? (Hyde)
- We need to discuss a process for making this happen and included in that discussion should be a refinement of what happens when we reach those triggers. (Kaplinski)
- We originally thought you get sediment in and hold onto it until the fall period. While we supported that as conforming to the law, we also have experience that it's detrimental to the power resource during the fall. The issue of testing 8,000 flat vs. 6500-9000 was a good agreement among us. Sediment is an important resource as well as power and to conserve sediment for timing a BHBF. With this new storm, it's incumbent to get on with it. It may be useful to admonish GCMRC to see what they do about shorter periods of time in order to answer this question about 8,000 vs. 6,500-9,000 cfs and I support our being able to answer that question. (Palmer)
- Would also advocate that you think this is more than just a question of the effect on the physical environment; it's more than a question of just sediment. The effect on endangered fish and rearing habitats during the autumn months is one you have to consider. You certainly have to ask whether or not the two-week period, while it may be more than you need for sediment, is a sufficient time to measure responses in these young native fish. (Kubly)
- In the time since the EA and this process was developed, there has been an impact on basin fund and the current drought situation so I'm interested to understand what the economic impacts will be. The power customers have taken a 26% reduction last year and are now looking at a 30% rate increase. The economics are very important. (James)

AMWG Recommendations and DOI Responses. Dennis Kubly gave a PowerPoint presentation (**Attachment 3**) on what they think the Department's response will be to the AMWG recommendation's on the BHBF. Reclamation is trying to get an environmental assessment with a Finding of No Significant Impact (FONSI) but are operating in a very constrained time frame.

Clayton Palmer expressed his concerns: (1) He is interested in having the BHBFs occur soon after the sediment inputs which is compatible with a December and there is volume to meet power contracts. He's worried about a response being no earlier than Nov. 15 and no later than Dec. 1; (2) The issue of the fall period for HBC and the potential they're washing out the LCR while maintaining stable habitats through mid-November. It's relatively new but conflicts with the notion that a BHBF is run after sediment inputs. If held off until Nov. 15, then there is the risk of not conserving as much sediment (Rubin memo); (3) The BHBF test is targeted as based on Rubin memo and whether the sediment following a high flow does a better job than the ROD which are to run ROD flows until you get a trigger sometime during the forecast season. One of the responses ought to be is to test the hypothesis; and (4) If recreation is an issue in April, they need some sense of it. If the amount of non-native fish suppression flows is going to be reduced, then they need to figure out what the effects will be and can the recreational interest adjust? He would like to have those concerns also addressed by Reclamation as well. Dennis advised that everyone should provide comments on this proposed action because there is a high probability of making the test.

Matt Kaplinski said that at the last TWG meeting Bill Persons and Josh Korman made presentations on two aspects of the trout population including the effects of the suppression flows on the trout. Bill said the trout population is within the close vicinity of detecting the target level of about 100,000 fish. The condition isn't quite where people would want it but they're in the ballpark for reaching the AMP's target levels for the management objectives of the trout population in Lees Ferry. In addition, Josh informed told them that for the last two years they have run non-native fish suppression releases which have decreased the spawn in the Lees Ferry area by about 25% per year. The effect on the adult population is going to be there in 1-1.5 years. If the fish suppression releases continue to be run, then the program is making a conscious decision to push the trout population in Lees Ferry below the management target levels that were set. In addition, the original scenario for the fish suppression releases was in a block design in the long term experimental flow plan where they would run for two years and then run ROD operations for

two years to compare and contrast what the effects of 5,000-20,000 cfs fluctuations were vs. ROD operations. By continuing these flows, he feels the program is abandoning the block design.

