

Management Committee Webinar Summary**September 30, 1 pm – 5:00 pm and October 1, 8:30 am – 12 noon (MDT)****Wednesday, September 30****CONVENED: 1:00 PM MDT**

1. Introductions & requests to modify agenda
 - a. Lain Leoniak introduced Katie Duncan as a new representative from the Colorado Attorney General's office. Steve welcomed Katie to the group.
2. Approval of April meeting summary – The Committee approved the summary.
3. Program Director's Update
 - a. Federal Register updates – Tom Chart reminded the committee that the SSA is a science-based document that provides the foundation for all Endangered Species Act decisions. The decision comes once the SSA is complete in the form of a 5-year Review. For humpback chub, the decision was made to downlist that species to Threatened. The proposed rule was published in January, followed by a comment period. Navajo Nation requested an extension to be able to submit comments and FWS responded by opening a Government to Government consultation. Comments have been received within the last two weeks, which were supportive of the Service's decision and mainly focused on continued protections for the species, specifically in the context of any potential projects on the Little Colorado River that might affect the large population residing in close proximity. Kevin has a draft final rule that is set to publish before the anniversary of the proposed rule's publication date. Once that is published, the PDO anticipates revising the recovery plan for that species. Leslie asked if there was a reason to wait until after the first of the year to publish. Tom said the draft is complete and working through the review process, which has many steps including both HQ FWS review and Department review. Leslie asked if waiting on the recovery plan was due to workload or another reason. Tom said it is workload related because Colorado pikeminnow will begin the recovery planning process first. He is hoping the PDO will be able to overlap plan development, but we will not know until we start the first process and determine how onerous it is.
 - b. Razorback sucker has followed a similar process after a proposed downlisting decision in the 5-year Review. The proposed rule and 4(d) is currently with the Director. We are hoping it will be approved for publication before the end of this calendar year. The proposed rule will be followed by a final rule within 1 year, followed by a revised recovery plan.
 - c. The 5-year Review for bonytail was completed in the summer of 2019, which recommended continued endangered status. Revision of the recovery plan was not recommended.

- d. Colorado Pikeminnow 5-year Review – The 5-year Review was completed in August by Tildon Jones. It has been posted to our [website](#). The 5-year Review recommended continued endangered status and to revise the recovery plan. Letters from Noreen inviting parties to participate in the recovery team are in surname. The PDO believes that process will kick off before the end of the calendar year.
- e. FOIA for humpback chub and razorback sucker – On July 27th Wild Earth Guardians submitted a FOIA request for all information pertaining to downlisting decisions for razorback sucker and humpback chub. The PDO is working with the Regional Office FOIA coordinator to submit batches of information to the requestor. Jojo asked when it would be completed. Kevin said we are releasing humpback chub information first, followed by razorback sucker. The humpback chub information is currently being reviewed in our Regional Office.
- f. Sufficient Progress - This spring, the PDO requested comments be submitted through email rather than working through the tables at each of the committee levels. We received good input from our committee members to finalize the RIP/RAP. After that, we began on Sufficient Progress. We anticipate being able to provide a draft of the Sufficient Progress memo to the MC for review by the end of October. This is an even year review, so it will include PBO reviews as well. The MC's input will be added into the memo and then the draft will go to FWS offices from across the basin. Once their comments are incorporated, we will begin the surname process to gain approval and signature from Regional Director Noreen Walsh.
- g. 2015 depletion reports – Don Anderson said the PDO is working on a review of the 15-Mile Reach PBO. The PBO review will come to the MC for review in coming months. Depletion reports through 2015 from WY and CO were received, reviewed, and approved by the technical committees (WAC, BC) and FWS Ecological Services offices. The PBO identified a checkpoint midway through the duration of the PBO to assess how well the Program was meeting the needs of the species. The depletion accounting indicates that we are not close to reaching a threshold of 50,000 af of new depletions and thus the review was based on timeline alone (required in 2015). The PDO is reviewing progress under a variety of categories including nonnative fish control, monitoring, populations etc. The document was distributed to technical committees in August for review. The draft review proposes that re-initiation of the PBO is not needed, but obviously the ultimate decision will be up to the Service. Don Anderson is currently addressing comments received from Reclamation, State of Colorado, National Park Service, Leslie James, Tom Pitts, and others. Once the comments are incorporated, that document will be brought to the MC for review and approval. Tom Chart said his current thought is to attach this to the Sufficient Progress memo for FY21, where her signature on the Sufficient Progress memo could document receipt and acceptance for that PBO review. Jojo asked whether it would be beneficial to prioritize the review to support the downlisting actions. Tom said that the report is fairly exhaustive and review may take most of that time, but he will explore the option of adding a memo that could finalize that process. Steve asked if the Yampa depletion accounting reports were attached to last year's Sufficient Progress review; Tom Chart's response (corrected at the

Dec. 01, 2020 mtg) – the actual reports were not attached to the memo. The depletions accounting reports were hyperlinked in it, and Don Anderson incorporated a summary of the States’ accounting methodologies and their conclusions into the memo.

