

Executive Committee Meeting
September 18, 2014

Meeting Materials:

Meeting Agenda

Meeting Minutes



**Middle Rio Grande Endangered Species
Collaborative Program
EXECUTIVE COMMITTEE
MEETING AGENDA**

**Thursday, September 18, 2014
9:00am – 12:00pm**

**Location: BIA, 1001 Indian School Rd., Albuquerque, NM
Building I, Room 133**

- | | |
|--|-------------------|
| 1. INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA* | <i>10 minutes</i> |
| 2. <i>DECISION</i> – APPROVAL OF JULY 17, 2014 EC MEETING SUMMARY* | <i>10 minutes</i> |
| 3. AGENCY FISCAL AND POLICY PLANNING UPDATES | <i>60 minutes</i> |
| A. US Army Corps of Engineers (<i>S. Bittick</i>) | |
| B. Bureau of Reclamation (<i>M. Hamman</i>) | |
| C. US Fish and Wildlife Service (<i>M. Shaughnessy</i>) | |
| D. Non-Federal update (<i>TBD</i>) | |
| E. Collaborative Program Projects (<i>CC Co-chairs</i>) | |
| i. Presentation – Valle de Oro National Wildlife Refuge (<i>Jennifer Owen-White</i>) | |
| BREAK | <i>15 minutes</i> |
| 4. POPULATION MONITORING (CPUE) WORKSHOP OBJECTIVES, STRUCTURE, AND LOGISTICS UPDATE (<i>R. Billings</i>) | <i>15 minutes</i> |
| 5. OTHER ACTIVITIES | <i>15 minutes</i> |
| A. Hydrology Forecast (<i>BOR/USACE</i>) | |
| B. Species Update (<i>USFWS</i>) | |
| 6. MEETING SUMMARY | <i>15 minutes</i> |
| 7. PUBLIC COMMENT | |
| 8. ANNOUNCEMENTS | |
| 9. <i>DECISION</i> - NEXT SCHEDULED EC MEETING: October 16, 2014 at Reclamation. | |

**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

**Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
September 18th, 2014 – 9:00am to 11:30am**

**Bureau of Indian Affairs
1011 Indian School Rd.,
Albuquerque, NM**

Decisions

- The July 17th, 2014 EC meeting summary was approved for finalization with the following correction:
 - On page 2, under Reclamation's agency update, the second bullet will be amended to "*An agreement with the Service has been reach...*" and the mention of Dr. Tuggle will be removed.

Actions

- There were no actions assigned during this meeting.

Requests/Recommendations

- Given the recent quorum challenges of the Coordination Committee (CC), the EC directed the CC to (1) provide the EC with recommended options/alternatives to address the quorum concerns; and (2) to develop FY15 work plan recommendations for the EC to approve at the October 30th meeting.

Next Meeting: October 30th, 2014 from 9:00am to 1:00pm at Reclamation

- Given the tentative agenda items for the EC for the remainder of the year and the approaching holidays, it was suggested that the EC consider meeting one final time this year. The next EC meeting was tentatively scheduled for October 30th in order to have the option to meet again in November should the EC deem it necessary.
- Tentative agenda items include: (1) CC list of potential presentations for EC; (2) ABCWUA presentation; (3) Review and Approval of FY2015 Work Plan/Budget; (4)
- Potential Future Agenda Items: (1) Discussion on chartering (if/when) of MAT;

Upcoming Dates and Deadlines:

- September 27th – Valle de Oro's Second Birthday Open House from 9:00am to 12:00pm at the Valle de Oro NWR; http://www.fws.gov/refuge/valle_de_oro/ or <https://www.facebook.com/ValleDeOroNationalWildlifeRefuge>
- October 1st – CC meeting from 9:00am to 11:00am at Reclamation
- October 16th – HRW meeting from 12:30pm to 3:30pm at ISC; agenda to include Corrales Syphon Presentation;
- October 22nd – San Acacia Levee Project Groundbreaking Ceremony, at Otero Street; invitations will be distributed;
- October 30th – EC meeting from 9:00am to 1:00pm at Reclamation

Meeting Summary

Introductions and agenda approval: Brent Rhees brought the meeting to order and introductions were made. A quorum was confirmed and the agenda was approved with no changes.

