

**Middle Rio Grande Endangered Species Collaborative Program
Executive Committee Meeting
January 15th, 2015 – 9:00am to 10:30am**

**Bureau of Reclamation
555 Broadway NE, Suite 100
Albuquerque, NM, 87102**

Decisions

- The October 30th, 2014 EC meeting summary was approved for finalization with the following 2 corrections:
 - On page 2, it was clarified that the litigation update should not be attributed to the Corps per se. A new section titled *Litigation Update* will be added and the statement(s) will be relocated.
 - In the attendance list, Kris Schafer's name will be corrected.

Actions

- Ali Saenz will omit sensitive contracting information from the Collaborative Program Project Status Update and will distribute the revised version to EC meeting attendees.

Requests/Recommendations

- The EC will potentially cancel the March 2015 meeting and hold an all-day workshop on April 2nd instead. Agenda and discussion items for the April 2nd meeting will be determined at the February 19th EC meeting.
- The EC requested facilitation services for the April 2nd all-day workshop.

Next Meeting: February 19th, 2015 from 9:00am to 12:00pm at Reclamation;

- Tentative agenda items include: (1) Develop April 2nd agenda items; (2) Update on the BA (?) - Reclamation; (3) Program Management Subcommittee Update; (4) MAT Update;
- The March EC meeting was potentially cancelled.
- April All Day Meeting, tentative agenda items: (1) Legislature Updates; (2) Litigation Updates; (3) Updates on water/forecasts; (4) Develop/confirm FY15 Program priorities; (4) Other "Discussion" Items

Upcoming Dates and Deadlines:

- January 20th – ScW meeting from 9:00am to 12:00pm at Reclamation
- January 20th – HRW meeting from 12:30pm to 3:30 at Reclamation
- February 4th – CC meeting from 9:00am to 11:00am at Reclamation
- Early February – Minnow Action Team (MAT) meeting; to be scheduled; details not yet available
- February 19th – EC meeting from 9:00am to 12:00pm at Reclamation
- March 23rd – 24th – Rio Grande Compact Commission meeting, in TX
- March 19th – EC meeting; POTENTIALLY CANCELLED, TBD
- April 2nd – EC workshop; all day; dates and locations to be determined
- May 1st – 4th – River Rally, at the Tamaya Resort

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 October 30th, 2014 EC Meeting Summary:

- The October 30th, 2014 EC meeting summary was approved for finalization with the following 2 corrections:
 - On page 2, it was clarified that the litigation update should not be attributed to the Corps per se. A new section titled *Litigation Update* will be added and the statement(s) will be relocated.
 - In the attendance list, Kris Schafer's name will be corrected.

Agency Fiscal and Policy Planning Updates:

- *U.S. Army Corps of Engineers (USACE or the Corps):*
 - The Corps has a funded budget through January. The expectation is for the yearly Program allotments to be available in March. Based on previous annual budgets, the Corps does not expect any "big changes" this year.
 - The Corps usually has a \$1 to \$1.5 million dollar budget for Program activities – such as the database, gages and studies, monitoring, flycatcher surveys, etc.
- *Bureau of Reclamation (Reclamation):*
 - Due to "glitches" in the funding system, Reclamation has been unable to move forward on several projects. Staff is working to minimize any impacts until the issue is resolved.
 - In a Biological Assessment (BA) update, it was shared that Reclamation staff are working "feverishly" with the Interstate Stream Commission (ISC) and Middle Rio Grande Conservancy District (MRGCD) to update the latest version of the BA. Staff is currently describing and integrating all the proposed actions/activities to make the BA comprehensive and coherent.
 - Once the revised version has been completed, it will be reviewed and approved through the appropriate "chains of command." Reclamation is targeting submittal in May 2015.
 - The Senate has confirmed Mr. Estévan Lopez as the Commissioner of the Bureau of Reclamation. To avoid potential conflict of issues, Mr. Lopez has recused himself from some of the NM and CO issues. As needed, the regional Reclamation office(s) will coordinate with the Washington office to decide when it is appropriate for the NM office(s) to participate.
 - In an update on upcoming years, it was shared that Reclamation is developing future budgets and attempting to secure appropriate funding to cover all the anticipated projects throughout the state. However, it appears that 2017 could be a year of "intense competition" for funds and resources.
 - Jennifer Faler will be the prime representative for Reclamation at the EC level and Jim Wilber will be the alternate representative. Jennifer will be acting Area Manager for the next 2 months.
- *Litigation Update:*
 - Attendees were updated that all San Juan/Chama Project claims have been "dismissed with prejudice." This means that WildEarth Guardians (WEG) can no longer bring it into the lawsuit (i.e., they are barred from bringing an action on the same claim).

