

Executive Committee Retreat

April 26-27, 2017

Meeting Materials:

EC Retreat Agenda

EC Retreat Minutes

EC Retreat Ground Rules

MRGESCP Authorizing Legislation

Re-Establishing the EC's Roles and Responsibilities in the Administration of the "New"
Collaborative Program Memo

EC Rights and Obligations in Funding and Governance of the Collaborative Program Memo

RGSM Panel Preliminary Priorities

Draft Adaptive Management Framework Scientific Uncertainties and Focal Questions for SWFL,
YBCU, and NMMJM

Summary of Collaborative Program Interviews and Write-Ups [presentation]

Recovery Implementation Program Comparison with Reclamation Biological Opinion
[presentation]

Grand Canyon Monitoring and Research Center and Adaptive Management [presentation]

Performance Work Statement Program and Science Support Services [not included]

EC Retreat Proposed Communication Principles

2012 MRGESCP By-Laws

MRG Adaptive Management Plan – General Convening Assessment Report

Draft EC Retreat Key Decisions

EC Retreat Decisions and Action Items

Updated April 24, 2017



**Middle Rio Grande Endangered Species Collaborative Program
EXECUTIVE COMMITTEE RETREAT**

April 26-27, 2017

**Sagebrush Inn & Suites
1508 Paseo Del Pueblo Sur
Taos, NM**

-- MEETING AGENDA --

Goals and Objectives:

- Reaffirm Collaborative Program signatories' commitment to the Middle Rio Grande Endangered Species Collaborative Program (MRGESCP or Collaborative Program).
- Determine future direction and priorities for the MRGESCP, including long-term goals and strategies for achieving those goals.
- Clarify the role of science and Adaptive Management within the MRGESCP.
- Clarify the roles and responsibilities of the MRGESCP signatories and the third-party Program Manager.
- Set the groundwork to review and revise the MRGESCP organizational and governance structure.

TUESDAY, APRIL 25, 2017

7:00 Evening Reception at Hotel

DAY ONE: WEDNESDAY, APRIL 26, 2017

7:00–8:45 Hotel-provided breakfast (*in restaurant*)

8:45–9:00 Assemble in Conference Room

9:00–9:10 Welcome, Retreat Overview *B. Esplin & J. Jarratt*

9:10–9:20 Agenda and Materials Review, Ground Rules *D. Lee*

9:20–9:50 Presentation: Lessons from the Glen Canyon Dam Adaptive Management Program *Scott Vanderkooi, USGS*

9:50–12:00 (with break)	Discussion: Program Budget <ul style="list-style-type: none">• Report-back from Tuesday meeting and continuation of discussion• Signatory budgets and activities <p>➤ ACTION ITEM: Follow-up meeting to discuss budgetary concerns (if needed)</p> <p>➤ ACTION ITEM: Continued compilation of signatory activities and budgets</p>	<i>D. Lee</i> (facilitator)
12:00–1:00	Lunch	
1:00 – 1:30	Preliminary results from the USACE Adaptive Management Contract <ul style="list-style-type: none">• Discussion	<i>D. Lee</i>
1:30–2:00	Presentation: Collaborative Program Signatory Themes <ul style="list-style-type: none">• Summary of interviews with WEST• Summary of signatory responses• Value of Collaborative Program for individual signatories	<i>D. Lee</i> <i>D. Strickland</i>
2:00–3:30	Presentation: RIP and BO Comparison <ul style="list-style-type: none">• Concepts/actions the Collaborative Program may want to take on moving forward• Outstanding questions <p>Discussion: Reflections on the Collaborative Program</p> <ul style="list-style-type: none">• Value of the Collaborative Program• Program successes• Program lessons learned• Signatory authorities, compliance, and benefits	<i>Gretchen Norman,</i> <i>WEST</i> <i>D. Lee</i> (facilitator)
3:30–3:45	Break	
3:45–5:15	Discussion: Future of the Collaborative Program <ul style="list-style-type: none">• Program goals<ul style="list-style-type: none">○ Responses from individual signatories○ Long-term goals• Program priorities<ul style="list-style-type: none">○ Nonfed priorities○ Fed priorities	<i>D. Lee</i> (facilitator)
5:15–5:30	Summary of Day One & Assignments (if needed)	
5:30	Adjourn for the day	

DAY TWO: THURSDAY, APRIL 27, 2017

- 7:00–8:45 Hotel-provided breakfast (*in restaurant*)
- 8:45–9:00 Arrival
- 9:00–9:15 Summary of Day One Discussions *D. Lee*
Assigned follow-ups (as needed)
- 9:15–9:45 ➤ **DECISIONS:** Future of the Collaborative Program
- Affirmation of continuing the MRGESCP
 - Continued commitment and engagement from signatories
 - Long-term goals for the MRGESCP
 - Future direction and focus
 - Program priorities
- 9:45–12:00 Discussion: Program Functions *D. Lee*
(*with break*)
- In context of 2016 MRG Biological Opinion and other BOs
 - Identification of the decision-making space
 - The role of the Executive Committee
 - Role of the Program Manager/PASS Contract
- **DECISIONS:**
- The collaborative space for MRGESCP decisions and recommendations
 - The role of science in the MRGESCP
 - Strategies for achieving the long-term goals
- **ACTION ITEM:** Evaluate the existing Long-Term Plan in light of the 2016 MRG BO and the decisions at the retreat
- 12:00–1:00 Lunch
- 1:00–3:00 Discussion: Communications *D. Lee*
(*facilitator*)
- Strawman proposal on communication principles (from WEST)
 - Communication between committees and workgroups
 - Communication within a signatory organization
 - Communication within the Collaborative Program
 - Between signatories
 - Between feds and nonfeds
 - Communication external to the Collaborative Program
 - Formalization and communication of administrative decisions (e.g., new EC reps/alternates, new co-chairs)
- **ACTION ITEM:** Direction to develop a Communication Plan for approval by the EC

3:00–3:15	Break	
3:15–4:15	Additional Discussion TBD (if needed)	
4:15–4:45	Discussion: By-laws <ul style="list-style-type: none">• Updates to by-laws to reflect discussion and decisions made at the retreat <p>➤ ACTION ITEM: Revise by-laws for approval by the EC</p>	<i>D. Lee</i> <i>(facilitator)</i>
4:45–5:00	Summary and Wrap-up <ul style="list-style-type: none">• Key decisions and accomplishments• Next steps and action items <p>➤ DECISION: Next Executive Committee meeting</p> <ul style="list-style-type: none">• Proposed agenda:<ul style="list-style-type: none">○ Program organizational and governance structure○ .Other retreat follow-up <p>➤ ACTION ITEM: Discuss revisions to Program organizational and governance structure at future EC meeting(s)</p>	<i>D. Lee</i>
5:00	Adjourn	

Middle Rio Grande Endangered Species Collaborative Program

Executive Committee Retreat

Draft Meeting Notes

**April 26 and 27, 2017
Sagebrush Inn, Taos**

**Prepared For:
MRGESCP Executive Committee**



**On Behalf Of:
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Decision Log

- In a roundtable format and with no objections voiced, signatories directed Western EcoSystems Technology, Inc. (WEST) to work with the US Army Army Corps of Engineers' (Army Corps) Adaptive Management (AM) contractor and AM advisory team to identify priority AM recommendations and/or feasible near-term activities.
- In a roundtable format, signatories affirmed continuing participation in the Middle Rio Grande Collaborative Program (MRGCP or Collaborative Program) with 10 approvals and 3 approvals with the caveats that (1) it be acknowledged that the Collaborative Program exists through Congressional legislation; (2) certain agencies support continuance provided the agency remains comfortable with the direction the Collaborative Program moves forward; and (3) as long as there is a perceived benefit to participation.
- In a roundtable format and with no objections voiced, signatories directed WEST to develop a draft out-year budget process that provides Collaborative Program activities and priorities as recommendation to the funding agencies for consideration.
- With no objections voiced, there was general agreement to pursue the possible inclusion of Collaborative Program budget requests through the Army Corps' 2019 and Bureau of Reclamation's (Reclamation) 2020 budget. Discussions and agreements need to occur before August 2017 to be considered in Reclamation's process.
- In a roundtable format and with no objections voiced, signatories agreed to the accelerated development of the Draft Adaptive Management Plan with reliance on WEST and the Army Corps' AM Team (to the extent possible) to achieve this.
- In a roundtable format, signatories approved tasking a subgroup consisting of attorneys to review legislation for potential cost share flexibilities and whether or not Interstate Stream Commission (ISC) and Middle Rio Grande Conservation District's Biological Opinion (BO) commitments meet the intended cost share contributions with 11 approvals and 2 approvals with the caveats that (1) unintended consequences be carefully explored and scrutinized; and (2) it be noted that one signatory cautions this not take too much time or effort as it is expected to be a futile effort.
- In a roundtable format and with no objections voiced, signatories agreed the Collaborative Program will continue operating under the existing 2012 By-laws, including current structure, until the By-laws are amended and endorsed; 12 signatories affirmed and 1 affirmed with the notice that this is the only path forward as dictated by the By-laws.
- In a roundtable format and with no objections voiced, all signatories agreed to the formation of a By-laws Subgroup to begin the revision process of the Collaborative Program's By-laws. The suggested amendments will be brought before the full EC for endorsement.
- Regarding the Proposed Communication Principles, in a roundtable format all signatories conditionally adopted the Principles provided (1) there be a statement addressing the opportunities for the public and other stakeholders; and (2) the last bullet be revised to incorporate communication with the Science Coordinator - "PM and/or SC."
- In a roundtable format and with no objections voice, all signatories approved the seven 2017 Taos Retreat Decisions.

Action Items

- Debbie Lee will provide EC Retreat participants with a digital copy of Scott VanderKooi's presentation on Glenn Canyon Dam Adaptive Management.
- As directed by the Executive Committee (EC), a subgroup will convene to begin the revision process of the Collaborative Program's By-laws.
 - A subgroup was identified including Josh Mann (Solicitor's Office), Janet Jarratt (APA), David Gensler (MRGCD), Jim Wilber (Reclamation), Bill Grantham (NMAGO), and a member from the Army Corps and ISC. A meeting is set for May 4, 2017 at 1:00-3:00 p.m. In preparation of the meeting, members will start individual reviews and communicate via email.
 - It was suggested participants compare the 2006 and 2012 By-laws and report out on any significant differences. .
- Debbie Lee will assist with the coordination of the attorney group to review the cost share flexibilities with a careful examination of unintended consequences.
- It was requested that Reclamation provide more clarity on their definitions of "collaboration" and "coordination" pursuant to agency and Collaborative Program activities.
- Grace Haggerty will clarify the membership issues that were concerns when the Minnow Action Team was formed.
- It was requested that Reclamation and the Army Army Corps provide the EC with a written description of their budgeting process and how and when the Collaborative Program could take an active role in submitting funding requests through the federal budget process(es). It was requested the write-ups include very specific descriptions on schedules and timelines, details on the specificity of any requests, what should be included in requests to be most well received, etc. The intent is to help the Collaborative Program maximize the opportunity for successful budget requests.
- Susan Millsap offered to investigate the US Fish and Wildlife Service's (Service) budgeting process concerning possible discretionary funds and potential funding options through other offices.
- Jennifer Faler will provide Debbie Lee with the PowerPoint presentation on the grant process for distribution to the EC.
- WEST will distribute the Platte River Adaptive Management Plan as the suggested model for the Collaborative Program Draft Adaptive Management Plan.
- The Army Corps will explore contracting options to utilize GSA (and team) to assist with submitting priority AM recommendations and/or feasible near-term activities.
- Matthew Peterson will provide the May 23 River Cleanup activity details to Debbie Lee for distribution to the Collaborative Program members.
- Debbie Lee will confirm a conference meeting space for the June 12, 2017 EC meeting.

Next Steps and Future Items for Consideration

- Attendees stressed the importance of committing to better transparency and communication moving forward.
- A subgroup of the EC will begin the revision process to the Program By-laws. Suggested changes will be brought before the full EC for discussion and approval. Until that time, the Program will operate under the guidance of the 2012 By-laws.
- There was general agreement that the Program needs to have a Long-Term Plan (LTP) as a 3 to 5 year “guidance document” that provides/outlines Collaborative Program directions, priorities, supports transparency and possible funding requests.
 - The format of this LTP and the details to be included will be discussed and determined. Some participants suggested/supporting turning the Adaptive Management Plan (once developed) into the Program’s LTP; however, the Adaptive Management may not necessarily be the only component of the LTP.
 - A well thought out, explicit, defensible plan could help secure larger funding contributions by highlighting beneficial activities and how funds will be spent and can be used to advocate to management.
 - The Army Corps and Reclamation indicated the importance of an LTP document for budget requests.
- The Army Corps would like to have a more formalized process for their funding contributions. This could include Coordination Committee (CC) provided recommendations that get elevated to the EC for “Program-wide” endorsement. This provides a necessary paper trail and meets the “letter” of the Army Corps’ authority.
- It was suggested that future versions of the By-laws include specificity on the federal budget mandates in Section 1.0.
- It was suggested that the first step is to receive written information on the federal agency’s budget processes. Then, the Collaborative Program can begin a concerted effort to develop/revise the LTP and include agreement for projects/activities for Year 1, Year 2, etc. The budget formation and funding requests would then be developed out of that LTP. This budget planning could constitute the “out-year” planning.
- There was general agreement that the Collaborative Program seek budget requests for the Army Corps to consider in their 2019 budget planning and for Reclamation to consider in their 2020 budget planning. In the interim, the Program would like to identify and explore options for near-term/in-year opportunities for the remainder of 2017 and 2018. This short-term planning should include other types of smaller projects with possible shorter turn-around time that may be suitable to different types of funding sources. This near-term planning will also consider the activities the GSA/AM team identifies as priority or easily accomplished tasks.
- WEST will determine next steps for accelerating the development of the Draft Adaptive Management Plan. It was suggested the Army Corps’ Adaptive Management Team advisory group provide input on that draft plan. It was requested these meetings be facilitated to ensure scientific buy-in and consensus at every step.
- The EC discussed hosting semi-regular social events and/or “community building” activities. It was suggested the EC consider participating in the May 2017 River Cleanup event.

Announcements

- A farewell lunch for Kris Schafer is scheduled for May 5 at Pappadeaux's. Please RSVP as there is a \$26 lunch cost.
- The 2017 River Cleanup event is scheduled for May 23.

Next Meeting

- The EC will convene on Monday, June 12 from 1:00pm to 4:00pm. The location will be determined.
 - Tentative Agenda Items include: (1) Review of EC Retreat Agreements (in public forum); (2) Report/Update on Prioritized Short-term Research Questions – WEST; (3) Governance and Committee Structure; (4) Update on the By-laws Draft Revisions – subgroup; (5) Process for LTP development;

April 26-27, 2017 MRGESCP Retreat Meeting Minutes

DAY ONE: April 26, 2017

1.0 Welcome and Overview

- Debbie Lee opened the retreat and welcomed everyone. The Executive Committee (EC) co-chairs expressed appreciation for everyone's willingness to participate and contribute. Given the new 2016 Reclamation and Partners Biological Opinion (BO) there is a new paradigm with new opportunities and hopefully a fresh start for everyone. It is assumed that everyone is here because they want to make a difference and they see this [the Middle Rio Grande (MRG) Endangered Species Collaborative Program (Program)] as an opportunity to work together. This retreat will only be successful if there is open, direct, and honest communication – including the sharing of questions, concerns, fears, etc.
- One main purpose for this retreat is to jointly determine the future of the Collaborative Program, collective goals, and the strategic approaches to accomplishing those.
- WEST provided an update on the Program Manager search. After two (2) national searches and with input from the EC representative small group, WEST hired Debbie Lee as the Program Manager.
- Debbie Lee reviewed facility logistics, ground rules, and the agenda. With no objections voiced, attendees agreed to follow the ground rules. Introductions were made. Everyone was encouraged to participate and it was pointed out that silence could be considered consent.

2.0 Glen Canyon Dam Adaptive Management Program

- Scott VanderKooi, with the US Geological Survey (USGS), was introduced. He presented “*Grand Canyon Monitoring and Research Center (GCMRC) & Adaptive Management.*”
- The GCMRC is the science provider for the Glen Canyon Dam Adaptive Management (AM) Program. This program consists of a diverse group of signatories and their recommendations are considered in the operations of the Glen Canyon Dam. The program is structured with an AM Workgroup (the policy group), a technical workgroup, an outside science panel, and the GCMRC (science center).
<https://www.gcmrc.gov/>
 - The dam operations affect the physical and biological resources downstream including the endangered humpback chub.
- *Example: Sandbars*
 - Sandbars were a distinctive relict of the pre-dam river landscape and serve a variety of purposes: camp sites, backwater habitat areas, substrate for the riparian ecosystem, archeological sites, transport of sand, and they create turbidity. However, the dam restricts the sediment budget by disrupting the sand supply and changing the flow regime. Most of the sediment now gets trapped in Lake Powell.

- The need to manage the sediment was a driving force for High Flow Events (HFE) in which the bypass tubes [of the dam] are “ramped” up to full capacity for a large release of water. This increases the flows and pushes sediment to the margins of the river.
 - Sand accumulates on the river bed and in eddies during low flows and eventually they build up to a significant point. The HFE produces a “flood” to export the sediment through the system. Since sand bars erode away over time this is a cycle that has to be repeated regularly (sand in/sand out balance).
- It took a lot of concerted effort – convincing and compliance – to accomplish the first experimental dam flood. It then took another eight (8) years to evaluate the results and inform the next HFE. The third HFE only took an additional four (4) years after that.
- There is an accounting (tracking) of the sediment in the system so that once it reaches a certain level, the HFE can be called for without concern about going into a negative sediment situation.
- The early events were “single.” But there needed to be a protocol for more regular events. The Environmental Impact Statement (EIS) took five (5) years to complete but it covers the next 20 years. And now there are summer and winter accounting periods so there is the potential for two (2) authorized events per year.
 - Those past, single events were used to inform the EIS and the coverage for future options.
- There are 10 to 12 “external” components that are considered when determining the authorization of an HFE including hydro-power, recreation, tribal resources, biology (ex. green sunfish presence), etc.
- *Biology*
 - The humpback chub have a very limited spawning location in the reach near the Little Colorado River. It is presumed that this selective location is due to the particular water quality/chemistry from the travertine, the low occurrence of predators and invasive species, and warmer seasonal temperatures (compared to the consistently cold dam water).
 - For the EIS, scientific support was achieved through modeling. The model estimates species survival rate and movement between the Colorado River and the Little Colorado River and has been foundational for chub management.
 - The model can predict the effects of “alternate” management options on the survival of the chub and allows managers to explore “tradeoffs.”
- *Questions*
 - In response to a question on the process that led to the introduction of a new hypothesis and the resulting ramp down differences in 2012, it was responded that in a technical workgroup meeting, one of the recreational stakeholders questioned the shape of the sand bars and impacts to access. They asked if there was anything that could be done about the steep edges. The scientists in the group considered that question, determined if there was a wider interest in this particular matter, and proposed possible solutions. For any potential changes to management, a technical team is convened to evaluate the

resources and provide a written report with recommendations. The recommendations report is elevated to the leadership team to make the formal recommendation(s) to the dam managers. In terms of the monitoring, the monitoring program was design to accommodate these types of changes/hypothesis testing. In fact, both the modeling and monitoring programs are robust enough to handle changes and provide sufficient coverage.

- In response to a question on the agreement/disagreement with monitoring techniques, it was stated that there is an evaluation panel that periodically reviews parts of the program. In the earlier years there were more frequent concerns. The panel of 6 to 10 experts is convened as necessary to review the monitoring and provide feedback.
- In response to a question on funding, it was shared that the majority of the funds come from the power revenues of the dam - 80% of which goes into research and monitoring and 20% for program management.
- It was requested that Mr. VanderKooi speak to any lesson's learned that this Collaborative Program might benefit from.
 - It was shared that one person in a key role can make a huge difference. In the Glen Canyon Dam program, it was the State designee to the program. Through dedication and insistence to working through consensus agreements, this one person was able to move the program forward and make it productive.
- In response to a question on finding the common ground in terms of scientific "opinion", it was shared that the Glen Canyon Dam program used to have biologists advocating very strong opinions, but with a lack of data. The science center now provides the venue for focused questions and answers that the group can agree on.
- In response to a question on suggestions to increase flexibility and shorter timeframes to accomplish HFEs, it was shared that it took a lot of time to get to the place where back-to-back events could be possible. The information collected after each single event was used to justify future efforts. Then everyone had to work together and established annual checkpoints, mid-Environmental Impact Statement (EIS) checkpoint at 10 years, checks for stakeholders to know things are going in the right direction, and continued involvement and commitment.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - Debbie Lee will provide EC Retreat participants with a digital copy of Scott VanderKooi's presentation on Glen Canyon Dam Adaptive Management.

3.0 Budget Pre-Meeting – Report Out

- Tuesday, April 25, 2017 a small group met for two (2) hours to discuss the questions outlined in the non-federal letter.
 - One suggestion that came out of that meeting was to have a group of attorneys check the legislation to determine if there is any flexibility on the cost share requirements. Given that there are non-federal contributions (obligations) "built" into the new 2016 Reclamation and Partner's BO, the intent is to ease

- this requirement, if possible, for the benefit of the Collaborative Program overall, as tracking the cost-share involves a significant time and effort
- At the meeting, the group suggested that the Collaborative Program consider developing a 3-year budget. This process reflects the Reclamation's budgeting process, would provide a more comprehensive outlook of the Collaborative Program's future activities, and supports forward-planning efforts.
 - The federal budget process has been a primary driver for Program funding, but there are other budget processes and other options that could be included.
 - It was clarified that the Collaborative Program does not have authority or decision-making ability over any agency's budget or funds. The Collaborative Program can, however, make recommendations for individual agencies to consider the Collaborative Program efforts during their budgetary process.
- *Program Funding*
 - Attendees were reminded that that the U.S. Army Army Corps of Engineers (Army Corps) has a two (2) year lead on their budget process. The FY2019 budget is being planned now. Reclamation has a three (3) year lead on their budget process and will be planning the FY2020 budget this summer. This means that the agencies will be operating on budgets that have already been drafted and submitted for approval for FY2017, FY2018, and FY2019.
 - Some signatories would like to have continued discussions and clarification on defining/determining how the EC will be involved with funds requested for the Collaborative Program.
 - It was pointed out that the cost share (in-kind services, cash, staff time, etc.) was a prerequisite for the non-federal agencies to be in the Collaborative Program. Hopefully, other non-federal entities, that are not part of the Reclamation BO, would continue to contribute and report on their efforts and contributions, as necessary for reporting to Congress.
 - Participants were generally supportive of investigating flexibilities in the cost-share requirement, with a few raising concerns about unintended consequences for the Collaborative Program that might result with the removal of the cost share requirement.
 - A significant portion of the non-federal memo pertains to questions on the Collaborative Program funding and clarification on what is the "Collaborative Program budget" In the memo, the non-federal partners raised concerns about how Collaborative Program funding would be impacted by Reclamation's BO compliance activities, and whether BO compliance would be considered part of the Collaborative Program. This has implications for the cost share determinations (ex. what "budget" the cost share is to be measured against?).
 - In response, some of the federal signatories shared that the perceived "tone" of the non-federal memo and the discussion at the two (2) hour meeting yesterday was not productive as it felt accusatory, and put the federal signatories on the defensive.
 - Reclamation and Partners have mandated obligations/requirements in the new BO which must be met. At least for the next few years, Reclamation expects to have little-to-no discretionary dollars for the EC after BO implementation activities.

- One possible solution would be for all the partners to work on bringing in funding outside of federal agency budgets.
- It was acknowledged that every agency has its commitments, requirements, and obligations. It was also acknowledged that the EC doesn't have "veto authority" over Reclamation's budget. It was clarified that the concern centers on the portion of the budget requests that Reclamation includes for the Collaborative Program.
 - Reclamation is still determining how it will operate under the new BO – timelines, schedules, etc. are in progress and things are still being adjusted.
- It was pointed out that most signatories have their own resources to contribute to a set of mutually agreed to priorities. These resources include not just funding, but staff and volunteer time, facilities, equipment, etc. It is not only Reclamation's funding that is available to the Collaborative Program, as all the signatories should contribute as they are able. This is especially true given the federal budget outlooks. The Collaborative Program needs to determine how it can be successful regardless of funding allocations.
- The money appropriated by Congress to Reclamation was to accomplish the 2003 BO and included the cost share responsibility. But if agencies are contributing (and are responsible for a cost share) then they should be allowed to have input on how the projects are being accomplished and have input on the science. There is now a new "paradigm" with the new 2016 Reclamation and Partner's BO and there are challenges and budget issues that need to be grappled with.
- A brief history of the Program under the 2003 BO was shared. That BO was depletions-based and covered everyone in the basin. But a 10th Circuit court interpretation required Reclamation and Partners to do an action-by-action analysis. This has resulted in a shift in terms of requirements (see BA/BO Table 1) and Service evaluations. The Endangered Species Act (ESA) is the primary source of Reclamation's authority to "do good work." The folks who usually get sued on endangered species issues are the federal agencies. It makes sense for the 2016 BO Partners to make the implementation of the BO their number one (1) priority.
- The Army Corps has money that they cannot spend unless it is through the Collaborative Program. The Army Corps would like to have a more formalized process for their funding contributions. This could include CC provided recommendations that get elevated to the EC for "Program-wide" endorsement. This provides a necessary paper trail and meets the "letter" of the Army Corps' authority.
- Some attendees suggested that discussions pertaining to activities that might be included under the umbrella of the Collaborative Program ("What's In") versus activities that would not be in the Collaborative Program's purview ("What's Out") needed to be completed before the budgetary questions can be answered. Specifically, clarification around whether all or some BO activities would be included.
- *Summarized Section Decisions, Actions, and Recommendations:*

- The Army Corps has specific authority to support the Collaborative Program, and requests a more formalized process for funding requests from the EC, in order to meet their authority.

4.0 Interim Program Procedures and Governance

- Attendees briefly discussed the need for everyone to commit to better transparency and communication. There is also a need for the EC to enforce the Collaborative Program By-laws now and in the future.
 - Concern was raised that it is unclear which version of the By-laws to follow, as the latest 2012 By-laws include outdated language regarding the Recovery Implementation Program (RIP).
 - Regardless of which version is more appropriate, the By-laws need to be revised and adopted by the EC.
- Attendees discussed the formation of a subgroup tasked with comparing the 2006 and 2012 By-laws and beginning the revision process. Participants in this subgroup were encouraged to revisit the April 13, 2012 EC meeting summary for a list of amendments that were discussed at that time.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - In a roundtable format and with no objections voiced, all signatories present agreed to the formation of a By-laws Subgroup to begin the revision process of the Collaborative Program's By-laws. The suggested amendments will be brought before the full EC for endorsement.
 - The By-laws Subgroup will convene on Thursday, May 4 from 1:00pm to 3:00pm to begin the revision process of the Collaborative Program's By-laws. Identified participants included: Josh Mann (Solicitor's Office), Janet Jarratt (APA), David Gensler (MRGCD), Jim Wilber (Reclamation), Bill Grantham (NMAGO), and a member from the Army Corps and ISC.

