

**Staff summary of Issues & Recommendations**  
**Project Review Process/Step review/ISRP Review**

\*Preliminary draft, please refer to full recommendations for complete review

10/29/2013 10:09 AM

**2009 Fish and Wildlife Program Section**

VIII. Implementation Provisions

B. Project Review Process (p.61)

H. Independent Science Review (p. 65)

**Overview**

Many entities recommend streamlining ISRP review and some advocate that the Council, action agencies, and managers should jointly develop a new review process for well-established and accord projects. Some recommend that the Council direct the ISRP to focus its comments to the science elements of projects and that only new projects or expanded project proposals should be reviewed by the ISRP in the future. Recommendations from Bonneville suggest the program should acknowledge and support Bonneville's emerging approach for habitat restoration project selection.

Some entities call for opportunities for the Council to create and implement a review process for non-accord agencies to propose new projects for areas above Chief Joseph and Grand Coulee dams. Recommendations were received that suggest the Council should establish a methodology to prioritize potential projects and reach agreement on the projects of highest priority prior to recommending them to Bonneville. Recommendations from some utility groups suggest that the program's credibility is supported in large measure by rigorous scientific review of each measure funded BPA.

**Summary**

For ISRP/project review process issues, 14 entities submitted recommendations: eight state or tribal governments; two tribal membership organizations; Bonneville; Bureau of Reclamation, and the group of utility customers. Recommendations on the three step review for hatchery projects, Bonneville submitted the only recommendation (that we found). The general themes are as follows and additional details are provided below:

- Streamline ISRP process overall, with more specifics on
  - Accord projects & ongoing (mature) projects
  - Jointly develop a review process for review
  - Utilizing existing subregional frameworks and umbrella processes
  - Taking advantage of annual science and management conferences
  - Focusing ISRP on the science
- Future solicitations
  - Target only new actions and/or research for future work

- Limit to geographic areas above Grand Coulee and Chief Joseph
- Limit to Non-Accord entities
- Standardize application/proposal format with other entities
- Review current projects to ensure their resiliency under climate scenarios
- Council to develop a process to prioritize work based in highest priority

Review of ongoing or “mature projects”

Nine entities (fish and wildlife managers) recommended that the Council treat new and ongoing or “mature” projects differently through a science review process (ODFW, WDFW, YN, CTUIR, Cowlitz Tribe, USRT, KTOI, NPT, CRITFC)

For ongoing or mature projects, they recommend the Council to “jointly develop a new ISRP review process” that:

- a. Council involve “regional panels” to assist with project review; which might include 2 at-large members, 2 co-managers, 1-2 NOAA representatives, 1 tribal rep and two ISRP members.
- b. continue to support local project prioritization frameworks and technical review processes, including umbrella projects; (BPA)
- c. would take advantage of local project review conferences and workshops

The Spokane Tribe added additional detail for reviewing for ongoing projects. Specifically, they recommend:

- Hatchery operations projects be reviewed every 4-6 years.
- Wildlife O&M project be reviewed every 4-5 years.
- Long-term habitat projects be reviewed every 5-7 years.

New projects solicitation:

The seven fish and wildlife entities listed above suggest that only new projects be reviewed under the Council’s normal (current) review process.

The Spokane Tribe made specific recommendations for the Council regarding future solicitations:

- target only new actions or research for future solicitations
- open for non-Accord agencies
- for areas located above Chief Joseph and Grand Coulee Dams
- and fund these new projects within 60 days of adopting the new program

Other recommendations came in that called for the Council to: 1) Standardize and simplify application formats with other local or state entities (CRITFC); 2) Review current projects to ensure their resiliency under climate scenarios (WA-GSRO); 3) Support BPA’s approach for habitat project selection -- the council should support and acknowledge this as a way to move from opportunistic to more strategic implementation (BPA); 4) provide a rigorous scientific review of all measures under the program (utility customers); 5) develop a methodology to prioritize projects prior to making funding recommendations to Bonneville (Utility Customers); and 6) focus the ISRP on the science (BoR and Bonneville).

