



# COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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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 government 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

**Final**

**DATE:** July 8, 2008  
**TO:** CBFWA Members  
**FROM:** Brian Lipscomb, CBFWA  
**SUBJECT:** Final Action Notes for the June 25-26, 2008 Members Meeting

## Summer Members Meeting Warm Springs, Oregon June 25-26, 2008

### Day One: Wednesday, June 25, 2008

10:00 a.m. - 5:00 p.m. (PST)

12:00-1:30 p.m. – Working Lunch & Climate Security Act Briefing Presentation

6:00-8:00 p.m. - Salmon Bake Dinner Hosted by The Warm Springs Tribe

### Day Two: Thursday, June 26, 2008

8:00 a.m. – 12:00 p.m. (PST)

12:00-5:00 p.m. - Working Lunch & Pelton-Roundbutte Fish Facility Field Tour

All support material is posted on the Members webpage at

<http://www.cbfwa.org/committees/Meetings.cfm?CommShort=Members&meeting=all>.

## Final Action Notes

### Day One – Wednesday, June 25, 2008

**6/25/08 Attendees:** Chairman Larry Peterman, MFWP; Ron Suppah, Leslie Bill, Elmer Ward, and Brad Houslet, CTWS; Lawrence Schwabe, BPT; Ronald Peters, Cd'AT; John Platt, CRITFC; Lynn DuCharme, CSKT; Fidelia Andy, YN; Jay Minthorn and Gary James, CTUIR; Sharon Kiefer, IDFG; Wilfred A. Scott and Dave Statler, NPT; Elizabeth Gaar, NOAA Fisheries; Tony Nigro and Tom Rien, ODFW; Dan Diggs and Mark Bagdovitz, USFWS; Nate Pamplin, WDFW; Joe Mentor, Mentor Law Group, PLLC; Doug Howell, NWF; Washington Council Member Dick Wallace, Montana Council Member Rhonda Whiting, and Patty O'Toole, Council and Brian Lipscomb, Jann Eckman, Kathie Titzler, Tom Iverson, Dave Ward, Ken MacDonald, Binh Quan, Trina Gerlack, CBFWA

**WebEx - Phone:** Claude Broncho, SBT, Washington Council Member Tom Karier, Council; Vice President EFW Greg Delwiche and Linda Hermeston, BPA

<b>Time Allocation:</b>	Objective 1. Committee Participation	70%
	Objective 2. Technical Review	30%
	Objective 3. Presentation	0%

### Welcome and Opening Remarks by Elmer Ward, CTWS

### Invocation and Welcoming by Tribal Chairman Ron Suppah, Confederated Tribes of the Warm Springs

### ITEM 1: Introductions, Roll Call, and Approve Agenda

**Action:** A quorum was confirmed and the Members moved to approve the agenda with one change under item 3, Dr Karier's HLI discussion bullet would go first. Also, if time permits, two additional items would be added to the agenda: 1) review and approve the draft Antimycin letter and, 2)

update on the Predation workshop summary. No objections to the agenda revisions.

**NOTE:** *Due to time limits, some of the agenda items were reviewed out of order or postponed. The action notes reflect those changes.*

*The draft Antimycin letter and Predation workshop summary were not discussed and will be added to the July 9, 2008 Members Teleconference draft agenda.*

**ITEM 2: Approve as Final: Draft Action Notes from the June 4 and June 9, 2008 Members Teleconference**

**Action:** The Members moved to accept the June 4 and June 9, 2008 Members Teleconferences draft action notes as final. No objections.

**ITEM 3: Updates from Northwest Power and Conservation Council (Council) – Tom Karier, Rhonda Whiting, Dick Wallace, and Patty O’Toole, NPCC**

- Discuss the High Level Indicators (HLI) developed by the Council and a verification of how these tie into the Status of the Resource Report and Program Amendments.

Council HLI Presentation -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/NPCCpresentation\\_FW\\_HLI\\_6\\_12\\_08.pdf](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/NPCCpresentation_FW_HLI_6_12_08.pdf)

**Discussion:** Dr. Karier, Washington Council Member, stated the Council is working on the RM&E issue and one of the first efforts is finding agreement on the high-level indicators to report accomplishments in the region and provide their reports to Congress and the Governors. For several months, the Council has been developing the HLIs and working with Brian Lipscomb and CBFWA staff. The Status of the Resources Report has been very helpful providing available information and to help identify measures in the future.

Dr. Karier provided the presentation via WebEx teleconference. The draft set of high-level indicators (HLI) developed by the Council are designed to measure success of the F&W Program. The high-level biological and implementation indicators could become part of the Program. The public comment period ends July 11, 2008. The indicator description pages are a general look at the science level of performance indicators for the region that are directly related to the Program, but not exclusively. There are two categories of indicators in the presentation; the first is the biological indicators. The Council is requesting information from the agencies and Tribes to provide data to help define and complete the high-level indicators. Second, are the implementation indicators, which are important for measuring the actions taken. The efforts taken will produce the biological result desired. Many of the implementation indicators are available through PISCES. The Council would like to develop a measure of watershed health indicator that is accepted by all.

The Council is starting out with a smaller list of HLIs to find those that are easier to identify and have broader support, leaving the option to add HLIs to the list in the future.

Council next steps are to define the biological and implementation indicators, develop management indicators, identify sources of data and reporting processes, and incorporate indicators into reports to Congress and the Governors.

Dr Karier outlined the following issues not in the presentation. At this point, these indicators do not have a management part for them, which will come about through measures and the development of the amendment process or after that. In addition, there is another indicator category; the management indicators, which are more policy directed. The Council needs more time to review and develop the management indicators for future public comment.

