

Multi
Coop

8/92

FWS Agreement No. 1448-00002-92-0258

MIDDLE RIO GRANDE BOSQUE MANAGEMENT PLAN

MEMORANDUM OF UNDERSTANDING
BETWEEN
U.S. BUREAU OF RECLAMATION
AND
U.S. ARMY CORPS OF ENGINEERS
AND
U.S. FISH AND WILDLIFE SERVICE
AND
UNIVERSITY OF NEW MEXICO

I. Purpose

The purpose of this Memorandum of Understanding is to delineate an effective and cooperative working relationship among its signatories in the formulation of a short and long-term, comprehensive biological management plan for the Middle Rio Grande Bosque ecosystem (Bosque ecosystem) defined herein as the reach between Cochiti Dam and San Marcial, New Mexico. The parties, through their authorities as public agencies, agree to work together as an Interagency Team to develop a plan addressing the management of the biological resources of the Bosque ecosystem. The parties recognize that implementation of the plan will require it to be integrated with social, economic, and cultural considerations.

II. Goals of the Interagency Team

A. The goals of the Interagency Team are:

1. To identify goals and potential actions to improve management of the Bosque ecosystem;
2. To develop a structure for the continuing interagency cooperation required in sustaining the goals of the plan;
3. To make recommendations for future studies relating to ecosystem processes.

B. The above will be accomplished by:

1. Identifying biological community types, the key species that compose them, and the ecological processes maintaining those communities and species;

2. Identifying a mosaic of biological communities that result in desired levels of species, community, and ecosystem diversity and ecological processes;
3. Recommending methods to establish and maintain the identified community mosaic;
4. Recommending methods for suitable ecological monitoring;
5. Recommending methods to maintain, enhance, and restore habitat particularly for special status species;
6. Recommending procedures to incorporate new information and recommendations into the plan so that the plan can remain flexible and responsive.

III. Authorities

Fish and Wildlife Coordination Act (as amended), 16 U.S.C. 16 et seq.

Endangered Species Act of 1973 (as amended), 16 U.S.C. 1531 et seq.

Reclamation Act of 1902 (as amended) 43 U.S.C. 371 et seq.

Flood Control Act of 1941 (P.L. 77-228), 1948 (62 Stat. 1179), 1950 (64 Stat. 176), 1960 (P.L. 86-645).

IV. Agency Contributions

The Bureau of Reclamation (Reclamation), U.S. Army Corps of Engineers (Corps), U.S. Fish and Wildlife Service (Service), and University of New Mexico (University) mutually agree to dedicate staff to an Interagency Team (Team) to develop a biological management plan for the Middle Rio Grande Bosque ecosystem (Bosque).

A. Reclamation will:

1. Provide one-half a staff year to the Team; and,
2. Provide informational support to the Team insofar as current funding and staffing levels permit and to the extent that such support is incidental to its normal operational responsibilities.

B. The Corps will:

1. Provide one-half a staff year to the Team; and,
2. Provide informational support to the Team insofar as current funding and staffing levels permit and to the extent that such support is incidental to its normal operational responsibilities.

C. The Service will:

1. Provide a three-quarter staff year to the Team; and,
2. Provide administrative services, including an additional three-quarter staff year in support of the Team.

D. The University will:

1. Provide staff as member and leader over a 9-month period to the Team; and,
2. Provide office space, appropriate office furniture, clerical support (if needed), and other facilities during the anticipated period of Team activity; and,
3. Act as a repository for data/documents/records assembled by the Team, to be available for future needs; and,

E. All signatory parties will:

1. Ensure that each member will bring to the Team the requisite professional expertise and autonomy to produce an integrated and cooperative biological management plan.
2. Provide continuity of representation on the Team to the maximum degree possible.
3. Retain supervisory responsibility for individual Team members.

