

Management Committee Summary
August 30, 1 pm – 5 pm (MST)
August 31, 9:00 am – 1:00 pm (MST)

CONVENE: Day 1 August 30 – 1 PM

Introductions & requests to modify agenda – Committee members and other attendees introduced themselves, noted their current roles, time associated with the Program, and a tidbit about their pets. The agenda was modified to add an update on D.C. briefings by Tom Pitts on Wednesday around 9:15 am. The order of the agenda for Tuesday was adjusted to move the Water Acquisition Committee (WAC) updates and a discussion of the Economic Benefit Analysis topic to be the last items for the day. Joe Trungale requested some discussion about the Inflation Reduction Act; it was added to the agenda after the Bipartisan Infrastructure Law (BIL) discussion.

Pikeminnow Recovery Plan Update – Tildon Jones said the draft recovery plan is currently in review at FWS Region 6 office. We have shared it with the Fisheries and Ecological Services programs in the affected states. We received comments from FWS Region 2 and added text acknowledging that populations in the lower basin would contribute to redundancy. We are working with External Affairs to get a plan for communication around the release for public comments once our Regional Director approves the draft plan.

Water Year 2022 Review – David said it was a bad year, but not a horrible year and we are still suffering from low soil moisture. Upper Basin water yields were 60-80% of average. Drought maps have improved into mostly moderate and severe drought, from extreme and exceptional conditions in Jan 2021. One small portion of the headwaters of the Colorado is no longer classified in drought condition, a first in several years. David noted good monsoon conditions thus far this summer, but more heat and fewer storms are expected in the coming month. David compared water in the 15-MR in both 2021 and 2022, both with and without the fishery pools. He showed graphs of the different kinds of water that are released in the system from various reservoirs that contribute to flows in the 15-MR. David is releasing water from Ruedi currently and is planning to release more in coming days. In the Yampa River, runoff occurred over multiple peaks with extended high flows. They are managing to keep flows between 93 cfs and 134 cfs with one surprise mid-August when flows went below 70 cfs over one weekend. Elkhead Reservoir has additional water to release, and conversations are ongoing with Colorado Water Trust. Melissa Trammell asked whether we knew how much additional water we might need to fill the gap to meet flow recommendations in the 15-MR. David estimated another 30,000 acre-feet (a/f) which varies quite widely with hydrologic conditions.

Flaming Gorge Flow Experiments Update – Tildon reviewed the experiments as they occurred this summer. Flaming Gorge inflow for 2022 was in the Moderately Dry condition. The prioritized experiments based on flow conditions included the flow spike, summer base flows for pikeminnow, and then the larval trigger study plan (LTSP).

LTSP – Larvae were captured on May 21, LTSP flows occurred from May 25-June 4 with a max flow of 17,000 cfs at the Jensen gauge. Five wetlands filled, four of which are managed. These

flows allowed for 8-9 days of connection which resulted in an average of 5-5.5 ft of depth in the wetlands. Light traps in Stirrup resulted in the highest densities of larval razorback sucker ever captured in a wetland site. Currently, biologists are checking water quality and maintaining water elevations where possible. Draining will start at the end of September and October. Tildon noted that the high flows seen during LTSP also allow for higher base flows all summer long.

Flow spike – The flow spike released from Flaming Gorge to disadvantage smallmouth bass occurred from June 21 through June 24 (3 days at powerplant capacity). Reclamation also lowered the selective withdrawal structure to release cooler water during the flow spike. Data collection is ongoing through the summer, including conducting analysis on bass aging.

Base flows and recent findings – Reclamation is releasing water from Flaming Gorge to maintain a daily average target of <2,100 cfs at Jensen. They have adjusted releases since mid-July as Yampa flows decreased. Base flows will continue through the rest of the summer and into the fall. Colorado pikeminnow larvae were first observed on July 2. Preliminary data indicate that young of year (YOY) pikeminnow are present in the middle Green River backwaters and growing well. Full results will be determined during ISMP sampling in September. Dave Speas asked if results were available from the lower Green River. Tildon had not yet heard. The Moab crews have been worried about a flash flood event that occurred this summer upstream of Green River, Utah. Both the Utah Division of Wildlife Resources (UDWR) and US Fish and Wildlife Service (FWS) are working with American Southwest Ichthyological Researchers (ASIR) to collect YOY pikeminnow for developing broodstock again this year. Joe asked if enough water had been released to accomplish the DROA goals. Tildon noted he was not an expert, but he has been in conversation with Reclamation about how to move more water to compensate for lower than planned DRO releases earlier this year. Koreen asked if the selective withdrawal gates were dropped to actively accomplish a temperature drop in the flow spike in 2021. Tildon confirmed that it occurred in both 2021 and 2022 and that Reclamation drops the pen stocks by 10 ft to accomplish a 4 C drop. Tildon briefly reviewed how decisions are made in relation to Flaming Gorge experimental flows and meeting participants discussed how the priorities were met during 2022.

