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October 5, 2004

DECISION MEMORANDUM

TO: Council Members

FROM: John Shurts, John Ogan and Lynn Palensky

SUBJECT: Proposed release of the first set of subbasin plan recommendations as draft amendments to the Council's Fish and Wildlife Program, for public review and comment

ACTION RECOMMENDED:

The staff recommends that the Council vote to release for public review and comment a first set of 29 subbasin plan recommendations as draft amendments to the Council's fish and wildlife program. The subbasin plan recommendations proposed for release as draft amendments are for the following subbasins:

Asotin
Big White Salmon
Bruneau
Coeur d'Alene
Columbia Gorge
Cowlitz
Elochoman
Fifteenmile Creek
Flathead
Grays

Hood
Kalama
Kootenai
Lake Chelan
Lake Rufus Woods
Lewis
Lower Snake
Malheur
Owyhee
Pend Oreille

Salmon
San Poil
Spokane
Tucannon
Umatilla
Upper Columbia mainstem
Upper Mid-Columbia mainstem
Washougal
Willamette

The Council should also direct the staff to provide notice to the public of the availability of these draft amendments and of the public's opportunity to submit comment on them through November 22nd.

The staff will first present this proposal to the Fish and Wildlife Committee, and requests the Committee to recommend it to the full Council.

The memorandum first describes the background to the subbasin planning process and the subbasin plan recommendations proposed for release as draft amendments. It then describes the issues for the Council to consider in deciding whether to release this first set of draft subbasin plan amendments, including issues specific to the plans themselves and then a set of broader issues. And the memorandum concludes by repeating what will be the next steps in the amendment process, including what is next for the other subbasin plan recommendations.

Background on subbasin planning process to date

- The 2000 Program called for a complete restructuring of the fish and wildlife program through a framework of vision, objectives and strategies at different geographic scales (basinwide, ecological province, subbasin), tied together with a consistent scientific foundation. In the 2000 Program Council also adopted basinwide provisions, and described how it would add more specific objectives and measures at the subbasin and province levels and committed to future amendment processes to develop program provisions at those levels.
- Although the 2000 Program suggested that the province scale provisions would be developed next, the Council deferred an amendment process for province level measures in light of advice that province goals and objectives would be difficult to develop without first obtaining a better understanding of the technical assessments and corresponding objectives at the subbasin level.
- On August 12, 2002, the Council broadly distributed a request for recommendations for amendments to the program at the subbasin level. The Council notified in writing the relevant fish and wildlife agencies and tribes and others that the Council sought recommendations for subbasin plans or subbasin plan elements as described in the 2000 Program.
- At the same time, the Council worked with a broad range of interests in the region and developed a non-binding Technical Guide for Subbasin Planners to help ensure that plans had a consistent format and content.
- The Council worked with Bonneville to secure funding support for planning groups. This is the first time that funding has been made available to the public to help develop proposed fish and wildlife program amendments. \$15.2 million was made available by Bonneville to help planning groups develop subbasin plan recommendations that could be considered for amendments to the fish and wildlife program.
- On May 28, 2004, the Council received recommendations for 59 subbasin plans from the various subbasin planning entities. The Council made those recommendations available for public review and comment, including review by a team of independent scientists.
- The public comment period ended on August 12, 2004. The Council received an extensive set of comments, including the independent scientists' reports.
- The Council staff also conducted its own review of the plans during the comment period, for consistency with the standards in the Northwest Power Act for program amendments and with the provisions in the 2000 Program.
- In late August, the Council staff considered the plans and public comment against a consistent set of standards derived from the Act and 2000 Program, and made provisional recommendations for the treatment of each plan as a proposed fish and wildlife program amendment. As one result of this review, the staff proposed, and the Council

provisionally accepted, to divide the subbasin plan recommendations into three categories or tracks, with a different schedule for considering draft and then final program amendments for each category or track. In a memorandum to the Council dated August 31, 2004, for the Council's September meeting in Seattle, the staff explained how and why it recommended dividing the recommendations into three tracks. A copy of that memorandum is attached as Attachment B to this memorandum.

The staff now recommends that the Council release the first set of subbasin plan recommendations (sometimes called the "green" track or Tier 1) as draft amendments to the fish and wildlife program, seek public review and comment on these draft amendments until November 22, and schedule a set of public hearings on these draft amendments as also recommended by the staff. Attached to this memorandum as Attachment A is an excerpt from the Council's website that repeats the schedule described above and includes the proposed public hearing schedule on this first set of draft subbasin plan amendments. It also identifies which plans are in which of the three tracks, and the three different schedules proposed for the three tracks.

Issues presented in the decision to release a first group of subbasin plan recommendations as draft amendments

The 29 subbasin plan recommendations can be reviewed in their entirety on the website, at www.subbasins.org. The staff will have copies of the management plan portion of each subbasin plan available at the Missoula meeting. The state subbasin planning coordinators and others will be available at the Missoula meeting to summarize briefly the substantive content of any particular plans.