F. In addition, the signatory agencies recognize that:

1. The Team will have responsibility for identifying and prioritizing contract needs or other expenditures for compilation and analysis of existing data.
2. The Team will request technical assistance from other experts and organizations, such as the New Mexico Department of Energy, Minerals and Natural Resources, Interstate Stream Commission, Middle Rio Grande Conservancy District, and City of Albuquerque.
3. Project funds for contracting or other expenditures will be administered through the Service.
4. Funds recommended to be allocated by the Team are not intended to provide additional benefits to the signatory agencies; however, should the Team determine that a signatory agency is best suited for a specific task, the Team will provide written justification to the signatory agencies prior to acquiring subject services.

5. The Team will consult with the signatory agencies, and other agencies and entities deemed appropriate by the Team.

V. Schedule

The following are milestones in the development of the Draft Biological Management Plan:

Activity	Date ⁽¹⁾	Time Frame ⁽²⁾
Execution of Memorandum of Understanding	8/7/92	NA
Agency designation of Team members	9/1/92	NA
Provisional budget	9/15/92	3 weeks
Establishment of Team in office	10/15/92	6 weeks
Study plan developed	11/5/92	9 weeks
Interim progress report ⁽³⁾	1/15/93	3 months
Preliminary draft biological management plan	4/15/93	6 months
Final draft biological management plan	6/1/93	7.5 months

⁽¹⁾ Dates for Team establishment to end of activity are based on assumption that Federal funds are available on October 1, 1992, and that all necessary logistical requirements are in place.

⁽²⁾ Assuming Federal funds are not available on October 1, 1992, the time frames are as measured from the date of availability of such funds.

⁽³⁾ All reports will be submitted to the signatory agencies and, as a courtesy, a copy provided to the Rio Grande Bosque Conservation Committee.

VI. Other Provisions

A. This Memorandum of Understanding shall become effective when signed by all designated parties hereto and shall remain in force for eighteen months from that date, or until terminated by mutual agreement. Amendments may be proposed by any signatory party at any time and shall become effective upon mutual approval.

B. This Memorandum of Understanding can be terminated in the absence of appropriation or transfer of funds for the support of agency participation.

C. All parties to this Memorandum of Understanding recognize that they each have statutory responsibilities that cannot be delegated, and that this Memorandum of Understanding does not and is not intended to abrogate any of their statutory responsibilities.

D. This Memorandum of Understanding is subject to all applicable Federal and State law and interstate compacts and nothing herein shall be construed to alter, amend, or affect existing law.

E. No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this Memorandum of Understanding or to any benefit that may arise therefrom unless it be made with a corporation for its general benefit.

IN WITNESS THEREOF, each party has caused this Memorandum of Understanding to be executed by an authorized official on the day and year set forth below by their signature.