BIL/Capital Funding Priorities – Paul Badame, Julie Stahli, Lee Traynham

Paul reviewed the spreadsheet that was sent out for MC review and thanked Koreen and all the project proponents for pulling together all the information provided to the MC. Julie explained the history and process of how this Bipartisan Infrastructure Law (BIL) list originated. It began when the BIL was still being developed and the PDO suggested some potential projects. Julie then explained what we now know about the BIL that passed. The funding is available to our Program, the SJRIP, the Glen Canyon Dam Adaptive Management Program (GCDAMP), and the lower Colorado River's Multi-Species Conservation Program (MSCP) over 5 years. The PDO is working with Reclamation to determine how we can successfully leverage these funds for our program. Today we are seeking approval from the MC on a set of priorities we could use to take advantage of BIL funding as it becomes available and as the projects become shovel ready. Lee added that the BIL money is available in addition to existing capital funding. She recommended the committee not focus on funding sources, but rather the characteristics like timing and priority. The first year was new and the process developed quickly. Reclamation has a better idea of how the BIL program will work in future years and could use assistance from the Program Committees and the PDO in identifying a well-defined list of candidate projects with as specific an order of priority as possible. Lee also mentioned the recently passed Inflation Reduction Act and \$4B in funding for drought relief in the West and particularly in the Colorado

River basin. The details of that funding are still being worked out. Melissa asked whether there were guidelines or restrictions on the BIL funding. Lee pointed back to the programs' authorizing legislation.

The list started with repairs to hatcheries, GVIC improvements, and research and monitoring equipment. The hatcheries have since developed an extensive list. We reduced the funding amount for the antenna projects based on some new designs and insights from the SJRIP. We added the Audubon wetland proposal in the Grand Valley. The PDO also added some NNF screens to the list of BIL candidates, including both large reservoirs and some smaller ponds. We added the possibility of leasing water to contribute to instream flow management. Julie then offered the expertise of meeting participants to address any questions from the committee.

Dale Ryden explained the purpose behind the “decontamination pit” on the list. It is for decontaminating equipment at the Ouray NFH 24 Rd building as fish are moved more frequently between the outdoor ponds and the building, as well as stocking activities in two basins (UC and SJ). Joe asked about costs for the long-term water projects listed. David explained we will need to renew the CRD lease in Elkhead for 2,000 a/f in 2025. He added there is not a lot of water available, and it is expensive. Because there is limited water available, it is difficult to estimate costs for uncertain supplies.

Melissa suggested some projects as “low hanging fruit”—the Palisade HS hatchery project. She recommended we fund it. Melissa also noted that a BC item for a few years back was not on the list; a study to build an upstream migration barrier in Lake Powell to prevent walleye and striped bass from moving into the river. The original estimate for a study or value engineering of a Lake Powell screen was \$250k. This was added to the list; a priority rank and potential start date will be determined. Lee said the GCDAMP is aware of the funds, but they have not provided a list yet. Lee noted in the chat: *“drought funding was made available for some of the current studies of retrofits to Glen Canyon Dam. Aside from that, the emphasis for the GCDAMP is typically research; they have very little in the way of capital projects. Based on some of the commitments made at the last AMWG meeting related to smallmouth bass, I would anticipate that they submit a request at some point, but it will likely look very different from the lists the Recovery Programs are generating.”*

Lee requested more detail or separation in the FY2023 high priority list. Julie asked the MC to send their input to Paul for incorporation into this list. >**Paul** will work with the PDO to refine the priority rankings for FY23. Julie also asked for approval from the committee for the PDO to use this list as the basis for identifying projects. The PDO will report back to the committee with updates and developments.

Roger Mellenthin noted that UDWR has already constructed a water tower at Wahweap Hatchery to support the new hatchery building and that UDWR was fully committed to matching Program funds with sportfish funds. Kara asked about gaging and whether there were any proposals for adding new gages. Currently, they are funded under SOW 8, but the Program has not paid to construct them, just to operate. Lee thinks the states (through the UCRC) have proposed using BIL funds for new gages. David said there were some proposed studies and gages in the Yampa basin that might be good to consider. The PDO will add it to list. Melissa Trammell advocated adding facility expansion for hatcheries to be able to house all four species.

