

Executive Committee Meeting  
*November 29, 2012*

Meeting Materials:

Meeting Agenda

Meeting Minutes

Coordination Committee and Program Manager Update

Recovery Implementation Plan Action Plan [presentation]



**Middle Rio Grande Endangered Species  
Collaborative Program  
EXECUTIVE COMMITTEE  
MEETING AGENDA  
Thursday, November 29, 2012  
9:00 am – 4:00 pm**

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

1. **INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA\*** *5 minutes*
2. **LOSS OF PROGRAM MEMBER, DR. DANIEL GOODMAN**
3. **AFFIRMATION OF NON-FEDERAL CO-CHAIR** *10 minutes*
4. ***DECISION* – APPROVAL OF SEPTEMBER 20 EC MEETING SUMMARY\*** *10 minutes*
5. ***DECISION* – APPROVAL OF OCTOBER 18 EC MEETING SUMMARY\*** *10 minutes*
6. **BOR UPDATE** (*M. Hamman*) *20 minutes*
  - A. **Water Management Planning Update** (*J. Mann*)
  - B. **BOR Supplement**
7. **USACE UPDATE** (*K. Schafer*) *30 minutes*
  - A. **Adaptive Management Scope Update** (*S. Bittick*)
  - B. **Cochiti Deviation Analysis Part II** (*M. Porter*)
8. **SERVICE UPDATE** (*M. Shaughnessy*) *30 minutes*
  - A. **Cooperative Agreement\*** (*L. Robertson*)
  - B. **Principles of ESA Consultation\*** (*L. Robertson*)
  - C. **Species Update** (*Fisheries*)
9. **MINNOW ACTION TEAM UPDATE** (*MRGCD, NMISC*) *10 minutes*
- BREAK** *15 minutes*
10. **CPUE DEMOGRAPHICS WORKSHOP UPDATE** (*R. Billings/J. Brooks/J. Davis*) *20 minutes*
  - A. **CC Concerns with Delays**
11. ***DECISION* – APPROVAL OF EXTENSION TO 2-YEAR INTERIM CRITERIA PERIOD TO CORRESPOND WITH CPUE WORKSHOP**
12. **CC/PM REPORT\*** (*R. Billings/Y. McKenna*) *20 minutes*
13. **BUDGET DISCUSSION** (*S. Farris/A. Moore*) *10 minutes*

*\*denotes read ahead*

**Members**

ABCWUA  
ISC  
NMDA  
Sandia Pueblo  
UNM

APA  
Isleta Pueblo  
NMGF  
Santa Ana Pueblo  
USACE

CABQ  
NMAGO  
MRGCD  
Santo Domingo Tribe  
USFWS  
Reclamation

LUNCH from 12:00-12:45 pm

45 minutes

**14. DRAFT COOPERATIVE AGREEMENT FOR FINANCIAL MANAGEMENT ENTITY\*** (Y. McKenna) 20 minutes

**15. PROGRAM DOCUMENT\* UPDATE** (D. Freeman/J. Faler/Y. McKenna) 30 minutes

**16. RIP ACTION PLAN\* UPDATE** (G. Haggerty/W. Murphy) 30 minutes

**17. QUESTION AND ANSWER SESSION ON REVISED DRAFT RIP PROGRAM DOCUMENT and ACTION PLAN** 30-45 minutes

**18. *DECISION* – APPROVAL OF RIP DOCUMENT SCHEDULE\*** 10 minutes

**19. PLATTE RIVER RIP ADAPTIVE MANAGEMENT PLAN - 2012 STATE OF THE PLATTE REPORT\*** 10 minutes

**20. MEETING SUMMARY**

**21. PUBLIC COMMENT**

**22. ANNOUNCEMENTS**

**23. *DECISION* - NEXT SCHEDULED EC MEETING December 20, 2012, 9:00 am – 12:00 pm**

**Middle Rio Grande Endangered Species Collaborative Program**  
**Executive Committee Meeting**  
**Thursday, November 29<sup>th</sup>, 2012**  
**9:00 am – 4:00 pm**

**Actions**

- Reclamation will post the Middle Rio Grande water management workshop report to the Program website. ✓
- The Service will make it a priority to fund and contract participants in order for the initial CPUE Demographics Workshop to be held at the end of March 2013.
- Steve Farris will convene a meeting of the 3<sup>rd</sup> party subcommittee once the draft Cooperative Agreement for Financial Management Entity and draft Scope of Work for the Executive Director are available. ✓
- The Program Document focus group and the RIP Action Plan focus group will review the draft RIP Cooperative Agreement and the Principles for ESA Consultation for consistency among the documents.
- Yvette McKenna will update the RIP Document Schedule based on today's discussions. ✓

**Decisions**

- The September 20<sup>th</sup>, 2012 EC meeting summary was approved with the following corrections (changes in italics):
  - Page 6, the first bullet under Spawning should be corrected to “*Numbers of silvery minnow are down substantially*. This means that the majority of minnow at Dexter facility...” that was made at the October 18<sup>th</sup> EC meeting
  - On page 7, the 3<sup>rd</sup> bullet from the bottom of the page was edited to “Some members *indicated* that under the Authorizing Legislation...”
  - On page 7, the 2<sup>nd</sup> bullet from the bottom of the page was edited to “The *Program Manager* explained that the 15% planning estimate...”
- The October 18<sup>th</sup>, 2012 EC meeting summary was approved with the following changes (changes in italics):
  - A correction to November 29<sup>th</sup> tentative agenda item 5 to “extend the Interim Metric *time period* due to the delay in the CPUE workshop.”
  - On page 2, under Reappointment of Federal Co-Chair section, the second bullet will be edited to “At this time, Rolf Schmidt-Peterson has been stepping into the role as needed. But since he is ISC’s alternate on the EC, it was suggested the EC consider *officially* appointing another non-federal EC member.”
  - A correction to the spelling of Mike Bitner’s name.
  - The sentence “Unfortunately, no one from ISC or the Service was able to attend.” will be removed from the Minnow Action Team Update.
  - The 4<sup>th</sup> bullet on page 4 was edited to “If the population numbers continued to remain “bleak”, additional surveys could be done in areas other than the 20 sites in order to help quantify the severity of the situation.”
  - The addition of the following text to provide detail to discussion that occurred during the Species Update (bottom of page 6):
    - “It was reported that it’s been two years in a row where we’ve had less than 500,000 acre feet measured at Otowi *annually*.
      - *There has been low snowmelt runoff both years and, correspondingly, reduced silvery minnow spawning success.*
        - *The two years are the types of consecutive dry years the State and Reclamation identified as critically dry. These*

*are years when upstream water management options become more limited.”*

- Reclamation reported that 52,000 acre feet of supplemental water have been used during this 2012 season.
- *The ISC reported that without water operations including MRGCD irrigation operations occurring this summer the river would have been even drier. Even if all MRG river diversion ceased, the natural flow would not have been enough to keep the river wet at Albuquerque.*
  - *A member asked if irrigation operations had resulted in more water in the river. The ISC responded “yes it had.”*
- Estevan López was reaffirmed as the non-federal EC Co-Chair and Rick Billings was named as the alternate non-federal EC Co-Chair.
- The RIP Schedule was not approved as presented and will be updated to reflect that the RIP documents will not be endorsed until 30 days after the Service’s minnow biology “white paper” has been shared with the EC.
- EC members agreed that the 2-year interim criteria period will start with the issuance of the new BO.

**Next Meeting: December 20<sup>th</sup>, 2012 from 9:00 AM to 11:00 AM at Bureau of Reclamation**

- Tentative agenda items include: (1) Options for dealing with expiration of 2003 BO; (2) discussion and resolution of comments received to date on the revised draft RIP Program Document, RIP Action Plan, RIP Cooperative Agreement, and Principles of ESA Consultation; (3) Platte River RIP Adaptive Management Plan – 2012 State of the Platte;
- Future Agenda Items: (1) Updated 10(j) population schedule and report out on FWS Regional Office approval to proceed; (2) Updates/continued discussion on the acquisition of past mesohabitat data; (3) SAR workgroup report out

**Upcoming Dates and Deadlines:**

- December 7<sup>th</sup> – comments on RIP documents, RIP Cooperative Agreement, and Principles for ESA Consultation are due to the RIP document focus groups and FWS
- December 10<sup>th</sup> - Minnow Action Team - Biology Meeting, USFWS 1:30 to 3:30 pm Fisheries Office
- December 20<sup>th</sup> – EC meeting
- end of March 2013 – CPUE workshop

## Meeting Summary

**Introductions and review agenda:** Brent Rhees brought the meeting to order and introductions were made. Rhea Graham was introduced as the new Special Projects Manager for Bureau of Reclamation (BOR). The agenda was rearranged slightly to accommodate the addition of a non-federal caucus.