To be precise, it is the management plan portion of the recommended plans – containing the goals, objectives and strategies – that the staff proposes to the Council as draft amendments to the fish and wildlife program. The staff proposes that the portions of the subbasin plans supporting the management plans – the technical assessments and inventories – be considered to be part of a supporting appendix to the subbasin plan amendments.

There are two categories of issues that have emerged in this amendment process to date, coming most clearly from the public comments on the proposed plans and informal consultations with various entities throughout September. The first category of issues relates to the adequacy of the recommended subbasin plans themselves. The second category of issues raises issues broader than the specific subbasin plan recommendations themselves, largely relating to the nature of subbasin planning and the program amendment process itself and to the status and role of subbasin plans in the broader scheme. We address those two categories of issues in turn:

Issues related to the adequacy of the recommended subbasin plans

The Power Act and the 2000 Program outline the fundamental requirements that a subbasin plan recommendations must meet to be considered for adoption into the fish and wildlife program. The staff reviewed the subbasin plan recommendations and the comments on the recommendation, including the independent scientists' reports, to assess whether the plans meant

these foundational requirements, aided in this review by a set of questions that the staff developed to help apply the act and program standards. The staff outlined the key issues with the recommended subbasin plans arising out of this review in the staff memorandum provided and discussed at the Council's September meeting in Seattle. That memorandum is attached here as Attachment B. We summarize those issues again below:

1. **Linkage.** What we called the "linkage" issue, that is, problems with the linkage (or a lack of linkage) between the limiting factors identified in the assessments and the objectives and strategies proposed in the management plans – essentially what the independent science reviewers have called the "logic-path."
2. **Artificial production strategy integration.** Artificial production strategies in or affecting the subbasin but not sufficiently defined, or not integrated with other elements of the subbasin plan.
3. **Monitoring and evaluation.** Inadequate or incomplete provisions for monitoring and evaluation.
4. **Assessments.** A few assessments were not sufficiently developed to guide and inform the development of a management plan that conforms to the requirements of the Power Act and program.
5. **Mainstem habitat.** Mainstem reach plans focused on habitat in small tributaries, not on habitat in the mainstem itself.
6. **Terrestrial/wildlife element.** On the whole, the terrestrial/wildlife elements of the recommended plans were weaker and less developed than the aquatic/riparian elements, with obvious exceptions.
7. **Bull trout.** The U.S. Fish and Wildlife Service in particular commented that subbasin plans should better assimilate specific provisions of its Draft Bull Trout Recovery Plan.

The important point here is that after review, the staff concluded that the 29 subbasin plans in this first "green track" that the Council is considering adopting as draft amendments do *not* have problems with the issues identified above that are significant enough to prevent them from moving to the draft amendment stage of this program amendment process. The staff finds on the basis of the record developed to date that these 29 plans meet the requirements of the Power Act and the program.

We need to be clear that the staff is *not* representing that there is absolutely nothing lacking in these plans when they were submitted on May 28. Recall for example that we discussed in Seattle the fact that nearly all proposed plans had deficiencies in their monitoring and evaluation elements, and many had shortcomings in how well artificial production has been integrated. However the Council provisionally agreed with the staff that improvements in these particular areas would most likely come after additional work is done in broader ongoing initiatives such as the APRE and PNAMP work, after which further guidance and assistance can be given to subbasin planners. A Council decision to release these 29 plans as draft amendments would reaffirm that the Council believes that these subjects may be developed elsewhere for the time being and need not delay the process for considering these plans for adoption into the program. We will highlight this point for comment in the notice letter.

We also need to be clear that as good as this first set of plans seem to be at this point, as we proceed through the comment period, hearings, and consultations with the agencies, tribes, and customers required by the Power Act, issues could be raised that bear upon the suitability of one

or more of these recommended subbasin plans for adoption into the program. We know we will receive substantive comments and concerns on one or more of these 29 plans in the first track. The Council and staff will need to consider all of the comments submitted on these draft amendments against the standards of the Power Act as the staff forms its recommendations to the Council for consideration of final adoption of these subbasin plan amendments at the Council's December meeting. This last cautionary comment is a good segue to the second category of issues that we have identified.

Issues that relate to the subbasin planning or amendment process itself

While most of the comments on the subbasin plan recommendations related to the specifics of particular plans, there was also a fair amount of comment, particularly from the Columbia Inter-Tribal Fish Commission and a number of the tribes, that addressed the subbasin planning process more generally, including questions about the conduct of this fish and wildlife program amendment process and about the status and role of these subbasin plans in the broader perspective of the program, the Power Act and other regional efforts. At the Seattle meeting we identified these as "organization" and "process" issues, and spoke to them only generally. The issues range across legal, policy, and scientific matters. We have had further informal staff discussions with tribal staff in the last month. Those discussions both illuminate and add to the issues raised in the comment letters regarding the overall process. While these discussions and consultations will need to continue as we move through the statutory amendment process, at this time we would understand the issues to include the following:

