

Executive Committee Meeting  
*April 2, 2015*

Meeting Materials:

Meeting Agenda

Meeting Minutes



**Middle Rio Grande Endangered Species  
Collaborative Program  
EXECUTIVE COMMITTEE  
MEETING AGENDA  
Thursday, April 2, 2015  
12:00pm – 4:00pm**

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

- |   |                   |
|---|-------------------|
| <b>1. ALBUQUERQUE AREA OFFICE SPRING BBQ &amp; EC SOCIAL</b>  | <i>30 minutes</i> |
| <b>2. INTRODUCTIONS AND REVIEW OF PROPOSED AGENDA*</b>  | <i>10 minutes</i> |
| <b>3. <i>DECISION</i> – APPROVAL February 19, 2015 EC MEETING SUMMARY*</b>                          | <i>10 minutes</i> |
| <b>4. AGENCY ROUNDTABLE</b> ( <i>Litigation Updates, Hydrology Forecast, Species Update, etc.</i> ) | <i>30 minutes</i> |
| <b>5. UPDATE – MAT</b> ( <i>D. Gensler/G. Haggerty</i> )  | <i>20 minutes</i> |
| <b>6. UPDATE – Pop Mon Workshop</b> ( <i>R. Billings</i> )  | <i>20 minutes</i> |
| <b>7. UPDATE – Reclamation’s Section 7 Consultation</b> ( <i>J. Faler</i> )                         | <i>30 minutes</i> |
| <b>8. DISCUSSION – RIP Implementation</b>   | <i>60 minutes</i> |
| i. RIP as the conservation measure  |                   |
| ii. New Management  |                   |
| iii. Program Documents  |                   |
| iv. Timing/Schedule   |                   |
| <b>9. MEETING SUMMARY</b>   |                   |
| <b>10. PUBLIC COMMENT</b>   |                   |
| <b>11. ANNOUNCEMENTS</b>  |                   |
| <b>12. <i>DECISION</i> - NEXT SCHEDULED EC MEETING: May 5, 2015 9am to 4pm @ Reclamation.</b>       |                   |

*\*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  
April 2<sup>nd</sup>, 2015 – 12:00pm to 3:30pm**

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

**Decisions**

- The February 19<sup>th</sup>, 2015 EC meeting summary was approved for finalization with no changes.
- The Decision Item to reconvene the Program Document Committee was postponed until the May meeting with the intent to provide additional time for agency volunteers to be identified.
- The agreed date for the all-day EC Workshop is May 5<sup>th</sup>; it was also agreed to start the workshop at 8:00am (instead of 9:00am).

**Actions**

- Ali Saenz will post the (1) Status of MRG Water Operations and River Maintenance Consultation and (2) RIP Implementation presentations to the Program database.
- Jennifer Faler will research the previously assigned 3<sup>rd</sup> Party Management Subcommittee tasks and responsibilities.
- Please send any additional May 5<sup>th</sup> EC Workshop agenda suggestions/items/topics to Ali Saenz.

**Announcements**

- The Bureau of Reclamation and U.S. Army Corps of Engineers would like to invite the public to our Annual Operating Plan Public Meeting to explain plans for water operations along the Middle Rio Grande in 2015. The presentation will cover the process for determining the plan for water operations. It will include a review of the 2014 water predictions, as compared to what actually happened, related to storage and release. The presenters will then explain the 2015 water forecast, potential for storage and release, and impacts to water-related recreation.
  - April 9<sup>th</sup> at 1:30pm at Reclamation; please contact Mary Carlson at 505-462-3576 with any questions. For remote participation via web ex/conference call, please contact Adrienne Putnam (aputnam@usbr.gov).
- In an effort to combat the global challenge of water scarcity, five finalist teams will demonstrate cost effective, energy efficient and environmentally sustainable innovations in a head-to-head competition for the Desal (Desalination) Prize, the second call for *Securing Water for Food: A Grand Challenge for Development*. Sixty eight teams from 29 countries answered the call, which aims to harness innovative technologies to create small-scale brackish water desalination systems that can provide potable water for humans, as well as water appropriate for crops in developing countries. For more information visit [www.thedesalprize.org](http://www.thedesalprize.org).
  - April 11<sup>th</sup> from 9:00am to 4:00pm at the Bureau of Reclamation Brackish Groundwater National Desalination and Research Facility, 500 Lavelle Road, Alamogordo, NM. Please contact Mary Carlson at 505-462-3576 with any questions.
- The Service will be holding protocol training for (1) the Southwestern Willow Flycatcher on May 13<sup>th</sup> and 14<sup>th</sup>; and (2) the Yellow-billed Cuckoo on June 24<sup>th</sup> and 25<sup>th</sup>.
- Ali Saenz has accepted a Program Analyst position at Reclamation; she will tentatively be available for a limited time/capacity to assist the Program through the transition.

