

Executive Committee Meeting

March 28, 2012

Meeting Materials:

Meeting Agenda

Meeting Minutes

Coordination Committee and Program Manager Update



**Middle Rio Grande Endangered Species
 Collaborative Program
 EXECUTIVE COMMITTEE
 MEETING AGENDA
 Wednesday, March 28, 2012
 9:00 am – 3:00 pm**

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

1. **INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA*** *5 minutes*
2. **APPROVAL OF FEBRUARY 16 MEETING SUMMARY & ACTION ITEMS*** *10 minutes*
3. **REPORT OUT ON FY2012 WORK PLAN* (CC Co-Chairs)** *20 minutes*
4. **BIOLOGICAL ASSESSMENT/RIP MILESTONES (J. Wilber)** *15 minutes*
5. **PRESENTATIONS FROM EXECUTIVE COMMITTEE RIP FOCUS GROUPS**
 - A. **Draft Cooperative Agreement (J. Bair/L. Robertson)** *15 minutes*
 - B. **Draft Program Document* (H. Brinegar/Y. McKenna/J. Faler)** *45 minutes*
 - i. **Issues Needing EC Decision/Direction**
- BREAK** *15 minutes*
- C. **Action Plan Development (R. Schmidt/J. Bair)** *45 minutes*
 - i. **Issues Needing EC Decision/Direction**
- WORKING LUNCH** *12:00 pm – 12:45 pm* *45 minutes*
6. **FACILITATED SESSION** – Goal is to resolve issues and make progress on establishing a RIP**
 - A. **Organizational Structure and Governance** *60 minutes*
 - i. **EC Membership**
 - ii. **RIP Management**
 - B. **Principles for ESA Compliance** *60 minutes*
 - i. **Sufficient Progress Determination**
 - ii. **Interim Metrics**
 - C. **Other**
7. **MEETING SUMMARY (R. Fullerton)**
8. **PUBLIC COMMENT**
9. **NEXT SCHEDULED EC MEETING – APRIL ____, 2012 @**

* *Denotes read ahead material provided for this topic*

** *Breakout rooms available*

Members

ABCWUA
 ISC
 NMDA
 Sandia Pueblo
 UNM

APA
 Isleta Pueblo
 NMGF
 Santa Ana Pueblo
 USACE

CABQ
 NMAGO
 MRGCD
 Santo Domingo Tribe
 USFWS
 Reclamation

Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
Wednesday, March 28, 2012
9:00 am – 4:00 pm

Actions

- Comments on the addition of data acquisition to the *Synthesis of Existing Rio Grande Silvery Minnow (RGSM) Literature/Data* activity should be sent to Jim Wilber, Rick Billings, or Yvette McKenna for use by the Coordination Committee by April 6th, 2012. EC members were advised to discuss the data acquisition with their Population Viability Assessment workgroup representative.
- Members of the EC are to be sure that the draft Cooperative Agreement for a Middle Rio Grande Recovery Implementation Program (RIP) is reviewed by their respective organizations.
- Guidance and comments for the RIP Program Document focus group regarding the development of peer review process and protocols can be sent to Yvette McKenna by April 9th, 2012.
- Any “red flag” issues on the draft RIP Action Plan should be sent to Rolf Schmidt-Peterson or Janet Bair by April 6th, 2012. General comments and edits will be accepted on a rolling basis until the Action Plan is completed.
- Jericho Lewis will be asked to research how the Platte River RIP (funded by Reclamation) is able to utilize a non-profit organization.

Decisions

- The Executive Committee (EC) was unable to come to consensus on approving the February 16th, 2012 meeting notes; approval of the notes was tabled for the next EC meeting.
- The EC agreed to abide by their current Program By-laws from this point forward.
- The EC was unable to come to a consensus on whether current EC members would automatically be members of the contemplated RIP; whether current EC members should be grandfathered in was tabled for the next EC meeting.
- The EC agreed to schedule an additional full-day EC meeting on April 13th, 2012 to address the outstanding Program Document Open Issues.
- The EC agreed to reschedule the April EC meeting to a full day on April 20th, 2012.

Guidance to Focus Groups

- The EC was able to agree on the following guidance to provide to the RIP Program Document and RIP Action Plan focus groups:
 - The Program Document should include coverage for the RGSM and Southwestern Willow Flycatcher and should include a process for adding other federally listed species if needed.
 - There should be place-holder language in the Program Document that would allow for collaboration with broader conservation initiatives or groups as needed.
 - The Service does not see a need for “recovery agreements” at this time as they may be redundant.
 - Deb Freeman, Jim Wilber, and a technical editor can assist Grace Haggerty with further revisions to the draft RIP Action Plan.
 - The RIP should use the same voting procedure that is in the current Program By-laws with exception to the percentage of EC representatives needed for quorum as this is still under consideration.
 - EC membership:

