

**Subbasin Planning
Regional Coordination Group
November 1, 2004**

The Subbasin Planning Regional Coordination Group (RCG) met November 1 at the Northwest Power and Conservation Council (NPCC) central office. Judi Danielson (NPCC chair) presided. About 35 people attended.

Agenda Item 1: Update on Subbasin Plan Adoption

John Ogan (NPCC staff) gave an update on the Council's progress toward adopting subbasin plans. He reported that in October, the Council released 29 subbasin plans as draft amendments to the Council's fish and wildlife (F&W) program. The comment period on this first group of plans will be open until November 22, he said. The Council is also holding hearings across the region so people can present oral testimony, Ogan continued, noting that there have been three hearings already and three more are scheduled for this week. The final hearing will be November 16, when the Council meets in Coeur d'Alene Idaho, he said.

A second group of more than 20 plans didn't meet the adoptability standards for the F&W program, but we expect that they will with more work, Ogan continued. We have people working under contract to improve the plans and address the deficiencies, he explained. We expect the improvements to be complete by November 26, and by late November, we will know if they are in adoptable form, Ogan said. We hope this group will be ready to adopt as draft amendments and to release for comment in December, he stated. We would take comment on this group through early February, Ogan added.

Rob Walton (NOAA Fisheries) pointed out that an ongoing challenge with the subbasin plans is setting priorities. Mark Bagdovitz (USFWS) asked what would happen if the improved plans don't meet the adoptability criteria. Ogan explained that staff is using the same adoptability template for all plans. For the plans needing more work, we have attempted to determine the nature of the deficiencies and develop statements in the contracts we've issued about what is needed, he said. If we find that a plan is still deficient when it comes back, we won't ask the Council to adopt it, and we'll identify what is needed to get it to an adoptable state, he said.

The third group of plans needs significantly more work to meet the adoptability standards, Ogan went on. We set out what is needed to get these plans to an adoptable state, and there is work going on to get them there, he said. State coordinators reported that improvements to the third group of plans will be submitted in December and March.

In addition to specific comments on subbasin plans, broad questions about subbasin planning have arisen in this process, Ogan said. During the comment period on the first group of plans, the Council has provided an opportunity for the region to address these broader issues, Ogan said. In an October 22 letter, we outlined the questions and asked for comment, he reported.

Ogan listed and explained the questions, which include: level of specificity in the subbasin plans; “roll-up” – the relationship of subbasin plans to other F&W objectives in the basin; project review and recommendation process; relationship to ESA recovery planning; and subbasin plans as “living documents” that can evolve. The Council has not committed to dealing with these questions in the amendment process, but will take comments on them until November 22, he said.

These are very relevant questions, Bob Austin (BPA) pointed out. The roll-up influences a lot of pieces in the project review and selection process, he said. NOAA Fisheries may want to speak to recovery planning and whether the subbasin plans will serve as building blocks, Austin said. The process for taking care of future amendments is also important, he indicated.

Bagdovitz raised the issue of how recovery plans and subbasin plans fit together. The situation is clearer for recovery plans that are currently being developed than for recovery plans already in place and being implemented, he commented. Bagdovitz noted that not all recovery plans are well represented in the subbasin plans. We want to encourage people to get all species well represented in their plans, he said.

I’ve not heard anyone say they don’t want to include the recovery plans, but that they are not ready to commit to how that will be done, Tony Grover (NPCC Washington) indicated. We have six to nine months to work on that, and it’s likely we will blend them in, he added.

Walton reported on the progress of the Mid and Upper Columbia and Lower Snake ESU Technical Review Team (TRT). The TRT prepared a conceptual paper last summer that will soon be on its web site, and it will present new information on population, productivity, and abundance in November, he said. We should have a working document from the TRT by mid month, Walton stated.

Knitting the local plans together at the province and ESU levels will take a lot of work, he said. Because of the timeframe set by Governor Locke, we are planning to have a recovery plan for the Lower Columbia in five weeks, for the rest of Washington by June 2005, and for Oregon by the end of 2005, Walton reported. We still see subbasin plans as the foundation building blocks, he added.

