

**Management Committee Meeting Summary  
December 18, 9 am - 12 noon****CONVENED: 9:00 AM MT**

1. Introductions & requests to modify agenda - agenda was modified as shown below.
2. Program Director's Update
  - a. CPM SSA update - Tom Chart thanked Eliza Gilbert and Tildon Jones for their work on the Colorado pikeminnow SSA. Tildon said the document went out for peer review in early November. The comment period closed on December 16th, but Tildon expects a few more comments to be submitted. Tildon presented an overview of the SSA to the San Juan Biology Committee in early December. He hopes to incorporate all comments over the next month and present it to a recommendation team in early February, followed by a presentation to the Regional Directors (Legacy Regions 2 and 6). The recommendation team consists of a group of Service Assistant Regional Directors; they advise the Regional Directors whose final decision is eventually captured in a 5-Year Review.
  - b. Sufficient Progress - Tom Chart sent a Draft 2018-2019 Sufficient Progress to the MC and to staff in Ecological Services (ES)/Fisheries in the Service on November 22, 2019. Comments were due on December 13, 2019. He has received comments from the Water Users, the State of Colorado, Reclamation, and National Park Service. No request has been made to have an MC discussion specifically on sufficient progress. Tom will make revisions based on the MC comments, followed by an internal FWS review with ES staff on January 6th. Once comments and questions from them are addressed, the memo will be sent to Regional Director Noreen Walsh for her signature.
  - c. Recovery planning - during this past fall, MC members reiterated their interest in revising one or more of the Colorado River fishes recovery plans. The PDO recognizes the relevance of recovery plan revisions as it relates to our post-2023 future, but has been focused on drafting downlisting actions (for humpback chub and razorback sucker) to publish in the Federal Register. Recent MC discussions have focused on revising the humpback chub recovery plan. The PDO staff thinks that if we launch a recovery plan revision in the coming year the Colorado pikeminnow plan may be a more appropriate species to focus on. The PDO has a meeting scheduled with Noreen on February 4, 2020 to discuss this issue and seek her guidance on how to proceed. Shane noted that humpback chub might be the easiest plan to complete in the shortest period of time and asked about the reasoning for Colorado pikeminnow. Kevin McAbee recommended Colorado pikeminnow for a few reasons: (1) a recovery team convened about 5 years ago has already developed a list of site specific management actions, (2) between the draft plan, the SSA, the PVA and the subsequent 5-year review, a lot of information is available for measurable criteria, (3) if this effort supports Post-2023 decision making, Colorado pikeminnow has implications for both the San Juan and the Upper Colorado programs. Kevin said although humpback chub is in a better condition demographically, working across both basins adds another level of complexity to the process. Also, (4) the humpback chub proposed rule is very close to publication; public comment may provide new information about the species that should be incorporated into any recovery plan. Shane noted we have a humpback chub

team and a draft recovery plan does exist. Shane said humpback chub can provide the opportunity to look at what recovery looks like, which can provide a path forward for the programs. Kevin reiterated the importance of honoring the downlisting processes that are currently in place, and noted that both options will be presented to Noreen.