- Current signatories whose membership is removed (either by choice or for not meeting attendance requirements) that reapply to become signatories will be subject to the new EC member criteria (as described in the *Draft Middle Rio Grande Collaborative Recovery Implementation Program (RIP) Document – March 22, 2012*).
- Criteria for new signatories should couple “shall meet” criteria with “may meet” criteria.
- The RIP Program Director/Manager should have the following qualities and roles:
 - neutral
 - supports the goals of the RIP
 - is accountable to the EC
 - efficiency – a manager with an understanding of science
 - direct lines of authority
 - professional staffing
 - oversight of activities

Next Meeting: April 13th, 2012 from 9:00 AM to 4:00 PM at Bureau of Reclamation

- Tentative agenda items include: 1) Decision – Approval of February 16th, 2012 meeting notes (tabled on 3/28 due to lack of consensus); 2) Decision - Whether current EC members should be grandfathered in (tabled on 3/28 due to lack of consensus); 3) Provide guidance on outstanding Program Document Open Issues;
- Upcoming meetings:
 - EC meeting – April 20th, 2012 full-day meeting

Meeting Summary

Introductions and review of proposed agenda: The meeting was brought to order and introductions were made. The agenda was approved with no changes.

Approval of the February 16th, 2012 meeting summary:

- The Executive Committee (EC) was unable to reach consensus on approving the February 16th, 2012 meeting summary as there was disagreement as to whether or not the EC reached consensus on the decisions to cancel the Population Monitoring and Population Estimation Peer Review (Peer Review) discussion and to discontinue any further work on the draft report.
 - The U.S. Fish and Wildlife Service (Service) letter to Reclamation commenting on the draft peer review report and provided to the EC was discussed. The Service representative voiced that cancelling the Peer Review was not their preferred path forward and it is their opinion that the Peer Review discussion and report would have been more useful to the EC had they gone forward. It was proposed that the notes be revised to indicate that some members of the EC concluded that inadequate guidance was provided to the reviewers which resulted in a draft report that was unacceptable to some members of the EC and that the Bureau of Reclamation (Reclamation) decided to cancel the planned Peer Review discussion and recommend that further work on the draft report be discontinued. The Service agrees that there was an error in the peer review process but they do not agree with some of the comments made about the science used by the peer reviewers or the techniques used to gather information.

- There was objection to making the proposed changes to the decision item as it is not consistent with the decision making procedures used by the EC. EC members were given the opportunity to voice objections to cancelling the Peer Review and no objections were made during the meeting.
 - As part of the decision making process, EC members are asked if there are any objections to a decision. If there is an objection it is noted and it is recognized that there is not agreement. If there are no objections voiced then it is considered that the EC has come to consensus and a decision has been made.
 - The EC was unable to come to consensus on approving the February 16th, 2012 meeting notes; approval of the notes was tabled for the next EC meeting.
- Concern was expressed regarding “trust” issues between Program agencies. Comments on the draft Population Monitoring and Population Estimation Peer Review report were submitted/received after the deadline for submitting comments and after the decision was made to discontinue this Peer Review.
 - It was commented that the recent “trust issues” raises concerns with some agencies as to whether the Program can rely on the Service to do business with them. The Program needs certainty that the sufficient progress criteria and interim metrics will not be changed without the Program’s knowledge and official input and agreement to those changes.
 - It was countered that the Service has been straightforward on their position; those who have been engaged with the Service are aware of their use of the metrics. The Service has also had discussions with other scientists on the validity of the methods used in the Population Estimation and Population Monitoring. Additionally, the Service has met with the Interstate Stream Commission (ISC) and other agencies to discuss how to address the concerns with the methodologies.
 - It was pointed out that there are wider spread “trust issues” as all agencies had plenty of time to notify the Program Manager of any issues with the Population Monitoring and Population Estimation Peer Review but the only agency that indicated that there might be an issue was the Corps.
- Meeting attendees discussed a proposed suggestion that the EC invalidate the Peer Review report because the process used in this peer review was flawed and there is debate as to whether the scope of the project was followed. There was agreement that the process was flawed but there was disagreement as to whether the process was *fatally* flawed.
 - Though the process was flawed, some agencies believed that the report could be salvaged. The report is a draft and has some validity from a scientific perspective. The methods that were evaluated are used not only on the Rio Grande but in other areas of the southwest and are found to have validity and scientific merit. One proposed way to move forward is to have a workshop to discuss the methods used as part of the Population Monitoring/Population Estimation and work together to understand and develop a methodology that everyone is comfortable with.
 - As the EC does not have a formal peer review process there is no way to deem that the process was fatally flawed as there is no basis for comparison. The Coordination Committee (CC) has been trying since 2009 to finalize a peer review process, has gone through many rewrites and iterations, and has been unable to come to a consensus recommendation to bring to the EC.
 - Because it has been acknowledged that there were procedural missteps in the Peer Review the underlying science cannot be validated or invalidated by this

Peer Review. The Program needs to develop a robust and rigorous peer review process and strive for a report where there is agreement that there were no procedural issues.