4. GREAT Report Discussion Update

- a. Status of study plans – Tom Chart reviewed that the GREAT report evaluation of the temperature and flow recommendations for the Green River (Muth *et al.* 2000). The technical committees approved the new report in the fall of 2019. The MC saw the document in the winter of 2019. The report recommends continued experimentation to support larval (razorback sucker) triggered spring operations, revise summer base flows to support larval Colorado pikeminnow, flow spikes to disrupt smallmouth bass reproduction, and documenting the effects of these experiments on vegetation encroachment along the channel of the river. The Larval Trigger Study Plan was approved in 2012 and has been implemented when appropriate. The PDO is continuing to add floodplains in the Vernal/Jensen area and are all monitored in association with that study plan. In 2018, a study plan was approved by the technical committees to evaluate flow-spikes to disadvantage smallmouth bass. Earlier this summer, the channel monitoring study plan was approved by technical committees after presentation by Melissa Trammell and Dusty Perkins at NPS. The fourth study plan (revised summer base flows) is up for final approval at the next BC meeting (October 7th). As per Reclamation’s 2006 the Record of Decision, the Program is required to have study plans in place to experiment with flows that fall outside of the ROD. The MC has not approved the GREAT report yet, awaiting a preliminary hydropower impact analysis. Melissa said the first field visit for the channel monitoring project was completed this summer to assess baseline conditions. Steve said he has previously expressed concerns about how these changes may affect tiers in Lake Powell. However, after his discussions with Reclamation, there will not be changes in annual delivery, only timing of those flows. Steve said his original concerns have been minimized based on that new information.
- b. Green River Stakeholders update – Todd Adams and Chris Keheler recently talked with Utah State Rep. Scott Chew. Rep. Chew is planning on re-submitting the resolution ([House Concurrent Resolution 23](#)) that he submitted in the last legislative session. He is interested in having discussions with people from the Recovery Program and other local individuals to resolve the issue before the legislative session begins. A meeting will be held in Vernal on November 5th at 1 pm. Leslie James requested a copy of the language of the resolution and noted she would be happy to talk to her contacts among the Utah delegations, but the meeting conflicts with the CREDA annual meeting. Jojo asked who is planning to attend the meeting. Both Chris and Todd will plan on attending. Brian Steed is also planning on attending along with the State’s SITLA director. Jojo noted that there have been questions around the forecasting from Reclamation. Ryan said Reclamation creates operation plans based on inflow forecasts from the CBRFC. The CBRFC is always striving to improve their forecasting capability. Todd said that has been discussed at previous meetings, specifically in regard to the large releases associated with the 2011 and 2017 high flow years. Tom Chart asked if the meeting was specifically targeted

towards the Green River Stakeholders or if others could participate. Todd is still looking for details from Rep Chew. Tom added the event to Tildon's calendar and suggested that Gene Shawcroft may be a good addition to the meeting. Tom said the resolution started at the Water Development Commission, and it seemed to be elevated after that meeting. Tom appreciated Todd's lead on this issue and offered support in any way needed.

5. Hydrology Update – Don said 2020 has been a very tough year from a hydrologic perspective. Reasonably good basin-wide runoff conditions were forecast through February; but beginning in March, consistently dry and hot conditions resulted in forecasts dwindling to approximately 50% of normal runoff into Lake Powell. All basins were below 100% in snowpack and spring runoff. The Program works with partners to manage flows as best it can, given flow conditions. Flows were released from Flaming Gorge to achieve flows of over 14,000 cfs for ~11 days, timed to entrain larval razorback sucker into multiple Green River floodplain wetlands. On the mainstem Colorado River, various reservoir operators coordinated to increase peak flow through the 15-Mile Reach. Don thanked and praised all of the water users who have voluntarily operated to improve conditions throughout the river. In the Gunnison River, the Aspinall Unit achieved the Moderately Dry peak flow target of 4510 cfs. As summer advanced, all of Colorado was officially placed in drought conditions. The upper Colorado basin was pretty much the epicenter of the drought conditions. Don has not seen significant monsoonal moisture in late summer in the last four years and is concerned that may be a new normal. As of today streamflow remains very low in the upper parts of the basin (generally, far below 50% of normal). Reclamation has maintained Green River base flows in a desired range (~1900-2100 cfs) for all of August and September. Similarly, on the Yampa, conditions became very dry, but additional funds and partnerships improved flow conditions in the lower river below the Maybell gage. Along the Colorado, the low flows fell below the 810 cfs dry year target for most of July, August, and September, but working with partners, the Program was able to maintain about 400 cfs or more for much of that period. Those flows have been well supported by donations of water. Reclamation has continued to meet flow targets in the Gunnison. Don thanked Exxon/XTO energy, which donated 5,000 af of Ruedi water, a contribution coordinated by attorney Kristin Moseley. CWCB has leased additional water from Ute Water for the 15-MR. An additional 2000 af was just acquired on September 30, bringing the CWCB-Ute Water lease total this year to 10,000 af. Colorado Water District has also assisted with water and logistics in making these new leases work. Colorado Water Trust has acquired water to support flows in both the Colorado and the Yampa rivers this year. Don said the Program works hard to make these flows happen, but without the efforts of these other organizations, we would not be able to continue to maintain what we have. Looking ahead, drought is expected to continue through the end of the calendar year. Don highlighted additional actions of partners. Water users and Reclamation carried over HUP surplus in Green Mountain Reservoir from 2019 that was used in 2020 to help address the 'April Hole'. Middle Colorado River Watershed Council has been considering a variety of proposals to improve riverine conditions; several of those projects could provide direct benefits to the Program. Along the Yampa River, the Division 6 Engineer completed a transit loss assessment and