Kevin asked how important it was to the MC to pursue recovery plan revision in conjunction with our other programmatic responsibilities (e.g., HBC and RBS rulemaking, drafting the report to Congress). Tom Pitts reiterated that over the next year, the PDO needs to coordinate drafting the Report to Congress, respond to comments on both of the downlisting rules, and run the Program. He noted that Congress has received the proposed downlisting information very well. In addition, the partners will be renegotiating the funding agreements and cooperative agreements to continue the Program. Tom Pitts said those programmatic responsibilities are a higher priority to him than taking on recovery plan revision at this point in time. Tom Pitts said it took about 3 years to write recovery goals in the early 2000's; recovery plan revisions will be significant undertaking. Steve Wolff said working on Colorado pikeminnow was appealing and may have broader benefits, but managing the PDO workload is up to Tom Chart - not the MC. Tom Chart said the PDO workload would be front and center in his discussion with Noreen, but she will undoubtedly be interested in the range of MC opinion on this issue. Leslie asked if recovery goals would more correctly indicate what needs should be addressed post-2023. Tom Chart said the post-2023 planning (e.g. the selection tool and capital funding needs) is providing important information to influence revised recovery plans for the upper basins perspective. The 2002 threat management criteria are still relevant (w/ exception of the magnitude of the invasive species threat) and have served as a good framework for the post-2023 discussions. Leslie asked why it is taking so long to publish the humpback chub downlisting. Marj said she is struggling with that as well as FWS assumed that this downlisting would sail through the process. Tom Chart noted that the HBC downlisting rule is currently at the Secretary's office, which is the last stop before publication in the Federal Register. Jojo La said she has not thoroughly read the 2002 recovery goals, but reviewed the purpose of recovery goals. She noted one of the hardest parts of the post-2023 discussions are the time and cost estimates towards recovery, which could be informed by revising recovery goals. Jojo noted that recovery goals for Colorado pikeminnow could inform that process, but also supports Tom Pitts' comments that the priority should be on the Report to Congress. Michelle Garrison said the PDO should decide when they have time to kick off recovery planning, potentially after the draft Report to Congress has been submitted and the negotiations have been resolved. Ray Tenney asked if any temporary help could assist in these processes. Tom Chart said yes, but indirectly. His office is exploring detail opportunities (temporary assignments) to assist with other programmatic responsibilities, but that work on recovery planning requires the expertise of the PDO and the San Juan Coordinators staff.

3. Funding and legislative update in context of Continuing Resolutions - Kathy Callister said the House passed the combined budget bill on Monday. The bill is headed to the Senate next and then will move on to the White House for signature. Kathy's understanding is that the language to fund the programs with CRSP power revenues is included in the bill. Steve asked if there was still concern about passback implications for WAPA. Shane and Leslie believe those concerns are still in place. Jojo thanked Reclamation, specifically Kathy and Ryan, for all of their work to fund the recovery programs with carryover funds. Steve agreed and thanked them for their solid work.

4. 2020 DC Briefing Trip - Steve said March 23-27 is the week likely scheduled for the Briefing Trip. Steve is working on the itinerary that will incorporate specific assignments and should have that out just after the first of the year. Steve is recommending that we do not set up a block of rooms as individuals seem to have preferences on where to stay. He recommends making reservations soon. Marj noted that the FWS director will be in place by that point and should be part of the schedule. Tom Chart thanked Steve and all the participants for their continued efforts in DC.

5. Post-2023 Update

- a. Review capital projects list from Biology Committee (BC) - Julie Stahl reviewed how the list of recommended capital projects was created. The BC met in early December to revisit this list. BC members tried to clarify how these projects assist in recovery and provided a tentative scope for some projects as needed, which caused some changes in the table. The BC members re-evaluated the projects with scores to reflect feasibility and need. Tom Chart said that one of the largest questions in this table revolves around the capital funds needed for major repairs / renovations to existing facilities (the top line capital need) and those needed for new projects. Just prior to the meeting, Tom asked Ryan to take a closer look at this list of proposed projects from that perspective. Ryan said that after reviewing the revised project descriptions he believes there was likely some double accounting (e.g., GVIC, Price-Stubbs and the Highline Canal project). Ryan recommended retaining \$10 million in this capital projection for other rehabilitation efforts that have not been specified. Tom Chart pointed out that the BC was very interested in retaining a future and significant capital expense for controlling immigration of invasive species from Lake Powell. However, the BC did reduce their previous estimated cost (\$100M) for such a solution. Tom Pitts appreciated the efforts of the BC and thought it would provide a good foundation for the Funding Group. Tom Pitts asked about the PDO's working recommendation of \$9.7M. Tom Chart said the \$9.7 is pretty much a statistical average of the input of the stakeholders, was the result of the individual selection tools, and was pretty close to the middle of all PDO recommendations (\$9.3-\$10.8M). Tom Pitts said that value combined with the San Juan's projection is about double our current annual funding level. Tom Chart said we also recommend adding \$1M a year for Upper Colorado Program Management. Leslie said she has concerns about characterizing that as an MC recommendation. Steve agreed. Tom Pitts agreed, but felt it was a reasonable estimate to put forth to the Funding Group where it will be further assessed in concert with available funding mechanisms. Tom Chart said going back through the line item activities was not particularly productive during the MC meeting in September and therefore we will retain the range of stakeholder input through the future funding discussions. Tom Chart recognized that \$10.7M (including \$9.7 million from the tables and \$1M in Program Management) does not represent an "MC approved recommendation" but asked that it serve as the reference point for the funding group discussions. No one opposed that approach.
- b. Status of San Juan Recovery Program post-2023 activities - Tom Pitts said the San Juan went through a similar exercise with their Biology and Coordination committees. For annual funding, the SJ is seeking \$3.7M (which is close to their current program funding, plus inflation). The San Juan Coordination Committee recommends \$61M for capital projects and another \$10M for rehabilitation of current projects. Tom Pitts reminded the MC that 80% of the program funding comes from CRSP power revenues, with an additional \$500,000 from the Four Corners Power Plant and \$200,000 from the Service. States and water users do not currently contribute directly to the San Juan Program base funding.