Tony Nigro requested that the Council define clearly the difference between an implementation and management indicators because there are certain standards for fish passage.

Nate Pamplin referenced the biological indicators for monitoring for life-cycle mortality or select watersheds for habitat. He asked what is the Council’s process for identifying those specific populations or watersheds?

Dr. Karier responded that he envisions a regional discussion on what we currently know about

those populations. Those discussions have not started yet and will be decided by the Council.

Dave Statler referenced the presentation table for biological indicators total abundance description where lamprey is listed, is the Council going to attempt to define biological indicators for Pacific lamprey?

Dr. Karier responded the list in the presentation table is not comprehensive; it is a list of examples of fish that are in the Program. The Council wants to have discussions on the current information they have and what information they need. Dr. Karier is hoping to take advantage of the fish and wildlife managers and Tribes expertise to develop the HLIs.

Dave asked if the Council's process includes the development of management indicators for Pacific lamprey? For example, there are certain standards for fish passage for salmon and steelhead in the mainstem that would apply in juvenile passage and could be measured to gauge the progress being made to improve the conditions for adult and juvenile passage for Pacific lamprey. There is a need to address Pacific lamprey as well. There are challenges in terms of technology to gauge survival of juvenile lamprey through the hydro system. A goal is needed to pursue and encourage the appropriate technology to be developed. Some of the measures in hydro system passage may do positive things for Salmon and steelhead, but may do negative things for Pacific lamprey passage. If this effort is for the whole ecosystem, it is important that those actions be considered to do positive things for all species. Dr. Karier agreed, it is important to find positive measures for all populations.

Elizabeth Gaar asked if the annual report will include the basinwide objectives related to the 5M fish, SARS, and some comments on the recommendations also be provided as context for indicators.

Dr. Karier replied that the Council currently reports annually to Congress, but does not include specifics like biological indicators or say much about the accomplishments fish and wildlife Program. The indicators will show progress and improvements for fish. The indicators will provide more information on how close and how much more work is needed to achieve their goals, and that will be part of the report.

**Item 3  
continued:**

**Updates from Northwest Power and Conservation Council (Council) – Tom Karier, Rhonda Whiting, Dick Wallace, and Patty O'Toole, NPCC**

- What the Council envisions for amending the Program in light of recommendations, comments, MOA's, and BiOp, etc., and what the agencies and Tribes might expect in the form of interactions with the Council to accomplish this vision.
- How the Council anticipates participating in the FY10 and FY11 Bonneville Power Administration (BPA) budget setting process.

**Discussion:**

Rhonda Whiting thanked CBFWA for the invitation and acknowledged the good working relationship for sharing information on the amendment process. Rhonda reported the logistics for the Council's process. In addition to the regular Council meetings and amendment working meetings, Chairman Booth asked that a sub-working group meet to have conversations with Council staff on what materials are most important for the Council Members to review to make decisions regarding amendments at the full Council meetings. She stated that Dick Wallace and Dr. Karier are on sub-working group and Patty O'Toole is on the sub-working group and fish and wildlife group. At the second sub-work group meeting, the main issue of discussion was how to integrate the BiOps and MOAs, what processes, what language, and what topics to use to integrate them,.

The Council is having discussions on funding concerns and how funding will affect the Council. Everyone has budget concerns, how the different arenas will be funded, and what role the Council will play in it. The Council has the most continuity for dealing with the science review and how to approach it in the different arenas. The Council is working on filling in the gaps and Karl Weist is working on a map for Council review to identify what projects are funded, and which projects are not, and keep the Council informed during their process.

The sub-working group does not make decisions; they simply put together a variety of recommendations and options for the full Council to make decisions on the issues discussed in

this work group. The day after sub-work group meets, Patty and Tony provide briefings of the meetings to the Council Members.

Rhonda provided an update, that the Council has been accepting comments on the amendments after the June 12 due date.

**Item 3  
continued:**

- Council F&W Program Amendment Process Schedule - <http://www.nwcouncil.org/fw/program/2008amend/Default.asp>

**Discussion:**

Patty O'Toole provided the Program Amendment schedule. The Council's goal is to have a draft Program at the August 08 Council meeting. The work session with the Council Members will be long and the goal by the end of that meeting is to have an approved draft ready for release to the public. The approved draft will be posted on the Council's website for public comment. During that time, the Council holds the formal public hearings. Two hearings are scheduled for each of the four states. The draft calendar for the meetings is posted at <http://www.nwcouncil.org/fw/program/2008amend/hearings.htm>. This is an opportune time for the CBFWA Members to contact their state Council Members and have an informal discussion on what is important to their entity. Closer to December 08 or January 09 the Council closes the comment period and goes into exparte to work on the final draft. The Council received 1,200 pages of comments containing good information. The Council is still reviewing and discussing the issues and alternatives to prepare a draft for review in August.

Rhonda Whiting stated at the last sub-working group meeting, the group had a general discussion on the BiOp and MOAs and the material for Council Members review, the new issues to be added into the Program (invasive species, climate change, toxics, and population impacts).; They discussed where to start when developing the new Program and the input received. The group agreed that the table of contents was a good starting point. At the next meeting, they are looking at project review, ISRP's role, 70-15-15 policy, RME, and the role of the scientific review panel.