U.S. BUREAU OF RECLAMATION

By: Arthur Johnson
Regional Director

8/10/92
Date

U.S. ARMY CORPS OF ENGINEERS

By: Nuclear Johnson, LTC, EN
District Engineer

8/14/92
Date

U.S. FISH AND WILDLIFE SERVICE

By: M. J. [Signature]
Regional Director

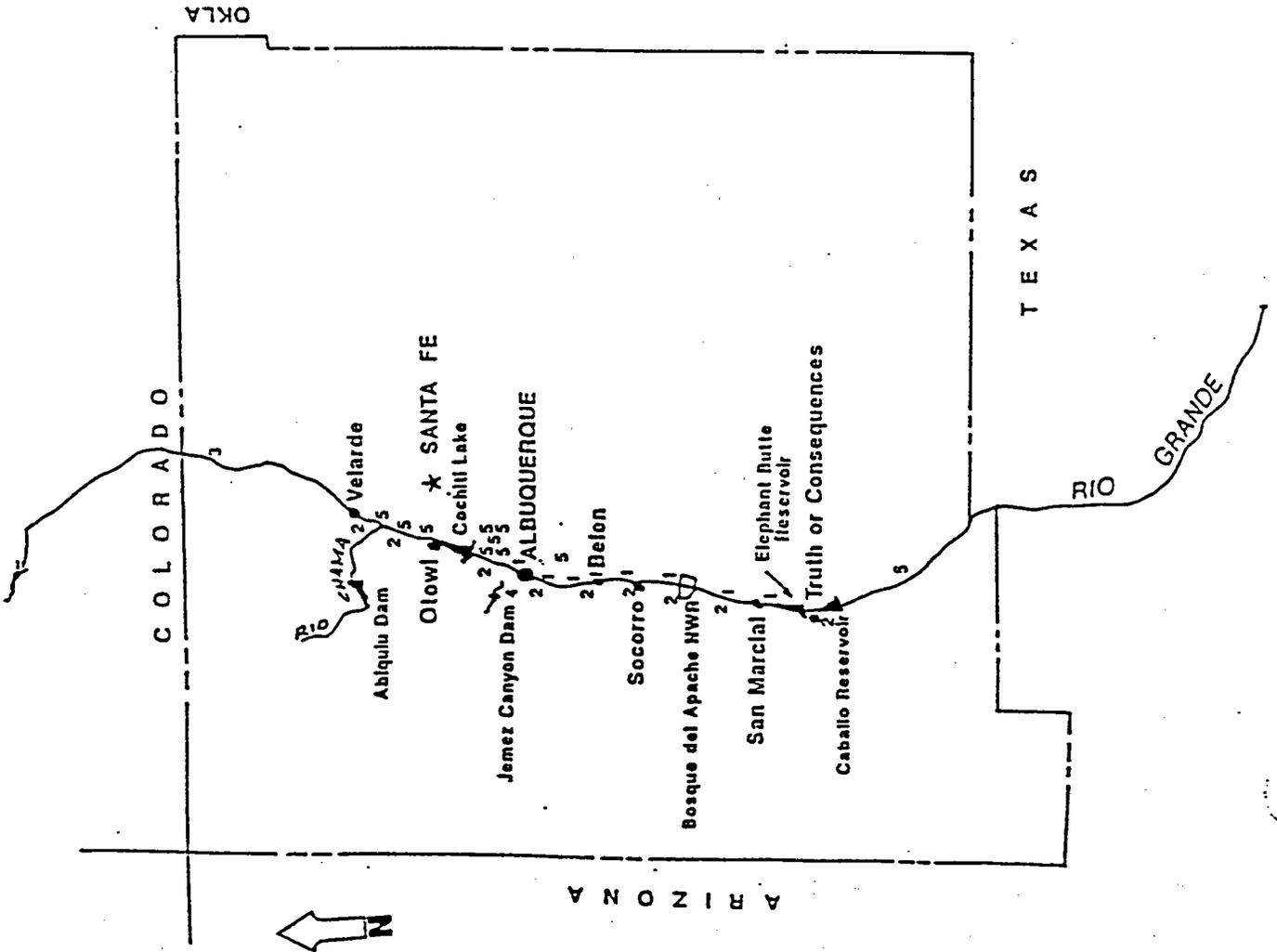
8/5/92
Date

UNIVERSITY OF NEW MEXICO

By: Sal [Signature]
Provost and Vice President for
Academic Affairs

8/20/92
Date

Areas of Potential Capability of Selected Agencies and Organizations to Implement the Conservation Initiative



Agency of Organization

- | Area Code | Agency of Organization |
|-----------|---|
| 1 | COE Planned Levee Projects. |
| 2 | USBR O&M Program. |
| 3 | BLM Wild & Scenic Rivers Act Management & Associated Recreation. |
| 4 | City of Albuquerque & NM Parks & Recreation - Rio Grande Valley State Park. |
| 5 | BIA & Individual Pueblos. |
| 6 | International Boundary & Water Commission. |
| * | NPS - Overall Consideration of Recreation Potential. |
| * | USFWS - Overall Habitat Conservation & Wildlife Regulatory Responsibility. |
| * | NMIDCF - Overall Fish, Wildlife, & State Refuge Management. |
| * | Environmental Organization - Overall Citizen Involvement, Technical Expertise & Possible Land Purchase. |

RIO GRANDE BOSQUE INITIATIVE

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PROJECT DESCRIPTION - In mid-1990 Senator Domenici initiated efforts directed at preserving, restoring and managing the valuable resources that made up the Rio Grande riparian ecosystem. Riparian ecosystems are the premier biological resources of the arid southwest. The Rio Grande uniquely possesses the largest continuous cottonwood forest remaining in the southwestern United States. Senator Domenici assembled a work group composed of the Conservation Fund, Audobon Society, Corps of Engineers, Bureau of Reclamation, National Park Service, and the U.S. Fish and Wildlife Service. This work group developed a problem statement, an analysis, goals and a process whereby the Senator's goal could be realized. Following the work group's direction, Senator Domenici publicly announced his initiative and appointed a nine member citizens committee to identify key issues and receive public comments. The working group is headed by Bill DeBuys of the Conservation Fund.

