



# Upper Colorado River Endangered Fish Recovery Program

Dated: May 22, 2019

CR/FY-16 UCRRIC  
Mail Stop 65115

Memorandum

To: Implementation Committee  
Management Committee, Consultants, and Interested Parties  
Meeting Attendees

From: Acting Deputy Director, Upper Colorado River Recovery Implementation  
Program

Subject: April 25, 2019, Recovery Implementation Committee Webinar Summary

Attached are the action and assignment summary and the general summary from the April 25, 2019, Implementation Committee webinar.

Attachment

**IMPLEMENTATION COMMITTEE MEETING SUMMARY**  
**April 25, 2019**

**Homewood Suites at DIA, Denver, Colorado**

**ACTIONS:**

1. Approved September 27, 2018, draft Implementation Committee meeting summary as final.

**ASSIGNMENTS:**

1. The Program Office will schedule a meeting venue for October 2, 2019 near Denver International Airport.

**PARTICIPANTS:** See Attachment 1

**MEETING SUMMARY:**

**Noreen Walsh, Chair**

**CONVENED: 10:32 a.m.**

1. Chair's updates: Tom Chart noted that Noreen Walsh is unable to attend. Marj Nelson is representing Noreen at this meeting. Agenda was modified to read as appears below. Tom reviewed how much has occurred since the last meeting, including the authorization of funding through 2023. Noreen sent thanks to all the Program Partners for their efforts. Noreen also thanked Bob Norman and others at the US Bureau of Reclamation for screening the Green River Canal. Noreen thanked Mike Gross for all his work starting the hatchery at Palisade High School. Tom said there have been questions about the DOI reorganization efforts under Secretary Bernhardt. Marj said we don't have many new details, but we heard from the Principal Deputy Director of FWS that the Secretary is continuing the reorganizational effort to facilitate better communication and efficiency between all of the DOI bureaus. Currently, unified region 7 includes Wyoming, Colorado, Utah and New Mexico, but those boundaries may change as conversations continue.



2. Approve draft September 2018 meeting summary – Comments were submitted by both Jojo La and Leslie James. The Committee approved the revised summary. Julie will finalize and post the summary (*done*).
  
3. March 2018 D.C. trip update, including authorizing legislation– Steve Wolff reported that the authorizing funding legislation was wrapped into PL 116-9. Sixteen participants attended 32 meetings with elected officials’ offices and Department of Interior representatives. The downlisting news was well received. The funding for these programs are in the President’s budget for FY20, and were supported in the House budget. The Senate Energy and Water Appropriations Subcommittee informed the group that support from Senators from the upper and lower basin states must occur if the recovery programs were to be funded in FY20. Most of the Senators from the four upper basin states sent letters of support and/or submitted appropriations requests for the Programs. The House and Senate appropriations subcommittees are working on the FY2020 budget next week and the week after. Tom Pitts said both programs still have strong support from the delegations. Members are appreciative of the parties bringing a solution to the potential ESA conflict in the Upper Colorado and San Juan basins. All members of the House and Senate delegations were asked to support funding in the Reclamation budget for the recovery programs, and the Grand Canyon Adaptive Management Program in their requests to the appropriations committees. Senator Gardner submitted a letter of support. Partners are optimistic that the Programs will be funded in FY2020. Tom Pitts noted that DC trips are essential to maintaining support and funding at the national level. Kathy

Callister agreed that the in-person discussions are essential to maintaining support. Tom Chart thanked all the non-federal partners who take the time to plan and attend that trip. Steve Wolff was praised for his ability to schedule the meetings effectively. Tom Pitts recognized Paul Badame and Bill Miller for providing their scientific expertise in those meetings, which is essential for providing credible answers to questions regarding the status of the species. Steve thanked Melanie for the stuffed Briefing Books. Tom Pitts also applauded the work of Jojo La in working with the Colorado delegation to get budget requests submitted.

