



Upper Colorado River Endangered Fish Recovery Program

October 20, 2021

DRAFT Implementation Committee Webinar Summary

October 12th, 2021 (9:00am – 3:00pm MDT)

Matt Hogan, Interim Chair

CONVENED: 9:00 a.m.

1. Introductions, modify/review agenda, Chair's updates – Matt Hogan introduced himself as acting Regional Director for Legacy Region 6. He has been Deputy Regional Director for 9 years. He noted the great work the committee has done, and the success of the Committee in making ESA progress. FWS is in the process of filling the Regional Director position that Noreen vacated this summer, which is going slower than everyone would like. Once filled, that individual will assume the IC chair role because this Program remains a priority for the Service.
 - a. Welcome Kelly Romero-Heaney as a new representative for Colorado - Kelly is the Asst Director for Water Policy at DNR. Kelly has had experience with the Program in the Yampa River valley, including being a key individual in setting up the Yampa River Fund. Michelle Garrison will be serving as her alternate on the IC. Kelly noted Greg Johnson has taken a new job with Denver Water.
 - b. Welcome Jeff Cowley as the temporary representative for Wyoming - Jeff introduced himself and noted he works at the Interstate Streams Commission. Jeff is the new Steve Wolff but Greg Lanning will be taking over Steve's role on the IC in future meetings. Greg is the State Engineer, appointed 2 years ago.
2. Recovery Planning Update for Colorado Pikeminnow – Tildon Jones noted the request of the partners to revise the recovery goals for all four species. Colorado pikeminnow was selected to go first because of the ongoing rule makings for both razorback sucker and humpback chub. The Recovery Team was convened in fall of 2020 and began meeting in spring 2021. The team is using the RPI process, which is based on the SSA and streamlines the documents. The Team has drafted objective and measurable criteria for recovery and is now working on site-specific criteria. A draft should be ready in early 2022 for the Management Committee and the Coordination Committee on the San Juan to review and provide time and cost estimates. A question was asked about Biology Committee review. The Biology

Committee reviewed the SSA, which is where all the biological information is held. Management Committee members are also expected to discuss the plan with their Biology Committee representatives during their review so each partner submits a single review of the plan. Members asked for sufficient time for that comprehensive review. Matt Hogan committed to further briefings to the Committees, making sure that all partners are comfortable. Kevin clarified that we could schedule one meeting with the Biology Committees and Management/Coordination Committees to review what the Service is presenting and asking for from the partners. Tildon reviewed the participants on the Recovery Team: Kevin Bestgen, Darek Elverud, Scott Durst, Harry Crockett, Jacob Mazzone, Kelly Cambridge, Matt Zeigler, Paul Badame, and Bill Miller.

3. FY22 and FY23 funding – Kathy Callister reviewed the federal budget process, outlining the differences between authorization language and appropriation language. Both the FY22 Senate and House bills include \$21.4M for the environmental programs ([Senate Energy and Water Appropriations Bill page 62, Colorado River Compliance Activities](#)). The Continuing Resolution is placing Reclamation in a difficult spot because the programs were using power revenues in FY21. Reclamation has resolved the issue internally until December 3rd, but noted that it could become a problem if continuing resolutions continue. For FY23, the President’s Budget will come out, allowing for discussion around what is in that budget for the compliance programs. Ryan confirmed that the capital funding request for the programs was also included. Committee members appreciated Reclamation’s commitment to the Programs.

Rob noted \$1.8M has been added into the National Park Service budget starting in FY22. Once the Continuing Resolution has been resolved, NPS would be interested in defining a set of projects tied to projects that benefit the park units. Rob indicated that this funding should be supplementary to current efforts, rather than replacing current funding. >Julie will add some time at an upcoming MC meeting to discuss a list of projects that would be appropriate for those funds. Melissa Trammell suggested that nonnative fish removal work that has been removed from the budget may be appropriate. Kevin thanked NPS for their commitment to the Program and noted the link to the FY22-23 budget presentation that will occur later in the agenda. The \$1.8M is targeted at the San Juan and Upper Colorado programs, but could be applied to the GCD AMP as well. Committee members thanked NPS for their commitment to the Program. Rob recommended a project list be identified and an IAA be drafted prior to the passage of a final budget for FY22.