- 1. Basic description of subbasin plans.** Some concerns stem from a lack of certainty as to what subbasin plans are and what they will be used for (and not used for). We need to improve our communication with the region on this. We need to work in all ways possible to provide broad notice of the basic description from the 2000 Program and the Call for Subbasin Plan Recommendations as to what subbasin plans are; why the Council has pursued this course; what is the status and role of subbasin plans in the fish and wildlife program; what Council proposes to do with them; and their relationship in general to projects, project review and funding.
- 2. The "measures" issue – a position that more specific actions need to be included as part of subbasin plans.** This is an issue about level of specificity of the actions included in the plans. While this issue is tied up with a legal argument about the definition of the word "measures" in the act, it really deals with the appropriate level of specificity to guide Bonneville funding decisions. There is a desire on the part of many to have more specific, prioritized "measures" or actions in the program, either in the subbasin plans or as an add-on to the subbasin plans.
- 3. Project selection.** Some of the concerns raised have more to do with the future project selection process, and how subbasin plans and subbasin plan groups will figure in project selection, than it does with the plans themselves. We need to make clear to those who work with the program how project selection and review will operate in the near future, and the role of subbasin plans in that review.
- 4. Relationship to Council's basinwide objectives, to province or population-level objectives, and to prioritization/allocation between subbasin plans.** A question often arising in the comments and discussions is what do these subbasin plans add up to? Are the subbasin

plans, in combination with the mainstem plan, going to achieve the basinwide objectives in the 2000 program? Or at the least, what do they add up to with respect to the main population groups (essentially at the province level), and are those aggregate objectives what is really appropriate for the program and the region? Is there some way to step above the subbasin level and reach some conclusions as to where we are, as well as some conclusions as to which subbasins are more important contributors or potential contributors to the objectives we are after, and thus should be a higher priority for resources? This is a difficult but critical issue that nearly everyone raises, including staff, and which will need careful thought how best to address.

5. Improving subbasin plans – the “living document.” The proposal at this point is to adopt the management plan portions of subbasin plans, but not the technical assessments. Part of the reason for this is simply to ease the burden of managing the program. But another part of the reason has been that the assessments are technical documents that underlay the objectives and measures – not the objectives and measures themselves – and, moreover, the assessments ought to be in a posture that they can be modified relatively easily if and when new information arises. This has led to some confusion or concern that this implies the management plans will be locked in stone even if flawed or easily improved with a bit more work over the next few years. We need to consider how we can efficiently update and adapt all portions of the plans, including the adopted management plan over time. The staff has some ideas about how this could be done that we should discuss with our partners in the region.

6. Relationship to ESA recovery planning. The Council needs to be very clear and precise as to how it understands the relationship of subbasin plans to ESA recovery plans. A concern coming out of some comments and in our discussions stems from a misunderstanding of the message in some Council documents and from outside the Council that subbasin plans might be the “foundation” for recovery plans and similar statements. The anxiety and the need to get the plans “perfect” before any Council action to adopt into the program is high if they were in fact to be offered up and/or accepted, in a collective package, as *the* ESU recovery plan(s). We need to make crystal clear that there is no legal connection, nor any sort of unusual commitment from NOAA, that would simply turn subbasin plans in the aggregate into recovery plans.

The staff proposes to continue to work on these issues over the course of the subbasin plan amendment process. We do not believe that it is necessary to delay releasing the first group of plans as draft amendments in order to work on these issues – in fact, the comment period that will start once we release draft plans will be a key vehicle for working with the tribes and other regional interests towards a resolution of these matters. We also will discuss with the Council in Missoula a possible issue paper for public comment to flesh out the issues and possible ways to address them, with an eye toward the possibility of program language in a preamble to the adopted subbasin plans and/or a “next steps” statement from the Council at the conclusion of the subbasin plan amendment process.

Next steps in the amendment process

To reiterate, if the Council decides to release the first group of 29 subbasin plans as draft amendments for public comment, the staff we will broadly distribute notice that we are seeking comment on these plans. We propose to take comment on these draft amendments through November 22, which may leave enough time to consider the comment and develop a recommendation for the Council regarding adopting the plans as final amendments at its December meeting. The Public Affairs Division has worked with Council members to set up public hearings in all states during this comment period where we will seek more input on this group of plans. We have attached to this memorandum a diagram of the proposed amendment schedule, and a list of the proposed public hearings on this first set of draft amendments.

As a separate matter, the staff will propose a path – beginning with an issue paper for public comment – for the Council and others to consider as a way to formally develop and address the issues described above that are broader than the specific subbasin plans themselves. We are still working on the outlines of such an approach, and will have more for you to consider at the Missoula meeting.

What is going on with the other plans?

The staff concluded that the subbasin plan recommendations not in this first group of 29 had deficiencies that needed to be addressed by the subbasin planners before the staff could recommend the plans to the Council as draft amendments. After receiving the approval of the Council, the staff has worked with the state subbasin plan coordinators and others to develop contracts, statements of work and budgets for the work needed to improve the subbasin plans recommendations. Most of this work to bring the plans up to standard will be finished and submitted to the Council by Thanksgiving (the John Day and Grande Ronde plans are notable exceptions). The staff will evaluate the revised or supplemented subbasin plans recommendations to determine if the improvements are sufficient to remedy the perceived defects. If so, the staff will recommend that the Council release a second set of subbasin plan recommendations as draft amendments for public review. The staff is targeting the December Council meeting for the decision to release this second large block of plans as draft amendments.

