

Trip Report

2009 Washington, D. C. Briefing Meetings
March 4 through March 9, 2009

Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program

Prepared by John Shields, Chairman, Management Committee, Upper Colorado River Endangered Fish Recovery Program



Upper Colorado River
Endangered Fish
Recovery Program

Disclaimer: Opinions expressed are those of the author, are based on his notes and recollections, and hence shall not be construed or interpreted otherwise.



Summary and Purpose: The annual Upper Colorado Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program's Washington DC briefing trip was conducted from March 4th through March 9th. Representatives of the non-federal participants and several U.S. Fish and Wildlife Service employees¹ met with staff of the Congressional delegations for the States of Colorado, New Mexico, Utah and Wyoming, Congressional authorizing and appropriations committee staff (for the committees having jurisdiction over the Bureau of Reclamation (Reclamation) and Fish and Wildlife Service [Service] and their budgets), Department of Interior, Reclamation and Service officials, and several non-governmental organizations. Discussions were also held with Office of Management and Budget (OMB) budget examiner staff about our Programs' status.

Our briefing group followed our prior years' meetings' format; providing a status report on the two endangered fish recovery programs and making two requests of each of the Congressional Delegation offices: a) seeking support for Program funding that will be included in the President's proposed fiscal year 2010 budget for Reclamation and the U.S. Fish and Wildlife Service², and b) seeking co-sponsorship of a bill to amend our annual base funding authorization period (the bill consists of changing one date "2011" to "2023" in the current law). A handout concerning the legislative proposal and the draft bill language was provided during the briefing meetings (*See Attachment 3*).

We advised that amendments to the recovery programs' capital construction appropriations authorization and authorization period are included in S. 22³, which has passed the United States Senate and is currently sitting at the desk of the Clerk of the U.S. House of Representatives. The

¹ Fish and Wildlife Service employees (e.g., the Program Directors and several FWS employees) participated in most of the briefings for the sole purpose of answering technical questions concerning the fishes' life history, habitat needs, the species' recovery goals, Program accomplishments and anticipated activities. Their participation is recognized as being vital to answering key questions, assuring a sound biological capability for explanations and answers and thus adding credibility to our briefings.

² We asked each staff member to request that his or her boss affirm their support by signing onto joint-delegation fiscal year 2010 funding support letters addressed to the House and Senate Appropriations Subcommittee on Energy and Water Development and the Subcommittee on Interior and Related Agencies expressing support and urging the appropriation of specific Bureau of Reclamation and USFWS funding amounts for these two recovery programs.

³ Specifically, the language found in S. 22 will accomplish the following explicit changes to the authorities provided in P.L. 106-392, as amended:

- Authorize an additional \$12 million in federal expenditures for capital projects for the San Juan Program for the purposes of a) protecting critical habitat of endangered fish species and related infrastructure from rock slides in the area west of Farmington (\$7 million), and b) repair, rehabilitation and replacement of constructed capital facilities (fish passages, fish screens, habitat, hatcheries) as needed through 2023 (\$5 million);
- Authorize an additional \$15 million in federal expenditures for capital projects for the Upper Colorado Program for the purposes of a) constructing a fish screen on Tusher Wash in critical habitat on the Green River, Utah in light of significantly increased construction material costs, and b) for repairs, rehabilitation and replacement of constructed capital facilities (fish screens, fish passages, habitat, hatcheries) as needed through 2023; and,
- Recognize additional non-federal cost sharing of \$56 million through 2023.

language included in S. 22 began as S. 3189 in the prior Congress. That bill was the subject of a hearing before the Senate Energy and Natural Resources Committee on July 8, 2008.

Currently, authorization for capital construction expires on September 30, 2010; thereafter there will be no funding authority for Reclamation to repair, rehabilitate or replace these facilities or to complete the Tusher Wash fish screen and remaining San Juan River Basin Recovery Program capital projects that remain under consideration. Existing funding authority will have been expended. We were clear in stating the bulk of this authority would be contingent upon the need for repair, rehabilitation or replacement of currently operating capital construction hatcheries, fish passage and fish screen facilities that are providing Endangered Species Act compliance.

The trip objectives were accomplished; however, much additional follow-up (more than in prior years) will be required on account of the fact that the President's Fiscal Year 2010 proposed budget will likely not be released until the latter part of April, 2009. Accordingly, letters expressing the support of the four participating States' Governors for the Reclamation and Service funding in the President's 2010 budget cannot be sent to Congress until after the release of that information. Further, we will only then be able to ask the Congressional Delegation Members to sign onto joint-delegation funding support letters. In addition, we are still seeking introduction of the annual base funding amendment bill – and will therefore need to work from afar in urging co-sponsorship of that bill once introduced by Senator Bingaman and Representative Diana DeGette. During the briefing meetings, we stated our expectation that the “Endangered Species Recovery Implementation Program” line-item within Reclamation's fiscal year 2010 Upper Colorado Regional budget will be about \$3 million LESS than it was in the Fiscal Year 2009 budget (and will amount to about \$3.2 million in total). This is anticipated to occur as the Colorado River Water Conservation District has been repaid in full for the remainder of the Upper Colorado River Endangered Fish Recovery Program's proportionate share of the construction cost of the Elkhead Reservoir Enlargement Project.

