PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM

TO: Governance Committee (GC)
FROM: Executive Director's Office (EDO)
SUBJECT: 2014 Tern/Plover Monitoring Sole-Source Justification
DATE: November 26, 2013

Recommendation

The EDO recommends the GC approve a one-year sole-source contract extension with the U.S. Geological Survey (USGS) to conduct Program tern and plover monitoring during the 2014 tern/plover nesting season. If approved, FY 2014 funding for this monitoring **($275,000)** would be covered by Program line item TP-1 (Tern/Plover Monitoring). The Program would enter into a one-year (2014) extension of the existing contract between the Program and the USGS for tern/plover monitoring with a total Program cost not to exceed **$275,000**. The associated scope of work for 1-year extension is attached to this memorandum as **Exhibit A**. The USGS is currently developing a more detailed budget.

Background

The existing contract between the Program and USGS to conduct annual tern/plover monitoring expires at the end of 2013. The EDO sought comments from the Technical Advisory Committee (TAC) on an RFP for a three-year contract to conduct Program tern/plover monitoring, with a competitive selection process to be completed in early 2014. The EDO received comments from some TAC members stating support of the RFP as written and from others expressing a desire to have an internal discussion about the extent of future tern/plover monitoring activities and the relationship of monitoring data to key Program questions before issuing the RFP and committing to a multi-year contract. Examples of TAC commentary include:

<u>Mark Peyton, CNPPID:</u>
The T&P monitoring protocol is not a monitoring protocol it is more of a research protocol and it needs to be revisited, revised, and reduced…and we should have started that last summer. I guess I'm too late for that suggestion…but I would not support a 3-year contract at $300 thousand a year for more of the same research. All the research to date has been done pretty much on the same sandpits that NPPD and CPNRD did 20 years of monitoring on and we haven't seen the data that has come from this intensive work to show that we are getting better and more valuable information to address the big questions and hypothesis than what Jim and Mark collected all those years for less than $20,000. I would support a 1-year contract or extension of USGS's contract with the understanding that TAC would revisit the protocol and redo it such that we could still get information to address the hypothesis and big questions, but one that wouldn't cost $310,000 a year for the next six years ($1.9 million).

<u>Jim Jenniges, NPPD:</u>
While I am a data liking kind of person I am having a very difficult time justifying how the money being spent on monitoring/research is really providing any benefit. I am going to chime in and support the one year only concept and strongly suggest a series of workshops in that year where all the tern and plover data is presented to the TAC so that we can see how it relates to the original hypothesis and big questions. If the USGS is willing to extend their contract it would seem silly to go through the selection process, have to train somebody on where all the sites are, make sure they have permits etc. Also I don't know who keeps

or analyzes the tern and plover data but if it is them seem like they should be here anyway for the workshops. Even as the data collectors they should be there.

To afford the Program time to address these issues and develop a longer-term plan for monitoring, the EDO recommends a GC consideration and approval of a one-year extension of the current contract with the USGS to conduct monitoring in 2014. The USGS is prepared to hire technicians to conduct the monitoring, properly train those technicians, and continues to retain appropriate permits for monitoring and banding activities. Monitoring activities in 2015 and beyond will be addressed within the TAC and Independent Scientific Advisory Committee (ISAC) in 2014 to develop a recommended approach in time for budget and work plan development in the fall of 2014.

Budget Implications

The USGS is developing a detailed budget for 2014 monitoring activities but the amount estimated in the FY14 budget for TP-1 of $275,000 will be sufficient to cover expected monitoring expenses. The final contracted amount will be negotiated with the USGS and will be subject to Finance Committee (FC) review and approval before signatures are obtained.

EXHIBIT A

FY14 TERN/PLOVER MONITORING SCOPE OF WORK

2014 SCOPE OF WORK

INTRODUCTION

The Program initiated on January 1, 2007 between Nebraska, Wyoming, and Colorado and the Department of the Interior to address endangered species issues in the central and lower Platte River basin. The species considered in the Program, referred to as "target species", are the whooping crane, piping plover, interior least tern, and pallid sturgeon. A Governance Committee reviews, directs, and provides oversight for activities undertaken during the Program. The Governance Committee is comprised of one representative from each of the three states, three water user representatives, two representatives from environmental groups, and two members representing federal agencies. The Governance Committee named Dr. Jerry Kenny to serve as the Program ED. Dave Baasch, representing the Program ED's Office, will be the primary contact for this work.

