



Upper Colorado River Endangered Fish Recovery Program

Summary Dated: April 24, 2021

CR/FY21 UCRRIC

Mail Stop 65115

Memorandum

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

From: Deputy Director, Upper Colorado River Endangered Fish Recovery Program

Subject: January 14, 2021, Recovery Implementation Committee Meeting Summary

Attached are the action and assignment summary and the general summary from the January 14, 2021, Implementation Committee meeting.

Attachment

IMPLEMENTATION COMMITTEE MEETING SUMMARY

January 14, 2021

ACTIONS:

1. Approved October 2020, draft Implementation Committee webinar summary as final.
2. Multiple committee members reiterated the need to find a post-2023 solution quickly.

ASSIGNMENTS:

1. Julie will finalize and post the summary from October.
2. Tim Vigil will determine if he is able distribute the legal opinion to IC members regarding FY21 funding.
3. Reclamation and WAPA will update the Committee on the status of FY21 funds at a February 3rd meeting.

PARTICIPANTS: See Attachment 1

Implementation Committee Webinar Summary

January 14th, 2021 (9:00 – 12:00pm MST)

Noreen Walsh, Chair

CONVENED: 9:00 a.m.

1. Introductions, modify/review agenda, Chair's updates – Noreen Walsh welcomed the members of the Implementation Committee and participants to the meeting. Noreen welcomed and congratulated Wayne Pullan, the new Regional Director for the Upper Colorado Basin at the Bureau of Reclamation. Noreen acknowledged that federal agencies are on the brink of a transition with the inauguration. Noreen said the new administration will have high expectations for programs like ours to continue to make progress towards recovery and serve the citizens of our country. Noreen noted the successes of the Upper Colorado River Endangered Fish Recovery Program (Program), both in completing recovery actions and in maintaining stable funding. She said two of the four species have been proposed to move into threatened status because of the work of this Program and others across the basin. The cohesiveness of the power of this group is one of the strongest aspects of these programs, and Noreen expressed concern about our collective challenge in funding the programs. She noted FWS could not solve this problem alone and we need to work together to solve it.

Noreen said there appears to be conflicting pieces of legislation regarding funding this Program in FY21. The Dingell Act authorized up to \$10 M of non-reimbursable appropriations from Reclamation for FY20-23. In the FY20 Energy and Water Development

Appropriations Act, Section 307 says ‘Of the offsetting collections, including unobligated balances of such collections, in the “Department of Energy—Power

Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration’, \$21,400,000 shall be transferred to the “Department of Interior—Bureau of Reclamation—Upper Colorado River Basin Fund” for the Bureau of Reclamation to carry out environmental stewardship and endangered species recovery efforts’. That direction was repeated in the FY21 appropriations bill. However, Noreen noted that it seems like there are issues that threaten both current and future funding. Noreen expressed respect and admiration for our partners at Reclamation and WAPA and noted that she has discussed the issue with both agencies. She believes everyone is interested in solving this problem. She called attention to all of the people who depend on the Program to use water out of the Colorado River and noted that without sufficient progress towards recovery in each year, re-consultation would likely be needed on all of those projects. She also noted that the recent downlisting actions could be in jeopardy with continued uncertainty. Noreen said we have accomplished a lot over the course of the Program, and we need to keep the focus on those successes and how to move forward.