implemented a lower loss value than has been applied in previous years. Functionally, that means that more of our fish water released from Elkhead Reservoir is protected. In addition, the Yampa River Fund was also created (~\$4.5M endowment) that funds projects throughout the basin to improve river conditions and ecological integrity. In the Price River basin, UDWR and TNC have continued to work on plans to improve Olsen Reservoir and provide supplemental water to the lower river in late summer.

Don said that the Funding Group is continuing to discuss what the Program will work on post-2023. He reviewed that the FY22 budget for instream flow is \$716,000 which funds reservoir operation coordination, flow gages and temperature monitoring, O&M for Elkhead Reservoir and sediment and vegetation monitoring. After 2023, the proposed budget increased to \$1.025M (+43%) which would include adding water agreements, acquisitions or protections to improve the ability to meet 15-MR flows, implement the Management Plan and PBO in the White River basin, and establish more robust flow protections in the Duchesne River. In addition, recommendations were made to evaluate flow needs and recommendations in the Yampa and Gunnison PBOs.

6. LTSP Update – Kevin McAbee summarized Green River spring flows. The 2020 Flow Request Letter asked for LTSP for razorback sucker and flexibility to aim for base flows for Colorado pikeminnow and included a placeholder for smallmouth bass flow-spikes. Flow and temperature affect fish ecology, which is why so much specificity is included in flow recommendations. LTSP operations move razorback sucker into wetlands, which are warmer, more productive and can be screened to exclude predators. In 2019, seven wetlands connected and over 650 wild produced razorback sucker were returned to the river from Stewart Lake and Old Charley. Don noted that the reported catch of razorback sucker out of Stewart Lake is an under representation of actual production as researchers needed to quickly drain that wetland because of an early freeze last autumn. Overwinter survival occurred in two wetlands; the razorback sucker juveniles were released this spring from Stirrup (n=4) and Sheppard Bottom (n=5). In 2020, larvae were first detected on May 19th, followed by LTSP releases starting on May 26th mostly meeting the flow targets. Five wetlands were connected: Stewart Lake, Johnson Bottom, Old Charley, Sheppard Bottom, and Above Brennan. Stirrup and Leota Bottom connected briefly. Wetlands are currently being drained so no numbers are available this fall. Summer base flows meet below median ranges of 2,000 cfs flows, but unfortunately, no age-0 pikeminnow were collected in the middle Green. However, hundreds of young pikeminnow have been collected in the lower Green. Steve asked if pikeminnow collections were up compared to previous years. Kevin said those numbers are higher. Tom noted that good base flow conditions have supported high pikeminnow captures in both the lower Green and Colorado rivers. Kevin reviewed the importance of flow spikes to limit smallmouth bass reproduction. Flow spikes, when timed properly, have the ability to negatively affect invasive smallmouth bass reproduction through long reaches of river greatly diminishing the need for large scale mechanical removal efforts. Low flow conditions in 2020 have resulted in high smallmouth bass catch rates.

7. Fund authorizations

- a. Stewart Lake gate replacement construction costs – Dave Speas said Stewart Lake is an important wetland for LTSP. There are two gates on the wetland. On the lower outlet gate, the side seals are failing. In addition, the upper gate seals may need to be replaced as well. Reclamation’s Force Account Crew out of Provo, UT is currently working on finding replacement parts. Ryan noted the conservative estimate is up to \$10,000 to purchase and install those seals. These purchases and fieldwork will be funded with capital funds, because the wetlands do not have O&M scopes to fund these types of efforts. The replacement is anticipated in December if they can find the parts. Ryan is seeking approval of \$10,000 in capital funds. Tom Chart said Stewart Lake is the flagship wetland, providing good conditions over a wide range of flows. The wetland has been our most productive so far. Steve supported the effort, Leslie seconded. Jojo’s asked how long the seals might last. Ryan is not sure, but Reclamation will report back when new information is available. Dave’s rough estimate is 10-15 years. Todd asked where the capital budget sits at this point. Ryan said funding is available this year for this replacement, because the construction of the screen at Ridgway Reservoir has been delayed. Melissa reminded the committee that ultimately success of floodplain management will be when wild produced razorback sucker participate in the spawn. The MC approved this request.
- b. NFWF Section 7 Funding requests – Julie shared a summary of the balance and obligations of the NFWF Section 7 account (depletion fees). Total unobligated balance is \$1.048M.
 - i. Supplemental Water in the Yampa and Colorado Rivers – Don Anderson reviewed that funds for a supplemental water lease from Elkhead Reservoir were approved by the MC earlier this year. Supplemental water for the Yampa River was especially crucial in August and September. In both the Yampa and Colorado rivers, there were periods of time where the only water in the river was provided by the Recovery Program. Additional amounts of supplemental water have been identified very recently, e.g., an additional 2000 af leased by CWCB from Ute Water Conservancy at Ruedi Reservoir, which may preclude the need for our Program to lease water from the CRWCD. However, the flow situation has been extremely dynamic this fall and having pre-authorization from the MC to contract for some amount of leased water from the CRWCD could provide invaluable flexibility to act quickly and effectively if conditions merited. Therefore Don agreed to summarize the situation and provide a contingency request for a Ruedi Reservoir lease for the MC’s consideration tomorrow.
 - ii. Additional funds to complete the Humpback Chub Translocation white paper – Melissa Trammell summarized the work of the ad-hoc group to produce a report of recommendations on how to reintroduce humpback chub into the upper basin in Dinosaur National Monument. The report includes more scientific analysis and recommendations than originally envisioned, so the scope and size of the report increased. Therefore, Rich Valdez’s effort increased and he met the limits of his contract before completion of the report. The request is to complete the review of the report from the ad-hoc team and the Biology Committee with an additional \$15,000. Jojo La asked if the proposed new work

