



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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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: October 16, 2008
TO: CBFWA Members
FROM: Brian Lipscomb, CBFWA
SUBJECT: Final Action Notes for the October 15, 2008 Special Members Teleconference

Columbia Basin Fish and Wildlife Authority (CBFWA) Members Teleconference Wednesday, October 15, 2008 @ CBFWA Office, Portland OR 1:00 – 3:45 p.m. PDT

Final Action Notes

Attendees: Jann Eckman, Ken MacDonald, Binh Quan, Dave Ward, Neil Ward, Patricia Burgess, CBFWA

Phone/WebEx: Lynn DuCharme, CSKT; Gary James, CTUIR; Brad Houslet, CTWS; Jim Unsworth, IDFG; Elizabeth Gaar, NOAA Fisheries; Tom Rien, ODFW; Claude Broncho, SBT; Carol Perugini, SPT; Dan Diggs, USFWS; Kyle R. Prior, USRT; Nate Pamplin, WDFW; Tom Iverson, Brian Lipscomb, CBFWA

Time Allocation:

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

ITEM 1: Introductions and Approve Agenda
Brad Houslet, CTWS, chaired the meeting.

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

ITEM 2: September 26th & October 1st Members Teleconference Draft Action Notes
Liz Gaar, NOAA, requested an edit to the title of Item 4 in the October 1st action notes. Liz asked that “regulations” be added following “Endangered Species Act.”

Action: The Members approved the September 26, 2008 and October 1, 2008 Draft Action Notes, with edit to October 1st action notes as requested by Liz Gaar, as Final. No objections.

Item 3: Update on NOAA fisheries Data Dictionary and Monitoring Guidance:
NOAA has distributed the draft Data Dictionary: ([http://www.cbfwa.org/Committees/Members/meetings/2008_1015/DataDictionary_Read_Me\(100908\)_Mbrs2008_1015.doc](http://www.cbfwa.org/Committees/Members/meetings/2008_1015/DataDictionary_Read_Me(100908)_Mbrs2008_1015.doc)) and draft Monitoring Guidance: ([http://www.cbfwa.org/Committees/Members/meetings/2008_1015/RME_Guidance Partia_l\(100908\)_Mbrs2008_1015.doc](http://www.cbfwa.org/Committees/Members/meetings/2008_1015/RME_Guidance_Partia_l(100908)_Mbrs2008_1015.doc)) for public comment.

Brian Lipscomb advised that the MAG will review both documents at their October 21st meeting. To help facilitate the review, CBFWA staff is recommending that the Members assign AFAC, FPAC, and additional technical staff, to attend the Oct 21st meeting and participate in the review process with the MAG. Following the technical review, the MAG will make their recommendation to the Members.

Nate Pamplin, WDFW, questioned if the technical review could be put off to the MAG meeting in November. Tom Rien, ODFW, added that NOAA has requested comments by November 15th. Brian stated that he does not believe that NOAA is expecting the technical feedback by November 15th but is looking to engage with the F&W Managers to finalize

the document along with the public comments. Brian added that it is important that the MAG have an initial presentation and review of the assignment and timeline on October 21st but possibly look to schedule another MAG meeting for the detail. Liz Gaar stated that she will check and see if the November 15th deadline can be extended.

Action: The Members directed the AFAC, FPAC, and other technical staff to meet with the MAG and assist in the review and recommendations of the NOAA draft data dictionary and draft monitoring guidance. No objections.

ITEM 4: MAG recommendations as assigned from the October 1, 2008 Members Meeting and in follow-up from consultation meeting between CBFWA Agencies and Tribes, Bonneville Power Administration (BPA), and Northwest Power and Conservation Council (Council)

Brian Lipscomb recalled that on October 1st the Members took action in follow-up to the September 26th CBFWA/Council/BPA consultation meeting directing the MAG as follows: 1) confirm the assessment of current draft Program and its inclusion, or not, of the CBFWA agencies' and Tribes', collective and individual, recommendations and to work with Council staff to confirm that assessment, 2) develop the essential elements for LTWP, and 3) to make a recommendation to the Members how they may consider participating individually and collectively in the development of those LTWPs.

