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January 7, 2025

DECISION MEMORANDUM

TO: Council Members

FROM: Patty O'Toole, Fish and Wildlife Division Director
John Shurts, General Council

SUBJECT: Council decision on letter calling for Columbia River Basin Fish and Wildlife Program amendment recommendations

PROPOSED ACTION: Decision by the Council to release a letter calling for recommendations to amend the Council's 2014 Columbia River Basin Fish and Wildlife Program and its 2020 Addendum.

SIGNIFICANCE: The Council, under the Northwest Power Act, is to call for amendment recommendations for its Fish and Wildlife Program ahead of any update to its Power Plan.

BACKGROUND

Under the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (Northwest Power Act), Congress charged the Council with developing and periodically amending a fish and wildlife program for the Columbia River Basin to protect, mitigate, and enhance fish and wildlife affected by the development and operation of hydroelectric facilities while assuring the Pacific Northwest an adequate, efficient, economical, and reliable power supply. The Council's current Columbia River Basin Fish and Wildlife Program was last amended in 2020.

Consistent with the Northwest Power Act, the Council will need to complete an amendment of its Fish and Wildlife Program prior to the review and revision of the 9th Power Plan. Staff shared a general timeframe for amending the Fish and Wildlife Program and updating the Power Plan over the last six months. Based on that timeframe, the staff recommends the Council initiate the Fish and Wildlife Program amendment process in January 2025 to provide adequate time for a new

program to be adopted prior to the review of the next Power Plan. Please see the attached draft timeline for reference.

Under the Northwest Power Act, the process the Council must follow to amend the Columbia River Basin Fish and Wildlife Program must begin with a written request from the Council to the state and federal fish and wildlife agencies and region's Indian tribes for program amendment recommendations. This letter from the Council is also directed to the region as a whole.

In recent months the Council has been discussing the content of the letter requesting recommendations and is on track to complete final review of the draft at the January Council meeting. The current draft is based on feedback from Council members at the November and December 2024 Council meetings and will be circulated to members prior to the meeting by separate email. The agenda has two hours set aside for discussing and finalizing the letter, but more can be made available if necessary. A formal decision by the Council is required to approve the letter requesting recommendations to amend the 2014 Columbia River Basin Fish and Wildlife Program.

Once the letter is finalized, the staff suggests continuing to discuss the current Program and associated topics with Council members over the next several months to prepare for the upcoming work. The staff will also be preparing the systems and materials we will use for the upcoming amendment process.