was not covered in Rich's original proposal? Melissa said she would review the original proposal and report back to the MC tomorrow.

- iii. Suggested video project and tentative approval for NFWF funds for this effort – Melanie Fischer noted that a document was sent to the MC members outlining the request, including a potential budget. She reviewed the COVID effects on outreach and education. Most public events have been cancelled and there is no information on when they may move forward in the future. Melanie's goal is to be nimble to address the outreach concerns in unique ways. By providing digital content like videos, social media content, and online publications, we can continue to engage the public remotely. During the last DC trip, all materials were transmitted digitally. The 2020 Swimming Upstream document was produced digitally only. Short videos are shown to improve effectiveness and message retention by up to 70%. It can also be a tool to educators and parents who are providing remote learning to school children. It is currently unknown as to whether or not the fourth grade outreach in Vernal will be able to occur this year. Melanie showed *March of the Newts* to the MC. Melanie said the video is short, engaging, relating species and humans together, a single message and an ask. The video shows natural beauty and creates a limbic response helping people to care about the species. Freshwater Illustrated (FI) is committed to the Colorado River basin and the owner is also a biologist by training. Melanie is seeking to make two 5-7 minute videos which will also be able to be made into shorter clips for social media distribution as well as stills. Melanie reviewed potential messages promoted by the I&E committee as potential topics for the videos. She reiterated how the video could be used and asked the MC for tentative approval. Julie described that the PDO vetted multiple videographers and selected FI as the most cost-effective and engaging. Colleen Cunningham asked if the budget is for only the Upper Colorado or if the budget was for the San Juan Program as well. Tom Chart said it is for both. Because both programs fund Melanie's annual I&E efforts, he was thinking that the SJR program could contribute to more of Melanie's time with their annual funds and then the UCR program could cover the entire costs of the video from our Section 7 account. The videos will contain messages that promote both Programs. Todd Adams asked if the state agencies have staff that could assist with this effort. Melanie said that conversation with the I&E committee supported contracting with FI rather than producing it in-house but that in-house resources could absolutely be used. Jojo suggested making sure the videos accurately show the diversity of the populations of the states and Tribes that are stakeholders of the Programs; Edalin agreed. Melissa agreed and suggested diversity of river stakeholders as well – irrigators, rafters, etc. Melanie said that a \$5,000 total in good faith money would allow for story boards and film outlines and allow Program(s) partners to approve overall direction of the project. Jojo and Leslie requested that also include putting together a comprehensive SOW to be presented after the messaging is determined. Melanie agree to confirm with FI that

\$5000 would be adequate to cover the first phase of this project and report back to the MC tomorrow.

- iv. Steve proposed to vote for approval of these funding proposals tomorrow, after all proposals have been presented.
- c. Process for making funding decisions – Julie Stahli acknowledged the discomfort with the email approval requests for funding, especially assuming that silence is approval. She recommended that a standard template be distributed for all future NFWF funding requests.
 - i. In addition we will schedule an August Management Committee meeting each year. In odd years, an in person meeting (after COVID) is essential in August to approve the Work Plan for the next two year cycle. In even years, we will schedule a meeting (webinar or in person) at that time to ensure that the Instream Flow Coordinator can explain how water conditions developed over the summer and what expenditures may be necessary to respond adequately.
 - ii. For all other funding requests, the PDO will prioritize authorizing requests at scheduled MC meetings. For urgent requests that do not line up with a scheduled MC meeting, the PDO will schedule a webinar within 2 weeks of the request for approval. The webinar will focus on further explaining the request and answering any questions. If all MC members submit approval before the scheduled webinar, the webinar will be cancelled. If an MC member does not reply to the email or attend the meeting, their abstention will have the effect of supporting the majority position. Leslie disagreed with the “support the majority” position. Steve suggested that the statement was simply that non-responses are abstentions. Shane said that abstentions do not stop consensus. Tom said that the PDO can work harder to get votes, including reaching out to the alternates in the committees. The Committee agreed that non-responses were abstentions and would not block consensus.
- 8. Information and Education Update –Melanie described that I&E has been greatly impacted by COVID. All of the typical events were not held or attended. She has pivoted to digital content, and made the outreach materials digital only this year. The Chesapeake Conservancy has also produced a Story Map for the Program in close coordination with Melanie and Jojo. There is potential for adding digital content to wilderness experiences, such as QR code links on signs. Melanie described the need for signs in Las Colonias Park to describe river operations and why the park is dry during low flows.
 - a. Release of the Field Report – The [Field Report](#) was released digitally this year because we were not at events handing it out. It was provided on the list-server for all interested parties.
 - b. [StoryMap](#) – The Chesapeake Conservancy and the Babbitt Center reached out to the Program about a year ago. Their goal was to use GIS data to tell a story about the Colorado River basin. This was provided with no funds from the Recovery Program and was an in-kind donation. The purpose of the StoryMap is twofold. First, is as a good resource for all of partners to share

