

**Subbasin Planning
Regional Coordination Group
January 13, 2004**

The Subbasin Planning Regional Coordination Group (RCG) met January 13 from 8:30 a.m. to 3 p.m. at the Northwest Power and Conservation Council (NPCC) central office. Judi Danielson (NPCC chair) presided. About 20 people attended.

Agenda Item 1: Subbasin Planning Status and Budget

Lynn Palensky (NPCC staff) went over an expenditure report, showing that funds released for state and regional subbasin planning now total nearly \$14 million, with an additional \$1.3 million identified as unallocated. As of December 18, 2003, \$4.2 million had been invoiced, she reported, and there are about 60 invoices in process that will raise that total by about \$4.8 million.

Central staff met with state coordinators to go over the expense and invoice situation subbasin by subbasin, Palensky continued. We got into the details behind invoices and cleared up a number of questions about the progress of the subbasin plans, she said. Palensky indicated that problem areas are being rectified. There are only a few subbasins “we have to worry about now,” she added.

Doug Marker (NPCC staff) said subbasins submit a progress report with each invoice. We discussed how to deal with subbasins that are falling behind and came up with some strategies, he said. In a month or two, the RCG may need to help with additional strategies; we’re trying to be aggressive in identifying problems, Marker added.

State coordinators and central staff will meet in a couple of weeks to talk further about the tasks that need to be completed by May 28, Palensky said. We are now managing 58 contracts, she said, noting that a new contract is in place for Klickitat County and one for the Oregon TOAST.

Sharon Ossmann (NPCC staff) provided accounting spreadsheets with detailed state-by-state information on budget and contracting activity. We will be tracking the figures closely, she said, noting that the spreadsheets would be updated at the end of January. Danielson asked that the monthly updates be provided to all members of the RCG.

Peter Paquet (NPCC staff) outlined a proposed shift in subbasin planning funds to cover Level III GIS expenses. The GIS products will be very useful to the planners and others, including NOAA Fisheries, he explained.

Tom Karier (NPCC member) asked how NOAA Fisheries would put the GIS data to work in preparing the remand Biological Opinion (BiOp). Paquet said he had met with NOAA Fisheries about using data sets from the subbasin planning effort. To the extent they can, they will try to incorporate our data sets, he said.

Jim Owens (Oregon Subbasin Planning) pointed out that additional funds are allocated for Mobrand Biometrics, but planners have had trouble getting services in a timely manner. Paquet said he wasn't aware of that, but would deal with it. I don't think all of the subbasin planners have recognized the need for GIS, and more requests will likely come forward, Owens reported. Let me know who those folks are, and "I'll light a fire under them," Paquet responded. If they wait too long, it could be too late, he added.

Agenda Item 2: Update on Recommendation for Coordination of Monitoring Programs

Steve Waste (NPCC staff) briefed the RCG on the work of the Pacific Northwest Aquatic Monitoring Partnership, a state, federal, and tribal effort to coordinate watershed and salmon monitoring programs in the Pacific Northwest. The Partnership submitted a draft plan to the Council at the end of December, which is posted on the Columbia Basin Fish and Wildlife Authority's web site, he reported. According to the plan's executive summary, the purpose of the Partnership "is to provide the most important scientific information needed in a coordinated manner at the appropriate scales to inform public policy and resource management decisions." The summary lists the key modules in the report as: coordination structure; watershed condition; effectiveness monitoring; fish population monitoring; and data coordination.

Waste explained that the Partnership has operated with no formal structure, but with strong support from a number of entities. The group is currently leaderless, although the USGS has offered an individual to be the coordinator for six months, he noted. There is a module in the draft plan on governance, Waste pointed out, saying that the Partnership is exploring how to "go forward and do good things." No single executive-level group gives policy guidance to the Partnership, and the draft plan proposes a network structure, with several entities, including the Federal Caucus, the Council, and the regional Federal Executives, offering guidance, he said.