Comments:

- It may make some sense to do the load following flows in early next year but we want to be really clear about the impacts to the fish. Is that going to take us below the target range? We also need to have an analysis done on the effect to the sediment resources. (Ramsey)
- We have a number but we don't have a condition that we're looking for. If we didn't do the suppression flows but did the regular ROD flows, we would have a variation of 4,000 cfs during the day which is not adequate to provide food for the fish and increase the condition of the fish. I'm willing to compromise the 15,000 cfs if it helps the basin fund, power, etc., because it will help the fish condition as well. (Steffen)
- At some point in time we need to have some expectations as to when we do things. There are a lot of variables in here that make me uncomfortable. Over the next few months I would like GCMRC to give us direction on when we need to do things to help us make better decisions and use science more effectively. (Taubert)

MOTION: That the question of sediment conservation between an 8,000 steady vs. 6500-9000 fluctuating flow be evaluated in calendar year 2004.

Motion seconded.

Voting Results: Yes = 14 No = 0 Abstaining = 4

14 voting, 2/3 vote = 10

Motion was approved.

Leslie James (abstaining): I have an issue procedurally with this body taking action when it's not provided on the agenda. It would've been more appropriate for discussion and not go for a formal vote.

Ted Rampton (abstaining): Same concerns.

Rod Kuharich (abstaining): Same concerns.

Kerry Christensen (abstaining): I think it's kind of silly to spend money on comparison of 7,000-9,000 vs. 6,500-9,000.

Action Item: Everyone is encouraged to send their comments on the Interior's response to the AMWG recommendation on the BHBFB to Dennis Kubly.

HBC Augmentation Feasibility Final Report. Sam Spiller distributed copies of "The Feasibility of Developing a Program to Augment the Population of Humpback Chub in Grand Canyon" report (**Attachment 4a**) and then gave a PowerPoint presentation of same (**Attachment 4b**). Sam asked for any comments.

GCMRC Status of Reports.

SCORE Report. Jeff Lovich gave a presentation (**Attachment 5a**) on work the GCMRC staff has been involved with planning in the past several months.

Comments:

- Traditionally USGS reports are prepared without a lot of political pressure but the development of the SCORE report is just the opposite. GCMRC should alter the schedule to require four months for peer review and two weeks for publication. (Kuharich)
- The current SCORE report comes off as a USGS product and doesn't recognize the efforts of others who contributed to its development. (Kaplinski)
- Would like to have the TWG review the report after it's been published. (Taubert)
- I would submit this is not the SCORE Report because one of the key things is that is not meeting our need for timely feedback on the state of the canyon's resources. The \$50,000 might be better spent meeting those needs alternatively versus producing a glossy publication. (Hyde)

Jeff said he would bring copies of the Table of Contents for the SCORE Report (**Attachment 5b**) to tomorrow's meeting and would like to have comments sent to him by Friday, Oct. 29. He is looking for things that are missing. This document is going to be an assessment of the state of resources for the river. He has instructed each author to focus on addressing the issue of MLFF to the extent that the data will allow it in each chapter and so that is going to be the timeline for the MLFF Report. It will also be a status of knowledge within the context of the long term experimental planning ad hoc group.

Action Item: Comments on the SCORE Report table of contents should go to Jeff Lovich by Friday, October 29, 2004.

Draft Core Monitoring Plan. Jeff reviewed the development of the plan (**Attachment 5c**) and then gave a PowerPoint presentation (**Attachment 5d**). He would like to receive comments but requested they be sent in an official, consolidated format vs. from numerous individuals.

Pam Hyde passed out copies of a memo (**Attachment 5e**) from the Grand Canyon Wildlands Council with their review of the Core Monitoring Plan.

GCMRC Strategic Plan. Jeff distributed copies of the GCMRC Strategic Science Plan (**Attachment 5f**) and gave a PowerPoint presentation (**Attachment 5g**).