Approval of the July 17th, 2014 EC Meeting Summary:

- The July 17th, 2014 EC meeting summary was approved for finalization with the following correction:
 - On page 2, under Reclamation's agency update, the second bullet will be amended to "*An agreement with the Service has been reach...*" and the mention of Dr. Tuggle will be removed.

Agency Fiscal and Policy Planning Updates:

- *U.S. Army Corps of Engineers (USACE or the Corps):*
 - The Corps will be operating under Continuing Resolution (CR) for the remainder of the year. The week-to-week or month-to-month process means no new projects can be started at this time.
- *Bureau of Reclamation (Reclamation):*
 - Reclamation also expects to be in CR for the start of the fiscal year. For clarification, this means that the FY2014 budget is used as a "guideline scale" to parcel out funding for acquisitions on a week-to-week or month-to-month basis through December 2014.
 - Reclamation remains in the process of transitioning to the new Federal and Business Management System (FBMS). There is an expected "blackout" in the accounting process in October 2014. The FY2015 Program workplan is needed from the Coordination Committee (CC) in order to move forward on those acquisitions.
 - Reclamation has been able to successfully purchase the last block of contractor minnow data. This data will supplement the Population Viability Analysis process and agency research.
 - Regarding policy matters associated with the consultation and the Biological Assessment/Biological Opinion (BA/BO) process, Reclamation and partners have identified a "game plan" on moving forward and modifying the BA. This should be accomplished soon after the New Year and delivered to the Service upon completion.
 - In an update on the litigation, it was shared that Wildlife Guardians has filed suit with allegations of procedural and commitment of resources violations and take violations. There are separate allegations against the Corps. Response is due September 26th, 2014. Middle Rio Grande Conservancy District filed a Motion To Intervene and Wildlife Guardians did not oppose the motion.
 - Judge Brack in Las Cruces is the assigned judge.
- *Fish and Wildlife Service (Service):*
 - As reported earlier, the Service expects to be under a CR budget as well. The Service will be initiating the process to hire a biologist.
- *Non-Federal Update:*
 - *NM Interstate Stream Commission (ISC):*
 - ISC just got out of their "black out" period from the start of the fiscal year. Contracts are being initiated with the funding received last year.
 - All the money was very specifically assigned so it is all committed. All the projects will be considered cost share to the Program.

- *Collaborative Program Projects:*
 - *Coordination Committee (CC):*
 - It was shared that the CC has again had challenges meeting quorum recently. Until other signatory agencies are able to assign a new representative, it is expected that the CC will struggle to meet the quorum as defined in the Bylaws.
 - The CC will continue on the FY2015 Program work plan but cannot approve it without a quorum.
 - One EC member pointed out that during the transition to the Recovery Implementation Program (RIP) roles and responsibilities and workloads have changes. Given those changes, it was suggested that the EC reassume the budget and workplan approval to give the EC more direct involvement.
 - Given the recent quorum challenges of the CC, the EC directed the CC to (1) provide the EC with recommended options/alternatives to address the quorum concerns; and (2) to develop FY2015 work plan recommendations for the EC to approve at their October 30th meeting.
 - *Presentation: Valle de Oro National Wildlife Refuge:*
 - Jennifer Owen-White, refuge manager with the Service, presented *Valle de Oro National Wildlife Refuge: A Crossroads of Habitat Restoration and Environmental Education. An investment in our future.*
 - The Valle de Oro's (VdO) mission is:
 - To administer a national network of lands and waters for the conservation and management of the fish, wildlife, and plant resources and their habitats of the United States for the benefit of present and future generations
 - There are over 560 National Wildlife Refuges (NWR). But less than 2% (~10) of those are considered *urban*. VDO is considered an urban refuge. In order to remain relevant to a changing America, refuges have to be located where the populations are. Not everyone has easy and convenient access to most refuge locations. The urban refuges provide great conservation education to population audiences.
 - The primary purpose for establishing new urban refuges is to foster environmental awareness and develop an informed and involved citizenry that will support fish and wildlife conservation.
 - In 2012, secretary of interior Ken Salazar issued VdO as the first refuge in the nation built under the new urban refuge legislations.
 - Why here? Why now?
 - There are many local and national initiatives currently focused on increasing the connection between population and the great outdoors.
 - But the VdO is an ideal urban location and there has been tremendous community support. Not just agencies, but the community, teachers, and families see and understand the value in this project – an education facility that services both people and wildlife.
 - VdO – by the numbers
 - VdO consists of 570 acres that were previously the Valley Gold Farm (Price's Dairy);