2. FY21 funding – Kathy Callister reviewed that the Energy and Water Appropriations Act was signed on December 27, 2020. Congress did not directly appropriate funds for Reclamation to fund the programs to avoid double dipping. Tim Vigil said that until the interpretation of the Dingell Act is resolved WAPA is missing the clarity needed to determine the accounting treatment of funds used for the recovery programs. Tom Pitts said the Dingell Act was passed in 2019. In FY20, Congress directed WAPA to transfer the funds and the funds were transferred. He noted language is the same for FY21 and asked why the funds could not be transferred again. Tim said in retrospect WAPA recognizes there was a problem in FY20, but there may be nothing they can do about that. WAPA's expenses are projected for 5 years and used to calculate the Firm Electric Service rate for power customers. Right now, the Recovery Program funds transferred to the BOR for FY20 are not counted as a constructive return. The funds are currently “crosswalked” from an accounting standpoint until/if the legislation can be resolved. If no other action is taken, they could be added into the expenses that affect the electricity rate. He said there is currently a letter from the former DOE General Counsel to the Senate Appropriations Committee opining that current statutory language is insufficient to authorize nonreimbursable treatment of program funds. Tom Pitts asked for a copy of that opinion to be distributed. Tom Pitts expressed concern that Reclamation has no appropriations for annual funding in FY21 and asked how that will affect Noreen’s concern regarding continued ESA compliance for over 2100 water projects across the basin. Wayne Pullen said the Dingell Act authorized \$10M a year for fiscal years FY20-23. The budget request for FY21 was removed with the expectation that WAPA was providing funding. Wayne said the actions taken after Dingell could be seen as an interpretation of congressional intent after the law was passed, allowing for the transfer of those funds. Wayne said he is in discussions with WAPA to resolve the issue and allow for the transfer of funding. Tom Pitts asked if direct guidance from Congress was needed. Wayne indicated that would be helpful, especially to help clarify the intent of the funding committee in regard to the Dingell Act and

the subsequent funding bills. Tim expressed that Congressional intent would be valuable and noted that WAPA supports this Program and they would never put the Program in this situation on purpose. Leslie James said she understands that attorneys for WAPA and Reclamation are in discussions and asked when those discussions would likely result in conclusions. She expressed concern that different parties are interpreting congressional language differently which can have unintended consequences. Noreen asked Reclamation and WAPA to report back to this group when additional action may be needed. Tim said WAPA's counsel is currently doing independent research, but DOE and DOI attorneys have not yet met. That meeting may be productive.

Tim says the intent of the Dingell Act seems to be that the programs would be funded through appropriations, but that language also removed constructive returns for WAPA. Tom Pitts said the language in the Dingell Act was inserted in response to the 2018 OMB directive regarding WAPA funds, which had the unintended consequence of removing constructive returns. Leslie had not heard that the Dingell Act was in response to the OMB directive. Rob Billerbeck said he interprets the Dingell Act to intend to transfer hydropower funds to fund the programs. Leslie disagreed and said that Dingell intends that Reclamation appropriations should fund the programs; the Appropriations Act addresses hydropower funding more generally. Rob asked if clarification from Congress would solve the problem for FY20 and FY21. Trevor Updegraff introduced himself as a new attorney for the CRSP projects. He noted that the letter opinion currently affecting WAPA came from the DOE general counsel. He thanked all of the efforts from the partners to reach out to Interior and DOE attorneys to help facilitate conversations and resolve the issue. Trevor said the conundrum is that since 2000, the Program authorization specifically allowed WAPA to fund the programs. The Dingell Act removed that language. The language regarding constructive returns must be explicit in order for WAPA to use those funds as intended. Noreen asked if that needed to be explicit in legislation. Trevor said that WAPA has historically required explicit Congressional direction to treat those funds as non-reimbursable, otherwise they are treated as reimbursable funds, and WAPA will work to further evaluate the legislative language in light of that perspective. Noreen read the appropriations bill (text to follow) and noted that the words constructive returns are not in there.

Section 306(a) - Of the offsetting collections, including unobligated balances of such collections, in the "Department of Energy--Power Marketing Administration--Colorado River Basins Power Marketing Fund, Western Area Power Administration", \$21,400,000 shall be transferred to the "Department of the Interior--Bureau of Reclamation--Upper Colorado River Basin Fund" for the Bureau of Reclamation to carry out environmental stewardship and endangered species recovery efforts.

(b) No funds shall be transferred directly from "Department of Energy--Power Marketing Administration--Colorado River Basins Power Marketing Fund, Western Area Power Administration" to the general fund of the Treasury in the current fiscal year.