I’m glad the staff and Council have started looking into the larger issues outlined in the October 22 letter, Dave Johnson (Nez Perce Tribe) said. We would be interested in having a better idea of how all of the pieces fit together before the subbasin plans are adopted, he said, adding that the ideas presented about roll-up look promising. The tone in the memo seems to suggest there is a lot of deference being given to the independent review requirements in the Northwest Power Act, but where do the views of F&W managers fit in? Johnson asked. He indicated he would like further consideration of that question before the Council adopts subbasin plans.

Jim Caswell (Idaho Office of Species Conservation) suggested the RCG is a good group to address the broader questions posed in the October 22 letter. This group could shed light and have a dialogue on the questions, he said. That's the way the Council sees it, Danielson agreed. The Council thinks about this group as an advisory body with everyone at the table, she said.

NOAA's goal is to avoid producing recovery plans "that sit with other dusty plans on a shelf," Walton said. I'd like to see a collective effort that produces recovery plans and a F&W program that people will actually follow, he said.

These broader questions are percolating with the subbasin planners too, and this forum is a good place to address them, Jim Owens (Oregon Subbasin Planning) said. The planners also want to be involved, and we need to think about outreach, he said.

After you get comments November 22, will Council staff formulate answers to the broad questions and present them to the RCG? Bagdovitz asked. There seems to be a growing recognition that we could use this group for that, Ogan responded. The Council and its committees will have discussion too, but "we don't have the exact recipe developed" – we're developing it in real time, he added.

I'd encourage all of you to give us your thoughts on the answers, Ed Bartlett (NPCC) said. I'd like to hear from this group – we want answers from the tribes, the states, and the coordinators, he said.

Agenda Item 2: Goals for Resolving Regional Issues in Subbasin Plans

Ogan said staff saw problems in the subbasin plans with the treatment of artificial production and monitoring and evaluation (M&E). In many cases, artificial production strategies were not well integrated with other strategies in the subbasin, and every plan seemed somewhat deficient in the area of M&E, he explained. We had to figure out how to improve the plans in both of these areas, Ogan said. Staff recommended that the Council not hold up plans to address these elements, but instead rely on regional work that is being done and feed it back into the plans, he explained.

With regard to artificial production, the Council and the region have been working on the Artificial Production Review and Evaluation (APRE) and there is an APRE work plan set out, Ogan said. The next steps will be to evaluate hatcheries in the region program by program to see if they fit with the subbasin plans – are they consistent and are artificial production strategies working in concert with other elements in subbasin plans, he explained.

The template called for an M&E element in subbasin plans, and this element gave planners the most trouble, Ogan stated. There is regional work going on in this area, and the Council decided we should let this work mature and feed it back into the subbasin plans, he said. It didn't seem like a good use of resources to have individual planners

work on M&E until the PNAMP effort establishes consistency across the region, according to Ogan.

These two issues were treated appropriately, Walton said. He suggested F&W managers should address how to integrate harvest and hatcheries into subbasin plans. These are not issues the locals can solve, Walton said. He noted that lawsuits on harvest issues are very slow and “the inertia is enormous.” There is only so much the region can do to push on *U.S. v. Oregon*, Walton said. How do we marry *U.S. v. Oregon* with the subbasin plans? he asked.

We have the same issue with our F&W program and *U.S. v. Oregon*, Danielson commented.

Integrating the pieces of the puzzle is a big challenge, Lorri Bodi (BPA) said. There is an opportunity here with so many of the pieces coming together – subbasin plans, APRE, M&E – to deal with roll-up, she said. In addition to listing questions, we need to come up with answers – even if they aren’t perfect, let’s come up with answers, Bodi urged.

I see the references to M&E, but the R (research) is very important too, Linda Ulmer (Forest Service) pointed out. I would like to urge adding a research component on here and to integrate research on the major policy questions, she said.

Johnson said he saw promise in the APRE evaluation. I like the idea of people from the hatcheries being responsible for the integration into subbasin plans, he said. There are solutions coming from *U.S. v. Oregon*, Johnson added. The PNAMP effort “still seems murky,” and we need to run this past our research folks and see how well it will work, he said.

Steve Waste (NPCC staff) described the PNAMP process and how it has evolved. People had been working informally on M&E issues for quite a while, but we pushed for a more formal effort and asked the participants to take a larger leadership role, he said. One of the issues being resolved is whether this group only reviews the work of others or whether it generates products for the region, Waste said. They are leaning toward the latter, he reported. With PNAMP, we are making a good choice on how to proceed with M&E for the subbasin plans, Waste stated. It’s a specialized discipline, and there isn’t a lot of expertise on it – PNAMP is it, he said.