- The Program cannot make the determination that the report is invalid because the process was not completed. There is the potential that a report produced by a refined peer review process will come to the same conclusion; in that case, how could the Program justify invalidating this report but not a report produced by a refined process?
 - The process is fatally flawed because the panel did not discuss the methods with anyone who has raised concerns about them. The issues with the methods have been raised and need to be addressed in order to move forward in the RIP.
 - The Peer Review wasn't completed under a rigorous scientific process and at minimum procedural errors caused for insufficient information to be delivered to the reviewers and this impacted their ability to deliver the product that the EC was looking for.
- Attendees discussed whether the EC could agree that the draft report would not be used in the future because of the procedural flaws.
 - The draft report is public record and cannot be removed from Service files. Because the draft report contains information that is of a scientific nature there is the potential for it to be used in the future.
 - The Service recognizes that there are disagreements on the outcome of the draft report. The report will be put into context if its information is utilized for other purposes and they will consider the dissenting view points on the meaning of the peer review report in any other analyses that may utilize the draft report.
 - The report should be labeled as "draft" as that has a specific legal meaning. As a draft, the report can't be used without some context or opportunity for comment.
 - Because the draft report is public record it is important for the Program to deem the report as invalid.
 - If there is the potential for the report to be used in the future then maybe the Program should move forward with the discussions with the peer reviewers. Some agencies had voiced that they believed there were flaws in the draft report as well as the process and they were prepared to raise those issues during the panel discussion.

Report out on Fiscal Year (FY) 2012 Work Plan: Reclamation funding has been finalized at \$2.089 million. The CC approved the FY 2012 Work Plan at \$2,089,290 with the exception of the *Continue Rio Grande Silvery Minnow (RGSM) Population Estimation, Monitor RGSM Genetics, and Synthesis of Existing RGSM Literature/Data* which are still under consideration and will be discussed further at the next CC meeting.

- Because the *Continue RGSM Population Estimation* and *Monitor RGSM Genetics* are getting close to their final year the CC would like to have them reviewed but would also like to avoid data gaps as the reviews are occurring. The CC is working with Jericho Lewis (Reclamation Contracting Officer) and the Science Work group (ScW) to determine the best way to continue to the projects as they are undergoing review.
- The CC is struggling with the EC direction to synthesize all Program data and has generally come to the conclusion that the scope of the *Synthesis of Existing RGSM Literature/Data* is too large. The CC will be discussing options to make the activity more manageable. The ScW was recognized for the effort that they have put into developing a plan to address the data synthesis.

- The EC was informed that the *Synthesis of Existing RGSM Literature/Data* activity has been modified to include acquisition of existing RGSM data that has been identified as a need by the Population Viability Analysis (PVA) work group. The data is proprietary to the contractor and Jericho has been working with the contractor to get information on the costs for acquiring the data sets. The CC would like feedback on whether there are any concerns on including data acquisition as it was not originally included as a part of the project. Comments on the addition of data acquisition to the *Synthesis of Existing Rio Grande Silvery Minnow (RGSM) Literature/Data* activity should be sent to Jim Wilber, Rick Billings, or Yvette McKenna for use by the Coordination Committee by April 6th, 2012. EC members were advised to discuss the data acquisition with their PVA work group representative.
- The Corps was thanked for supplementing funding to assist with moving projects forward this year.
- The EC was encouraged to spend some time focusing on the Program's priorities for the short and long-term. As budgets decrease the CC will need more guidance as to what projects the EC sees as priority and which can be modified.

Biological Assessment (BA)/RIP Milestones: Jim Wilber presented a timeline for BA/RIP milestones. *Please see EC handout for details.*

- Reclamation is planning on submitting a “final” draft BA to the Service by April 30th. In order for Reclamation to provide a meaningful draft to the Service as much of a decision as possible on becoming a RIP is needed at the April EC meeting. Though a decision is needed by April it's anticipated that there will be RIP details that still need to be resolved after April.
- Reclamation needs the RIP Program Document and Action Plan to be mostly complete by June for submittal to the Service in July. If the BA is submitted by the end of July there should be the opportunity for a comment period on the Biological Opinion (BO).
- It was emphasized that there is little wiggle room in the schedule in order to have a new BO by the end of February 2013.

