



Upper Colorado River Endangered Fish Recovery Program

Dated: September 24, 2018

Management Committee Summary, July 10, 2018

In Attendance:

Steve Wolff	State of Wyoming
Todd Adams	State of Utah
Michelle Garrison	State of Colorado
Jojo La	State of Colorado
Tom Pitts	Water Users
Edalin Koziol for Patrick McCarthy	The Nature Conservancy
Leslie James	Colorado River Energy Distributors Assoc.
Jerry Wilhite for Shane Capron	Western Area Power Administration
Melissa Trammell	National Park Service
Ryan Christianson	Bureau of Reclamation
<i>Absent</i>	US Fish and Wildlife Service
Kevin McAbee for Tom Chart (non-voting)	Program Director's Office

Interested Parties:

Julie Stahl	Program Coordinator
Kathy Callister	Bureau of Reclamation
Dave Speas	Bureau of Reclamation
Paul Badame	State of Utah
Dale Ryden	US Fish and Wildlife Service
Lain Leoniak	State of Colorado

CONVENE: 8:30 AM MT

1. Introductions & requests to modify agenda
 - a. The agenda was modified.
2. Approval of June 25 meeting summary
 - a. Kevin McAbee sent a draft meeting summary to the committee on July 2 and received edits from Tom Pitts (emailed with this agenda). The summary was approved. *Meeting summary was finalized and published on the website.*
3. Update on the Green River canal fish barrier construction easements (Christianson; 5 minutes)
 - a. Bob Norman reported (via email) that on Tuesday, July 3 Lee Thayn signed the necessary easements for the construction of the Green River Canal Company fish exclusion device. The FONSI for the project has been signed, which should allow construction to proceed this fall. Kevin McAbee reviewed the importance of the fish exclusion project on the Green River Canal. All four endangered fish species have been detected in the canal;

entrainment is highest for Colorado pikeminnow as the canal is located between spawning grounds and nursery habitat. The fish exclusion (weir wall and screen) will prevent both adult and juvenile fish from going through the canal, allowing direct access back to the river. The screen will be downstream of the hydropower facility and the 8-gate structure discussed today. The 8-gate structure is anticipated to reduce the amount of trash collecting at the hydropower facility and the fish screen.

4. Supplemental information received from Thayn Hydropower (Christianson; 20 minutes)
 - a. Rick Kaster provided the following requested information for the MC via a phone call with Tom Chart and Ryan Christianson on June 26, and a follow up email dated July 5.
 - i. Based on Reclamation's earlier, preliminary project estimates, a \$600K capital fund contribution from the Recovery Program would amount to ~30% of the total 8-gate rebuild project. The Program's contribution would largely be used to cover concrete costs. More specific plans/funding requests are not available from Thayn hydropower at this time. The variability in the request (\$400K to \$600K) is based on any required studies, design complexity, and variation in concrete costs. The total cost to build the fish screen and complete construction (including coffer dam) is anticipated to be \$3-3.5 million but Reclamation will not know until the contract is sent out for bid and a contractor is selected. Ryan Christianson anticipates that the additional funding for the 8-gate structure rebuild could be implemented as a reimbursement through the current O&M contract for the fish screen.
 - ii. Much of Thayn Hydropower's contributions would come as in-kind (labor, shop space, and materials), which are likely difficult to accurately quantify until they progress with the engineering designs.
 - iii. Thayn Hydropower will not be asking for additional Program contributions in the future. That is, this constitutes the full Program contribution to this project. Rick Kaster clarified that this applies to future O&M of the 8-gate structure. Thayn Hydropower is also providing O&M for their trash rack in the future without reimbursement from the Program.
 - iv. Rick Kaster clarified that Thayn Hydropower fully intends to complete the dry channel portions of the 8-gate rebuild to take advantage of the Recovery Program's coffer dam (i.e. post-2018 irrigation season). Ryan Christianson expects that Thayn Hydropower will be able to complete construction in the same timeline as the fish screen. The fish exclusion device will be finished over the winter and should be completed before runoff next year (hopefully before irrigation season begins). We currently understand that Thayn Hydropower is requesting reimbursement for lost power revenue during construction of the fish exclusion structure, which will be paid under the construction contract.
 - v. Reclamation has discussed support of the 8-gate structure project with Thayn Hydropower in recent weeks, but it was made clear that the MC would be the group to approve the amount of support and that it would likely be a capped amount.
5. Review Reclamation's draft Capital Projects Budget 5-year plan for the Upper Colorado and San Juan River Recovery Programs (Christianson; 10 minutes)
 - a. Reclamation's draft Capital Budget spreadsheet was provided by Ryan Christianson prior to the meeting. The spreadsheet currently covers realized costs since 2012 and projected