**Loss of Program member, Dr. Daniel Goodman:** The EC Co-Chairs were saddened to report the loss of Dr. Daniel Goodman who died due to complications related to surgery.

- Subhas Shah read a memorial to Dr. Daniel Goodman developed by the Middle Rio Grande Conservancy District (MRGCD) and copies of the memorial were distributed to meeting attendees.
- It was shared that Mick Porter wrote a memorial on behalf of the Collaborative Program to contribute to a memorial book put together by Dr. Goodman’s colleagues.

- Others shared sincere condolences to Dr. Goodman’s friends and family. His participation in the Program was appreciated and he was remembered as having helped the Program to think harder and work more. His participation in the Program influenced everyone to be better at their job.
- Dr. Goodman was remembered as always being interested in learning more. He enjoyed talking about his adventures hunting and fishing and life in Montana.

**Decision – Approval of the September 20<sup>th</sup> EC meeting summary:** Meeting attendees reviewed the September 20<sup>th</sup> EC meeting summary. The September 20<sup>th</sup>, 2012 EC meeting summary was approved with the following corrections (changes in italics):

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      - *The two years are the types of consecutive dry years the State and Reclamation identified as critically dry. These are years when upstream water management options become more limited.*”
  - Reclamation reported that 52,000 acre feet of supplemental water have been used during this 2012 season.
  - *The ISC reported that without water operations including MRGCD irrigation operations occurring this summer the river would have been even drier. Even if all MRG river diversion ceased, the natural flow would not have been enough to keep the river wet at Albuquerque.*
    - *A member asked if irrigation operations had resulted in more water in the river. The ISC responded “yes it had.”*

**BOR Update:**

- *BOR Supplement* – Mike Hamman updated the EC that BOR is continuing to work on putting together the Biological Assessment (BA) package. Once the RIP documents are approved by the EC they will be incorporated into the BA. The package will also include a Water Management Plan and any other conservation measures from MRGCD and Interstate Stream Commission (ISC).
- *Water Management Planning Update:*
  - Josh Mann updated the EC on the water management planning workshop on October 29<sup>th</sup> and 30<sup>th</sup>. Representatives from ISC, MRGCD, and Albuquerque Bernalillo County Water Utility Authority (ABCWUA) participated in the workshop. ABCWUA was thanked for providing Mike Bitner's facilitation/technical services.
    - During the workshop participants brainstormed tools for water management that might benefit the listed species. Initially the group was able to come up with 36 potential tools; the brainstorming was done without filtering so that all ideas, without restriction, could be considered. The 36 potential tools were then evaluated based on effectiveness, cost, and likelihood of implementation – reducing the list to 15 – 18. The tools were then ranked from highest to lowest.
    - At the end of the workshop, a coordination team comprised of a few of the participants was formed to focus on turning the prioritized list into water management tools to put into a plan. The coordination team divided into two subteams, one to focus on the infrastructures related to projects and one to focus on reservoir operations and water acquisition tools. There will be a follow up workshop on December 11<sup>th</sup> to look at the draft Water Management Plan and begin discussions on the commitments in the plan. It was explained that the Water Management Plan is meant to provide additional comfort to the Service that the tools that will be developed are likely to be authorized (if necessary) and used. Reclamation will post the Middle Rio Grande water management workshop report to the Program website. The intent is to provide the draft Water Management Plan to the EC at the December 20<sup>th</sup> EC meeting.
  - Kris Schafer explained that the United States Army Corps of Engineers (USACE) declined to participate in the water management workshop because it was felt that the purpose of the workshop changed from an informal gathering of water managers to a formal workshop where there was the potential for commitments to be solicited. Given the uncertainty on whether or not USACE will receive their own Biological Opinion (BO), USACE felt that it would have been premature for them to attend a formal meeting to discuss commitments.
    - The need for having all water managers present when developing a Water Management Plan was emphasized.
    - Neither the U.S. Fish and Wildlife Service (Service) nor USACE had new information on whether there has been progress made in discussions between the Service and USACE regarding the issuance of a separate BO for USACE or a single comprehensive BO addressing MRG water management.

**USACE Update:**

- *Adaptive management Scope Update* –

- Susan Bittick updated the EC that the intention had been to issue the Adaptive Management Scope of Work (SOW) through an ID/IQ Task Order; however, because the proposal and government estimate were not close enough to allow for negotiation, the USACE contracting office released federal bid operations Sources Sought for the Adaptive Management SOW. The closing date for the Sources Sought is December 11<sup>th</sup>. USACE is anticipating a Solicitation Issuance on January 4<sup>th</sup>, 2013 and proposal due date of February 4<sup>th</sup>. It's anticipated that a contract will be awarded at the end of February.
  - In response to a question of where the definition of adaptive management included in the Sources Sought was obtained from, it was explained that the definition came from universal definitions of what adaptive management is considered to be. It was explained that there can be slightly different definitions of adaptive management depending on whether it's passive or active. Active adaptive management includes designing specific experiments to collect data for an analysis while passive adaptive management is the opportunistic use of data collected in other studies in an analysis.
  - USACE was thanked for funding the next step in adaptive management.
  - It was asked how the Collaborative Program would be involved with contracting or interacting with the contractor.
    - USACE plans to use the original Adaptive Management SOW that was vetted through the Program; however, since it will be a new contract and not a Task Order there will be slight changes. The TPEC will be made up of federal voting members; however, staff from non-federal agencies can be included in the TPEC. It's envisioned that the next phase of adaptive management will include two groups of people interacting with the contractors: a policy group made up of people who can make policy decisions and a technical group that would be made up of participants from the Science, Habitat Restoration, and Population Viability Analysis Workgroups.
- *Adaptive Management Recruitment Analysis Update:* Mick Porter continued the update on the Recruitment analysis to support the Cochiti Deviation.
  - Attendees were reminded that the purpose of the analysis is to evaluate spring runoff flows for silvery minnow recruitment (reproduction) through the Middle Rio Grande (MRG) Valley. The analysis began with a look at the correlations generated from the minnow data and flow data from 2002 to 2011 with the exception of 2009. A goal of the analysis is to determine which flow values have high recruitment or population measurements to help determine how to get more minnow with the small amount of water that is available. This is an exploratory data analysis to see how silvery minnow recruitment and the population respond to flow volume (cfs), duration (days), and inundation area (acres). For the purpose of the study, recruitment is defined as young fish sampled from May – July.
  - The analysis looked at how 29 different parameters (i.e. peak flow, post-peak flow, duration, mean flow, minimum flow, magnitude, and seasonal volume) affected recruitment and population trends.
  - Attendees viewed an example of the recruitment and population trend for 2005. It was noted that the 2005 example shows a particularly strong positive trend. Following reproduction there is a peak in the number of minnow in the river in mid-summer, then the population trajectory falls due to mortality. It was noted that there is a lot of noise and scatter with the individual data sites.



- The analysis looks at the slope and correlation of the recruitment and population trends with different flow variables. The analysis will also look at a new statistical idea called “leverage”. This idea says that there are particular points in the regression line that can skew the line up or down. For recruitment, the points that will increase the positive trend are points where more young of year minnow are appearing in samples towards the end of the 100 days. Because the purpose is to maximize the number of minnows recruited into the population in any one year the parameters of interest will be the ones that have a higher correlation with the slope of recruitment.
- The slope of the population trajectory is affected by the number of individuals in the first 3 months and the months after that. So any correlations with the samples that push the left “tail” of the population trajectory up are also of interest. Areas where there are lower slopes show that those conditions are not as good for minnows as the ones with higher slopes.
  - It was explained that the x-axis begins on May 1<sup>st</sup>, which is close to when spawning occurs. Spawning may be observed before May 1<sup>st</sup>; however, typically young of year are not observed until after May 1<sup>st</sup>.
  - *Question:* From a recruitment analysis standpoint, why not go from June to October or September?
    - *Response:* The analysis is focused on May – July because those months are sensitive to the occurrence of the young fish in the samples and mortality is a constant function even as the fish are getting large enough to be caught in the sampling. By the end of July the number of new fish that are being captured during sampling begins to decline due to mortality or the young of year are already beginning to occur out in the river. If the period is extended out for even 10 or 20 days, then the recruitment curve shifts down and looks like the population curve. But by focusing on May – July one can consistently get a positive trend. The biology of the sampling and reproduction has not been looked at in detail to try to determine why the shift to a negative curve occurs if the time period is extended.
- The purpose of the analysis is to help inform water managers on how to make the best use of deviation water. For example, if 20,000 acre-feet of water were stored in Cochiti there are multiple ways that the water could be released. The peak flow could be bumped by adding 2,000 cfs per day for 5 days, or flows could be increased by adding 1,000 cfs for 10 days. The purpose of the analysis is to try to determine which way would result in more minnow.
- An analysis of the individual parameters was completed to see which parameter had a better correlation with an increase in recruitment or population. The final answers were provided; however, it was noted that these numbers will likely shift as more information is received. There is the possibility for there to be one more deviation in 2013 which would provide additional data.
  - *Question:* How will habitat availability be incorporated?
    - *Response:* Those analyses have not yet been completed.
  - *Question:* Is the amount of available habitat correlated with some of the variables?

