

Draft Meeting Notes  
LCR MSCP Steering Committee October 22, 2014  
Southern Nevada Water Authority

Attending

Pat Barber	Perri Benemelis	Tom Buschatzke
Linda Carbone	Evelyn Erlandsen	Gregg Garnett
Maureen George	Jennifer Haley	Jayne Harkins
Buster Johnson	Sonja Kokos	Kurumi Kuroda
Bill Lamb	Jennifer McCloskey	Steve Moss
Terry Murphy	Wade Noble	Colby Pellegrino
Sara Price	Carrie Ronning	Seth Shanahan
Laura Simonek	Jon Sjoberg	John Swett
Ruth Thayer	Jason Thiriot	Ruth Valenica
Laura Vecerina	Fred Worthley	

Attending Via Conference Call

Brett Daniels	Dee Bradshaw	Grant Buma
Kerry Christensen	Ron Derma	Lesley Fitzpatrick
Chris Harris	Vineetha Kartha	Cathy Kuniysz
Tina Mozelewski	Larry Purcell	Dana Sedig
Joe Sims	Dale Turner	Dave Vigil

**1. ADMINISTRATIVE MATTERS**

Introductions

The meeting convened at 9:30 a.m. by Perri Benemelis. There were self-introductions of all attending.

Review of Agenda

The agenda was reviewed and approved.

Public Comments

No public comments were offered.

Approve June 25, 2014 Meeting Notes

The June 25, 2014 meeting notes were approved. (Moved by Maureen George, seconded by Jayne Harkins and approved by consensus.)

**2. LCR MSCP UNDERFUNDING**

John Swett reviewed the underfunding issue. The Central Arizona Water Conservation District, in a letter dated February 14, 2014, notified the LCR MSCP parties that an inadvertent error had occurred in the calculation of the inflation index for program years 6 through 9 (FY11- FY14). John noted that through a series of work group meetings and conference calls that an underfunding makeup strategy had been agreed to by the LCR MSCP Parties and the U.S. Fish and Wildlife Service. John reviewed Resolution 15-001 which outlines the strategy for paying the underfunding amount.

It was noted that both Arizona and Nevada had paid their underfunding makeup in 2014 based on indexing the inflation rate to 2014. Each will receive a funding credit for payment over what was due. Resolution 15-001 was approved with the following motion (moved by Jayne Harkins, and seconded by Fred Worthley and approved by consensus).

“Move that the LCR MSCP Steering Committee approve, by consensus, 1) the payment of the underfunding amount, using an applied inflation rate from each respective year the underfunding occurred; 2) applying the appropriate amount to make up underfunding in FY11-FY14 in the Habitat Maintenance Fund (HMF) and the Remedial Measures Fund (RMF), and to prepay the RMF with the remaining amount; and direct the Program Manager to request written concurrence from the U.S. Fish and Wildlife Service that the payment amount and schedule meets each funding party’s commitment under the Program Documents, including Sections 6.4, 12, 15.10 of the Implementing Agreement”

### **3. PLANET RANCH**

John noted that a work group meeting had been held in September to review the program decision document for the land and water acquisition of Planet Ranch. At that September meeting and through subsequent letters, Steve Moss expressed Mohave County’s concerns over potential impacts to the county from the Bill Williams River Water Rights Settlement and the land and water acquisition of Planet Ranch by the LCR MSCP. Concerns related to the water rights settlement included lack of involvement in the settlement process. Concerns specifically related to the LCR MSCP centered on loss of property tax revenue and public access due to the transfer of the property from private to public ownership. Maureen George indicated that the Mohave County Water Authority (MCWA) had met in October and that, although they were supportive of the program, they could not support the acquisition at this time. The MCWA felt that additional discussions were needed with Mohave County to see if their concerns could be addressed. There was discussion over whether the decision on the Planet Ranch acquisition could be dealt with separate from the concerns with the water rights settlement. Steve Moss indicated that because the acquisition is part of the larger settlement, it was not possible to separate out the issues.

John noted that many Steering Committee members wanted to have further discussion on the land and water acquisition to see if consensus could be reached over the acquisition before a motion was brought to the Steering Committee. It was agreed that additional discussions would occur before the next Steering Committee meeting.

### **4. WORK PLAN AND BUDGET**

In a letter dated July 30, 2014, the U.S. Fish and Wildlife Service concurred that the Fiscal Year 2015 Work Plan and Budget, Fiscal Year 2014 Accomplishment Report met the conservation requirements of the habitat conservation plan and is consistent with the permit and biological opinion.

John noted that first quarter payments for FY15 had been received from all of the nonfederal parties. San Diego County Water Authority will be using credits for their FY15 contribution. There currently is 13.5 million in the Land and Water Fund and an additional 6.1 million will be added this fiscal year.

John noted that currently Reclamation is under a continuing resolution and that he hoped that there would not be a government shutdown over the budget like last year. There was discussion about a potential government shut down and whether the LCR MSCP could keep working using the LCR MSCP nonfederal funds. It was noted that during a government shutdown only mission critical activities could continue to occur. It was agreed that if there was a government shutdown that this issue could be furthered discussed.

## **5. PROCESS UPDATES**

**Letter from FWS Minor Modifications:** John noted that he had received a letter dated September 16, 2014 from the U.S. Fish and Wildlife Service, approving the minor modification to conservation measures WYBA3, BEV11, and CRCR2.

**Status of Habitat Creation:** Terry Murphy provided a status of land cover development. By FY15 over 4,600 acres of land cover will have been established at 11 conservation areas. Habitat creation is ahead of the schedule outlined in the habitat conservation plan. Terry noted that all four land cover types (cottonwood-willow, mesquite, marsh, and backwater) are still needed in California for the CESA permit and additional cottonwood-willow and backwater habitats are needed within the program area. A copy of the power point presentation will be sent out to the Steering Committee.

## **6. STEERING COMMITTEE SCHEDULE**

Laura noted that a river tour that celebrates the 10<sup>th</sup> year of implementation of the LCR MSCP is being planned for April 7-9, 2015. As part of the tour there will be a dedication of the Laguna Division Conservation Area. There may also be an optional tour April 6<sup>th</sup> in the limitrophe division. John also indicated that he was updating the Program Highlights Report for the 2005-2015 timeframe.

## **7. GENERAL**

Lesley Fitzpatrick noted that the final rule for listing the Yellow-billed cuckoo as threatened will be effective on November 3<sup>rd</sup>. The comment period for critical habitat designation has closed. She indicated that there were delays with the Northern Mexican gartersnake critical habitat listing. They will publish a revised analysis next March. The Sonoran desert tortoise is going through a species status assessment to determine if it should be listed. This will take 6-8 months.

## **8. SUMMARY AND ACTION ITEMS**

The Steering Committee passed Resolution 15-001 Underfunding Makeup Strategy.

## **9. ADJOURN**

The meeting adjourned at 12:10 p.m.