

DRD-Steering Committee (DRD-SC) Meeting
April 15, 2010
Meeting Summary
Location: DWCD Board Room

Present: Adam Bergeron, The Nature Conservancy (by phone); Randy Carver, MVIC; David Graf, CDOW (with Patt Dorsey sitting in as she will be taking over for David as the CDOW Representative eventually); Vern Harrell, Bureau of Rec.; Meghan Maloney, SJCA; and Don Schwindt, DWCD. Sitting in the audience included Mike Preston of DWCD as the fiscal agent representative and Jim Fisher as the DWCD Alternate.

The agenda was approved.

March, 2010 DRD meeting: There was extensive discussion on the March 2010 DRD meeting. The range of speakers was interesting and covered a broad array of topics, it was noted. Marsha has created write up of the DRD meeting in a newsletter format (similar to the 10/08 meeting) and will get it out to the DRD-SC for review before it goes out.

The presentation given by Dan Kowalski of the CDOW was an issue for some and this part of the DRD meeting was discussed at length. Don relayed that the reason he felt it was a problem is that the data and CDOW's recommendations were not tied to the hydrology. David relayed that Dan was presenting data and the CDOW's views related to the status of the native fish. There was much discussion and it was decided that first, the DRD needs to learn from this experience and handle such presentations differently in the future. For example, Marsha said that the agenda could have been set up differently to allow more time for inquiry, explanation of data and dialogue. It was too rushed, she said.

Next, it was agreed that at some point in the future, the DRD should participate in or sponsor some type of forum/symposia/work session on native fish. This should be a meeting where key DRD players can really understand what the CDOW is presenting along with their recommendations but also -- what others are presenting or raising as issues/questions including the DRD Science Committee. This ideas was agreed to by everyone. It was agreed that the debate and issues need to be framed and carried out in a much more productive way(s). It was also noted by David that the presentation brought up a key issue of thresholds: How certain does the data need to be before a management decision is made?

Lower Dolores: This agenda item was informational in nature. Marsha relayed that the Legislative Subcommittee has been meeting to develop broad parameters of the special legislation. They are dealing with: boundary, name, purpose/intent, management plan, motorized use, minerals and oil and gas, wilderness and water. They will produce a draft of their work and it will go to the larger group for discussion on the 19th of April. Efforts are being made to engage Montrose County and those efforts have been successful since part of the existing WSA is in Reach 5, which is in their county. The legislation will be more general in nature with the Management Plan providing more detail and an opportunity for continued engagement by the public. The DRD-SC members expressed optimism about this process and the fact the Working Group did indeed identify and alternative to the WSR suitability status that currently exists ~ this was their charge and they accomplished it, Marsha noted.

Spill: The forecast is not looking good according to Vern. The snow this year was better at lower elevations and with the recent winds, the snowpack is receding quickly and also collapsing into the dry

soils. The options for a spill are somewhat limited and may be 20AF but that number is changing daily. It was stated that as time goes on, better forecasting tools need to be explored. It was also noted that this is a year where the Slickrock gauge could be better used and the money invested could reap more benefits.

Biology Committee: Members of the DRD Science Committee recently met with the Biology Committee to discuss the SLOWs proposal. CDOW wishes to be assured that any use of the SLOWs would not mean non natives go downstream from the reservoir. A memo was handed out from Ann Oliver, DRD Science Committee that gave details (see purple verbiage below). This project is still very much a possibility but CDOWs concerns need to be addressed before it can move forward. The Bureau of Reclamation has been collaborating on this project too.

A request was made to the Science Committee to use the SLOWs project as an example of a project to "run through" the Framework. It seems like one of the less complex of options to reach the DRD purpose statement, David said. This could be somewhat of a case study or a template for how the DRD process will work in evaluating alternatives. The action step would be for the Science Committee to write up the SLOWs project using the Framework.

As part of this discussion, monitoring of fish was addressed since the CDOW announced at the 3/23 DRD meeting they would not set monitoring of this stretch of river as a priority until more water is available for the fish. Vern asked if this was going to be the CDOWs policy over the long-term? David and Patt said that monitoring in the first reaches will continue (trout fishery) and more will be done as opportunities come up and as funds are available. One issue is access to the lower reaches is both very difficult and/or dangerous if there is not reliable water (due to CDOW staff possibly becoming stranded). There was general agreement that monitoring is very important and even in the context of the current hydrology and that opportunities to do monitoring should be seized upon whenever possible. The CDOW was asked to not halt monitoring on the Lower Dolores all together. The CDOW was encouraged to continue working with DWCD (and visa versa) around any spills that happen and their timing in relation to fish monitoring.