Council Member Dick Wallace stated he is listening, reading and learning. He is impressed with the depth of the comments and recommendations received, and the foundation that is being built and the benefits of the CBFWA's hard work. Dick is looking forward to the deliberations and values the public's comments and that interaction. He encourages CBFWA to take advantage of those informal opportunities to voice their interests. It is helpful that the sub-working group is framing different options, for example, the work he is doing with Jim Ruff on invasive species, i.e. specifics interactions of the hydro system and potentially fish passage and invasive mussels, wildlife program for habitat units, and a more broad look at the ecosystem processes like the beetles infecting forests. Dick is looking forward to hearing all perspectives.

**Item 3  
continued:**

- What should the agencies and Tribes be thinking about to assist in making the Wildlife Solicitation Review a success?
- How this effort is linked to the Program Amendment process?

**Discussion:**

Patty O'Toole stated that the agencies and Tribes, and their staffs, and CBFWA staff are instrumental in making the project review process work well. They recognize that the process needs to be updated and the Council is approaching those conversations slowly and carefully by directing staff to review the existing wildlife projects in the basin, their investments in wildlife mitigation and the importance of long term commitments. The Council staff will continue to meet with Wildlife Advisory Committee to review the draft and discuss how this process can work. The Council invites CBFWA to communicate their concerns, provide comments, and participate in the process.

Patty believes that the Program Amendment process is setting the programmatic policy for the Program and the review process is the way to translate the work on the ground. They fit together, but are distinct. The Council acknowledges the timing is off and they will do their best and make adjustments as they work through the process.

Tony Nigro asked what the expected outcome is for this solicitation review?

Rhonda stated the current process was not working for the wildlife. The new process has more specifics to address the projects and define the needs for each project.

Patty added that the Council does recognize that there is a body of work that comes with the long term commitments for wildlife. The outcome is for the Council to do a better job of managing the projects, treat each project more fairly across the board, and have a better sense of how the Program is working and making progress. The Council recognizes the past review process was not effective.

Dick Wallace encourages folks to come into the process with the mind set to learn from each other through communication of what is working for projects and what is not.

Rhonda appreciates CBFWA's information and presentations at the Council's fish and wildlife committee meetings. The Council's world has changed to include the introduction to long term agreements and proposed actions through the BiOp. The Council is trying to accommodate those changes.

Council is having budget discussions with BPA. The BPA should have information for Council in a month. Council is planning to be proactive in this process by understanding the needs of all projects, not just the certainty of the MOAs and implementing the BiOp. There have been lengthy discussions on the pros and cons of long term or short term budgets for the Council.

Larry Peterman requested a clarification of when the Council's exparte does and does not occur? Patty and Tom stated approximately two weeks before a Council final decision.

The Council supports open communication and encourages CBFWA to contact their staff on all issues. Sandra Hirotsu is a new attorney on Council staff and she is available to answer questions.

Brian Lipscomb asked the Council when would it be a good time to spend three or four hours working through CBFWA's recommendations and comments explaining how they fit together and how they inform at the subbasin level up through the programmatic level. When would there be a good opportunity to have that dialogue with the Council or their work groups?

Rhonda stated that the working group has scheduled time to work on this at the July and August meetings.

**Informal  
Action:**

The Members requested a meeting with the Council Members to discuss CBFWA comments regarding issues above sometime during the July 15-17, 2008 MAG and Council Meetings in Kalispell, MT. Rhonda Whiting will contact Bill Booth and let Brian L. know if there is time to meet in Kalispell.

Brian Lipscomb suggested before lunch that Tom Iverson give a quick overview of the Amendment recommendations and analysis he prepared below as a precursor for item 5.

**ITEM 5: Member Discussion and Potential Actions for the Remainder of the Program Amendment Process**

Draft subbasin map and analysis -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/CBFWA\\_BasinMapFundingTablePresentation062308.pdf](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/CBFWA_BasinMapFundingTablePresentation062308.pdf)

Tom Iverson gave an overview of the MAG's decision that CBFWA was not ready to comment on the FY09 rate case, but the draft and analysis was useful for individual Members who wanted to provide comments on the FY09 rate case.

Tom collected data from the amendments, comments, recent FCRPS BiOP, fish accords, and included all work with attached funding to present a general analysis. A question was if it is consistent with what BPA is proposing in the FY10-11 rate period. He presented very draft subbasin map outlining the work and an incomplete funding analysis for FY 2010 and FY 2011. Tom believes the Council has enough information to develop specific implementation work plans as CBFWA called for in the amendments with a few exceptions that could be resolved in meetings with the fish and wildlife managers. Tom's draft analysis contains more information and is consistent with Karl Weist's work. Comments for the rate period are due August 15. There are two processes to be addressed. The CBFWA needs to send this information to the Council as soon as possible and Members need to be working with Council to support a specific work plan. The July meeting would be a good time to approach the Council. Tom requested

direction from the Members.

**Action:** The Members directed the MAG to work with staff to review and refine the rate case analysis and fill in the blanks. Review the rate of implementation and what a 10 year work plan would look like. No objections.

**ITEM 4: Climate Security Act Briefing**

**Lunch Presentation and Information Links** “The National Wildlife Federation works to reach that goal by demanding climate change legislation that includes a cap-and-trade system and dedicated funding to address the impacts of global warming on America’s natural resources.” - [www.nwf.org](http://www.nwf.org)

Presentation by Doug Howell, National Wildlife Federation, Regional Executive Director, Western Natural Resource Center -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/DougHowell\\_NWF\\_CSA\\_FundsJune2008.pdf](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/DougHowell_NWF_CSA_FundsJune2008.pdf)

[Assessment of America’s Climate Security Act of November 2007](#) -

The bipartisan America’s Climate Security Act is sponsored by Sen. Joe Lieberman of Connecticut and John Warner of Virginia.