- The purchase price for land and water rights was \$18.5 million;
 - It is located 5 miles south of downtown Albuquerque;
 - 45-70% of the NM population lives within 30 to 90 minutes of VdO;
 - The land is currently cooperatively farmed for hay (alfalfa and grasses). But the hope is to eventually have a bus stop, hike and bike, possible extension of the Paseo del Bosque hiking trail; etc. And maybe even a Rail Runner stop.
- Land Acquisition
 - The Trust for Public Land was involved in the entire acquisition process; they began interest on this piece of land back in the 1990s. Many refuges never complete their full land acquisition. But because of the partnerships and community support, VdO is an extraordinary exception:
 - In September 2012, the first acquisition of 390 acres was completed for \$11.6 million;
 - In July 2013, an additional 41 acres was added for \$1.47 million;
 - In December 2013, another 57 acres was purchased for \$1.14 million;
 - And then in July 2014, the final 82 acres were purchased for \$4 million.
 - In less than 2 years, the entire land acquisition was completed because of the community support and partners coming together.
 - Activities and Uses
 - There are typically 6 main uses and activities on refuges, but the first 2 are not applicable to VdO which is focused on connecting people, especially urban youth, with conservation:
 - ~~Hunting~~
 - ~~Fishing~~
 - Wildlife observation
 - Wildlife photography
 - Environmental education
 - Interpretation
 - Historic Hydrology
 - VdO is has amazing natural and cultural resources and history:
 - Active Rio Grande floodplain – spring snow melt run-off
 - Storm water fun-off from Tijeras arroyo – monsoons and fall events
 - Landforms and features – historic channels and potential for seasonal wetlands and habitats
 - Groundwater
 - The historic El Camino trail did come through the property
 - Wildlife Habitat Restoration Potential
 - There are ongoing discussions on whether or not the VdO habitat would or could be appropriate for endangered species. Regardless, the Refuge will be able to (1) tell the story and demonstrate how habitat is critical for the ecosystem and endangered species; and (2) education kids, families, tourists, and community on the importance of the plants and animals, including protecting their habitat.

- VdO Planning
 - Federal and non-federal partners and the community have come together to determine how the property should be utilized.
 - 300 community members attended the National Public Lands Day in September 2013 to provide input on the property.
 - AMAFCA developed a Conceptual Site Plan in November 2013.
 - There were public meetings in January and June 2014 with 150 and 80 attendees, respectively.
 - In January 2014, Wetlands Restoration Plan began working with Ducks Unlimited to think about habitat management units.
 - Everyone involved really seems to understand the need to consider both visitor experience and environmental/habitat needs simultaneously.
 - Currently, there are 2 draft conceptual designs in progress. These are not complete and the goal is to continue to garner lots and lots of input.
 - Design 1 includes:
 - Storm water moving from the northeastern portion through the “AMAFCA meadow” and into the bosque;
 - Habitats are yet to be defined – but there is consideration of “moist areas” that may not necessarily translate into year-round ponds but are more seasonal depressions;
 - Upland habitats;
 - Visitor center with gardens and maybe ponds;
 - Potentially a Rail Runner stop;
 - In response to public interest, agriculture and the agricultural history will be kept on the property in some way and the old milk barn will be kept.
 - Design 2 includes:
 - The agricultural area(s) and visitor center are included, but in different locations;
 - A possible perimeter trail around the refuge – there is a lot of equestrian use in the area.
 - AMAFCA meadow concept:
 - During monsoons and substantial water events, there is the potential of significant water influx. The purpose of the “AMAFCA meadow” is to the design VdO so that it “directs” the excess water in such a way that (1) it utilizes the water to maximum benefit and (2) to “disguise” the influx so that if you didn’t know it storm water drainage purpose, you couldn’t tell.
- Challenges
 - Proximity to the airport – there is a direct flight path over VdO that needs to be considered in terms of use (migratory bird concerns);
 - Budgetary issues – how to continue making progress and move forward with limited funds
 - Expectations of public regarding access (compatibility) – not intended for ATVs, or skate parks, etc.