4. Drought Response Updates – Katrina Grantz provided a high-level overview of the Drought Response Operating Agreement (DROA), which is a key tool to address the effects of drought and assess impacts to the operations of Glen Canyon Dam. The goal is to protect critical elevations at Lake Powell and ensure water delivery. An elevation of 3490’ is the lowest level where power can be generated. Falling below that level could possibly allow for

cavitation and debris entrapment. Glen Canyon Dam provides enough power to power 363,000 households. Reclamation has established a goal of 3525', designed to protect the 3490' limit. The two tools included in DROA are supplemental releases from Flaming Gorge, Aspinall, and Navajo reservoirs and reducing demand in the lower basin. In January 2021, the 24-Month Study minimum probable forecast showed Lake Powell elevation dipping below 3525', which started additional modeling and meetings with DROA partners. In May, the most probable forecast predicted 3525', which kicked off a formal engagement process. Declining water conditions through the summer required emergency releases to Lake Powell. The supplemental releases started in July and will continue through December, propping up Lake Powell by 3 ft. Flaming Gorge is releasing 125,000 acre-feet, Aspinall is releasing 36,000 ac-ft, and Navajo is releasing 20,000 ac-ft in November and December. The upper basin states and Reclamation are working to implement a plan by April 2022, meeting regularly. A draft will be completed by December for reviews to begin.

Reclamation also continues to coordinate with stakeholders, including Tribes, federal agencies, and at a variety of other meetings. Later this week, the federal agencies will be presenting input for those discussions. They are also continuing to look at hydrology to determine if or when additional actions may be required. Coordination with stakeholders is a key part of the discussions moving forward and Reclamation acknowledges the schedule is very ambitious. Katrina noted the collaboration that is part of the history of the Colorado River basin and was encouraged that the process would be fruitful. Kevin thanked Katrina for providing that overview and Reclamation for including the Program in discussions around how water flows from the upper basin reservoirs and how they can support endangered species along the way. Kevin noted Tildon will be presenting on Friday as part of the next planning stages and thanked him for all the work he has done as the lead for our office. Kevin highlighted the importance of the Flow Request Letter that will be drafted by the Program early in 2022. He reiterated the importance of working together as that letter is developed, both with and without the DROA release process.

5. Post-2023 Discussion – Matt thanked all the partners for how much work has gone into the Post-2023 conversations.
 - a. Legislation update – Jojo La noted the importance of technical amendments needed to adjust the deadlines outlined in the current public law. The amendments have four purposes: extending funding for one year to allow Reclamation to budget for FY24, reallocation of the capital cost ceiling from the San Juan to the Upper Colorado, revisiting the termination provision of the Cooperative Agreements and extending that to FY23, and delaying the Report to Congress deadline by one year. The reallocation moves capital ceiling to allow Reclamation to plan for an additional project in the Upper Colorado. The San Juan Program would not be able to use their entire ceiling amount before 2024, so this allows for maximization of benefit for the fish. The report from the Secretary would be due September of 2022. Representative Neguse introduced the bill in the House ([HR5001](#)). Jojo thanked all the partners who assisted with information and co-

sponsorship. Jojo is hoping to have an update on the Senate side by the next meeting. Tom noted that the technical amendments have gone through all of the program committees and have full support of both the Upper Colorado and San Juan programs.

