

FISH PASSAGE CENTER OVERSIGHT BOARD
Meeting Notes for March 8, 2010 – Portland, Oregon

Present: Jeff Allen, Kerry Berg, Michele DeHart, Dan Goodman, Tony Grover, Paul Kline, Brian Lipscomb, Bruce Measure, Erik Merrill, Karl Weist. On the Phone: John Ferguson, Sue Ireland, Tony Nigro, Jim Ruff,

Chairman Bruce Measure called the meeting of the Fish Passage Center Oversight Board to order at 1:35 p.m.

Measure introduced Paul Kline, noting that Kline is scheduled to be confirmed by the Council as an FPC Oversight Board member on March 9. He explained that in forming the board, the Council asked for considerable participation around the region, with representation from the lower river tribes, upper river tribes, and state sovereigns. Oregon shares a seat with Washington, and Idaho shares a seat with Montana. Kline, who is from Idaho, will replace Brian Marotz of Montana.

Measure said on the agenda for the meeting is a report from Dr. Richard Alldredge regarding the Independent Scientific Advisory Board's (ISAB) review of FPC products and a proposal for conducting future reviews. The issue of peer review of FPC products "has been batted back and forth" for some time and has attracted much interest, Measure said. Today, we will get input from the ISAB, he stated.

ISAB Scoping Review of FPC Products

Allredge, a professor of statistics at Washington State University, said the ISAB's assignment was to respond to a 2009 amendment to the Council's Fish and Wildlife Program that calls for organizing a system of ISAB review for FPC analytical products. The FPC Oversight Board asked the ISAB to look at the 2008 FPC and Comparative Survival Study (CSS) annual reports, and based on the review, to make recommendations on how to organize a useful regular review of FPC products. In making the presentation, Allredge said he represented the 12-member ISAB.

The ISAB has a long history of reviewing FPC and CSS products, he continued. For me, the current project was "a fascinating experience," because I had never before read the annual reports from cover to cover. There is a lot of outstanding material and information in them, he said.

Because of ISAB time limitations, we did not do an in-depth review of recent FPC and CSS annual reports, Allredge explained. We considered how to organize a regular review and make suggestions to the FPC, he said, adding that the ISAB recommendations "are not demands" and are meant to be constructive.

Allredge said the general questions for the ISAB were: What FPC products should be reviewed regularly? What types of within-year analyses could benefit from review? How should these reviews be structured? Are data collection protocols, methods of analysis,

and reporting of results satisfactory? What modifications or additions to existing FPC products would benefit the Columbia River Basin Fish and Wildlife Program?

In general, Alldredge said, an ISAB review of some FPC products would be beneficial to the program. He also noted that such review could require substantial ISAB time. Alldredge said the ISAB would want the review to be “an iterative discussion” so it remains robust and responsive to changing times and roles.

Allredge laid out review alternatives for FPC products:

- Status quo: ISRP reviews project proposals on a 3-to-5-year cycle; conducts retrospective reviews and specific technical analysis.
- Regular annual review of parts of the annual reports, including technical memos.
- Periodic review of selected technical memos in draft or recently completed form.
- Regular review of all scientific technical products.

The ISAB determined that some combination of these alternatives would be appropriate, he said.

The ISAB then looked at what part of the FPC annual report would be amenable to review, Alldredge said, noting that for this purpose, the 2008 report was used.

- Water supply: no review necessary; we didn't see a way to improve it with review.
- Spill management: no review, but some referenced papers may be reviewed.
- Smolt monitoring and adult fish passage: yes, these would warrant review. They have enough interpretation and analysis that they should be reviewed on a regular basis.
- Hatchery releases: no review.
- Appendices A&I: selected reviews of these.

The review of these chapters would be based on criteria the ISAB puts forward, and the criteria would also be used for other areas, he explained.

We looked at the CSS material that is amenable to review, Alldredge continued. We found nearly all parts of the CSS annual report contain material that is appropriate for scientific review, he said. Many CSS products could be reviewed as part of the FPC memoranda reviews, Alldredge said.

He reported the following ISAB recommendations:

1. Scientific review by the ISAB is recommended only for selected FPC products. Review for administrative, oversight, or an editorial purpose is not appropriate.
2. Products should be considered for review when new analyses are introduced, when new conditions or data bring old analyses into question, and when consensus cannot be reached in the region on the science involved in the product. Memoranda in response to special inquiries and technical letters are often appropriate for review consideration.

3. Products that warrant review could be identified by any combination of the FPC Oversight Board, the FPC staff, the ISAB Administrative Oversight Panel, and the ISAB.
4. When possible, ISAB reviews would be conducted during the public response period following release of the draft FPC and CSS annual reports.
5. Council staff and ISAB Ex Officio member Jim Ruff will serve as the ISAB liaison to the FPC and FPC Oversight Board to facilitate timely reviews as required throughout the year.
6. For each review, an ISAB subgroup will be selected from the full Board based on areas of expertise and availability.
7. ISAB review comments should be linked to the corresponding FPC product on the FPC web site and the ISAB web site.

