



Upper Colorado River Endangered Fish Recovery Program

Dated: January 21, 2015

January 12, 2015, Management & Biology Committee Webinar Summary

Participants: See Attachment 1.

Assignments preceded by a “>” in the text.

CONVENE: 9:00 a.m.

Recovery Program cost share in reservoir screens and net projects (to prevent nonnative fish escapement) – Tom Chart said the Program Director’s office had a preliminary discussion with State and Reclamation representatives on Thursday, January 8 (attachment 2). Program participants all agree on the importance of addressing the worst-of-the-worst nonnatives at their sources. The Program Director’s office had drafted a tiered cost-share structure (per discussion on the October 21, 2014 Management Committee webinar), which was revised as a result of the call as shown below. Kevin said they felt it was important to outline cost-share in this fashion to provide some certainty regarding what kind of funding assistance might be expected.

0%

Escapement of fertile northern pike, smallmouth bass, walleye, or burbot from reservoirs represents a major impediment to an effective nonnative fish control strategy. The Program does not support the promotion of sportfishing for these species in any location in the upper Colorado River basin. The Program considers containment devices (screens or nets) problematic for a variety of reasons and therefore a ‘last resort’ solution. The Program will not contribute to screen costs at any location if this is the sole management action. In cases where eradication is not feasible, an approved management plan that addresses the problem to the greatest extent practicable will be required prior to any funding being provided (see below).

75%

The Recovery Program will contribute up to 75% of the cost of screening reservoirs that either:

- 1) Have been treated to eradicate the target species and have an approved plan in place for long term management to prevent the reservoir from becoming a recurring problem.
- 2) In cases where rotenone treatment is not feasible, an approved management plan (reservoir and / or drainage) must be in place that identifies methods to control or eventually eradicate target species. An example might be a plan to only stock sterile predators from the compatible species list (for example: sterile walleye and/or smallmouth bass) with a plan to render the fertile fish ineffective. The plan may state that until the fishery is fully converted to approved sterile fish the reservoir will be managed to inhibit reproduction of target species.

75%

The Recovery Program will contribute up to 75% of the cost of screening reservoirs that contain* non-problematic fisheries from the compatible species list (for example: largemouth bass, bluegill, black crappie, and salmonids) on a case-by-case basis.

Priority will be given to screening reservoirs that could become a problem in the future. However, screening reservoirs that contain these species may not be warranted if it is determined that these fisheries would not likely enter riverine habitats or impact endangered species.

The Recovery Program believes that long term operation and maintenance of these screens are the responsibility of the angling community. The Recovery Program will continue to honor its commitment to remove problematic species from river habitats.

Brent Uilenberg said he’s considered this and realizes the only way the “red” category would makes sense is if a strong incentive existed (e.g., if the Service were to take the position that owning and operating a reservoir containing the worst-of-the-worst nonnative fishes that may escape would seriously compromise the Section 7 Agreement). In the “red” category, if a reservoir had a smallmouth bass fishery, unless it were managed to do

everything to control those fish, then there would be no cost-share. Thus, the only incentive to reclaim a reservoir in that category would be if *not* to reclaim it would constitute “take” under the ESA. Tom Pitts agreed and added that we need some context as to what types of reservoirs to which the policy would apply (e.g., large reservoirs, small ponds, etc.) and how it relates to the *Nonnative Fish Strategy*. Without that context, we also won’t know if we have enough funds to cover 75% funding. Finally, we need to specifically identify who will be responsible for O&M. Patrick endorsed Brent and Tom’s comments. Patrick said he supports the percentages, but there are questions we need to clarify, and Patrick suggested a memo might be a better way to present the suite of options. It would be helpful to get a sense of how much screening will/could be necessary and expected costs reservoir-by-reservoir according to this tiered structure (along with expected O&M costs). Dave Speas generally agreed, but said he doesn’t necessarily understand the percentages. Dave said perhaps the Recovery Program’s agreement to cost-share piscicides for reservoir treatment also needs to be incorporated in this. Melissa agreed with all of the above and said rotenone treatment needs to be brought back into the discussion since reclaiming a reservoir with piscicide (rotenone) is our preferred treatment where feasible. Melissa added that it seems inconsistent for the Program to cost-share 75% for a screen and only 50% for rotenone.