Comments:

- The Science Advisors took six of the questions listed in the plan and walked them back through the 2005 plan on research and development and the core monitoring plan to make sure those questions could be answered with specified monitoring and research projects. The science advisors then went through it at a recent workshop and came up with a list of priorities. They found about a 95% overlap and were in some ways surprised but they feel that GCMRC has been extremely consistent in how it approached the questions and the concerns. (Garrett)
- A response to comments document needs to be prepared so each stakeholder can see what comments were given to GCMRC and how GCMRC addressed them. (Hyde)
- I didn't see anything about how you would conduct business in the most environmentally friendly way, ways you can consolidate your operations, cost effectiveness, research effectiveness. (Alston)
- Would prefer that the TWG review and work out any problems with the plan prior to AMWG receiving it. (Palmer)
- The AMWG needs to look at things in a more comprehensive nature and utilize interdisciplinary approaches. One of the ways we talked about this was in Core Monitoring Plan and used questions to further our understanding. We were pretty direct on the original Strategic Plan. We felt it was really a management plan. We asked for more collaboration be delivered in that product - outyear planning, improved linkages but with some administrative studies with other managers, but most important that it was being driven by integrated science approaches and are ecosystem approaches. There has been some improvement. We have seen vast improvement in strategic science plan and the core monitoring plan. One concern we have in research experimentation on HBC Plan and LTEP is falling behind the other documents and hopefully that will be addressed tomorrow. (Garrett)

Action Item: Comments on the Core Monitoring Plan and GCMRC Strategic Plan are due to Jeff Lovich by November 23, 2004, with a copy to Linda Whetton (who will forward to Michael Gabaldon).

Updates on Ongoing Humpback Chub Projects in the HBC Comprehensive Plan. Dennis Kubly said that in August 2003 the AMWG accepted a Humpback Chub Comprehensive Plan as a template for budget figures though not the plan itself. Because there will be a HBC Comprehensive Plan presentation later today, he felt it would be a good time to get status reports on the projects (**Attachment 6**).

There was a lengthy discussion on Project 2. It was originally set up to remove HBC from the mainstem LCR at 30-mile to maintain genetics stock and refugia. In FY04 it was funded as genetic refugium but in March 2004, it was replaced to do an evaluation of the Hualapai Fish Facility. Bruce Taubert said that AGFD came up with enough funds to cover that work and therefore, \$40K is left in the budget. He would

like to move \$8,000 from that fund to the FWS so they could complete the genetics work at the Dexter National Fish Hatchery. The following motion was considered:

MOTION: To use up to \$40,000 now dedicated for evaluation of the Hualapai Fish Facility and other fish facilities (Project 2) to repay Arizona Game and Fish Department for their expenses for evaluating the Hualapai Fish Facility.

Motion seconded.

Voting Results: Yes = 7 No = 8 Abstaining = 4

15 voting, 2/3 vote = 10

Motion failed.

After further discussion, Bruce withdrew his request and said that he would work with Denny Fenn to secure funding to finish the genetics work.

Project 4: Glen Knowles presented a PPT on Translocation above Chute Falls (**Attachment 7a**)

Humpback Chub Comprehensive Plan Update – Glen Knowles passed out copies of the “HBC Comprehensive Research and Management Plan Update” (**Attachment 7b**) and then gave a “Progress Update on Revision of the HBC Comprehensive Plan” via a PowerPoint presentation (**Attachment 7c**).

He reviewed the following three policy options identified during the September 20, 2004, HBC AHG conference call:

1. Forward HBC Plan onto the Secretary with a recommendation to develop a recovery program for Grand Canyon HBC.
2. Designate each HBC plan project as in or out of the AMP and fund accordingly.
3. Fully incorporate HBC Plan into the AMP.