- In a separate settlement, the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) made an agreement with WEG on considerations for future native water for environmental purposes.
- The remaining claims have to be amended accordingly. This has “pushed” the deadlines out. There are pending Motions To Dismiss for the Corps and MRGCD. WEG has until February 17th to respond to these Motions. As soon as the Motions to Dismiss have been addressed and there are determinations, then the lawsuit will move forward.
- *Fish and Wildlife Service (Service):*
 - The Service is in their 5th year with a “flat-lined” budget. In terms of vacancies, this means that they remain unable to fill vacancies accrued over the last several years but replacements can be hired for any newly vacant positions. Janet Bair’s position will be temporarily filled in one-month details until the position is permanently filled.
- *Non-Federal Updates:*
 - *NM Interstate Stream Commission (ISC):*
 - ISC’s budget has also remained “flat” since the 30% cuts that occurred in 2008. The State does not anticipate any additional funding at this time; however, additional funding for capital projects may be requested.
 - ISC is moving forward on the Rio Rancho and San Acacia habitat restoration projects as well as the expansion at the Los Lunas Silvery Minnow Refugium.
 - Estévan Lopez’s position has not yet been filled.
 - The State (ISC/OSE) has been closely coordinating with Reclamation to determine how to move forward on the Biological Assessment (BA) given all the recent changes. The agencies are coordinating on the descriptions of all the anticipated actions and roles.
 - The agencies have been discussing the role of the Recovery Implementation Program (RIP) and the directions from the EC. But how all of these pieces “fit together” still has to be determined. ISC suggested the EC consider initiating dialog on where the BA aligns with the RIP and where there are “issues.” More discussions are needed to determine the recommendations on how to move forward in certain areas (ex. conservation measures and compliance on future actions; how to incorporate adaptive management and science; etc.).
 - *Pueblo of Santa Ana:*
 - The Pueblo of Santa Ana will be hosting the 2015 River Rally Conference on May 1st through May 4th at the Tamaya Resort. Clean water advocates from across the country are expected to share experiences and participate in discussions that focus on the following 5 themes:
 - Tribal opportunities and breakthroughs
 - Water security and scarcity in a climate changed world
 - Solutions and innovations to deliver clean water
 - Novel collaborations to expand impact and get to scale
 - Organizational development for river groups and watershed organizations.
 - <http://www.rivernetwork.org/programs/river-rally>
- *Coordination Committee (CC) Updates:*

- *Program Projects Status*
 - Updates on the status of the Program Projects were shared. Due to potential sensitivities and ongoing-status of the shared information, the specific details were not captured in the notes. The project status information will be available to EC members.
 - The current estimated total for FY2015 is approximately \$3 million; the Program has currently approved \$2.8 million worth of activities.
- *ABCWUA Water Treatment Presentation:*
 - The ABCWUA Water Treatment presentation was postponed until a future date.

Program Management Subcommittee Update

- The Program Management Subcommittee update was postponed until a future date.

Other Activities:

- *Hydrology Update:*
 - In general, the reservoir levels are all low; please bear in mind that it is January and runoff hasn't started. ABCWUA is using more of their San Juan/Chama water which impacts the amount available for other uses.
 - Technically, the water in the reservoirs is all last year's allocations to contractors which means that in terms of accounting - technically the reservoirs have "no water" and are completely dependent on the snow pack and runoff that is yet to occur.
 - Heron Reservoir is at its lowest level since initially filling. The January 1 forecast for snowpack this year was approximately 70% of average for the Rio Grande basin. The National Resources Conservation Service (NRCS) forecasts streamflow to predict how much snow makes it into the river and at certain points downstream:
 - Based on the (1) existing snowpack; (2) antecedence conditions (such as soil dryness, groundwater table levels; and (3) snowpack expected in January through April, the streamflow is estimated to be ~70% of average. However, El Nino conditions are forecasted for this year – and that could help to provide more snowpack.
 - There are currently discussions on possible disposition of 12,000 ac-ft of San Juan/Chama water that Santa Fe has in Elephant Butte. The original intent of this water was for offset purposes (ex. groundwater pumping) but it is no longer needed for that. Discussions revolve around a potential exchange to an upstream reservoir which could result in water being "converted" to usable water San Juan/Chama water in terms of accounting. There is a detailed approval process with all the involved partners.
- *Species Update:*
 - *Rio Grande Silvery Minnow:* The minnow population numbers remain bleak.
 - A small "pulse" of fish was detected in June – from the recruitment from fish stocked in the river. But those numbers dwindled quickly in July/August resulting in an October census of 0. The mini-pulses from last year, while a heroic effort, didn't result in a lot of fish in the river.
 - In terms of the Minnow Action Team (MAT) recommendations for this year – the Service suggests the group rethink if it is the best use of water to achieve small pulses when not there is not a big snow pack or expected run off.