- c. Progress on identifying sustainable CRSP power revenue funding - Kathy Callister said in late summer, Reclamation and WAPA formed a team of 3 Reclamation and 3 WAPA staff members to develop a recommendation for program funding. The recommendation has been developed and sent up the leadership chain for approval. Reclamation is currently getting many questions from leadership about who funds and benefits from the programs. She is getting recommendations to increase non-federal contributions to these programs. WAPA/BOR do not recommend lumping water use/water consumption studies with the environmental programs. Kathy said she would be meeting with Tom Chart and Melissa Mata after the holidays to answer some specific questions raised by leadership. Kathy recommended that the Funding Group should begin meeting as soon as possible and not be delayed by the final recommendation from WAPA/BOR. Steve asked when a number may be provided. Kathy said that depends entirely on when she can get responses back to Headquarters. Tom Pitts reiterated the importance of explaining what would have happened without these programs, including the benefits to Reclamation. Kathy agreed that the programs are essential and more education was needed about the importance of these programs to others in their leadership chain. Kathy is currently researching other recovery programs and their funding models, benefits and costs. Tom Pitts recommended also examining places where programs are not in place, including the Klamath and the Middle Rio Grande. Tom Pitts noted that water users' contribution of 2MAF of water to the 15-Mile Reach and the cooperation should be part of the conversation. Kathy said she has included the water and power replacement costs in the conversations she has had thus far and encouraged all members to send her recommendations on benefits to the Program, including recreation, water quality improvement etc. >She said she is looking for a comprehensive list of benefits by the end of January. Patrick committed to providing materials in support of that effort as well. Patrick noted there are two issues of Irrigation Leader Magazine that explain many of the benefits of the programs and committed to sending those to Kathy [*done*]. Tom Pitts asked the states to weigh in on benefits as well, especially that implementation has occurred within state water and wildlife laws. Patrick asked when the funding value from WAPA/BOR would be put forth and asked that the MC members have an opportunity to comment and input on that process and recommendation. Patrick said he anticipates a negotiation moving forward and would appreciate being able to see the same information that the leadership at BOR/WAPA have seen. Tom Pitts said he understands BOR/WAPA perspectives on the sustainability of the basin fund, but that conversation is different from what sustainability of the programs looks like. Tom Pitts said cost sharing conversations will occur. Kathy will push for information as soon as possible. Jojo is interested in providing information on cash equivalent benefits that the State of Colorado has provided. Kathy noted that both benefits from the programs and contributions to the programs are welcome. Marj said the FWS is willing to provide information as well. Tom Chart said other monetary and non-monetary contributions (beyond the capital and annual funding responsibilities id'd in PL 106-392 [and as amended]) have been tracked in the briefing book; that information is readily available. However, Tom agreed that there are other stakeholder contributions that we have not tracked and he thanked Kathy for pursuing those.
- d. Next steps - Michelle Garrison said it is time for the Funding Group to convene and all parties should look for a doodle poll in January or early February to get the conversations kicked off. Tom Pitts recommended early January or early February because of other meeting conflicts. Michelle said webinars would be the most common format, with in-person meetings as needed.