Tom Pitts asked about the status of lake management plans (LMPs), noting their importance in getting agreement on individual reservoir management. Krissy Wilson said that Utah is drafting new LMPs where they’re considering screening.

With regard to Starvation Reservoir, Krissy said UDWR will have difficulty funding the full cost of a permanent without assistance from the Program. Their plan would be to stock sterile walleye and seek a source of sterile smallmouth bass to stock, also.

Harry Crockett said Colorado has been working on Elkhead for over a year, and had anticipated rotenone treatment, but ultimately the mutual decision of those involved was that we need to start with a net rather than rotenone. The first cost estimates of ~750-780K and Colorado has offered to cover \$500K.

Krissy said they’ll be looking to treat and then screen/net Red Fleet in the next year or year and half.

Ridgway will be another reservoir we need to address.

Tom Pitts asked about floodplain ponds. Harry said most are privately owned and operated and fall under the *Nonnative Fish Stocking Procedures*, so unless a private owner wants to stock a pond, we have no mechanism to require them to screen (and there’s no cost-share in those situations). Floodplain ponds populated via inundation from the river are a different matter. Pitts suggested this kind of information will provide helpful context. The group also discussed the need to figure out how to address the floodplain ponds. Brent cautioned that we need to address the costs of filling notches in floodplain ponds and we may have several to consider. Harry suggested we also should review what was done with the pond-reclamation project led by Anita Martinez.

With regard to O&M, Krissy said UDWR anticipates covering annual operations, but things like screen/net replacement would be more difficult. Tom Chart thinks replacement costs could fit back into the capital-project cost structure, but the Program wouldn’t cover O&M from annual funds.

Leslie James asked if the Program has discussed reprioritization to better address nonnative fish issues. Tom Chart said we’ve certainly been reprioritizing annual fund expenditures over the last several years, with nonnative fish management taking an ever-greater portion of the budget. He’s also asked if perhaps we need to take a break from humpback chub population estimates to provide additional funding for nonnative fish management. Several agreed this would be a very difficult decision to make.

Participants discussed what reservoirs would fall in the red category. Tom Chart said he thought Elkhead would fall into the yellow category, but Brent clarified that Elkhead doesn't yet have an approved LMP. Brent believed getting at least an outline of an Elkhead LMP would be an important first step towards committing Program dollars to Elkhead.

Tom Chart agreed his office will need to provide additional information for what's evolving into a position paper/policy on cost-sharing reservoir screening (rather than just asking the committees to approve the draft schematic), but he thinks the will need to make a decision on Elkhead and Starvation in the very near future. Brent said that before we agree to cost-share a net for Elkhead, we'll need an approved LMP. Harry thought that was reasonable. Tom Pitts noted that Sherm Hebein wants to have a public meeting on Elkhead in Craig on February 5. Harry suggested we could clarify that anything decided on Elkhead or Starvation reservoirs, for example, is not to be considered precedent-setting. Brent said he can accept that approach, but we can't get complacent and let position paper/policy languish and then be faced with more crises before it's finalized. We also need to be clear on who will cover O&M.