- *Response:* Yes. Each result will need to be explained biologically so that water managers can understand what they actually mean in terms of habitat for the minnow. That step will be coming in the next year or so.
- Three parameters that seem to be most important are the 30 day minimum, the 11 day mean, and the 7 day minimum flow. This shows that the opportunity for the fish to have more food for 3 or 4 days is important for increasing the population for the summer.
- Based on the analysis, the current recommendation is to stretch flows over a duration of 11 days.
  - The data is not at the point where it can be determined how the correlations are affecting the recruitment and population trajectories specifically; it could be either positive or negative.
  - *Question:* In the upcoming year, the natural runoff may not give us 2,000 cfs. If, for example, the natural runoff is 1,000 cfs, will the relationship still hold?
    - *Response:* Since there are no data points for flows that low, it's unknown if the relationship will still hold.
    - *Comment:* The correlation between flows and inundated habitat is likely key to answering questions about the relationship during low flows. Higher flows are considered better because it is assumed that there would be more overbanking, more habitat, and more food all associated with higher flows. However, if there is a restricted channel situation, increased flows may not be increasing inundated floodplain.
      - *Response:* The effects would be reach specific. In terms of increasing volume, there would probably not be as much of an increase in velocity as there would be an increase in depth. We don't have a good understanding of the amount of edge habitat that would be inundated and could provide nursery habitat.
    - It was clarified that no additional water would be added to the deviation; the deviation would just be used to reshape the hydrograph.
  - Additional field experiments and habitat restoration monitoring could provide more information on the possibility of minnow being trapped [in habitat] after a deviation. It has been observed from habitat restoration monitoring that adult minnow have strong responses to decreased flows and there is a strong behavior to move back into the channel. The young of year minnow also appear to have some behavioral mechanism that helps them move off the floodplain. Where there are pools minnow may be lost; however, the idea is to produce a lot of minnow to compensate for any that might get "stuck" in pools.
  - *Question:* Could you look at the shape of the descending limb of the hydrograph to see if there is any correlation with recruitment? If the rate of the declining hydrograph could be more controlled, would more fish be able to move out of the floodplain or pools?
    - *Response:* The data used in the analysis is not robust enough to be able to give that information. It would be a good field experiment.
    - The Rio Grande Nature Center has several inlets that pose the potential for minnow to be trapped after inundation when the

- water moves down and the inlets dry out. Adult minnow have never been found in the pools; however young of year carp and fat head minnow have been found trapped in the pools. The silvery minnow seems to be very adapted to deal with changing flows. It's likely that experimentation will provide more information than trying to tease the information out of the existing data.
- The Los Lunas Silvery Minnow Refugium was specifically designed to look at silvery minnow moving out of the overbank areas. Studies at the Refugium have shown that if there is a slow recession in flows, the minnow stay in the overbank but if there is a fast recession in flows the adult and larval fish will move out of the overbank.
- Mick is still currently working on the analyses and as new data becomes available he will rerun the program to see if there are any major shifts in the trends.
    - The USACE is also working with the Service to collect scales from the fish as part of habitat restoration monitoring in the spring to obtain age class data.
    - *Comment:* The data is partial log transformed and it is still getting scatter. That indicates we need to look at what types of process or refinements to monitoring or collection can be made to help water managers.
      - One potential step is the analysis of the data as it currently comes to us to get a better handle of how that data comes in. Looking at seine haul by seine haul data can help us look at those refinements.
      - *Question:* Are there improvements that could be made at certain locations as far as frequency?
        - *Response:* Yes.
      - Mick shared that he will be meeting with Alison Hutson to discuss possible ways to address some of the scatter.
  - Questions/Discussion
    - *Comment:* I understand that you are doing this analysis to put together a proposal for possible permanent deviation operations to the USACE O&M Manual, is that right?
      - *Response:* Deviation means that it is an exception to our normal operations. The analysis is put together so that after the final year of the deviation we can put together recommendations for the manual.
      - The analysis is meant to assess the five years of the deviation. Attendees were reminded that USACE does not currently have the authority to manipulate the hydrograph in the way that was presented in the presentation.
      - This is the last year of the 5 years of the Cochiti Deviation. In order to have a deviation this year, USACE would need to request consent from the Rio Grande Compact Commission.
        - It was shared that the Compact Commission meeting is on March 21<sup>st</sup>, 2013. It was suggested that the March EC meeting be moved back a week as the Compact Commission meeting coincides with the EC meeting.
    - *Question:* What's the likelihood of a potential extension of the deviation for the study?

- *Response:* An extension of the deviation is not likely because it is a temporary authority. If you want to extend a temporary authority why not show the need for it to be permanent? The process of making it permanent would include having someone be the proponent for another purpose for Cochiti Lake.
  - There have been 2 deviations in the last 4 years. In the context of science and getting more data to have a better idea of what happens might be something the Program wants to consider being a proponent of.
  - It was shared that if this were a discussion in other areas with RIPs the RIP would likely be a proponent that would take up the efforts.
- After a question on sample locations was asked, it was stated that most of the upstream sample sites (of the 20 sample sites) were located just downstream of Angostura Dam to River Mile 58. There are 5 sample sites in the Albuquerque Reach, 6 in Isleta, and 9 in the San Acacia Reach.
- *Question:* Has USACE considered looking at climate change or predictions for drought conditions in rethinking how storage should be managed in a series of drought years?
  - *Response:* USACE operates to minimize flood damage.
  - *Comment:* There can still be flooding even in drought years. In the future, USACE may need to change how it operates. There is still flood potential in the system in terms of nature.
    - *Response:* USACE is authorized to minimize flood damage and floods are defined as 7,000 cfs. USACE has done some cursory work on climate change and how it could impact their operations but there has not been formal guidance on how to incorporate that information into operations. The USACE authorities in the Rio Grande Basin are different than in other areas. When the dams in the Rio Grande Basin were constructed they had specific authorizations under public laws, largely because of the Rio Grande Compact. The USACE does not have the ability to change the authorizations except by deviation which has to be approved.

**Non-federal caucus:** All federal representatives and others left the meeting room as the non-federal representatives called a caucus.

### Service Update:

- *Cooperative Agreement-*
  - Attendees were reminded that the draft Cooperative Agreement was first provided to the Program last spring. At that time the document was open for review and comments were received from MRGCD, USACE, ABCWUA and the Solicitor's Office. The comments were addressed and incorporated to the extent possible.
  - The Cooperative Agreement is the document that agencies who want to join the RIP would sign in order to establish the RIP. The document basically discusses who is involved in the RIP, the endangered species that will be covered under the RIP, the RIP's purpose, and legal clauses. The document also describes that the RIP is defined by its documents and their appendices. The document is only meant to be signed once as there should be sufficient flexibility to change the RIP documents without having to change the Cooperative Agreement.
    - Attendees discussed that though it was initially planned for the Cooperative Agreement to be approved at the December 20<sup>th</sup> EC

- meeting, agencies cannot commit to signing the Cooperative Agreement without having the completed Program Document and Action Plan. These documents are very interdependent and the BO is highly dependent on the RIP documents. Attendees were in agreement that the Cooperative Agreement should be provided to the Program Document and Action Plan focus groups to ensure that the 3 documents are consistent. The documents should then also be reviewed through agencies' solicitors before a final review at the agency level.
- Initial feedback provided at the EC meeting was that the document is missing a template for having additional entities sign onto the Cooperative Agreement.
- *Principles of Endangered Species Act (ESA) Consultation* –
    - It was explained that the ESA Section 7 Guidelines do not change Section 7 regulations or the ESA but are meant to provide additional information to be helpful to the RIP. The guidelines are modeled after the San Juan RIP ESA guidelines but attempt to be specific to the Collaborative Program. The guidelines discuss that the BO provides ESA compliance for the actions proposed in the consultation. The guidelines also discuss the Service's annual sufficient progress assessment and what the Service will do to help facilitate achieving sufficient progress each year. They also discuss how the RIP could provide coverage of future actions; though the EC would decide who and what actions are covered under the RIP in the future. The ESA Section 7 Guidelines will be an appendix to the Program Document but cannot be finalized until the conclusion of the BO is known.
    - It was commented that the guidelines contain a fair amount of discussion about the current consultation process and what the Service will be doing in it. It was suggested that these discussions be reduced as the guidelines will not take effect until after the BO has been issued.
    - It was also commented that the process for developing sufficient progress metrics is not consistent with the agreement that the EC had that the sufficient progress metrics would be agreed upon by the EC.
      - It was explained that the process for developing the sufficient progress metrics was not included in the guidelines because ultimately it is the Service that is responsible for the metrics. The Service would also have the ability to veto metrics they do not agree with. If the Service is unable to veto metrics they do not agree with this would mean the Service is delegating their responsibility to conduct the evaluation.
      - Attendees were reminded that the EC had agreed that the use of CPUE and measurements for the minnow population were something that would need to be defined and agreed to by all parties. There was also the understanding that the sufficient progress metrics would be agreed upon.
        - This is true if the metrics are metrics that the Service can agree to; however, if the Service is not in agreement with a metric then the Service cannot allow it to be used.
        - There is language in the Program Document that describes that the 6 funding agencies have to have agreement for a vote to be affirmative.
        - There is also language in the Program Document that describes the approach that is being used to develop the metrics. Coordinating the guidelines with the RIP documents will help ensure that the documents are consistent.

