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MEMORANDUM

Date: April 16, 2009

To: U.S. Fish and Wildlife Service, Aquatic Ecosystems Branch Chief, New Mexico Ecological Service Field Office

From: SJRIP Biology Committee, Bill Miller, Biology Committee Chairperson

CC: SJRIP Coordination Committee, Dave Campbell, Program Coordinator

Subject: Request for review of 2003 shortage sharing recommendation flows and applicability to 2009 – 2012 water user shortage sharing agreement

The New Mexico member of the San Juan River Basin Recovery Implementation Program Coordination Committee (SJRIP) requested that the SJRIP Biology Committee review its 2003 shortage sharing flow recommendation for application to the 2009-2012 water user shortage sharing agreement. The request to the Biology Committee was discussed at the February 26th, 2009 Coordination Committee meeting by that committee. The Coordination Committee approved the request and directed the Biology Committee to discuss the request from New Mexico and provide a response to the U.S. Fish and Wildlife Service. The Biology Committee members were provided the 2003 recommendation and discussed the request on their March 26th conference call.

The Biology Committee discussed the 2003 temporary flow modifications. The recommendations for 2003 were based on a very specific hydrologic condition. The request before the committee was to determine if the recommendations for 2003 would be valid for the period 2009-2012. Since the hydrologic conditions for 2009 -2012 are unknown and possibly different from the 2003 conditions, the committee discussed how those 2003 recommendations might apply to the new water user shortage sharing agreement. Without specific hydrologic conditions, the Biology Committee members concluded that it would be prejudging unknown conditions and they could not recommend application of the 2003 temporary modifications for the 2009-2012 water user agreement. However, the Biology Committee would review hydrologic conditions if a shortage occurs during 2009-2012 and would make a recommendation for flows based on actual conditions.

This conclusion is based on several factors; first, the actual hydrologic conditions in a future shortage are unknown and could be substantially different from 2003; second, the status of the endangered fish populations could be different than in 2003, which may require different flows than 2003; and finally, any change to the flow recommendations would require the Bureau of Reclamation to consult with the U.S. Fish & Wildlife Service regarding impacts to the listed species before those flows would be implemented. This conclusion by the Biology Committee does not preclude the water users from making a shortage sharing agreement at this time.

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If you have any questions, please contact me at (505) 761-4745.

Attachment

cc:

Assistant Regional Director, U.S. Fish and Wildlife Service, Ecological Services, Region 2,
Albuquerque, New Mexico

Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, Grand
Junction, CO

Coordination Committee, San Juan River Recovery Implementation Program