

Melinda S. Eden
Chair
Oregon

Joan M. Dukes
Oregon

Frank L. Cassidy Jr.
"Larry"
Washington

Tom Karier
Washington



Jim Kempton
Vice-Chair
Idaho

Judi Danielson
Idaho

Bruce A. Measure
Montana

Rhonda Whiting
Montana

Council Meeting Portland, Oregon

June 14-16, 2005

Minutes

Melinda Eden called the meeting to order at 2:35 pm on June 14, 2005 and adjourned at 11:20 am on June 16, 2005.

Jim Kempton moved that the Council add to the agenda of the meeting an executive session to discuss participation in civil litigation; find that Council business requires consideration of this matter; and find that no earlier notice was possible. Larry Cassidy seconded, and the motion passed unanimously on a roll-call vote.

Kempton moved that the Council meet in executive session on Tuesday, June 14, 2005 to discuss participation in civil litigation. Cassidy seconded, and the motion passed unanimously on a roll-call vote.

Kempton moved that the Council meet in executive session on Wednesday, June 15, 2005 to discuss internal personnel matters. Cassidy seconded, and the motion passed unanimously on a roll-call vote.

Reports from Fish and Wildlife, Power and Public Affairs committee chairs:

Rhonda Whiting, chair, fish and wildlife committee; Tom Karier, chair, power committee; and Larry Cassidy, chair, public affairs committee.

Tom Karier reported that the Power Committee discussed the strategic plan for conservation, noting that the Council is working to involve a broader cross-section of the region in achieving conservation targets. We also received an update on the resource adequacy process and transmission issues. Also on the agenda was a briefing on the Columbia Basin Groundwater Management Area, he said.

Rhonda Whiting reported that the Fish and Wildlife (F&W) Committee talked about the FY 2006 project review process and approach, the design of the FY 2007-2009 project selection process, and other budget issues. There was a lot of discussion about research, monitoring, and

evaluation (RM&E) funding decreases and within-year project funding adjustments and other BPA funding recommendations.

1. Report on Columbia Systemwide Monitoring and Evaluation Project (CSMEP):

David Marmorek, ESSA Technologies, Inc.; and Frank Young, Columbia Basin Fish and Wildlife Authority.

David Marmorek of ESSA Technologies, Inc. briefed the Council on the Columbia Systemwide Monitoring and Evaluation Project (CSMEP), a Council-funded effort to improve the quality, consistency, and focus of fish population and habitat data to answer key monitoring and evaluation questions related to major decisions in the Columbia Basin

2. Update on fish and wildlife project funding partnerships including cost sharing:

Lynn Palensky, subbasin planning project manager; John Shurts, general counsel; and John Ogan, senior counsel.

In discussing cost-sharing, we want to confirm that the Council's primary objective is to fund and implement the recently adopted subbasin plans, said staffer Lynn Palensky. There are various approaches, such as requiring cost sharing, using cost-share as a project evaluation consideration, and focusing on broad partnerships that allow for pooling of support and resources, rather than working at the project level, she explained.

3. Council decision on adoption of John Day subbasin plan:

Lynn Palensky; and John Ogan.

Palensky presented the John Day subbasin plan to the Council for approval, noting that it is the last subbasin plan that will come before the Council. Dukes moved that the Council adopt as an amendment to the Columbia River F&W Program the revised subbasin plan for the John Day Subbasin and direct the staff to give appropriate notice of the Council's action. Cassidy seconded, and the motion passed unanimously on a roll-call vote.

4. Presentation on salmon recovery by City of Portland:

Mary Wahl, Director of Watershed and Environmental Management, City of Portland Bureau of Environmental Services.

Mary Wahl, Portland's director of watershed and environmental management, reported on what the city is doing in terms of integrated watershed management and salmon recovery.

