



# Upper Colorado River Endangered Fish Recovery Program

Dated: February 19, 2018

## Management Committee Summary, December 19, 2018 1 pm - 4 pm MT

### 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	Water Users
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	Bureau of Reclamation
Marj Nelson	US Fish and Wildlife Service
Tom Chart (non-voting)	Program Director

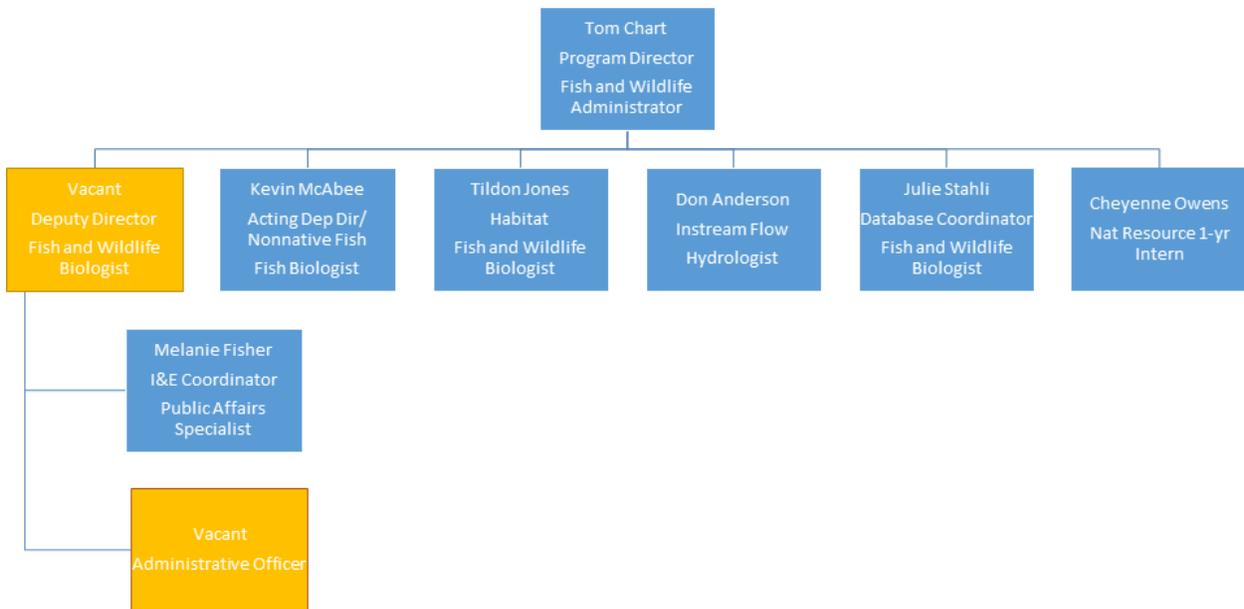
### Interested Parties:

Kevin McAbee	Acting Program Deputy Director
Julie Stahli	Program Coordinator
Don Anderson	Program Coordinator
Tildon Jones	Program Coordinator
Cheyenne Owens	Natural Resource Specialist
Kathy Callister	Bureau of Reclamation
Rick Baxter	Bureau of Reclamation
Dave Speas	Bureau of Reclamation
Paul Badame	State of Utah
Mark Wondzell	National Park Service
Lain Leoniak	State of Colorado, AG Office
Pete Cavalli	State of Wyoming
Joe Phillips	State of Colorado, CPW, AG Office
Harry Crockett	Colorado Parks and Wildlife

### Convened: 1:00 PM MT

1. Introductions & requests to modify agenda. Agenda was modified to read as follows.

2. Approval of meeting summary from Sept 11-12 meeting – The September summary was approved as amended. Julie will finalize and post to the website and list-serve.
3. Program Director’s Update
  - a. PDO staffing update and staff responsibilities - Tom Chart reviewed the many changes that have occurred over the past two years. The current organizational chart was distributed to the MC. The yellow boxes indicate positions that are vacant, blue positions are currently occupied. The administrative position has been vacant for almost two years and is expected to remain so. FWS is reorganizing administrative support (Joint Administrative Operations (JAO)) by combining activities (e.g. travel, supply orders) from many offices and distributing them to certain individuals across the region, so much of the PDO’s administrative work has already been assigned to staff outside our office. In addition, Ellen Szczesny has been providing budgetary oversight for both appropriated and reimbursable dollars over the last few years. Under the JAO reorganization, the Program may lose Ellen’s services as her duties are transitioned to include a wider scope of responsibilities. The PDO is tracking this and looking for solutions.



