



# COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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**Final**

Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

**DATE:** October 15, 2009  
**TO:** CBFWA Members  
**FROM:** Brian Lipscomb, CBFWA  
**SUBJECT:** Final Action Notes for the October 7, 2009 Members Teleconference

**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

Members Teleconference  
Wednesday, October 7, 2009  
1:00-4:00 p.m. (Pacific)  
@ CBFWA Office, Portland, Oregon

Support material is posted on the Members webpage at  
[http://www.cbfga.org/committee\\_main.cfm](http://www.cbfga.org/committee_main.cfm).

### Final Action Notes

**Attendees:** Chairman Elmer Ward, CTWS; Dave Statler, NPT; CBFWA Staff: Jann Eckman, Kathie Titzler, Tom Iverson, Neil Ward, Dave Ward, and Trina Gerlack

**Phone/WebEx:** Jason Kesling, BPT; Sheri Sears, CCT; Lynn DuCharme CSKT; Jim Unsworth, IDFG; William Barquin, KTOI; Brian Marotz, MFWP; Rob Walton, NOAA Fisheries; Tom Rien, ODFW; Chad Colter, SBT; Chairman Robert C. Bear and Carol Perugini, SPT; Mark Bagdovitz, USFWS; Keith Kutchins, UCUT; and Nate Pamplin, WDFW

<b>Time Allocation:</b>	Objective 1. Committee Participation	100%
	Objective 2. Technical Review	0%
	Objective 3. Presentation	0%

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

**Action:** A quorum was confirmed and the draft agenda was approved as written. No objections.

**ITEM 2: Approve as Final: Draft Action Notes from the September 2, 2009 Members Teleconference**

- [Final 9/2/09 Members Teleconference Action Notes](#)

**Action:** The Members approved the September 2, 2009 Members Teleconference action notes as final. No objections.

**ITEM 3: October 29, 2009 Directors and Tribal Chairs Policy Meeting Agenda Review**

- A draft agenda was developed with the MAG for the October 29 Directors and Tribal Chairs Meeting with the following elements:
  - Approval of Policy Directives with opportunity for agency and Tribal perspective
  - Lunch Speaker – Nancy Sutley (CEQ)
  - Communicating to the region – BPA/NPCC
  - Press Conference on release of SOTR
- Members consider the timing and content of this meeting as the Policy Directives and work plan are reviewed. Action will be requested at Item 4.

**Discussion:** Tom Iverson reported that the MAG suggested postponing the October 29, 2009 Directors and Tribal Chairs Policy meeting, but recommended waiting until after the October 7 teleconference, after the Members reviewed the latest draft policy directives, deliverables, and tasks of the CBFWA work plan, and they could make the decision regarding the meeting. He added that Nancy Sutley, Chair of the White House Council on Environmental Quality (CEQ), Steve Wright, BPA, and NPCC representatives have not been contacted pending the Members confirmation of the purpose of the meeting.

The Members expressed their concerns and disappointment that guest attendees have not been confirmed and are apparently unprepared for the October 29 CBFWA Directors and Tribal Chairs Meeting. The Members did not have consensus on postponing the October 29 CBFWA Directors and Tribal Chairs Meeting. Some Members support scheduling a high level Members Work Session on October 29, 2009 to complete the work plan.

The following issues were identified for further discussion:

- The prioritized list of tasks for CBFWA work
- Developing a budget against the list of tasks
- Determine whether CBFWA should build a needs base budget or build a proposal that fits into the budget assigned by BPA
- A distributed funding model
- A consolidated funding model

Dave Statler recommended moving forward and approving the draft Policy Directives, priorities of work, associated tasks, and the cost of doing those tasks, independent of what funding model is applied.

The Members agreed to move forward and deferred further discussion until the next agenda item Draft FY 2010-14 CBFWA Policy Directives and Work Plan was reviewed.

