



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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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

FINAL

DATE: June 11, 2008
TO: CBFWA Members
FROM: Brian Lipscomb, CBFWA
SUBJECT: Final Action Notes for the June 4, 2008 Members Teleconference

CBFWA Members Teleconference Wednesday, June 4, 2008 @ CBFWA Office, Portland OR 1:00 p.m. – 4:15 p.m. PST

All support material is posted at http://www.cbfwa.org/committee_main.cfm

Note: Due to time limits and losing the Members quorum at the June 4, 2008 teleconference, the Members scheduled a June 9, 2008 teleconference to review the revised drafts and complete the postponed agenda items.

Final Action Notes

Attendees: Dave Statler, NPT; Ronald Peters, Cd'AT; Scott Soultz, KTOI; Sheri Sears, CT
CBFWA staff: Brian Lipscomb, Jann Eckman, Kathie Titzler, Tom Iverson, Neil Ward, Dave Ward, Ken MacDonald, Binh Quan, and Trina Gerlack

By Phone: Chairman Larry Peterman, MFWP; Brad Houslet, CTWS; Ed Schriever, IDFG; Elizabeth Gaar, NOAA Fisheries; Mark Bagdovitz, USFWS; Tony Nigro, ODFW Claude Broncho, SBT; Nate Pamplin, WDFW; Gary James, and Carl Scheeler, CTUIR

Time Allocation:	Objective 1. Committee Participation	100%
	Objective 2. Technical Review	0%
	Objective 3. Presentation	0%

ITEM 1: Introductions and Approve Agenda

Chairman Larry Peterman appointed Brad Houslet, CTWSR to chair the meeting after his absence. Brian Lipscomb, CBFWA, requested discussing agenda Item 6: 2006 Status of the Resource (SOTR) Report and Website Presentation for June 2008 NPCC Meeting before agenda Item 5: Comments on 2008 Program Amendment Recommendation.

The agenda items are listed in the order they were discussed. Agenda Item 8 was the last item to be discussed and Items 7, 9, and 10 were not reviewed.

Action: The Members approved the agenda with the item order changes. No objections.

ITEM 2: Draft Action Notes from the May 7th Members Teleconference

Action: The Members approved the May 7, 2008 Members' Teleconference action notes as final. No objections.

[Final May 7, 2008 Members Teleconference Action Notes](#)

ITEM 3: Wildlife Categorical Review

Background:

- The Northwest Power and Conservation Council (NPCC) is developing a categorical review of wildlife projects for FY 2010-11 funding. The process is still in development but the NPCC staff would like to get the on-going wildlife projects on a long-term funding path. The Wildlife Advisory Committee (WAC) is working with NPCC staff to help develop the review process including any Independent Science Review Panel (ISRP) review.

Update: Brian Lipscomb provided a brief update on the NPCC's status of the categorical review planned for several sections of the Program. Wildlife is first, and there is some confusion of what the process is for the categorical review. Is it meant to look at the current situation or it is meant to look at the current situation and find a solution to move forward to address wildlife issues? One meeting has occurred between NPCC and WAC and a second meeting is on June 5 to continue discussions. The hopeful outcome, if the process is going to be separate between amending the Program and reviewing the current Program is to focus the review to answer the following questions.

1. What is the current situation with the Program regarding wildlife?
2. What are the issues and evidence that is or is not working?

Possible next steps are to take those conversations into the amendment recommendations with NPCC and provide recommendations on how to fix those issues. If that happens, WAC is already prepared and can inform that process well. The NPCC Members have been invited to the Summer Members Meeting to discuss this specific issue.

ITEM 4: RM&E Framework Development

Background:

- The second meeting with Tom Karier, NPCC, was held on May 29, 2008 in Spokane.
- The second Data Management summit was held via webinar on May 28, 2008.

Update: Brian Lipscomb reviewed the [High Level Indicator Pyramid](#) diagram.

Brian provided an update on the conversations with Dr. Tom Karier, NPCC, regarding the development of the high level indicators (HLI). Previously, Dr. Karier provided an update to the NPCC in Walla Walla that centered on a pyramid type structure organizing information from various sources up through the Status of the Resource Report (SOTR) to NPCC's HLIs. Dr. Karier's main focus is a listing of biological indicators that may be appropriate for inclusion at the highest level or basin or region wide level. Dr. Karier requested comments at last week's meeting in Spokane.