Tom Chart said his office will take the next step to craft a position paper/policy, but wants to be cautious about expectations that we can craft a policy that encompasses every possible situation. Melissa said she thinks negotiating cost-share on a reservoir-by-reservoir basis will be unavoidable to some extent. Brent asked if we can agree that the Elkhead situation is critical and CPW's \$500K cost-share is a more-than-adequate offer. Specifically, can we move ahead with Elkhead (providing the balance from existing capital funds) if we get in writing and agree to: 1) the reservoir management plan; and 2) who will be responsible for O&M going forward. All this with the understanding that Program also will develop a comprehensive policy and list of reservoirs. With regard to a timeframe for net installation, we'll need to talk to Ray Tenney (Brent and others thought it likely would not be installed before 2015 runoff, but perhaps by fall). Harry asked if a memo from CPW providing specific, detailed management actions for the reservoir going forward (which would form the basis of the LMP) could serve the purpose of condition #1 (especially if the net might be installed before this year's runoff). Brent noted that he views a net at Elkhead as very much a Band-Aid solution that will eventually fail under certain hydrological conditions and only long-term solution is to manage down to a very low number of problematic nonnative fish. Ed Warner said it would be hard to say until we see the memo; the group recommended that CPW get a draft memo out to the Management and Biology committees to get their reaction. >Harry will make that request of CPW's Aquatic Management Section (with the understanding that this does not set a precedent of the Biology Committee [as opposed to just the States and the Service] approving other LMPs).

>Tom Chart summarized that all agreed his office should expand the schematic and today's discussion into a memo/position paper to provide appropriate context, link back to the *Basinwide Strategy*, provide partners with list of reservoirs which are or need to be considered for screening or treatment, and summarize potential total costs. Krissy agreed it would be good to evaluate all the reservoirs in Johnson's chemical fingerprinting report. Krissy said she would be willing to help Kevin evaluate the list of reservoirs (and suggested Harry and Pete might want to, as well). >The Program Director's office will start by providing an outline of all the issues they'll address in the position paper and provide that to the Committees.

ADJOURN: 10:25 a.m.

Attachment 1: Participants

Colorado River Management and Biology Committee Webinar, January 12, 2015

Management Committee Voting Members:

Brent Uilenberg	Bureau of Reclamation
Michelle Garrison	State of Colorado
Tom Pitts	Upper Basin Water Users (also Biology Committee representative)
Melissa Trammell	National Park Service (also Biology Committee representative)
Patrick McCarthy	The Nature Conservancy
Clayton Palmer	Western Area Power Administration
Leslie James	Colorado River Energy Distributors Association
Henry Maddux	State of Utah

Nonvoting Member:

Tom Chart	Recovery Program Director, U.S. Fish and Wildlife Service
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Biology Committee Voting Members

Dave Speas	Bureau of Reclamation
Harry Crockett	Colorado Parks and Wildlife
Krissy Wilson	Utah Division of Wildlife Resources
Pete Cavalli	Wyoming Game and Fish

Recovery Program Staff:

Kevin McAbee	U.S. Fish and Wildlife Service
Angela Kantola	U.S. Fish and Wildlife Service

Others

Ed Warner	Bureau of Reclamation (Implementation Committee representative)
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Upper Colorado River Endangered Fish Recovery Program

Dated: January 8, 2015

January 8, 2015

Program Director's Office and States' Management and Biology Committee Representatives Reservoir Screening Conference Call Rough Draft Summary

Participants (States and Program Director's Office): Steve Wolff, Henry Maddux, Krissy Wilson, Harry Crockett, Michelle Garrison, Brent Uilenberg, Kevin McAbee, Tom Chart, and Angela Kantola

CONVENE: 9:00 a.m.

At their October 21, 2014 meeting, the Management Committee discussed reservoir screening and identified the following action item:

>Tom Chart suggested that the PDO should draft an issue paper on reservoir screening cost share; Henry agreed. Tom Pitts and Henry and Tom Chart thought this might take the form of a decision tree.

Background

As the Recovery Program and interested stakeholders continue to investigate all possible means to combat the nonnative fish problem, we continue to work on solutions for reservoirs with populations of problematic nonnative fish. Invariably the conversation for reservoir solutions involves some sort of screen to prevent escapement of fish during spills (and outlet works where applicable). For some reservoirs, these screens are more feasible than others. One important part of the conversation for screening reservoirs is the cost of installation and maintenance of these screens.