Comments:

- The question is: Are we doing a plan or not doing a plan? The ultimate audience for this is the Secretary and how she should receive this information. Suggest we look at options for coming up with some creative new way of looking at this recovery program plus. Task the HBC AHG to develop some creative proposal to the Secretary on how to implement it and have the TWG flesh out the technical issues. (Hyde)
- My recommendation is to do #2, plus the last two we discussed. We've made a lot of progress but there isn't going to be consensus. If we're going to do anything more, it needs to be done at this table. Use the list until we deal with the other issues. I don't feel comfortable with the TWG doing because there are some policy issues involved. (Taubert)
- The plan hasn't been given good guidance. I like some of the ideas about considering a lower basin RIP. (Ramsey)
- We need to develop a plan but not sure it's in the AMWG's purview to do this. Many of the elements of a plan could be funded by the AMWG. Somehow we need to establish some kind of organization to get around that. (Kuharich)

Nikolai said he would draft a motion and present it at tomorrow's meeting.

Adjourned: 5:25 p.m.

Glen Canyon Dam Adaptive Management Work Group
October 25-26, 2004

Conducting: Michael Gabaldon, Secretary's Designee
Facilitator: Mary Orton

Date: Oct. 26, 2004
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Committee Members:

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Amy Heuslein, BIA
Pamela Hyde, Grand Canyon Wildlands Council
Loretta Jackson, Hualapai Tribe
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Bill Persons, AGFD
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Randy Seaholm, State of Colorado
Linda Whetton, USBR
Barbara Wilson, NPS/GLCA

Meeting Recorder: Linda Whetton, USBR

October 26, 2004
Convened: 8:10 a.m.

Introductions and Administrative Items. Michael Gabaldon welcomed the members, alternates, and general public. Attendance sheets were distributed and a quorum established.

Basin Hydrology. Tom Ryan presented current basin hydrology slides (**Attachment 8**).

Public Outreach Ad Hoc Group (POAHG) Update. As co-chair (with Pam Hyde) of the POAHG, Amy Heuslein's presentation (**Attachment 9a**) described what the group has done since the last AMWG meeting. Pam Hyde passed around some copies of logos the POAHG is considering and asked that suggestions/comments be forwarded to her or Amy.

Pam said the POAHG would like resolution to several issues as to their authority and passed out copies of the POAHG's Phase I Project Management Schedule (**Attachment 9b**)

Consensus Item: Given authority to the Public Outreach Ad Hoc Group to respond to media issues on AMWG/AMP issues between AMWG meetings, with the following stipulations:

- They will check with GCMRC on science issues
- No editorializing
- Prior approval by the Secretary's Designee and the regional directors of Bureau of Reclamation and Fish and Wildlife Service
- Notice to AMWG members for five days of review, with any concerns by members to be communicated to Secretary's Designee for resolution.

Approved by unanimous consensus.

The POAHG will return with a recommendation on what products should be approved by AMWG before distribution.

Warm-water Fishes Research Initiative. Lew Coggins passed out copies of the "Water Fisheries Investigations," a prospectus (**Attachment 10a**) and then gave a PowerPoint presentation (**Attachment 10b**). Lew also gave a demonstration of using the Didson camera for detecting certain fish and said the camera costs \$80,000 or can be rented for \$500 day. If it was bought in a year, they could use rental fees toward cost of the camera. He said it would be worth using to see how it could address their needs. He asked the AMWG for direction on how to proceed.

Consensus Item: Authorize funds for workshops, and direct GCMRC to further develop warm water species plan with TWG. The workshops include GCMRC workshop as described in the prospectus for warm water species research, and participation in the Upper Basin Recovery Implementation Plan workshop on non-native fish control.

Approved by unanimous consent.

Public Comment: Paul Li (with Attorney Bob Lynch's office) expressed frustration that this was the third time a motion passed that hadn't been noticed in the Federal Register. The Secretary's Designee explained that the motions passed yesterday were under some real tight time frames and decisions had to be made.

