



Upper Colorado River Endangered Fish Recovery Program

Draft Summary Dated: March 14, 2017

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Mail Stop 65115

Memorandum

To: Implementation Committee
Management Committee, Consultants, and Interested Parties
Meeting Attendees

From: Deputy Director, Upper Colorado River Recovery Implementation Program

Subject: Final September 19, 2016, Recovery Implementation Committee Meeting
Summary

Attached are the final action and assignment summary and the general summary from the September 19, 2016, Implementation Committee meeting.

Attachment

IMPLEMENTATION COMMITTEE MEETING SUMMARY
SEPTEMBER 19, 2016
Hilton Garden Inn, Aurora, CO

ACTIONS:

1. The Committee agreed that going forward, draft summaries for Implementation and Management committee meetings will be shared first with just meeting attendees with a one-week review period for any immediate corrections, and then sent to the fws-coloriver listserver as draft summaries pending committee review and approval.
2. Approved a \$1.5M allocation of Recovery Program capital funds toward rebuilding the Grand Valley Power Plant (GVPP).
3. Set DC briefing trip dates for the week of March 19 or March 26 (preferred).

ASSIGNMENTS:

1. Brent Uilenberg will send additional language for page 4 of the revised March 29, 2016 meeting summary as requested by Tom Pitts, and then Angela Kantola will send out the final revisions for the Committee's e-mail approval.
2. Brent Uilenberg will research the issue of the Ute Indian Tribe's [FERC permit application](#) to install a pumped storage project drawing from Flaming Gorge to a new, adjacent reservoir.

PARTICIPANTS: See Attachment 1

MEETING SUMMARY:

CONVENE: 12:30 p.m.

1. Introductions, modify/review agenda, Chair's updates - Mike Thabault, Assistant Regional Director for Ecological Services expressed Noreen Walsh's regrets that she couldn't attend the meeting, and added that she was very pleased to see the article about the Recovery Program on the front page of the Denver Post yesterday. Mike expressed his appreciation to: the Program's non-Federal partners for their work on the draft report to Congress; all the Program partners for their assistance working on PVA's, SSAs, and recovery planning; and water users and The Nature Conservancy for their help with post-program flow protection. Mike noted that the Service and BLM just received a notice of intent (NOI) to sue on the Service's 2008 fluid minerals programmatic biological opinion in western Colorado (Yampa, White, and Colorado rivers). The Service is working with BLM and DOI solicitors on the appropriate path forward. Certainly the Service wants to maintain the record of non-litigation in the upper Colorado River basin. Tom Pitts said the NOI appears to question the Program's ability to cover water depletions, so that's a concern to all of us. Tom Chart noted the fluid minerals biological opinion tiered off the 15-MR PBO and has similar reinitiation criteria.
2. Approve revised March 29, 2016 meeting summary - Tom Pitts submitted revisions to the draft summary (proposed revisions provided to the Committee with the agenda for this meeting). The Implementation Committee had no additional changes. >Brent Uilenberg will send additional language for page 4 as requested by Tom Pitts, and then Angela Kantola will send out the final revisions for the Committee's e-mail approval. In light of some miscommunication on the recent

draft Management Committee meeting summary, Leslie James asked if the group has considered sharing draft summaries only with meeting participants (rather than initially to the Program listserver). The Committee agreed that going forward, draft summaries for Implementation and Management committee meetings will be shared first with just meeting attendees with a one-week review period, and then sent to the listserver as drafts pending review and approval by the Committees.

3. Program Director's report on the Recovery Program and status of the fish – Tom Chart gave an overview of Program accomplishments, issues, and future direction by recovery element. (See attached PDF of presentation.) Tom began by thanking all the stakeholders for their engagement on all the committees and across all the Program actions. This truly is a collaborative Program.