The Program Office has been working on assigning duties according to our staffs’ skill base and areas of expertise, which are described in the attached spreadsheet.

General roles are outlined in the top of the table. At the bottom of the spreadsheet, species leads are identified for Section 4 responsibilities. The PDO has chosen to split up responsibilities by species rather than by document type. Kevin will continue to lead efforts for humpback chub. Julie will continue to lead razorback sucker efforts. Tildon will be the point person for Colorado pikeminnow, starting with reviewing the SSA, which is scheduled to be complete in FY19. Cheyenne will take the lead on the bonytail 5-year review and leading discussions with hatcheries to improve fitness. Tom said this plan is anticipated to be in place for the next six months, while Tom works on filling the Deputy Director position. Tom worked through the table regarding each program element and the responsibilities of each staff member. Tom Pitts asked for elaboration within Propagation and Genetics Lead for Julie Stahl. Tom Chart clarified that Julie is the primary point person to the hatchery managers, Cheyenne will also serve as a point of contact. Jojo asked what effect a government shutdown would have on the Program. Tom Chart said that remaining FY18 funds from Reclamation will keep the program staffed until that money is exhausted. Marj added that all hatchery personnel stay in place to take care of animals, but they are not paid to do so. Steve Wolff asked if there was any possibility that the Deputy Director position would remain unfilled. Tom Chart and Marj both said it needs to be approved by Headquarters, but neither of them anticipate problems.

- b. Post-2023 Planning - Next Steps - Tom Chart reviewed the requirement of a report to congress by FY21, requiring proposed structure and size of the Upper Colorado and San Juan programs by FY20. During the spring of 2018, the Post 2023 team focused on recovery plans and how recovery is defined. The PDO was focused on SSAs and other Section 4 documents to support those efforts. The Post 2023 team discussed alternative goals and program structures (e.g., merging with the lower basin) and will recommend the programs should remain dedicated to species recovery and remain independent from the lower basin. The PDO was given direction by the Post 2023 team to assess our current recovery actions and determine what actions are necessary to persist after 2023. The upper basin PDO and the San Juan Program Office have been in discussions to outline that process. Don Anderson provided a structured outline that we intend to use to assess activities. The PDO anticipates examining each program element as a series of activities and defining potential levels of those actions based on our confidence in achieving and supporting recovery. Combinations of different levels of activities could define potential future scopes of the program(s). Tom Pitts asked if the recovery actions would also have cost estimates. Tom Chart said small teams of 4-6 people will identify levels of future actions to attain and continue recovery and assist in developing cost estimates for each level of activity. New activities

may also be identified during this process. The PDO will then bring the results of those efforts back to the MC and the Coordination Committee (CC) to rank or group costs to define the full scope of the program(s). Tom Pitts asked what goals currently define recovery; Tom Chart said we are still aiming at the 2002 goals. Steve asked about the anticipated timeline. Tom Chart will try to convene groups in Feb-March of next year. The results of that would then be brought back to the MC and CC and used to define an optimal structure moving forward. Melissa asked who would be on the small teams. Tom Chart said the groups will be comprised of technical experts who are completing on the ground work. Tom Pitts recommended that only one framework be presented to Congress at the conclusion of this process. The PDO has a conference call tomorrow afternoon to integrate the San Juan Program. The PDO will send out information/framework after that meeting. Lain asked if identifying sources of funding would be part of this exercise. Tom Chart said it is likely that the Post-2023 group will need to define funding sources, but that they will need this technical information to make those decisions. Steve agreed. Leslie and Melissa asked that CREDA and NPS be involved in Post-2023 planning. Later, Tom Chart agreed to send the materials for this next Post-2023 planning exercise to the entire MC and San Juan Coordination Committee.

