



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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Final

DATE: February 23, 2009
TO: Members Advisory Group (MAG)
FROM: Brian Lipscomb, CBFWA
SUBJECT: Final Action Notes for the February 17, 2009 MAG Teleconference

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

MAG Teleconference
Tuesday, February 17, 2009
CBFWA Office, Portland OR (via WebEx)
9:00 a.m. – 1:15 p.m. PST
Support material posted on the [MAG webpage](#).

Final Action Notes

Attendees: Brad Houslet, CTWS; Ronald Peters, Cd'AT; Lance Hebdon, IDFG; Elizabeth Gaar, NOAA Fisheries; Tom O'Neil, Northwest Habitat Institute; Doug Taki, SBT; Mark Bagdovitz, USFWS; Stephen Pastor, USFWS; Bill Tweit, WDFW; Brian Lipscomb, Jann Eckman, Tom Iverson, Ken MacDonald, Binh Quan, Kathie Titzler, Dave Ward, Neil Ward, Paul Ashley (HEP), Patricia Burgess, CBFWA

Phone/ WebEx: Lawrence Schwabe, BPT; Gene Shippentower, CTUIR; Alan Byrne, IDFG; Brian Marotz, MFWP; Jay Hesse, NPT; Tony Nigro, ODFW; Carol Perugini, SPT; John Tenney, PSMFC

Time Allocation:

Objective 1: Participation	100%
Objective 2: Technical Review	%
Objective 3: Presentation	%

ITEM 1: Introductions and Approve Agenda

Action: The MAG approved the draft agenda as presented. No objections.

ITEM 2: January 15, 2009 MAG Draft Action Notes

Action: The MAG approved the January 15, 2009 draft action notes as final. No objections.

ITEM 3: Washington Department of Fish and Wildlife (WDFW) and Nez Perce Tribe (NPT) Budget Increase Request

WDFW is requesting an additional 10K to cover their CBFWA and Northwest Power and Conservation Council (Council) coordination needs through the remainder of their contract period, and NPT is requesting a 5K add-on to the Nez Perce Tribe's FY 2008 CBFWA contract budget.

Discussion: The MAG held a lengthy discussion regarding the process of how budget increase requests are currently handled. Kathie explained that after the elimination of the reserve account for FY08, when a Member requests a budget increase each individual Member is requested to review their budget to determine if there are funds available for reallocation. The Member would then send an email to Kathie Titzler authorizing a budget modification reducing their contract by the amount of funding they anticipate they won't use. Ron Peters, Cd'AT, expressed concern about this process stating that these decisions should never be left up to CBFWA staff. Brian Lipscomb stated that CBFWA staff is not making the decisions but prior to the March 4th Members meeting he will review any budget requests that may have come through in FY08 to assess how they were processed. Brian explained that the funds not used by other Members are applied pending a Members motion to approve a budget modification to accommodate near 100% expenditure of the FY08 funds. If all of the funds requested are not established through this process, CBFWA staff would recommend to the Members how to distribute the funds but the Members make the final determination.

MAG members were asked to communicate to Kathie (Kathie.titzler@cbfwa.org) by COB, Thursday, February 26th, if they have funds they can reallocate to accommodate the WDFW

and NPT budget requests so she has time to prepare the information for the Members March 4th teleconference.

ITEM 4: Pacific States Marine Fisheries Commission (PSMFC) Proposed Changes to PTAGIS Database Update

Background: On December 29, 2008, a copy of a memo was circulated to the MAG from the PIT Tag Steering Committee (PTSC) regarding concerns about possible proposed changes to the PTAGIS database. On January 7th, Randy Fisher, PSMFC, communicated a response to that memo. FPAC requested a MAG discussion on this topic. Randy Fisher, PSMFC, was invited to this meeting to: 1) discuss the issue of proposed changes to PTAGIS, data management and coordination projects in general; 2) get his perspective relative to oversight of those projects; and, 3) how to move them forward for review in the context of an M&E plan.

Discussion: Randy Fisher was not available to attend the meeting; however, John Tenney, PSMFC, attended on his behalf. John communicated that Randy initiated a review of the system because he had some concerns about the PTAGIS project. Randy met with every staff member multiple times and brought in two IT consultants to review the project. It was during the review process that the PTSC memo was sent out. Once the review/audit was completed, Randy met with the PTSC and advised that overall the system is working and meeting project objectives and that he was impressed with the PTAGIS Kennewick staff (they keep the field systems up and running), but he communicated some concerns that the IT consultants had about the database system, and a new project that is behind schedule called M-4 that will replace a lot of the interrogation software systems out in the field; however, the biggest concern is with the PTAGIS server system. For the past 10-15 years, there's been a contractor working on it and Randy wants to bring that knowledge in-house. If the contractor ever left the project, they would have a difficult time maintaining the system.

