

Executive Committee Meeting
August 18, 2011

Meeting Materials:

Meeting Agenda

Meeting Minutes

Coordination Committee and Program Manager Update

Middle Rio Grande Water Management Biological Assessment [presentation]



**Middle Rio Grande Endangered Species
Collaborative Program
EXECUTIVE COMMITTEE
MEETING AGENDA
August 18, 2011
9:00 am – 1:00 pm**

LOCATION: Bureau of Reclamation, 555 Broadway Blvd NE, Albuquerque, NM

1. **INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA*** *5 minutes*
2. **APPROVAL OF JULY 21, 2011 MEETING SUMMARY AND ACTION ITEMS*** *10 minutes*
3. ***DECISION* – EPA PRESENTATION ON WATERSHED BASED MS4 PILOT PROJECT* (choose A or B)** *10 minutes*
 - A. **Presentation by Nelly Smith & Brent Larson – Sept 15**
 - B. **Web Meeting – Oct 20**
4. **ITEMS FOR EXECUTIVE COMMITTEE CONSIDERATION** *45 minutes*
 - A. **Timeline of Process for the Program to Become a Recovery Program or Recovery Implementation Program**
 - B. **San Juan Recovery Implementation Program (D. Campbell)**
 - C. **Update on Structural Alternatives from Consultation Team (J. Wilber)**
5. **RECLAMATION DRAFT BIOLOGICAL ASSESSMENT PRESENTATION** *60 minutes*
(L. Towne/J. Wilber)
6. **HYDROLOGY UPDATE** *15 minutes*
7. **USACE UPDATE** *15 minutes*
8. **USFWS and BIOLOGY UPDATE* (L. Robertson)** *15 minutes*
9. **NMISC UPDATE ON RIO GRANDE FIELD TRIP (R. Schmidt)** *15 minutes*
10. **COORDINATION COMMITTEE/PROGRAM MANAGER REPORT** *20 minutes*
(B. Wyman, Y. McKenna)
 - A. **Adaptive Management Plan Update**
 - B. **Long Term Plan Update**
 - C. **Contract Updates (J. Lewis)**
 - D. **3rd Quarter Financial Report***
 - E. **Workgroup Updates**

11. OTHER BUSINESS/ANNOUNCEMENTS

12. PUBLIC COMMENT

Members

ABCWUA
ISC
NMDA
Sandia Pueblo
UNM

APA
Isleta Pueblo
NMGF
Santa Ana Pueblo
USACE

CABQ
NMAGO
MRGCD
Santo Domingo Tribe
USFWS
Reclamation

13. NEXT SCHEDULED EC MEETING – September 15, 2011

- A. Retreat**
- B. Closed Session**
- C. Regular Meeting**

**Denotes read ahead material provided for this topic*

Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
August 18th, 2011 9:00 am to 1:00 pm
Bureau of Reclamation, Albuquerque Area Office
555 Broadway Blvd. NE
Albuquerque, NM 87102

Actions:

- Yvette McKenna will coordinate with contacts at the EPA to arrange for the Watershed Based MS4 Pilot Project to be presented in person at the September EC meeting.
- Yvette McKenna will develop an agenda for the EC full-day November meeting.
- In preparation for the EC full-day November meeting, Susan Bittick will verify that a room at the Corps is available and Yvette McKenna will verify that Reese Fullerton will be available to facilitate.
- Ali Saenz will upload copies of the Interim Water Resources Committee presentations to the Program's website.

Decisions:

- The July 21st, 2011 meeting minutes were approved with no changes.
- The September EC meeting was scheduled for September 20th, 2011 from 9:00 AM to 1:00 PM at Reclamation.
- The EC would prefer to have the EPA presentation on Watershed Based MS4 Pilot Project presented in person, and not via web meeting, at the September EC meeting.
- In place of the October EC meeting, the EC agreed to have a full day meeting in early November (tentatively set for either November 2nd or 3rd) to have focused discussion on the Program becoming either a recovery program or a recovery implementation program.

Announcements:

- Attendees were notified that Program signatories are invited to send 1 representative to attend the "River Restoration; Exploring Institutional Challenges and Opportunities" conference on September 14th and 15th, 2011 in Albuquerque, New Mexico. The conference is being coordinated by the Utton Transboundary Resources Center at the University Of New Mexico School Of Law for the Bureau of Reclamation (Reclamation). The conference is organized around themes concerning the institutional arrangement of Reclamation restoration programs and attendance is by-invitation only and space is limited. Signatories should notify Susan Kelly by Thursday, August 25th, 2011 if they will be attending.
- The draft Reclamation BA is now available and has been posted to the Program website. A comment template is also available on the Program website; comments, by agency, are due to Reclamation by September 16th. Comments can be submitted as a formal letter to Mike Hamman as Area Manager or via email to Josh Mann (jmann@usbr.gov).

Upcoming EC meetings:

- **September 20, 2011:** Potential agenda items include: 1) EPA presentation;

- **November 2nd or 3rd, 2011:** Focused discussion on details of Program becoming a recovery program or a RIP;

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August 18th, 2011 Meeting Summary

Introductions and Review of Proposed Agenda: Brent Rhees brought the meeting to order and introductions were made. A quorum was present. Jennifer Faler was introduced as the new Bureau of Reclamation (Reclamation) Deputy Area Manager. The agenda was approved with the addition of a brief announcement from Susan Kelly and rearrangement of the items for discussion under *Items for EC Consideration*.

Approval of July 21st, 2011 Meeting Summary: The July 21st, 2011 meeting summary was approved with no changes.

Announcement: Susan Kelly announced that signatories of the Middle Rio Grande Endangered Species Collaborative Program (the Program) are invited to send 1 representative to attend the “River Restoration; Exploring Institutional Challenges and Opportunities” conference on September 14th and 15th, 2011 in Albuquerque, New Mexico. The conference is being coordinated by the Utton Transboundary Resources Center at the University Of New Mexico School Of Law for the Bureau of Reclamation (Reclamation). The conference is organized around themes concerning the institutional arrangement of Reclamation restoration programs. Attendance is by-invitation only and space is limited. Signatories should notify Susan Kelly by Thursday, August 25th, 2011 if a representative will be attending.

Decision – Alternative Date for September EC meeting: Due to scheduling conflicts 4 alternate dates were proposed for the September Executive Committee (EC) meeting: September 20th, September 27th, September 28th, and September 29th. The EC agreed that the September EC meeting will be scheduled for September 20th, 2011 from 9:00 AM to 1:00 PM at Reclamation.

Decision – EPA Presentation on Watershed Based MS4 Pilot Project: Due to availability of EPA staff the EC can have the EPA presentation given in-person at the September EC meeting or via web meeting at the October EC meeting. The EC would prefer to have the EPA presentation on Watershed Based MS4 Pilot Project presented in person, and not via web meeting, at the September EC meeting. Yvette McKenna will coordinate with contacts at the EPA to arrange for the Watershed Based MS4 Pilot Project to be presented in person at the September EC meeting. One of the interests in a presentation from the EPA is to see what type of ESA coverage is provided by their activities as opposed to what is currently covered by the 2003 Biological Opinion (BO). [The EPA did not consult with the Service under the 2003 BO and is not an action agency receiving ESA compliance via that BO. For any federal agency to obtain ESA

compliance, it must consult over its proposed action. The EPA is currently consulting with the Service. It would make a little more sense to reframe this to: “One of the interests in a presentation from the EPA is to include a discussion of ESA compliance for EPA actions in the MRG.”] It was suggested that AMAFCA and the Bernalillo Middle Rio Grande Conservancy District (MRGCD) and Bernalillo water utility, the University of New Mexico, and those that might be covered in this watershed be invited to attend the presentation.