- c. Opportunities for partnership with the Chesapeake Conservancy to create GIS data layers - Don Anderson said that he, Julie and Jojo La have been talking to a non-profit called the Chesapeake Conservancy that has funding that needs to be spent on a project by June 2019 provided by the Babbitt Center. The funding equates to about 500 hours of GIS expertise for what's considered a pilot project, so more funding may be available. Jojo identified that the Program may be able to use this opportunity to help compile information. Jojo, Julie, Don and others from CWCB met with the Conservancy and determined the focus to be developing GIS products around water quantity and other information pertinent to the program. GIS layers could be compiled into a single geodatabase for general use, potentially including a viewing tool for those data. In addition, the effort may be able to develop tools to assist in outreach looking at hydrologic conditions, either past or present, to help tell the story of water in the basin. The parties are still in the brainstorming phase and a partnership is not guaranteed, but CWCB and the PDO intend to continue to pursue opportunities that may be available if the MC supports those efforts. Jojo expressed support for the project, especially from the perspective of a new partner in the Program. She said there was a lot of information available in reports and available on the web, but having it available in a single graphical form would have been helpful. She also noted that CWCB has strong relationships with the Babbitt Center. Patrick asked why the Chesapeake Conservancy would be interested in the Colorado Basin. Julie

responded that the effort is really with an offshoot of the Conservancy called the Conservation Innovation Center, which developed expertise working on the Chesapeake that it now wants to expand.

- d. Update on timing for Federal Register documents - Kevin McAbee said the proposed rule for humpback chub was sent to Service Headquarters in early December. Kevin anticipates briefing Department heads in late January. The PDO has asked for publication before the DC trip. The public comment period for the proposed downlisting rule is currently set to 60 days following publication, during which all comments are welcome. Marj clarified that most rules take 8-10 weeks between transmission to HQ and publication. Kevin said Regional Director approval occurred in September, then Solicitor Review occurred before it was transmitted to HQ, which occurred the first of December. Leslie asked about the timing of the remainder of the process through final rulemaking. Kevin said the process after the public comment period will be driven by the scope and number of comments. Kevin anticipates the final rule to occur within 1 year of publication of the proposed rule. Steve thanked Tom Chart and Kevin for their presentation to CRWUA about this process.
  - e. Tom Chart said the Sufficient Progress memo has been signed and was posted to the list-serve this morning.
4. Funding and legislative update - Tom Pitts said bills were introduced in the House and the Senate to extend basin funding through FY23. S.2166 was modified to provide Reclamation appropriations for FY20-23. That bill was scored by the Congressional Budget Office and was found to have no impact on the budget. Some language remained in the bill regarding hydropower funding for operation and maintenance of capital projects, which was an oversight, and was expected to be removed on the Senate floor if action was taken. At this point, Tom Pitts does not expect action to occur during this session and plans to request that the bill be reintroduced as early as possible in the next session in both the House and the Senate. Tom Pitts reiterated the importance of the inclusion of \$10 million for Reclamation in the President's budget. Steve expressed support for early movement, potentially in conjunction with other water bills. Steve thanked all the efforts partners have put into these funding bills, especially Tom Pitts. Tom Pitts praised the power of the partnership and outside support that made FY19 funding possible.
  5. 2019 DC Briefing Trip – Steve said the week of March 11th is appropriate for House and Senate calendars. Steve is working on an itinerary, but notes it is a challenge because of all the changes in staffing that occurred. He is working on scheduling meetings for Tues, Wed, and Thursday of that week with Monday and Friday as travel days. All partners planning on going should make their own hotel reservations or contact Steve if a room

block is needed. Tom Pitts praised the participation of Paul Badame and Bill Miller in last year's trip. Having on-the-ground biological expertise is essential when talking to congressional representatives. They understand that recovery is the objective and ask questions about the status of the species. Steve praised the size of the group last year. Those who are planning on going should hear from Steve in the next few weeks.