Measure said many things the ISAB pointed out in its recommendations are things the FPC Oversight Board has discussed.

John Ferguson said he appreciated the ISAB's time and attention to the request. Your recommendations encapsulate many of the discussion topics we've plowed through, he said. My conclusion is the recommendations are on track. Ferguson called the ISAB's work "a good starting point." We should proceed from here, he stated.

Measure said he liked recommendation 7, which would give people the ability to cross-reference an FPC report and any reviews and criticism. I think that is an important feature of what you've presented, and I am favorably disposed to it, he said.

It would be no problem to provide that, Michele DeHart said. We just need to get the documents and post them, she said. DeHart said FPC was thinking it would respond to the long set of comments the ISAB made on the FPC and CSS annual reports. Our response would make it clear what we can and what we can't address. I think that would be a helpful next step, she stated.

Ferguson asked if the FPC would send the responses by email. DeHart said the ISAB report is on the Council's web page. The FPC will respond to the report, and post both the report and responses together on its website.

Tony Nigro asked to clarify the recommendation for how an ISAB review would be requested. If I understand this correctly, the FPC, FPC Oversight Board, ISAB or ISAB Administrative Oversight Panel could request an FPC product be reviewed by the ISAB on a case-by-case basis. If the review is approved, the review would go forward and the results would be posted on the FPC website. Is that the process? he asked.

Allredge said that was correct. Any request for review could come from any involved party and then the question is whether that review is appropriate, he said, adding that the ISAB "could err" on the side of reviewing a product promptly.

Nigro asked if the ISAB's recommendation 3 identifies the people who could, in its assessment, call for a review: the FPC Oversight Board, FPC staff, ISAB Administrative Oversight Panel, and ISAB.

I assume we should discuss whether that is a limitation on who could request a review, Measure said.

Allredge responded that the ISAB recommendation was not meant to be exclusive. But these are the most interested parties, he said.

What was the discussion at the ISAB with regard to recommendation 4, having ISAB reviews be conducted during the public response period following release of an FPC or CSS draft annual report? Kerry Berg asked.

Allredge said the ISAB discussion focused on technical memoranda that would be time sensitive in terms of a review. Questions that are less time sensitive could be done during the 45-day response period, he said.

I am thinking ahead to the mechanics with recommendation 3, Ferguson said. If the FPC Oversight Board or someone else comes up with the idea to have a memorandum reviewed, how do we get that request to the ISAB? Who is "the gatekeeper" on the volume of review products? he asked. Do we queue up a request with Jim Ruff to pass it along to other board members? And if we collectively think a request is a good idea, does Jim take it to the ISAB? What is the thinking about the mechanics? Ferguson asked.

Those suggestions are good, and it's up to us to come up with the mechanics, Measure said. I agree, Berg said. We can take this recommendation, and the FPC Oversight Board can figure out the details. Since this just came out, I am hoping when we meet next, we'll have a few options to consider, he added.

Allredge pointed out that a limiting factor at times for the reviews will be "what's possible." I was envisioning a selective review of CSS could be done within 45 days, but not a review of the whole CSS, he said.

Nigro suggested Berg, Ruff, and DeHart work with Erik Merrill to convert the recommendations into protocols regarding how a review request would be made, who would make it, what criteria would be used to decide, and so forth.

Measure asked if there were any objections to the suggestion, and no one offered any. He assigned Berg, Ruff, and DeHart to put together a set of protocol recommendations for the next Oversight Board meeting.

Berg asked if the list of potential requestors should be limited to what is in recommendation 3. Are there others? he asked. Let's change the language to allow others, Measure responded.

Let's be fairly selective, Nigro suggested. There are lots of parties who would want to subject things to review, he said. There has to be a gate-keeping mechanism "that respects the time of the ISAB," he said.

We have to be open to the entire region, but you are right about gate-keeping, Measure said. That probably comes down to the Oversight Board and the ISAB itself, he added.

This process doesn't preclude other reviews of our work, DeHart commented. FPC will sometimes get review comments about a product, and we'll respond and post them, she said. We get comments from NOAA, consultants, and others, she said, adding that anyone can provide FPC review comments, and "we are obligated to respond."

Measure thanked the ISAB for taking the time to put together its recommendation. It will be a helpful tool, he said.

Other Business

Berg explained that when the FPC Oversight Board was reactivated, it included a slot for the lower river tribes. They initially declined to participate, but it has been a couple of years, and they have a new director, he said. Would it be appropriate for us to send another letter and seek their participation? Berg asked.

Unless there are objections, we should extend that request, Measure said. There were no objections stated.

Measure pointed out a letter from the Pacific States Marine Fisheries Commission, which contains a favorable report on the FPC director and operation. Much of the controversy surrounding the products put out by the FPC has died down, he said. That was our objective, so I am happy to see that, Measure said. He suggested inviting the PSMFC director to an Oversight Board meeting to discuss his role in evaluating the FPC. Nigro said he agreed with the idea.

Tony Grover commented that he was impressed with the FPC and the Oversight Board and with the ISAB's "constructive engagement." We've crossed a divide and are working better together, he said.

The meeting adjourned at 2:20 p.m.