



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

851 SW Sixth Avenue, Suite 260 | Portland, OR 97204-1339
Phone: 503-229-0191 | Fax: 503-229-0443 | Web: www.cbfwa.org

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 Department of Fish, Wildlife and 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: December 31, 2007
TO: Members Advisory Group; Anadromous Fish Advisory Committee; Resident Fish Advisory Committee; Wildlife Advisory Committee
Cc: Joe Mentor, Mentor Law Group; Gwen Spencer, Sapphire Strategies
FROM: Brian Lipscomb, CBFWA
SUBJECT: Final Action Notes for December 18-19, 2007 Amendment Workshop and MAG Meeting

Members Advisory Group (MAG) Meeting & Amendment Workshop Tuesday, December 18, 2007 Wednesday, December 19, 2007 @ Columbia Basin Fish and Wildlife, Portland OR

The support material for the December 18-19, 2007 MAG Meeting/Amendment Workshop is posted at <http://www.cbfwa.org/committees/Meetings.cfm?CommShort=MAG&meeting=all>

Final Action Notes

Attendees 12/18/07: Mark Bagdovitz, USFWS; Lawrence Schwabe, BPT; Ronald Peters, Cd'AT; Doug Hatch, CRITFC; Tom Scribner, YN; Sheri Sears, CTCR, Brad Houslet, Elmer Ward, CTWS; Edward Sheets, Consultant, YN; Michele DeHart, FPC; Joe Mentor, Mentor Law Group, PLLC; Angela Sondanaa, Dave Statler, NPT; Elizabeth Gaar, NOAA Fisheries; Patty O'Toole, John Shurts, NPCC; Tom Rien, ODFW (p.m.); Gwen Spencer, Sapphire Strategies; Doug Taki, Tim Dykstra, SPT; Linda Ulmer, USFS (p.m.); Brian Lipscomb; Tom Iverson; Ken MacDonald; Dave Ward; Neil Ward; Pat Burgess, CBFWA

By Phone 12/18/07: Tom Rien, ODFW (a.m.); Anders Mikkelsen, Quannah Spencer, Cd'AT; Carl Scheeler, CTUIR Nate Pamplin, WDFW

Attendees 12/19/07: Mark Bagdovitz, USFWS; Lawrence Schwabe, BPT; Ronald Peters, Cd'AT, Tom Scribner, YN; Sheri Sears, CTCR; Brad Houslet, Elmer Ward, CTWS; Edward Sheets, Consultant, YN; Joe Mentor, Mentor Law Group, PLLC; Angela Sondanaa, Dave Statler, NPT; Patty O'Toole, NPCC; Tom Rien, ODFW; Gwen Spencer, Sapphire Strategies; Doug Taki, Tim Dykstra, SPT; Linda Ulmer, USFS; Brian Lipscomb, Paul Ashley, Ken MacDonald, Neil Ward, Pat Burgess, CBFWA

By Phone 12/19/07: Carl Scheeler, CTUIR; Nate Pamplin, WDFW

Time Allocation:

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

ITEM 1: Introductions and Approval of Agenda

Brian Lipscomb, CBFWA, articulated that the expectations for the workshop is to review the process and timeline and determine if an extension is necessary, and review the white paper, communication tools, and the overall strategy.

Brian suggested that the MAG shift item #6 to follow item #7.

Action: • The MAG approved the agenda with the modification requested. No objections.

Note: *Additional items were reordered during the meeting: The agenda items are listed in the order discussed.*

ITEM 2: Approve the November 20, 2007 MAG Draft Action Notes as Final

- Action:**
- The MAG approved the November 20, 2007 action notes as final. No objections.

ITEM 3: Process Timeline and Communication Tools

Tom Iverson, CBFWA, and Gwen Spencer, Sapphire Strategies, began the discussion by reviewing the timeline and a brief overview of the process:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/Amendtimeline2.pdf.

Tom advised that the strawman programmatic write-up covering the background material, context, scientific, management principles, and various general strategy descriptions, was sent out to the MAG for review the week before the workshop. The MAG commented that CBFWA staff is heading in the right direction.