Noreen believed that the language in the appropriations bills superseded the language in the Dingell Act. Rod Smith, an attorney from DOI, introduced himself and focused on the importance of the interpretations around this language. He is working on the issue with attorneys from DOE to help resolve this issue. Wayne agreed and requested the opportunity to work out the issue outside of the Implementation Committee. Wayne asked if a lapse in funding would threaten ESA compliance for the federal projects and other efforts in the basin. Amy Moyer appreciated the discussion and agreed with Rob that efforts likely needed to be working in tandem to resolve the problem as quickly as possible. She indicated a concern about how this would affect actions on the ground. Tom Chart said the Program operates with a \$7.6M budget that funds 40-45 long-term employees who are on the brink of hiring an even larger seasonal work force. The Program will begin recovery actions in March with preventing spawning of northern pike in the Yampa. Without the ability to hire seasonal employees and fill out workforces, the ability of the Program to continue to complete actions is substantially hampered. Noreen said it is clear that everyone wants to solve this problem and is working on it but noted substantial consequences if the solution takes time. Wayne asked to report back with WAPA in 2-3 weeks. Leslie supported Wayne in returning to the Committee in 2-3 weeks with an update. >Tim and Wayne later agreed to report back to the Implementation Committee during a lunch hour call on February 3, 2021; noon – 12:30pm (MT). Noreen reiterated that FWS cannot solve this problem alone, but offered any support needed from Interior to join in those discussions. She called attention to the time it takes to bring on seasonal employees, who are essential to these actions getting completed on the ground. She noted a short-term and long-term sense of urgency to resolve this issue as quickly as possible. Wayne agreed and committed to working with Noreen towards a resolution.

3. D.C. Legislative Briefing Plan – Steve Wolff said the D.C. Briefing will happen virtually again this year. In the past, scheduling would begin now for meetings in mid to late March. He recommended a delay in those meetings until April or May to allow for the transition to occur. In addition, he noted we may not have a complete and cohesive message around reauthorization for Post-2023 until that later time frame. Steve noted that in the past, the March meetings allowed for resolution of complex issues in a timely manner, as may be needed for FY21 funding as discussed above. Regardless of the timing for the D.C. trip, he noted the non-federal partners are waiting for the optimal time to engage with members of Congress to best support the federal discussions. Leslie supported the delay into the April-May timeframe as she expects quite a bit of change on committees in D.C. Leslie also suggested proper coordination so that congressional engagement has the intended positive effect. Steve said some initial conversations have occurred, but agreed we need to coordinate before more substantial conversations occur. Noreen thanked Steve and the Committee for their careful thought around the meetings and supported the delay. She agreed that agreement among partners was recommended moving forward.
4. Recovery Planning Update – Tom Chart said recovery plans have been in place for all four species since the early 2000's. About 7 years ago, a recovery team was developed for Colorado pikeminnow to revise that recovery plan. The recommendation from that group was

hat demographic criteria would rely on a Population Viability Analysis (PVA). The recovery programs recommended conducting the PVA before finalizing the revised plan. The PVA was completed in 2018. While the PVA was being developed for pikeminnow, the PDO transitioned to working on the humpback chub plan. Simultaneously, the Service developed a new recovery planning process which required a Species Status Assessment (SSA) to serve as the foundation for revised plans and 5-Year status reviews. An SSA for humpback chubs was completed in 2018, which led to the Service's recommendation to downlist the species. Between 2018 and 2020 SSA's and 5-Yr reviews have been completed for Colorado pikeminnow, humpback chub, and the razorback sucker. Like for humpback chub, the Service recommended downlisting razorback sucker. While the Service works on the rule making process for razorback sucker and humpback chub, the PDO will begin the recovery plan revision process for Colorado pikeminnow. Leslie asked about the status of the humpback chub final rule. Tom Chart indicated that the rule has been drafted and is in review within FWS.

Kevin McAbee provided an overview of the recovery planning and implementation process as newly implemented by the Service (*see attached PowerPoint slides*). The Secretary is legally required to implement recovery plans, containing three elements: site specific management actions; objective, measurable criteria; and estimates of time and costs to reach the criteria. In 2016, FWS revised how recovery planning was conducted to focus on the three statutory requirements to make the documents more nimble. The SSA serves as the first document, and provides the ecology, needs and status of the species, removing the need to contain that information within the recovery plan itself. The RPI recovery plan focuses on the three necessary components providing a broad vision for recovery. In a third document, called a RIS, specific actions are outlined in detail, which can be updated and revised outside of the complex regulatory process.

The RPI document contains: a recovery vision, recovery strategy, and the three required elements noted above. The recovery vision is a qualitative definition of recovery in terms of resiliency, redundancy and representation as well as relevant threats. The recovery strategy describes a path for the species to move from current condition to the recovery vision. After those two are developed, the team will work on developing both demographic and threat-related criteria. Recovery actions will then be developed in broad concepts. The who, what, when, where, how will be described within the RIS. Kevin noted the Program has been using a similar process for many years, noting the RIPRAP currently serves as the RIS for the species. He noted that the plan is trying to guide recovery without quickly becoming outdated, providing high level visions for what recovery looks like.

