Dolores River Dialogue
February 27, 2008
10:00 a.m. to 3:00 p.m.
Location: Dolores Water Conservancy District (DWCD)

Present: Mike Preston, Jim Fisher and Ken Curtis DWCD; Dan Merriman, Colorado Water Conservation Board (CWCB); David Graf, Colorado Division of Wildlife; Steve Beverlin, Dolores Public Lands Office; Vern Harrell, Bureau of Reclamation; Jim Sisco and Randy Carver, Montezuma Valley Irrigation Company; Ann Oliver, The Nature Conservancy; John Roach, Trout Unlimited (by phone); Denise Miller and Marty Robbins, Colorado Division of Water Resources; Amber Clark Chuck Wanner and Carolyn Dunmire, Dolores River Coalition and San Juan Citizens Alliance; Rick Ryan, BLM; Karla VaderZanden, commercial rafter; Jesse Lanci, Fort Lewis student; Ann McCoy Harold, Senator Allard's office; Larrie Rule, Montezuma County Commissioner; Logan Gafford, Gafford Ranch and Farms, Inc.; Julie Kibel, Dolores County Commissioner, and facilitator, Marsha Porter-Norton.

Introductions were made and the following agenda was approved.

I)	Introductions (10 minutes)
II)	Review of Agenda (5 minutes)
III)	Objectives for the 2008 Spill (1 hour) (Vern Harrell, Mike Preston, Ken Curtis, Carolyn Dunmire (1 hour) Updates, March1 at DWCD Website: http://www.doloreswater.com/
IV)	Objectives for 2008 Science Activity & Potential In-Channel Restoration Project (Jim Siscoe, Ann Oliver, David Graf and John Roach) (1 hour)
V)	Lunch (30 minutes)
VI)	Base Flow Enhancement (45 minutes) (Linda Bassi and Dan Merriman)
VII)	Discussion of "Opportunities and Concerns" for the Lower Dolores Corridor Management Planning (1 hour) (Steve Beverlin, Chuck Wanner, Mike Preston) Key Question for Dialogue: Does the DRD wish to engage corridor management planning? If so what are the next steps in initiating the discussion and what information do people desire?
VIII)	Other, Wrap Up and Next Meeting

2008 Spill

The first presentation was given via a power point by Vern Harrell with Mike Preston, Ken Curtis and Carolyn Dunmire providing information and answering questions. Mike distributed a handout. The Spill Committee had met several times to determine desired spill objectives that, under the right conditions, can meet the needs of irrigators, fisheries, rafters and positively influence the work being done by the DRD Science Committee. The highlights of the 2008 spill are as follows:

- an early March release
- 450,000 AF projected run off (it's a very good year)
- a hopeful 1,500 AF in May and June (projection)
- 83 boating days
- 15 days of a spill large enough to cause sediments to move in the channel (2,000-3,000cfs)
- a gentle ramp down so fish are not stranded when going from one release level to the next (difficult to accomplish)
- coordination with the DOW personnel around the fish sampling to be done in April by the DOW as part of the DRD science objectives (requires the river to be roughly at 500 CFS)
- a lot more public education and meaningful updates regarding the spill amounts and timing will be done by the Bureau and DWCD via print media and including twice-week updates on the DWCD Web site
- a 250,000 AF spill - (from mid-March until late June)
- spill addresses and follows operating agreements in place while continuing to find a balance between all the user groups
- continue to make adjustments in these spill objectives based on snow melt rates, wind evaporation and further moisture received from now until the spill starts
- rafters are anticipating a good season – calls are already coming in -- a "good" raft trip is 800 CFS for three days but the river can be floated at lower levels
- rafting community can help educate their clients, friends and colleagues about the spill forecast and help set and manage public expectations
- the Spill Committee will continue to meet and refine the numbers
- Jim Siscoe noted that in 2009 hopefully a GIS model will be in place to better gauge snow at lower levels based on slope, aspect and elevation in order to better time the spill release dates and amounts ~~ it's one more tool in the tool kit

2008 Science Committee Objectives and Potential In-Channel Restoration

Jim Siscoe gave a power point presentation outlining the DRD Science Objectives for 2008. He noted that a premise of the DRD all along has been to conduct valid and transparent science in order to set the stage for decision making. A student from Fort Lewis, Jessi Lanci, was thanked for his help doing field ecology work at two sites. Jim said anyone is invited to visit the monitoring sites but are asked to call Jim first as one of the sites is on private land owned by the Sucklas. The landowner has agreed to allow visitation but wants advanced notice. The Science Committee participants include:

- Montezuma Valley Irrigation Company;
- Dolores Water Conservancy District;
- Colorado Water Conservation Board;
- The Nature Conservancy;
- United States Forest Service;

- Bureau of Land Management; and
- Fort Lewis College.

The Colorado Division of Wildlife (DOW) is also conducting science on the river through a separate but linked effort.

