



April 19, 2000

TO: MMG

FROM: Brian Allee *Bja*

SUBJECT: Draft 4/6/00 MMG Meeting Action Notes

**MEMBERS MANAGEMENT GROUP
MEETING/CONFERENCE CALL
April 6, 2000
9:00 a.m. – 4:00 p.m.
CBFWA Office, Portland, OR**

DRAFT ACTION NOTES

Attendees: Robert Matt, CdAT; Michele Beucler, IDFG; Keith Underwood, STI; Ron Boyce, ODFW; Bob Foster, WDFW; John Palenksy, NMFS; Elizabeth Gaar, NMFS; Ray Entz, KT; Ronald Peters, CdAT; Chad Colter, SBT; Brian Marotz, MDFWP; Tom Iverson, Neil Ward, Frank Young, Brian Allee, Jann Eckman and Kathy Titzler, CBFWA/F.

On Phone: Sue Ireland, KTI, Howard Schaller, USFWS, Gary James, CTUIR; Haace St. Martin, BPT, Mary Verner, STI.

Time Allocation:

CBFWA Members Coordination Contract*	
Objective 1. FY 2001 Project Renewal Process	17%
Objective 2. Rolling Province Review	17%
Objective 3. FY 2000 Project Adjustments	0%
Objective 4. Watershed and Subbasin Assessment and Plan	0%
Objective 5. Coordinate Program Amendments	31%

* Not all agenda items support the objectives identified in the coordination contract.

Discussion: Two additional items were added to the agenda: 1) Update from the April 4 & 5, 2000 NWPPC Meeting; 2) CBFWA Framework Contract. The draft action notes reflect the order the items were discussed.

ITEM 1: Update from the April 4 & 5 2000 NWPPC Meeting

Discussion: The NWPPC approved the following CBFWA funding requests:

- Project # 9800702, Grande Ronde Supplementation – NPT. Request to use \$106,000 from FY 1999 carry-over funds to purchase PIT tag detection system for acclimation facility.
- Project # 8343500, Umatilla Hatchery Satellite Facility O&M (\$8,800) – CTUIR
- Clearwater Focus Program – NPT and ISCC. Request to transfer funds from implementation projects to carry out subbasin-wide ecosystem assessment of Clearwater River subbasin.
- Project # 9800701, Construction of Acclimation and Adult Capture Facilities for Grand Ronde Endemic Spring Chinook Supplementation Program (\$357,675) (CTUIR)
- PATH contract – request for no-cost time extension to May 15, 2000.

The NWPPC deferred action on the following projects until their next meeting:

- Project #9802400, Monitor Watershed Conditions on the Warm Springs Reservation (\$77,700) (CTWSRO).
- Project #9904100, Utilization of Nutrients from Spawning Salmon (\$105,000) (NMFS).

ITEM 2: Program Amendment Recommendations

Discussion: The NWPPC delayed the deadline for submitting Program Amendment Recommendations until May 12, 2000. The NWPPC introduced allocating \$350,000 out of the unallocated placeholder for EDT and wants to initiate consultations with CBFWA on this matter. The NWPPC plans to send out a memo on 4/10 clarifying their position on the Program Amendment Process. Concern was expressed about early action items, how they are identified and what criteria. NMFS indicated that they are working to clarify these early actions and developing a matrix to bring to the CBFWA members.

ACTION: Members requested that CBFWA review the amendment issues, identify the key points, summarize the decision points and provide options for Members consideration at the April 12th Members meeting.

ITEM 3: Provincial Reviews

Discussion: Tom Iverson reiterated that the provincial review process is the process that implements the program. There is an exception path (emergency actions). The process for funding projects that come up before the provincial review (3 years), however, is not clear. It would be appropriate for CBFWA to have a recommendation for these exceptions. Tom indicated that the ad hoc team is still working on the subbasin assessment template and when it is finished it will be presented to the MMG for further scrutiny.

ITEM 4: CBFWF Framework Contract

Discussion: Brian Allee provided a brief overview of the current problem regarding the Multi-Species Framework Contract with the NWPPC. The work was completed and the CBFWF expended the funds but the NWPPC has denied reimbursement. The situation is still being negotiated. The Members will be receiving a consent mail memo outlining the issue and requested action at a later date.

ITEM 5: Charter Amendments

Discussion: Joe Mentor presented the legislative version and his “new” version of the Charter. He said that there are a couple of unresolved issues that he would like some guidance on. One is dispute resolution. Currently, if consensus is not reached at the committee level, the issue is elevated to the MMG and, if there is no consensus at the MMG level, it goes to the Members. Then, if there is no consensus at the Members level, each individual member is free to take his or her own action. Joe asked if the MMG wanted to initiate a “super majority” option, seek outside mediation, create an arbitration board, or just leave as is?

Another unresolved issue is consensus. What constitutes consensus? Can a member abstain without stopping the consensus process? Can a member object without stopping the consensus process? Can a member object without participating? Does the MMG want to initiate a “super majority” decision making process? Do they want to add a rule that a member can’t object in writing, but must be present? Joe indicated that he didn’t want to do any more work on the Charter until he got some direction on these issues from the MMG.

On the consensus issue, the MMG stated that they were not interested in considering “a super majority” decision making process. The foundation of CBFWA was the consensus process and if that were changed, it was questionable whether agencies/tribes would want to continue to participate. They also felt that Members should be able to provide written positions on the agenda if they were not able to participate and that those

positions/objections should be honored whether the member was present or not.

On the dispute resolution issue, the MMG brought up using 1) a “fact finding” process, 2) mediation, 3) a select group of members to act as an arbitration group, or 4) remaining status quo. MMG suggested that the Charter reflect ways of facilitating consensus rather than ways to enforce it.

ACTION: MMG recommended Joe work with Jann and an ad hoc group of the MMG to complete the Charter amendments, the Administrative Decisions and the Committee Charters. Michele Beucler and Ron Peters volunteered to be on the ad hoc committee and suggested we meet sometime after the first of May. Jann will set up the meeting.

ITEM 6: Collaborative Analytical Process

Discussion: Ron Boyce gave an update on the CAP. Currently its focus is anadromous fish. PATH, resident fish and wildlife all want to collaborate in terms of goals and objectives in all analyses being done. NMFS has deferred on resident fish and wildlife and coordination with NMFS will be continued. Ron stated that CAP should be included in the amendment process.

ITEM 7: RFC, AFC, and WC Committee Reports

Discussion: Brian Marotz is now the new chair of the RFC and Joe Maroney is the vice chair. The Committees will work on operating guidelines for their respective committees to present to the MMG at a later date.

ITEM 8: Next Meeting Date

ACTION: The next meeting will be held on May 3rd in Portland, OR.