Leslie asked if the Program attempts to mimic the natural hydrograph in terms of base flow as well as peak flow requests. Tom Chart says we do try to manage for base flows, although currently on the Green River we're considering some base flow requests that might be a little higher than a "natural flow paradigm" to create conditions adverse to nonnative fish. Given that the humpback chub species status assessment covers the entire range of the species, Leslie noted that nonnative green sunfish have reappeared below Glen Canyon Dam. Mark Sturm said they treated with rotenone last year, but the green sunfish have reappeared (a few adults likely escaped the treated slough areas before treatment last year). The Park Service is now employing mechanical removal and considering other experimental approaches for this fall (ammonia or carbon dioxide), if they can obtain approval from the AZGF. Nonnative salamanders also have been found. Mark added the Park Service has begun planning long-term management and will be working on how to manage the sloughs so that the habitat is no longer suitable for nonnative species. Leslie noted that high flow experiments (HFEs) would likely wash the fish from these sloughs into the mainstem. (Melissa said the Park Service thinks this may occur at >25,000 cfs.

- a. Personnel updates: Tom Chart introduced the Program's new database manager, Julie Stahl, who begins work with the Program Director's office on October 3. Paperwork for advertising for Jana's replacement is in the works. Sandi Spivey outlined the process. Tom Chart said he thinks it likely will be the end of the year before the position can be filled. Jana is willing to volunteer some after her retirement to help with the transition. Tom Pitts noted how complex the relationships among the Program and water users are and encouraged the Service to hire this position as quickly as possible. Mike Thabault apologized that hiring for the position fell through the cracks briefly this summer and said the Service will move it as fast as they can. With regard to a position for the Service's Ecological Service's Grand Junction field office to lead Colorado River Section 7 consultations, Mike said he discussed it with project leaders this spring and has asked them to develop a better description of issues, existing capacities / efficiencies, and conservation value. Mike said Ecological Services is carrying a number of vacancies, thus, these strategic evaluations are important before approving any position. Tom Pitts emphasized the efficiency the Recovery Program brings to Section 7 consultation on water depletions in the upper basin. Tom Pitts speculated that without the Program, the Service would be looking at hiring several staffers to conduct Section 7 consultations. With regard to the database, Tom Pitts said he hopes there will be significant communication between Julie and the San Juan Program. Both programs will be using the same data base. He hopes that Julie's work to implement and improve the data base will benefit both programs. Tom Chart noted that we considered a shared position, but realized the upper basin workload warranted a full-time position. However, our office fully intends to coordinate with the San Juan program.

4. Sufficient progress – Angela Kantola provided an update on the 2016 sufficient progress letter (behind schedule, but in progress with final anticipated by mid-December). Tom Chart covered key items being tracked from 2015 letter in his Program overview.
5. Capital projects update – Brent reviewed how water management in the 15-Mile Reach is accomplished through legal agreements, capital improvements, and releases from upstream reservoirs and discussed the role that the Grand Valley Power Plant (GVPP) plays in delivering much of this water. The plant needs major rebuild (\$5.3M) and has asked the Recovery Program for \$1.942M in capital funds. The Management Committee recommended the Implementation Committee consider a \$1.5M in Recovery Program capital funding. This would be 28% of the total project cost. Tom Pitts noted that GVPP may deliver up to 71KAF of water for the fish, making this a really good price for water and a big benefit to the endangered fish. Tom recommended the Committee support the Management Committee’s recommendation. Lynn Jeka asked what assurance we have that the plant will be well-maintained going forward so we don’t face a similar situation in another decade or two. Ed and Brent said the plant was built in 1933 and operated by Public Service Company of Colorado and then Xcel for ~80 years. The plant has been maintained, but the equipment in the plant, including turbines, is simply worn out and must be replaced to continue operating. A new Lease of Power Privilege contract will have to be negotiated by Reclamation, and will include more Federal oversight to make sure the plant is maintained in good operating condition. Brent said GVVUA and OMID prepared projections of revenue that take into consideration repairs and replacements. Mike Thabault asked why this cost isn’t covered through Reclamation’s standard cost recovery and Ed said Reclamation doesn’t have authority to maintain “transferred works” like GVPP. Mike asked if the upper end of profits were realized by GVPP, if the Program might reap some of that benefit. Brent said profit sharing would be complex. Brent pointed out that there is some risk that plant will not cover costs, and asked if the Program would be willing to share losses as well. Henry added that the Management Committee discussed this and concluded that providing \$1.5 instead of \$1.9M would be a better solution. Brent outlined impact on out-year capital projects budget. Providing \$1.5M for the GVPP re-build would push the OMID completion costs out to FY19, but the major water savings from that project will still be realized in 2017. Tom Chart asked Brent to review Reclamation’s response to questions regarding precedence (e.g., hydropower plants at Redlands on the Gunnison River or Tusher Wash on the Green River) raised by the Management Committee. Brent said we don’t use either of those as water delivery points, so he doesn’t foresee any reason for the Program to engage as we have at GVPP. Mark Sturm asked if the cost estimate is solid; Brent said it’s based on a non-Federal contract and he believes it’s very solid. The Committee approved a \$1.5M allocation of Recovery Program capital funds for the project.