5.0 Program Purpose, Budget, and Long-Term Planning (What's In/What's Out)

- Before the Collaborative Program budget and activities (what's in/what's out) can be determined, it was cautioned that the EC needs to decide the focus and direction of the Collaborative Program.
 - One opinion is that the Collaborative Program should be about the river and riparian ecosystem and how the management of water can return it to a healthy state, with a particular emphasis on the endangered animals.
 - It was countered that since everyone has their obligations identified in BOs the conversation should focus on what will be considered "collectively." This will help define what the Collaborative Program is.
 - It was cautioned that the Collaborative Program should be flexible and the discussions on "what's in/what's out" are likely to change over time. The Collaborative Program should be an overarching or under arching foundation for all the work that could be considered.
- Attendees acknowledged that Reclamation and the Army Corps are the main and most consistent "funding" sources for the Program. Questions and concerns remain

- about how the EC, as a collective, can have input on the priority use of funds requested through the agencies budget process.
- It was pointed out that there is not a “pot of money” that the Collaborative Program gets to spend. Reclamation might be able to request some additional funds within their budget, but it will take a very clear identification of activities first. It is possible that larger contributions could be secured if the EC had a clear, explicit, defensible plan.
 - It was noted that for the Army Corps’ authorization this plan needs to be titled the “Long-Term Plan” (LTP).
 - A guidance document – such as a LTP – might include a record of what has been done, what is being done, what has to be done (ex. areas of no flexibilities), and where discretionary activities might fit in. Ideally, the plan will build the ultimate “wish list” including BO requirements, ideals, and choices. Once the plan is developed, the cost estimates can inform the funding needs and options.
 - In other words, the Collaborative Program has to determine what it wants to do and accomplish before the funding and budget piece can be properly investigated. Priorities need to be set first and then figure out how to accomplish them (grants, agency authorities, etc.).
 - One opinion shared was that the Collaborative Program can support/drive the science portions that could be used to inform better BOs in the future. What does the science indicate in terms of doing better in the future?
 - One member cautioned that the “what’s in/what’s out” discussions will be too detailed to accomplish in a short period today. More importantly, the high level questions of “what is the Collaborative Program?”, “why are we here?”, “what are the goals?” need to be answered by the signatories.
 - Another opinion was that the Collaborative Program goals and/or mission are not separable from the budget discussion. The Collaborative Program was created by an act of congress and was at the time a solution to address ESA issues and bringing in federal funding. But the activities LTP and budget go hand-in-hand.
 - One big question is: “what is needed to be resilient in the future?” This question should be informed through studies, monitoring, and other scientific activities. The data will drive AM - which will provide for resilience in the future. If the research is good, then there is support to make changes.
 - Science will indicate if the BO requirements made any difference. The Collaborative Program can provide the link between science and biological responses to the BO. This will lead to success for the Collaborative Program, BO Partners, the Service, and the species.
 - The Collaborative Program can make a difference in the future through science and monitoring by determining which management actions on the river are affective while filling in research gaps on the biology of the species. This better informs future actions for everyone.
 - If there is going to be an accounting of the health and function of the basin and the effectiveness of past and future measures, the Collaborative Program will hopefully recognize that other animals are impacted (not just the Rio Grande Silvery Minnow (minnow) and

Southwestern Willow Flycatcher (flycatcher)). It would be refreshing, and important to many signatories, to have conversations about the science for other species.

6.0 Coordination versus Collaboration

- Representatives from Reclamation provided a partial list of activities that are already being funded by the agency, including but not limited to: monitoring, propagation, low flow conveyance channel, water leasing, science panels and peer reviews, habitat restoration, coordinating water operations, river maintenance, etc.
- A distinction between “coordination” and “collaboration” was made. Paraphrased, the definition of coordination is the ability to use different parts together smoothly and efficiently while collaboration means working together, especially in a joint intellectual effort. There is a perspective that coordination with the Collaborative Program slows things down tremendously.
 - There are requirements that the BO partners will continue to address and will coordinate with the Collaborative Program on. Things like AM and monitoring should be developed together, in collaboration.
 - *In response to a question, it was clarified that monitoring is the year-in/year-out gathering of information for trend data; AM addresses specific questions and hypotheses through experiments and research activities.*
 - The Collaborative Program could become the “science hub” by setting up a robust monitoring program and overseeing a functional AM process. The results of these activities would then be used to inform management. Thus driving the AM loop process.

7.0 Collaborative Program Signatory Themes

- Dale Strickland, with WEST, provided a presentation on the “Summary of Collaborative Program Interviews and Write-Ups.” These were offered as potential guidance for consideration during retreat discussions.
- *Summary of Interviews*
 - A general synopsis of face-to-face discussions with executive members combined with the signatory write-ups conducted for this retreat was provided. Please note that these categories are not representative of unanimous feelings but represent the common themes and comments. The one exception was that everyone expressed the desire to have the Collaborative Program to be more effective and efficient.
 - *Summary Of Points:*
 - There was general agreement that AM should be used to implement the Reclamation BO. There was a range of opinion about what that might look like and how it might be implemented. There is uncertainty around who will implement actions, who will fund activities, who is responsible for what, etc.
 - There was a great deal of agreement that the Collaborative Program is important as a space for coordination, communication, and sharing of scientific results. The general opinion is that coordinating activities

- will contribute to the overall success for everyone as well as for species recovery and overall river ecosystem health.
 - In terms of success, signatories conveyed that improved relationships, improved communications, improved trust, and more streamlined/efficient decision-making processes would be needed in order to successfully improve the river ecosystem health and recover the species.
- *Questions/Comments:*
 - In response to a question on any major issues identified, it was responded that one potential “hurdle” was the opinion that the new BO basically laid out the federal path for next 10 to 20 years and resulted in questions about there even being a need for the Program. This was an undercurrent for several signatories. A suggested resolution is to make the Program more effective – so there is less wasted time and so the EC can take an active leadership role in the valley.
 - Part of this concern could be tied to the fatigue among signatories. A lot of time has been invested over the last 10 years and the new paradigm brings out the pessimism. But there is also optimism on the opportunities to move forward, to start fresh. The reason everyone is here today is because they are showing commitment to the Collaborative Program.

8.0 Program Operating Space

- In a working session, attendees began to define the potential relationship of the Collaborative Program with the BO partners. While some of the BO partners are Collaborative Program signatories, they have their own BO obligations that are separate from the Program.
- This draft “framework” will not nor is intended to replace the Collaborative Program’s mission statement or goals. The intent was to better define the Collaborative Program’s “operating space” in the context of some members’ BO requirements.
- After several iterations of word-smithing, attendees proposed the following language:
 - *The Collaborative Program will focus on where it can contribute to the resiliency of the Middle Rio Grande now and in the future. Specifically:*
 - (1) *coordinating around monitoring efforts, both for population trends, and to determine the effectiveness of management activities to inform adaptive management; and*
 - (2) *collaborative science to identify and fill in data/information gaps for the natural systems;*
 - (3) *collaboration on water management; and*
 - (4) *coordination and/or collaboration on project implementation.*
- Comments:
 - It was noted there are social and economic components as well as multiple species to consider. Every action and activity will have to operate and occur within the socio-economic realities.

- It was pointed out that this statement is very passive and doesn't necessarily reflect the desire to be active in the basin.
- Some members questioned why this exercise was being done. The EC should be approaching this retreat with reaffirming commitment to the Program, begin working on a guidance plan and then move into more specific budget discussions and planning.
- It was reiterated that Reclamation's budget is not, in part or entirety, subject to the Collaborative Program's oversight, control, or decisions. The Reclamation BO contains voluntary pieces and mandatory pieces. It is expected that the discretionary (voluntary) funds will be minimal for the next several years. Reclamation is willing to coordinate on the BO implementation and collaborate on the science and AM.
 - Even though "collaboration" has an implied "jointness", it was clarified that collaboration does not necessarily mean there will be "voting" or decision making through the Collaborative Program.
 - Questions remain on the EC's role and decision-making function(s). In terms of the science aspect, it will be important to have protocols and reach consensus on what is being studied and how it is being studied in order for everyone involved to have confidence in the product(s).
 - Some attendees requested clarification on how "collaboration" and "coordination" are being "used" in terms of activities and the Collaborative Program's operating space. What are instances where affirmative approvals would be needed to make something effective and determine how to proceed?
- In response to a recommendation, attendees reviewed the mission statement in Section 1.0 of the Program By-laws. It was expressed that this section effectively defines the "operating space" for the Program and was reached by consensus agreement when adopted by the EC.
 - Given that there are multiple BOs (and that BOs come and go), what does the Collaborative Program want to focus on? What it is that the Collaborative Program can do (to bring the most value) that is complimentary and not duplicative?
 - Attendees discussed the Minnow Action Team (MAT) as an example of the Collaborative Program functioning successfully.
 - Water management is primarily a "coordination" effort, but the MAT has been able to work toward consensus and collaboration on water management options.
 - Some members expressed concerns that there have been a lot of past conversations on why the MAT should not be linked to the Collaborative Program and that there has been some hesitancy to formally charter the MAT and bring it under the oversight of the EC.
 - In response, it was shared that the MAT was formed during the pending transition to a RIP and there were "cart before the horse" issues. The first year or two could be considered experimental. There were concerns with the membership.
- It was pointed out that the purpose statement (Section 1.0 of the By-laws) does not include the recognition that the federal government and governmental agencies cannot give up its governmental functions. The language provides protections for the

state and for water rights, but does not formally acknowledge the federal budget oversight mandates.

- *Summarized Decisions, Actions, and Recommendations:*
 - It was requested that Reclamation provide more clarity on their definitions of “collaboration” and “coordination” pursuant to agency and Collaborative Program activities.
 - Grace Haggerty will clarify the membership issues that were concerns when the MAT was formed.
 - It was suggested that future versions of the By-laws include specificity on the federal budget mandates in Section 1.0.

9.0 Long-Term Program Aspirations

- A guidance document or planning document is needed to provide the “big picture” on what the Collaborative Program wants to achieve collectively, what to focus on, etc. Then the budget discussions can have context. If attempted the other way around (budget first, then planning) discussion could be limited. The Collaborative Program can have goals that are unfunded, but it is better to identify all goals than to never have specified a goal because there wasn’t enough funding at the time.
- Attendees discussed the differences between priorities, objectives, long-term goals and short-term goals. What needs to be done in five (5), 10, 20 years? Goals should be concrete, specific, fundable actions.
- In a roundtable format, signatories shared their thoughts and perspectives on potential long-term goals for the Program:
 - One short-term goal was identified: complete work already started but not finished (ex. fish monitoring program only has one (1) out of four (4) tasks completed; analysis of genetics peer review recommendations);
 - Support the Collaborative Program’s mission statement to: prevent extinction; improve habitat; support scientific analysis, etc.;
 - Routine advancement of scientific understanding of the river system and species needs with open communication; timely and transparent agency compliance activities; implement AM and achieve certain species population numbers (ex. maintain minnow densities above 5 CPUE (Catch Per Unit Effort) for 4 out of 5 years);
 - Support the science investigations to resolve the known and future uncertainties for the species in the system as part of a functioning AM framework (i.e., addressing data research gaps and uncertainties and applying information to key questions);
 - Have substantive actions around other species, not just the minnow;
 - Have regular “outside expert” input and have timely response to their products;
 - More on-the-ground project implementation and work;
 - Action on the science conducted and action in response to the expert panels and reviews;
 - Be a source of funding for AM implementation and on-the-ground projects under AM; provide an avenue for public information regarding ESA activities in the MRG;

- Be an established “science hub” or dedicated science center (similar to the Glen Canyon example); have an agreed process for approving/adopting the science;
- Through the structure of AM, the Collaborative Program lends the organization and agreement on what studies will be passive/active;
 - It was pointed out that the goals related to AM should be short-term and the Program should seek to accomplish them within the next year or two (2).
 - Another near-term goal is to have a revised LTP that includes the necessary BO compliance activities since that is what certain agencies are authorized to do now.
 - Attendees briefly discussed the suggestion that the LTP is the AM Plan. Others pointed out that AM recommendations could be incorporated into the LTP. Regardless of the format, the document will need to retain the title of “Long-Term Plan” in order to facilitate continued compliance with existing authorization.
- Successful implementation of AM (i.e., test hypotheses and make appropriate changes), with processes for agreement on the science; improved Public Relations (PR).
- At this point in the discussion, some members raised concern that the long-term goals cannot be addressed without first defining where the Collaborative Program is *now*. What is the purpose of the Collaborative Program? If the Reclamation BO is the main focus, then several signatories have no reason to be at the table. Is the prevention of extinction for only one (1) or two (2) species sufficient?
 - Funding is a big issue that is “wrapped up” with all the other issues – they aren’t separable. Why should agencies without BOs be involved in the Collaborative Program? There is support for the idea that one main objective should be for the Program to strive to get more funding to the basin. But there still isn’t clear resolution on the purpose of the Collaborative Program. There is no reason to hold discussions on “voting” or “decision making” unless it relates to a collective resource. One opinion as to “why are we here?” is “to secure funds.”
 - Other members expressed the opinion that there was already agreement that the Collaborative Program was not “BO based.” This continued discussion indicates that the issue has not been sufficiently resolved for everyone.
 - There needs to be a better understanding of what the Reclamation BO means for different stakeholders. As currently constructed, is there broad coverage for the state? Everything else stems from how the Reclamation BO might affect individual agencies and how we are (as individuals and a collaboration) going to “relate” to it.
 - This Reclamation BO was a “trade-off” for Reclamation and Partners control of the water in exchange for getting a lot of stuff done as quickly as possible. It is a different approach to supporting the minnow.
 - To some signatories, it “feels” like each agency is in their own “corner” doing their own thing until they either succeed or fail. For the

Reclamation BO partnering agencies, with required tasks, how will you be doing anything else? For agencies tasked with specific projects in the Reclamation BO, what else is there room for? How can we hope to influence the future if funding for research isn't available?

- It was acknowledged that there is little room for additional projects at this time. The partnering agencies worked very hard with the Service reach agreement and compromise on what could be done for the species (within the given authorities, budgets, etc.). It is hoped that the Collaborative Program will lead the collaboration on science, monitoring, water management, etc. Project implementation will not occur the way it has in the past.
- In response to a question on broad coverage, it was responded that if the Collaborative Program is assisting in the overall resiliency of the system, then it is providing a benefit to everyone. But having the Collaborative Program bear the burden of compliance for everyone is more than the Collaborative Program can take on at this point.
- One attendee commented that it appears that everything is being framed in the context of the Reclamation BO. Shouldn't the Collaborative Program be "thinking" outside of that constraint and, in combination with all members, identify their capacity to contribute to a mutually defined set of goals/objectives regardless if those coincide with the Terms and Conditions?
 - It was clarified that the concern [around the 2016 Reclamation and Partner's BO] relates to BO commitments and whether or not those command resources that impact the work of the Collaborative Program?
 - In terms of the broad coverage concerns, very broad coverage *is* provided because the new metric is population density instead of flows – the population numbers cannot fall below a certain density in a given timeframe. Reclamation and Partners are "on the hook" to ensure this metric is met and by doing so, there is "general coverage" for everyone else at the same time.
- Returning to the question "why are we here?", attendees reiterated thoughts and opinions. There is one system that is shared. Every agency has needs and wants - projects, money, and support. We are stronger together; and by working together, hopefully more funds can be generated.
 - Several members acknowledged that one main benefit for continued participation is the potential for funding. However, without a clear management plan/guidance document, certain funding opportunities cannot be applied for. There are grant opportunities that require partnerships. These opportunities are difficult to pursue without the "group" support facilitated through the Program. Unfortunately, the species and the system cannot be "saved" unless there is money.
 - Rephrased, one significant benefit of the Collaborative Program is the ability to leverage influence.
 - Attendees were reminded that the Army Corps has funds that can only be spent through the Collaborative Program.

- Everyone could be better off if the Collaborative Program, as a group, has a common understanding on the species and a collective knowledge.
- Many of these changes reflect the new budget realities. Write-ins are no longer occurring. The Collaborative Program is not a part of the Reclamation and Partner's BO. The reality is that the Collaborative Program is not a funding vehicle. It can be a place for collective science that benefits everyone. Some of the concerns with the Collaborative Program's past effectiveness could be addressed through shifting focus to science and AM.
- There would be more incentive for some members to continue participation if the Collaborative Program's goals were more focused on the preservation of the riparian corridor (i.e., healthy ecosystem) instead of what comes across as a very limited scope focused on a few specific species.
- It was pointed out that Colorado diversions impact the water coming into New Mexico and that is a limitation that cannot be addressed at this time.
- *Long-Term Aspirations - Continued*
 - Develop and maintain transparent, broadly inclusive datasets; implement the peer review recommendations in a timely manner; transparency in scientific research to form trust and open collaboration; and provide some level of predictability along the river (instead of sudden and unexpected human management actions);
 - Successful implementation of BO compliance commitments; successful achievement of activities and obligations in the to-be-revised LTP; and at least two (2) years' experience of funding Collaborative Program activities;
 - Have a process and protocol to address competing science and bottlenecks;
 - To no longer be talking about the same issues in five (5) years – to make actual progress and become a functioning Collaborative Program that supports a functioning system. Realistically, the system is falling apart so more species will end up "in trouble" unless the underlying problems and not just the symptoms are addressed; be proactive with known potential issues, such as the salt-cedar beetle;
 - Support science processes that helps agencies be better managers; science should drive everything being done in the basin and good science will "correct" a lot of the continuing issues;
 - Build trust and the ability to work together;
 - Have a common understanding with signatory buy-in on the Collaborative Program's purposes, goals, structure (organization), and function of the Collaborative Program.
- In one way or another, it appears that everyone can "see" some potential or value of the Collaborative Program. Future tasks ahead include: building trust, bettering communications, shifting focus to science and processes for agreement on the science, refining the Collaborative Program structure to support better governance, and leveraging of finite resources in a time of deficiency including exploration of options (requests in federal and state budgets, grants, partnering opportunities, etc.).

10.0 Non-federal Caucus Report Out and Agency Budget Processes

- Non-federal signatories requested a caucus opportunity to discuss unresolved concerns on funding, budgets, and next steps. *The non-federal caucus occurred off-record; please contact a non-federal member of the EC for any details on this discussion.*
- Upon reconvening, non-federal participants in the caucus requested a detailed description of the federal budgeting process for Reclamation and the Army Corps that includes specificity on what the Program can and will need to do to actively submit Program requests for consideration in the federal budgets. While a general synopsis would be appreciated for today's discussion, the request is for a written document containing details on schedules and timelines, specificity of requests (level of detail and information), suggestions on what should be included in requests to be most well received, etc. The intent is to help the Collaborative Program maximize the opportunity for successful budget requests. This is one way the federal partners can assist the group, as a whole, in attempting to secure money for common Collaborative Program goals.
 - One first step suggested for the Collaborative Program is to identify and delineate specific goals and discrete tasks with cost estimates that can be used as a "road map." Having the direction of the Collaborative Program clearly outlined will help agencies better understand different funding opportunities and how this group, working as a collective, can leverage funding resources.
 - It was cautioned that there are complexities and nuances to budget processes and each agency will have its own unique protocol.
 - *Please note that the process descriptions offered during the following discussions are general and for informational purposes only. The timeframes can vary and changes in the processes are the prerogative of each agency.*
- *Reclamation's Budgetary Process: A General Overview*
 - Reclamation starts its budget process a year before most other federal agencies. Budget requests for FY2018 and FY2019 have already been submitted. The FY2020 budget requests will be initiated this summer.
 - Every year, around June or so, a request is issued to the area offices to formulate their budget. Initial funding costs requests are usually due around mid- to late August. This timeframe, from receipt of the "go ahead" announcement through mid- to late August, is the opportunity for the Program to communicate and coordinate with the Albuquerque Area Office (AAO) to submit potential requests. After submission, the area office budgets get elevated "up the chain." The management team will formulate a draft budget and tally up the requested totals. It is up to the area office team to determine which additional requests, if any, might be considered for inclusion.
 - The AAO has already submitted funding requests for AM in the FY2017, FY2018, and FY2019 budgets. It is up to the AAO to determine how those AM funds will be utilized. The AAO has a routine amount that has been consistently requested. This consistency allows the "targets" to remain about the same as the year before. Any deviations will have to be explained and justified.

- The basis of increases or decreases for Collaborative Program requests will have to be provided, especially for increases. The AAO will need to refer to a program “planning” document and the activities in it. As a signatory, Reclamation will first need to support this document. Having this document will also mean that the level of specificity for each request does not have to involve significant detail. The plan can be referred to and used to provide general study/project descriptions. Chances of successful requests will be directly impacted by the quality of the “plan.”
 - It was noted that existing LTP will not suffice. The “plan” needs to be a high quality document with EC buy-in before additional funds can be requested. The “plan” should also include contributions from others to support the commitment to successful implementation. A well-thought out plan with detailed activities that is supported by the collective (as indicated through other contributions) is more likely to receive possible funding.
 - It was noted that Reclamation is solely responsible for its budget and the utilization of funds are at Reclamation’s discretion. While it is not required that Reclamation fund the exact things in the budget requests, the agency will strive to honor those commitments when possible.
 - Another budgetary “tool” available to Reclamation is an “over-target” request. These “over-target” requests have to be solidly defended and support the need for a comprehensive, defensible, Collaborative Program plan). Reclamation’s management prioritizes “over-target” requests that come in from all the area offices in the region. There are no guarantees but a solid plan is the first step to having “better sway” in the decisions for over-target requests.
 - It was pointed out that lobbying efforts are one way for other members to advocate for additional funding.
- *Army Corps’ Budgetary Process: A General Overview*
 - The Army Corps’ Program funding comes through the Operations and Maintenance (O&M) category. The Army Corps is on a two (2) year budget request cycle which means the FY2019 budget is being developed now.
 - Every year, the Army Corps’ representatives work closely with the CC to determine priority activities the Army Corps can fund for the Program. The agreed-to Program requests then get submitted toward the O&M funds. The Army Corps has consistently requested about \$2.5 million for the Collaborative Program every year. The request is not “activity specific”, but a “lump sum” based on the Collaborative Program’s desires communicated through the CC. There are no cost-share requirements with this funding.

- The Army Corps then allocates the money based on projects and priorities identified through the CC. So there is flexibility to change what is funded if priorities or needs change.
- As previously mentioned, the Army Corps would like to have a more formalized process for their Collaborative Program funding contributions.
- It was pointed out that the Army Corps' authorization specifies the LTP by name. The Collaborative Program can develop any guidance document in any format, but the name is a potential issue for the Army Corps' continued authorizations. However, a strong plan bolsters capabilities for budgets and can highlight where the money is going and why.
- In terms of other projects such as restoration work, the Army Corps has opportunities but the money comes from other categories and with different regulations and requirements.
 - One benefit to the O&M path is that the funding is relatively consistent. Other authorities are project based or individual authorizations – they are harder to secure, require local cost share, etc.
 - Regarding the water operations, the Army Corps is not necessarily opposed to exploring changes in the water operations out of the reservoirs. However, there is a need for a comprehensive system analysis. This analysis could then help to make sure any reallocations or changes are directed to the correct place in the system. A comprehensive system-wide analysis is the first step.
- *Service's Budgetary Process: A General Overview*
 - The Service's funding allocation process is more top down. The budget request process is not as future-driven as Reclamation's. However, the actual discretion is not well enough understood at this time for the representatives to feel comfortable about sharing process generalities.
 - It was agreed, however, that a well thought-out, explicit, sellable, defensible plan could also help the Service to seek funding for very specific items. The requests need to "make sense" and be supported by the Regional Director.
- *ISC's Budgetary Process: A General Overview*
 - As a state agency, ISC's funding is through appropriations from legislation. The agency turns in an annual budget request through the Office of the State Engineer (OSE). There are some Trust Funds that can be allocated, if/when appropriate and approved.
 - ISC develops budgets a year and a half in advance. For example, the budget requests for FY2019 will need to be completed by September of 2017.
 - The budgets are submitted to the appropriate state agencies for integration and submission to the next legislative session.
 - Approval depends on the state revenues. For ISC, about half of the budget comes from Trust Funds for specific items and the appropriations have to include details on the funding sources.

- The agency internally determines valid requests for funding. The budget is then defended in front of the Senate Finance Committee.
 - Through the years, the Water Trust Board has approved approximately \$5 to \$6 million between ISC and MRGCD applications for restoration work.
 - ISC communicates with the MAT and Habitat Restoration Workgroup (HRW) to discuss activities and determine what projects to fund.
 - In response to a question regarding funding requests to both the state and the federal agencies, it was responded that where appropriate requests could be submitted to all potential funding agencies. The calendar (timing of agency processes) is the critical piece in terms of being proactive and completing requests in a timely fashion.
 - There is also opportunity to explore grants or other funding venues such as the FOIA funding opportunity announcements, Water Smart opportunities, etc.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - It was requested that Reclamation and the Army Corps provide the EC with a written description on their budgeting process and how the Collaborative Program could take an active role in submitting funding requests through the federal budget process(es). It was requested the write-ups include very specific descriptions on schedules and timelines, details on the specificity of any requests, what should be included in requests to be most well received, etc. The intent is to help the Collaborative Program maximize the opportunity for successful budget requests.
 - It was suggested that the first step is to receive written information on the federal agency's budget processes. Then, the Collaborative Program can begin a concerted effort to develop/revise the LTP and include agreement for projects/activities for Year 1, Year 2, etc. The budget formation and funding requests would then be developed out of that LTP. This budget planning could constitute the "out-year" planning.
 - There was general agreement that the Collaborative Program needs to have a LTP (either revised or completely new) as a 3 to 5 year "guidance document" that provides/outlines Program directions, priorities, supports transparency and possible funding requests.
 - The format of this LTP and the details to be included will be discussed and determined. Some participants suggested/supporting turning the AM Plan (once developed) into the Collaborative Program's LTP; however, this was not necessary an agreed-to approach since AM may not necessarily be the only component of the LTP.
 - A well thought out, explicit, defensible plan could help secure larger funding contributions by highlighting beneficial activities and how funds will be spent and can be used to advocate to management.
 - Susan Millsap offered to investigate the Service's budgeting process concerning possible discretionary funds and potential funding options through other offices.

