

FISH PASSAGE CENTER OVERSIGHT BOARD
Meeting Minutes for December 13, 2010 – Portland, Oregon

Participants at the Council's office and by phone: Bruce Measure, Kerry Berg, Michele Dehart, Jim Ruff, Erik Merrill, Tom Iverson, Jann Eckman, Richie Graves, Tony Nigro, Doug Taki, Steve Crow, Toni Grover, Sue Ireland, Karl Weist, and Paul Kline.

Fish Passage Center Oversight Board (FPCOB) chairman Bruce Measure called the meeting to order at 1:35 p.m. and asked for a round of introductions. He asked for the agenda item on Fish Passage Center accomplishments to be first so more members would be present for adopting guidelines for reviewing FPC products.

Michele DeHart said she had put together a brief presentation based on a full report that will be available at the end of December. She provided an overview of the FPC activities with regard to environmental compliance, which "is our first responsibility." The FPC was successful in getting all of the needed federal Endangered Species Act and state permits for smolt monitoring and the Comparative Survival Study (CSS), she said. DeHart noted the monitoring site determines which state issues the permit.

Sue Ireland asked whether the tribes have to have permits for the fish handling. DeHart said they did not; NOAA decided it would be most efficient to let the FPC apply for permits to cover everything. It has been that way since the first ESA listing, and "it seems to work" – we keep track of the permits, she said.

DeHart described the smolt monitoring activities, including design and implementation of the monitoring program, coordination with the Corps of Engineers, and completing the ESA sampling application and reporting. We had new things this year with smolt monitoring, she said, describing the fish condition monitoring and the use of touch screen technology. We have been asked to include lamprey in the monitoring next year, so we are rewriting our protocol to do that, DeHart said.

We were successful with our water quality monitoring and the annual gas bubble trauma (GBT) monitoring and reporting, she continued. We submit the GBT reports to NOAA, DeHart said.

This is the first year we held an annual review on the CSS, she said. The FPC got lots of good feedback and we will continue to have the reviews, the next of which is April 7, DeHart said. She highlighted additions made to the study in 2010, such as including more stocks and hatcheries.

DeHart said the FPC has gotten lots of questions about CSS marking and tagging and has tried hard to coordinate with other tagging efforts. We have coordinated with the Lower Snake River Compensation Plan marking, and we can now include fish from those groups into the CSS, she added. The coordination gives us a way to get double use out of the tagging programs, DeHart said. We've added enough mark groups that we can analyze adult returns, and we look at other mark groups to see if they are appropriate for the CSS analysis, she said. "We are trying to get the most mileage we can" out of the PIT tags used in the basin, DeHart added.

Karl Weist asked if other programs are using CSS marked fish for their purposes. DeHart said they were.

One of the FPC's main purposes is to give assistance and information to fish and wildlife managers at agencies and tribes, she went on. DeHart presented statistics about how this support was provided. She gave details on the areas of assistance, noting that the FPC had written software for the Nez Perce tribe and helped them to use it. We participated in various Corps passage and delayed mortality groups, and we had 31 separate requests for data analysis, DeHart reported.

The use of the FPC website increased this year over 2009. Most hits were from within the United States, but there were also international inquiries, she said. We had over 329,000 data downloads, DeHart added. The pattern of use was similar to that in past years, she said.

The FPC website is constantly under construction – we add things to it regularly, DeHart said. She gave details about the additions, which include a map query, where one can find historical and current hatchery release information. DeHart went on to list other improvements and additions to the website, including a fish-condition/descaling percentage graph. We now have an offsite data backup system for data security for the entire FPC system, she reported.

In summary, we met all of our contracts and deadlines and conducted inspections of ladders at the dams, she said. In 2010, we did a total of 90 adult facilities inspections, DeHart wrapped up. Everything is going really well, she stated.

You have been really busy and added a lot of new things this year, Measure commented. It sounds like you found the review of your reports very helpful, he said.