We asked, and are pleased to report that Senator Jeff Bingaman and Representative Diana DeGette's staff have consented to be the lead offices for the joint delegation funding support letter circulation process that will be accomplished later this year. We are going to be most grateful for the assistance of Mike Connor (or his successor) on Senator Jeff Bingaman's staff and Steve Plevniak of Congresswoman Diana DeGette's staff as we look forward to initiating and completing those tasks.

Further, Senator Bingaman is willing to be the lead sponsor of our legislative initiative to extend the authorization period to use Upper Colorado Basin Fund revenues for annual base funding purposes and we have asked Representative DeGette (through her staffer) to be the lead sponsor of the House bill (as she is the senior Member of the House Delegations (from Colorado, New Mexico, Utah and Wyoming) who is on the House Natural Resources Committee and is a Democrat [Subsequent to the trip, Rep. John Salazar of Colorado's 3rd Congressional District, a former House Resources Committee member (now on the Appropriations Committee) has communicated to Rep. DeGette that he would like to be the lead sponsor – and she and we desire to accede to his wish in this matter].

Discussion: As done previously, we distributed at each meeting our “Non-Federal Participants' Funding Requests” brochure (*See Attachment 2*). On account of the fact that 8 of the 14 U.S. Representatives from Colorado, New Mexico, Utah and Wyoming are freshman Members this year, and in most instances their staff members are people who we anticipated would not have heard about the Recovery Programs prior to our meetings, this year's edition of the brochure was designed as a summary document providing an overview of the two recovery programs, a map showing the location of the Colorado River Basin, a list of the Programs' participants and list of those who have submitted

funding support letters in the past; along with a description of what the funding we anticipate will be included in the President's fiscal year 2010 budget will be used to accomplish. This separate document is noted as containing the "Non-Federal Participants' Funding Requests" so as to avoid any implications associated with the Hatch Act. As in past years, this funding brochure was developed by and paid for by the Upper Basin and San Juan water users – but included summary explanation and description information beyond that found in past editions. The brochure was well received and seemed to serve its intended purpose as a handout to introduce our programs to new staffers without overwhelming them with the wealth of information and details found in the twenty-page "Program Highlights" briefing booklet.

After completing our briefing meetings, we are hopeful that we will have the support of all 14 of the 14 U.S. Representatives from Colorado, New Mexico, Utah and Wyoming and that we will obtain potentially as many as 13 signatures on the joint delegation funding support letters when they are circulated later in the Spring. Rep. John Salazar, as a member of the Appropriations Committee will abide by the typical protocol that Appropriations Committee Members don't sign funding support letters. On the Senate side, we are hopeful that six of the eight Senators (Bennett, Hatch, Bingaman, T. Udall, M. Udall and Bennet) and maybe seven (Senator Barrasso) will sign the two funding support letters. Based on past experience, Senator Enzi probably won't sign the letters.

Our sixth annual Congressional Staff Appreciation Luncheon was held in the "Congressional Meeting Room North" of the newly-opened Capitol Visitors Center (CVC), located underground and immediately east of the United States Capitol. We greatly appreciate the generous financial contribution of our luncheon sponsors, the Upper Basin and San Juan water users, who underwrote the entire cost of the event. A total of twenty-five people participated in the luncheon. Of the thirteen Congressional staffers who attended, four were associated with the House Natural Resources Water and Power Subcommittee attend the luncheon and the others were Wyoming, Colorado, Utah and New Mexico Delegation staff members (*see* Attachment 4). This event gives us the opportunity to "give back" something to those with whom we meet and of whom we request that they seek approval to sign the joint funding support letters, provides goodwill benefits and facilitates the development of personal relationships with those with whom we meet.

Mike Montagne, Hatchery Manager, Ouray National Fish Hatchery, U.S. Fish and Wildlife Service, Vernal, Utah provided an excellent, informative, 20-minute briefing during the Congressional Staff Appreciation Luncheon concerning hatchery raising and stocking of the endangered Colorado River fishes. He provided considerable technical information but did so in a low-key and sometimes humorous manner. The presentation was well presented and very well received.

Copies (both electronic and printed) of the briefing booklet and its enclosures were widely distributed to those with whom we met – electronically in advance of the meetings and printed copies were handed out during each of the meetings. The briefing booklet (*2008-2009 Program Highlights*) can be downloaded from the UCREFRP's webpage (<http://www.r6.fws.gov/crrip/doc/dc.htm>).

Based on my recollections, I believe about as many compliments were paid to our group during this year's trip as compared to past years in recognition of our Programs' past and continuing accomplishments and successes; on the quality and thoroughness of the briefings and our materials; the approaches we are using and our continuing efforts keeping offices informed through these visits each year. At each meeting, as and when appropriate, we noted that the two recovery programs were recipients of the Department of the Interior's Cooperative Conservation Award at an Awards

Ceremony in the Main Interior Building Auditorium on April 21, 2008. Our two programs were recognized as one of twenty-one award recipients.

