




March 29, 2001

TO: Members Management Group

FROM: Brian Allee 

SUBJECT: Draft 3/8/00 MMG Action Notes

**MEMBERS MANAGEMENT GROUP  
MEETING/CONFERENCE CALL  
March 8, 2001  
9:00 a.m. – 4:15 p.m.  
CBFWA Office, Portland, OR**

**DRAFT ACTION NOTES**

**Attendees:** Amos First-Raised, BPT; Therese Lamb, BPA; Carl Scheeler, CTUIR; Bert Bowler, IDFG; Ronald Peters, CdAT; Lynn Hatcher, YN; Robert Matt, CdAT; Guy Dodson, SPT; John Palensky, NMFS; Susan Barnes, ODFW; Tom Giese, Tom Iverson, Neil Ward, KathieTitzler, Jann Eckman, Brian Allee, CBFWA; Peter Dykstra, Mentor Law Group

**By Phone:** Dave Statler, NPT; Fred Olney, USFWS; Dave Ward, ODFW, Brian Marotz, MDFWP; Phil Roger, CRITFC; Chad Colter, SBT; Bob Foster, WDFW; Mary Verner, ST; Sue Ireland, KTI; Ray Entz, KT; B.J. Kieffer, ST; Bob Heineth, CRITFC

<b>Time</b>	Objective 1. FY 2002 Renewal Process	8%
<b>Allocation:</b>	Objective 2. Rolling Province Review and Subbasin Summaries	25%
	Objective 3. FY 2001 Adjustments	25%

**ITEM 1: Principles for 2001 FCRPS – Therese Lamb, BPA**

Discussion: Therese presented the federal agencies proposed principles for 2001 FCRPS operations outlining the 1) General Principles; 2) Actions Preceding a Power System Emergency Declaration; 3) Power Emergencies-Preliminary Criteria and Process; 4) February and March 2001 Operations as Proposed by Federal Agencies; and, 5) Proposed Operational Priorities for 2001. Therese indicated that this was not going to be a normal year so it is important to decide where the priorities are. They are looking first at 1) reliability, 2) economics and 3) the biological harm to fish. Brian asked what did BPA do to predict this? Therese said that historically the good supply of water met increased loads and demand, so they didn't anticipate how inadequate the bad year would have to be in order to meet the demand. BPA is looking for comments on the "Principles" material but it will be finalized by the end of next week (3/15/01). They need to make decisions quickly; thus, the short time frame. Bob Heineth said there was a conference call on Tuesday (3/6) and a decision was made to extend the deadline for comments on the Principles to possibly the 20<sup>th</sup>, after the Coeur d'Alene meeting on 3/19/01. Therese said she would check on this so we can get this information to our Members.

Therese reviewed in detail the proposed operational priorities developed by the federal agencies for 2001. Fred indicated that the fish are contributing a lot to fix this energy and cash flow problem. Therese said that to meet the needs of the BiOp BPA has been following the criteria which is written differently than the 95 BiOp. In the 95 BiOp system reliability was the emergency provision – not economic. Bob Heinith said this is why BPA needs comments, because BPA’s financial reliability was not part of the emergency reliability, therefore the needs for fish will not be met. MMG commented that the financial conditions are jeopardizing the current programs. Brian Marotz indicated that the impacts in the cost of fish investments and the negative impacts to the fish populations/resources has not been calculated in the cost estimates provided in the financials and he is interested in how BPA is calculating this. Therese said the problem is that operations designed for fish are not meeting the power needs. So what is not shown is the cost of the fish mitigation debts in paying the bill. Therese agreed that mitigation costs are not included and will “fix that.” Bert asked if we have nothing left in 2001, how do we go into 2002. Therese said BPA has an adjustable rate based on market prices, though the problem is the economic impact of rate increases – could be 300%. The MMG asked what the consequences of going into negative cash flow would be. Therese said they would need to go to the Treasury and there could be a political consequence. So if we provide comments the regional Federal Executives will meet and make a modified recommendation. She is not sure what the plans are after that.

Bob Heinith said that CRITFC has suggested that the NMFS IT forum isn’t covering all the issues and recommended that CBFWA be the forum. Therese replied that the TMT/IT process is what is recommended in the Biological Opinion and it is important that we involve CBFWA more but not necessarily move the forum.

**ACTION:** Discussion item only, no action taken other than MMG requested Therese double check on the due date for commenting on the Principles and get back to us.

**ITEM 2: Update of the March 6 & 7<sup>th</sup> NWPPC Meeting**

Discussion:

Brian reviewed with the MMG the Fish 4 revisions to NWPPC staff recommendations for high priority projects. The Fish 4 selected three ISRP “D” rated, BPA “3” rated projects. BPA is funding \$15M, NWPPC recommended \$19M. Brian said that BPA says they are not very willing to fund the “D/3” categorized projects.

Sue expressed her concern with the ranking and asked what the rationale was. Bert said “peer ranking.” Sue felt CBFWA should provide some comment to bring what the NWPPC members did out in the open. Lynn indicated that it was a flagrant abuse of the NWPPC members power and thinks it is important to put it in writing. John stated that it was such a flagrant act that he feels it will be captured in fisheries bulletins already. Carl asked if there was no other forum to raise this issue as the NWPPC members are not even meeting their own standards. Fred felt it was ironic that in this low water year they would do this. Brian suggested that if CBFWA does want to write a letter, it should go to BPA, and in terms of funding, we should reiterate the CBFWA’s recommendations to BPA. As for the NWPPC members’ behavior, each concerned member should write the Governors of the state. Brian also encouraged the Tribes to get that message across. Fred requested that the action notes reflect a detailed discussion of our concerns.