Tom stated that, based on the current timeline, over the next three weeks the MAG would work with the committees to develop final recommendations for Members' review at the January 17-18th meeting. The measures that do not gain consensus will be pulled out and when Members do their individual internal reviews they can add the pieces back in that they want to move forward. The end result will be the members submitting program amendment recommendations that are very similar in structure and framework and with a common scientific foundation, i.e., the strategy adopted by CBFWA Members in January 2007. If an extension is granted, the additional time would be used for Member review of the drafts and to polish the final product.

Tom and Gwen presented two draft documents that could be used as tools for Members to use to communicate the CBFWA effort to their respective agencies and tribes providing all Members with a common understanding. The tools can also be used for press releases, communication to the Northwest Power and Conservation Council (NPCC), Bonneville Power Administration (BPA), and other external audiences.

The talking points were developed to characterize CBFWA's program amendment recommendations:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/CommunicationsToolTalkingPoints12.19.07_d5.doc.

The presentation is an accompaniment to the talking points but it provides additional detail and examples:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/CommunicationsTool%20d5.ppt.

- The MAG was asked to review the documents during the two-day workshop and be prepared to provide specific comments and edits under agenda Item #11 on December 19th. Tom stated that it is hoped that the tools would also plant the seed for communicating to the tribal councils to obtain resolutions at their January meetings. Tom added that CBFWA staff could help write some resolutions, if that assistance is needed.

Mark Bagdovitz, U.S. Fish and Wildlife Service (USFWS), acknowledged that the tools provide a good start toward developing the communication strategy and noted that it is advantageous that this strategy will be in place early-on in the process.

ITEM 4: Review of Final Version of Authorities White Paper

Joe Mentor, Mentor Law Group, reviewed the latest draft version of the white paper: http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/AuthoritiesWhitePaper12-05-07.doc.

Section I provides a basic overview of the Northwest Power Act, the role of the F&W Managers, and the participatory process; **Section II** covers the history and evolution of the Program and how it has been affected by case law; **Section III** discusses six selected key issues that may arise during the Amendment process and are issues that have been under discussion by CBFWA Members and MAG; and **Section IV** - Conclusion.

Joe shared that contents of this document is derived of feedback from various parties to include NPCC and BPA staff with the intent of providing a document that will be relevant and useful and gain acceptance rather than controversy. Joe stated that he does not see value in attaching this white paper as an appendix to the recommendations. The greatest utility of the document will be seen through extracting contents to provide explanations, justifications, and context for the recommendations. Joe added that some variation of the white paper may be publishable and cited as such and he will explore publishing deadlines through the northwest universities.

- The white paper is still a work in progress and Joe stated that he welcomed additional input. He asked the MAG to get comments and edits to him by January 10th at which time he will prepare the document for Members review at the winter meeting in Vancouver WA.
- No formal action was taken but the MAG was asked to think about how CBFWA Members may want to use the white paper and how it should be cited within the recommendations. Joe will also consider alternative ways the white paper can be utilized.

ITEM 5: Overall Program Amendment Recommendations and Work Plan

As reported earlier under Item 3, the draft strawman document was recently sent out to the MAG for review. Tom Iverson advised that he and Joe Mentor have made edits and additions to the document but the draft is still rough. Tom and Joe are requesting volunteers to help author the programmatic sections.

Tom Iverson reviewed the draft strawman document with the MAG:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/121407_CBFWArecommAmendmtsStrawmanDRAFT.doc.

Comments provided by the MAG during the review of the strawman document:

- Dave Statler, Nez Perce Tribe (NPT), suggested that the section on “Climate Change” be incorporated into the discussion in Section II A: Purpose and Legal Basis for F&W Program, or at least positioned further up in the document.
- Liz Gaar, National Oceanic and Atmospheric Administration (NOAA), cited a briefing recently provided by Bob Lohn, NOAA, with regard to climate change. Liz suggested incorporating into the document that the subbasin plans give consideration toward targeting perspective threats with regard to climate change.
- Angela Sondanaa, NPT, suggested that language be developed within Section F: Implementation Standards to describe a reverse *in lieu* question. Brian Lipscomb added that in the recent IEAB report to NPCC on their review on wildlife expenditures, it was recommended that the NPCC explore the option of pursuing the sale of environmental credits from protected habitat under the Program. Brian suggested that we might use this opportunity to address this issue. Mark Bagdovitz, USFWS, suggested considering language stating that the *in lieu* issue should be addressed within the Program and not as an external policy.
- Ed Sheets, Consultant, Confederated Tribes and Bands of the Yakama Nation (YN), suggested that language be added regarding how BPA expresses its fish and wildlife costs (i.e., request they provide a full net cost - currently BPA displays costs but not the offset from credits).
- Carl Scheeler, Confederated Tribes of the Umatilla Indian Reservation (CTUIR), added that when speaking to *in lieu* crediting, make sure to state that credits are not allowed when no net benefit has accrued as a result of the monies associated with the credit (i.e. wildlife crediting issue, carbon sequestration credits).
- Liz Gaar, NOAA, offered to discuss with Tom the implementation aspects relating to the local recovery board effort.

- Ed Sheets, YN, requested that cost-effectiveness be addressed. Dave Statler, NPT, commented that cost effectiveness is covered sufficiently under F. Implementation Standards 1. Statutory Criteria Standard 4.
- Mark Bagdovitz, USFWS, suggested language be developed suggesting that the NPCC budget/recommendation to BPA for funding be based on implementing provisions of the F&W Program as opposed to a rate case established funding level.
- Dave Statler, NPT, suggested that there's a need to identify realistic goals and objectives that will occur within a five-year period. In addition, (under B. Scientific Foundation and Principles 3. Management Principles) Dave suggested that consideration be given to situations where the concept of mitigation falls outside the context of scientific principles. (Instead of listing this as "3" under Scientific Foundation, add it as C. Management Foundation.)
- Brian Lipscomb, CBFWA, suggested under C. Biological Objectives 2. Basin Level Bio Objectives that the number of fish (i.e., hydropower impact) be verified from a population basis up to a programmatic basis.
- Under C. Biological Objectives 3. Objectives for Hydroelectric Projects, Brian Lipscomb suggested that there is a need to establish a MAG subcommittee to establish the objectives for the projects beyond the BiOp (i.e. non-listed fish & wildlife). Brian stated that Members may want to give consideration to non-federal hydroelectric projects and federally owned non-hydro projects for inclusion in the Program. In the context of *in lieu*, BPA is obligated to pay for the non-federal measures to the extent that they are not included in a non-federal FERC license. Additionally, Brian referenced the connection with regard to language in the Program relative to instruction for a pending FERC license proceeding and measures that need to flow from the Program into that license (e.g., fish passage at Hells Canyon).
- Dave Statler, NPT, suggested that there should also be a discussion relative to limiting factors. Tom Iverson suggested that could be added under C. Biological Objectives 6. Significance of Objectives and Strategies.
- Under D. Strategies and Measures, it was agreed that the arrangement and placement of "Regional Coordination" needs further consideration. Mark Bagdovitz, USFWS, and Ed Sheets, YN, volunteered to help with appropriate placement and integration of budget detail.
- Under Outreach and Education, consider adding a paragraph outside the box, stated as an opinion, that Columbia Basin Bulletin (CBB), as it is currently functioning, meets the intention of this measure.
- Angela Sondenaa, NPT, suggested that wildlife mitigation also be considered under programmatic. Tom Iverson concurred and stated that artificial production, resident fish RM&E could also fit within this section.
- Dave Statler, NPT, suggested that Resident Fish Strategies and Measures might be better listed as Resident Fish Substitution Strategies.
- Mark Bagdovitz, USFWS, suggested that it is important to maintain a regionwide, basinwide view of the Program. Tom Iverson suggested that language could be added as such under VI. Implementation Provisions.
- Under VI. Implementation Provisions, Mark Bagdovitz suggested that language be added to the effect that we want NPCC to implement what is needed for the F&W Program, realizing that we don't know what that might mean to the ratepayers; however, it is ultimately the NPCC's responsibility to determine the balance. Ed Sheets, YN, suggested for consideration to include information to articulate an analysis of how the range of costs translate into ratepayer and market impacts.
- Tom Iverson stated that with regard to the vision statement under III. Basinwide Provisions, he would align the visions (NPCC with CBFWA's recommendation)

for consistency.