Trip Participants: A list of the dozen people who represented the two recovery programs during some or all of these meetings/briefings is provided below. Not all participants were in Washington, D.C. during the entire period of the trip nor did all participate in each meeting, nonetheless the roster provides a listing of all who participated in one or more meetings. The group consisted of:

- Darin Bird – Utah Department of Natural Resources (certain meetings)
- David Campbell – USFWS – San Juan River Recovery Program Coordinator
- Nancy Gloman – USFWS – Assistant Regional Director for Ecological Services, Albuquerque, NM
- Tom Iseman – Environmental Groups Representative, Upper Colorado Program (Wed. through Friday)
- Leslie James – Executive Director, Colorado River Energy Distributors Association (Wed. and Thurs.)
- Robert King – Utah Division of Water Resources
- Randy Kirkpatrick – San Juan Water Commission
- Ted Kowalski – Colorado Department of Natural Resource (Wednesday through Friday)
- Dr. William Miller, Southern Ute Indian Tribal Representative (who acted as representative for all of the participating tribes, collectively, during the briefing trip) and Chairman, Biology Committee, San Juan River Recovery Program
- Mike Montagne – USFWS – Vernal, UT (Staff Appreciation Luncheon Presenter)
- Robert Muth – USFWS – Upper Colorado River Endangered Fish Recovery Program Director
- Tom Pitts – Water Users Representative for the Upper Colorado and San Juan Programs
- John Shields – Wyoming State Engineer’s Office and Chairman, Management Committee

Meetings’ Listing and Contacts: Attached to this trip report is a listing of those with whom we met during the March 4 through March 9th period (*see* Attachment 1). Brief comments concerning individual meetings are annotated on the tabulation noting necessary follow-up that should occur as well as certain general observations.

Follow-up to Be Conducted: As noted above, there will be considerable follow-up regarding the circulation of the joint delegation funding support letters on both the House and Senate side and in working to obtain introduction, consideration (including the scheduling of a hearing) and passage of our legislative amendment initiative.

Conclusions and Recommendations: Our group representing the two recovery programs again confirmed the vital importance of annually visiting Congress to keep the Programs’ needs and ongoing progress in mind. Staff turnover occurs from year to year; face-to-face meetings continue to have no substitute; and further, we have convinced ourselves that we would be overlooked if we did not make this effort each year. This “annual investment” remains absolutely essential to remind Congress, Interior Department officials and other key non-governmental organizations about what we are doing and why it is important in our States. Sending the briefing booklet in advance of the meetings is very important. For many of the meetings, sending on a request for meeting/concise meeting “backgrounder” via e-mail is essential – the request for a meeting will not be responded to unless a written meeting backgrounder is sent. Reducing the length of the backgrounder from three to two pages, will still including the “who, why, when, what and where” within the document was a good accomplishment. Sending on the meeting materials in advance is the proper approach needed to get in to see these busy folks. This approach shortens the meeting time we require to deliver our message and make our requests for support. As a result, we have short but productive meetings; little difficulty in getting the consent of those with whom we need to meet; and we manage to stay on our itinerary schedule.

Thanks are extended to all who scheduled briefing meetings, extended invitations and participated in the trip. Estimations of time requirements to complete the briefing meetings were essentially correct. A big **thank you** is extended to the Upper Basin and San Juan water users for again hosting the Congressional Staff Appreciation Luncheon and paying for the printing of the non-federal participants' Congressional funding request brochure. It is a collective effort requiring the timely and faithful execution of many discrete tasks that allows us to accomplish our annual briefing trip's objectives.

We can anticipate the schedule for development, approval and release of the President's FY 2011 budget is likely to be the following:

<u>Event</u>	<u>Date</u>
Internal meetings within Interior Department	Mid-April, 2009
Departmental Submittal	Mid-May
Initial Allocations	June
OMB submittal	August
Pass-backs from OMB	Late-November
Appeals process	Brief period thereafter
Final decisions locked down	December
Release of President's budget	Early February 2010

Appended Materials: Following this narrative are attached documents as described above. The joint House delegation fund support letters and the joint Senate delegation funding support letters, as circulated in response to our group's request, will be attached when the signed copies are received.