Andrew noted that expansion of staff would be needed commensurate with any expansion in facilities.

Dale noted the difficulty of predicting what we will need based on decisions that haven't been made by the BC yet. Kara asked if Walton Creek could be added to the list. Kevin McAbee said it was not precluded from the list, but the MC had previously decided not to fund that project out of Program budgets. If that decision were reconsidered, it could be added.

Leslie James noted the importance of thinking about operations, maintenance, and repair of these projects so we are not stuck with the bills unexpectedly over time. Tildon noted that a lot of these projects are addressing maintenance and repair of existing facilities that we are currently operating.

Chris Breidenbach asked how the four programs are prioritizing the funds. Lee said that Reclamation representatives meet regularly to have discussions around what the priorities are based on readiness of projects and risks associated with them. Once that prioritized list is complete, they take each year's spend plan to headquarters. She also noted that \$8.4M went to MSCP in FY22. Reclamation has requested ~\$20M be available in 2023 for all four programs. Melissa asked if there were limits as to how many projects they can commit to in any given year. Lee confirmed that the availability of Reclamation staff is a key component. Reclamation is also looking for opportunities where contractors or consultants are available.

In the Inflation Reduction Act, \$4B was called out to address drought in the west. Reclamation doesn't have enough information to figure out how that will work. Joe asked about the recovery language. Marj said that is expected to come to the Fish and Wildlife Service, but no details are yet available around what those funds will be available for. Marj will keep an eye out for more information on those funds.

Water Acquisition Committee (WAC) Updates

Review/approve CO Depletion Analysis and Reporting – Colorado has submitted draft depletion accounting for both the Yampa and 15-MR sections. The information was presented to the WAC last week and Colorado is accepting comments from the WAC for revision. Michelle reviewed the depletion analysis. The 15-MR PBO authorized 120,000 a/f of new depletions. By 2020, the 10-year running average was 110,000 a/f less than the 1995 10-year running average. In 2015, depletions were very low relative to past years - driven by a very wet year on the eastern slope - which significantly lowered the 2020 10-year running average. When looking at changes in depletions by use sector, municipal is the one that has increased in the current 5-year period. All other use sectors have declined. Michelle said Colorado thinks the shift between irrigation and municipal uses has not caused negative effects in the stream flows.

1.

Yampa River PBO anticipated 30,000 a/f of new depletions. They have seen an average decrease of 4,600 a/f from the reference period. There were no notable increases in uses in the Yampa; all types of uses decreased over time. The powerplant shutdowns in Craig and Hayden will affect the depletion analyses depending on how those flows are otherwise used. Leslie asked about the water rights for the power plants. David said the Hayden rights are owned by the Hayden partners. Tri-State Generation and Transmission owns water rights to the Craig plant, but actual ownership is amongst a partner group. These are significant water rights that will see change in

the next decade, and to date, the owners haven't indicated future use of these rights. Melissa Trammell asked how much the decreases in agriculture are related to intentional fallowing. Michelle said more of the effects are likely due to drought.

15-MR Flow Targets Evaluation: Current Thinking – David provided an assessment of the average amount of time flows were below targets for the 15-MR for each hydrologic condition category: *Dry* missed 65%, *Avg/Dry* 81%, *Avg/Wet* 61%, and *Wet* 43%. David reviewed the 2020 RIPRAP and recent 15-MR PBO review that recommended the flow targets be reviewed with timelines identified for completion. He went on to review the biological importance of the 15-MR for the listed fishes. David went through some specific next steps on how to move this process forward. Don Anderson and Tom Chart have agreed to develop a SOW for the 15MR PBO discussion. The MC will be seeing a NFWF fund request for that in coming months.