information with others. Second, it puts all of our efforts on a map to help orient people to the Program. StoryMap uses GIS information to make maps and communicate effectively. Melanie reviewed the StoryMap.

Thursday, October 1, 8:30 am – 12 noon

CONVENED: 8:30 AM MDT

9. Capital Project Update – Ryan reviewed the capital projects table. The Ridgway screen is in contracting with an award likely by the end of the calendar year. The screen will be built in Fall 2021. An O&M agreement has been developed and is in review. The contributed funds agreement is being finalized and parties are determining required language. The Red Fleet screen has been constructed. Some issues have been seen at certain flows and modifications are likely needed to make sure it can handle large flow volumes. \$600,000 has been spent out of the \$700,000 allotted so there is a little room for the follow up construction. UDWR is looking at alternatives for Starvation Reservoir, including permanent and non-permanent options. If a permanent option is selected, it is on the calendar for next June. Paul Badame said UDWR may need help making that decision with possibly a value engineering exercise to help evaluate cost/benefit of different options. A temporary screen has been in place for over 5 years and is working well, prompting the discussion about the possibilities for a less extensive and less expensive option. The Provo Reclamation office can lead that value engineering discussion. Stirrup floodplain renovation project is still slated for fall of 2021 in conjunction with Starvation screen project. The program is still committed to the Grand Valley Power Plant hydropower project, which now will be new power plant construction rather than rebuilding the old facility. The Program has committed \$1,500,000 to this project. The scope of the grant will likely need to be changed, but the purpose and the fund level will stay the same. Steve asked if the power plant could continue working until the new plant could come online. Ryan confirmed that they would continue to operate with no break in water right usage. Steve said the MC would like to see the new SOW, but a vote was not necessary. Tom Chart agreed, noting that new construction will likely be a more reliable solution and retain the flow protection aspects that the Program has always been interested in. Tom Pitts asked where the other funds are coming from to finish the new plant. Ryan said it is a variety of sources including a WaterSmart grant and state funding. Jojo said CWCB has appropriated \$600k from the Species Conservation Trust Fund. As she understands, water users are also contributing. Jojo asked if there are any concerns using federal funds for this project. Ryan said the changes just require new scopes, but he is not concerned about the funding. Tom Pitts asked for a new scope that identifies all of the funding sources. Funding sources: \$1.5M Recovery Program, \$600K SCTF, \$400K Colorado Water Trust, \$1M Grand Valley Funds, \$945K WaterSmart. Michelle Garrison added that the power plant is served by a large canal that serves multiple irrigation districts plus the power plant itself. There is one water right for 800 cfs in the non-irrigation season, 400 cfs during the irrigation season. If the other irrigation systems on the canal are taking their full water rights during the irrigation season, that 400 cfs may be limited to

around 300 cfs, but it can take the full 400 cfs if canal capacity is available. OMID has an additional water right for 450 cfs that includes both power generation and irrigation.

10. Tom Pitts asked where we are with getting a screen approved for Catamount. Kevin McAbee has been focused on Ridgway and Red Fleet. The next step is to meet with the Catamount stakeholders, which would have occurred this summer in normal circumstances. Ryan confirmed that some capital funds (\$500K) have been scheduled for this project, but there will a lot of coordination needed to complete this by FY2023. He encouraged action as soon as possible. Tom Pitts asked about maintenance of the screen. Kevin said he anticipates that the Catamount screen will likely be one of the most complicated projects to implement for a variety of reasons. Tom Pitts asked Ryan to for more information about improving the GVIC screen. >Ryan will check with Bob Norman on the recommendations and will send a memo to the MC with that information.
11. Funding proposal considerations – Three proposals are in front of the Committee from the NFWF fund. Don Anderson is requesting authorization to spend up to \$68,500 to contract with the Colorado River District for 1000 acre-feet out of Ruedi. The office will not use the water unless needed as conditions develop over the next few weeks. John Currier said we would be obligated to pay for the entire amount we would choose to lease. We can delay the decision until needed. The contract period runs from July-June meaning this water could also be used to address the ‘April hole’ in 2021 if the water is not all used this fall. Don thinks it is not likely that we would need to use this water this fall, but it would be really helpful if conditions deteriorate further. Melissa asked if there was any reason we would not use the water we lease. Don said it is unlikely that we would not use it, but there are scenarios out there (fantastic flows through April) that would not require it. Melissa asked if this request would likely be needed every year and if we should potentially consider setting aside this amount. Don said having tools available is essential to keep flows up in April as well as in late summer. Don will follow up with our partners to see if we could turn this into an annual tool. Steve agreed that we should continue to have these conversations in a more global sense. Edalin said she understands that the contract year runs from July to June and asked if the water could be used at any time. Don is not sure if there is an end date, but he has confirmed that the water would be available to for delivery to help alleviate the April Hole if needed. Jojo asked if there are differences in the carryover possibilities between the Ute Water and this CWD water. Don’s current understanding is that the CWD water could be carried over, but the Ute Water cannot be. Don will also ensure that using the water in the April hole would be recognized as a legal beneficial use of that water. Tom Pitts suggested that Don resolve these issues and send out a scope of work for this effort. Steve said it seems more of a clarification on uses of water, not a funding concern. Jojo agreed and said as long as the approval is contingent on appropriate use, she would support approval. Tom Pitts noted the importance of documenting the non-federal contributions and tracking expenditures. >Julie will add another tab to the Work Plan spreadsheet documenting NFWF expenditures. >Don will revise his request and send it out to the MC, the expense request will be handled through email.
 - a. Humpback chub report – Melissa reviewed the SOW that was released in March. Finalizing the report was included in the original SOW. The risk matrix was also a deliverable, which expanded

