



Upper Colorado River Endangered Fish Recovery Program

October 21, 2022

DRAFT Implementation Committee Meeting Summary

April 27th, 2022 (9:00 – 1:00pm MT)

Courtyard Marriot – Denver Airport – Aspen Room

6901 Tower Rd, Denver, Colorado 80249

Matt Hogan, Chair

CONVENED: 9:00 a.m.

1. Introductions, modify/review agenda, Chair's updates – Matt Hogan

Matt Introduced himself as the new Regional Director for Region 6 of the US Fish and Wildlife Service (FWS) and the Implementation Committee (IC) chair. Matt noted the importance of this role in guiding these unique programs into the future. Individual introductions were made both in the room and over the web conference. Jeff Cowley from the Wyoming State Engineers Office introduced himself as the permanent representative for WY. Matt acknowledged the work done to date with other Directors to move the conversation on post-23 funding forward and reiterated the need to come to final agreement to support reauthorization. The importance of the Report to Congress was discussed and that the report must be submitted to the Secretary of the Interior by Sept 30, 2022. The Committee will vote to approve the report later in this meeting. Matt announced the since the last meeting of the IC, Julie Stahlh has been named the Program Director. She has been with the program for 5 years, serving previously as Deputy and the Database manager.

2. 2021 Program Update – Julie Stahlh

Julie reviewed staff changes in the Recovery Program Director's office (PDO), which included Paul Badame – Deputy Director, Chris Michaud – Data Coordinator, and David

Graf – Instream Flows Coordinator. She then highlighted a few accomplishments from 2021, including the sufficient progress memo and the 15-MR PBO review.

3. Recovery Planning and Implementation – Tildon Jones & Kevin McAbee

Over the last several years, section 4 documents have become a substantial part of the workload for the Program office. Three species have completed SSA's, the downlisting work is complete for humpback chub and in process for razorback sucker. We are now moving into revising recovery goals based on the recommendations in the last round of 5-year reviews. Hand off to Tildon and Kevin to provide updates.

a. **Colorado Pikeminnow** – Tildon Jones

Tildon walked the group through process of the development of the draft recovery goals, what the recovery vision is and the draft criteria. The 2002 Recovery Goals are 20 years old and based on data that was collected during the 1990's. The FWS also has a new process in place that develops recovery plans based on Species Status Assessments. The Recovery Team developed a vision, specific measurable criteria, and actions that support recovery of the species, which Tildon reviewed. The draft plan is currently out for review with the upper Colorado Recovery Program's Management Committee (MC) and the San Juan Program's Coordination Committee (CC). Tom Pitts asked if the Biology Committees from the programs have approved the reports. Tildon noted that MC reps are welcome to involve their BC reps as they desire, but it will not go through approval with those steps. Rob Billerbeck asked how the Grand Canyon has been addressed in the plan. Tildon said redundancy is important, allowing for potential expansion of the range into a lot of previously occupied habitat but did not specify any populations outside of the current range. Tildon thanked all the recovery team members who spent considerable time working on the plan.

b. **Humpback Chub** – Kevin McAbee

Kevin said that with the rule finalized in November of last year (2021), the time is now ripe to start the humpback chub process. The plan will only contain delisting criteria based on the current threatened status. Kevin said we will run through a similar process to what we just completed for Colorado pikeminnow with heavy involvement from the lower basin. He noted a lot of new information is available

even since the downlisting, so the team will revise the SSA and then start the recovery planning process. Kelly Romero-Heaney asked if any good news has arisen for humpback chub. Kevin said that most of the news has been positive for humpback chub, with expanding numbers in some populations and continued stability in others. Demographic data are in good shape, but threats are still prevalent across the basin. Tom Pitts asked if there is a plan to revise the recovery goals for the other species. Julie noted that the process will kick off with razorback sucker as soon as the rulemaking process has completed. The bonytail 5-year review did not recommend revising the recovery goals based on a lack of information on this species. Billerbeck noted that we are expecting lots of changes in the Grand Canyon population of humpback chub and asked how long the SSA would take to update. Kevin said the hope is that it only take six months and will represent the first phase of writing new recovery goals which will potentially be completed by mid-2024.

