

Coordination Committee Meeting
January 12, 2011

Meeting Materials:

Meeting Agenda

Meeting Minutes

Middle Rio Grande Endangered Species Collaborative Program
Coordination Committee Meeting
January 12, 2011 Meeting – 1:00pm to 4:00pm
Bureau of Reclamation

Conference Call-in Line for January 12, 2011

Toll Free Number: 9-1-800-857-4484

Participant Passcode: 10219#

(1st Committee member or contractor to arrive, please dial in)

Draft Meeting Agenda

- Introductions and Agenda* Approval
- **Decision** – Approval of FWS addendum* to 10/27/10 meeting summary (*previously posted*)
- **Decision** - Approval of 12/08/10 CC meeting summary*
- Action Item Review (see below)
- Update on Cost Share* (through FY10)
- **Decision** – Approval of FY2011 Budget Planning Spreadsheet (*handout*)
 - Additional line item and ScW activity summary for 2nd year gear evaluation study (*handout*)
 - Additional line item and SWM activity summary for use of URGWOM to evaluate future water management strategies (*handout*)
- **Decision** – Approval of revised Competition and Predation (minnow) and Predator/Non-native control (flycatcher) LTP narrative*
- Update on contracts
 - Floodplain spawning study
 - O&M for captive propagation facilities
 - Population estimation peer review
 - Pending Requests for Proposals
 - Review draft funding process flowchart (*handout*)
- Review Future LTP Activities by LTP Category (*handout*)
- Update on Annual Report (for calendar years 2008 and 2009)
- Workgroup Updates
- Significant Non-Decision Items to Brief EC

Next meeting – January 26, 2011 @ Reclamation from 1:00 - 4:00 pm

Upcoming meetings - Executive Committee, January 20, 2011 from 9 am - 3 pm;

Fish Passage Peer Review presentation, January 26, 2011 from 8:30 am - 12:30 pm

***denotes read ahead**

December 8th 2010 Action Items:

- Stacey Kopitsch will ask the ScW Co-chairs to provide an updated activity summary for the *Gear Evaluation* activity that describes a possible second year if the evaluation warrants it. ✓ *Revised ScW activity summary handed out.*
- Grace Haggerty will ask Page Pegram if the Regional Water Plan has any information that might be needed for “*Floodplain Encroachment: Analysis of encroachment problem areas in the San Acacia Reach*” SAR activity.
- Jen Bachus will see if the FWS flycatcher lead is aware of where the verbiage that additional habitat would have to built within 5 miles of existing habitat comes from. ✓ *A Dec 20 email from J. Bachus indicated that she checked with Debra Hill to see if she knew where the flycatcher language came from that refers to habitat restoration "within 5 miles of existing habitat." Deb looked through the critical habitat designation and the flycatcher recovery plan and was not aware of the 5-mile requirement and could not locate the source of that language. She suspects it may come from one of Darrel Ahler's reports to Reclamation, but otherwise is not aware of that as a requirement, and it does not come from FWS.*
- CC members will review the Competition and Predation (minnow) and Predator/Non-native control (flycatcher) LTP narratives and get any comments or edits to Yvette McKenna by December 17th. ✓ *Comments received from Hector Garcia.*

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Actions

- Brooke Wyman will see if the conference room at MRGCD will be available for the January 26th SADD Fish Passage peer review presentation and the January 26th CC meeting.
- Rick Billings will take the CC request for a brief synopsis on how the HR workgroup decided on their reach prioritization to the HR workgroup.
- Julie Alcon will see if the Tetra Tech Habitat Restoration Plan is where the verbiage that additional habitat would have to be built within 5 miles of existing habitat comes from.
- The public portion of the Fish Passage peer review task order will be provided in order to review the draft report.

Decisions

- The FWS addendum to the 10/27/10 meeting summary was approved.
- The 12/08/10 CC meeting summary was approved with no changes.
- The Draft Criteria 1 projects, Draft Criteria 2 projects, and the 9 CC prioritized workgroup recommended projects in the FY2011 Budget Planning Spreadsheet were approved to be presented to the EC.
- The ScW 2nd year Gear Evaluation was approved as a Criteria 2 project on the FY2011 Budget Planning Spreadsheet.

Recommendations

- Approval of line item Program Meeting Facilitation in the FY2011 Budget Planning Spreadsheet will be elevated to the EC.
- The CC would like clarification from the SWM workgroup about the project for using URGWOM to evaluate future water management strategies.
- Approval of the revised Competition and Predation (minnow) and Predator/Non-native control (flycatcher) LTP narrative will be tabled for an LTP meeting where Future Activities will be reviewed.