Tom Pitts noted the Program has now implemented ~\$200 million in capital projects. He commended Reclamation’s Western Area Colorado Office, Grand Junction for outstanding management and implementation of capital projects, stating that the Program would not be where it is today without that effort. The commendation was echoed by Henry Maddux.

6. Update on report to Congress and potential legislation – Henry said the draft report is in Washington for review, some issues about language appear to have been worked out, and hopefully the report will be transmitted to Congress prior to the November elections. After the report is submitted, the non-Federal Program partners will discuss introducing legislation to extend use of power revenues for all currently authorized Program purposes through 2023. At this time, it appears likely that the legislation will be introduced in early 2017.
7. Proposed dates for Washington, D.C. briefing trip – Based on past calendars, Henry recommends

holding the weeks of March 19 and March 26 open (with the week of March 26 being the preference) and we'll settle on which week in January once Congress releases their official calendar. Henry said he thinks the group will do delegation letters this year.

8. Recovery plans update - Tom Czapla said we likely will extend Phil Miller's work on the Colorado pikeminnow PVA to consider more management actions within the model. The final PVA report will also be a chapter within the SSA which should be available to the Program for initial review in spring 2017. Tom Czapla is writing the SSA concurrently and it should be ready for release in draft shortly after the SSA is available. The humpback chub recovery team likely will convene in December or January once the SSA has been drafted and reviewed by the Science Advisory Subgroup. Tom Chart added that the next round of five-year reviews for all four species were announced in the *Fed Register* and are scheduled to begin in 2017. The status reviews would recommend any change in status, i.e., endangered to threatened. The SSAs should help expedite those reviews.

Species	General Population Trend	Recovery Plan Revisions Initiated?	Species Status Assessment Initiated?
Colorado pikeminnow	Numbers of adults in decline in both CO and GR sub-basins. Threats (flow and NNF) being managed.	Draft shared w/ stakeholders in Nov 2014; currently conducting PVA to inform SSA	Yes , draft to stakeholders in Spring 2017. Downlisting does not appear imminent.
Humpback chub	Number of adults has stabilized after declines in the late 1990's. Lower Basin population doing very well.	Recovery Plan will be revised as SSA nears completion.	Yes , complete draft in PDO's office. Will be distributed to the Recovery Team in October, 2016. Downlisting could be considered.
Razorback sucker	Positive trends reported throughout CH (upper and lower basins). Still need to see significant recruitment.	Waiting to see outcome of the SSA.	Yes , draft has been distributed to upper and lower basin stakeholders – comments due Sept. 30, 2016. Downlisting could be considered.
Bonytail	Still trying to rebuild wild populations from hatchery stocks.	No	No

Tom Pitts asked about downlisting Colorado pikeminnow; Tom Chart said the near term trajectory of the Colorado pikeminnow populations (defined as 30 years under the modeling effort) would make it difficult for the Service to make a downlisting case at this time. Tom Chart said the Program is implementing a number of important management action focused on young of year fish survival, but with positive response/generation time seven years out, it takes time to see results.