John said it appears that the PTSC members were misinformed that a decision had already been made to move to a new database server and architecture. To date, no decisions have been made on which technology to use. John added that the program manager is the person who would usually convey this information to the PTSC; however, that position is currently vacant and Randy has assumed those duties. John stated that from his perspective, he anticipates better communication to the PTSC and to CBFWA Members. John added that if there is something additional that they need to do he would be happy to recommend that to Randy.

John advised that on February 24th, a meeting is planned with Randy and the PTSC in which the consultants will provide a road map regarding upgrading the server system and bringing the server systems and knowledge base in-house.

After considerable discussion, the MAG members summarized the following concerns: 1) the PTAGIS system must meet the needs of the Members both from an input/output perspective and as John communicated, Randy is working with the PTSC to that end; however, the MAG needs to hear that from the PTSC as well and, 2) if changes are being contemplated, what costs are associated with the changes, and if there are alternatives that can be presented for consideration. The latter prompts a Members conversation with Randy. Brian Lipscomb will schedule a discussion and report from the PTSC to the MAG and will continue to work with Randy to have the broader conversation about contract costs with the Members (anticipated for the April Members teleconference).

ITEM 5: Northwest Power and Conservation Council (Council) Program Amendment Process Update

Discussion: Brian Lipscomb advised that the Council approved the amended Program on Tuesday, February 10th and provided CBFWA staff with a preliminary copy by COB Thursday, February 12th. Brian added that Joe Mentor has not, to date, provided information regarding an appeal process, should the Members wish to challenge the Program, but it is anticipated for Joe to provide that information at an upcoming Members meeting. Concern was expressed by the MAG about when the clock for the appeal process begins stating that it would be helpful for Joe to at least confirm when the process actually starts.

Tom Iverson provided some feedback on the amended Program, prefacing his comments as an initial “quick glance” review. Highlights of Tom’s review:

- 1) Defining Fish and Wildlife Managers role: requested language from the Act was not included but reference is made to soliciting measures from the Fish and Wildlife Managers and including the Managers in several aspects of the Program.
- 2) Explicit adaptive management architecture: the description has improved but it does not lay out the explicit model showing the linkage between strategies, actions, limiting factors, and objectives.
- 3) Providing detail in the adaptive management process (i.e., quantified losses, biological objectives, explicit strategies and measures to develop multi-year work plans): a process is included but our objectives are not included. They made it clear that the basinwide objectives are still in the Program and identified a process to revisit that (to be initiated in the next year). It appears that in response to our recommendations they describe a process for updating subbasin management plans over the course of the next year thereby speeding up their own time table (from 3 years) but they’re also clear about creating multi-year action plans (MYAP) to feed into the updated subbasin plans. They state that they expect to get the action plans initiated fairly quickly and recommend not updating subbasin management plans until action plans are completed.
- 4) Basinwide monitoring and reporting measures: they include some general language about M&E and less of a reference to the process. Within the appendix, there is language stating “The recommendation submitted collectively from the Columbia Basin Fish and Wildlife Authority (Authority) is also listed as a source of measures, but only to the extent the Authority’s recommendation provides *specific* actions to consider for implementation from agencies or tribes that are not contained in or in conflict with the recommendations from individual agencies or tribes. Not incorporated here are the more generally stated measures in the Authority’s recommendation that are akin to the subbasin plan strategies. Nor does this include the general provisions in the Authority’s recommendation that relate to the basinwide objectives and strategies, which have been considered and addressed in the amendments to the basinwide provisions.” Tom surmised that to say that they did not include our basinwide measures for M&E.
- 5) Fish Passage Center (FPC): It appears that they cleaned up the language and clarified that the FPC manager will be supervised and evaluated by the contracting entity. They added something new with regard to the ISAB developing peer review criteria for FPC analyses.
- 6) Wildlife: They added the criteria for long term agreements and the principles for the wildlife crediting committee.
- 7) It doesn’t appear that the coordination governance issues were addressed.

The RFAC, AFAC, and WAC will review the Program and provide assessments to the MAG by the March 17th meeting, if complete review by all committees is possible by that date.

ITEM 6: Update on Bonneville Power Administration (BPA) and Council Response to the CBFWA Workplan and the inclusion of the Fish and Wildlife Agencies and Tribes in the Development of a Coordinated Basin-wide Monitoring and Evaluation (M&E) Program

Referencing the [Letter & Attachment from CBFWA to BPA/Council Re: CBFWA FY09 SOW](#), Brian Lipscomb advised that CBFWA received immediate feedback from Greg Delwiche and Tony Grover with questions about how our request could potentially accommodate the Upper Columbia United Tribes (UCUT) request as well. CBFWA staff explained that a good portion of the CBFWA contract was funded out of coordination funds, as it has traditionally provided the work elements under coordination, but there is a significant portion of our proposal that is M&E related and that the M&E part of the mainstem systemwide budget would accommodate the coordination needed to develop the work items.