Conclusion

We recommend that the Council release this first group of 29 subbasin plan recommendations as draft amendments to the fish and wildlife program, provide notice of that action, and seek public comment on these drafts through November 22, 2004.



2004 calendar

May 28 Draft **subbasin plans** submitted (choose from drop-down at left)

June 4 - Aug 12 - [Scientific](#) and public reviews

Aug 13-17 Council develops "key issues" list from reviews

September Subbasin plans grouped into [3 categories](#)

Oct 1-Nov 22 Planners respond to comments

October Council adopts draft amendments on 29 "adoptable" subbasins

Oct/Nov Public hearings/comments on draft amendments

Oct 27 — Wenatchee and Eugene

Oct 28 — Kalispell

Nov 3 — Pendleton

Nov 4 — Ontario, and Boise

Nov 8 — Vancouver, Washington

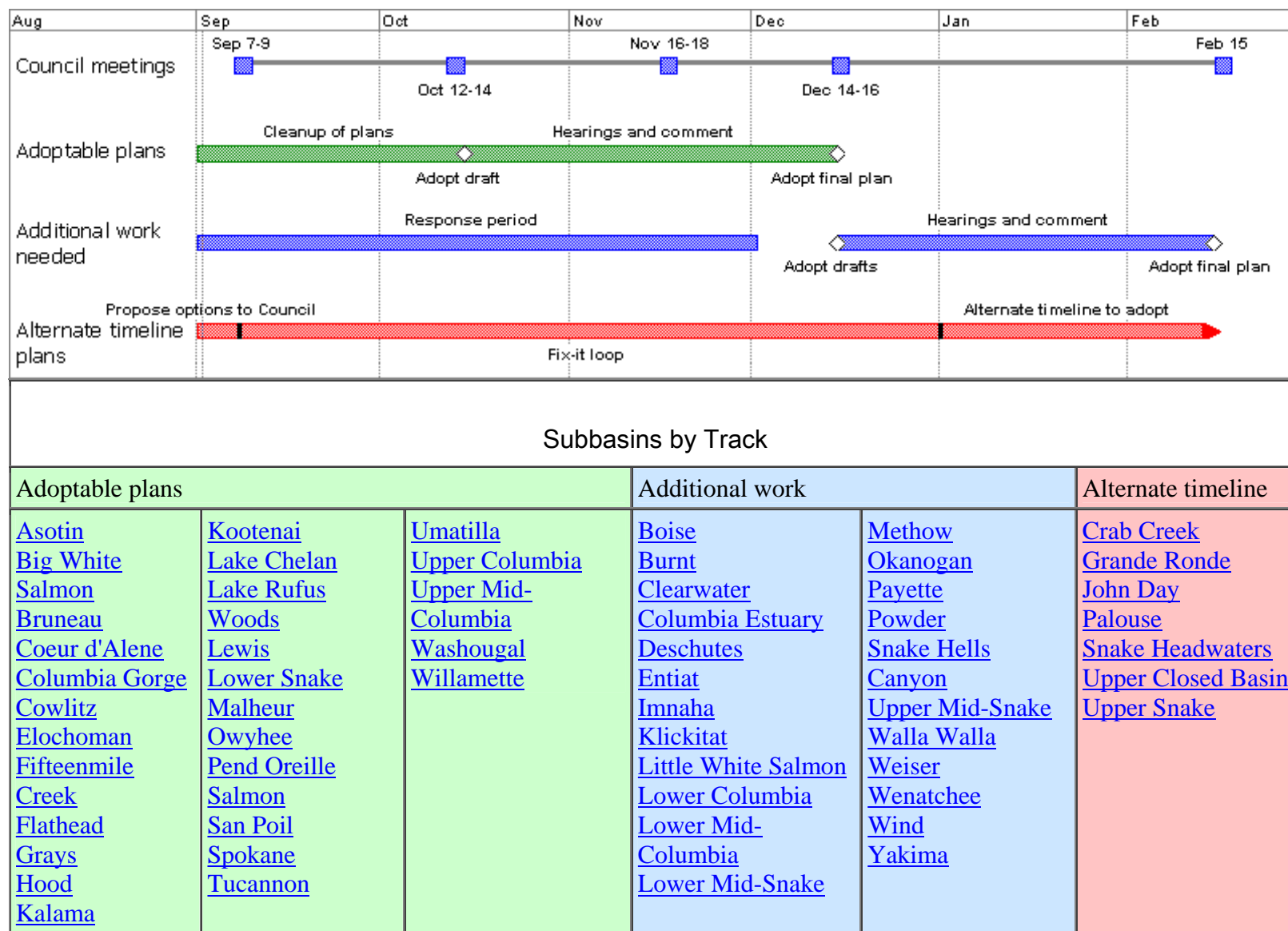
Nov 9 — Portland

Nov 10 —Hood River

Nov 15 —Clarkston

Nov 16 —Coeur d'Alene

December — Council adopts final amendments and next set of draft amendments.



