



Meeting Notes

Water Acquisition Committee Webinar/Conference Call

April 22, 2020 9:30-Noon MT

Attendees: Don Anderson, Kevin McAbee, Melissa Trammell, Dusty Perkins, Michelle Garrison, Mark Wondzell, Tom Chart, Chris Holmquist-Johnson, Kevin Bestgen, Derek Fryer, Dave Speas, Ryan Christianson, Terry Fisk, Bart Miller, Pete Cavalli, James Greer, Jojo La, Kyle Whitaker, Tom Econopouly, Tildon Jones, Ray Tenney, Victor Lee, Tom Pitts

CONVENED: 9:30 a.m.

1. Welcome and Introductions
2. Summary of Last Meeting

The last time the WAC convened was July 23, 2019. The only comments submitted on the draft notes from that meeting were from Jojo La. Edits & responses to Jojo's comments have been incorporated into the version shared with this committee prior to today's call. The WAC approved that summary for posting.

3. Green River draft experimental flows physical effects monitoring plan – The Program Director's Office (Don Anderson) distributed this draft monitoring plan to the WAC, BC, and other interested parties in an email dated March 18. Technical comments on the draft plan are due May 4. New flow recommendations for the Green River (GREAT report) have raised some concerns about the effects, and thus study plans have been created to assess the effects of implementing those recommendations. National Park Service (NPS) has been particularly concerned about the potential physical effects of the new experimental flows, especially elevated base flows in drier years.

Dusty Perkins shared a PowerPoint presentation and reviewed the proposed monitoring plan from NPS, which is intended to monitor potential vegetative encroachment and channel simplification. The monitoring effort assumes less water in the future, either due to additional water depletions or from climate change. The proposal includes intensive monitoring at selected sentinel sites, combined with remote sensing of channel conditions at a coarser scale. Six sentinel sites already are on the Green River in Dinosaur National Monument, both above and below the Yampa confluence. The Jensen to Ouray reach is identified as a priority reach to add in this monitoring plan. NPS examined 22 sites between river miles 291 to 249 of the Green River during the summer of 2019, specifically those with particular habitat value for age-0 pikeminnow. Eight sites were identified as good sites, five will be selected to move forward. At each site, vegetation, geomorphology and hydrology will be monitored at a series of 1 m² plots along selected transects, measuring bare ground, total plant cover, plant cover by species, modal sediment grain sizes, and days each plot is underwater. The coarser-scale remote sensing

would use publically available data over time to look for channel narrowing and simplification. NPS will document channel narrowing (or widening) and proposes using vegetation increase or decrease as a surrogate for backwaters. With remote sensing, it is possible to look at changes in size, number, and extent of backwaters. Imagery is easy to obtain and is available in conjunction with field monitoring plots, which would be a new component in monitoring the Jensen-to-Ouray reach. Dusty acknowledged that there are many uncontrolled variables in the study, but NPS is working to ensure that they can assess the effects of the current flow regime. The study proposes adaptive management that includes evaluating four different possible outcomes from implementing experimental flows, and proposes use of decision trees as the field data are collected and evaluated.

Jojo asked if NPS was considering using image-classification techniques on LANDSAT or other remotely-sensed data to identify vegetative cover. Dusty said a landscape ecologist on staff has looked into this, but most of the imagery that they have had access to is at large pixel sizes, which would limit the ability to identify vegetative change at a satisfactory spatial resolution. Melissa said NPS worked with NASA Develop in 2018 to look at vegetation encroachment at a large scale using satellite imagery. It provided some information, but was very coarse spatial resolution. Because the sentinel sites are clustered closely together, drone imagery is an option for evaluating vegetative cover over a more broader area, and Chris said that possibly could capture and evaluate multi-spectral imagery.

Dave Speas said it seems that channel narrowing is a long-term trend and asked whether NPS was confident in a baseline/background channel narrowing rate. Also, he asked if the effects of implementing LTSP were being considered. Dusty said they do not have baseline conditions for that Jensen-Ouray reach. They are not sure how to specifically isolate the underlying effects of background trends or the effects of LTSP. Essentially, having all three of these flow experiments occurring at the same time makes it difficult to differentiate between them. Dave noted that in the LTSP plan itself, there is an acknowledgement of potential channel simplification. Dusty said the primary NPS concern is short-term changes.