Technical Memo by Chester Anderson: The memo done by Chester as part of the DRD Science effort(s) was discussed. The CDOW expressed concerns with it and David said that their fish biologists do not agree with some of its content. This was an extensive discussion on this point; how the memo was released; the implications of it; and other issues. It was noted that Chester's memo was not a study and offers no recommendations. Rather, it was a technical memo outlining a literature search and asking questions related to native fish. Specifically the memo raises questions about predation, water quality and timing of releases -- and those impacts on the native fish -- in addition to water quantity. The CDOW said the memo was an issue because it is "out there" as fact and has not been properly vetted. Others said that an important role for the DRD Science is to ask the tough questions and bring transparency to the scientific process. There was agreement again that at some point and perhaps when an alternative is put forth in the DRD Framework Process, that some type of forum/meeting/working session should be held on native fish. At such a meeting, the participants would use an established process focused on scientific inquiry to dialogue and even debate the complex issues in play. There was no specific date set for this "event" but a lot of in-depth discussion was held and the DRD-SC supports the concept. Specifically, they said this "event" should include both the science and data and any entities' recommendations around native fish but also, the available hydrology. Next, it should lay out an orderly discussion with ground rules and protocols focusing on scientific method and inquiry. The "Del Phi" approach could be used and a focus should be on the benefit, costs and process

for improving the native fish. It was agreed that such a forum/meeting/working session could depolarize the issue because having the CDOW and DRD at logger-heads over native fish doesn't make any sense and is not helpful because there is a shared interest to avoid a listing of the native fish with the USFWS. Finally, it was recommended that a more stringent process be put in place to review DRD information and an improved process for releasing DRD papers or scientific data. An action step was identified to have Chester brief the DRD-SC on the memo.

Frame work Proposal Process and Restructuring Items:

Note: *When the DRD restructured from November to March, the DRD-SC was tasked with continuing to set up a structure to analyze and potentially act upon "do-able" alternatives, and to resolve and get clarity on some outstanding structure issues. This was the first formal meeting of the DRD-SC and over the next few months, these issues will be discussed and decided upon.*

First, it was agreed that feedback from CDWR staff member Marty Robbins to the Framework questions was approved. See verbiage underlined below with his suggested changes to the Framework in red.

Marsha handed out a very rough draft of a process by which Framework proposals would move through the DRD (see verbiage in blue below). Time was running out and it was agreed finalizing this process would be the first item of business at the next meeting. Marsha said this document is not the Framework itself but rather, the DRD-SC was charged through the restructuring process of laying out the specific steps by which the DRD will discuss and potentially act upon "do-able alternatives." She said this was her attempt, after several discussions and conversations with DRD stakeholders, to lay out a process for how the DRD will assess alternatives.

Some questions that came up that need answered are:

- Is the DRD-SC the committee that heads this process up?
- What are the thresholds by which something can be done?
- What are the criteria for a proposal to go to the full DRD?
- What is the staff capacity needed? (Marsha agreed to bring a proposed plan back in May)

Other:

There was a decision made that in the future, DRD-SC minutes will be put on the Web site between meetings. Marsha said several people have asked to attend meetings and sit on the sidelines. Members asked for more time to think about this and everyone agreed this restructuring process has to be open and transparent.

June Event: The Colorado Foundation for Water Education will be touring the area. The Dolores Project, DRD and Lower Dolores. DWCD has been asked to help plan the day. Marsha is helping and the DRD and Lower Dolores will be featured at lunch.

Submitted by Marsha Porter-Norton, Facilitator, DRD and Lower Dolores Plan Working Group
Approved: 5/18/10

DRD Framework Process (draft 4/13/10)

Proposal Development

Proposals are generated using "Framework" questions. Proposals are generated at all levels and can be from:

- Community
- Entities
- Science Committee
- Hydrology Committee
- DRD members or DRD Steering Committee Members

Proposals deal with how to reach the purpose statement and they can come through the DRD at any time. There is no deadline.

Initial Discussion (no decision at this phase)

Proposals go through a discussion phase at the Steering Committee. Ground rule: no proposal is rejected outright.

Education and Common Understanding

All proposals go through a thorough and transparent process via an "Educational Forum" (similar to DRD meetings only much more interactive). This forum would have an organized format; everyone is welcome; proposal authors present their idea in a detailed fashion; there is adequate time for everyone to understand the proposal; and a clear agenda set up for discussion, dialogue and inquiry. The vision for this educational forum (a.k.a. symposia) is that water managers, the conservation community, stakeholders, scientists and interested citizens can learn about a proposal at the same time so common information is shared; there is time for scientific and hydrological inquiry and perhaps debate or back/forth; and, there is a common product as a result (such as a report from the forum).