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Ed Bartlett
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John Hines
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August 31, 2004

MEMORANDUM

TO: Council Members and Fish and Wildlife Committee

FROM: Legal and Fish and Wildlife Divisions

SUBJECT: Description of the staff review of public comment on proposed subbasin plans; staff recommendations for treatment of issues presented in public comment; and proposed schedule for adopting proposed plans into the Program.

ACTION REQUESTED: The Legal and Fish and Wildlife divisions ask that the Council confirm and support the staff recommended treatment of issues identified in public comment and a three track subbasin plan amendment schedule.

Introduction

On May 28, the Council received proposed subbasin plans for 59 subbasins of the Columbia basin, submitted to the Council as recommendations for amendments to the Council's 2000 Fish and Wildlife Program (Program). In the first week of June, the Council released these proposed subbasin plan recommendations for public review and comment, including review and comment by an independent scientific panel made up of members of the Independent Scientific Review Panel and Independent Scientific Advisory Board. The Council received the comments on the recommendations by August 12. Individual Council staff members also reviewed the proposed subbasin plans for consistency with various elements of the Program.

The Council's staff spent the week of August 13-20 reviewing and discussing the proposed subbasin plans and the comments, and evaluating them relative to the amendment standards of the NW Power Act and Program. Because the public comments make points and raise issues in the hundreds if not the thousands, from claims of significant substantive deficiencies to suggested editorial changes, that evaluation required that the staff organize issues into manageable categories and decide (in a provisional sense, recognizing that the Council will make

the final decision) which seem sufficiently serious to bar adoption of a plan into the program at this time, and which may be treated in other ways and are not a bar to adoption. This memo explains the results of the staff's evaluation.

On the basis of the evaluation described below, the staff recommends placing proposed subbasin plan recommendations into one of three tracks. A proposed schedule for completing work in the three tracks is attached.

Track 1: Plans that have no issues that would prevent their being adopted as amendments to the program are in the first track. This does not mean that these plans are free of substantive issues, just that what issues do exist would be more effectively addressed outside of the subbasin planning groups (local, state, and regional) structure that was used through May 28th. The plans in this category are, however, fundamentally sound and ready to serve their primary purpose – to guide Program funding/implementation processes. The next step will be for the Council staff to package these proposed plans as draft program amendments to circulate for public review prior to program adoption. At this point, the only type of work that we believe plans in this group may be asked to address in the response period is editorial/clean-up

Track 2: The second track is for plans that need significant substantive improvement within the management plan component (the objectives and strategies) that must be addressed before the plan would meet the standards for adoption into the program. The severity of the problems varies widely, but the plans in this track generally have adequate assessments, and thus, an adequate foundation for the needed revision of the management plan. For the plans in this track, the staff estimates that the time and effort necessary to make the necessary improvements is manageable within our existing schedule. We believe it would take no more than 12 weeks, and in many cases less, to bring these plans to an adoptable state. We would seek to rely primarily on the subbasin planning groups we have in place to make these improvements. After the Council receives the response/improvements from the subbasin planners, the next step will be to review those and shape the revised plans into proposed draft program amendments.

Track 3: The third track is for those few plans that are incomplete or inadequate in both assessment and management plan, and require substantially more planning effort to develop a plan that meets the adoptability standards and that can be used to guide funding and implementation processes. Staff will propose particularized guidance and schedules for completing these plans and moving toward program adoption that will likely occur outside of our existing adoption schedule.

Issues

The staff found that most of the significant substantive issues that bear upon the adoptability of plans can be grouped into a handful of broad categories. These issues cut across or are found alike in many of the proposed plans, and could be treated similarly. Four broad issues predominate:

1. **Linkage.** What we called the “linkage” issue, that is, problems with the linkage (or a lack of linkage) between the limiting factors identified in the assessments and the strategies proposed in the management plans – essentially what the independent science reviewers have called the “logic-path”. Comments or concerns about a lack of prioritization of strategies were a sub-category of the linkage problem, in that the prioritization problem identified could often be traced back to a weakness in making explicit links as to how proposed strategies would address key limiting factors.
 2. **Artificial production strategy integration.** Artificial production strategies in or affecting the subbasin but not sufficiently defined, or not integrated with other elements of the subbasin plan.
 3. **Monitoring and evaluation.** Inadequate or incomplete provisions for monitoring and evaluation.
 4. **Assessments.** Assessments that are not sufficiently developed to guide and inform the development of a management plan that conforms to the requirements of the NW Power Act and Program.
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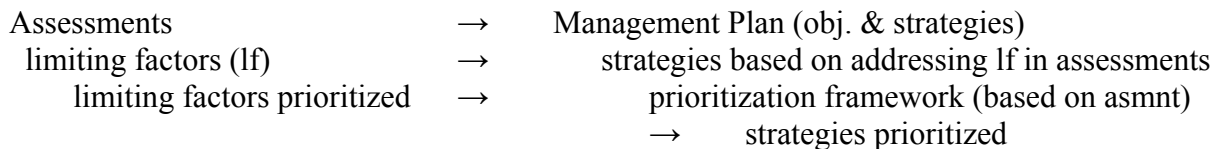
The following issues, as we assess them based on the record to date, do not bear upon adoptability of the plans, but are, nonetheless, significant. We identify them here so that the Council and public understands that we need to address these matters as we move forward in the amendment process or in future planning efforts.

