

CONSERVATION AGREEMENT

FOR

RIO GRANDE CHUB

AND

RIO GRANDE SUCKER



September 2018

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CONSERVATION AGREEMENT
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This Conservation Agreement (Agreement) has been developed to expedite implementation of conservation measures for Rio Grande Chub (*Gila pandora*) (RGC) and Rio Grande Sucker (*Catostomus plebeius*) (RGS) in Colorado and New Mexico (and other states or nations that may elect to participate), as a collaborative and cooperative effort among state and federal agencies, tribal entities, and other stakeholders. Implementation of this Agreement is intended to reduce or eliminate threats that may warrant RGC and RGS being listed as special status species by state and federal agencies or listed under the Endangered Species Act (ESA) of 1973, as amended. This Agreement is designed to provide a framework for the long-term conservation of RGC and RGS.

I. INVOLVED PARTIES

Involved Parties are agencies and organizations with interests in the conservation of RGC and RGS. Involved Parties may be added to this Agreement by addenda at any time with unanimous consent of the Signatories. The following groups are committed to work cooperatively to conserve RGC and RGS throughout their respective ranges, and have further determined that a consistent approach, as described in this Agreement, is most efficient for conserving both species. The Involved Parties as described below comprise voting and non-voting members of the Conservation Team (Team). The Team may also include technical and legal advisors and other members as deemed necessary by the Signatories.

a. Signatories

This group includes entities with management authority for fish and wildlife and/or organizations that own habitat historically or presently occupied by RGC and/or RGS. Signatories are voting members of the Team. Each Signatory will designate a representative and alternate representative to the Team.

Colorado Dept. of Natural Resources
Division of Parks and Wildlife
1313 Sherman Street
Denver, CO 80203

New Mexico Dept. of Game and Fish
PO Box 25112
Santa Fe, NM 87504

U.S. Forest Service, Region 2
1617 Cole Boulevard, Building 17
Lakewood, CO 80401

U.S. Forest Service, Region 3
333 Broadway Boulevard SE
Albuquerque, NM 87102

U.S. Fish and Wildlife Service, Region 2
PO Box 1306
Albuquerque, NM 87103-1306

U.S. Fish and Wildlife Service, Region 6
PO Box 25486
Denver, CO 80025

Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, CO 80215-7093

Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail

Santa Fe, NM 87502-0015

National Park Service
Intermountain Region
12795 Alameda Parkway
Denver, CO 80225

Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Jicarilla Apache Nation
PO Box 507
Dulce, NM 87528

Pueblo of Santa Ana
02 Dove Road
Santa Ana Pueblo, NM 87004

Turner Enterprises, Inc.
901 Technology Boulevard
Bozeman, MT 59718

Coalition of Colorado Counties*
232 W. Tomichi Avenue, Suite 204
Gunnison, CO 81230

*Includes the counties of Hinsdale, Mineral, Rio Grande, Alamosa, San Juan, Saguache, Costilla, Archuleta, and Conejos

b. Supporting Organizations

These groups support the work of the Team, attend meetings, and contribute time and resources to RGC and RGS conservation and are non-voting members of the Team. Each Supporting Organization may designate a representative to the Team.

Trout Unlimited New Mexico Council
PO Box 32952
Santa Fe, NM 87594

Rio Grande Water Conservation District
8805 Independence Way
Alamosa, CO 81101

Fishes of Texas Project
Biodiversity Center
University of Texas at Austin
J.T. Patterson Labs Building, 128
2415 Speedway
Austin, TX 78712

II. DISTRIBUTION AND STATUS OF FOCAL SPECIES

a. Rio Grande Chub

1) Distribution

The historic range of RGC is widely accepted to include the headwaters and tributaries of the Rio Grande and Pecos drainages of Colorado, New Mexico, and Texas. There is less certainty about the native status of RGC populations currently found in the Canadian drainage; these populations may be native or may have arisen from introductions (Sublette et al. 1990). Despite a reduction in abundance, aboriginal populations currently occupy low-gradient, cool-water stream habitats in the Rio Grande, Pecos, and Canadian drainages in New Mexico (Sublette et al. 1990) with populations in the Colorado portion of the Rio Grande basin (Bestgen et al. 2003) and an isolated population in the Davis Mountains in Texas (Miller and Hubbs 1962, TNHC 2016). Recent sampling has found RGC persist in most of the drainages where the species was historically documented in Colorado and New Mexico (Jones and Alves 2016, Caldwell 2016). Isolated populations occur in the lower Rio Grande (e.g., Alamosa Creek) and Pecos drainages (e.g., Rio Bonito and Rio Peñasco; Galindo et al. 2016).