Western Climate Initiative (WCI) - <http://www.westernclimateinitiative.org>

NWF frequently asked questions: WCI -

<http://www.nwf.org/westernclimateinitiative/pdfs/NWFWCIFAQ.pdf>

Jay Minthorn, CTUIR provided a press release titled [National Tribal Environmental Council Applauds Senators Lieberman and Warner for Action on Global Warming and Tribal Concerns](#) dated October 19, 2007.

National Tribal Environmental Council (NTEC) - <http://www.ntec.org>

**Discussion:** Joe Mentor Jr., Mentor Law Group, PLLC provided an overview of his recent experience with his son and Senator McCain’s panel discussion relating to climate change and cap-and-trade. Cap-and-trade program is an emissions trading approach used to control pollution by providing economic incentives for achieving reductions in the emissions of pollutants. Unused allowances can be traded for credits. In 2001 the Liberman bill was introduced and 2003 Senators Liberman and McCain introduced the Climate Stewart Act. Senators Obama and McCain both support cap-and-trade.

Doug Howell, National Wildlife Federation, Regional Executive Director, Western Natural Resource Center presented an informative summary of the impacts of climate change, i.e. snow packs and run off, wildlife, forest fires, sea level rise and lost habitat, floods, and jumbo squid from Mexico and Southern California. The species most impacted is the NW Pacific Salmon. What can we do? There are two fundamental paths to address the impacts, cap-and-trade and carbon taxes. Industry hates taxes more the cap-and-trade. The best solution is that the polluter pays. There is a massive subsidy of billions and trillions dollars of impacts not being paid for. Some of the areas where fish and wildlife agencies and Tribes can take action is in are Climate Security Act and the Western Climate Initiative. There is a huge role for Tribes to voice what is at stake. The Tribes and fish and wildlife agencies must participate at the table to receive their share of money. What is fundamentally different about the cap-and-trade now is, when the polluter gets their allowance the polluter pays for their allowance first which equals nine billion of dollars under the Climate Security Act for wildlife and habitat protection. The agencies and Tribes need to be at the table to keep the dollars from decreasing. This is one of the funding areas attacked when they did the amendments on the bill. That funding went down two billion dollars because the fish and wildlife agencies and Tribes were not at the table. Next year the funding will decrease again if the fish and wildlife agencies and Tribes are not at the table. The funding will go to renewable energy, energy efficiency, worker dislocation when coal plants are shut down, low-income assistance, and natural resources. Of all five categories of funding, natural resources is the first one to be cut back, if the fish and wildlife managers and Tribes are not at the table.

For companies who cannot reduce their pollution, they can buy credits which generates big business. There are two types of funding, pay for the cause of the problem or pay for the effects. Primarily, all the conversations are about paying for the cause. The challenge is to change the thinking that they pay for the cause and they pay for the effect and that applies to carbon mitigation fees and carbon development fees. The question is what to do with that money?

Doug presented a chart representing billions of dollars only if polluter pays or the allowance value and a pie chart of how the money is divided or allowance distribution.

One concern that is happening regionally, the Western Climate Initiative is going to be cap-and-trade; the money will be given to the states and it will go the general treasury. If that happens, we may never see a penny of that money. When we impose a regulation on a problem, we are paying for solutions to those problems nor to get lost inside government. People support legislation and putting a price on impacts if they know the price they are paying for the legislation is going solve the problem. If all the money from the Western Climate Initiative comes back to the states, and the money goes into the general fund, the fish and wildlife agencies and Tribes will not see that money. Under the scenarios that are being advocated by environmental and conservation groups and nationally, it is the fish and wildlife agencies and Tribes that get a big chunk of money.

Doug would like to network with folks who have an interest in participating in the state level, regional level across the seven states, and national level. The goal is to get the money to pay for the problems caused by climate change.

The fish and wildlife managers and Tribes need to make the case to Congress that we can spend the money wisely by providing positive results. The NWF is preparing the Case Statement, examples of success stories where funding was provided that resulted in restoration, habitat rehabilitation along different watersheds or terrestrial areas and documenting the difference.

Washington, Oregon, and California are leading in wind, wave, and solar energies. The economy is coming; we will be exporting these technologies and we have an opportunity to join forces and support renewable energies.

Doug explains where he believes the money comes from. The most likely is the federal scenario and Western Climate Initiative will be auctioning these allowances. The economic beauty of an auction is it discovers the market price for making reduction. If it is cheaper to reduce the emissions from a smoke stack than it is to buy a credit, the choice will be to reduce emissions. The free market is suppose to find the natural resting point for the cost for reducing emissions.

Joe Mentor believes money will come from coal producing companies that will subsidize solar energy production.

How is the NWF linking the case study to future climate accomplishments? This was NWF's primary criticism in the last BiOp. They are starting to look at incorporation of climate into the assessment when doing the BiOp, but climate is not a 10 year problem. To be successful, planning is needed for a timeframe of 50 to 100 years.

Doug gave more funding specifics on the Western Climate Initiative decision. The seven state collaboration and three Canadian provinces and their governors have to sign a MOA or MOU in mid August or September. There will be the fundamental design of how they want the seven state cap-and-trade system to work. Next, they will take it back to each state legislator for approval. We can be explicit when we go to our Governors, department of ecologies, or department community trade economic development, and talk with staff and governors aids. We can say broadly, we want the money to go to public benefit, but specifically some of the money goes to the damage already caused. The public benefit is a term that captures renewable energy, energy efficiency, worker dislocation, low-income assistance, and natural resources. The most important thing to do now is to get a clear statement out of the Governors, that they support having the money for public benefit to pay for the cause and effect of climate change.