- The Program Document focus group and the RIP Action Plan focus group will review the draft RIP Cooperative Agreement and the Principles for ESA Consultation for consistency among the documents.
- *Species Update* –
  - The Service has completed an internal review of the draft Rescue and Salvage report and the report will be distributed to BOR for review by the Science Workgroup.
  - 5,014 minnow were caught as part of rescue and salvage. Of the 5,014 minnow caught, 4,251 were transported and released to flowing areas in the same reaches where they were collected. The remaining Rio Grande silvery minnow were mortalities from collection/handling or attributed to take. It was noted that the Program was well below the allowed take limit for 2012.
    - Of the minnow rescued in the San Acacia Reach (SAR) almost 60% were marked as having been stocked in November of 2011. In Isleta, 3% of the rescued minnow were stocked fish; it's believed that there were more wild minnow in Isleta because wild minnow move down to Isleta from Albuquerque.
    - The "take home" message is that there are not a lot of Rio Grande silvery minnow in the river.
  - Approximately 274,500 Rio Grande silvery minnow were stocked in the Isleta and San Acacia reaches. These hatchery fish were from Dexter National Fish Hatchery (246,290), the Albuquerque BioPark (27,241), and the Los Lunas Silvery Minnow Refugium (1,046). The fish were marked with a color coded tag according to the reach that they were stocked into in order to track fish movement (Isleta=pink, San Acacia=yellow).
    - Albuquerque has not been stocked in the last 4 years in order to evaluate how well the species would do without stocking. The number of minnow in Albuquerque is declining but it is only slightly higher than in other areas of the system and this reach is likely to require stocking next year if the declining trend continues.
  - The October monitoring numbers are available on the Collaborative Program website. ASIR has finished the November sampling. In the Albuquerque Reach, monitoring crews caught a single wild unmarked minnow at Bernalillo and ASIR collected fewer than 10, primarily near Central Avenue. ISC crews in Los Lunas also caught 9 Rio Grande silvery minnow as part of a fatty acid study near the Central Avenue bridge.
    - It was noted that ASIR also collected Rio Grande silvery minnow in the SAR. All the fish were marked except for 1; however, it's believed that the unmarked fish had either lost its tag or was missed in the tagging process as it was the same size and age class as the fish that were recently stocked.
  - It was asked if there will ever be a large number of fish when conditions are as dry as they have been. Will this decline be something that we continue to see?
    - The answer to this question was not known. The minnow need a good water year. There can be significant recruitment and spawning without overbanking but that only happens in certain areas. Spawning needs to occur in and throughout upstream reaches in the system to minimizedownstream transport and loss to the system of eggs and larvae. It can generally be assumed that if there is not a lot of water in the system, there will not be a lot of fish.

- 120,000 fish were stocked in Big Bend at four localities. Marked fish and eggs have been caught during monitoring in Big Bend in previous years.
- In response to a question of whether fish stocked in lower reaches have been found in higher reaches it was answered that stocked fish move around within a reach. If fish are collected from a location where there weren't fish before it can be assumed that the fish had to come from both up- and downstream. The PIT tag study shows that most fish travel downstream and a small number travel upstream. The PIT tag study showed that marked fish used the fish passage channel and moved both up- and downstream past the reader.
  - It was shared that PIT tag readers used during the ABCWUA Drinking Water Study showed that fish do travel both upstream and downstream.
  - Upstream and downstream movement is also observed at the Los Lunas Silvery Minnow Refugium.
  - In a Collaborative Program study that was performed several years ago, it was found that the minnow is capable of swimming 100 miles in 24 hours. Though this wouldn't be wise considering the amount of energy that would be expended for that amount of travel, Rio Grande silvery minnow are capable of moving large distances in a short period of time.
  - It was asked if the movement upstream was tied to drying or any particular condition.
    - Like any other fish, Rio Grande silvery minnow can sense changes in flow and water quality, including increasing temperature and pH and declining dissolved oxygen that are associated with drying. The fish attempt to move with the declining flow to better habitat (including water quality) conditions. It's also a typical phenomenon for fish to follow drying water upstream and "stack up" against diversion structures.

**Minnow Action Team Update:**

- David Gensler reported that the Minnow Action Team has had 3 meetings; ISC and MRGCD have emerged as leaders of the Action Team. The Action Team has had lengthy discussions on low fall and winter flows and low CPUE numbers. The team has also discussed concerns about the shallow ground water system in the Isleta and San Acacia Reaches and whether pumping would be required in November or December. The team agreed that though water would be lean, pumping wouldn't be needed. The Action Team agreed that it was premature to discuss plans for ensuring good spawning flows in the spring. Meetings focused on operations for the spring are planned to begin on January 16<sup>th</sup>. The Action Team also discussed enhancing monitoring and sampling and making habitat enhancements. The ISC Rio Rancho Project is planned to be on-the-ground in time for spring spawning conditions.
  - In response to a question of where the water that is moving through the system is from it was answered that P&P (Prior and Paramount) water and a small amount of native flow is moving through the system.

**Affirmation of Non-Federal Co-Chair:** Estevan López reported that during the non-federal caucus there was full agreement among the non-federal agencies for Estevan to continue as non-federal EC Co-Chair and there was full agreement for Rick Billings to be named as the alternate non-federal EC Co-Chair. Thus, Estevan López was reaffirmed as the non-federal EC Co-Chair and Rick Billings was named as the alternate non-federal EC Co-Chair. Rick Billings will participate in pre-EC meetings and agenda planning.

**Approval of RIP Document Schedule:** Yvette McKenna led EC members through the RIP Document Schedule that was provided as a read ahead.

- The Program Document, Action Plan, and the Cooperative Agreement were all posted for review on November 21<sup>st</sup>. The current plan is to have EC endorsement of the Program Document, RIP Action Plan, Water Management Plan, Cooperative Agreement, and MRG Section 7 Guidelines for Consultation by December 20<sup>th</sup>, 2012. Other documents associated with the RIP (such as the Bylaws, RIP organization chart, and LTP narrative) still need leads and due dates and will be worked on after the major documents have been endorsed; however, these documents will be needed before the Program can fully transitioned to a RIP. March 2013 is the proposed time frame for the CPUE Workshop.
  - It was commented that the lead agency for the Water Management Plan elements for inclusion in the RIP should be BOR and not ISC.
- Attendees discussed that endorsing the Program Document, RIP Action Plan, and Cooperative Agreement on December 20<sup>th</sup> was premised on receipt of a draft BO. The draft BO was going to be used to develop and finalize some of the RIP documents. The non-federal agencies voiced that they were not ready to agree to endorsing the documents on December 20<sup>th</sup> without having the opportunity to see the draft BO and consult with the Service on how these documents would all come together.
  - It was pointed out that the documents would need to be more complete before they undergo legal review. Because legal review of documents is costly, it's important to have the documents be as final as possible before legal counsel can review and thus before policy makers can endorse.
  - Because of setbacks in the BA process, RIP document process, and the internal discussion process on the minnow biology needs, the Service and the Collaborative Program are behind in the schedule for having a draft BO available that could inform the RIP documents. The Service has come to a consensus on the minnow biology needs portion and is having preliminary discussions with the action agencies on the biology from a water perspective. After input from the action agencies is incorporated, the Service will release a minnow biology "white paper" to the agencies covered under the consultation. The minnow biology "white paper" should provide the EC with the information that is needed to complete the RIP documents and give EC members the information needed to understand what they are committing by signing onto the RIP.
    - The "white paper" should be ready to be released to the agencies covered under the consultation by the end of January. Once the "white paper" is available it will be reviewed in conjunction with the RIP documents to make sure that the documents are consistent. The RIP documents will then be endorsed 30 days after the minnow biology "white paper" has been shared with the EC. Attendees were reminded that BOR committed to sharing draft BO information with the EC.
    - Attendees discussed that since the "white paper" is not expected to be available until January and the RIP documents will be endorsed 30 days after that, it's likely that the expiration date for the 2003 BO will pass before a new BO is issued as BOR's BA is contingent on what the EC decides regarding the RIP documents.
      - There are several options that the action agencies can take in dealing with the expiration of the 2003 BO. Action agencies and the Service will present these options at the December 20<sup>th</sup> EC meeting.
- The RIP Schedule was not approved as presented and will be updated to reflect that the RIP documents will not be endorsed until 30 days after the Service's minnow biology



“white paper” has been shared with the EC. Yvette McKenna will update the RIP Document Schedule based on today’s discussions.