2) Status

Sublette et al. (1990) considered RGC to be stable in New Mexico. The species is not federally listed under the ESA (1973), as amended, but a 90-day finding published in 2016 by the U.S. Fish and Wildlife Service indicated that the petitioned actions may be warranted, requiring a 12-month review of the status of the species. Rio Grande Chub is listed as a Species of Greatest Conservation Need (SGCN) in the State Wildlife Action Plan for New Mexico (SWAP/NM; NMDGF 2016). The species is also listed as a SGCN in the State Wildlife Action Plan for Colorado (CPW 2015), while in Texas, it has a state status of threatened (Hubbs et al. 2008). Rio Grande Chub is a Regional Forester Sensitive Species in Regions 2 and 3 and currently identified as Sensitive Species by the Bureau of Land Management's New Mexico and Colorado State Offices.

b. Rio Grande Sucker

1) Distribution

The historic range of RGS is widely accepted to include low-gradient, cool water stream habitats in the Rio Grande drainage of both Colorado and New Mexico and the Mimbres drainage of New Mexico. There is less certainty about whether extant populations in the Gila, Pecos, and San Francisco drainages resulted from introductions; specifically, populations in Sapillo Creek (Buth and Crabtree 1985, McPhee et al. 2008), the Rio Hondo (Sublette et al. 1990), and the San Francisco drainage in Arizona and New Mexico (Minckley 1973, Sublette et al. 1990). The species also occurs in the following three states of Mexico: Durango, Chihuahua, and Zacatecas (Miller 2005). Though Colorado RGS populations declined and were locally extirpated from some historical locations through the 1990s, reintroduction efforts have resulted in restoration of the species to many streams (Rees and Miller 2005, Jones 2018). Sampling in Colorado (Jones and Alves 2016) and New Mexico in 2015 (Caldwell 2016) found the species was still present within historically occupied drainages.

2) Status

Sublette et al. (1990) considered RGS to be stable in New Mexico. However, densities of RGS are generally lower when associated with high densities of non-native White Sucker (*Catostomus commersonii*) and predatory fish species. Like RGC, the species is not federally listed under the ESA (1973), as amended, but a 90-day finding published in 2016 by the U.S. Fish and Wildlife Service indicated that the petitioned actions may be warranted, requiring a 12-month review of the status of the species. It is considered a SGCN in the SWAP/NM (NMDGF 2016) and is a state-listed endangered species and SGCN in Colorado (Langlois et.al. 1994, Swift-Miller et al. 1999). Rio Grande Sucker is a Regional Forester Sensitive Species in Regions 2 and 3 and currently identified as Sensitive Species by the Bureau of Land Management's New Mexico and Colorado State Offices. The species is not state-protected nor a species of concern in Arizona.

III. OTHER SPECIES BENEFITTED

The primary focus of this Agreement is the conservation and enhancement of RGC, RGS, and the watersheds upon which they depend; however, other native aquatic species occurring within or adjacent to RGC and RGS habitat should also benefit. These species include Rio Grande Cutthroat Trout (*Oncorhynchus clarkii virginialis*), Longnose Dace (*Rhinichthys cataractae*), Chihuahua Chub (*Gila nigrescens*), Spikedace (*Meda fulgida*), Loach Minnow (*Rhinichthys (Tiaroga) cobitis*), Creek Chub (*Semotilus atromaculatus*), Central Stoneroller (*Campostoma anomalum*), Chiricahua Leopard Frog (*Lithobates berlandieri*), and Boreal Toad (*Anaxyrus boreas*). Additionally, terrestrial species dependent upon riparian and aquatic species and habitats may also benefit from conservation of watersheds that contain the RGS and RGS, for example, the New Mexico Meadow Jumping Mouse (*Zapus hudsonius luteus*).

IV. GOAL AND OBJECTIVES

a. Goal

The overall goal of this agreement is to ensure the long-term viability (i.e., the ability of a species to sustain populations in the wild over time) of RGC and RGS within their historic range. The cooperators envision a future where threats to RGC and RGS are either eliminated or managed to the greatest extent possible.

b. Objectives

1) Identify and characterize all RGC and RGS populations and occupied habitat

Identify all waters with RGC and RGS populations. Monitor known populations and their habitat to detect changes over time.

