**Fiscal Planning Committee (FPC)**

**Meeting Minutes**

**November 19, 2021; 9:00 AM–12:00 PM**

**Location: Zoom Meeting**

**Decisions:**

* Approval of the November 19, 2021 FPC meeting agenda
* Approval of the April 21, 2021 FPC meeting minutes
* Approval of Grace Haggerty (New Mexico Interstate Stream Commission [NMISC]) and Debra Hill (U.S. Fish & Wildlife Service) continuing to serve as the Non-Federal Co-Chair and Federal Co-Chair, respectively, of the FPC through June 2022

**Action Items:**

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| --- | --- | --- |
| **WHO** | **ACTION ITEM** | **BY WHEN** |
| Program Support Team (PST) | Inform the Executive Committee (EC) Co-Chairs of the decision on the FPC Co-Chairs | 11/26/2021 |
| FPC | Review the 2021 Signatory Activity Input Form in consideration of additional reporting needs and options for collecting signatory contributions and cost share, and send edits to the PST | 12/3/2021 |
| PST | Present development requests for adding cost share and agreement tracking to the Science and Adaptive Management Information System (SAMIS) development team | 12/7/2021 |
| All signatories | Fill out the 2021 Signatory Activity Input Form to enter activities into the SAMIS | 12/17/2021 |
| U.S. Bureau of Reclamation (Reclamation) | Send the revised cost share memo to the Program Support Team for distribution to the MRGESCP | 12/31/2021 |

**Next Meeting:** February or March 2022

**Meeting Minutes**

# Welcome, Introductions, and Agenda Review

The Non-Federal Co-Chair, Grace H., opened the meeting, led introductions and reviewed the November 19, 2021 meeting agenda.

* **Decision**: The FPC approved the November 19, 2021 FPC meeting agenda

# April 21, 2021 Meeting Review

Debbie Lee, Program Manager on the PST, reviewed minutes and action items from the April 21, 2021 meeting. Summary points are below:

* The Albuquerque Bernalillo County Water Utility Authority (ABCWUA) shared the technical memo on the Southside Wastewater Reclamation Plant Outfall Realignment Evaluation Project. Signatories are invited to contact ABCWUA with any funding or partnership opportunities. ABCWUA is applying for capital outlay funds again this session to get funds for the project.
  + NMISC put in a Water Trust Board proposal for $2 million for general Endangered Species Act habitat restoration (HR) work in the Albuquerque and Isleta reaches. If awarded, NMISC will provide some cost share for the ABCWUA project. The decision will be made in early 2022.
* Debbie L. and Ashleigh Morris, Office of the Solicitor, U.S. Department of the Interior, discussed the potential for pooling funds or collecting dues for the Middle Rio Grande Endangered Species Collaborative Program (MRGESCP). It was determined to be illegal to collect money from signatories in this way. Ashleigh M. can provide additional information if needed.
* The PST drafted a template for letters of support but found it to be too general. Heavy writing is needed to tailor every letter of support to its desired purpose.
* The PST drafted a proposal for moving from cost share to signatory contributions, which was discussed at the July EC meeting.
* **Decision**: The FPC approved the April 21, 2021 FPC meeting minutes

# Summary of October EC Meeting

Debbie L. gave an update from the EC meeting on October 27, 2021. Summary points are below:

* The draft memo on cost share from Reclamation was discussed at the meeting. The EC tasked the FPC with determining reporting needs and proposing how to meet them using the SAMIS.
* A draft Biennial Schedule was proposed to the EC, which assigns tasks to the FPC, including a funding check every two years for activities integral to MRGESCP operations (e.g., the Program Portal).

