

Regional Coordination for the Fish and Wildlife Program Today and Tomorrow: Current status and proposed future definitions

Context:

Development, implementation, and evaluation of the Columbia River Basin Fish and Wildlife Program (Program) are complex and expensive undertakings necessary to the survival of the region's fish and wildlife populations as impacted by federal and non-federal hydropower dams in the Columbia River Basin. The Northwest Power Act (Act) requires that the Columbia River Basin be treated as a system, and the 2000 Program is a biological framework approach to mitigation implemented through 58 subbasin plans. This necessitates close coordination between planners and implementers of the Program throughout each level -- subbasin, ecological province, basinwide -- and through each step of the adaptive management process (plan, implement, evaluate) that guides implementation of the Program.

The Northwest Power Act (Act) directs the Northwest Power and Conservation Council (NPCC) and Bonneville Power Administration (BPA) to consult with the Federal and the region's State fish and wildlife agencies and the region's appropriate Indian tribes in the development and implementation of the Fish and Wildlife Program. *The Council shall develop a program on the basis of such recommendations, supporting documents, and views and information obtained through public comment and participation, and consultation with the agencies, tribes, and customers referred to in subparagraph (A) of paragraph (4)...* [Northwest Power Act, §4(h)(5), 94 Stat. 2709.] The Power Act also calls for recommendations from the fish and wildlife managers for coordination (including funding) to assist protection, mitigation, and enhancement of fish and wildlife resources in the Columbia River Basin.

The Act sets standards that the Program measures must meet, including that they will “*complement the existing and future activities of the Federal and region's State fish and wildlife agencies and appropriate Indian tribes*” [Section 4.(h)(6)(A)]; and, “*be consistent with the legal rights of appropriate Indian tribes in the region*” [Section 4.(h)(6)(D)]. In reviewing amendments to the Program, “*the Council, in consultation with appropriate entities, shall resolve ...[any] inconsistency in the program giving due weight to the recommendations, expertise, and legal rights and responsibilities of the Federal and the region's State fish and wildlife agencies and appropriate Indian tribes*” [Section 4.(h)(7)]. The NPCC adopted the first Program in 1982 and, through fish and wildlife manager and public participation, amended it in 1984, 1987, 1991-93, 1994, 1995, 2000, 2003 and most recently with the inclusion of subbasin plans.

Program success depends on Council recognition of the fish and wildlife agencies' and tribes' priorities and plans, and their meaningful inclusion in the Program. At the same time, success of the program depends on prompt, coordinated, and cost effective implementation of program measures and projects by all implementers, including the fish and wildlife agencies and tribes, and monitoring and reporting of program success.

The Act directs the BPA to “*exercise such responsibilities [for operating the hydropower system]...to adequately protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, affected by such projects or facilities in a manner that provides equitable treatment for such fish and wildlife with other purposes for which such system and facilities are managed and operated*” [Section 4.(h)(11)(A)]. Section 4.(h)(11)(B) directs the BPA to consult with the fish and wildlife agencies and tribes “*in carrying out the provisions of this paragraph [Section 4.(h)(11)(A)] and shall, to the greatest extent practicable, coordinate their actions.*”

The Act also calls for Program recommendations specifically for *fish and wildlife management coordination and research and development (including funding) which, among other things, will assist protection, mitigation, and enhancement of anadromous fish at, and between, the region's hydroelectric dams.* [Northwest Power Act, §4(h)(2)(C), 94 Stat. 2708.] The following excerpt from the Act partially explains the BPA’s role and obligation in funding coordination of the fish and wildlife managers in regional discussions regarding operation of the FCRPS and implementation of the NPCC’s Program. To ensure success, Section 4.(g)(3) of the Act states that, “*...the Council and the [BPA] Administrator shall encourage the cooperation, participation, and assistance of appropriate Federal agencies, State entities,... and Indian tribes,*” and that the NPCC and BPA can contract with the fish and wildlife agencies and tribes individually, “*or through associations thereof,*” to “*provide technical assistance in establishing ...fish and wildlife objectives.*”

Coordination for the F&W Program requires a meaningful role for the fish and wildlife managers to develop and implement measures in the Program to protect, mitigate, and enhance fish and wildlife populations affected by the Columbia River hydropower system, and coordination provides an opportunity for decisions within the Program to benefit from the cumulative information and experience of the fish and wildlife managers. Coordination is required at the planning, implementation, and evaluation stages of the adaptive management process envisioned for the Program.