The green collar jobs have always been out there and many of the traditional blue collar workers are doing green things.

The fish and wildlife agencies and Tribes have a long way to go; they need to get active and

engage. There is a lot of work to do at the federal, regional, and state levels. Ultimately, it comes down to money, when they get regulated there will be cost impacts and the industry primary interest is having the money go to the cause, or efficiency and renewals, and worker dislocation. They are not concern with the money going to the effects. The only way to protect the natural resources seven percent of the pie or 9 billion dollars is to get organized. We are the funding category that is most at risk.

Joe Mentor identified an important issue for Members consideration is carbon sequestration.

**Item 4 continued:** Tribal Chairman Jay Minthorn, CTUIR stated that this issue is something the Tribes have been directed by the Treaty signers to protect the resources for seven generations. The Tribal Council Members and Tribes talk about water quality, water quantity, and treaty resources, i.e. game, roots, berries, water, and how to protect these resources. Chairman Minthorn read a press release titled [National Tribal Environmental Council Applauds Senators Lieberman and Warner for Action on Global Warming and Tribal Concerns](#) dated October 19, 2007. He stated, it is everyone's responsibility to protect the resources and come together to organize that effort.

**Discussion:** After hearing presentations on the climate change, the Members agreed that it hit on important issues and provided possible opportunities for CBFWA.

Before the fish and wildlife agencies and Tribes engage in the issue, they should prepare an internal draft summary on global warming and climate change by mid August. The briefing paper will summarize the issues and opportunities for Members regarding the Climate Change Act, Western Governors Initiative, national legislation initiative, and an approach to move forward. Some questions for discussion are 1. What is each Members position concerning climate change? 2. Is CBFWA fully incorporating climate change in their analysis for mitigation? 3. What are the advantages for CBFWA collectively to engage in the climate change forums? 4. Where are the tables to discuss these issues and when are they meeting? 5. Who sits at these tables?

The issue paper will be sent to respective Members to review and decide internally how their state will engage in this issue.

**Action:** The Members directed MAG and staff to contact and work with Doug Howell, NWF to prepare briefing issue paper for Members consideration at their August 6, 2008 teleconference.

No objections.

**Item 5 continued:** **Member Discussion and Potential Actions for the Remainder of the Program Amendment Process**

- Technical Committee Reports – AFAC, WAC, RFAC

*AFAC* Dave Ward presented a verbal summary of the anadromous fish analysis presentation and update on the AFAC assignment regarding the relationships between subbasin population specific objectives and basinwide goals in the Program for anadromous fish. Based on current 2000 Program, one of the basinwide goals is 5M anadromous fish at Bonneville Dam. The AFAC discovered that the 5M goal originated in the 1987 Program and the basinwide goal was 5M anadromous fish intending to go to the Columbia including fish harvested in the ocean. That basinwide goal was carried forward into the 1994 Program and was changed in the 2000 Program. The AFAC is working to confirm that objectives for natural spawners and all other fish returning to each subbasin are accurately characterized. In the current draft of the analysis, the AFAC has determined that if subbasin objectives are met, then returns to Bonneville should be about 2.3M fish, and all the adult fish including ocean harvest destined for the Columbia is approximately 4M. The AFAC is meeting July 23 and will be ready to give a presentation to the MAG in August. The AFAC's goal is to get this out before the end of the Council public comment period. These findings propose the following questions; Are the subbasin objectives adequate? Is the 5M goal adequate or realistic? How should this information be given to the Council?

Elizabeth Gaar, NOAA Fisheries suggested that CBFWA keep the communication open by sharing the intent of the anadromous fish analysis with BPA and Council. The Members agreed to keep early communication open and viewed this as an opportunity to discuss and verify the

5M fish basinwide goal objective in the Program.

**AFAC**

**Action:**

The Members directed staff and MAG to prepare a briefing/position paper to inform representatives of BPA and Council regarding the intent of the anadromous fish analysis for review at the July 15, 2008 MAG Meeting. No objections.

*Program  
Amendment*

Brian Lipscomb suggested that the Members invite Greg Delwiche, BPA to the July 15, 2008 MAG Meeting to discuss and clarify any misinterpretation of the amendment recommendations and/or comments submitted by CBFWA. Brian provided the following issues as examples to address. 1) Should the amended Program keep the specific details submitted or stay at the higher level? 2) Anadromous AHA analysis 3) Wildlife HEP tool 4) Resident fish loss assessments.

Dick Wallace stated the role of the Council's small working group is not authorized to take public comment. The Council's working group is intended to work with Council staff to best inform and frame the conversations that will occur with the Council Members.

After a long discussion the Members clarified the MAG's assignment regarding conversations with Council at the July 15, 2008 meeting.

**Action:**

The Members directed MAG and staff to arrange and prepare a presentation to the full Council on July 15 to describe the intent of CBFWA's amendment recommendations and comments focusing on the areas of perceived differences and opportunities to resolve the misunderstandings.

The CBFWA presentation and conversation to the full Council will concentrate on what was submitted in the Program amendment recommendations and comments approved by the Members.

The CBFWA staff will send the draft presentation electronically for MAG's review prior to July 15 meeting. Brian L. will contact the Council to schedule time on the agenda. No objections.