About half of the Partnership members are very involved with subbasin planning, but there are others who are not, Waste stated. He suggested Council staff attend a Partnership meeting to provide a briefing on subbasin planning, and that after that, state coordinators and Partnership members meet to discuss products that would be useful.

Jim Caswell (Idaho Office of Species Conservation) asked if what the Partnership is doing would fulfill the research, monitoring, and evaluation (RM&E) obligation NOAA Fisheries set out in its findings letter. Some members have that goal, but not all do, Waste replied, pointing out that the geographic reach of the Partnership is broader than the Columbia River Basin and that there are members who do not want the entity to have a BiOp focus. But the findings letter showed a high degree of support for the Partnership, Marker added. That's true, Elizabeth Gaar (NOAA Fisheries) agreed.

The Council's technical guide/template for subbasin plans asks everyone to have a process for RM&E and to justify it, Caswell pointed out. Could the Partnership effort

lead to something that could be dropped into the plans? he asked. If that's a possibility, we could avoid struggling with that part of the template, he added.

We hope this work will be available to the planners to plug in, Marker said, adding that the Independent Scientific Review Panel (ISRP) is aware of the Partnership's efforts. Palensky said the Partnership RM&E framework would not override what is called for in the template, but that state coordinators could determine whether the framework would work for them. It's very dependent on what the states want to do, she stated.

I understand that the Partnership's emphasis is to come up with "a core M&E plan," and local plans could need more than that, Lorri Bodi (BPA) indicated. Project-specific M&E isn't as useful for us because it's not translatable to the basin, and we are hoping for something that is on the basin scale, she said.

Marker raised the issue of whether the action agencies are coordinating with the states on RM&E and whether the local planners are plugged into those efforts. Tony Grover (NPCC Washington) reported that the Washington Salmon Recovery Funding Board made "a pragmatic decision" to approve limited parameters for monitoring. RM&E can be very expensive, and a tension can arise between getting the work done and doing "sophisticated" RM&E, he indicated.

I don't see where the "E" in RM&E is being addressed, Gustavo Bisbal (USFWS) said. How will you bring information forward and digest it so it can be factored into decisions? he asked. How you plan to do that could help define what data you need to collect; thinking about the "E" helps define the "M," Bisbal pointed out.

Could subbasin plans contain a standard statement if planners want to defer to the Partnership approach to RM&E? Bodi asked. If there were a module we could plug in, we'd welcome it, but there has to be something available within 60 days to be useful, Owens said. Will the Partnership be the reviewing body for RM&E? Owens asked. No, Waste replied, noting that the Partnership's structure "is too amoebic" and not suited for such a review.

There is an issue with how to support the Partnership network, Marker said. It doesn't have funding that "gives it a home," and the question is whether this works as an ad hoc effort or whether it needs more structure, he explained. We need to explore that, Waste said, acknowledging that some members are wary of too much structure. The question is how much structure is appropriate to accommodate communication between the Partnership and other entities that could use its work, he concluded.

Agenda Item 3: Status Report from NOAA

Rob Walton (NOAA Fisheries) reported that his agency issued a findings letter December 23 in which regional director Bob Lohn reiterated interest in seeing the subbasin assessments as soon as possible. We wanted "to tee up the issue" of what to do if the assessments are incomplete or don't pass ISRP scrutiny, and if we have problems after

May 28, how we would work them through, he said. We also wanted to encourage early technical review so we get the best products, Walton indicated.

There is momentum locally, and “it would be tragic to drop that support prematurely,” he said. We see an issue with maintaining continuity and keeping local people in the loop for implementation, Walton continued. The findings letter raises the issue of how we implement recovery actions in a coordinated and integrated way, he said.

I am reluctant to have artificial parameters around “a fix-it loop” since each subbasin is different, Danielson replied. “One size does not fit all,” Walton agreed. We aren’t suggesting “we shoehorn this into an artificial process,” he said. But some subbasins may not get very far or the ISRP could find something wrong, and it seems we need money to address potential problems, Walton stated.