Definitions and Principles for Regional and other coordination:

- a. **Coordination**, in this context, is the ability of the Basin’s fish and wildlife managers and tribes to interact with the various agencies, entities, and processes, including a level of consultation or governance interactions, to implement protection, mitigation, and enhancement measures and projects in a cost-effective and informed manner. Coordination should be easily accommodated by technology and requires that the Council and BPA staff provide for timely and accurate communication and information exchange and policy-level interaction. Coordination should not be assumed to be met by or through membership organizations, but rather through direct and consistent communication with the individual fish and wildlife managers and tribes. Funding for agency and tribal coordination and participation in regional forums and processes will be provided to facilitate involvement in fulfilling

coordination and consultation activities consistent with provisions and the intent of the Northwest Power Act.

Regional Coordination is the interaction of and among the fish and wildlife managers, NPCC, BPA, and associated processes to implement the Columbia River Basin Fish and Wildlife Program. This includes the individual fish and wildlife managers and tribes as well as the respective membership organizations to which they may belong. Regional coordination generally attempts to resolve issues to find common solutions among all interested parties at the broadest scale within the Columbia River Basin. Included within the regional coordination definition are issues at a local level.

Sub-regional Coordination is the interaction of and among fish and wildlife managers within localized areas to provide input and feedback to NPCC, BPA, and associated regional processes to implement the Columbia River Fish and Wildlife Program. Sub-regional coordination may attempt to find common solutions at a smaller scale than the entire Columbia River Basin in order to resolve issues relevant at smaller scales. Sub-regional coordination also provides input into larger regional coordination forums and can generally make the geographically larger forums more efficient (e.g., CRITFC, UCUT, USRT).

- b. Consultation:** Coordination is not consultation, yet the coordination functions described above are necessary and helpful to facilitate meaningful consultation with the fish and wildlife managers and tribes. The Act calls for Council consultation with the fish and wildlife managers in the development of the Program during the amendment process and also for BPA consultation with the fish and wildlife managers in the implementation of the Program.

The Council and BPA will, on a regular basis, consult with the fish and wildlife managing agencies, and on a government-to-government basis with the leadership of the Columbia River Basin tribes. The consultations will focus on program development, implementation, and evaluation decisions and actions that have the potential to affect each of the Basin's fish and wildlife managers and tribes. Consultation must occur prior to the action or decision is finalized and be initiated by the entity taking action. Consultation should provide a real opportunity to influence the decision and should include a follow up communication.

In particular, efforts will be directed at expediting measures to improve the survival of the basin's anadromous fish, resident fish, and wildlife populations and resolving any disputes that are hampering expeditious program implementation. As part of the consultations, the Council and BPA will also encourage the agencies and tribes to identify and resolve differences in their respective positions on key Columbia River Basin fish and wildlife issues. The Council further expects regular contact will be maintained between the

staffs of the Council, BPA, and the agencies and tribes (See Regional Coordination). This requires timely and accurate communication and information exchange and policy interaction.

