

Tom Karier
Chair
Washington

Frank L. Cassidy Jr.
"Larry"
Washington

Jim Kempton
Idaho

W. Bill Booth
Idaho



Joan M. Dukes
Vice-Chair
Oregon

Melinda S. Eden
Oregon

Bruce A. Measure
Montana

Rhonda Whiting
Montana

Council Meeting Bonners Ferry, Idaho

June 12-13, 2007

Minutes

Tom Karier called the meeting to order at 1:05 p.m. on June 12 and adjourned it at 12:20 p.m. on June 13. All members were present, except Larry Cassidy, who participated by telephone.

Welcome to the Kootenai Valley:

Gary Aitken, Sr., Kootenai Tribal Councilman; Dan Dinning, Boundary County Commissioner; and Darrell Kerby, Mayor of Bonners Ferry.

Darrell Kerby, Mayor of Bonners Ferry, welcomed the Council. He described the Kootenai Valley Resource Initiative and other local activities.

Reports from Fish and Wildlife, Power and Public Affairs committee chairs:

Rhonda Whiting chair, fish and wildlife committee; Jim Kempton, chair, power committee; and Larry Cassidy, chair, public affairs committee.

Rhonda Whiting reported that the Fish and Wildlife Committee discussed program amendment preparations, including topics for the upcoming Science Policy Exchange conference, and got an update on regional coordination. Staff also reported on work related to the FY 2008 budget and on innovative project proposals, which are now being reviewed by the Independent Scientific Review Panel (ISRP), she said. Other topics included nominations for the Fish Passage Center Oversight Board, wildlife mitigation, and the status of research fish for the Snake River fall chinook transport evaluation, Whiting noted.

Jim Kempton reported the Power Committee met by conference call June 7 and discussed Western Electricity Coordinating Council transmission planning and resource adequacy

standards and how the Northwest compares with what WECC is doing. He reported the release for public comment of a Council paper on achievable conservation potential and on the Committee's discussion of residential exchange and Regional Dialogue issues.

Karier gave a report on a trip by several Council members to Washington, D.C. to talk about conservation and renewable energy progress in the Northwest. Other topics during the Congressional meetings included the development of regional adequacy standards and ways to bring the region together to settle issues raised by the Ninth Circuit Court's decision on the residential exchange. Staffer Mark Walker said Oregon representatives have requested that the Council provide analysis related to pending legislation on climate change and cap-and-trade issues.

Joan Dukes reported on a recent trip of Council members to meet with the Columbia Basin Trust in Canada.

1. Council decision on follow-up FY 2007-2009 actions:

Mark Fritsch, manager, project implementation

– Project 1995-057-02, Southern Idaho Wildlife Mitigation

Staffer Mark Fritsch said the staff and Fish and Wildlife Committee recommend that the Shoshone-Bannock Tribes of Fort Hall have adequately addressed conditions placed on the Southern Idaho Wildlife Mitigation Project as part of its FY 2007-2009 funding recommendation. Dukes moved that the Council find that the conditions placed on Project 1995-057-02, Southern Idaho Wildlife Mitigation, in the FY 2007-2009 funding recommendations have been met. Bill Booth seconded, and the motion passed.

2. Progress Report of the ISAB Supplementation Workgroup:

Peter Galbreath, CRITFC, and Steve Waste, manager for program analysis and evaluation.

Staffer Steve Waste said the ISRP and the Independent Scientific Advisory Board (ISAB) wrote a report in 2005 that recommended a comprehensive evaluation of the use of supplementation as a recovery tool for depressed salmon and steelhead populations in the basin. In response, the Columbia River Inter-Tribal Fish Commission (CRITFC) and NOAA Fisheries formed an Ad Hoc Supplementation Workgroup which has held two workshops on how such an evaluation might be organized, he stated.

3. Presentation on potential Impact of Human Population on Fish and Wildlife Restoration in the Columbia River Basin:

Susan Hanna, ISAB member; and Steve Waste.

Dr. Susan Hanna of Oregon State University presented the key findings from a new ISAB report, Human Population Impacts on Columbia River Basin Fish and Wildlife. She said the population is growing in all four Northwest states and will continue to grow at least through 2030.

Population growth means increasing water demands and more conversion of forest and agricultural lands to residential and commercial development, Hanna noted.

The Council is in a unique position to demonstrate leadership on the question of how fish and wildlife restoration can be integrated with human population growth, Hanna stated. The production, distribution, and consumption of power are important factors influencing economic development, and fish and wildlife recovery plans can buffer Columbia Basin ecosystems from intensified patterns of land and water use, she said. The ISAB recommends the subbasin plan updates be required to address population and settlement patterns, she stated. The Council should create a dialogue to address the issue of exurban sprawl head-on.

4. Update on Lake Pend Oreille Kokanee spawning bed damage:

Chip Corsi, Regional supervisor, Idaho Department of Fish and Game; and Beth Reinhart, project manager, U.S. Army Corps of Engineers.

