

TERMS OF REFERENCE
Preble's Meadow Jumping Mouse Site Conservation Team
Monument Creek Recovery Population, Colorado
Approved August 16, 2022
(Version 4)

Introduction

These Terms of Reference establish the conditions of operation for the Preble's Meadow Jumping Mouse (*Zapus hudsonius preblei*) (Preble's mouse) Site Conservation Team (SCT) for the Fountain Hydrologic Unit Code (HUC) recovery population. These Terms of Reference establish the title and purpose of the SCT. At any time, the SCT may update these Terms of Reference as needed.

Successful conservation of the Preble's mouse, and its habitat, will contribute to the 2018 *Preble's Meadow Jumping Mouse Recovery Plan* (Recovery Plan) goals. The Recovery Plan focuses on reducing threats to the Preble's mouse and promoting habitat persistence. Ultimately, if successful within the Fountain HUC and other places in Colorado, recovering the Preble's mouse will no longer warrant listing as Threatened under the Endangered Species Act (ESA).

The Recovery Plan proposes five criteria for delisting the Preble's mouse. Protection under the ESA will be removed if the five criteria are met, and following an analysis of the ESA listing factors by the US Fish and Wildlife Service (FWS).

The Recovery Plan bases the distribution of recovery populations on the eight-digit HUC watershed units located within the subspecies' existing range. The recommended approach to conserving the geographic and genetic diversity of the Preble's mouse is to conserve at least one recovery population inside each HUC to maintain redundancy and representation between the North and South Recovery Units which are delineated as north or south of the Denver metropolitan area. Areas within HUCs will be evaluated based on a number of factors, including but not limited to targeted surveys in Preble's mouse habitat, assessment of habitat suitability, opportunities for restoration and enhancement in riparian and upland habitats, and collaborative partnering opportunities.

Riparian vegetation refers to habitats and communities characterized by hydrophilic plants growing along the margins and banks of water bodies. For the purposes of the SCT, conservation and restoration of riparian areas will refer to naturally created channels and waterways but could include artificial water bodies, such as reservoirs and ditches, where the landowners or land managers agree to participate in activities to recover the Preble's mouse.

Fountain HUC Background

Despite alteration of the natural hydrologic character in the Colorado Springs/Monument metropolitan area, much of the Monument Creek watershed in El Paso County retains wooded riparian vegetation occupied by a substantial population of the Preble's mouse. As part of the species' Recovery Plan, partnerships are sought to conserve this recovery population and its habitats while there is ongoing pressure to support further human population expansion and resource uses.

The Monument Creek part of the Fountain HUC was recommended by the Recovery Plan as the location for one Medium Recovery Population within the subspecies' Southern Recovery Unit (South Platte River and Arkansas River watersheds HUCs south of the Denver metropolitan area), and as one of only five such Medium Recovery Populations proposed for the entire subspecies.

The goal for a Medium Recovery Population is that it should contain between 500 and 2,500 individual Preble's mice experiencing no long-term significant negative population trends over ten years once monitoring has begun. Depending on local Preble's mouse population densities (mice per mile), the watershed would be expected to support approximately 12-20 linear miles of riparian habitat along a functionally connected network of streams, meaning that there are no habitat gaps greater than 0.25 miles as defined in the Recovery Plan. Such demographic and habitat characteristics would provide optimal population resilience through greater physical diversity of habitats and less vulnerability to natural or anthropogenic catastrophic events.

In *The Revised Critical Habitat for the Preble's Meadow Jumping Mouse in Colorado* (2010), the Fountain HUC includes one general watershed area of Critical Habitat along parts of Monument Creek and several of its tributaries, referred to as Critical Habitat Unit 11 for the subspecies. In addition, Preble's Mouse Conservation Zones have been designated along Monument Creek and some tributaries within the U.S. Air Force Academy. The best opportunities to achieve the linear mileage requirements within the Fountain HUC includes these streams within the Monument Creek watershed where substantial numbers of Preble's mouse captures have been found, with annual trapping records spanning over 20 years, including from within the Air Force Academy. The distances of potential local Preble's mouse recovery population stream reaches have yet to be determined.