4. Update on the Colorado River Basin Fund – Steve Johnson reviewed the history of WAPA. The organization was split from Reclamation in 1977. Reclamation maintains and operates the dams; WAPA assumed marketing and delivery of electricity produced by the dams. The Colorado River Storage Project has 12 power plants, 27 generating units and a capacity of 1,827 MW of capacity. The CRSP is either the 2nd or 3rd largest division of WAPA, with the largest capacity at Glen Canyon Dam, providing electricity to much of the southwestern US. WAPA supports the delicate balance between managing the natural resources, water needs and electricity generation. WAPA is currently being asked to produce electricity around new types of generation like wind and solar which can complicate operations. Glen Canyon Dam does not have a downstream reservoir to help manage flows into the Grand Canyon. CRSP rates are cost based and set to repay the original investment, replacements and additions of the system, repayment of irrigation projects assigned to power, and to recover expenses, which include O&M, purchased power, interest, salinity control and MOA obligations. Tom Pitts asked if the Program funding is included as a component in those cost assessments. The Programs were not specifically included, but were accounted for in repayments of the appropriations used to build the system. Steve said the Programs were largely funded by interest-bearing debt that has been paid off, which decreases the rate calculations. Hydro-electric facilities are large systems that are able to handle changes in output or emergencies quickly. The CRSP units are used to quickly fill in gaps as other sources of electricity drop. Should blackouts occur, both Reclamation and WAPA can be fined. The grid spans the entire western US, so changes in California can easily affect more eastern states. Brian Sadler reviewed the Basin Fund obligations (includes Glen Canyon, Aspinall, Flaming Gorge and a few other smaller systems). WAPAs target is \$~180 million in reserve to address risks (including management choices like bypasses, market prices for power and changes in pool elevations). High flow water experiments out of Glen Canyon are examples of bypasses, which cost ~\$1-4M each. Anticipated basin fund balance for FY19 end is \$~112M. A cost-recovery charge would likely be implemented if the reserve drops to \$40M to ensure drops do not continue; the charges are not built to replenish the basin fund but rather only to stop the decrease in the basin fund balance from dropping any further. If the basin fund balance becomes too high, WAPA would likely be requested to

transfer cash to the Treasury. Melissa Trammell asked if demand always exceeds supply, requiring WAPA to buy energy from the market. Brian said in summer months, the hydro facilities typically produce more than is demanded, but in winter months they commonly need to buy energy from the market. In addition, drops in elevation of the reservoirs decrease efficiency of power generation. Releases from GCD of 9 million acre-feet (MAF) in recent years have not been increasing the basin fund as expected, releases of 8.23 MAF (the average) decrease the basin fund year over years. In 2018, OMB changed how the \$23 million was scored in WAPAs budget, which affected the environmental programs. Salinity program funds are an O&M expense and incorporated into rate calculations. WAPA's presentation can be viewed [here](#).

5. Appropriations Funding Process – Kathy Callister reviewed the funding process. In order for the Recovery Programs to receive funding, both an authorization and an appropriation are needed. She explained the process beginning with OMB guidance through final reviews. Agencies typically start planning three years in advance; budgets become publicly available usually in February in the year prior to implementation. Even though the authorization has occurred for Program funding for FY20 and FY21, those funds cannot be spent until the appropriation occurs. Appropriation has not yet occurred for FY20. For FY22, Reclamation will make a funding request in the Agency budget. Requests through Reclamation will not likely have CPI increases and will not be able to be carried over from year to year like power revenues could be. Kathy acknowledged that CPI is in the authorizing legislation. Once funds are obligated from Reclamation, the obligated organization can carry over funds if they have a contracting mechanism in place that doesn't expire in the same fiscal year. Kathy encouraged conversations soon about the appropriating process post-2023 because if money goes through Reclamation, they will have to make that request in October of 2020. Kevin McAbee noted that current scopes of work in the Program inflate by standard rates annually, so a lack of increase year on year will cause changes in what the Program can accomplish. Kathy noted that the Grand Canyon Protection Act is continuous so the authorization never sunsets. Continuing resolutions may also impact future budgets.
6. Palisade High School Hatchery – Melanie Fischer recognized USFWS employee Mike Gross and his co-workers for their history of outreach at the Ouray National Fish Hatchery - Grand Valley Unit. More than 54,000 people toured the Grand Valley Unit facilities in 2018. Mike Gross has led the planning for the Palisade High School (PHS) hatchery since 2015. Community involvement and donations reduced PHS hatchery construction costs from \$82K to \$25K. A student lead group has raised \$42,000 from the community. The Recovery Program funded a total of \$11,533. A groundbreaking ceremony garnered news coverage in early April. Over 800 PHS students will participate each year and will conduct tours for other students across the school district. Engagement

of these students has brought direly-needed volunteers to the Recovery Program who understand the implications of water management and endangered species. The effort also garnered both print and on air media coverage. Melanie praised Mike Gross for this in-basin effort that can produce large educational impacts. Tom Pitts recalled the opposition and negativity to the mission of the Program that occurred at the outset of the Program and contrasted that with the engagement of the community in this case. Melissa Trammell represented the Program at the Caesar Chavez festival and recognized that few students were unaware of the fish as most had been through the hatchery tour with Mike Gross. Melanie said Mike Gross and Zane Olsen (both hatchery staff) earned the Researcher of the Year award in 2019 for the outstanding outreach efforts they complete in addition to their hatchery duties.