Economic Analysis and use of NFWF funds – Michelle said that a few of the congressional representatives requested additional information on the economic benefits of the program. Tom Pitts asked Harvey Economics to put together a scope of work to evaluate the economic benefits. The budget director for Interior also thought this was an excellent idea. Tom recommended the committee move quickly to allow this analysis to be included to support any reauthorizing legislation. Leslie James asked where the information is coming from on expenditures. Tom said the existing costs of the program are known and published; instead, they will be looking specifically at the benefit side of the equation. Michelle said a lot of the focus is on the difference between having individual consultations versus a programmatic approach. Chris Keleher asked if it would be possible to tease out benefits by state. The question was raised as to whether the price of potential litigation was included in those costs. Chris Breidenbach said the avoidance of litigation was an essential piece and it is likely significant. Tom Pitts noted that we also accomplish a lot more regarding recovery with the programmatic approach. The next step is to convene a small group of people to help guide the SOW development to ensure all the necessary pieces are involved. A NFWF proposal will be forthcoming. Nancy Smith and Bart Miller both expressed interest in being a part of that process. Chris Keleher expressed interest as well. If others are interested, please contact Michelle Garrison.

ADJOURNED: 5 PM MST

CONVENE: Day 2 August 31 – 9 AM

Consent Items – Badame

Approve June MC meeting summary – All comments were incorporated into the current summary and the Committee approved it as final.

Review items approved via email – On June 23 the MC approved the use of NFWF funds to provide helicopter support in Desolation Canyon for the collection of humpback chub. Utah Division of Wildlife will contract with the service provider. On July 27, the MC approved the use of NFWF funds to lease up to 2,000 acre-feet of water from Ruedi Reservoir.

Schedule next meeting – December 9, start at 9:30 – 1:30 (web only)

Washington, D.C Briefings – Tom Pitts informed the group that all Congressional offices have all been briefed, along with the authorizing committees for both Reclamation and the Service. Tom thanked all the participants who made those briefings work. He highlighted the strong Tribal participation and the importance of including biological experts on those meetings. He noted Harry Crockett and Bill Miller did an excellent job. The administration had not been briefed since 2020. Leslie James and TNC were also present in every meeting. In June, they met with the Service and Reclamation. Denise Flannigan, the budget director for DOI, has been briefed as well. The OMB examiners for Reclamation are scheduled on September 9th and Tom is attempting to add the OMB examiners for the Service as well which will finalize all the briefings for 2022.

Tom highlighted the importance of including diverse interests and allowing everyone to discuss what the programs mean to them. He reiterated the need for annual DC briefings to continue to maintain funding and attention in DC. Tom thought the virtual briefings worked well. Chris agreed and thought that the flexibility added a lot of value. Chris and Leslie thanked Tom for all his efforts to schedule each of these meetings, which takes an inordinate amount of time. Leslie agreed that virtual briefings make a lot of sense and has a less monetary impact than traveling together. She noted that changing staffers does present a problem because we struggle to build relationships that last over time. Tom reiterated the changing staffers as a real reason why continued briefings are essential. Michelle also supported virtual meetings and noted that it does allow for people to attend a few of the meetings – getting a lot more diversity in participation. However, it did result in a longer process, as meetings could be delayed. A question was raised asking whether in person briefings would be needed when we seek reauthorization. It was noted that this is worth considering and that testifying before committees may be necessary as those bills are considered.

FY 23 Funding Update – Kathy Callister noted that a continuing resolution is expected for at least a few months in FY23. Because FY22 included appropriations in it, Reclamation expects to get proportional funding while the resolution continues. Just like last year, the funding is provided at \$21.4 M in the Senate bill.

Post-2023 Updates – Garrison and Stahl

Report to Congress update – Julie said the report continues to make its way to Congress.

Leadership in USBR has reviewed it, and the report is working through FWS leadership. Julie thinks the report is on track for delivery to DOI by the end of September. Julie thanked Reclamation (David Isemann) who has been working hard to get it through review. Julie then

shared a Gantt chart that Melissa Mata created for the remaining post-2023 tasks. We are 13 months from the Programs' sunset. Julie and Melissa are working to draft an EA for review in October. Julie highlighted the other tasks. This task list assumes negotiations are finished by December. Michelle agreed. The Blue Book and Program documents will also need to be revised. Finally, a cooperative agreement needs to be drafted and finalized. Dave Speas asked about a recent bill from Representative Neguse and how it might extend the program through FY 2024. Julie thought the bill only extends certain deadlines (e.g., capital), but there is uncertainty around which components of the Programs might be extended for another year. There was support for keeping the September 2023 deadline to complete all the necessary reauthorization tasks in time. It is not clear if Rep. Neguse's legislation passed the Senate. Julie committed to sharing the Gantt chart with the funding sub-group. She thought we should also add the economic benefits analysis to the list of tasks. Melissa Trammell asked whether the economic report would be only retrospective or forward looking. The group thought that we could tailor it to be either.