6. Revisions to the Green River Flow and Temperature Recommendations (Muth *et al.* 2000).
  - a. Update on the Green River Evaluation and Assessment Team's (GREAT) progress - Tom Chart said the draft GREAT report compiles information gathered since the flow recommendations and subsequent Record of Decision (2006) were published. At that time, a study plan was put in place to guide potential revisions to the flow recommendations. The new information primarily relates to larval trigger operations (spring dam releases timed to coincide with the presence of razorback sucker larvae. In addition, a literature-based recommendation to conduct flow spikes during the summer to disrupt spawning of smallmouth bass has been included. A flow spike would consist of a 3-day full power plant release to wash larvae and guarding adult male bass away from nests. The flow spikes would be conducted in experimental mode. The GREAT will recommend future experimentation with revised summer base flows intended to increase survival of young of year Colorado pikeminnow, primarily in Reach 2. Kirk LaGory and Kevin Bestgen have been the lead on the report. Tom Chart anticipates that the report will come to the committees in early Spring 2019. Tom Chart praised Jerry Wilhite for his summary of flow management since the ROD, Dave Speas' analysis of temperature recommendations and Heather Patno for her modeling of the future recommendations.
  - b. Pending report review process - The Biology Committee and Water Acquisition Committee will review the report first, followed by a Management Committee review (as per our flow recommendation report review process).
  - c. A specific discussion of how to characterize the GREAT's recommendations (e.g. experimental vs long-term shift in dam operations) from a NEPA perspective is occurring as part of the GREAT. Rick Baxter has worked with the GREAT to assess implications of the recommendations. The ROD allows for experimentation to be adaptive as conditions change on the river. Reclamation does not recommend opening an EIS at the current time. Additional data for flow spikes, base flows and larval triggered spring operations are desired before effects are considered under an EIS. Rick is hoping for additional evaluation at more floodplains than just Stewart Lake. Tom Chart agreed that we have quite a bit of data on larval trigger, but that additional data on flow spikes and elevated base flows would be very helpful. Tom Pitts asked what base flows were proposed.

Tom Chart said the base flows would be based on hydrologic regimes, but for example, during dry years in summer months, the base flows would increase from 1100 cfs to 1700 cfs. Tom Chart also said the GREAT recommended reducing base flows during wet hydrologic years. Based on the issues Rick Baxter raised, Tom Chart indicated that all three GREAT report recommendations will clearly recognize an experimental aspect. Shane asked how flow recommendations might be implemented under an experimental framework. Rick said that under the ROD, adaptive management is an essential component and that Reclamation carefully considers experimental proposals before they are implemented. Tom Chart clarified that in the past, there was no study plan in place to assess the experimental aspect. A smallmouth bass flow spike study plan was recently approved by the Biology Committee [available at: <http://www.coloradoriverrecovery.org/documents-publications/technical-reports/isf/Bestgen2018Smallmouth%20bass%20study%20planNovember2018.pdf>]. Shane asked if the impacts of these actions on hydropower have been described. Heather Patno has modeled the hydrological effects of spike flows, but not the specific impacts to hydropower generation. Steve recommended extensive outreach efforts as the changes are implemented, and documentation of the effects on other parties. Shane asked if the MC would be involved in defining what experimental actions are taken. Rick said that will all be delineated in a study plan which could be approved by the MC or delegated to the BC. Tom Pitts asked if the flow recommendations will recommend a series of experiments. Tom Chart said the larval trigger component makes a recommendation to revise the flow recommendations, but more information could be gathered to add clarity. Flow spikes and base flows would be recommended experiments. Tom Pitts asked if flow spikes and base flows would start in 2019. Reclamation has requested that a study plan be in place before those efforts start, but flow experiments could start in 2019 if conditions are appropriate. Flaming Gorge Working Group meetings planned for March and April will discuss these topics. Alternative management proposals are likely to be presented by other attendees at that meeting.

7. Capital projects discussion:

- a. Green River Canal / 8 Gate structure construction update - Ryan Christianson provided the Capital Projects spreadsheet to the group. He asked that Committee members review and provide comments. Reclamation is currently planning for funding requests for FY2021, understanding that all of these projects need to be completed by FY2023. Between both the Upper Colorado and San Juan programs, we anticipate approximately \$4.5 million annually in projects to occur. Adequate authorization exists for these projects for both programs. There is about \$3 million remaining under the cost ceiling now for the Upper Colorado Program.