There are intriguing questions about RM&E, Walton said. For instance, are we studying the right things, and how will we know? Are we studying the right Hs, and do we have a cost-effective RM&E plan that integrates research efforts? I don’t know if we are approaching RM&E correctly, but it should be integrated into the design of the subbasin plan and not something stuck onto the end, Walton said.

It’s essential that we monitor the biological response to actions, Waste said.

The last two years have seen a rapid evolution of the M&E program, Doug Marker (NPCC staff) said. PNAMP seems like the place it is happening – it's critical that management and policy input be clear, he said.

A group under the auspices of the Columbia Basin Fish and Wildlife Authority (CBFWA) is working on the hard-core technical parts of M&E, Rod Sando (CBFWA) pointed out. The Collaborative Systemwide Monitoring and Evaluation Project (CSMEP) got off to a slow start, but it is now making lots of progress toward standardizing protocols and data handling, he reported. CSMEP is feeding into the PNAMP process on the more technical aspects, Sando said.

CSMEP has funding for three years, Waste said. It is hammering out what we need in the technical sense, he added.

Agenda Item 3: Concepts for Implementing Subbasin Plans

The last provincial review process is our frame of reference for how implementation works, Marker said. Staff has been putting together a concept for implementation to provide to the Council, he said. We want to present the staff's work today, Marker said, adding that December is the earliest staff would go to the Council with a fleshed-out concept.

Patty O'Toole (NPCC staff) said the discussion teed up the implementation issues. There are lots of things coming together now, and we are addressing the question of how to integrate all of the pieces, she said. O'Toole laid out the staff's thinking and asked for feedback from the RCG.

She listed the staff's starting principles, including: implement subbasin plans as soon as possible; direct as much funding as possible to implementation; recognize ongoing F&W program commitments; and provide opportunities to coordinate with other funding sources. O'Toole presented a diagram that divided implementation into systemwide and province level reviews, and listed the elements within each level. The systemwide level includes research, mainstem, coordination, data management, and estuary; the provincial level includes habitat restoration, habitation protection, and production. She described steps for carrying out the reviews at each level. There are two key tracks, with M&E in the middle, she said. We recognize some M&E can stay out in the province, but the regional M&E work is needed systemwide, O'Toole explained.

The questions you've outlined – needs definition, current program review, gaps definition – could be a challenge to the region to consider whether we are looking at the right things, Walton commented. There are established interests that have a stake in the way things are, he said. These questions are an encouragement to think critically about our mission, Walton said. A volatile example is summer spill and whether it is the right program, he commented.

It's important to recognize the connection with the federal hydro system and to consider the questions of what the hydro system should be doing, and what is appropriate offsite mitigation for the hydrosystem, Bodi said. Comments on the NOAA Fisheries' Biological Opinion (BiOp) were critical of habitat protection as offsite mitigation, she stated. It makes sense to know where we are on the roll-up issues to help us with project selection, Bodi said. We are making project commitments for multiple years, so there may not be an opportunity to revisit a decision for three years, she stated. Maybe we need answers about roll-up before we commit to multiyear funding, Bodi suggested.

From BPA's point of view, the rate periods are very important for planning, she said. Bodi reported that BPA has not reduced its level of effort on habitat and is committed to getting specific things done toward recovery in three-year cycles. We have very specific commitments, and we have to hit the metrics in the three-year windows, she explained. Bodi offered copies of BPA's 2004 updated proposed actions for meeting BiOp requirements.

The Northwest Power Act directs the Council to give deference to the F&W managers, Johnson pointed out. Where is that going to happen in this process? he asked. Section 4(h)(2)(7) lays out the steps for developing the F&W program, Ogan replied. The court interpreted things in that section to mean the Council owes deference to recommendations from F&W managers, he said. When Congress added section 4(h)(10)(d), the Council established a review panel and added independent scientific review to the process, Ogan continued. The Act sets out standards the Council must consider in developing its program, but beyond those steps, there is a lot of flexibility, he explained. As for whether there is deference year-to-year in project selection, as well as deference in program development, the Court has not said there is, Ogan stated.