Council staff has opted against participating in the assessment review with CBFWA staff and MAG members, stating that they do not think it is a good use of their time and instead requested, and the MAG agreed, to participate in the October 7-8th MAG meeting to discuss specific areas of the Program to address. The Members reviewed a memo from CBFWA staff communicating the results of the MAG discussion on the development of the essential elements of the LTWPs:

[http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWASTAFFMEMO_RE_LTWP_ESSENTIAL_ELEMENTSMEMBERS2008_1015\(CLEAN\).DOC](http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWASTAFFMEMO_RE_LTWP_ESSENTIAL_ELEMENTSMEMBERS2008_1015(CLEAN).DOC)

Liz Gaar, NOAA, suggested a need for CBFWA's role to not only ensure coordination and communication among Members but to work with other recovery/subbasin planners and local stakeholders as well. Liz Gaar's comment prompted considerable discussion by the Members with conclusion of general agreement that a commitment should be made to coordinate with other stakeholders.

Action: Referencing the memo from CBFWA staff [http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWASTAFFMEMO_RE_LTWP_ESSENTIAL_ELEMENTSMEMBERS2008_1015\(CLEAN\).DOC](http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWASTAFFMEMO_RE_LTWP_ESSENTIAL_ELEMENTSMEMBERS2008_1015(CLEAN).DOC): the Members moved to 1) adopt the five elements on page one as the essential elements for LTWP's from an effective adaptive management and accountability perspective, and 2) adopt the last two paragraphs on page three that articulates the agencies and Tribes intention for participation in the development of LTWPs individually and collectively with the caveat that we will add in explicit language regarding the commitment to coordinate with other stakeholders and that language will be further developed before it goes out in any form of comment or request for further consultation. No objections.

ITEM 5: CBFWA Amendment Recommendations and Comments

Assessment of Current Program: As stated above under Item 4, Brian Lipscomb communicated that Council staff determined that reviewing each CBFWA assessment of the draft Program would not be a good use of their time and instead decided to attend the MAG October 7-8th workshop and discuss the five key topics, related to the draft Program: 1) Measures, 2) Long-Term Work Plans, 3) Subbasin summary tables, 4) M&E/Reporting/Evaluation, and 5) Biological objectives. Brian advised that after the conversation with Council staff at the MAG workshop, and individually with John Shurts, the assessment was updated.

CBFWA staff provided a memo to Members containing the updated assessment and recommendations regarding the resolution of agencies' and Tribes' amendments to the draft Program:

http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWASTAFFMEMO_RE

[_CommentRecommendationsMbrs2008_1015.doc.](#)

Review Proposed Process: The Council’s draft Program responds, in part, to the CBFWA Members recommendations stating that the Council “supports the development of subbasin plan summaries,” but the Council has not incorporated them into the 2008 Program. Instead, the Council’s draft Program initiates a separate process to solicit public comments on the summaries. Tom Iverson reviewed a memo from CBFWA staff to the Members explaining the Council’s stance and describing a process toward including the agencies’ and Tribes’ adaptive management framework in the subbasin plans: http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWAstaffMemo_Re_PropProcess_AdaptMgmt-SubbasinPlansMbrs2008_1015.doc.

Appendix X of Measures: Appendix X is a sample template prepared by CBFWA staff for the Clearwater subbasin habitat actions showing how to take the strategies and measures from the Clearwater subbasin summary tables contained within the CBFWA amendment recommendations, extracting all the Clearwater agencies’ and Tribes’ specific project recommendations, to show where each of the projects address the general measure.

Tom Iverson stated that there is value in the entities with Accords filling out a template to be sure that all the projects are built in and to be able to see where Accord projects are complimented by non-Accord projects. Brian Lipscomb suggested that the Members need to protect the integrity of the Accords and there are a lot of budget management portions within the Accords to be adhered to so the Members don’t want to mix the Accord projects with other projects. From that perspective, the Accord projects would be a part of this but only from the standpoint of how they would be combined with other suites of projects within your subbasin areas to address a complete strategy.