- Next Steps
 - Identify and secure additional funding/partnerships;
 - Continue planning efforts;
 - NEPA process (environmental assessment);
 - Identify funds for future planning/restoration/developing visitor use improvements;
 - Establish baseline biologic data;
 - Marketing and promoting.
- Visiting VdO
 - The Refuge is not open daily at this time. Please make an appointment for a tour. There are also monthly open houses scheduled.
 - September 27th is VdO's second birthday celebration from 9:00am to 12:00pm.
 - Stay informed, get involved by checking out our FaceBook page at Valle de Oro National Wildlife Refuge
<https://www.facebook.com/ValleDeOroNationalWildlifeRefuge> – or –
at our website: http://www.fws.gov/refuge/valle_de_oro/
- Questions/Comments
 - In response to a question on employment/staffing, it was shared that there are 3 individual one-year AmeriCorps positions that will be filled (hopefully soon) and one WaterCorps/AmeriCorps position through BIA.
 - In response to a question on the total cost range for design, construction, and implementation, it was shared that there is no current “sense” of how much total cost might be expected. There are several design options that have not even been completed yet. But in general, the more sustainable and “green” the designs, the more expensive one could expect the cost to be.
 - In response to a question on the water rights, it was shared that all water rights information is held at the Office of the State Engineer but the Refuge has some of the paperwork/information as well.

Population Monitoring (CPUE) Workshop Objectives, Structure and Logistics

- In an update on the Population Monitoring workshop, it was shared that the planning group is making substantial progress. The Scope of Work has been refined and is expected to be completed by the end of the month. Reclamation is tentatively aiming for a 1st quarter award in 2015.
 - Additionally, the group has been developing the 25+ questions that will be provided to the experts for addressing during the workshop. The experts will be providing a written document report as their deliverable.
 - The workshop will be tentatively held summer of 2015.
 - It was also pointed out that in order to make the monitoring successful now and in the future, there will be a continued need to meet with the biologists, continue to refine and develop the monitoring program over time. Possibly including follow up workshops as necessary to reach the end point.

Other Activities:

- *Hydrology Update:*
 - On the San Juan/Chama project, enough water has been diverted to make an 85% allocation to date. And additional 2,000 ac-ft was accumulated above that.

- Typically there is a dry period at the end of September through October. However, there is still the chance for additional fall rains this season - good fall moisture would help prepare the system for winter. If additional rains are realized, then the allocations might get to 100%. If not, it will be the first time since 1970 that there has not been a full allocation.
- MRGCD has already released all its storage out of Heron.
- There is a little over 30,000 ac-ft at El Vado – ~17,000 ac-ft is Prior and Paramount (P&P); ~8,300 ac-ft is Emergency Drought Water; and rest (~4,800 ac-ft) is the remaining other San Juan/Chama contractors.
- There is ~18,600 ac-ft of supplemental water remaining for the rest of the season as needed to meet the Biological Opinion (BO) requirements of 100 cfs at Central Gage. 17,984 ac-ft of supplemental water has been used to date used but hopefully nature will provide additional fall rains so that we will be able to carry over some water in preparation for next year.
- The summer rains have help to limit the drying this year. There was a brief drying period in July and about 20 miles of the San Acacia Reach dried. This is well below historic drying and well within the requirements of the BO. Everyone continues to strive to meet the delicate balance of all the needs throughout the valley.
- *Species Update:*
 - *Rio Grande Silvery Minnow:* the minnow population is still struggling. The Population Monitoring program data indicates that the average density of minnow over this year is ~0.45 minnow per 100 m². In July, only 22% of the 57 captured minnow were marked indicating that there are native born minnow in the river.
 - *Southwestern Willow Flycatcher and Yellow-Billed Cuckoo:* In 2014, 222 nesting flycatchers were detected – this is within similar number ranges to recent years.
 - 140 cuckoos were detected. The proposed critical habitat covers a larger area than the flycatcher: the northern extent is just below Cochiti Dam and extends down to and potentially into Elephant Butte. The comment period on the critical habitat will be closing soon but can be accessed on the federal regulations website.
 - *New Mexico Meadow Jumping Mouse:* There are no updates on the jumping mouse at this time.

Other Activities

- No additional activities were reported on.

Announcements

- The San Acacia Levee Project Groundbreaking Ceremony sponsored by ISC and MRGCD will be held on October 22nd at Otero Street; invitations will be distributed.
- There will be a River Rally 2015 hosted at the Santa Ana Hyatt Tamaya next year. Agencies will be invited to participate and tell their “river” story.
- The Pueblo of Sandia has developed a white paper on the Corrales Syphon and surrounding issues – providing background and explaining the needs and concerns. There will be a presentation to the Habitat Restoration work group at one of their next meetings.