into multiple tables. In addition, the PVA work was added at the request of the ad-hoc group. Steve acknowledged the good work that Rich does on work like this. Tom Pitts recommended approval. Jojo asked if Melissa anticipated another funding request for this effort. Melissa did not anticipate more funds being needed, but did acknowledge that additional information may be needed in the future if the decision is made to move forward with stocking. The committee approved the request.

- b. Video for the program – Melanie is asking for approval of up to \$5000 to allow the programs to move forward with discussions with the videographer to develop story boards, messages and a formal scope of work for the project. Leslie asked if there would be an expected work product from Jeremy in regards to additional work or whether some of the work could be completed by state videographers. Melanie said the work that Jeremy provides is really exceptional and she anticipates that the products that he can provide are superior. Leslie reminded the programs to be cautious with funds because most state and local budgets are working with 10% cuts at this point. Melanie said the I&E program has used far less for travel than in previous years. Melanie reiterated the importance of having a video. Paul Badame reached out to videographers at UDWR about using Freshwater Illustrated. The videographers at UDWR were very familiar with FI's work and were shocked that the proposed costs were that low; they encouraged the Program to take advantage of this opportunity. Jojo asked if we could use COVID savings to cover the costs of this effort. Tom Chart noted that we will have a discussion about COVID funding later, but that those savings would be funneled back into field related activities in FY21. He also reminded the MC that Section 7 funds are really the most streamlined means of funding a sole sourced activity like this video project. Jojo is concerned that there is no ceiling on these efforts. Melanie said the scope provided is pretty realistic, but more details will develop through the course of these conversations. She noted that Jeremy is very committed to this process. Steve asked if the committee would approve \$5000 to develop messaging, scope and storyboards. The committee approved the request.

12. Work-planning

- a. FY21 – Review current budget - Included in the packet of information was an FY20-21 workplan table. Julie added a third column for FY21 (highlighted in orange) that incorporates the changes made since the MC saw this information last year. As a reminder, all of the light orange cells indicate scopes that were reduced during work planning to reign in the budget. The yellow cells indicate information that has recently changed. C-Umbrella (which is a SOW encompassing all of the O&M for fish passages and screens in the Grand Valley) has increased by \$30K because we need to replace the roller motor – which is essential to operation of the fish passage. When we combined all of these scopes into the single umbrella scope, the hope was to be able to buffer for some of these unanticipated expenditures, so it may not take the entire \$30K, depending on maintenance needed for all of the scopes under the umbrella.
- b. Effects of COVID - The Middle Green Floodplain Sampling (FR-164), Upper Yampa pike management (98b), Middle Yampa smallmouth bass and pike removal (125), White River

smallmouth bass removal (167), Upper Colorado River pikeminnow estimate (127), Gunnison River community monitoring (163), and Monitoring of Spawning aggregations in the Green and Yampa (169) all represent savings from work that was unable to be completed because of COVID restrictions (mostly in the early spring). All of these savings represent about \$275K. Kevin said we may also have some savings from some fall nonnative fish sampling efforts because dry hydrology is precluding access in some locations which may add another \$10-20K to this total. The individual amounts are listed in the formulas for each cell. The current plan is to use the savings from FY20 to reduce the asks for those specific field projects in FY21. In addition, funds for Stirrup management have been removed as construction will likely not be completed before runoff.

- c. Delay of Green River Colorado pikeminnow population estimates - The other large decrease was delay in Project 128, which is the Green River Colorado Pikeminnow population estimates. The PDO, with confirmation from the BC and Kevin Bestgen, are recommending a delay of that project for a couple of reasons. First, after the delay of the Colorado River estimates a few years ago, this will get that project back in sync with this one. Second, it gives us the opportunity to critically think about whether robust populations estimates are effective on a declining population and how monitoring might adapt to address the real needs in the system. Third, it gives us the ability to examine that project in the context of all of the other projects in FY22 and FY23. Additionally, re-convening of the Colorado pikeminnow Recovery Team may provide some direction on how we monitor these populations moving forward.
- d. Likely status of FY21 funds – Lee Trayhnam said HR7617, section 306 describes funding for the Programs, but has not yet passed. SEC. 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.