**ITEM 6a:**

**Status of the Resource Report for an Amended Program and Comments on the Council's Draft High Level Indicators (HLI)**

Presentation:

[http://www.cbfga.org/Committees/Members/meetings/2008\\_0625/CBFGA\\_HLI\\_DraftPresentation\\_062508.pdf](http://www.cbfga.org/Committees/Members/meetings/2008_0625/CBFGA_HLI_DraftPresentation_062508.pdf)

Draft cover letter:

[http://www.cbfga.org/Committees/Members/meetings/2008\\_0625/CBFGA\\_HLI%20TransmittalDraft4\\_Members\\_062508.pdf](http://www.cbfga.org/Committees/Members/meetings/2008_0625/CBFGA_HLI%20TransmittalDraft4_Members_062508.pdf)

Attachment 1 – Monitoring Report Pyramid:

[http://www.cbfga.org/Committees/Members/meetings/2008\\_0625/CBFGA\\_HLI%20Draft\\_Members\\_062508REV4.pdf](http://www.cbfga.org/Committees/Members/meetings/2008_0625/CBFGA_HLI%20Draft_Members_062508REV4.pdf)

**Background:**

Brian Lipscomb stated that the SOTR is starting too overlap with the HLI conversations with the Council. Brian identified the following issues for consideration. Discuss how CBFWA will continue to engage with Dr. Karier as he develops the HLIs and provide feedback to develop a monitoring/reporting pyramid type conversation on how to develop the HLIs outlined in Ken MacDonald's presentation. The comments on the Council's draft set of HLIs are due July 15.

Brian provided an SOTR update to Council in Spokane, WA. He presented the SOTR status of the first and second editions, and the direction of the third edition under an amended Program using the monitoring/reporting pyramid type approach to inform the change in the third edition of the SOTR. These conversations need to come together quickly to initiate the outreach to start conversations with Dr. Karier, Power Council Members, Council staff, and BPA staff to finalize the new look of the SOTR under the amended Program.

Brian outlined two recommended actions for Members consideration. 1) Approve CBFWA draft comment letter to Council on their draft set of HLI. 2) If the Members approve the draft mock-up SOTR informed by the monitoring/reporting pyramid, direct CBFWA staff to initiate conversations with Council and BPA to start the process to finalize as a mock-up SOTR under

the amended Program.

**Presentation:** Ken MacDonald provided a presentation of [Attachment 1](#) monitoring/reporting pyramid. The initial draft response was drafted by CSMEP steering committee, but is not a CSMEP product. The first HLI concern identified was what ever is recorded at a high level has to be built upon what ever is collected and reported on at lower levels in different populations scales and graphic scales, depending on how you want to report it. Since the MAG meeting, new indicators were added to the draft. The biological and implementation indicators were built from the Governors Salmon Recovery board framework. Units still need to be defined. The management indicators will be addressed when developed and defined by the Council.

Nate Pamplin outlined three items for consideration for the July 9 meeting. 1) draft cover letter, 2) attachment 1 and 3) presentation. Nate requested a change in the presentation to separate the projects funded by Council/BPA from the projects funded by fish and wildlife agencies and Tribes. Nate stated he would review and revise the cover letter.

Brian L. suggested to the Members to assign Ken and interested parties to draft response on the HLIs for consideration at the July 9 rescheduled Members Teleconference.

**Action::** The Members moved to scheduled a July 9, 2008 Members Teleconference to review the revised CBFWA draft cover letter, table, and presentation regarding comments on Council's draft set of HLIs. The CBFWA revision will include Biological and Implementation Indicator labels established by the Council. No Objections.

*Day One Meeting Adjourned* Chairman Peterman ends the meeting and requests dinner logistics.

*The remaining day one agenda items below were not reviewed and/or postponed to a later time.*

**ITEM 6b: Status of the Resource Report for an Amended Program and Comments on the Council's Draft High Level Indicators (HLI)**

**Presentation:**

- SOTR template presentation by Dave Ward

SOTR edition three mock-up -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/Draft\\_SOTR\\_template\\_Presentation\\_062308.pdf](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/Draft_SOTR_template_Presentation_062308.pdf)

**Recommended Action:**

- Approve the first mockup of the next SOTR for dialogue with Council, BPA, and others.

Due to time limits, this item was not presented and postponed to the next meeting.

**ITEM 7: Blanket Modification for Members Contracts – Joe Mentor, Mentor Law Group, PLLC**

*The Members Contract agenda item was moved and discussed after Item 10 on day two.*

**ITEM 8: BOG Process Changes Update – Tom Iverson, CBFWA**

Due to time limits, this item was postponed and will be reviewed at the July 9, 2008 Members Teleconference.

*Day Two – Thursday, June 26, 2008*

**6/26/08**

**Attendees:**

Chairman Larry Peterman, MFWP; Leslie Bill, Elmer Ward, Brad Houslet, CTWS; Lawrence Schwabe, BPT; John Platt, CRITFC; Lynn DuCharme, CSKT; Gary James, CTUIR; Jay Minthorn, CTUIR; Sharon Kiefer, IDFG; Wilfred A. Scott and Dave Statler, NPT; Elizabeth Gaar, NOAA Fisheries; Tony Nigro, ODFW; Tom Rien, ODFW; Mark Bagdovitz, USFWS; Nate Pamplin, WDFW; Joe Mentor, Mentor Law Group, PLLC; Washington Council Member Dick Wallace, NPCC; Reporter Will Robbins, KWSO Radio; and Brian Lipscomb, Jann Eckman, Kathie Titzler, Tom Iverson, Dave Ward, Ken MacDonald, Binh Quan, Trina Gerlack, CBFWA

**WebEx - Phone:**

Sue Ireland, KTOI; Laura Gephart, CRITFC; Claude Broncho, SBT; Vice President EFW Greg Delwiche and Andre L'Heureux, BPA

**ITEM 9: Introductions and Recap of Day One Meeting**

Brian Lipscomb and Larry Peterman summarized the progress from day one focusing on the Climate Security Act briefing presented by Doug Howell. Brian and Larry reviewed day two agenda items outlined on the flip chart as follows 1) Day One Recap 2) BPA-IPR Presentation 3) Actions Related to BPA-IPR 2010&11 4) Contract Changes 5) Umatilla Brochure 6) Website Changes 7) WebEx Report 8) Next Meeting, and Field Tour of Pelton-Roundbutte Fish Facility.