- Jennifer Faler will provide Debbie Lee with the PowerPoint presentation on the grant process for distribution to the EC.
- With no objections voiced, there was general agreement to pursue the possible inclusion of Program budget requests through the Army Corps' 2019 and Reclamation's 2020 budget. Discussions and agreements need to occur before August 2017 to be considered in Reclamation's process.

DAY TWO: April 27, 2017

1.0 Summary of Day One and Continued Discussions

- Yesterday, attendees focused discussion on (1) the importance/purpose of the Collaborative Program; (2) the need for a new, comprehensive LTP; and (3) budget and funding concerns and opportunities. Formal decisions on these discussions will be made today.
- *Continuing the Collaborative Program*
 - Yesterday, signatories agreed the Program has value and there is a general, but cautious, willingness to continue participation.
 - In a roundtable format, signatories affirmed continuing participation in the Collaborative Program with 10 approvals and 3 approvals with caveats that (1) it be acknowledged that the Collaborative Program exist by law whether there is active participation or not; (2) certain agencies support continuance provided the agency remains comfortable with the direction the Program moves forward; and (3) as long as there is a perceived benefit to participation.
- *3-Year Program Budget*
 - At the Tuesday meeting, it had been suggested that the Program consider formulating a 3-year budget including outlining schedules/timelines for different funding processes. This "master budgeting plan" would show commitments and provide the Program Manager with the information necessary for annual budgeting considerations.
 - A 3-year budget would need to be developed collaboratively by the group and it will need to "tie" into the LTP. It will also need to be updated regularly by the group. It was requested that in-kind contributions be included or incorporated as well.
 - Federal agencies refer to this type of budget as an "out-year" budget and it should be built on activities from the LTP (or other activity matrix). The specific project titles, purposes, scheduling, etc. from the LTP should drive this "out-year" planning process.
- *Long-Term Planning*
 - In terms of next steps, attendees discussed the need for the LTP development to occur sooner instead of later. It should include some prospect of activities that are ranked and then accomplished based on annual funding availability. The LTP document will be most efficient if it also contains information on estimated costs, timelines, project order, responsible parties, etc. The budget decisions then "flow" from that regularly updated document.

- This is where the EC needs decision-making protocols to determine, as a governance body, what activities are recommended and why. Those recommendations and requests are then submitted to the potential funding sources (agencies) in accordance with their budgetary process/schedules.
 - The annual planning built into the LTP should be “aspirational” and will be refined as that particular year approaches and specific funding is determined.
- *Opportunities for This Year*
 - It was pointed out that while longer-term planning is a necessary and worthwhile pursuit, there are still five (5) months remaining in this fiscal budget year and eight (8) months remaining in the calendar year. The EC should also be considering “in-year” planning. This year and next year should be short-term “transition” years before the “out-year” budgeting can gain traction. For example, how will the Collaborative Program keep going on the budgets and funding available now? How will LTP activities be addressed next year? The Collaborative Program cannot afford to wait for three (3) years until the Reclamation budget potentially reflects specific budget requests.
 - The LTP and budget process needs to be iterative. If the LTP contains the right types of details, then agencies can refer to it in the budget request process with a “ballpark” estimated cost. The EC should constantly revise the document based on AM and reality of funds. It cannot be a document that is only “looked at” once per year.
 - Reclamation cannot discuss the FY2018 budget until it is official. If activities/projects/actions support BO compliance then Reclamation’s AAO expects to have a certain amount of budget flexibility. However, Reclamation is unable to support the LTP in its current and very outdated form. The federal acquisition process takes years to accomplish – starting with scope development through the bidding process, negotiations, and award, etc. It was cautioned that the Collaborative Program should expect several years before it is successfully submitting requests for consideration in the budgeting processes and schedules. The first step is to develop a strong LTP with agency “buy-in.” Until that point, Reclamation will primarily be focused on their River Integrated Operations (RIO).
 - It was also pointed out that Reclamation will determine its priority projects and funding. Reclamation is not required to fund a priority of the EC, even with a strong Program LTP.
 - The Collaborative Program can collaborate on “out-year” budget aspirations that can be presented as recommendations to the funding agencies in the correct formats and correct timeframes. The funding agencies are then able to take these recommendations under consideration, but are in no way obligated to do so.
 - It was clarified that there could be smaller, shorter projects that are more suitable for different types of funding (quicker turn around cycles). The Collaborative Program should weight those types of opportunities for the next one (1) to two (2) years with the recognition of how long it takes to put the federal “machine” into motion.

- It was suggested that the LTP include “everything that everyone has to do” (ex. all BO requirements that have to be built/addressed). This is one way to ensure that the document is “all encompassing” and could support everyone working together. This will also support transparency and understanding as the agency priorities will be clear. It could help to identify areas of “overlap” and opportunities to work together.
- In response to a question on clarifying what exactly is meant by “EC budget”, it was reiterated that Reclamation will fund what it has to do (internal responsibilities, BO requirements, etc.). There is no “other world” of Collaborative Program money for things the EC decides need to be accomplished.
 - Reclamation could be comfortable with an “all encompassing” LTP that includes all the agencies “have to’s.” It was pointed out that historically politicians fund things that are working well and provide a known and proven service. However, this Collaborative Program does not have a strong track record and no one can afford to waste money. By the time Reclamation funds all the BO scheduling expectations, there is no “extra” money in the current “asks” for the Collaborative Program. One of the best things the Collaborative Program can do to garner support is to have proven cooperation and progress. Those successes will encourage everyone to figure out how to keep the funding coming in.
 - It was reiterated that the Army Corps has a very flexible budget and it is possible that a lot of these activities might be funded through these appropriations. For example, selection of an AM recommended task could benefit compliance and benefit the Collaborative Program as a whole as long as there is scientific agreement. The Army Corps continues to request generally the same historical level of funding for the Collaborative Program. And while the future is uncertain, there are FY2017 funds available.
 - Attendees expressed differing opinions on the non-federal lobbying trips to Washington and the perspectives on the resulting communications.
 - One member shared the opinion that in the past, the LTP process was fairly comprehensive and the EC would “hash” out the selection of projects and activities until there was a level of agreement. The non-federal members could take that LTP and resulting priorities to Washington, D.C. The documents were developed as a group and were taken in support and as justification for congress. The failed transition to a RIP derailed a lot of the Collaborative Program’s pursuits and activities, including the lobbying for the Collaborative Program. To resume lobbying, there needs to be a clear delineation of the tasks that are “collaborative” – what are we working on together? This piece is missing with the new Reclamation and Partner’s BO.

- Even with what might be viewed as a “tumultuous” past, it was pointed out that there are multiple refugiums and propagation facilities that have maintained the minnow population (and minnow genetics) through drought. This is an incredible success!
- Concern was expressed that the conversation seemed to have returned to the idea that Reclamation is “a super-majority of one” and while lobbying efforts are encouraged, it is reiterated that their budget is “theirs and theirs alone.” What is the motivation for non-federal members to lobby for more funds if Reclamation cannot offer some reassurance that the EC will have input on the money secured for the Program?
 - Reclamation would rather “under-promise and over-deliver.” Reclamation wants the Collaborative Program to work and is invested in the success as exemplified by the funding of the Program Management. But realistically funding will continue to “dry up” until the Collaborative Program, as a group, is able to move past the baggage holding it back. There has to be proof that the group accomplishes good things, constituents are happy, etc. Then doors will open and progress can continue.
 - The past cannot be changed. This is a pivotal moment for the Collaborative Program. The past can offer lesson’s learned, but how can the Collaborative Program be more successful moving forward? What is the future for this group? How are we going to work together? How are we going to accomplish good things?
 - Other, more successful groups approach Reclamation’s Regional Director’s Office very prepared with their multi-year plans. These get attention and support. It takes a willingness to work together, to find the commonalities, and to find the shared vision for the future.
- *Context*
 - To be successful, the Collaborative Program has to accept the realities in which it exists: new administrations, funding uncertainties, new BO for several signatories, other BOs, agency responsibilities, challenges of the budget and planning processes, etc. These are the areas that cannot be changed or influenced. The Collaborative Program should have a short-term focus for the next one (1) to two (2) years to gain momentum, get things accomplished and start to prove successes while beginning to “build the dream” (LTP) that will help the Army Corps and Reclamation pursue additional funding. That is how the Collaborative Program can find success in the contextual framework.
- *Program Value*
 - For several members, the Collaborative Program has value because it is necessary to bring federal funding into the basin.
 - Attendees expressed differing opinions on whether or not the species issues are “mainly a federal problem” that requires federal resources. It was pointed out that it is illegal to take the species whether it is a governmental agency or private individual.
 - The BOs in the region provide take coverage. But there are other things that agencies want to do to provide a better river system for those species. One could argue that it is those “other things” that move the system toward sustainability and recovery.

- If the Collaborative Program can function as a collaborative with a strong LTP, it could be hugely successful in bringing in funds to this region. The LTP has been touted as the tool for successful money requests. It can be hugely powerful for a diverse group of stakeholders to ask for money.
 - Given that every agency has its responsibilities and requirements, the Collaborative Program could be strongest by supporting the science and monitoring. A unified monitoring program and a strong AM program that informs what needs to be done and how it needs to be done could be the “common link” that helps to ensure everyone is working toward the same goals and on “the same page.” Similarly, the Collaborative Program could be the “platform” for information sharing and facilitating a common understanding of progress and accomplishments.
 - It was pointed out that science, monitoring, and AM all require money to fund and accomplish.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - In a roundtable format, signatories affirmed continuing participation in the Collaborative Program with 10 approvals and 3 approvals with caveats that (1) it be acknowledged that the Collaborative Program exists by Congressional legislation; (2) certain agencies support continuance provided the agency remains comfortable with the direction the Program moves forward; and (3) as long as there is a perceived benefit to participation.

2.0 Adaptive Management and the Collaborative Program

- Dale Strickland presented a slide on the AM cycle and stated that WEST envisions the AM Plan would be the LTP.
- The Collaborative Program can conduct the science, have it reviewed, and then make recommendations to the management agencies for consideration. If designed properly, actions and activities will be adjusted in response to the things that are learned. The Collaborative Program informs future decisions by evaluating the actions on the river.
- WEST suggested that the Draft AM Plan process be expedited with an assigned working group for input.
 - It was requested that these AM Plan work group meetings be facilitated in order to ensure buy-in from all representatives and to build the plan with consensus at every step.
 - It was pointed out that agreement may not be necessary at every step since differing ideas can be included and eventually tested.
 - It was pointed out that there is an existing AM Team that advises Geosystems Analysis (GSA) for the Army Corps’ AM contract. That group already exists and has the appropriate membership structure (i.e., inclusive representation). Instead of forming another group, this existing group could provide guidance on the Draft AM Plan development.
- It was cautioned that since the Draft AM Plan has not been written yet, it is would be premature to say the LTP and Draft AM Plan are the same thing – there could be different content, scope, etc. It was stated, there are many AM Plans available for

consideration as a model for the Collaborative Program AM Plan. WEST recommended the use of the Platte River Adaptive Management Plan as a template. It was requested that WEST provide the EC members a copy of the Platte River AM Plan.

- The LTP might be broader than just the AM Plan and might include other things. They might eventually merge. The LTP could be the AM program plus trend monitoring plus BO elements.
- It was cautioned that activities included in the LTP could be subject to cost share so the EC will need to be judicious in developing the LTP.
- Not every activity listed in the LTP would necessarily be susceptible to AM. There may be some overlap (some LTP activities are part of the AM Plan but others might not be).
 - The legislation specifies having a guidance document with the title of “Long-Term Plan.” It may be that the AM Plan could be Chapter 2 of the LTP. That can be worked out at a future time. Regardless, the Draft AM Plan and LTP need to be expedited and then those documents can be coalesced if/as appropriate.
 - It is recommended that there be a solid start to the LTP between June and August this year to inform Reclamation’s FY2020 budget process.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - In a roundtable format and with no objections voiced, the 13 signatories agreed to the accelerated development of the Draft AM Plan with reliance on WEST and the Army Corps’ AM Team to achieve this.
 - WEST will distribute the Platte River AM Plan as the suggested template for the Collaborative Program Draft AM Plan.
 - The Army Corps will explore contracting options to utilize GSA (and team) to assist with submitting priority AM recommendations and/or feasible near-term activities.
-

3.0 Review of Aspirations

- Yesterday, the EC provided goals and aspirations for the Program. Five (5) main categories were prominent:
 1. Healthy ecosystem in the MRG basin (and not just limited focus on the minnow) – this was a major overarching goal;
 2. Relationship and trust building;
 3. AM and Science;
 4. Funding and leveraging of resources;
 5. Longer-Term Aspirations – independent science center; streamlined environmental compliance (ex. NEPA coverage), resiliency.
- Attendees briefly discussed recent successes (peer reviews, science panels, persistence of the endangered species through drought).
- It was pointed out that improved functionality will require consistent Program Management and public outreach.
- Returning to the suggestion to have an attorney subgroup review cost share flexibilities, it was clarified that the suggestion was first raised at the small group meeting on Tuesday (before the retreat). Legislation refers to the 2003 BO and there

might be some flexibility that relieves “pressure” for non-federal members. Cost share tracking is mandatory and takes a lot of time.

- In a roundtable format, signatories approved tasking a subgroup consisting of attorneys to review legislation for potential cost share flexibilities and whether or not ISC and MRGCD’s BO commitments met the intended cost share contributions with 11 approvals and 2 approvals with the caveats that (1) unintended consequences be carefully explored and scrutinized; and (2) it be noted that one signatory cautions this not take too much time or effort as it is expected to be a futile effort.

4.0 Near-Term Activities and Next Steps

- The co-chairs stressed the importance of continuing the momentum from the retreat including concrete actions and next steps. The EC (or a subgroup) needs to begin work on the short-term/in-year opportunities for the remainder of FY2017. The LTP needs to be revisited. The draft LTP could help inform a basic plan for FY2018 and provide support for requests in the FY2020 budget process for Reclamation.
 - *AM Considerations*
 - It was requested that the Draft AM key questions/hypotheses inform the near-term and future year discussions. This is an opportunity to “kick start” the addressing of AM questions and initiate AM implementation.
 - It was cautioned that the EC needs to have draft plans developed before the next EC meeting in order to have input from the group as a whole and be able to make recommendations to Reclamation in their timeframes. Unfortunately, the Army Corps’ FY2019 budget is already past the comment/request period.
 - If the Program has strong plans for the next three (3) years, there is the possibility of “tapping” into any excess funds that get allocated between Reclamation offices. To successfully do so will require the EC getting things accomplished - showing progress and work accomplishments.
 - Some attendees requested a progress update on the revised LTP and/or planning documents by the next EC meeting in order to be submitted to Reclamation no later than June or July.
 - Some attendees requested the AM advisory team (and/or AM contractor) provide priority recommendations or at least reasonable projects for consideration for this year and next year. *(It was clarified that the request is not necessarily for specific projects, but identified uncertainties and hypotheses that WEST will then develop scopes for insertion into budgets.)*
 - It was noted that the AM advisory team is *not* a Collaborative Program group and is not recognized in the current By-laws. The EC cannot just assign tasks. Any requests made will have to be approved through the Army Corps’ contracting office.

- Since WEST is part of the Corp's AM contract, it was requested that WEST work with the AM advisory team to see if a prioritized list of top recommendations could be developed.
- The Army Corps will explore contracting options to utilized GSA (and advisory team) to assist with submitting priority AM recommendations and/or feasible near-term activities.
- It was pointed out that there are previous activities that have already been started but never finished. These should also be considered in the near-term planning. Completion of these types of tasks would provide the Collaborative Program with recent examples of successful progress and accomplishments.
- In a brief update, it was share that the CC provided Reclamation with four (4) or five (5) project proposals for consideration.
 - The Collaborative Program projects already submitted to Reclamation by the CC could remain pertinent if they align with the AM priorities identified.
- *Interim Program Structure*
 - The EC was asked how the Collaborative Program will function in the near-term. Specifically, will the CC continue operating and will the combined Science/HRW oversee projects? Internally, some agencies have put their Collaborative Program involvement "on hold" until after the retreat.
 - The AM plan won't be ready within the next few months. In the interim, it was proposed the Collaborative Program continue operating as outlined in the current By-laws. The structure and operational changes will come after future EC decisions on organization.
 - In a roundtable format and with no objections voiced, signatories agreed the Collaborative Program will continue operating under the existing 2012 By-laws including the current structure until the By-laws are amended and endorsed; 12 signatories affirmed and 1 affirmed with the notice that this is the only path forward as dictated by the By-laws.
 - EC members took time to acknowledge and recognize staffers who have kept the CC and technical groups moving through the RIP transition time and beyond.
- *Summarized Section Decisions, Actions, and Recommendations:*
 - Some attendees requested a progress update on the revised LTP or other planning documents by the next EC meeting in order to be submitted to Reclamation no later than June or July.
 - In a roundtable format and with no objections voiced, signatories directed WEST to work with the Army Corps' AM contractor and AM advisory team (to the extent possible) to identify priority AM recommendations and/or feasible near-term activities.

- The Army Corps will explore contracting options to utilized GSA (and advisory team) to assist with submitting priority AM recommendations and/or feasible near-term activities.
- WEST will determine next steps for accelerating the development of the Draft AM Plan. It was suggested the Army Corps' AM advisory group provide input on that draft plan. It was requested these meetings be facilitated to ensure scientific buy-in and consensus at every step.
- In a roundtable format and with no objections voiced, signatories agreed the Program will continue operating under the existing 2012 By-laws including current structure until the By-laws are amended and endorsed; 12 signatories affirmed and 1 affirmed with the notice that this is the only path forward as dictated by the By-laws.

5.0 Memorialized Retreat Outcomes and Decisions

- Some attendees suggested that a signed “recommitment” document be an outcome of this retreat, with the purpose of having a specific reminder that recommits the Collaborative Program and sets up expectations and outlines an agreement of principles. It was clarified that this is just to be general document of agreements and not a new Memorandum of Understanding (MOU).
 - Some attendees pointed out that a subgroup will be reviewing and updating the By-laws. Following the By-laws resolves many of the concerns expressed including membership attendance and commitment, decision process and voting, etc.
 - The By-laws can be revised to clarify the EC membership and voting process, including addressing the possibility of tiered membership (for inclusion of stakeholders and other members with no stake or responsibility or funding) and the possibility of a probationary period for new members.
 - In response to a question on the definition of “stakeholder”, it was clarified that “stakeholder” could be used to refer to anyone not paid to participate. Stakeholders have less time and their needs have to be considered carefully.
 - Legislation has specified the “core” EC membership including management entities, a seat for the agricultural community, the environmental community, tribes, etc. Additional entities are vetted and have to demonstrate their organization had capacity to contribute in some form.
 - It was pointed out that an organization could be involved in other Program committees but not necessarily be a voting EC member. This could be made clear in the revised By-laws.
 - Some attendees cautioned that a signed “recommitment” document is unnecessary at this time. Anything formal would require review through agency legal departments. However, there could be merit to having the retreat decisions (and the specific language of those) memorialized.
 - The intent is to have a formal commitment about moving forward and setting the new direction for the Collaborative Program. Signatures

bring weight to the document or decisions. In the past, the EC has made agreements (ex. at the 2007 retreat) but as soon as everyone returned there was no support for those.

- The retreat notes may be acceptable provided it is a strong enough record. The point is to have a strong remembrance of what was decided and agreed to.
- There was general agreement to have hard copy print-out of the decisions provided to all attendees prior conclusion of the retreat. This could provide signatories with a physical document of the agreements.

6.0 Communications

- Section 7 of the retreat binder (handouts) contains Proposed Communication Principles with a proposed Communication Tree on the second page. *Please note this discussion is not in reference to potential Program Structure or organization, just communication principles. This conversation will be used by WEST to develop a draft communications plan.*
- Attendees reviewed the proposed communication guidelines and in a working session made several suggested changes:
 - It was pointed out that the 3rd Party Management needs to be included in the communication structure.
 - Communication with the public needs to be “both ways”; there is specification that there will be adequate formal and informal public (and stakeholder) comment into Collaborative Program.
 - All groups need to be included in the By-laws, if they are to be included in the Communication Tree (ex. MAT, AM Team, etc.). *A side note was interjected that the MAT should actually be called the Species Action Team to be more encompassing.*
 - All decisions are to go through the EC.
 - Clarify who will be “teeing” up decisions for the EC – AM team? CC? Collaborative Program Management?
 - Add the Science Coordinator and independent science panel to the communication chain.
 - Conceptually, the EC needs to be the “umbrella” group with the Collaborative Program communications filtering through and under it.
 - Add a space for working groups (technical groups) to be formed out of the AM Team in order to accomplish specific tasks. Funding and grant writing could be such a working group.
 - Attendees briefly discussed that the AM Team is not necessarily to replace the CC in terms of dealing with funding and budgeting. After EC decisions are made, the Collaborative Program Management would be the support staff to develop scopes and produce contracting/grant documents since there would be no conflict of interest as they cannot be a potential bidding agency.
 - The EC should be the main Collaborative Program body with direct communication with the Program Manager and Science Coordinator. The Science Coordinator oversees the AM Team, MAT (or SAT), and any ad hoc

groups. Program Management should be an overarching “circle” that encompasses the entire Collaborative Program and oversees proposals, budgets, contracts, and any other administrative tasks necessary to make the Collaborative Program run efficiently. The EC should have direct lines of communication with the Program Manager and Science Coordinator (for unfiltered access to science information).

- Change the last bullet to “Program Manager and/or Science Coordinator” to be copied on information.
- In response to the Program Management’s suggestion that the roles and tasks of the CC could be taken over by the Program Office, it was commented that the CC has carried a lot of the Collaborative Program’s load and is a consensus body – the suggestion to remove this committee should not be taken lightly.
 - One important function of the CC has been the budget discussions. The EC is now discussing a much more complex budget environment (pursuing grants, input into federal and state budgets, recording and accountability requirements). This is not just an administrative task that could fall under Program Management purview – a representative committee needs to be involved. This group, with Program Management support, could draft the documents for EC consideration. The CC has been a very active body that has supported all the Collaborative Program activities. Whether or not the CC is the appropriate group, there should remain a group dedicated to budget discussions.
 - Others agreed and expressed uncertainty in how Program Management might be utilized since it is so new. The AM Team hasn’t been formed yet and there is uncertainty how everything will “interact” within the Collaborative Program structure.
- Attendees were reminded that Collaborative Program members spent a great deal of time discussing communications during the RIP transition. At that time, the Program Document group thought there was great benefit to having the Program Manager as the “clearing house” to make sure briefing materials were developed and provided to the EC in the appropriate timeframes for EC consideration and decisions. The Science Coordinator would keep the Program Manager apprised with information from the science side. The Program Manager was the strong link in effective communication and streamlining things and maintaining schedules. It was suggested that the RIP documents be reviewed and revised as appropriate instead of trying to start from scratch.
- Some attendees discussed concerns that the Collaborative Program can organize communication expectations but that does not address issues of internal agency communications (ex. representatives say different things at different times).
 - Communications will be simplified if the workgroups are reduced to ad hoc teams (task groups) directed by the AM Team. This will also help address staff burn out. These discussions will continue at a future date when the EC discusses the Collaborative Program structure and organization. Functionally, the Science Coordinator will be the point of contact managing the AM Team and subsequent ad hoc groups.

- In terms of agency communications, several agencies have monthly meetings to make sure all staff is on the same page.
- It was pointed out that any communication plans can be tested and amended or improved as necessary over time. Communication plans are more easily modified than the By-laws.
- *Science Coordinator Position*
 - Previous RIP discussions very specifically outlined the need to have the Science Coordinator separate from the Program Manager in order to allow the Science Coordinator a level of independence/freedom to manage the science aspect of the Program. The Science Coordinator position was not to be subordinate to the Program Manager.
 - In the RIP Program Document, the Science Coordinator was going to be recognized as a non-voting chair of the science program who reported to the EC on an ongoing basis. All products developed by or under the Science Coordinator were subject to approval by the EC (or Program Manager as determined by the EC).
- Regarding the Proposed Communication Principles, in a roundtable format all 13 signatories conditionally adopted the Principles provided (1) there be a statement addressing the opportunities for the public and other stakeholders; and (2) the last bullet be revised to incorporate communication with the Science Coordinator - “PM and/or SC.”

6.0 Relationship Building and Next Meeting

- Attendees discussed opportunities to rebuild relationships and foster the idea of community by regularly doing things (non-meetings) together. This is a less formal and more receptive way to seek other perspectives.
- It was suggested the EC consider participating, as a group, in the River Clean Up Day.
- These activities also provide Public Relation (PR) opportunities.
- Attendees took time to acknowledge and thank Kris Schafer for his dedication and participation since 2007.
- *Next Meeting*
 - Attendees discussed scheduling the next EC meeting.
 - Members were reminded that requests to the FY2020 Reclamation budget are needed before August.
 - Signatories expressed the desire to have the same attendance (to the extent possible) at the next EC meeting for continuity. After coordinating schedules and accommodating the most members, the next EC meeting was set for June 12 from 1:00pm to 4:00pm.
 - Suggested agenda items included:
 - Updates on spring runoff and recruitment;
 - Reports on habitat projects and responses to high spring flows and the inundation/duration experienced;
 - Report out on the prioritizing of short-term research questions (WEST)
 - Proposed Draft Governance and Committee Structure (WEST);
 - Review of Retreat Agreements (in a public forum);

- Initial Draft Revised By-laws.
- *Out-Year Budgets and LTP*
 - Attendees returned to the discussion on the development of an out-year budget process. As previously agreed, attendees support the development of an “accelerated” short-term process to cover the next one (1) to two (2) interim years.
 - Some attendees expressed concern that it will be hard to develop out-year budgets when the Program governance and structure has not yet been agreed to. Any budgets need to be developed with guidance from the EC and approved by the EC.
 - The LTP needs to be developed first as it should inform annual and out-year budgets. (Although it is noted that there could be others things in the budget that are not in the LTP and vice versa). The LTP should provide rough cost estimates and then annual budgets refine those estimates.
 - In a roundtable format and with no objections voiced, signatories directed WEST to develop a draft out-year budget process that provides Program activities and priorities as recommendations to the funding agencies for consideration.