6. White River Flow Recommendations and Management Plan update - Don Anderson is bringing the Draft White River Flow Recommendations to the MC for review and approval. Don sent the draft document to the MC on November 27th after it was approved by the BC and WAC. Don noted that CWCB is expecting to have a contractor on board to develop a White River Management Plan and would like to provide the Flow Recommendations to the consultant to support their efforts. The document provides a comprehensive summary of fisheries data on the White River. Don thanked Tildon Jones and Matt Breen for their exceptional efforts documenting endangered species use of the river. Don reiterated the importance of the White River, including substantial captures of Colorado pikeminnow and razorback sucker in that system. The White River basin is the last west-slope basin that does not have a PBO in place that accounts for historic and future depletions. A number of stakeholders have had interest in closing that gap and are interested in going through the management planning process. The White River flows through both Utah and Colorado as well as through Ute Mountain Ute lands. Don has located draft planning documents developed in 2011, which referenced Haines et al 2004 and Schmidt and Orchard 2002 as technical documents supporting flow recommendations. Wilson Water Group was subsequently brought in to complete modeling efforts to support the development of flow recommendations. Don revived a 2016 draft, coupled with the new modeling efforts, to develop recommendations centering on protecting current conditions which have proven supportive of endangered fish populations. The Service, with input from a White River Planning Team, identified key aspects of the current flow regime considered important to endangered fish. The draft was sent out across the Program and has received a variety of reviews. Don reminded the MC that time is an issue as the Program is interested in providing this information to the consultant to provide the foundation for the management planning efforts. In addition, when FWS looks at developing a PBO, staff will look to this guidance as well. Don said the technical teams approved the report as interim guidelines, noting that additional information would be needed from the management planning process that identifies gaps in data to be addressed under future studies. Tom Pitts noted that water users had a lot of concerns, but recommended accepting the document as interim recommendations to ensure the process moves forward. Ray reiterated the need to consider the White specifically in post-2023 discussions, including adequate funding to offset the effects of White River depletions. The MC approved the interim flow recommendation report. Tom Pitts appreciated Don's work on this document as well as the efforts of the planning team.
  
7. Green River Flow Recommendations - Tom Chart recognized these revised flows recommendations have been a long time in the making and have recently received technical committee approval. The final step in a flow recommendation report approval process is for the MC to review the report from an implementation perspective. Tom provided a brief review of how these revised recommendations were developed. In 2007, a Green River Study Plan was put in place to evaluate anticipated effects and explore uncertainties associated with the Muth et al. 2000 Green River flow recommendations. The Green River Evaluation and Assessment Team (GREAT) was convened in May of 2014 with representatives from Reclamation, National Park Service, State of Utah, FWS, WAPA, and the Program office. The GREAT's purpose was to compile information (e.g. synthesis reports and other investigations that were responsive to the Green River Study Plan) that could inform revision of Muth et al. The first draft of the GREAT's report was transmitted to the Program's technical committees and peer reviewers in May 2019 with a 60-day comment period. Kirk LaGory and Kevin Bestgen, the lead co-authors of the report, with assistance from several GREAT members incorporated and responded to comments through late summer / fall 2019. The final draft was sent back to the technical committees on October 30th; the WAC and BC

approved the report with no further recommended edits on December 2, 2019. Tom sent the final draft document to the MC on December 3, 2019. Tom Chart noted that WAPA, especially, has had some concerns about how operations at Flaming Gorge dam to achieve these revised flow recommendations could affect hydropower resources, i.e. a potential implementation issue. On December 6, 2019, Tom Chart convened a conference call to prepare for today's conversation (attendees: Shane, Derek Fryer, and Brian Sadler (WAPA); Rick Baxter, Ryan, Kathy, and Dave Speas (Reclamation); Leslie (CREDA); Steve Wolff (WY, MC chair). Based on that discussion, we are not seeking MC final approval of this report today (see below).