5. **Mainstem habitat.** Mainstem reach plans focused on habitat in small tributaries, not on habitat in the mainstem itself.
6. **Terrestrial/wildlife element.** On the whole, the terrestrial/wildlife elements of the plans were weaker and less developed than the aquatic/riparian elements, with obvious exceptions.
7. **USFWS comments on Bull Trout.** The U.S. Fish and Wildlife Service comments illustrate that, in several plans, it desired more direct assimilation of specific provisions of its Draft Bull Trout Recovery Plan into subbasin plans.
8. **Organization.** Problems of organization, writing, length, formatting, attachments, etc. are on occasion a hindrance to understanding and reviewing a plan.
9. **Process.** A number of the comments, especially from the tribes, include concerns about the meaning of the subbasin plan process for the program and questions about additional planning or implementation planning needs.

Treatment of Issues

Once grouped into broad categories, the staff then found that recommended responses to these issues could be similarly grouped, even as each subbasin plan presents different specific permutations of these broader issues. Some of the treatments recommended require further work by the subbasin planners, and some we propose to handle in a different way. Each issue is addressed in turn:

1. Assessment/management plan “linkage” issue. Perhaps the key concept in calling for subbasin plans consistent with the Program framework was that the objectives and strategies in the plans would be driven by the biological problems identified first in the technical assessments. So the central question asked of every plan has been whether the objectives and strategies in the management plan have been linked to – based in and driven by – the biological problems and limiting factors identified in technically adequate assessments? A schematic that illustrates this concept is:



Within this framework, the science review comments and the staff review identified three different versions of the linkage problem:

- (1) *An assessment that is so inadequate or incomplete as to fail as the basis for a management plan.* A major defect, but fortunately we have few plans in this category – on the whole the assessments appear to be adequate as a basis for planning, a major accomplishment of the process. For those few plans with an assessment at this level of inadequacy, the staff will work with the Council to frame a specific schedule and approach to completing the assessment and then adding the management plan component based on the completed assessment.
- (2) *The assessment is adequate to be the basis for planning, but the objectives and strategies – especially the strategies – are not clearly linked and responding to the limiting factors in the assessment.* Also a serious matter – the primary linkage defect – although easier to remedy than if the assessment itself is inadequate. There are a number of plans in this category. This is the primary reason we propose returning plans to the subbasin planners during the response period for correction. There are several reasons that plans ended up in this situation, ranging from the fact that the planners tried but failed to provide the correct linkage (e.g., the strategies ended up just too broad or general), to planners who simply ran out of time to relate the management plan effort closely to the assessment. Whatever the reason, the staff recommends that the relevant planners be asked to strengthen these links before the Council tries to adopt these subbasin plans as draft program amendments. As we turn this task back to the subbasin planners, we have some

specific guidance on how this work should be organized so that the plans will meet the adoptability standards:

Proposed response for the “Linkage” Issues described above

Planners should produce a short supplement to the existing management plan, not more than 20 pages, explaining: (1) the key factors limiting biological potential of the selected focal species in the subbasin (referencing the existing assessment); (2) which limiting factors are of priority to address first (if possible, and again referencing the existing assessment); (3) a description of the objectives and strategies, with an explanation and direct link as to how particular strategies address the limiting factors identified; and (4) either a prioritizing of the strategies (related to the priority limiting factors) or a description of a “prioritization framework,” i.e., the criteria/considerations and procedures that would be used to develop and prioritize proposed actions in future project selection processes consistent with the assessment and linked strategies. Responding to this issue in this fashion – rather than trying to revise or edit or replace the original management plan – should make for a more manageable effort and user-friendlier plan.

In an ideal plan, biological objectives in the management plan should be linked to and derived from the limiting factors in the assessment, serving the purpose of describing *how much* change in a limiting factor or biological response is sought. The strategies then, are the “things to do” that eliminate or mitigate the limiting factors until the amount of change called for in the biological objective is obtained. Planners that can provide this level of integration and completion are encouraged to do so. But at this point, however, the staff recommends that the focus be on the strategies – “things to do”, and on grounding the strategies in the assessments, even if this means the biological objectives – “how much to do” – remain largely implicit in the linkage.