7.0 Review of Retreat Agreements

- The agreements from the retreat were printed out and provided as a hard copy to attendees.
- Attendees reviewed and discussed the printed decisions.
 - Some attendees raised concerns regarding the original language of *3C. Budget* and the need for very clear language that specifies funding is not guaranteed. The discretionary determinations and statutes should be “spelled out” and memorialized. The Collaborative Program can submit budget requests to agencies for consideration.
 - One member asked for clarification on the process should Collaborative Program requested funding be awarded to Reclamation’s budget. The concern is that Reclamation keeps stressing that it can “veto” the use of those funds for the Program. It appears that Reclamation can basically say “we asked for Program funds, but we don’t feel like funding this Program activity anymore” and then they can choose to use those funds for something else.
 - In response it was shared that any funds “lumped” into the Reclamation budget are at the sole discretion of Reclamation and the EC does not have control over it or any parts of it. It could be different if congress funded specific earmarks. Any and every entity that contributes money through budgetary processes has discretionary authority.
 - Attendees discussed the issue of trust. Attendees were reminded that yesterday Reclamation stated they would attempt to honor commitments to the extent possible (see discussion under *Reclamation’s Budgetary Process: A General Overview*) but maintain

- that final decisions (discretion) are the agency's alone. A statement on "good faith effort" will be added.
- Attendees discussed the coalescence of the LTP with the AM plan. How these documents will "interact" is yet to be determined.
 - Attendees requested that the decision to continue operating under the 2012 By-laws be made the number one (1) item on the list. This decision includes the interim continuation of the CC and other groups.
 - It was pointed out that the EC also directed a legal group to evaluate whether flexibility exists under current authorities (and to recognize that the non-federal cost share is built into the new BO) including an examination of potential unintended consequences of adjusting this cost-share component.
 - New: 6. *Cost-Share Flexibility: EC directed a legal group to evaluate whether flexibility exists under current authorities to recognize that the non-fed cost share is built into the new BO, including an examination of potential unintended consequences of adjusting this cost-share component.*
 - A roundtable decision was called to confirm continuation of the Collaborative Program. Present signatories decided to continue, for the time, participating in the Program.
 - New: 7. *Signatories have agreed to continue in the MRGESCP.*
 - *Retreat Decisions*
 1. *Near Term: Collaborative Program to continue to operate under 2012 By-laws until such time as those are updated. This includes CC.*
 2. *By-laws: EC formed a By-laws Subgroup to evaluate and prepare proposed updates to By-laws. This effort will consider the content of the 2006 By-laws and the 2012 Bylaw edits. Recommendations brought back to June EC meeting.*
 3. *Short-term Priorities: Direct the Program Manager, with coordination with the Army Corps and AMT, to prioritize the AM recommendations for short-term implementation. This will include evaluating any overlap with scopes already vetted by Science/HR and the CC. Recommendations brought back to June EC meeting.*
 4. *Budget: EC directed Program Manager to develop an out-year budget process that links to the timing of EC decision-making on budget recommendations (to facilitate timely input to federal agency budgetary process).*
 - a. *This includes a commitment by EC members to provide, in a timely manner, their respective budget information to Program Manager for development of the Collaborative Program budget.*
 - b. *Each agency (federal agencies, ISC and MRGCD) to provide a short description and timeline to Program Manager of their respective budget cycle.*
 - c. *There is a good faith effort on the part of the parties to implement consensus recommendations, while recognizing that consensus recommendations from EC on Collaborative Program budget requests do not guarantee that recommendations will, in fact, be funded*

because each EC member retains discretion in implementing its statutory authorities and based on availability of funding.

d. Develop an out-year budget to conform to the process developed and approved by the EC.

5. Adaptive Management Plan: EC directed Program Manager to proceed with development of an Adaptive Management Plan for consideration, refinement and approval by EC.

Yet-to-be-determined:

- *How the AMP will coalesce with the LTP (is it part of or does it become the LTP).*
- *The extent to which the BO actions (versus the monitor of those) are to be included in the LTP, if at all.*

6. Cost-Share Flexibility: EC directed a legal group to evaluate whether flexibility exists under current authorities to recognize that the non-fed cost share is built into the new BO, including an examination of potential unintended consequences of adjusting this cost-share component.

7. Signatories have agreed to continue in the MRGESCP.

- *Approval*

- *In a roundtable format and with no objections voice, the seven (7) 2017 Taos Retreat Decisions were approved by all 13 signatories.*

8.0 Summary and Wrap-Up

- *Everyone was thanked for their dedication to this multiple-day process and for their contribution of time, open dialog, for raising issues, and looking for solutions. Hopefully there has been an injection of optimism for the future as the group, as a whole, focuses on accomplishing the goals of the Collaborative Program.*
- *In conclusion, the co-chairs counseled to not underestimate the impact we have on the people and animals that live here. What we do can make a difference to the system and to people. Good decisions and good follow-through can help us all successfully carry on.*

9.0 EC Retreat Attendance

MRGESCP 2017 April EC Retreat Attendees				
	Name	Affiliation	Date	
			Wed 4/26	Thurs 4/27
1	Rick Billings	Albuquerque/Bernalillo County Water Utility Authority (ABCWUA)	✓	✓
2	John Stomp	Albuquerque/Bernalillo County Water Utility Authority (ABCWUA)	✓	✓
3	Janet Jarratt	Assessment Payers Association of the MRGCD (APA)/ Non-Federal Co-Chair	✓	✓
4	Kim Eichhorst	Bosque Ecosystem Monitoring Program (BEMP)	✓	✓
5	Katie Higgins	Bosque Ecosystem Monitoring Program (BEMP)	✓	✓
6	Matthew Peterson	City of Albuquerque (COA)	✓	✓
7	Brent Esplin	Department of Interior (DOI)/ Federal Co-Chair	✓	✓
8	David Gensler	Middle Rio Grande Conservancy District (MRGCD)	✓	✓
9	Anne Marken	Middle Rio Grande Conservancy District (MRGCD)	✓	✓
10	Bill Grantham	NM Attorney General's Office (NMAGO)	✓	✓
11	Matt Wunder	NM Department of Game and Fish (NMDGF)	✓	✓
12	Grace Haggerty	NM Interstate Stream Commission (ISC)	✓	✓
13	Deborah Dixon	NM Interstate Stream Commission (ISC)	✓	✓
14	Deb Freeman	For NMISC	✓	✓
15	Cody Walker	Pueblo of Isleta	✓	✓
16	Alan Hatch	Pueblo of Santa Ana	✓	✓
17	Nathan Schroder	Pueblo of Santa Ana	✓	✓
18	LTC Jamie Booth	U.S. Army Corps of Engineers (Army Corps)	✓	✓
19	George Macdonnell	U.S. Army Corps of Engineers (Army Corps)	✓	✓
20	Kris Schafer	U.S. Army Corps of Engineers (Army Corps)	✓	✓
21	Jennifer Faler	U.S. Bureau of Reclamation (Reclamation)	✓	✓
22	Jim Wilber	U.S. Bureau of Reclamation (Reclamation)	✓	✓
23	Josh Mann	DOI Solicitor's Office	✓	✓
24	Susan Millsap	U.S. Fish and Wildlife Service (Service)	✓	✓
25	Dave Campbell	U.S. Fish and Wildlife Service (Service)	✓	✓
OTHERS				
26	Clayton Derby	WEST	✓	✓
27	Debbie Lee	WEST/Facilitator	✓	✓
28	Gretchen Norman	WEST	✓	✓
29	Dale Strickland	WEST	✓	✓
30	Scott VanderKooi	U.S. Geological Survey (USGS)	✓	
31	Marta Wood	Alliant Environmental/Note Taker	✓	✓

MRGESCP April 26-27, 2017 Retreat Ground Rules

- Be respectful to other parties and to the process.
- Participate fully and in good faith.
- Be respectful and supportive of the retreat process, both inside and outside of the discussions.
- It is fine to disagree, but do so without being disagreeable.
- No personal attacks.
- Be transparent with information and data, and do your best to ensure that all other parties have access to that same information.
- If you have a concern with the process or a participant, raise it with the facilitator first.
- Raise any questions or concerns as early as possible.
- Be supportive of any decisions and action items that emerge from the retreat.

**Middle Rio Grande Endangered Species Collaborative Program
Authorizing Legislation**

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000, **PL 106-60**,
September 29, 1999, 113 Stat 483

SEC. 202. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: *Provided*, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN
DEVELOPMENT—APPROPRIATIONS, **PL 106-377**, October 27, 2000, 114 Stat 1441

SEC. 201. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106-60.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2002, **PL 107-66**,
November 12, 2001, 115 Stat 486

SEC. 207. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106-60.

CONSOLIDATED APPROPRIATIONS RESOLUTION, 2003, **PL 108-7**, February 20, 2003,
117 Stat 11 (Joint Resolution) (Production, Processing, and Marketing) (Office of the Secre

SEC. 205. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease

water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2004, **PL 108–137**, December 1, 2003, 117 Stat 1827

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 208. (a) Notwithstanding any other provision of law, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not obligate funds appropriated for the current fiscal year or any prior Energy and Water Development Appropriations Act, or funds otherwise made available to the Commissioner of the Bureau of Reclamation, and may not use discretion, if any, to restrict, reduce or reallocate any water stored in Heron Reservoir or delivered pursuant to San Juan–Chama Project contracts, including execution of said contracts facilitated by the Middle Rio Grande Project, to meet the requirements of the Endangered Species Act, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of New Mexico, including but not limited to, permitting requirements.

(b) Complying with the reasonable and prudent alternatives and the incidental take limits defined in the Biological Opinion released by the United States Fish and Wildlife Service dated March 17, 2003 combined with efforts carried out pursuant to Public Law 106–377, Public Law 107–66, and Public Law 108–7 fully meet all requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.) for the conservation of the Rio Grande Silvery Minnow (*Hybognathus amarus*) and the Southwestern Willow Flycatcher (*Empidonax trailii extimus*) on the Middle Rio Grande in New Mexico.

(c) This section applies only to those Federal agency and non-Federal actions addressed in the March 17, 2003 Biological Opinion.

(d) Subsection (b) will remain in effect for 2 years following the implementation of this Act.

~~SEC. 209. ENDANGERED SPECIES COLLABORATIVE PROGRAM. (a) Using funds previously appropriated, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation and the Director of the Fish and Wildlife Service, for purposes of improving the efficiency and expediting the efforts of the Endangered Species Act Collaborative Program Workgroup, is directed to establish an executive committee of seven members consisting of—~~

- ~~(1) one member from the Bureau of Reclamation;~~
- ~~(2) one member from the Fish and Wildlife Service; and~~
- ~~(3) one member at large representing each of the following seven entities (selected at the discretion of the entity in consultation with the Bureau of Reclamation and the Fish and Wildlife Service) currently participating as signatories to the existing Memorandum of Understanding:~~

- ~~(A) other Federal agencies;~~
- ~~(B) State agencies;~~
- ~~(C) municipalities;~~
- ~~(D) universities and environmental groups;~~
- ~~(E) agricultural communities;~~
- ~~(F) Middle Rio Grande Pueblos (Sandia, Isleta, San Felipe, Cochiti, Santa Ana, and Santo Domingo); and~~
- ~~(G) Middle Rio Grande Conservancy District.~~
- ~~(b) Formation of this Committee shall not occur later than 45 days after enactment of this Act.~~
- ~~(c) Fiscal year 2004 appropriations shall not be obligated or expended prior to approval of a detailed spending plan by the House and Senate Committees on Appropriations.~~
- ~~(d) The above section shall come into effect within 180 days of enactment of this Act, unless the Bureau of Reclamation, in consultation with the above listed parties, has provided an alternative workgroup structure which has been approved by the House and Senate Committees on Appropriations.~~

[repealed by Sec. 205 of PL 110-161]

CONSOLIDATED APPROPRIATIONS ACT, 2005, **PL 108-447**, December 8, 2004, 118 Stat 2809

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106-60.

SEC. 205. (a) Notwithstanding any other provision of law and hereafter, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may not obligate funds, and may not use discretion, if any, to restrict, reduce or reallocate any water stored in Heron Reservoir or delivered pursuant to San Juan-Chama Project contracts, including execution of said contracts facilitated by the Middle Rio Grande Project, to meet the requirements of the Endangered Species Act, unless such water is acquired or otherwise made available from a willing seller or lessor and the use is in compliance with the laws of the State of New Mexico, including but not limited to, permitting requirements.

(b) Complying with the reasonable and prudent alternatives and the incidental take limits defined in the Biological Opinion released by the United States Fish and Wildlife Service dated March 17, 2003 combined with efforts carried out pursuant to Public Law 106-377, Public Law 107-66, and Public Law 108-7 fully meet all requirements of the Endangered Species Act (16 U.S.C. 1531 et seq.) for the conservation of the Rio Grande Silvery Minnow (*Hybognathus amarus*) and the Southwestern Willow Flycatcher (*Empidonax traillii extimus*) on the Middle Rio Grande in New Mexico.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006, **PL 109–103**, November 19, 2005, 119 Stat 2247

~~SEC. 121. (a) The Secretary of the Army may carry out and fund projects to comply with the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by subsection (b) and may award grants and enter into contracts, cooperative agreements, or interagency agreements with participants in the Endangered Species Act Collaborative Program Workgroup referenced in section 209(a) of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1850) in order to carry out such projects. Any project undertaken under this subsection shall require a non-Federal cost share of 25 percent, which may be provided through in-kind services or direct cash contributions and which shall be credited on a programmatic basis instead of on a project by project basis, with reconciliation of total project costs and total non-Federal cost share calculated on a three year incremental basis. Non-Federal cost share that exceeds that which is required in any calculated three year increment shall be credited to subsequent three year increments.~~[stricken and replaced by section 109 of PL 110-161]

(b) Section 205(b) of Public Law 108–447 (118 Stat. 2949) is amended by adding “and any amendments thereto” after the word “2003”.

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

CONSOLIDATED APPROPRIATIONS ACT, 2008, **PL 110–161**, December 26, 2007, 121 Stat 1844

SEC. 109. Section 121 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2256) is amended by striking subsection (a) and inserting the following:

~~“(a) The Secretary of the Army may carry out and fund planning studies, watershed surveys and assessments, or technical studies at 100 percent Federal expense to accomplish the purposes of the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by subsection (b) and the collaborative program long term plan. In carrying out a study, survey, or assessment under this subsection, the Secretary of the Army shall consult with Federal, State, tribal and local governmental entities, as well as entities participating in the Middle Rio Grande Endangered Species Collaborative Program referred to in section 205 of this Act: *Provided*, That the Secretary of the Army may also provide planning and administrative assistance to the~~

~~Middle Rio Grande Endangered Species Collaborative Program, which shall not be subject to cost sharing requirements with non-Federal interests.”~~[Sec. 106 of PL 111-8 again struck and replaced section 121 of PL 109-103 – presumably supercedes the replacement language in this sec. 109 or PL 110-161]

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 205. (a) Section 209 of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1850) is repealed.

(b) The Secretary of the Interior (referred to in this section as the “Secretary”) shall establish an Executive Committee of the Middle Rio Grande Endangered Species Collaborative Program (referred to in this section as the “Executive Committee”) consistent with the bylaws of the Middle Rio Grande Endangered Species Collaborative Program adopted on October 2, 2006.

(c) In compliance with applicable Federal and State laws, the Secretary (acting through the Commissioner of Reclamation), in collaboration with the Executive Committee, may enter into any grants, contracts, cooperative agreements, interagency agreements, or other agreements that the Secretary determines to be necessary to comply with the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by section 121(b) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2256) or in furtherance of the objectives set forth in the collaborative program long-term plan.

(d)(1) The acquisition of water under subsection (c) and any administrative costs associated with carrying out subsection (c) shall be at full Federal expense.

(2) Not more than 15 percent of amounts appropriated to carry out subsection (c) shall be made available for the payment of administrative expenses associated with carrying out that subsection.

(e)(1) The non-Federal share of activities carried out under subsection (c) (other than an activity or a cost described in subsection (d)(1)) shall be 25 percent. The non-Federal cost share shall be determined on a programmatic, rather than a project-by-project basis.

(2) The non-Federal share required under paragraph (1) may be in the form of in-kind contributions, the value of which shall be determined by the Secretary in consultation with the executive committee.

(f) Nothing in this section modifies or expands the discretion of the Secretary with respect to operating reservoir facilities under the jurisdiction of the Secretary in the Rio Grande Valley, New Mexico.

OMNIBUS APPROPRIATIONS ACT, 2009, **PL 111-8**, March 11, 2009, 123 Stat 524

SEC. 106. Section 121 of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2256) is amended by striking subsection (a) and inserting the following:

“(a) Hereafter, the Secretary of the Army may carry out and fund planning studies, watershed surveys and assessments, or technical studies at 100 percent Federal expense to accomplish the purposes of the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by subsection (b) or any related subsequent biological opinion, and the collaborative program long-term plan. In carrying out a study, survey, or assessment under this subsection, the Secretary of the Army shall consult with Federal, State, tribal and local governmental entities, as well as entities participating in the Middle Rio Grande Endangered Species Collaborative Program referred to in section 205 of this Act: *Provided*, That the Secretary of the Army may also provide planning and administrative assistance to the Middle Rio Grande Endangered Species Collaborative Program, which shall not be subject to cost sharing requirements with non-Federal interests.”.

SEC. 203. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 206. (a) Section 209 of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1850) is repealed.

(b) The Secretary of the Interior (referred to in this section as the “Secretary”) shall establish and maintain an Executive Committee of the Middle Rio Grande Endangered Species Collaborative Program (referred to in this section as the “Executive Committee”) consistent with the bylaws of the Middle Rio Grande Endangered Species Collaborative Program adopted on October 2, 2006.

(c) Hereafter, in compliance with applicable Federal and State laws, the Secretary (acting through the Commissioner of Reclamation), in collaboration with the Executive Committee, may enter into any grants, contracts, cooperative agreements, interagency agreements, or other agreements that the Secretary determines to be necessary to comply with the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by section 121(b) of the Energy and Water Development Appropriations Act, 2006 (Public Law 109–103; 119 Stat. 2256) or any related subsequent biological opinion or in furtherance of the objectives set forth in the collaborative program long-term plan.

(d)(1) The acquisition of water under subsection (c) and any administrative costs associated with carrying out subsection (c) shall be at full Federal expense.

(2) Not more than 15 percent of amounts appropriated to carry out subsection (c) shall be made available for the payment of administrative expenses associated with carrying out that subsection.

(e)(1) The non-Federal share of activities carried out under subsection (c) (other than an activity or a cost described in subsection (d)(1)) shall be 25 percent. The non-Federal cost share shall be determined on a programmatic, rather than a project-by-project basis.

(2) The non-Federal share required under paragraph (1) may be in the form of in-kind contributions, the value of which shall be determined by the Secretary in consultation with the executive committee.

(f) Nothing in this section modifies or expands the discretion of the Secretary with respect to operating reservoir facilities under the jurisdiction of the Secretary in the Rio Grande Valley, New Mexico.

Memorandum

Date: April 12, 2017

To: Brent Esplin, Federal Co-Chair MRGESCP

From: Janet Jarratt, Non-Federal Co-Chair MRGESCP

Attachment: Executive Committee Rights and Obligations in Funding and Governance of Collaborative Program

RE: Re-Establishing the Executive Committee's (EC) Roles and Responsibilities in the Administration of the "New" Collaborative Program

In anticipation of the upcoming April 2017 Collaborative Program EC retreat in Taos, the non-federal members of the EC met to discuss how we can help shape the goals and objectives of the retreat to both define a collectively desired outcome, and determine how the Collaborative Program will work together to reach that outcome. The non-federal participants have a variety of viewpoints for how the Collaborative Program should proceed and agree that addressing long outstanding issues is critical in order to productively move forward. To best prepare for a productive and focused effort in this regard, the non-federal members agree on the importance of addressing some of the Collaborative Program's more serious concerns prior to the retreat to the maximum extent possible. For example, there has been significant tension and concern regarding the "sharing" of budget development and implementation responsibilities between the Bureau of Reclamation (Reclamation), the Army Corps of Engineers (Corps), the US Fish and Wildlife Service, and the other EC members.

Executive Committee Authority and Responsibilities

At the request of the non-Federal members, representative attorneys authored a memorandum (attached) that laid out the statutorily-directed functions of the EC. Congress directed that the EC would include representatives of both the Federal and non-Federal members and that they would collectively determine the priorities of the Program within the available funding. The memorandum also lays out the operating principles in the By-Laws which tasks the EC with making decisions regarding Collaborative Program priorities and activities, and reviewing and approving budgets and contract scopes of work. It is imperative to consistently follow the By-Laws and legislative direction moving forward.

Several factors contributed to past practices that may have led to deviations from the responsibilities as laid out in legislation and the By-Laws: namely, the finalization of the Biological Assessment (BA) and negotiation of the 2016 Biological Opinion (BO); the Recovery Implementation Program (RIP) and Program Document development; the Third-Party Management effort; and other initiatives. The 2016 BO focuses primarily on Endangered Species Act (ESA) compliance requirements of Reclamation, Bureau of Indian Affairs, the Middle Rio Grande Conservancy District, and the New Mexico Interstate Stream Commission for specific implementation objectives and not on the Program collectively. Questions arise as to the relationship between the Collaborative Program and BO activities, including uncertainty around decision-making, funding, science, and adaptive management.

We believe that the Collaborative Program – with the EC at its helm in a decision-making role – can effectively set priorities for projects and funding, support the requirements placed on the action agencies under the 2016 BO, and provide the opportunity for engagement and input on projects that will likely affect MRG water users long into the future.

Budget Transparency

There is a lack of transparency with regards to Collaborative Program budget planning by federal agencies that needs to be resolved. For example, in the FY2016 BOR Greenbook, Reclamation identifies three separate funding categories within the Fish and Wildlife Management and Development section of the Middle Rio Grande Project budget. Approximately \$2.5M was reserved for study support for coordinating ESA activities across all aspects of Reclamation work with a focus on new work associated with the 2016 BO and the San Acacia Reach plan. The second category focuses on water acquisition and pumping with the potential of a permanent station constructed near the Low Flow Conveyance Channel (LFCC) for river drying management, amounting to a total of \$6.2M. The third category contained \$3.8M in funding reserved by Reclamation for the Middle Rio Grande Endangered Species Collaborative Program cooperative efforts (including funding for propagation and monitoring). The first two categories utilized a substantial portion of Reclamation's Middle Rio Grande Project budget on work efforts that appear to be Collaborative Program items but which were, in a sense, non-discretionary (mandatory) activities under the 2003 BO. The EC was precluded from participation in this budget process, thus preventing it from exercising its legislative authority to recommend multi-year budgets to federal members, establish budgets, and finally to approve budgets.¹

With respect to the Corps, the funding available to implement adaptive management and other activities also needs to be better understood. In authorizing the Corps to fund planning and technical studies at federal expense to accomplish the purposes of the applicable BO and Program activities, Congress stated that the Secretary of the Army "shall consult" with the Program's non-federal participants. (Omnibus Appropriations Act of 2009, Section 106). This requires consultation on what funding is available to the Collaborative Program and how funds will be spent.

It is essential that Reclamation and the Corps engage with all EC members to make current and future year budget decisions, so the EC can move forward with decision-making processes expeditiously. In these challenging budgetary times for us all, an open planning process that leverages all funds available will be critical to both meeting BO obligations and advancing the science processes necessary to implement adaptive management methods that confirm species' impacts from management actions.

I hereby request that, prior to the retreat, a meeting be scheduled with Reclamation, the Corps, and representatives of non-Federal partners to begin this important dialogue with a goal of determining a process for the EC to work with Reclamation and the Corps in developing a collaborative budgeting and project planning process that comply with the authorizing statutes. The purpose of this meeting would be to develop a proposed budget process to present at the retreat.

¹ Bylaws, § 4.0.

I very much look forward to working with you and all partners to make the retreat, and the Program, as productive as possible. I hope we can take full advantage of this opportunity to reset and move forward together. I look forward to hearing from you regarding the requested meeting at your earliest convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sam Sarant".

CC: Kris Schafer, Jennifer Faler

Memorandum

DATE: March 29, 2017

TO: Non-federal Participants in the MRGESCP

FROM: Deb Freeman, Chris Shaw, Bill Grantham and Tanya L. Scott

RE: Executive Committee Rights and Obligations in Funding and Governance of Collaborative Program

As the Executive Committee of the Middle Rio Grande Endangered Species Collaborative Program (“MRGESCP”) evaluates its role in the program following the issuance of the 2016 Biological Opinion, questions have arisen among the non-federal members of the EC regarding funding of the program and the rights and obligations of the EC with respect to funding decisions. To provide a basis for further discussion at the upcoming retreat, this Memo addresses those rights and obligations as they are reflected in the act establishing the EC and its governing documents.

BACKGROUND DOCUMENTS

The current statutory authorization for the EC is found in the Omnibus Appropriations Act, 2009, PL 111-8, March 11, 2009, 123 Stat 524, which provides as follows:

(b) The Secretary of the Interior (referred to in this section as the “Secretary”) shall establish and maintain an Executive Committee of the Middle Rio Grande Endangered Species Collaborative Program (referred to in this section as the “Executive Committee”) consistent with the bylaws of the Middle Rio Grande Endangered Species Collaborative Program adopted on October 2, 2006.

The same statutory provision also authorizes the Secretary (through the Bureau of Reclamation) to enter into a variety of agreement as deemed necessary, to comply with the 2003 Biological Opinion or any related subsequent biological opinion or in furtherance of the objectives of the long-term plan. Specifically, the statutory enactment provides:

(c) Hereafter, in compliance with applicable Federal and State laws, the Secretary (acting through the Commissioner of Reclamation), in collaboration with the Executive Committee, may enter into any grants, contracts, cooperative agreements, interagency agreements, or other agreements that the Secretary determines to be necessary to comply with the 2003 Biological Opinion... or any related subsequent biological opinion or in furtherance of the objectives set forth in the collaborative program long-term plan.

Id.

Finally, the same bill addresses certain limitations on funding appropriated for the purposes of subsection (c), which is set out in full above. Specifically:

(2) Not more than 15 percent of amounts appropriated to carry out subsection (c) shall be made available for the payment of administrative expenses associated with carrying out that subsection.

(e)(1) The non-Federal share of activities carried out under subsection (c) (other than an activity or a cost described in subsection (d)(1)) shall be 25 percent. The non-Federal cost share shall be determined on a programmatic, rather than a project-by-project basis.

(e)(2) The non-Federal share required under paragraph (1) may be in the form of in-kind contributions, the value of which shall be determined by the Secretary in consultation with the executive committee.

Also by operation of Public Law 111-8, March 11, 2009, 123 Stat 607, §106, the Secretary of the Army may carry out and fund planning studies, watershed surveys and assessments, or technical studies at 100 percent Federal expense to accomplish the purposes of the 2003 Biological Opinion “or any related subsequent biological opinion and the collaborative program long-term plan.” In carrying out the provisions of § 106, the Secretary “shall consult with Federal, State, tribal, and local governmental entities, as well as entities participating in the Middle Rio Grande Endangered Species Collaborative Program...” The Secretary may also provide planning and administrative assistance to the MRGESCP, “which shall not be subject to cost sharing requirements with non-Federal interests.”

