



# COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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**Final**

**DATE:** July 28, 2009  
**TO:** Members Advisory Group  
**FROM:** Brian Lipscomb, Executive Director  
**SUBJECT:** Final Action Notes for the Monday, July 27, 2009 MAG Teleconference

Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

The Authority is comprised of the following tribes and fish and wildlife agencies:

- Burns Paiute Tribe
  - Coeur d'Alene Tribe
  - Confederated Salish and Kootenai Tribes of the Flathead Reservation
  - Confederated Tribes of the Colville Reservation
  - Confederated Tribes of the Umatilla Indian Reservation
  - Confederated Tribes of the Warm Springs Reservation
  - Confederated Tribes and Bands of the Yakama Nation
  - Idaho Department of Fish and Game
  - Kootenai Tribe of Idaho
  - Montana Fish, Wildlife and Parks
  - National Marine Fisheries Service
  - Nez Perce Tribe
  - Oregon Department of Fish and Wildlife
  - Shoshone-Bannock Tribes of Fort Hall
  - Shoshone-Paiute Tribes of Duck Valley
  - U.S. Fish & Wildlife Service
  - Washington Department of Fish and Wildlife
- Coordinating Agencies**
- Columbia River Inter-Tribal Fish Commission
  - Upper Columbia United Tribes
  - Compact of the Upper Snake River Tribes

**Members Advisory Group (MAG)**  
**Monday, July 27, 2009**  
**1:00 p.m. – 2:45 p.m. PDT**  
**@ CBFWA Office Portland, OR**  
[MAG Webpage](#)  
Final Action Notes

**Attendees:** Jann Eckman, Tom Iverson, Kathie Titzler Dave Ward, Neil Ward, Ken MacDonald, Patricia Burgess, CBFWA

**Phone/WebEx:** Brad Houslet, CTWS; Paul Ashley, (HEP) CBFWA; Phil Roger, CRITFC; Gary James, CTUIR; Brad Houslet, CTWS; Lance Hebdon, IDFG; Brian Marotz, MFWP; Dave Statler, NPT; Doug Taki, SBT; Carol Perugini, SPT; Ron Rhew, USFWS; Bill Tweit, WDFW

<b>Time Allocation:</b>	Objective 1: Participation	100%
	Objective 2: Technical Review	%
	Objective 3: Presentation	%

**ITEM 1: Introductions and Approve Agenda**

**Action:** The MAG approved the agenda as presented. No objections.

**ITEM 2: June 15, 2009 MAG Draft Action Notes**

**Action:** The MAG approved the June 15, 2009 action notes as final. No objections.

**ITEM 3: CBFWA FY09 Budget Update**

**Background:** At the July 1<sup>st</sup> Members meeting, the Members directed Brian Lipscomb to canvas the CBFWA Members for their RM&E participation needs by July 7<sup>th</sup> and develop a CBFWA budget for FY09 using the current budget of \$1.89M, accommodating Members' RM&E participation (working within the 500K cap set by BPA) and without altering Members' meeting/travel budgets. Brian completed the task as directed by the Members and on July 9<sup>th</sup> the Members approved the anadromous fish monitoring framework work plan and adjusted FY09 AWP budget.

**Discussion:** Tom Iverson, CBFWA, referenced the [adjusted FY09 AWP budget](#) stating that the funds for the RM&E work will come out of the CBFWA AWP budget resulting in a 6% budget reduction for FY09, as outlined on the budget spreadsheets posted for review. Tom stated that the 6% will be absorbed for this year, although how that 6% will be absorbed still needs to be discussed and decided upon. Beyond that, we are presented with the situation of how to absorb the anticipated \$350K reduction for FY 2010. Tom directed the MAG to the table in the final [anadromous fish monitoring framework work plan](#) stating that the table displays how much each member is receiving for participation in the workshops and the FTE estimates to implement the workshops. Tom Iverson advised that the process is still on track with the [timeline](#) as previously communicated.

**ITEM 4: Members Summer Meeting July 29-30, 2009 Kalispell, Montana**

Tom Iverson advised that the Members formed a subcommittee to develop an agenda and overall plan for the summer Members' meeting. The meeting will be held under an Executive Session, closed to the public, with only Members and their staff, and CBFWA staff in attendance. Meeting support materials have been forwarded to the Members and

nothing will be posted for the public to view except the [meeting notice](#).

**ITEM 5: Recruitment of Regional Habitat Evaluation Procedure (HEP) Team Coordinator Assistant**

Ken MacDonald, CBFWA, stated that within the categorical review for wildlife, the HEP project was granted an increase in funding to catch up on the backlog and to stay current with performing HEP surveys and to provide necessary information for the wildlife crediting forum. In June 2009, CBFWA staff advertised for a Regional HEP Team Coordinator Assistant and received an adequate number of applications by the close of the posting on July 15th. Ken requested at least three volunteers for a MAG subcommittee to participate in pre-interview meetings to review the applications, select candidates for the interviews, formulate interview questions, and participate in conducting the interviews. The interviews are currently scheduled for August 21<sup>st</sup> in Portland.

