



September 30, 1999

TO: Members  
Fish and Wildlife Managers

FROM: Brian Allee 

SUBJECT: Draft 8/31/99 & 9/1/99 Members Meeting Action Notes

**CBFWA MEMBERS MEETING  
August 31 & September 1, 1999  
Four Points Sheraton Hotel  
Portland, OR**

**DRAFT ACTION NOTES**

**ITEM 1: Introductions and Opening Remarks, Approval of Draft Action Notes from the 5/4-5/5/99 Members Meeting, and Approval of Agenda**

**ACTION:** The Draft Action Notes from the 5/4-5/5/99 Members meeting and the 8/31-9/1/99 Members Meeting Agenda were approved by the Members.

**ITEM 2: Discussion of NWPPC Version 3 "FY 2000 Rolling Issue Memo"**

**Discussion:** Bob Lohn led the discussion of the NWPPC's Version 3 document and stated that:

- support for the Program is not automatic,
- external credibility is lacking,
- the Region needs to be in a position to justify fish and wildlife needs after the Memorandum of Agreement.
- the ISRP made a "no blueprint" allegation about the program,
- some subbasin planning exercises are conflicting, and
- we are in a centralized planning mode and the environment is moving away from the centralized mode.

Bob indicated that these are the kind of serious criticisms that can't be ignored. The Desired End State (Version 3) proposes that subbasin plans

be developed locally and then reviewed by the NWPPC. Subbasin plans should provide an analogy of how the work in one subbasin affects the other. The building blocks of a subbasin plan would be developed within the subbasin, not from those centrally planned. The NWPPC did not address the role of CBFWA in the document because the CBFWA managers need to determine what that is.

Bob stated that as the NWPPC expands the program, there would be an increasing amount of technology transfer. CBFWA can provide technical and writing assistance. CBFWA can provide valuable help on the Artificial Production Review. CBFWA needs to tell the NWPPC how they fit and then it can be considered. Tony Nigro stated that our role is described in detail in our FY 2000 proposal. Gary James indicated that if the NWPPC is looking for credibility, look at our DAIWP. It supplies the NWPPC with what they are looking for in FY 2000. Bob Lohn indicated that he didn't want to imply that the current role was wrong for CBFWA, however, as the NWPPC changes the project review process, that role may change. John Shurts discussed the fact that Version 4 of the NWPPC's rolling issue memorandum (which was a handout at the meeting) includes "a second bite at the apple."

**ITEM 3: Members Approval of CBFWA Response to Version 3 of the NWPPC's FY 2000 "Rolling" Issue Memorandum for the Direct Program Project Review Process**

Discussion: Joe Mentor, CBFWF/A Attorney, presented and summarized his draft opinion letter on the legal relationship between the Northwest Power Planning Council (NWPPC), the Independent Science Review Panel (ISRP) and the members of the Columbia Basin Fish and Wildlife Authority (CBFWA). Joe said he would like to share this letter with the NWPPC after the CBFWA members reviewed it and then, after the CBFWA Members and NWPPC staff had an opportunity to comment on the draft, prepare a final version of the letter. In regards to the ISRP, Joe stated that:

- the ISRP role is limited to review of projects funded by BPA,
- the ISRP statute doesn't limit the role of the agencies and Tribes,
- the ISRP sunsets next year and will be revisited again by Congress.

Regarding the charges of "conflict of interest," in his legal opinion, he doesn't see any conflict at all of the A/T's putting forth recommendations of work they want to do. Where it gets complicated is recommendations from outside proposals (everything except those proposals put forward by the A/T's). Then the perception is that the outside proposals don't fair well in comparison to CBFWA proposals. The CBFWA role is somewhat muddled because CBFWA reviews outside proposals. As for the

NWPPC's "rolling" issue memorandum (desired-end-state), it is, as such, a program amendment. CBFWA should put forward their own version of a program amendment to the NWPPC and then it would be up to the NWPPC to respond (accept or reject) or CBFWA should address their concerns in a strong letter to the NWPPC.

**ACTION:** Members recommended an ad hoc committee draft a letter to the NWPPC addressing CBFWA's concerns with the NWPPC's Version 3 "rolling" issue memorandum (desired-end-state), as well as highlighting areas of agreement for Members approval. Once the letter is approved, the Members directed the letter be hand carried to the NWPPC for delivery at their work session in the afternoon. Members also approved Joe Mentor's request to share his "opinion letter" with Steve Crow, Director, NWPPC.

**ACTION:** Members reviewed, edited, and approved the draft letter to NWPPC Chairman, Todd Maddock, which was developed by the ad hoc committee. The Members directed staff to finalize the letter for the CBFWA Chair's signature. A delegation of the Members attending the NWPPC's Fish and Wildlife Committee session that afternoon, hand carried the letter and presented it to the NWPPC at their meeting.

**ITEM 4: Charter – Allow to Sunset or Extend Interim Adoption**

**Discussion:** Brian Allee briefly summarized the background history of the Charter interim adoption and indicated that the ad hoc group assigned to this task had not yet finished their work on completing the remaining administrative decisions to tie back into the Charter. Brian requested the Members extend the interim sunset provision.

**ACTION:** Members approved extending the interim adoption and sunset provision until December 31, 1999 or the next Members meeting, whichever comes first.

**ITEM 5: Revised CBFWA FY 2000 Work Plan**

**Discussion:** Tom Giese reviewed the revised draft CBFWA FY 2000 Work Plan with the Members. The main change is to focus objectives 1 and 2 to redirect that effort explicitly to completing the subbasin plans. Tony Nigro indicated that the Members would still need to deal with annual needs such as amend projects and respond to unmet needs.

**ACTION:** Members directed that staff submit the work plan based on the existing FY 2000 proposal but in the cover letter describe that the tasks under objective one may change depending upon what the FY 2001 project solicitation looks like.

**ITEM 6: Identification of Key Strategic Planning Issues**

**ACTION:** Materials and strategies developed during the planning sessions held through the remainder of today and tomorrow have been sent out under separate cover.

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