2) Secure and enhance populations

Secure and, if necessary, enhance all known populations.

3) Restore populations

Increase, as necessary, the number of populations by restoring RGC and RGS within their native range. Local restoration goals and approaches will be developed to meet this objective.

4) Secure and improve watershed conditions

Maintain and, if necessary, improve watershed conditions and instream habitat for RGC and RGS.

5) Conduct public outreach

Develop RGC and RGS public outreach efforts and combine with Rio Grande Cutthroat Trout outreach.

6) Share data

Build and maintain the RGC and RGS Geographic Information Systems (GIS) Database (see Section VI) similar to the existing Rio Grande Cutthroat Trout GIS Database so that information can readily be shared between and among agencies and jurisdictions.

7) Facilitate and improve coordination

Maximize effectiveness of RGC and RGS conservation efforts by coordinating and increasing synergy of Signatory efforts toward achieving a common goal.

V. DEVELOPMENT OF CONSERVATION STRATEGIES

The Goal and Objectives of this Agreement will be elaborated in a Conservation Strategy for each species (Strategies), which will be developed by the Involved Parties within two years of the adoption of this Agreement.

VI. DEVELOPMENT OF STATUS ASSESSMENTS

Range-wide Status Assessments (Assessments) will be developed for RGC and RGS within five years of the implementation of this Agreement. Thereafter, pending renewal of this Agreement, Assessments will be updated every 10 years or as deemed necessary by the Team. Results from the Assessments will be considered in revision and renewal of the Agreement.

In order to develop Assessments, accurate spatial data on the current and historic range of each species must be synthesized through development of GIS Databases, hereafter Databases. Initial development of the Databases for RGC and RGS will occur in parallel with development of the Assessments.

VII. AUTHORITY

The authority for the federal agencies to enter into this voluntary Agreement and Strategies is derived from the ESA and a National Memorandum of Agreement between the U.S. Forest Service (USFS), U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), National Park Service (NPS), and the U.S. Department of Commerce National Marine Fisheries Service (NMFS). The National Memorandum of Agreement regarding ESA consultation and coordination (MOU #94-SMU-058) among the participating federal agencies is in furtherance of conservation of species tending toward federal listing as threatened or endangered under the ESA (Section 2; Section 4(a)(1)). The authority of Colorado Parks and Wildlife to manage wildlife in Colorado is declared in Title 33, Article 1 of the Colorado Revised Statutes (C.R.S.). The authority of New Mexico Department of Game and Fish to manage wildlife in New Mexico is declared

in Chapter 17 of New Mexico Statutes Annotated (NMSA), with the exemption of tribal lands. The authority of Texas Parks and Wildlife Department to manage wildlife in Texas is declared in Chapters 12 and 67 of the Texas Parks and Wildlife Code.

Implementation of the Agreement and Strategies will be through the aforementioned federal, state, and tribal authorities, and federal statutes including but not limited to the Clean Water Act, National Forest Management Act (NFMA), Federal Land Policy and Management Act (FLPMA), NEPA, Sikes Act of 1974, as amended, Wilderness Act of 1964, as amended, National Wild and Scenic Rivers Act of 1968, Public Rangelands Improvement Act of 1978, and the Council on Environmental Quality regulations (40 CFR Part 1501).

- This Agreement is subject to and is intended to be consistent with all applicable federal, tribal, and state laws and interstate compacts. The Signatories hereto enter into this Agreement under federal, state, and tribal laws as applicable.
- The Involved Parties recognize they each may have specific statutory responsibilities that cannot be delegated, particularly with respect to the management and conservation of wildlife and its habitat, and in some cases the management, development and allocation of water resources. Nothing in this Agreement is intended to abrogate any of the parties' respective responsibilities.
- This instrument in no way restricts Involved Parties from participating in similar activities with other public or private agencies, organizations or individuals.
- None of the Involved Parties waives any immunity provided by federal or state constitutions, or federal, state, local, or tribal laws by entering into this Agreement, and each fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this Agreement.
- All federally recognized tribal entities maintain jurisdictional authority relative to species, habitat, and land use management within their reservation boundaries.
- Modifications to this Agreement must be mutually agreed upon by all Signatories. Such changes shall be executed as an addendum to the original Agreement.