**Next Meeting: WORKSHOP: May 5<sup>th</sup>, 2015 from 8:00am to 4:00pm at Reclamation;**

- Tentative agenda items: (1) RIP as the Conservation Measure; (2) New Management; (3) Program Documents – including new committees and Program structure; (4) Timing/Schedule;
- Potential new agenda items identified on 04/02/15 include:

- (1) Development of new committees and Program structure;
  - (2) How to address the incorporation of new species and the sufficient metrics for those under the RIP;
  - (3) More detailed and accurate streamflow and reservoir forecast;
  - (4) List of tasks and assignments from the 3<sup>rd</sup> Party Management Subcommittee;
  - (5) April 9<sup>th</sup> Water forecast Presentation summary;
  - (6) Fish Population Monitoring (CPUE) Workshop Update
- Lunch will be available for a donation.

**Upcoming Dates and Deadlines:**

- April 9<sup>th</sup> – Annual Operating Plan Public Meeting for Reclamation and the Corps, at 1:30pm
- April 11<sup>th</sup> - Desalination (Desal) Competition, 9:00am to 4:00pm at Bureau of Reclamation Brackish Groundwater National Desalination and Research Facility, 500 Lavelle Road, Alamogordo, NM
- April 21<sup>st</sup> – ScW meeting, 10:00am to 12:00pm at Reclamation
- April 21<sup>st</sup> – HRW meeting, 12:30pm to 3:30pm at Reclamation
- May 1<sup>st</sup> – 4<sup>th</sup> – River Rally, at the Tamaya Resort
- May 5<sup>th</sup> – EC Workshop 9:00am to 4:00pm
- May 6<sup>th</sup> – CC meeting, 9:00am to 11:00am at Reclamation (subject to rescheduling)
- Late August - Fish Population Monitoring (CPUE) 3-day Workshop

## 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 February 19<sup>th</sup>, 2015 EC Meeting Summary:**

- The February 19<sup>th</sup>, 2015 EC meeting summary was approved for finalization with no changes.

**Agency Roundtable:** The agency and other regular updates (species, hydrology, etc.) have been reformatted as a “round table” discussion in order to encourage updates as needed/necessary from any signatory.

- *Bureau of Reclamation (Reclamation):*
  - Brent Rhees has accepted the Regional Director position for the Upper Colorado region. The Albuquerque Area Manager position remains vacant.
  - Please be advised of Reclamation’s and the Corps’ Annual Operating Planning Meeting on Thursday, April 9<sup>th</sup> at 1:30pm. A News Advisory was distributed earlier today and a reminder will be emailed to Program participants.
- *Hydrology Update:*
  - The March forecast is very similarly to the February forecast. The Sangre de Cristo basin forecast is currently the best at 70-80% of normal. The April forecast is not available yet. This year promises to be interesting given the predictions to be out of Article VII restrictions very soon. This means that water will be “tagged” differently as early as next week. Careful coordination and communication will be needed to address the different storage criteria. Article VII restrictions are expected to be back in place by the end of the year.
  - In response to questions on the forecasts for the San Juan-Chama and the impact of the recent winds (sublimation), it was responded that late February/early March storms bolstered most of the systems up to approximately 70-80%. However, since then, the

temperatures have been very warm and a lot of snow has come off. The snow pack is lowering ~3-5% per day. The Chama is little less than 60%.

