

Executive Committee Meeting  
*July 1, 2010*

Meeting Materials:

Meeting Agenda

Meeting Minutes

**Middle Rio Grande Endangered Species Collaborative Program  
Executive Committee Meeting  
Special Session with Coordination Committee  
In person and conference call  
July 1, 2010, 1:00 – 3:00 pm  
Bureau of Reclamation Rio Grande Conference Room  
555 Broadway NE, Suite 100, Albuquerque, NM**

PARTICIPANT ACCESS INFORMATION	
Toll Free Number: 1-888-989-6483	
Participant Passcode: 38385	followed by #
Confirmation Number: 5865798	

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|---|---|--------------|
|   | 1. <b>Introductions and Changes to the Proposed Agenda</b>  | (5 minutes)  |
| *   | 2. <b>Discussion on EC direction to CC to develop draft questions for San Acacia Fish Passage Peer Review</b> | (15 minutes) |
| *   | 3. <b>Update and recommendation to EC from CC meeting on June 23</b>  | (30 minutes) |
| *   | 4. <b>Review draft task order for San Acacia Fish Passage Peer Review</b>                                     | (45 minutes) |
|   | 5. <b><i>Decision</i>: Approve/Revise draft task order for San Acacia Fish Passage Review</b>                 | (10 minutes) |
|   | 6. <b>Next Steps</b>  | (10 minutes) |
| * <i>Denotes read ahead material provided for this item</i> |   |              |

**Middle Rio Grande Endangered Species Collaborative Program**  
**Executive Committee Meeting**  
**Special Session**  
**July 1<sup>st</sup>, 2010 1:00 pm to 3:00 pm**  
**Bureau of Reclamation Rio Grande Conference Room**  
**555 Broadway NE, Suite 100, Albuquerque, NM**

**Decisions**

- With a quorum present, the EC agreed to revise the San Acacia Diversion Dam Fish Passage Peer Review Task Order objective to be “Based on current data and information, is the requirement to implement fish passage at the San Acacia Diversion Dam for Rio Grande silvery minnow based on sound science?”
- With a quorum present, the EC agreed to a phased approach for San Acacia Diversion Dam Fish Passage peer review.

**Actions**

- Kathy Dickinson will revise the San Acacia Diversion Dam Fish Passage Peer Review Task Order as directed at the July 1<sup>st</sup> EC meeting. Changes included:
  - Adding a site visit and tour of up- and downstream portions of the river to the initial kickoff meeting;
  - Changing the objective statement throughout the entire document;
  - Adding hydrologists, geomorphologists, hydraulic engineers, irrigation operations expertise, and fish passage experts to the requested panel list;
  - Omit the reviewer panel limitations (number of reviewers);
  - Clarify that the Program will review the general qualifications of the proposed reviewers and rationale for selection;
  - Change the final report due date to be 4 weeks after the workshop presentation (increased from the original 2 weeks);
  - On pg. 2, the last full paragraph will be reworded; suggestion language included “Current requirement for fish passage comes from the RGSM Recovery Plan (RP) and the 2003 Biological Opinion.” It was directed that the source of the information be clarified – such as “The RP states that...”;
  - On pg. 4, 7<sup>th</sup> bullet will be rephrased to “Any additional information the panel believes would aid decision making...”;
  - Adding any known references on historic river, operations, irrigation, etc. to the provided document/background list.
- Kathy Dickinson will determine if there is a summary of the San Acacia Diversion Dam Standard Operation Procedures (SOP) document that can be provided.
- Kathy Dickinson will recirculate the revised San Acacia Diversion Dam Fish Passage Peer Review Task Order to the EC and CC by Friday, July 2<sup>nd</sup>.
- EC and CC members have until COB on Wednesday, July 7<sup>th</sup> to provide comments or feedback on the San Acacia Diversion Dam Fish Passage Peer Review Task Order to Kathy Dickinson.
- Kathy Dickinson will incorporate any changes received by July 7<sup>th</sup> and will submit the final revised task order to Jericho Lewis no later than Friday, July 9<sup>th</sup>.

**Brief Meeting Recap**

- At the June 23<sup>rd</sup> CC meeting, the CC members reviewed and discussed the San Acacia Diversion Dam Fish Passage peer review task order scope and list of questions. The CC discussed the “cart before horse” issue of the actual fish passage science – the biology of the fish that would allow for fish passage in that area to be successful, etc. The CC recommended a phased or tiered review by focusing the first task order on the science and subsequent reviews on the design, operations, maintenance, etc. components. Justifications for this recommendation included (1) the peer review panel would have to be quite diverse with engineers, maintenance expertise, biologists, etc. and each additional review panel member will add to the cost; there are too many topics to be properly addressed under a single task order; (2) there has already been a Design, Estimating, and Constructability (DEC) review; and (3) it should be determined if the fish passage is *necessary* before determining impacts, design, etc.
- At the July 1<sup>st</sup> EC special session meeting, the executives discussed the task order objective and after several changes agreed that the objective should be “Based on current data and information, is the requirement to implement fish passage at the San Acacia Diversion Dam for Rio Grande silvery minnow based on sound science?”
- Executives also discussed how the biology of the minnow cannot be decoupled from the hydrology component. The EC directed that hydrologists, hydraulic engineers, and individuals with irrigation operations expertise be included in the task order reviewer request. The executives agreed to a phased approach to the peer review.
- The San Acacia Diversion Dam Fish Passage Peer Review Task Order will be revised as directed (based on executive input given during the meeting). The revised version will be distributed to the EC and CC for final EC comment/input. Changes or corrections will be incorporated by the middle of next week for submittal to Jericho Lewis no later than Friday, June 9<sup>th</sup>.