Attachment 1 2009 Briefings Meetings Schedule

Upper Colorado River Endangered Fish Recovery Program & San Juan River Basin Recovery Implementation Program



Date	Time	Meeting With	Affiliation	Office Location	Comments and Follow-up
Wednesday March 4	7:45 - 8:40 a.m.	Briefings' Pre-meeting	Briefing Trip Participants	Breakfast Room in Annex at the Capitol Hill Suites	
	9:00 a.m.	Rep. John Salazar & Hillary Daniels	Rep. John T. Salazar	CH-326	Rep. Salazar indicated he will continue to help us with our efforts.
	10:30 a.m.	Rep. Jared Polis & Jonathon Asher	Rep. Jared Polis	CH-501	Met with the Congressman and Robert King and Shields had 3/4/09 lunch at the same table with the Congressman and his partner and continued our visit about the Programs over lunch
	11:45 a.m.	Steve Plevniak	Rep. Diana DeGette	RH-2335	Excellent meeting. Rep. DeGette will seriously consider being the lead sponsor for our annual funding legislative amendment.
	1:15 p.m.	Maya Hermann	Rep. Martin Heinrich	LH-1505	Went well. I believe we will have support for the legislative amendment.
	2:00 p.m.	Amelia Jenkins (SD); Tyler Kruzich, Camille Calimlim, Nick Strader Minority Staff; and Jean Flemma (SD)	House Natural Resources Subcommittee on Water and Power House Natural Resources Insular Affairs, Oceans and Wildlife Subcommittee	LH-1522 Ford House Office Building 187	Met in Room 1324. Jean Flemma's recommendation was to insert the language included in S. 22 authorizing capital construction authorization amendments into our bill that we intend to introduce given the uncertain fate of S. 22.
	2:45 p.m.	Mackenzie Tepel	Rep. Betsy Markey	LH-1229	
	4:45 p.m.	Ian Lyle and Justin Jerome	Rep. Mike Coffman	LH-1508	Ian stated he will have to check with the boss but he is relatively certain that we can count on Rep. Coffman's assistance with the legislative amendment.
	5:15 p.m.	Wayne Bradshaw Justin Harding CS Mike Jerman Fred Ferguson Neeta Bidwai (LD) Cody Stewart	Rep. Rob Bishop Rep. Jason Chaffetz Same Same Rep. Jim Matheson Western Caucus	LH-1327	We were very satisfied with the level of support that was indicated will be provided by Rep. Bishop and Rep. Chaffetz. Bird caught up with an alternate staff member in a separate meeting at a later time.
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Thursday March 5	10:15 a.m.	J.J. Brown Tyler Owens Phillip Wood	Senator Orrin Hatch Senator Robert Bennett	SD-431	Met with Owens and Wood. Tyler presented a concise explanation of what is going on with S. 22 that we were able to comprehend. J.J. was out of town on business – Bird met with an alternate staff member in Senator Hatch's office at a different time.
Thursday March 5	11:00 a.m.	Scott Dalzell and Rachelle Schroeder	Senate Interior, Environment and Related Agencies Appropriations Subcommittee	SH-125	Dalzell and Schroeder were very complimentary of our efforts and of our briefing materials
	1:00 p.m.	Chris Tomassi Clint Lohse	Sen. Mike Enzi	SR-379A	Iseman pressed Tomassi to explain the basis of Senator

					Enzi's past reluctance to sign onto Programs' joint delegation funding support letters.
	1:30 p.m.	Jason Albritton Comm. Staff Member Rebeckah Adcock Minority Staff	Senate Environment & Public Works Subcomm. on Water and Wildlife	SD-468	During the meeting it was brought to our attention that the Subcommittee has changed its name (February 12 th announcement).
	2:30 p.m.	Brian Clifford (LA)	Sen. John Barrasso	SD-307	Held a short meeting in the hallway. Participants sincerely thanked Clifford for the Senator's vocal support of S.3189 voiced during the July 8 th hearing on the bill.
	3:00 p.m.	Ian Dunham (LA)	Sen. Michael Bennet	SH-702	Ian used to work for Senator Salazar and he made it clear that Senator Bennet will continue the strong support for these recovery programs that they had when Ken Salazar was the Senator.
	3:45 p.m.	Mike Connor Jeanette Lyman	Senator Jeff Bingaman and Senate Energy and Natural Resources Committee Sen. Tom Udall	SD-364	This was a fine meeting and it is clear that both the N.M. Senators are looking out for opportunities to assist our recovery programs.
	4:30 p.m.	Wendy Adams	Sen. Mark Udall	SD-B40E	Wendy requested that we follow-up with her in re whether Senator Mark will join on as a cosponsor of our legislation.
	5:30 p.m.	Roger Cockerell	Senate Energy and Water Development Approps Subcomm.	SD-186	We had a very good meeting with Roger. He remains both the majority and minority staff member for this Subcommittee.
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Friday March 6	9:30 a.m.	Rep. Cynthia Lummis and Rick Axthelm (LD)	Rep. Cynthia Lummis	LH-1004	We could not have asked for a better reception than we got from Rep. Lummis; she stated that we should just let her know whatever we need and she will do her best to support and assist our efforts!
	10:00 a.m.	Ben Vonachen	Rep. Ed Perlmutter	CH-415	Ben stated he is virtually certain that Rep. Perlmutter will sign the joint delegation funding support letters and join on as a cosponsor of the legislation.
	10:45 a.m.	Rep. Ben Ray Lujan and Aaron Trujillo	Rep. Ben Ray Lujan	CH-502	We met with Aaron Trujillo, were introduced to Chris Garcia, the Legislative Director and found Rep. Lujan to be very attentive and gracious in listening to our requests – believe he will be supportive and able to assist our efforts.
	11:45 – 1:15 p.m.	Congressional Staff Appreciation Luncheon	House and Senate Delegation and Committee staffers	Congressional Mtg. Room North, Lower Level, Capitol Visitors Center	26 people attended the luncheon, including 13 staff members. The lunch was a great success and Mike Montagne's presentation was very well presented and well received by all in attendance.
	1:00 p.m.	Peter Ambler	Rep. Harry Teague	LH-1007	Attended by Kirkpatrick, Campbell and Gloman.
	2:00 p.m.	Mike Hickey Charlie Stern Matthew Siegel	Office of Management and Budget Budget Examiners, Natural Resources Division and Energy, Science and Water Division	Room 9104, New Executive Office Building 725 17 th Street, N.W.	Siegel did not attend due to misunderstanding/confusion about the meeting date/time. We rescheduled and met with him on 3/9. Meeting with Hickey went well – he continues to be supportive of our efforts and asked good questions Hickey was very