Brian Lipscomb reviewed the process to date:

On January 28th, Brian Lipscomb and Ken MacDonald discussed the proposal in detail, focusing on the M&E development, with Tony Grover and Greg Delwiche and how the RM&E Review, MYAP, SBMP updates, and BiOp RM&E processes need to be

synchronized and informed with appropriate agency and Tribe participation.

During this discussion three ongoing RM&E processes were identified that need to be synchronized to inform the development of a comprehensive M&E framework: 1) action agencies, NOAA, BPA, Council, BiOp RM&E development to meet the BiOp RPA needs; 2) the Council's Categorical Review for RM&E; and 3) a focused NOAA, BPA, WDFW, Council process which has developed a draft population monitoring table for the Methow and preliminary draft population monitoring tables for the remaining anadromous basins.

At the February teleconference, the Members assigned the M&E advisory committee to verify, at their first meeting scheduled for February 24th, the draft summary tables by population and MPG that summarize the adequacy of the quantity and quality of population monitoring.

On February 13th, CBFWA staff met with the Council, BPA, NOAA, and CRITFC to develop a timeline and proposal to synchronize the multiple processes now proceeding toward an M&E framework and build in appropriate agency and Tribe participation.

CBFWA staff is scheduled to meet with the Council, BPA, NOAA, and CRITFC on February 20th, for a policy level discussion to seek agreement on a path forward.

With regard to concerns about the Council continuing with the RM&E categorical review while this is still being worked out, Brian Lipscomb stated that if everything shapes up in the meeting on Friday, February 20th, and the subsequent presentation of the work plan to the Members and the Council, he anticipates that the Council staff would need to ask the Council members to adjust their review schedule so that our work plan and deliverables are synchronized with their review schedule. If they don't do that then formal communication and recommendation by CBFWA Members to the Council and to BPA would be appropriate.

Brian advised that feedback has already been provided for inclusion in the meeting on Friday, February 20th. CBFWA staff will brief the Members on March 4th on the current status and timelines.

Brian encouraged the MAG to make assignments for participation in the newly formed M&E advisory committee. CBFWA staff received indications of participation from the NPT and from WDFW. In absence of adequate assignments, CBFWA staff will continue to correspond with all MAG members.

Brian Lipscomb advised that WDFW suggested that CBFWA adopt a charter to formalize the M&E advisory committee.

Action: The MAG moved to develop a charter for the M&E advisory committee. No objections.

Motion Discussion: Elizabeth Gaar, NOAA, requested background information. Brian Lipscomb offered that development of a charter came about by suggestion by WDFW. Chartering the subcommittee is anticipating the subcommittee to have a longer term nature and it is very appropriate that CBFWA Members make a statement that the Members are to be a part of the RM&E conversations. The charter provides a mechanism or forum for committee members to address the M&E questions and provide recommendations back to the Members. The charter will be developed through the M&E committee and then it will come back to the MAG for review and discussion before going before the Members for final approval.

Tony Nigro, ODFW, added that part of the charge of the other subcommittees is to develop the RM&E pieces of the Program and thought needs to be given toward what will remain with the other committees if you take RM&E off their plates and how the M&E advisory committee would compliment the other committees.

ITEM 7: Habitat Evaluation Procedures (HEP) Project Budget Request

Background: The Habitat Evaluation Procedure (HEP) is the accounting tool used to track the acquisition and development of Habitat Units to offset the losses identified in the Council Fish and Wildlife Program. These Habitat Units are the unit of measurement for the ledger recommended by the agencies and Tribes for inclusion in the Program and subject to verification by the Wildlife Crediting Forum. An increase in the HEP budget and contract is necessary to complete evaluations across the basin so that the Wildlife Crediting Forum will

have the necessary information to build a crediting ledger for the Program as proposed in the CBFWA wildlife amendment recommendations.

At the January 15th MAG meeting, Ken MacDonald presented alternate HEP funding scenarios for MAG consideration, as requested by Paul Ashley, Regional HEP Coordinator. The MAG requested that Ken MacDonald and Paul Ashley provide a presentation at the February meeting inclusive of a briefing on the history of HEP, current contract levels, the reasoning behind the requests, and a description of what the alternatives will provide.

Discussion: Paul Ashley provided a presentation [Wildlife Habitat Evaluation Procedure \(HEP\) Status](#) containing the information requested by the MAG and reviewed four funding alternatives and consequences as detailed in the presentation.