Reclamation Draft Biological Assessment Presentation:

- Leann Towne presented an overview of the Reclamation draft Biological Assessment (BA). *Please see presentation materials for specific details.*
 - The draft BA discusses consultation triggers: expiration of the current 2003 BO; and consideration of new information (i.e. reduced supplies of Supplemental Water, new Biology, a broader range of Hydrologic conditions).
 - A key point included in the draft BA is that due to a decline in resources to meet endangered species needs (decline in anticipated funding and current water supplies) and other reasons the flows of the 2003 BO are not sustainable. Additional water and non-water solutions are needed. Because the 2003 BO flow requirements are very prescriptive it makes it difficult to consider adaptive management and different mitigative solutions.
 - There are essentially 2 areas of action covered for Reclamation: Heron Dam Operations and El Vado Dam Operations. The Supplemental Water Program is included as a conservation measure.
 - The Middle Rio Grande (MRG) Project river maintenance program and Temporary Channel maintenance will not be included in Reclamation’s actions because: 1) Including the MRG River Maintenance Program would have made the process too complex; and 2) Since the two projects are different activities it made sense to split them. However, the consultation for MRG River Maintenance Program and Temporary Channel maintenance will be a parallel process and Reclamation will be working with the U.S. Fish and Wildlife Service (the Service) on how they will interact with this consultation. The Rio Grande Project Operations has always been a separate consultation.
 - Non-federal actions are included and described using the Program as the federal Nexus. The non-federal water management activities include activities not covered by existing consultations; specifically, the MRGCD Diversions, including those for the Six Middle Rio Grande Pueblos, and State of New Mexico water-management actions. Additional non-federal actions may be identified.
 - Non-federal actions not included in the draft BA but that are covered in the baseline include Albuquerque/Bernalillo County Water Utility Authority (ABCWUA) Drinking Water Project, Buckman Diversion Project, and Bosque Del Apache Wildlife Refuge.
 - The Environmental Baseline describes the history (i.e. the geology, geomorphology, biology, etc.) leading to the current condition and is focused on the current condition. The hydrology for the current conditions is described since 2003 and the biology of current conditions is the current status of the species and habitat.
 - The Hydrologic Effects Analysis looked at water management actions (Heron, El Vado, and MRGCD) compared to the 2003 BO requirements as a departure point. The water management actions were also compared to one another to

- determine the relative impacts of individual actions. There is a conservation measure evaluation showing the estimated gap in meeting 2003 BO flows.
- The hydrologic and biologic effects of Reclamations' actions are that Heron Dam Operations and El Vado Dam Operations enhance the ability to meet the 2003 BO requirements and flow targets. From 2003 to 2010 the Supplemental Water Program has had, on average, 29,000 ac/ft/yr; with future estimates at 13,000 ac/ft/yr, there is a reduced potential benefit to species.
 - The MRGCD Diversions and the State of New Mexico actions have hydrologic and biologic effects varying from having no effect to adverse effects depending on the different actions.
 - The overall Effects Determination conclusion is that the combined federal/non-federal actions: may affect-likely to adversely affect the Rio Grande Silvery Minnow and Southwestern Willow flycatcher; are not likely to adversely affect the Pecos Sunflower, and will have no effect on the Interior Least Tern.
 - The Reclamation draft BA schedule
 - August 18th, 2011 – The draft BA is released to the Program.
 - September 16th, 2011 – Final comments are due to Reclamation
 - *Update: October 3rd, 2011 – Extended deadline for comments to Reclamation*
 - October 14th, 2011 – Reclamation will release the final BA to the Service
 - The draft Reclamation BA has been posted to the Program website. A comment template is also available; comments, by agency, are due to Reclamation by September 16th, 2011 (*now October 3rd, 2011*). Comments can be submitted as a formal letter to Mike Hamman (Area Manager) or via email to Josh Mann (jmann@usbr.gov). Any additional questions can also be directed to Josh Mann (505-462-3584). The draft BA will also be available on the Reclamation Albuquerque Area Office website.
 - Questions directly related to the draft BA.
 - **Question:** What is being used to make the prediction that there will be a drop in Supplemental Water? **Response:** Several entities that Reclamation has leased water from historically are now making use of their water for its intended purposes and that water will no longer available for lease.
 - **Question:** Was climate change taken into consideration for the estimate made on the 13,000 ac/ft of Supplemental Water available in the future? **Response:** The estimate was based on the amount of water that is available currently, as an initial condition, and then based on an estimate of 12,000 ac/ft/yr of leased San Juan-Chama water for the first five years and then 8,000 ac/ft/yr after that. The estimates were done using paleo data developed with the Population Habitat Viability Assessment (PHVA) work group and are just the estimates on supplies. Climate change was not taken into consideration for the estimate on Supplemental Water but the impacts of climate change were considered on the more downscale hydrologies and in the description of the baseline using the west-wide risk assessment; climate change information was not in a form that could be used for the effects analysis.
 - In response to a question as to why diversions are not being considered a federal action, it was explained that because of past legislations and contracts with the MRGCD, the actions for diversion dam operations and maintenance (O&M) were considered non-federal actions. In the BA document, diversion dam O&M are characterized as an obligation. As part of the analysis described in the BA,

Reclamation looked at the ownership of the diversion dams, the water rights, and the agreements and other statutes that obligate the MRGCD to distribute water to its users, including the Pueblos, and based on authorities they were determined to be MRGCD's actions and not Reclamation's discretion.

- **Question:** On the issue of discretion, is this a new position for Reclamation? In the late 1990s Reclamation asserted discretion over all the diversion dams, so is there a new legal memo that describes that Reclamation asserts that it does not have discretion over the diversion dams? **Response:** There is not a legal memo but there was an in-depth legal analysis on discretion over the diversion dams. Reclamation's position on ownership still remains the same.
- **Question:** Did you include everything that has been done so far in regard to non-water solutions/activities? **Response:** The baseline should include all the water and non-water activities. We know that the overall geomorphic trends are not ideal for the minnow and have completed the habitat restoration on site-specific areas to improve habitat.
- **Question:** Is the Minnow Sanctuary included? **Response:** The Minnow Sanctuary is discussed under the section that describes the work on the Reasonable and Prudent Alternative (RPA) elements.
- **Question:** What are the differences regarding water management actions in this draft BA versus the 2003 BO? **Response:** The water management actions themselves are not changing. The big difference is that the specific actions and the effects of those specific actions, individually and as an aggregate, are being analyzed. The effects of the individual actions can then be parsed out. The availability of the supplemental water is changing.
- **Question:** The 2003 BO lumps a large number of actions into the Non-Federal coverage that are not included in this draft BA, is it correct that individual Non-Federal Parties would need to come to Reclamation with their proposed actions and commitments? **Response:** This is correct.
- **Question:** Since Reclamation is asserting ownership of El Vado Dam, is Reclamation also asserting control over the releases at El Vado? **Response:** The Reclamation permitted actions at El Vado are based on ownership and operation for storage right and releases. Water will be released when the MRGCD calls for it – this is indicated in the draft BA.
- **Questions:** The ABCWUA Drinking Water Project and Buckman Diversion Project have separate consultations so how are the projects, in their current state and projected futures incorporated? **Response:** Both the projects' past and current states are incorporated into the Environmental Baseline and the projects' projected future states are incorporated into the Effects Analysis. The projects will need to be described in more detail in the cumulative effects analysis.
- **Question:** The Refuge has a separate intra-Service consultation. Is there any discussion on the priorities that the Service places on whether the water stays in the river for the silvery minnow or is moved to the wetlands? **Response:** The BA does not address this.
- **Question:** Are the ongoing depletions (i.e. groundwater pumping) addressed? **Response:** The document discusses that the State manages for those depletions as a part of their actions. The Environmental Baseline discusses the history of groundwater pumping and its effects on water levels. Ongoing actions are a part of the Environmental Baseline and are also addressed in the Hydrology Analysis.
 - **Question:** Are the State of New Mexico's actions not a part of the BA? **Response:** A specific Hydrology Analysis was not done for the State of