- (3) *The assessment is adequate, as is the basic linkage of strategies to the assessment, but the strategies are not prioritized, or are incompletely prioritized, or the prioritization is criticized as inadequate.* If a plan lacked an explicit prioritization of strategies, but was otherwise sufficient in demonstrating how strategies linked to limiting factors in the assessments, the staff did **not** recommend that the plan be returned to the subbasin planners for further work *solely* on prioritization. This is because that type of additional detail can be prepared at time of first implementation. That is, as part of the project solicitation and recommendation process, the Council can require that a “prioritization framework,” for the plan be provided as part of the justification for the projects proposed for Bonneville funding. That framework could be a statement of principles/criteria explaining how the proposed projects implement the highest priority strategies that are related to limiting factors in the assessments

As stated above, we do not treat the lack of an explicit prioritization or framework for prioritization as a bar to adoption into the program. Because of this, we will not generally use the response period to work further on prioritization. However, if where the staff recommends that a subbasin plan return to the subbasin planners or work on some *other* issue – such as an assessment/strategies linkage problem or a failure to integrate artificial production adequately – the planners should also respond to comments indicating a lack

of prioritization by adding a “prioritization framework” to the plan as described above. Taking the next step to actually prioritize the strategies may be desirable but is not necessary at this time.

2. Artificial production strategy.

The comments and staff review indicate that many of the plans failed to account for artificial production in and affecting their subbasins as completely as anticipated by the Program and the Technical Guide. Many plans that include artificial production strategies did not fully describe how that strategy was integrated with habitat related strategies to meet integrated biological objectives for a focal species. Similarly, often plans did not clearly describe the artificial production strategy within the ecological context of the subbasin.

There are a number of reasons that we believe that the planners were unable to complete this work, the least of which is not the lack of information forthcoming from federal recovery planning and hatchery-planning processes as expected. There are also ongoing legal proceedings where these issues are being discussed, and in some cases, it appears that planners decided that the decisions in those proceedings needed to be made before further detail could be put into plans. In light of those challenges, as well as others, the staff does not recommend returning the plans to the planning groups to do more work on this element. In fact, the staff recommends that the primary treatment for this problem flow from the Artificial Production Review and Evaluation (APRE) and related initiatives outside of subbasin planning, as described below. Improvements will be integrated back into the subbasin plans at a later date. There are limited exceptions to this recommendation where we do believe additional planning work in the response period could be made in conjunction with other improvements.

Subbasin plans can be divided into different categories depending on the nature, location and role of artificial production. All types share in the problems identified above, but the distinctions help sort out which plans need further work on this issue and which do not. In descending order of criticality, the different categories are as follows:

- (1) In some subbasins, artificial production is a central population rebuilding strategy in the Council’s current program, in conjunction with habitat improvements, and thus a central strategy in the proposed subbasin plan. But, in some of these subbasin plans one of the two following situations exists:
 - a. The artificial production strategy is presented as a “stands alone” strategy, with little or no integration into the habitat or natural production strategies, or into the assessments and objectives, even though artificial production is intended to help rebuild naturally spawning runs. The staff concluded that this was one situation in which the lack of adequate treatment of artificial production presented a problem of sufficient magnitude so as to prevent adoption of the plan into the program, not a defect for which treatment could be deferred to other processes.

In this situation planners will be asked to remedy this in the response time, through an adequate discussion of the role of artificial production in the assessment, objectives

- and strategies, including how artificial and natural production are linked in the habitat objectives and strategies. Rather than amend the original management plan or assessment, planners should instead produce a short supplement to the management plan, not more than 20 pages, for this purpose.
- b. The role of this artificial production strategy is relatively well described and integrated into the plan's habitat/natural production strategies, but only in a qualitative or narrative sense, without quantified objectives or a sophisticated analysis of the ecological context. A number of plans fall into this category. The staff recommends *not* asking the subbasin planners to further refine the expression of artificial production strategies in the plan, at least not for this reason alone. If the planners are being asked to address a linkage problem as described above, they should consider what further refinements they can make in the treatment and integration of artificial production in the same management plan supplement. Otherwise, the staff recommends addressing this problem in the APRE and other forums, as described in more detail at the end of this section.
- (2) In other cases, artificial production exists in the subbasin – or exists out of the subbasin but nearby and its effects are strongly felt in the subbasins – but artificial production in the subbasin is not a central strategy of *this* program or the proposed subbasin plan. In some such subbasins, one of the two following situations exists:
- a. The proposed subbasin plan includes little discussion of the role and effects of artificial production, in the assessment or the management plan or both. In some cases, this is a significant problem in understanding the viability of and effects on natural production/habitat objectives and strategies. The staff recommends *not* asking the subbasin planners to further refine the expression of artificial production strategies in the plan, at least not for this reason alone. However, if the planners are being asked to address a linkage problem that is needed to adopt the plan as described above, they should consider what further refinements they can make in the treatment and integration of artificial production in the same management plan supplement. The APRE and other processes will take these matters the next step, as described at the end of this section.
 - b. The subbasin plan recognizes the existence and effects of artificial production in the subbasin, especially in the assessment, but the next step of incorporating or evaluating those effects as in the objectives and strategies for the subbasin has not been done. Again, the staff recommends *not* asking the subbasin planners to further refine the expression of artificial production in the plan, at least not for this reason alone. If the planners are being asked to address a linkage problem as described above, they should consider what further refinements they can make in the treatment and integration of artificial production in the same management plan supplement. Otherwise, the staff recommends addressing this problem in the APRE and other forums, as described in more detail at the end of this section.

