



# COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

851 SW Sixth Avenue, Suite 300 | Pacific First Building | Portland, OR 97204-1339  
Phone: 503-229-0191 | Fax: 503-229-0443 | Website: [www.cbfgwa.org](http://www.cbfgwa.org)

Final

Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

The Authority is comprised of the following tribes and fish and wildlife agencies:

Burns Paiute Tribe

Coeur d'Alene Tribe

Confederated Salish and Kootenai Tribes of the Flathead Reservation

Confederated Tribes of the Colville Reservation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs Reservation

Confederated Tribes and Bands of the Yakama Nation

Idaho Department of Fish and Game

Kootenai Tribe of Idaho

Montana Fish, Wildlife & Parks

National Marine Fisheries Service

Nez Perce Tribe

Oregon Department of Fish and Wildlife

Shoshone-Bannock Tribes of Fort Hall

Shoshone-Paiute Tribes of Duck Valley

U.S. Fish & Wildlife Service

Washington Department of Fish and Wildlife

## Coordinating Agencies

Columbia River Inter-Tribal Fish Commission

Upper Columbia United Tribes

Compact of the Upper Snake River Tribes

DATE: April 17, 2008  
TO: Members Advisory Group (MAG)  
FROM: Brian Lipscomb, Executive Director, CBFWA  
SUBJECT: Final Action Notes for the April 8, 2008 MAG Meeting

## Members Advisory Group (MAG) Meeting Tuesday, April 8, 2008 via WebEx

Support material is posted on the MAG webpage at: [http://www.cbfgwa.org/committee\\_mag.cfm](http://www.cbfgwa.org/committee_mag.cfm)

### Final Action Notes

**Attendees:** Brian Lipscomb, Jann Eckman, Kathie Titzler, Tom Iverson, Neil Ward, Dave Ward, Binh Quan, Pat Burgess, CBFWA

**By Phone:** Brian Marotz, MFWP; Brad Houslet, CTWS; Dave Statler, NPT; Nate Pamplin, WDFW; Tom Rien, ODFW; Mark Bagdovitz, USFWS

**Time Allocation:**

Objective 1. Committee Participation	100%
Objective 2. Technical Review	%
Objective 3. Presentation	%

### **ITEM 1: Introductions and Approve Agenda**

Brian Marotz, MFWP, chaired the first half of the meeting, Brad Houslet, CTWS, chaired the second half.

**Action:** The agenda was approved with a change to defer approval of the March 13<sup>th</sup> and March 18-19<sup>th</sup> draft action notes until the May 20<sup>th</sup> MAG meeting and one addition regarding consideration of comments to the NPCC on the amendment recommendations. No objections.

**Motion Discussion:** Dave Statler, NPT, asked that an agenda item be added regarding what could additionally be done to alert the public and to commemorate the transmittal of the consensus amendments. Brian Lipscomb suggested that Dave's request be covered under Item 3.

### **ITEM 2: Approve March 13, 2008 and March 18-19, 2008 MAG Meeting Draft Action Notes as Final**

Approval of the draft action notes from the March 13<sup>th</sup> and March 18-19<sup>th</sup> MAG meetings was deferred to the May 20<sup>th</sup> MAG meeting.

### **ITEM 3: Develop Northwest Power and Conservation Council (NPCC) Presentation for April 15-16<sup>th</sup> Meeting in Whitefish MT**

The MAG met today as directed by the Members instead of April 15<sup>th</sup> develop a presentation and coordinate its delivery for the April 15<sup>th</sup> NPCC meeting in Whitefish, MT. Brian Lipscomb led the discussion advising that CBFWA staff has prepared a draft presentation and press release for MAG review and comment.

**Draft Press Release:** Brian Lipscomb presented a press release announcing the submittal of the consensus recommendations. The MAG reviewed the press release and made significant edits within the meeting. View the press release as edited:

[http://www.cbfwa.org/Committees/MAG/meetings/2008\\_0408/AmendmentPressRelease2008\\_0408\\_MAGReviewDRAFTMAGedits.doc](http://www.cbfwa.org/Committees/MAG/meetings/2008_0408/AmendmentPressRelease2008_0408_MAGReviewDRAFTMAGedits.doc)

**Action:** The MAG approved the draft press release as edited by the MAG. The press release will not be distributed until the amendment recommendations are posted on the NPCC website. No objections.