SCT General Purpose

The draft Recovery Plan was written by the Recovery Team, an evolving group of varying Preble's mouse experts appointed by the FWS beginning in 2000. The Recovery Team serves only in an advisory capacity to the FWS, which was responsible for producing the final approved Recovery Plan. The Recovery Plan identifies the role of SCTs in the recovery of the subspecies. The Recovery Plan outlines the following:

- the roles and responsibilities of the SCTs,
- the process by which recovery populations are identified, nominated, and designated,
- how habitats are identified and targeted for conservation,
- the kind of strategies needed to advance the recovery of the Preble's mouse in the Fountain HUC, and
- habitat restoration and monitoring.

The Preble's mouse Recovery Team and the FWS will take the lead in developing an Implementation Guide to the Preble's mouse Recovery Plan (Implementation Guide).

Within the Recovery Plan, SCTs are envisaged to help guide and implement the Recovery Plan at the local level, although ultimate authority remains with the FWS. SCT members are meant to be drawn from a wide range of stakeholders including federal, state, and local agencies, as well as private individuals and organizations, including local landowners and irrigation ditch owners. SCTs may work with more than one designated recovery population, and could be closely tied to existing groups already conducting conservation and mitigation projects.

The FWS liaison is an employee or partner of the FWS whose duties include:

- Initiating SCT membership recruitment and distributing initial meeting invitations
- Serving as SCT chairperson until chairperson elections are held
- Serving as the SCT designee to the Recovery Team
- Assisting SCT chairpersons with their duties as needed
- Participating in SCT meetings, data gathering, and other functions as needed
- Maintaining administrative records of SCT communications, actions, and results
- Keeping FWS managers and Recovery Team members aware of SCT activities
- Facilitating communications between the SCT, FWS, and Recovery Team
- Assisting with the organization of media involvement within the SCT

Monument Creek SCT Specific Purpose

Activities undertaken by the Monument Creek SCT will be consistent with the Recovery Plan and further refined as needed within the Implementation Guide when it is completed.

The Monument Creek SCT will identify and secure partnerships that would support Preble's mouse recovery goals and objectives in the watershed. Partnerships promoted by the Monument Creek SCT will encourage continued involvement in recovery efforts, and cooperative management will be fostered wherever possible. Although the Monument Creek SCT is not responsible for securing funding for its efforts, it will identify and prioritize objectives and recommend them to the FWS, Recovery Team, and potential partners.

Membership

Input, review, and recommendations from diverse stakeholders are important for the development, review, and efficiency of the species recovery process. The Preble's mouse Recovery Plan encourages all aspects of local involvement, particularly by those entities that own or manage lands and ditches upon which Preble's mouse populations may exist. These entities may include state wildlife and natural resource agencies, state land boards, county and city open space programs, public water boards, water conservation districts, private landowners, as well as non-governmental organizations, other elements of federal, tribal, state, county, and local governments, and other interested parties.

Monument Creek SCT members are expected to:

- Provide feedback at SCT meetings consistent with their agency's or organization's positions, or for unaffiliated members, their own best professional judgement or their community's viewpoint, on issues relevant to the Preble's mouse, its habitat, and the watershed.
- Actively commit to the goals of the SCT and recovery of the species, and contribute to implementing recovery actions.
- Disseminate accurate information, as appropriate, concerning the Preble's mouse, its status, and the SCT's activities to members of the community and relevant agencies and organizations.
- Participate consistently and constructively in SCT meetings and activities.
- When necessary, vote on the internal operational processes of the SCT. In voting situations, each member organization will be represented by a single vote even if they have more than one person serving on the SCT.

As conditions of Monument Creek SCT membership, participants shall agree to:

- Conduct their SCT business in accordance with the Recovery Plan's goals focused primarily on the Monument Creek watershed.