Chip Corsi of the Idaho Dept. of Fish and Game (IDFG) described the Lake Pend Oreille fishery recovery project and noted that among Bonneville, Avista, and IDFG-funded programs, over \$2 million per year is being spent to recover the kokanee fishery in the lake. He said that fishery has an estimated value of \$17 million annually. Corsi also discussed prospects for kokanee recovery given the amount of predation on kokanee by trout populations in the lake.

Corsi and Beth Reinhart of the Corps of Engineers described an incident that occurred at Bayview, Idaho, in April when a marina developer pounded steel spikes into kokanee spawning beds in the lake.

Open public comment on any subject before the Council.

There was none.

5. Overview of Kootenai River Ecosystem Management Program and 2007 Libby Dam Sturgeon Operations:

Sue Ireland, Kootenai Tribe of Idaho.

Susan Ireland, representing the Kootenai Tribe, described the Kootenai River Ecosystem Management program, which is funded under the Council's fish and wildlife program. Ireland described projects to protect and restore white sturgeon, burbot, and kokanee.

Greg Hoffman of the Corps of Engineers described operations at Libby Dam in May and June to provide spawning flows for sturgeon. He also explained operations to benefit burbot.

6. Briefing on Bonneville residential exchange issue:

John Shurts, general counsel.

Shurts reported June 18 is the deadline for Bonneville to file for reconsideration of the Ninth Circuit Court's decision invalidating the residential exchange settlement agreements. Bonneville has suspended the residential exchange payments and taken a lot of criticism for that, he stated.

There's been a flurry of letters on this issue between Bonneville and members of Congress, and Bonneville has been meeting with its customers, he continued. How the exchange can be resolved for the future is up for discussion, as is the question of how to deal with the implications of the court's decision in the 2007-2009 rate case, Shurts said.

There is also disagreement about whether Bonneville should go forward with the Regional Dialogue now, he noted.

Larry La Bolle of Avista told the Council that the IOUs have met with Bonneville and the public utilities and "pledged to do our best to solve this in the region and within the existing statute." The utilities told Bonneville they would try to reach agreement on the issues within a month or two, according to La Bolle.

7. Update on FY 2008 start-of-year projects:

Patty O'Toole, program implementation manager.

Staffer Patty O'Toole reported on recent meetings with Bonneville in preparation for developing a FY 2008 budget for the fish and wildlife program. We have told Bonneville we'll have our final recommendations on coordinated data management, regional coordination, and wildlife operations and maintenance ready in July, O'Toole said.

8. Briefing on Proposed Action for the BiOp:

John Shurts.

Staffer John Shurts walked the Council through his analysis of the federal action agencies' 850-page draft Proposed Action to recover Columbia Basin salmon and steelhead. While the PA was filed as a draft and will change, this set of documents is "the geography, the raw material" that we'll be living with in the next few years, he said.

He said eight groups have filed responses to the PA and that the court will hold a status conference later in June on the PA and the responses.

9. Council decision on Fish Passage Center Oversight Board nominations:

Jim Ruff, manager, mainstem passage and river operations.

Staffer Jim Ruff said that in response to the Council's solicitation for people to serve on the Fish Passage Center (FPC) Oversight Board, the following nominations were received:

- The Kootenai Tribe of Idaho nominated Susan Ireland to represent the upper Columbia River Basin tribes;

- Idaho Department of Fish and Game nominated Steve Yundt to represent the state fish and wildlife agencies of Idaho and Montana;
- Oregon and Washington nominated Tony Nigro to represent the fish and wildlife agencies of the two states;
- NOAA Fisheries nominated John Ferguson of the Northwest Fisheries Science Center as the NOAA representative.

Ruff pointed out that the Council has not received a nomination from the lower Columbia River tribes for a member to represent them. He said five nominations were received to represent the public member from the region's scientific community:

- Paul G. Wagner, a former Washington Dept. of Fish and Wildlife biologist;
- Brian Marotz, fishery biologist for the Montana Dept. of Fish, Wildlife and Parks;
- Dr. Dan Goodman of Montana State University, a former ISAB and ISRP member;
- Dr. Richard Whitney, retired Univ. of Washington professor of fisheries and former ISAB and current ISRP member;
- Rod Sando, currently retired and serving on the Science and Policy Advisory Board of the Northwest Sportfishing Industry.

Measure, who will be the Council's representative on the Oversight Board and serve as its chair, moved that the Council approve for one-year terms the members of the FPC Oversight Board nominated in each of the major categories, as set out in the staff memorandum; authorize payment of travel expenses and a stipend for the science members, if requested; direct staff to give appropriate notice of its decision; invite ex-officio participation by a nominee from the Upper Snake River Tribes, pending a Council decision regarding full participation by an appointee from this tribal collaborative; and reiterate the Council's request for a nominee from the tribes in the lower river -- Yakama, Umatilla, Warm Springs, and Nez Perce. Booth seconded, and the motion passed.