Dave Statler, NPT, stated that it was thought provoking to advertise for a new CBFWA related position and talk about staff reductions at the same time. Dave asked how questions that may arise in that manner would be addressed. Jann Eckman, CBFWA, replied that the HEP contract is a contract administered by Columbia Basin Fish and Wildlife Foundation (CBFWF) with separate funding from CBFWA. Tom Iverson stated that the HEP project is funded by the indirect as part of cost pool allocation. Tom further clarified that HEP is not a regional coordination project therefore funding received for HEP is not subtracted from the regional coordination funds.

MAG members interested in volunteering were directed to contact Ken MacDonald with their interest by COB Thursday, June 30th. Bill Tweit, WDFW, put forth Nate Pamplin, WDFW, as a tentative volunteer. Nate is currently on vacation but Bill will confirm Nate's participation upon his return next week.

**ITEM 6: Northwest Power and Conservation Council (Council) July Meeting – Update**

Tom Iverson advised that he did not attend the full Council meeting but gave a brief summary of items from the Council agenda:

[Wildlife Categorical Review \(F&W Committee Recommendations\)](#): The Council adopted a “not to exceed” budget that all of the projects fit into and identified what staff called “potential cost savings” i.e., if all the cost savings were realized it would roll all the projects back to status quo funding.

[Wildlife Mitigation Crediting Forum \(Council staff Decision Memo\)](#): Council staff is moving forward on assembling a charter that should come back to the F&W committee fairly soon.

[Anadromous Fish Subbasins Monitoring and Evaluation Workshops Briefing](#): Council staff provided an update on the workshops and there was an expression of support by the Council, CBFWA, and BPA.

[PNAMP Update and 2009 Priorities](#): Jen Bayer, PNAMP Coordinator, provided a fairly high level presentation on PNAMP and an overview of their 2009 priorities.

[Quarterly Review](#): Council staff reviewed the schedule and timeframe associated with the Within-year Project Funding Adjustments.

**ITEM 7: ISAB/ISRP Tagging Report Recommendations**

**Background:** ISRP/ISAB released their report ISRP/ISAB 2009-1 [A comprehensive review of Columbia River Basin fish tagging technologies and programs](#) in March 2009. At the Council meeting in June, Jim Ruff, Council, Manager, Mainstem Passage and River provided a memo to the Council Members on Council staff's [Management Recommendations from the ISRP/ISAB's Tagging Report #2009-1](#).

At the June MAG meeting, Fish Passage Advisory Committee (FPAC) and the CSS Oversight Committee were directed to review the ISAB/ISRP 2009-1 report, and the Council staff recommendations, and report their findings to the MAG.

- The [CSS Oversight Committee comments](#) were distributed to the MAG via email

on July 10<sup>th</sup>.

- The [FPAC comments](#) were distributed to the MAG via email on July 20<sup>th</sup>.

Follow up on this issue will not be on the Council August agenda as originally expected but instead is planned for their September meeting.

**Discussion:** Dave Ward, CBFWA, stated that the gist of the FPAC/CSS comments is that overall the report provides a good comprehensive overview of current tagging practices and technologies; however, the committees provided some feedback on some issues that the Members may want to consider for comments to the Council. A draft comment letter could be reviewed by the MAG at the August 17<sup>th</sup> meeting for recommendation for Members' review and approval at the Members' September meeting.

**Action:** The MAG directed staff to initiate a draft letter of response using the CSS Oversight Committee and FPAC comments relative to the ISAB/ISRP report for review by the MAG at the August meeting and consideration by the Members at their September meeting.

**Motion Discussion:** Dave Statler expressed that the suggestion to postpone specific actions relative to this until the RM&E regional direction is in place is a good idea. Dave Ward advised that he will send the draft letter out to the MAG the week of August 3<sup>rd</sup> providing time for MAG review prior to the August 17<sup>th</sup> meeting. The motion passed without objection.

#### **ITEM 8: Mitchell Act Funding**

**Background:** In January 2009, the Members assigned the MAG to work with the Fish Screening Oversight Committee (FSOC) to define what full funding would be for fish screening and establish a funding strategy for Members review.

At the May MAG meeting, Dave Ward provided a [memo from FSOC dated May 14, 2009](#) with estimates for FY 2010 full annual funding needs for Idaho, Washington, and Oregon. In addition, at that May meeting, Ray Hartlerode, FSOC Chair, provided a historic overview on Mitchell Act funding for screens and requested the MAG's assistance to develop strategies to seek funding. NOAA, a key participant for the discussion, was not in attendance. The MAG requested that FSOC: 1) garner additional information about what is/is not in the 2010 budget and for the longer term, and 2) advise of an appropriate contact at NOAA with specific knowledge on this subject for CBFWA staff to provide a presentation to the MAG.

