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December 4, 2018

MEMORANDUM

TO: Fish and Wildlife Committee members

FROM: Staff

SUBJECT: Briefing on Fish and Wildlife amendment process

BACKGROUND:

Presenter: Staff

Summary: Staff will brief the Fish and Wildlife Committee on the amendment process.

Relevance: The Council called for recommendations to amend its Columbia River Basin Fish and Wildlife Program in May of this year. Recommendations are due on December 13th, 2018, two days after the Committee meeting.

The staff will brief the Fish and Wildlife Committee on three areas related to the program amendment process: 1) initial key tasks, 2) process and 3) timing of work.

1. **Key tasks:** After the December 13 deadline, the recommendations will be made available on the Council's website and a public comment period on the recommendations will occur through early February. An email notice will alert interested parties in the region about the comment period.

Once the recommendations are available, staff and Council members should take the time to read all the recommendations. Staff will work to organize the recommendations, probably by major topics, to allow for identification of key

Program issues. Any comments received on the recommendations will also be organized in this manner.

The Council suggested in the request for recommendations, that *the amendment process could be used to focus and make progress on a few key issues rather than revise all the Program elements*. Accordingly, the Council posed some questions for the reader to consider as they develop their recommendations. Following the comment period, the Committee and staff will work together to confirm that an amendment process focused on a handful of key issues is still appropriate and to identify those key issues.

2. **Process:** Staff described in a [memo](#) to the Committee in August of this year, how the work to amend the program is performed. As a reminder staff reiterates a few of the points from that memo:
 - Based on discussions with the Council and Fish and Wildlife Committee chairs earlier this year, the suggested approach is that the Council's Fish and Wildlife Committee will perform the bulk of the review and discussion of the recommendations and comments and prepare initial drafts of the amendments.
 - For this process, the Committee will dedicate a portion of the regular meetings to amendment tasks. Depending on the task and the stage of the process, this generally requires anywhere from a few hours to several full days of meeting time per month for members and staff. These are referred to as *work sessions* and are noticed and open to the public. As needed, specially-scheduled work sessions may be held either in person or via webinar to stay on schedule.
 - The *purpose* of each work session of the program amendment process is for the Committee members and staff to work together in public systematically through the recommendations received, the comments on the recommendations, and issues, and to consider draft amendments to the program language.
 - As the Committee members develop draft amendments, they should provide regular briefings to the Power Committee members and seek their input. Concurrently, the staff will provide periodic updates to the full Council.
 - Once the Committee has completed its work (a few months are allocated for this) the Committee will forward to the full Council draft amendments that may contain program areas of consensus and areas where consensus was not reached in the Committee. The decision to release the draft amendments will be made by the full Council.
 - Staff suggests that a portion of each meeting be reserved for receiving *feedback from the public*. This could be accomplished through formal public

comment at the end of the work session, interaction with the public during the work session, and informal discussions between Committee members and members of the public after the work session.

- All program-related communications and documents relevant to amending the program need to be submitted to the *administrative record* and periodically will be circulated to all Council members and staff.

3. **Timing of work:** Staff circulated a draft planning calendar to members and staff in late November. Staff will review this calendar with the members at the December meeting.