Ken MacDonald reassembled the group who provided the monitoring, evaluation and reporting sections of the Program amendments to review Dr. Karier's work. The group organized a format and communicated that the basin or region wide HLI are a summary of ESU or MPG province by subbasin indicators which are a summary of population or subbasin level indicators. This general structure holds true for resident fish as well, although the details will differ significantly. Wildlife is different and more conversations are planned on how to organize the HLI. The group organized the basin region wide level to identify the HLI, types of units, and location to further inform the conversations with Dr. Karier and truly organize the top of the pyramid by using these terms to be consistent with the pyramid type approach. There is another update planned at the Power Council Meeting in Spokane by Dr. Karier. They plan to release for comment a list of HLI, after that release, CBFWA can provide a response, which ties into the SOTR and direction of the next generation of the SOTR. Brian will continue to update the Members on the process.

Brian Lipscomb continued into the Data Management Summit conference call update. The Data Management group determined it would be appropriate to link this effort from a fish and wildlife perspective to watershed health and environmental perspective with the other entities. This effort will continue into a Data Management Summit meeting planned for the fall to bring this all together. A discussion is planned on this issue at the Summer Members Meeting to include documentation and timelines.

ITEM 6: 2006 Status of the Resource (SOTR) Report and Website Presentation for June 2008 NPCC Meeting

[Status of the Resource \(SOTR\) Report and Website Presentation](#)

Discussion: Brian Lipscomb presented the updated SOTR suggesting the appropriate theme to follow would be a conversation of previous report directions and results, the current direction of the report, and future direction of the report under the amended Program. Brian Lipscomb will review the SOTR changes with the NPCC directly. The second edition SOTR report is color coded to line up with the eleven provinces. He will guide the NPCC through the slides beginning with the Columbia Plateau – South Subbasin: Umatilla pages and discuss the changes in this edition of the report that maintains the geographical structure and three elements, i.e. response of biological objectives and indicators, summary of limiting factors, and summary to address limiting factors. Additional summaries and data is included for focal species, 2002-2006 rate case, PISCES, primary focal habitat for wildlife, and HU's protective and enhanced for wildlife. Also, added at the Province level is the roll up of wildlife data, and summaries for the major anadromous fish hatcheries in the basin for returning adults.

Brian outlined the next steps planned for the future SOTR. The previous report is based on the current Program and this report was used to inform amendment recommendations moving forward. These amendment recommendations include significant recommendations to the NPCC to help inform and streamline reporting for the future. It is anticipated that a completely different report will come out of an amended Program that will be informed by the F&W managers' amendments and help the NPCC to define HLI.

Brian presented two questions.

1. What year should go on the report?
2. When is the report due to best inform various efforts for the NPCC's reports to the Governors and Congress?

Brian pointed out that biological objectives and management of data are not consistent in the current reports and the need to make them consistent. Also, the monitoring framework to provide the data does not exist. The F&W managers have used this report development to inform extensively recommendations to fix the NPCC F&W Program to help reporting and decision-making to be seamless.

Other key points are the NPCC efforts to adopt the HLI to move the report forward, review the current timeline, to continue building off the past and current SOTR, developing the HLI, future reports and lay outs, and reiterate that CBFWA sees this as a partnership effort with NPCC.

Elisabeth Gaar, NOAA Fisheries requested that the process and 2008 product be clarified.

Brian replied that CBFWA and NOAA Fisheries staff have had conversations on this document and the conclusion was it is to late in the game to include Russell's pieces and agreed with Rob to proceed forward with this report and work with NOAA Fisheries starting now with the next iteration to assure that it meets the needs of NOAA Fisheries perspective. Scott Rumsey is assigned as the M&E coordinator to participate and develop the information for the outline on the next report from the anadromous fish perspective, which was the document and pyramid covered earlier and has been added to this presentation. The process to develop the report will be conversations among CBFWA, BPA, and NPCC. At the Summer Members Meeting, discussions are planned with a review of the first draft and content of the next iteration of the report to use for conversation with NPCC and BPA, and continue dialogue that inform what the NPCC is developing from a HLI standpoint. Having Scott Rumsey involved with the Dr. Karier's conversations should result in a seamless exercise.

Mark Bagdovitz stated that 2009 is the transition year between the current Program and new Program, and 2008 SOTR and 2009 SOTR, and suggested working that into the presentation.

Mark requested a change in the presentation by removing BPA from CBFWA pyramid slide regarding BPA Wildlife Tracking because in CBFWA's recommendations to NPCC the tracking process is for all agencies and Tribes.

Nate Pamplin requested that Brian Lipscomb give NPCC the presentation on June 10, 2008. Nate stated the value of the SOTR website demonstration during the presentation to NPCC.

Elisabeth Gaar requested recovery tracking in presentation. Brian explained that elements of recovery tracking conversations are being provided by Scott Rumsey and Bruce Crawford. Elements for recovery analysis will be embedded at the population/subbasin level and ESU/MPG level. Brian will inform the NPCC of ongoing conversations surrounding different reports, uses, and needs in each agencies' pyramid.