## Recommendations (excerpts)

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### Oregon Department of Fish and Wildlife (3)

#### 8.4 Streamline ISRP Scientific Review

(Attachment 2, Section 8.4)

Current Program: P 65-66, Independent Scientific Review Panel

**Recommendation:** Modify the current language in the Program as follows:

- First bullet at the top of p. 65, add “new” to read, “Review *new* projects proposed for Bonneville funding to implement the Council’s Program.”
- Add a second bullet: “*The Council, Action Agencies, and co-managers should jointly develop a new ISRP review process for mature projects, long-term projects, and Fish Accords projects.*”
- Additionally, the Program should continue to support the existing strategic frameworks developed by the umbrella projects that have developed review processes for selection, prioritization and technical and science review of projects in coordination with local stakeholders, tribes and agencies. [This bullet subtract for: Yakama Nation & CTUIR]

Rationale: The existing ISRP review process is inefficient, labor-intensive, needlessly duplicative, and extremely frustrating for all involved. In the absence of clear guidance by the Council, the ISRP has been left to develop or modify its review process. The proposed recommendation would put process development under policy guidance and would allow the relevant parties to develop new review protocols that 1) keep the ISRP focused on what is necessary by law, 2) allow the parties to develop alternative review processes that take advantage of annual science and management conferences, and 3) could result in reviews that add value to proposed and ongoing projects. 4) Focus accountability on delivery of products [WDFW addition].

For ongoing projects, consider an entirely different review regime that would make the reviewers partners in the local basins (as opposed to distant adversaries) with the mutual goal of improving subbasin programs and making them more successful. For example, four (or more) regional review panels – one each for the upper Columbia, Snake, mid-Columbia, and Lower Columbia - might be composed of two at-large members nominated by the subbasin co-managers, one or two representatives from NOAA-Fisheries, a tribal representative, and maybe two members assigned to the subbasin by the ISRP. Members of these regional review panels would be required to attend project review conferences to thoroughly understand the subbasins, co-manager objectives, and the existing spectrum of implementation projects. Following the annual conference, a day would be dedicated to address concerns, discuss progress and ideas for making the program better, review recovery implementation issues, etc. Action items and a formal record would be kept and would become part of the review the following year. This type of review could be used to satisfy all of the legal review requirements for ongoing projects, including ESA permit compliance. A review panel so constituted would have a baseline understanding of local basin issues, advance knowledge of their respective concerns, and could come to reviews prepared to ask the questions needing

answers. This informed dialogue would eliminate misunderstandings and the lost time that goes into the back-and-forth of the present review response loop.

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#### **Washington Department of Fish and Wildlife (4)**

*See ODFW's recommendation above.*

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#### **Governor's Salmon Recovery Office (WA) (5)**

**Recommendation:** Review current restoration or habitat projects to ensure their resiliency under predicted future climate scenarios to ensure that investments are effective into the future.

**Recommendation:** Require project proposals and management plans to consider the potential impact on project outcomes of climate change and its associated variability and uncertainty. (ISAB Program Review, March 7, 2013)

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#### **Columbia Inter-Tribal Fish Commission (14)**

*See ODFW's recommendation above.*

Create a liaison position to assist project sponsors in identifying complimentary (costshare) grants, and develop complimentary or shared grant application formats to standardize and simplify proposal development and submission. Standard formats would also facilitate proposal review and consideration by local watershed partnerships.

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#### **Yakama Nation (17)**

*See ODFW's recommendation above.*

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#### **Confederated tribes of the Umatilla Indian Tribes (19)**

*See ODFW's recommendation above.*

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#### **Cowlitz Indian Tribe (22)**

*See ODFW's recommendation above.*

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#### **Kootenai Tribe of Idaho (24)**

The Council and action agencies, in coordination with the co-managers, shall jointly develop a

streamlined ISRP review process for mature projects and long-term projects (including the Fish Accords). As part of this effort, the Program should incorporate and build upon existing frameworks developed by long-term and umbrella projects, such as those that incorporate review processes for selection, prioritization and technical and science review of projects in coordination with appropriate local stakeholders, technical experts, Tribes and agencies.

Rationale: The existing ISRP review process has not been substantively updated in many years while other complimentary review efforts associated with long-term and umbrella projects have evolved significantly. As a result, aspects of the process can be duplicative and somewhat inefficient and would benefit from incorporation of existing, locally informed, science-based review processes. Streamlining the process, and incorporating regional existing review frameworks, could allow the ISRP and Council to benefit from greater incorporation of local expertise and knowledge, while also supporting the ISRP in their efforts to provide consistent and constructive reviews of individual projects, that collectively help to improve the overall quality and effectiveness of the Fish and Wildlife Program. An updated review process would also allow the various parties to fully take advantage of, and learn from, some of the unique and effective forums that have been developed throughout the Columbia River Basin.

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### **Nez Perce Tribe (25)**

Recommendation: Add language indicating, "The Council, Action Agencies, and co-managers jointly develop a revised ISRP review process for mature projects, long-term projects, and long term agreement projects."