7. Friends Group Proposal – Melanie has encountered people at outreach events who are interested in contributing both time and money to the endangered fish programs. Currently, there is no vehicle for those funds to be accepted, which is what encouraged the exploration of development of a Friends Group. Melanie noted there are about three times as many outreach events as there are individuals in the Program who can support the booths. Volunteers in the community also have local contacts which can increase their impact. Melanie outlined the steps necessary to create a group. She noted that volunteers could help with both outreach and other tasks defined by Project Leaders/Principal Investigators. Many restrictions limit the participation of Federal employees, who would need ethics waivers to participate on their own time. Melanie asked for permission from the IC to continue pursuing formation of a Friends Group. Tom Pitts asked if the San Juan or the lower basin programs would be included. Melanie said that would be up to those programs. Tom Pitts expressed some concern about content control if we have an independent group communicating our Program’s message to the public. Tom Pitts asked whether the Friends group would communicate with legislators as an example of potential conflicts. Bart noted that Western Resource Advocates and the Nature Conservancy are 501(c)3 organizations and he believes there is an option where one non-profit can mentor another. WRA works more at the policy level and does not do a lot of volunteer activities. Jojo asked if it was necessary to establish a non-profit or if these efforts could occur outside an organization. Melanie said a 501(c)3 is necessary to partner with the Service. Tildon Jones clarified that a non-profit or non-official group could advocate for the species, but could not be a “Friends Of” group affiliated with the FWS or the Program without legal status. Tom Pitts asked what the funds could be used for, and Melanie said it would depend on income source, but could cover both outreach and recovery actions depending on how large the funding is. Tom Chart asked Melanie to develop some answers for the IC (and potentially the MC) and return. Melanie did note that the functions of a friends group are defined in FWS Friends Group guidance. The

states were also asked if there were any limitations on its involvement in a Friend's Group. The State of Colorado stated they would look into it.

8. Drought contingency plan update - Steve Wolff said all states agreed to the Drought Contingency Plan and sent the agreement through Congress; it was then signed by the President. The next step will be for the agreement to be signed by each of the States and the Secretary of the Interior. Drought operations indicate that if Powell drops to critically low elevations, water will be moved down from Flaming Gorge, Aspinnall or Navajo. The plan authorizes the states to bank up to 500,000 acre-ft of water saved through demand management free of charge in the Colorado River Storage Project. The next challenge for the states is to figure out technical, regulatory and legal methods of implementing demand management. Ed Warner said the Bureau is very supportive of the states' effort and noted that there will be an added complexity with the addition of federal projects. Steve thanked Reclamation for the funding provided to support development of demand management programs. Steve also noted that the Imperial Irrigation District in California did file a lawsuit. Rob Billerbeck appreciated the work that the states and Reclamation put into this agreement and appreciated a seat at the table for those discussions. NPS wants to be at the table again when a response is actually being planned because differences in how that water could be delivered are very important to NPS resources. The signing ceremony for the Drought Contingency Plan is scheduled for May 20th on Hoover Dam. The Upper Basin Drought Contingency Planning team is scheduling a listening session around demand management on June 21st in Salt Lake City.
9. Summary of Post 2023 Program Planning, Species Status Assessments and associated documents – Tom Pitts advocated for finishing the report by September of 2020, which coincides with any request that might be needed by Reclamation in October of 2020. Bart asked if it was really appropriate to move the recovery goal process to after the post-2023 discussions. Tom Chart said the downlisting rules take precedence over the recovery planning process. He stated that it would be impossible to revise the recovery plans for the four species while the post 2023 report is being drafted and suggested that recovery planning be deferred until after the post 2023 report is completed. Marj said that during the recovery plan process, consideration would be made as to what the criteria are to down- or de-list, or changes to the recovery actions and costs needed for recovery. Marj noted that the discussions of post-2023 would essentially identify threat criteria and recovery actions, the discussions in 2021 may be more focused on demographic criteria. Tom Pitts said that while it would be good to have revised recovery goals included in the post 2023 report, he concurred with Tom Chart that completion of revised recovery goals for the four species by September, 2020 would not be feasible. Kevin said the recovery implementation strategy (RIS) is a new process in FWS for species recovery plans, but he thought much of that strategy can be accomplished via our post-2023 planning process.