- Some of the basins are already down to 30% of the average – this is a dramatic change since the March forecast.
  - The runoff is in “full swing” but it is unknown if the peak has occurred yet or not.
  - The forecasts assume the following month will have average precipitation and snowfall but this is not what is actually occurring.
  - Colorado began diversions yesterday (04/01/15) so flows are expected to come down significantly within the next week.
- *NM Attorney General’s Office (NMAGO):*
  - NMAGO is in the process of hiring an environmental lawyer who is expected to be in place by May.
- *Assessment Payers Association (APA) of the Middle Rio Grande Conservancy District (MRGCD or District):*
  - In a clarifying statement, it was shared that the reasons agricultural demand appears “low” is because waters hasn’t been offered. There is in fact a high demand, but a lack of water.
    - It is dry. As soon as temperatures warm, plants take water out of the soil. And it is taking longer than normal to irrigate because it is so dry. It is taking almost a month to get water.
    - The continuing drought (lack of water for 5 years) has completely changed irrigation and planting which can’t be adaptive or efficient.
- *U.S. Army Corps of Engineers (USACE or the Corps):*
  - The Adaptive Management Contract has been sent out as a Small Business Set Aside. Hopefully, the contract will be awarded by June.
    - The intention is to build on the previous adaptive management work, tie into the outcomes of the fish monitoring (CPUE) workshop, and fine-tune actions pertaining to water management.
- *Albuquerque Bernalillo County Water Utility Authority (ABCWUA):*
  - ABCWUA is finishing up restoration work. It is nice to see that the restoration sites are functioning as intended with the higher flows.
- *Species Update:*
  - The Service will be holding protocol training for (1) the Southwestern Willow Flycatcher on May 13<sup>th</sup> and 14<sup>th</sup>; and (2) the Yellow-billed Cuckoo on June 24<sup>th</sup> and 25<sup>th</sup>.
- *Litigation Update:*
  - WildEarth Guardians (WEG) has filed its response in opposition to the Motions to Dismiss (filed by the Corps and District). The filing deadline for replies is April 7<sup>th</sup>. On the currently schedule, a hearing is anticipated in late spring/early summer.
- *NM Interstate Stream Commission (ISC):*
  - In a brief update, it was shared that the Compact Commission Meeting occurred on March 24<sup>th</sup>. They went through the normal process of reviewing the Engineer Advisor’s Report. There continues to be disagreement on the accounting on deliveries.
    - There are 3 different accounting methods. In each case, NM is in compliance. However, the range of credit varies from 30,000 ac-ft to 0, depending on the accounting method used. This year (and even next year) will be significant in terms of trying to determine the water supply if Article VII is in effect and how to work with water users (water demands) and flow targets.

- The remaining water (84,000 ac-ft) has been allocated (see March 20<sup>th</sup> letter); the vast majority was provided to the District.
- MAT and agencies continue to seek opportunities to provide a spawning peak.

### **Minnow Action Team (MAT) Update**

- The MAT met in March. Attendees reviewed the previously proposed potential recommendations but agreed that, given the current forecasts and conditions, the focus should be on meeting the 2003 Biological Opinion (BO) requirements to the extent possible.
- The May 1 forecast will be reviewed at the May 6<sup>th</sup> MAT meeting. Unfortunately, there is not much that can be done in terms of minnow operations. An operational “jiggle” within MRGCD (with the shifting of flow from one side to the other) allows for some “extra” water to go down the river and potentially trigger a small spawning event. Since the flow is low it also allows for the collection of any eggs produced.
- The draft 2014 MAT Report is currently under review by MAT members. Once completed, it will be distributed.

### **Fish Population Monitoring (CPUE) Workshop Update**

- As explained previously, the EC was surveyed to determine signatory priorities and concerns pertaining to the minnow monitoring program and sufficient progress metrics. The survey responses were used to develop/guide the workshop questions, format, and draft agenda.
  - The workshop contract has been assigned to a contract specialist. It is assumed there will be some requested revisions before it can be put out for bid.
  - Regarding the draft agenda, the organization/timing/format of the workshop can be revised as needed, but the technical questions will not change.
  - Once the contract is in place through Reclamation, the Population Monitoring planning group will meet with the contractors. The list of possible experts has been identified. Hopefully, securing their attendance will be a relatively quick process. At that point, signatories will be asked to provide their technical representatives.
  - The expert panel will produce the workshop report.
- The current schedule is to host the 3-day workshop in late August.