					cagey relative to when the President's budget will be released to the public.
	3:15 p.m.	Craig Rushing Mallori McClure	Rep. Doug Lamborn	CH-437	We will have Congressman's support as a cosponsor.
	4:00 p.m.	Shanna Brown	Western Governors Association	Suite 388 Hall of States, 444 North Capitol St NW	Shanna was complimentary of our efforts and of our briefing materials – it is a lift to meet with her each year.
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Monday March 9	9:00 a.m.	Greg Knadle, Sbcm. Staff Member Debbie Weatherly Minority Staffer	House Interior, Enviro. and Related Agencies Appropriations Subcommittee	RH-B-308	We ran our draft letter language past Greg and he concluded that it is stated as a programmatic request. He stated that he thinks we should be in good shape relative to the budget requests for USFWS funding. Debbie Weatherly did not attend the briefing meeting.
	9:30 a.m.	Taunja Berquam, USBR/COE Analyst Stacey Brown Rob Blair Minority Staff Member	House Energy and Water Development Appropriations Subcommittee	RH-2362-B LH-1016/1011	We shared the draft letter language with Taunja and she offered the perspective that while it appears that our letter is crafted to not support earmarks, the most conservative and safest approach is to assume that someone may consider almost any wording supporting funding to be supporting an earmark; or words to that effect.
	10:30 a.m.	Gary Taylor Matt Hogan	Association of Fish and Wildlife Agencies Legislative Director Executive Director	Suite 725 Hall of States 444 North Capitol St, NW	Larry Kruckenberg will again be the point of contact when the President's FY2010 budget is made available. Hogan was on a teleconference with the AFWA's Board and thus was unable to attend. Gary indicated we could count on the support of the AFWA for our budget requests and for our legislative amendment.
	11:30 a.m.	Jane Lyder Rowan Gould Ken Stansell Bryan Arroyo Denise Sheehan Gary Frazer Genevieve LaRouche	Assistant Secretary for Fish, Wildlife and Parks and USFWS Director, Dep. Dir; A/D-E/S, A/D-Budget, Planning &HR; and A/D – F&HC Special Asst. to the Deputy Director	Room 3239 Main Interior Building 1849 C Street, NW	The Acting Asst. Secretary and Acting Director were detained in another meeting upstairs – so we had a good meeting with three Asst. Directors – Endangered Species, Fisheries and Habitat Conservation and Budget, Planning and Human Resources. Stansell retired from the USFWS at the end of February 2009.
	2:00 p.m.	Amy Holley J. William McDonald Darryl Beckmann Dan DuBray Mathew Maucieri Bruce Brown	Acting Asst. Secretary for Water and Science; Commissioner of Reclamation; Asst. Commissioner for Policy, Management and Budget; Chief, Public Affairs, Asst. Chief for Congressional and Legislative Affairs; Partnerships Coordinator	Room 6641 Main Interior Building 1849 C Street, NW	The Commissioner was not in the office at all on March 9 th . The absence of DuBray and Maucieri was noted but not explained. The Acting Asst. Secretary W/S was very gracious and appreciative of the difficult nature of what has been accomplished during the past 20 years. Beckmann continues to be an avid supporter of our efforts.
	2:30 p.m.	Pam Haze Budget Staffers Patrick Joos Willie Taylor Maryjosie Blanchard	Acting Asst. Secretary for Policy, Management and Budget; Interior Budget Office Director and personnel; and DOI Office of Environmental Policy and Compliance	Room 4013 (Budget Office Conference Room) Main Interior Building 1849 C Street NW	We had a useful meeting with Patrick Joos, the FWS budget specialist within the Interior Budget Office and with Willie Taylor of the Interior Office of Enviro. Policy and Compliance. Haze and Weitzner had been summoned to a meeting within