Status of the Basin Fund. Clayton Palmer said that he may have been remiss in not providing current updates on the basin fund so he will do that more often in the future. He referenced one of the most probable conditions slides from the hydrology presentation and said that WAPA, with respect to generation of electrical power to the CRSP system, has used the most probable forecast in the past and have been wrong. As a result, his office is now engaged in some contingency planning and provided more information (**Attachment 11**). He said that all other costs and revenues are the same for all of the scenarios. WAPA tries to carry over \$25M in an average year. In FY04 it was below what they normally like to hold onto (keeping a certain amount available to WAPA and Reclamation), but beginning FY05,

they had a healthy balance of \$45 million. However, they expect to spend \$53.7M in firm rates and estimate the fund will be down in FY06.

CRSP Customer Update. Leslie James said that while Clayton covered the general financial and cash flow considerations, she wanted to describe who the CRSP customers are because from time to time she hears the words “profit” and “increasing revenues”, and “making money.” By law, the power and energy that are marketed from the CRSP has to be marketed to not for profit entities. None of them can make a profit under Reclamation law. The nature of the customer base has changed and as of October 1, 2004, there will be 54 tribes and pueblos who will be CRSP customers. They are under long-term contracts but the nature of the contract is that it is not a fixed rate. The rates can change at any time WAPA feels they have to change the rate. The source of money in the basin fund that funds the AMP in part is discretionary and the Secretary may use revenues from the basin fund to cover the program. It funds in part the upper basin recovery program, the salinity control program, capital investment in the project, and the salaries of Reclamation and WAPA. All those items come out of the basin fund and what makes up the basin fund is the revenues from these long-term contracts. According to the contracts, if the rate changes a customer has the ability to walk away from the contract. Therefore, there is not a fixed guaranteed source of revenue for the basin fund from these contracts because of that provision. She said that Glen Canyon is about 76% of the resource that is marketed under those contracts. Glen has the largest impact. Since the Record of Decision and the change of flows, the capacity has been reduced by about one-third but the rates have stayed the same and continue to increase. Leslie said they are looking at some principles that could be the underpinning of some federal legislation that could help provide some funds to keep the basin fund whole, to possibly provide funding this type of discretionary program in the event that certain types of budget or financial triggers are met. She said that because of the discretionary nature of the funding, she would encourage any of the non-governmental entities to help support CREDA's efforts regarding federal legislation.

Rod Kuharich said there was another component to what Leslie said relative to funding the AMP. He said the four upper basin states sent a letter (**Attachment 12**) to the Secretary of the Interior asking that she budget in FY06-07 to fully fund the recovery implementation programs from sources other than power revenues because they are fearful that Lake Powell will be down at minimum pool which is 4 million acre-feet and have no generation. They believe that many Section 7 consultations depend on the RIPS being in place. The basin fund supports the RIP programs and it is critical that the RIPS be adequately funded in terms of Colorado water use. They also think many of the public power entities that are self-generators will be generating themselves and won't be buying the power. They are concerned that the water users may have Section 7 consultation reinitiated because a RIP is not being adequately funded. If push comes to shove, the State of Colorado feels that the RIPS are more important than the salinity control forum and AMP funding and won't support the power revenues being used for other programs. Rod said the Upper basin states also sent a letter to the lower basin states identifying the concern that they had with maintaining power generation at Lake Powell. He said there was only one area that the upper basin thinks that they have any degree of control over and that is the deliveries to Mexico. The Compact currently states the river is divided 7.5 million to the upper basin and 7.5 to the lower basin but the requirement is measured on no more than 75 million on a 10-year rolling average. The lower basin gets an additional million acre-feet from the tributaries below Lees Ferry and that any deliveries to Mexico would be assessed one-half to the upper basin once a deficiency has been determined. Every year the Secretary has released 8.23 maf assuming that the upper basin would get half. The upper basin is now saying that it's important that any deficiencies be determined before those are made in an attempt to keep more water in Lake Powell and an attempt to keep the water level up at and power being generated.

FY 06-07 Budget Process. Dennis said that at the last AMWG meeting, the AMWG agreed to a process for the development of a two-year rolling budget. He presented a PPT (**Attachment 13a**) of the budget process. Jeff Lovich distributed copies of a pie chart (**Attachment 13b**) of the budget that was passed in FY 2004. They made an effort to go down the list of GCMRC science program projects, not including the PA, the tribes, and just relate the various priorities from the August 2004 meeting to the projects that were in the budgets.