### **Reclamation’s Section 7 Consultation Update**

- Jennifer Faler, Rolf Schmidt-Petersen, Deb Freeman, and Patrick Redmond provided a joint presentation update titled “*Status of MRG Water Operations and River Maintenance Consultation.*”
- *Background*
  - The 2003 BO expired in 2013; however, coverage is provided to those in formal consultation (meaning operations continue under the 2003 BO).
  - Consultation on a new BO is in process.
  - Reclamation and partners are currently working on the 3<sup>rd</sup> or 4<sup>th</sup> iteration of the Biological Assessment (BA). A lot has happened during the development of the BA - revisions, withdrawal of the Corps, filing of lawsuit(s) and rebuttals/motions to dismiss, etc.
  - The consultation covers the same area as the Collaborative Program (Program). There are 6 different species listed under the Endangered Species Act (ESA): Rio Grande silvery minnow (minnow), Southwestern willow flycatcher (flycatcher), Yellow-billed cuckoo (cuckoo), NM meadow jumping mouse (mouse), Pecos sunflower, and Interior least tern.
- *BA Contents*
  - BA includes the proposed actions of Reclamation, MRGCD, and State of NM.
  - BA proposes water management and maintenance actions that may affect listed species or critical habitat with each action category analyzed for effects separately.

- The BA also proposes beneficial measures to offset adverse effects and support species conservation.
- The 2015 update to the BA includes the mouse and cuckoo.
- *Reclamation's Proposed Action and Effects*
  - Heron Release of Imported San Juan-Chama (SJ-C) Water:
    - Beneficial effect and helps maintain flows and habitat for all life stages of the minnow
  - El Vado Reservoir Operations:
    - Store and release SJ-C, MRGCD, and Prior & Paramount (P&P) water
    - Likely to adversely affect minnow eggs and larvae, minor impact on spawning and recruitment
  - River Maintenance:
    - Adversely affect in the short-term; but beneficial for all life stages of the minnow in the long-term.
  - Drain Maintenance:
    - Adverse effects from drying, offsets from pumping.
- *MRGCD Proposed Actions and Effects*
  - El Vado Reservoir Operations:
    - Requests for storage during peak spring runoff (when Article VII not in effect or when relinquishment credit is available) can have minor impact on hydrograph in some years: likely to adversely affect
    - Requests for release of stored water during low flow periods is beneficial and results in increased flows: not likely to adversely affect
  - Operation of 4 Diversions: likely to adversely affect
    - During high flow periods, effect depends on level of spring peak discharges;
    - During low flow periods, effect is primarily below Isleta;
    - During P&P operations, effect on flows is in Albuquerque reach, since natural flow would not reach Isleta
  - Operation of Drains and Wasteways: not likely to adversely affect
- *State Proposed Actions and Analysis*
  - Allocation of Relinquishment Credit, and Storage and Release of Relinquished Water (primarily El Vado)
    - Beneficial effect and helps maintain flows and habitat for larvae, juveniles, and adult minnow
  - Administration of Surface Water and Groundwater Supplies
    - No effect in the Upper Rio Grande (URG);
    - For the Middle Rio Grande (MRG) – up to 7 cfs reduction after 10 years at low flow periods may reduce habitat availability for fish;
  - Administration of Domestic, Municipal, Livestock, Temporary Uses
    - URG – no effect
    - MRG – up to 3.5 cfs reduction after 10 years may have a small effect on fish and habitat
  - River Maintenance – included with Reclamation
    - Long-term beneficial effect
- *Proposed Measures for Reclamation (how to offset the actions)*
  - Continue SJ-C water leasing and pursue an additional leasing options
  - Fund monitoring, adaptive management and other recurring Program activities in the Recovery Implementation Program (RIP) at \$3-4 million per year for the first 5 years
  - Implement a River Integrated Operations (RIO) adaptive management effort including the following:

- Supplemental SJ-C water will be used for the highest need
    - Coordinate to develop conservation pools in the upstream reservoirs
    - Modify reservoir operations to increase operational flexibility
    - Adjust timing of storage during spring peak within current authorizations
    - Pursue exchanges of SJC water from downstream to upstream to aid in addressing impacts during spawning period
  - Implement from \$1–5 million of habitat restoration per year
  - Lower Reach Plan
    - Complete diversion dam modernization studies at Isleta and San acacia to address sediment transport and fish passage issues
    - Implement recommendations of these studies and other pilot studies as practical
    - Conduct sediment management planning
    - Infrastructure improvements (north boundary pump station, low-flow conveyance channel (LFCC) improvements, drains, etc.)
    - Implement various habitat improvement projects currently in planning
- *Proposed RIP Measures for MRGCD*
  - Enhanced Water Operations
    - Adjust timing of storage: e.g. storing early to minimize effect on peak spring flows
    - Utilize diversion structures in certain circumstances to assist with providing spawning conditions
    - River Ops coordination for efficiency and effectiveness in movement and use for multiple users
    - Operations efficiencies: management to closely match diversion to actual agricultural demand, minimizing effects on spring and summer flows
  - Conservation measures
    - Use MRGCD diversions and conveyance system to deliver Supplemental Water to specific habitat areas in river, minimizing naturally occurring losses to Supplemental Water
    - Exchange Supplemental Water for RG water, allowing use of Supplemental Water for environmental purposes
    - Use MRGCD diversions and conveyance system to manage river recession during low flow periods
    - Use of MRGCD drains and wasteways to deliver Supplemental Water to RG for environmental purpose
    - Provide funding for PVA / Biostatistician
    - Assist with construction of habitat areas
    - Provide water quality monitoring at key river and habitat areas
- *State of NM Potential BA and RIP Measures*
  - *Please note that the State is already doing many of the activities listed; they are included/identified for the purpose of having a complete list for implementing commitments to the RIP and recovery.*
  - Allocate relinquishment credit
  - Work to more flexibly operation reservoir system
  - Pilot projects for fish passage as diversion dams – interagency coordination
  - Create habitat for more efficient use of water – existing and continued restoration work;
  - Implement Strategic Water Reserve – using for offsets for a number of different projects;
  - Raise minnow – coordinating with the Service and augmentation group; goal to reliably produce 50,000 minnow annually

- Manage adaptively to balance water needs – tied to the RIP, none of the monitoring can tell if operations meet both water user needs as well as support the species, fine-tuning component
- Support RIP and MAT
- Incorporate adaptive management
- *Updated Timeline*
  - May/June 2015: Reclamation submits revised BA to the Service for the consultation between the Service, Reclamation, MRGCD, and the State
  - Fall 2015: the Service expected to issue a draft BO
  - Winter 2015: final BO in place
  - March 2016: RIP phase-in expected to be implemented
- *Questions and Comments*
  - In response to a question regarding addressing the incising issue, it was shared that incision is considered during habitat restoration projects. The selection of restoration projects are guided in part by the existing geomorphic and restoration reports that have been done. There are proposed measures within Reclamation to address the sediment transport issues and techniques for reversing incision (where possible).
  - In response to a question regarding the Corps' BO and participation, it was shared that the Corps will continue participation and collaboration through the RIP.
    - The Corps is already doing many of the mitigation actions and activities within their existing authorities. The Corps' position is that the best approach to address needs/issues is through authorization and appropriation, outside of the ESA and outside of consultation. Regardless of the "path", the Corps is dedicated to helping work toward the Program goals and species recovery.
  - In response to a question regarding whether or not the current proposed funding (millions) is sufficient to offset the incision in terms of habitat restoration, it was shared that that particular analysis hasn't been done. There have been many restoration analyses and the funding is intended to "match the need" but much depends on the hydrology/hydrologic conditions.
  - Regarding climate change, it was shared that climate change was built into the original analysis (based on the paleo-record and 5 10-year sequences analyzed). No additional climate change analysis has been included since then.
  - It was cautioned that "beneficial effects" is a very specific term in the consultation process and related language should be carefully phrased within the BA documents.

