

Workplan for Corrections to the Flathead and Kootenai Subbasin Plans in Response to Reviews for Northwest Power and Conservation Council

Submitted to: NWPCC (Council)
Submitted by: CW Consulting
Work Period: September 14 – October 11, 2004
Contact: David Rockwell
PO Box 94
Dixon, MT 59831
dxn3365@blackfoot.net
406.246.3646

Introduction

The Council staff reviewed the recommended Flathead subbasin plan and the written comments on the plan, including the comments by the Independent Scientific Review Panel. While the Council staff did not identify any issues that *need* to be addressed in order for the plan to be adopted into the Fish and Wildlife Program, a number of groups submitted editorial and fact-checking types of comments that the Subbasin Coordinators Lynn DuCharme, Brian Marotz, and Sue Ireland would like to see addressed. (Flathead commenters included: Carole Mackin, *Montana Department of Environmental Quality*; R. Mark Wilson, *United States Fish & Wildlife Service*; Chuck Roady, *F.H. Stoltze Land & Lumber*; Costanza von der Pahlen, *Flathead Lakers*; Cathy Barbouletos, *Flathead National Forest*; John Etchart, *The Gallatin Group*. Kootenai Subbasin commenters included: Carole Mackin, *Montana Department of Environmental Quality*; R. Mark Wilson, *United States Fish & Wildlife Service*; Chuck Roady, *F.H. Stoltze Land & Lumber Company*; Rick Just, *Idaho State Department of Parks and Recreation*; Scott Marshall, *Idaho Department of Lands*; Jerry Nicolescu, *Idaho Soil Conservation Commission*; James Caswell, *Office of Species Conservation*; Marti Bridges, *Idaho Department of Environmental Quality*.)

Having served as the primary writer/editor of the Flathead and Kootenai Subbasin Plans, CW Consulting proposes to make the corrections requested by the subbasin coordinators (outlined in the tasks below), working under the guidelines set forth by Northwest Power and Conservation Council staff. Several of the corrections involve GIS files prepared by the Confederated Salish and Kootenai Tribes' (CSKT) GIS program. CW Consulting proposes that this GIS work be completed through a subcontract.

Objective

Make editorial corrections to the Flathead and Kootenai Subbasin Plans submitted to the Council as a recommendation for adoption into the Council's 2000 Fish and Wildlife Program by accomplishing the tasks set out below. These tasks respond to comments received from various groups during the public review period.

Timeline

All work tasks would be completed and submitted to the Council no later than October 11, 2004.

Task A – Correct Editorial and Factual Errors and Fix Links

- Meet with Subbasin Coordinator(s) to identify needed revisions based on comments received during the public review period.
- Contact Technical Team members to correct factual errors or clarify language.
- Make editorial and factual revisions and clarifications requested by the Subbasin Coordinators. All changes will be made within the document (as opposed to in an addendum)
- Fix all broken links.
- Create a list of all the changes made and add as an appendix to the plan.

Estimated Time: 130 hours

Rate: \$50/hour

Estimated Cost: \$6,500

Task B – Correct GIS Maps

- Subcontract with CSKT GIS program for map corrections.
- Meet with GIS staff identify needed map revisions.
- Oversee GIS work.
- Insert corrected GIS work into plans.

Estimated Time–David Rockwell: 10 hours

Rate: \$50/hour

Estimated Cost: \$500

Estimated Time–CSKT GIS staff (Susan Ball): 60 hours

Rate: \$27.79/hour

Estimated Cost: \$1,667.40

Total Estimated Costs

Total Estimated Cost: \$8,667.40

**Flathead Subbasin Plan Recommendation
Proposed amendment to the
Council's Fish and Wildlife Program**

Key issues in consideration of its adoption as a program amendment, based on the standards in the Northwest Power Act and the 2000 Fish and Wildlife Program.

I. Background

As required by the Northwest Power Act, the Council released to the public the recommended subbasin plan for a period of public comment. The Council received comment from the following:

Carole Mackin, Montana Department of Environmental Quality; R. Mark Wilson, United States Fish & Wildlife Service; Chuck Roady, F.H. Stoltze Land & Lumber; Costanza von der Pahlen, Flathead Lakers; Cathy Barbouletos, Flathead National Forest; John Etchart, The Gallatin Group

These comments have been placed in the administrative record for this program amendment recommendation. During the comment period the Council also asked a panel of independent scientists to review and comment on the proposed plans, as called for in the 2000 Fish and Wildlife Program. The panel provided the Council its report on August 12, 2004.

The Council staff has reviewed the subbasin plan proposals and the written comments, including the independent scientists' report. Based on this review, the staff has identified key issues, outlined below, that the Council will have to address as it considers adopting the proposed plan as part of the fish and wildlife program. The staff relied in its review and identification of key issues on the standards for reviewing recommendations for program amendments in the Northwest Power Act and the standards for subbasin plans adopted by the Council in its 2000 Fish and Wildlife Program.