Owens said he too strongly supports funding post-May 28 for a fix-it loop and integration of input from NOAA Fisheries’ Technical Review Teams (TRTs). My suggestion is that NOAA Fisheries fund that, he stated, adding that BPA should fund maintenance of the infrastructure post-2004. “We keep dancing around” the issue of who will fund the fix-it loop and the post-2004 period, Owens commented.

The Department of Commerce does not have a 2004 budget yet, but I don’t see that in the cards, Walton responded. We provide the Pacific Coast Salmon Recovery Fund, and there is specific language in the agreement governing the fund that allows for the type of uses you are suggesting, Gaar pointed out.

Grover said the subbasin planning entities he is working with want to stay involved after May 28. If a subbasin plan needs fixing, it’s critical that the planners who developed it also fix it, he stated. Palensky suggested the need to be clear and specific in discussing the post-May 28 period. A fix-it loop is not necessarily the same as maintaining infrastructure or massaging the subbasin plan to get to a recovery plan, she pointed out. When we discuss the needs for post-May 28, we need to define exactly what we’re talking about, Palensky said.

Chris Drivdahl (Washington Governor’s Salmon Recovery Office) asked about NOAA Fisheries’ effort to collect new data and the crediting for recovery actions under a new BiOp. Walton responded that NOAA Fisheries’ Science Center is developing information that relates to “refreshing the science and the inventory of projects.” It should not affect the credits, he said. Our sole purpose is to write a new BiOp, Walton stated.

If an action is reasonably certain enough to be a credit in the jeopardy decision, it seems it would also be a credit in the ESA assurances, Bob Lane (Montana Department of Fish, Wildlife and Parks) stated. I agree, Walton replied.

Mark Bagdovitz (USFWS) asked about the action agencies’ response to issues raised in the findings letter. On subbasin planning, we are not in the driver’s seat, but we’ll work

with the Council and the state coordinators, Bodi replied. Ultimately, we have to deliver good projects that address our ESA obligations, she added. With regard to RM&E, our desire is to have a core standardized approach, Bodi said. We have to respond to the findings letter in our implementation plan, she stated, adding that that could mean updating the plan in other ways as well. BPA will work with the other action agencies on this, Bodi said.

We are far down the path with off-site mitigation measures and are concerned that strategy not change too much, Marker said. Our main concern is that we not radically change direction in a way that would alter the course of subbasin planning, he stated. There is no plan I know of to undermine subbasin planning, Walton responded.

We submitted the second quarterly report on the remand to the court at the end of 2003, he continued. We will meet with the court this Friday on how to work with the co-managers, Walton said. The action agencies don't think there is enough time to have the co-managers involved "from scratch" in redoing the BiOp, he added. We are posting information on our web site so people can comment, and we are working on having meetings to keep states informed about what is going on with the remand, Walton said.

We don't want to interfere with subbasin planning, he stated. We have asked our Science Center people to stay out of the way of subbasin planning, and the compromise is: when they are invited to do so, our scientists will sit down with the local planners and compare data, Walton said. We asked for available subbasin-planning work products by January 9, and we welcome additional information, but "we won't knock on doors" to get it, he went on. Walton indicated NOAA Fisheries would be able to use information in the Pacific Coast Salmon Recovery Fund reports from Washington and Oregon and that scientists are comparing notes about "what to count."

We appreciate the work of the Interior Columbia TRT, and we've met to coordinate with them, Grover reported. That TRT has jelled well as a group, Gaar responded. She indicated that the TRT would soon put out its draft recommendations on ESU population-level viability criteria. We expect the summary report by mid-February followed by a technical report, Gaar added.

Melinda Eden (NPCC member) asked what Walton meant by saying "*if* there is a new BiOp." We'll have a new BiOp for the court by June, and we still plan to have a draft out in March, he clarified.

Agenda Item 4: Frequently Asked Questions

Council staff met with state coordinators in December and developed a list of frequently asked questions, Palensky reported. We consolidated about 25 questions into the five or six overarching issues presented in this memo, she explained.