- New Mexico because Reclamation does not have the tools for that type of technical analysis; however there is a description of those actions in the BA. In the Effects Analysis, URGWOM modeling analyzes each specific depletion as it is currently estimated and has groundwater interaction components with the best available information.
- **Question:** Is there a mechanism for holding an entity accountable separately for increasing depletions? **Response:** The 2003 BO provided blanket coverage for all depletions; in this draft BA if there are depletions that are not from an included, described non-action, then this consultation would not provide coverage. The agency would either have to come to Reclamation with additional actions or those effects will need to be covered by a different consultation.
 - This draft is not 100% complete and Reclamation will be editing and working on the document as it is being reviewed by the Program. Reclamation could distribute any significant updates to the Program to be incorporated in the review process.
 - **Question:** Can you describe the Conejos Project and what was done there and is there a physical action that Reclamation takes there? **Response:** The Conejos Diversion of the San Luis Valley Project is a component of the state line deliveries. Any changes in diversions would allow Colorado to minimize debts or credits. The Conejos Diversions rarely impact downstream areas outside of the Conejos Basin. Reclamation has ownership of the facility but the operation and maintenance is transferred to the irrigation district in that area so Reclamation's specific actions were not determined for that area.
 - **Question:** What was covered in the 2003 BO is not necessarily covered in this draft BA? **Response:** Correct. Non-federal actions can be included with new agreements to assist Reclamation, or directly considered by the Service under an ESA Section 10 consultation.
 - Jim Wilber presented Reclamation's "Path to Success" to drive a viable and sustainable BO.
 - In the 2003, BO compliance was achieved through focusing on the avoidance of jeopardy and by "checking off" of the RPA elements in the BO. Reclamation is looking at having a BA/BO process where compliance is achieved through implementation of a Recovery Implementation Program (RIP). In that context, it is at the discretion of the non-federal entities at the table to get coverage of an action, either through implementation of a RIP using the Section 7 consultation process or through a separate, more traditional, Section 10 consultation route. Reclamation is following the model of the San Juan and Upper Colorado River basins in using a Section 7 based approach.
 - In this type of approach the BO would not have a hard and firm termination date but would depend on the Service's determination of meeting annual sufficient progress and other triggers.
 - The Long Term Plan (LTP) and updates will need to be consistent with how the Program will proceed as a RIP. The 2003 BO will be a point of departure.
 - The Reclamation draft BA does not propose a new water management regime or strategy but the "Path to Success" proposes a new way to move forward with the implementation of a BO to have effective, efficient, and sustainable water management in the future. In the absence of initial water management strategy we need to start somewhere, and starting somewhere is in essence where we are with the 2003 BO.

- Reclamation is interested in seeing if information gained from implementation of the 2003 BO can be applied to adjust the initial point of departure.
 - In regard to flow targets, the Environmental Baseline section in the draft BA reviews the existing RPA elements and Reclamation's view of how they have been working.
 - With implementation of the LTP, the adaptive management process, annual reviews for sufficient progress, and meeting the life stage requirements of the species, Reclamation does not see the 2003 BO as being the floor for improving the species' status but as the point of departure.
 - A key component in the "Path to Success" is building up the water management tools and non-water management components of the LTP and a paradigm shift to implement a RIP.
 - In answer questions of how the formal agreements between the Non-Federal Agencies and Reclamation would fit together, Reclamation has a responsibility to work closely with the partners to develop water management plans, options and strategies that could be under individual recovery agreements with the Service and/or Reclamation. Both federal agencies will be working together, in the context of the Program, to get the recovery agreements in place with the LTP so that all agencies know what is expected going forward. Reclamation will be taking the leadership role to work with water management agencies to develop agreements to achieve water management options.
 - In order to convey broad federal coverage under Section 7 the Program will need to make sure that the necessary contributions are brought to the table in partnership as a shared responsibility as opposed to the 2003 BO compliance responsibilities, which were more federally driven.
 - **Question:** What would be the difference for a non-federal agency to implement actions under this Section 7 consultation as opposed to a Section 10 consultation? **Response:** The Service representative explained that one essential difference is that the Section 7 process is focused on providing broader coverage through an incidental take statement (ITS) to a federal agency versus the Section 10 process where coverage goes directly to the private entity. Meaning that with the Section 7 coverage the federal agencies have some discretion associated with the private (Non-Federal) entities' (Non-Federal) actions.
 - **Question:** It has been previously discussed for there to be a tiered approach to having the Program as the umbrella for coverage and that Non-Federal entities will have a process through which their actions can be covered without going through the entire consultation process; is this still there? **Response:** Reclamation is asking those who are seeking coverage to seek agreements to have covered actions defined in some manner so that they can be considered under the umbrella of the Program.
 - **Question:** What is the incentive for a non-federal agency to go the route of the Section 7 consultation as opposed to the Section 10 consultation? A concern with the Section 7 process is that a non-federal agency's coverage could be dependent on Reclamation's funding and the impact of other agencies actions might affect coverage. **Response:** When agencies work together with a broader group this will allow for

leveraging of federal resources in the future. Also it will be a large undertaking to achieve the long term goals of the recovery program, to get the species to a recovered state, and this is more likely to be achieved if agencies work together than using smaller blocks of uncoordinated funding. If there is not a coordinated sustained effort, all of the BOs are at jeopardy of having to reconsult if there is failure to move toward recovery the species.