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### **Spokane Tribe of Indians (26)**

We recommend that the Council alter the ISRP review of Program related projects so that future solicitations target only new actions and/or research.

We also recommend a modified scientific review structure for ongoing projects with longstanding support and investment. For example hatchery operations and maintenance projects will be reviewed using monitoring and evaluation reporting and ISRP interaction to assure that implementation is on the adaptive management path. Science review would occur within timelines logically associated with hatchery operations (every 4 to 6 years) and will either confirm existing directions or offer new alternatives based upon the information and data collected and presented via project/program monitoring and evaluation. Other examples include that of wildlife operations and maintenance and long term habitat restoration and enhancement projects. Wildlife O&M reviews would be similar to the hatchery example and would occur on a timeline of 4 to 5 years. Long-term habitat enhancement and restoration projects would be reviewable on 5 to 7 year intervals.

#### **New projects**

There has been limited opportunity for new project proposals and no new projects have been funded since the LRWSRI in 2007. Additionally, no new projects have been afforded to non-agency agencies. The program has recognized funding commitments already made by Bonneville

and the other federal agencies to accords for long term project funding. However, the program also recognizes that those commitments must not come at the expense of sufficient funding for other Program priorities. For the Program areas that do not yet carry Bonneville funding commitments, the Council will work with Bonneville and the project sponsors to estimate multi-year implementation budgets and secure funding commitments that assure adequate funding for these implementation plans.

Non-accord agencies have not been afforded the opportunity given to accord agencies to propose new projects. This has made it impossible for the Spokane Tribe of Indians to complete the objectives within the subbasin plan. Council will include the following guidance language in the Program directing BPA to fund new projects for non-accord agencies:

- The Council will create and immediately implement a review process for non-accord agencies to propose new projects.
- Council will direct Bonneville Power Administration to fund new projects beginning 60 days immediately following the adoption of the 2014 program.
- The Council will stipulate that the new projects will be for areas located above Chief Joseph and Grand Coulee Dams.

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### **Upper Snake River Tribes Foundation (28)**

*See ODFW's recommendation above.*

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### **Bonneville Power Administration (35)**

The Program should streamline and update the Independent Scientific Review Panel (ISRP) review processes. Each of these reviews requires BPA to make a substantial investment in terms of funding project sponsor staff time through the process. To accomplish streamlining, the Council should direct the ISRP to focus its comments to the science elements of projects, as they relate to the statutory standards the ISRP is to consider. Additionally, given that all projects being funded by BPA have been subject to ISRP review, and in many cases, multiple reviews, only new or expanded project proposals should be reviewed by the ISRP in the future. Additionally, the Program should continue to support the existing strategic frameworks developed by the programmatic umbrella projects that have developed processes for selection, prioritization, and technical review of projects in coordination with local stakeholders, states, tribes, and agencies.

Process Improvements—Streamlining Centralized Planning Information: The Program should acknowledge and support BPA's emerging approach for habitat restoration project selection. The

process identifies and prioritizes restoration opportunities based on biologically significant stream reaches (fish species and lifestage use), limiting factors, feasibility and ability to address the limiting factors associated with the restoration area. The process encourages integration of stakeholders, leverages the best available science to inform decision making and adaptive management and helps transition the project selection process from opportunistic to more strategic implementation.

Step Review: The Council should encourage improved processes for planning and reviewing artificial production projects and consider incorporating energy efficiency and conservation measures in the 3-step planning process for new or updated artificial production facilities. We also recommend convening an expert work group to explore ways to streamline the hatchery planning, review, and permitting processes to eliminate duplication, reduce cost, and save time.

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### **Bureau of Reclamation (36)**

Reclamation supports BPA's recommendation for process improvements in streamlining scientific reviews. Specifically, we recommend the Council could direct the Independent Science Review Panel (ISRP) to focus its comments only on the science elements of projects and review only new or expanded project proposals. ISRP reviews should also recognize habitat activities as providing benefits to species habitat potential and environmental objectives in addition to direct fish population parameters. These recommendations would enhance the Council's mission to support the federal agencies in meeting their obligations under the ESA.