VIII. GOVERNING DOCUMENTS AND EXISTING POLICIES

a. Federal Management Practices and Policies

1) U.S. Forest Service

The Santa Fe, Carson, Lincoln, Gila, Cibola, Apache-Sitgreaves, and Rio Grande National Forest Land and Resource Management Plans (Forest Plans) provide guidance for all resource management activities on the National Forests affected by this Agreement (NFs; 16 U.S.C. § 1604). The Forest Plans establish management standards and guidelines that ensure habitat is managed to provide for the diversity of plant and animal species and the persistence of native species in the planning area. Both RGC and RGS are currently identified as Regional Forester Sensitive Species in both Region 2 (Colorado) and Region 3 (Arizona, Texas, and New Mexico). The current Forest Plans provide guidance and direction to manage Sensitive Species, which are not currently federally listed as endangered or threatened, to sustain viability and prevent the need for future listing as threatened or endangered. If a species is proposed for listing, Forest actions will be evaluated to determine the effect of management practices on habitat and the need for conferencing with FWS. If a species is listed, consultation with FWS will be required. Conservation activities will be pursued where applicable and areas where Sensitive Species occur will be managed to maintain and/or enhance habitat.

The Santa Fe, Carson, Lincoln, Gila, Cibola and Rio Grande National Forests are currently in various stages of plan revision under the 2012 planning rules (36 CFR Part 219). The new forest planning rule does not use Sensitive Species, but has replaced it with Species of Conservation Concern (SCC). Species of Conservation Concern are species known to occur in the plan area and for which the regional forester has determined that the best available scientific information indicates substantial concern about the species' capability to persist over the long-term in the plan area. The development teams for the revised Forest Plans on the Carson, Santa Fe, and Cibola NFs in New Mexico and the Rio Grande NF in Colorado have identified the RGC and RGS as SCC. The Gila NF has identified RGS as SCC. The Lincoln NF is early in development but has identified RGC as a potential SCC. As SCC, the revised Forest Plans on these NFs must contain Forest Plan components that maintain the ecological conditions necessary for RGC and RGS long-term viability.

2) National Park Service

Fisheries management in the National Park System is directed by policy and guidelines that directs NPS to manage parks and monuments "to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (NPS Organic Act of 1916, as amended). Management policies emphasize the restoration and conservation of natural assemblages of native species. Native fish are managed with an emphasis on preservation or restoration of natural behavior, genetic diversity and ecological integrity. The historic native range of RGC and RGS spans multiple parks, including

but not limited to Bandelier National Monument, Great Sand Dunes National Park and Preserve, Pecos National Historical Park, and the Valles Caldera National Preserve.

3) Bureau of Land Management

It is BLM policy to manage or conserve all known special plant and animal species not yet listed as threatened or endangered to minimize the need for listing those species by either federal or state governments in the future. Guidance for these species is provided by the Special Status Species Management criteria (BLM Manual Section 6840) under the authorities of FLPMA (43 U.S.C. § 1701 et seq.), as amended. The San Luis Resource Area Management Plan in Colorado and the Rio Puerco, Roswell, Socorro and Taos Resource Management Plans in New Mexico identify resource and land use objectives and management actions for activities and lands administered by the BLM. Resource objectives include managing streams to maintain fisheries and to enhance, recover, or re-establish special status plants and animals. Both RGC and RGS are currently identified as Sensitive Species by the New Mexico and Colorado State Offices.

4) U.S. Fish and Wildlife Service

RGC and RGS are currently petitioned for federal listing under the ESA (1973). Sections 6 and 7(a)(1) of the ESA allow the FWS to enter into this Agreement and these Strategies. Section 2 of the ESA provides a declaration of policy stating that the ESA is intended to encourage states and other interested parties, through federal financial assistance and a system of incentives, to develop and maintain conservation programs as a key to safeguarding the Nation's heritage in fish, wildlife, and plants. Section 6 requires FWS to cooperate with states to the maximum extent practicable in carrying out the ESA, and Section 7(a)(1) of the ESA requires the FWS to review programs that it administers and to utilize such programs in furtherance of the purposes of the ESA. By entering into this Agreement, the FWS is utilizing its existing programs to further the conservation of the RGC and RGS.

b. State Policies and Regulations that Protect Fish and Fish Habitat

1) Colorado

In Colorado, RGC and RGS are both identified as SGCN in the SWAP/CO (CPW 2015). State policy dictates "that the wildlife and their environment [habitat] are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this State and its visitors" (CPW Statutes 33-1-101). Scientific collection of wildlife is regulated through a permit system (CPW Regulations, Chapter W-13) requiring a formal application stating project objectives, sampling methodologies, sampling sites, and need for collecting. Colorado policies and regulations protect fish habitat and populations from transmission of diseases by requiring annual health inspection and certification of all production and holding facilities (Wildlife Commission Policy D-9 and CPW Regulations, Chapter W-0, #14 and Appendices C and D). Specific to warm water fishes, all facilities must annually be certified free of Viral Hemorrhagic Septicemia Virus (CPW Regulations, Chapter 0, #14).