Jim said the science issues cover these topics: geomorphology (sediment transport); cold water fisheries (mainly rainbow trout); warm water fish; riparian ecology; and special species of concern including: Round Tail Chub, Flannel Mouth Sucker; and Blue Headed Sucker.

Jim relayed specifics of the Big Gyp site. Areas of tamarisk were noted on a power point slide using aerial photography.

A number of work products have been completed by the Science Committee and Jim relayed the list which is:

- Completion of Core Science Document
- Photo point study established
- Photo of 100 random sampling sites at the Big Gyp study site
- 5 to 10 acres of Tamarisk removal/treatment
- Aerial photo study complete
- GIS mapping project established
- Big Gyp baseline riparian survey complete

In 2008, Jim told the DRD that the objectives are:

- nutrient monitoring Reach 1
- Channel Survey (DWCD intern)
- Big Gyp Study with help from NAU and Fort Lewis students
- Re-do photo point study
- Continue Tamarisk removal
- Potential In-Channel Study (Trout Unlimited and DOW)

In 2008, it is expected the DOW work will include:

- pre- and post- Spill Surveys at Lone Dome and the Dove Creek Pump Sites (in Reach 1 to examine sediment transport and the alluvial processes)
- Continuation of fisheries monitoring in Canyon Reaches (spring) and below the San Miguel River confluence
- Continuation of fisheries monitoring at established long-term sampling sites (fall)

Two graduate students will be helping this year. Jim concluded by stating that the science being done on the lower Dolores is increasingly receiving institutional support and buy-in from a variety of stakeholders and agencies. He reiterated

that trusted data is a goal for decision making about base flow enhancement and other factors.

Questions were then directed to Jim and the science committee. It was noted that a 319 watershed plan is underway as well as macro invertebrate sampling. Chet Anderson is set to present information on this to the Technical Committee

Fisheries/DOW

David Graf of the DOW then gave a power point presentation related to the fisheries. He presented 2007 survey results; compared those results with past surveys and presented trends in fish communities; and gave ideas on management. The fish surveys' purposes are to characterize the abundance and distribution of fish in the lower Dolores River using longitudinal surveys rather than short-term sampling. The study area is the area below the dam covering 185 miles to the Colorado River confluence. David gave a summary of the testing methods and results for seven different study areas.

He summarized the overall results as:

- continuous decline in bio-mass
- number of large fish is ½ less than pre-1996 levels
- trout populations in the Ponderosa Canyon have dropped
- Dolores River fish populations are impacted by low flows and altered spring peaks
- biomass and density of fish (natives and trout) are low compared to other rivers
- some populations could be petitioned as threatened or endangered if considered a Distinct Population Segment
- trout populations are not thriving (rainbow and cut throat are having problems even with stocking)
- populations of ~~the~~ Roundtail Chub ~~is doing well~~ remain stable
- the percentage of native fish to non-native fish is good

He gave recommendations for management:
Native Fish:

- increase base flows
- mimic natural flows, as much as is possible, with spring releases
- peak flows should begin earlier and last longer to avoid unnatural temperature and flow regimes

Non-Native Fish:

- avoid spillway releases to reduce escapement
- current operations create a niche for Small Mouth Bass (SMB) populations
- better spill management would reduce habitat for competing non-natives
- extend spill as long as possible into summer to inhibit SMB growth and recruitment

Sport Fish Flow Management

- increase base flows for adult and juvenile habitat, spawning habitat and thermal regime
- Trout population did "ok" with base flow of 78 cfs minimum

David summarized stating that flows needed for native and non-native fish as well as sport fish are all compatible, and would include higher base flows and longer and better managed spills. The DOW would like to see runoff forecasts to assist in spill management. Monitoring is critical for conservation of native fish and finally, there is a Dolores River Basin Aquatic Wildlife Management Plan (draft available). The DOW ~~is looking~~ hopes to hire a native fish expert to look more closely at the population dynamics of the 3 native warm water fish not currently listed under the ESA.

Questions/answers occurred after each of the presentations. Jim Sisco relayed the coordination that is occurring between the DOW to monitor sites in the corridor in relation to flow levels and impacts on the fisheries.

Base Flow Enhancement

Dan Merrimann who is retired from the Colorado Water Conservation Board (CWCB) gave a power point presentation about potential tools for base flow enhancements for the Dolores River, beginning with water for fish surveys. A lot of background information was shared on the CWCB In Stream Flow (ISF) program with dialogue occurring about its potential applicability for the lower Dolores. The following points were made by Mr. Merrimann:

1) A base flow enhancement does not involve a reallocation of water in McPhee. Base flow enhancement should be considered in conjunction with a variety of tools such as:
    - spill management
    - acquire water for ISF use
    - channel restoration
    - habitat improvements
    - other

2) The CWCB works with water right owners on a voluntary basis to protect stream flows in a manner consistent with state law. It can acquire water in amounts CWCB determines are appropriate to ***preserve*** or ***improve*** the natural environment to a reasonable degree. The Division of Wildlife works with CWCB to quantify amounts necessary to preserve or improve the natural environment with acquired water.

