

## Rio Grande Silvery Minnow Status and Initiatives

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Efforts to work with our partners to conserve the Rio Grande Silvery Minnow continue in earnest. With the drought persisting throughout the southwest, water shortages will necessitate creative and cooperative efforts meet the needs of water users while ensuring the survival of the silvery minnow.

Recent efforts include implementing the RPAs in the Biological Opinion and proposing an experimental non-essential population in the Big Bend Area of Texas.



On March 17, 2003, the Service completed a Biological Opinion (BO) that analyzed the Bureau of Reclamation's and the Army Corps of Engineers' 10-year water operations and river maintenance proposal. Because the Service found that the proposal would jeopardize the silvery minnow and the southwestern willow flycatcher, the BO includes a "Reasonable and Prudent Alternative" (RPA) designed to alleviate jeopardy to the silvery minnow and adverse modification to silvery minnow critical habitat. The RPA elements address some of the long-term recovery needs of the minnow by incorporating four essential factors during the 10-year scope of the project: (1) water operations; (2) habitat improvement; (3) population management; and, (4) water quality. The Service recognizes that water availability varies by year due to precipitation and water storage restrictions and therefore proposed water operations elements and flow requirements to address each of dry, average, and wet hydrologic year scenarios.

On June 12, 2003, the 10th Circuit Court of Appeals upheld the ruling by the New Mexico District Court, concluding that Reclamation "has discretion to reduce deliveries of water under its contracts to comply with the ESA."

Senator Domenici (R-NM) introduced a rider bill to the energy and water appropriations bill that passed that includes language about water operations in the Middle Rio Grande, the Collaborative Program, and the March 17, 2003, BiOp.

In February 2003, the Service finalized critical habitat for the silvery minnow, which became effective on March 21. The critical habitat includes a total of approximately 157 miles between the San Acacia Dam to the north and the Isleta Diversion Dam to the south, excluding the pueblo lands of Santo Domingo, Santa Ana, Sandia, and Isleta.

In 2003, approximately 30 miles of river in the Isleta Reach and 35 miles in the San Acacia Reach dried. Preliminary counts estimate that salvage crews rescued approximately 700 silvery minnows. The Middle Rio Grande Endangered Species Act Collaborative Program (Collaborative Program) and other agencies including the New Mexico Department of Game and

Fish, the Bureau of Reclamation, and the Army Corps of Engineers have provided funding and staff to assist with rescues. The additional staff and equipment have allowed salvage crews to be more effective during drying events, dramatically improving salvage techniques and response time in the field.

The New Mexico Ecological Services Field Office coordinates with a variety of private, State, Federal, and Tribal partners to evaluate potential recovery including (1) exotic vegetation removal; (2) fish passage; (3) large-scale restoration of the Rio Grande bosque (e.g., Santa Ana Pueblo Project); and (4) evaluation of current habitat conditions in the minnow's historic range.

The Service met with Texas officials in January 2004 to provide information on the potential reintroduction of the minnow as a nonessential experimental 10(j) population into the Texas Big Bend area. The briefings provided an opportunity for participants to ask questions about 10(j) populations and why Big Bend might be suitable for possible reintroduction. Participating state agencies made suggestions for ensuring effective and comprehensive public participation in the process. In the spring of 2004, there will be public scoping meetings regarding introducing 10(j) minnow populations.