**Draft Presentation for NPCC April 15-16<sup>th</sup> Meeting in Whitefish MT:** Brian Lipscomb advised that at the April NPCC meeting, the Council has allowed a brief amount of time (ten minutes) for individual presentations on amendment recommendation submittals. Several Members are on the schedule to provide presentations (i.e., WDFW, CSKT, MFWP, and SBT). Building on the conversations that have taken place over the last 15 months, the CBFWA presentation contains slides that have already been reviewed by the Council.

Upon reviewing the presentation, the MAG suggested several edits that Brian input directly into the presentation. Additional suggestions/comments provided by the MAG include:

- Dave Statler, NPT, suggested that in as effective manner as possible emphasize that these are the recommendations of the fish and wildlife managers submitted through CBFWA. Mark Bagdovitz, USFWS, suggested that the message be made verbally as opposed to creating an additional slide. Brian Lipscomb stated that he will edit his presentation comments to address Dave's request.
- Mark Bagdovitz stated the USFWS was in agreement with the language in Brian's comments that "16 of us provided these recommendations via a consensus decision, USFWS is still contemplating the entire package." Mark advised that the USFWS intends on providing a presentation to the Council on their recommendations via the telephone. Mark added that if anyone has questions about the USFWS position, he will respond verbally at that time.
- Nate Pamplin, WDFW, suggested an up front quick explanation of the structure of the recommendations (i.e., the recommendations are divided into five sections: Section 1 is the Introduction, Section 2 is basinwide provisions, etc.).
- Dave Statler asked Brian Lipscomb what the bottom line message would be relative to inputting fish and wildlife program amendment information into the rate case and if we are employing the Council to take an active role in this process. Brian responded that the takeaway message is that with these amendments to the Program, you have the basis to formulate an evaluation process to determine where we stand with current efforts, what additional work needs to be done to implement the Program, and what type of results we expect to achieve (i.e., biological response), and to size the Program from a budgetary standpoint to assure that the essential elements are being implemented. Brian added that this work will be done in conjunction with the fish and wildlife managers and this will be developed and implemented through Section 5.2 of the program amendment recommendations. Brian stated that he will strongly emphasize this point at the end of the presentation.

Brian Lipscomb advised that Chairman Peterman, MFWP, is not available to deliver this presentation at the April NPCC meeting and asked for suggestions of who would deliver the presentation and how the presentation should be delivered.

- Acting chairman Brad Houslet, CTWS, stated that if the CBFWA chair was not available, then Elmer Ward, CTWS, as Vice-chair, or the MAG chair, Brian Marotz, would be the appropriate person(s) to deliver the presentation.
- Mark Bagdovitz suggested that Elmer Ward, CTWS, introduce the recommendations, if he is available to attend, and provide a brief overview with Brian Lipscomb providing all the details.
- Nate Pamplin, WDFW, advised that Bill Tweit, WDFW, plans to attend and

could also participate in providing the presentation (i.e., answer questions, etc.). Dave Statler added that some of the policy representatives may not have as full command of the content as Brian L. so utilization of additional prompts or briefing sheets would be important.

- Brad Houslet, CTWS, advised that he will check with Elmer to find out if he is available to attend.

Brian Lipscomb will coordinate the delivery of the presentation with the entities that are planning to attend and are willing to participate. Brian stated that he will email the presentation out to the MAG for review after making final edits toward content and format.

**Action:** The MAG approved the presentation as edited and to include suggestions and comments discussed. No objections.

**Additional Discussion:** Suggestions for additional efforts toward recognition of the submittal of the amendment recommendations: Dave Statler suggested that there would be value in finding additional ways to communicate the significance of the message from the fish and wildlife managers that there is unity and consensus in the amendment recommendation submittal. Dave suggested that at some point during the comment period, after USFWS has made their comments and recommendations, CBFWA should think about an event to celebrate with the fish and wildlife managers.

Mark Bagdovitz added that he thought it would be worthwhile for Brian Lipscomb to consider reviewing the recommendation submittal with the BPA customer groups, BPA, and the sport fishing groups. Brian added that he has already started those conversations.