Focusing on recovery - Tom Pitts described concerns about what we will tell Congress and what it will say about this Program and the Endangered Species Act if we get to 2023 and haven't yet achieved recovery. The Recovery Programs have been telling Congress and participant constituents that the species will be recovered by 2023, the projected date for recovery of the

razorback sucker in the revised 2002 recovery goals for the four species. By 2023, the Upper Colorado and San Juan programs will have spent approximately \$500 million over 35 years. It will be difficult to explain why the species have not been recovered or to make a case that more time and money is needed. Tom Chart said he believes the Program continues to embark on new flow management strategies and has finally ramped up the nonnative fish control program to meaningful levels. Unfortunately, with these species (particularly Colorado pikeminnow) we know there will be a considerable lag time between action and population response.

9. Regional Director's 2016 and 2017 Program priorities – Mike Thabault said the Region didn't put a date on last year's priority document in acknowledgment that priorities don't change significantly from year to year. This Program is called out as a Regional priority in that most recent 5+ year document and will remain so. The Service will continue working with PDO to focus on high-priority actions each year.
10. Update on Upper Basin Drought Contingency Planning - Steve Wolff said the Reservoir Drought Operations MOA should be finalized and signed by the end of the year. The MOA outlines the process by which, if Lake Powell reaches a critical level, upper basin reservoirs could be operated to maintain Lake Powell elevations above a critical threshold. All parties initially agreed that any proposed change in operations would still be done within the parameters of existing RODs and BOs.
11. Southern Rockies LCC update - Tom Chart said the Green River Landscape Design Project will focus primarily on native fish, riparian, and some upland resources. The project is still gathering data, and will identify stressors, including energy development, which may help us as it relates to development in the floodplain. Tom has invited SRLCC folks to the October Biology Committee meeting in Vernal which will include a tour of floodplain sites.

Lynn Jeka said Western was just made aware of a proposal by the Ute Indian Tribe to install a pumped storage project drawing from Flaming Gorge to a new, adjacent reservoir Flaming Gorge. Steve said a [FERC permit application](#) was filed in December 2015, but none of the non-federal parties or WAPA saw the application until two weeks ago. Henry said the Tribe has been discussing a second reservoir for a long time. > Brent said he would research the issue.

12. Wrap-up and schedule discuss agenda items for next Implementation Committee webinar, which should occur in March 2017. The Committee set a webinar in March prior to the DC trip (Monday, March 13, 2017, from 1:00 - 4:30 p.m.). (Agenda items will include work planning, update on recovery plans, 2017 Congressional briefing trip, and more.) The next meeting will be held in Denver near DIA on September 26, 2017 from 12:30 p.m. to 4:30 p.m.

ADJOURN: 4:00 p.m.

Attachment 1 - Participants

IMPLEMENTATION COMMITTEE MEMBERS:

Mike Thabault for Noreen Walsh, U.S. Fish and Wildlife Service (Chair)
Ed Warner, U.S. Bureau of Reclamation
Mark Sturm, National Park Service
Patrick McCarthy (The Nature Conservancy) for Bart Miller, Environmental Groups (Western Resource Advocates) (via phone)
Steve Wolff, Wyoming State Engineer's Office
Michelle Garrison, Colorado Water Conservation Board
Lynn Jeka, Western Area Power Administration
Tom Pitts, Upper Basin Water Users
Darin Bird for Mike Styler, Utah Department of Natural Resources
Leslie James, Colorado River Energy Distributors Association
Tom Chart, Program Director, U.S. Fish and Wildlife Service (nonvoting)

OTHERS:

Henry Maddux, Utah Department of Natural Resources
Kathy Callister, U.S. Bureau of Reclamation
Brent Uilenberg, U.S. Bureau of Reclamation
Dave Speas, U.S. Bureau of Reclamation (via phone)
Melissa Trammell, National Park Service (via phone)
Harry Crockett, Colorado Division of Wildlife
Julie Stahli, U.S. Fish and Wildlife Service, Recovery Program (new database manager starting October 3, 2016)
Kevin McAbee, U. S. Fish and Wildlife Service, Recovery Program (via phone)
Tom Czapla, U. S. Fish and Wildlife Service, Recovery Program
Angela Kantola, U. S. Fish and Wildlife Service, Recovery Program
Sandra Spivey, U. S. Fish and Wildlife Service, Recovery Program