OBJECTIVES AND SCOPE

In coordination with ED Office staff, the primary responsibilities of the contractor will be to: 1) provide nine (9) research technicians to assist the Program's Technical Point of Contact with implementation of the Program's tern and plover monitoring protocol; 2) band tern and plover nesting adults and chicks with unique color markers; 3) resight banded adults and chicks to assess reproductive success, habitat colonization, dispersal, and renesting along the central Platte River valley, 4) provide weekly updates of nesting activities that occur within Program Associated Habitats; 5) compile paper and electronic copies of tern and plover data collected each year; and 6) produce Annual Reports documenting research and monitoring activities and submit this information to the ED Office annually. ED Office staff will assist the contractor with all river surveys between Lexington and Chapman, NE and will provide an airboat and operator for these surveys. ED Office staff will also participate in and coordinate all field-related activities during the nesting seasons.

Activities proposed for 2014 include the collection of data outlined in the Program's tern and plover monitoring protocol, band and resight tern and plover adults and chicks to document habitat colonization, dispersal, and success of tern and plover adults and chicks including those that were banded during current or previous years, and report annual findings to the Program, US Fish and Wildlife Service, and the Nebraska Game and Parks Commission. It is important to note, however, that annual work plans, including FY2014 work plans, will be reviewed by personnel from U.S. Fish and Wildlife Service, Nebraska Game and Parks Commission, and the Program's Technical Advisory Committee (TAC) and may change between the time annual budgets are developed and the subsequent nesting season. Budget implications related to changes in annual work plans will be negotiated and agreed upon by the contractor and the Program prior to the respective nesting season.

Recent central Platte River surveys by the Program indicate that most terns and piping plovers nest on managed sandpits, though nesting has occurred on riverine habitat and privately-owned, unmanaged sandpits since 2007. Though most recent nesting activity has occurred on sandpits, birds are regularly observed foraging in the river and river nesting is expected to increase as additional river-island habitat becomes available. Thus, the selected contractor will be required to work with the ED Office to review past information about tern and plover nesting locations and to develop and secure written access agreements with sandpit (requires mine safety training) and river land owners before implementing the study methodologies. In addition, the selected contractor will obtain necessary permits required to monitor and band terns and plovers on the central Platte River, will enter data outlined in the Program's tern and plover monitoring protocol into the Program's online database, will maintain an organized database to record banding and resighting data, and will be responsible for reporting band related information as may be

required. The selected contractor will be responsible for providing sufficient manpower, housing, and all equipment necessary to complete the study, including four-wheel-drive vehicles to access many of the areas terns and plovers nest.

LINK TO PRIORITY HYPOTHESES AND BIG QUESTIONS

The purpose of the habitat colonization study is to help determine if habitat availability limits tern and plover populations, if terns and plovers select in-channel (islands) or off-channel (sandpits) nesting habitat, and if reproductive rates (i.e., fledge ratios) are similar on in-channel and off-channel nesting habitats on the central Platte River. The study and its inferences will be linked to testing several priority hypotheses in the Program's Adaptive Management Plan (AMP) and answering the Program's Big Questions related to terns and plovers provided below:

PRIORITY HYPOTHESES

T1: Additional bare sand habitat will increase the number of adult least terns

P1: Additional bare sand habitat will increase the number of adult piping plovers

TP1: There is an interaction of river and sandpit habitat.

TP2: The central Platte River may act as a source or sink for terns and plovers.

BIG QUESTIONS

BQ6: Does availability of suitable nesting habitat limit tern and plover use and reproductive success on the central Platte River?

BQ7: Are both suitable in-channel and off-channel nesting habitats required to maintain central Platte River tern and plover populations?

BQ10: How do Program management actions in the central Platte River contribute to least tern, piping plover, and whooping crane recovery?