Comments:

- This points out the inequity in the current funding for cultural resources. There is no line item in the current budget to address any of the tribes concerns within the research programs. The tribes have relied on the PA funding to fund a lot of science activities. It would be nice to see a line item that tribes can draw on to address science projects and cultural issues within the 05 budget. (Yeatts)
- Suggest that we have more integrated science process where there are hypotheses that are developed based on our questions that then the work plan addresses. We need to improve our conceptual model and use it more broadly to develop these processes and the hypotheses. (Hyde)
- Suggest keeping cultural and recreational separate. (Leap)
- I would like to see the TWG come out with a recommended budget that's detailed based on what was discussed at the AMWG retreat. I would like to see FY04 expenditures as a means of determining future allocations. Every governmental agency is looking at constrained budgets and for the AMP to go back and ask for more money is inappropriate. We haven't been able to spend the money in past years. We need to be judicious in what we're doing (Beckmann)
- Need more funds for cultural and TCD work. (Heuslein)
- Suggest taking the amount of funding that the power revenues would normally have funded and make a recommendation to the Secretary that that amount be funded through a line item in the President's budget. I'm not supportive of more money on top of the capped power revenues amount. (James)

Conflict of Interest, Procurement, and Operating Procedures Concerns. Bob Snow (Washington Solicitor's Office) was brought into the meeting via speaker phone. Bob reviewed his understanding of the concerns brought up by Bruce Taubert at the April 2004 AMWG meeting. In that meeting Bruce questioned if the procurement requirements had changed from using different entities to do work in the Grand Canyon towards a concentration of research being done by GCMRC. Bob said the Department has an opportunity to either avail itself of its in-house resources or ask external groups, cooperators, etc., to take on those tasks. The fact that there is an ongoing FACA process does not change the fundamental nature of being able to task USGS within their organic statutory authority to take on certain studies. Once and if the Dept. chooses non-Federal entities to take on that research, then a number of procedural regulatory and statutory provisions apply, such as the Federal Acquisition Regulations (FAR), etc., but they haven't been able to find anything that would indicate that the mere existence of a FACA committee pursuant to a charter would change the Secretary's ability to task research internally. They also haven't seen anything that that gives rise to a conflict of interest and so the fundamental conclusion is that this is not a conflict of interest set of issues. Bob said he hasn't gone over to the Government Services Administration (GSA) or the Department of Justice to see if the same issues are being treated differently elsewhere within the Executive Branch. Before he takes that step, he wanted to revisit with the AMWG to see if that's something they would informally ask him to do.

Bruce Taubert said he brought the issue up at the April meeting because he wanted to better understand the procurement regulations and feels they may have changed over time. He referenced a letter from Dave Garrett in May 1997 (**Attachment 14**) when Dave was the Chief of GCMRC. In that letter it stated, "Federal contracting law would suggest that GCMRC views an open competitive process wherever possible, not selective, from all the work it intends to support." Bruce said that letter was in response to a letter that Arizona Game and Fish Department (AGFD) sent because prior to the development of the AMWG, the AGFD had cooperator status in the EIS and having cooperator status in the EIS meant they didn't have to go through the competitive process and therefore were transferred \$1.1 million to conduct work in the canyon. Since then, the work has dropped off and now AGFD gets around \$100,00-125,000 in project work. He feels the process for making decisions presented to them in 1997 as being very different than the process currently in place. Bruce said he is looking for more specific direction from him than AMWG has the authority to make. He said that in 1997 there was a federal contracting law that GCMRC would award work through open competitive process. .