Current Status of Regional Coordination in Fiscal Year 2007:

The Program is currently funding five projects to support fish and wildlife management coordination for a total of \$2,481,044 annually. The coordination activities could be characterized in two ways: 1) provide participation funding for individual fish and wildlife entities to coordinate their activities and policies in organized forums that relate directly to the Fish and Wildlife Program, and 2) fund membership organizations to facilitate coordination forums and activities for the Fish and Wildlife Program. The Fiscal Year 2007 funding levels for the individual fish and wildlife managers to conduct regional coordination activities are as follows:

- 1a) Funding provided through the Columbia Basin Fish and Wildlife Authority (CBFWA) for member fish and wildlife managers and tribes under project number 1989-062-01, contract 20620-12, via subcontracts with CBFWA. An additional set-aside amount is available for members to access above and beyond the base need identified below, including meeting costs and indirect costs, for a total of \$407,208.

Burns Paiute Tribe (BPT):	\$15,000
Confederated Tribes of the Colville Reservation (CCT):	\$25,000
Coeur d'Alene tribe (CdAT):	\$35,000
Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT):	\$ 6,000
Confederated Tribes of the Umatilla Indian Reservation (CTUIR):	\$12,000
Confederated Tribes of the Warm Springs Reservation (CTWSR):	\$15,000
Idaho Department of Fish and Game (IDFG):	\$12,000
Kootenai Tribe of Idaho (KTOI):	\$15,000
Montana Department of Fish, Wildlife, and Parks (MDFWP):	\$ 8,000
NOAA Fisheries (NMFS):	\$ 5,000
Nez Perce Tribe (NPT):	\$40,000
Oregon Department of Fish and Wildlife (ODFW):	\$33,000
Shoshone Bannock Tribe (SBT):	\$30,000
Shoshone Paiute Tribe (SPT):	\$12,000
US Fish and Wildlife Service (USFWS):	\$ 6,000
Washington Department of Fish and Wildlife (WDFW):	\$50,000
Confederated Tribes and Bands of the Yakama Nation (YN):	\$12,000

- 1b) Funding provided directly to F&W managers (non-CBFWA members):

Kalispel Tribe (KT):	\$65,000
Spokane Tribe of Indians (STOI, not yet contracted):	\$65,000

- 2) Funding provided to membership organizations to provide forums and staff for developing coordinated comments and input on issues related to development, implementation, and evaluation of the Program:

Columbia Basin Fish and Wildlife Authority (CBFWA): \$1,901,449

CRITFC: \$210,000 includes broader scope + \$10,000 through CBFWA for Authority related work.

UCUT: \$69,000 direct funding + \$10,000 through CBFWA for specific Authority related work.

USRT: \$0 no funding; new organization in FY07.

Coordination functions and roles of entities and membership organizations:

Individual Agency and Tribe Participation Functions

The Program supports participation by individual agencies and tribes in regional forums to ensure adequate representation from each sovereign fish and wildlife manager in regional decision-making. This participation has generally covered three main arenas: 1) participation in regional committees; 2) participation in technical and policy reviews; and 3) participation in presentations in public forums. It is the responsibility of those agencies and tribes receiving support to ensure that issues of interest to their organization are discussed and/or addressed through regional dialogue in the larger coordination forums.

1. Participation in regional committees include, but are not limited to, Northwest Power and Conservation Council (NPCC) meetings and committees, Bonneville Power Administration (BPA) meetings and workshops, Columbia Basin Fish and Wildlife Authority (CBFWA) policy and technical committees, and other forums that address Columbia River fish and wildlife issues and policies. Specific examples of existing coordination forums that focus on specific issues include participation in the Pacific Northwest Aquatic Monitoring Partnership (PNAMP) meetings and workshops, and Northwest Environmental Data Network (NED) meetings and workshops.

Deliverables:

Individual fish and wildlife managers' participation in the adaptive management framework of the Fish and Wildlife Program. Specific examples include individual agencies and tribes providing input into the generation of meeting agendas, reviewing material prior to meetings, attendance and participation in meetings, and reviewing meeting notes or summaries for accuracy and sufficiency in capturing their organizations' perspectives.