Presentations from EC RIP focus groups:

- *Draft Cooperative Agreement* – Janet Bair and Rolf Schmidt-Peterson presented a draft Cooperative Agreement. It was noted that the draft document contains comments from the RIP focus groups; a solicitor has also provided comments but they are not included in this draft. It was explained that the Cooperative Agreement would establish the RIP and the signatories who sign on will be agreeing to the activities outlined in the Program Document and Action Plan. Members of the EC are to be sure that the draft Cooperative Agreement for a Middle Rio Grande (MRG) RIP is reviewed by their respective organizations. Though feedback on the entire document is appreciated EC members were asked to focus in particular on the goals of the RIP (how specific should the goals be to the primary goal as recovery?) and the “boilerplate” federal government language in the Terms and Conditions section. Once the details of the RIP documents are more complete entities can verify legal sufficiency and make sure that the documents meet all agencies' legal needs.
- *Draft Program Document* – Hilary Brinegar and Deb Hill presented Program Document Open Issues that the EC needs to address in order for development of the document to move forward. An explanation of each issue was given and the EC discussed the following issues:

- *Issue 1: Species covered by the RIP* – Attendees discussed which species will be included in the RIP and how to address the candidate species and species that may be listed in the future.
 - The consultation includes the Interior Least Tern (tern), Pecos Sunflower (sunflower), RGSM, and the Southwestern Willow Flycatcher (flycatcher).
 - One option is to include candidate and federally listed species in the RIP with emphasis on the RGSM and flycatcher.
 - The Service had initially advised that the consultation include all of the listed endangered species, including the candidate species. After discussions with other entities, the Service is now in agreement that the sunflower and the tern do not need to be included in the RIP at this time as there are no actions identified; the energy is needed for the RGSM and the flycatcher. The RIP can add other species later on if it decides to.
 - The EC was in agreement that the Program Document should include coverage for the RGSM and flycatcher and should include a process for adding other federally listed species if needed.
- *Issue 2: Should the RIP include an additional goal to coordinate with broader Middle Rio Grande (MRG) initiatives?* –
 - Attendees were reminded that the EC had previously discussed collaborating with the Secretary of the Interior’s Conservation Initiative Committee and had decided to focus on the consultation and possible RIP transition at this time. The Program would have a placeholder for collaboration with other initiatives and once the contemplated transition and the consultation are complete the Program can then decide how the Program will collaborate with the Conservation Initiative Committee.
 - The EC was in agreement that there should be place-holder language in the Program Document that would allow for collaboration with broader conservation initiatives or groups as needed.
 - It was commented that it would be helpful to list all the other initiatives in the MRG (i.e. Great Outdoor, Climate Change Strategy...) so that the EC is aware of their efforts and can utilize some of their documentation. Concern was expressed that responding to initiatives has taken priority over getting on-the-ground work completed.
- *Issue 5d: Principles for ESA Compliance: Agreements for the RIP and ESA coverage* -
 - Attendees discussed whether agreements in addition to the Cooperative Agreement (“water management agreements” or “recovery agreements”) will be needed.
 - Reclamation has discussed having entity-to-entity “water management agreements” as well as having a water management plan that all agencies would sign on to. The water management plan would identify all the tools and contributions available in the system.
 - In response to a question of whether there would be any instances where “recovery agreements” would be needed the Service explained that if there are specific water management agreements with specific actions in support of the RIP “recovery agreements” may be redundant.

- *Issue 6: Peer Review Process and Protocols –*
 - The Program Document focus group volunteered to address the peer review process as an appendix to the Program Document. The focus group has scheduled a meeting for April 10th to discuss a peer review process and will be looking at other RIPs for examples to tailor towards the MRG RIP. Guidance and comments for the RIP Program Document focus group regarding the development of the peer review process and protocols can be sent to Yvette McKenna by April 9th, 2012.
- *Action Plan Development –*
 - Rolf and Janet presented components of the draft RIP Action Plan. Not all of the components are ready for presentation as there are still outstanding issues that the focus group needs to discuss.
 - The general organization of the Action Plan that was presented at the March EC meeting has not changed.
 - The focus group is working on the major goals for the RGSM and flycatcher sections and the actions that will be applied within those goals.
 - The Action Plan also includes a summary of program-wide actions for water management, science, habitat restoration and maintenance, and adaptive management.
 - Any “red flag” issues on the draft RIP Action Plan should be sent to Rolf Schmidt-Peterson or Janet Bair by April 6th, 2012. General comments and edits will be accepted on a rolling basis until the Action Plan is completed.
 - The focus group anticipates that the Action Plan will not be finalized until July 2012. By April (when the EC had originally planned to reach a decision on becoming a RIP) there will be a completed framework of the Action Plan however it’s not believed that the document will be complete enough for the EC to use to make a decision on becoming a RIP.
 - Deb Freeman, Jim Wilber, and a technical editor can assist Grace Haggerty with further revisions to the draft RIP Action Plan.
 - Though assistance in technical editing and in integrating the Action Plan with the Program Document will be helpful in completing the Action Plan by the April deadline, many of the issues in the Action Plan are due to the parallel process being used to develop the Program Document and Action Plan. There needs to be a sequential aspect to developing the documents as the Program Document will inform some aspects of the Action Plan. Resolving many of the Program Document Open Issues will also provide guidance towards many of the issues that the Action Plan group is also struggling with.
 - The Action Plan focus group is also struggling with specificity when describing the actions in the Action Plan. The focus group is working on how to get from the current general plan to specific actions. The focus group was reminded that some of that specificity may reside in the draft Long Term Plan and encouraged to “cross-walk” their activities with those already identified by the workgroups. The specific actions will be tied to decisions on how the RIP will be structured.