**CPUE Demographics Workshop Update:**

- It was shared that the Service has committed to providing \$15,000 in funding towards the CPUE demographics workshop and BOR is still committed to providing travel for the outside experts and facilitation for the meeting. The planners are in the process of regrouping planning after the loss of Dr. Goodman; however the workshop is still planned to happen in March 2013 with contracts coming into place at the end of January 2013. The workshop planners will report back to the EC in January regarding contracting.
  - Concern was voiced that the \$15,000 and transportation/facilitation funding currently committed may not be enough to cover the estimated/projected cost of the workshop.

**Decision – Approval of extension to 2-year interim criteria period to correspond with CPUE Workshop:**

- Attendees were reminded that at last month’s EC meeting concern was voiced that the EC would only have 2 years to develop and reach consensus on an interim metric for the population monitoring and it had been asked that the time period to develop the metric begin after the CPUE Workshop occurred so that the EC would have two years from the date of the workshop to develop the metrics.
  - The EC had previously agreed that CPUE would not be used for the sufficient progress metrics and that the interim sufficient progress metrics period would not begin until the BO had been issued.
    - The original plan had been for the CPUE Workshop to occur 6 months before the issuance of the BO. Because the CPUE Workshop had been pushed back to March there will no longer be a 6 month “head start” in developing the metrics; however, it was pointed out that the due dates for aspects of the BO have also been pushed back.
  - Several EC members agreed to having the 2-year interim criteria period begin with the issuance of a BO as that is a fixed point.
    - Concern was voiced that this may not allow enough time for the EC to come to a consensus agreement on the appropriate use of CPUE and the sufficient progress metrics. However, the EC agreed that having the interim period begin with issuance of the BO would help the EC hold themselves to the March time period for having the CPUE Workshop and strive toward answers.
- EC members agreed that the 2-year interim criteria period will start with the issuance of the new BO.

**Coordination Committee (CC)/Program Management (PM) Report:**

- CC - Rick Billings updated the EC that the CC approved the FY2013 budget at \$1.8 M. The budget hasn’t changed very much from what has been previously presented to the EC.
  - The CC raised concern regarding recent difficulty in reaching a quorum. Currently reaching quorum at the CC level means that 8 of the 16 Program signatories must be in attendance at a meeting in order to make decisions; however, because some agencies do not have regular CC members there are times when it is difficult to reach a quorum. Because the inability to reach a quorum has the potential to impact decisions regarding the budget or other CC

responsibilities, the CC may be redefining a quorum if participation from additional agencies is not received.

- It was pointed out that because the Program is redefining the structure as part of the transition to a RIP this may not be an issue in the future; however, reaching a quorum is still a concern in the interim.
- *Program Management Team (PMT)* – Attendees were notified that while Stacey Kopitsch is on leave for the next 3 months the PMT will be operating on only 3 members. During her leave, Yvette and Ali will be covering the meetings normally attended by Stacey. It was also reported that there have been several joint workgroup meetings where information on the estrogenic biomarker study, a sediment study, and climate change have been presented.
- *Monitoring Plan Team (MPT)* – The MPT will be compiling 2 years of low intensity monitoring data in the near future. The monitoring effort was a success and a great example of Program members forming an in-house group to perform monitoring when a contract was not able to be issued.
- *San Acacia Reach (SAR) workgroup* – The SAR workgroup will be ready to present the findings in their white papers at the January 2013 EC meeting. The SAR work group was an ad hoc workgroup and has no additional meetings planned unless they are directed otherwise.
- *Database Management System (DBMS)* – The DBMS is now live. Program members are encouraged to use the DBMS and try to “break” it in order to find glitches. If a Program member has not received a password/log in for the DBMS they should contact Yvette McKenna. While Program members transition to the use of the DBMS, a mirror of the current Program website will be maintained until the Program is ready to fully transition to the DBMS.

#### **Budget Discussion:**

- Ann Moore presented an overview of costs and funding requests from reports from 2007 – 2011 for the Collaborative Program and the Rio Grande Project, as well as funding allotments for program management of the Collaborative Program. All of the reports are public documents that can be found online.
  - One of the concerns in transitioning to a RIP is that the Program will be taking on a large amount of additional responsibility while only having control over a small amount of funding. Under the current legislative authorizations the Program does not contribute input regarding the amount of funding that they receive.
  - In looking at financial reports for the Program for previous years it was found that the cost to manage the Program has also been around \$1,000,000 and over \$2,000,000 when BOR internal management costs are considered. Concern was voiced that the break down for all the costs for management is not completely transparent which makes it difficult to determine exactly how much it costs to manage the Collaborative Program and which of those costs are absolutely necessary.
  - It was noted that the amount of funding appropriated for Program Management, Assessment, and Outreach from 2007 to 2011 does not correlate with the size of the Program in regard to funding. Costs in 2010 and 2011 increased slightly from 2009; this is likely due to costs associated with BA/BO development.
  - The take away points from the presentation were: 1) only a small amount of funding is requested that the EC has decision making authority over; 2) from 2007 to 2013 the amount of funding that is subject to the EC’s decision making authority has decreased significantly; 3) funds requested/approved for 2013 Collaborative Program activities, net of non-federal contribution, do not even cover spending required under the 2003 BO for silvery minnow propagation

- facilities; and 4) in regard to management costs, the Program doesn't know the details of how that funding is spent and previous appropriations show that even without BOR's costs to develop the new BA and the line item designated as technical support, the amount appropriated for management costs is approximately \$1,200,000.
- It was pointed out that though the Middle Rio Grande Project seems to be getting the same amount of funding every year the amount appropriated to the Program is less and less each year.
    - A BOR representative explained that there are 5 different categories of funding in the Rio Grande Project. From 2007 – 2009 the total amount of funding spent on management for the Collaborative Program was included in the line item but after 2009 the decision was made internally that the amount spent on program management was segregated out of the line item. Part of the high internal BOR costs are used for water acquisition as that is a large component of BOR's responsibilities.
      - It was also explained that funding requests are constrained so there is a cap on the amount of funding that can be requested for the Collaborative Program, and these budgets are prepared three years ahead of time
      - In FY13, there were reductions to the MRG Project as a whole but the reductions were absorbed primarily by the Collaborative Program due to the amount of work that the MRG Project as a whole has to accomplish.
  - Concern was voiced that one of the main reasons in the reduction in the amount of funding requested for the Collaborative Program was cited as the delay in the fish passage project. This makes it seem that if the Collaborative Program is not going to fund fish passage then they will not receive funding.
    - Once the 3<sup>rd</sup> party management is in place and BOR has an understanding of what their responsibilities are for water acquisition there will be the opportunity for some funding adjustments; however, during the transition, the lowest funding years in recent times will be coupled with the highest costs as the Program is dealing with the BA/BO and trying to get the RIP in place. In future years more funding for the Collaborative Program should be received.
  - There was concern that the responsibilities being taken on with the RIP are not sustainable on the current amount of funding.
  - An attendee voiced that non-federal agencies discuss funding when they meet with their legislative representatives and that the legislators are under the understanding that all the funding is contributed to the Program and they are unaware that it is being utilized for other purposes.
    - BOR has a large responsibility to continue to meet the BO flow requirements and they are responsible for acquiring the water for that purpose. One option to possibly increase the amount of funding received is for the Collaborative Program to get authorizations separate from the Middle Rio Grande Project. The Upper Colorado RIP has its own appropriations.
      - The Collaborative Program is funded under BOR's allocation for the entire MRG Project and the Collaborative Program's funding is dependent on how funding is appropriated for the entire project.