Lee was hopeful we will see an appropriations bill that will enact funds for the Programs from power revenues. But for now, we are operating under a Continuing Resolution signed early this morning, which leads to some uncertainty around how programs are impacted. The CR currently runs through Dec 11 retaining funding at 2020 levels, but the source of funds is still undetermined between power revenues and appropriations. Shane will be meeting with Reclamation soon and will report back to the group. Tom Pitts asked if the Senate Water and Energy appropriations committee has produced a bill yet. Lee said her understanding is that bill has not yet been drafted. Jojo asked if she is referring to section 127 stating that no funds should be transferred from WAPA to the treasury. Lee said section 127 applies to FY20 and resolved

the potential for double transfers for the programs and the treasury. Lee said the CR does not specifically address how the programs would be funded in FY21, it only recommends that appropriated dollars continue at FY20 levels. Lee is not sure whether this also applies to power revenues as the CR is silent on this issue. Tom Chart asked if WAPA was required to make double payments in FY19 or FY20. Lee and Shane said discussions are still ongoing. >Steve asked that updates be provided to the committee as possible.

- e. FY22-23 - Review current budget - Julie said the next major problem is that the budgets for FY22 and FY23 are about \$1.1M over the available funds for those two years. Last year, when looking at FY20 and FY21 budgets, the BC recommended cuts of about \$250K out of the budget. After much discussion, the BC asked all PIs to reduce all budgets by approximately 4%. Most PIs implemented that 4% as budget reductions in all scopes. Salvaging native fish from the canals in the Grand Valley was the one project that was eliminated in its entirety. We asked that those cuts remain through FY21, but they are not automatic going into FY22 or FY23.

Julie noted part of the issue is the loss of inflation in WAPA funding. In all years since 2019, we have received \$5.76 million from the Bureau of Reclamation. If indexing had continued, those funds would be at \$6.026 million. Projects costs continue to rise with inflation without corresponding increases in funding. In addition, new projects are being added that provide value to the program. Some of the additions in recent years include funding antenna maintenance to keep that data flowing into the database, Matheson and soon Stirrup management as well as channel monitoring which is called for as part of the GREAT report. We have eliminated some scopes, for example, because of the screen recently installed on the Green River Canal, salvage is no longer needed in that system.

There is really no simple answer to the problem we have in front of us, i.e. increasing demand for more recovery actions; static budgets. Some of that overage can be covered by USFWS overhead, but real cuts need to be made in the budgets for 2022 and 2023. That process starts with Program Guidance which the PDO will send out to PIs in the spring. Program guidance consists of a word document outlining priorities and technical guidance along with a draft work plan table. Instead of using the numbers in the current budget table, the PDO is planning to provide goals in that guidance to bring down funding levels to an acceptable level.

The PDO will use the information from post-2023 conversations to guide that process. For example, there may be projects that are not highlighted as important after 2023 – those would deserve a critical look to see if we can change or reduce those scopes. Julie and Tom requested the MC members coordinate with their BC reps on this work plan before the Program Guidance is released, so that we provide PIs with clear priorities of projects. Steve asked when the MC would see this again. Julie said that typically this would go to the BC in spring and then the MC in August 2021.

Dave thanked the PDO for taking a close look at cost of population estimates for CPM. He noted good timing both from logistical and financial perspectives, and saw this as a good

exercise given post-2023 budget planning. Tom Pitts agreed that analyzing the budget before requesting SOWs is a helpful process.

13. Post-2023 update

- a. Funding Group Status – Michelle noted that funding group discussions were paused over the summer while we evaluated how to move conversations moving forward. Recently a survey was distributed to assess values, priorities, threats, and opportunities in the Program. The results were distributed and summarized for the group. The next topic will be to evaluate other funding sources that may be available. Individuals have volunteered to produce ‘cut-sheets’ on various funding sources that may be available. Those are due on Friday, October 16th and will be evaluated at the next meeting which will be held on October 23rd. Many potential sources will be discussed, including other federal and state options, potential taxes, private funding, and others. Tom Pitts noted that after these discussions are complete, we will revisit the recommendations around future activities, annual and capital funding needs. Tom Pitts said if we are reliant on federal funding in early years, we may need a phased funding approach. CREDA submitted a letter last spring supporting the use of appropriated funds between now and 2023. Michelle noted that grants may not be appropriate in this context as annual funding has been identified as the primary area of concern moving forward. In the past, one of the reasons we have had funding through appropriations was because some of these other funding sources are not necessarily easily acquired for annual funds. There was also some concern about our organization competing with others for funding when we do have access to appropriations. Michelle noted that downturns may hit states faster than federal budgets. The COVID 19 crisis has made the conversation much more difficult than the conversation would have otherwise been, which is slowing down the process.
- b. Delay in report deadline – Tom Pitts reiterated the added complexity brought on by COVID 19, which has hit the states’ budgets very hard and those decreases are expected for multiple years. The states are not in a position to make long term commitments to the programs at this time. Another concept we are hearing is that we may be more reliant on federal appropriations in the near term because of the COVID constraints. Originally, we projected that we would have a draft report by this time including activities, costs, funding sources and time frames. That report is not anticipated for some time, so we may need to delay that report for one year to facilitate the completion of that report. That would move the deadline to the Secretary of the Interior in September of 2021 and to Congress in September of 2022 which gives us one year to gain congressional action. At the last meeting, there was some reluctance to accept that delayed schedule and the thought was to see how much progress we could make in coming months and defer the decision on delay until more information is available. The decision will need to be made before March. The current deadline is in the legislation that continued the authorization. Tom Pitts does not believe that amending legislation to extend the deadline will be difficult. Leslie thanked Tom for the update and clarified that CRSP power customers are the funding sources for the power revenues. Leslie said that because of the nature of those customers (non-