- In response to a question on what this means for adaptive management, it was responded that the Service’s perspective is that the small “mini” pulses don’t “sync up” with the species’ life history (considering the timing, duration, frequency, magnitude, temperature of flows, etc.). Until those “constraints” are “synchronized”, we can expect to remain in the same situation.
 - In response to a question on the eggs produced last year and the success of the juveniles, it was shared that yes, some eggs were produced and there were some resulting juveniles. However, they didn’t survive.
 - It was responded that the summer drying in July/August could be responsible for the loss. This is a “bad luck” situation that just can’t be controlled. Continued drought years put severe pressure on the species.
 - Last year, agencies spent ~7 months working to find a way to accomplish the water exchange and augment a spawning event only to have Mother Nature provide 3 days of rain that produced a spike almost as big. It is a reminder that this is a highly variable system and we cannot predict what any given month or year will look like.
 - One task that the MAT could address is to “figure out” (1) where there is agreement on what we learned; and (2) what do folks *think* they learned but there is disagreement.
 - Some attendees shared the opinion that given all the restrictions and predictions agencies waited as long as possible – there was amazing coordination and monitoring that went into the decisions. Even though the population monitoring data is disheartening, a lot was actually done last year.

Announcements

- The Rio Grande Compact Engineers Advisers met this past week with only provisional data available. The Rio Grande Compact Commission is scheduled to meet in Texas in late March.

Next Meeting

- It was suggested that the EC have strategic discussions and address some of the “tough issues” that are on the table.
- Some members expressed concern about losing momentum and the need for the group to be “energized.”
- It was agreed that the EC will have a strategic closed-session on April 2nd to address FY2015 priorities and other ‘tough’ issues. The March meeting may be cancelled, but the February meeting will proceed as scheduled and will include agenda items to plan the April 2nd meeting.
 - Potential April 2nd agenda items identified included:
 - (1) Legislature Updates;
 - (2) Litigation Updates;
 - (3) Updates on water/forecasts;
 - (4) Develop/confirm FY15 Program priorities;
 - (5) Program Management Subcommittee – issues such as loss of momentum?;
 - (6) Progress of the BA/BO, RIP, adaptive management, etc.
 - (7) Other “Discussion” Items

Meeting Summary: Brent Rhees provided a brief meeting summary:

- The EC approved today’s meeting agenda with no changes. A quorum was present.

- The October 30th, 2014 meeting summary was approved for finalization with 2 corrections.
- Agency updates were provided. The 2015 budgets are beginning to get “settled” and Reclamation’s BA (with ISC and MRGCD) is expected to be completed and submitted in May.
- 2015 is looking to be yet another tough water year. Even with all the coordination, commitments, and cooperation a lot is dependent on Mother Nature.
- The Program Management Subcommittee update was not available and will be an agenda item at a future meeting.
- The March EC meeting may be cancelled in lieu of an April 2nd all-day “workshop” meeting. The February meeting will proceed as scheduled and be used in part to plan the workshop agenda.

Public Comment

- There was no public comment.

Next Meeting: **February 19th, 2015 from 9:00am to 12:00pm at Reclamation;**

- Tentative agenda items include: (1) Develop April 2nd agenda items; (2) Update on the BA (?) - Reclamation; (3) Program Management Subcommittee Update; (4) MAT Update;
- The March EC meeting will potentially be cancelled.
- April All Day Meeting, tentative agenda items: (1) Legislature Updates; (2) Litigation Updates; (3) Updates on water/forecasts; (4) Develop/confirm FY15 Program priorities; (5) Program Management Subcommittee – issues such as loss of momentum?; (6) Progress of the BA/BO, RIP, adaptive management, etc.; (7) Other “Discussion” Items

Executive Committee Meeting Attendees January 15th, 2015

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
Kris Schafer (A)	U.S. Army Corps of Engineers	Corps
Jennifer Faler (P)	Bureau of Reclamation	Reclamation
Subhas Shah (P)	Middle Rio Grande Conservancy District	MRGCD
Wally Murphy (A)	U.S. Fish and Wildlife Service	FWS
Janet Jarratt (P)	Assessment Payers Association of the MRGCD	APA
Matthew Wunder (P)	NM Department of Game and Fish	NMDGF
Ryan Ward (P) (via phone)	NM Department of Agriculture	NMDA
Tom Turner (A)	University of NM	UNM
Alan Hatch (P)	Pueblo of Santa Ana	Santa Ana
Frank Chaves (P)	Pueblo of Sandia	Sandia
Kim Eichhorst (P)	Bosque Ecosystem Monitoring Program	BEMP
Cody Walker (P)	Pueblo of Isleta	Isleta

Others

Ali Saenz	Bureau of Reclamation
Jim Wilber (A)	Bureau of Reclamation
Mary Carlson	Bureau of Reclamation
Stacey Stanford	Bureau of Reclamation
Brian Hobbs	Bureau of Reclamation
Josh Mann	Solicitor’s Office

Beth Pitrolo	U.S. Army Corps of Engineers
Susan Bittick (A)	U.S. Army Corps of Engineers
Ryan Gronewold	U.S. Army Corps of Engineers
Grace Haggerty	NM Interstate Stream Commission
Brooke Wyman	MRGCD
Patrick Redmond	for MRGCD
Joe Jojola	BIA
Jessica Tracy	Pueblo of Sandia
Kyle Harwood	BBD/City of Santa Fe
Rick Carpenter	BBD/City of Santa Fe
Sarah Cobb	Udall's Office
David Williams	Udall's Office
Alex Eubanks	Heinrich's Office
Marta Wood	Alliant Environmental (note taker)