## **RIP Implementation**

- Continuing the presentation portion of the meeting, Jennifer Faler began presenting the *Recovery Implementation Program Implementation*.
- There are many questions on what is occurring relative to the goals of the Program, how all components will "fit", where the Program is heading, etc. The purpose of this presentation is to help address those questions/concerns.
- *Goals of the RIP (from the Program Document – endorsed by EC July 2013)*
  1. Conserve and contribute to recovery\* of the proposed and listed species.
    - Support the development of self-sustaining populations through implementation of the RIP Action Plan and Annual Work Plan
    - Continually identify the critical scientific and management questions and uncertainties that will be addressed through adaptive management

- Assist in avoiding jeopardy to the species and adverse modification of designated critical habitat within the Program area
- \*Recovery is referring to the population within our specific area, not “species wide” which requires 3 separate populations
- 2. Protect existing and future water uses
  - Provide a mechanism for ESA compliance for actions that are the subject of Reclamation’s BA
  - Provide a process for streamlined Section 7 consultation for future water uses needing compliance with the ESA.
  - Obtain hydrologically sustainable solutions for the species.
- *Previously Identified Non-Federal Participant Conditions for the RIP (“3 Key Issues”)*
  1. Broad ESA coverage process – RIP to serve as the Conservation Measure for the new MRG water operations and River Maintenance BO
  2. Third Party Management – Third Party to manage the RIP and report directly to the EC
  3. ESA Compliance Metrics – RIP to adopt the criteria by which species status and reduction of threats are assessed for purposes of the Service’s sufficient progress review (Population Monitoring (CPUE) workshop to inform this)
- *Proposed Refined Approach*
  - The goals for the RIP remain the same (to modify would be an EC decision)
  - As for the 3 Key Issues:
    1. ESA Coverage – RIP would be transitioned in over a 5-year period
      - RIP will be formally established by signing of RIP Cooperative Agreement following issuance of BO acceptable to Participants
      - RIP implementation schedule will contain milestones and timeframes for transition period
      - Program Documents will be revised to reflect RIP transition schedule
      - Up to 5-year transition period for RIP to be implemented such that it can serve as primary conservation measure for entities in need of ESA compliance
    2. Program Management Services
      - Reclamation will hire a Contractor for Program and Science Support (PaSS) who will be responsible for selecting the Executive Director in consultation with the EC.
        - This process has had to be modified in response to Reclamation’s procurement challenges. Reclamation is unable to hire a “3<sup>rd</sup> Party” for management and a contracting official will have to oversee the contract. Those obstacles can be overcome by (1) changing the title to avoid “management” and (2) having a Contracting Officer located in the Albuquerque Area Office. The Contracting Officer will communicate and work directly with the EC and the Budget Subcommittee (who accomplish the annual planning and workplans). This path forward accomplishes the federal laws and the spirit of the 3<sup>rd</sup> party management.
      - The Executive Director, through the contractor, will select the Science Coordinator and an Administrative Assistant with “consultation with the EC.”
      - The Executive Director and staff will manage the RIP Transition.

- 3. ESA Compliance Metrics
  - Will be developed during the RIP transition period
  - Recommend the Service's Sufficient Progress Review commence upon implementation of RIP at the end of transition period
- *Proposed RIP Transition Steps*
  - The formal formation of the RIP occurs with the signing of the Cooperative Agreement – following finalization of the acceptable BO. There is then a 5-year period for the RIP to become functional and efficient.
    - Put RIP organizational structure and governance protocols in place (ex. Executive Director, Science Coordinator, staff, etc.)
    - Form the Adaptive Management Committee (with project-specific Implementation Teams, as needed, under it; ex. MAT); address how to best streamline and enhance efficiencies with the working committees
    - Complete monitoring plans for species, as relevant to the RIP
    - Update Action Plan/Annual Work Plan, to include BO Reasonable and Prudent Activities (RPAs) and Reasonable and Prudent Measures (RPMs), as appropriate, and other commitments by EC signatories. (the Program documents are “living documents” by design for this purpose)
    - Implement Action Plan elements through Annual Work Plans
    - Develop sufficient progress metrics – always envisioned as task moving forward on, to be informed by the Fish Population Monitoring (CPUE) workshop
    - Prepare RIP Annual Progress Report(s) and related documentation – informs Program members as well as the Service; reporting annually on the steps taken and milestone “check points”
      - These steps can be refined but need to be memorialized.
      - It is assumed that the signing of the Cooperative Agreement will occur in March 2016 meaning the RIP has until March 2021 to function efficiently.
      - Once the RIP is established, it immediately begins moving forward toward the recovery goals, fulfilling the conservation measure(s) and meeting the metrics.
    - Functional RIP at Milestone Checkpoint (within 5 years) = ESA compliance vehicle, subject to subsequent periodic determinations of sufficient progress.
- *Questions, Comments, Discussion*
  - A concern was voiced that it will be challenging, from a process perspective, to have incidental take coverage while the RIP is “getting up and running.” (see #3, bullet 2 in RIP presentation). Creative language might be able to help ensure coverage during any transition period, but this issue needs to be addressed.
  - There needs to be EC discussion on (1) whether or not the proposed RIP implementation steps and transition is a workable approach; (2) if not, what does the EC need changed; and (3) how does this factored into the Service's BO so that there is the flexibility to grow into the RIP?
  - **Question:** How will the RIP be measured at the 5-year check point? What are the milestones that will indicate the RIP is fully functional? Why 5 years and not 3?
    - **Response:** The steps outlined in the presentation are a starting point – items that have to be accomplished and begin to show the ability to implement the Annual Work Plan, demonstrated through timely annual reporting (things are being done when we said they would be done). The milestones need objective criteria that clearly indicate to the EC that the RIP is functioning.