On May 15, 2008, the federal and non-federal participants entered into a Memorandum of Understanding (“MOU”) that superseded all previous agreements, and extended the life of the Collaborative Program for an additional thirteen years or until May 15, 2021. Included within this MOU is the recognition that the Collaborative Program “shall operate pursuant to Program Bylaws and other documents, as needed, specifying Program governance and operating procedures,” which bylaws may be amended from time to time. The 2008 MOU supplanted a much more detailed interim document that recited the MRGESCP’s goal of developing a long-term Program, which “shall also define a long-term budget.” The current MOU recognizes the importance of collaborative agreement on funding for program activities. Under the MOU’s Terms and Conditions, ¶ E, it is stated: “All funding commitments to carry out the Program are subject to approval by the appropriate State, Tribal, and Federal legislative bodies.”

Under the most recent 2012 revisions to the Collaborative Program Bylaws, “The Executive Committee is the governing body of the Program.¹ The Executive Committee provides policy, budget approval and decision-making on all issues, unless specifically delegated to the Program Management Team, Coordination Committee or work groups.” Bylaws, § 4.0. The Executive Committee is also specifically tasked as follows:

- a) Setting Program priorities;
- c) Ensuring development and implementation of the LTP to achieve the purposes of the Program;
- f) Developing multi-year budget recommendations to the Corps, Reclamation, Service, other Federal agencies and non-federal entities;
- g) Reviewing and approving annual reports and work plans, budgets, and position papers on behalf of the Program;
- l) Coordinating requests for funding and resources to Congress, the New Mexico state legislature, and other sources.

Bylaws § 5.2.

The 2012 amendments to the MRGESCP Bylaws define the Long-Term Plan as “an evolving work plan *and budget* that provides a description of the Program activities that will be conducted over the following ten years of the Program.” Bylaws, § 1.2(f). (Emphasis added). The Bylaws further provide that the Program Management Team has the duty of “drafting a Long-Term Plan and annual revisions; and drafting annual revisions, annual work plans, budget requests, and activity and fiscal reports consistent with the Long-Term Plan.” Bylaws, § 8.3.2(b) and (c). Under the Bylaws, the Program Management Team “consists of Program Manager and management staff employed by Reclamation, Department of the Interior and Corps staff, administrative and clerical staff (federal employees or contractors), and Signatory representatives.” The Program Management Team’s performance is evaluated by the Executive Committee. Bylaws, § 8.2. In addition, there is a Program Manager, who is a member of the PMT, and who is responsible “for determining the most expeditions and reasonable manner to carry out assignments as directed by the Executive Committee, whether through a work group, assignment to the PMT, or outsourcing.” Bylaws, § 8.3.1.

DISCUSSION

As the foregoing summary of the documents establishing the EC and its governing documents discloses, the EC is intended to play a significant role in defining the direction of the Collaborative Program and the budget necessary to implement its priority decisions. The EC is authorized to collaborate with the federal agencies in entering “into any grants, contracts,

¹ The Omnibus Appropriations Act, 2009, PL 111-8, March 11, 2009, 123 Stat 524, provides that the Executive Committee shall operate in accordance with the 2006 version of the Bylaws. The quoted portions of the 2012 Bylaws do not differ from the 2006 version.

cooperative agreements, interagency agreements, or other agreements” that further the implementation of the 2003 Biological Opinion or any subsequent related Biological Opinion or in furtherance of the Long-Term Plan. The EC is further tasked with ensuring the development and the implementation of the Long-Term Plan, which is drafted by the PMT. The PMT is comprised of employees of the federal agencies, as well as representatives of the signatories to the Collaborative Program. Although not specifically stated, the EC presumably approves the Long-Term Plan in accordance with its obligation to set Program priorities.

Hand in hand with its authority to set priorities and ensure the development and implementation of the Long-Term Plan, is the EC’s authority to recommend multi-year budgets to the federal members, establish budgets through development of and revisions to the Long-Term Plan, and finally approve budgets.²

The recent history of the Collaborative Program is one in which budget issues have been determined by the federal partners with little, if any, input from the EC, even though the signatory partners are expected to cost share twenty-five percent of the budget through cash payments or in kind contributions. Frustrated by the budget process, the non-federal members presented a White Paper to the federal partners on June 8, 2007 that stated the non-federal concerns that 1) the budget was driven by the needs of the federal agencies in avoiding jeopardy to the endangered species rather than working towards their recovery; that 2) budgeting needed to be geared to the projects set out in the Long-Term Plan, with the Long-Term Plan undergoing periodic review to reflect accomplishments and changes in direction; and 3) that Reclamation’s budget justification seemed to reflect an overlap or duplication between program management staffing and the staffing of water operations and management.

Following submission of the White Paper, the federal agencies responded with an acknowledgement that the program was geared to the “priorities, the budget and time frames for specific activities” set forth in the Long-Term Plan. The Long-Term Plan, in turn, has broad goals to “(1) alleviate jeopardy to the listed species in the Program area, (2) conserve and contribute to the recovery of the listed species and (3) protect existing and future water uses while being carried out in compliance with state and federal law.” As of 2007, the federal agencies indicated their willingness to further discuss budget issues at an upcoming retreat planned for the program.

Even though the federal agencies apparently verbally assuaged some of the non-federal concerns during the 2007 retreat, little progress been made in the manner of setting priorities in the Long-Term Plan, budgeting to implement the goals of the Long-Term Plan, and transparency during the entire process. Recent budgets for the Collaborative Program have reflected a downward trend in funding with little or no explanation of the process by which funding and budgeting decisions have been made. According to Reclamation’s own budget justifications, the total budget request for the Middle Rio Grande Project remained relatively constant during the 2007 to 2013 time period, showing a slight decrease of 5.1%. Notwithstanding

² “Adaptive Management” has largely supplanted the Long-Term Plan in the 2016 Biological Opinion, but the term “Long-Term Plan” has not been replaced in governing documents.

this, the request for funds subject to the Collaborative Program's EC decision-making authority decreased dramatically during this period, from approximately 46% of total funds to 1.2%, a 97.4% decline in absolute terms. In fiscal years 2014, 2015, and 2016, requests for funds that were purportedly subject to EC oversight ranged from 12 to 18% of the total budget request. However, the EC was not involved in formulating those budget justifications, nor did the EC exercise active oversight in the expenditure of the funds appropriated.

To some degree, the failure of the EC to perform all of its budgetary oversight roles in the past few years has been a product of the attention given to the intended transition to a "Recovery Implementation Program" ("RIP"). In the negotiations over the governance structure of the RIP, as contained in the RIP Program Document, much effort was expended in attempting to find an approach that would balance the need for EC input into budgeting against the federal agencies' needs to exercise proper control of their own spending as required by law. Now that the RIP is not included as a conservation measure in the 2016 Biological Opinion, the RIP budget and the discussions of federal control of Collaborative Program spending in the RIP context are moot. The EC therefore needs to return to the question of how the Collaborative Program budget planning and implementation will be addressed by the EC as discussed above.

CONCLUSION

Despite broad authority and obligations to engage both in the setting of priorities for the Collaborative Program and in the formulating of a budget to meet those priorities, the EC has been shut out of the budgeting process. Rather, the EC has seen the decline of funds available to the Collaborative Program without explanation or transparency in the manner in which budgeting decisions are made. Having endorsed the continuation of the program in the wake of the issuance of the 2016 Biological Opinion, it is imperative that the EC exercise its rights and obligations under its governing documents to play its intended role in these decision-making processes. During the upcoming retreat to discuss the direction of the Collaborative Program going forward, the EC must receive answers from its federal partners as to how the EC will be fully integrated into development of the Long-Term Plan and budgeting so that the EC fully exercises its authority and fulfills its governance obligations. The non-federal participants also require clarification as to how funding will be apportioned between federal obligations under the 2016 Biological Opinion and federal obligations to fund the Collaborative Program. This allocation affects cost share obligations of the non-federal participants, particularly governmental entities, that must justify their contributions to their governing boards.

**Middle Rio Grande Endangered Species Collaborative Program
Adaptive Management Framework**

**Rio Grande Silvery Minnow Independent Science Panel
Preliminary Results**

UNCERTAINTY STATEMENT/STUDY QUESTION	MANAGEMENT RELEVANCE	STUDY TYPE	MEASUREMENT ATTRIBUTES	TEMPORAL AND/OR SPATIAL SCALE	STUDY DESIGN CONSIDERATIONS
What are the spatial extent and hydraulic quality of suitable habitat for each life-stage (spawn, rear, juvenile, adult) in the river channel and floodplain in each MRG reach under a range discharges?	Results used to guide where and what type of habitat restoration is available to increase larval production and adult survival in each reach. Results used to aid monitoring site selection, develop flow prescriptions and to quantify the habitat potential of engineered floodplain units.	High resolution 2-D hydraulic model	Spatial distribution of flow velocity, flow depth, and other key attributes of habitat for each life stage	Multi-Year, all MRG reaches	Need high resolution topographic data for floodplain (LiDAR) and river channel (bathymetry), model calibration and validation phase, linkage to population modeling
What is the potential for fish production (numbers and weights) in each MRG reach if the annual peak flow, and thus the nature and range of available habitat, is limited below definable levels in a particular year?	Results used to quantify the productive capacities (numbers and weights per unit area) of various habitat components that become accessible at various flow levels. Use for flow prescriptions and for assessing the value of floodplain access and the value of increasing floodplain area by engineering methods.	Analysis of all available data on egg production, larvae, and fish in years in which peak flows constrained the access of fish to (i) the sand-bedded channel, (ii) the vegetated channel margins and bars, (iii) the floodplain. Extension of the hydraulically segregated analysis into future years with improved data collection methods (suggested elsewhere in the report)	Re-analysis of previously collected field data within a statistical design dictated by flow constraints on habitat access that would vary between reaches, according to previously conducted hydraulic modeling of access to habitat.	1-2 years for first phase continuing into future as indicated by first-stage results. All reaches for which biological monitoring data are available.	Rapid and inexpensive evaluation of available data with new perspective on study design, and with goal of determining what the limiting potential is for particular habitat components.
What are the roles and relative contributions to fish production (numbers and weight) of channel and floodplain habitat in a reach of channel and floodplain typical of the MRG?	Results used to demonstrate whether or not it is crucial to manage flows and to engineer floodplain units for maximizing access of fish to off-channel habitat at various life stages	Laboratory experiment (e.g., Los Lunas Refugium or BioPark)	Egg production, larval & juvenile counts and fish growth rates under controlled regimes of flow depth, velocity, and water temperature	1-2 years, continuous observation, performed under controlled conditions within experimental facility	In-series or in-parallel experiments with steady flow (i) confined to channel, (ii) with access to backwater channels and, (iii) with access to vegetated floodplain. Would require creating sand bed conditions with an organic food supply in the concrete channels of the experimental facility.
What are the mechanisms by which habitat conditions (such as flow velocity, temperature, and food supply) place limits on fish production in channel and floodplain habitat typical of the MRG?	Results used to document understanding of the production experiments as a basis for interpreting the implications of laboratory results at field scale.	Laboratory experiment (e.g., Los Lunas Refugium or BioPark). Most efficient if conducted concurrently with the study of production.	Development of new methods for measuring numbers of eggs, larvae, and fish in each habitat component, along with food intake and bioenergetics.	1-2 years, continuous observation, performed under controlled conditions within experimental facility	In-series or in-parallel experiments with steady flow (i) confined to channel, (ii) with access to backwater channels and, (iii) with access to vegetated floodplain. Would require creating sand bed conditions with an organic food supply in the concrete channels of the experimental facility. Also develop some new measurement methods for sampling eggs, larvae, and fish in

UNCERTAINTY STATEMENT/STUDY QUESTION	MANAGEMENT RELEVANCE	STUDY TYPE	MEASUREMENT ATTRIBUTES	TEMPORAL AND/OR SPATIAL SCALE	STUDY DESIGN CONSIDERATIONS
					vegetated laboratory floodplains.
What is the temporal distribution of RGSM spawning activity?	Results used to guide development of seasonal flow prescriptions and population/habitat modelling.	Descriptive study in Rio Grande, perhaps augmented by studies in BioPark and Los Lunas Refugia	Quantification of reproductive cycle of female	Spring through mid-fall, high and low flow years	Obtaining adequate samples of an endangered fish
What are the environmental triggers that cue spawning?	Results used to guide development of seasonal flow prescriptions and population/habitat modelling.	Descriptive study in Rio Grande, perhaps augmented by studies in BioPark and Los Lunas Refugia	Key environmental variables, water temperature, river stage height, change in river stage, velocity, and female reproductive condition	Spring through mid-fall, high and low flow years	Obtaining adequate samples of an endangered fish
What are the size-specific fecundities of RGSM?	Results used in habitat management and population modelling	Descriptive -- hatchery fish and in semi-natural conditions in Los Lunas & Biopark	Measurements of female length and # oocytes in varying development stages	Spring through mid-fall, high and low flow years	Requires knowledge of whether fish are complete or fractional spawners (see below)
Are RGSM fractional or complete spawners?	Results used in habitat management and population modelling	Descriptive -- hatchery fish and in semi-natural conditions in Los Lunas & Biopark	Ripe and developing oocytes versus time	Spring through mid-fall, high and low flow years	See above
What is the optimal reproductive habitat?	Results used in habitat management	Descriptive, habitats in main river, experimental tests at Los Lunas refugium	Habitat attributes coupled with production of juveniles	Reproductive periods high and low flow years	Difficulties in determining where eggs/larvae in main channel are spawned
What are the key, age-specific, life history sensitivities of the RGSM? What vital rates, (survival and/or reproduction) most affect rates of population change?	Results from these analyses can be used to prioritize management decisions so as to implement actions that are mostly likely to increase rates of population growth.	Conduct a life history sensitivity analysis based on an age-specific projection matrix.	The analysis will require initial estimates of age-specific fecundity and survival rates available from preliminary RGSM studies and by borrowing rates from similar fish species	Ongoing analyses that are continually updated as new estimates of birth and survival rates become available through other proposed demographic studies.	Estimates of the fecundity rate parameters, by mesohabitat type, would be available from experiments proposed to reduce uncertainties about reproductive biology and about age and sex relationships.
Uncertainty about the size (age) fecundity relationships	Based on the size distribution of RGSM from the October CPUE survey data, this understanding would allow projection of the potential number of eggs that could be produced the next spawning season. This information is also needed to estimate population growth rates	Laboratory studies based on captive populations of RGSM of known size and age, induced to spawn by hormonal injection. Field studies where a sample of gravid fish are caught (and sacrificed) just before spawning. Fish would be measured, eggs counted and the fish aged via otolith methods.	Fish size, age, and number of eggs in both laboratory and field studies	Laboratory studies are largely scale independent but a sufficient number of fish would need to be sacrificed in order to have precise estimates of the size-fecundity relationship. Field studies would be conducted just before the peak spawning season.	Laboratory studies would require a captive population of RGSM of sufficient size to estimate the size-fecundity relationship precisely (see proposed studies for Reproduction and Age and Sex uncertainties)
Uncertainty about age-specific survival rates	Understanding how survival probability varies by age (and size), is essential to estimate population growth rates and to address ESA recovery criteria.	Estimates of age-specific survival could be acquired by statistical analysis of the CPUE if these data are corrected for catchability (see Sampling Methodology recommendations).	Estimates of age-specific survival rates are possible to obtain from the CPUE data if these data are corrected for catchability (see proposed studies under Sampling Methodology).	Using the annual CPUE data, these estimates could be acquired and updated each year.	Study design would follow the current sampling methods, adjusted for catchability, used to collect fall CPUE data (see proposed Sampling Methodology studies).
Uncertainty about the occurrence	Understanding the population	Experimental studies based on	Response variables could	These studies are most feasible to	The ability to experimentally manipulate

UNCERTAINTY STATEMENT/STUDY QUESTION	MANAGEMENT RELEVANCE	STUDY TYPE	MEASUREMENT ATTRIBUTES	TEMPORAL AND/OR SPATIAL SCALE	STUDY DESIGN CONSIDERATIONS
and extent of density-dependence in the fecundity and survival rates	dynamics of RGSM, and the environmental factors that may be limiting population growth, require that any density-dependent factors be identified.	captive hatchery populations would allow manipulation of population densities and estimates of various demographic rates including egg deposition and hatching success, larval survival rates, and age 0 and 1+ survival rates. Statistical methods that more fully explore the CPUE data could also be used to identify the presence of density-dependence.	include egg number, egg hatching rates, larval survival rates, with RGSM density as the independent variable. Note these studies could also be conducted by habitat type (see proposed Habitat studies) using the Los Lunas facility.	conduct at the scale of the hatcheries in order to experimentally manipulate RGSM population densities. Statistical methods to detect evidence for density dependence, based on CPUE data, are scale independent.	RGSM populations within the hatchery facilities.
The extent to which fish augmentation contributes to RGSM population dynamics and trends	One recovery goal in the RGSM Recovery Plan is to achieve a self-sustaining population based exclusively on wild fish. To attain this goal will eventually require no contributions via augmentation.	Population modeling where separate model evaluations are conducted for wild fish and augmentation fish.	The ultimate evaluation tool will be estimates of population growth rates computed separately for wild and augmentation populations of RGSM.	Since these are model-based analyses they are largely scale-independent.	These analyses would take advantages of demographic rate estimates derived from other proposed studies (see Reproduction, Sex and Age studies).
Uncertainty about the extent to which salvaged fish survive and contribute to population dynamics.	Given the goal achieving a self-sustaining population of wild fish, the importance of continuing this management practice should be evaluated.	Population modeling where separate model evaluations are conducted including and excluding the contribution of salvaged fish. Separate survival analyses of salvaged fish.	Model-based estimates of population growth rates with, and without, the contribution of salvaged fish. To derive survival rate estimates may require marking of salvaged fish.	Since these are model-based analyses they are largely scale-independent.	These analyses would take advantages of demographic rate estimates derived separately for salvaged fish.
What is the age composition of the RGSM population?	Critical for assessing population status and for population dynamics modeling	Quantitative comparison of size composition of RGSM collected using "nonselective" gear compared to size-selective gear fished at same locations.	Fish numbers, size and gear type	TBD	Separate studies needed in main channel vs. floodplain
Are apparent otolith annuli formed only once per year at a predictable time/season?	Knowledge of age structure of RGSM population is essential for assessment of current status, prediction of future status, and population monitoring	Controlled laboratory experiment in hatchery	observations of timing and nature of otolith annulus formation	NA	Using hatchery-reared fish under semi-natural conditions (e.g., Los Lunas Refugium), remove otoliths from samples of known age fish over the course of a year and determine when otolith annuli form
What is the vertical and horizontal distribution of RGSM eggs in the MRG and how does this depend on flow?	Densities (counts per volume filtered) of RGSM eggs are currently expanded by total flow to generate estimates of total egg passage. These estimates are used to infer timing of spawning, but may be seriously biased by nonuniform distribution of eggs in the water column	Field Study using modified vertically integrated Moore-Type egg collectors	Densities of eggs collected in MECs as currently deployed as compared to densities of eggs collected in vertically integrated egg collection devices	Studies should be carried out at a variety of flows which will affect distribution of eggs in the water column	Additional statistical work will need to be done to develop a measure of uncertainty for expanded counts.
Currently measured CPUE does	Currently calculated CPUE is	Data analytic	Recalculate annual CPUE	NA	Recalculated CPUE index should be based

UNCERTAINTY STATEMENT/STUDY QUESTION	MANAGEMENT RELEVANCE	STUDY TYPE	MEASUREMENT ATTRIBUTES	TEMPORAL AND/OR SPATIAL SCALE	STUDY DESIGN CONSIDERATIONS
not provide a valid index of RGSM abundance because it aggregates CPUE data across mesohabitat types	routinely assumed to be a valid index of RGSM abundance		values for the two preferred habitat types and compare indicated trends with those suggested by current aggregated CPUE		on a preferred habitat type that is available in all or nearly all of the stream units routinely surveyed during population monitoring activities

***Adaptive Management Framework
Draft Scientific Uncertainties and Associated Focal Questions
For the SWFL, YBCU, and NMMJM***

Southwestern Willow Flycatcher (SWFL)

1. SWFL meta-population dynamics

- a. How far do SWFL individuals move from source populations within and among years?
- b. What factors are correlated with SWFL dispersal (e.g., age, sex, climate, geographic distribution of habitats)?
- c. At what distances are SWFL populations connected by meta-population dynamics?
- d. What is the connectivity at both the individual and population levels among SWFL populations within the Middle Rio Grande (MRG), and between the MRG and other breeding sites along the Rio Grande and other stream drainages within New Mexico?
- e. Which SWFL populations within the MRG are sources? Which are sinks?
- f. How will climate change impact habitat connectivity for the SWFL?

2. The impact of the saltcedar leaf beetle (*Diorhabda*) on SWFL habitat

- a. What are the distributions and abundances/concentrations of *Diorhabda* (by subspecies) along the MRG?
- b. How rapidly are different populations of *Diorhabda* spreading along the MRG and into which new areas are they moving?
- c. What proportion of suitable occupied and unoccupied SWFL breeding habitats are currently or in the near future infested with *Diorhabda*, and what proportion is currently or in the near future affected by *Diorhabda*-induced tamarisk defoliation and/or die-offs?
- d. How does *Diorhabda* defoliation of tamarisk and resultant dieoffs alter microhabitat and patch characteristics of suitable SWFL habitats?
- e. Do *Diorhabda* defoliate tamarisk during the peak of SWFL nesting and, if so, where?
- f. Will *Diorhabda* significantly reduce habitat availability to the SWFL along the MRG?
- g. Is natural revegetation occurring in areas where *Diorhabda* defoliation has resulted in tamarisk die-offs?
- h. Can the impacts on SWFLs of *Diorhabda* defoliation of tamarisk and resultant die-offs be ameliorated by management actions (e.g., preemptive removal of tamarisk)?

3. *Which abiotic and biotic variables predict suitable and unsuitable SWFL habitats across multiple spatial and temporal scales*
 - a. What is the efficacy of existing tools and models to predict suitability of habitats for breeding SWFLs?
 - b. How can predictability of existing SWFL habitat suitability models be improved? Specifically, which key attributes should be included in SWFL habitat suitability models to best address geographic and temporal variation, climate change, and succession and maturation of vegetation?
 - c. Can complex SWFL habitat suitability models be effectively condensed and simplified for application in the field?
4. *The criteria for prioritizing sites for habitat restoration*
 - a. Does distance of restoration sites to existing SWFL breeding populations increase probability of occupation?
 - b. Does restoration in or adjacent to tamarisk-dominated sites occupied by breeding SWFLs mitigate the effects of *Diorhabda*?
 - c. Which preexisting or baseline geomorphic, hydrological, and vegetative characteristics facilitate restoring sites to suitable SWFL breeding habitats?
 - d. Can management-relevant selection criteria be developed to successfully screen and select sites for restoration?
5. *SWFL presence, population size, and population status along the Angostura Reach*
 - a. What are the historical and recent SWFL distributions and population sizes along the Angostura Reach?
 - b. What are the current distributions and sizes of SWFL populations along the Angostura Reach, particularly in Corrales and downstream of the Rio Bravo bridge?
 - c. How do SWFL populations along the Angostura Reach change over time? Are they increasing, decreasing, or remaining stable?

Yellow-billed Cuckoo

1. *YBCU movement within and among breeding seasons (when, to where, and how far), and drivers (e.g., water, vegetation, prey, etc.)*
 - a. How far do YBCU individuals move from source populations within and among years?
 - b. What is the connectivity among YBCU populations within the MRG, and between the MRG and other breeding sites along the Rio Grande and other stream drainages within and outside of New Mexico?
 - c. What factors are correlated with YBCU dispersal (e.g., age, sex, climate, geographic distribution of habitat)?
2. *Degree of overlap in SWFL and YBCU habitat requirements*
 - a. What is the degree of overlap in SWFL and YBCU habitat occupancy? Does riparian vegetation that supports breeding SWFLs concurrently support breeding YBCUs and vice versa?
 - b. Which abiotic and biotic features at multiple spatial scales (e.g., landscape, patch, nest site) are similar or dissimilar between the two species?
3. *Which abiotic and biotic variables predict suitable and unsuitable YBCU habitats across multiple spatial and temporal scales*
 - a. What is the efficacy of existing tools and models to predict suitability of habitats for breeding YBCUs?
 - b. Which key attributes should be included in YBCU habitat suitability models to best address geographic and temporal variation, climate change, and succession and maturation of vegetation?
 - c. How do landscape-scale attributes (e.g., topographic diversity, size of floodplain, length of habitat 'edge,' etc.) effect YBCU mobility and size of core-use areas during the breeding season?
 - d. Can complex YBCU habitat suitability models be effectively condensed and simplified for application in the field?
4. *The size and distribution of YBCU populations within the MRG and how they change over time*
 - a. For which reach(es) of the MRG are there sufficient historical and recent data to confidently establish baseline YBCU population size and distribution information?
 - b. What are the current sizes and distributions of YBCU populations?
 - c. How do YBCU populations along the MRG change over time?
 - d. Where are YBCU populations increasing, decreasing, and remaining stable?
 - e. What is causing identified changes to YBCU population sizes and distributions?
5. *The timing and availability of YBCU prey and which factors influence both*
 - a. What is the diet composition of breeding YBCUs along the MRG?
 - b. How does YBCU diet composition vary among breeding habitats and among breeding seasons?

- c. What is the timing of availability of YBCU preferred prey?
- d. Which abiotic and biotic conditions promote availability (e.g., pulses, outbreaks) of preferred YBCU prey?
- e. Are vegetation structure and floristic composition effective correlates for availability of preferred YBCU prey?

New Mexico Meadow Jumping Mouse

1. *What is the genetic variation within NMMJM populations, and between NMMJM populations?*
2. *How to non-invasive survey methods compare to trapping?*
3. *Where are NMMJM populations located?*
 - a. Looking at historical sites and determining if there are still NMMJM populations;
 - b. Developing screening criteria to map potential habitat area at different scales;
 - c. Prioritizing the identified potential habitat for surveys; and
 - d. On-the-ground surveys of priority potential habitats.
4. *What are the attributes for foraging, day nesting, maternal nesting, and hibernation habitats in the MRG?*
5. *What are the population dynamics for NMMJM?*
 - a. Answering this question would involve long-term monitoring for mortality rates, reproductive rates, overwinter survivorship, etc.
 - b. Because the BANWR population is the only known population in the Middle Rio Grande, this would have to be done on that population.



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Summary of Collaborative Program Interviews and Write-Ups

Prepared for:

Middle Rio Grande Collaborative
Program Retreat

April 26, 2017

Introduction

- The following points were derived from face to face visits with members of the Executive Committee; and,
- Responses from a written survey sent to participants.
- The categories are not representative of unanimous feelings in any area with one exception, but represent the common themes and representative comments.
- The exception:
 - The Program must be run more efficiently and effectively!