4. FY22 and FY23 funding – Kathy Callister

Kathy (on the phone from Grand Junction) provided a funding update for FY22 and FY23. Kathy said the full funding was in the FY23 President's budget. Matt Hogan noted that the FWS has been a little disappointed in FY22 funding levels, especially with lots of conservation dollars coming from the Infrastructure Bill funding without additional capacity and asked if Kathy was expecting any of that funding. Kathy said \$50M has been identified for the Programs and Ryan Christianson is tracking those suggestions to move through that process. Matt said an RFP will be coming out from the National Fish & Wildlife Foundation that will be available for States and Tribes to take advantage of. It will be focused on aquatic and terrestrial ecosystem restoration.

5. Drought Operations across the Upper Basin

Matt Hogan noted the many news articles about drought and its effects on flows in the Colorado River and the declaration of the Colorado River as America's most endangered river by American Rivers. He also noted that drought operations have been taking a lot of time to implement and that Reclamation released a FY22 drought operations plan on April 21st.

a. **Hydrology Overview** – David Graf

David provided a hydrologic overview of 2022 conditions. He said that in general, 2022 doesn't look quite as bad as 2021, but is still in the moderately dry category (the second lowest category). David showed drought monitor conditions, that show improvement from 2021, but we are still in drought conditions across the basin. He showed streamflow elevations in Lake Powell and the max, most, and minimum probable projected levels at Lake Powell that are hovering above critical levels. David talked about the challenge of managing water for fish with steep runoff curves, which makes it more difficult for us to manage flows in rivers. Precipitation is anticipated to be lower than normal, and temperatures are expected to be higher over the next three months. David reviewed the flow augmentation efforts occurring around the basin.

b. **Flaming Gorge** – Tildon Jones

Tildon reviewed that the process to request flows from Flaming Gorge Dam start with a Flow Request Letter from the Recovery Program, that requests use of the adaptive management capacity at the dam. Our letter this year requested three experiments; the larval trigger study plan (LTSP), Colorado pikeminnow baseflows, and a flow spike to disadvantage smallmouth bass reproduction. The priorities in a Dry or Moderately Dry hydrologic condition are the pikeminnow baseflows and the flow spike. Concurrently, Reclamation has been having conversations about drought response operations (DRO) to release additional water from Flaming Gorge to move additional water to Lake Powell. In this year the processes worked together, and we have a current proposal on the table to release an additional 500 KAF of water out of Flaming Gorge, which will allow for implementation of all three experiments. Bart Miller gave thanks to the federal and state partners for making the best of a difficult situation.

c. **Aspinall Unit** – David Graf

David noted that Blue Mesa Reservoir is still at around 30% of capacity and will not be providing additional flows for DRO during 2022.

d. **States' Perspective on DRO** – Michelle Garrison

Michelle talked about the different pieces of the Drought Response Operations Agreement (DROA), that the states collectively decided how much to release from upper basin reservoirs and explained the Agreements futility clause. Michelle explained how fast conditions deteriorated last summer which required the emergency actions of summer 2021. The states and Reclamation have been working to protect the water elevation of 3525' (AMSL) at Glen Canyon Dam on Lake Powell. At an elevation of 3490', not only does power turn off, but also the water intake for Page AZ. Glen Canyon Dam was built to make power, bypass tubes exist, but they did not anticipate using them on a regular basis or for a long period of time. With the understanding the about 1 million acre/feet of additional water would be needed to sustain levels of Lake Powell; the states started talking about where water could come from in 2022. Currently, storage levels in Blue Mesa and Navajo Reservoirs are too low to provide extra releases, so Flaming Gorge is the only option. The first goal was to try to fill the entire gap from Flaming Gorge, but that volume exceeded the amount that can be released within the ROD. The states agreed that 500 KAF from Flaming Gorge was an appropriate amount, which was paired with a reduction of 480 KAF in Lake Powell releases. The two actions together are expected to ensure the risk of going below 3490' estimated at 3 percent.