In conclusion, Joe Mentor and Tom Iverson articulated that this is a rough first draft and a lot of work is left to do and much guidance and feedback is needed to hammer out some of the sections. In addition, if there are sections Members feel should not be included, they should communicate that to Tom and Joe time and resources are not spent to write those sections. Tom and Joe suggested a MAG subcommittee to complete this draft.

Also attached to the strawman document but not reviewed within the meeting, was a data management amendment document completely by the Data Management Framework Subcommittee (DMFS):

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/DataManageAmend12_17_2007.doc.

ITEM 7: Anadromous Fish Advisory Committee (AFAC) Progress and Recommendations

Dave Ward, CBFWA, reviewed an AFAC presentation providing the overview of the progress of the recent AHA workshops:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/AnadromousSummaryDec182007.ppt.

Dave explained that the AFAC is using the All H Analyzer (AHA) tool to help prioritize suites of measures (i.e., actions that deal with each of the H's, that is, what is more important for a given population: hydro, habitat, a combination of the two, etc.). Dave stated that AHA is being used to get a general sense or overall magnitude of the relative FCRPS effects on the populations. Dave stressed that when viewing the presentation, that the emphasis not be placed on specific numbers.

The AFAC must develop measure language and are considering taking language directly from subbasin plans, BiOps, recovery plans or possibly just refer to the recovery plans. The AFAC requested that the MAG provide direction by the end of the workshop on the measure language and whether or not the AFAC should develop subbasin or population specific objectives for the populations that do not have objectives yet.

The AFAC will not be complete with collecting and verifying all the information from the AHA workshops until the final workshop concludes on January 9th.

Day One of the Workshop adjourned at 4:30 p.m. with the participants gathering in the CBFWA office for a holiday celebration.

Day Two: December 19, 2007 8:00 a.m.

ITEM 8: Introductions and Recap of Day One

Mark Bagdovitz, USFWS, stated that based on the work that still needs to be done, an extension may be necessary. There was a brief discussion about whether or not the NPCC would be inclined to grant the extension.

ITEM 6: Monitoring and Evaluation Amendment Recommendation

Tom Rien, Oregon Department of Fish and Wildlife (ODFW), reviewed a presentation on development of RM&E amendments:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/RME-CBFWA-PresentationToMAG_121707RienDraft.pdf.

It was discussed that an ad hoc RM&E group could flesh out the recommendations based on recovery planning and the BiOp, etc, and an operations group could develop recommendations based on material developed for BiOp review and comments.

The MAG agreed that from an anadromous fish perspective the information provided details a good direction. The general framework may fit for resident fish, but the scale may be different; however, it may not work for resident fish substitution. It would be important for the ad hoc group to have resident fish representation.

Dave Statler, NPT, added that this could be a good segue for inclusion of the resident fish M&E into the Collaborative Systemwide Monitoring and Evaluation Project (CSMEP).

Brian Lipscomb encouraged the MAG to consider the application of the RM&E structure to resident fish and consider revisiting it before the end of the workshop.

ITEM 9: Resident Fish Advisory Committee (RFAC) Recommendations

Neil Ward, CBFWA, provided a presentation on the progress of the RFAC: http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/RFAC_12Dec2007MAGpresentation.ppt.

Neil advised that at the November 20th MAG meeting, Sheri Sears, Confederated Tribes of the Colville Reservation (CTCR), gave a presentation outlining a methodology looking at inundation from an area approach versus a linear approach used by Montana Department of Fish, Wildlife and Parks (MDFWP).

Neil advised that the RFAC still have reservations about the approach and have not reached consensus on an exact procedure to use to identify inundation and operational losses, given the timeline. The RFAC decided upon submitting a request for an amendment to issue a Request for Proposal (RFP) to develop a procedure for assessing resident fish losses due to inundation and operational losses. The RFAC will include language that this effort should not be at the expense of other ongoing projects. The MAG articulated that the amendment recommendation be worded to include and cover all risks and concerns about how the assessment would be completed. The RFAC are scheduled to meet in early January to develop the primary methodology.

