

EAHCP Lessons Learned Meeting
Meeting Summary: January 30, 2013 1:30-3:30

Attendees: Nathan Pence, Rick Illgner, Chad Norris, Lou Lendman, Patrick Shriver, Steve Ramsey, Melani Howard, Doris Cooksey, Jennifer Fertsch-Harlow, Todd Votteler

Nathan opened the meeting by explaining that this was not a formal sub-committee or work group of the Implementing Committee (IC). Purpose of this meeting was to brainstorm and identify any issues/concerns that need to be addressed from last years' EARIP Implementing process. Also to discuss any solutions and make any comments on the issues identified. These will then be brought back to the IC for further suggestions/discussion.

Below is a listing of what was discussed:

FMA Dates/Deadlines

General discussion on the HCP Key Dates for 2013 occurred, specifically meeting the April 15 deadline for the 2014 Annual Work Plan and Budgets due to the Implementing Committee.

Dates currently in the Funding and Management Agreement (FMA):

April 15, 2013	Work Plans and Budgets due to IC
June 30, 2013	Deadline for approval of Annual Work Plans and budgets by IC
October 1, 2013	Funding Applications Due
December 12, 2013	EAA Board of Directors Meeting – approval of funding applications, ILA's and contracts for 2013

- Dates are established by the EAA budget cycle.
- If costs do not exceed Table 7.1, there may be additional flexibility in time.
- Move the April 15, 2013 date back by one month.
- It is unclear if 1 additional month would present any benefit.
- FMA § 4.4, 4.5, 4.6, and 6.1.2 establish the dates and deadlines, but also allow for some flexibility so long as there are appropriate approvals.
- Establishment of funding level as soon as possible is important in the event it leads to any sort of budget or rate changes.

Science Committee (SC) Review of Work Plans

- Currently there is no formal procedure in the FMA for SC review of work plans. It could be beneficial to have a formally defined process.
- The 2013 plan is to take work plans that need scientific review to the SC in March, April and May.
- Any recommendations made by the SC are to the IC; and the IC makes final decisions and policy.
- There was concern about who would present work plans to the SC and what format that would follow. Additionally there was one opinion that it should be the scientists that wrote Chapter 5 that present the work plans to the SC rather than the applicant.

- The SC should review the BioMonitoring Contract as it was originally drafted in 2001. The SC will review the 2014 BioMonitoring work plan at their February 2013 meeting.
- Maybe dedicate May/June for SC to review as the work plans come in?
- Adaptive Management would be used to implement any changes approved by the IC.

Multi Year Contracts/Work Plans

- Could create more work because of the amount of information to be reviewed and the detailed annual information that would need to be included.
- Once a contractor is on board and educated, it could present a time and financial benefit to use in subsequent years.
- Termination options and renewal options in a contract may be one way to address.
- All contracts should undergo a competitive bid process.
- If multi-year contracts or work plans are utilized, there should be detailed tracking of annual budgets and annual tasks, to be sure Table 7.1 is adhered to and work completion is accomplished.
- Reports should be generated to keep all applicants and stakeholders informed and ensure transparency.
- If work is not completed in a calendar year as planned, funds revert back to the reserve. Should those reserve funds be made available and work carried forward to the next year or should the funding come from the next year's annual budget? Either way, accounting and tracking is crucial.
- Some projects should utilize a phased approach. Ex: those with design and then construction.
- Before decisions are made as to multiyear contracts, EAA Finance Department needs to be consulted.
- Master Service Contracts should be considered.
- A cap on the length of a contract should be established if multiyear contracts are used.

Long-term Planning

- What is to be accomplished annually for each mitigation activity?
- A planning workshop to identify annual activities into the future should be considered.
- This information could be useful when writing work plans and in educating Councils and Boards.
- Quarterly reports to IC members would be helpful.

IC Serving as Contractor/Use of HCP Funds for IC Staff

FMA § 5.6.5 Limitation on Use of Funds – Prohibits funding of IC employees and IC administrative costs

In May 2012 the IC agreed to a compromise to allow IC members to bid on HCP work with the following conditions:

1. Could not be prime
2. Must go through competitive procurement process
3. Individual can't be involved in any policy decisions

- Contract bids must be competitive.
- The IC could possibly rank proposals when an IC member is a bidder.
- Most agencies will not allow another entity to participate in their procurement process.
- The provision in FMA § 5.6.5 had broader implications than was originally intended.
- Must keep the science and policy separate.
- Regardless of relation to an applicant, the desire is to have the most qualified contractor perform the work.