Bob stated that the Department retains the prerogative to use its own internal resources to accomplish research. There may be other reasons that it may choose not to avail itself for that work. Before it reaches the point of using a contracting mechanism, the Department has the ability, authority, and legal right to look at its own internal rights, notwithstanding that the analysis is taking place in a FACA setting.

Bruce, reading from the May 1997 letter, referenced 11 bullets which support the competitive bid process. He also said he has AGFD's June 18, 1997 response to Dave's letter which he could provide to Bob. Bob said he didn't have the letters before him and couldn't comment on them at the present time. Bob said he would review the memo and could provide written comments back to the Mike Gabaldon.

Bruce said that what his attorney sent him was a set of questions that Mike Gabaldon agreed to answer but his attorney had not yet received a response from Mike. He read the questions:

1. Provide a history of the procurement practices with AMWG.
2. Does GCMRC now have the control of these expenditures?
3. Does AMWG have to use GCMRC to initiate contract work?
4. Does AMWG have authority to spend or obligate Federal dollars?
5. Do the Federal Acquisition Regulations (FAR) apply to AMWG or GCMRC contracts?

Bruce said he is unwilling to debate the issue unless he gets something more specific than a general discussion. Bob said he is aware that the questions are framed and feels there are some different issues than were initially raised. He can give Bruce and the AMWG bullet references to each of those questions and will work through Mike to get those back to the AMWG in writing. Mike asked Bob when he might be able to provide responses to the questions. Bob said he would like to send something to Mike before the next AMWG meeting.

Long Term Experimental Plan Update – Dennis Kubly passed out copies of the LTEP Update and timeline (**Attachment 15a**). He said that a directive from the last AMWG meeting concerning the LTEP was an agreement to the proposed schedule and that they wanted a detailed report in October. He gave a PowerPoint presentation (**Attachment 15b**)

GCD Maintenance Schedule. Dennis Kubly stated that a report had been made in August and there haven't been any changes.

Programmatic Agreement Update. Mike Berry said that the Advisory Council and the State Historical Preservation Office (SHPO) both think that the PA will never be terminated and that the 106 obligation will never be finished. He said that doesn't make sense to him because he is accustomed to PAs that have a finite lifespan and reach a successful termination and feels is one should as well. He said that part of the problem was in language that was included as well as excluded from the PA. For example, there is no stipulation for what constitutes a successful termination. There was also a long section about long-term monitoring and that is what feeds the AC's and SHPO's notion that this program can't ever cease. He said that probably one of the reasons there is no termination clause in the document is because there is no explicit definition of an Area of Potential Effect (APE) in the EIS, the Record of Decision (ROD), or in the PA. However, he said he did find an implicit definition acknowledging that there might be an APE. In the EIS it lists a total of 336 eligible sites that would be subject to adverse impacts. The preferred alternative states only 157 sites so the reduction in number of sites implies that the APE has been reduced. He believes the PA can work with that number and with all the work the Park Service has done subsequently, will be able to find out exactly how many sites are affected or may be affected in the near future and design treatment plans around those sites. Once treatment on those sites has been accomplished, they can say they have a successful termination. In order to do that they're most likely going to have to amend the Programmatic Agreement. Unfortunately he said there is no funding for implementing the treatment plans. They are going to finish the design of the treatment plan for Glen Canyon in 05 and by 06, they'll be ready to do implementation. As far as Grand Canyon is concerned, they have money allocated in the 05 budget (\$250,000) to design a treatment plan. They will get that contract (RFP) in place before the end of FY05 but the work will primarily be accomplished in 06 and in 07 they will need a lot of money to implement that plan.

With respect to the long-term monitoring that is specified in the ROD and in the PA, they have been having a lot of conversations about that with GCMRC and NPS. They want to take that language out of the PA and want to develop a cooperative program with GCMRC and NPS to actually synthesize their

monitoring approaches. That effort will probably require a Memorandum of Understanding or an Interagency Agreement and the Scope of Work will have to address the division of labor and funding. In order to accomplish that, they are going to bring people together to discuss the issues. They've already determined there is a history of disagreement over how things should be monitored from the NPS or from GCMRC and they want to build a synthesis moving forward.