- Neil stated that the RFAC is on track to provide a package of measures and strategies by mid January 2008. Neil Ward reviewed an example of a completed measure and strategy of Kokanee – Lake Pend Oreille. The example is representative of what will be completed for each focal species in each subbasin: [http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/RFAC_ProvinceObjectives_Strategies\(5\)12-19-07.doc](http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/RFAC_ProvinceObjectives_Strategies(5)12-19-07.doc)

Mark Bagdovitz added that he submitted language to the RFAC and AFAC raising two issues: 1) reintroduction of anadromous fish above the blocked areas (pointing out that the language exists in the Program already where the NPCC is recommending reintroduction of anadromous fish). This is being done throughout the basin but only in the context of re-licensing of FERC projects. The nonfederal hydropower projects are implementing this part of the Program effectively where complete blockages to historic and anadromous fish habitat exist. Mark added that they are successfully starting to get fish over those projects (i.e., Cowlitz, Clackamas, Deschutes, and Lewis and others); however, on the federal side, nothing appears to have been done.

Mark advised that he also submitted language calling for feasibility studies, i.e. Chief Joseph, Grand Coulee, and others, leaving the door open to other projects where there are blockages.

Additionally, Mark brought up the issue of putting something in the Program that discusses the removal of obsolete infrastructure from rivers, streams, and tributaries as a way to improve fish habitat. Mark cited two examples, Mill Town Dam (Missoula, MT) and Marmot Dam (Sandy River near Portland). Mark stated that the Program does not contain explicit language in this regard. Mark suggested that language be added to the Program that encourages review of obsolete infrastructures in individual subbasins and actively promotes feasibility studies to get them removed. The emphasis is on obsolete (i.e. not being used or of minimal importance).

Mark stated that there is language in the current Program for Lower Snake River Dams which states that over the next five years, the NPCC is going to assume the Lower Snake River Dams will remain in place but if within that time frame if something changes with those projects, it will be reviewed within the context of the existing Program. Mark was not recommending changes to that language.

Neil Ward advised that the committee intends to address Mark's submission at their January 9th meeting.

ITEM 10: Wildlife Advisory Committee (WAC) Recommendations

Angela Sondena, NPT, and Ken MacDonald, CBFWA, reviewed a draft document containing comments made by Anders Mikkelsen, Cd'AT:

[http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/WildlifeAmend_2000_FWProgramDRAFT4\(MAGmtgRev\).doc](http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/WildlifeAmend_2000_FWProgramDRAFT4(MAGmtgRev).doc).

Angela articulated that with regard to crediting, one of the ongoing issues is how to credit against that ledger and how that should work. Right now, the Program has amended in the losses but there hasn't been a formal amendment of the gains from the mitigation program.

Angela referenced the table within the WAC document, which doubled the losses in Table 11-4 in the NPCC's 2000 F&W Program identifying BPA's mitigation obligation for losses due to hydropower construction at federal dams in the Columbia River Basin. In the WAC document, each hydro facility is listed with targeted species using a 2:1 ratio. Historically, BPA was proposing a 1:1 ratio and the F&W Managers were proposing a 3:1 ratio, so the NPCC made a compromise decision to use the 2:1 ratio. Angela stated that to date, BPA does not accept or embrace the 2:1 ratio. Angela added that the concept of 2:1 loss assessment has been controversial within the WAC.

Angela stated that the WAC is proposing to establish a separate forum to deal specifically with crediting of these projects to the ledger. The WAC is recommending that BPA, NPCC, and the F&W Managers establish a ratepayer-funded forum to develop a regional protocol for the establishment and maintenance of a crediting ledger documenting process toward achieving mitigation obligations. The crediting ledger would be formally included in the Program and is to be in place no later than one year after the adoption of the 2008 Program.

Brian Lipscomb, CBFWA, questioned if the 3:1 ratio was scientifically based.

Carl Scheeler, CTUIR, recalled that the 3:1 ratio was based on science and experience with mitigation efforts across the nation. The 3:1 ratio came about as a result of an assessment done by USFWS, as a CBFWA Member, looking at approximate mitigation requirement and at the number of acres of land that need to be set aside and fully enhanced to compensate for impacts to a single acre of land.

