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# Northwest **Power** and **Conservation** Council

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March 3, 2026

## MEMORANDUM

**TO:** Council Members

**FROM:** Patty O'Toole, Fish and Wildlife Division Director

**SUBJECT:** Fish and Wildlife Program Amendments

## BACKGROUND:

**Presenter:** Council staff

**Summary:** At the March Council meeting, the staff will review the amendment process and next steps, recap the public comment period and hearings, then discuss with the members the comments received on the draft 2026 Columbia River Basin Fish and Wildlife Program.

**Relevance:** The Council is currently in a Program amendment process as directed by the Northwest Power Act

**Workplan:** This work addresses a primary responsibility under the Northwest Power Act and tasks A. 5,6,7,8 of the 2026 Fish and Wildlife Division Work Plan under the Program Policy and Planning function.

## Background:

The Council released the draft 2026 Columbia River Basin Fish and Wildlife Program on December 17, 2025. The release initiated a public comment period that included nine public hearings around the basin, consultations with interested partners and written comments. The

comment period closed on March 2, 2026. The Council received over 1300 written comments in addition to those comments collected at public hearings and one-on-one consultations with individual entities. These include comments from (*estimated*): four state and interstate fish and wildlife agencies; 13 Columbia Basin Tribes and tribal organizations; four federal agencies; 25 Bonneville Customers, Other Utilities, Utility Organizations, River Industry Entities and Groups, Ports and Other Local Governments, 29 environmental and fishing organizations or other non-governmental organizations; and over 1200 individuals. The written comments received will be available soon on the [amendment webpage](#).

During the Council meeting, staff will discuss and review the comments with the Council members. Council staff will work to synthesize the comments into a high-level summary in the few days between the close of comment and the March Council meeting. Comments fall generally into a range from those that are clarifying or neutral in nature to those that represent significant revision or a change in direction. We will discuss options for working through all the types of comments and discuss options for proceeding with revisions.

### **Next steps:**

Subsequent Council meetings in April and May will be used to work through the draft Program and edits based on the comments.

Following are the dates of anticipated Council meetings when portions of the meetings (Power plan work will be needed as well) will be focused on this amendment work:

- April 14, 15, 16 Council meeting in Whitefish Montana
- April 28, 29 virtual Council meeting
- May 12, 13, 14 Council meeting in Pendleton, Oregon
- May 27, 28, 29 virtual Council meetings, however if the Council is ready to make its decision in late May, we would propose a day in person to make final revisions and hold the vote to adopt the Program (probably Portland, Oregon but TBD)
- Other dates TBD

As the formal written comment period has ended, we are winding down the input for the Council to consider as we work towards final amendments for adoption. There will come a moment before the final decision when the Council shuts off *all external communication* on the draft Program and makes its final decision solely on the accumulated record. The Council has some discretion as to when to choose to close off any further external discussion. Our past practice is to have that occur *roughly a month* before the final decision. Assuming the Council stays on track to decide on the final Program text in May, this would mean closing off external communication on the draft Program shortly *after the April Council meeting*. The staff will confirm this timeframe with members at the March meeting.

Until the Council closes its external record, members and staff may continue to talk with people outside the Council about the draft Fish and Wildlife Program and about the issues in the Program. **All external conversations** – oral and written **MUST** be followed by writing a summary

note about the conversation and sending that note to Kendra Coles or John Shurts for circulation to all members and relevant staff and inclusion in the administrative record. The note should state who the conversation was with and summarize the topics of the conversation. If you do not feel comfortable documenting the conversation, please do not have it.

Note that this is not the time for substantial comments or new comments – those should have come in during the formal comment period. This is a period for *clarification, questions to understand comments, points of emphasis, and limited dialogue.*

### **Decision to adopt the 2026 Fish and Wildlife Program**

The estimated target for adopting an amendment Program is May of 2026, but staff recommends the Council take the time it needs to conclude its work on the Fish and Wildlife Program. We are currently holding six days in May for possible Council deliberation and decision as we have a lot of material to work through and consider. Staff is uncertain how much time will be needed to revise the draft Program and be ready for a Council decision. It will depend on the number of comments, their complexity, the issues and Council member deliberations on any proposed revisions.

The decision to adopt amendments is made in-person at a Council meeting and must be made through a roll call vote of the members. The Act says that for a Program to be approved by the Council it requires a vote to approve by either (a) a majority of the members appointed of the Council that includes at least one member from each state or (b) at least six members of the Council. Of course, our experience is that a Program approved by a unanimous vote has more policy influence.