O'Toole offered the staff's Alternative 2 for the implementation concept and explained the steps. With regard to soliciting for projects, we could do a staggered provincial solicitation or do a basinwide solicitation, she said. We've looked at the pros and cons of each approach, O'Toole added.

Is there a commitment yet on O&M? Johnson asked. The Council is edgy about ongoing O&M, Danielson responded. There is a lot of inconsistency around the region, and the Council is looking hard at that issue, she said.

Austin said here will need to be a gap analysis and suggested the first solicitation could be geared to filling the gaps.

Would it be possible to aggregate the funds that are available annually? Owens asked, adding that doing so might offer a better chance of rewarding all 59 subbasins. It's a different way of looking at this, but we're open to it, Marker responded.

If we use the rolling provincial reviews, there may be projects ready to proceed that would be long delayed, Grover pointed out. If we go that way, we should have a

category of “good, ripe projects” that are considered at the same time, he suggested. Some provinces have done a lot toward rollup, Grover added.

I’m a little concerned about whether jumping into this in 2006 is desirable, Sando said, noting that the F&W program “does not have a lot of slack.” I’d advise that we get a more strategic view about what is needed, he said. I worry about going forward too soon before we have a systemwide view, Sando stated.

We’ve talked about condensing the solicitation and starting provincial reviews five to six months apart, O’Toole said. That could cause problems for staff time, but we are considering it, she said.

We would like feedback on this working concept from the RCG, and discussion about the best structure for province-level review and the recommendations process, and a discussion about the participation of subbasin planners, O’Toole stated.

What do we want to accomplish with the next round of funding? Bodi asked. We need to answer that question before we do the solicitation, she said.

With respect to the timing of implementation, there is an urgency about getting started so the subbasin plans stay alive and vibrant, Marker said.

Discussion

As we look at implementation and funding, why don’t we start at the top of the basin in Idaho and Montana, not at the bottom, Tom Dayley (Idaho Subbasin Planning) suggested. Caswell asked about the schedule and budget. We need to go into this with a targeted level of dollars, he said.

We have been trying to identify logistical steps and what needs to be done ahead of the start of the process and what could be done while the process is going on, Marker said. We don’t have a timeframe yet, but we’d like to go to the Council in December with a proposal, he said. We think it would be a nine to 12-month process, factoring in the time for BPA contracting, Marker said. He also pointed out that ISRP review of projects would have to be scheduled and accommodated. Last time we started out without an allocation of money, and it didn’t work out well, Marker said. A number of questions remain to be resolved, including whether to include current O&M; the split between anadromous fish, resident fish and wildlife; and balancing the BiOp requirements with mitigation.

Council members have done lots of talking about this, Danielson said. She reiterated questions Marker raised, and added that the Council is raising a question about whether it is the responsibility of the Federal Columbia River Power System to fund the product that comes out of *U.S. v. Oregon*. That’s very controversial, she stated. The Council is also concerned about projects that have been funded for a long time, she said. We are asking

whether they are producing results and re-evaluating them, Danielson explained. We are also pondering whether these projects should be required to resubmit, she said.

It's difficult to discuss an allocation without knowing about the memorandum of agreement (MOA) and what funds are available, according to Alison Squier (Intermountain Subbasin Planning Coordinator).

Karl Weist said the state's comments aren't saying don't emphasize habitat actions, but rather that you have to address the limiting factor. If you can't do that, then maybe we should concentrate on another effort where it could do some good, he said.

Staff thinks it makes sense to go province by province, Marker stated. We also want to talk about objectives for the next three years to help frame where we want to go in that time, he said. An organized review of administration and coordination expenses could help us get more money for the provinces, Marker pointed out. The subbasin plans focus on habitat restoration and protection, he said. If you are conservative with the ongoing projects, you can see if you can set objectives for more habitat projects, Marker said.

Many of the ongoing projects have not had budget increases in three years, Johnson pointed out. The F&W program is not intended to fund entire organizations, Danielson said. The Act is very specific about the Council's objectives, she said, adding that it is difficult for organizations to find dollars to complement their BPA funding.

When we started this process locally, we said this was an exercise about finding out how to spend money better, Owens said. So what do the plans tell us? he asked. It seems premature to come up with a funding scheme that may not be the best for what the plans are telling us, Owens said. Do we have time to figure out what the plans collectively tell us about what the needs are? he asked.

