

**Edwards Aquifer Authority - 2015 Refugia Work Plan**  
*(pending Implementing Committee Approval on 11/20/2014)*

**HCP Measure 5.1.1 - Refugia**

Refugia is a population of the EAHCP Covered Species, housed at a series of facilities, for the purpose of reintroduction into the Comal or San Marcos systems, in the event the Covered Species go extinct in their native habitat. The limited geographic distribution of the EAHCP Covered Species leaves the populations vulnerable to extirpation throughout all or a significant part of their range. A series of Refugia, with back-up populations at other facilities, will preserve the capacity for these species to be re-established in the event of the loss of population due to a catastrophic event, such as the unexpected loss of spring flow or a chemical spill.

Throughout 2013 and 2014, EAHCP and EAA staff have worked diligently to establish a Refugia contract with USFWS. Due to a conflict with State of Texas procurement regulations and USFWS policies, to date no contract has been executed. While continuing to pursue a contract with USFWS, it has been determined that other alternatives should be explored and pursued simultaneously, to ensure compliance with the HCP requirement to establish fully functional Refugia for the EAHCP Covered Species. With this in mind, staff are working on three separate initiatives: 1) negotiating with USFWS for a long-term Refugia contract, 2) issuing a RFQ/RFP for a long-term Refugia contract, and 3) developing interim short-term Refugia efforts for implementation until a long-term contract is established.

**Long-term Objective:**

Establish long-term Refugia for all EAHCP Covered Species.

**Target for 2015**

Maintain compliance with the EAHCP Refugia requirements by implementing feasible elements of a Refugia program, while pursuing a long-term contract with a third party contractor or USFWS.

**Planned Activities for 2015:** (see Attachment 1 for a detailed timeline of projects/activities)*Long-Term<sup>1</sup> Refugia*

1. USFWS Contract – Staff will continue to communicate with USFWS and explore all possible solutions to execute a contract with USFWS.
2. Refugia Technical Services – EAA has retained the services of HDR, Inc. to provide all metrics and criteria needed for long-term Refugia, such as: number of species, size of building, number of and expertise of staff required to operate, research programs required, etc. This information will be used to develop an RFQ/RFP described in #3 below. The report is due from HDR in early May 2015.
3. Refugia RFP/RFQ – EAA will utilize the information provided by HDR in #2 above to issue a RFQ/RFP for Refugia services, for the duration of the Incidental Take Permit (ITP). It is anticipated that the RFQ/RFP would be issued in July of 2015 and a contract executed in early 2016.

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<sup>1</sup> Refugia contracts and elements that last the duration of the Incidental Take Permit or provide information to establish a contract that lasts the duration of the ITP.

4. Tour Other Refugia – To expand staff’s and the Implementing Committee’s knowledge of Refugia facilities, operations, and technical details, staff has set a goal to visit three additional Refugia facilities by April 2015.
5. HCP/ITP Refugia Amendment - At the Implementing Committee on October 16, 2014, the Implementing Committee instructed the Program Manger to draft an Amendment allowing the EAHCP Permittees to contract with an entity other than USFWS for Refugia Services. The Implementing Committee will consider submittal of that Amendment at their November 20, 2014, meeting. If so directed, staff will submit the amendment and communicate with USFWS as needed.
6. Texas Attorney General (AG) Opinion – In September of 2014, Representative Doug Miller submitted a request to the Attorney General’s Office, seeking clarification to contracting legalities between the USFWS and EAA. In 2015, when that response is received from the AG, EAA will take appropriate response actions. It should be noted, that even if the AG determines that EAA may contract with USFWS as originally contemplated, the amendment may prohibit sole sourcing with USFWS at that point.

Short-term<sup>2</sup> Interim Refugia Operations to Maintain Compliance (see attachment 1 for a detailed timeline of projects/activities)

1. Refugia Research – Working with several of the EAHCP Covered Species in a captive environment is new to biologists. Therefore, before successful Refugia for those species may be established, husbandry methods must be determined. This research will establish husbandry techniques for the Comal Springs Riffle Beetle, the Comal Springs Dryopid Beetle and Peck’s Amphipod. The methods established by this research, will be provided both to the long-term Refugia contractor and short-term salvage contractor.
2. Salvage Refugia Contract – Even without a contract and large Refugia facilities, contractors in the Edwards region have the capacity and ability to provide salvage stock Refugia services. The EAA plans to execute a contract for salvage Refugia in response to potential drought in 2015 and 2016, with renewal options for 2017 and 2018. This contract would be designed to provide for survival of the species in the event the San Marcos or Comal Springs goes dry in the near future.

### **Science Committee**

As currently contemplated by the FMA, the Science Committee does not have a role in reviewing the Refugia program. However, at the direction of the Implementing Committee, the Science Committee could be involved in review of specific elements of Refugia.