2. Participation in providing coordinated technical reviews including preparation of any documents, reviews, and comments for meetings, and briefing policy representatives within their agency or tribe on decisions to be discussed or

input to be provided. This does not necessarily assume that all communications will have a consensus view, but rather the reviews will be coordinated and disagreements well understood.

Deliverables:

Coordinated technical and policy input in the form of recommendations, white papers, or other communications.

3. Participation in coordinated presentations to the NPCC, BPA, and/or other policy-makers to express positions or recommendations from individual agencies and tribes or coalitions of agencies and tribes on Columbia River issues. The representatives should review decision material and talking points, prepare panel or individual presentations to decision-makers, and attend meetings and participate in presentations. This does not necessarily assume that all communications will have a consensus view, but rather the communications will be coordinated and different perspectives well understood.

Deliverables: Coordinated presentations and participation on topical issues in regional forums.

Functions of Membership Organizations That Provide Coordination Support

The Membership Organizations provide two primary functions that address the planning, implementation, and evaluation steps in the adaptive management framework for the fish and wildlife program: 1) provide the opportunity to develop coordinated input into decision-making processes, and 2) provide technical and policy staff to support development of issue descriptions and conversations on topics that include multiple fish and wildlife managers' jurisdiction or responsibilities (e.g., lamprey management, data management, river operations).

1. Membership Organizations provide the opportunity to develop coordinated input into regional decision-making. These organizations provide meeting support in the form of meeting space, development and distribution of agendas and meeting notes, solicitation of ideas and input, and generally an opportunity to get coordinated input into regional decision making. Each of these affiliations provides for assistance to its membership in the form of staff, services, facilitation, and information dissemination. They work together to provide regional monitoring and evaluation coordination, reporting, and other services important to a larger regional adaptive management framework and Program implementation. Individual agencies and tribes may choose their membership status within these organizations; however, these membership organizations serve specific functions and when funded through the Program will be open to the public when discussing Program-related activities.

Deliverables

A. In the planning phase of the fish and wildlife program, these would include common amendment recommendations, policies, priorities, and recommendations for sequencing that include strategies and measures expressed in common terms that can be readily evaluated in a programmatic

way rather than as a broad set of independent recommendations. This benefits the Program by allowing more efficient development and analysis of amendments and participation of agencies and tribes early in the process as well as creation of a monitoring and evaluation plan with appropriate data management and reporting.

B. In the implementation phase of the Program these would include coordinated policies and strategies, facilitation of workshops that allow interaction between project sponsors, and coordination of data management and reporting.

C. In the evaluation phase these would include study plans and data priorities and coordinated reporting as tools to evaluate the Program (e.g., Status of the Resource Report).

2. Membership Organizations provide technical and policy staff that support development of policies that include multiple fish and wildlife managers' jurisdictions or responsibilities. The agency and tribal staff are able to provide feedback into developing regional priorities, but more importantly are able to make agency and tribal commitments to collecting and providing information in a format and system that facilitates regional sharing and Program support. These activities cover all aspects of the adaptive management process.

Deliverables:

A. Integrated monitoring programs and data management plans that support regional decision-making while supporting the requirements of individual entities.

B. Technical and policy staff dedicated to specific Program-related topic areas.

C. Facilitation of classes, seminars, workshops, training, symposia, and conferences.

Current Work Elements:

- i. The BPA-funded PISCES work elements currently used by entities participating in Regional Coordination are:

WE #189, Regional Coordination: Refers to coordination work that covers a large portion of the Columbia River Basin. Coordination which directly supports other project work should be covered in the details of the associated work element. Coordination work which helps identify or select projects and/or sites is covered under **WE# 114, Identify and Select Projects.**

WE #99, Outreach and Education: Covers work to educate or communicate with the public. Includes conducting classes, seminars, workshops, training, symposia, and conferences. Excludes work to coordinate landowners or other direct participants in on-the-ground conservation (include this type of

coordination as part of the associated implementation WE), or work to identify and select new projects (WE# 114: Identify and Select Projects).