- Follow the conditions of these Terms of Reference.
- Treat with strict confidentiality any documentation or other information relevant to private property and property rights, or other information identified as confidential. The FWS “owns” and manages the SCT’s records, which are subject to inquiries through the federal Freedom of Information Act (FOIA) and state Colorado Open Records Act (CORA). SCT members will be notified when any incoming FOIA or CORA inquiries are received.

For the protection of SCT members and in the best interest of Preble’s mouse recovery, members should be mindful of actions that are inappropriate for the team such as:

- Representing themselves as speaking for the FWS.
- Distributing draft plans or other internal documents beyond the SCT and Recovery Team.
- Acting through the news media, conservation organizations, state or federal legislatures, or other parties to influence decisions unless it is done as a matter of official governmental duties.
- Interjecting themselves in litigation or regulatory actions unless it is done as a matter of official governmental duties.
- Contacting parties who may be adversely affecting the species about regulatory requirements or conservation needs; this is the responsibility of the Secretary of the Interior, or other federal or state agencies, as appropriate. The SCT’s members should; however, bring such actions to the attention of the FWS liaison.

For the purposes of the Monument Creek SCT, a stakeholder is defined as a person or organization with an interest or concern in the Preble’s mouse’s recovery or the Monument Creek watershed. An SCT member is defined as a stakeholder that both represents a distinct group, organization or agency, or themselves as an individual, and participates in SCT activities such as issue discussions, habitat evaluations, voting, etc. Some large organizations with distinctly different branches may assign a second voting SCT member to represent those differences.

There will be no required minimum number of members for the Monument Creek SCT, but efforts will be made to ensure a broad membership provides appropriate representation of the watershed’s stakeholders. The team’s maximum membership size will be limited to 20 persons whether as individuals representing stakeholder groups, organizations, or agencies within the community, although the SCT may increase the number as needed. One member from each agency, organization, or community interest group may serve as a voting representative on the SCT. A single pre-designated alternate may represent an agency, group, or other entity when the regular member cannot participate in a meeting or other function. Additional associates of participating agencies, communities, and organizations may take part in SCT meetings and functions in a nonvoting capacity. In casting decision ballots, each member community interest group, organization, or agency will be represented by a single vote even if the community interest group, organization, or agency has more than one person serving on the SCT. Membership is targeted among those persons, communities, organizations, and agencies who share interests and concerns regarding the Preble’s mouse or the Monument Creek watershed.

The SCT may designate any one of its members to also serve as a non-voting member of the Recovery Team. The FWS liaison serves as the designee unless the SCT votes on an appointment.

SCT chairperson elections are held every two years. Any SCT member may serve as chairperson or as an optional co-chairperson, and they may be reelected. It is the responsibility of the SCT chairpersons to

facilitate open and constructive discussion of ideas and information within the team, and with other partners.

Members may resign from the SCT as they wish but would be encouraged to first find a qualified replacement member that would represent their interest category or another interest category that is not represented on the SCT at that time.

The SCT will identify individual members or sub-groups to work on specific action items or develop work products as needed, including results reports.

Expenses incurred by SCT members in the performance of their membership roles are the responsibility of each member or the agency, organization, or community they represent.

Membership Roster

The membership roster is updated periodically.

Operating Procedures

Decisions

The Monument Creek SCT will strive to reach consensus on decisions relating to operating procedures, work products, and recommendations. SCT members should remain engaged in deliberations in order to hear the full discussions and make informed recommendations based on team consensus when final decisions are to be made.

Whenever possible, SCT decisions will be made through a consensus approach, such that no strident opposition is raised on a substantial matter. Concerns shall be addressed and resolved by the whole group. However, a consensus may not always be possible among a diverse group. In those cases, SCT members may be asked to vote to resolve a decision impasse, in which case a two-thirds majority rule approach will be used. Meeting minutes will record the extent and level of disagreement, and efforts shall be made to address issues to resolve disagreement or lack of support. Depending on the nature of the issue, FWS will make final determinations on impacts to ESA listed species, related regulatory concerns, and the duration of the SCT's service. In casting decision ballots, each member community interest group, organization or agency will be represented by a single vote even if the community interest group, organization or agency has more than one person serving on the SCT. For majority votes, a quorum is necessary for either in-person or email voting. A quorum will be defined as half the number of actively participating member groups, organizations and agencies, plus one. Active participation is defined by such measures as attending at least half of team meetings and field activities, regularly reviewing and commenting on documents, or otherwise reliably contributing to the progress of the SCT.