The next steps in the amendment process for the subbasin plan listed above are as follows: First, the state's subbasin planning coordinator will review with the appropriate representatives of the planning group the issues that bear upon the adoptability of the plan as identified by the Council staff through its review of the plan recommendations, public comment, and independent science report. In many instances, the Council staff has proposed how the issues could be addressed by the planners that would bring the plan to an adoptable condition within the response period. This is presented in Section II below. The planners, subject to terms developed in coordination with the state coordinators and Council staff, will then be asked to respond to the issues in the way proposed by the Council staff or, if appropriate, propose an alternative treatment of the issue to the coordinator and Council staff, for their review as to whether that alternative treatment could bring the plan up to the required standards for adoption within the response period. If and when a way to treat the adoptability issues is agreed upon, the planners are to develop the response on a schedule that provides sufficient time for the Council and its staff to review the product and relate it to the original plan recommendations, prior to the Council issuing its draft program amendments incorporating the recommended subbasin plan later this year. The staff believes that the Council's decisions to issue draft program amendments will likely be made at one or

more of the Council meetings in October, November or December -- the final schedule will be established by the Council at its September meeting.

II. Summary of Key Issues Requiring Treatment in Order to Adopt the Plan

The Council staff reviewed the recommended Flathead subbasin plan and the written comments on that plan, including the independent scientists' report. The staff did not identify any issues that it recommends need to be addressed before the Council is able to turn the proposed subbasin plan into a draft amendment to the fish and wildlife program and release it for further public review in that form. The Council will make the final decision on whether the proposed plan is ready for release as a draft program amendment.

Other Issues

The Council staff does not believe that the issue discussed below will affect the ability to adopt the plan under the standards of the Act and Program. However, the subbasin planners could seek opportunities to address this issue within the response period.

1. A number of groups (referenced above) offered editorial and fact-checking types of comments. The planners should review these comments and consider whether to respond to any, either during this response period (in some sort of brief supplement to the proposed subbasin plan) or in future versions of the plan.

**Kootenai Subbasin Plan Recommendation
Proposed amendment to the
Council's Fish and Wildlife Program**

Key issues in consideration of its adoption as a program amendment, based on the standards in the Northwest Power Act and the 2000 Fish and Wildlife Program.

I. Background

As required by the Northwest Power Act, the Council released to the public the recommended subbasin plan for a period of public comment. The Council received comment from the following:

Carole Mackin, Mt. Department of Environmental Quality; R.Mark Wilson, United States Fish & Wildlife Service; Chuck Roady, F.H. Stoltze Land & Lumber Company; Rick Just, Idaho State Department of Parks and Recreation; Scott Marshall, Idaho Department of Lands; Jerry Nicolescu, Idaho Soil Conservation Commission; James Caswell, Office of Species Conservation; Marti Bridges, Idaho Department of Environmental Quality

These comments have been placed in the administrative record for this program amendment recommendation. During the comment period the Council also asked a panel of independent scientists to review and comment on the proposed plans, as called for in the 2000 Fish and Wildlife Program. The panel provided the Council its report on August 12, 2004.

The Council staff has reviewed the subbasin plan proposals and the written comments, including the independent scientists' report. Based on this review, the staff has identified key issues, outlined below, that the Council will have to address as it considers adopting the proposed plan as part of the fish and wildlife program. The staff relied in its review and identification of key issues on the standards for reviewing recommendations for program amendments in the Northwest Power Act and the standards for subbasin plans adopted by the Council in its 2000 Fish and Wildlife Program.

The next steps in the amendment process for the subbasin plan listed above are as follows: First, the state's subbasin planning coordinator will review with the appropriate representatives of the planning group the issues that bear upon the adoptability of the plan as identified by the Council staff through its review of the plan recommendations, public comment, and independent science report. In many instances, the Council staff has proposed how the issues could be addressed by the planners that would bring the plan to an adoptable condition within the response period. This is presented in Section II below. The planners, subject to terms developed in coordination with the state coordinators and Council staff, will then be asked to respond to the issues in the way proposed by the Council staff or, if appropriate, propose an alternative treatment of the issue to the coordinator and Council staff, for their review as to whether that alternative treatment could bring the plan up to the required standards for adoption within the response period. If and when a way to treat the adoptability issues is agreed upon, the planners are to develop the response on a schedule that provides sufficient time for the Council and its staff to review the product and relate it to the original plan recommendations, prior to the Council issuing its draft program

amendments incorporating the recommended subbasin plan later this year. The staff believes that the Council's decisions to issue draft program amendments will likely be made at one or more of the Council meetings in October, November or December -- the final schedule will be established by the Council at its September meeting.

II. Summary of Key Issues Requiring Treatment in Order to Adopt the Plan

The Council staff reviewed the recommended Kootenai subbasin plan and the written comments on that plan, including the independent scientists' report. The staff did not identify any issues that it recommends need to be addressed before the Council is able to turn the proposed subbasin plan into a draft amendment to the fish and wildlife program and release it for further public review in that form. The Council will make the final decision on whether the proposed plan is ready for release as a draft program amendment.

Other Issues

The Council staff does not believe that the issue discussed below will affect the ability to adopt the plan under the standards of the Act and Program. However, the subbasin planners could seek opportunities to address this issue within the response period.

1. A number of groups (referenced above) offered editorial and fact-checking types of comments. The planners should review these comments and consider whether to respond to any, either during this response period (in some sort of brief supplement to the proposed subbasin plan) or in future versions of the plan.