Dave Statler has concerns surrounding Elizabeth Gaar's request. Brian reiterated his point that the NPCC's HLI may not be the same as the HLIs that need to be reviewed from a recovery standpoint, but that does not mean they will not be summarized in the SOTR. The SOTR will serve many different purposes.

Tom Iverson stated that these are the building blocks to establish populations scale to track biological and limiting factors to build HLI to serve multiple purposes.

Nate Pamplin recommended changing the website regarding HUs. Scott Soultis requested that more discussions are needed by WAC to how they want HUs information represented into SOTR. This information will be discussed again at a later date.

Action: The Members moved to approve that Brian Lipscomb would give the updated SOTR presentation with requested language changes to the NPCC F&W Committee on June 10, 2008. No objections.

ITEM 5: Comments on 2008 Program Amendment Recommendation

- Review and discuss correspondence to the NPCC regarding CBFWA comments on the amendment recommendations – CBFWA Staff

[Draft CBFWA Comment on 2008 Program Amendment Recommendations Memo](#)

Brian Lipscomb gave a quick overview of the previous teleconference when the Members assigned MAG to work with technical committees to look the amendment recommendations and determine what kind of proactive comments could be provided in the form of recommendations to the NPCC that provided and pointed out some opportunities for the NPCC. Including, how CBFWA could provide a more summarized set of resident fish recommendations, and how to link local level populations from anadromous fish perspective to the regional programmatic goal.

Tom Iverson reported that the MAG gave guidance to draft a letter of comments into the amendment process (due June 12) for Members consideration. Tom reviewed the following points.

- No inconsistencies were found between the Members of CBFWA individual comments and CBFWA's collective comments.
- The NPCC has material of substance to build an implementation plan for the Program.
- In the 2000 Program, NPCC identified specific management plans for each subbasin to be developed with the subbasin plans and the NPCC has material to develop subbasin level management plans, which is synonymous with implementation plans.
- To help facilitate this RFAC has streamlined the resident fish section of the amendment framework by reducing the pages and tables that present the limiting factors, strategies, and biological objectives.
- The AFAC is initiating a process to provide better linkage between subbasin level objectives and basinwide level objectives.

- Wildlife committee has developed a comparison of CBFWA and BPA comments.
- The end of the draft letter provides a suggestion to NPCC of a great opportunity to build implementation plans for the Program for the next ten years and link those plans to the appropriate funding levels based on need than how we have been funding the Program in the past.

Mark Bagdovitz and Dave Statler recommended edits to the first, third, and last sentence of the second paragraph. Dave requested that the sentence be completed on the page 2 under number 2) complete Table 2.1 of what? Tom Iverson will make the changes and revise the draft.

Dave Statler is concerned with time limits for a proper review of the final drafts. Tony Nigro stated that we no longer have a quorum. Brian Lipscomb confirmed he would call the absent Members for approval on the recommended actions.

After a long discussion and review of the draft cover memo to the NPCC regarding CBFWA comments on the amendment recommendations the Members passed the following motion.

Action:

The Members moved to hear the technical committees input and finalize the contents of a draft letter and schedule a conference call on June 9, 2008 to finalize the letter. The revised drafts will be distributed June 5 by COB for Members review. No objections.

**Item 5
continued:**

- Technical Committee Reports – RFAC, AFAC, WAC

[RFAC Rough Draft Response to BPA Recommendations](#)

[WAC Draft Response to BPA Recommendations](#)

On April 4, 2008, the BPA submitted recommendations for amending the NPCC's Fish and Wildlife Program. Included in that submittal was a suite of resident fish-specific recommendations.

Neil Ward presented the rough draft of the RFAC recommended comments to BPA's recommendations for resident fish and provided the following points developed by the RFAC for Members consideration.

RFAC Draft Points Responding to BPA Recommendations:

- Members agree that regulations to manage introduced resident fish should not impede regional efforts to mitigate and recover listed species and in fact maintain that your regulations are crafted from that prospective
- Members are available for discussions with BPA and/or others at any time and in fact are in a process through a regional workshop
- Members agree that this language should not be in the Program. The Program language is there to direct BPA not the F&W agencies and Tribes. It is appropriate for the Program to call for the regulations to be consistent with meeting the biological objectives
- Emphasize that loss assessments for resident fish needs to be developed and is an integral piece for assessing the effects of the hydro power system on these species and determining a appropriate

path to mitigate for those effects

- Establish baseline for loss assessments to account for BPA's efforts
- Address limiting factors statement and clarify offsite mitigation regarding FCRPS impacts. Request that NPCC reject this recommendation
- Some BPA comments are contrary to their recommendations

The Members expressed concerns surrounding BPA recommendations and how these points are presented in the response to the NPCC. Neil will incorporate the Members comments into the revised draft for review at the June 9, 2008 Members Teleconference.