Bryant Furlow (Science writer) was thanked for representing the public interest at the EC meeting.

Discuss and resolve Program Document Open Issues – Meeting attendees discussed several of the Program Document Open Issues.

- *Issue 1: Organization Structure and Governance Issues:*
 - *1h: EC Decision making –*
 - Meeting attendees discussed whether a supermajority ruling should be used in lieu of consensus as it can be difficult for the EC to reach consensus.
 - In creating the current Program By-laws, agencies had agreed to strive for consensus so that all agencies' voices would be heard and to ensure that an agency could not be forced by the majority to perform an action.
 - In attempting to reach consensus agencies participate in discussion that allows them to consider consequences they may not have previously thought of and to consider suggestions for alternatives.
 - In the current Program By-laws the EC first strives for consensus. If consensus is not reached the decision item is tabled for the next EC meeting. If consensus is not reached at the next meeting then a vote is called and a supermajority of 75% of those present and voting is needed to pass a decision. The supermajority is of members in attendance and not out of total membership. Decisions cannot be made without a quorum of 50% of total membership.
 - A representative from the San Juan RIP described the voting process used by that program: a quorum of 2/3rds of total membership is needed to make any decision. Votes are always in the affirmative; to accept an action or strategy. The San Juan RIP strives for consensus but does need to vote at times. If a vote is expected all materials pertaining to the decision are available 2 weeks prior to voting.
 - Attendees were in agreement that the current Program By-laws address many of the issues that make it difficult for the EC to make decisions (i.e. attendance, lack of consensus) and that the EC may just need to actually enforce the By-laws.
 - It was pointed out that some decisions are under a time constraint and there may not be time for tabling a decision for the next EC meeting.
 - Though the By-laws require for a decision item to be tabled for the next meeting if consensus is not reached, they do not preclude special meetings from being called when there are time constrained issues.
 - EC members were asked if there were any objections to following the current Program By-laws from now forward and for providing guidance to the focus groups that the voting procedures in the current By-laws be carried over to the RIP.
 - The EC agreed to abide by their current Program By-laws from this point forward.
 - The EC was in agreement that the RIP should use the same voting procedure that is in the current Program By-laws with the exception to the percentage of EC representatives needed for quorum.

- The quorum percentage would depend on EC membership and may need to be modified depending on the number of EC members in the RIP.
 - It was noted that the draft Program Document (page 23) describes 3 things that would require unanimous decision: 1) a change to provisions of the RIP, 2) changes in Section 6 (Principles for ESA Compliance) of the Program Document, and 3) the decision to add a new signatory.
- Attendees also discussed the importance of officially stating when a decision has been made as there are times when EC members are unsure whether a decision has been made.
 - It was suggested that an EC Co-Chair or the facilitator restate that the EC has reached consensus on a decision.
 - It was also asked that the Program By-laws be available for reference during meetings.
- *1a : Signatory criteria for EC membership –*
 - In response to a question of whether all of the San Juan RIP signatories were engaged in the formal consultation it was said that only the action agencies were involved in the formal consultation.
 - This is an acceptable example where there are agencies engaged in a RIP that were not engaged in the formal consultation.
 - Meeting attendees discussed the proposed requirement that an agency would need to meet all the proposed EC criteria in order to be a signatory to the RIP Cooperative Agreement. Concern was expressed that because only a small number of agencies would meet all the criteria the diversity of the RIP would be limited. There was also concern that the proposed RIP EC criteria would be so restrictive that many environmental non-governmental organizations (NGOs) would not meet the criteria.
 - As the Program is considering the criteria they should consider that having a collaboration of groups with diverse interests will promote public buy-in.
 - Part of the discussion on EC criteria is to address requests to streamline the Program to make it more efficient.
 - There have been discussions on having a smaller group of EC members as there is a perception that an EC of this size is too big and unwieldy. The EC should include agencies that represent the people who live in the MRG and have an interest in what happens here; though the EC may be inefficient, it has to be in order to represent all the interests. Having focused and clearly defined goals will help to make the Program more efficient.
 - The EC was in agreement that the criteria for new signatories should couple “shall meet” criteria (criteria that an agency must meet in order to become a signatory) with “may meet” criteria (criteria that is optional but will be considered).
 - EC members discussed grandfathering the existing EC members into the RIP (should they wish to participate) and having the EC membership criteria only apply to entities applying for new membership.