Tildon Jones said the recovery plan meetings will begin on January 19th. The team is made up of representatives from the Upper Colorado and San Juan programs, scientific experts, states and tribes. Once a draft document is developed, it will be distributed for review for all partners. Colleen Cunningham asked who was on the team. Dr. Kevin Bestgen, CSU (Green River expert), Scott Durst, FWS (San Juan expert), Darek Elverud, FWS (Colorado River expert), Paul Badame (Utah), Harry Crockett (Colorado), Matt Zeigler (New Mexico), Kelly

Cambridge (Ute Indian Tribe), Jacob Mazzone (Jicarilla Apache Nation), and Bill Miller (Southern Ute Indian Tribe). Leslie asked if one of the WAPA biologists was on the original Colorado pikeminnow team. Tom Chart said that Shane Capron from WAPA was on the humpback chub team, but not Colorado pikeminnow. Kevin McAbee noted that Kirk LaGory from Argonne was on the original Colorado pikeminnow team. Tom Chart noted that an Implementation Team will be developed in coming months to provide input on the Recovery Implementation Strategy. Revision of the humpback chub plan will be the next in the sequence.

5. Razorback sucker wetland update – Tom Chart acknowledged that we have been in the midst of some very difficult discussions and we wanted to pause and celebrate what the recovery programs can do. Tildon said he wants to focus on razorback sucker and the adaptive management and progress we have made for this species. He noted a major success in documenting wild recruited adults in the Green River.

Tildon reviewed that the program began in 1988 and the species was listed in 1991. Razorback sucker remained only in lakes Mead and Mohave and in the Green River at the time of listing. By 1999, only ~100 wild adults remained in the Green River and captures of larvae were also in decline. The upper basin population was rapidly approaching extirpation. Adults were collected in 1998-1999 to create a broodstock. Propagation began and the goals were first met in 2004. By 2013, populations were widespread in the Green River after only about a decade of intensive effort. In 2011, Dr. Kevin Bestgen and others identified a need to revise flow timing based on 18 years of data. They saw patterns and trends that provided information to tweak the operation of the dams to help the fish reach floodplain wetland habitat to support larval and juvenile growth. In 2012, flows out of Flaming Gorge were re-operated to be biologically triggered using the Larval Trigger Study Plan (LTSP). Since then, LTSP has been implemented in all years (except 2017 when Reclamation operated for dam safety). We now have multiple managed wetlands in our floodplain portfolio. All years between 2012 and 2020 have shown incremental progress in raising wild razorback sucker. Over 8-9 years, we have learned from and built on successes. Despite limited field work in 2020, remote antennas in the river detected two wild razorbacks that had survived to age-6, documenting the first signs of full recruitment in decades. One of those was on a spawning bar, potentially contributing to spawning. Tildon said these are long-lived species, which means that detection of this positive response came about as quickly as we could have expected. Over 20 years, the Program has reversed the course of this species with incredible efforts including developing broodstock, revising flows to benefit fish and managing wetlands. He noted it took actions of all of our partners, but that no one agency could have completed this alone. Tildon said the goal of this Program is not just to meet the regulatory requirements, but to create on the ground successes for the species. Noreen thanked Tildon for the inspiring presentation, which services as an important reminder of what the Program can do. Dave Speas thanked Tildon for the presentation and noted how exciting it was to see progress after all of the effort going into making the flows work just right. Tildon emphasized just how much work has gone into the recovery of the species. Noreen recommended continuing to showcase these successes when we are discussing the challenges of future funding.

