



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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Final

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

DATE: October 18, 2010
TO: Members of Columbia Basin Fish & Wildlife Authority (CBFWA)
FROM: Chairman Rob Walton, CBFWA
SUBJECT: Final Action Notes for the September 28, 2010 Members Meeting

The Authority is comprised of the following tribes and government agencies:

Burns Paiute Tribe

Confederated Salish and Kootenai Tribes of the Flathead 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 & 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

Compact of the Upper Snake River Tribes

CBFWA Face-to-Face Members Meeting Tuesday, September 28, 2010 10:00 a.m. – 3:00 p.m. (PDT)

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CBFWA Office
851 SW 6th Ave., Ste. 300
Portland, OR 97239

[Members Webpage](#)

[Final Action Notes](#)

Attendees: CBFWA Chairman Rob Walton, NOAA Fisheries & CBFWA Vice Chairman Nathan Small, SBT; Jason Kesling, BPT; John Platt, CRITFC; Lynn DuCharme, CSKT; Gary James & Carl Scheeler, CTUIR; Elmer Ward & Brad Houslet, CTWS; Deputy Director Jim Unsworth, IDFG; Dave Statler, NPT; Elizabeth Gaar, NOAA Fisheries; Tony Nigro, ODFW; Claude Broncho, SBT; Tribal Council Lynneil Brady & Carol Perugini, SPT; Mark Bagdovitz, USFWS; and Executive Director Heather Ray, USRT
CBFWA Staff: Jann Eckman, Tom Iverson, Neil Ward, Dave Ward, and Trina Gerlack

WebEx - Phone: Deputy Director Art Noonan, MFWP

Members Not Present: Kootenai Tribe of Idaho; Confederated Tribes and Bands of the Yakama Nation; and Washington Department of Fish & Wildlife

Time Allocation:

Objective 1. Committee Participation	100%
Objective 2. Technical Review	%
Objective 3. Presentation	%

Welcome and Opening Remarks by Chairman Rob Walton, CBFWA

Invocation by Claude Broncho, SBT

ITEM 1: Introductions, Roll Call, and Approve Agenda

Discussion: Chairman Walton stated that there were two parts to today's agenda: The first part is a discussion of the short term regional coordination strategy beginning April 1, 2011 through December 2011 which includes reviewing and approving the proposed CBFWA FY11 work plan and budget for the CBFWA decision makers' consideration. If this action passes, the organization should be on track for FY 2011, and the process for decommissioning the organization will be avoided.

The second part of the agenda is not an action item, but a preliminary discussion of potential long term regional coordination strategies and options for the role of the CBFWA organization in the region; and a discussion of each tribe, federal and state agencies' needs as it relates to the F&W Program for FY 2012 and beyond. The outcome of the meeting is to begin a discussion that can be continued within each agency and tribe for their consideration and future decision.

On 9/8/2010, Chairman Walton and the Members Planning Committee recommended the proposed CBFWA FY11 work plan & adjusted budget which reflects: 1) the re-allocation of regional coordination funds for the Oregon Department of Fish & Wildlife and Washington Department of Fish & Wildlife away from CBFWA, and 2) not filling the

vacant CBFWA executive director position until further notice. They agreed that Interim Director Jann Eckman is experienced and capable of filling the role of executive director until the organization's future is sorted out.

Chairman Walton noted that the FY11 CBFWA proposed work plan and balanced budget should go forward without controversy today, because it supports and continues the Policy Directives approved in the [FY 2010-11 CBFWA work plan](#). The organization is also in an interim state, and approving this work plan will provide the necessary stability to support the long term discussion. The NPCC's Categorical Review process will include the data management and regional coordination elements of the F&W Program. The future of CBFWA is closely related to those decisions and the dates initiating that process have not yet been set.

Action: A quorum was confirmed and the Members approved the agenda as written. No objections.

ITEM 2: Approve as Final Draft Action Notes for August 17, 2010 Members Executive Session and September 8, 2010 Members Planning Committee Meeting

Action: The Members approved the [action notes for 8/17/2010 Members Executive Session Teleconference](#) and [action notes for the 9/8/2010 Members Planning Committee Meeting](#) as final. No objections.