- Some EC members voiced hesitancy to revoke membership from agencies who have been active participants in the Program for many years because they are unable to meet the new criteria.
- Grandfathering in the current EC members will help balance the interests represented on the decision making body.
 - Does the EC presently have the balance that is needed to justify retaining all the current members? Though members have put time into the Program other factors need to be considered. The EC should be objective in how the RIP EC is formulated.
 - The current Program signatories all had to apply and describe how their entity met the current EC membership criteria; these documents should provide the basis as to why current EC members should be grandfathered into the RIP.
 - Will additional entities be needed in order to fully represent the interests in the MRG?
- The EC was unable to come to a consensus on whether current EC members would automatically be members of the RIP; whether current EC members should be grandfathered in was tabled for the next EC meeting.
- EC members were in agreement that current signatories whose membership is removed (either by choice or for not meeting attendance requirements) that reapply to become signatories will be subject to the new EC member criteria (as described in the *Draft Middle Rio Grande Collaborative Recovery Implementation Program (RIP) Document – March 22, 2012*).
- An attendee voiced that it is important for the Program Document to be consistent regarding membership. For example, if an agency is grandfathered in because they have an interest in the MRG then that should also be a reason that new members can be granted membership.
- 4b: *RIP Advisory Committee-*
 - Meeting attendees discussed whether there will be a need for an advisory committee; the original needs for the advisory committee were to accommodate for EC members who wouldn't meet the new EC criteria and to collaborate with other interests.
 - If RIP EC membership is robust then an advisory committee will not be needed for those purposes.
 - There was concern with the ability of an advisory committee to allow for a diverse group of entities to be heard through a single voice.
 - As there will be place-holder language in the Program Document that would allow for collaboration with broader conservation initiatives or groups as needed an advisory committee will not be needed for this purpose.
 - Another role of the advisory committee could be to accommodate for over-fill if RIP membership caps out. Currently the Program only allows for 20 signatories and additional agencies seeking membership would be added to a waiting list. An advisory group would give agencies that are

- waiting for membership the opportunity to participate on some level.
 - It was shared that in the Trinity River Restoration Program the stakeholders were a diverse group that was able to provide good guidance and recommendations to the governing body.
 - One option is to have language in the Program Document that would allow for an advisory group or other mechanism for coordination with other groups or initiatives with an interest consistent with RIP goals if needed. There is also the possibility for the need for short-term groups to be formed to address a specific issue.
- *4c: RIP Management-*
- The options for RIP management include a RIP led by a federal, a 3rd party, or a non-federal agency.
 - Though a non-federal agency managed model hasn't been discussed as much as other models there are good examples of Programs that are managed by non-federal agencies available and each program has tailored itself to fit its own peculiarities and eccentricities. The Utah Virgin River Program is a good example of a recovery program managed by a non-federal agency.
 - Meeting attendees discussed the qualities and roles that the RIP Program Director should have:
 - The Program Director should be directly accountable to the EC.
 - The Program Director should have the scientific expertise and management/leadership abilities to move the RIP forward while being accountable to the EC. The Program Director should understand the purpose of the RIP (recovery of the species) while considering other issues such as preserving culture in the valley and water management.
 - It was one opinion that the Program Director position should be administrative with the scientists working under the Program Director providing the science expertise.
 - It was another opinion that the Program Director would need to understand the science in order to manage the biological needs of the species in mind.
 - The Program Director of the San Juan RIP is a fresh water ecologist.
 - The Program Director should be neutral but support the RIP goals.
 - Efficient
 - Professional staffing
 - The RIP Manager must have oversight and control over activities important to the RIP.
 - The EC was cautioned that having separate lines of communication creates the potential for the loss of communication and coordination.
 - The EC was advised not to under estimate the importance of the Program Director position.

- Though the EC has discussed what values the Program Director should have, it was acknowledged that the EC still needs to discuss what entity will manage the RIP as this will be a key part of the decision to become a RIP.
- Meeting attendees also discussed who would hire the RIP Manager and who would evaluate the RIP Manager's performance.
 - In the Trinity River RIP, the governing body developed the RIP Director position description and conducted the interviews; however the RIP Manager was hired through Reclamation. Though the RIP Director reports to Reclamation it is clear that the Program Director is accountable to the EC.
 - In order to have accountability to the EC, the EC itself should hire the RIP Director and have the authority to fire the RIP Director; however, the EC would be unable to offer benefits to a Program Director.
 - In the Platte River RIP the Nebraska Community Foundation, a non-profit organization, is used as the vehicle to hire a Program Director. Under this type of model, the Program Director is accountable to the Platte River governing body.
 - Though the Program Director is hired through a non-profit organization there is still some inherent contracting line of authority that can be traced.
 - It was requested that Jericho Lewis research how the Platte River RIP (funded by Reclamation) is able to utilize a non-profit organization.
 - Cost efficiency will also need to be considered in any RIP management model that the EC considers.
 - Another potential mechanism is to hire a Program Manager through a disinterested federal agency (for example, USGS). This would eliminate bias while addressing the need to provide benefits.
 - Meeting attendees were reminded that in the past the Program had a Program Director (from the Service) and then the EC decided to remove the position; it is assumed that the EC had to have made some delegation for the removal of that position.