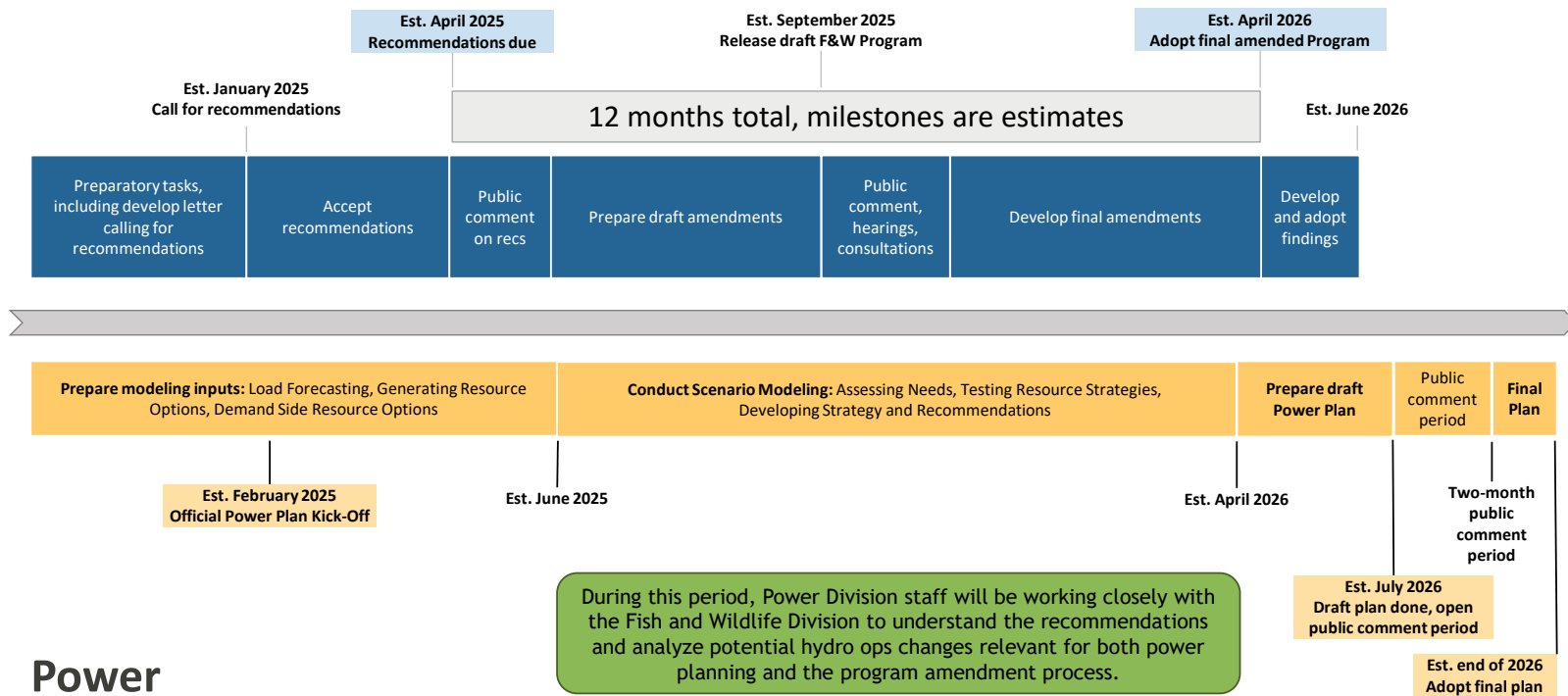
ATTACHMENTS

Attachment 1. Joint Fish and Wildlife Program amendment and Power Plant draft timeline.

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DRAFT - SUBJECT TO CHANGE

Fish and Wildlife



Power

Discussion and Decision

Letter requesting recommendations to amend the Columbia River Basin Fish and Wildlife Program

January Council Meeting

Portland, Oregon

Council staff



Northwest **Power** and
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Northwest Power Act

- **Develop and periodically amend a Program to protect, mitigate and enhance the fish and wildlife** affected by the development and operation of the hydropower dams, including related spawning grounds and habitat of the Columbia River and its tributaries...
- While doing so, also assure the region an **adequate, efficient, economical and reliable** power supply
- Provide for **wide public participation** in developing the Fish and Wildlife Program and facilitating the orderly planning of the region's power supply



Northwest Power Act: Program amendment process



- Program amendment process is tightly scripted, step-by-step, beginning with a call to others for **recommendations**
- Process is heavily dependent on input from others, beginning with **recommendations**, especially from the state and federal fish and wildlife agencies and region's Indian tribes.
- **Recommendations**, related information, comments on recommendations and draft amendments form the bulk of the **administrative record** for Council's decisions on the program

Step 1: Call for Program amendment recommendations

- Request in writing from federal and state fish and wildlife agencies and tribes
- For “measures” and “objectives” (and coordination and research)
- Everyone else too (federal and regional water management agencies, region’s electric power producing agencies, Bonneville customers, public)
- At least 90 days
- Recommendations are accompanied by detailed information and data in support



Overview of Fish and Wildlife Program Amendment steps



Upcoming important dates (planned)

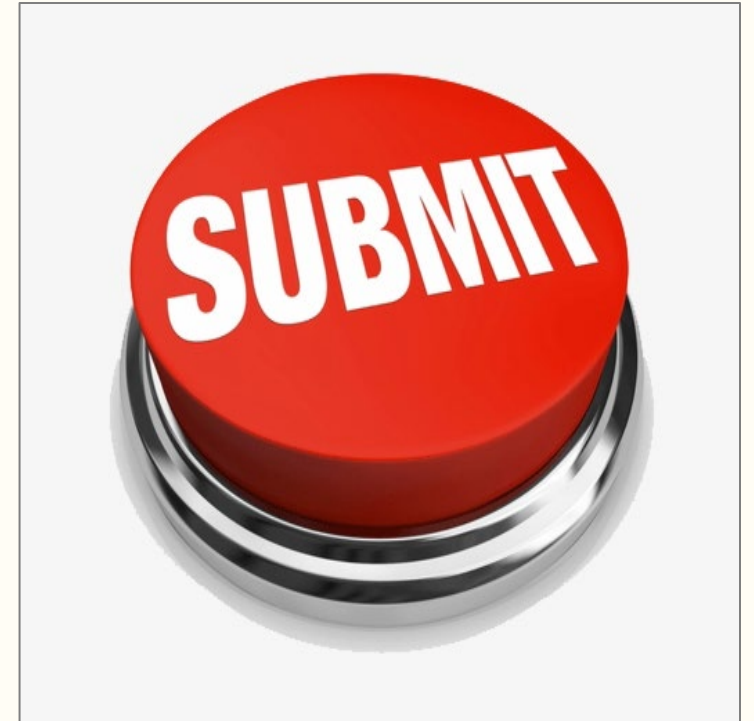
- **January 14, 2025** – Council decision, public release January 15-17
- **April 17, 2025** – Close of *recommendation* period, open *comment* period
- **May 30, 2025** – Close of comment period