DRD Recommendation Phase

The DRD - Steering Committee then makes a recommendation and takes that recommendation(s) to the larger DRD (DRD operates on consensus but a system for a super majority vote is established).

Choices for DRD action:

- a) No action at the present time by the DRD (the product would be the output from the forum; common understanding; information; dialogue).
- b) DRD supports the proposal and will actively work to implement it.
- c) DRD supports the proposal but members of the DRD, and perhaps other partners, will work to implement it
- d) Some other action

Other thoughts:

- 1) We need a common record of the proposals....a common way to understand them, discuss them, decide which actions might be taken.

- 2) Proposal authors do not have to be advocates. For example, the Science or Hydrology Committee may submit a proposal but that does not mean they are advocate for the idea. They can “float” ideas. In other instances, the proposal author(s) may be an advocate for the idea.
 - 3) The process has to be highly transparent and based on science. Where scientific studies or facts are disputed or there are differing views of scientific data, the DRD has to create the time for understanding the issues.
 - 4) The forum/symposia will be very well organized. We might want to use models from other projects dealing with similar content.
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From: Robbins, Marty [mailto:Marty.Robbins@state.co.us]
Sent: Tuesday, April 06, 2010 3:37 PM
To: Marsha Porter-Norton
Subject: RE: following up

Marsha,
On page 8 the sheet: Dolores River Dialogue “Framework” for considering Proposals for Actions to Improve the Downstream Environment. I would like to see this statement included because this is a Water Critical Drainage:
5. A. How would the proposal affect supplies in the reservoir? and Water Rights in the Dolores Drainage.

This will also help answer some of the questions in paragraphs: 6, 8 and 9.

Marty

From: Ann Oliver [mailto:annsoliver@gmail.com]
Sent: Wednesday, April 14, 2010 12:46 PM
To: Marsha Porter-Norton
Subject: Fwd: Dolores Biology Team Meeting Summary

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Dear Steering Committee,

Below please find the summary prepared and sent out by Jim White of the March 29 Biology Committee Meeting held in Montrose.

DRD participants who attended included: Chester Anderson, Ken Curtis, David Graf, Vern Harrell, and Ann Oliver.

Biology Committee members and others present included: Jim White (chair), Patty Schrader-Gelatt (USFWS), Tom Knopick (TU), Dan Kowalski (CDOW), Paul Jones (CDOW), and Steve McCall (BOR).

Overall the meeting was positive and constructive and a good first step towards building a positive link for communication between DRD and the Biology Committee.

Chester did an excellent job presenting, and the SLOWS discussion was constructive and provided clarity on several points:

- \* the Biology Committee agrees there is some potential benefit to improving the dissolved oxygen (DO) levels and reducing the algae levels downstream of the dam,
- \* the Committee is interested in seeing more data on the actual DO and nutrient levels downstream of the Dam and also at the different levels in the reservoir.
- \* the Committee is not opposed to use of the SLOWS, as long as stronger certainty can be developed (through data collection) that the following risks are very low: risk of entrainment of fish at different levels in the reservoir; risk of live escapement of fish through SLOWS to downstream environment; risk of expansion of the thermal range of small mouth bass, to detriment of native warm water fish.
- \* BOR would look to CDOW for the go ahead on use of the SLOWS

The discussion around the potential effects of this year's significant "low snow" levels on river flows at Slickrock and Bedrock was interesting, and I feel a good example of where sharing information between the two groups can result in a benefit to the resources downstream. Rather than bump up fish pool releases to 50 cfs in April to deter premature spawning by native fish, the committee decided that the low snow pack this year could be "used" to accomplish the same benefit for native fish, and opted to maintain the 30cfs fish pool releases through April, thus "saving" ~ 40cfs/day (per David Graf) for use during the summer base-flow period. Vern and Ken offered to change flows daily depending on flows at Slickrock, if that would be beneficial.

One item that does not appear in Jim's summary but that was helpful to hear about: Paul Jones is the CDOW biologist charged with developing a Statewide 3 Species Management Plan. Several points:

- \* the plan could be complete by Fall 2010, but no promises
- \* right now focussing on gathering all the GIS data available on occurrences past and present of the three species, to form a comprehensive database
- \* Challenges = most data is only recent, post 1980; most data is only from mainstem rivers, not much available for tributaries.
- \* He noted that the Dolores is the biggest river that is free of the non-native white sucker and long-nosed sucker,
- \* Utah appears to be developing a regionwide database on occurrences of the fish.

Also of note: the State of Utah has recently recieved a "big data request" from the Center for Biological Diversity.

Vern, Ken, Chester and David, PLEASE add to this summary and/or correct me if I have gotten something wrong!

Best regards,  
Ann Oliver