5. Presentation from the Washington Governor’s Salmon Recovery Office and the Oregon Watershed Enhancement Board on habitat and population indicators and objectives:

Chris Drivdahl, Washington Governor’s Salmon Recovery Office; Ken Bierly and Greg Sieglitz, Oregon Watershed Enhancement Board; John Shurts; and Steve Waste, manager, program analysis and evaluation.

The Council is preparing to adopt province-level biological objectives this fall and will need to make sure its efforts comport with what states are doing, said Shurts, introducing representatives from Washington and Oregon. Chris Drivdahl of the Washington Governor’s Salmon Recovery Office explained that Washington law requires her office to make state-of-the-salmon progress reports to the legislature.

Ken Bierly of the Oregon Watershed Enhancement Board (OWEB) reported on the development of environmental indicators in Oregon..

6. Presentation on recovery goals and criteria by NOAA Fisheries and Technical Review Team:

Rob Walton, NOAA Fisheries; and Tom Cooney, NOAA Fisheries.

Rob Walton of NOAA Fisheries told the Council that his agency works under three mandates, the Endangered Species Act (ESA), tribal treaty and trust obligations, and the Magnuson-Stevens Fishery Conservation and Management Act aimed at sustainable fisheries. We are trying to implement all these at the same time, he said.

Tom Cooney of NOAA Fisheries gave a presentation on “Interior Columbia Basin TRT Draft Viability Criteria,” which covered seven ESUs above Bonneville Dam and explained the methods NOAA is using to evaluate fish population viability and risk levels.

7. Council decision on within-year project funding adjustments for implementation:

Mark Fritsch, manager, project implementation.

– **Lower Granite Adult Trap O & M project scope**

Staffer Mark Fritsch described the Lower Granite Dam Adult Trap Improvements Project, noting that the condition requiring a review by the ISRP of the project has been favorably completed. Kempton moved that the Council confirm that the ISRP has completed a favorable review of Project 2005-002-00, Lower Granite Dam Adult Trap Improvements, satisfying the condition placed on this project in January of this year. Cassidy seconded, and the motion passed unanimously.

– **Other Bonneville funding adjustment recommendations**

Fritsch presented six within-year project funding adjustments requested by BPA for Council approval. These projects did not receive a consensus approval from the F&W Committee and issues were raised particularly about the funding for the non-federal smolt monitoring project at

Bonneville Dam, he said. The Pacific States Marine Fisheries Commission (PSMFC) decided to remove that monitoring task from its 2005 contract to stay within its budget, which faced a shortfall caused by increases in personnel and indirect costs, according to a staff memo. PSMFC has said it has no discretion on justified merit-based pay increases, COLA increases, or benefit costs, the memo states.

Kempton moved that the Council recommend the six within-year project funding adjustments for implementation as requested by BPA. Cassidy seconded, and the motion passed unanimously.

8. Council decision on ISRP appointments and a report on appointments of ISAB members:

Erik Merrill, ISRP/ISAB coordinator; and Steve Waste, manager, program analysis and evaluation.

Staffer Erik Merrill explained membership changes with respect to the ISRP, ISRP Peer Review Group, and Independent Scientific Advisory Board (ISAB). Kempton moved that the Council appoint Richard Alldredge, Linda Hardesty, Colin Levings, Katherine Myers, Tom Poe, and Bruce Ward to the ISRP and appoint the 42 scientists identified by the staff to the pool of the ISRP Peer Review Group. Karier seconded, and the motion passed unanimously.

9. Council decision on final report to Congress on Artificial Production Review and Evaluation:

Bruce Suzumoto, manager, special projects.

Staffer Bruce Suzumoto asked the Council for approval to finalize and send the Artificial Production Review and Evaluation (APRE) report to Congress. Kempton moved that the Council authorize the staff to finalize and send to Congress the APRE report presented by staff. Cassidy seconded, and the motion passed unanimously.

10. Presentation by Columbia Basin Fish and Wildlife Authority on the fish and wildlife program implementation accomplishments report:

Rod Sando and Tom Iverson, CBFWA.