- It was also pointed out the 2003 BO will expire shortly in 2013 and as the Section 10 consultation is a long process it could not be completed in time and agencies would be without coverage.
- The Service commented that having a recovery program that includes all of the agencies, in terms of trying to recovery the species, is there preference.
- **Question:** The Service was asked how they see the Reclamation BA, the U.S. Army Corps of Engineers' (the Corps) BA, the Reclamation river maintenance BA, and the EPA BA tying together as they seem to cover a lot of what the 2003 BO covers. **Response:** In the language of the regulations, the actions that are carried out are interrelated and interdependent. The Service will have the challenge of doing an analysis of the species that includes all the actions and cumulative effects in order to tie everything together, preferably into a single BO.
- **Comment:** The Program has discussed, in aiming towards recovery that, agencies should work together but several agencies have their own BOs. **Response:** Though there are multiple BOs, some of the entities that have their own BOs participate in the Program. More support for our Program's path toward recovery could increase the likelihood of securing funding. Segregation of BOs does not mean that agencies can not pull together as a recovery program with a stake in it succeeding. As Reclamation enters into agreements with the non-federal agencies this will further help to tie all agencies together to move forward.
 - It was pointed out that this BO will not have a distinct expiration as the other BOs do. Those entities may be interested in having their projects covered under this BO as theirs expire.
- **Question:** What areas should the Program focus their review and comments on as there is not a long review period? **Response:** Non-federal agencies should focus on the non-federal actions and non-federal agencies that are not currently included should look at the non-federal proposed actions. The Program should also review how the baseline/current condition has been characterized and focus on how things are working now. The MRGCD should focus on the Effects Analysis components as the O&M of the diversion dams are included.

Items for Executive Committee Consideration:

- **San Juan Recovery Implementation Program:** Attendees viewed a presentation from Dave Campbell, Program Director for the San Juan River Recovery Implementation Program (SJRRIP), on how the program became a RIP and how it operates. Attendees were reminded that though the presentation covers some of the basics of a RIP, not all RIPs are structured the same.
 - The SJRRIP was established in 1992 with the goals of recovering populations of Colorado pikeminnows and razorback sucker and to proceed with water development in the San Juan Basin.
 - The SJRRIP provides ESA compliance for Water Development, operations, and management.

- A RIP is a formal agreement with the Secretary of Interior to recover the listed species. The Secretary of Interior enters into a cooperative agreement with the parties; the parties will use their resources and authorities to recover the species and in return the agreement provides ESA compliance.
- A Memorandum of Understanding, a Cooperative Agreement signed by the Secretary of Interior and all parties in the RIP, and a By-laws Document are needed to establish a formal RIP. It was pointed out that the Program already has some of these documents. The SJRRIP was not transitioned from an existing program but was built from the ground up, from a no RPA BO.
- RIPs are established under the ESA and the Fish and Wildlife Coordination Act. The Cooperative Agreement allows for the exchange of funds and other resources. The Service is responsible for administering the RIP, however, the RIP is run by its governing body and not the Service.
- In 1991, a Memorandum of Understanding (MOU) was executed by the Department of Interior (DOI) to set forth agreements and establish the foundation for the SJRRIP. In 1992, a Cooperative Agreement was executed by the DOI with the Signatories to the MOU. The Cooperative Agreement adopted the San Juan Basin Recovery Implementation Program Document and the signatories to the Cooperative Agreement agreed to participate in and support the Implementation Program. The Cooperative Agreement allows for the exchange of goods and services.
- Other federal agencies participate in a RIP as Signatories and non-federal agencies are Participants. Signatories and Participants are treated equally under the RIP and each Signatory and Participant gets 1 vote. The SJRRIP decided not to operate on consensus; a 2/3 majority rule carries the decision.
- The SJRRIP Program Document codifies the operating procedures of the program and defines of the roles of the committees and the Service. The SJRRIP utilizes a Long Range Plan which goes out 7 years that is similar to the Collaborative Program's LTP.
- The SJRRIP has two standing committees, the Coordination Committee (CC) and the Biology Committee. The CC is made up of one representative from each Signatory and Participant. The CC makes all decisions and appoints technical committees as they see fit. The role of the Biology Committee is to provide technical review and recommendations to the CC/Program Office and is also made up of one representative from each Signatory and Participant. Other short lived sub-committees are sometimes formed to address specific issues or projects.
- The Program Office, under the direction of the CC, maintains an independent peer review panel of 4 people from universities and other top agencies to provide technical review of all projects and products. The peer reviewers are paid and attend several Biology Committee meetings a year and an annual CC meeting; the SJRRIP strives to keep them independent of the program.
- The SJRRIP holds workshops that are specific in scope and that bring in additional outside expertise or peer review on specific areas. This year's workshop will be about hydrology flows and habitat.
- The Program Director is a Service employee and the Program Management Team is comprised of the federal agency chairs from the CC and the Biology Committee.
- **Question:** Does the SJRRIP have hydrology issues? **Response:** There is a hydrology sub-committee that is made up of technical experts and members of the Coordination Committee. Because the majority of the hydrology related

- decisions are policy related and not technical in nature the decision makers are present and the hydrology experts are there to make recommendations.
- **Question:** Are there things outside of the SJRRIP (i.e. hatcheries) that are dealt with by Reclamation or the Service? **Response:** They are dealt with by the SJRRIP. For the San Juan River any consultations are first referred to the SJRRIP to see if they want to take ownership of the effects. If the SJRRIP does not want to take ownership of the effects then they will do their own consultation.
 - The SJRRIP is managed through both the Service's and Reclamation's staff and funding authorities. Sufficient progress is evaluated every 2 years. This is evaluated against milestones that were agreed upon by the Service and the CC. Sufficient progress is evaluated by looking available data, demographics for the fish, and habitat improvements.
 - **Question:** Does the Service have a seat in the CC of the SJRRIP? **Response:** Yes, both Region 6 and Region 2 are involved in the SJRRIP but the Service only has one vote collectively. Sufficient progress is evaluated by the region's ES office so that there is a layer of separation from self reporting.
 - **Question:** Given that there is a 2/3rds majority rule and that the Service has to evaluate sufficient progress to determine if compliance is being met, how does the Service deal with decisions made by the CC that may not equate sufficient progress? **Response:** In theory, if all actions and decisions are driven by the species recovery goals then all actions carried out should contribute to sufficient progress. An important distinction is that in the SJRRIP the CC is not deciding whether or not to take an action, they are deciding how to proceed with the recovery actions.
 - **Question:** How were the recovery goals determined? **Response:** The recovery goals were developed by a recovery team in a different region that does recovery for all the big river fish. Though the Service does sit on this team there are also big fish ecologists and biologists on the team as well.
 - **Question:** If the Service deems that sufficient progress has not been made does it mean that you are not in compliance? **Response:** If sufficient progress is not being met then prescriptive instructions are given on what should be done to make progress. If the program fails to address those issues then it's deemed as not in compliance. The goal is to comply with the terms and conditions of the BO, recover the species, and eventually remove the ESA threat. When evaluating sufficient progress there is some flexibility, for example, the amount of funding that is available is considered.
 - **Question:** Are there multiple BOs on the San Juan River? **Response:** There is a BO for every project that is proposed through a streamlined Section 7 process. Water developers, farmers, and irrigators with a desire to contribute to recovery have requirements to offset impacts. They present to the CC for consideration or the Service negotiates; it keeps everything focused in the San Juan Basin.
 - **Timeline of Process for the Program to Become a Recovery Program or Recovery Implementation Program:** The Service has been working on a timeline with all the actions that need to be completed. One issue that the Service has run into is that the Program needs to officially decide if they will be a recovery program or RIP. The Service would like to put dates for the completion of needed products (i.e. LTP, an adaptive management program, etc.) but are hesitant to do so until the Program makes a full commitment to move forward.
 - The Program had decided to be recovery driven at the EC Retreat in August 2009. A concern with the Program becoming an official recovery program is that

they may not have jurisdiction for some of the requirements, for example the Program does not have jurisdiction across the range of the species. Concern was expressed that if the Program becomes a recovery program it may bound itself to an impossible goal. It was suggested that the EC discuss whether becoming a recovery program will expand the Program's responsibilities beyond what they can accomplish.