CONGRESSIONAL INTEREST - SENATOR PETE DOMENICI, SENATOR JEFF BINGAMAN, REPRESENTATIVE STEVE SCHIFF

ISSUE - The Corps of Engineers has not received funding to participate in this initiative. The Water Resources Development Act of 1990 provided for environmental protection as a primary mission in the planning, design, construction, operation and maintenance of water resource projects by the Corps. Under this authority, we may have the opportunity to pursue a cooperative initiative addressing environmental needs such as habitat restoration and regeneration of cottonwood forests.

If funds were made available, the Albuquerque District could complete a reconnaissance study in one year which would evaluate the issues and opportunities in the Rio Grande Bosque associated with this initiative. The initiative would then require a 50-50 feasibility cost-sharing partner (such as the Conservation Fund) that could result in a cost-shared project.

FACT SHEET

RIO GRANDE BOSQUE CONSERVATION INITIATIVE

The Rio Grande Bosque Conservation Initiative is an effort on the part of Senator Pete V. Domenici of New Mexico to preserve and manage the cottonwood dominated riparian forest of the 150-mile-long middle Rio Grande valley in New Mexico. This initiative originated as a result of appreciable public concern regarding pressures and conditions that continue to threaten the continued presence of the riparian forest.

The Corps' involvement in this initiative began in the fall of 1990 when Senator Domenici invited the Corps to a meeting with other agencies, as well as a select group of environmental interests, involved with the Rio Grande. Domenici's objective was to explore the need for such an initiative and how such an effort might be accomplished. Subsequent to this meeting, a small working group made up of a single representative from the Corps, Bureau of Reclamation, National Park Service, Fish and Wildlife Service, Audubon Society, and the Conservation Fund prepared a brief document describing the value of the resource, the urgent need for such an initiative, a process for implementation, and a set of objectives. Based on this document the Senator decided to implement such an initiative.

On September 6, 1991, Senator Domenici publically announced his intent to pursue this initiative and to form a citizen's committee to seek public input and to make recommendations. During the first part of this year the committee made a recommendation that a biological management plan be prepared for the middle Rio Grande and its riparian corridor.

On April 2, 1992, the District was contacted by Senator Domenici's office asking the District's participation with the Bureau of Reclamation, Fish and Wildlife Service, and other State and local interests in the preparation of a biological management plan. All participants would be funded for their efforts and Senator Domenici would obtain funding for an FY 93 effort. A budget of about \$500,000, or less, is anticipated. Funds would be transferred to the Fish and Wildlife Service (because of their ongoing funding for research in this area) which would, in turn, transfer funds to other participants. The District would receive about \$40 to \$50,000 for their participation. A single biologist would be involved over a period of about six months.

As part of this effort the Senator asked the District to participate in a public signing ceremony on April 22, 1992, in which the three federal agencies would indicate their intent to cooperate and support this effort (subject to funding).

The Fish and Wildlife Service was asked by Senator Domenici's office to coordinate with the Corps and the Bureau of Reclamation and prepare a Letter of Intent. This Letter of Intent was to be worded so as to be acceptable to all three agencies and that could be read and signed at the ceremony. On April 15, 1992, representatives from the three agencies

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APR 18 '92 12:32 USAD. ALBUQUERQUE CESWA-IM-3

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prepared a draft Letter of Intent. On this same date the draft was transmitted to SWD for review and further coordination with higher authority.

Following the ceremony, a MOU would be prepared and executed by the Involved agencies (see Letter of Intent).