Summary points from interviews and responses to questions

- Adaptive Management - There is general agreement that adaptive management (AM) should be used to implement the BO and as a part of the Collaborative Program (CP). There is a range of opinions about what AM is, but most opinions are consistent with either active or passive AM. There is general agreement that AM can inform science priorities and management actions. The major uncertainty is how the CP will be involved in the implementation of the BOR and other BOs.

Value of Collaborative Program to Individual Signatories


- Provides collaborative space for coordination and communication unique in the MRG.
 - Coordinating activities contributes to overall success in the region and for the species and provides a space to share information about science and on-the-ground activities.
- Collaborative Program provides a venue to vet science and provide scientific input to management activities.
- There is a need to ensure that water is available for all stakeholders and the Program is a forum to address that need while working towards endangered species recovery.

Goals of the Collaborative Program

- Most of the goals that signatories provided fit in with the Program providing a space for coordination, communication, and information sharing to collaboratively work toward species recovery and overall river ecosystem health.
- Science and adaptive management play critical roles in the Collaborative Program, with the Program being the forum for independent science.
- Collaborative Program should support BO implementation, though the specifics around this need to be further identified.
- Collaborative Program should be a vehicle to secure and coordinate funding for the MRG.

Success of the Collaborative Program

- Embedded in many responses were thoughts on how success will be measured.
 - Improved relationships, communication, and trust amongst the Collaborative partners
 - A streamlined/more efficient decision-making process and governance structure
 - Success in either species recovery or overall riverine ecosystem health or both.
- A number of signatories also reiterated the need for the AM cycle to be completed, so that new information and scientific understanding feeds into decision-making and management actions.



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Recovery Implementation Program Comparison with Bureau of Reclamation Biological Opinion

Prepared for:
Middle Rio Grande Collaborative
Program Retreat

April 26, 2017

Introduction

- Presentation is a review the RIP and the BO documents
- We assumed the Collaborative Program would have a role in support of the implementation of the BOR BO
- The goal of this exercise was to identify elements of the RIP that could be incorporated into the future Collaborative Program
- We claim no particular expertise in either effort

Focus of the Comparison

- What are the commonalities between the BOR BO and RIP?
- What RIP/BO activities are underway through the current Collaborative Program or its members?
- What RIP activities are not covered by the current Program or BO?
- Where are the additional areas where the Collaborative Program can provide valuable input?

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Silvery Minnow

Element and Action	RIP Action #	BO RPM #
Element 1.1 Spawning and Survival of Larvae		
Create habitat	1.1.1	1
Work to provide springtime hydrologic and suitable habitat to facilitate survival	1.1.2	1
Element 1.2 Post-Spawning Survival		
Provide wetted habitat areas summer- early spring	1.2.1	2
Work to provide hydrologic conditions to support survival in all years	1.2.2	2
Minimize mortality from river drying	1.2.3	3
Increase reach boundary connectivity	1.2.4	4

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Silvery Minnow (Continued)

Element and Action	RIP Action #	BO RPM #
Element 1.3 Propagation and Augmentation		
Plan and evaluate propagation and augmentation program	1.3.1	5
Develop, support, and maintain propagation and rearing facilities	1.3.2	5
Rear and maintain fish in captivity	1.3.3	5
Augment MRG wild populations	1.3.4	5
Element 1.4 Research, Monitoring, and Adaptive Management		
Develop and implement fish population monitoring programs	1.4.1	7
Test and evaluate assumptions underlying Hydrologic Objectives, and refine as appropriate	1.4.6	RIO; Adaptive Management

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Silvery Minnow Elements

Element and Action	RIP Action #	Program Ongoing
Element 1.4 Research, Monitoring, and Adaptive Management		
Identify & prioritize specific research & monitoring activities as input to AM process	1.4.2	USACE
Conduct, evaluate, and refine monitoring activities	1.4.3	Population Peer Review
Conduct research on Silvery Minnow for the RIP	1.4.4	Coordination needed
Continue to evaluate the viability of silvery minnow populations	1.4.5	Pop. Monitoring Program
Use of Ecological Limitations of Hydrologic Alternatives or similar framework to evaluate historic and future flow conditions for producing riverine and riparian habitat	1.4.7	

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Southwestern Willow Flycatcher

Element and Action	RIP Action #	Program Ongoing
Element 2.1 Flycatcher Territory Establishment and Nesting Success		
Create habitat conducive to nesting and determine viability of populations primarily in patches	2.1.1	Coordination needed
Create hydrologic conditions conducive for territory establishment and nesting success. Implement provisions of Drought Management Plan	2.1.2	

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Southwestern Willow Flycatcher (Continued)

Element and Action	RIP Action #	Program Ongoing
Element 2.2 Flycatcher Research, Monitoring, and Adaptive Management		
Assess, identify, and prioritize specific science activities that address overall program goals	2.2.1	USACE contract
Develop and implement monitoring programs using established protocols	2.2.2	BOR annual survey with protocol
Element 2.3 Flycatcher Populations Outside of Program Boundaries		
Coordinate and share information range-wide	2.3.1	

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Program Management

Element and Action

- 3.1.1 Administer RIP
- 3.1.2 Implement and coordinate RIP activities
- 3.1.3 Establish and Maintain a Database Management System for RIP needs
- 3.1.4 Develop sufficient progress metrics

Assuming that RIP is replaced by Collaborative Program these tasks would fall under a Third-Party Program Manager

BOR BO Implementation

- BOR BO Commitments
 - Conservation Measures
 - Reasonable and Prudent Measures
 - Use of Rio with Hydrobiological Objectives for water operations management
 - Use of Adaptive Management
- BOR BO Adaptive Management
 - Use pilot projects and science to design or modify commitments
 - Committed deadlines so timeliness is important

Proposed RIP Decision Making

- Executive Committee (EC) – decision-making for RIP activities
- Non-EC RIP Participants – apply, sign cooperative agreement
- Executive Director/Science Coordinator – PASS Contract
- Committees and Teams envisioned
 - Adaptive Management Committee - serving as science coordination team – work guided by Action Plan
 - Action Team – multi-agency and interdisciplinary focus to evaluate species needs, available resources, and develop proposed annual plans or other recommendations
- Independent Science Panel(s)

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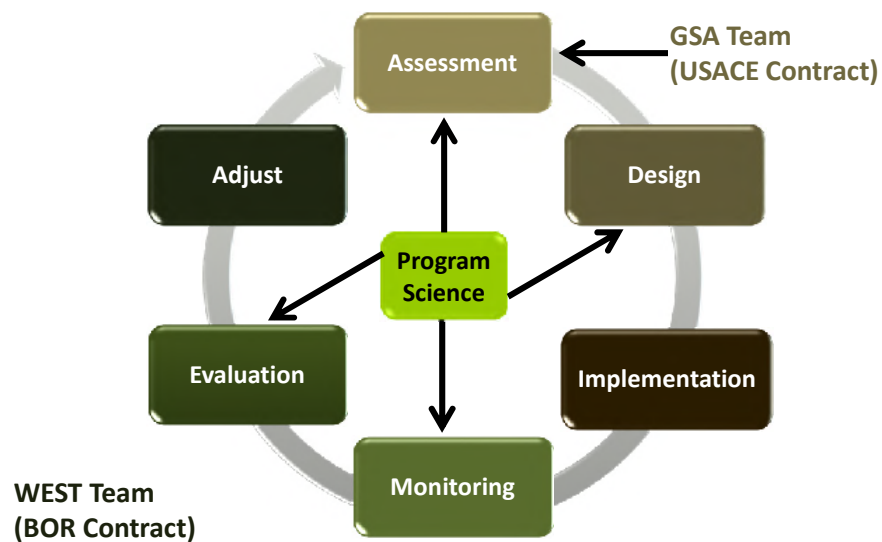
Conclusion

- Most RIP items are addressed in some manner in BOR BO
- Collaborative Program or individual partners taking on several of the RIP actions already
- Outstanding Questions?
 - RIP was to be a collaborative effort involving all members of the Collaborative Program; BOR BO is implemented by a subset of the Collaborative Program - What is the role of Collaborative Program in the BOR BO implementation?
 - Does the Collaborative Program have a role in the implementation of other related BOs?
 - In implementing the BO, what goes into developing the best available science and who makes that determination?
 - What does Adaptive Management for the species covered in the BOR BO look like and what is the Collaborative Program's role?

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Adaptive Management and the Collaborative Program



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GCMRC & Adaptive Management

Middle Rio Grande Endangered Species Collaborative Program

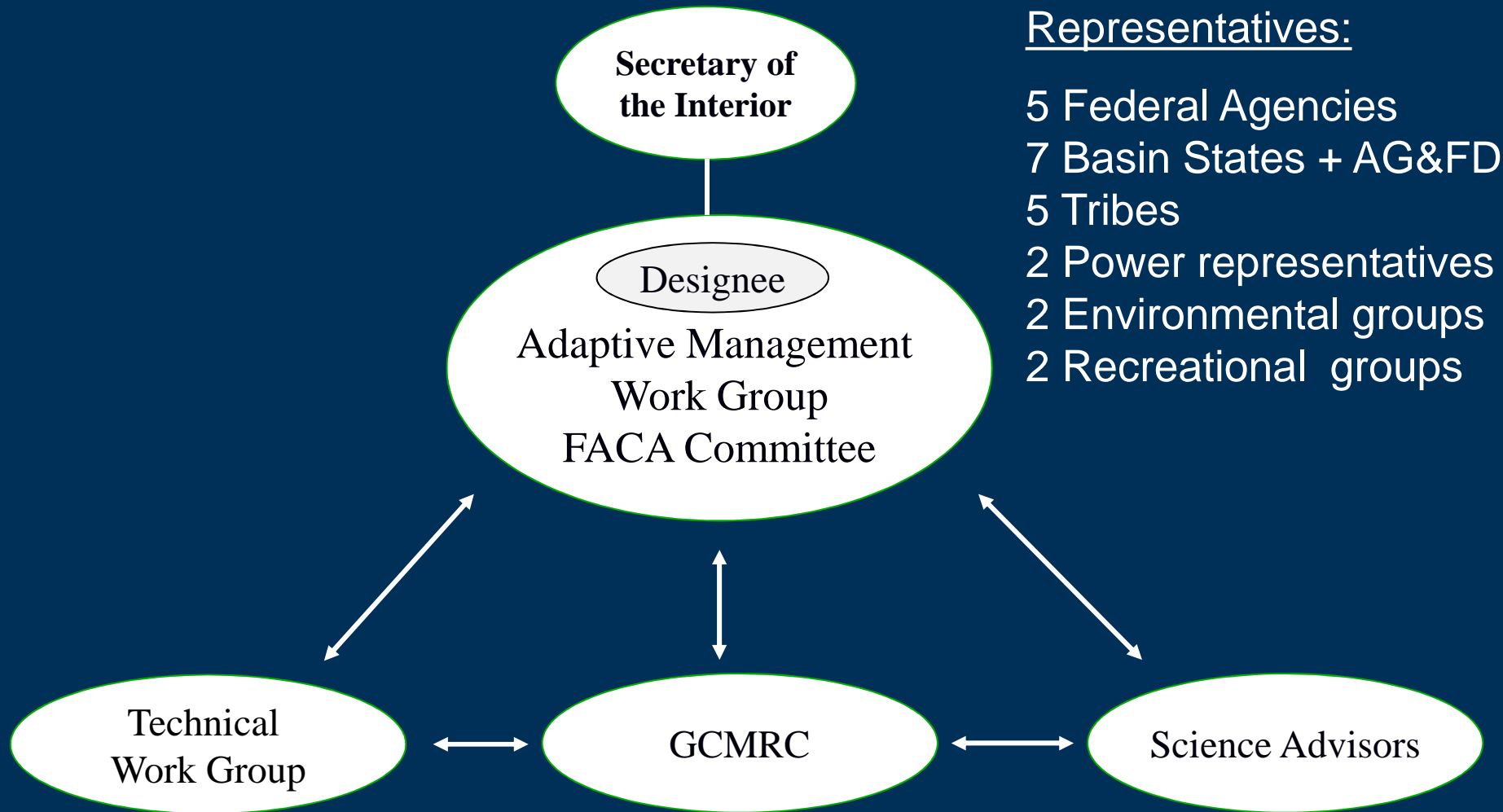
Executive Committee Retreat April 25, 2016

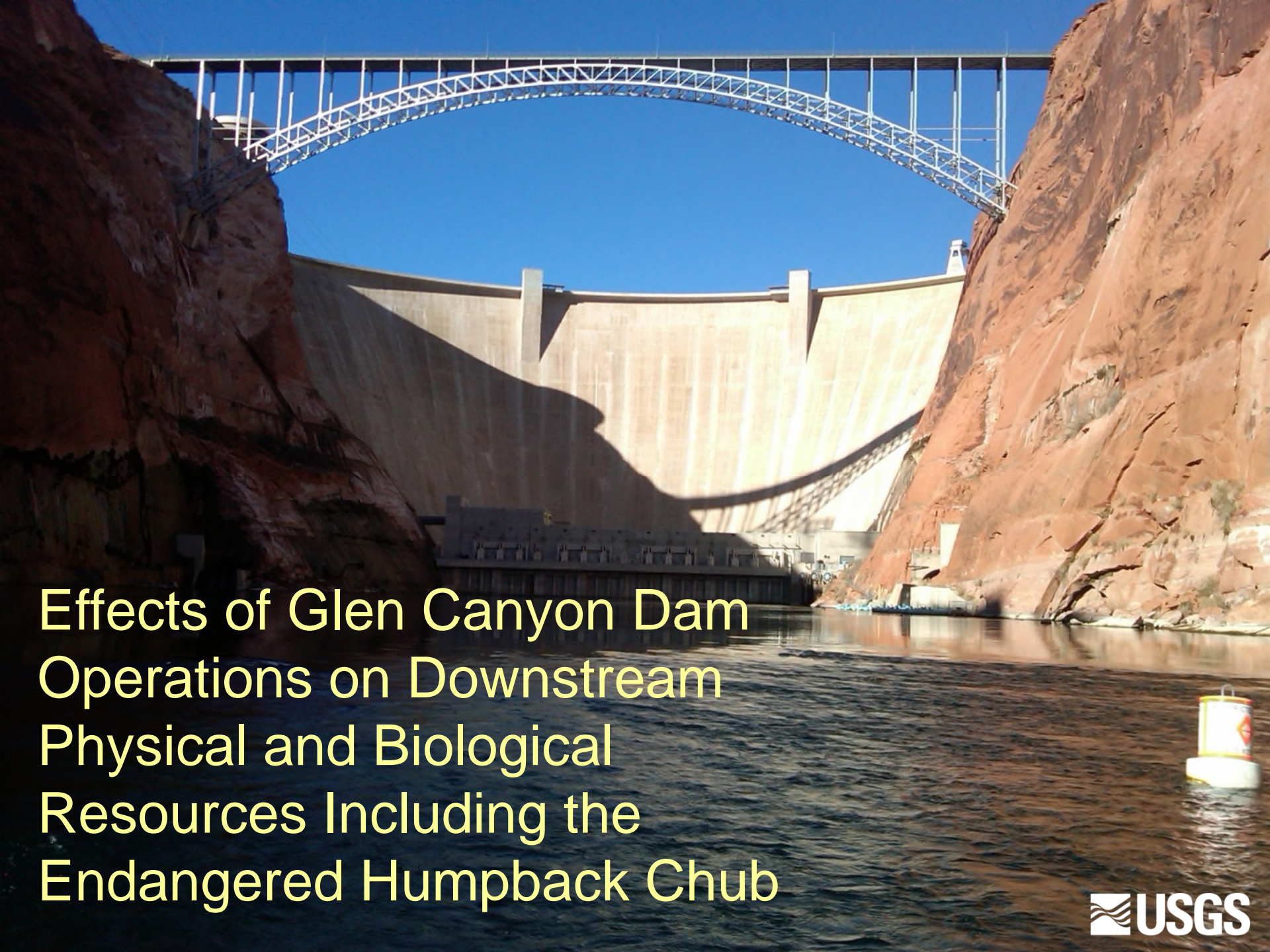
Scott VanderKooi

Grand Canyon Monitoring and Research Center

Southwest Biological Science Center

Glen Canyon Dam Adaptive Management Program



A photograph of the Glen Canyon Dam and its associated bridge. The dam is a large concrete structure with a curved face, situated between two steep, reddish-brown rock cliffs. Above the dam is a large steel arch bridge. The water in the foreground is dark blue, and a small white buoy with a red top is visible on the right. The sky is clear and blue.

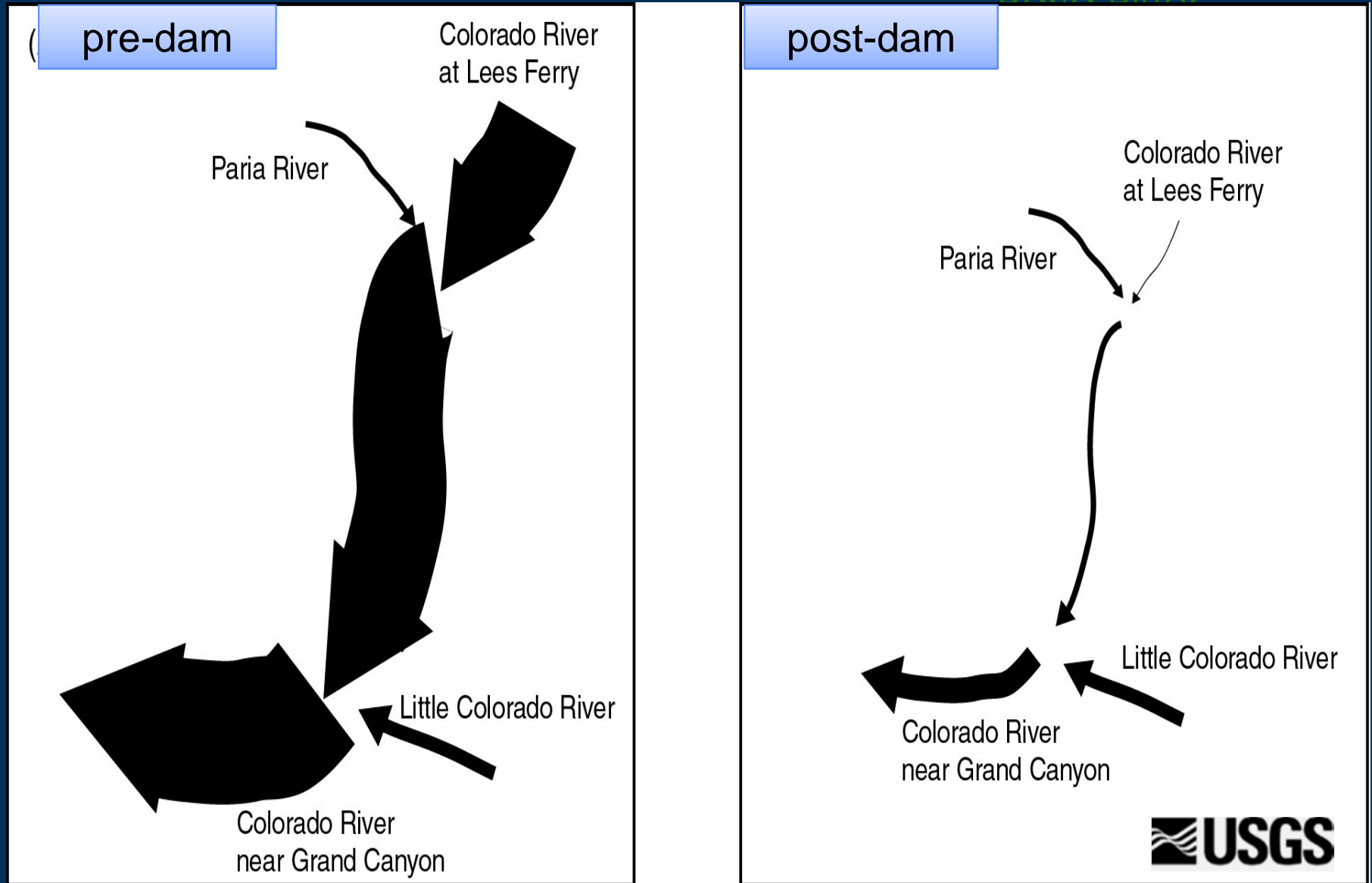
Effects of Glen Canyon Dam Operations on Downstream Physical and Biological Resources Including the Endangered Humpback Chub

Eddy sand bars are a distinctive relict of the pre-dam river landscape

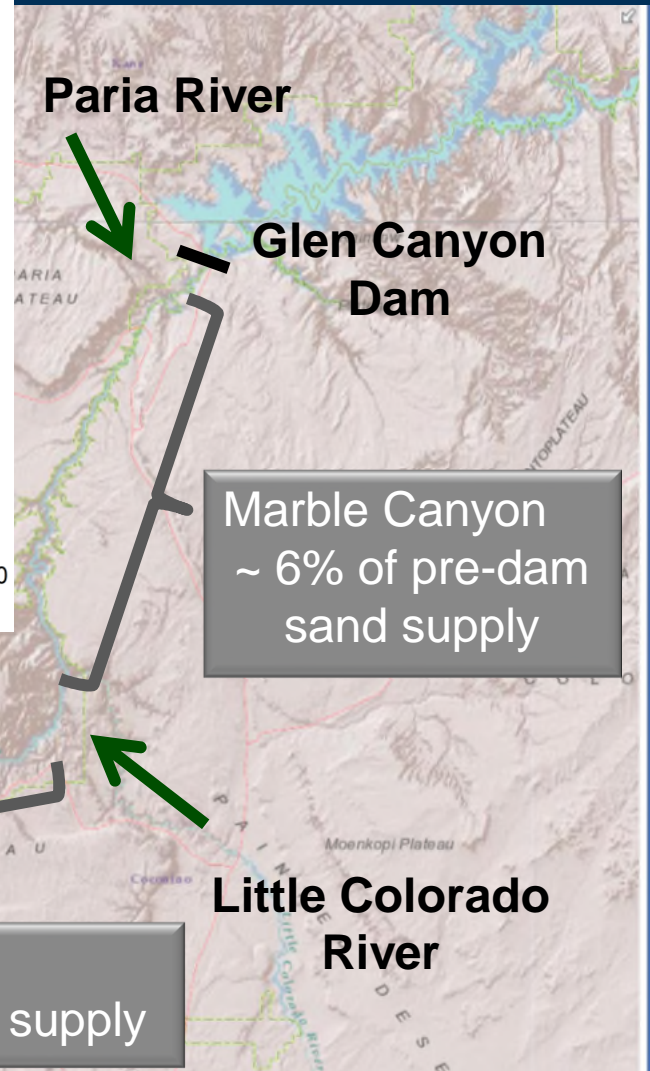
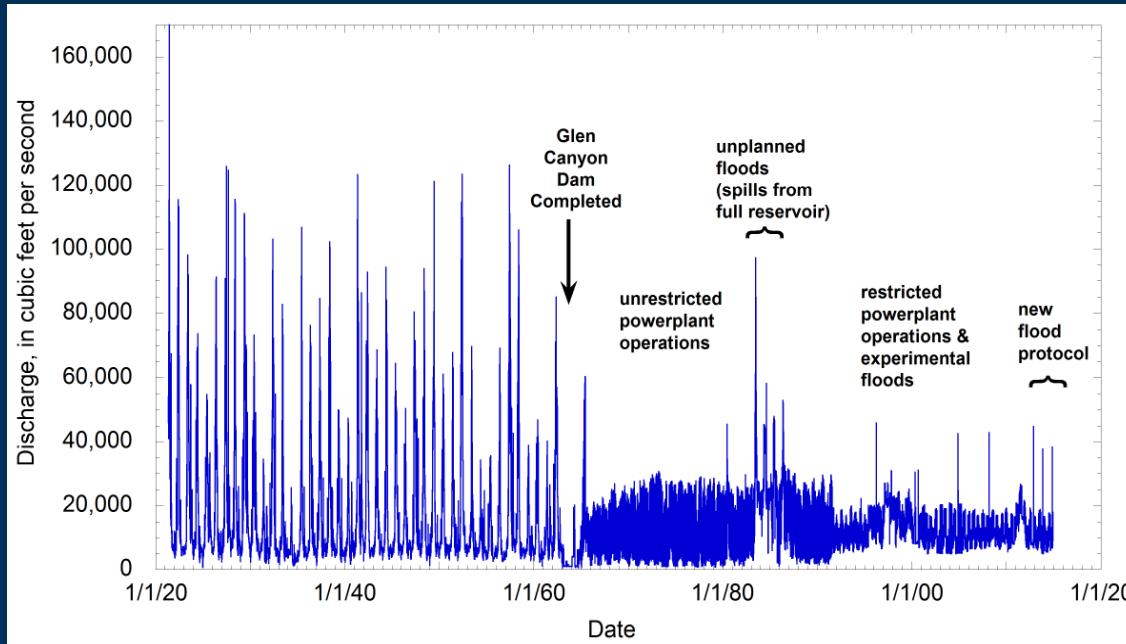


- Campsites
- Architecture that creates stagnant flow and backwater habitat at some discharges
- Substrate for riparian ecosystem
- Deposits contain archaeological resources or contribute to stability of those resources
- Transport of sand and mud creates turbidity

Review of Problem: Sediment budget affected by disruption of sand supply and change in flow regime



Review of Problem: Sediment budget affected by disruption of sand supply and change in flow regime





Sandbars and the sand mass balance on the Colorado River in Grand Canyon

Sand accumulates on the bed and in eddies during low flows



Sandbars and the sand mass balance on the Colorado River in Grand Canyon

Floods build sandbars and export sand downstream



Sandbars and the sand mass balance on the Colorado River in Grand Canyon

Floods build sandbars and export sand downstream



Middle Rio Grande Endangered Species Collaborative Program Communication Principles

Clear, transparent, and complete communication is key to building trust and good relationships. At the April 26-27, 2017 retreat, the Executive Committee agreed to the following principles for incorporation into the MRGESCP's Communication Plan:

- Clearly defined roles and responsibilities, for clarity on who has authority to make decisions or represent a signatory at a Program meeting
- Schedules and deadlines should be communicated as far in advance as practical to the appropriate individuals. Those in turn should communicate information within their own organizations.
- Signatory representatives are responsible for keeping the others in their respective organizations informed and up-to-date on relevant information, requests, and action items.
- An organization should, as much as possible, present a unified message on an issue. If there is disagreement, it should be made clear which viewpoints are individual opinions.
- Agreements that are made in meetings should be communicated within Program signatory organizations and to appropriate members of the public.
- Information and data that is used to inform decisions should be accessible to all parties in a transparent manner.
- Raise any issues with the Program Manager and/or Science Coordinator as soon as possible.
- The Program Manager and/or Science Coordinator should be copied on relevant communication.
- Provide opportunities for public comment and outreach.