Meeting Summary

Introductions and Agenda* Approval - Susan Bittick brought the meeting to order and introductions were made around the table; quorum was present. It was announced that the Population Viability Analysis (PVA) workgroup will be meeting on Friday, January 28th; there are also tentative meeting dates for March 28th and 29th.

Decision – Approval of FWS addendum* to 10/27/10 meeting summary (previously posted) - The U.S. Fish and Wildlife Service (the Service) changes were made as an addendum because the minutes had been previously approved without the changes captured. The Service addendum to the 10/27/10 meeting summary was approved.

Decision - Approval of 12/08/10 CC meeting summary* - The 12/08/10 CC meeting summary was approved with no changes.

Action Item Review

- **Stacey Kopitsch will ask the ScW Co-chairs to provide an updated activity summary for the *Gear Evaluation* activity that describes a possible second year if the evaluation warrants it. ✓ *Revised ScW activity summary handed out.***
 - Complete; the revised summary was included as read ahead
- **Grace Haggerty will ask Page Pegram if the Regional Water Plan has any information that might be needed for “*Floodplain Encroachment: Analysis of encroachment problem areas in the San Acacia Reach*” SAR activity.**
 - It was shared that George Dennis, the Service Aquatics Branch Chief, is leading the formal consultation with FEMA on flood insurance and has flood maps. He will be available to talk to the CC about what FEMA does and where to go with concerns about building in the floodplain at the meeting on January 26th. George Dennis will be added to the January 26th CC agenda.
 - An email from Page Pegram informed meeting attendees that the Socorro/Sierra Regional Water Plan does not address floodplain encroachment but deals more with supply and demand issues and that the State Water Plan has a section titled “Recognize the relationship between water availability and land-use decision” that says “The OSE/ISC should respect, preserve and support existing local zoning, planning and subdivision authority and collaborate with local governments to promote: ...zoning regulations that can be used to limit development in hydrologically sensitive areas such as Conservation Management Areas? (spell out) (CMAs), floodplains and recharge areas.” Basically this means that while zoning is not the authority of ISC they promote and support regulations within those authorities for floodplains.
 - It was briefly discussed that Brooke Wyman’s term as CC Chair is through the end of January. Nominations can be made and a decision can be put on the next CC agenda. Changes may need to be made to the CC Charter to reflect modifications that were made to the EC bylaws in September of 2009 to remove term limits for the non-federal Co-Chair.
- **Jen Bachus will see if the FWS flycatcher lead is aware of where the verbiage that additional habitat would have to be built within 5 miles of existing habitat comes from. ✓ *A Dec 20 email from J. Bachus indicated that she checked with Debra Hill to see if she knew where the flycatcher language came from that refers to habitat restoration “within 5 miles of existing habitat.” Deb looked through the critical habitat designation and the flycatcher recovery plan and was not aware of the 5-mile requirement and could not locate the source of that language. It did not come from FWS.***
 - It was thought that the verbiage may have come from the Tetra Tech Habitat Restoration Plan that was a predecessor to the A&R. Julie Alcon will see if the Tetra Tech Habitat Restoration Plan is where the verbiage that additional habitat would have to be built within 5 miles of existing habitat comes from.
- **CC members will review the Competition and Predation (minnow) and Predator/Non-native control (flycatcher) LTP narratives and get any comments or**

edits to Yvette McKenna by December 17th. ✓ Comments received from Hector Garcia.

- Complete.

Update on Cost Share* (through FY10)

- Meeting attendees viewed the Cost Share spreadsheet to see the total that had been submitted to date for FY09, FY10, and any years prior that had not been previously reported. ISC will be submitting their cost share projections for FY11 soon. Statutory language on the template that was signed by signatories recognizes that 25% of the authorized funding is subject to cost share on a Program wide basis. If the cost share is not met then the Program is in jeopardy of not receiving that amount of funding in the future.
- It was discussed that though it is hard for non-federal signatories to meet cost share there are multiple things that can be applied to cost share. For example, the personnel at Santo Domingo Pueblo are funded by grants and cannot be counted towards cost share but they were able to include attorneys' hours used for legal agreements and apply a dollar amount to acreage that was restored by the Program. This information was passed onto Pueblo of Isleta; they also have some water that's benefitting the species by being returned to the river through an underground collection system that can be quantified and applied as cost share. Agencies were encouraged to help one another and give suggestions for calculating cost shares.
- It was suggested to have someone look at projects that none of the signatories have direct application to but that could be potentially used as cost share. Though this would be time consuming as it would need to be made sure that the projects aren't being used as cost share elsewhere, but it would be beneficial. City Open Space might have some expenditures that could be applied as cost share.