6. Post-2023 Discussion

- a. Review progress of Post-2023 Funding Group to date and review current hurdles – Michelle Garrison said both programs went through extensive efforts to estimate post-2023 activities and budgets before the Funding Group began meeting last spring. In addition, at that time, the programs were made aware of the projected reductions in hydropower revenue. The Funding Group has been in discussion around all of the issues that have stemmed from those pieces of information over the last few months. From the funding aspect, the reduction in hydropower revenue funding creates a gap in annual funding. During the beginning months of discussion, COVID hit and state budgets were dramatically reduced; much uncertainty remains in what those budgets are likely to be in the coming years. The funding group has reviewed all those dynamics as well as the program estimates. In early fall, we began creating “cutsheets” to identify all potential funding options for the programs in the future. Each cutsheet outlined pros, cons, and extents of possible funding sources. Those are now being evaluated by the group. Michelle said there are some capital projects that could be funded through grant programs or funds provided by non-federal partners that might not be recurring but could be used as needed. Annual funds are more of a challenge because they need to be reliable to sustain the programs through the future. Michelle said a meeting next week will rank the cutsheets to provide further action on that issue. She noted an extension is needed to move the reporting deadline to FY22 for the Report to Congress. The majority of the report has been developed as an early draft by Don Anderson, in conjunction with the program offices, but resolution is needed on many of these issues before the report can be finalized. Michelle said changes likely coming over the next few months should provide clarity on some of these remaining topics and discussions will continue. Even if a year extension is requested, many partners are focused on finishing the report as soon as possible to provide as much time as possible for review.

Michelle noted the importance of the programs and the need for a reliable funding source moving forward. Kathy Callister thanked Michelle for leading those meetings and praised her effectiveness. Noreen asked if Committee members had comments around the possibility of an extension in the reporting deadline. Brian Steed said it is important to resolve these issues as soon as possible. He noted the uncertainty in funding is real, but a strategy to move forward is essential. He noted the need for expeditious discussions as these conversations are likely going to continue to take time. Noreen interpreted that as a need to not postpone the difficult discussion any longer than necessary. Brian agreed and said he is currently in discussion with others around this topic but noted a concern that the funding source we have had in the past may not be available in the future. He again advocated for a collective funding solution as soon as possible. Leslie agreed and promoted resolution to these issues as soon as possible and if so, noted an extension may not be needed. In the meantime, the program offices have been drafting pieces of the report to congress (e.g., accomplishments, species status, etc). Don Anderson recently circulated a draft of that work in progress to the Management Committee and the San Juan program Coordination Committee. Don has requested comments by January 29th,

preferably focusing on general format and the scope and level of detail of the document rather than on wordsmithing.

- b. Timeline and necessary tasks – Tom Pitts noted that we were planning to send the report to the Secretary of the Interior by last fall. Tom’s current goal is to provide a draft to the Secretary of the Interior by September of 2021 to provide to Congress by September of 2022. Tom Pitts agreed with Brian Steed that discussions were imminently needed on program funding, both how funding can be provided and at what level they should be funded. Tom Pitts noted that without getting into those hard discussions, even meeting that September deadline will be a challenge. He noted the need for support from all parties from both this Program and the San Juan Program. Jojo La said according to the timeline, tasks 1 and 2 have been completed, but she was uncertain about the consensus around those issues. Tom Pitts said the discussions have two sides, both what the programs need and what funding can be developed. Tom Pitts understands that the states may be in a challenging state for the early years and that more federal funds may be needed. Tom Pitts said we have not reached consensus on any of these issues as of yet. He said we have recommendations on time frame from WAPA and estimates from the program offices, but consensus has not yet been determined and further conversation is needed.

Brian Steed agreed there is hard work ahead on all of these issues but noted that time is of the essence. He recommended development of a plan as soon as possible. Brian has been discussing this with contacts in DC who were not aware of these issues so additional communication is needed. He encouraged creativity in determining a solution. Kathy reiterated that authorizations are different from appropriations and Reclamation will not know if appropriations are available in any given year until the February before each fiscal year. Leslie James said CREDA submitted letters last year supporting appropriations under Dingell for FY21 and will do so this year for FY22 to fund these programs. Leslie asked Kathy if appropriated funds were available in FY20 or FY21. Kathy said Reclamation made the request, but the request was removed when the direction to WAPA to fund the program was added in the appropriations bills. Jojo said she understands Reclamation’s budgets start three years out and asked if budget development for FY24 needed authorizations. Kathy said Reclamation can rely on the ESA, but noted it is very helpful to have specific authorization in legislation. Kathy has asked for Reclamation funds for FY23 under the Dingell Act. The FY22 budget includes an over target, but not a specific request for funds. Tom Chart recognized the continued efforts of the funding group but supported development of specific funding strategies / scenarios based on the next round of information coming out of that group. Tom agreed with Brian’s recommendation for quick action on that topic. Melissa Trammell asked for clarification on funding in coming years. Kathy said Reclamation will not know what is in the President’s Budget for FY22 until February.