Ryan reviewed an updated cost estimate and proposal from Thayn to increase Recovery Program funding for the 8-gate structure by \$200,000 and acknowledged that the cost estimate were reasonable. The MC previously approved \$400,000 of Recovery Program capital funds for construction costs. Kevin McAbee provided additional information on the increased cost estimates via an email from Rick Kaster of Thayn Hydropower. Melissa appreciated all of the information that was provided in response to questions, but remained reluctant to approve the request. Ryan asked that the Committee assess whether the cost estimates are reasonable and then determine what the effects would be on the budget. Ryan clarified that the cost estimates haven't really changed, but that Thayn has put more time into creating a more comprehensive budget of what would be needed. Leslie asked if the original request was \$600,000, and Ryan confirmed that the request was for \$400,000-\$600,000. Leslie asked if any of the construction is required for their FERC hydropower license or if it is independent. Tom Pitts believes that FERC is not requiring them to replace the 8-gate structure, but that FERC did have to approve the design. Ryan agreed. FERC submitted specific requests outlined in the email from Rick Kaster. Tom Pitts said that the 8-gate structure is being improved and that will increase the effectiveness of the fish barrier and reminded the MC that the hydropower facility already screened their power plant, dramatically reducing the amount of water needing to be screened by the Program and a cost savings to the Program of \$2 to \$4 million, according to Reclamation. Paul Badame asked when that screen was added. Melissa Trammell and Pete Cavalli noted that the screen has been in place for more than 20 years and was really designed to keep trash and debris out of the power plant with 1" gaps. The screen does prevent large fish from being entrained, but does not prevent larval or small fish from entering the power plant. Tom Pitts noted that construction needs to occur this winter while the coffer dam is in place. Todd Adams reviewed the discussion that occurred earlier in the year, in which the MC determined that the \$400,000 was a firm offer. Tom Pitts believed that part of the firm offer was based on the capital cost ceiling estimate (~\$1M remaining) at that time. Ryan said that providing the extra \$200,000 will affect timing of other projects, but that if the project is not done during this season, it is likely not to be completed. Jojo expressed an interest in seeing how this would affect other projects. Kevin said we still have the Red Fleet screen hopefully scheduled for fall of FY19, and screens for Starvation and Ridgway in 2020 in addition to the Stirrup. Ryan said it is difficult to fit anything into 2020 other than Ridgway because of its large cost. Tom Pitts asked if lethal take was occurring in the canal. Tom Chart said that entrainment of Colorado pikeminnow has been documented in the Green River Canal, and that the project that we are constructing (~\$4 million in screening costs) is designed to reduce that take. Melissa asked for

clarification as to how the 8-gate structure affects operation of the fish screen. Tom Chart said that originally Reclamation thought the 8-gate rebuild would provide an increase in hydraulic head necessary to operate our fish barrier. However, the NRCS rebuild of the main channel diversion dam solved that problem. Ryan said it may keep trash out of the fish screen. Ryan reviewed that the other project planned in FY19 is reconstruction of the Stirrup wetland; if the project is not started in FY19 (which may not happen because of the Force Account crew's schedule), Ryan may not be able to hold over funds to FY20. It might open funds up in FY19, which would still impact the overall capital project ceiling. Melissa asked if we have options to provide less than \$200K, or if there is an option to pay into the contingency fund. Patrick said he does not understand the return on investment on these additional funds relative to other potential capital projects. Tom Chart sees value in a water control structure above the fish screen, despite not seeing a clear link to the fish screen and recommends funding the additional \$200,000. Steve expressed concern about the process, but acknowledged that he could support funding. Michelle clarified that they did ask for \$400,000-600,000 earlier, and the Program chose to fund the smaller amount without comprehensive information. Todd Adams said he could approve it. Tom Pitts noted he made the motion on the original proposal of \$400,000 when the cost ceiling was closer. Melissa said she would not disagree. Ryan proposed using the original letter which they have not signed, with a change in the amount. Jojo asked if the agreement for permanent O&M was established. Ryan confirmed that Thayn Hydro is fully responsible for O&M of the 8-gate structure in the future; that is reflected in our letter. Melissa asked if the reconstruction will prevent fish movement back upstream through the structure. Ryan clarified that the current 8-gate structure would change to a 2-gate structure, which would likely reduce velocities. >The Committee requests that Reclamation return to the Committee with a summary of what costs were spent and on how the new design may impact fish movement. The Committee reluctantly approved \$600,000 of Recovery Program capital funds in total for the project.