There was some discussion about the process for considering the questions and answers, and whether the RCG would vote on recommendations to forward to the Council. If it

comes to taking a vote on some issue, that vote won't happen today, Danielson assured the group, noting that she would want to be sure everyone entitled to a vote is at the table.

Question 1: Process for responding to ISRP and public comments. This question specifically addresses the schedule and process for the response post-May 28 and does not address implementation issues or maintaining subbasin planning capacity during implementation, John Ogan (NPCC staff) explained. He outlined the schedule post-May 28, with June 1 to August 12 for ISRP review of plans; August 12 to September 30 for public comment; and October and November for addressing comments and getting subbasin plans ready for Council adoption into the fish and wildlife (F&W) program.

As things stand, we do not have contracts or resources after May 28 for subbasin planning groups to respond to the ISRP as a group, Ogan explained. Each state is different, and some groups may have resources from another source to make a group response, he said. That would not be precluded, Ogan stated.

But presuming that most groups don't have such resources, entities that are participating in the groups could respond to the ISRP individually and speak for the group in which they participated, Ogan said. Not everyone is comfortable with that idea, and questions continue to be raised about it, he acknowledged. Some states seem to feel they could work with the approach, while others have said it would be difficult; but we have never had consensus one way or the other, Ogan indicated. If we are going to take this to the Council and propose adding a new task to the contracts, we ought to have agreement among the Level III coordinators about whether it is needed, he said.

Not all subbasins are in the same spot, and some may need help to ensure they can continue in the process, Walton responded. "Blanket funding" or "a one-size-fits-all" solution may not be appropriate, but some funds may be needed, he indicated. It's up to the states to describe where their subbasins fall – that seems like the place to start, Walton suggested.

The Washington Council members "do not want to reinforce failure by promising funds to those who undershoot," Grover stated. But we all want good plans, he added. What we are hearing from the subbasin planning groups is, "don't go changing our plans without giving us the means to be involved," Grover said. They want to know that what the Council adopts into its F&W program is something they still embrace, he explained. Some have available funds and some do not, but things are not yet ripe to define the needs, Grover added. He suggested the states address the issue at their January 28 meeting and come up with some options.

There are three elements to this, Owens said: who has the assignment to respond, the process, and the schedule. I thought the assignment to respond was with the preparers of the plan, he said. The idea is, it was a local effort and how we structure and fund that response is the question, according to Owens.

Do you mean ideally the respondent would be the subbasin planning groups as they are constituted? Ogan asked. I'm viewing it as the lead entities that you contracted with, Owens responded. With regard to the schedule, it isn't realistic for coming up with a response to the ISRP, Owens stated. It will take a lot of time and money to respond to the ISRP, he said, noting that the Clearwater plan provides an example of that. As for the mechanics, it will have to be a flexible process that evolves like subbasin planning evolved, Owens suggested.

Oregon is not interested in reinforcing failure either, and we want the best product to be adopted into the Council program, Eden stated. We can't adopt substandard plans; it will undermine project selection and NOAA Fisheries' needs, she pointed out. We are advocating for the subbasin planners, who developed the plans, to be the fixers of the plans, Eden said.

"We are getting scrutiny from legislators who are tired of planning," Drivdahl said. Some legislators want to take away the planning money now, and "we are very nervous" about extending this process, she said. If we send the message that we will grant more time, "we're in deep trouble," Drivdahl stated, adding that using Washington's salmon recovery funds "to remodel subbasin plans" would also be a problem. If that money is used "to subsidize or extend subbasin planning," it will create serious problems, she indicated. I'd offer "a big word of caution" on extensions, Drivdahl summed up.

We keep plowing this same ground, Caswell stated. I support the Council's schedule, and I don't support an extension, he said. If we extend the deadline for one subbasin, we would have to extend the deadline for them all, Caswell cautioned. We've got an approach here, and we ought to follow it, he stated.

So you will address this issue at your meeting January 28? Ogan asked. Yes, the agenda item for that meeting is the post-May 28 process, Grover responded.