- b. Review progress of Post-2023 Funding Group to date – Michelle Garrison thanked all of the people who have served on the Funding Group, who have provided a lot of great information and spent a lot of time on this topic. She reviewed that the Group kicked off after WAPA presented information around the expected decreases in hydropower and how that would affect the programs. The Group went through the cost estimates provided by the programs and examined other possible sources of funding that might be available. Partners generated fact sheets around alternative sources, which produced some interesting sources of capital funding, including a bill which would provide funding to state wildlife agencies, and a potential public-private partnership that could benefit tribes and endangered species. The conversations around annual funding have been more of a challenge. After the information gathering phase, the states developed a proposal to help the conversation move forward. The group has come to consensus around the reauthorization period of 15 years, a shared capital ceiling between the two programs which would allow maximum flexibility, and states and other non-federal partners would provide additional capital resources on a project-by-project basis. The Group talked about program efficiencies and how the two programs could continue to improve coordination. Some ideas are being assessed by the program offices and they are in discussions with the program committees. The Group is still challenged with determining annual funding sources. The States Proposal continued the commitments from the States and the Service. They also reduced the program amount by \$1M, assuming that the States would assume responsibility for actions that would compensate for that \$1M. Reclamation has presented information looking at equitable contributions for annual funding. Michelle noted the importance of in-kind contributions from the non-federal partners are most substantial for the Upper Colorado. She also noted Tribal Trust responsibilities on the San Juan. She said those annual funding conversations will continue to try to work through the Annual Funding commitments.
- c. Timeline and necessary tasks – Tom Pitts reviewed the list of tasks he developed at the beginning of our conversations. He said the planning time horizon and the refinement of program cost estimates have been completed, noting the \$3M increase proposed in the current estimates. He noted the reliance of the States Proposal on Reclamation for both capital and annual funding amounts. He reiterated the commitments from the Service and the States in annual funding levels. Tom asked for a definitive proposal from Reclamation as to what was acceptable from their perspective. He noted Reclamation’s contributions to date: the White Paper distributed in April 2020 and the benefits analysis, but he noted uncertainty in how those relate to the current proposal on the table. Tom noted the importance of working out a solution here that is acceptable to all partners; providing Congress with a solution, not a problem. Tom reviewed the steps still needed to be completed (4-15 on the task list). He noted all of these need to be completed by the

end of FY23. Tom committed to providing a new timeline based on our current status. Partners asked about the key deadlines in relation to the Report to Congress deadline, expected at the end of FY22, noting that item 9 on the list has a deadline less than 12 months away. Tom said the important step is coming to consensus on how we will fund the programs. Partners asked if there were other issues that needed to be worked out other than annual funding. Tom reiterated that this was the key issue before the programs at this time.

6. Meeting Logistics

- a. Meeting summary discussion - Julie requested feedback on the most recent summary, as it was revised based on comments in the previous meeting. Partners indicated they would review both the April and October summaries with that in mind. She asked for continued input on how best to make the summaries more useful to the committee. Approval of April summary was deferred to the next meeting
- b. Plan for next meetings – Julie recommended the Implementation Committee hold meetings in January (Post-2023, likely virtual) and April (traditional IC meeting). Leslie requested a DROA update on the January agenda.

7. Program Director's Office Updates – Kevin McAbee and the Coordinators presented updates regarding the accomplishments and status of the Program. David Graf reviewed the Instream Flow element and discussed the flow conditions in water year 2021. Flow conditions were about 50-60% of normal conditions across the upper basin. Conditions changed in about April, when things became very dry, resulting in 29% of median inflow into Lake Powell. Severe drought conditions persisted throughout the summer, but were starting to improve as of October, with monsoonal moisture in late summer. All gages were below 50%, with most about 1/3 of normal. David reviewed the effects of Program flows in both the Yampa and Colorado rivers, including the importance of the 7750 ac-ft of water donated by Program partners. Tildon introduced the importance of managing habitat for the program, including floodplain wetlands, secondary channels, backwaters, weir walls and screens as well as passage structures. Tildon highlighted the completion of Matheson and successful release of juvenile razorback sucker from that site. He noted the Stirrup construction and the O&M contract for the Green River Diversion passage. Tildon thanked Ryan Christianson for all of his work to get that agreement established. Kevin reviewed nonnative fish management, highlighting the two-tiered strategy that removes nonnatives from riverine systems while supporting compatible fisheries in reservoirs. He reviewed the smallmouth bass flow-spike and the current status of the Ridgway Reservoir screens. Kevin reviewed the current results from the flow-spike, confirmed smallmouth bass spawning, increases in flows and removal of larvae from the nests. Julie reviewed the propagation program for the committee. Currently, this includes the annual production and stocking of 12,000 razorback sucker and 35,000 bonytail. Partners also worked in the last few years to collect wild, juvenile Colorado pikeminnow that will be used to augment the existing broodstock. Southwestern Native

