

**FISH PASSAGE CENTER OVERSIGHT BOARD**  
**Meeting Minutes for October 12, 2010 – Portland, Oregon**

Participants at the Council's office and by phone: Bruce Measure, Kerry Berg, Jim Ruff, Tom Iverson, Jann Eckman, Dr. Rich Alldredge, Richie Graves, Michele DeHart, and Tony Nigro.

Fish Passage Center Oversight Board (FPCOB) Chairman Bruce Measure called the meeting to order at 2:10 p.m. He took roll call and determined there was not a quorum.

Measure said there were two items on the FPCOB agenda. One of the items, peer review of FPC products, has been before the board on two previous occasions, and Measure said he would like to move forward on it. He noted that Dr. Alldredge of the Independent Scientific Advisory Board (ISAB) was participating to answer questions about ISAB reviews. We can discuss the guidelines today and ask FPCOB members to vote on them by email, since we do not yet have a quorum for a vote today, Measure said.

Kerry Berg explained that he had previously sent out a draft of the review guidelines to FPCOB members. Council staff members Jim Ruff and Eric Merrill revised the guidelines based on "an extensive" discussion about the draft at the board's June meeting, he said. Berg said the revised document was subsequently sent out and he had not heard negative comments nor had changes been suggested. He noted that the ISAB reviewed the FPC annual report and raised some issues that might need attention.

Allredge reported that a subcommittee of the ISAB reviewed the FPC annual report and identified items that need further attention. He clarified that the ISAB was not reviewing the report for "editorial purposes", such as typographical errors, although he said some such items were marked in the review. The ISAB subcommittee members shared drafts of their reviews of the FPC annual report with each other and then compiled them into a single review report that was submitted last summer, Allredge said.

Berg noted that Dan Goodman had raised questions about the criteria for the ISAB review, and the ISAB had responded with a memorandum explaining the criteria.

Measure said he had no problem with Dr. Alldredge's explanation of the standards the ISAB used in its review to differentiate between editorial and other types of changes.

Michele DeHart said the FPC developed responses to each of the items raised in the ISAB review. We found the editorial comments helpful, she added. DeHart said the appendices of the FPC annual report include joint technical memorandums prepared by other fish managers, which are not FPC products. "They tell an important part of the story," but comments on them are not appropriately addressed by the FPC, she said. We can't resolve or deal with those comments, DeHart stated.

Ruff pointed out that there are not many joint technical memos prepared over the course of a year. Perhaps six or seven, he said. Yes, it depends on the year, DeHart said.

Allredge said he considered the ISAB guidelines for review. He and the ISAB subcommittee thought since the items in the appendices were part of the FPC annual report and of the record of its year, they were appropriate for review. If there are scientific questions on them, it seems appropriate for the ISAB to offer recommendations, Allredge said.

Do the proposed guidelines adequately address this issue? Measure asked. Ruff said Guideline #2 covers the topic. He added that the three memos at issue in the ISAB review are all FPC products. Measure said the guidelines “might arguably” allow for review of appendices documents. But we can work that through over time, he said, adding that he wanted to limit the discussion at today’s FPCOB meeting to finalizing guidelines for ISAB review of FPC products.

These proposed guidelines are specifically for review of FPC products, Tony Nigro said. Products from someone else, even though they may be cited by the FPC, do not fall under the purview of this board, he said. The ISAB can always review other things, but those reviews do not have to go through this board, Nigro said. It does not seem relevant for us to consider this in adopting guidelines for the review of FPC products, he stated.

Measure said he agreed. Ritchie Graves said if the ISAB wants to look at items in the appendices, “we would welcome it.” But we should not expect the FPC to address those reviews – it would not be their responsibility, he said. It would, however, be interesting to have the ISAB comments, Graves said.

For clarity, we understand that joint technical memos are not written by the FPC nor do they represent FPC views, Allredge said. He suggested making it clear in FPC reports that such memos are not FPC products.

DeHart suggested on the first page of the appendices to FPC documents, we could make that clear. We could do that with the annual report, she added.

From the standpoint of the FPCOB, wherever you want to say that is fine, Measure said. We don’t want to interfere with the ISAB review or compromise its independence, he stated.

We include joint memos in the appendices to the annual report because they are part of the story, DeHart said. But we don’t have to include them, she said.

I don’t know that I would change anything about the FPC annual report, Measure responded. What Tony said is appropriate, Measure said.

Ruff said he also agreed. The scope of the ISAB charter is broad and gives wide discretion in what the ISAB reviews, he explained. If they come across a joint memo that begs review, they can do that, Ruff said. But as Tony says, it is outside the purview of the FPCOB, he stated.

Measure pointed out that it would be undesirable for ISAB criticism of an appended memo in the FPC annual report to have a detrimental impact on the FPC, Measure said. But we may have to look at this further if a joint memo is used to support an FPC product; that’s different from alluding to a memo in an FPC report, he said. That is something that could be addressed readily

by the FPC director, who could clarify what a joint memo is intended to represent, Measure added.

The ISAB can review appended material that is not an FPC product, Nigro reiterated. But the responsibility for overseeing a response or responding to an ISAB review is not FPC or FPCOB responsibility, he said. If the ISAB chooses to review a non-FPC document, it could identify what response it expects and who is responsible for the response, Nigro said.

There were no further comments about the draft guidelines, and Measure said he would send out a request to FPCOB members for a vote on the guidelines along with a copy of the meeting minutes. We will ask members to return their vote within seven days, he said.

The only other item on the agenda is the statement of purpose and operating rules for the FPCOB, Measure noted. We'll postpone that discussion until we have more members in attendance, he said.

The FPCOB will vote on the guidelines and that will open the door for the ISAB to look at three FPC memos, Ruff clarified. I'll work with Dr. Alldredge to coordinate the review among the parties, he said.

Berg announced the next FPCOB meeting would be December 13. He took suggestions about a time for the meeting.

The meeting adjourned at 2:35 p.m.