- It was pointed out that although a recovery program is a program that addresses the entire range of the species, the Program can be something more akin to a RIP and carry out recovery actions.
- Attendees discussed having a full day EC meeting in October or early November 2011 to have focused discussion on becoming a recovery program or a RIP and what that would mean, if the current set of Program documents would need to change, and if the Program is capable of meeting recovery goals.
- Products will be needed for the EC in the September meeting so that they can come to the focused meeting prepared.
- In place of the October EC meeting, the EC agreed to have a full day meeting in early November (tentatively set for either November 2nd or 3rd) to have focused, potentially closed session discussions on the Program becoming either a recovery program or a recovery implementation program. Yvette McKenna will develop an agenda for the EC full-day November meeting. *Update: the date and location have been confirmed for November 3rd all day hosted by the Corps.*
- EC members requested that Dave Campbell and Tom Pitts be at the EC full day meeting to help answer any EC questions. A pueblo participant of the SJRRIP may also provide a different perspective. It was also requested that the meeting be facilitated. In preparation for the EC full-day November meeting, Susan Bittick will verify that a room at the Corps is available and Yvette McKenna will verify that Reese Fullerton will be available to facilitate.
- **Update on Structural Alternatives from Consultation Team:**
 - Jim Wilber updated the EC on the meeting the Consultation Team had to address the EC request to look at structural alternatives for the Program:
 - The Consultation Team discussed that the goal of reviewing the current Program structure would be to make sure that the structure is organized in the best way to facilitate the recovery process, efficiency and time effectiveness, transparency, and inclusiveness of federal and non-federal agencies. The team discussed that an analysis should look at 3 levels of structure: governance, program management, and technical.
 - The team discussed how a governance body would be structured and what would give an agency a vote.
 - The team also discussed having a dedicated staff focused on program management.
 - The team discussed that technical committees could be organized by discipline (i.e. hydrology, biology, etc.) or function (implementation, evaluation, etc.).
 - A concern from the Consultation Team was that the team is not a Program-managed group and that it might be more appropriate to have the Consultation Team linked to an existing group, like the the PMT or the CC, so that the structural analysis is being overseen by the Program.
 - The next steps in analyzing the Program structure would be to see if there is a way to streamline the structures within the 3 levels.

- Attendees discussed that it might be more appropriate for the CC to carry this effort forward as PMT members and some of the work group co-chairs attend CC meetings.
 - The EC agreed that it would be more appropriate to put this effort on hold until after the November EC full day meeting.

Hydrology Update:

- In the hydrology update, it was shared that 2011 diversions were very similar to those in 2010 - roughly the same amount of water was diverted from the San Juan Basin into Heron Reservoir.
- Currently, 500 cfs of the Water ABCWUA's is being released; and roughly 300 cfs to supplement irrigation demands at Cochiti. El Vado stores continue to drop as irrigation season continues. Prior & Paramount (P&P) water is being held in case it is needed later in the season. Abiquiu is currently 150,000 ac-ft and rising.
- It was noted that given the low natural flows at Embudo, it is likely P&P releases could start in the next few weeks unless it rains. This does depend on the MRGCD's decisions for their demands and operations in the late irrigation season.

USACE Update:

- It was announced that Cochiti is once again open for public access and use. This decision was collaboratively decided and conditionally based with the focus on risk mitigation of potential threats that pertain to public safety. Specifically, there was a decision to develop an emergency action plan. Some of the potential threats were presented last month. More time is needed to evaluate the initial threats and put appropriate measures in place. One key measure that is still in progress is to get rain gages and early warning devices into crucial canyons. This task is expected to be completed in the next 30 to 60 days.
 - There has been a lot of rain during the monsoon season and flows off Peralta Canyon (into the river itself) have been seen. Santa Clara Canyon, which has had a dramatic impact on Santa Clara Pueblo, has had 4 dam structures that have filled to the top. This is a dangerous situation in terms of potential flooding if there should be more dramatic rain fall events. Many people are working to address the issue.
 - In terms of water quality, Cochiti has been sampled daily and more significant testing has been sent to a laboratory for analysis. The results are expected within the first week of September. The preliminary results indicate that everything is within normal limits, but the lab results will yield more information.
 - It was commented that according to the New Mexico Environment Department (NMED), the Department of Energy (DOE) Oversight Bureau is responsible for sampling and coordination (ex. with Los Alamos). They have sampled all the way down to the Alameda Bridge. However, there is no additional information on that at this time. It does take a while for samples to be analyzed. Grace Haggerty volunteered follow up with more information next month.

USFWS and Biology Update:

- In an update on the minnow, it was shared that based on the most recent minnow data from the June 1st and 2nd monitoring, there is an overall Catch Per Unit Effort (CPUE) of .4 silvery minnow/100 sq. m.
- In an update on the biologist position, it was shared that Mark Brennan is now renewing his efforts to look into 10(j) opportunities. He is also renewing efforts to create a planning team to look at information and assess the possible next best location for reintroduction work.

- In an update on the flycatcher, it was shared that according to the Reclamation surveys there are 25 nesting pairs in the Refuge Reach and 195 nesting pairs in the San Marcial Reach.
- The flycatcher critical habitat revised designation was published in the Federal Register this past Monday. Comments will be accepted until October 14th, 2011. Please refer to the handout for the 2 ways to submit comments or feedback.

NMISC Update on the Rio Grande Congressional Field Trip:

- Earlier this summer, several congressional offices requested a “field briefing” related to MRG Basin issues. The purpose was to update congressional staffers with information relating to the issues and concerns. A congressional field tour was held last week and the Program was well represented.
 - The Public Information and Outreach (PIO) work group did a great job of pulling information and materials together. They developed a booklet of materials and handouts and they coordinated and arranged numerous presentations. Participants who have been involved in the Program for years shared that they learned new things – things they had not previously been aware of. Everyone involved in the planning and coordination efforts was thanked. The USACE was thanked for supplying the bus.
 - The MRG Basin issues were well described in terms of who is doing what, what problems are occurring now, and what the issues might be in the future. Benefits to the field tour included: (1) informing congressional staff and (2) facilitating agencies “talk” time on the bus and gaining a better understanding of what everyone is doing.
 - One suggestion was that another field tour be held again in spring 2013 after the election. This could be a valuable experience for any new congressional representation.
- There is a State Legislature Committee known as the Interim Water Resources Committee. This committee requested that MRGCD, ISC, and Reclamation present at their last meeting in Silver City. The presentations given by each party are on their website; it was suggested that the presentations also be uploaded to the Program’s website. The focused issue was how to move into the new BO. Ali Saenz will upload copies of the Interim Water Resources Committee presentations to the Program’s website.