John said that NMFS interest is CBFWA’s interest but may urge BPA to fund other NMFS high priority projects. MMG decided not to write a letter, and if John wanted to reaffirm the CBFWA priorities that would be acceptable. Mary asked about the first

two provincial review project decisions. The placeholder will fund the Gorge and Intermountain and Innovative \$2M and within-year changes. John said BPA could chose to fund the “D” projects out of the Direct Program. Lynn reiterated the importance of the Quarterly Review (meeting scheduled for 3/16), that seems to be the place where budget decisions will be made.

**ACTION:** No action was taken other than that the action notes reflect a detailed summary of the discussion.

**ITEM 3: Mt. Columbia Project Review**

**Discussion:** TI presented a summary of the project and budget comments. The Provincial Review Group sent the recommendations to the RFC and WC who reviewed the recommendations, provided a few comments, and agreed to forward this group of projects and categories to the MMG. There was some comment on the budget exercise. TI indicated that we would send this table out to the Members tomorrow for consent mail approval. We would attach the subbasin summaries and send to the NWPPC next Friday in keeping with our deadline and contract obligations. Then we would look at the budgets again and provide any revised budgets at the presentation to the NWPPC. Carl indicated that some WC members didn’t get the documents until the time of the meeting so they are unwilling to provide a recommendation and without a clear budget allowance (cap) outlined, not able to review budgets. The WC hoped to let the NWPPC know that they did not have the full information to adequately review these projects and budgets. The in lieu and crediting issue is still a problem. The crediting issue for wildlife in losses for construction and inundation need to be mitigated and should not be left out of the process for identification in the project review process, there are also opportunities to integrate wildlife mitigation in fish projects. Ron said we have a good way of reviewing projects but not the budgets, there should be budget criteria. RFC has volunteered to do this budget exercise to develop a process and criteria. Carl said that guidelines for project detail and budget source should be identified ahead of time. As to the Mountain Columbia projects, send these forward with caveats as to what we did or weren’t able to do.

- Rate of implementation that can affect budgets
- BPA responsibility for those actions
- If the funding shows itself to be insufficient can the group be allowed to alter those tasks to implement with the budget.
- Use language consistent with the last suite of project proposals.

These are not caveats; these are issues. How can we get the NWPPC to work with this group?

**ACTION:** The Mountain Columbia project recommendations were approved for forwarding to the Members for consent mail approval. In the transmittal letter, use language consistent with the last suite of project proposals.

**ITEM 4: Mainstem Rulemaking**

**Discussion:** TG asked the MMG to focus their attention on the next decision to open the Program for mainstem amendment, process and schedule. NWPPC will prepare their memo of what mainstem rulemaking is, the topics involved, and the schedule. TG asked what role the MMG wanted CBFWA to play. Do members want to respond individually or

collectively? NMFS can't take anything that is not consistent with the BiOp; but could CBFWA put together recommendations that go over and above those that meet ESA needs. Fred said the USFWS BiOp addressed many differences between resident and anadromous fish and potential resolution. So we would have to put some effort into where we can reach agreement. There is a lot of ground outside the biological opinions that we can explore. We have some operations that are reasonable and CBFWA could get behind. The MMG felt they wouldn't object to being involved. TG said staff would have to commit to do the work in 90 days, if this is a high priority to CBFWA. John said this is really an operational plan, which is how the NWPPC is viewing the mainstem solicitation. A letter is to be released by NWPPC shortly. Carl said a mainstem plan can't be done in 90 days. Brian said it may not be 90 days; it could be extended.

**ACTION:** The MMG members will engage the NWPPC members at the next meeting, after we get the material from them. Brian said we need to take what we already have in BiOps and the WE Team report and help the NWPPC move forward. Brian volunteered that he would provide comments to the NWPPC.

**ITEM 5: Office of Species Conservation**

**Discussion:** Peter Dykstra presented the terms of the analysis based on what the MMG requested them to do. The CBFWA Charter expresses membership criteria to be entities with "fish and wildlife management responsibilities" and lists membership. OSC is not a fish and wildlife management agency. It is not an agency, but an office within an office. All members are agencies, not offices within an executive branch. IDFG is a fish and wildlife management agency with none of its responsibilities relinquished to the OSC. An administrative decision to the Charter would need to be in place that describes when and where they participate – Executive Sessions? Or the Charter can be amended to allow OSC to join CBFWA, which would require a substantial rewrite of the Charter and the purpose. Brian discussed the inclusivity option to assist in a decision recommendation to the Members. Carl said there is another option that hasn't been talked about: to identify a set of participation standards for how non-members could participate in this forum. Joe reminded the MMG that a Member has to put this on the Members meeting agenda.

**ACTION:** Joe will redo the opinion letter and include the MMG suggestions for discussion at the Members Meeting.

**ITEM 6: FY 2001 CBFWA Budget**

**Discussion:** Kathie summarized her budget information and requested guidance on which over-budget requests she should reimburse.

**ACTION:** The MMG recommended paying the four lowest requests in full, then the remainder of the requests by a percentage. The MMG requested Kathie and Brian Allee bring up the need for increased funding for FY01 at the Quarterly Review, and the MMG will discuss a formal request for FY 01 additional funding at the next meeting.

**ITEM 7: Update on Members Meeting**

**Discussion:** Brian provided information on who had confirmed attendance and urged the MMG to assist in getting the policy folks to attend the meeting. He indicated that a revised agenda would be forthcoming.