ITEM 3: Draft 2011 CBFWA Work Plan and Balanced Budget

- Review Policy Directives and Deliverables for FY 2010
- Explain 2011 CBFWA Work Plan and Budget beginning April 1, 2011
- Review and approve the FY 2011 CBFWA work plan and balanced budget
- Request Members' commitment and obtain signatures by November 15, 2010.

Discussion: Chairman Walton listed the current membership status in the proposed work plan. He requested a candid discussion on the value of the work plan as it relates to the F&W Program, the fish and wildlife resources, individual Members and what they want to accomplish in 2011. The fish & wildlife managers are in the process of developing data assessments and protocols for accessing the status of fish and wildlife resources in the Columbia River Basin.

The Members reviewed the summary and [presentation of the proposed 2011 CBFWA work plan and balanced budget](#) which included an overview of policy directives and deliverables for FY10. The workplan carries forward the Policy Directives that were adopted in February for the 2010 work plan. Many of the activities being implemented will carry into FY 2011 and this proposal focused primarily on those technical level products. With the loss of WDFW and ODFW contributions, CBFWA staff was able to balance the budget by proposing to not fill the Executive Director position until the long term future of CBFWA has been defined.

Vice Chair Nathan Small, SBT, shared that the Upper Snake River Tribes (USRT) have not fully considered what their allocation of BPA's regional coordination funding will be for FY2011. They are discussing how they will participate in the CBFWA organization past April 1, 2011. The USRT tribes should have a decision on their funding allocation by November 15, 2010.

The question was asked if non-members can participate in the activities of the organization. Currently, the [CBFWA Charter](#) stipulates that Members pay annual dues, however nonmembers can participate in CBFWA meetings with the exception that Members executive sessions are not open to nonmembers. CBFWA staff responded to clarify that participation by non-CBFWA members has been strongly encouraged to build products that can best support decision making in the Columbia River Basin by CBFWA members and non-members alike. The CBFWA website will be updated to be more user friendly in locating past and future information relating to data sharing and basinwide monitoring strategies.

The Members generally supported the short term strategy and proposed FY 2011 CBFWA

work plan and balanced budget. They agreed to take the work plan and budget back to the decision makers at their agency or Tribe for review and approval. The CBFWA Member's policy decision is due by November 15, 2010 and the final CBFWA work plan and budget is due to BPA by January 1, 2011.

Action: The Members approved the [Draft FY 2011 CBFWA Work Plan and Budget](#) to forward to the agencies' and Tribes' governing bodies for confirmation and signature by November 15, 2010. CBFWA staff support is available to answer questions and/or adjust the work plan, signature page, and budget. No objections. Vice Chair Nathan Small, Shoshone-Bannock Tribes of Fort Hall and Tony Nigro, Oregon Department of Fish & Wildlife abstain. If significant budget modifications are required, they will be discussed on a Member's conference call in November.

12:00-12:30pm *Working Lunch*

ITEM 4: Long-term Regional Coordination Strategy through the CBFWA Forum or Other Alternative

- Discuss the history of the development of CBFWA and the primary functions it has served the Members in the past.
- Discuss regional coordination, principals, and funding for the Council's categorical review as described in the 2009 Fish & Wildlife Program.
- Discuss Potential Options for CBFWA's Future:
 1. Continue CBFWA with partial participation by agencies and tribes (Status Quo).
 2. Continue CBFWA with no BPA funding, relying on Member's contributions; allocate BPA funding directly to each agency and tribe.
 3. Establish a technical services cooperative forum/function only, and eliminate policy role (CBFWA Charter/Membership no longer necessary).
 4. Separate out the technical functions that CBFWA provides for the Program from the policy functions that CBFWA provides for the Members and create two separate projects.
 5. Others?

Discussion: Chairman Walton reviewed [Section VIII of the 2009 NPCC Fish & Wildlife Program regarding Program Coordination](#) and how the Fish and Wildlife Program benefits from the coordinated efforts of many groups, organizations, and committees to implement the Program on an ongoing basis. The CBFWA work plan and directives are directly related to supporting the Council's Program. Due to budget issues and individual priorities, fish & wildlife managers are participating in different forums. When the NPCC initiates the Categorical Review of coordination and data management; the CBFWA members need to consider what the best way is to coordinate the activities, strategies, data information, and ongoing efforts. What questions do the fish & wildlife managers want asked and answered when the NPCC releases the Categorical Review to the public? What are the appropriate tasks and components for coordination in the region? Can the region define coordination and products that \$2.5M would fund?