Coordination Committee and Program Manager’s Report:

- *CC Update* – The CC met on August 3rd. Attendees briefly discussed how their agencies are dealing with questions from the public regarding water quality in the Rio Grande due to fire retardants and ash washing into the system; information on fish kill numbers was sent out to the Program.
 - The CC also reviewed and discussed the work group’s responses to the San Acacia Diversion Dam (SADD) Fish Passage peer review recommendations. After discussion, the CC requested that ScW take the lead determining a recommended approach to synthesizing data. The CC also wanted a more focused study related to fish passage so it was delegated to HRW and ScW to identify and modify any future activities or studies related to fish movement to include fish passage.
 - The CC also discussed how to streamline ESA compliance.
 - The next CC meeting is scheduled for September 7th.
- *Long-term Plan (LTP) Update*

- The current goal is to have the draft LTP available by the October (or the early November) EC meeting.
- Ali Saenz (Program Administrative Assistant) was thanked for linking the LTP table to the LTP summaries and table of contents. This makes updating and editing the LTP much easier and faster.
- *Work Group Updates*
 - The PMT and PIO work group are currently organizing the Program's 10th anniversary and Open House event. There are 8 technical presentations lined up and the primary investigators on projects are being asked to present. The first day (Friday, October 21st) will be the technical presentations and project sharing/updates. The second day (Saturday, October 22nd) will be the family oriented day with trail walks and kids' activities. We are expecting EC participation both days if possible. PIO will also be participating at Santa Ana's Environmental Fair on August 27th.
 - The PMT will begin work on the 2010-2011 Program Report in the near future.
 - The HR work group has elected 2 federal co-chairs. Gina Dello Russo will be acting co-chair for the next year while Danielle Galloway prepares to take on the co-chair role at the end of Gina's term. Rick Billings will continue in the non-federal co-chair position.
 - The SAR work group held a floodplain land use roundtable in Socorro. There was good participation from regular Program participants and work groups members as well as interested community individuals.
 - The DBMS pilot training will be September 21st and September 27th; there are still spots available.
 - There is currently no PVA meeting scheduled.
 - In response to questions on the PVA RAMAS contract, it was shared that 1 proposal for the RAMAS PVA requirement was received.
 - Concerns were expressed that the work group will now have to start over with a new contractor.
 - The PVA co-chairs and others will be discussing the situation next week and will be exploring solutions to the issues/concerns and to address the fact that Dr. Miller was disqualified from even bidding on the basis that the new contract was a small business set-aside and his company does not qualify. They will report back once the meeting has taken place.
 - Concern was expressed that the PVA will be unable to move forward due to the difficulty of getting around the acquisition requirements and the fact that the recovery plan discusses the RAMAS model in particular.
 - The PVA hopes to have everything "sorted out" and plans in place within the next few weeks.

Other Business/Announcements

- The executives briefly discussed the potential addition of end of year funds into the Program and how that affects the non-federal cost share responsibilities. It was agreed that the EC will meet again on September 20th and in preparation, Reclamation will distribute in email identifying all the additional funds that might affect cost share. If there is a need to discuss the situation before the September meeting, a telephone conference could be arranged.
 - It was explained that if an opportunity arises for Reclamation to increase funds for a project, they will send notification emails for information before the money gets applied. However, the availability of funds and time for decisions get tighter as the end of the fiscal year approaches (end of September).

Public Comment

- There was no public comment.

Next Scheduled EC Meeting: September 20th, 2011 from 9:00am to 1:00pm

- Tentative Agenda Items include: (1) water quality sampling results/updates – G. Haggerty; (2) EPA presentation;

**Executive Committee Meeting Attendees
August 18th, 2011, 9:00 am to 1:00 pm**

Attendees:

<i>Representative</i>	<i>Organization</i>	<i>Seat</i>
Rolf Schmidt-Peterson (A) Federal Co Chair	NM Interstate Stream Commission	ISC – Non-
Janet Bair (A)	U.S. Fish and Wildlife Service	USFWS
Ann Moore (A)	NM Attorney General's Office	NMAGO
Subhas Shah (P)	Middle Rio Grande Conservancy District	MRGCD
Matt Schmader (P)	City of Albuquerque	COA
LTC. Jason Williams (P)	U.S. Army Corps of Engineers	USACE
Alan Hatch (A)	Pueblo of Santa Ana	Santa Ana
Rick Billings (A)	Albuquerque/Bernalillo County Water Utility Authority	ABCWUA
Brent Rhees (P) Chair	Bureau of Reclamation	Federal Co-
Brian Gleadle (P)	NM Department of Game and Fish	NMDGF
Janet Jarret (P)	Assessment Payers of the MRGCD	APA of the MRGCD
Susan Kelly (A)	University of New Mexico	UNM
Ann Watson (P)	Santo Domingo Pueblo	Santo Domingo
Mike Hamman (P)	Bureau of Reclamation	BOR

Others

Yvette McKenna – PM	Bureau of Reclamation
Jennifer Faler	Bureau of Reclamation
Sam Hough	U.S. Army Corps of Engineers
Terina Perez	Bureau of Reclamation
Jim Wilber	Bureau of Reclamation
Kris Schafer	U.S. Army Corps of Engineers
Susan Bittick	U.S. Army Corps of Engineers
Christopher Shaw	NM Interstate Stream Commission
Grace Haggerty	NM Interstate Stream Commission
Brooke Wyman	MRGCD
Stacey Kopitsch	U.S. Fish and Wildlife Service
Rick Carpenter	City of Santa Fe/BDD
Mary Carlson	Bureau of Reclamation
Ali Saenz	Bureau of Reclamation

Lori Robertson	U.S. Fish and Wildlife Service
Lean Towne	U.S. Army Corps of Engineers
Wally Murphy	U.S. Fish and Wildlife Service
David Campbell	U.S. Fish and Wildlife Service
Ralph Monfort	University of New Mexico
Melinda Benson	University of New Mexico
Reed Benson	University of New Mexico
Jane Marx	San Felipe Pueblo
Adrian Oglesley	MRGCD
Che Nyamboli	San Felipe Pueblo
Jerry Ginsburg	Corrales Neighborhood Association
John Fleck	Albuquerque Journal
John Horning	Wild Earth Guardians
Josh Mann	Bureau of Reclamation
Christine Sanchez	Tetra Tech

**Coordination Committee and Program Manager Update
Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
August 18, 2011**

Adaptive Management

A draft **Adaptive Management** (AM) Plan [version 1 (v1)] and comment form were provided to the Program via email on July 1 with the request to provide consolidated agency or entity comments to Yvette McKenna (ymckenna@usbr.gov) by August 10, 2011. The draft plan and cover letter are also posted under “Library>>Adaptive Management” in a new module titled “Draft AM Plan, v1, June 30, 2011. The comment period has been extended to August 19, 2011. The AM contractors will revise the draft plan in response to comments and have requested a no cost schedule extension. If the extension is granted, the final AM Plan (v1) will be delivered to the Program by October 31, 2011.

Coordination Committee

The CC met on August 3 and attendees briefly discussed how their agencies are dealing with questions from the public regarding water quality in the Rio Grande due to fire retardants and ash washing into the system. An updated email with contact information was sent to the Program mailing list on August 4.

