



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE Mountain-Prairie Region



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**AUG 11 2009**

Memorandum

To: Colorado, Utah, and Wyoming Field Office Supervisors

From: Assistant Regional Director, Ecological Services, Region 6 

Subject: Consultation Guidance for DeMinimis Water Depletions in the Upper Colorado River Basin

In coordination with the Upper Colorado River Endangered Fish Recovery Program (Recovery Program), we have determined that water-related activities in the Upper Colorado River basin, resulting in less than 0.1 acre-foot per year of depletions in flow, have no effect on the Colorado River endangered fish species, and thus do not require consultation with us for potential effects on those species.

Similarly, detention basins designed to detain runoff for less than 72 hours, and temporary withdrawals of water outside of critical habitat (e.g., for hydrostatic pipeline testing) that return all the water to the same drainage basin within 30 days' time, are considered to have no effect and do not require consultation.

These thresholds were established to minimize the time and effort expended by us, by project proponents, and by lead Federal agencies in the review of projects that are not expected, either individually or collectively, to have any effect on the endangered fish species, or the success or failure of the Recovery Program.

Consultation on water-related activities depleting more than 0.1 acre-foot per year will comply with the section 7 agreement, as implemented by the Recovery Program participants on October 15, 1993, and the Recovery Action Plan that serves as conservation measures to minimize adverse effects to listed species or critical habitat.

If you have any questions, please contact Sarena Selbo, Regional Section 7 Coordinator, at (303) 236-4046.