Aquatic Research and Recovery Center has indicated we can continue broodstock collection in 2022. Collection for a Desolation Canyon humpback chub broodstock has been approved and scheduled in future years to add redundancy for that population. Melanie reviewed I&E activities for 2021. The Swimming Upstream field report was published for 2021 and distributed to field offices within the basin. The Program also worked with USACE and the city of Grand Junction to create interpretative signs for Las Colonias Park. The Palisade High School fish hatchery stocked razorback sucker produced by the students, and held a public event for their inaugural stocking event. They received the FWS Regional Director's Partnership Award for 2021. Melanie also worked to produce a media package for the humpback chub downlisting announcement, which included "b-roll" footage from a recent Freshwaters Illustrated filming trip. Kevin provided species status updates. Humpback chub is currently proposed for downlisting based on stable or increasing populations through the upper basin and Grand Canyon, except for the Dinosaur National Monument population. Razorback sucker is also proposed for downlisting based in part on increased populations of stocked fish throughout the upper basin. Colorado pikeminnow remained listed as endangered based on a declining Green River population and a low, but stable, Colorado River population. Bonytail also remain endangered since survival of stocked fish remains low, despite some recent improvements.

8. Review FY22-23 workplan – Julie reviewed the opportunity for the Implementation Committee to approve the FY22 and FY23 workplan. Typically, the IC delegates that approval to the MC. The budgets proposed are ~\$8.2M in each of the fiscal years. Julie reviewed the budgeting and scope of work development process. The Biology Committee was involved in helping refine the Program Guidance that went into identifying workplan revisions for FY22-23. Julie highlighted that proposed work includes increasing expenses, while budget amounts have held relatively steady. She then reviewed the major budget increases included in the FY22-23 workplan, including Grand Valley passage and screen O&M, the Tusher Diversion O&M, Stirrup wetland operation, and Green River flow monitoring. Despite reducing budget requests, the current budget is more than available funds, but is being covered by savings from FWS staffing vacancies. Julie then reviewed reductions in the proposed work plan, which includes increased partner contributions, elimination of inflationary increases, and a variety of strategic reductions. She recognized TNC and Utah in their funding to develop Matheson, and the importance of rearranging humpback chub monitoring to accommodate broodstock collection, as well as finding ways to manage hatcheries without the need to build an additional facility. Bart moved the committee vote to approve the workplan. Leslie provided a second. The committee approved the motion unanimously with a verbal vote.
9. Staffing Updates – Kevin McAbee welcomed Chris Michaud and David Graf to the Program Office. Chris has a long history with the Program working as a biologist with the State of Utah. He has a passion for using data to make good programmatic decisions. David has a long history managing water with Colorado Parks & Wildlife. He will be managing our fish pools and working on instream flows across the basin. Kevin did note that FWS is actively

working to replace the Program Director, but no updates are available at this time. Melanie Fisher announced her retirement at the end of the year. She said it has been an honor to serve the Program and the fish. Melanie noted the importance of diverse voices in considering how our actions affect the people in the basin. She reiterated the importance of having a communications perspective in the Program Director's office.

10. Wrap-up and Thank You – Matt Hogan thanked everyone for their engagement and commitment over the digital format. Matt encouraged the Funding Group continue to actively seek resolution. He noted the importance of getting together and maintaining the partnership, suggesting an in-person spring meeting if possible. Matt said the Program has been presented to Principal Deputy Director Martha Williams in the context of America the Beautiful and she has expressed interest in the Program. He committed to keeping her informed of the progress made by the Program.

ADJOURNED: 12:35 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
Tim Vigil, Western Area Power Administration
Chris Keleher for Brian Steed, State of Utah
Leslie James, Colorado River Energy Distributors Association
Greg Lanning, State of Wyoming
Bart Miller, Western Resource Advocates
Kevin McAbee, Acting Program Director, U.S. Fish and Wildlife Service (nonvoting)

OTHERS:

Wayne Pullan, 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, U.S. Bureau of Reclamation
Julie Stahli, Recovery Program
David Graf, Recovery Program
Chris Michaud, Recovery Program
Melanie Fischer, Recovery Program
Tildon Jones, Recovery Program
Shane Capron, Western Area Power Administration
Melissa Trammell, National Park Service
Colleen Cunningham, State of New Mexico
Brian Sadler, Western Area Power Administration
Marj Nelson, U.S. Fish and Wildlife Service
Katrina Grantz, U.S. Bureau of Reclamation
Jeff Cowley, State of Wyoming
Joseph Trungale, The Nature Conservancy
Mike Robertson, State of Wyoming
Greg Johnson, Colorado Water Conservation Board
Katie Duncan, Colorado Attorney's General Office