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Vice-Chair  
Oregon

Melinda S. Eden  
Oregon

Bruce A. Measure  
Montana

Rhonda Whiting  
Montana

May 31, 2007

## DECISION MEMORANDUM

**TO:** Council Members

**FROM:** Jim Ruff — Manager, Mainstem Passage and River Operations  
John Shurts — General Counsel

**SUBJECT:** Fish Passage Center Oversight Board (FPCOB) Nominations

**PROPOSED ACTION:** Approve the nominations received for Board members in each of the major categories, their term of office and funding for travel expenses for the public member from the scientific community.

**SIGNIFICANCE:** This action is needed to re-constitute the Fish Passage Center Oversight Board and to implement a provision in the Council's Fish and Wildlife Program.

### BUDGETARY/ECONOMIC IMPACTS

As stated in the Council's April 26, 2007, formal request for nominations to the Board, members selected will not receive compensation for their services on the Board. However, for the public member(s) selected from the scientific community, travel expenses may need to be provided to ensure full participation at Board meetings in Portland or elsewhere in the region. Given that the Oversight Board holds an annual meeting and other regular and special meetings as the Board deems necessary, the travel expenses of the public science member are expected to be minimal and should be able to be covered by the Council's budget.

### BACKGROUND

At its April 18, 2007, meeting in Libby, Montana, the Council decided to reinvigorate the Oversight Board for the Fish Passage Center (FPC). The Council's action reformulates the membership of the oversight board by ensuring the members all have a scientific or technical background in disciplines related to the functions of the FPC.<sup>1</sup> The Council also determined that

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<sup>1</sup> The Council's Fish and Wildlife Program, as well as the Council's recent request for oversight board nominations dated April 26, 2007, describes the functions of the FPC.

member Bruce Measure would be the Council's representative on the Oversight Board and serve as the Board's Chair.

On April 26, 2007, the Council sent out and posted on its web site a public notice seeking nominations of individuals to serve as the other members of the Fish Passage Center Oversight Board. The Council's public notice sought nominations for the other members of the new Oversight Board in the following categories:

- One member representing the upper Columbia River Basin tribes;
- One member representing the lower Columbia River Basin tribes;
- Two members representing the state fish and wildlife agencies, with one coming from the upper Columbia Basin states of Idaho and Montana and the other from the lower Columbia Basin states of Oregon and Washington; and
- Two members from the region's scientific community, one of whom is to represent NOAA Fisheries.

The public notice stated that the members of the Oversight Board would be selected from the nominations received by the Council, and that appointments to the Board would be for one year.

## **ANALYSIS**

The Council indicated it would evaluate all nominees to the Oversight Board based on their scientific or technical background in disciplines related to the FPC functions. The Council has received x nominations for the Oversight Board. One commenter, Salmon For All, did not submit a nomination and stated the organization "respectfully disagree[d] that reconstituting the membership in the FPC Oversight Board is necessary or desirable." Instead, Salmon For All recommended continuing the current system of oversight for the FPC.

Specific nominations (and nominees) were received in each of the categories as follows:

- The Kootenai Tribe of Idaho nominated Susan Ireland to represent the upper Columbia River Basin tribes;
- To date we have not received a nomination from the lower Columbia River tribes for a member to represent them;
- Cal Groen, Director of Idaho Department of Fish and Game (IDFG), nominated Steve Yundt (IDFG) to represent the state fish and wildlife agencies of Idaho and Montana;
- Mike Carrier, the Natural Resources Policy Director of the State of Oregon and Bill Tweit, Columbia River Policy Lead for WDFW, nominated Tony Nigro (ODFW) to represent the state fish and wildlife agencies of Oregon and Washington;
- To date we have not received a nomination from NOAA Fisheries, although the nomination is still under consideration by the agency; and
- To represent the public member from the region's scientific community, we received the following five nominations:
  - Keith Wolf of KWA Ecological Sciences nominated his Principal Scientist, Paul G. Wagner, who is a former WDFW biologist who worked on the smolt monitoring program at the mainstem dams;
  - The Director of the Montana Department of Fish, Wildlife and Parks nominated Brian Marotz, who is a fishery biologist in the department;

- Bruce Measure nominated Dr. Dan Goodman of Montana State University, who is a former ISAB and ISRP member;
- The Kalispel Tribe nominated Dr. Richard Whitney, who is a retired Professor of Fisheries at U. of Washington and a former ISAB and current ISRP member; and
- Numerous commercial and sport fishing and environmental organizations nominated Rod Sando, who currently is retired and serves on the Science and Policy Advisory Board of the Northwest Sportfishing Industry.

## **ALTERNATIVES**

Alternative 1: Select from the nominations submitted for the Oversight Board positions representing the upper Columbia Basin tribes, the state fish and wildlife agencies of Idaho and Montana, the state fish and wildlife agencies of Oregon and Washington, and select one non-agency member from the five submitted to represent the public member from the region's scientific community. This would re-constitute the Oversight Board with six members, including Bruce Measure as Chair.

The Council could then hold open the positions for the lower Columbia River tribes and NOAA Fisheries and actively encourage both parties to submit a representative to participate on the Oversight Board. Staff has calls into both NOAA Fisheries and the lower river tribes and will update the Council before the meeting if we get a response.

Alternative 2: Same as Alternative 1 except the Council could continue to hold open the position for the lower Columbia River tribes and select two public members from the five names submitted to represent the region's scientific community. Under this option, the Council would continue to encourage the lower Columbia River tribes to submit a nomination for a representative to participate on the Board but would replace NOAA Fisheries' position with an at-large scientist, should NOAA Fisheries decline to participate on the Board. This alternative would re-constitute the Oversight Board with seven members, with the option of adding an eighth member from the lower river tribes.

Regardless of which alternative is selected, there will be at least one and possibly two public members on the Oversight Board representing the scientific community. While the fish and wildlife agencies and tribes are able to request the use of regional coordination funds from the Columbia Basin Fish and Wildlife Authority's budget to help defray their travel expenses to participate on the Oversight Board, the public members do not have that option. The Council may wish to consider approving the necessary funding for travel expenses of the public scientific member(s) of the Board. One Council member also asked about the availability of a small stipend from the Council's budget for the public scientific member(s) of the Board.