**ITEM 4: Discuss Draft Project Review and Solicitation Processes Currently Being Considered by the NPCC**

The Members provided direction in September for Brian Lipscomb and Tom Iverson to begin a process with NPCC and BPA staff to assist in developing a review and solicitation process that could implement the Program amendments.

At the March NPCC meeting in Boise, the NPCC staff requested that the Council approve the project solicitation process to begin in April. Brian Lipscomb advised that the Council deferred their decision until the April NPCC meeting in Whitefish MT. It is anticipated that this process will begin in May 2008.

Brian Lipscomb stated that CBFWA staff could use this opportunity to implement *Amendment 5.2 The Project Selection Process* with regard to wildlife at the programmatic scale in May. From that point, we can continue the conversation about how to develop and implement further programmatic review processes and solicitation processes for projects over the course of the next four to six weeks.

This will be on the MAG's May 20<sup>th</sup> agenda for discussion and recommended action to the Members to fully flesh out Amendment 5.2 by the June Members meeting.

Tom Iverson added there is an attachment posted on the NPCC website which is the latest product out of the staff workgroup:

<http://www.nwcouncil.org/news/2008/03/5.pdf>

Tom Iverson suggested that the Members individually, and as a group, ask for a consultation with NPCC. We might want to develop a strategy for engaging in this topic fairly quickly.

**BOG Process:** Tom Iverson stated that at next week's NPCC meeting, Council staff is requesting revisions to the BOG process. Tom advised that Council staff would like to redo some of the criteria for reviewing within year requests in the BOG process and basically give BPA some leeway to make budget modifications within 10% of the budget, not to exceed 75K to try and get some of the smaller

budget adjustment requests out of the NPCC decision making process.

Dave Statler, NPT, added that this 10% rule is on BPA's administrative operational books already, they are just not opting to implement it. It might be new discussion but it is not a new issue.

**Amendment Recommendation Comments Update:** Brian Lipscomb advised that the 60-day comment process will end June 12<sup>th</sup>. Brian advised that if CBFWA Members intend to provide comments collectively through CBFWA we would be looking at finalizing a decision by the June 4<sup>th</sup> Members Teleconference.

Brian stated that over the next couple weeks, CBFWA staff will review the other recommendations and provide an outline of comments to consider. Brian stated that staff will: 1) review BPA recommendations and other customer group recommendations to determine inconsistencies with what we have recommended and point out the justification if needed of the agencies' and Tribes' recommendations and, 2) look specifically at the agencies' and Tribes' individual recommendations, identify any inconsistencies and propose language to rectify any inconsistencies that may exist.

CBFWA Members may want to take this opportunity to clarify any current recommendations, for example, in talking with Neil Ward, CBFWA, the current Resident Fish Section 4 is 475 pages long. There may be opportunity to consolidate that down to less than half of those pages and convert it into the actual language for possible inclusion in the Program.

We could work out RM&E specifics and also use this opportunity to clarify what comes out of the project selection process and provide comments for inclusion into the Program.

Brian added that this is considerable work but CBFWA believes it can get done. Right now the next MAG meeting is scheduled for May 20<sup>th</sup>. We'll put it before the Members in May and if it appears that another MAG meeting will be required, we'll schedule it.

Mark Bagdovitz, USFWS, cautioned that the process of responding to the comments could be as difficult a task as what we just completed. Mark suggested that we consider what would be our most productive use of time and what we will be able to achieve consensus on regarding what has been filed.

Dave Statler, NPT, stated that on a positive note, one of the things we could think about doing either individually or collectively during the comment period is a constructive exercise of linking the more general CBFWA measures with the more detailed or explicit recommendations by the individual Member agencies and Tribes. Dave added that exercise would strengthen the utility and importance of both the CBFWA consensus recommendations as well as the individual recommendations.

**FYI &  
Upcoming  
Meetings:**

The next CBFWA Members Teleconference is scheduled for Wednesday, May 7, 2008, 1:00-4:00 p.m. via WebEx.

The next MAG meeting is scheduled for Tuesday, May 20, 2008, 9:00 a.m.–12:00 p.m. via WebEx.

The next NPCC Meeting is scheduled for April 15-16, 2008 in Whitefish, MT.