profit, local and state entities), the effects of COVID are also impacting their financial condition in extreme ways. Tom Chart asked if we need a decision before the DC briefing. Tom Pitts confirmed. Tom Chart will send that information up through his weekly briefings to HQ. Leslie asked what is the shortest time needed for surname to occur within the agency process. Tom Chart suggested that be a good question to pose at the Implementation Committee meeting tomorrow.

- c. Report to Congress update – Don Anderson has been managing the development of the Report to Congress for the Upper Colorado program. He has worked with the San Juan Program to develop much of the content needed for those documents, with the understanding that they will change as decisions are made. He has been working to combine information from a lot of other previously written documents following the outline provided by Tom Pitts and others. Introductory and background sections and actions completed by the programs have been drafted. He has identified maps, figures and photos which will be needed to help show program activities and capital improvements. The chapter describing the status of the four species is complete. Don is currently on hold in regards to the post-2023 actions until decisions are made. We are working primarily on keeping the document as short as possible, with available tables and appendices for more information. Don will continue to add to the chapters as decisions are made in coming months. The next step will be to work with Melanie to create the remaining graphics. Colleen asked when the other program partners would be able to review the sections that have been completed. Don said we can start circulating those drafts at the desire of the committee. He noted that early feedback has been provided by Tom Pitts and Steve Wolff as to scope and content. Steve said he believes the PDO should hold those drafts until the documents are more complete. Steve asked if the CC has had discussions around the report. Tom Pitts does not believe the CC has been briefed yet. Colleen said New Mexico would be interested in looking at completed sections as soon as possible. Steve asked that request to go through the CC of the San Juan; the next meeting will be on November 4th. >Tom Pitts asked that Don provide an update to the CC on the report. The PDO will coordinate with Melissa Mata on that effort. Tom Chart appreciated Don’s work in moving that document forward.

14. Tom Chart said the post-2023 effort is becoming a significant workload for all parties and thanked everyone for their participation and engagement in those discussion. He said the survey responses were great and really helped move the conversation forward. He also appreciated how partners volunteered to fill out the alternative funding cut sheets. Steve agreed and noted that these conversations are incredibly difficult, made more so by COVID.

15. Next meeting scheduled December 1st 8:30 – 12.

ADJOURNED: 11:35 MT

Attachment 1: Meeting Attendees

In Attendance:

Steve Wolff, chair	State of Wyoming
Todd Adams	State of Utah
Michelle Garrison	State of Colorado
Jojo La	State of Colorado
Tom Pitts (day 2)	Water Users
Edalin Koziol for Patrick McCarthy	The Nature Conservancy
Leslie James	Colorado River Energy Distributors Assoc.
Shane Capron	Western Area Power Administration
Melissa Trammell	National Park Service
Ryan Christianson	U.S. Bureau of Reclamation
Kathy Callister (day 2)	Bureau of Reclamation
Marj Nelson	U.S. Fish and Wildlife Service
Tom Chart (non-voting)	Program Director, Upper Colorado Program

Upper Colorado Program Office Staff:

Kevin McAbee	Nonnative Fish Coordinator
Julie Stahl	Deputy Director
Don Anderson	Instream Flow Coordinator
Melanie Fischer	I&E Coordinator

Interested Parties:

Dave Speas	Bureau of Reclamation
Derek Fryer	Western Area Power Administration
Paul Badame	State of Utah
Chris Keleher (day 1)	State of Utah
Rob Billerbeck	National Park Service
Colleen Cunningham	State of New Mexico
Gene Seagle	National Park Service
Lee Traynam	Bureau of Reclamation
Greg Johnson	Colorado Water Conservation Board
Bart Leeftang	Central Utah Water
Katie Duncan	Colorado AG's office
Lain Leoniak (day 1)	Colorado AG's office
Brian Steed (day 2)	State of Utah

Attachment 2: Meeting Assignments

1. **Julie** will add another tab to the Work Plan spreadsheet documenting NFWF expenditures.
2. **Don** will revise his request and send it out to the MC, the expense request will be handed through email.
3. **Ryan** will check with Bob Norman on the recommendations and will send a memo to the MC with potential options to alter the GVIC screen.
4. **Steve** asked that updates be provided to the committee as possible.
5. **Don** will provide an update to the CC on the Report to Congress.