Carl continued stating that the NPCC set the 2:1 ratio in the 2000 Program. They looked at the issues of permanence of mitigation versus annualization of the impacts and other elements that could lead toward a reasonable compromise.

Paul Ashley, CBFWA, referenced a white paper authored by USFWS which looked at an acre of habitat lost and how many HU's or acres of habitat it took to make up the one (based on HU's) and stated that generally they came up with three. Paul added that the information in the white paper points to empirical support for the 3:1.

Angela emphasized that the key point is that there is no formal mechanism to provide credit for the work that has been; unfortunately, a clear methodology was not established before the Program proceeded with mitigation for wildlife losses and so it has been done in many different ways over many years with different managers and it needs to be fixed.

The MAG held a lengthy discussion covering a range of issues and ideas to include the use of HU's, clarification about statements regarding the use of acres vs. HU's, expanding the table to include all the losses from the beginning to create a permanent record of the wildlife mitigation activities, adding columns for preservation credits and restoration credits and make it explicit in the ledger, the ISRP/ISAB's role, and the use of HEP or an alternative such as CHAP.

- Angela resolved that some of the issues raised could be addressed in one of the

proposals dealing with the complexities of the crediting and the history of the Program and where projects are credited to which hydro facility and how much credit BPA actually gets. The WAC was proposing to do that as a measure in this new Program. This would be a separate effort using the table referenced because that is what we would consider as the recognized losses for construction inundation.

Off-site Mitigation: The WAC has not been able to resolve and reach consensus on the wording for the jurisdictional paragraph and requested assistance from the MAG. This was briefly discussed but not resolved within the workshop.

- In conclusion, Angela stated that the WAC could better organize the document and further clarify the objectives. Angela will follow-up with Tom Iverson on how to integrate the information into the programmatic format. In addition, the WAC will work to provide more definition and clarification to the crediting forum, and if possible, further clarification and agreement on the jurisdictional paragraph text.

The WAC is scheduled to meet again on January 7-8, 2008.

Brian Lipscomb suggested that the MAG consider a subcommittee assignment to review the strategy in the context of the organizational structure. Brian stated that each of the technical committees has work to do with regard to the specificity of the overall strategies and the key piece is the organizational structure of the program. The subcommittee, consisting of technical committee chairs and MAG representatives, would revise the programmatic structure and apply that structure to the specific recommendations that each committee is working on at the programmatic and subbasin level.

ITEM 11: Next Steps For Amendment Development

Communication Tools: As presented and discussed under Item 3 on day one of the workshop, the MAG revisited how to best utilize the communication tools developed by Gwen Spencer and Tom Iverson and to what audience the tools would be directed.

Talking Points:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/CommunicationsToolTalkingPoints12.19.07_d5.doc.

Presentation:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/CommunicationsTool%20d5.ppt.

- It was agreed that Gwen would email the Talking Points document to the MAG and the Technical Committees with a request for comments back by January 4th with the intent to finalize the document for Members review at the January meeting in Vancouver.
- The Presentation will be assigned to a subgroup that will review and revise the document to match the overall structure of the amendments and run it by the MAG for review before presenting it to the Members at the January meeting in Vancouver.
- Ed Sheets, YN, suggested that in addition to the two tools presented that an additional presentation be created that would summarize the legal authorities (taken from the white paper) and how to apply them in the Program to maximum effect. Ed stated that this summary could be a very effective tool for the policy makers.

MAG Subgroup: The MAG agreed to populate a subgroup consisting of MAG representatives, Technical Committee Chairs, and CBFWA staff. The group will work through the organizational structure of the amendments to ensure they are reflecting the adaptive management strategy from a contextual and process standpoint.

The MAG subgroup consists of: Brad Houslet, CTWS; Angela Sondana, NPT; Mark

Bagdovitz, USFWS; Mike Faler, USFWS; Nate Pamplin, WDFW, and CBFWA staff.

Tom Iverson reiterated that the overall intent is not to depart from the current structure but instead to build in the process for doing adaptive management into the organizational context of the Program, not a deviating from the geographical organizational standpoint. The Technical Committees are doing their work consistent with the Program but what is missing in the current Program is the linkage up to the programmatic goals. We will maintain the strategies that are identified in the Program but the organization of the strategies may change.