On the December 6th call, Reclamation reiterated their intent to continue to experiment with one aspect of the revised flow recommendations (larval triggered spring releases) and initiate experiments for the others (revised summer base flows, flow spikes to disadvantage invasive smallmouth bass, and other related recommended changes in operations). That is, Reclamation supports the report recommendations as written. Rick indicated that Reclamation would prefer to have more information on all aspects of the revised recommendations to determine if and when the recommendations should be incorporated as normal operations. During that call there was discussion of how the Green River Stakeholders would receive information of continued flow experimentation. Reclamation feels that their commitment to increased communication with the general public on planned dam operations (experimental and otherwise) via regularly scheduled Flaming Gorge Work Group (FGWG) and their formal response (April 2019) to the Green River Stakeholders Proposal adequately describes Reclamation's position on these issues. Also, Tildon Jones hosted a Green River floodplain site visit with the Stakeholders in August to describe the benefits of larval triggered operations; there has been no follow up communication with the group since. Tom Pitts asked if Reclamation was modeling the impacts of the Stakeholder's proposal as asked for at a recent FGWG meeting. Kathy will follow up on the status of that modeling.

Shane reported that one of the action items that came out of the Dec 6, 2019 call was a commitment (WAPA working with Reclamation with assistance from the PDO) to analyze impacts of the revised flow recommendations on hydropower production. Derek Fryer at WAPA has started coordinating that analysis. Shane stated that the potential costs and impacts are important to document, along with any potential mitigation efforts. Shane looks forward to having a discussion around those efforts at the MC once the results are complete. Steve thanked Shane for his efforts in moving the conversation forward, but was unclear on how we proceed. Tom Chart will not request MC approval of the revised flow recommendation until the hydropower analysis is complete, but he is concerned about the timing too. Tom asked Shane to provide the MC with an outline of the modeling efforts and WAPA's suggested timeline. Leslie has some questions on the GREAT report, including the base flow recommendations and supported delay to incorporate the analysis before approval. Melissa Trammell asked for further clarification of the process and timelines. Tom felt we all would benefit from WAPA's outline of the scope of the analysis and a suggested timeline as it relates to final report approval. Melissa advocated that the GREAT or MC be included throughout the process. Leslie asked if the states are reviewing the language in the context of drought planning. Steve said Wyoming has reviewed the report and is generally supportive of the flow recommendations, but also reiterated that **implementation** of any new flow request must consider any possible impact to the tier determinations in Lake Powell as described in the 2007 Interim Guidelines and the potential to change Powell release volumes. Any new Green River flow requests (Flaming Gorge releases) should not result in a change in the total annual flow release from Flaming Gorge from current baseline.

On a related note, Tom Chart alerted the committee that the Program's 2020 Green River flow request letter will be essentially the same as last year, including requests for larval-triggered spring flows (as per the approved LTSP Study Plan) and revised base flows within the flexibilities already provided under the 2006 Flaming Gorge ROD. We will not request an experimental flow-spikes nor full experimentation with revised summer base flows in the coming year. In addition to this new commitment to the hydropower impact analysis, the Recovery Program still needs to complete study plans for the revised base flows and the associated effects on the channel. That said, Tom Chart recommended that we continue to reference the importance of flow spikes (as we have done in previous flow request letters) in 2021 pending the completion of the study plans and the hydropower effects evaluation. Steve supported the delay to 2021. The partners supported the rationale behind the flow recommendations, but urged care and caution in implementation. Tom Chart reiterated that the current trajectory of the Colorado pikeminnow population in the Green River dictates that we work through these process issues in a timely manner, i.e., that we are prepared to implement the report recommendations in 2021. Shane recognized that the BC and WAC evaluate flow recommendations from a technical perspective and that the MC is supposed to evaluate implementation separate from the technical information. Shane noted the importance of the separation of those processes and praised the Program for the distinction. Shane committed WAPA to being as responsive as possible to getting this analysis completed. Shane said WAPA has concerns about habitat impacts, similarly to NPS. Melissa committed to completing the habitat study plan as soon as possible. Shane requested additional meeting time to discuss the content of the GREAT report. He encouraged discussion of future research needs and possible mitigation efforts. Tom agreed and will coordinate with the co-authors of the report on presentation of the reports major findings and rationale at the next MC meeting or agenda. He asked that Shane develop an outline of the scope of the modeling effort and a proposed timeline for the analysis as a complimentary agenda item. Steve asked when that discussion would be the most appropriate, before or after the hydropower analysis was complete. >The PDO will schedule a webinar sometime in February to discuss the report and the hydropower analysis.