Staff Recommendation: In a nutshell, the discussion above states that for artificial production activities to be adequately addressed in subbasin plans:

- Hatchery production must be aligned with natural fish production, existing subbasin habitat and future habitat restoration efforts.
- Hatchery production should be integrated with natural fish production with the aim of lessening negative ecological interactions and mixed-stock harvest impacts.
- Subbasin plans should clearly articulate measurable objectives for hatchery escapement, natural returns and harvest needs.

The staff believes that the APRE process may be the best vehicle to make advancements on these questions, rather than returning to the subbasin planning groups that struggled with this component. Future APRE work will assist subbasin planning by better integrating artificial production with local conditions. As part of a process to clarify basinwide artificial production objectives, we anticipate that the APRE process will include a series of provincial meetings with hatchery operators and harvest managers to clarify harvest and production objectives. In those meetings, we will work with the assessment information from subbasin plans and production, harvest and recovery goals described in other plans, to attempt to ensure that hatchery production, habitat conditions and restoration efforts, and natural population status is accounted for and integrated. In general, participants in the APRE exercise will be supplied the information on habitat conditions, hatchery restoration/protection strategies, and natural population status from subbasin plans and be asked to determine the appropriate role hatchery production in the subbasin.

From the APRE activities described above we will move next to attempt to articulate numeric objectives for hatchery returns, natural escapement and harvest needs in and out of the subbasin. These numeric subbasin objectives can then be aggregated into provincial objectives and provincial objectives into basinwide objectives. The products from these workshops will likely inform future iterations of subbasin plans.

The APRE will work with NOAA Fisheries and U.S. Fish and Wildlife Service to coordinate with ongoing NEPA and ESA processes. While much of the basin's hatchery production should be better incorporated into subbasin activities, it may not be possible to resolve all hatchery production issues due to existing mitigation or legal agreements. If conflicts exist, they will be noted and discussed in other venues.

3. Research, Monitoring and Evaluation.

The ISRP found that adequate RME sections were lacking in nearly all subbasin plans. A key challenge is how to evaluate resource management efforts at different scales in a way that is scientifically defensible and ecologically meaningful e.g., how to link monitoring efforts at the watershed or subbasin scale with efforts at the larger scale of evolutionarily significant units.

Staff Recommendation: To address RME needs for the Columbia River Basin in any practical sense requires a shift from work at the project scale to a programmatic approach. Individual subbasin cannot be expected to have or hire the specialized expertise, secure long range funding

commitments, or command the ability to mount and sustain long-term RME efforts. Yet because the issues of interest to subbasin planners in RME are also of interest to entities with responsibilities over a broader geographic scale, it is possible for efforts at the smaller scale to benefit from the overlay of efforts at a broader scale. Therefore, rather than try to design a complete and comprehensive monitoring program in each subbasin, which it probably cannot afford, the region should identify and develop consensus about how much and what type of monitoring is needed and can be afforded for managing an effective Fish and Wildlife program. Further, all opportunities to conduct collaborative research should be fully exercised.

Consequently, staff recommends that Council support the efforts of the Pacific Northwest Aquatic monitoring Program (PNAMP) to develop a regional approach to monitoring. PNAMP is a voluntary, non-directive, self-organizing forum committed to developing a unified approach to monitoring in the Pacific Northwest. PNAMP provides a forum for collaboration of the members as they work towards developing a coordinated approach to monitoring by providing a durable structure for facilitating the development of cross-party linkages. Ratification by PNAMP of products that will encourage continuity in disparate monitoring efforts is a key objective. Professional courtesy and respect for overlapping but different mandates is an essential ingredient for the successful negotiation of a regional approach to monitoring in the Pacific Northwest.

At the request of the Council, PNAMP previously developed guidance to help subbasin planners design the monitoring elements of the subbasin plans. The guidance document provided general and some specific considerations to the Council and subbasin planners on how their monitoring can fit within the broad range of monitoring activities in the Pacific Northwest. PNAMP offered this initial guidance for monitoring efforts at the subbasin level as a step to encourage the coordination of local, tribal, state and federal programs.

In regards to funding through a future project selection process, Council staff has communicated to PNAMP that the Council will likely prioritize monitoring work at a programmatic scale that will have clear benefits to the Fish and Wildlife Program in general and subbasin planning in particular. In conclusion, the area of RME presents the Council with a clear opportunity to provide leadership to the region on issues that are central to the success of the Fish and Wildlife Program.

“Other issues”

Although they are not issues that, as we understand and evaluate them based on the record in hand to date, do not impede the ability to adopt a plan, issues numbered (5) through (9) earlier in this memorandum were deemed important enough to highlight. The staff recommends that if a subbasin plan is being worked on during the response period to address a matter that does affect adoptability (e.g. one of the “linkage” issues identified above) then the planners consider if they can respond to any of these “other” issues if and where they apply to their plan.