BY-LAWS

MIDDLE RIO GRANDE ENDANGERED SPECIES

COLLABORATIVE PROGRAM

Adopted by the Executive Committee on October 2, 2006
Amended by the Executive Committee on July 17, 2008
Amended by the Executive Committee on January 15, 2009
Amended by the Executive Committee on Sept 17, 2009
Amended by the Executive Committee on April 13, 2012

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1.0 PURPOSE

The Middle Rio Grande Endangered Species Collaborative Program (Program) is established by this Memorandum of Agreement (MOA) as a collaborative effort consisting of federal, state, and local governmental entities, Indian Tribes and Pueblos, and non-governmental organizations.

The intent of Program participants is two-fold: first, to prevent extinction, preserve reproductive integrity, improve habitat, support scientific analysis, and promote recovery of the listed species within the Program area in a manner that benefits the ecological integrity, where feasible, of the Middle Rio Grande riverine and riparian ecosystem; and, second, to exercise creative and flexible options so that existing water uses continue and future water development proceeds in compliance with applicable federal and state laws. To achieve these ends, the Program may not impair state water rights or federal reserved water rights of individuals and entities; federal or other water rights of Indian nations and Indian individuals, or Indian trust assets; San Juan- Chama Project contractual rights; and the State of New Mexico's ability to comply with Rio Grande Compact delivery obligations.

1.1 Authority

Under section 4(f)(2) of the Endangered Species Act (ESA), 16 U.S.C. § 1536(f)(2), the Secretary of the Interior is directed to develop and implement plans for the conservation of endangered species. The Secretary of the Interior may enlist the services of public and private agencies, individuals and institutions in developing and implementing such recovery plans. Advice from such agencies, individuals, and institutions, such as that offered by signatories, is not subject to the Federal Advisory Committee Act, 5 U.S.C. app. 2. The Program is consistent with section 4(f) (2). The Program does not create an agency, board, commission, or any other entity of state government, nor does the MOA create a state advisory committee subject to Section 9-1-9 NMSA 1978.

1.2 Definitions

- a) **Corps** - U.S. Army Corps of Engineers.
- b) **ESA** - Endangered Species Act, 16 U.S.C. §§ 1531 to 1544.
- c) **Executive Committee** - The Program's governing body.
- d) **Flycatcher** - southwestern willow flycatcher (*Empidonax traillii extimus*).
- e) **Listed species** –the flycatcher and silvery minnow.
- f) **Long Term Plan (LTP)** - The Program's long-term plan, an evolving work plan and budget that provides a description of the Program activities that will be conducted over the following ten years of the Program.
- g) **Memorandum of Agreement (MOA)** –This agreement among the parties sets forth the responsibilities of the signatories in achieving the Program's goals and objectives collaboratively.
- h) **NEPA** - National Environmental Policy Act, 42 U.S.C. §§ 4321 et seq.
- i) **Program** - Middle Rio Grande Endangered Species Collaborative Program.

- j) **Program activities** - The coordinated series of actions implemented by the Program to contribute to the recovery of the listed species.
- k) **Program area** - The headwaters of the Rio Chama watershed and the Rio Grande, including tributaries, from the New Mexico-Colorado state line downstream to the elevation of the spillway crest of the Elephant Butte Reservoir at 4450 feet above mean sea level, excluding the land area reserved for the full pool of the Elephant Butte Reservoir. Indian Pueblo and Tribal lands and resources within the Program area will not be included in the Program without their express written consent of the affected Indian Pueblo or Tribe.
- l) **Reclamation** - Bureau of Reclamation m)
Service - U.S. Fish and Wildlife Service
- n) **Signatory(ies)** - Signer(s) of the Memorandum of Agreement
- o) **Silvery minnow** - Rio Grande silvery minnow (*Hybognathus amarus*)

1.3 Effective Date

These by-laws shall be effective when adopted by vote of the Executive Committee.

1.4 Amendment

Modifications to the by-laws may be made only by vote of the Executive Committee.

2.0 PROGRAM MEMBERSHIP

2.1 Initial Signatories

The following entities are invited to sign the MOA:

- a) U.S. Bureau of Reclamation;
- b) U.S. Fish and Wildlife Service;
- c) U.S. Army Corps of Engineers;
- d) State of New Mexico Interstate Stream Commission;
- e) State of New Mexico Department of Game and Fish;
- f) New Mexico Attorney General;
- g) Pueblo of Santo Domingo;
- h) Pueblo of Sandia;
- i) Pueblo of Isleta;
- j) Pueblo of Santa Ana;
- k) Middle Rio Grande Conservancy District;

- l) Albuquerque-Bernalillo County Water Utility Authority;
- m) City of Albuquerque, New Mexico;
- n) an organization that represents a significant portion of the environmental community;
- and
- o) an organization that represents a significant portion of the farming community.

2.2 Addition of Signatories

Any organization having a demonstrated interest in the success of the Program may apply to become a signatory. To qualify for consideration, the applicant organization must submit a letter of interest to the Executive Committee co-chairs supporting the goals and success of the Program and expressing its intent to sign the MOA if the application is accepted. While the number of signatories is unlimited, the number of signatories on the Executive Committee shall not exceed twenty (20). Any signatory not listed in section 2.1 (a) through (m) may apply to the Executive Committee for membership on the Executive Committee as outlined in section 5.1.

The Executive Committee may consider among other things the following criteria in determining whether to accept an application, provided that an applicant need not meet all criteria, and further provided that meeting the criteria does not guarantee an applicant's acceptance as a signatory. These criteria include:

- a) Entity shall agree to sign the RIP Cooperative Agreement;
- b) contribution to the non-federal cost share, reported annually including in-kind services;
- c) ownership of an interest affected by the Program, such as land, water, or other property rights;
- d) jurisdictional or regulatory responsibility, including sovereignty;
- and
- e) commitment to participation.

Acceptance of an application requires consensus by the Executive Committee. Within one week following Executive Committee action on an application, the co-chairs will notify the applicant in writing of the Executive Committee's decision.

2.3 Resignation and Reinstatement of Signatories

A signatory may resign from the Program at any time upon written notice to the co-chairs. Signatories may request reinstatement subject to the same approval process and requirements described in these by-laws.

3.0 TRIBAL INTERESTS AND PARTICIPATION

3.1 Trust Responsibilities

The Executive Committee recognizes that the federal government and federal agencies have trust responsibilities to Pueblo and Tribal governments pursuant to applicable federal law. *See e.g.* Executive Memorandum of April 29, 1994; Executive Order #13084 issued May 14, 1998 and superseded by Executive Order No. 13175 issued November 6, 2000; Secretarial Order #3206, dated June 5, 1997 and Secretarial Order #3215, dated April 28, 2000; Secretarial Order #3175, dated November 8, 1993, now incorporated in 512DM2; Reclamation's August 31, 1994 ITA Policy; and COE Policy Guidance Letter No. 57, Indian Sovereignty and Government-to- Government Relations with Indian Tribes. The federal participants will conduct government-to- government consultations with Tribes and Pueblos potentially affected by the Program.

3.2 Pueblo and tribal involvement

The Executive Committee recognizes that Indian Pueblos and Tribes are sovereign entities and encourages them to become members of the Executive Committee by signing the MOA. Whether or not any or all of the Tribes and Pueblos become directly involved, the Executive Committee will seek to engage and establish working partnerships with Pueblos and Tribes in implementing the Program.

The signatories recognize that the Indian Pueblos and Tribes may elect to not sign the MOA, and rather, conduct their sovereign affairs privately, which may include activities that contribute to the interim goals of the Program and expend funding under the MOA. Nothing in the MOA shall obligate any non-signatory Indian Pueblo or Tribe to participate in, contribute to, or otherwise adopt elements of the MOA. The Federal government continues to have a trust responsibility to all potentially affected Indian Pueblos and Tribes, whether or not an Indian Pueblo or Tribe signs the MOA.

4.0 ORGANIZATION

The organizational structure of the Program consists of four groups: the Executive Committee; the Coordination Committee; work groups; and the Program Management Team. General descriptions of the organizational responsibilities are provided in this section. More specific descriptions are provided in subsequent sections.

Executive Committee

The Executive Committee is the governing body of the Program. The Executive Committee provides policy, budget approval and decision-making on all issues, unless specifically delegated to the Program Management Team, Coordination Committee or work groups.

Coordination Committee

The Executive Committee will establish a Coordination Committee that meets on a regular basis to identify concerns associated with Program activities, work to resolve those concerns, and develop consensus recommendations to the Executive Committee. The Coordination Committee reviews Program activities and consults with the Executive Committee representatives to keep their respective members informed on the Program. Coordination Committee assures that their respective EC members are apprised of Program.

Work Groups

The Executive Committee may establish work groups as needed to provide assistance

and expertise to address specific Program tasks. Members of a work group may consist of professionals, signatories, contractors, and other parties who have expertise related to the assignment given to the work group.

Program Management Team

The Program Management Team (PMT) consists of a Program Manager and management staff employed by Reclamation, Department of the Interior and Corps staff, administrative and clerical staff (federal employees or contractors), and Signatory representatives. The PMT provides management and technical support to the Executive Committee, Coordination Committee and work groups.

5.0 EXECUTIVE COMMITTEE

5.1 Membership

The Executive Committee will be made up of the signatories listed in Section 2.1. The total membership of the Executive Committee shall not exceed twenty (20). If there are 20 members already on the Executive Committee, the signatory(ies) must wait until vacancies occur before becoming a member of the Executive Committee. Vacancies will be filled based in the date- order on which signatories applied to the Executive Committee for membership.

Each member of the Executive Committee shall designate, by written notice to the Program Manager, one representative who is authorized to vote and otherwise act on its behalf on matters before the Executive Committee. Each member may appoint one or more alternates to act as its voting representative in the absence of its regular representative on the Executive Committee.

5.1.1 Addition of Executive Committee Members

Any signatory not listed in section 2.1 (a) – (m) may apply to the Executive Committee for membership on the Executive Committee. Acceptance of an application requires consensus by the Executive Committee. The Executive Committee shall make decisions regarding acceptance of applications received in a closed session. Applications shall be submitted to the co-chairs through the Program Manager and will be considered in the date-order they are received. Criteria for selection are listed in section 2.2 (a) – (e). The Executive Committee will make a decision on the application within 90 days of receiving the application. The co-chairs will notify the applicant in writing of the Executive Committee's decision within one week following the Executive Committee action on the application.

5.1.2 Additional Executive Committee Members not on the list of Initial Signatories

Additional Executive Committee members now include:

- o) The Assessment Payers Association of the MRGCD, an organization that represents a significant portion of the farming community;
- p) New Mexico Dept. of Agriculture;

5.2 Responsibilities

The primary responsibility of the Executive Committee is to direct and coordinate the Program. Specific responsibilities of the Executive Committee include but are not limited to:

- a) setting Program priorities;
- b) providing direction, assigning tasks to, and overseeing the work of the PMT, Coordination Committee, and work groups;
- c) ensuring development and implementation of the LTP to achieve the purposes of the Program;
- d) coordinating Program activities with other Federal and non-federal activities in the Program area to achieve the greatest effect and limit unnecessary duplication of other efforts;
- e) authorizing work groups;
- f) developing multi-year budget recommendations to the Corps, Reclamation, Service, other Federal agencies and non-federal entities;
- g) reviewing and approving annual reports and work plans, budgets, and policy or position papers on behalf of the Program;
- h) establishing operating procedures for the Program;
- i) representing the Program to executive agencies, legislative bodies and other third parties;
- j) monitoring progress in achieving Program goals;
- k) ensuring implementation of a quality assurance/quality control program;
- l) coordinating requests for funding and resources to Congress, the New Mexico state legislature, and other sources;
- m) ensuring sound financial management of Program resources and timely reporting of the financial status of the Program;
- n) ensuring coordination among participants in carrying out Program actions and policies;
- o) providing periodic reports to Congress, the New Mexico state legislature, interest groups and the public regarding the Program; and
- p) conducting other activities necessary or advisable to achieving the goals of the Program.

5.3 Voting Procedures

The Executive Committee is empowered to make decisions at any meeting at which a quorum is present. A quorum shall constitute 50% of all Executive Committee members at that time.

If two members request, decision items may be tabled until the next meeting. No agenda item may be tabled for more than one meeting without the unanimous consent of the Executive Committee.

The Executive Committee shall seek consensus in reaching decisions. If consensus cannot be reached, the decision will be tabled until the following meeting at which a quorum is present. In lieu of consensus, the decision may be approved by a super majority (75%). If a non-consensus decision is made, the minority may submit a report to the co-chairs of the Executive Committee to be included with official minutes of the Executive Committee. The Executive Committee may, in limited circumstances, allow for votes to be taken via e-mail.

It is recognized that the federal, state, tribal and other governmental agencies cannot achieve consensus, vote on issues, or be bound by Executive Committee decisions that would violate their obligations under applicable federal, state, tribal or local laws.

5.3.1 Resolution of Concerns

Any signatory having a concern with issues related to the Program may submit a written request for resolution to the Executive Committee in a timely manner, identifying the issue of concern with a recommended resolution. The Executive Committee will determine appropriate resolution of the dispute in a timely manner.

5.4 Meetings

The Executive Committee will hold meetings as necessary to conduct its business. Executive Committee meetings will be open to the public and public comments will be welcome and encouraged. The co-chairs will ensure adequate opportunities for public comments and input at meetings. At a minimum, the Executive Committee shall meet twice per year and at such other times as called by a co-chair. If a signatory is not represented at two consecutive Executive Committee meetings the co-chairs shall provide written notice to that signatory that its membership on the Executive Committee is suspended and will be terminated unless that signatory is represented at the next Executive Committee meeting.

5.4.1 Notice of Meetings

The Program Manager shall provide adequate notice to interested parties and the public of meeting times and places, which will include draft and final agendas that the co-chairs have approved with date, time, location, and decisions to be made. Any member may request of the co-chairs that an item be included or changed on an agenda. Modifications to the agenda may be made at meetings, subject to approval of the Executive Committee. Final agendas should be accompanied by a packet of supporting materials relevant to items on the agenda, except materials submitted to the Executive Committee pursuant to a nondisclosure or confidentiality agreement, pertaining to the closed portion of the meeting or declared confidential by law. Packets will be distributed at least one week prior to a scheduled Executive Committee meeting to Executive Committee members.

5.4.2 Special and Emergency Meetings

Either co-chair, at his or her discretion, may call special and emergency meetings with one week's notice. The Program Manager shall publish notice of such meetings as soon as they are scheduled and prepare packets.

5.4.3 Cancellation of Meetings

The Program Manager shall publish notice of cancellation or postponement as early as possible, and the notice shall explain the reasons for postponement or cancellation.

5.4.4 Closed Sessions

The Executive Committee may hold closed sessions to address sensitive issues related to contract, membership, personnel or legal matters. The purpose of the closed session shall be noted in the minutes of the Executive Committee. Only the Executive Committee member and their designated representative shall attend a closed session.

5.5 Officers

The officers of the Executive Committee shall include a Federal co-chair and a non-federal co-chair.

5.5.1 Election of Federal and Non-federal Co-chairs

At the first meeting of the Executive Committee following the effective date of the MOA, and at its first meeting following the beginning of the fiscal year thereafter, the Secretary of the Interior will designate the Federal co-chair.

The non-federal members of the Executive Committee shall elect from among the non-federal Signatories a non-federal co-chair. The non-federal co-chair shall be elected from the non-federal members of the Executive Committee on approval by $\frac{3}{4}$ of the non-federal members of the Executive Committee.

5.5.2 Removal of Federal and Non-federal Co-Chairs

The Secretary of the Interior shall replace the Federal co-chair on a vote of no confidence by $\frac{3}{4}$ of the members of the Executive Committee.

The non-federal co-chair shall be removed on a vote of no-confidence by $\frac{3}{4}$ of the non-federal members of the Executive Committee.

5.5.3 Resignation of Co-Chairs

Federal and non-federal co-chairs must provide a letter of resignation to the members of the Executive Committee at least 30 days before they resign. Additionally, the Federal co-chair shall provide a copy to the Secretary of Interior.

5.5.4 Replacement of Co-Chairs

Upon resignation or no-confidence removal of the Federal co-chair the Secretary of the Interior shall select a new Federal co-chair, as soon as possible, and notify the Executive Committee of that selection. That individual will immediately assume the responsibilities of the Federal co-chair.

Upon the resignation or removal as a result of a no-confidence vote of a non-federal co-chair the non-federal Executive Committee members shall elect a new co-chair in accordance with 5.5.1 at the next Executive Committee meeting.

5.5.5 Terms of Co-Chairs

The term of the non-federal co-chair shall be one year.

5.5.6 Responsibilities of Officers

The Federal co-chair shall be a non-voting member of the Executive Committee, shall convene the Executive Committee, shall develop meeting agendas, and shall schedule votes and other decision-making processes in consultation with the non-federal co-chair.

The non-federal co-chair shall be a voting member of the Executive Committee, and shall develop meeting agendas jointly with the Federal co-chair. Either co-chair may chair meetings in the absence of the other co-chair.

Each co-chair shall interact with the PMT, as necessary, to assure that assignments from the Executive Committee are completed and to determine action items and agendas necessary for the Executive Committee meetings.

5.6 Public involvement

The Executive Committee will consider the interests of all stakeholders and the general public in implementing the Program. Public involvement and comment is invited and encouraged. The Executive Committee will ensure that there are adequate formal and informal opportunities for public comment on Program activities.

Work product, reports, meeting summaries, and other program materials will be available to the public via the list serve, website, and/or other appropriate means.

6.0 COORDINATION COMMITTEE

6.1 Membership

Each member of the Executive Committee will appoint one member to the Coordination Committee. Each member may also appoint one or more alternate members.

6.2 Officers

The Coordination Committee will elect a chair and a vice-chair, each serving for a term of one year with no more than one consecutive term. Any member of the Coordination Committee may serve as chair. The chair or vice-chair will report on committee activities at each

Executive Committee meeting.

6.3 Meetings

The meeting requirements for the Executive Committee will apply to the Coordination Committee, including public notice of meetings. The Coordination Committee will meet approximately every four to six weeks.

6.4 Responsibilities

The Coordination Committee responsibilities include:

- a) carrying out the directives of the Executive Committee;
- b) reviewing and providing comments and recommendations on formation of work groups, the LTP, annual reports, work plans, budgets, operating procedures, congressional reports, work group deliverables, and other documents prior to submittal to the Executive Committee by the PMT;
- c) working to achieve consensus recommendations for the Executive Committee on unresolved issues; and
- d) consulting regularly with their Executive Committee representatives on issues of concern to ensure that recommendations reflect the viewpoints of organizations participating in the Executive Committee and Executive Committee members and assuring that Executive Committee members are informed on matters coming before the Executive Committee.

7.0 WORK GROUPS

7.1 Establishment of Work Groups

The Executive Committee may establish work groups and designate members of work groups on its own initiative or on the recommendation of the Coordination Committee when additional assistance or expertise is beneficial to accomplishing the goals of the Program. Work groups will operate with specific schedules, objectives, and scopes of work established by the Executive Committee.

The Program Manager will assign Program staff to support each work group so that the objectives and work products are clearly identified, work group schedules are met, and necessary administrative support is provided. Upon formation of the work group, a group leader will also be designated to work with the assigned staff to establish a schedule and identify deliverables.

7.2 Membership

Membership on work groups will vary depending on the subject matter and may include:

- a) Signatories and/or their representatives;
- b) professionals with expertise in the subject matter who may or may not be involved in the Program;
- c) contractors as deemed appropriate by the Executive Committee; or
- d) other parties, including members of the public, with experience in the subject matter addressed by the work group.

7.3 Meetings

Work groups will meet as needed. The PMT will post work group meeting schedules, locations, and agendas on the Program website. All meetings will be open to the public. The work group leader will keep meeting summaries, which shall accurately reflect actions of the work group and shall be made available on the website within one week after the meeting.

7.4 Work Products

All final work group work products are subject to approval by the Executive Committee, and upon approval, the PMT will make them available to the public.

7.5 Annual Review of Work Groups

The Program Manager, with input from the PMT, will review the accomplishments of each work group annually with respect to its mission, schedule, participation by members, and objectives, and make recommendations to the Executive Committee regarding continuation or termination of the work group, changes in mission, schedule, or membership.

8.0 PROGRAM MANAGEMENT TEAM

The Program requires management and administration support to accomplish its goals and objectives. The Program Management Team (PMT) consists of a Program Manager and management staff employed by Reclamation, Department of the Interior and Corps staff, administrative and clerical staff (federal employees or contractors), and Signatory representatives. The PMT provides management and technical support to the Executive Committee, Coordination Committee and work groups.

8.1 Staffing

The Program Management Team (PMT) includes a Program Manager and staff. The Program Manager is an employee of Reclamation. Reclamation is responsible for selecting a Program Manager; however, Reclamation may solicit input from the Executive Committee during the recruitment process. Reclamation provides administrative staff to support the Program Manager and other support staff to administer the Program, including contract administration.

As directed by the Secretary of the Interior, any agency of the Department of the Interior will provide staff for the PMT as necessary. Additionally, each member of the Executive Committee may provide a representative on a voluntary basis, full time or part-time, to work

as staff for the PMT. All PMT members shall work under the direction of the Program Manager. The PMT shall be comprised of qualified individuals to carry out the duties in these by-laws.

The Corps' Program staff responsibilities will include ensuring coordination of Corps activities (studies, surveys, assessments, planning, design, NEPA compliance, construction, funding) with Program activities and may include contract administration and other activities mutually agreed upon by Reclamation and the Corps to support the Program.

8.2 Evaluation of the Program Management Team

On an annual basis, the Executive Committee will evaluate the performance of the PMT with respect to its assigned duties and responsibilities.

8.3 Roles and Responsibilities

The following are the general roles and responsibilities of the PMT.

8.3.1 Program Manager

The Program Manager will provide direction to staff for PMT activities and will report regularly on Program activities and accomplishments to the Executive Committee. The Program Manager is responsible for determining the most expeditious and reasonable manner to carry out assignments as directed by the Executive Committee, whether through a work group, assignment to the PMT or outsourcing. The Program Manager is a part of the PMT.

8.3.2 General Duties

The duties of the PMT include:

- a) providing administrative support for all Program operations;
- b) drafting a Long-Term Plan and annual revisions;
- c) drafting annual revisions, annual work plans, budget requests, and activity and fiscal reports consistent with the Long-Term Plan;
- d) providing information to the public concerning activities of the Program and undertaking community outreach;
- e) collaborating with other efforts relating to the protection and recovery of the listed species carried out under other Federal and non-federal programs, including:
 - (1) silvery minnow and flycatcher recovery teams under the direction of the Service;
 - (2) other ecosystem recovery programs under the Service and Corps;
 - (3) river maintenance and water operations under the direction of Reclamation; and
 - (4) other related programs;
- f) administering project proposal processes;

- g) tracking contracts, grants, and cooperative agreements;
- h) ensuring that all activities undertaken by the Program comply with applicable laws and regulations; and
- i) undertaking such other duties as are assigned by the Executive Committee and necessary to carry out the Program.

8.3.3 Support of Executive Committee

The PMT shall provide general administrative support, as the Executive Committee requests, to include transmittals of Executive Committee communications, recordkeeping, liaison with entities, and meeting organization.

Before each Executive Committee meeting the Program Manager will prepare and post on the web site a packet of supporting materials. At each Executive Committee meeting, the Program Manager will provide a brief report to the Executive Committee on the status of the Program activities and milestone accomplishments. After an Executive Committee meeting, the Program Manager will distribute a draft meeting summary to Executive Committee members for review. The draft and final meeting summaries will be made available to the public via an established Program distribution network.

8.3.4 Support of Coordination Committee

The PMT will provide support for meetings of the Coordination Committee, including distribution of agendas and meeting materials, and development and distribution of meeting summaries.

The Program Manager will provide Program documents subject to Executive Committee approval to the Coordination Committee for review and discussion, and will assist the Coordination Committee in developing recommendations to the Executive Committee.

Convening Assessment

GSA carried out an assessment of the opinions of many Collaborative Program partners regarding the current state of knowledge and management of the Middle Rio Grande. A primary goal with this assessment is to identify for the participants those areas where there is certainty or uncertainty regarding the scientific issues. The assessment will also identify those areas where the partners either substantively agree or disagree on the available information.

The Convening Assessment is an impartial approach, which will help all partners to identify those monitoring and research issues that can be immediately addressed. For such issues, we may be able to move rapidly to the design and implementation of an adaptive management program. The Convening Assessment identifies areas where there is not a current consensus. For such issues, the assessment lays out the nature of disagreements. It is particularly important that we understand the nature of uncertainties and disagreements: do they stem from differences in opinion on existing science, or from other sources (e.g. tolerance of risk, management needs).

This information has been gathered in a value neutral way, and is not intended to be critical of any partner or of the program as a whole. It is simply a means of focusing attention on the important issues for the partnership to resolve. The results can be used in various ways. Importantly, they will form the basis of GSA's work-plan for the remainder of the adaptive management design program, and for prioritizing among issues.

Through the Convening Assessment process, we have established that there are indeed areas of substantial agreement. There are also areas where the partners feel relatively certain on the science and other technical information. These two characteristics ***certainty*** and ***agreement*** are at the heart of adaptive management. Where there is high certainty and confidence in the existing state of knowledge, there may be little need for linking new investigations (monitoring or research) to possible future changes in management. If the answer to the question "Do we know enough to manage this system with high confidence?" is "yes", then this issue may be a low priority for investigation.

There are also areas where the partners are in agreement, but where all agree that the available information is insufficient. Such areas may be a high priority for adaptive management.

Finally there are areas where the partners do not agree on the current state of knowledge, the level of certainty associated with it, and on whether it is sufficient to make changes to management. These areas will be a high priority for a structured process that will allow the partners to make well-reasoned decisions on how to proceed.

This summary of the Convening Assessment for the most part does not identify 'who said what'. We believe that (at this stage) the process is best served by simply identifying what are the issues, and focussing on developing increased cooperation.

Convening Assessment participants:

- Corps of Engineers (USACE)
- Fish & Wildlife Service (USFWS)
- Bureau of Reclamation (USBR)
- Interstate Stream Commission (NMISC)
- Game & Fish (NMGF)
- Middle Rio Grande Conservancy District (MRGCD)
- Albuquerque-Bernalillo County Water Utility Association (ABCWUA)
- University of New Mexico (UNM)
- Sandia Pueblo
- Isleta Pueblo
- Santa Ana Pueblo
- City of Albuquerque Open Space (AOS)
- Bosque Ecosystem Monitoring Program (BEMP)
- Assessment Payers Association (APA) of the MRGCD.

We include below the text of the assessment questions, with interpolated responses, or overall summaries of the responses.