#### 8. Capital projects update

- a. Ridgway Reservoir screen - Ryan Christianson has received a memo from the Technical Services Center that approves the 80% design, which allows the design to move forward for implementation. Procurement should start in January with construction anticipated in September. The O&M contract has been out for review and Ryan is just waiting on comments from the State of Colorado before finalization. The contract should be complete before construction is started. Kevin McAbee expressed his gratitude for Reclamation's effort in pushing this effort forward so quickly. Tom Pitts thanked Ryan for the 5-year plan Ryan distributed and noted it was an excellent communication tool.
- b. Stirrup Wetland - Reclamation received a revised budget and timeline. The price increased to \$709,000 to construct the Stirrup in conjunction with Starvation in the fall of 2021. Tildon said Ryan Proctor conducted a site visit and updated the design based on how much time he anticipated would be needed. Ryan Proctor estimated higher costs in concrete and labor. Ryan Christianson said final approval is needed from the MC based on the increase in cost. Tildon will take the plan to the BC in January and will bring a formal request back to the MC at the next meeting.
- c. Green River Canal Co. fish screen and ladder O&M - Ryan said slow progress is being made with the Green River Canal Co. around the O&M contract. The canal company needs an eSAMs account to be able to receive money. Reclamation has committed to providing as much assistance as is needed to make sure the contract moves forward.

- d. Red Fleet - The Red Fleet screen is on track for construction at the beginning of April, pending completion of NEPA analysis.
  - e. Starvation - Construction is likely in fall of 2021. Utah may be considering a modular screen, which will be the topic of future conversations. Utah has committed to providing \$150,000 in funding for the screen.
  - f. Ryan said everything on the schedule is likely to be completed by the end of the authorization of the Program. There may be some room in the budget in 2021 based on future decisions. About \$1.1M has not been programmed into the budget as of yet.
9. Meeting scheduling: Julie will doodle for a webinar in February (suggested agenda topics - the GREAT report and related issues; report on the recovery planning discussion with the Regional Director (scheduled for February 4, 2019], etc.). An in-person meeting in Grand Junction was tentatively scheduled for April 27-28.

**ADJOURNED: 12:20 PM**

## **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	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	Fish and Wildlife Service
Tom Chart (non-voting)	Program Director, Upper Colorado Program

### **Upper Colorado Program Office Staff:**

Kevin McAbee	Nonnative Fish Coordinator
Julie Stahli	Deputy Director
Don Anderson	Instream Flow Coordinator
Tildon Jones	Habitat Coordinator

### **Interested Parties:**

Dave Speas	Bureau of Reclamation
Ray Tenney	Colorado River District
Harry Crockett	Colorado Parks and Wildlife
Melissa Mata	San Juan River Basin Recovery Implementation Program
Derek Fryer	Western Area Power Administration
Kevin Bestgen	Colorado State University, Larval Fish Lab
Kirk LaGory	Argonne National Laboratories

## **Attachment 2: Meeting Assignments**

1. **Management Committee members** will send Kathy Callister any relevant information on other recovery programs and their funding models, benefits and costs, information on locations where programs are not in place, including the Klamath and the Middle Rio Grande, information on additional contributions to the programs not covered in the briefing book and other benefits of the program (e.g. recreation, water quality improvements) by January 31<sup>st</sup>, 2020.
2. **Julie** will develop a doodle to schedule for February webinar.