Alternative 1: Status quo (\$287,000)

Alternative 2: Hire second temporary technician and NHI contract
(287,000+79,429=\$366,429)

Alternative 3: Hire full-time professional assistant, contract with NHI for CHAP in Willamette (287,000+103,207=\$390,207)

Alternative 4: Alternative 3 plus additional temporary field technician
(287,000+115,729=\$402,729)

Action: The MAG moved to recommend that the Members approve HEP budget alternative #4 for submission to the BOG. No objections.

Motion Discussion: The BOG request will be submitted to be timely with the March BOG meeting; however, in the event that the Members object to the MAG's recommendation, the BOG request will be pulled.

ITEM 8: Status of the Resource (SOTR) Feedback and Adjustments

Background: On February 3, 2009, the Council provided extensive comments on the draft SOTR. On February 5, 2009, the draft SOTR and summary of comments to date was presented to the Federal Caucus, and on February 10, 2009, a presentation of the draft SOTR was provided to the Council.

Discussion: Brian Lipscomb referenced the [Letter from B. Booth to B. Lipscomb RE: Council Comments on Draft SOTR](#) stating that most, if not all, of the Council's comments can be accommodated. As CBFWA staff integrates the comments into the draft, they will bring it back to the MAG at the March 17th teleconference.

ITEM 9: MAG/Technical Committee Assignments from January 21-22 Members Meeting

Background: At the January meeting, the Members assigned the MAG to work with the AFAC to 1) identify how the 5M fish goal was established; 2) summarize how current population objectives have been established; and 3) develop consistent criteria for establishing population goals (broad sense recovery that account for viability of ESA listed fish).

The Members assigned the FSOC to work with the MAG to develop strategies to maximize likelihood of full and continued funding. Dave Ward will provide estimates of full annual funding for O&M of existing screens and installation of new/replacement screens.

Discussion: Dave Ward advised that included in the support material is a [Memo to MAG from FSOC RE: Mitchell Act Funding Needs for Fish Screens](#) for MAG review. Bill Tweit, WDFW, quickly reviewed the memo and asked if the FSOC could expand the information in the table (estimates of full annual funding needs). Brian Lipscomb stated that he will work with Dave Ward and the FSOC to work toward a more comprehensive and strategic approach for pursuing funds by the Members but something that can also be presented to the Council (i.e., capture the Program portion, understand how FRIMA and the state portion plays into this).

Dave Ward advised that the AFAC assignment results to-date was prepared for discussion but is not ready for public distribution so it was not posted. Due to meeting time constraints, follow-up on the assignments will be discussed at the March MAG teleconference, or sooner electronically.

Elizabeth Gaar, NOAA, referenced some work that she and some colleagues have done

recently regarding the Stimulus package. Liz stated that the process has teed up some important aspects to consider when seeking funds and evaluating shortfalls. While the process is not yet known (i.e., whether a competitive bid process would be used or a process based on priorities), there is a possibility that we will have some money coming into the region. The state of Oregon recently held a “fire drill” to identify projects and they put some of what they thought would be short fall out of Mitchell Act into a priority projects list. Some of the criteria used for prioritizing include if jobs are being lost, or are jobs being made or retained with O&M, or in building new facilities, etc. You all may want to think more along those lines of getting estimates of jobs and readiness (i.e., is the feasibility work done, permitting, etc). We may all want to start thinking more about marketing priorities and funding needs. Dave Ward referenced the memo that FSOC prepared for the MAG in October 2008, in which a lot of that type of information was included. See FSOC memo: [Reduction or elimination of Mitchell Act Funding for Fish Screens \(10/31/08\)](#).

Liz shared how difficult it was to respond with priorities for funding within a 48 hour turnaround. To have that coordinated across managers and federal agencies should be simple but it is quite difficult. Liz stated that she believes that as we look forward to these action plans we need to think of being ready to respond on our feet to some of these urgent requests and to consider and articulate the most important things that have been done in the last couple years.

ITEM 10: MAG 2009 Meeting Schedule and Logistics

Brian Lipscomb reviewed the background information contained within the document prepared by CBFWA staff [MAG 2009 Meeting Schedule and Logistics](#). Brian Lipscomb and Chairman Houslet will work together to create a meeting schedule to accommodate the work anticipated over the next year and Chairman Houslet will bring that back to the MAG. The March MAG meeting will be held on March 17th as scheduled and as the agenda shapes up, Chairman Houslet and CBFWA staff will communicate whether a face-face meeting will be encouraged or if the group will meet via WebEx.

Upcoming Meetings:

Members March Meeting, Wed, March 4, 2009, 1-4pm (via WebEx)

MAG March Meeting, Tues, March 17, 2009, 9am-12pm

Council March Meeting, March 10-12, 2009, Boise, ID

Meeting Adjourned.