# Reclamation’s Cost Share Memo

During the EC summary, the FPC began an in-depth discussion on Reclamation’s cost share memo. Summary points are below:

* RE: Reclamation’s interpretation of the Appropriations Act
  + Ashleigh M. discussed Reclamation’s interpretation of the Appropriations Act, and how that interpretation affected its decision on cost share. The 2009 Appropriations Act (Act) sets forth requirements for Reclamation. The Act gives Reclamation the discretion to enter into agreements in terms of the 2003 Biological Opinion (BO) or MRGESCP Long-Term Plan (LTP). For these agreements, cost share is required. The 2016 BO is not considered subsequent to the 2003 BO, and related agreements are not subject to cost share. Any agreements Reclamation enters into in furtherance of the MRGESCP LTP should be subject to cost share (25% non-federal match). Thus, collecting cost share is required for the MRGESCP.
    - Reclamation reviewed 2021 projects, and all were directly required by the 2016 BO. No 2021 projects are subject to cost share. Reclamation will enter all project information into the SAMIS, and mark them as required by the BO.
  + Reclamation will revise the cost share memo based on discussion and distribute it to the MRGESCP.
* RE: Projects related to the 2016 BO and MRGESCP LTP
  + If Reclamation’s agreement with a non-Federal partner is primarily under the 2016 BO, or to meet a 2016 BO obligation, there is no cost share. All current projects are primarily under the 2016 BO.
  + FPC members asked for an example of a project that is primarily under the MRGESCP LTP.
    - Previously, the EC approved projects that were to be funded by Reclamation, including a Rio Grande silvery minnow temperature degree-days study and HR site revegetation analysis, neither of which was not completed. These projects would have been subject to cost share.
    - If there is a future project not required by a 2016 BO obligation, and Reclamation enters a partnership (75% Federal, 25% non-Federal) to complete it, that project would be subject to cost share.
    - The MRGESCP may want to come up with hypothetical projects that would have a cost share requirement (e.g., the Program Portal).
* RE: MRGESCP reporting needs
  + Needs seem to be two-fold: 1) demonstrating transparency in developing the LTP and 2) Reclamation accounting for the 2016 BO. Starting from those needs, the SAMIS can be refined to produce relevant reports.
* RE: Unintended consequences of the cost share decision
  + Non-Federal members of the FPC are concerned about possible unintended consequences of the cost share decision and are waiting to review Reclamation’s revised cost share memo.
  + The non-Federal members of the FPC will meet to discuss the revised memo, if necessary.
* RE: Projects outside the BO
  + The MRGESCP is larger than one agency or BO. Science should be informed by agencies and BOs but not limited by them.
  + Reclamation is committed to entering all activities in the SAMIS, whether or not they are BO-related or subject to cost share. All signatories should be entering their projects as well, so the SAMIS can function as intended.
* RE: Improvements to SAMIS tracking capabilities
  + The SAMIS needs a way to track whether a project is under agreements with multiple signatories, and whether a project is a part of cost share. The PST will discuss these tracking improvements with the SAMIS development team.
* RE: First year of cost share with the SAMIS
  + The FPC co-chairs discussed not tracking whether cost share is being met during the first year of SAMIS operations. The first year will inform protocol for the second year, when cost share will begin to be tracked.
* RE: 2021 Signatory Activity Input Form
  + The 2021 Signatory Activity Input Form was sent out to the MRGESCP. Information provided will be entered into the SAMIS by the PST. This will help test the process for inputting project information into the SAMIS.
  + The FPC will review the 2021 Signatory Activity Input Form and send edits to the PST.
* RE: Additional SAMIS improvements
  + The FPC is invited to suggest any other SAMIS improvements. It may be easier to suggest improvements after MRGESCP members go through SAMIS trainings.
  + Improvements could be simple, like adding a new selection in a category already being tracked. Adding a new tracking option will need more work on the back end.
* **Action Item**: Reclamation will send the revised cost share memo to the Program Support Team for distribution to the MRGESCP
* **Action Item**: The PST will present development requests for adding cost share and agreement tracking to the SAMIS development team
* **Action Item**: All signatories will fill out the 2021 Signatory Activity Input Form to enter activities into the SAMIS
* **Action Item**: The FPC will review the 2021 Signatory Activity Input Form in consideration of additional reporting needs and options for collecting signatory contributions and cost share, and send edits to the PST