					the Secretary's Office and were unavailable to meet with us. Mike Davis is the acting head of the Budget Office while Pam is acting Asst. Secretary-PMB
	3:30 p.m.	Bert Frost Jerry Mitchell	National Park Service Chief, Biol. Res. Mgmt.	Room 3130 Main Interior Building 1849 C Street NW	Lengthy meeting that covered lots of ground concerning the Programs' specifics.
	4:30 p.m.	David Gagner	National Fish and Wildlife Foundation Director of Gov. Relations & Ext. Affairs	Suite 1100 1133 15 th Street NW	This meeting was abbreviated meeting due difficulty getting to the NFWF offices – and on account of the need to leave for the meeting back over at OMB.
	5:15 p.m.	Mathew Siegel	Office of Management and Budget	Room 9116 , New Executive Office Building 725 17 th Street, N.W.	Pitts, King and Shields met with Siegel and provided him with an in-depth description of the Program and our legislative initiative. Shields and King stayed until 6:30 p.m. and briefed Siegel on the Colorado River Basin Salinity Control Program.
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Attachment 2



San Juan River Basin
Recovery Implementation Program

Upper Colorado River and San Juan River Basin Endangered Fish Recovery Programs Non-Federal Participants Fiscal Year 2010 Funding Requests

The goal of the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program is to recover populations of endangered Colorado pikeminnow, razorback sucker, humpback chub, and bonytail while water use and development to meet human needs continues.

- The recovery programs were established in 1988 and 1992, respectively under cooperative agreements as multi-state, multi-agency partnerships.
- Recovery goals approved by the U.S. Fish and Wildlife Service guide management actions and measure success.
- Adaptive management enables the programs to continually evaluate and revise management actions.
- Funding is provided by state and federal appropriations, Colorado River Storage Project power revenues, and water users.

Upper Colorado Program Partners

- States of Colorado, Utah and Wyoming
- The Nature Conservancy
- Western Resource Advocates
- Colorado River Energy Distributors Association
- Colorado Water Congress
- Utah Water Users Association
- Wyoming Water Association
- Bureau of Reclamation
- U.S. Fish and Wildlife Service
- National Park Service
- Western Area Power Administration

San Juan Program Partners

- States of Colorado and New Mexico
- The Nature Conservancy
- Jicarilla Apache Nation
- Navajo Nation
- Southern Ute Indian Tribe
- Ute Mountain Ute Tribe
- Water Development Interests
- U.S. Fish and Wildlife Service
- Bureau of Reclamation
- Bureau of Indian Affairs
- Bureau of Land Management

Each program partner fully participates in developing and implementing management actions that will lead to delisting of the four endangered fishes shown below:



Colorado Pikeminnow
Gunnison River



Razorback Sucker
San Juan River



Humpback Chub
Green River



Bonytail
Colorado River

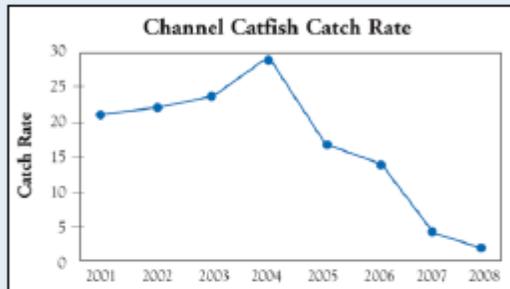
"For....demonstrating that endangered species conservation and water development and management can be compatible, the San Juan River Basin Recovery Implementation Program is granted the Cooperative Conservation Award."

Dirk Kempthorne, *Secretary of the Interior* — April 21, 2008

The Recovery Programs Are Implementing Actions Within Five Program Elements To Achieve Recovery of the Colorado River Endangered Fish Species

1) Water resources are managed to provide instream flows for the endangered fishes in accordance with state water law, individual water rights, and interstate compacts.

This is accomplished through water leases and contracts, coordinated reservoir operations, efficiency improvements to irrigation systems and reoperation of federal dams and reservoirs. Through the programs' effective partnerships, Flaming Gorge on the Green River and Navajo Dam on the San Juan River (*right*) are being operated to help meet endangered fish flow recommendations while meeting the projects' authorized purposes.



2) Predatory or competitive nonnative fishes are managed through removal of fish and management of nonnative fish sources that connect to rivers.

Although progress has been made to reduce the abundance of some nonnative fishes in certain rivers, more work remains to identify management levels needed to minimize the threat of nonnative fishes. Intensive removal in a high-priority reach of the San Juan River has significantly reduced channel catfish abundance (*left*).

3) Endangered fish habitat is restored and maintained through construction and operation of fish passages at irrigation diversion dams and fish screens in irrigation diversion canals and management of 2,700 acres of floodplain wetlands.

With completion of the Price-Stubbs Fish Passage structure in 2008 (*right*), endangered fish now have unimpeded access to about 340 miles of critical habitat in the Colorado and Gunnison rivers and access to historic habitat blocked in some instances for nearly 100 years.