**Discussion:** Dave Ward advised that at the July 23<sup>rd</sup> FSOC meeting, Rob Jones, NOAA, provided an update on Mitchell Act funding to the FSOC members. Dave presented [a memo to the MAG from FSOC dated July 24, 2009](#) providing a summary of Rob Jones' briefing and FSOC discussion.

The MAG briefly discussed the scope of the use of the Mitchell Act funds and cited that the funds are not used for resident fish, only anadromous fish. Dave Statler, NPT, expressed concern with efforts toward benefiting one species but not another and asked that with regard to trying to do fish management for all species in dire straights including Pacific lamprey, what do we do? Should there be a new paradigm on how we approach the issue of anadromous passage to include salmonids and non-salmonids? Lance Hebdon, IDFG, asked Dave Statler if he was suggesting that screening requirements for lamprey be explored through the FSOC? Dave replied yes and at the very least a dual mission could be to do an analysis of how that would impact the passage of Pacific lamprey, juvenile or adults, and strive for at the least a neutral impact.

Dave Ward stated that there is concern that we really don't know enough about how well lamprey can handle screens built per NOAA criteria but there is a study starting up this year initiated by USGS, with seed money provided by USFWS and commitments for further funding from various other sources. The study will look at how lamprey do with screens based on NOAA criteria. They will be looking at number of different screens in the lab and in the field.

In conclusion, Dave Statler stated that no matter what happens in the funding arena, the need remains to identify the physical attributes for Pacific lamprey protection. The

Lamprey Technical Work Group (LTWG) was advised at one time of the need for this information and that is in addition to the USFWS efforts so we have technical experts looking at this concurrently. We are going to need that information regardless of the time it takes.

**ITEM 9: Fisheries Restoration and Irrigation Mitigation Act (FRIMA)**

**Background:** At the May MAG meeting, Dave Ward and Ray Hartlerode, FSOC Chair, provided an overview and update advising that FRIMA has been reauthorized under the Omnibus Public Land Management Act of 2009 but funding has not been allocated.

**Discussion:** Dave Ward presented a [FRIMA Letter](#) drafted by FSOC for consideration by the MAG for forwarding to the Members for their approval in supporting the appropriation of \$25M. Dave Ward stated that \$25M is the original full amount that could potentially be authorized. According to FSOC, the most that has been spent per year is about \$4M but if enough was authorized they could easily get \$10M on the ground in any given year, especially with the current language in FRIMA that allows for BPA funds to be used for cost share.

Dave Ward stated that FRIMA is not limited to anadromous salmonids and the letter is purposely written so it can be used for screening of resident fish, lamprey, adult and juvenile salmonids, with the appropriate cost share in the four northwestern states. Lance Hebdon added that the program is broad and as long as it is irrigation diversion and native fish species then it is potentially eligible, with the diversion owner required to pony up funds. Lance stated that initially it was restricted to the Columbia Basin but that may have been broadened.

The USFWS and NOAA would abstain from the letter and an abstention footnote is included in the letter.

**Action:** The MAG directed that the letter as presented be forwarded for Members' consideration.

**Motion Discussion:** Dave Statler, NPT, that this letter will be of interest and value to send to the Members for consideration but the NPT will probably be looking closer at CBFWA actions that would not constitute or perhaps don't have the hope of constituting a consensus action by its Members without abstentions. Dave's statement was noted by Chairman Houslet.

Ron Rhew, USFWS, stated that Dan Diggs or Mark Bagdovitz of USFWS would have to abstain because this appears to be sort of lobbying and USFWS staff are restricted from doing any lobbying. Chairman Houslet asked if the MAG felt this was lobbying. It was decided the Members would make that determination. Tom Iverson added that this issue speaks to federal budgets and federal agencies are typically directed to not comment on such matters.

Lance Hebdon stated that he would like to look at the scope of FRIMA to see if it has been expanded outside of the Basin. Dave Ward confirmed that he will confirm the scope and will communicate that information to the Members when presenting the letter for approval. Lance stated his agreement with that course of action.

Ron Rhew, USFWS, did not abstain from the motion to move the letter forward to the Members. A representative from NOAA was not in attendance. No objections.

**Upcoming Meetings:**  
(Updated after Members' Summer meeting):

**Members Summer Face-to-Face Meeting:** July 29-30<sup>th</sup> in Kalispell, MT

**Members August Meeting:** ~~Wed, August 5<sup>th</sup>, 1-4pm (via WebEx)~~ Cancelled

**MAG August Meeting:** Mon, August 17<sup>th</sup>, 1-4pm (via WebEx)

**Members September Meeting:** Wed, September 2, 2009, 1-4pm (via WebEx)

**CBFWA Members Policy Level Meeting:** Thursday, October 29, 2009 *Details TBA*

**Council Meeting(s):** August 11-13<sup>th</sup> in Spokane, WA, September 9-10<sup>th</sup> in Astoria, OR

**Council Columbia River Estuary Science Policy Exchange:** September 10-11<sup>th</sup> in Astoria, OR

*Meeting adjourned.*