Meeting Summary: Brent Rhees provided a brief meeting summary:

- The EC approved today’s meeting agenda with no changes. A quorum was present.
- The July 17th, 2014 meeting summary was approved for finalization with 1 correction.
- Agency updates were provided.

- Given the recent quorum challenges of the Coordination Committee (CC), the EC directed the CC to (1) provide the EC with recommended options/alternatives to address the quorum concerns; and (2) to develop FY15 work plan recommendations for the EC to approve at the October 30th meeting.
- Jennifer Owen-White, with the Service, presented on the Valle de Oro National Wildlife Refuge.
- The Population Monitoring (CPUE) Workshop planning is making progress and remains on track for summer 2015.
- Hopefully additional fall rain will occur and allow for some supplemental water to be carried over in anticipation of next year.

Public Comment

- There was no public comment.

Next Meeting: **October 30th, 2014 from 9:00am to 1:00pm at Reclamation**

- Given the tentative agenda items for the EC for the remainder of the year and the approaching holidays, it was suggested that the EC consider meeting one final time this year. The next EC meeting was tentatively scheduled for October 30th in order to have the option to meet again in November should the EC deem it necessary.
- Tentative agenda items include: (1) CC list of potential presentations for EC; (2) ABCWUA presentation; (3) Review and Approval of FY2015 Work Plan/Budget; (4) 2013 Annual Report
- Potential Future Agenda Items: (1) Discussion on chartering (if/when) of MAT;

Executive Committee Meeting Attendees September 18th, 2014

Attendees:

| <i>Representative</i> | <i>Organization</i> | <i>Seat</i> |
|---------------------------|--|----------------------|
| Rick Billings (A) | Albuquerque/Bernalillo County Water Utility Authority | Non-federal co-chair |
| Brent Rhees | Bureau of Reclamation | Federal co-chair |
| Rolf Schmidt-Petersen (A) | NM Interstate Stream Commission | NMISC |
| Susan Bittick (A) | U.S. Army Corps of Engineers | Corps |
| Mike Hamman (P) | Bureau of Reclamation | Reclamation |
| Matt Schmader (P) | City of Albuquerque | COA |
| Subhas Shah (P) | Middle Rio Grande Conservancy District | MRGCD |
| Janet Bair (A) | U.S. Fish and Wildlife Service | Service |
| Janet Jarratt (P) | Assessment Payers Association of the MRGCD | APA |
| Matthew Wunder (P) | NM Department of Game and Fish | NMDGF |
| Steve Farris (P) | NM Attorney General's Office | NMAGO |
| Alan Hatch (P) | Pueblo of Santa Ana | Santa Ana |
| Cody Walker (P) | Pueblo of Isleta | Isleta |
| Frank Chaves (P) | Pueblo of Sandia | Sandia |

Others

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|-----------------|------------------------------|
| Jennifer Falser | Bureau of Reclamation |
| Ali Saenz | Bureau of Reclamation |
| Stacey Stanford | Bureau of Reclamation |
| Josh Mann | Solicitor's Office |
| Ryan Gronewold | U.S. Army Corps of Engineers |
| Beth Pitrolo | U.S. Army Corps of Engineers |
| William DeRagon | U.S. Army Corps of Engineers |

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|---------------------|--|
| Joel Lusk | U.S. Fish and Wildlife Service |
| Wally Murphy | U.S. Fish and Wildlife Service |
| David Campbell | U.S. Fish and Wildlife Service |
| Kevin Cobble | U.S. Fish and Wildlife Service/BdA NWR |
| Jennifer Owen-White | U.S. Fish and Wildlife Service/VdO NWR |
| Stewart Jacks | U.S. Fish and Wildlife Service |
| Chris Shaw | NM Interstate Stream Commission |
| Patrick Redman | for NM Interstate Stream Commission |
| David Gensler | MRGCD |
| Brooke Wyman | MRGCD |
| Maria O'Brien | for ABCWUA |
| Kyle Harwood | BBD/City of Santa Fe |
| Rick Carpenter | BBD/City of Santa Fe |
| Ruben Lucero | Pueblo of Isleta |
| Jessica Tracy | Pueblo of Sandia |
| Zach Riley | NM farmers bureau |
| Brian Bader | SWCA |
| Alaina Pershall | Tetra Tech/Contractor |
| Marta Wood | Alliant Environmental (note taker) |