WE #122, Provide Technical Review: the review of technical details, including but not limited to engineering plans, restoration plans, project selection, RM&E methods, and deliverable approval.

WE #132, Produce (Annual) Progress Report: This work element covers written reports of results that typically are submitted to BPA at the end of a contract period for dissemination to the public. These progress reports may cover less than a year or multiple years, and are particularly important when useful results are not captured by standard Pisces metrics or status reports. Progress reports may be either technical or non-technical in content and format. Other work elements common to most Program projects: [WE #119, Manage and Administer Projects](#), and [WE #185, Produce Pisces Status Report](#).

- ii. Watershed Coordination is the interaction of and among watershed stakeholders with specific endorsement from affected fish and wildlife managers and tribes to coordinate actions and projects to effect changes in specific watersheds in a cost-effective manner. The work element currently used to describe watershed coordination is:

WE #191, Watershed Coordination: Covers coordination work focused on a local watershed or subbasin. Coordination which directly supports other project work should be covered in the details of the associated work element. Coordination work that helps identify or select projects and/or sites should be covered under [WE #114 Identify and Select Projects](#).

- iii. Project-level coordination is the interaction of project sponsors and stakeholders to implement on-the-ground actions in a cost-effective and coordinated manner. Funding for project-level coordination is provided through implementation of specific work elements within a project's work plan and is usually represented as milestones under each work element.

Proposed funding levels for regional coordination (FY 08 and beyond):

The target funding level for all coordination projects for FY08-09 is \$2,052,515 (BPA number), or \$2,351,044 (NPCC number), or one based upon the true need that is being developed by the coordination project sponsors. Project sponsors will develop a description of how their projects address functions identified above, deliverables that their projects will provide for the Program, and estimated costs to provide those functions. Those descriptions could be included below.

Each of the membership organizations provides various value added services to its membership and the Basin as a whole. Facilitated discussions and information dissemination are the most valuable assets associated with membership organizations. Currently there are four such organizations within the Basin that assist in the facilitated coordination of and among the fish and wildlife managers and tribes. They are:

1. **Columbia Basin Fish and Wildlife Authority** (membership is open to all 19 federal and state agencies and Indian tribes that manage Columbia Basin fish and wildlife resources in the United States, including representation of the membership organizations identified below). This entity provides a forum to assure comprehensive and effective planning and implementation of fish and wildlife programs in the Columbia River Basin, ongoing or proposed, consistent with the requirements of applicable law; and to facilitate discussion among fish and wildlife managers in an effort to find consensus, to improve the quality of fish and wildlife decision-making, and to influence regional decision-makers.
2. **Columbia River Intertribal Fish Commission** (membership consists of the Warm Springs, Yakama, Umatilla, and Nez Perce tribes). The Columbia River Inter-Tribal Fish Commission's mission is to ensure a unified voice in the overall management of the fishery resources, and as managers, to protect reserved treaty rights through the exercise of the inherent sovereign powers of the tribes.
3. **Upper Columbia United Tribes** (membership consists of the Coeur d'Alene, Kalispel, Kootenai, Spokane, and Colville tribes). This entity provides a forum to unite the upper Columbia River tribes in the United States for the protection, preservation, and enhancement of treaty/executive order rights, sovereignty, culture, fish, water, wildlife, and habitat and other interests and issues of common concern in their respective territories through a structured process of cooperation and coordination for the benefit of all people.
4. **Upper Snake River Tribes** (membership consists of the Burns Paiute, Shoshone-Bannock, and Shoshone-Paiute tribes). The compact of the Upper Snake River Tribes will work to ensure the protection, enhancement, and restoration of natural and cultural resources, activities, and rights of the compacting tribes that are reserved by treaties and executive orders, protected by federal laws and agreements, or are the subject of aboriginal claims asserted by the tribes.