3) The CWCB can acquire water by donation, purchase, lease, or other contractual agreement. A flexible contract defines the transaction. The CWCB can acquire absolute direct flow or storage rights and no

conditional water rights. The rights can be acquired on a permanent or temporary basis. CWCB may use any funds available to it for acquiring and converting water rights to ISFs. CWCB cannot accept a donation of water rights that would require removal of existing infrastructure without the owner's approval.

4) The staff's preliminary review of a proposed acquisition includes these factors:
   - decreed type and place of use
   - diversion records; season of use
   - preliminary historical consumptive use analysis
   - anticipated location of return flows
   - existing ISFs on reach, if any
   - water rights administration on reach

5) The CWCB's evaluation of a proposed acquisition, includes consideration of these factors:
   - reach of stream where acquired water will be used
   - historical use and return flow patterns
   - natural flow regime
   - location of other water rights on reach
   - potential for material injury to existing decreed water rights

6) The water acquisition process was covered and takes into account: a) interstate compact issues; b) maximum utilization of waters; c) whether the water will be available for subsequent use downstream; and d) costs associated with transaction.

7) The acquisition agreement is developed cooperatively with the water right owner. The agreement outlines the terms and conditions of the conveyance, and can address:
   - water court responsibilities
   - stream flow monitoring
   - protection and enforcement of the conveyed right
   - specific reservations requested by the owner (drought reservations, recognition of changes or exchanges).

8) The agreement is enforceable by either party as a water matter in water court.

9) The change of water right process was covered. Dan said that after acquiring water right, CWCB applies to water court to change the type and place of use to allow for instream flow use by the CWCB through a specific reach of stream, or to add instream flow use to the existing decreed uses. The decree may include:

- terms and conditions to prevent injury to vested water rights
- terms and conditions addressing water right owner's reservation of right to use the water under certain circumstances

10) There is a mechanism by which temporary acquisitions can take place.

11) The benefits of water acquisitions were noted as protecting stream flows where water may not be available for a new junior instream flow right. An agreement can extend the amount of time water is legally available to existing junior instream flow water rights. Also, it can restore, rehabilitate or improve the natural environment in degraded stream systems. Acquisition agreements are flexible and can provide for other uses of the acquired water in addition to ISF use.

12) Information about the CWCD 2008 legislative issues was shared. Funding from the Legislature is for acquisitions of water for ISF use. There is a request in this year's budget for $1,000,000 from the Construction Fund. These funds are used to pay for the lease or purchase of water rights for ISF use, and for costs related to such transactions. The CWCB must obtain legislative approval for projects before spending the funds.

Various members of the DRD discussed the amount of water in the reservoir, the amount that has to be stored for ag and other uses, and asked Dan questions. There was discussion on the amount of in-stream flow that would be needed and beneficial to the fisheries. With any decision made, there need to be costs and benefits outlined. Several members commented that there is no water available for an ISF unless additional storage capacity is created. Dan concluded by emphasizing that the ISF program may be a tool to meet DRD objectives.

Lower Dolores Corridor Management

Steve Beverlin, District Ranger for the Dolores Public Lands office presented the idea to the group of the DRD taking on the key leadership role in updating the 1990 Dolores River Corridor Management Plan. A copy of the plan was distributed. This plan needs updated and the DRD is a logical entity to help, Steve said. It would involve larger corridor issues including but not limited to the river. There was agreement this is a good role for the DRD to take on and that a new committee should form to work on this project. The work will be done in close concert with both Counties (Dolores and Montezuma). The Technical Committee will meet and discuss the many specific details involved, and was charged with bringing recommendations back to the next DRD. Questions such as cost, staffing, community involvement processes to use, etc. will need to be worked out. Steve said that he sees this as an opportunity for the DRD to form a new committee and begin to look at alternatives out there for corridor protection while addressing concerns raised both by the DRD but also, the community at large. The concerns noted about this project were:

- Insuring that the corridor plan would not violate or damage existing water rights and contracts.
- Would a new corridor plan affect or harm existing uses (e.g. ATV use)?
- What are the stipulations and affects of a Wild and Scenic River designation as well as a potential designation of a National Conservation Area (NSA)?
- What technical experts would be needed and do we have access to such persons?

The benefits, details, concerns and opportunities around many issues can be worked on, it was noted. However, first, it was decided that the Technical Committee should meet to work on details on how to proceed.

A desire was expressed for more people from the rafting community to get involved in the DRD and attend all meetings possible for the duration of time the meetings occur. Chuck Wanner reminded everyone that he represents rafting interests at the DRD.

A fall meeting will be planned for the DRD, to review 2008 spill management, field science activity, and implementation of the corridor management updated process.

Submitted by Marsha Porter-Norton
Facilitator, DRD