- If the Program were to get its own appropriations it would compete for funding with the MRG Project and other projects in the BOR Upper Colorado Region.
  - Currently the MRG Project has been identified as a priority project; however, the Collaborative Program has not necessarily been identified as a priority project which is why it does not receive a lot of funding. In the 2015 budget requests, which are due shortly, the Collaborative Program has been identified as a high priority; this should give the Collaborative Program a boost when competing with other priorities within Reclamation.
- In the information provided to the 3<sup>rd</sup> Party management subcommittee the average cost of program management was around \$850,000 a year.
- according to the financial data provided it costs nearly \$2,000,000 to manage the Program. Once the transition is completed will BOR continue to provide the additional funds?
  - Mike Hamman verified that some of the funds would be put into 3<sup>rd</sup> party management though it's not known how much. The efficiencies in moving to a 3<sup>rd</sup> party managed RIP and completing the BO process should result in reduced management costs. The biggest component that funding is currently funneled into is water acquisitions to provide resources to meet the flow requirements under the 2003 BO. BOR has had discussion about having shared funding and water responsibilities with agencies getting coverage under the BO. Relieving some of the responsibility from BOR could free up funds to help restore some of the funding that the Collaborative Program has lost over the years.

#### **Update on status of Draft Cooperative Agreement for Financial Management Entity:**

- Yvette shared that the draft cooperative agreement for the financial management entity and draft SOW for the Executive Director's duties for FY13 are almost completed. It was recommended that the documents be reviewed by the 3<sup>rd</sup> party management subcommittee. The EC agreed that the documents should be reviewed by the 3<sup>rd</sup> party management subcommittee before they are reviewed by the EC. Steve Farris will convene a meeting of the 3<sup>rd</sup> party subcommittee once the draft Cooperative Agreement for Financial Management Entity and draft Scope of Work for the Executive Director are available.

#### **Program Document Update:**

- Deb Freeman led attendees through a walkthrough of the Program Document. The Program Document is a complete draft; though there are appendices that have not been generated. The majority of the sections in the Program Document have not changed much from previous drafts of the document but the following sections were flagged as having new information or changes that should be reviewed:
  - Pages 12 – 13 should be reviewed carefully as there is new information. The changes clarify that there may be additional entities that come to the RIP that are not on the EC. Clarifications include that new entities may sign the Cooperative Agreement and rely on the RIP for ESA compliance but they may not necessarily have a seat on the EC. The section has also been revised to include edits from the 3<sup>rd</sup> party management subcommittee. The Program Management focus group is proposing that the write up on the financial management entity be included in the Program Document as an appendix.
  - Descriptions of the Executive Director, Science Coordinator, adaptive management team, focus team, and action team that the 3<sup>rd</sup> party management

subcommittee reported to the EC at the last EC meeting were incorporated on pages 14 and 15.

- On page 19 there is new language on the water management planning efforts.
- In the Principles for ESA compliance section there is new language that addresses the “point of departure issue” describing the status of the measures under the 2003 BO and how the Action Plan has sought to address the underlying considerations for those measures and how things will progress in the future.
- It was suggested that information on what participation in a RIP would mean to people signing on in regard to resources, personnel, funding, water, and land be included somewhere in the RIP documents. Focus group members voiced that the Action Plan might be a more appropriate place to include information on commitments and associated costs.

**RIP Action Plan Update:** Due to time constraints the presentation that outlines the RIP Action Plan was not presented at today’s meeting and will be posted to the Program website.

Due to time constraints the remainder of the agenda items were tabled for the December 20<sup>th</sup> EC meeting.

**Executive Committee Meeting Attendees  
November 29<sup>th</sup>, 2012, 9:00 am to 4:00 pm**

Attendees:

<i>Representative</i>	<i>Organization</i>	<i>Seat</i>
Brent Rhees	U.S. Bureau of Reclamation	Federal co-chair
Estevan López (P)	NM Interstate Stream Commission	ISC – Non-Federal Co-Chair
Michelle Shaughnessy (P)	U.S. Fish and Wildlife Service	Service
Steve Farris (P)	NM Attorney General’s Office	NMAGO
Subhas Shah (P)	Middle Rio Grande Conservancy District	MRGCD
Mike Hamman (P)	U.S. Bureau of Reclamation	BOR
Janet Jarratt (P)	Assessment Payers of the MRGCD	APA of the MRGCD
Rick Billings (A)	Albuquerque/Bernalillo County Water Utility Authority	ABCWUA
Kris Schafer (A)	U.S. Army Corps of Engineers	USACE
Ken Cunningham (A)	NM Department of Game and Fish	NMDGF
Frank Chaves (P)	Pueblo of Sandia	Sandia
Matt Schmader (P)	City of Albuquerque	COA
Alan Hatch (P)	Pueblo of Santa Ana	Santa Ana
Eveli Abeyta (P)	Santo Domingo Tribe	Santo Domingo

*Others*

Yvette McKenna (PM)	U.S. Bureau of Reclamation
Ali Saenz	U.S. Bureau of Reclamation
Jennifer Faler	U.S. Bureau of Reclamation
Josh Mann	U.S. Bureau of Reclamation
Mary Carlson	U.S. Bureau of Reclamation
Leann Towne	U.S. Bureau of Reclamation
Rhea Graham	U.S. Bureau of Reclamation
Chris Shaw	NM Interstate Stream Commission
Grace Haggerty	NM Interstate Stream Commission

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Deb Freeman	NM Interstate Stream Commission
Rolf Schmidt-Peterson	NM Interstate Stream Commission
Ann Moore (A)	NM Attorney General's Office
Susan Bittick	U.S. Army Corps of Engineers
Julie Alcon	U.S. Army Corps of Engineers
Michelle Mann	U.S. Army Corps of Engineers
Mick Porter	U.S. Army Corps of Engineers
Ryan Gronewold	U.S. Army Corps of Engineers
Beth Pitrolo	U.S. Army Corps of Engineers
Stacey Kopitsch	U.S. Fish and Wildlife Service
Janet Bair (A)	U.S. Fish and Wildlife Service
Lori Robertson	U.S. Fish and Wildlife Service
Jim Brooks	U.S. Fish and Wildlife Service
Mike Oetker	U.S. Fish and Wildlife Service
Jen Bachus	U.S. Fish and Wildlife Service
David Gensler	MRGCD
Patrick Redmond	for MRGCD
Herman Quintana	Santo Domingo Tribe
Patricia Dominguez	Congressman Heinrich's Office
Zack Fuller	SMA
Kyle S. Harwood	BDD Project Board
John Fleck	Albuquerque Journal
Mark Lawler	University of New Mexico (student)
Christine Sanchez	Tetra Tech (Note Taker)

**Coordination Committee and Program Manager Update  
Middle Rio Grande Endangered Species Collaborative Program  
Executive Committee Meeting  
November 29, 2012**

**Coordination Committee**

Co-Chairs: Rick Billings and Jim Wilber

September 5 Meeting

The CC discussed the actions and decisions from the August 23 Executive Committee (EC) meeting. Susan Bittick will ask the U.S. Army Corps of Engineers (Corps) for assistance with Mike Hamman's EC action item to form a group made up of participants in the Water Management Group to look at non-water options for sustaining minnow to the next spawn. Susan will also send updated funding amounts for the Corps funded projects to Yvette McKenna to update the FY2013 Work Plan to reflect their estimated \$2.4M budget. The CC discussed the impact of the Middle Rio Grande (MRG) Biological Opinion (BO) efforts on other Program projects requiring Endangered Species Act (ESA) compliance. Jim Wilber will ask Hector Garcia if there are any other Program projects (besides the ISC Rio Rancho project) that may be affected because of the staff resource requirements of the MRG BO efforts to help determine if a schedule update on the smaller projects should be requested on the next EC meeting agenda.

October 3 Meeting

The CC discussed the progress of the Action Plan focus group and requested that anyone who wants to be included in the meetings should contact Grace Haggerty. The Action Plan group is planning to have standing meetings on Thursdays from 1:30 to 3:30 pm (tentative) until all the elements of the plan have been completed. The revised draft FY2013 Work Plan was sent to CC members. The CC reviewed and recommended funding for \$2,030,000 in activities.

November 7 Meeting

The CC agreed that cost share reports through FY2011 (September 30, 2011) and previous years are due to Yvette McKenna by November 21<sup>st</sup>, 2012. Lori Robertson will look into the possibility of the Service providing correspondence on its observations of the consultation process to date; this would be in place of the issuance of a partial draft BO to the action agencies which won't occur on November 16<sup>th</sup> since formal consultation has not yet been initiated. Jim Wilber and Rick Billings will elevate the CC's concern with trying to get the CPUE workshop moving forward and completed sooner rather than later to the EC at the November 29<sup>th</sup> meeting.

As a quorum was not present for the entire meeting, Yvette McKenna emailed a revised draft FY13 work plan to the CC members for approval/decision via email. The CC reviewed some additional cost estimate changes and recommended funding for \$1,890,000 in activities in FY2013. A quorum for the CC has been interpreted to be the same as that for the EC meetings (50% of 16 signatories), thus 8 or more participants need to be present for decisions. With the recent departure of Hilary Brinegar from the CC and less than full participation by EC entities, a quorum will be redefined by the CC so that decisions can be made in a timely manner.