**Columbia River
Basin Fish and
Wildlife Program**

Submitting recommendations and comments

- Website will be available for submissions after Council takes formal action to request recommendations
- Will include all pertinent information, resources and instructions
- Written (paper letter) notification to state and federal fish and wildlife agencies and basin tribes and a few others
- Emailed notification to large mailing list (thousands of email addresses of contacts)





Our journey

Month	Council meeting agenda items
July (Portland)	<ul style="list-style-type: none"> Overview, early discussion on the amendment process, schedule for 2024 tasks, rough timeline for 2025 & 2026 (1.5 hrs) ✓
August (Webinar)	<ul style="list-style-type: none"> Update on Regional Coordination meeting (July 11), other ✓
September (Astoria)	<ul style="list-style-type: none"> Staff report on Program performance: implementation assessment of Program hydro measures, related topics (2 hrs) ✓ Discussion of the Northwest Power Act's legal decision framework and amendment procedures (Part I) (2 hrs) ✓
October (Portland)	<ul style="list-style-type: none"> Discussion of the Northwest Power Act's legal decision framework and amendment procedures (Part II, External context for the Council's work on the program, including ESA listings and BiOps and accords and other long-term implementation agreements) (1 hr) ✓ Staff report on Program performance: implementation assessment of artificial production (hatchery) measures, related topics (1.5 hr) ✓
November (Portland)	<ul style="list-style-type: none"> Work session on Program performance: implementation assessment of Program habitat restoration and protection, wildlife, invasive species, predator management measures, related topics (3+ hrs) ✓ Discuss outline of letter calling for recommendations (1 hr) ✓ ISAB report on review of 2020 Program Addendum (30 min) ✓
December (Webinar)	<ul style="list-style-type: none"> Staff report on Program goals and objectives and latest developments for the Program Tracker (3+ hrs) ✓ Review draft letter calling for recommendations (30 min) ✓

Month	Council meeting agenda items
January (Portland)	<ul style="list-style-type: none"> Final edits to letter, Council decision to release letter calling for recommendations ✓ <ul style="list-style-type: none"> Send letter out for 90-day recommendation period Additional Program briefings <ul style="list-style-type: none"> Program structure, organization and framework ✓ Hydro operations ✓
February	<ul style="list-style-type: none"> Program briefing <ul style="list-style-type: none"> Strategies and issues
March	<ul style="list-style-type: none"> Program briefing <ul style="list-style-type: none"> Strategies and issues
April	<ul style="list-style-type: none"> Program briefing <ul style="list-style-type: none"> Strategies and issue Recommendation period closes April 17* Immediately release for public comment, 30-day public comment period Begin reading recommendations, staff will prepare summary
May	<ul style="list-style-type: none"> All day amendment work sessions <ul style="list-style-type: none"> *Will need multiple days: Extra work session likely May 28 Comment period closes May 30*
June	<ul style="list-style-type: none"> All day amendment work sessions <ul style="list-style-type: none"> *Will need multiple days – Planned for June 10-11

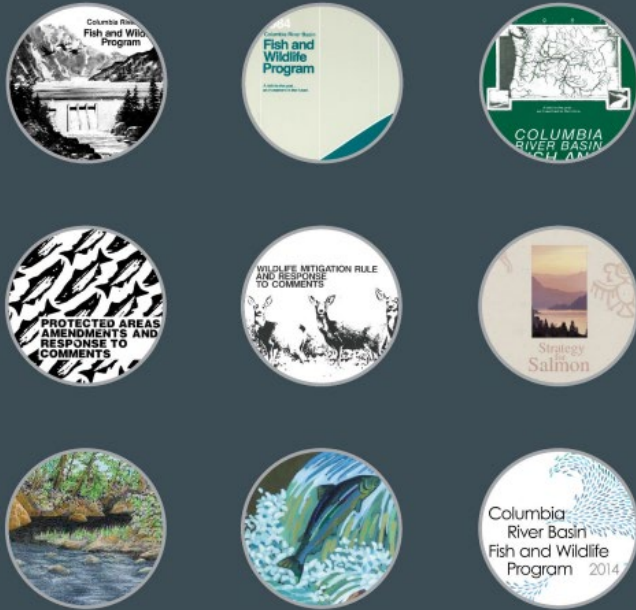
Today's tasks:

- Discuss letter
- Council decision

More information related to the request for recommendations



A RETROSPECTIVE OF THE COUNCIL'S FISH AND WILDLIFE PROGRAM, 1980 – 2022



 Northwest Power and
Conservation Council

This Retrospective is a Council staff document. Staff presented a summary of this document to the Fish and Wildlife Committee in August and September of 2022, and presented to the Council in May of 2023. Council member review and approval were not requested at the time of initial development.

The Retrospective helped Council staff better understand the relationship between the Power Act and Fish and Wildlife Program, how Programs were developed over time, and important regional context that influenced Program content. The Retrospective was also critical for helping staff identify key measures over time that the Council could track through our Categorical Assessments.

In preparing this document, staff tried to be as thorough as possible while maintaining a document that was still a reasonable length. This may mean some topics are not covered in a great degree of detail or were even excluded. Also, this is one particular perspective on that program history; others might choose to focus or emphasize different elements.

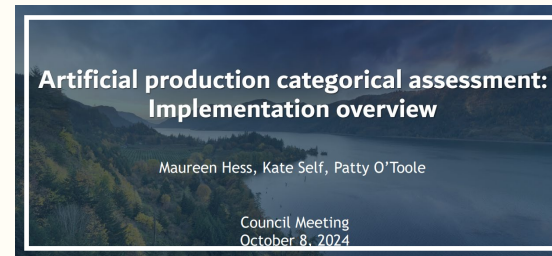
Presentations
in August and September 2022

Presentations on Categorical Assessments, goals and objectives

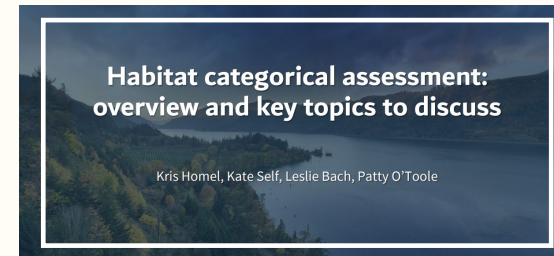
Hydro: September 2024



Artificial Production: October 2024



Habitat +: November 2024



Goals and objectives report: December 2024



Strategy Performance Indicators +





Columbia River Basin Fish and Wildlife Program

The Council is preparing to accept
recommendations for amendments to its Fish
and Wildlife Program in January 2025.

About the amendment process

The Council amends its Columbia River Basin Fish and Wildlife Program every five years based largely on recommendations from the federal and state fish and wildlife agencies and the region's Indian tribes. Other federal and state agencies, the Bonneville utility customers and other regional utilities, other river users, local governments, and the general public may also submit program amendment recommendations that the Council must consider.

The current version of the Program is the [2014 Program](#) with a [2020 Addendum](#), plus more than 50 separate [subbasin plans](#).

Important dates

- **January 17:** Solicitation for recommendations (read the Council's full letter to the region for more background and topics to consider)
- **April 17:** Close of recommendation period, open comment period
- **May 30:** Close of comment period

Make a recommendation

Recommendations for Program amendments are being accepted through **April 17**. If specific sections are being commented on, please reference those sections by name, page number or URL. Recommendations will be collected and published here soon after the deadline for submission.

[SUBMIT A RECOMMENDATION](#)

Contacts

Contact [Patty O'Toole](#) with process questions or [Eric Schrepe](#) with any technical/form submission questions.

More resources

[2014 Program](#)

[2020 Addendum](#)

Retrospective

- [Full version](#)
- [2 pager](#)
- August 2022 presentation ([slides](#))
- September 2022 presentation ([slides](#))

Goals and Objectives

- December 2024 presentation ([video, slides](#))
- Documentation (coming)

[Program Tracker](#)

[ISAB 2024 F&W Program Review](#)

Categorical Assessments:

Hydrosystem

- September 2024 presentation ([video, slides](#))
- October 2023 presentation ([video, slides](#))
- Documentation (coming)

Artificial Production

- October 2024 presentation ([video, slides](#))
- Documentation (coming)
- [Hatcheries and AP resources](#)

Habitat

- November 2024 presentation ([video, slides](#))
- Documentation (coming)

Today's tasks:

- Discuss letter
- Council decision



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