Measure moved that the Council approve the following people to serve on the Oversight Board: Susan Ireland to represent the upper Columbia River Basin tribes; Steve Yundt to represent the Idaho and Montana fish and wildlife agencies; Tony Nigro to represent the Washington and Oregon fish and wildlife agencies; John Ferguson to represent NOAA Fisheries; and an ex-officio member, Douglas Taki, from the Upper Snake River Tribes. Kempton seconded, and the motion passed.

Measure moved that the Council approve Dr. Dan Goodman as the public member from the region's scientific community, and Dr. Richard Whitney as his alternate. Booth seconded, and the motion passed.

Eden asked about the process for deciding to add a member from the Upper Snake River Tribes. We'll take that up at the July meeting, Measure said.

10. Update on Willamette Wildlife Crediting Issue:

John Shurts; Patty O'Toole; and Greg Delwiche, Bonneville Power Administration.

Greg Delwiche reported on Bonneville's latest thinking on several issues related to wildlife crediting in the Willamette Valley. At your last meeting, you heard that the Habitat Evaluation Procedure (HEP) used to assess wildlife losses resulting from hydro development is an out-dated procedure, given the state-of-the-art today in wildlife mitigation, he told the Council. Bonneville thinks a new methodology, the Combined Habitat Assessment Procedure (CHAP), has promise and is worth further exploration, Delwiche said.

11. Briefing on Willamette CHAPS process recommendations:

John Shurts; Mark Fritsch; and Karl Weist, Oregon Council staff member.

Fritsch explained concerns expressed by the ISRP about the HEP and CHAP methodologies during previous project reviews. Staff recommends that there be further review of these tools, particularly the use of the CHAP methodology as it applies to Willamette wildlife mitigation, he said.

Dukes moved that the Council recommend review by the ISRP of the work element associated with the Combined Habitat Assessment Procedure for the Habitat Evaluation Procedure, Project 2006-006-00, as presented by staff and recommended by the fish and wildlife Committee. Whiting seconded, and the motion passed.

12. Fish and wildlife program amendment section-by-section overview:

John Shurts.

Shurts presented an outline of the Council's fish and wildlife program, highlighting areas "where a lot of action will happen" during the upcoming amendment process. While the program has been successful over the years, our challenge now is to find areas of the program where there can be significant improvements, he said.

In the program's basinwide provisions, the first item Shurts flagged was "biological objectives." He said the Council has a lot of thinking to do about what the basinwide program should look like with respect to biological objectives. Instead of using numbers of fish returns as previous programs did, I'd like to think about using performance objectives or standards that the Council or Bonneville can be held accountable to, said Karier. He suggested "survival through the hydro system" as an example.

In the basinwide program, Research, Monitoring, and Evaluation (RM&E) will be an area of major effort this time around, Shurts said. It's very important to get this section right, he added.

Staff recommends the Council not use a separate amendment process for the mainstem, as was done in previous programs, but the Council should think about that, Shurts said. There will be a significant amount of recommendations on mainstem issues, he predicted.

Staff doesn't think this amendment process should include revising the subbasin plans, he continued. But it will be important to establish the right process and schedule to regularly update and amend those plans, Shurts added. It has been suggested that each subbasin plan have a

uniform executive summary that discusses target species, limiting factors, and other elements, said Karier.

Staff recommends the Council schedule consultations with affected entities to hear what they think the scope of the fish and wildlife amendments should be, Shurts stated. He also said if the final Proposed Action and BiOp are released in December or January, the Council would need to consider how that relates to the fish and wildlife amendment schedule.

13. Council Business

– Council approval of revised IEAB charter

Staffer Terry Morlan said that staff had prepared a set of conflict-of-interest guidelines for the Independent Economic Analysis Board (IEAB), which are comparable to the guidelines used for the ISAB and ISRP. We've revised the IEAB's charter to incorporate the guidelines, he said. Dukes moved that the Council approve the revised charter for the IEAB. Kempton seconded, and the motion passed.

– Council approval of IEAB appointment

Morlan reported that Ken Casavant has resigned from the IEAB and that staff recommends John Duffield of the University of Montana to replace him. Dukes moved that the Council approve the appointment of John Duffield to the IEAB to fill the remaining term of a member who resigned. Whiting seconded, and the motion passed.

– Approve ISAB assignment to review nonnative species

Waste said the ISRP had requested an ISAB review of the effects of non-native species on native salmonids and noted this is part of the ongoing effort to prepare for the upcoming fish and wildlife amendments. Karier suggested that since there were no objections from the Council that staff proceed with efforts to arrange the ISAB review.

– Public comment on the Council budget

There was none.

– Approval of minutes

Dukes moved to approve the minutes for the May 15-16, 2007 Council meeting held in Walla Walla, Washington. Kempton seconded, and the motion passed.

Approved July 11, 2007

/s/ Joan Dukes
Vice-Chair