

Draft Fish Passage Advisory Committee Charter

November 9, 2005

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I. Authorization

The Fish Passage Advisory Committee (FPAC) is established pursuant to Section 502 of the Columbia Basin Fish and Wildlife Authority (Authority) Charter, dated August 29, 2005. This charter was adopted by the committee on ____ and approved by the Authority Members on ____.

II. Purpose

(1) In support of and consistent with the Authority mission, the purposes of the FPAC are:

(A) To provide coordinated, technical, in-season fish passage, and hydrological information and recommendations to assist the Members and the regional committees in making in-season hydro-system management recommendations to protect and enhance fish and wildlife. Specifically:

- To serve as a technical forum for Authority Members to exchange, review and analyze fish passage, river operations and related information.*
- To serve as a technical resource for Members on hydro-system operations, fish passage facilities and river conditions.*
- To serve as the technical liaison between Members and the Fish Passage Center on all fish passage and river operations issues.*
- To assist the Fish Passage Center and develop the annual Smolt Monitoring Program, which integrates all of the Fish Passage Center activities and support work by others.*
- To develop, with assistance of the Fish Passage Center, major reports, plans, and analyses that frame and support Authority recommendations concerning fish passage.*
- To respond to technical questions referred to it by the Anadromous and Resident Fish Advisory Groups. Referrals to the FPAC may originate from any Authority Member.*
- To coordinate the water needs of anadromous and resident fish.*

(B) To provide the Members' Advisory Group with coordinated technical analyses necessary to assure comprehensive and effective planning and implementation of fish and wildlife projects in the Columbia River Basin, ongoing or proposed, consistent with requirements of applicable law;

(C) To facilitate discussion among fish and wildlife managers of the technical merits and implications of projects and issues and attempt to find consensus agreement, if possible;

(D) Upon request, provide members with analyses of specific fish and wildlife programs to *facilitate consensus recommendations*; and,

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(E) To provide a forum for fish and wildlife concerns and information exchange among federal, state, tribal and private entities with fish and wildlife interests in the Columbia River Basin.

III. Functions

1. The FPAC shall respond to technical and policy analysis requests adopted by consensus of the Members or the Members' Advisory Group.

(A) Any recommendations or options developed by the FPAC must be sent back to the body making the request for deliberation.

(B) FPAC analyses and recommendations shall:

- Account for the origin of assignments;
- Account for all applicable information and prior research;
- Address practicable alternatives; and,
- Account for risk and uncertainty.

(C) When evaluating projects, the FPAC will first develop specific evaluation criteria that reflect established policies and priorities of the Members.

2. *Provide a forum for technical analyses, technical comments, and technical recommendations for the regional processes.*

IV. Officers

(a) Selection. - The officers of the FPAC shall be a Chair and Vice Chair. By October 1 of each year, officers shall be selected from a list of Members. Representation shall alternate every year between state, federal, and Member tribe or designated tribal coordinating body.

(b) Duties. - (1) The Chair shall -

- (A) Preside at meetings of the FPAC;*
- (B) Assure that instructions and statements of the FPAC are properly executed;*
- (C) Sign those written statements requiring official signature as determined by the Authority; and,*
- (D) Assure distribution of meeting agendas and minutes.*

(2) The Vice Chair shall be vested with all the powers and perform all the duties of the Chair in the absence or disability of the latter. The Vice Chair is Chair-designate and takes the chair when it is vacant.

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V. Procedures

- (1) The FPAC shall be composed of representatives designated by each interested Member pursuant to the Authority's Communication Plan. Each committee recommendation will include a list of designated representatives who participated.
- (2) *Representation from all member state, federal, and Member tribe or designated tribal coordinating body is desirable but not essential to conducting committee business.* A designated representative may abstain or, subject to timely notice regarding consideration of the issue, be absent from the process without the position of that representative becoming an assenting or dissenting opinion.
- (3) *The FPAC may develop and submit a System Operation Request (SOR) on behalf of the Members. Any SOR developed by FPAC will indicate the designated representatives who participated. The FPAC Chair or Vice Chair will distribute each SOR developed by the FPAC to all representatives prior to submittal to the hydrosystem operators. If the FPAC cannot reach consensus on an SOR, individual Members may develop and submit an SOR to the hydrosystem operators.*
- (4) Regularly scheduled meetings of the FPAC shall be open to the public. The public shall be provided an opportunity for limited comment. Closed meetings (executive sessions) may be called as necessary to discuss sensitive issues with final action to take place in open session.
 - (A) Fish Passage Center staff shall facilitate committee meetings but not be a part of the decision process. Staff will be responsible for the distribution of agendas, reports, etc., as well as meeting arrangements.
 - (B) The chair or vice-chair with the assistance of staff shall prepare a written agenda prior to each meeting with copies sent to each designee, the Members Advisory Group, the Executive Director and interested parties no later than one week prior to each meeting if possible.
 - (C) The chair or vice-chair with the assistance of staff shall distribute the action notes agreed to at each meeting to each designee, Members' Advisory Group, each committee, Executive Director and interested parties no later than one week after the meeting.
- (5) The FPAC shall meet at the request of the chair or vice-chair or at the request of a majority of the committee members.
- (6) The chair or vice-chair or a person designated by the chair or vice-chair shall attend Members' Advisory Group and Members meetings, when necessary.
- (7) All costs involved in FPAC participation are the responsibility of each member unless otherwise provided for.
- (8) Proxy participation is permitted at FPAC meetings. Proxies must be in writing.

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(9) The FPAC may establish work groups of its members to further its purpose, but, if it seeks to expand the sub-group beyond the Committee's members, it must receive the Authority Members' approval.

VI. Communications

(1) The Members shall release upon request any data or information provided to them by the FPAC or Authority staff person that is cited by a Member agency or tribe as the basis for an operational action or otherwise cited as support for a public recommendation.

(2) The FPAC shall not communicate statements of Authority policy positions or results of policy or technical analyses to non-member entities unless previously approved by the Members. The FPAC may adopt and release System Operation Requests without prior approval of the Members. Determination of position statements shall not be delegated by the Members to any committee.

(3) The FPAC shall relate to other Authority committees directly or through reports to the Members' Advisory Group.

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