costs through 2023 (when current authorization expires), including projects for both the San Juan and Upper Colorado Programs. The remaining cost ceiling of \$10.2 million was calculated as the remaining funds after the end of FY17 (row 4). The unallocated remaining amount subtracts projected costs of expected projects from the cost ceiling to provide an estimate of unallocated funds (row 5). Current unallocated dollars are \$283,000, which is less than 3% of the remaining cost ceiling. These unallocated funds would likely be used for unknown projects or costs overruns for existing or known future projects. During the MC's last discussion of capital funding, the remaining unallocated funds were estimated at \$1.2 million, but after close review, there were many items not included. For example, for GVIC, costs were added in 2020 and 2021 to improve the fish screen and resolve ongoing maintenance issues. Also, \$200,000 is allocated for "other" floodplain habitat projects because the Program expects that floodplain habitat restoration is likely going to be desired. The spreadsheet includes a \$600k placeholder for the Thayn Hydropower 8-gate structure (as part of the \$1.5 million for the Green River Canal in 2019). Members expressed concerns that previous versions of this table held \$1 million for Stirrup and other wetland projects, but this was now reduced to \$200K beginning in 2021 in order to allow other known projects to be completed as currently scheduled. This amount can be increased based on MC decisions on keeping a cost overrun contingency and other capital projects. Ryan noted that the capital projects management (USBR staff time to implement projects, contracts, environmental review, engineering, etc.) is anticipated to be \$100k in out years. Kevin McAbee asked if NEPA review from USBR Area Offices was part of project management or listed within specific project totals. Ryan noted they are tracked in the specific project lines when possible. Ryan also noted that some of the 2018 numbers are finalized, but most others are estimates. O&M costs are not included in the spreadsheet as they are paid through base funding budgets, not capital budgets.

- b. >Steve Wolff requested a more detailed review of the budget table at the September meeting. The Committee agreed.
6. MC decision on cost sharing the 8-gate rebuild (all).
- a. Concerns were expressed about the lack of specificity around construction plans and budget estimates.
 - b. The 8-gate structure was part of the original project approved by the Recovery Program, but was removed from the project list when the siphon was installed which solved the hydraulic head problem.
 - c. Trash management at the 8-gate structure will provide benefits to the fish exclusion device at the Green River Canal.
 - d. Tom Pitts offered a motion to provide Thayn Hydropower with a one-time contribution of \$400k. This would allow \$200,000 to move back into the unallocated amount and approach 5% contingency remaining in the capital projects plan. The proposal would also be clear that the Program would not be responsible for O&M for the 8-gate structure, that if sold, the requirement to maintain the structure would be obligated to new owners..
 - e. Steve Wolff asked Kevin McAbee where this project (fish screen and the 8-gate structure) would rank out as a priority for the Program. Kevin McAbee said the fish exclusion project as incredibly important and of similar weight to the Ridgway Reservoir smallmouth bass containment device. He noted that we did decide we could complete fish exclusion without the 8-gate structure, demonstrating it is of lower importance to the

Program, but acknowledged that there are benefits from funding this effort. He noted the \$400k have indirect benefits to endangered fish and that most other projects listed have direct benefits, but that does not imply that the 8-gate structure does not benefit the Program.

- f. Melissa Trammell supported Tom Pitts's proposal and asked if there was a disadvantage to providing \$400k vs \$600k. Ryan Christianson noted there was no specific expectation of an amount by Thayn Hydropower, and he expected that they would be happy with support of \$400k.
 - g. The Committee supported providing funds including requirements that would limit funding to 25% of the total project, not to exceed \$400k contingent on Thayn providing more detailed design and cost details once they become available. Thayn Hydropower would be required to get all permits and comply with all environmental requirements needed outside of construction currently planned by the Program. Leslie James asked if there was a timing element we needed to account for; Ryan Christianson noted that funding in 2019 would not prevent construction of any other planned projects based on current federal budget limits and the forecasted budget for those planned projects. Kevin McAbee described that by implementing the 8-gate structure project this winter there are substantial savings to Thayn Hydropower from the existing coffer dam and regulatory compliance.
 - h. >The Committee requested the terms of this proposal be summarized by the Program Director's Office as part of these notes, so the terms were clearly summarized. *These terms are included as Attachment 1.*
 - i. Steve Wolff proposed a site visit concurrent with the September MC meeting. Kevin offered an optional site visit on the afternoon of September 12 and noted that we have supported rehabilitation of the diversion as well which would be viewable at the site. Kevin reiterated how important the fish screen is to endangered fish in the Green River. >Kevin will contact Thayn and the GRC Company and work out the details for a site visit.
7. OMB passback issue affecting FY19 annual funding.
- a. Steve Wolff described that the Seven Basin States sent letters requesting resolution of this issue, signed by all members, to their federal delegations, OMB, and the House Natural Resource Committee. Letters were finalized and sent last week.
 - b. Senator Hatch (UT) introduced an amendment to the Senate Water Bill to provide funding for the Programs rather than returning the funding to the treasury.
 - c. The Nature Conservancy is also working on sending letters of support for the Hatch amendment and other solutions to this issue.

ADJOURN: ~10:00AM MT

Attachment 1:
Proposed Offer to Thayn Hydropower for
Funding of 8-gate Structure Project

- The Recovery Program offers to provide a one-time contribution to Thayn Hydropower not to exceed \$400,000, or 25% of estimated project costs, whichever is less, contingent on the following requests:
 - Thayn Hydropower provides a detailed project budget which is reviewed by the Management Committee prior to disbursement of funds;
 - Thayn Hydropower will acquire all permits, and comply with all environmental requirements needed, outside of construction currently planned by the Program;
 - The Recovery Program agrees to pay power interference only during the time Recovery Program construction activities prevent delivery of water to the hydropower plant.
 - Thayn Hydropower will perform operation and maintenance of the 8-gate structure and hydropower facility, including trash removal, without request for compensation from the Recovery Program, but the O&M Contract for the other Recovery Program features remains in full effect; and
 - These terms will remain in place if the hydropower facility or 8-gate structure are sold or transferred to new owners.