Many covariates influence tern and plover use and productivity on the central Platte and data collected during 2014, along with banding and other data collected in the past, will be utilized to assess the Program's Big Questions and determine effects and relationships that relate back to priority hypotheses outlined in the Program's Adaptive Management Plan (AMP), the two management strategies identified in the AMP, and overall AMP implementation. Information obtained through past and future banding efforts will allow us to better assess habitat colonization, obtain better estimates of adult and chick survival and overall reproductive success of these species, and will enable us to better discern how a portion of each population interacts and responds to availability of riverine and sandpit habitats. Proposals should address the ability of the study results to help provide inferences as to the priority hypotheses and big questions and the ability of the proposed methodologies to isolate the effects of habitat type on productivity from other influences such as predation and human disturbance.

METHODOLOGIES

The interior least tern is a federally- and state-listed endangered species; the piping plover is a federally- and state-listed threatened species. All bird handling will require a U.S. Fish and Wildlife Service Threatened and Endangered Species permit and a Nebraska Game and Parks Commission scientific collecting permit. Submitted proposals should include detail about any such permits currently held and any past experience conducting research or monitoring on terns and plovers that included bird handling and the acquisition of required permits. Proposals submitted in response to this RFP will be reviewed by a Proposal Evaluation Team on behalf of the Program, as well as by personnel from the U.S. Fish and Wildlife Service and the Nebraska Game and Parks Commission to ensure the proposed study methods would be allowable

and covered by permit requirements. As such, proposals submitted in response to this RFP should include a detailed explanation of the proposed survey and mark-recapture methods.

The contractor will be responsible for field surveys, data entry, data summary, basic analysis, and report preparation. The contractor shall furnish all personnel, equipment, materials, transportation, housing, and services to ensure the completion of the contract. Methods and draft reports will be reviewed by the ED Office and the TAC and the Final Project Report will likely be reviewed by the Program's Independent Science Advisory Committee and/or an independent science panel to ensure scientific integrity. Development of peer reviewed publications of collected data and results, in coordination with the ED Office, is strongly encouraged.

STUDY AREA AND TIMING

The area within 3.5 miles either side of the Platte River beginning at the junction of U.S. Highway 283 and Interstate 80 near Lexington, Nebraska and extending eastward to Chapman, Nebraska. When side channels of the Platte River extend beyond the 3.5 mile area, a two-mile area is included around those channels. Typically, piping plovers arrive in the area in mid-April and initiate nesting by May 5. Least terns arrive in mid-May and initiate nesting by May 25. Both species typically leave the area by mid-August.

DELIVERABLES

The contractor will provide a weekly e-mail reports during the nesting season and monthly e-mail reports during the remainder of the year regarding work progress to the ED Office. The contractor will provide a presentation at the Program's AMP Reporting Session after completion of each study season. Additional study deliverables include, but are not limited to:

- Copies of all annual state and federal filings required in accordance with necessary permits.
- Raw data sheets, maps, and/or UTM locations documenting all bird captures, relocations, nest and brood sighting information, habitat and productivity metrics collected, etc.
- Photographs of study implementation, birds, nests, banding activity, and habitat conditions.
- Data entered into the Program's online database and reported in accordance with guidelines outlined in the Program's AMP and the Program's Database Management System.
- A Draft Annual Report in Microsoft Word format based on results from each nesting season describing field methods, collected data, and data summary/analysis will be submitted to the ED Office and TAC for review and comment by 1 November.
- Final Annual Reports, in PDF format that address comments from the ED Office and the TAC, will be provided to the ED Office two (2) weeks after written and/or verbal comments are provided to the contractor. Raw data sheets, photos, and a QA/QC'd final version of the Program's online database are also required with the submission of the Final Annual Reports.
- A draft of the Final Project Report, focused on results from the 2014 nesting season, but incorporating all data collected by the Program since 2007, that includes field methodologies, collected data, and data analyses and summaries will be submitted to the ED Office and TAC for review and comment by 1 February, 2015.
- The Final Project Report, in PDF format that incorporates comments from the ED Office, TAC, and any other Program reviews, will be provided to the ED Office four (4) weeks after written and/or verbal comments are provided to the contractor.

- *The Final Project Report will likely be reviewed by the Program's Independent Scientific Advisory Committee and/or an independent science panel to ensure scientific integrity.*
- Development of peer reviewed publications is strongly encouraged and if conducted will be done in coordination with and approved by the ED Office.