Decision – Approval of FY2011 Budget Planning Spreadsheet (handout)

- Meeting attendees reviewed 3 additional line items to the FY 2011 Budget Planning Spreadsheet which included (1) a ScW activity for a 2nd year of the gear evaluation study, (2) Program meeting facilitation, and (3) a SWM activity for the use of URGWOM to evaluate future water management strategies.
- **Additional line item and ScW activity summary for 2nd year gear evaluation study (handout)**
 - A 2nd year of the gear evaluation study wasn't previously included in the spreadsheet because there was not enough information to determine if a second year of the study was actually needed. The ScW viewed a short presentation on the fall sampling but a full report will not be available until after the spring sampling has occurred. This is a difficult situation because by the time the report is received the contract will have ended. ScW has decided they would like to activate the 2nd option year so that the contract will not expire; then once the final report is received, it can be determined how the study should proceed if at all.
 - There was concern as this activity is a Criteria 1 on the spreadsheet that was not previously accounted for. This activity is an ongoing activity that was missed but it could be a Criteria 2 because the activity was created for BA/BO development.

- If the 2nd year option was mentioned in the initial activity, there is no need to do another activity sheet – the 2nd year option can just be activated. However, there may be a need to change the activity sheet if the methodology changes. For this project, the current intent is to keep the same methodology as last year. .
 - The ScW 2nd year Gear Evaluation was approved as a Criteria 2 project on the FY2011 Budget Planning Spreadsheet.
- A footnote has been added to the “Date CC Recommended Funding” column that notes that approval of funding is “Contingent on availability of federal funds”.
- Meeting attendees discussed the line item for Program Meeting Facilitation. The EC had decided that they wanted facilitation at their meetings and since Reese Fullerton was one of the state exempt employees that had to resign the Program will need to contract out facilitation through Gen Quest. The estimated cost is based on the hourly rate that Gen Quest would apply in an IDIQ and would include facilitation at EC meetings, PVA meetings, and any special joint meetings that may need facilitation. Approval of Program Meeting Facilitation could be elevated to EC as they had made the decision to have facilitation.
 - It was explained that Program Meeting Facilitation was listed as a PMT activity under technical assistance and Public Outreach because the facilitator is at open meetings to make clarifications and this was thought to be the most appropriate place for it.
 - Approval of line item Program Meeting Facilitation for the FY2011 Budget Planning Spreadsheet will be elevated to the EC.
- **Additional line item and SWM activity summary for use of URGWOM to evaluate future water management strategies (*handout*)**
 - The additional SWM activity is for using URGWOM to evaluate future water management strategies and the citations from the BO state that this activity relates to conservation measures. The activity would be annual starting in 2011.
 - It was pointed out that this activity seems to overlap with a separate PHVA activity and it's not known what URGWOM would do this year that would be unrelated to this proposed activity. Additionally, activities related to URGWOM should already be funded and additional funding will not be needed until the new BO is complete.
- Meeting attendees discussed the placeholder that was left on the spreadsheet for a UNM Workshop or forum. It was explained that the possible expense was for a small limited invitation symposium and that additional funding will not be needed so the placeholder can be removed from the spreadsheet. It was said that the symposium that had previously been done to update the Program on the state of the science is something that the Program should look at doing again but this can be discussed later or UNM can make a proposal on it.
- Attendees reviewed the spreadsheet to see what was ready to be shown to the EC.
 - It was suggested that the EC see the Criteria 1s and 2s and the 9 that the CC have prioritized from the workgroup proposed activities. The estimated costs for the Criteria 1 and 2s are 3.879 million. Brent Rhees will be asked at the EC meeting to describe in more detail how the continuing resolution (CR) affects the

Program funding and how we are supposed to be basing obligations on quarterly funding from last year. It can be left to the EC to “hash out” what should stay on the funding sheet and wait until March 5th to see if more funds are released.