Meetings

Active participation is expected from each SCT member or their alternate. The meeting host will be notified in advance of non-members interested in attending SCT meetings. Decision-making will be the responsibility of SCT members. Non-members may attend meetings and can contribute to team discussions and activities. However, if confidential matters are discussed, the SCT will proceed under executive session.

The SCT will meet regularly, approximately once every other month, with the following meeting scheduled shortly after each meeting. Meetings may be skipped when not needed or rescheduled when insufficient participation is anticipated.

Under normal circumstances, most SCT meetings would be held in-person; however, conference and video calls will be used when necessary. To the extent possible, in-person meeting locations will be held at a central location within El Paso County (to be determined individually for each meeting) as recommended and agreed to by team members. Occasionally, other locations may be chosen depending on requests from some team members including on-site field visits.

Most SCT meetings will be facilitated by the SCT chairpersons. Meetings may be hosted or co-hosted by any team member on a voluntary basis, rotated between team member offices.

The SCT chairpersons or other meeting host representative(s) will be responsible for the following:

- Distributing the meeting agenda to each team member at least one week in advance of each scheduled meeting, with any guest host/facilitator identified.
- Distributing the meeting call-in information, facility location and parking details, travel directions, and other relevant information along with the agenda.
- Coordinating meeting facilities and audio-visual resources needed by the team.
- Recording rollcall results or processing sign-in sheets for participants.
- Facilitating the meeting, as appropriate.
- Sharing handouts or presentations, hosting guest speakers, or leading field trips as appropriate to the agenda.
- Coordinating logistics for any planned field trips or site visits in conjunction with the scheduled SCT meeting or not.
- Facilitating development of draft agenda items for the next meeting and distributing them to team members.
- Designating a note taker for each meeting. If needed, the chairperson or most recent note taker has the authority to select the next note taker by whatever means they choose.

Meeting Notes

Maintaining complete and accurate records of SCT business is critically important to the team's success. In securing internal ownership of this responsibility, note taking duties will be rotated among team members.

- At each meeting a note taker will be identified for the next meeting.
- Meeting notes will be captured as summary information only.
- Participant input will be specifically attributed individual members unless they request otherwise.
- Action items will document the committed individuals and timeframes.
- Team commitments and action items will be reiterated at the beginning or end of the meeting notes.
- The recorder and/or host agency representative will electronically mail draft meeting notes for comments and suggestions within one week following the meeting.
- Meeting notes or work products will not be finalized until the following meeting, although the note keeper may accept comments and make preliminary revisions any time prior to the next meeting.

- Meeting notes should not be shared outside of the SCT agencies and organizations until finalized, and would include only the information that is not protected by confidentiality agreed to by team members.
- The note taker will follow-through with appropriate distribution of the finalized meeting notes to the SCT members.

Communications

Electronic mail is the preferred distribution method for meeting notes and other materials to SCT members. A file hosting and synchronization service may be used as well, such as SharePoint, Google Drive or Microsoft OneDrive. Working documents will be distributed in MS Suite program files: Word, PowerPoint, Excel, etc. Finalized documents will be recorded in Adobe Portable Document Format (PDF). If there is to be any communication to the public, it will be coordinated between the SCT members unless agreement by the team shows that it is for separate agency, organizational, or individual use and not pertinent to the team. These opportunities are important for recognizing the accomplishments and participation by the agencies, organizations, and individuals involved. If media involvement is prompted, the SCT chairpersons and FWS liaison, with guidance from FWS media communications officers, will organize media involvement within the team, and team members will coordinate efforts within their specific agency, organization, or community.

Goals and Objectives for the Monument Creek SCT

Goal 1. Evaluate the potential for a Designated Medium Recovery Population within the Fountain HUC.