If we wait do we lose local infrastructure? Walton asked. It doesn't have to be a long, drawn out process, Owens responded.

What do we want to accomplish? Bodi asked again. The habitat and hatchery pieces bear looking at, she said. One of the questions is where are we going with the hatchery program as a component of mitigation for the hydro system, Bodi said. The same is true of habitat, she added. I'm concerned about the biological comment that you can spend a lot on habitat and it doesn't get you much, Bodi said. My thought is, the hydro system has an obligation and where should we apply that to get a biological benefit, she said. Not every habitat project has the same value, she pointed out. And where do we want to position the hatchery program? Bodi asked.

I don't think we can answer that out of context, Walton said, adding that much depends on whether one is talking long or short term.

This begs the question of when will we do the rollup and how, Sando said. It needs to be done before we embark on this – it would give us much more clarity about how to

allocate the dollars, he said. I'd like us to see how we organize and roll this up so we have a strategic view, Sando stated. We should try to optimize the view before we step forward "and get too frisky," he added. Let's take an integrated view of the whole system – otherwise we are just raising issues and not providing any answers, Sando said.

What's the hurry to determine the allocation scheme? Owens asked. It's important to have a scheme before we go through budgeting, Marker said. Do you start moving forward to do provincial reviews so the subbasin plans have meaning in the budgeting, or are the plans durable enough to wait? he asked. If you involve subbasin planners in implementation, they might be more patient, Squier commented.

There was some discussion about whether and how to involve local planners. It comes down to what you want to achieve, Grover said. Can you be successful without state and local government and private landowners? he asked. If so, we've wasted a lot of time; but if we need them, how do you keep them involved? Grover asked.

A group like this could give guidance to the local efforts, Sando suggested. One of the best things we could do is continue to support the conservation communities we have created, even if nominally, he said. I advocate using these groups, valuing them, and keeping them involved, Sando stated. Walton suggested that recognizing local success stories is a way to keep the local groups engaged.

Implementing subbasin plans is much more than project selection, Bagdovitz said. We supported subbasin planning to get the F&W program to a better level and to provide more specificity about what to do, he said. There are things other agencies can do now, and maybe we need to get the plans into a form that makes them more useful, Bagdovitz suggested.

Marker said staff would continue fleshing out its proposal. We appreciate the discussion, he said.

Agenda Item 4: Update on BPA Long-Term Funding

In the mid 1990s, BPA committed to a level of funding for the Council's F&W program and the ESA requirements, Marker explained. It was an agreement between five cabinet-level departments, he pointed out. There was no agreement in the current rate period, and the Council wants to have one for the next rate period, Marker said.

A group made up of staff from the Council, BPA, utilities, NOAA Fisheries, USFWS, and tribes is working on the agreement, he reported. We are operating on two tracks, Marker said: BPA needs expense numbers for its next rate case, and we also need the rules for administering funds. We are trying to come up with the number to be plugged into the rate case, and the rate case workshops are scheduled to start in February, he said. A second group is working on the management terms, Marker said.

The Council staff issued a concept draft in September, and BPA floated a response draft, he went on. We are now working on integrating the two drafts, Marker said. The challenge is to bring the discussion to a close before the rate case, he said. BPA is committed to working with us to come up with something that has regional support, Marker said. There is nothing to report yet on the dollar amount, he stated.

The next meeting is November 10, and we hope to make more progress, Austin added.

Agenda Item 5: Conclusions and Next Steps

With regard to the future of the RCG, this group meets the Council's needs for dialogue with the region, Danielson said.

Owens asked if the Council would disseminate the comments it receives on the broad issues. We'd be better informed if we could access what others are saying, he said. Marker said staff would brief the F&W committee and the Council, and the briefing memos could be made available. He also asked the coordinators to discuss the broad issues with their working groups.

Squier suggested the next agenda include a briefing on the ISRP's report on the implementation process and a report on the APRE workshops.

I favor having the RCG continue, Bartlett stated. It would be helpful if you could comment on the broad questions by November 22 – don't wait until January to get your thoughts together on this, he added.

The next RCG meeting is tentatively scheduled for January 11, 2005. The meeting adjourned at 2:35 p.m.