- It was pointed out that last fiscal year the Corps agreed to a five year Interagency Agreement (IA) with Reclamation to fund the intensive monitoring as of December. The funding provided by the Corps could be used for the project “Monitor Habitat Restoration Projects” and this would bring down the total FY11 Estimated Cost.
 - The funding that was currently shown in the spreadsheet was for a contractor to do the monitoring but that won’t happen this fiscal year. The monitoring was done by members of the Program and the workgroup will do the monitoring again this year as they want to get a better idea of what they would want in a SOW and are coming up with specific questions that will assist in structuring the monitoring.
 - Attendees were in agreement that the funds from the Corps IA with Reclamation could be used for the project “Monitor Habitat Restoration Projects” to bring the total for FY11 down but that the estimated costs for the project should still be shown in the spreadsheet for reference.
- Attendees discussed the four ScW recommended activities that were ranked by the CC as 2s. It was recalled that the four activities were all ranked as 2s because they all were silvery minnow studies that related to the PVA and BO, however no determination could be made about priority among these activities as the Fish Passage peer review and other factors could cause priorities to shuffle. Since no funding is currently available and there was not agreement from all CC members on the ScW’s prioritization the determination was made to leave all the activities separately ranked as 2s and the order of the activities would be decided upon once funding becomes available.
- The Fish Passage peer review presentation will be on January 26th from 8:30 AM to 12:30 PM followed by the CC meeting that afternoon. The purpose of the presentation is for the peer reviewers to provide information and receive feedback from the Program. The draft report, comment template, and information on who the comments should be sent to will be sent out with the meeting notice; the draft public SOW will also be attached so that all comments are appropriate to the SOW. In order to give the presenters time to prepare their responses, comments should be received by noon on the 21st and should be compiled by one POC for each agency. Brooke Wyman will see if the conference room at MRGCD will be available for the January 26th SADD Fish Passage peer review presentation and the January 26th CC meeting.

Decision – Approval of revised Competition and Predation (minnow) and Predator/Non-native control (flycatcher) LTP narrative*

- Meeting attendees discussed the minnow and flycatcher narratives. Some of the specific details originally included were modified to be more general.
 - Additional comments were recently made to the flycatcher narrative. Some disagreement was expressed on the nesting in salt cedar and grazing language in the flycatcher narrative. Part of the concern is that the narratives could be used to implicate or modify how things are done. For example, the way that the flycatcher narrative reads may imply that there is a need to study grazing again.

- The narratives need to support the future activities that will be included in the LTP. There is some concern that since the future activities have not yet been well articulated that the narratives cannot be written appropriately. However, the LTP is a living document that can be refined as necessary in the yearly reviews. And meeting attendees were reminded that the CC will be considering future activities in the LTP to make sure they are appropriate, written properly, and fit with the narratives. In the future discussion of the activities, the CC can make sure they are within Program capabilities and responsibilities.
- In the current flycatcher narrative, the sentence regarding salt cedar could be reworded to say “there is an increasing trend in flycatcher use of salt cedar” and therefore the beetle could be an issue in the future.
- Approval of the narratives was tabled until a future working CC/LTP meeting.

Update on contracts

- **RGSM spawning study**

- The RGSM spawning study contract was awarded 2 years ago this coming February 28th and there have been issues on how to move forward. The DIDSON camera has been bought and is being tested at the Los Lunas Refugium but there is not yet a permit in place to allow for the spawning study. Funding has been obligated so the study needs to move forward. The Service has reviewed the report for phase 2 and is in the process of reviewing the report for Phase 3. After that the Refugium can put in a permit amendment request. It takes about 6 months for a new permit but it's not known how long the amendment process takes.
- Grace Haggerty shared that she is preparing information for the upcoming EC meeting that includes abbreviated forms of the proposal and contract to refresh the Program's memory and a summary that Alison Hutson had provided for the joint workgroup meeting on the steps that the Refugium has completed and the accompanying report. It was thought that the Refugium is on track and that the study can be done this year if the Refugium can get the permit amendment. The permit amendment and the next step in general for the Refugium will be discussed at the EC meeting.

- **O&M for captive propagation facilities**

- Concern was expressed about the average cost of the propagation facilities with some of the facilities not producing fish. It was thought that some of the facilities may be underutilized. The facilities are collectively short on brood stock. The Propagation group will be meeting in March; maybe this will be something they will discuss. It was thought that the Propagation Plan will need to be brought up to date.

- **Population estimation peer review**

- The CC was updated that the peer reviewers are concerned about limiting the review to the Population Estimation reports because they seem to beg more questions from other related documents that are not part of their SOW but that are referenced in the reports. Based on their review the Population Estimation reports are not detailed enough and this may be partially because the Program doesn't know what questions to ask. One of the questions that the peer reviewers have asked is what the Population Estimation data will be used for.