Many Program stakeholders have asked if, and how much, the Recovery Program is willing to contribute to these screening costs. However, the Recovery Program does not currently have a firm answer to this question. Because the answer to this question is a very important component for many stakeholder decisions, the Program needs to adopt a formal decision on / standard criteria for contributing to screening costs.

Today's call with the Program Director's Office and the States' Management and Biology committee representatives is an initial step in this process. Meeting with the States is a prudent first step in the conversation, because they are the primary managers of these reservoir's fisheries. However, we do need to move on a decision rapidly for a number of specific projects, such as Elkhead, Starvation, and others. Therefore, a call with the full Management Committee is scheduled for 9 a.m. next Monday, January 12.

Kevin McAbee and Tom Chart drafted this graphic which proposes a tiered screen cost share structure based on the 'compatibility' of the reservoir sport fish species we are trying to 'contain'.



*contain = either a population is currently established with no plans for removal or the species is managed for under a lake management plan

Discussion

Kevin McAbee said the chart is based on the Program Director’s office sense that the fish community in the reservoirs best defines the issue. The more closely aligned that fish community is with Program goals, the more the Program will contribute toward screening. Cooperative set of projects that should be committed to between Program and both States’ native and sportfish sections.

Brent Uilenberg confirmed that we have a finite amount of capital funds, with maybe ~\$13-14M as yet unencumbered (and for which there will be many demands). If we are going to screen reservoirs, we must fully recognize the financial implications and make good decisions about reasonable cost share. Brent said he supports the concept of gradually increasing the cost-share based on this incentive-based structure.

Tom Chart said the Program heavily invested from an after-the-fact perspective (having made significant investments in controlling the fish in the rivers, and having committed to use Section 7 funds as needed to cost-share reservoir reclamation efforts via covering ~50% of rotenone costs). The draft percentages for screening reservoirs are based on that.

Henry Maddux compared this issue to when we realized irrigation canals taking water and entraining fish were impeding recovery. The Program didn’t require that kind of cost share when those things were a priority. There’s now no bigger priority than nonnative fish management for recovery. If we put this much responsibility on the States, it will take 40 years. Instead, we should be incentivizing and rewarding the States for being willing to screen their reservoirs. Therefore, Utah believes the structure is appropriate, but the percentages should be 75%, 90%, and perhaps near-100% (and also 100% of rotenone costs). Krissy said it doesn’t make

sense for the Program to pay 40% or 90+% of the green category, which bears the least risk; Henry agreed. Tom Chart said Pete Cavalli expressed similar sentiments about this category. Tom Chart said they wanted to express the Program's willingness to bring the most financial resources to situations that were most in line with our Basinwide Strategy. Steve Wolff agreed it doesn't make sense to pay most for low-risk fisheries. Focus on the red – eliminating where possible, but supporting screen where it's not. Harry agreed, saying we're only discussing screening where it's the only practical solution. Harry says he understands the thinking behind an incentive structure, but thinks this proposal would de-incentivize working on the reservoirs that pose the greatest risk. Michelle agreed with Harry. If a reservoir has been illegally stocked but can't be treated for some reason, for example, then that's a high priority for screening and we don't want to dis-incentivize that.