The CC also discussed the Science workgroup (ScW), Habitat Restoration workgroup (HRW), San Acacia Reach (SAR) ad hoc workgroup, and the Species Water Management (SWM) responses and review of future activities as related to the San Acacia Diversion Dam (SADD) fish passage peer review recommendations. The CC requested that the Science workgroup (ScW) take the lead on synthesis of data/literature and use the NM Interstate Stream Commission’s (ISC) submittal for the 5-year Rio Grande silvery minnow (silvery minnow) review and the existing LTP categories to develop a plan for the synthesis of literature/data. The CC also requested that the ScW and HRW work to modify the ScW activity *Better understand fish movement (RGSM longitudinal movement)* to include research of minnow movement below SADD and other diversion structures during the critical low flow summer months.

The CC also discussed ways to streamline Endangered Species Act (ESA) compliance for HR projects and Mark Brennan’s assistance with the biological assessment reviews.

The next CC meeting will be on September 7 where they will discuss the revised draft Long Term Plan (LTP), the need for new co-chairs for the HRW and the Fiscal Year (FY) 2012 work plan.

Program Management Team

The PMT is in the process of reviewing the future activities for the **revised Long Term Plan** (LTP). Thanks to Ali Saenz, the table of future activities is now linked to the table of contents and the individual activity summaries to enable the editing of all simultaneously. PMT comments are due to Ali by August 27 and the CC will review a draft revised LTP and discuss it at their September 7 meeting. The goal is to have the revised draft LTP ready by the October Executive Committee (EC) meeting.

The PMT researched the components of other Recovery Implementation and Adaptive Management Program structures and that information has been shared with the Consultation Team. The PMT has also started to consider how the existing Program workgroups can be restructured for maximum effectiveness. PMT members are reviewing their ad hoc workgroup charters, current work plans, and schedules to best determine whether objectives have been met and the timeframe for completion, and to generate ideas and facilitate the development of an alternate Program organization to maximize effectiveness.

The PMT and the Public Information and Outreach (PIO) workgroup are coordinating the technical workshops for the upcoming 10-year Collaborative Program Anniversary on October 21, with the Open House on October 22 at the Rio Grande Nature Center.

The PMT will also begin working on the FY2010 and FY2011 annual report. This report will include information on U.S. Army Corps of Engineers (USACE) funds and activities, and contracting officer's technical representatives (COTRs).

PMT liaison support for workgroups is as follows: Monika (Mann) Sanchez for the Database Monitoring System (DBMS) ad hoc workgroup and the HRW; Stacey Kopitsch for the ScW, Population Viability Assessment (PVA)/Biology and Monitoring Plan Team (MPT) ad hoc workgroups; Terina Perez for the SWM workgroup, the Population Habitat Viability Assessment (PHVA)/Hydrology and the SAR ad hoc workgroups; and Ali Saenz for the PIO workgroup.

Yvette McKenna participated in part of the Middle Rio Grande (MRG) Field Trip for Congressional staff members that took place last week. Jericho Lewis continues to assist with Albuquerque Area Office (AAO) obligations and training new staff members. Proposals have been received for the HR Funding Opportunity Announcement and the RAMAS-based PVA model requirement. Diana Herrera continues to work on: Program cost share updates, expenditure reports, water leasing obligations, and FY2012, FY2013, and FY2014 Program budgets. Chip Martin, Edward McCorkindale, and Lisa Freitas, GenQuest, and Christine Sanchez and Marta Wood, Tetra Tech, continue to assist the Program in the annual report preparation, and meeting support and summaries.

Habitat Restoration Workgroup

The HRW met on August 16 where SWCA provided an update on Sandia Pueblo monitoring. The workgroup also received an update on the River Mile (RM) 83 project from Tetra Tech and the last alternative was discussed. Further input and written approval from the workgroup will be discussed at a later date. Steve Harris from the Tamarisk Collation provided an update on the spread of the salt cedar leaf beetle which has now been found in the Rio Grande Valley and can be considered a risk to Southwestern willow flycatcher (flycatcher) habitat. Further monitoring of the flycatcher habitat was discussed. Gina Dello Russo discussed the interest of the ScW to work with HRW regarding the salt cedar leaf beetle. A possible meeting with the ScW was set up for September 20. Gina Dello Russo (Bosque del Apache National Wildlife Refuge) and Danielle Galloway (USACE) were officially voted in as the new HRW federal and federal co-chair elect co-chairs. Gina will serve in this role for a year and Danielle will take over as the federal co-chair when Gina's term is over. Rick Billings will continue to serve as the non-federal co-chair. Thank you Gina, Danielle and Rick for stepping up to cover these duties.

The next HRW meeting is September 20 at ISC where there will be several discussions including written approval of the RM83 proposed alternative and a discussion of the CC request from the August 3 CC meeting to modify the ScW activity to 'Better understand fish movement' to include research of silvery minnow movement below SADD and other division structures during the critical low flow summer months.

Science Workgroup

The ScW held a regularly scheduled meeting on August 16. The workgroup discussed the CC's request for the ScW to take the lead on the SADD fish passage peer review recommendation to synthesize results from the literature on the silvery minnow to document what factors have major detrimental effects on the species. The workgroup also discussed the status of the salt cedar leaf beetle in the MRG and were given an update on how the HRW plans to address it. At the conclusion of the meeting, a joint presentation was given to the ScW and HRW by the U.S. Geological Survey (USGS) on the mesohabitat mapping work that has been done in the Big Bend 10(j) reintroduction area. The next regularly scheduled ScW meeting will be held on September 20 at the ISC.

Monitoring Plan Team ad hoc Workgroup

The MPT last met on July 19. The workgroup is currently scheduling vegetation and geomorphology monitoring at habitat restoration sites in the Albuquerque and Isleta reaches during August and September of this year, as part of the low-intensity effectiveness monitoring pilot program. A final Statement of Work (SOW) has been developed for the high-intensity portion of the effectiveness monitoring program, with a focus on habitat food availability; it is anticipated that a contract will be awarded this fiscal year. The workgroup is also working on finalizing the 2010 effectiveness monitoring report.

Species Water Management Workgroup

On August 3, SWM members attended a site visit to the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) drinking water diversion, which included a description of system operations, identification of several components of the system, and discussion. The site visit also included the Alameda Bridge Gage and the Old Alameda Bridge.

The SWM workgroup is still in need of a non-federal co-chair.

The planned September 7 SWM meeting has been cancelled and the next SWM meeting is scheduled for October 5 to tentatively include a Middle Rio Grande Conservancy District (MRGCD) field trip.

San Acacia Reach ad hoc Workgroup

In place of the workgroup's regularly scheduled July meeting, SAR hosted a Floodplain Land Use Roundtable on July 28 from 12:30 to 3:30 pm at the Bureau of Land Management (BLM) office in Socorro. The roundtable provided an opportunity to receive initial perspectives on the topic from local stakeholders in the area, including County government officials, private landowners, realtors, floodplain managers, and non-profit organizations working in the reach. Several short presentations included a brief SAR ad hoc workgroup background and discussions involving basic species ecology, water management, flood risk management, river maintenance, and a USACE Floodplain Encroachment Study update. The SAR workgroup will use the notes from the meeting to include the perspectives and suggestions into the subject white paper, expected to be completed by the end of the year. The Floodplain Land Use Impacts Encroachment Study continues to be the workgroup's number 1 priority for Program funding.

The workgroup is in need of a non-federal co-chair.