- c. Update on Private-Public Conservation Fund possibility and process – Tom Chart introduced this topic as an idea from The Nature Conservancy and CWCB as a potential

new funding source. Don said the funding group cast a wide net to try to identify alternative funding sources. The Nature Conservancy suggested the creation of a Private-Public Conservation fund that could cover capital or operational expenditures. An umbrella fund would be created that could have broad appeal to donors. The fund would need to define transparent governance independent from the programs. Many benefits could be realized by such a fund, but it will create the need for continued staff action to attract and maintain donor contributions. The fund would then need to dovetail with the priorities of the program. A scoping effort is currently ongoing to answer preliminary questions assessing feasibility of this option. Notably, other opportunities like this are currently in place, for example supporting flow augmentation, including the Yampa River Fund and the Business for Water Stewardship Fund. The Nature Conservancy also has helped establish a number of similar conservation funds internationally. Don noted approval has been provided by both the Management Committee and the Coordination Committee on the San Juan Program to initiate scoping of the possibilities, but no program funds are currently being used in this exploration. The Nature Conservancy and CWCB are working on these efforts in-kind in support of the programs. A feasibility assessment is planned for March-August of 2021, if approved by the Programs' decision-making committees, followed by fund design which is expected to take a year to 18 months. Jojo noted the continued conversation around declining budgets, and that this fund could be a source of continuous funding to support the program while still allowing decision making by the program committees.

- d. Implementation Committee (IC) member perspectives on the planning process - Tom Chart asked for IC members' perspectives on a variety of topics related to the post-2023 discussions. Although these topics are being discussed at the Funding Group level, IC opinions are also important.
 - i. Concept that conservation in the system will need to occur in perpetuity - Tom noted FWS will be describing this concept in the recovery plans in coming months and years. He noted that the program partners have recognized that certain actions, e.g., flow management, operation of canal screens, maintaining refuge populations in hatcheries, and non-native control will need to continue when the fish are in a recovered state. Tom alerted the committee that this concept has been captured in the draft Report and asked the IC for feedback on this concept. Noreen asked the IC if the concept of conservation reliant species and perpetual actions was recognized early on in the Program development or if that is new. Tom Chart said timelines to recovery have always been included, but even the 2002 goals recognized the need for conservation agreements as a component of delisting.
 - ii. Use of hydropower revenues in upper basin vs lower basin - Tom noted the declining available funds expected in hydropower. He referred to the proposal from Reclamation to provide those funds primarily to the Glen Canyon Dam Adaptive Management Program. He noted that we need to discuss this further and was interested in IC members thoughts on the distribution of these funds. Steve Wolff said both the hydropower revenue and the federal vs non-federal cost share are issues and IC perspectives are really important. He is not interested in getting out ahead of the