2) New Mexico

In New Mexico, RGC and RGS are considered SGCN according to the SWAP/NM (NMDGF 2016). NMAC 19.35.6 requires a scientific collection permit for take of state-protected species for educational or scientific purposes. Neither RGC nor RGS are state-listed, but as many of these state-protected species occur statewide, any person attempting to sample RGC or RGS would be required to have a state collection permit because of the potential to encounter state-protected species. NMAC 19.35.7.15 requires disease free certification for reportable pathogens for all private and public hatcheries who wish to import fish for release into waters of the State. In addition, New Mexico Department of Game and Fish does not stock any fish that is positive for a pathogen described in NMAC 19.35.7.15.

3) Texas

In Texas, RGC is identified as SGCN and Threatened in the Texas Conservation Action Plan (TPWD 2012). Details concerning state endangered or threatened species are contained in Chapter 68 of the Texas Parks and Wildlife Code and Sections 65.171 – 65.176 (Threatened and Endangered Nongame Species) of Title 31 of the Texas Administrative Code. Scientific collection of wildlife is regulated through the Wildlife Diversity Program at Texas Parks and Wildlife Department through a permit system requiring project objectives, methods, and reporting metrics.

c. Management and Policies regarding Tribal Management

It is well-established that Indian tribes in the United States are sovereign entities, and the federal government is legally required to protect Indian trust resources for the benefit of respective pueblos, nations, and tribes. Indian trust resources generally include land, water, air, minerals, and wildlife, reserved or otherwise owned or held in benefit for Indian pueblos, nations, and tribes. In managing trust lands or assisting tribes in doing so, the federal government must act for the exclusive benefit of the tribes and ensure that Indian lands and resources are protected and maintained for the physical, economic, social, and spiritual well-being of tribes.

Tribal lands provide traditional, cultural, social, and economic benefits to Native Americans. As sovereign nations and tribes, these lands are not subject to the same public laws that govern other lands within the United States, either public or private. The United States' trust responsibility is a well-established legal obligation that originates from the unique, historical relationship between the United States and Native Americans. As a result, several Executive Branch administrative directives, orders, and policies focus directly on the relationships of FWS and other Department of Interior (DOI) agencies with tribes. The following are examples: Presidential Memorandum of April 29, 1994, Secretarial Order 3206, Secretarial Order 3342, Executive Order No. 13175, and the FWS Native American Policy.

The Presidential Memorandum of April 29, 1994 requires federal departments to consult with tribal governments to the greatest extent practicable prior to taking actions that affect tribal governments. Federal departments must assess the impacts of federal activities on

tribal trust resources and ensure that tribal rights and concerns are taken into account during plan development and program implementation.

Secretarial Order 3206 reminds Interior agencies, bureaus and offices that Indian lands are not subject to the same controls as federal lands. It instructs Interior agencies, bureaus, and offices to recognize that tribes are appropriate governmental entities to manage their lands and tribal trust resources and instructs them to support tribal measures that preclude the need for conservation restrictions. At the same time, the Order strives to harmonize tribal concerns and interest about the ESA with federal mandates to enforce it; and allows the tribes to develop their own conservation plans for the listed species that are more responsive to tribal needs. The order also states tribes have considerable authority to manage endangered species on Indian lands.

Secretarial Order 3342 encourages cooperative management agreements and other collaborative partnerships between DOI bureaus, resource managers, and tribes; and establishes a process and provides institutional support to ensure land and resource managers evaluate and develop opportunities to further establish partnerships that benefit both tribes and federal agencies.

Executive Order No. 13175 instructs agencies, to the extent practicable and permitted by law, to consider any application by a tribal government for a waiver of statutory or regulatory requirements with a general view toward increasing opportunities for flexible approaches to governmental policies.