The EC agreed to schedule an additional full-day EC meeting for April 13th, 2012 to continue to address the Program Document Open Issues. In order to facilitate the completion of the RIP Action Plan it was suggested that the next meeting focus on scopes of coverage (particularly non-federal coverage), who will direct the RIP, and principles for ESA compliance (including sufficient progress metrics). The EC also agreed to reschedule the April EC meeting to a full-day meeting on April 20th, 2012.

The Service announced that they will be releasing a letter requesting additional information to be included as part of the consultation and considered during the preparation of the new BO. Information that has been submitted to the Service as part of the RGSM five-year review process and BAs provided by the Corps and Reclamation does not need to be resubmitted. Information should be provided to the Service by July 31, 2012.

**Executive Committee Meeting Attendees
March 28th, 2012, 9:00 am to 4:00 pm**

Attendees:

| <i>Representative</i> | <i>Organization</i> | <i>Seat</i> |
|---------------------------------------|--|------------------|
| Estévan López (P) federal co-chair | NM Interstate Stream Commission | ISC, Non- |
| Janet Bair (A) | U.S. Fish and Wildlife Service | Service |
| Steve Farris (P) | NM Attorney General's Office | NMAGO |
| David Gensler (A) | Middle Rio Grande Conservancy District | MRGCD |
| Matt Schmader (P) | City of Albuquerque | COA |
| LTC Jason Williams (P) | U.S. Army Corps of Engineers | USACE |
| Brent Rhees | U.S. Bureau of Reclamation | Federal co-chair |
| Mike Hamman (P) | U.S. Bureau of Reclamation | BOR |
| Janet Jarrett (P) | Assessment Payers of the MRGCD | APA of the MRGCD |
| Frank Chaves (P) | Pueblo of Sandia | Pueblo of Sandia |
| Hilary Brinegar (P) | NM Department of Agriculture | NMDA |
| John Stomp (P) | Albuquerque/Bernalillo County Water Utility Authority | ABCWUA |
| Matt Wunder (P) | NM Department of Game and Fish | NMDGF |

Others

| | |
|---------------------------|---------------------------------|
| Yvette McKenna – PM | U.S. Bureau of Reclamation |
| Jennifer Faler | U.S. Bureau of Reclamation |
| Ali Saenz | U.S. Bureau of Reclamation |
| Jim Wilber | U.S. Bureau of Reclamation |
| Ann Moore (A) | NM Attorney General's Office |
| Christopher Shaw | NM Interstate Stream Commission |
| Deb Freeman | NM Interstate Stream Commission |
| Rolf Schmidt-Peterson (A) | NM Interstate Stream Commission |
| Peter Wilkinson | NM Interstate Stream Commission |
| Kris Schafer (A) | U.S. Army Corps of Engineers |
| Susan Bittick | U.S. Army Corps of Engineers |
| Michelle Mann | U.S. Army Corps of Engineers |
| Beth Pitrolo | U.S. Army Corps of Engineers |
| William DeRagon | U.S. Army Corps of Engineers |
| Jennifer Bachus | U.S. Fish and Wildlife Service |
| Wally Murphy | U.S. Fish and Wildlife Service |
| Jim Brooks | U.S. Fish and Wildlife Service |
| Jason Remshardt | U.S. Fish and Wildlife Service |
| Lori Robertson | U.S. Fish and Wildlife Service |
| Gina Dello Russo | U.S. Fish and Wildlife Service |
| Mike Oetker | U.S. Fish and Wildlife Service |
| Stacey Kopitsch | U.S. Fish and Wildlife Service |
| Patrick Redmond | LRPA/MRGCD |
| Brooke Wyman (A) | MRGCD |
| Brian Gleadle (A) | NM Department of Game and Fish |
| Rick Billings (A) | ABCWUA |
| Bryant Furlow | Independent science writer |
| Christine Sanchez | Tetra Tech |
| Reese Fullerton | GenQuest |

**Coordination Committee and Program Manager Update
Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
March 28, 2012**

Coordination Committee

Program Management Team

Habitat Restoration Workgroup

The Habitat Restoration Workgroup (HRW) met on March 20th where the Co-Chair position was discussed. The 2012 SWFL Monitoring/Diohabda monitoring and mapping was discussed. Manipulating the San Acacia Reach GIS products to start reach review and evaluation was also discussed by the members. Furthermore, next steps for reach mapping including nominations for the next reach were discussed. As transition in the program structure progresses, HRW discussed the workgroups future and movements forward. A discussion on what a baseline report card for Program habitat restoration may look like was also held. An update on the RIP schedule and Document Status was provided as well as a Program update.