- Objective 1a: Identify potential Preble's mouse habitat within the Monument Creek watershed within one year.
- Objective 1b: Gather the best scientific Preble's mouse population and habitat information relevant to the Monument Creek watershed, and determine which connected areas would be suitable for inclusion within a Medium Recovery Population, potentially incorporating areas of the watershed that are not federally designated critical habitat.

Goal 2. Successfully propose a Preble's mouse Medium Recovery Population in the Fountain HUC to FWS, thus allowing the monitoring of the Designated Recovery Population to move forward.

- Objective 2a: Write and submit a designation nomination for a Medium Recovery Population in the Fountain HUC consistent with the subspecies' recovery Implementation Guide.

Goal 3. Draft for public input site-specific Conservation Plans that advance the recovery of the Preble's mouse Recovery Population within the Fountain HUC consistent with the subspecies' Recovery Plan and recovery Implementation Guide. Example actions include, but are not limited to, protect and conserve existing habitat, restore riparian systems, and ensure habitat connectivity is maintained and restored.

- Objective 3a. Develop adaptive, site-specific Conservation Plans for threat reduction and habitat restoration for the Medium Recovery Population within the Fountain HUC. Monitoring results will be used to evaluate and modify the Conservation Plans using adaptive management. Conservation Plans will describe the following:
 - Identified threats and impacts to Preble's mice and their habitat;

- how the threats and impacts could be best mitigated;
- how to prioritize where and when threat abatement projects should be applied;
- define standards and procedures for avoiding, minimizing, and mitigating threats and impacts based on accepted science-based best management practices.

Conservation Plans will define standards and procedures based on accepted science-based riparian and upland restoration guidelines for conducting restoration of riparian and upland conditions, habitat connectivity, and hydrologic integrity.

- Objective 3b: Work with land management agencies, landowners, and ditch owners/companies to help identify and implement needed habitat protections and restoration efforts for the Medium Recovery Population within the Fountain HUC through the Conservation Plans. The SCT will attempt to keep resource and landownership data up to date.

Goal 4. Monitor the Preble's mouse populations and habitat within the to-be-designated Fountain HUC Designated Recovery Population. [Maintain stable (as defined in the Recovery Plan) or increasing population trends for at least ten years. Maintain suitable Preble's mouse habitat along approximately 11 miles of stream for at least ten years without anticipating negative impacts for the foreseeable future.]

- Objective 4a: Within two years of establishing the Fountain HUC Designated Recovery Population, identify, map, rank, and monitor Preble's mouse habitat in the Monument Creek watershed, including areas that could be improved for the Preble's mouse through restoration, enhancement, and greater connectivity.
- Objective 4b: Within two years of the recovery population's identification, help design and implement a monitoring program for tracking Preble's mouse population sizes and trends within the Fountain HUC Medium Recovery Population delineated according to the subspecies' Population Monitoring Methodology established under the recovery Implementation Guide. (The monitoring methodology will be completed by the Recovery Team in 2021, and updated as new scientific information and techniques become available.)
- Objective 4c: Within three years of the SCT's establishment, determine which habitat areas in the to-be-designated Fountain HUC Designated Recovery Population need to be conserved to meet Preble's mouse recovery goals for a Medium Recovery Population.
- Objective 4d: Support the FWS's implementation of site-specific Preble's mouse and habitat Conservation Plans within the Fountain HUC Designated Recovery Population. Such actions may include federal, state, and/or local tax incentives which could affect private property values.
- Objective 4e: Work with land management agencies and other partners to identify and help implement habitat restoration monitoring efforts for the Fountain HUC Designated Recovery Population as part of the Conservation Plan that defines standards and procedures based on accepted riparian and upland restoration monitoring results guidelines.
- Objective 4f: Develop specific products (such as resource reports, maps, action plans, etc.) that would be used to achieve the Medium Recovery Population goals in the Monument Creek watershed, along with SCT priorities and workloads, and complete progress reports toward

strategy implementation. Documentation could be reviewed every six months by the FWS and SCT.