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Bruce A. Measure
Montana

Rhonda Whiting
Montana

Dear Interested Parties:

On April 13, 2005, the Council decided to release for public review and comment the last of 58 subbasin plan recommendations as a draft amendment to the Council's Columbia River Basin Fish and Wildlife Program -- the John Day Subbasin Plan. See the management plan for the John Day subbasin at www.subbasins.org or request a copy on CD by calling the Council's offices at 503-222-5161 or 800-452-5161.

Public comments and hearings

The Council had previously adopted four subbasin plans as draft amendments (Grande Ronde, and three plans from the Upper Snake River subbasins, and scheduled a series of public hearings on those plans. The Council is accepting public comment on those plans through **April 22, 2005**. With its decision to adopt the John Day plan as a draft amendment, the Council will also accept comment on the John Day plan at any of these hearings, and it is adding two additional hearing locations and dates--the fourth and fifth identified below--to accept oral and written comments on the John Day draft subbasin plan. Public comment period for that plan closes on **May 20th, 2005**.

First hearing:

Clarkston, Washington-Wednesday, April 20 (Any draft plan) 6:00 p.m.
Riverboat Room at the Quality Inn & Suites in Clarkston, WA; 700 Port Drive Clarkston, WA 99403; (509) 758-9500

Second hearing:

Pocatello, Idaho - Thursday, April 21 (Any draft plan) 6:30 p.m. Holiday Inn (Amethyst Room) located at 1399 Bench Road (Exit 71 off of I- 15), telephone number (208) 237-1400.

Third hearing:

Helena, Montana - Council Office April 18, 3:00 p.m. to 5:00 p.m. (any subbasin)
Contact Kerry Berg at 406-444-3952

Fourth hearing:

Condon Oregon, April 26 at Memorial Hall, 128 S. Main Street, 6:30 PM. (John Day only)

Fifth hearing:

Canyon City Oregon, April 27, at the Greater Eastern Oregon Development Corporation Conference Room, 120 S. Washington Street 6:30 PM. (John Day only)

See specific locations and schedules at www.subbasins.org. Check this link regularly, as we will post any updated information there.

The Council will consider all comments received on the draft program amendments as it decides whether to adopt them into the program. The Council tentatively has scheduled the decision on program adoption of the Grande Ronde and Upper Snake subbasin plans for its May meeting, and the decision for the John Day subbasin plan at its June 2005 meeting.

Background

In 2000, the Council began a comprehensive revision of the fish and wildlife program. First, the Council amended the program by adopting a framework of vision, objectives and strategies at different geographic scales (basinwide, ecological province, subbasin), tied together with a consistent scientific foundation. The Council also adopted basinwide provisions and described how it proposed to add more specific objectives and measures to the program through integrated subbasin plans for the tributary subbasins of the Columbia and for specific mainstem reaches. The draft amendments now proposed for adoption would add subbasin plans to the general, basinwide provisions of the program as the next step in the comprehensive revision.

On August 12, 2002, the Council solicited recommendations for amendments to the program at the subbasin level from the region's state and federal fish and wildlife agencies, Indian tribes, and others, as required by the Northwest Power Act. 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 also worked with the Bonneville Power Administration to secure funding support for planning groups, the first time that funding has been made available to help develop fish and wildlife program amendment recommendations. Subbasin planners were asked to develop subbasin plans that incorporate a technical assessment, an inventory of past and present activities, and then a management plan consisting of a vision, biological objectives and implementation strategies for the subbasin.

On May 28, 2004, the Council received recommendations for subbasin plans in 59 subbasins from various 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 on the recommendations ended on August 12, 2004. The Council received an extensive set of comments. The Council staff and Council also reviewed the plans during the comment period for consistency with standards in the Northwest Power Act for program amendments and with the provisions in the 2000 Program.

After its review of the recommendations and the comments on recommendations, the Council concluded that one set of subbasin plan recommendations was ready for release for public review as draft amendments to the fish and wildlife program. Twenty-three were adopted at the December 2004 Council meeting. Twenty-five more were adopted at the February 2005 Council meeting, and four more were adopted at the March meeting. To be more precise, the Council adopted the management plan portions of these subbasin plans as parts of the program. The underlying technical assessments and inventories will be placed in an appendix to the program.

The Council concluded last September that some subbasin plan recommendations needed further work before they were ready to propose for public review as draft amendments. Of this group needing additional work, five were on a longer track for revisions and adoption. Revisions to these plan recommendations were completed and the Council finds it now ready for public review as a draft amendments to the fish and wildlife program.

Thank you for your interest in the Northwest Power and Conservation Council and its fish and wildlife program.