Joe Mentor added that initially there was some confusion about some work done at the technical level in an attempt to try to write, in a legislative mark-up style, changes to the Program but as the draft developed it became more of a narrative explaining the recommendations and explaining the rationale behind it.

Request for Extension: The MAG discussed the reason why CBFWA Members would ask for an extension citing that the additional time would be needed to allow for review by the Members' directors and Tribal Councils. Additionally, a brief discussion was held regarding what is driving the NPCC's timeline (i.e. BPA rate case and power function review, and NPCC Power Plan review).

Ed Sheets, YN, shared his knowledge regarding the schedule for the rate case and power function reviews:

- Supplemental Rate Case for FY 2009: The federal register notice is expected on January 18, 2008 pre-hearing conference Jan 28th which will set the rest of the detailed schedule (ROD), but the draft ROD is June 28th, the final ROD is July 23rd.
- Power Cost Review (formerly called Power Function Review) for FY 2009: A Program Cost Review is expected one week after the BiOp is issued. That would look at any changes needed in fish and wildlife costs and changes in the Columbia generating station. This applies if the BiOp stays on a March schedule, it will be late March, unless the BiOp is issued in early April, it will be one week after the BiOp is issued.
- Supplemental Rate Case for FY 2010-2011: According to an attorney-in-charge at BPA, there's hardly anything written down on this but Ed was advised that they expect to start the process in October of 2008 with workshops and a power cost review in the fall of 2008 and a federal register notice to start the next rate case in December 2008.

Ed stated that operationally, if CBFWA's recommendations are going to contain cost/budget estimates, those could be included in the record but they would need to be prepared by the middle of February 2008 for FY 2009 and for FY 2010-2011, probably September/October 2008.

Brian Lipscomb stated that CBFWA has commented on the FY 2009 rate case in correspondence to the NPCC and BPA dated November 21, 2007:

http://www.cbfwa.org/RegionalIssues/Correspondence/CBFWA/CBFWAltr_BPA-NPCC_WP07RateProceedings112107Final-Encl.pdf.

Amendment Product Completion Timeline: The MAG discussed and agreed upon a timeline to coincide with the amendment recommendation due date of February 1, 2008 and a contingent timeline with regard to Member final approval based on an extension deadline of March 1, 2008:

Agreed upon steps toward a Completed Amendment Product proceeding under the current schedule, i.e., Amendments due to the NPCC on Friday, 2/1/08:

- **Members Teleconference January 2nd 1:00-4:00 p.m. @ CBFWA Office**
This meeting will remain as scheduled to obtain Members approval on action to send a Members' unified request for a 30 day extension to the NPCC.
- **MAG Subcommittee: January 3rd 9:00 a.m.-4:00 p.m. @ CBFWA Office**

Complete structure: *MAG subcommittee members: Angela Sondenaa, Mike Faler, Brad Houslet, Nate Pamplin, and Mark Bagdovitz (Mark won't be at the 1/3 meeting.)*

- **Technical Committees: January 7- 9th**
Complete recommendation based on subcommittee work (finish up the bulk of language in the programmatic section, not the list of populations if they are still working on that or the AHA piece).
- **MAG Subcommittee: January 10th/11th 9:00-4:00 p.m. @ CBFWA Office**
Develop final draft and submit the 95% completed draft to Members electronically (for review at the January 17-18th Members meeting).
- **Winter Members Meeting: January 17-18th in Vancouver, WA**
Provide a detailed review with the Members.
- **Final vetting/review by Members the weeks of January 21st and January 28th:** MAG folks should advise their Directors and Tribal Councils now that they will have this coming through and start talking with them to get on the agendas, etc. and internal approval. (It was noted that it will be tight and difficult but may be possible.)
- **Members Meeting (Special/Emergency): January 30th @ CBFWA Office**
Obtain final approval from Members on action to approve amendment package.
- Submit Amendment Package to NPCC: February 1, 2008

Steps toward a Completed Amendment Product if request of Extension is granted by the NPCC:

- If the 30 day extension is granted, a special/emergency Members meeting will be scheduled for the second week of February (instead of Jan 30th) to gain final approval (on what the Members will review at their January 17-18th and subsequent review/vetting by their Directors/Tribal Councils). This is the only step that will change if an extension is granted. This will allow an additional couple weeks for review by the Members directors and Tribal Councils before giving final approval.
- Submit Amendment Package to NPCC: Date as determined by NPCC

View a slightly more detailed product completion timeline at:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/MAG_Amendment_Discussion-FlipNotesdraft2007_1219.pdf

ITEM 13: Public Relations Contract Modifications

Brian Lipscomb updated the MAG on some necessary modifications to the public relations work plan. Brian stated that the current public relations work plan was based on the fact that Tana Klum was facilitating and coordinating the public relations process among the Members and the MAG public relations subcommittee. Given Tana's resignation from CBFWA and the subsequent decision to not fill the position, it is not feasible to continue with the original work plan; as a result, the efforts of Gwen Spencer, Sapphire Strategies, are being refocused.

Brian reviewed the adjustments as outlined in the Draft revised Statement of Work (SOW): 1) The success story narrative will be more focused, 2) The development of the amendment process communication tools (talking points and presentation), and drafting language for a letter and/or resolutions to the governments, 3) Gwen will provide office space interior design support and branding, working in conjunction with Jann Eckman, CBFWA, on the new CBFWA 3rd floor office space, and 4) Gwen will work to further define and offer suggestions on how to enhance the SOTR graphic design for next year's report. Brian confirmed that there are no cost adjustments from the original SOW.

Original SOW:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/AWP_Sapphire_SOW_4_3_07.doc

Revised SOW:

http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/SOW.11.2007Draft2.doc

The MAG agreed to the adjustments in the SOW and recommended that it be reviewed with the Members.

ITEM 12: Status of the Resource (SOTR)

Neil Ward advised that they are working to complete the 2006 draft SOTR report. Neil provided as an example the Columbia Plateau north highlighting the Yakima Subbasin: http://www.cbfwa.org/Committees/MAG/meetings/2007_1218/SOTRstatusplateau-north2pagernewestmag.pdf

Changes/additions reviewed by Neil:

- For each province, hatchery data has been added; however, all the hatchery data has not been obtained, tribal hatchery data is still outstanding. Hatchery data is specific to anadromous fish.
- New information on the province review page is specific to wildlife habitat unit losses per facility.
- PISCES was used this year instead of pulling project accomplishments from proposal.
- Wildlife priority focal habitat was added.
- All data has been entered when data was available. In the example provided (Yakima), all data has not been received.
- New to the report is a focus on wildlife projects funded by BPA throughout the basin; however, information is still outstanding from the wildlife managers.
- An executive summary will be included this year.
- The mainstem chapter was eliminated. The mainstem information is in the respective subbasins so the separate chapter was redundant.
- **Timeline:** Neil advised that the subbasin reports will be available soon for review on the website. Neil advised that communication would be sent explaining how to access the report and requesting review and comments. Neil requested that if anyone sees information that is missing that they can provide, please send it to him. The final document is scheduled to go to print in mid January 2008.
- Neil reminded everyone that the website is up and running at www.cbfwa.org/sotr and asked that they direct any corrections to Binh Quan, CBFWA, at binh.quan@cbfwa.org.

FYI:

Next Meetings:

- The MAG Meeting scheduled for Tuesday, January 15, 2008 is cancelled due to the NPCC meeting and the CBFWA winter Members meeting scheduled for the same week.
- The MAG subgroup will meet on Thursday, January 3, 2008 from 9:00-4:00 p.m. and January 10-11, 2008 from 9:00-4:00 p.m. in the CBFWA office.
- The next regularly scheduled MAG meeting is on the calendar for February 19, 2008.
- The next Members teleconference is scheduled for Wednesday, January 2, 2008 in the CBFWA Office.
- The Winter Members meeting is scheduled for January 17-18, 2008 in Vancouver, WA.
- The next NPCC meeting is scheduled for January 15, 2008 in Vancouver, WA (the meeting is now a one day meeting, per NPCC communication on 1/7/08).

Meeting Adjourned.