6. Capital Projects Update – Kevin McAbee, Tildon Jones, and Ryan Christianson

The Program has dedicated funding for capital projects that have been used to finish some very important projects in FY22.

a. **Ridgway Reservoir Screen** – Kevin McAbee

Ridgway Reservoir sits on the Uncompagre River which flows into the Gunnison River, which has critical habitat and a strong native fish community. In 2013, an illegal stocking of smallmouth bass into Ridgway was discovered, and the population established and reproduced quickly. Tri-County Water Conservation District agreed to stop using the spillway to keep the smallmouth bass in the reservoir. Colorado Parks & Wildlife (CPW) has implemented harvest tournaments that have reduced populations by 94% since 2016. Harvest tournaments are not anticipated to remove the population entirely and so meetings

were held to design a structure to make sure the Gunnison River was protected. A value-engineering study identified a hard screen around the spillway intake as the preferred structure with an estimated cost of \$2.1M, the Colorado Water Conservation Board (CWCB) contributed \$1M to the total cost. Kevin showed photos and described the design. The screen is designed to move large volumes of water through very small holes to screen out larval smallmouth bass. The screen is laid out in a star pattern creating enough surface area to allow for sufficient water to be released. Building up on the apron around the spillway structure protects the screen from being submerged for the entire year which makes O&M easier. Kevin said this is the 6th of 7 planned screens in the upper basin, and Catamount screening discussions are ongoing this year. Kevin reviewed that this project was not on our original project list because we did not know smallmouth bass were in this reservoir. State fish managers across the west are suffering from the same problem, with fish showing up in unexpected places. A recent task force has recommended an education campaign that will focus on this issue to make sure communities are aware of the impact of illegal introductions. Just like quagga mussels, prevention is much easier than resolution to the problem. No state has successfully brought anyone to prosecution for these efforts. Bart Miller asked if this screen design could be used at other facilities and if we could use infrastructure funds to upgrade our current projects. Many of our other reservoirs have a broad wide spillway which would be hard to screen with this hard structure techniques. Lake Catamount is on the list of projects for Program capital funds.

b. **Stirrup Wetland** – Tildon Jones

The construction of a control structure at Stirrup wetland has been in the works since 2018. The Stirrup was identified as the lowest hanging fruit to develop as nursery habitat for razorback sucker. Engineers from Reclamation designed structures to allow Stirrup to be managed in the same way as Stewart Lake. Endangered fish have been seen in Stirrup before, but without an outlet, endangered fish would get entrained but not have a way to return to the river. The construction team excavated the outlet channel and added a gate so biologists can manage flows in and out of the wetland. The BLM owns the land and BLM

biologists will be the primary managers of this site, which represents a renewed partnership with the Program. The wetland can be operated remotely to open and close the facility based on water conditions. Tildon described each part of the construction project. Jeff Cowley asked how we screen out the nonnative fish. Tildon said the large-bodied nonnatives are prevented from entering with the screen who's mesh is just big enough to let larval fish through. Larval nonnatives do get let in as well, but razorbacks grow fast enough to avoid predation and don't suffer too much from competition.

c. Upcoming projects – Ryan Christianson

The next big project is a Grand Valley Irrigation Committee canal screen re-design. The GVIC often needs to take the screen off-line to get water into their channel. Ryan reviewed additional upcoming projects including fish escapement screens for Starvation and Catamount Reservoirs. The Catamount screen will present some new challenges to design as the reservoir is operated differently from most others. Two wetland improvement projects are on the table, Old Charley wetland on the Green River and an Audubon Pond on the Colorado River. Improvements and deferred maintenance at the Ouray and Randlett hatcheries and an antenna on the Colorado River have all been identified as potential projects for Bipartisan Infrastructure Law (BIL) funding. Tom Pitts said the two recovery programs (UCRRP & SJRIP) have about \$2M of capital projects on the ground and that Reclamation has done an outstanding job of managing those projects. The Committee agreed that it has been a very strong element of the Program.

7. March D.C. Legislative Briefing Report and Legislation Update – Tom Pitts

Tom described the meetings that have occurred to date and outline the plan to complete the remaining one. All meetings occurred virtually this year. The goal is to keep funding flowing for the recovery programs. Partners met with all congressional representatives from the four upper basin states and, all members of the appropriations committees as well as with Reclamation, FWS directorates as well as the Office of Management and Budget (OMB). Twenty meetings from the House and Senate offices and 4 meetings with the subcommittees have occurred, and directorate meetings are still forthcoming. Scheduling