Jojo asked if it is possible to differentiate between different effects on fish and fish habitat. Dusty said he is not the expert to figure that out and noted that everyone is trying to learn together and NPS is really trying to help figure out the effects of different actions. Melissa said we plan to work out the effects of various confounding factors on different fish species and noted that Derek and WAPA are also measuring backwaters. Kevin Bestgen agreed that the multiple effects are really complicated; we have some good ideas about what some of the driving factors are. Derek encouraged holding a meeting once some of this information has been collected to discuss potential ramifications. Kevin Bestgen said in past studies, changes in peak flows and introduction of non-native vegetation have primarily been the concern, and asked why base flows are the focus of concern here. Dusty said the base-flows vs. peak-flows relationship has changed over time with changes in Flaming Gorge operations, and with the proposed experimental flows this would change again. Kevin Bestgen said sometimes the Program is frustrated that adequate peak flows are not always available, but it seems like some

channel narrowing is likely on an annual basis, until such time seedlings can be removed with higher flows. Dusty said that NPS's big concern is if three or four years low flow years occur in a row, the narrowing could become permanent. Kevin is still concerned about the ability of this study to pull apart specific effects, but supported the combined approach of large scale imagery analysis and on-the-ground analysis. Melissa noted that comments are still be accepted through May 4th.

4. Water Operation Plans for 2020 – Anderson

Reclamation is tentatively planning to operate Flaming Gorge to realize a peak flow of around 18,600 cfs and around 7 days of high flows at circa 14,000 cfs, which is expected to be sufficient to entrain razorback sucker into multiple wetlands along the Green River. Projected Green River inflow to Flaming Gorge currently corresponds to a 'moderately-dry' year. Tildon Jones said the Vernal FWS office received permission to light trap for razorback sucker and operate the wetlands for a larval trigger. So Don said despite the below-average hydrologic year and COVID concerns, we are hopeful that 2020 operations can result in good larval entrainment to the wetlands.

In the Yampa, spring runoff is expected to be ~105% of normal. The Program is not planning to lease additional water out of Elkhead this year. When the flows at Maybell gage drop below ~400 cfs, Don will initiate the weekly Yampa flow coordination calls.

On the Colorado, slightly lower than average flows are expected at Cameo. Don believes the Program will have its usual full allotments of endangered fish water from the usual fish pools in Ruedi, Granby, and Wolford Mountain reservoirs. CROS is also likely to be implemented this year to boost 15-Mile Reach peak flows. 'April hole' conditions have been a concern this year, however carryover HUP surplus from last year (~6800 af) at Green Mountain Reservoir has been available for potential release to augment April flows. Victor Lee has been very helpful in arranging to release some of that water to ameliorate the intensity of the April hole this year. Bart asked how much of the 6800 af pool was used during the experiment. Victor Lee said a little over 1500 af of that water to date. Victor praised all of the Shoshone Outage Protocol Team who managed Colorado River water effectively despite the shutting down of the power plant in February. Don agreed that these ongoing partnerships are key to making flow management successful. Additional water is expected to be available again this year in Ruedi Reservoir from CWCB's lease with Ute Water, and additional water also may be available from a CWCB Garfield County lease, adding a new tool to the toolbox.

Reclamation normally holds an April meeting on the operating plan for the Aspinall Unit for the coming year, but this year that meeting is cancelled due to coronavirus concerns. Don said that basin is expecting ~73% of normal runoff (moderately-dry conditions). Ryan asked that if anyone had any questions or information that they want included in the plan, to send it to Ryan today. Tomorrow he will send out an email to the usual Aspinall Operations meeting attendees outlining the operational plan for the year.

The Duchesne is expected to be relatively dry (73-75% of average runoff) and a little less water is available for fish release this year than normal (4700 af versus a more typical

5000-6500 af). In part this is because approximately 1200 af of water from Starvation Reservoir has already been spilled in 2020 and thus will not be available to augment late-summer flows.

In the Price River basin, TNC and Utah DNR continue work on a long-term project to increase storage in Olsen Reservoir and make some available to support late summer base flows in the lower river. Improvements are proposed to both the reservoir and to the efficiencies of the Carbon County Canal Company irrigation system, the latter which would deliver some saved water to Olsen Reservoir. A draft plan, currently undergoing NEPA, is expected in July/August, and an approved plan by early 2021. NRCS funding is supporting much of this effort.

White River Management Plan and PBO – CWCB has finalized its contract and scope of work with the consultant (ERO Resources) to help develop the plan. Draft expectations for potential new water development have been developed with the help of stakeholder interests represented on the White River Planning Team. A kickoff meeting with the consultant and key White River interests is expected in coming months. Jojo shared the timeline in the SOW. Many historic documents have been transferred to ERO. The next step is to develop the plan and start understanding what potential conservation actions to protect endangered fish might be. By Dec of 2021, they expect to reach the final draft stage. NEPA will occur on a similar time frame. The project is expected to be completed before 2022. Jojo indicated they hope sooner than that, but CWCB felt it was prudent to allow for this flexibility in the timeline.

5. RIPRAP Tables and Narrative Review – Don reminded the webinar participants of the various RIP/RAP documents that were distributed by Tom Chart, and asked whether anyone had specific concerns that they would like to discuss. No concerns were expressed.