Additionally, the FWS Native American Policy provides a consistent, yet flexible, national framework that encourages efficient and creative ways to maximize tribal resource conservation through improved federal-tribal working relationships. It puts stronger emphasis on co-management and collaborative management of natural and cultural resources, places added emphasis on implementation and accountability, and promotes building tribal capacity and the use of tribal knowledge in the FWS's collaborative Service-tribal law enforcement efforts where possible. Tribes have gained considerable natural resource management expertise and the FWS, along with other federal agencies, recognize and acknowledge this expertise. Tribes have moved forward in an effort to enhance and establish new ways to interact with FWS regarding the conservation of RGC and RGS.

Developing cooperative or conservation agreements between tribal governments and FWS that specifically address RGC and RGS conservation on tribal lands could serve as a mechanism to establish partnerships that would enhance the status of these species, while still providing tribes the flexibility to determine the extent of their involvement in ESA conservation. These documents establish a framework by which FWS and tribes will recognize differences of opinion and interpretation, and work through problems toward a common goal of conserving RGC and RGS. These agreements and/or management plans could describe commitments tribes are willing to make to protect and manage RGC and RGS and could also describe commitments FWS would make to assist tribes in addressing RGC and RGS on tribal lands. Formal agreements may not be necessary when tribal

actions already meet mutually beneficial goals and conservation management is already underway by tribes.

New Mexico – In New Mexico, the State has multiple policies and an executive order outlining the framework in working with its New Mexico tribal entities. The *Statement of Policy and Process* (2003) establishes and promotes a relationship of cooperation, coordination, open communication and good will, and to work in good faith to amicably and fairly resolve issues and difference. Executive Order 2005-004 “*Statewide Adoption of Tribal Consultation Plans*” directs 17 State agencies to consult with all of New Mexico’s 22 Indian Nations, Tribes, and Pueblos in adopting tribal consultation plans that address “the agency’s operations that interact with tribal governments, communities, and/or tribal members within New Mexico.” The State established the “*Protecting and Promoting New Mexico’s Environment Group*” to develop an overarching tribal communication and collaboration policy that promotes effective communication and collaboration, promotes positive government-to-government relations, promotes cultural competency in providing effective services to New Mexico nations, tribes, and pueblos, and establishes a method for notifying state agency employees of the purpose and requirements of the tribal communication and collaboration policy.

IX. CONSERVATION AGREEMENT ADMINISTRATION

Responsibilities of the Team shall include coordinating RGC and RGS conservation activities among the agencies and making recommendations for the conservation of RGC and RGS to the administrators of the Signatories. The four general administrative actions outlined below will be implemented.

a. Coordinating Conservation Activities

- 1) The Team will meet at least annually to document progress toward the goals and objectives of the Strategies, develop range-wide priorities, review annual conservation work plans as developed by Involved Parties, and coordinate tasks and resources to most effectively implement conservation actions.
- 2) Annual meetings and other Team functions will be coordinated by a chairperson. The chairperson position will rotate between the state fish and wildlife agencies of Colorado and New Mexico. In even years the position will be held by New Mexico and in odd years by Colorado.
- 3) Locations of the meetings will alternate between the states of Colorado and New Mexico aligning with the state holding the chairperson position.
- 4) The Team will annually update the RGC and RGS Databases.
- 5) Team meetings will be open to the public. Meeting summaries and progress reports will be available to the Team and to other interested parties. Further, interested government agencies and conservation groups may be given opportunity to review and provide input on specific actions.

b. Implementing the Conservation Strategies

Each Signatory will coordinate, implement, and monitor actions in the Strategies for which they and their cooperators are responsible, subject to available funding.

Accomplishments will be reviewed in an annual summary report at Team meetings to establish progress toward the Strategies. Accomplishments will be summarized in the subsequent Assessments (see Section VI above).

c. Funding Conservation Actions

It is understood that all funds required for and expended in accordance with this Agreement are subject to approval by the appropriate federal, state, tribal, and local appropriations. This instrument is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures, including those for government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This instrument does not provide such authority. Specifically, this instrument does not establish authority for noncompetitive awards to the cooperator of any contract or other agreement. Any contract or agreement for training or other services must fully comply with all applicable requirements for competition.

d. Conservation Progress Assessments

- 1) The Team will create Assessments as described above (see Section VI). The Assessments will include information on the current distribution, presence of competing species, and new or existing threats to RGC and RGS. This information will be used to evaluate the foreseeable risks and general population health of existing populations. The Assessments will also discuss progress towards meeting the goals and objectives outlined in the Strategies.