Sincerely,

Stephen L. Crow,
Executive Director

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MEMORANDUM

TO: Council Members

FROM: John Ogan

SUBJECT: Decision to adopt John Day subbasin plan as draft program amendment

The staff is recommending that the Council adopt the John Day subbasin plan, revised per Council guidance, as a draft amendment to the fish and wildlife program, and release the same for public comment. The John Day subbasin plan is the last of the "red track" plans under active development. Our goal is to have the plan considered as a final amendment at the June meeting. We have developed a public hearing schedule that allow us to take advantage of hearings scheduled for the Grande Ronde, and three Upper Snake plans that were previously adopted as drafts by the Council (March decision).

The briefing memorandum follows the same format as those used for the last several Council decisions for adopting plans as draft amendments. We have also attached the public hearing schedule we have coordinated with individual Council state offices.

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April 5, 2002

DECISION MEMORANDUM

TO: Council Members

FROM: Lynn Palensky and John Ogan

SUBJECT: Proposed release of the John Day subbasin plan as a 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 the last of the third set (also referred to as the "red track" subbasins) of subbasin plan recommendations as draft amendments to the Council's fish and wildlife program. The subbasin plan recommendation proposed for release as a draft amendment is for the John Day subbasin.

The John Day subbasin plan recommendation can be reviewed on the website, <http://www.nwcouncil.org/fw/subbasinplanning/>. To be precise, it is the management plan portion of the recommended plan -- containing the goals, objectives and strategies -- that the staff proposes to the Council as a draft amendment to the fish and wildlife program. The staff proposes that the portions of the subbasin plan supporting the management plan -- the technical assessments and inventories -- be considered as part of a supporting appendix to the subbasin plan amendment.

The Council should also direct the staff to provide notice to the public of the availability of this draft amendment and of the public's opportunity to comment through May 20, 2005. A schedule for public hearings on this draft amendment is also recommended. Attached to this memorandum as Attachment A is the Notice for Public Comment on the proposed adoption and hearings schedule for the John Day draft subbasin plan amendment.

This memorandum describes the:

- background to the subbasin planning process;
- subbasin plan recommendations proposed for release as draft amendments;

- steps that were taken in a “response loop” to address and remedy the issues and deficiencies using staff reviews and public comment (including the independent scientists’ report), and
- next steps in the amendment process.

Issues related to the adequacy of Tier 3 recommended subbasin plans

The Power Act and the 2000 Program outline the fundamental requirements that a subbasin plan recommendation must meet to be considered for adoption into the fish and wildlife program. The staff reviewed the John Day subbasin plan recommendation and the comments on the recommendation, including the independent scientists’ report, to assess whether the plans met these foundational requirements. This review was aided 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 plan arising out of this review at the Council’s September 2004 meeting in Seattle. 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 John Day subbasin plan before the Council for adoption as a draft amendment today, in staff’s opinion, had deficiencies related to one or more of the issues significant enough to prevent it from moving to the draft amendment stage in the first group of plans -- the “green” group of plans adopted as final amendments in December. The Council was also of the opinion that the “red track” subbasins--the third group--needed substantially more time than the “blue track” subbasins--the second group--to resolve deficiencies; therefore, Council allowed the red track subbasins until the end of 2004 to revise plans. Specifically, the subbasin plan recommendations in this second group tended to have some deficiency in its assessment, in making “linkages” from the assessment to the management plan.

A “Response Loop” was used to correct the deficiencies identified by staff

After the staff review of the plans, and its consideration of the public and independent scientists’ report, the staff drafted a memorandum specific to each subbasin noting the particular deficiencies or issues, and then also drafted proposed remedies (the staff called these documents

the “Section II write-ups”). The first questions that we investigated were whether or not the planning groups would be willing to address the problems identified by staff, and if so, could a revised plan be developed. The staff worked through the subbasin planning coordinators to answer these questions. In each case, the answer was that the planners would like to revise the plans to address the deficiencies. The Council approved a response period through the end of the Master Contract period of December 31, 2004, which allowed us to maintain the adoption schedule. The staff used the subbasin-specific memoranda to develop detailed, task-based statements of work, and the coordinators and planners developed proposed budgets from those statements.

Revised plans were submitted for the plans that were in the red track. The central and state staff reviewed the revised plans against the statements of work. The general conclusion is that the responses were of very high quality, addressing the deficiencies noted in the original reviews, and significantly enhancing the subbasin plans that they relate to. The staff opinion is that the John Day subbasin plan had deficiencies as originally submitted, but it is now ready to be adopted as a draft and receive public comment with the supplemental material added.

Conclusion and recommendation for third set of subbasin plans

We recommend that the Council release the last subbasin plan -- John Day -- as a draft amendment to the fish and wildlife program, provide notice of that action, and seek public comment through May 20th, 2005.

Attachments

Attachment A - Tier 3 (Red) Notice of Public Comment and Hearing Schedule

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