Review Appendix X:

http://www.cbfwa.org/Committees/Members/meetings/2008_1015/Appendix_%20X_AnadromousMembers2008_1015.doc.

CBFWA staff suggested adding another column that would identify Accords and any other special categories of measures.

- Action:** The Members directed staff to assemble with MAG the assessment of the current Program as deficiencies in the current Program that need to be addressed. No objections.
- Action:** The Members directed the MAG to include recommendations to address deficiencies as articulated in numbered bullets 1, 2 & 4-7 of the CBFWA staff memo to Members: http://www.cbfwa.org/Committees/Members/meetings/2008_1015/CBFWAstaffMemo_Re_CommentRecommendationsMbrs2008_1015.doc. No objections.
- Action:** The Members adopted the proposed process to provide in comments with the essential elements of LTWP’s and Members participation in the development of those LTWP’s as recommendations to address deficiencies for effective adaptive management and accountability with the addition of a communication component regarding stakeholders. No objections.
- Action:** The Members moved to adopt the proposed appendix, and provide in comments, as the recommendation to address deficiencies in the current Program relative to the vagueness of measures.
- Motion Discussion:** Liz Gaar, NOAA, requested an amendment to the motion to make sure that a statement accompanies the template that just doing strategies and measures without context of biological objectives and limiting factors will create a loss of accountability. Brad Houslet clarified stating that there needs to be strong links between the appendix and the subbasin summaries that identify the limiting factors. Tom Iverson suggested language that we are building the appendix to address the issue that it is unclear what measures are in the Program and that this appendix is built off the supporting material of our subbasin summaries and the summaries should be included to provide the adaptive management framework required to provide accountability.

CBFWA staff asked for the amended motion to be restated for the record. Brad Houslet questioned whether the motion was amended or just a clarification that we would have the

language adopted. The motion was restated with the clarification: The Members moved to develop an appendix of general strategies and measures and project titles and project sponsors to clarify the vagueness of the measures that are currently in the draft Program.

Liz Gaar stated that she would prefer an amendment rather than a clarification.

Amended Motion:

Brad Houslet clarified that the motion is amended with the addition that the language be added to the document that links the limiting factors to the strategies and measures in the appendix. No objections.

Note:

CBFWA staff will communicate to the Members as soon as the Council makes known their decision regarding providing an extension of the draft Program public comment period.

Update:

On Thursday, October 16th, the Council announced that they are granting the thirty (30) day extension. The deadline for public comments to the draft Program is now December 1, 2008.

Item 6:

Proposed Follow-up Consultation Meeting with Council and BPA

Brian Lipscomb suggested that this item be postponed until the October 27th Members meeting and consider requesting the follow-up consultation once the full context of the comments are developed and put before the Members.

ITEM 7:

Proposed Changes to the Endangered Species Act Regulations Update

Jann Eckman, CBFWA, advised that CBFWA staff transmitted the consensus comments http://www.cbfwa.org/Committees/Members/meetings/2008_1015/ESAProposedChangesCommentLtrFinal.pdf electronically via <http://www.regulations.gov/search/index.jsp> on October 14, 2008. USFWS, NOAA, and IDFG abstained from making comments to the proposed change to the ESA regulations.

**Upcoming Meetings
Oct/Nov 2008**

October MAG Meeting: Tues, Oct 21st 9am-4pm (WebEx)
October Special Members Teleconference: Mon, Oct 27th (1-4pm)
Members November 5th Teleconference: Cancelled

Amendment Comments/ Public Hearing Schedule

- **Northwest Power and Conservation Council links:** [2008-2009 Program Amendments](#) and [NPCC Public Hearing Schedule](#)
- December 1, 2008: Council Draft Amendment Program Comment Deadline