- The question that the Program has is if the methodology that was used is giving a good estimation of the population.
- If the Population Estimation was found to be robust the Service would use the numbers to know how well the species is doing and the data would be used for the PVA. Currently the population monitoring data is used in the current methodology for Incidental Take (IT) calculation.
- A comment was made that the peer reviewers may find that the Population Estimation is not robust enough and that they will probably come up with an alternative. It might be possible to see if the population monitoring data is better for population estimation.
- **Pending Requests for Proposals**
 - Currently, there are no requests for proposals. The grant announcement for Habitat Restoration construction has not been issued as there are many questions that remain. At the last CC meeting, attendees were updated that the Habitat Restoration Workgroup (HRW) had developed a SOW for HR construction and had identified a priority list of reaches. Several CC members disagreed with this prioritization since the EC had previously prioritized the reaches in 2005, approximately. A written justification from the HR workgroup was requested. The CC had then agreed that it would be best to leave the SOW open without a reach prioritization.
 - HRW thought they had been tasked with recommending areas for work. The intent had not been to disagree with the EC's prioritization for the reaches; however a lot can change in 5 years and the reach prioritization may need to be revisited. HRW is currently discussing the justification for their recommendations - there was consensus on the project prioritization and no dissension had been expressed at the meeting. The work group only wanted to move the Program forward by recommending work where work needs to be done.
 - Additional feedback from an HRW member was that the work groups are asked for technical advice and it's discouraging when their recommendations are dismissed.
 - Some of the rationale for the HRW prioritization was that habitat restoration near existing concentrations of flycatchers is very important for the flycatcher to colonize nearby areas – the largest flycatcher population happens to be in the San Acacia Reach. Also, one or both of the recovery plans places emphasis on the San Acacia Reach. It was assumed that the previous emphasis on the Albuquerque Reach does not exclude work from occurring in the San Acacia Reach. It first needs to be determined if there is a preordained priority list from the EC and if so, determine if it still applies. In the past there were high densities of minnow in the San Acacia Reach but that is not true today.
 - There was general agreement from the CC that leaving the RFP open is the right thing to do and it doesn't stop a TPEC member from applying their knowledge.
 - It was suggested that prior to specific projects going out for RFP, it would be good to have the work groups explain their process (what they did, how prioritized, references, what they learned, etc.) to the CC. There was discussion about having a technical workshop to help address the disconnect between the

work groups and the CC and to facilitate a more fluid technical process. While the CC is not obligated to do what the work groups suggest, this would ensure that the CC is able to make informed decisions.

- There was general agreement from CC participants that HRW present more background details to support their project recommendations. It was also recommended that the HRW co-chairs be in attendance to briefly present the synopsis.
- The CC discussed the TPEC (Technical Proposal Evaluation Committee) process. Currently Jericho Lewis (Contracting Officer) makes the final decision based on input from the HRW.
 - The TPEC process used by U.S. Forest Service was shared. Bidders submit proposals in response to an issued RFP. A TPEC, comprised of experts, is convened to review proposals and determine the recommended direction for funding. Bidders do not necessarily know if their proposal is what the TPEC is looking for or not.
 - The Program's goals and objectives – which are set and agreed to at the executive level – are the ultimate basis for decisions.
 - However, even before the RFPs are issued, decisions are being made to determine the focus/needs of that particular year. These decisions drive which activity summaries and scopes of work get written.
 - It was commented that “openness” is missing from the above process. Proponents should know the priorities in order to have the correct focus and “aim.”
 - This process has been much discussed over the years. But feedback has been positive that the review process is good; this is even the sentiment from bidders whose proposals were not selected. The TPEC process is “open” in the sense that bidders are informed why their proposal wasn't selected.

Review draft funding process flowchart (*handout*)

- The EC had asked the CC to come up with a tool based on the draft funding process flowchart, focused on the end of the fiscal year decisions, to assist with transparency when money that needs to be used quickly becomes available. Due to lack of time this will be tabled for a future CC meeting. It was voiced that this is something that needs to be discussed at a future meeting.

Review Future LTP Activities by LTP Category (*handout*)

- This is the latest of the LTP Future activities. This agenda item will be tabled for a future CC meeting due to lack of time.
- On the EC agenda is a webinar from USGS on Big Bend, the Service ESA training, and Jason Remshardt will be presenting on augmentation and can maybe update on the date for the next propagation meeting, the ISC presentation on the Refugium, regular business, and the PM report.
- The adaptive management revised schedule came out and has some dates for planning sessions and the workshop. The schedule is an informational read ahead. The CC was

updated that Jenae's contract ended on December 31 and a task order is being negotiated for administrative support. There is also a list of referred individuals for the Reclamation term positions.

**Coordination Committee
12 January 2011 Meeting Attendees**

NAME	AFFILIATION	PHONE NUMBER	PRIMARY (P) ALTERNATE (A) OTHERS (O)	EMAIL ADDRESS
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