b. Floodplain wetland updates

- i. PDO seeks MC approval to direct \$150K in capital savings (which were not needed for repairs at the State of Utah's Wahweap Fish Hatchery) to improvements at the Matheson Preserve floodplain along the Colorado River near Moab. Tildon Jones said the State of Utah has capital funds that were originally provided for improvements at Wahweap Fish Hatchery that have become available. One option for those funds would be to provide cost-share for the Matheson Preserve floodplain. Tildon said this is the only wetland that has been brought forth as a management opportunity on the Colorado River. Managed wetlands are identified as

important in the razorback sucker SSA and the subsequent 5-year review. UDWR has collected razorback sucker larvae in the river reach around the floodplain, as well as in the floodplain itself when connected. Phase 1 is currently underway and will include the installation of a framework for the outlet control structure. This additional \$150,000 could build a control structure to restrict establishment of nonnative fish and provide water control. A separate project is underway to provide additional funds to acquire water to support summer water quality conditions. Melissa, Shane, Patrick expressed support for this project. Jojo asked if the MC is choosing between the 8-gate structure and the Matheson preserve. Tom indicated that is not the case; options remain to fund one or both projects. The Committee briefly considered using these \$150K in capital fund savings to partially satisfy the request from Thayn (see item 7a above), but unanimously approved the transfer of these funds to the Matheson project. Paul Badame noted that keeping the funds at the State of Utah would just require a change in use from a budgetary perspective.

- ii. Ouray NWR lease update - The Ouray National Wildlife Refuge has a signed lease with the Ute Tribe for a variety of tribal lands, including the Old Charley wetland which is on the downstream end of the razorback sucker nursery reach. A water control structure and a fish kettle are already installed. Unlike many of the other wetlands we are considering, this wetland is ready to go online for endangered fish management if flow conditions are appropriate. The lease covers the next 10 years. The FWS-Vernal office is ready to operate that wetland if flow conditions support it.

8. Next meeting: the afternoon of April 25th (post Implementation Committee, likely 3pm to 5pm MT) and morning of April 26th (likely 8:30am to 1pm) in Denver. RIP/RAP and Post-2023 will be prioritized for the in-person portion of the meeting. A webinar may be added at another time to discuss other topics if needed.

**Adjourned: 4:06 PM MT**

		McAbee	Stahli	Jones	Anderson	Fischer	Owens
	<b>Title</b>	Acting DD (Budget, Policy & Reporting)	Data Coordinator	Habitat Coordinator	Instream Flow Coordinator	Information & Education Coordinator	Inter / Asst. Propagation Coordinator
	<b>Additional Role</b>	<i>Nonnative Fish Stocking Coordinator (Stocking Procedures &amp; Reservoirs)</i>	<i>Propagation Coordinator assistance</i>	<i>Nonnative Fish Removal Coordinator</i>	<i>Hydrologist</i>		
<b>Program Elements</b>	Instream Flow				Lead all aspects Manage 15MR and Yampa fish pools		
	Habitat Restoration			Floodplains, fish ladder/screens (Green River)	Fish ladder/screens (Colorado and Gunnison Rivers)		
	Reduce Nonnative Fish	Reservoir Screening		In-river control projects			
	Res, Mon, and Data	HBC Population Estimates	Antennas, Database, Hatcheries, & Razorback sucker monitoring	CPM population estimates, early life history monitoring			
	Propagation & Genetics		Stocking goals and assessment, recommendations to BC				Assistant – Primary POC to field
	Info & Education		Listserv & Website content			Program publications; outreach materials, media, public events, website design	Assistant
	Program Management/A. Kantola's Work Load	Coordinate RIPRAP reviews; Work Planning; Liaison with Budget, Purchasing, Contract approvals, Meeting logistics, Section 7 consultation reporting; NFWF account management	Committee liaison (invitations, agendas and summaries); IT lead (spendplan etc)				
	Species Lead	HBC	RBS	CPM			Bonytail
	Section 4 Listing Responsibilities	Section 4 Liaison with Regional Office HBC, SSA, 5-Yr, Proposed and Final Rule, Recovery Plan Revision	RBS – SSA, 5-yr, Proposed and Final Rule, Recovery Plan Revision	CPM – SSA, 5-yr, Proposed and Final Rule, Recovery Plan Revisions			Bonytail – 5-year Review