**ITEM 4: Draft FY 2010-14 CBFWA Policy Directives and Work Plan**

**Background:** The MAG worked through each draft Policy Directive (tier 1), Deliverable (tier 2) and Task (tier 3) of the CBFWA FY 2010-2014 work plan providing substantive edits to the drafts, including a draft funding Position Statement to address the distribution of funding described as BPA's default position in Greg Delwiche's [June 9, 2009 letter to Brian Lipscomb](#). The MAG directed CBFWA staff to incorporate their requests into one document and forward the revised Policy Directives, associated Deliverables, and Tasks with assigned estimates of effort for Members consideration. The MAG also discussed the budget and recommended that CBFWA staff develop draft budgetary figures tied to tasks for Member consideration. The MAG tabled the draft funding Position Statement until the October MAG meeting and pending Members' direction and review of the revised draft Policy Directives, Deliverables, and Tasks.

**Discussion:** Tom Iverson provided an overview of the [draft Policy Directives \(tier 1\) with forums, guiding principles, list of Deliverables \(tier 2\), and Tasks \(tier 3\) of the CBFWA FY 2010-2014 work plan](#). He reported the tasks need to be phrased in a manner to assign FTE and cost estimates to develop a baseline budget to complete and prioritize the tasks. The CBFWA New Work tasks identified at the Members workshop (i.e. BiOp RPAs, water management model, etc.) need to be added to the task list and inserted into the work plan.

The Members agreed to discuss the budgetary issues after reviewing the Policy Directives.

The Members reviewed each draft Policy Directives and associated deliverables and tasks, and provided comments for CBFWA staff to incorporate into the final draft and add to the comprehensive package for Members consideration.

The Members had a thoughtful discussion regarding the Policy Directive #1 Task 1.1.A.1. and Task 1.1.B.1 and requested more clarity regarding the bi-annual Members meetings and decision making process. The Members would meet twice a year to address important policy

and budget issues. The policy directives based on the CBFWA Charter would guide the Members' appointed Members Advisory Group (MAG) representative and CBFWA staff who are held accountable to the policy directives. The MAG would meet once a month to implement the policy directives and report to the Members twice a year on their actions and how they implemented the policy directives. The Members could meet and modify the policy directives as needed. The CBFWA Chair would sign the consensus policy letters adopted by the MAG, via the policy directives. The active consensus practice will address some of the Members concerns and others will need to meet with their agency and Tribal principals to discuss the Policy Directives for final approval.

The Members requested that the policy directives be distinct and the phrasing of the tasks clear.

The next step is building the budget and as the Members discuss funding models, the work plan will be adjusted, accordingly.

**Action:** The Members modified and adopted the final draft Directives (tier 1), Deliverables (tier 2) and Tasks (tier 3) of the CBFWA FY 2010-2014 work plan for their agency or Tribal principals review and comment with the caveat that the Members will be informed of any tweaking to the task levels, as the tasks are developed into products with costs. No objections.

**Discussion:** The Members reviewed and modified the draft funding Position Statement. The Members do not have consensus for distributing coordination funding. Some of the Members provided their preferred funding method for CBFWA, others expressed the importance of knowing each Members' preference, and some required more information to make an informed decision.

The Members directed MAG to look at the three funding models and ramifications for Members consideration.

Three alternatives for distributing coordination funding:

- 1) Historical - BPA contracts directly with CBFWF for CBFWA staff support and Member participation (travel, etc) in regional forums.
- 2) Distributed Funding Model - BPA contracts directly with CBFWA Members for coordination and participation. Members may then sub-contract with CBFWF to provide support for CBFWA staff. This would eliminate CBFWF contract with BPA and replace it with individual contracts to each Member.
- 3) BPA contracts with CBFWF for CBFWA staff support only. BPA would develop individual contracts with CBFWA members for member participation (time and travel).

For CBFWF accounting purposes, the CBFWA budget due date is December 31, 2009. The CBFWF contract submission date to BPA is three months prior to the March 31, 2010 CBFWF contract expiration date.

