

Keith Wolf, Past President, North Pacific International Chapter, American Fisheries Society

April 5, 2006

Mr. Brian Lipscome,
Executive Director, Columbia Basin Fish and Wildlife Authority.
851 SW Sixth Avenue, Suite 260
Pacific First Building
Portland, Oregon 97204

Dear Brian,

It is with regret that I write today, after nearly a year of attempting to resolve the issue regarding honorariums for the independent reviewers of the 2004 Biological Opinion for operation of the Federal Columbia River Power System (FCRPS). However, since no resolution has been reached after all our cordial efforts, I am left with no alternative but to elevate this to CBFWA members. I must also make you aware that Dr. Jeff Fisher, Chair of the Independent Review Group, has also prepared a detailed letter that will be sent to you and to Ernest Stensgar outlining the group's regrets and understandable grievances regarding payment of the honoraria.

Background.

In November of 2004, CBFWA staff approached AFS at the Annual American Fisheries Society Chapter meeting at Skamania Lodge. CBFWA staff asked if the American Fisheries Society (AFS) would assist the region in conducting an independent review of the 2004 FCRPS Section 7 Biological Opinion. In the past, AFS has provided the region with valuable service in this regard for the draft USFWS Draft Bull Trout Recovery Plan and the Forests and Fish Plan. AFS officers indicated that we would bring this before the Chapter and Division Executive Committees for consideration.

Following the CBFWA request, I was invited to join the BiOp litigants "strategy group." This, in order to establish what resources would be necessary for securing in basin and out-of-basin experts as independent reviewers. The first issue we as a strategy group was to determine what level of resources would be necessary to get independent reviewers in place during the holiday season and under a very short review timeline. With regard to this task, I provided the group with several examples of the financial requirements from the USFWS and Forests and Fish effort for context and to establish a baseline budget. The estimate was ~\$32,000.00 to provide supplies, conference calls and to provide nominal honoraria for the reviewers. The budget request was the first and foremost issue initiating the review process. The strategy group was provided with detailed budget

examples and itemized spreadsheet amounts, which they accepted, without dissent or question and with clear intentions to honor this need.

I was also asked to assist the group to establish a set of clear science questions. It was then decided by the group to approach The Affiliated Tribes of the Northwest Indians and request a formal letter requesting the review. This resulted in an ATNI resolution and a letter to Ms. Lynn Starnes, President of the American Fisheries Society, Western Division outlining the questions to be considered, timelines and process.

Our final task was to ask two designated strategy group member to work with the appropriate fish and wildlife managers in making the request formally to AFS. It was here that the budget details failed to be incorporated into the ATNI resolution. We viewed this as a matter of format, as many ATNI resolutions do not outline budget details; those are often left to supporting documentation which was provided to the strategy group representatives appointed to work with ATNI.

Conclusion:

The review committee began review of the 900-page BiOp and Appendices. In March of 2005, the group delivered a draft report to the strategy group. The strategy group then asked for additional detail, which the group provided in its final report in May. This report provided scientific review and illuminated many critical shortcomings, including weak assumptions, improper use of data and/or selective use of data, lack of clear documentation of uncertainties, and a general breach of contemporary scientific precepts and accepted professional methods. In his finding and eventual Remand, Judge Redden referred to each of these issues; issues consistent with the AFS review.

Therefore, I must now ask for an expedited and complete resolution of this matter. I ask that this issue be resolved in a fashion which should include remittance to the review group, preferably within 60 days, for the \$16,000 invoice submitted over seven months ago. Notably, this amount is less than half of the estimated budget provided to the strategy group and much less than the previous AFS reviews for the region. I also ask that a letter acknowledging the expert and consummate contribution of this group be provided and that the appropriate recognition of their exceptional efforts and contribution to stewardship of the fish and aquatic resource be memorialized.

Respectfully,

~ **Keith Wolf**

Keith Wolf, Past President
American Fisheries Society, North Pacific International Chapter

cc: Dr. Jeff Fisher, Chair of the review group and Environmental Concerns
Committee of WDAFS
Joe Magrath, President, Western Division, American Fisheries Society
Individual members of the Independent Review Group