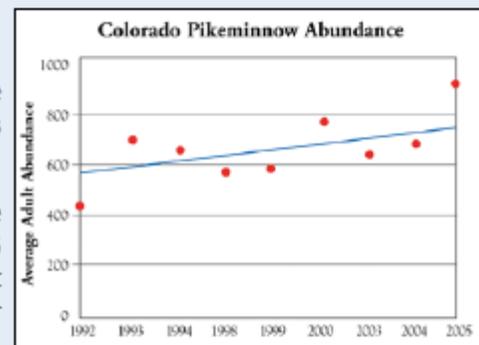


4. Reestablishment of endangered fish populations through hatchery propagation and stocking demonstrates success as stocked Colorado pikeminnow and razorback sucker survive to sexual maturity and reproduce.

The recovery programs fund six hatchery facilities to produce the fish necessary to meet the stocking targets, including this one in Grand Junction, Colorado (*left*).

5. Research, monitoring, and data management provide data on the biology and abundance of the endangered fishes and track progress toward achieving the recovery goals.

Estimated average abundance of adult Colorado pikeminnow in the upper Colorado River system increased from 440 in 1992 to 890 in 2005 (*right*). The Colorado pikeminnow recovery goals published in August 2002 require a self-sustaining population of 700-1,000 adults in the upper Colorado River system.



Geographic Scope of Upper Colorado River and San Juan River Basins Endangered Fish Recovery Programs



Endangered Species Act Compliance for the Basin's Water Projects 1998 - 2008

Recovery Program	Number of Consultations	Historic Depletions (Acre-feet/year)	New Depletions (Acre-feet/year)	Total Depletions (Acre-feet/year)
Upper Colorado Program	1,675	2,084,938	285,301	2,370,240
San Juan Program	124	---	---	843,812
TOTALS:	1,799	---	---	3,214,052

- The programs' actions to recover the species provide ESA compliance for federal, tribal, state, local, and private water development and management activities.
- No lawsuits have been filed on ESA compliance for any water project since the two recovery programs were initiated.

Requesting Support For Fiscal Year 2010 Congressional Appropriations Anticipated To Be Included In The President's Recommended Budget

The non-federal participants in the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program are requesting the Colorado, New Mexico, Utah and Wyoming Congressional delegations to support the fiscal year 2010 appropriations anticipated to be included in the President's recommended budget for the following purposes:

U.S. Fish and Wildlife Service

"Recovery Program" funds to be allocated to the Upper Colorado Program and to the San Juan Program (Resources Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery Element) for estimating fish populations; evaluating stocking; monitoring fish and habitat; maintaining databases for all tagged fish; and for salaries and expenses of the Programs' staff members.

Ouray National Fish Hatchery (Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity) for ongoing operation, maintenance and upkeep expenses for this hatchery.

Bureau of Reclamation

"Endangered Species Recovery Implementation Program" funds within the Upper Colorado Region budget for planning, engineering design, National Environmental Policy Act compliance and preconstruction activities for passage and fish exclusion facilities to be constructed at the Arizona Public Service Company and Fruitland diversion structures by the San Juan River Basin Recovery Implementation Program; and funding for Fish and Wildlife Management and Development activities to avoid jeopardy (e.g., to assure Endangered Species Act compliance for Reclamation facilities and operations across the entire Upper Colorado Region area).

Funding Support Letters Demonstrate Congressional and Grass Roots Support

Joint delegation letters demonstrating strong bipartisan support by Members of Congress representing Colorado, New Mexico, Utah and Wyoming have been submitted to the Congressional Appropriations Committees supporting the programs' funding each year. Testimony supporting appropriations has been submitted to Congress in past years by:

Participating States

- State of Colorado
- State of Utah
- State of Wyoming
- State of New Mexico

American Indian Tribes

- The Navajo Nation
- Southern Ute Tribe
- Ute Mountain Ute Tribe
- Jicarilla Apache Nation

Cities, Water Users and Private Organizations

- The Nature Conservancy
- Arizona Public Service
- BHP Billiton
- Central Utah Water Conservancy District
- City of Aurora, Colorado
- City of Colorado Springs, Colorado
- Colorado River Water Conservation District
- Colorado Water Congress
- Denver Water
- Grand Valley Water Users Association
- Northern Colorado Water Conservancy District
- Pueblo Board of Water Works
- Public Service Company of New Mexico
- San Juan Water Commission
- Southwestern Water Conservancy District
- Tri-County Water Conservancy District
- Uncompahgre Valley Water Conservancy District
- Upper Gunnison Water Conservancy District
- Utah Water Users Association
- Wyoming Water Association

"For its history of successful stakeholder collaboration resolving seemingly intractable water use conflicts, the Upper Colorado River Endangered Fish Recovery Program is granted the Cooperative Conservation Award of the Department of the Interior."