The Members directed staff to develop a task-based budget for MAG review and prioritization. Once the MAG identifies the priority work to be completed, the MAG will review funding alternatives and prepare pros and cons for each funding model for Members review and consideration at the October 29, 2009 Members work session.

The Members directed the MAG to develop a task-based budget that addresses the Members priority activities for 2010-2014, develop a task-based budget the fits within the BPA budget cap, and compare and contrast the work that can be completed between the two options. The MAG will prepare a recommendation for Members for CBFWA funding for 2010-2014 for their October 29 work session.

**Action:** The Members directed MAG at their October 19, 2009 teleconference to review budget alternatives and prepare the pros and cons for each funding model for Members review and consideration at the October 29, 2009 Members work session. No objections.

**ITEM 5: October 29, 2009 CBFWA Directors and Tribal Chairs Policy Meeting**

- Confirm Content and Timing

- Background:** On September 30 the MAG expressed concern about being able to confirm the attendance of Nancy Sutley and Steve Wright for October 29 meeting and have the decision material clear, complete and properly vetted for policy review by that date and wondered if the meeting should be delayed. The MAG deferred this decision item to the Members for their consideration at the October 7 teleconference. The MAG and CBFWA staff would be providing draft products for Members review and make the decision to meet on October 29 or to postpone the meeting date.
- Discussion:** After reviewing the status of the meeting products, the Members agreed to delay the October 29, 2009 CBFWA Directors and Tribal Chairs Policy Meeting and schedule a Members work session with no outside entities on October 29. The Members requested a well-defined agenda be prepared for the October 29, 2009 Members Work Session. The Members provided the following agenda items:
1. Review updated final draft FY 2010-14 CBFWA Policy Directives, Deliverables, and Tasks
  2. Review budget options
    - Activities that CBFWA would undertake at BPA's budget allocation
    - Define budget needs to accomplish and prioritize the tasks
  3. Review pros/cons funding models prepared by MAG
  4. Discuss funding models and strategy for accomplishing the funding for the work plan
  5. Discuss each Members' consideration for BPA coordination funding
  6. Discuss agenda CBFWA Directors and Tribal Chairs Policy Level Members Meeting tentatively schedule for January 2010 to adopt Policy Directives, budget, CBFWA work plan, discuss CBFWA infrastructure, and pass the gavel from CTWS to NMFS.
- Action:** The Members approved delaying the CBFWA Directors and Tribal Chairs Policy Level Members Meeting until January 2010 pending confirmation of outside entities schedules. The federal caucus and CBFWA staff will work together to contact the outside entities (i.e. Nancy Sutley and Steve Wright) for availability to attend the meeting and plan backwards. No objections.
- Action:** The Members schedule a face-to-face work session for Members only on October 29, 2009 from 9am-4pm, Portland, Oregon to finalize the Policy Directives and discuss budget issues for CBFWA Directors and Tribal Chairs approval in January. No objections.
- ITEM 6: 2008 Status of Fish and Wildlife Resources in the Columbia River Basin (SOTR) Report**
- The SOTR report is available and the Interactive Website is up and running. A review of the website's location and access will be provided and available at (<http://www.cbfwa.org/sotrver2/default.cfm>).
- Background:** On September 30, the MAG reviewed and modified the draft press release and requested additional comments by October 2 for Members consideration on October 7 teleconference. The intent is to use the press release as a basis for a press conference to be scheduled after Members approval. Per Nate Pamplin's request, the WDFW's public affairs person is reviewing the draft and will be providing comments.
- Discussion:** Neil Ward provided the overview of the revised draft press release containing the WDFW, NPT, and other individual's comments. The Members reviewed the draft press release and confirmed their comments were incorporated as requested.
- Action:** The Members approved the SOTR press release as final for distribution. No objections.