# Options for Collecting and Reporting Signatory Contributions and Cost Share

Debbie L. opened further discussion on collecting and reporting signatory contributions and cost share. Summary points are below:

* Until the SAMIS is revised and ready for input by MRGESCP members, the PST will use a Signatory Activity Input Form to collect project information. Any changes to the 2021 form should be made as soon as possible, as it was already sent to the MRGESCP.
* There is no specific question on cost share, but that information can be provided in notes.
* Cost resolution is given differently across signatories. For example, signatories have previously calculated cost by fiscal year, by calendar year, and by dividing the total project cost by the number of months. Cost resolution needs to be standardized, so the information is useful.
  + The PST is open to suggestions for the resolution of cost information collected to be more meaningful.
  + Information related to the cost amount over a given timeframe (e.g., start and end dates) will be collected, which may help standardize cost.
* There is no requirement for cost share to be reported to Reclamation annually. Cost share is calculated on a programmatic basis instead of a project-by-project basis. MRGESCP may opt to not report cost share annually.
* The FPC will continue to consider how to improve cost resolution. Cost information is important for signatory reports.

# FPC Administrative Business

Debbie L. opened discussion on FPC administrative issues. Summary points are below:

* Grace H. and Debra H. will continue to serve as Non-Federal Co-Chair and Federal Co-Chair, respectively, of the FPC through June 2022.
  + Anne Marken, Middle Rio Grande Conservancy District (MRGCD), and Lynette Giesen, Reclamation, are willing to step in if needed.
  + Anyone interested in becoming more active in the FPC is welcome to join the group and nominate themselves for a co-chair position.
* The MRGESCP is conducting quarterly HR Coordination meetings, during which attendees can discuss needs for HR coordination, funding, and/or partnerships. The FPC is tasked with following up on these meetings to help secure any HR needs.
* The FPC should not be limited to only issues involving money. The group could take on coordinating all resources for projects (e.g., money, land access, partnerships, information, and letters of support).
* The FPC does not convene the HR Coordination meetings. On the Biennial Schedule, FPC meetings are held immediately following HR Coordination meetings to help coordinate resources needed.
* The FPC can also present opportunities to the MRGESCP rather than just address needs.
  + 2022 is not looking like a good water year, so the MRGESCP should be looking for out-of-the-box ideas to help.
  + The next meeting may be a good time for the FPC to start coordinating resources for 2022.
* **Decision**: Approval of Grace Haggerty and Debra Hill continuing to serve as the Non-Federal Co-Chair and Federal Co-Chair, respectively, of the FPC through June 2022
* **Action Item**: The PST will inform the EC Co-Chairs of the decision on the FPC Co-Chairs

# Announcements

* A new WaterSMART grant option for engaging in HR projects became available in 2021. The opportunity should be tracked for MRGESCP signatories in 2022.
  + The FPC should be tracking and taking action on a list of funding opportunities.
* Mike Hamman stepped down as the Chief Engineer at the MRGCD.
* The NMISC State Engineer is retiring at the end of December 2021.

# Closing Items:

* The next meeting will be in February or March 2022.

**Meeting Participants**

**Participant Organization**

Anne Marken Middle Rio Grande Conservancy District

Ashleigh Morris Office of the Solicitor, U.S. Department of the Interior

Bill Grantham New Mexico Office of the Attorney General, Assistant Attorney General

Brittney Erdmann Middle Rio Grande Conservancy District

Catherine Murphy Program Support Team

Debbie Lee Program Support Team

Debra Hill, Federal Co-Chair U.S. Fish and Wildlife Service

Grace Haggerty, Non-Federal Co-Chair New Mexico Interstate Stream Commission

Kyle Harwood Buckman Direct Diversion

Lynette Giesen U.S. Bureau of Reclamation

Mark Kelly Albuquerque Bernalillo County Water Utility Authority

Michelle Tuineau Program Support Team

Sarah Anderson Program Support Team