The next CC meeting will be on December 12<sup>th</sup> from 1:00 to 2:30 pm at Reclamation.

**Program Management Team**

The PMT is understaffed by two positions (the non-federal and the Reclamation PMT members). The PMT continues to support the Program and keep the workgroups updated on the status of the contemplated transition of the Collaborative Program to a Recovery Implementation Program (RIP). Stacey Kopitsch will be on maternity leave from November 29, 2012 to March 25, 2013.

## FY2010 and FY2011 Biennial Program Report

The PMT has begun work on the FY2010 and FY2011 biennial Program report which will include information on Corps funds and activities. GenQuest personnel began meeting with Reclamation staff and Contracting Officer's Representatives (CORs) the week of November 26.

Jericho Lewis, Contract Supervisor for the Contracts South Team, continues to assist with Albuquerque Area Office and Collaborative Program acquisitions and financial assistance agreements. Diana Herrera continues to work on: Program cost share updates, expenditure reports, water leasing obligations, and FY2013, FY2014 and FY2015 Program budgets. Chip Martin, Edward McCorkindale, Reese Fullerton, and Lisa Freitas, GenQuest, and Christine Sanchez and Marta Wood, Tetra Tech, continue to assist the Program with meeting support and summaries.

### **Habitat Restoration Workgroup**

Co-chairs: Rick Billings, Gina Dello Russo and Danielle Galloway; PMT Liaison: Michelle Mann

The Habitat Restoration Workgroup (HRW) met on September 18<sup>th</sup>. Workgroup members attended a joint Science Workgroup (ScW)/HRW presentation regarding rapid assessment tools for habitat evaluation. After the joint workgroup meeting, workgroup members discussed the next steps for the rapid assessment tool for evaluating habitat. Updates on RIP/3<sup>rd</sup> party management and the draft RIP documents were given. Also, noticeable tree mortality in the Bosque was discussed and workgroup members were asked to remain aware of issue.

The HRW met on October 16<sup>th</sup> and workgroup members listened to a joint ScW/HRW workgroup presentation by Darrell Eidson (Corps) regarding Corps Collaborative Program Rio Grande Sediment Studies. After the joint workgroup presentation, during regular HRW business, an update was given on the State Land Office (SLO) and AMAFCA's future discussion of possible changes and enhancements to the SLO's grant for habitat restoration in connection with the new refuge at Price's Dairy. The descriptions of rapid assessment tools and decision support system (DSS) for the Action Plan were discussed. Further development of rapid assessment tools, habitat and subreach evaluations were discussed as well as possible next steps and timeline.

The HRW met on November 13<sup>th</sup> and workgroup members attended a joint ScW/HRW workgroup presentation by Ariane Pinson (Corps) regarding 21st Century Trends in Observed Temperature and Precipitation in the Rio Grande Basin above Elephant Butte Dam. After the joint workgroup presentation, regular HRW business was discussed. An update was given on the Salt Cedar Biocontrol Symposium by Kristin Madden. A report out on the reach mapping and rapid assessment tools presentation to the CC was given and a presentation to the EC was discussed. "Dry run" evaluations using the reach mapping and rapid assessment tools occurred as well as discussion to further develop the tools and evaluations. A Program update was handed out.

The next HRW meeting is currently scheduled for December 10<sup>th</sup> from 12:30-3:00 pm at the Corps.

### **Science Workgroup**

Co-chairs: Dana Price and Alison Hutson; PMT Liaison: Stacey Kopitsch

The ScW held a regularly scheduled meeting on September 18<sup>th</sup>. This meeting included a presentation from ASIR on the Rio Grande silvery minnow (RGSM) spawning periodicity work that has been conducted since 1999. The 3 main objectives of this work are to determine the annual timing, duration, and magnitude of silvery minnow reproduction, to assess differences among sampling years, and to examine the relationships between key variables (such as discharge, temperature, and spawning magnitude). Other more recent objectives of this work include to determine the potential association between spawning magnitude and catch-per-unit effort (CPUE), and to collect data that will aid in the understanding of egg transport within and between the 3 reaches of the MRG (not yet explored). Some conclusions resulting from this work are that: over the period of record, analysis of reproductive output revealed a significant difference among mean values of annual egg catch rate; July and October CPUE



values in the San Acacia Reach (SAR) yielded non-significant relationships with the spring spawning magnitude; there is a highly significant relationship between egg catch rate and the percentage increase in mean daily discharge 2 days prior to egg collection; and years with elevated and extended spring runoff conditions appear to create the favorable habitat conditions required for the successful recruitment of early life stages.

Also presented at the September 18 ScW meeting were the lessons learned from the New Mexico Interstate Stream (ISC) Los Lunas Refugium's RGSM spawning study. There was no successful spawn in the first year of the study (2011), which is most likely due to the timing of the study. The second year (2012) did have a successful spawning event. No silvery minnow eggs were caught in egg collectors, however larval fish were found in non-overbank areas (including 2 ponds). Turbidity was not a requirement for spawning to occur and the larval fish moved with the water when it was brought down after flooding. It is not known how many young of year are currently in the refugium, but they are growing well and were 59 mm long as of the end of July. Due to time constraints at the September meeting, a separate ScW meeting was held on October 2 in order for the workgroup to discuss and provide comments on the RIP documents. These were submitted to the RIP Action Plan Team and RIP Program Document Team by the October 9<sup>th</sup> deadline.

The ScW and HRW also held a joint workgroup meeting on September 18<sup>th</sup> during which time the HRW presented information on the MPT's low intensity monitoring and the rapid assessment tool developed by the HRW. The goals of the joint meeting were to discuss how to merge ScW and HRW work, to identify what products would be useful to the rapid assessment tools, and where to go next in the absence of the Program having a system-wide monitoring plan.

The ScW held a regularly scheduled meeting on October 16<sup>th</sup>. This meeting started off with a presentation from Kevin Buhl (U.S. Geological Survey) on the evaluation of whole-body vitellogenin as an estrogenic biomarker in RGSM, which included a laboratory study to evaluate the potential use of vitellogenin as a biomarker, and a presentation on the subsequent field studies to assess toxicity and estrogenicity of effluents from selected wastewater treatment plants to the RGSM. The objectives of the lab study included characterizing the responses of juvenile silvery minnows exposed to known estrogenic compounds, and evaluating the suitability of whole-body vitellogenin as a biomarker of exposure to estrogenic compounds. The main objective of the field study was to determine the subchronic toxicity and estrogenicity of effluents on RGSM from 3 wastewater treatment plants that discharge into the MRG. Results of these studies indicated that exposure to EE2 (an estrogenic compound found in oral contraceptives) in the laboratory induced vitellogenin synthesis in silvery minnows, and whole-body vitellogenin in silvery minnows exposed to effluents in the field were not significantly different from the controls, but lower than the minnow exposed to EE2. Also discussed during the October 16 ScW meeting was the new Scope of Work (SOW) for RGSM population monitoring, and the approval of the project justification/priority template to identify future Collaborative Program activities.

A joint ScW/HRW presentation was also provided by Darrell Eidson (Corps), describing two sediment studies that were performed in advance of numerical modeling. The first study involved mainstem preliminary data collection and the second was a study on tributary sediment supply. Both of these studies are contributing input parameters for future numerical modeling.

The ScW held a regularly scheduled meeting on November 13<sup>th</sup> which included review of the 2012 workgroup accomplishments and 2013 work plan. In reviewing the 2013 work plan, a discussion took place on what SOWs would need to be developed/reviewed by the workgroup for FY13, and it was requested that more clarification be provided by Reclamation regarding this, along with the current status of other ScW related projects. Mick Porter of the Corps then provided the workgroup with a presentation on his adaptive management recruitment analysis work, which was the same presentation provided to the EC at their October 18<sup>th</sup> meeting. The purpose of this analysis is to evaluate spring runoff flows for RGSM recruitment in the MRG, and is focused on recruitment trends of juvenile fish sampled in May, June, and July.

A joint ScW/HRW presentation was also provided by Ariane Pinson (Corps) on "21<sup>st</sup> Century Trends in Observed Temperature and Precipitation in the Rio Grande Basin Above Elephant Butte Dam." Conclusions of this work have shown that warming is in line with climate change models that rely on higher greenhouse gas emission scenarios, that warming is accelerating, and that this warming is leading to a global change in drought type from precipitation driven to evaporation driven.

### **Species Water Management Workgroup**

Co-chair: Chris Banet; PMT Liaison: Michelle Mann

The Species Water Management (SWM) workgroup met on October 10<sup>th</sup> at the Valle de Oro National Wildlife Refuge (NWR) formerly known as Price's Dairy. During this meeting, SWM was given a tour of the Price's Dairy property. Land history, acquisition, and possible future restoration were discussed. Future Collaborative Program participation in the restoration activities was also discussed. A one-page description and analysis recommendation on the possible effects of the nearby Albuquerque Bernalillo County Water Utility Authority (ABCWUA) drinking water project diversions on river flow (resulting from the deep pylons) will be drafted for discussion. The next SWM meeting is currently scheduled for February 6<sup>th</sup> at the Bureau of Indian Affairs (BIA).