the meetings has been more difficult this year than in the past. The briefings have gone well with positive feedback. Tom Pitts thanked the Tribes specifically for their participation and noted that the value of the Programs in serving Tribal Trust responsibilities for ESA. Tom reiterated the importance of annual briefings that keep this program on everyone's radar. Representative Neguse (CO) sent a letter to the House Appropriations Committee to support funding. Chris Keleher thanked Tom for all the effort he put into scheduling the meetings, and Michelle Garrison agreed that scheduling has been a challenge. She thanked Tom and Vanessa for her support in scheduling as well as building support for H.R. 5001. Michelle noted hearing a lot of bipartisan support, some hard questions but nothing we can't answer. Michelle is hopeful that either bill currently introduced will make it through the Senate to resolve the report to congress deadline. Tom Pitts noted two pieces of legislation have been introduced in the Senate, authorizing capital funding through FY 24 to support planning, changes the capital ceiling between the two programs, and extends the Report to Congress deadline to Sept 30, 2022. Partners are working on that now and Tom was confident that we would get those done. Matt Hogan noted that unified briefing papers have been going up to HQ from Reclamation, FWS and National Park Service which will hopefully clear the way for the Congressional meetings. Kelly motioned for approval of the Report to Congress, Jeff Cowley seconded. **The IC approved the report.**

8. Post-2023 Update – Julie Stahli

a. **Review progress of Post-2023 Funding Group** – Michelle Garrison

Michelle talked about the proposals that have been developed over the past few months, including Tom Pitts' proposal which was responded to by the Federal Family with the Regional Director's proposal. That proposal came out in March and the states are working to come up with a coordinated response to the proposal. Michelle hopes that a response will be forthcoming now that DROA has concluded. The funding group agrees for a 15-year authorization period and \$100 M capital ceiling for both programs. The states and non-federal partners will contribute on a project-by-project basis. She noted that the annual funding piece is a challenge because it must be more predictable.

b. **Timeline and necessary tasks** – Tom Pitts

Tom will reiterate the next steps in this process and our deadlines to get there. Which includes NEPA, cooperative agreements and the followed with some revision of program documents. Funding arrangements are expected in the Secretary's report, but they are not required. Negotiations must be completed with a consensus proposal presented to congress. Matt Hogan noted the tremendous partnership that is represented in the room today. He expressed nervousness about the impending May deadline, and thanked Tom Pitts and Michelle Garrison for all their work in leading those discussions.

9. Logistics – Paul Badame

a. **Delegate approval of the RIPRAP to MC** – Kelly moved RIPRAP approval to the MC, Brian Sadler seconded. The Committee delegated approval.

b. **Plan for fall 2022 meeting** – A Doodle poll will be circulated to determine a date.

c. **Approval of summary from Fall 2021 meeting** – summary was approved

10. Closing – Matt Hogan emphasized the importance of the Programs and the collaborative nature that has successfully brought them to this point. He acknowledged that the process to get here has been complicated and impacted by several unexpected hiccups, but that it is really important to finalize negotiations now. Matt reiterated his deadline of May 31st to receive the Report to Congress so that he can move it forward through to approval by Headquarters and have it ready for the Secretary by September. Matt thanked all of the partners for coming to the meeting and spending time on the Program. He appreciated the face-to-face time and looks forward to the continued partnerships.

ADJOURN: by 1:00 p.m.

Attachment 1 – Participants

IMPLEMENTATION COMMITTEE MEMBERS:

Matt Hogan, U.S. Fish and Wildlife Service (Chair)
Kathy Callister for Ed Warner, U.S. Bureau of Reclamation
Rob Billerbeck, National Park Service
Kelly Romero-Heaney, State of Colorado
Tom Pitts, Upper Basin Water Users
Brian Sadler, Western Area Power Administration
Chris Keleher for Brian Steed, State of Utah
Leslie James, Colorado River Energy Distributors Association
Jeff Cowley, State of Wyoming
Bart Miller, Western Resource Advocates
Julie Stahli, Program Director, (nonvoting)

OTHERS:

Wayne Pullan, U.S. Bureau of Reclamation
Michelle Garrison, Colorado Water Conservation Board
Lee Traynham, U.S. Bureau of Reclamation
Kara Scheel, Colorado Water Conservation Board
Derek Fryer, Western Area Power Administration
Dave Speas, U.S. Bureau of Reclamation
Julie Stahli, Recovery Program
David Graf, Recovery Program
Chris Michaud, Recovery Program
Paul Badame, Recovery Program
Tildon Jones, Recovery Program
Kevin McAbee, Recovery Program
Shane Capron, Western Area Power Administration
Melissa Trammell, National Park Service
Colleen Cunningham, State of New Mexico
Marj Nelson, U.S. Fish and Wildlife Service
Katrina Grantz, U.S. Bureau of Reclamation
Joseph Trungale, The Nature Conservancy