Danielson noted that Oregon had indicated it would be making a formal request later in the meeting to extend the deadline for the John Day subbasin plan. I'd like you to consider this question, she said: if you force a decision and this issue goes to the Council, will Oregon live with the RCG's decision and the Council's decision? How will Oregon deal with one or the other of those decisions? Danielson asked.

Question 2: Capacity to respond to comments, e.g., time, money, and contract extensions. Our view is that the current contracts do not provide the capacity to respond, Marker stated. They could, but they don't now, he added. The ISRP members' other commitments are also a factor in what we can do here, Marker continued. We can't just push this off a week or a month, he said. We told the ISRP our schedule was firm, and the members have planned and scheduled their review time around that, Marker stated. The question for the Council is how to treat incomplete or unsubmitted plans, he added.

If there are unallocated funds in the budget, could they be used for post-May 28? Owens asked. It's a question of whether that work would take priority over other needs, Marker

responded. The Council would have to discuss that, he said. Does that mean there is no point in saving money in the subbasin planning process? Owens asked. No, it just isn't automatic, Marker responded. The Council wouldn't want to be punitive to those who have been fiscally responsible, Danielson observed.

The subbasins that are crucial to recovery may also be the most complicated; they might not be finished, while the less complicated are, Walton commented. If a key subbasin isn't finished, NOAA Fisheries can't just say, "too bad, we don't need it," he said. If an assessment or inventory is inadequate, how do we fix it? Walton asked. I understand that legislators do not want to fund endless planning, but we can't just ignore it if a key subbasin doesn't get completed, he said.

Others raised the issue of the potential for gaps in the plans that may need to be filled once the submittals are made. For example, if no one takes on enough planning for the Columbia Gorge populations, we may have to address that, Grover said.

We have a plan in place and absent another proposal, we'll continue on that path, Ogan stated. People can take up the issue of whether this proposal is okay at the January 28 meeting, he said. We'll try to decide who will do what within the components of the timeline, Grover said.

We have contracts to adhere to, and BPA has made it clear that amending the contracts is probably not going to be negotiable, Danielson pointed out.

Question 3: Incorporate other information into the plan (HGMPs, APRE, RM&E, TRT products). Marker explained the status of the additional information pieces, noting that Council staff is responsible for an RM&E framework. Gaar said the TRTs hope their summaries will be useful to subbasin planners. By mid-February, we should have something useful, she reported.

The planners have asked "when we will stop throwing information at them," and we told them it would be the end of the month, but to keep working with NOAA Fisheries, Owens said. Unless the planners have their assessments done by the end of February, they won't make May 28, he pointed out. If new information comes out in March and April, they can acknowledge it, but they can't make use of it, Owens said. We won't continue to tweak the assessments after the end of February, Grover agreed.

Question 4: The situation for plan implementation (timing and funding). The answer here isn't clear, Marker said. We're trying to figure out the transition from the provincial reviews to the subbasin plans, he indicated. The focus in terms of long-term funding is BPA's next rate case, and the Council would like to get a specific commitment from BPA on a funding level, Marker said.

Question 5: Parts of the subbasin plan to be adopted by the Council. If we adopt the management plan into the F&W program, people could continue to update the inventories

and assessments as needed, Ogan said. We're proposing to adopt the management plan and have the assessments and inventories as appendices to the program, he explained.

Many of the plans will make reference to periodic updates, so we're assuming the funding and organization continues, Owens said.

Question 6 relates to how the Council wants the plans to be formatted, Palensky said. We've prepared a statement entitled "Guidelines for Final Formatting of Subbasin Plans," she explained. Generally, we want everyone to keep it simple and not spend time on packaging, Palensky stated. We do need at least one hard copy, she added.

Managing the fresh water habitat requires local support, and if we want that support, we can't alienate the local people involved in planning, Walton said. He cautioned against changing subbasin plans and then asking the locals to implement them. "We could get 'no, that's not our plan,'" Walton said. "If we don't have the money or the will to maintain infrastructure, we may blow it," he said. We must continue to recognize the value of local support, Walton concluded.