The next regularly scheduled SAR meeting will be August 25 at Reclamation. Tentative agenda items include a review of the Floodplain Land Use roundtable discussion, Floodplain Land Use white paper development, and future funding for completing the land use impacts study.

Population Viability Analysis (PVA)/Biology ad hoc Workgroup

The PVA ad hoc workgroup last met on May 24. Topics of discussion included the March 29 EC meeting directives to the PVA workgroup, which included reaching a consensus data set, having discussions to compare and contrast the analysis conducted in each PVA model, and to reach a resolution regarding the incorporation of hydrology scenarios into the PVA models. The PVA ad hoc workgroup has finalized a letter to the PHVA ad hoc workgroup detailing the hydrologic data needs of the PVA models. Reclamation is currently working on getting a RAMAS-based modeling contract in place so that development of the RAMAS-based PVA can continue. To date, no future PVA or joint PVA/PHVA meetings have been scheduled.

Population Habitat Viability Assessment (PHVA)/Hydrology ad hoc Workgroup

The PHVA workgroup will schedule their next meeting as needed via email.

Database Management System ad hoc Workgroup

The DBMS (DBMS) workgroup did not meet in August and continues to coordinate the Pilot DBMS training for September. The dates are September 21 from 1:00 – 5:00 pm and September 27 from 8:00 am – 12:00 pm. There are several spots still available and registration closes August 22. If interested, please refer to Ali’s email to Program participants from June 24 for registration instructions.

Public Information and Outreach Workgroup

The PIO workgroup will be meeting on August 22. Members of the PIO workgroup will be hosting a booth at the Santa Ana Environmental Fair on August 27. PIO workgroup members from Reclamation, USACE, and ISC collaborated during the MRG Field Trip for Congressional staff members, from August 9 through August 12.

Eight workshops have been identified by PMT and workgroups for the Collaborative Program's 10th Anniversary Technical Workshop and Open House scheduled for Friday, October 21 from 9:00 am to 4:00 pm at the Rio Grande Nature Center State Park. The workshop sessions will be held in the new educational building on Friday and are intended for Collaborative Program workgroup members with an invitation also going out to the public. The Open House will be on Saturday, October 22 from 9:00 am to 3:00 pm and will be geared toward individual and family education about the Collaborative Program and endangered species in the MRG. A variety of booths will be set up, and habitat restoration tours will be offered.

DRAFT

RECLAMATION

Managing Water in the West

Middle Rio Grande Water Management Biological Assessment – Executive Committee Briefing

August 18, 2011



U.S. Department of the Interior
Bureau of Reclamation

Consultation Triggers

- **Current March 1, 2003 Biological Opinion Expiration**
- **Consideration of new information**
 - **Reduced supplies of Supplemental Water**
 - **Consideration of new Biology and a broader range of Hydrologic conditions**

Key Points

- **Resources to meet ES needs declining**
 - Reclamation funding 2001 – 2010 roughly \$145 million
 - Historic level of funding not anticipated due to current economic conditions
 - Current water supplies also declining
- **2003 BiOp flows hydrologically unsustainable – additional water and non water solutions needed**
- **Prescriptive 2003 BiOp flows detract from ability to consider broader range of mitigative options and adaptive management**

Description of Reclamation's Actions

- **Covers Reclamation's water management:**
 - Heron Dam Operations - San Juan-Chama Project (SJC Project)
 - El Vado Dam Operations - Middle Rio Grande Project (MRG Project)
- **Supplemental Water Program as conservation measure**

Description Non-Federal Actions

- **Federal Nexus through Collaborative Program Participation**
- **Water management activities**
 - Not covered by existing consultations such as:
 - Participants will formally agree to assist Reclamation with necessary remedies to avoid jeopardy and improve status of listed species

Description Non-Federal Actions

- **Specifically**
 - **MRGCD Diversions including those for the Six Middle Rio Grande Pueblos (Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia and Isleta)**
 - **State of New Mexico water-management actions**
 - **Additional Non-Federal actions may be identified**

Description of Reclamation's Actions

- **Not Included - Separate Consultation:**
 - MRG Project river maintenance program
 - Temporary Channel maintenance
 - Rio Grande Project Operations
- **No Impact**
 - San Luis Valley Project - Closed Basin and Conejos

Description Non-Federal Actions

- **Not Included – separate consultation - but covered in baseline:**
 - ABCWUA
 - Buckman
 - Bosque Del Apache Wildlife Refuge
 - Other

Environmental Baseline

- **Describes history leading to current condition**
- **Focused on current conditions**
- **Hydrology described since 2003**
- **Biology current status of species and habitat**

Hydrologic Effects Analysis

- **Water management actions compared to current conditions (2003 BiOp requirements) as a departure point**
- **Effects comparatively evaluated to determine relative impacts of individual actions**
- **Conservation measure evaluation showing estimated gap in meeting 2003 BiOp flows**

Reclamation's Action - Hydrologic & Biologic Effects

- **Heron Dam Operations - San Juan-Chama Project**
 - Enhances ability to achieve 2003 BiOp flow targets
 - Potential benefit to endangered species
- **El Vado Dam Operations - Middle Rio Grande Project**
 - Enhance ability to meet 2003 BiOp flow targets
 - Minimal impact due to storage of spring peak flows
 - Potential benefit to endangered species with decreasing summer drying

Reclamation's Action - Hydrologic & Biologic Effects

- **Supplemental Water Program - conservation measure**
 - **Estimated gap in ability to meet 2003 BiOp flow targets**
 - 29,000 af available annually 2003 – 2010
 - 13,000 af estimated available annually in next ten years
 - **Potential, although reduced, benefit to endangered species**

Non - Federal Actions - Hydrologic & Biologic Effects

- **MRGCD's Diversions**
 - Decrease in flow during irrigation season
 - Decrease in water for minnow habitat, including overbanking
 - Local increase in flows from returns at some locations can benefit endangered species
 - May adversely affect both species
- **State of NM Actions**
 - Hydrology not specifically addressed
 - Varying biologic effects from no effect to adverse

Conclusion - Effects Determination

- **Combined Federal/Non-Federal actions**
 - **May affect – likely to adversely affect Rio Grande Silvery Minnow and Southwestern Willow Flycatcher**
 - **Not likely to adversely affect - Pecos Sunflower**
 - **No Effect - Interior Least Tern**

Summary

- **Resources to meet ES needs declining**
 - Reclamation funding 2001 – 2010 roughly \$145 million
 - Historic level of funding not anticipated due to current economic conditions
 - Current water supplies also declining
- **2003 BiOp flows hydrologically unsustainable – additional water and non water solutions needed**
- **Prescriptive 2003 BiOp flows detract from ability to consider broader range of mitigative options and adaptive management**

Milestones/Schedule

- **August 18 - Reclamation BA to Collaborative Program**
- **September 16 - Final comments due to Reclamation**
- **October 14 - Final Reclamation BA to Service**

Reclamation's Path to Success

- Collaborative Program transition to Recovery Implementation Program (key element is FWS annual sufficient progress determination)
- Update Collaborative Program Long Term Plan
- Develop Adaptive Management Program w/ Collaborative Program

Reclamation's Path to Success

- **Build water management options and tools**
- **Apply information gained through implementation of 2003 BiOp to adjust initial conditions**