IC on any of these topics. Noreen asked if Reclamation had any comments. Kathy said Reclamation developed a proposal, but only a proposal and is willing to engage in conversations to come to a group conclusion. She noted changes may come with a new administration and that finding predictable funding for these programs is essential in the future. Kathy supported discussions as soon as possible. Kathy said from her perspective, the goal is to move forward and bring stability to the programs. She is interested in having a proposal from the group to present to her leadership. Kathy said Reclamation will continue to engage in those discussions and noted the sooner we make those decisions, the more effective Reclamation will be in meeting needs. Noreen asked how best to further those discussions. Kathy recommended a conversation between Noreen and Wayne which could give specific tasks to the funding group. Rob acknowledged that all three programs (the recovery programs and the Glen Canyon Dam Adaptive Management Program) have important benefits to NPS and all partners. He does not want to see major cuts for any of the programs, nor does he want to introduce competition between the programs. Rob does not feel that we have reached resolution on how best to do that from a cohesive federal perspective. Rob appreciated the thinking that Wayne has provided to phase-in state revenues over time. He reiterated the need for discussion around the long-term solution to fully fund all three programs in the most effective way possible. Kathy said the GCDAMP does not have the opportunities for cost-share that the recovery programs do; they are limited in how they can get funding. Rob acknowledged the concerns, but also recognized that some of those limitations exist here as well. Rob reiterated the need for a coordinated, effective strategy to ensure all three programs are supported into the future. Leslie reviewed the Reclamation white paper and the prioritization of the GCDAMP and the acknowledgement that recovery programs would continue to be funded as funds are available. She asked for clarification on the cost sharing limitations Kathy mentioned earlier because as she understands the Grand Canyon Protection Act, the GCDAMP can utilize funding from other sources. Kathy said the Grand Canyon Protection Act (GCPA) and the federal advisory committee components do add restrictions but acknowledged that Reclamation should continue to explore that flexibility. Leslie volunteered to be part of those discussions and noted there are differing opinions on appropriate cost-sharing and that additional funding sources for the GCDAMP may actually be easier to obtain. Rob agreed that the GCPA does place a burden on Reclamation but allows for alternatives. Rob encouraged looking at responsibility from a compliance standpoint, who benefits from the program, and viability of different funding sources for all three programs in a cohesive discussion. Tom Chart appreciated that perspective and suggested using Rob's guideposts for future discussions. And, if we need to have participants from GCDAMP in our funding group discussions, let's do that soon. Rob said this is a lot like the FY21 discussion this morning, where we all have the same goal in mind, but there are a lot of different interpretations around the situation. He noted the need to make progress quickly. Kathy said Reclamation's desire is to move forward with all three of these programs and said they value the input and support from all the

partners. Tom appreciated the strong support he has heard in regard to these programs and acknowledged the need to dive into the details soon.

7. Schedule April meeting (or doodle) and approve October meeting summary – Julie will send out a doodle to schedule a shorter meeting in April specific to these urgent topics. The Committee approved the October meeting summary as amended.

Noreen encouraged continued focus on the challenges that we are facing, but also encouraged celebration of the incredible progress that we have made. She noted that we moved from fewer than 100 wild razorback suckers in 1999 to wild recruitment in 2020, with an incredible amount of effort by multiple partners, founded on strong science. She noted that is the Recovery Program in a nutshell and why this program is so important. She appreciated the dialogue and support offered by all the partners to solve these problems both in the short and long term. She looks forward to continuing the conversation on February 3rd and again in April. Noreen thanked everyone for their investment in this work and noted it was phenomenal.

ADJOURNED: by 12:05 p.m.

Attachment 1 – Participants

IMPLEMENTATION COMMITTEE MEMBERS:

Noreen Walsh, U.S. Fish and Wildlife Service (Chair)
Ed Warner, U.S. Bureau of Reclamation
Rob Billerbeck, National Park Service
Amy Moyer, State of Colorado
Tom Pitts, Upper Basin Water Users
Tim Vigil, Western Area Power Administration
Brian Steed with backup from Todd Adams, State of Utah
Leslie James, Colorado River Energy Distributors Association
Steve Wolff, State of Wyoming
Tom Chart, Program Director, U.S. Fish and Wildlife Service (nonvoting)

OTHERS:

Wayne Pullen, U.S. Bureau of Reclamation
Trevor Updegraff, Western Area Power Administration
Kathy Callister, U.S. Bureau of Reclamation
Michelle Garrison, Colorado Water Conservation Board
Ryan Christianson, U.S. Bureau of Reclamation
Jojo La, Colorado Water Conservation Board
Derek Fryer, Western Area Power Administration
Dave Speas, US Bureau of Reclamation
Chris Keleher, State of Utah
Julie Stahli, Recovery Program
Don Anderson, Recovery Program
Kevin McAbee, Recovery Program
Melanie Fischer, Recovery Program
Tildon Jones, Recovery Program
Bart Leeflang, Central Utah Water Conservancy District
Shane Capron, Western Area Power Administration
Gene Seagle, National Park Service
Melissa Trammell, National Park Service
Greg Johnson, Colorado Water Conservation Board
Katie Duncan, Colorado Attorney General's Office
Rich Valdez, SWCA
Colleen Cunningham, State of New Mexico
Chris Smith, U.S. Fish and Wildlife Service
Brian Sadler, Western Area Power Administration
Matt Fry, U.S. Fish and Wildlife Service
Chris Holmquist-Johnson, U.s Geological Survey
Rodney Smith, Department of Interior Solicitor