- Final: Final Status of the Resources Press Release: [New report, website consolidate information on Columbia River Basin's fish and wildlife](#)
- ITEM 7: Resident Fish Habitat Loss Assessment Methodology and Letter for Members Approval**
- Background: Neil Ward, CBFWA and Sheri Sears, RFAC Chair presented the RFAC recommendations and draft letter on the proposed methodology for calculating lost resident fish habitat due to construction and inundation for recommendation to the NPCC for Members consideration.
- The Northwest Power and Conservation Council's (NPCC) amended Fish and Wildlife Program (Program) provides for resident fish mitigation "where construction and inundation losses have been assessed and quantified by the appropriate agencies and tribes, mitigation should occur through the acquisition of appropriate interests in real property at a minimum ratio of 1:1 mitigation to lost distance or area." Despite the mitigation provisions, the Program does not prescribe specific methodology for the calculation of lost resident fish habitat due to construction and inundation. Because of this omission, resident fish managers (i.e., Columbia Basin Fish and Wildlife Authority's (CBFWA) members and non-members) in the Columbia River Basin, working through the CBFWA Resident Fish Advisory Committee (RFAC), developed the following methodology to allow for the consistent quantification of inundated resident fish habitat. The RFAC requested the Members approval of the methodology as well as approval to submit said methodology to NPCC to be recognized as the accepted methodology for quantifying inundated resident fish habitat.
- Discussion: Sheri Sears provided the [Resident Fish Mitigation - Loss Assessment presentation](#) and overview of the draft letter regarding the [RFAC proposed Methodology for Calculating Lost Resident Fish Habitat Due to Construction and Inundation](#).
- Action:** The Members approved the RFAC's methodology and CBFWA letter as final regarding the RFAC methodology for calculating lost resident fish habitat due to construction and inundation for submittal to the Bill Booth, NPCC. No objections.
- Final: [On October 8, 2009, the final CBFWA letter signed by Chairman Ward and distributed to Chairman Booth, NPCC regarding our recommended methodology to calculate the amount of resident fish habitat that has been inundated by the construction of the FCRPS.](#)
- ITEM 8: Northwest Power and Conservation Council Meeting Updates**
- Updates: Tom Iverson provided the updates below:
- The [2009 Fish and Wildlife Program](#) stands unchallenged. No appeals were submitted prior to the filing deadline.
- High Level Indicators Update - At the [October 7-8, 2009 NPCC Meeting](#), the Council is considering adopting the first set of high level indicators, which is consistent with the SOTR report and current report to the governors. Nancy Leonard, Fish, Wildlife and Ecosystem Monitoring and Evaluation Manager provided the [F&W Program's Columbia River Basin High Level Indicators – Tracking Progress in the Council F&W Program – October 2009 – Ketchum, ID](#) presentation to the Council.
- The [September 10-11, 2009 Columbia River Estuary Science Policy Exchange](#) support material and presentations are posted on the Council website for your information.
- The [Wildlife Crediting Forum Charter and Schedule](#) was approved on August 12, 2009. The Council is moving forward to seat people on the Wildlife Crediting Forum, but no details have been identified on the process.
- [Sixth Northwest Electric Power and Conservation Plan](#) was adopted.
- Brain Marotz, asked if any fish and wildlife issues were highlighted. Tom reported that during draft review there were discussions regarding calculating costs for fish and wildlife in appendix H. The Council requested more clarity on how the fish and wildlife costs are accounted. Tom did not know how it was adopted into the plan. Brian stated he would review the final plan for the outcome.

[Quarterly Review: Within-year Project Funding Adjustments for Implementation \(FY 2009 4th quarter, for November Decision\)](#) - The Confederated Tribes of the Grand Ronde have requested \$129k for coordination from the funding cap. Last month, the BOG reviewed the request; Tom recommended that the coordination funding request follow the process and go directly to BPA. At the October 7-8 meeting, the Council reviewed the request and is receptive to the Grand Ronde Tribe receiving coordination funding, but questioned, what are the bases to receive coordination funding. The Cowlitz Tribe will be seeking coordination funding. The Council directed their staff to develop a briefing paper outlining the qualifications for coordination funding. It is possible that BPA will be adding funds if the Council agrees to fund these Tribes.