### **Monitoring Plan Team ad hoc Workgroup**

Co-Chair: Ondrea Hummel; PMT Liaison: Stacey Kopitsch

The Monitoring Plan Team (MPT) has not held a regular meeting since March 20, 2012, however, members of the workgroup recently conducted vegetation and geomorphology sampling for the low-intensity effectiveness monitoring pilot program. Sampling was conducted at 20 randomly selected habitat restoration sites in the Albuquerque and Isleta Reaches. Workgroup members are also currently drafting the annual report from the 2011 monitoring effort, which may be combined with the report for the 2012 monitoring effort. It is anticipated that this should be available for Program review in the spring of 2013.

### **San Acacia Reach ad hoc Workgroup**

Co-chairs: Yasmeen Najmi and Gina Dello Russo; PMT Liaison: Michelle Mann

The SAR workgroup met on September 27<sup>th</sup> where meeting attendees discussed the coordination of workgroup review of the draft RIP documents. Meeting attendees reviewed and edited the Agricultural Sustainability draft white paper and discussed next steps for the other draft white papers. A final presentation of the white papers will be given to the EC at a future date.

The SAR workgroup met on October 24<sup>th</sup> where meeting attendees continued to work on revising the draft whitepapers and executive summary. A schedule was drafted to finalize the draft whitepapers and prepare a presentation to the EC in December. An update was given on the Floodplain Encroachment project and ground truthing. No SAR workgroup meeting was scheduled for November or December as all action items could be completed through email correspondence.

### **Population Viability Analysis (PVA)/Biology ad hoc Workgroup**

Co-chairs: Dave Gensler and Dave Campbell; PMT Liaison: Stacey Kopitsch

On August 16<sup>th</sup> and 17<sup>th</sup>, RAMAS and FORTRAN model training was provided to interested Program participants. The agenda for August 16 was open to all Program participants and included presentations on both models. Hands-on training took place on August 17 and was geared towards Program participants intending to work directly with the models and included primary and alternate participants from the U.S. Fish and Wildlife Service, New Mexico Department of Game and Fish, Corps, Reclamation, NMISC, Middle Rio Grande Conservancy District, and the City of Albuquerque. Reclamation recently received several licenses for the RAMAS software, which are being distributed to interested Program signatories.

On September 27<sup>th</sup>, Phil Miller submitted his final report on "A RAMAS-Based Population Viability Model for the Rio Grande Silvery Minnow (*Hybognathus amarus*)" in fulfillment of his contract requirement and on October 26<sup>th</sup> sent a letter to the PVA co-chairs informing them of the decision to terminate his activity within the PVA workgroup.

On November 15, 2012, the Collaborative Program received tragic news regarding the death of Dr. Dan Goodman, the PVA workgroup's FORTRAN modeler.

The next PVA workgroup meeting has not yet been scheduled.

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

Co-chairs: Amy Louise and Dagmar Llewellyn; PMT Liaison: Stacey Kopitsch

Amy Louise, Corps, and Dagmar Llewellyn, Reclamation, are the Federal Co-chairs for the PHVA ad hoc workgroup. On June 11, 2012 the workgroup was requested by the PVA workgroup to provide 5 150-year sequences from the Climate Impact Assessment General Circulation Model (GCM) model for both no action and proposed action hydrology scenarios.

PHVA will schedule their next meeting as needed via email.

### **Database Management System ad hoc Workgroup**

Co-chairs: Liz Zeiler and Mark Doles; PMT Liaison: Michelle Mann

The Data Base Management System Workgroup (DBMS) held three successful training sessions at the Corps on August 28<sup>th</sup>, August 29<sup>th</sup>, and September 5<sup>th</sup>. Thirty-two Collaborative Program members attended to better learn how to navigate and use system features. All bugs identified throughout the training sessions have been corrected. Collaborative Program members who attended the training have received their username and password by email. The production version of the MRGESCP DBMS is live with modifications made since the training. Modifications will continue as new issues are identified during the Program testing phase, over the next 30 days.

The next DBMS meeting will be held jointly with the PMT and Public Information and Outreach (PIO) workgroup on December 6<sup>th</sup> at Reclamation.

### **Public Information and Outreach Workgroup**

Co-chairs: Julie Maas and Mary Carlson; PMT Liaison: Ali Saenz

The PIO workgroup finalized and approved several meeting summaries; these will be uploaded onto the website by Tetra Tech. PIO members continue to provide new releases pertaining to the Collaborative Program to Ali to be included in the MRGESCP website.

The workgroup planned the next PIO workgroup meeting for December 6<sup>th</sup> to discuss the possibility of a draft press release for the RIP transition when/if the EC endorses the documents on December 20<sup>th</sup>. This will be a joint meeting with the PMT and the DBMS workgroups at Reclamation.

## Website Updates

Document Title/Description	Date Received	Location posted
2006-2011 PVA Dataset- RGSM_Estimation	9/7/2012	Committees & Work Groups » PVA - Population Viability Analysis » Work Group Documents » Data Sets
Fish Community Monitoring & Sampling Methodology Evaluation: method comparison database	10/5/2012	Committees & Work Groups » PVA - Population Viability Analysis » Work Group Documents » Data Sets
Fish Community Monitoring & Sampling Methodology Evaluation: Task 1-4 and method comparison database	10/5/2012	Committees & Work Groups » ScW - Science Work Group » Projects
BOR annual report - Genetic monitoring of the RGSM: Genetic status of wild and captive stocks in 2012	10/1/2012	Committees & Work Groups » ScW - Science Work Group » Projects>>BOR Annual Report
2012 Spawning Periodicity Report FINAL	10/17/2012	Committees & Work Groups » ScW - Science Work Group » Projects
2012 RGSM Eggs data_USBR	10/17/2012	Committees & Work Groups » PVA - Population Viability Analysis » Work Group Documents » Data Sets

# RIP Action Plan

## Middle Rio Grande Collaborative Recovery Implementation Program

Presentation to Executive Committee  
November 29, 2012



# Action Plan Organization

## ■ Part I: Introduction

- Need for Action Plan
- Formulation of Elements, Activities, and Tasks
- Tools and Strategies
- Drought Management and Other Extreme Contingencies
- Adaptive Management

# Action Plan Organization

- Part II: Elements, Actions and Tasks
  - Rio Grande Silvery Minnow Elements
  - Southwestern Willow Flycatcher Elements
  - RIP Management Element
  - Priorities, Responsible Parties, Dates of Performance
  - Time Schedule
  - Estimated Costs
- Part III: Sufficient Progress Determination
- References
- Appendix A: Action Plan Tables
- Appendix B: Source Documents for Commitments

# Action Plan Basis

- The emphasis is on-the-ground activities that integrate water, species, and habitat needs to achieve direct beneficial results for the species.
- Research and monitoring will be used to inform actions and tasks.
- Uses adaptive management principles, scientific investigation, and hypothesis testing to reduce uncertainties.
- Programmatic plans that address both species are included as tasks in RIP Management.



# Recent Accomplishments

- AP team has completed elements, actions, and tasks for EC review for Rio Grande Silvery Minnow (pending resolution of minor issues).
- Draft elements, actions, and tasks for Southwestern Willow Flycatcher have been developed and are under review by the AP team.
- AP team has completed the RIP Management Element and associated actions and tasks.
- AP team has compared Action Plan with 2003 BO RPA elements and RPMs to assure that major elements are addressed.

# Recent Accomplishments continued

- Agency conservation measures from BAs have been cross-referenced with associated tasks to demonstrate commitments and responsibilities proposed by the agencies. (Full text provided as Appendix B.)
- Tools have been added to link existing and potential resources to the proposed tasks.
- Development of schedules and estimated costs for each task has been assigned to AP team members.
- A Drought Management Plan has been added as a task. This plan will provide alternative actions and tasks in case of prolonged or severe drought or emergency.

# Outstanding Issues for Discussion

- There is disagreement on the “point of departure from 2003 BO” - Program Document team will be addressing.
- It is unclear whether the action plan elements, actions, and tasks are sufficient for FWS’s agreement to the RIP.
- Action plan lacks some of the commitments needed to implement the actions and tasks. Further progress on gaining commitments is unlikely until consultation begins on the BO.

# Outstanding Issues for Discussion continued

- Action Team is developing a proposal of sufficient progress metrics for review by the EC.
- While the Action Plan describes the development of demographic criteria for use as sufficient progress (Part III and Action 1.4.1), this critical issue requires EC acknowledgement.