Funding Group update – Michelle Garrison reported that the funding group has not met recently to allow for state leadership to meet with the Regional Directors and specifically with Reclamation. Those conversations are ongoing, but we are getting really close to an agreement on what the states will provide in terms of annual funding. Conversations about in-kind contributions are pending, with a focus on trying to get to a solution that is not overly complicated. That discussion does not include the in-kind contributions from other partners in the Programs. Tom and Leslie are working on legislation now, and the states have offered some help from the AGs office. Tom has indicated that he has started the language and will pause to incorporate the final agreement between the states and Reclamation. Michelle thanked Melissa Mata for all the work she has done on quantifying the Tribal contributions in the San Juan. Melissa and Julie are working on the BA and hope to finish a draft by the end of October.

Work Plan Updates – Paul told the committee that we are still working from the FY22-23 workplan. The PDO budget is going to decrease by \$3500 to fund CNHP with a corresponding amount to fund improvements to the website. We have not had any other changes requested.

Working within currently approved FY23 budgets – Paul and Julie asked the committee for approval to move ahead with the current workplan and budget, including the budget neutral shift of funds from the PDO to CNHP. The Committee approved the workplan as amended.

FY24 Work plan guidance in development – Paul noted that the PDO is currently working on the FY2024 work plan guidance. It may be significantly different, and Paul asked for patience from the partners. Julie added that the PDO is looking at the Post2023 tables and recommendations from the partners to use as a foundation for the re-authorized program moving forward. The goal is to retain the components that are functioning well while adding features based on new information and partner needs. More to come at future BC/MC meetings.

2022 Sufficient Progress Update – The 2021-2022 Sufficient Progress will incorporate the recently completed RIPRAP review. Yampa and Gunnison PBO implementation reviews will be included as well. Paul is working on a draft but has not completed it yet. He will have it out to the Committee as soon as possible. Melissa asked what the format would look like. Julie and Paul indicated it would again be the “short-form” version from the 2021 Sufficient Progress

memo, with the addition of moving the statement of sufficient progress to the first section of the document to create something like an “executive summary”.

15 Mile Reach Overview – Chris Michaud presented a series of maps depicting the 15-MR location and current flow volumes relative to the surrounding reaches. A graphical representation of pikeminnow densities and captures within the 15-MR and downstream reaches was provided to support the discussion of the biological value of the reach. The attendees then discussed details about the operational layout and plumbing of the 15-MR. The group thanked Chris for providing the overview.

ADJOURNED: 11 AM MST

FIELD TRIP (12:00 PM): 15-MR tour, starting at the “Roller Dam” and working down to the Gunnison River confluence.

Attachment 1: Meeting Attendees

Management Committee Members in Attendance:

Chris Keleher	MC Chair, State of Utah
Mike Robertson	State of Wyoming
Michelle Garrison	State of Colorado
Tom Pitts	Water Users
Joseph Trungale	The Nature Conservancy
Leslie James	Colorado River Energy Distributors Assoc.
Shane Capron	Western Area Power Administration
Melissa Trammell	National Park Service
Lee Traynham	Bureau of Reclamation
Marj Nelson	U.S. Fish and Wildlife Service
Julie Stahli (non-voting)	Program Director

Upper Colorado Program Office Staff:

Kevin McAbee	Nonnative Fish Coordinator
Tildon Jones	Habitat Coordinator
David Graf	Instream Flow Coordinator
Paul Badame	Program Deputy Director
Koreen Zelasko	Propagation Coordinator
Chris Michaud	Data Coordinator

Interested Parties:

Dave Speas	Bureau of Reclamation
Kathy Callister	Bureau of Reclamation
Emily Halvorsen	Colorado Attorney's General Office
Kara Scheel	State of Colorado
Derek Fryer	Western Area Power
Erik Skeie	Colorado
Sarah Seegert	Utah Division of Wildlife
Christina Noftsker	NM OSE
Dale Ryden	U.S. Fish and Wildlife Service
Gene Seagle	NPS
Chris Breidenbach	Colorado Attorney's General Office
Harry Crockett	Colorado Parks and Wildlife
Jared Smith	Utah Division of Wildlife
Roger Mellenthin	Utah Division of Wildlife
Amy Ostdiek	Colorado Attorney's General Office
Andrew Schultz	Fish and Wildlife Service
Chris Breidenbach	Colorado Attorney's General Office
Brent Uilenberg	Interested party
Travis Francis	Fish and Wildlife Service
Melissa Mata	San Juan Recovery Implementation Program
Darek Elverud	Fish and Wildlife Service