- 2) Copies of the Assessments will be made available to cooperators and interested parties upon request.

X. DURATION OF AGREEMENT

The term of this Agreement shall be 10 years. The Agreement may be renewed by the Signatories following the initial 10-year period. Modifications to the Agreement may be made upon renewal or at any time by addendum with the unanimous consent of the Signatories. Any Involved Party may withdraw from this Agreement with 60-days written notice to the other Involved Parties.

XI. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

Signing this Agreement is covered under authorities outlined in Section VII. Each federal Signatory holds the responsibility to review planned actions for their area of concern to ensure conformance with existing land use plans and to ensure NEPA and other applicable compliance.

XII. FEDERAL COMPLIANCE

During the performance of this Agreement, the participants agree to abide by the terms of Executive Order 11246, as amended on nondiscrimination and will not discriminate against any person because of race, color, religion, sex, sexual orientation, gender identity or national origin.

No Member or Delegate to Congress or congressional Resident Commissioner shall be admitted to any share or part of this Agreement, or to any benefit that may arise there from, but this provision shall not be construed to extend to this Agreement if made with a corporation for its general benefit.

XIII. LITERATURE CITED

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XIV. SIGNATORIES

This Agreement takes effect when the directors of all of the following entities have signed the Agreement:

Colorado Dept. of Natural Resources
Division of Parks and Wildlife
1313 Sherman Street
Denver, CO 80203

New Mexico Dept. of Game and Fish
PO Box 25112
Santa Fe, NM 87504

U.S. Forest Service, Region 2
1617 Cole Boulevard, Building 17
Lakewood, CO 80401

U.S. Forest Service
Southwestern Region
333 Broadway Boulevard SE
Albuquerque, NM 87102

U.S. Fish and Wildlife Service, Region 2
PO Box 1306
Albuquerque, NM 87103-1306

U.S. Fish and Wildlife Service, Region 6
PO Box 25486
Denver, CO 80025

Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, CO 80215-7093

Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail

Santa Fe, NM 87502-0015

National Park Service
Intermountain Region
12795 Alameda Parkway
Denver, CO 80225

Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Jicarilla Apache Nation
PO Box 507
Dulce, NM 87528


Pueblo of Santa Ana
02 Dove Road
Santa Ana Pueblo, NM 87004

Turner Enterprises, Inc.
901 Technology Boulevard
Bozeman, MT 59718

Coalition of Colorado Counties
232 W. Tomichi Avenue, Suite 204
Gunnison, CO 81230