Steve Wolff advocated for a final report being available to be discussed during the March trip in 2021. Tom Chart again thanked all of those Program partners who have helped in this process moving forward.

10. Capital projects update – Ryan said the Green River Canal screen is operational as of April 6th. Automation is not perfect, but will be resolved in the coming weeks. In conjunction, the 8-gate structure was approved to be constructed when the coffer dam was in place. Construction did not occur because FERC approval could not be obtained. The status of that approval is currently unknown. Ridgway Reservoir has a final conceptual screen design, which will be more fully outlined during the MC meeting. The screen construction for Red Fleet Reservoir will likely occur in spring of 2020. The costs have increased by about \$200k due to screen costs. Program partners are figuring out the best way to cover those projects. The Stirrup now has a design and requires funding of approximately \$500k. The Provo Force Acct crew is responsible for this effort as well, so that will affect schedules. Ryan Christianson is hoping that will occur as early as 2020. Tildon Jones has been in contact with the Ute Tribe as they have interest in the area. Matheson and Audubon wetlands are still on the list of potential floodplain restoration sites. Possibilities for screen improvements for GVIC are currently being explored. Funds have been earmarked but construction will likely occur in out years. Just under \$3 million remains under the capital cost ceiling, so hard decisions are likely pending as those funds are spent down. See attached table (*will attach when final*). Tom Pitts praised the effort of Reclamation’s Grand Junction office for the implementation of the entire capital construction program, now totaling approximately \$200 million. Kevin McAbee noted that nonnative fish issues could have dramatic budget ramifications moving into the post-2023 landscape. Bart asked what other options were considered as part of the Ridgway discussion. Ryan said there was a value engineering study that explored a few options.
11. Delegating review/approval of RIPRAP revisions and assessment to MC – Tom Chart reviewed the purpose of the RIPRAP in the Program planning process. The document identifies threats, shortcomings and significant accomplishments for the Program from the past year (January to January). The shortcomings and accomplishments feed into the sufficient progress memo which is essential for ESA compliance. The IC delegated approval to the MC.
12. Schedule the next IC meeting – the next meeting will be from 9-4 on October 2 close to Denver International Airport.

**Adjourned: 2:48 p.m.**

## **Attachment 1 - Participants**

### IMPLEMENTATION COMMITTEE MEMBERS:

Marj Nelson for Noreen Walsh, U.S. Fish and Wildlife Service (Chair)  
Ed Warner, U.S. Bureau of Reclamation  
Rob Billerbeck, National Park Service  
Bart Miller, Environmental Groups (Western Resource Advocates)  
Amy Moyer, State of Colorado  
Tom Pitts, Upper Basin Water Users  
Steve Johnson, Western Area Power Administration  
Leslie James, Colorado River Energy Distributors Association  
Steve Wolff, State of Wyoming  
Tom Chart, Program Director, U.S. Fish and Wildlife Service (nonvoting)  
Todd Adams, State of Utah (alternative representative from Utah)

### OTHERS:

Jojo La, State of Colorado  
Michelle Garrison, State of Colorado  
Ryan Christianson, U.S. Bureau of Reclamation  
Lain Leoniak, Colorado AG Office  
Kathy Callister, U.S. Bureau of Reclamation  
Harry Crockett, State of Colorado  
Melissa Trammell, National Park Service  
Julie Stahli, Recovery Program  
Kevin McAbee, Recovery Program  
Don Anderson, U.S. Fish and Wildlife Service  
Tildon Jones, Recovery Program  
Cheyenne Owens, Recovery Program  
Melanie Fischer, Recovery Program  
David Speas, U.S. Bureau of Reclamation  
Ray Tenney, Colorado River District  
Brian Sadler, Western Area Power Administration  
Shane Capron, Western Area Power Administration  
Wayne Pullen, U.S. Bureau of Reclamation