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### **Public Power Council, Northwest RiverPartners, PNGC Power, and Northwest Requirements Utilities (44)**

- Project Proposal Process - The Council should establish a methodology to prioritize potential projects and reach agreement on the projects of highest priority prior to recommending them to BPA.
  - The Program's credibility, in particular with the region's utility customers, who fund the Program, is supported in large measure by the Council's requirement that the ISRP provide a rigorous scientific review of each measure proposed for funding by BPA.
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## Program Language

### B. Project Review Process

The Northwest Power Act directs the Council to oversee, with the assistance of the Independent Scientific Review Panel, a process to review projects proposed for funding by Bonneville. The ISRP will review proposed projects and make recommendations to the Council as to whether these proposals are based on sound scientific principles, benefit fish and wildlife, have a clearly defined objective and outcome with provisions for monitoring and evaluation of results, and are consistent with the priorities in the Program. The ISRP also reviews the results of prior-year expenditures. The Council must allow for public review and comment on the ISRP's recommendations. The Council will then make final recommendations to Bonneville on projects to be funded. In doing so, the Council must fully consider the ISRP's recommendations, explain in writing its reasons for not accepting ISRP recommendations, consider the impact of ocean conditions on fish and wildlife populations, and determine whether the projects employ cost-effective measures to achieve Program objectives.

#### 1. Objectives of Project Review

- Implement Bonneville's portion of the Council's Fish and Wildlife Program for anadromous fish, resident fish, and wildlife, including subbasin plans and other planning documents associated with the Program.
- Allow the flexibility to incorporate Bonneville's ESA requirements and relevant agreements.
- Ensure review of projects (including those identified in the Biological Opinions and Accords) is consistent with the Northwest Power Act, section 4(h)(10)(D).
- Recognize differences in project types, specifically those with long-term funding commitments as compared to shorter term implementation (for example, habitat projects). Each type may be set on different, but integrated, funding and review paths.
- Establish and communicate timelines, processes, and expectations.
- Focus on Program performance by linking Program spending with limiting factors.
- Increase transparency and accountability of project deliverables, durations, reporting requirements, performance metrics, and expectations.

#### 2. Step Review Process

As one element of project review, the Council developed a Step Review process for review of major investments, including new artificial production programs. Step Review allows for review of scientific soundness, possible fish or wildlife benefits, environmental impacts, and design and fiscal considerations at appropriate stages in project development. Step Review includes a thorough review by the ISRP and the Council at three different phases: master or conceptual planning, preliminary design, and final design. Projects do not move from one development step to the next without a favorable review. The Council intends the Step Review process to be flexible and cost-efficient. Depending on the nature and status of the proposed project, the Council may allow for a review that combines two or more of the steps in a single submission and review, or for a submission and review that addresses just part of a step in the review process. The Step Review process is further described on the Council's website.

# 1. The Independent Scientific Review Panel

## Review Responsibilities

The 1996 amendment to the Northwest Power Act, which added Section 4(h)(10) (D), directed the Council to appoint an 11-member panel of independent scientists and additional peer review groups. These scientists provide advice and information regarding scientific aspects of projects that the Council may recommend for funding by Bonneville. The ISRP and peer review groups have responsibilities in three areas:

- Review projects proposed for Bonneville funding to implement the Council's Program the Northwest Power Act directs the ISRP to review annually projects that are proposed for Bonneville funding to implement the Council's Program. The Act specifies the review standards that the ISRP is to use and the kinds of recommendations to make to the Council. The Council must fully consider the ISRP's report prior to making its funding recommendations to Bonneville, and must explain in writing wherever the Council's recommendations differ from the ISRP's.
- Retrospective review of Program accomplishments The 1996 amendment also directs the ISRP, with assistance from the Scientific Peer Review Groups, to annually review the results of prior-year expenditures based on the project review criteria and submit its findings to the Council. The retrospective review should focus on the measurable benefits to fish and wildlife made through projects funded by Bonneville and previously reviewed. The ISRP's findings should provide biological information for the Council's ongoing accounting and evaluation of Bonneville's expenditures and the level of success in meeting the objectives of the Program, as described in the monitoring and evaluation section. Also as part of the ISRP's annual retrospective report, the ISRP should summarize major basinwide programmatic issues identified during project reviews.
- Review projects funded through Bonneville's reimbursable program. In 1998, the U.S. Congress' Senate-House conference report on the Fiscal Year 1999 Energy and Water Development Appropriations bill directed the ISRP to review the fish and wildlife projects, programs, or measures included in federal agency budgets that are reimbursed by Bonneville, using the same standards and making recommendations as in its review of the projects proposed to implement the Council's Program. Further details of the ISRP's project review responsibilities are described above, in the section on project selection. The ISRP is a standing group that conducts reviews throughout the year. Recommendations from the ISRP are reached by consensus. The ISRP may enlist Peer Review Group members to assist in reviews. From the pool of Peer Review Group members, the ISRP selects reviewers who have the appropriate expertise for the review at issue. The ISRP develops guidelines and criteria for reviews that describe lists of materials needed, site-visit protocols, and limits to reviewer and project sponsor communication.