Note:

Due to time limits the AFAC and WAC input was not heard.

**Item 5
continued:**

- Review and discuss correspondence to the NPCC regarding comments on submission of BPA Customer Groups/Public Power Council's white paper – Joe Mentor

[Draft CBFWA Introduction Memo to NPCC](#)

[Draft Summary of Points presented by BPA Customer Representatives/Public Power Council in a white paper dated April 4, 2008.](#)

Discussion:

On May 22, 2008, the MAG moved to direct Joe Mentor to draft a letter for Members consideration addressed to the NPCC regarding comments on submission of BPA Customer Groups/Public Power Council's white paper. Joe summarized the introduction memo and draft summary points. He stated that is important to provide a response for the record.

The Member discussed possible revisions to the letter below.

To keep the letter at high level, outline reasons why we choose not to submit a legal interpretation of the NW Power Act, note that the BPA Customer Groups have submitted their own legal analysis, to avoid legal arguments, and send a request to the NPCC to reject all legal interpretations of NW Power Act because it is inconsistent with how the Act has been interpreted in the past and adopted by the NPCC, and many agencies and Tribes.

Brian outlined choices below for Members consideration.

1. Whether or not to point out to the rest of the NPCC Members that a conversation occurred to set-up the context for the response to NPCC
2. Whether to not to respond in general by sending a request to the NPCC to reject all legal interpretations of NW Power Act, because it is inconsistent with how the Act has been interpreted in the past and adopted by the NPCC, and many agencies and Tribes
3. Whether or not to respond specifically using the same caveat language from the original conclusion

The federal agencies object to the draft letter as written, but support choice number two.

The Members agreed that a response to the comments is needed, but have not agreed on how specific the response will be.

Action: The Members directed Joe Mentor and Brian Lipscomb to work together with Mark Bagdovitz, USFWS and Elizabeth Gaar, NOAA Fisheries to revise the letter to the NPCC regarding Public Power Council's white paper and prepare for Members consideration on June 9. Elizabeth Gaar added a caveat to withhold the action, this is not indicating that NOAA Fisheries agree or abstain.

ITEM 8: Comments on NPCC's Report to the Northwest Governors

[Draft CBFWA Comment Letter to NPCC](#)

Discussion: Brian Lipscomb gave a brief review of the draft letter. The comments are due June 6, 2008 on the NPCC's 7th annual report to the Northwest Governors. The Members consider the comments below to the NPCC:

- 1) The NPCC should work with the SOTR project to support the annual development of the report, and
- 2) The NPCC should report lost habitat units consistent with their Program at a 2:1 ratio of habitat units lost.

Action: The Members approved the CBFWA correspondence letter to NPCC commenting on their 7th Annual Report to the Governors and sending the letter, pending approval of Members not present at meeting.

Note: Due to time limits the agenda items below were postponed and will be reviewed at the June 9, 2008 Members Teleconference.

ITEM 7: Bonneville Power Administration (BPA) FY 2009 & FY 2010-11

- Discuss strategy, updated analysis, and correspondence regarding FY 09.
- Discuss process and strategy for developing ten year work plans from the amendment recommendations to inform the FY 2010-11 BPA Integrated Program Review (IPR) process.

Pending Recommended Action: Approve correspondence to BPA regarding FY 09.

ITEM 9: Predation Workshop

- A workshop on predation by exotic fish predators is included as an action in the draft Biological Opinion. At the May 20th meeting, the MAG recommended that CBFWA staff work with action agencies and others as appropriate to develop a workshop on predation.
- Draft Workshop Summary:
http://www.cbfwa.org/Committees/Members/meetings/2008_0604/PredationWorkshop_2008.doc

Pending Recommended Action: Review and approve: 1) the draft workshop summary, and 2) CBFWA staff participation in planning and implementing the workshop.

ITEM 10: Summer Members Meeting June 25-26th in Warm Springs, OR

- Discuss logistics and agenda for Summer Members Meeting.

Pending Recommended Action: Approve draft agenda for June 25-26th meeting in Warm Springs, OR.

Upcoming Meetings:

- The Summer Members Meeting is scheduled for June 25-26, 2008 in Warm Springs, OR.
- The next NPCC Meeting is scheduled for June 10-12, 2008 in Spokane, WA.
- Public Comments on Program Amendments due to the NPCC by June 12, 2008.
- The next MAG meeting is scheduled for Tuesday, June 17, 2008, 9:00 a.m.–12:00 p.m. via WebEx.

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