The Council will be reluctant to fund a lot of administration in lieu of work on the ground, and the F&W budget is limited, Danielson responded. The needs of the locals, NOAA Fisheries, USFWS, and others are different, and we need to fit this all together, she said.

I don't see this as money dependent, Caswell stated. In the anadromous basins, all of those involved are already funded, he said. There are some private parties, "but 98 percent of those who will do the heavy lifting in the future are already engaged," Caswell said. One problem could be if existing projects don't get funded, we could lose some of that involvement, he noted. It's the non-anadromous subbasins that I worry about since they are not as well funded or organized, Caswell said, adding that he supports continuing the established project selection process rather than having dedicated funds for infrastructure.

Agenda Item 5: State Reports and Level II Requests

Owens handed out a status report on efforts in Oregon. Tom Byler (Oregon Governor's Office) explained that planners in the John Day are seeking a one-month extension beyond May 28, and he asked the RCG to support the request. They got a late start, and the lack of time will affect the quality of the product, and that's key here, he said

Rick Barnes (John Day project manager) explained that the EDT workload in the John Day is enormous, with 1,266 river reaches and over 20 EDT attributes to catalog. If everything goes "like clockwork" in the next few months, including finishing the EDT data input and the Mobrand Biometrics analysis, we could get done by the end of June, he reported. If we don't get more time, the experts don't feel our product will be of the quality it should be, Barnes said.

Owens described the John Day as “a critical basin in Oregon.” They want to get it right, and we don’t feel an additional month will hurt the process, he said. The subbasin has entirely wild fish, which includes 464 streams with steelhead, Barnes said.

Grover said none of the planners using EDT in Washington have gotten satisfactory results the first time around, and he questioned whether it was reasonable to expect the results in the John Day to be different. You don’t have time for EDT, he advised.

If this request is approved, “we don’t have enough fingers to plug the holes in the floodgates,” Drivdahl said. I believe that’s true, Byler agreed, but if we can’t have quality products by May 28, we have to consider whether it’s prudent to extend the time.

“I feel your pain,” Grover said. I get calls every week asking whether there is flexibility in the schedule, and “I say no,” he continued. You can’t get to a product that will please the scientists fully, Grover said, adding that this isn’t “the one-and-only shot” at doing EDT. In some Washington subbasins, we’ll only have time to organize the data, he added. On May 28, “we come to the party with the best clothes we have,” Grover said.

The people doing this plan were brought into the process and embraced it, Barnes said. They are telling us that if they have to take shortcuts, they won’t be comfortable with the product, he stated.

Marker pointed out that the request has contract implications. Is there a Plan B we can talk to Oregon about, or is there sentiment among the group to go to the Council to request this extension? he asked. Byler said Oregon wouldn’t take the issue to the Council without RCG approval.

We have an existing contract and if this is “a performance issue,” then it needs to go to the Council, Ogan stated. I did not say that we wouldn’t complete the plan, but we are saying we can’t take shortcuts and end up with a satisfactory product, Barnes replied.

Many subbasins decided not to do EDT because they did not have enough data or money, Caswell said. May 28 should be it, unless everyone gets an extension, he said.

Karl Weist (NPCC staff) said Oregon was following the process, taking the issue from Level I to Level II, then to Level III. This is not a contract performance issue, he stated, adding that the big question is paying for and making improvements to the plan after the ISRP review. The group continued to discuss the opportunity after May 28 to improve a plan and provide more information. This will be an ongoing issue, Owens predicted.

I’m not comfortable telling Oregon it can’t go to the Council with this request, Bagdovitz said. He suggested the RCG needs to have a framework for making decisions on such requests and asked that Council staff make a proposal for how to do that.

Tom Dayley (Idaho Subbasin Planning) offered a status report, saying that progress in Idaho ranges from zero to 100 percent, depending on the subbasin. Kerry Berg (NPCC

staff) said planners in Montana's Kootenai subbasin are on schedule for an early ISRP review in March, and Grover said there is a wide range of progress in Washington, but all subbasins are on a May 28 deadline.

The RCG agreed to meet again February 12.

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