Dirk Kempthorne, Secretary of the Interior — April 21, 2008

Attachment 3 “Endangered Fish Recovery Programs Improvement Act of 2009”

Proposed 2009 Amendments to P.L. 106-392: An Act to Authorize the Bureau of Reclamation to Provide Cost Sharing for the Endangered Fish Recovery Implementation Programs for the Upper Colorado and San Juan River Basins

REQUEST: Members of Congress representing the States of Colorado, New Mexico, Utah, and Wyoming are requested to co-sponsor amendments to P.L. 106-392 for the Upper Colorado and San Juan River Basin endangered fish recovery programs that will:

- **continue annual base funding at current levels for the two programs through 2023.**

NEED: P.L.106-392 authorizes the Bureau of Reclamation to provide cost sharing for capital construction and annual operations for the Upper Colorado and San Juan River endangered fish recovery programs. *The law recognizes significant cost sharing contributions by other program participants, including the States of Colorado, Wyoming, Utah, and New Mexico, Colorado River Storage Project (CRSP) power customers, and water users.*

Annual base funds from CRSP power revenues contribute significantly to the successful implementation of both recovery programs. Unless reauthorized by Congress at current levels, the use of CRSP power revenues for annual base funding of recovery program actions will decrease by 39% after fiscal year 2011. Critical activities would be eliminated from both recovery programs. This would delay and likely prevent attainment of recovery goals and would set back the recovery programs’ restoring of populations of the endangered fishes – which is the means by which recovery of the species will be achieved. As a result, ESA compliance provided by recovery program actions for more than 1,800 water projects, as well as future projects, would not likely continue.

The extension to 2023 is requested to authorize annual funding until the projected delisting dates for all four endangered fish species and to conform the authorization date to the authorization date for the programs’ capital funding in P.L. 106-392. Annual funding will be needed until the species are delisted.

The proposed bill language is shown on the next page.

A SUCCESS STORY: The Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program were established under cooperative agreements as multi-agency partnerships in 1988 and 1992, respectively. *Recovery program partners include the States of Colorado, New Mexico, Utah, and Wyoming; Southern Ute Indian Tribe; Ute Mountain Ute Tribe; Jicarilla Apache Nation; Navajo Nation; environmental organizations; water users; CRSP power customers; Bureau of Reclamation; U.S. Fish and Wildlife Service; Bureau of Land Management; National Park Service; Bureau of Indian Affairs; and Western Area Power Administration.* These recovery programs are recovering populations of endangered humpback chub, bonytail, Colorado pikeminnow, and razorback sucker while water use and development continues to meet human needs. Actions of the recovery programs provide Endangered Species Act (ESA) compliance for 1,800 Federal, tribal, and non-Federal water projects depleting more than 3 million acre-feet of water per year in the Colorado and San Juan rivers and their tributaries in Colorado, Utah, Wyoming, and New Mexico. No lawsuits have been filed on ESA compliance provided by the recovery programs.

02-03-09

“Endangered Fish Recovery Programs Improvement Act of 2009”

Title: To amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan Recovery Programs through 2023.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Endangered Fish Recovery Programs Improvement Act of 2009”.

SECTION 2. ENDANGERED FISH RECOVERY PROGRAMS.

(a) Base funding.—Section 3 of Public Law 106–392 (114 Stat. 1602) is amended in subsection (d)(2) in the fourth sentence, by striking ‘2011’ and inserting ‘2023’.

Attachment 4

Attendees at the April 6, 2009 Congressional Staff Appreciation Luncheon Held in Room CVC 268, Congressional Meeting Room North Capitol Visitors Center, Washington, DC

1. Mike Montagne, USFWS, Vernal, UT
2. John Shields, Wyoming State Engineer's Office, Cheyenne, WY
3. Tom Pitts, Water Consult, Loveland, CO
4. Darin G. Bird, Utah Department of Natural Resources, Salt Lake City, UT
5. Robert King, Utah Division of Water Resources, Salt Lake City, UT
6. Ted Kowalski, Colorado Water Conservation Board, Denver, CO
7. Randy Kirkpatrick, San Juan Water Commission, Farmington, NM
8. Robert T. Muth, USFWS, Lakewood, CO
9. David Campbell, USFWS, Albuquerque, NM
10. Nancy Gloman, USFWS, Albuquerque, NM
11. William J. Miller, Tribal Representative to SJRBRIP, Fort Collins, CO
12. Steve Plevniak, Office of Rep. Diana DeGette, Washington, DC
13. Hillary Daniels, Office of Rep. John Salazar, Washington, DC
14. Ian Dunham, Office of Senator Mike Bennet, Washington, DC
15. Rick Axthelm, Office of Rep. Cynthia Lummis, Washington, DC
16. Chris Tomassi, Office of Senator Mike Enzi, Washington, DC
17. Tyler Kruzich, House Natural Res. Water and Power Subcomm., Washington, DC
18. Camille Calimlim, House Nat. Res. Water and Power Subcomm., Washington, DC
19. Jenny Silva, Office of Rep. Grace Napolitano, Washington, DC
20. Nick Strader, House Natural Res. Water and Power Subcomm., Washington, DC
21. Fred Ferguson, Office of Rep. Jason Chaffetz, Washington, DC
22. Jeanette Lyman, Office of Senator Tom Udall, Washington, DC
23. Tom Iseman, The Nature Conservancy, Boulder, CO
24. Mackenzie Tepel, Office of Rep. Betsy Markey, Washington, DC
25. Brad Moller, Office of Rep. Betsy Markey, Washington, DC