Mike added the PA membership issue hasn't been resolved. He will provide an update at the next AMWG meeting.

Tribal Consultation Plan Update – Mike said the DOI agencies got together and are looking at schedules and will be getting with the tribal participants in the near future.

Adjourned: 3:00 p.m.

Next AMWG Meeting: March 2-3, 2005

Respectfully submitted,

Linda Whetton
U.S. Bureau of Reclamation

General Key to Adaptive Management Program Acronyms

ADWR – Arizona Dept. of Water Resources
AF – Acre Feet
AGFD – Arizona Game and Fish Department
AGU – American Geophysical Union
AMP – Adaptive Management Program
AMWG – Adaptive Management Work Group
AOP – Annual Operating Plan
BA – Biological Assessment
BE – Biological Evaluation
BHBF – Beach/Habitat-Building Flow
BHMF – Beach/Habitat Maintenance Flow
BHTF – Beach/Habitat Test Flow
BIA – Bureau of Indian Affairs
BO – Biological Opinion
BOR – Bureau of Reclamation
CAPA – Central Arizona Project Assn.
cfs – cubic feet per second
CRBC – Colorado River Board of California
CRCN – Colorado River Commission of Nevada
CREDA – Colorado River Energy Distributors Assn.
CRSP – Colorado River Storage Project
CWCB – Colorado Water Conservation Board
DBMS – Data Base Management System
DOI – Department of the Interior
EA – Environmental Assessment
EIS – Environmental Impact Statement
ESA – Endangered Species Act
FACA – Federal Advisory Committee Act
FEIS – Final Environmental Impact Statement
FRN – Federal Register Notice
FWS – United States Fish & Wildlife Service
GCD – Glen Canyon Dam
GCMRC – Grand Canyon Monitoring and Research Center
GCNP – Grand Canyon National Park
GCNRA – Glen Canyon National Recreation Area
GCPA – Grand Canyon Protection Act
GUI – Graphical User Interface
HBC – Humpback Chub (endangered native fish)
HMF – Habitat Maintenance Flow
HPP – Historic Preservation Plan
IEDA- Irrigation and Electrical Districts Association of Arizona
IN – Information Need
IT – Information Technology (GCMRC program)
KAS – Kanab ambersnail (endangered native snail)
LCR – Little Colorado River
LRRMCP – Lower Colorado River Multi-Species Conservation Program
MAF – Million Acre Feet
MA – Management Action
MO – Management Objective
NAAO – Native American Affairs Office
NAU – Northern Arizona University (Flagstaff, AZ)
NEPA – National Environmental Policy Act
NGS – National Geodetic Survey
NHPA – National Historic Preservation Act
NPS - National Park Service
NRC - National Research Council
NWS - National Weather Service
O&M - Operations & Maintenance (USBR funding)
PA - Programmatic Agreement
PEP - Protocol Evaluation Panel
Powerplant Capacity - 31,000 cfs
Reclamation-United States Bureau of Reclamation
RBT – Rainbow Trout
RFP - Request For Proposals
RPA - Reasonable and Prudent Alternative
SAB - Science Advisory Board
Secretary(=s) - Secretary of the Interior
SWCA - Steven W. Carothers Associates
TCD - Temperature Control Device (for Glen Canyon Dam water releases)
TCP - Traditional Cultural Property
TES - Threatened and Endangered Species
TWG - Glen Canyon Technical Work Group (a subcommittee of the AMWG)
UCR - Upper Colorado Region (of the USBR)
UCRC - Upper Colorado River Commission
UDWR - Utah Division of Water Resources
USBR - United States Bureau of Reclamation
USFWS - United States Fish & Wildlife Service
USGS - United States Geological Survey
WAPA - Western Area Power Administration
WY – Water Year (a calendar year)