More specifically, Tom Chart sent out an email on March 31 that included several draft Recovery Implementation Program Recovery Action Plan (RIPRAP) materials, including: (1) the RIPRAP tables in MS-Excel format; (2) the RIPRAP text in MS-Word format; (3) a 2019 hydrology and instream flow management overview in PDF format; and (4) a summary of annual and technical report recommendations from 2019 (PDF format). Management Committee members and their technical committee representatives are asked to work together to submit a combined set of stakeholder comments by May 15. With the blessing of the MC, this year the Program Director's Office is adopting a more 'streamlined' review process that will not entail a detailed page-by-page walk-through of these documents with the technical committees and the MC as in past years. However, we wanted to provide this opportunity to field relevant questions the WAC might have regarding the 2020 RIPRAP materials.

6. State of Utah Water Banking Act – James Greer (10 mins)

On March 30, 2020, Utah Governor Herbert signed Senate Bill 26 establishing a ten-year pilot program authorizing voluntary, temporary, local water banking in Utah. The website www.utahwaterbank.org provides helpful information. It describes the legislation's

purpose as “to address existing legal barriers to water market activity, incentivize the use of water banks, authorize existing market activities, and provide a governance structure for water banks to protect local water users. The legislation is intended to be a pilot that will be tested through three demonstration projects in specific watersheds.”

James Greer provided additional information on this webinar and answered questions. The bill will go into effect on May 12. It is a tool allowing for the development of water banks in Utah, and currently has a sunset clause after 10 years. James noted there are two divisions that manage water in the state, the Division of Water Resources and Division of Water Rights. Water Resources does all the planning and can now create these water banks: a ‘statutory’ water bank or a ‘contract’ water bank. The statutory bank can be set up by any group or individual and is a little more complicated because an organization is needed. The contract bank is developed by an existing organization. The owners apply to the board with a specific set of water use activities and then the water can only be used for those purposes. Delivering water for environmental benefit can be among those purposes. The law does not change any uses for water rights, it just formalizes the process with open and transparent mechanisms for water transfer and use. Water rights in a bank are exempt from forfeiture. The title of the rights do not transfer to the bank, but stay with the original holder.

The bill’s provisions allow for a temporary transfer for other uses as an alternative to a “buy and dry” approach. Three pilot programs will be implemented, and a Reclamation WaterSmart grant secured to assist with implementation. One of the pilots will be in the Price River basin. James noted that groundwater and surface water cannot be managed together in a single grant. James confirmed that the law allows water saved through land fallowing to participate in the bank for an unspecified number of years without jeopardizing those rights. The bank protects them from forfeiture without limit – with the acknowledgement that banks are currently only created within the 10 year sunset of the law itself. >On April 22 Don sent out a summary document describing the water bank to the webinar participants as requested by Tom Pitts.

7. River gage cost-share opportunities? – Anderson (15 mins)

In previous Program budget discussions with the management and technical committees, the Program Director’s Office has indicated it would seek opportunities to share a greater portion of O&M costs for relevant river gages with various partners and beneficiaries. The PDO provided straw-dog table illustrating one potential cost-sharing approach, for purposes of kicking off this discussion with the WAC. Future follow-up discussions are anticipated.

Don shared the straw-dog developed by the PDO to encourage discussion around possible sharing of costs for gages. Don acknowledged that some may have concerns about this information, as the straw-dog was not developed by the partners, but emphasized that is really just to start a discussion. Tri-State was receptive to considering assisting with the Williams Fork gage, but Don has not yet individually discussed this concept with other parties. Don’s next step would be to approach other entities if that is supported by the WAC. Jojo noted that the Colorado-Utah gage is defined as a ‘federal priority’ that

should be funded by the federal entities and others may also fall into this category. Jojo said there are a lot of funding considerations in the post-2023 context, including federal versus non-federal cost share tradeoffs and opportunities, and that this conversation may be premature. James asked which gages were on this list. Don said these are the gages that are funded by the Program and that other gages are commonly used for decision making that are funded by other entities (Colorado at Cameo, Yampa at Maybell etc). Dave Speas asked if USGS still has the capacity to match non-federal funds. James said they match gages funded by Utah (60/40) but they have a limited amount of matching funds available and they are fully allocating the Utah portion already. James supports the gages continuing, but acknowledged that Utah has been reducing the number of gages they support and that adding more gages will not be likely. The State of Utah is currently helping to fund about 40-50 gages (30 completely) total including those with other partner contributions and USGS support. Call participants noted that state annual appropriations for expenses like gages could be variable and uncertain. Don said he will pause and think more critically about how to move this effort forward given the perspectives shared by the group today, and also the concurrent post-2023 Program funding discussions. But he appreciated this initial feedback and additional questions raised.

ADJOURNED: 11:58 a.m.