Tom Chart said he can see the rationale behind the States' concerns. Whether or not a reservoir can be reclaimed is always a complicated question and we want to be sure that we fully investigate those questions and reclaim if at all possible. As loathe as we are to back away from pop estimate schedules, Chart willing to sacrifice hbc pop ests to try to contain and reduce nonnatives. Henry emphasized that we've got to address the source (reservoirs), however. Tom Chart agreed, but added that screens and nets don't guarantee controlling escapement. Henry noted that illegal reintroductions also mean there's no guarantee that the problematic nonnatives won't be back in a treated reservoir within 5 years, for example. Kevin said treating a reservoir bumps it up to the yellow or green category where the Program would be more willing to cost-share screening. The PDO would like to see a rotenone treatment first, then stocking with compatible species, and then screening. Harry suggested the criteria could be modified to say "fund up to x% if reach mutual decision that rotenone treatment isn't feasible for a given water." Brent said that unless we get commitment from State to manage a reservoir with species compatible with endangered fish recovery, why would we screen it? Brent said he would even consider 100% of cost if where we have that agreement.

Krissy described the Starvation scenario where their ability to do something about the fish in the reservoir is a longer-term prospect, so they want to screen to prevent escapement now. Part of long-term plan is to consider stocking infertile walleye to swamp out fertile walleye there now. Meanwhile, Utah is faced with where to find \$100K for permanent screen. Kevin recalled the Red Fleet situation and said the draft percentages were based more on consideration of how our partnership can best convince the angling public to be willing to go from just screening status quo incompatible species to reclaiming, establishing compatible species, and screening. Krissy said Utah is committed to sterile fish or those considered non-problematic. There are also reservoirs where solving the problem with compatible species is completely intractable (Flaming Gorge, Lake Powell, McPhee, for example). Krissy said that once they treat Red Fleet, screening Starvation is the highest priority in Utah.

Tom Chart said he'd like to see more annual funds directed toward controlling nonnative fish at the source, but realizes we can't give up in-river control at this point, either. The issues boil down to how much and whose funds are applied to the different types of control (in-river vs. source). Brent agreed, but noted we didn't contemplate funding screening at the levels being discussed when Program secured capital funds, thus the non-Federal Program participants will likely have to ask Congress for additional funds if we want to expand screening to control nonnative fish. Harry agreed, but added that we may not have immediate needs to screen an unlimited number of reservoirs.

McAbee said that new water projects are not given Program funds to prevent entrainment (screen). He provided the example of historic vs. new projects, citing the example of water conservancy district in Utah that had to pay 100% of screen cost on a new water project, which was a \$1 million increase in project costs. Brent agreed, Program paying for significant part of OMID, for example, but water users paying a significant portion, too. Henry agreed, saying the Program was set up to cover depletions, not take. McAbee noted that when Program established, nonnative fish weren't the problem they are today, so this makes the problem more difficult because we don't have the same foundational agreements on this issue like we do water management.

Tom Chart said he senses general buy-in to the phased approach, but a need to modify the percentages in the yellow and red categories. We all agree that we have to control these nonnative fish at their sources. If the reality is that the Program has to provide more support for that, then we'll have to face the reality of finding the funds to do so. Henry said that if State is willing to go to sterile fish or have management plan that eliminates breeding, then the Program should provide considerably more funding for reservoir screening than currently proposed.

Krissy suggested rewording the red category to address the process if there's an approved lake management plan, then Krissy recommended 75% for the red category. Steve Wolff agreed and said more definition as Krissy suggests would be useful. >Krissy will draft revisions and she and Henry will get that back to this group today. Krissy noted that modifying the red category could cause it to meld with the yellow category (this may become a two-tiered cost structure). Also, with the lower risk in the green category, Krissy thought we might be able to reduce the percentage there, but she and Henry will discuss in light of the desire to reward approaches most compatible with recovery. Harry said he thinks it's unlikely the States will ask the Program for funding to screen these kinds of reservoirs in the near future. Kevin noted that part of benefit of funding "green" nets, is that they're in place if illegal stocking occurs (as called for in the *Strategy*). AK suggested a footnote that indicates this is how the Program plans to proceed in the near future, but will revisit after see how some of the many uncertainties play out.

We'll work to reach agreement quickly today and tomorrow so we can send it to the Biology and Management committees before Monday call. Kantola will send these very rough notes now.

ADJOURN: 10:30 a.m.