**Discussion:** Brian L. reviewed the agenda items for the July 9 Members Teleconference. Three of the agenda items are comments on the High Level Indicators, Antimycin letter, and Predation workshop.

**Action:** The Members moved to reschedule the Members Teleconference for July 9, 2008 from 8:30am-12:30pm. No objections.

**Discussion:** Brian L. reviewed the agenda items for the July 15, 2008 MAG Meeting in Kalispell, MT.

The assignments are to contact Doug Howell and request a briefing paper on the Climate Security Act, prepare Anadromous Fish analysis presentation for the BPA and Council, approve presentation to clarify the intent of CBFWA's amendment recommendations and comments submitted to Council, review rate case analysis for FY 2010-11, plus any new items added during today's meeting. The Members directed MAG to collect more information to validate IPR process and present their findings at the July 15 meeting.

**ITEM 10: Update from BPA on FY09 & FY10 & FY11 Integrated Program Review (IPR) - Greg Delwiche, BPA**

**Presentation:** June 12, 2008 BPA IPR presentation - [http://www.cbfgwa.org/Committees/Members/meetings/2008\\_0625/BPApresentation\\_IPR\\_6\\_12\\_08.pdf](http://www.cbfgwa.org/Committees/Members/meetings/2008_0625/BPApresentation_IPR_6_12_08.pdf)

Background/ Overview of IPR - <http://www.bpa.gov/corporate/Finance/IBR/IPR/>

FY09 Start of Year Planning Budgets for Fish and Wildlife Projects -

[http://www.efw.bpa.gov/IntegratedFWP/docs/2008/2009\\_SOY\\_final\\_July\\_3\\_2008.pdf](http://www.efw.bpa.gov/IntegratedFWP/docs/2008/2009_SOY_final_July_3_2008.pdf)

**Discussion:** Greg Delwiche, BPA joined the meeting via WebEx/teleconference and provided an update of the status of the IPR workshops and rate case process. He presented the IPR FY 2010-2011 Fish and Wildlife Program Costs to the Members reviewing the F&W Direct Program and FY 2008 – FY 2011 Expense Estimates slides. The expense estimates include funding levels for the base program (ongoing work), new BiOp work, and non-BiOp projects in MOAs. Next week BPA's updated list of budgets and projects for FY09 will be available for review to determine how much funding will go to BiOp and MOA projects. Go to <http://www.efw.bpa.gov/IntegratedFWP/policyframework.aspx>.

Dave Statler asked how the new amended F&W Program will impact BPA's estimates?

Greg responded, he foresees an opportunity to take a second look after reviewing the draft amended F&W Program for the FY10-11 budgets.

Greg added that the management of this new budget is going to be more complex than ever before. Over the summer, BPA will be developing budget management principles and plans to release them for feedback in August in Spokane, WA. BPA is very interested in a dialogue with CBFWA.

Sharon Kiefer asked if the 2.5 percent inflationary rate is the percent applied to other BPA budget processes?

Greg response is the 2.5 percent is not added for all BPA budgets, but will be for this process.

Larry Peterman asked if BPA is anticipating any changes in their contracting process or increasing BPA's contracting capabilities internally?

Greg replied, BPA is exploring both. BPA is putting in place with the MOA signatories individual umbrella contracts that provides the seed money necessary to translate sales into contractible estate work.

Greg invites the agencies and Tribes to participate in the budget planning process and supports spending more time in implementation. BPA is having discussions with Council on 5-10 year agreements beyond FY 2011 and CBFWA may want to engage in those discussions.

**ITEM 7: Blanket Modification for Members Contracts – Joe Mentor, Mentor Law Group, PLLC**

**Discussion:** Joe Mentor provided the historical background of the contracting provisions and the purpose of those provisions. He stated that in the last year or two there has been an increase in individual members requesting changes to their contract provisions, particularly those of governing law and arbitration. He explained that each contract change required legal review to adopt which is costly to the organization. Since CBFWF has a clean audit history with no complaints or suits, he felt it would be in the best interest of the organization both in cost effectiveness and time efficiency if the Member's would agree to remove those two provisions from the contracts.

**Action:** Members directed Brian Lipscomb to work with Joe Mentor and Chairman Larry Peterman to develop a letter to the Members outlining the deletion of the applicable law and arbitration provisions for implementation in FY09. The Members requested they be informed if there are any budget issues or lawsuits. No objections.

**ITEM 11: Umatilla/Walla Walla Success Story Brochure – Gary James, CTUIR**

*The success story brochure was presented after Item 12.*

**ITEM 12: Member Discussion and Potential Actions for the Remainder of the IPR Process – Tom Iverson**

**Presentation:** Summary and Recommendations for CBFWA Members Involvement - [http://www.cbfgwa.org/Committees/Members/meetings/2008\\_0625/CBFWA\\_IPR\\_FY10-11CostsSumMbrsMtg062308.pdf](http://www.cbfgwa.org/Committees/Members/meetings/2008_0625/CBFWA_IPR_FY10-11CostsSumMbrsMtg062308.pdf)

Tom Iverson gave an overview of the presentation. Tom developed the draft CBFWA project list from RPA BiOp, fish accord projects, 2007-09 BPA budgets, 2009 critical projects, and program amendments data. This is his first effort to estimate size and accuracy of the project lists and funding levels. The planning budget for the Program is complex and historically about 10 percent of the Program goes unspent due to cost savings like staff turnover and permit problems.