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<sup>2</sup> Refugia contracts and elements that only last in duration until the long-term contract is executed. These contracts and elements are intended to provide stop-gap measures, for compliance with the ITP, until a fully functioning Refugia is established.

**USFWS**

The Scopes of Work for both the short-term Salvage Stock contract and long-term Refugia contract will be developed in cooperation with USFWS. Ultimately, staff will seek concurrence from USFWS to the Scopes of Work.

**Budget**

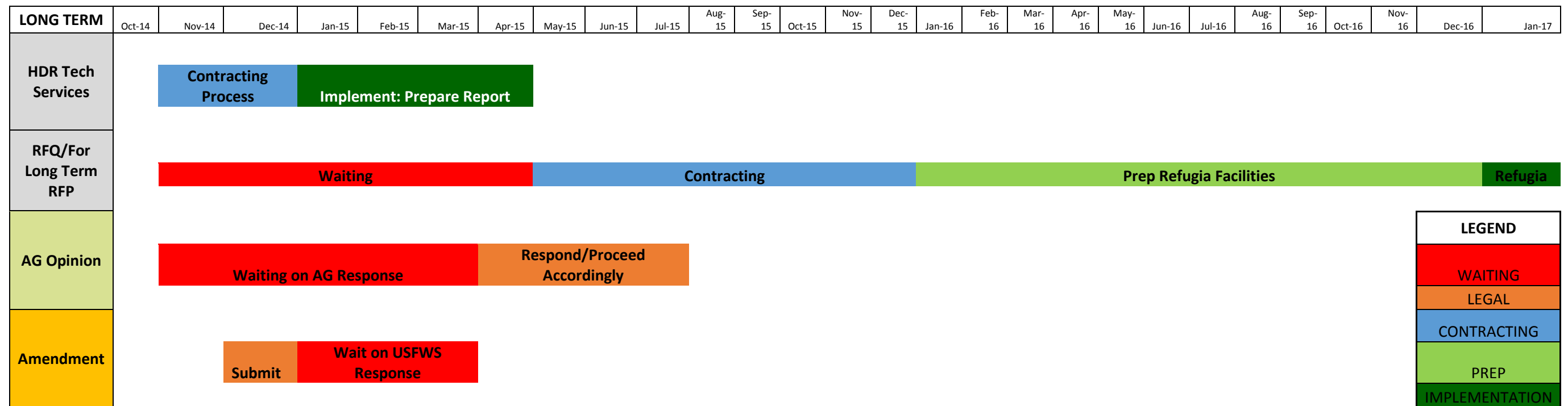
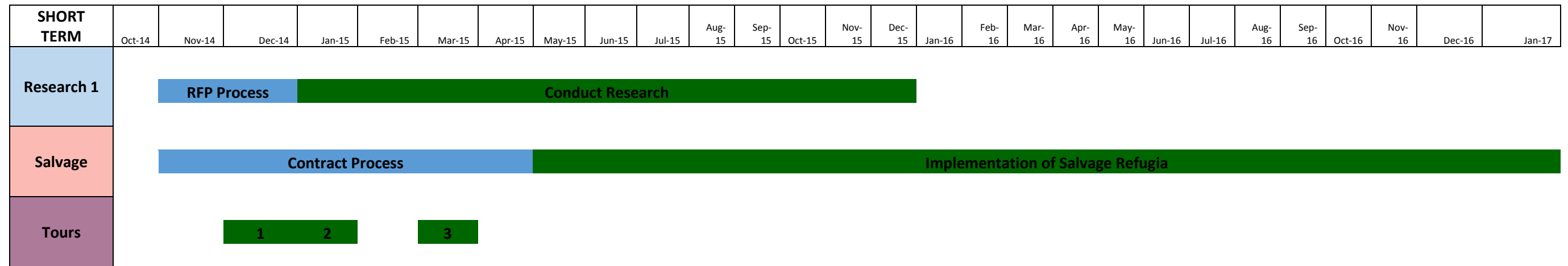
Currently all 2015 projects that require funding are still in the design and procurement phases. Therefore exact costs are not known. Funding at no time will exceed Table 7.1.

<i>Allocated budget for 2015 in Table 7.1</i>	<i>\$1,678,597</i>
<i>2015 Workplan Funding</i>	<i>\$1,678,597<sup>3</sup></i>

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<sup>3</sup> Even though the funding request matches Table 7.1, the estimated expenditure is \$1,000,000 as follows: Salvage Stock \$750,000; HDR Inc. Technical Services \$49,500 and Research \$200,000. The major unknown is the cost of the Salvage contract.

**Attachment 1: Timeline of Refugia Implementation**



LEGEND
<b>WAITING</b>
<b>LEGAL</b>
<b>CONTRACTING</b>
<b>PREP</b>
<b>IMPLEMENTATION</b>