-Signature Page-

1. Colorado Department of Natural Resources
Division of Parks and Wildlife
1313 Sherman Street
Denver, CO 80203



Bob Broscheid, Director

9-5-18

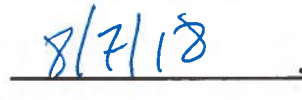
Date

-Signature Page-

2. New Mexico Department of Game and Fish
PO Box 25112
Santa Fe, NM 87504



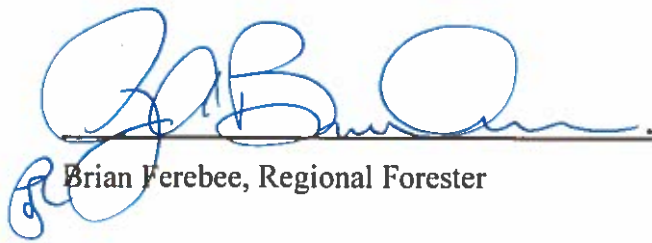
Michael B. Sloane, Director



Date

-Signature Page-

3. U.S. Forest Service, Region 2
1617 Cole Boulevard, Building 17
Lakewood, CO 80401

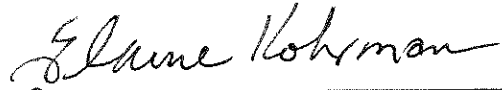



Brian Ferebee, Regional Forester

9/5/18
Date

-Signature Page-

4. U.S. Forest Service, Southwestern Region
333 Broadway Boulevard SE
Albuquerque, NM 87102


_____.
for Calvin Joyner, Regional Forester



Date

-Signature Page-

5. U.S. Fish and Wildlife Service, Region 2
PO Box 1306
Albuquerque, NM 87103-1306



Amy Lueders, Regional Director



Date

-Signature Page-

6. U.S. Fish and Wildlife Service, Region 6
PO Box 25486
Denver, CO 80025

Noreen E. Walsh

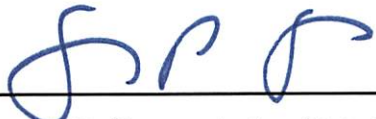
Noreen Walsh, Regional Director

8/2/2018

Date

-Signature Page-

7. Bureau of Land Management
2850 Youngfield Street
Lakewood, CO 80215-7093



Gregory P. Shoop, Acting State Director

9/4/18

Date

-Signature Page-

8. Bureau of Land Management
New Mexico State Office
301 Dinosaur Trail
Santa Fe, NM 87502-0115

Aden L. Scidlitz
Aden Scidlitz, Acting State Director

8/23/18
Date

-Signature Page-

9. National Park Service
Intermountain Region
12795 Alameda Parkway
Denver, CO 80225

Sue E. Masica

Sue E. Masica, Regional Director

8/15/18

Date

-Signature Page-

10. Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744



Craig Bonds, Inland Fisheries Division Director

8/22/2018

Date

-Signature Page-

11. Jicarilla Apache Nation
PO Box 507
Dulce, NM 87528



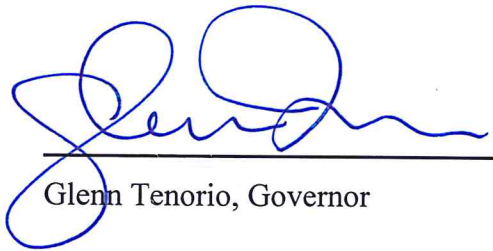
Levi Pesata, President

8/29/18

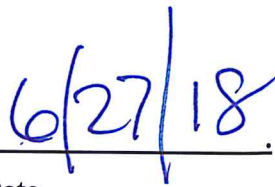
Date

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12. Pueblo of Santa Ana
02 Dove Road
Santa Ana Pueblo, NM 87004



Glenn Tenorio, Governor

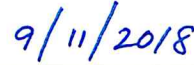


Date

13. Turner Enterprises, Inc.
901 Technology Boulevard
Bozeman, MT 59718



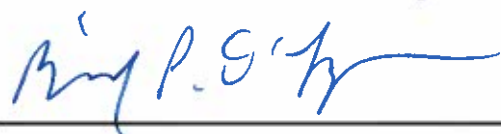
Carter Kruse, Director of Conservation



Date

-Signature Page-

14. Coalition of Colorado Counties
232 W. Tomichi Avenue, Suite 204
Gunnison, CO 81230



June 22, 2018

Michael P. O'Loughlin, Attorney & Administrator Date

XV. SUPPORTING ORGANIZATIONS


Trout Unlimited New Mexico Council
P.O. Box 32952
Santa Fe, NM 87594

Rio Grande Water Conservation District
8805 Independence Way
Alamosa, CO 81101

Fishes of Texas Project
Biodiversity Center
University of Texas at Austin
J.T. Patterson Labs Building, 128
2415 Speedway
Austin, TX 78712

-Signature Page-

1. Trout Unlimited New Mexico Council
P.O. Box 32952
Santa Fe, NM 87594



Art Vollmer, State Council Chairperson




Date

-Signature Page-

2. Rio Grande Water Conservation District
8805 Independence Way
Alamosa, CO 81101



Greg Higel, Board of Directors President



Date

-Signature Page-

3. Fishes of Texas Project
Biodiversity Center
University of Texas at Austin
2415 Speedway
Austin, TX 78712



Dean Hendrickson, Curator of Ichthyology

22 August, 2018_____.

Date

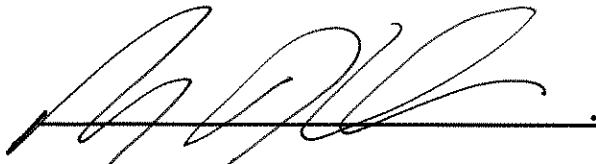
Addendum

This addendum amends the Conservation Agreement for Rio Grande Chub and Rio Grande Sucker dated September 2018 to include Taos Pueblo as a Signatory.

Except as otherwise amended herein, the Conservation Agreement for Rio Grande Chub and Rio Grande Sucker shall remain in full force and effect.

-Signature Page-

15. Taos Pueblo
PO Box 2596
Taos, New Mexico 87571


Gary J. Lujan WarChief

3/4/2020
Date