Tom requested feedback on the numbers he provided in the presentation and asked if the Members want to pursue this effort.

Tony Nigro is uncomfortable with Tom's budget numbers in the presentation, because BPA project lists are different from CBFWA list of projects. Tony requested that CBFWA wait until BPA's lists are available to compare to CBFWA lists, define the differences and costs, discuss how to resolve the differences, and avoid disputes on how the money is spent.

The Members requested more information surrounding the following issues; validate CBFWA project lists and budget numbers, provide time for Members and interested parties to understand budget numbers and give them an opportunity to respond and scrub the numbers. Get specifics from BPA and compare BPA, Council, and CBFWA lists for differences and agreements, discuss everyone's intent to meet the priorities and obligations to prepare a budget supported by all.

Gary James requested a title change in the CBFWA presentation to state actual costs. CBFWA should not imply ownership of the BPA claimed foregone revenue, because that is the biggest piece of the whole Program.

**Action:** The Members requested more information to validate CBFWA budgets and project lists, look at the circumstances surrounding subbasins with zeros, review effects of new BiOp and MOAs, work with Members to validate their MOA estimates to accurately reflect the costs associated with the MOAs. Compare side by side reviews of the CBFWA lists and the BPA project lists, review differences and similarities, and define what the implications of those differences in the total budgets. Comments are due to BPA August 18, 2008. The Members directed staff and MAG to complete this task by the end of July for Members consideration at the August 6 Members Teleconference. No objections.

**ITEM 11: Umatilla/Walla Walla Success Story Brochure – Gary James, CTUIR**

- Review brochure

Discussion: Brian Lipscomb stated Umatilla/Walla Walla Success Story brochure was the last piece of work accomplished out of the public relations contract before that service was eliminated from the CBFWA budget. Brian, Gwen Spencer, Sapphire Strategies, and Gary James worked together to gather available materials to create a brochure to use as an example of a success story to share with the region.

Gary James presented the success story brochure for the Umatilla and Walla Walla basins fisheries restoration programs. He stated that public relations is a big part of what they do and a great opportunity to show how the money is spent. Gary and Gwen developed this comprehensive brochure from several brochures. The brochure concept begins with the why and value of first food management, and divides into categories of what is broken, what was done about it, what were the results, and how did they did it. They did not do this alone and the acknowledgements are on the last page. Gary added the ongoing efforts for success are that policies need to be confirmed, continue to feed the science, and willingness to adapt and change.

The Members complemented Gary and Gwen's work and were very impressed with the principles page, format and content of the brochure. They requested more copies to distribute throughout the region. Brian Lipscomb stated that he would continue to share the Umatilla/Walla Walla success story with other F&W agencies and Tribes. He suggested that the Members be thinking of other projects that could be featured in a brochure and the opportunity to share a success story for every subbasin in the region.

**ITEM 13: Review of CBFWA Website Changes**

Website Enhancements Presentation -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/2008\\_CBFWA\\_WebsiteSummaryPresentation062308.pdf](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/2008_CBFWA_WebsiteSummaryPresentation062308.pdf)

Binh Quan presented the new CBFWA website enhancements to the Members. The changes will provide a more user-friendly website, a better way to manage and organize documents and action notes, and simplify the CBFWA annual report to BPA. The website changes will take a few months to implement completely.

**ITEM 14: WebEx Meetings Review and Budget Implications**

WebEx Meeting Cost Comparison Table -

[http://www.cbfwa.org/Committees/Members/meetings/2008\\_0625/WebEx\\_MbrsTvl\\_2008-2007.xls](http://www.cbfwa.org/Committees/Members/meetings/2008_0625/WebEx_MbrsTvl_2008-2007.xls)

Brian Lipscomb gave the overview of the flat rate meeting cost comparison draft of the savings using WebEx versus Members travel expenses, developed by Kathie Titzler. CBFWA staff implemented the WebEx tool four months ago to facilitate meetings as a cost savings measure, to assist meeting effectiveness, and increase participation. The reduced cost is approximately \$260. Members' hourly compensation was not factor into the savings calculation.

The Members support using the WebEx tool. Claude Broncho requested a better microphone, for people on the phone to hear the people speaking in the meeting room.

**Other Business: Update on Second Edition of the Status of the Resource Report (SOTR)**

Brian Lipscomb provided an update on the second edition of the SOTR presentation to the Council F&W Committee. The F&W Committee requested that Brian come back and give the same presentation to the full Council at the July meeting in Kalispell, MT. Dick Adams, Executive Director of Pacific Northwest Utilities Conference Committee (PNUCC) requested a presentation to the PNUCC board members. After reviewing the SOTR, PNUCC was impressed with the report as a tool to articulate their perspective. Overall, the SOTR is well received in the region and the Members' hard work is being acknowledged.

**ITEM 15: Members Winter Meeting Location and Date**

Due to time limits, this item was postponed July 9, 2008 Members Teleconference.

**ITEM 16: Fish and Wildlife Activities of the Warm Springs Tribe and Field Tour of Pelton-Roundbutte Fish Facility – Brad Houslet, CTWS**

Several Members left for the Warm Springs Tribe field tour of Pelton-Roundbutte fish facility that addressed the start of reintroducing Chinook, steelhead, and sockeye above the hydroelectric complex in a basin wide collaborative effort.

*Meeting adjourned*

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