The next HRW meeting is currently scheduled for April 7th at Corps.

Science Workgroup

The Science Workgroup held a regularly scheduled meeting on March 20, 2012. A presentation on the Population Monitoring and Population Estimation Programs was provided by ASIR. The workgroup was also provided with an update from the March 6 Captive Propagation and Genetics meeting. A discussion on the continuation of genetic monitoring and the need for a new contract was also begun, however due to time constraints; another meeting time will need to be scheduled to continue the conversation. Jen Bachus (Service) and Alison Hutson (ISC) have completed their terms as co-chair and have stepped down from this role. No nominations for new co-chairs have been received. The next ScW meeting will be held on May 15 at the NMISC.

Monitoring Plan Team ad hoc Workgroup

The MPT held a regular meeting on March 20, 2012. The MPT has finalized the 2010 effectiveness monitoring report and will soon begin work on the 2011 report. Due to the low flow conditions seen last spring, limited fisheries monitoring data was collected from the habitat restoration sites sampled in 2011. The MPT will therefore be monitoring again during the 2012 runoff, in an attempt to compare an additional years worth of data to that collected in 2010. The next MPT meeting will be held April 17 at the NMISC.

Species Water Management Workgroup

The Species Water Management Workgroup (SWM) met on March 7th where update on Groundwater/Surface water Interaction Project was given. The workgroups charter was discussed and reviewed and several fieldtrips were also discussed. A program update was given discussing the MPT's desire for new members and updates on the DBMS.

The next SWM meeting is currently scheduled for May 2nd at BIA.

San Acacia Reach ad hoc Workgroup

The San Acacia Workgroup (SAR) met on January 26th where Co-Chair discussions took place. An evaluation of ability to accomplish SAR workgroup tasks was also discussed to address SAR workgroup completion and possible disbanding. To close out the workgroup, short summary paper on each of the white-paper topics will be written, the Flood Plain Encroachment project will be completed to the extent possible and a final report/presentation will be given to the CC/EC. The 2012 Work plan and interim steps were also discussed. A program update was given.

The next SAR meeting is tentatively scheduled for April 26th at BOR.

Population Viability Analysis (PVA)/Biology ad hoc Workgroup

The PVA ad hoc workgroup last met on December 12 and 13, 2011. The PVA habitat group, a subcommittee of the larger group, met during the morning of December 12 to discuss the use of habitat information in the PVA models. The entire PVA group then reconvened for their regular meeting, with agenda topics that included discussion of life history data needs for the PVA models, presentations on both the RAMAS and FORTRAN timelines for work product deliverables, the process for establishing a consensus data set, and a review of the hydrology data to be used. Both PVA modelers will be providing the PVA co-chairs with a list of their data needs and requirements necessary to have functional models the deadline of June 30, 2012. The workgroup has **requested time on the EC agenda in May** to discuss development of the models in relationship to the BAs and Biological Opinion(s), and to compare the similarities and differences between the models that could influence differences in output. The workgroup has also **requested that the EC provide a list of questions that they would like the modelers to address** during the May discussion. The next PVA meeting has not yet been scheduled.

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

The PHVA ad hoc workgroup will schedule their next meeting as needed via email. The workgroup sent the response letter to the PVA's August 2011 data request on December 7, 2011. Amy Louise, USACE, and Dagmar Llewellyn, BOR, are the newly appointed Federal Co-chairs. The workgroup plans to schedule a joint meeting with PVA to discuss the response letter after PVA has had an opportunity to review and discuss it.

Database Management System ad hoc Workgroup

The Data Base Management System Workgroup (DBMS) had a meeting on March 12th at the Corps where a DBMS update on progress and schedule for production DBMS training and user feedback was given. Next steps and the Data Synthesis were also discussed. Another joint meeting between DBMS, PMT, and PIO will occur on March 21st.

The next DBMS meeting is currently scheduled for April 9th at the Corps.

Public Information and Outreach Workgroup

The PIO workgroup continues to meet with PMT and DBMS regarding needs, training, and transition of the Program website to the database. PIO members continue to provide new releases pertaining to the Collaborative Program to Ali to be included in the MRGESCP website. PIO members are in the process of obtaining environmental/public events information for Program participation. Possible upcoming events include: (1) the Festival of the Cranes (Bosque Del Apache, November 2012); (2) NM State Fair (unmanned booth, September 2012); (3) Santa Ana and Sandia Environmental fairs (unknown dates); and (4) possible habitat restoration celebration event.