Phase 1 Convening Assessment – Results Compilation

Main text of the assessment with summaries of responses

GSA is working with the Collaborative Program partners engaged in management of the Middle Rio Grande. Our goal is to help all parties develop a working adaptive management plan for the river. The US Army Corps of Engineers has provided the funding to support developing a cooperative, science-based approach that is ‘owned’ by all partners.

As part of this work, we are asking governments, agencies, stakeholders and others to provide us with their frank and honest opinions on endangered species recovery, bosque and river management, and how adaptive management can be improved and implemented. This set of questions is being asked of all participants. There are 11 questions in all, and we expect to spend a total of an hour talking to you. The first set of question asks about general satisfaction with the existing Program and your agency’s priorities with regard to endangered species recovery. The second set of questions (6 in all) asks about species and ecosystem issues. The last set of questions (3 in all) asks about management decisions and governance structures. Your responses will either be noted or recorded for later transcribing. These notes will become part of our record, although in our summary document we will not identify persons or organizations unless they wish us to.

1. What are your agency’s priorities with regard to endangered species recovery on the Middle Rio Grande? What types of recovery activities (e.g. physical restoration, water management, research/monitoring, policy, etc.) is your agency involved with? Have you identified specific tasks/actions that you intend to undertake over the next 3-5 years?

- MRGCD
 - Implementable BO that will move towards a viable recovery program
 - Need ESA coverage to continue mission of water delivery but also to contribute to overall sustainable service level to farmers and middle valley.
 - Focus on ecosystem restoration. See lots of opportunities to expand work in habitat restoration.
 - Upcoming projects maintaining wetted refugia at outfalls.
 - Monitoring at outfall locations. Trying to help keep river wet.
 - Definitely depend upon collaborative relationships with other agencies to achieve their restoration goals. Rely a lot on NMISC and Corps especially.
 - MRGCD wants to take a close look at whether they are doing enough to offset their water diversions.
- ABCWUA
 - Compliance with permit with USFWS re: how they operate drinking water diversion
 - On-going monitoring activities
 - As thriving municipality they have responsibility to obtain water resources in the future so helping recover species in cooperative manner is in everyone’s best interest and it’s the right thing to do.
 - ABCWUA is involved in physical restoration, fund the City of Alb. rearing facility on the order of \$165k/year, participate in Program committees using own funding.

- Specific tasks/plans
 1. Continue with what they've been doing "and more".
 2. Setting up space in Abiquiu Reservoir for long-term environmental pool and trying put water in that space. 10% of water rights purchases will be going into that pool.
- USBR
 - Committed to support recovery of listed species within hydrologic realities.
 - Continue to meet agency mission of water delivery
 - Involved in all the above (physical restoration, water management, research/monitoring, policy, river maintenance).
 - Actions over next 3-5 years
 1. Committed to spending \$1-3m annually over next 3-5 years
 2. Working on lots of habitat restoration projects with Pueblos, State, etc...
 3. River Integrated Operations (RIO)
 - a. Following DOI's step wise process for AM without prescribing specific actions, to allow annual flexibility in water management (parts 4 and 5 of BA describe).
 - b. Framework for testing hypotheses about hydrologic flow objectives. Don't want to be locked in to rigid prescriptive approaches because the river system changes.
- NMISC
 - Biggest priority is to complete BA
 - Would like to have AM Plan and RIP program that works in concert with a BiOp. Rigid BiOp will not advance Program.
 - ISC has identified specific conservation measures
 - Eg., conservation pool development in collaboration with other agencies
 - Implement habitat restoration that addresses some of the geomorphology/sediment supply issues in the river.
 - Mechanical treatments to create connected floodplain habitat.
- USFWS
 - Primary mission/mandate is species recovery.
- USACE
 - Primary mission is flood control and to operate their dams per congressional authorization.
 - Priorities to advance ES recovery are to continue implementing large-scale ecosystem restoration, perform monitoring and research, and support water management within the confines of the legislating authorities.
- NMGF
 - Since recent NMGF reorganization, the agency is less involved in endangered species management and science on the MRG.
 - Participate on the EC and provide technical review on compliance plans at stakeholder request.

- Pueblo of Isleta (POI)
 - POI developed a riverine management plan that addresses how they will address endangered spp management.
 - POI has done nothing to contribute to demise of species and feel they should not be forced to implement recovery projects. Does not want their land included in Critical Habitat Designations.
 - Projects have included:
 1. Fuels reduction, non-native spp treatments, native riparian revegetation
 2. Mitigating SWFL habitat for island removal ds of Isleta Diversion Dam.
 3. Have implemented some scour hole projects downstream of outfalls
 4. Collaborates in studies with other agencies:
 - a. WQ studies with MRGCD/USACE
 - b. RGSM monthly population monitoring with USFWS
 - c. SWFL monitoring/habitat characterization
 - d. SWFL training and surveys
 - Upcoming projects:
 1. Conservation/maintenance of quality of existing resources
- Pueblo of Santa Ana
 - Priority is to improve overall ecosystem function and health for tribal members while maintaining sovereignty and self-governance.
 - Long history of implementing management to contribute to endangered species recovery.
 1. Developed a Safe Harbor Agreement
 2. Implements large-scale habitat restoration
 3. Actively participates on EC and CC
 4. Is trained and permitted to monitor for RGSM, SWFL and YBCC on Santa Ana lands.
- Pueblo of Sandia
 - Management goals are for the health of the overall riparian/riverine ecosystem, all species, not solely for endangered species.
 - Some projects have focused on SWFL and RGSM habitat improvements.
 - Monitoring SWFL and YBCC via funding from BIA
 - Upcoming project goals include
 1. improving flow-through channel and other floodplain manipulations to improve off-channel habitat for riparian recruitment.
 2. Manipulation of existing borrow pits to create wetland ponds improve habitat diversity in bosque
 3. Fuels reduction and revegetation.
 4. Allows USFWS to monitor RGSM
- UNM
 - Science, research to understand role of water management and river system interactions on RGSM, and collect data and provide data interpretations that contribute to sustainable wild population.

- Work closely with captive propagation facilities. Test propagation techniques, evaluate genetic diversity using different prop techniques, use results to advise how to propagate the fish.
 - Monitoring genetic diversity in river population.
 - Rely on all folks, not just FWS to help them obtain fish that they can use for their study samples. They have permits but also rely on other collections (clip fins and test genes).
 - Perform modeling to see how water management, fish passage structures, hatchery contributions, etc. could affect genetic diversity.
- APA
 - Constituents (farmers) interested in maintaining the agrarian culture and the economic viability of agricultural pursuits while maintaining endangered spp. None of the constituents want to see the spp go away as they are indicators of a healthy river system.
 - Actively participates on EC. Goal is to ensure that voices of farmers are heard and not disproportionately affected by CP decision.
- AOS
 - AOS is primarily focused on broad habitat improvements, but does occasionally participate in ES centric projects for both RGSM and SWFL.
 - Active participant on EC.
 - AOS plans into future is to continue with mosaic habitat restoration work.
- BEMP
 - BEMP doesn't focus on ES. They set up long-term ecological monitoring – evaluating general ecosystem response/resilience to environmental conditions.
 - Recently became a Program signatory and participates on the ES.
 - Recently awarded USACE contract to implement BEMP sites on 2-3 restoration projects.

2. Are you satisfied with current management on the river? What do you think is working well? How could things be improved?

- While there is overall enthusiasm for the joint effort on the Rio Grande, there is general consensus that water management and restoration could be improved.
- Consensus on what has been/is working well:
 - There is widespread recognition that the water management agencies have come a long way with how water management is performed in basin. Water managers work well to quickly coordinate decisions during crisis periods about how to modify water operations (to keep as much of the river wet as possible , and to adjust operations to accommodate species needs).
 - The Minnow Action Team (MAT) was repeatedly mentioned as an effective forum for improving communication between water managers and species biologists. There was a general sense that the working relationships and actions had worked

- very well, but that the team was later unsuccessful in producing formal guidance and reports to Program.
- We also heard repeatedly a general consensus that middle managers can work well together. However there was widespread opinion that attempts to formalize water management policies at higher levels was where things fall apart.
- Consensus on where improvement is needed:
 - General consensus that more operational (storage and release) flexibility is needed at Cochiti and Abiquiu Reservoirs.
 - General consensus is that better management will require better monitoring procedures to enable evaluation of whether management actions (water management and habitat restoration) are achieving species recovery goals.

3-6. There are currently four federally endangered species in the Middle Rio Grande. Taking each of these in turn, do we know enough to manage the species for long-term survival? What new information is most needed to help ensure survival of the species? What new information would improve management capability?

a. Southwestern Willow Flycatcher

- There is consensus that we know more about the SWFL's life-history and habitat requirements than for any other MRG listed species. In large part that is due to the wide range of the species, and the many studies and programs that have been carried out elsewhere.
- In general respondents were comfortable with extrapolating results from other areas to the Middle Rio Grande.
- Many respondents noted the impacts of saltcedar leaf beetle (*Diorhabda spp*), and identified them as a potential issue of importance to SWFL populations, especially in the population centers at/near Elephant Butte delta.
- We received varying responses as to whether restoration science is advanced enough to construct suitable SWFL habitats. Some individuals thought that while we understand SWFL habitat choice and needs, we have limited knowledge on how to foster such habitat. There appeared to be consensus that SWFL restoration projects have not attracted nesting birds to date.
- From the responses we received, it appeared that many signatories or biologists did not feel that they fully understood the habitat restoration process/treatments that are being implemented to promote SWFL territorial expansion.

b. Yellow-billed Cuckoo

- There was a general consensus that we need to gain better understanding of territory size requirements for the YBCC. This appeared to be the main issue of concern for most participants.
- While most agencies are just getting up to speed on YBCC, the general perception was that 'habitat requirements for YBCC are fairly similar to SWWF'. While more effort may be needed towards performing YBCC surveys, and in understanding territory size (as noted) few participants identified uncertainties regarding YBCC as major concerns.

c. New Mexico Meadow Jumping Mouse

- Most agencies have little understanding of NMMJM, but most believe that we need more data to understand population distribution in the MRG.
- Many participants felt that conservation measures for this species would have little impact, since they would be largely restricted to USFWS reserves.
- USFWS feels that the population of NMMJM is potentially so small that any monitoring efforts (to better understand population numbers or distribution) must use non-destructive sampling methods.

d. Rio Grande Silvery Minnow

- PRINCIPAL AREAS OF AGREEMENT
 - There is general consensus that we know enough about the species' life-history requirements to form hypotheses, but we don't know enough about how to manage the system to bolster populations.
 - There is also consensus that the existing population monitoring program does not provide us with good understanding of population size or spatial distribution.
 - Participants agreed that we are not monitoring effectively to understand how fish populations respond to water management and habitat restoration.
 - There was widespread discussion as to whether USFWS is 'too restrictive' in providing permits to monitor RGSM use of habitat restoration projects.
 - There is consensus that both longitudinal and lateral connectivity is important to bolster RGSM populations.
- PRINCIPAL AREAS OF DISAGREEMENT/DISCONNECT
 - Some believe that river drying is the primary obstacle to RGSM recovery. Others argue that long river segments have always experienced periodic/seasonal drying, and that the species adapted by moving to wetted areas upstream or in off-channel wetlands that were once common.
 - There is disagreement among the signatories regarding principal water/restoration management drivers to bolster populations numbers, i.e.,
 - i. Spring/Summer peak flow requirements:
 - 1. Do we need specific target "high flows" (5,000 – 7,000 cfs) or do we need whatever peak flows are necessary to achieve floodplain inundation for durations long enough (8-10 days) to promote strong larval recruitment? Some suggested that we can compensate for reductions in peak snowmelt runoff by lowering floodplain habitats to promote floodplain inundation at lower flows (1,500 -2,500 cfs, depending upon the reach).
 - ii. River drying:
 - 1. During times of severe water shortages, long river segments of Isleta and San Acacia reaches are dry, and diversion dams restrict ability of fish to move upstream to perennial river segments. There is no consensus as to whether fish passage at diversion structures would off-set mortality (e.g., do RGSM really swim long distances to find perennial river segments?), or are there other more cost-effective options that could

effectively reduce mortality (e.g., more proximal areas of wetted refugia)?

- We noted a lack of understanding, and general caution by USFWS and some others of what water management agencies are doing/are willing/can do to prevent river drying and accommodate species life-cycle requirements.
- There also appears to be limited communication between restoration scientists and some Program signatories (managers and their species biologists) regarding restoration practices (and logic behind those practices) that are being implemented to bolster RGSM (and SWFL) populations.

7. Regarding overall ecosystem dynamics, and water flow patterns, do we know enough to manage the system for ecosystem recovery and persistence? What new information would be most valuable?

- Water management agencies believe that there is a reasonably good understanding of how infrastructure (dams, reservoir operations) can be used to improve ecosystem conditions.
- However there is general consensus that we still have a lot to learn about how to manage the system to promote species recovery in the face of reduced snow-pack/runoff and extended drought.
- All participants stated that there is a clear need for well-designed monitoring programs to evaluate whether management actions are achieving desired species habitat/population benefits.

8. Considering your answers to questions 3-7, how should available scientific resources be prioritized? Some issues that you might consider could be: near- and long-term return on science; relevance to management options; relevance to persistence of the species; possibility for agreement among parties; likelihood of unequivocal scientific results.

- A clear finding from the assessment was that an important priority for many was implementing an independent science review process. Many participants volunteered this issue as being critical, and of over-arching importance. They felt such a process was needed to break the gridlock resulting from distrust, and disagreement regarding science and critical uncertainties.
- A second clear and widespread opinion was that resources should be focused on improving methods for how we measure/estimate RGSM population size. We need to improve the sampling precision and accuracy necessary to detect change, and understand how RGSM population responds to water management and habitat restoration.
- Opinion also clearly favored expanded monitoring to understand the role of inundated floodplain habitat in RGSM recruitment.

- There was also consensus that we need to better understand “spatial occupancy” of RGSM populations during periods of low-flow/river drying.
- In general participants favored focusing resources on areas of disagreement, where there would be clear relevance to management, and to conservation of the species. There appeared to be recognition that some of these issues might take years to resolve.

9. Turning now to issues of adaptive management and governance: do you think there is a clear pathway for the integration of science into management? Do decision-makers, managers and scientists understand each other’s roles, and communicate effectively? How are technical disagreements resolved? How are differences of opinion on management resolved? If log-jams happen, where and why do they occur?

- There is a clear consensus (in fact unanimity) on the following:
 - There is not a clear pathway for integration of science into management.
 - Scientific data are (at present) poorly/rarely used by decision makers to inform and adjust management decisions.
 - Communication between scientists/restoration practitioners and decision makers is uncommon/infrequent.
 - There is no structured process to enable science to guide decision-making or to resolve technical disagreements.
 - There is understanding by scientists and managers of each others’ roles, but not necessarily in the context of the AM Cycle.
 - EC members are more likely to listen to their own scientists and generally don’t trust other agencies’ scientists.
 - Disagreements/gridlock has centered around monitoring methods and results associated with the RGSM and how the river should be managed to bolster populations.
 - There is a widespread feeling that science is selectively used to bolster individual agency positions on management.
 - Gridlock occurs when one CP entity doesn’t like or agree with monitoring results.
 - Only rarely (if ever) do strong technical disagreements pertain to the SWFL.
 - As stated above (8) many participants strongly advocated for an objective scientific review process to resolve disagreements and advance science. There was widespread hope that the upcoming CPUE workshop would be a step in this direction, but also some concern about how the workshop was being managed so as to resolve uncertainties.

10. How effectively are affected parties (Tribes, stake-holders, etc.) able to participate in scientific assessments and evaluations?

- Perspectives varied on this topic.
- There was a general perception that Tribes (with exceptions) and other stakeholders lack the technical resources and support required to participate in scientific assessments/evaluations in substantive manner.

11. Does the current Program and the proposed RIP decision making process operate effectively to guide management of the Rio Grande ecosystem and affected resources? What (if any) changes and improvements would you welcome?

- There appeared to be widespread agreement on the following:
 - The Collaborative Program has not yet been effective in advancing species recovery, or in generating agreed co-management (notably adaptive management)
 - There is a clear need for consistent and effective Program Management – there is too much (near constant) turnover and prolonged vacancies.
 - The Corps of Engineers’ formal participation in any Program is critical to success, but their role/commitment is unclear.
 - Any future Program re-structuring should incorporate an independent scientific review process to advance science-based decisions.
 - There should be ‘co-ownership’ and a feeling of shared/proportional risk in order to break the status-quo.
 - EC meetings are rarely an effective forum for important debate or substantive discussion.
 - Future management options must be structured so as to enable Adaptive Management to work (e.g., no rigid or static water management prescriptions).
 - Lack of funding and authorization limits the group’s ability to establish the level of organizational structure and monitoring required to enable a functional Program.
 - Many participants noted that there is a Biological Opinion in progress, which will be developed at the same time as the adaptive management activities under GSA’s work-plan. Similarly there is on-going discussion about the future structure and operation of the RIP, which may be resolved under the BO. Given these uncertainties over governance and structure, it will be important that adaptive management design is compatible with whatever arises through the BO and other ongoing discussions among the parties.
- Other important areas that were raised (but without consensus):
 - There are too many representatives on the Executive Committee.
 - Impartial third party management may be important to program success.
 - There needs to be some improvements to process and structure so that the EC or a subcommittee/parallel process can efficiently identify and recommend management actions.

TAOS DECISIONS (DRAFT)

1. Near Term:
 - Collaborative Program to continue to operate under 2012 Bylaws until such time as those are updated. This includes CC.
2. Bylaws. EC formed a Bylaws Subgroup to evaluate and prepare proposed updates to Bylaws. This effort will consider the content of the 2006 Bylaws and the 2012 Bylaw edits. Recommendations brought back to June EC meeting.
3. Short-term Priorities. Direct the Program Manager, with coordination with the Army Corps and AMT, to prioritize the AM recommendations for short-term implementation. This will include evaluating any overlap with scopes already vetted by Science/HR and the CC. Recommendations brought back to June EC meeting.
4. Budget. EC directed Program Manager to develop an out-year budget process that links to the timing of EC decision-making on budget recommendations (to facilitate timely input to federal agency budgetary process).
 - a. This includes a commitment by EC members to provide, in a timely manner, their respective budget information to Program Manager for development of the Collaborative Program budget.
 - b. Each agency (federal agencies, ISC and MRGCD) to provide a short description and timeline to Program Manager of their respective budget cycle.
 - c. There is a good faith effort on the part of the parties to implement consensus recommendations, while recognizing that consensus recommendations from EC on Collaborative Program budget requests do not guarantee that recommendations will, in fact, be funded because each EC member retains discretion in implementing its statutory authorities and based on availability of funding.
 - d. Develop an out-year budget to conform to the process developed and approved by the EC.
5. Adaptive Management Plan. EC directed Program Manager to proceed with development of an Adaptive Management Plan for consideration, refinement and approval by EC.

Yet-to-be-determined:

- How the AMP will coalesce with the LTP (is it part of or does it become the LTP).
- The extent to which the BO actions (versus the monitor of those) are to be included in the LTP, if at all.

6. Cost-Share Flexibility. EC directed a legal group to evaluate whether flexibility exists under current authorities to recognize that the non-fed cost share is built into the new BO, including an examination of potential unintended consequences of adjusting this cost-share component.
7. Signatories have agreed to continue in the MRGESCP.

Middle Rio Grande Endangered Species Collaborative Program Executive Committee Retreat

**April 26 and 27, 2017
Sagebrush Inn, Taos**

Decision Log

- In a roundtable format, signatories affirmed continuing participation in the Collaborative Program with 10 approvals and 3 approvals with the caveats that (1) it be acknowledged that the Collaborative Program exists by law whether there is active participation or not; (2) certain agencies support continuance provided the agency remains comfortable with the direction the Program moves forward; and (3) as long as there is a perceived benefit to participation.
- In a roundtable format and with no objections voiced, signatories directed WEST to work with the Army Corps' AM contractor and AM advisory team (to the extent possible) to identify priority AM recommendations and/or feasible near-term activities.
- In a roundtable format and with no objections voiced, signatories directed WEST to develop a draft out-year budget process that would provide Program activities and priorities as recommendation to the funding agencies for consideration.
- With no objections voiced, there was general agreement to pursue the possible inclusion of Program budget requests through the Army Corps' 2019 and Reclamation's 2020 budget. Discussions and agreements need to occur before August 2017 to be considered in Reclamation's process.
- In a roundtable format and with no objections voiced, the 13 signatories agreed to the accelerated development of the Draft Adaptive Management Plan with reliance on WEST and the Army Corps' AM Team (to the extent possible) to achieve this.
- In a roundtable format, signatories approved tasking a subgroup consisting of attorneys to review legislation for potential cost share flexibilities and whether or not ISC and MRGCD's BO commitments met the intended cost share contributions with 11 approvals and 2 approvals with the caveats that (1) unintended consequences be carefully explored and scrutinized; and (2) it be noted that one signatory cautions this not take too much time or effort as it is expected to be a futile effort.
- In a roundtable format and with no objections voiced, signatories agreed the Program will continue operating under the existing 2012 Bylaws including current structure until the Bylaws are amended and endorsed; 12 signatories affirmed and 1 affirmed with the notice that this is the only path forward as dictated by the Bylaws.
- In a roundtable format and with no objections voiced, all signatories present agreed to the formation of a Bylaws Subgroup to begin the revision process of the Program's Bylaws. The suggested amendments will be brought before the full EC for endorsement.
- Regarding the Proposed Communication Principles, in a roundtable format all 13 signatories conditionally adopted the Principles provided (1) there be a statement addressing the opportunities for the public and other stakeholders; and (2) the last bullet be revised to incorporate communication with the Science Coordinator - "PM and/or SC."
- In a roundtable format and with no objections voiced, the seven (7) key 2017 Taos Retreat Decisions were approved by all 13 signatories.

Action Items

- Debbie Lee will provide EC Retreat participants with a digital copy of Scott VanderKooi's presentation on Glenn Canyon Dam Adaptive Management.
- As directed by the EC, a subgroup will convene to begin the revision process of the Program's Bylaws. Subgroup members suggested starting individual review and communicating via email prior to their meeting on Thursday, May 4 from 1:00pm to 3:00pm.
 - It was suggested participants compare the 2006 and 2012 Bylaws and report out on any significant differences. Identified participants included: Josh Mann (Solicitor's Office), Janet Jarratt (APA), David Gensler (MRGCD), Jim Wilber (Reclamation), Bill Grantham (NMAGO), and a member from the Corps and ISC.
- Debbie Lee will assist with the coordination of the attorney group to review the cost share requirements with a careful examination of unintended consequences.
- It was requested that Reclamation provide more clarity on their definitions of "collaboration" and "coordination" pursuant to agency and Program activities.
- Grace Haggerty will clarify the membership issues that were concerns when the MAT was formed.
- It was requested that Reclamation, Fish and Wildlife Service, and the Army Corps provide the EC with a written description on their budgeting process and how the Program could take an active role in submitting funding requests through the federal budget process(es). It was requested the write-ups include very specific descriptions on schedules and timelines, details on the specificity of any requests, what should be included in requests to be most well received, etc. The intent is to help the Program maximize the opportunity for successful budget requests.
- Susan Millsap offered to investigate the Service's budgeting process concerning possible discretionary funds and potential funding options through other offices.
- Jennifer Faler will provide Debbie Lee with the PowerPoint presentation on the grant process for distribution to the EC.
- WEST will distribute their example format as the suggested model for the Draft Adaptive Management Plan.
- The Army Corps and WEST will explore contracting options to utilize GSA (and team) to assist with submitting priority AM recommendations and/or feasible near-term activities.
- Matthew Peterson will provide the May 23 River Cleanup activity details to Debbie Lee for distribution to the Program.
- Debbie Lee will confirm a conference meeting space for the June 12, 2017 EC meeting.

Next Steps and Future Items for Consideration

- Attendees stressed the importance of committing to better transparency and communication moving forward.
- A subgroup of the EC will begin the revision process to the Program Bylaws. Suggested changes will be brought before the full EC for discussion and approval. Until that time, the Program will operate under the guidance of the 2012 Bylaws.
- There was general agreement that the Program needs to have a Long-Term Plan (LTP) (either revised or new) as a 3 to 5 year “guidance document” that provides/outlines Program directions, priorities, supports transparency and possible funding requests.
 - The format of this LTP and the details to be included will be discussed and determined. Some participants suggested/supporting turning the Adaptive Management Plan (once developed) into the Program’s LTP; however, this was not necessary an agreed-to approach since Adaptive Management may not necessarily be the only component of the LTP.
 - A well thought out, explicit, defensible plan could help secure larger funding contributions by highlighting beneficial activities and how funds will be spent and can be used to advocate to management.
 - The Army Corps noted that it needs a more formal process, including a formal EC request and a LTP in order to conduct activities under their authority.
- The Army Corps would like to have a more formalized process for their funding contributions. This could include CC provided recommendations that get elevated to the EC for “Program-wide” endorsement. This provides a necessary paper trail and meets the requirements for the Army Corps’ authority to work with the Collaborative Program.
- It was suggested that the first step is to receive written information on the federal agency’s budget processes. Then, the Program can begin a concerted effort to develop/revise the LTP and include agreement for projects/activities for Year 1, Year 2, etc. The budget formation and funding requests would then be developed out of that LTP. This budget planning could constitute the “out-year” planning.
- There was general agreement that the Program seek budget requests for the Army Corps to consider in their 2019 budget planning and for Reclamation to consider in their 2020 budget planning. In the interim, the Program would like to identify and explore options for near-term/in-year opportunities for the remainder of 2017 and 2018. This short-term planning should include other types of smaller projects with possible shorter turn-around time that may be suitable to different types of funding sources. This near-term planning will also consider the activities the GSA/AM team identifies as priority or easily accomplished tasks.
- WEST will determine next steps for accelerating the development of the Draft Adaptive Management Plan. It was suggested the Army Corps’ Adaptive Management Team advisory group provide input on that draft plan. It was requested these meetings be facilitated to ensure scientific buy-in and consensus at every step.
- The EC discussed hosting semi-regular social events and/or “community building” activities. It was suggested the EC consider participating in the May 2017 River Cleanup event.

Announcements

- A farewell lunch for Kris Schafer is scheduled for May 5 at Pappadeaux's. Please RSVP as there is a \$26 lunch cost.
- The 2017 River Cleanup event is scheduled for May 23.

Next Meeting

- The EC will convene on Monday, June 12 from 1:00pm to 4:00pm. The location will be determined.
 - Tentative Agenda Items include: (1) Review of EC Retreat Agreements (in public forum); (2) Report/Update on Prioritized Short-term Research Questions – WEST; (3) Governance and Committee Structure; (4) Update on the Bylaws Draft Revisions – subgroup;