Chairman Walton provided a summary of the long term regional coordination options for the organization's direction as listed above. 1) CBFWA remains as status quo. 2) All Members contract directly with BPA for funding and make individual contributions to fund CBFWA. 3) Establish a technical services cooperative and eliminate the policy role. 4) Separate the technical functions provided for support of the Program from the Policy functions provided for the Members into two distinct projects.

Over the long term what do the fish and wildlife managers and decision makers value in the organization? Should the membership maintain the status quo or divide policy functions and technical work being managed by the organization? At this time the CBFWA work plan is orientated to technical services to support the 2009 Fish and Wildlife Program. The

federal agencies need coordination to receive good tracking information for recovery. He referenced the [White Paper created by Joe Mentor defining the Authority of the Fish and Wildlife Managers Under the Northwest Power Act](#) as an example of policy positions that CBFWA can take.

John Platt, CRITFC provided the background history of how the [Northwest Power Act](#) went through three Congresses before being passed in 1980 and described the efforts made to mandate the water management agencies to consult with fish & wildlife agencies, states, and Tribes in the Columbia River basin on any actions related to fish, wildlife, and habitat issues. The Columbia Basin Fish & Wildlife Authority organization was formed as a policy table for fish and wildlife managers to discuss land management, fish and wildlife issues, regulation, restoration, and mitigation established in the Regional Power Act. If the policy and technical roles split, the fish, wildlife, and habitat in the basin will suffer. What is important for the resource? How committed are the fish and wildlife managers in the region to recovery?

Based on the discussion, it appears that most Members are in favor of continuing the CBFWA organization with the remaining Membership's participation respecting the founding principles of the organization. The group acknowledges the value of the unified voice of all fish and wildlife managers for the success of the resource decisions. In an effort to repair the stigma related to the CBFWA name and dissatisfaction dividing the organization, some of the Members asked for guidance from the Members who are frustrated or have given notice to leave the organization. A motion was put on the table to go into executive session to discuss those details, but there was an objection to that motion. The interested parties agreed to meet individually to discuss the details.

Some of the points made during the discussion were: 1) stronger commitment and communication, 2) efficient agendas, 3) stop the wheel spinning, 4) stop the redundancy, 5) avoid combat biology, and 6) downsize staff and operating costs. Some of these issues were addressed in the changes defined in CBFWA FY 2010-11 work plan and budget. The policy directives define all products and policy. What is lacking is a facilitated forum for all fish and wildlife managers in the region. It was pointed out that the agendas for future meetings will determine the meeting attendance.

Based on the discussion, it appears that most of the Members do not support splitting the policy functions and technical functions being managed by the organization. They agreed that the policy role of CBFWA is valuable and should be maintained with the ongoing technical work being done by the organization. The policy function may be inactive now, but future work on the Rate Case, BiOp check-in and Program Amendments could activate the policy forum. They agreed that the CBFWA forum has changed and will spend the next year adapting and deciding the best way to govern it. In the end, everyone agreed their responsibility is to the resource.

Jann Eckman added that it is important for the membership to define the table for the organization's future. Jann has been with the CBFWA for 23 years and is the [historian of the organization](#). She believes in the table and organization and agrees it is healthy for an organization to change and adapt according to the landscape.

Next Meeting:

The next meeting date will be scheduled pending policy review and decision of the draft FY11 CBFWA work plan and budget and Tony Grover's announcement of the [NPCC Categorical Review schedule](#). Some of the potential agenda items are: CBFWA Charter revision, long term regional coordination strategy and options, and CBFWA's satisfaction survey to fulfill the BPA contractual requirement by March 31, 2011.

ITEM 5:

Other Business

The CBFWA Office business hours of operation are Monday through Friday 8:00am to 5:00pm.

NPCC Meetings:

Council Meetings: Oct 13-14, Portland, Nov 9-10, Portland, Dec 14-16, Portland