- The 5-year transition period was based on (1) the 15-year timeframe identified by the Service as the “sunset” period – dividing that period into 3 5-year segments and (2) it fits within the adaptive management mindset – it takes several years to develop and test things; 3 to 5 years is a reasonable timeframe.
- It was commented that the State, MRGCD, and Reclamation are making commitments above and beyond what needs to be done to offset the effects on the species. Even if the RIP is not considered “fully functional”, those commitments are there to meet the BO requirements during the transition time (i.e., voluntary conservation measures).
- **Question:** It was previously stated that “...under the RIP, as the ESA compliance vehicle for entities that had undergone Section 7 consultation...” how does this impact future parties from coming to the Program to get coverage?
  - **Response:** The approved Program Document does 2 things in terms of ESA compliance: (1) it discusses coverage through the BO for proposed actions but also (2) addresses questions about what the RIP does to simplify future consultations. It blocks out an approach (assuming it is making progress toward recovery) for future consultations. A non-member entity can come in as a participant and the Service will look to the measures being done by the RIP first to determine if this activity is able to move forward or does something else need to be done (additional activities) to move forward. A functional RIP, once mobilized by the fifth year, will support that function for future consultations.
- **Question:** The Section 7 consultation is currently the 3 partners. However, other entities have their own BO while others don’t but are part of the EC. Are we envisioning that the RIP would cover individual agency process for compliance on a project – site specific compliance?
  - **Response:** It would depend on the magnitude of impacts associated with that particular action. It could be part of the programmatic coverage but would have to be considered individually to make that determination.
- It was commented that the revisions needed to the Program Document are not for a “complete reworking” of the document in terms of substantive changes but updating the document to be current – with correct dates, inclusion of additional species, acknowledge/clarify the transition period, etc.
- **Question:** How will the compliance metrics be developed for the new species? Any future new species?
  - **Response:** The Service is still addressing the cuckoo and the mouse; there may not be any impacts that need to be addressed.
  - A concern was voiced that there are potentially conflicting needs between the species and how will those be resolved in the Program documents? This is a process question for consideration.
    - The BA has to be completed and submitted. The BO considers the actions and effects for each of those species. Then the RIP has to be established.
    - Following this timeframe means that some things will have to be developed after agreeing to the RIP. There are concerns and “tension” with this process.
- The Decision Item to reconvene the Program Document Committee was postponed until the May meeting with the intent to provide additional time for agency volunteers to be identified.