Rod Sando and Tom Iverson made a presentation on Volume II of CBFWA's 2001-2004 Rolling Provincial Review Implementation Report, which compiles project accomplishments for anadromous fish work in four provinces.

11. Update on recommendations for Fiscal Year 2006 fish and wildlife project review:

Patty O'Toole, program implementation manager.

We hope to have the Council decide on FY 2006 F&W project funding recommendations at the July meeting and wanted to brief you on issues related to FY06 budget development, said staffer Patty O'Toole. She explained that no new projects are being solicited for FY06, that level funding for projects is assumed, and that the sponsors of ongoing projects have been contacted and asked about their accomplishments and needs.

12. Council business:

– Approval of minutes

Bruce Measure moved to approve the minutes for the May 10-11, 2005 Council meeting held in Walla Walla, Washington. Cassidy seconded, and the motion passed unanimously

– Approval of proposed contracts

Staffer Terry Morlan presented two contracts, one to develop and improve the Olivia model and the other to enhance the Genesys model. Kempton moved that the Council authorize the Executive Director to negotiate a contract with COMSYS Information Technology Services, Inc. for fiscal year 2004-2005 to provide programming support to enhance the Olivia model and make it more accessible to outside users, in an amount not to exceed \$43,200. Cassidy seconded, and the motion passed.

Kempton moved that the Council authorize the Executive Director to negotiate a contract with Dr. Michael McCoy to provide programming support to enhance the Genesys model, in an amount not to exceed \$30,000. Cassidy seconded, and the motion passed.

13. Update on harvest and adult returns update:

Peter Hassemer, Idaho Department of Fish and Game; Dick Stone, Pat Frazier and Robin Ehlke, Washington Department of Fish and Wildlife.

June 15 was the last day they count spring chinook at Bonneville Dam, and as of that date, the count of upriver spring chinook was 100,340, reported Pete Hassemer of the Idaho Dept. of Fish and Game. That number is vastly different from the 254,100 fish predicted, he said.

Robin Ehlke of the Washington Dept. of Fish and Wildlife (WDFW) reported that the management period for summer chinook crossing Bonneville Dam began June 16 and that Upper Columbia chinook are now the only stock included in the summer run.

We estimated each commercial fishery would catch about 1,000 fish, accounting for about 3,000 fish, said Dick Stone of WDFW.

14. Discussion of implications of federal court ruling on 2004 FCRPS

Biological Opinion:

John Shurts.

In a briefing on Judge James Redden's recent decision on the 2004 Biological Opinion (BiOp), staffer John Shurts ticked off the flaws Redden found with the BiOp's approach and framework, but noted the judge has not ordered a remand or vacated the BiOp.

15. Briefing on StreamNet project:

Bruce Schmidt, Pacific States Marine Fisheries Commission.

Bruce Schmidt of the PSMFC, who is the director of StreamNet, updated the Council on StreamNet's current activities, particularly those associated with the F&W program

Briefing on and demonstration of Council's web site:

Eric Schrepel, technical and web data specialist.

Staffer Eric Shrepel gave a briefing and demonstration of the Council's web site. He noted that the site is designed to involve the public in Council activities and to support Council members and staff in their work.

Public comment on draft Council budget for Fiscal Year 2007 and Fiscal Year 2006 revisions (Council document 2005-08)

During comments on the Council's draft budget, John Platt of the Columbia River Inter-Tribal Fish Commission (CRITFC) said the Council is "using its budget in a manner not authorized by law." He stated that Council funds "were used to support secret negotiations lasting for more than three months with certain federal agencies" in order to develop an agreement presented to the tribes and Judge Redden last Friday. The agreement, according to Platt, was used to block the issuance of a preliminary injunction sought by the tribes in the BiOp case before the federal district court.

Approved July 14, 2005

/s/ Jim Kempton

Vice-Chair