The Council staff is preparing briefing documents on Multi Year Action Plans and Subbasin Plan Updates for possible discussion at the November NPCC meeting.

**Request for  
Policy  
Participation:**

[Regional Monitoring & Evaluation Workshops](#): Oct. 20-21, 2009 and Nov. 3-5, 2009 in Stevenson, WA (Regional Workshop Facilitation Team Contacts: Turner Odell at [todell@pdx.edu](mailto:todell@pdx.edu) and Robert Williams at [rwilliams@merid.org](mailto:rwilliams@merid.org))

Tom stated there is some confusion on who should participate at the workshops. It is important for policy representation to attend the Regional Monitoring and Evaluation Workshops on Oct. 20-21, 2009 and Nov. 3-5, 2009 in Stevenson, WA. BPA will be presenting their position on monitoring and evaluation on prioritizing BPA funding for BiOp RPA requirements and other programs requirements. The strategies being built are designed to cover additional fish and wildlife managers' needs and recovery planning needs. It is possible that policy representatives will discuss the reprioritization of monitoring and evaluation to meet the BiOp requirements within the specified budget identified by BPA.

The subregional meetings have occurred and prepared tables for information. Within each of the five domains in the Columbia River, strategies were developed for each MPGs within those domains. The participants at the Regional M&E workshops will review and identify which domains are not adequately meeting BiOp RPA requirements, how to allocate funds to better address the BiOp RPA requirements, and possibly reprioritize the work within existing projects to meet the BiOp RPA requirements.

Oct. 20-21 Workshop: Review strategies in relation to each other, identify the greatest gaps and what needs to be filled, possibly redefined projects or develop proposals, and set priorities.

Nov. 3-5 Workshop: Align proposals to fill all the gaps and meet BiOp RPA requirements with the revised proposals and modified projects.

Staff will forward the workshop information. Additional information is posted on the Anadromous Monitoring Strategy website link is <http://www.cbfwa.org/ams/>.

Contact the Regional Workshop Facilitation Team at Turner Odell at [todell@pdx.edu](mailto:todell@pdx.edu) and Robert Williams at [rwilliams@merid.org](mailto:rwilliams@merid.org).

Rob Walton asked if the Council has delayed their scheduled category review of RM&E and hatcheries. Tom responded, as he understands it, the Council is following the M&E process to set the pace. The ISRP is reporting on retrospective reports and stated they expect to review the RM&E strategies at it relates to the project recommendations that the Council will make next year, based on the strategy. The Council is following M&E strategy conversations until completed to set priorities for the Program for anadromous fish and begin working in the remaining monitoring projects in the categorical review.

*Upcoming  
Meetings:*

**Members Work Session:** October 29, 2009 9am-4pm – Portland OR (via face-to-face – details TBA)

**Members Teleconference:** Tentative November 4, 2009, 1-4pm (via WebEx)

**MAG Teleconferences:** Oct. 19 and Nov. 16, 2009, 1-4pm (via WebEx)

**Regional Monitoring Evaluation Workshops:** Oct. 20-21 and Nov. 3-5, 2009 in Stevenson, WA (Regional Workshop Facilitation Team Contacts: Turner Odell at [todell@pdx.edu](mailto:todell@pdx.edu) and Robert Williams at [rwilliams@merid.org](mailto:rwilliams@merid.org))

**Council Meetings:** Oct. 7-9, 2009 in Ketchum, ID & Nov. 12-13, 2009 Teleconference

Columbia River Treaty (CRT) Review Meeting - Umatilla Tribes have agreed to host the December 9-10, 2009 in Pendleton, OR.

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