### Meeting Summary

- **Introductions and Changes to the Proposed Agenda:** Yvette McKenna opened the meeting and introductions were made. A quorum was confirmed. The proposed agenda was reviewed and approved with no changes.
- **CC Update and Recommendations (from June 23<sup>rd</sup> CC meeting):** At their last meeting, the CC reviewed and discussed the San Acacia Diversion Dam (SADD) Fish Passage Peer Review task order. CC members discussed the need to examine the science behind the fish passage before other aspects were reviewed. The peer review panel would have to be extensively diverse with engineers, maintenance expertise, biologists, hydrologists, accountants, and many other experts making the task too large. There are too many topics to be addressed under a single task order and the preliminary questions (science) should be addressed first. Plus, there has already been a DEC review. This “cart before the horse” issue could be resolved by focusing the emphasis of this initial review on the biology and science of the fish passage. That could lead to a second tier of peer review depending on the outcome of the first review. It was shared that the ID/IQ is now limited to a single contractor who tends to be more expensive; it could be a wiser use of funds to focus this review appropriately. It is estimated that this initial science review could cost over \$100,000. The CC recommends not including peer review questions as they tend to be subjective and leading and could hamper the review panel but to change the task order to have the review panel develop a suggested list of questions as one of the first tasks.
- **Decision: Revise/Approve draft task order for San Acacia Fish Passage Review**
  - The EC discussed the concern that the reviewers be provided with the appropriate background materials (ex. the diversions in place for 80 years versus a new dam).

Any historical document that discusses what the river looked like in the past prior to the dams is important. Materials on the hydrology and impacts needs to be included in the provided documents.

- The EC also discussed making sure that hydrologists, geomorphologists, hydraulic engineers, and individuals with irrigation operations experience be included in the task order reviewer request. The hydrology component cannot be separated from the biology component; irrigation operations experts are needed because the irrigation operations impact the timing of flows, and have impacts both up- and down stream.
  - The EC requested that a site visit including a tour upstream and downstream be part of the initial meeting.
  - The EC discussed phasing the SADD fish passage peer review especially considering the limited amount of funding this year and agreed that a phased peer review approach is the best option at this time.
  - The executives then discussed the task order objective and ultimately decided to modify the SADD Fish Passage Peer Review objective to: *Based on current data and information, is the requirement to implement fish passage at the San Acacia Diversion Dam for Rio Grande silvery minnow based on sound science?*
  - The EC then reviewed the proposed schedule for the peer review and the level of commitment by the Program because if the schedule slips then the entire review process will be off.
- **Next Steps:**
    - The revised and updated task order will be circulated electronically for the EC to review one last time before it must be submitted to Jericho Lewis by next Friday.
    - It was emphasized that the cost of this peer review will be high, but if considered as a percentage of the actual structure cost, it is a very reasonable cost for some assurance.

**Next Meeting: July 15<sup>th</sup>, hosted by ISC**

**Executive Committee (EC) Meeting Attendees  
July 1<sup>st</sup>, 2010 1:00 pm to 3:00 pm**

Attendees:

<i>Representative</i>	<i>Organization</i>	<i>Seat</i>
Dave Sabo	Dept. of the Interior	Federal co-chair, non-voting
Lisa Croft	Bureau of Reclamation	Bureau of Reclamation
Kris Schafer	U.S. Army Corps of Engineers	U.S. Army Corps of Engineers
Subhas Shah	MRGCD	MRGCD
Steve Farris	NM Attorney General	NMAGO
Hilary Brinegar	NM Department of Agriculture	NMDA
Janet Jarratt	Assessment Payers Association Of the MRGCD	APA
Jennifer Bachus	U.S. Fish and Wildlife Service	USFWS
Grace Haggerty	NM Interstate Stream Commission	NMISC
Terina Perez	City of Albuquerque	COA

*Others*

Yvette McKenna – PM	Bureau of Reclamation
Jericho Lewis	Bureau of Reclamation
Kathy Dickinson	Bureau of Reclamation
Jericho Lewis	Bureau of Reclamation
Yvette Paroz	Bureau of Reclamation
Susan Bittick	U.S. Army Corps of Engineers
Stacey Kopitsch	U.S. Fish and Wildlife Service
Peter Wilkinson	NM Interstate Stream Commission
Nathan Schroeder	Santa Ana
Rick Billings	ABCWUA
Jenae Maestas	GenQuest
Marta Wood	Tetra Tech