What to expect in the coming months <i>(C) = All Council Members</i> <i>(c) = Fish and Wildlife Committee Members</i>	Fish and Wildlife Committee <i>*times and work items are approximate and subject to change if needed</i>	Full Council <i>*times and work items are approximate and subject to change if needed</i>
November	15 minutes at Committee meeting: <ul style="list-style-type: none"> Receive an overview from staff on amendment process schedule, work flow, upcoming tasks, and how our work links with the Program framework 	
December ✓ Recommendations are posted online Dec 13 <i>(C)</i> Prep: read recommendations	30 minutes at Committee meeting: <ul style="list-style-type: none"> Receive an update from staff on amendment process schedule, upcoming tasks, and staff tools 	30 minutes at Council meeting: <ul style="list-style-type: none"> Receive a briefing from staff on amendment approach and upcoming tasks
January <i>(C)</i> Prep: read recommendations	2 hours at Committee meeting: <ul style="list-style-type: none"> Receive an overview of recommendations from staff Begin to identify main issues in recommendations with staff 	45 minutes at Council meeting: <ul style="list-style-type: none"> Receive an overview of recommendations from staff Receive a briefing from staff on the AEERPS analysis Receive public comment at Council meeting
February ✓ Comments period closes early February <i>(C)</i> Prep: read comments <i>(c)</i> Central and state staff collaborate to schedule additional committee meetings for this month	2 hours at Committee meeting + 1 additional work day: <ul style="list-style-type: none"> Review and discuss recommendations in further detail and comments on the recommendations with staff 	30 minutes at Council meeting: <ul style="list-style-type: none"> Review recommendations with staff Receive public comment at Council meeting
March <i>(C)</i> Prep: work with other state member on draft amendment language <i>(c)</i> Central and state staff collaborate to schedule additional committee meetings for this month	2 hours at Committee meeting + 2 additional work days: <ul style="list-style-type: none"> Continue discussion with staff on recommendations and refine main issues Begin to draft amendment language Receive an update from staff on outreach plan 	30 minutes at Council meeting: <ul style="list-style-type: none"> Receive an update from staff on amendment process schedule and outreach plan Receive public comment at Council meeting

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April <i>(C)</i> Prep: work with other state member on draft amendment language <i>(c)</i> Central and state staff collaborate to schedule additional committee meetings for this month	2 hours at Committee meeting + 2 additional work days: <ul style="list-style-type: none"> Continue to draft amendment language Seek agreement to move draft language to the full Council 	Receive public comment at Council meeting
May <i>(C)</i> Central and state staff collaborate to schedule additional committee and Council meetings for this month	2 hours at Committee meeting + 1 additional work day, if needed: <ul style="list-style-type: none"> Continue to draft amendment language Seek agreement to move draft language to the full Council 	4 hours at Council meeting + 1 additional work day: <ul style="list-style-type: none"> Review draft language with staff Receive public comment at Council meeting
June		4 hours at Council meeting + 1 additional work day: <ul style="list-style-type: none"> Review draft language with staff Receive public comment at Council meeting
July ✓ Release draft at July Council meeting ✓ Public comment period begins at the release of the draft <i>(C)</i> Central and state staff collaborate to schedule hearings and consultations for next couple months		4 hours at Council meeting: <ul style="list-style-type: none"> Review draft language with staff Prepare to release draft for public comment Receive public comment at Council meeting
August ✓ Public comment period begins at the release of the draft <i>(C)</i> Central and state staff collaborate to schedule hearings and consultations <i>(C)</i> Review public comments and notes from consultations and hearings		Receive public comment at Council meeting Public hearings and private consultations held throughout the region

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September <i>(C)</i> Central and state staff collaborate to schedule hearings and consultations <i>(C)</i> Review public comments and notes from consultations and hearings		Public hearings and private consultations held throughout the region Receive public comment at Council meeting
October <i>(C)</i> Central and state staff collaborate to schedule additional meetings for this month		4 hours at Council meeting + additional work days: <ul style="list-style-type: none"> Review and discuss with staff information received through comments, hearings, and consultations Revise draft language Receive public comment at Council meeting
November <i>(C)</i> Central and state staff collaborate to schedule additional meetings for this month		4 hours at Council meeting + additional work days: <ul style="list-style-type: none"> Revise draft language Prepare for adoption of final amendments Receive public comment at Council meeting
December ✓ Aim to adopt amendment at December Council meeting <i>(C)</i> For the last two weeks before adoption, the Council members and staff go ex parte and do not receive comment from the public		1-2 hours at Council meeting: <ul style="list-style-type: none"> Prepare for adoption of final amendments Adopt final amendments