**May Workshop:**

- The current draft workshop agenda includes discussions on: (1) RIP as the Conservation Measure; (2) New Management; (3) Program Documents – including new committees and Program structure; (4) Timing/Schedule;
- Potential new agenda items identified on 04/02/15 include:
  - (1) Development of new committees and Program structure;
  - (2) How to address the incorporation of new species and the sufficient metrics for those under the RIP;
  - (3) More detailed and accurate streamflow and reservoir forecast;
  - (4) List of tasks and assignments from the 3<sup>rd</sup> Party Management Subcommittee;
  - (5) April 9<sup>th</sup> Water forecast Presentation summary;
  - (6) Fish Population Monitoring (CPUE) Workshop Update
- The agreed date for the all-day EC Workshop is May 5<sup>th</sup>; it was also agreed to start the workshop at 8:00am (instead of 9:00am).

**Meeting Summary:**

- In a brief summary, the actions and decisions from today's meeting were reviewed.
  - Ali Saenz will post the (1) Status of MRG Water Operations and River Maintenance Consultation and (2) RIP Implementation presentations to the Program database.
  - Jennifer Faler will research the previously assigned 3<sup>rd</sup> Party Management Subcommittee tasks and responsibilities.
  - Please send any additional May 5<sup>th</sup> EC Workshop agenda suggestions/items/topics to Ali Saenz.

**Public Comment**

- There was no public comment.

**Next Meeting: WORKSHOP: May 5<sup>th</sup>, 2015 from 8:00am to 4:00pm at Reclamation;**

- Tentative agenda items: (1) RIP as the Conservation Measure; (2) New Management; (3) Program Documents – including new committees and Program structure; (4) Timing/Schedule;
- Potential new agenda items identified on 04/02/15 include:
  - (1) Development of new committees and Program structure;
  - (2) How to address the incorporation of new species and the sufficient metrics for those under the RIP;
  - (3) More detailed and accurate streamflow and reservoir forecast;
  - (4) List of tasks and assignments from the 3<sup>rd</sup> Party Management Subcommittee;
  - (5) April 9<sup>th</sup> Water forecast Presentation summary;
  - (6) Fish Population Monitoring (CPUE) Workshop Update
- Lunch will be available for a donation.

**Executive Committee Meeting Attendees**  
**April 2<sup>nd</sup>, 2015**

Attendees:

<i>Representative</i>	<i>Organization</i>	<i>Seat</i>
Brent Rhees	Bureau of Reclamation	Federal co-chair
Rick Billings (A)	Albuquerque/Bernalillo County Water Utility Authority	Non-federal co-chair
Rolf Schmidt-Petersen (A)	NM Interstate Stream Commission	NMISC
LTC Patrick Dagon (P)	U.S. Army Corps of Engineers	Corps
Jennifer Faler (P)	Bureau of Reclamation	Reclamation
Patrick Redmond (A)	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
Steve Farris (P)	NM Attorney General's Office	NMAGO
Jen Schuetz (A)	Bosque Ecosystem Monitoring Program	BEMP
Jessica Tracy (A)	Pueblo of Sandia	Sandia
Cody Walker (P)	Pueblo of Isleta	Isleta

*Others*

Jim Wilber (A)	Bureau of Reclamation
Ali Saenz	Bureau of Reclamation
Mary Carlson	Bureau of Reclamation
Ken Rice	Bureau of Reclamation
Jen Bachus	Bureau of Reclamation
Brian Hobbs	Bureau of Reclamation
Ann Demint	Bureau of Reclamation
Leann Towne	Bureau of Reclamation
Kris Schafer (A)	U.S. Army Corps of Engineers
Susan Bittick (A)	U.S. Army Corps of Engineers
William DeRagon	U.S. Army Corps of Engineers
Beth Pitrolo	U.S. Army Corps of Engineers
Dave Campbell	U.S. Fish and Wildlife Service
Kevin Cobble	U.S. Fish and Wildlife Service
Vicki Ryan	U.S. Fish and Wildlife Service
Joel Lusk	U.S. Fish and Wildlife Service
Michael Scialdone	Pueblo of Sandia
Grace Haggerty (A)	NM Interstate Stream Commission
Deborah Dixon	NM Interstate Stream Commission
Deb Freeman	for NM Interstate Stream Commission
Brooke Wyman (A)	Middle Rio Grande Conservancy District
Rick Carpenter	BBD/City of Santa Fe
Mark Chavez	City of Albuquerque Open Space
David Williams	Senator Tom Udall's Office
Marta Wood	Alliant Environmental (note taker)