We have a long-time relationship with the Independent Scientific Advisory Board (ISAB), DeHart responded. This is the first year they reviewed our annual report, and it was very helpful. Their review made it more understandable for everyday readers, she added.

And you have broadened the scale of things you are doing, Measure said. We have tried to make it easier for people to access raw data, DeHart said. That has always been our goal, and now we are doing it, she added.

Toni Grover noted that the FPC has helped Nancy Leonard (Council staff) with work on the high-level indicators.

Guidelines for Independent ISAB Review of FPC Products

Measure noted that the guidelines for ISAB review of FPC products have been on the oversight board's agenda for three meetings. At our last meeting, we ended the period for taking comments, and in a subsequent vote, the outcome was 4 to 3 to adopt the guidelines, he said. There are a few changes to the guidelines to review, including a change from Dan Goodman. He could not be here, so he asked Kerry Berg to be his proxy on the changes, Measure said. Tony Nigro made other proposed changes, Measure said.

Kerry Berg noted that the guidelines sent to the FPC members are the latest version. Since the vote, other changes have been proposed, he said. Berg went over the language changes proposed by Dan Goodman.

Nigro said he had outlined a couple of changes in a memo to Measure. He proposed that language be added to give the FPCOB a greater role as “the gatekeeper” with regard to FPC products the ISAB executive committee proposes to review. I’d like to see the FPCOB define a role for itself in this, he said. Nigro suggested the FPCOB chairman and FPC director could go through any list of products proposed by the ISAB executive committee and respond to it. We could let them know more about how we want to sit down and work with them, including scheduling work in such a way that it fits with the FPC workload, he said. As the language stands, we don’t have a way to provide the ISAB feedback about workload and that’s a major concern. I would like to see some language added to the guidelines if others share my concern to keep us in more of gatekeeper role, Nigro said.

I would also like to see language that directs the FPC director to report on the amount of staff time spent to respond the reviews so we know how much they impact the FPC workload, he said. This would tell us whether we should review the review procedures, Nigro added.

Measure said he was not too concerned about having “a hard trigger” for the ISAB review. “I’m perfectly happy letting them perform that function working with Michele,” he said. I’m not a scientist and I would be more comfortable with Jim Ruff and Michele talking to the scientists, Measure said.

Michele’s presentation demonstrates that things are more collaborative and transparent than they were in the past, Measure continued. Unless there is a specific language proposal, I’m inclined to go forward. We can go back later and change things if needed, Measure added.

Since we review the Council’s fish and wildlife program every few years, we could review these guidelines, too, Doug Taki said. Paul Kline said the FPCOB needs time to see if the guidelines work. We can fix the language after some experience to see how it works, he stated.

Ireland and Richie Graves said they concurred.

DeHart said she didn’t have an opinion on the guidelines and had stayed out of the review process. There is the reality that it takes time to respond to the ISAB reviews, and we are now responding to the CSS and annual report comments, she said. It takes a lot of staff time, for example, if the ISAB wants to review 10 things; “there’s a tipping point,” DeHart stated. I don’t know where it is, she added.

What is the likelihood of that happening? Ireland asked. The ISAB can decide what they want to review, so it depends on them, DeHart responded. The annual report will be reviewed, and we will respond to those comments; we know that is going to happen.

The “take-away” here is we have to be mindful of how much time it imposes on your staff, Measure clarified. Unless you tell me something different, the review of our annual report is a top priority, DeHart responded. I think that is correct, Measure replied.

Let’s have Michele keep specific records on the time spent responding to ISAB reviews, Nigro suggested. That’s consistent with what others have said – “we’ll test drive the guidelines and see what kind of mileage we get,” Measure responded.

Nigro suggested if the ISAB wants to review an FPC product, the ISAB could notify the FPCOB too.

Measure asked the oversight board members whether the guidelines should include an FPCOB response to the ISAB’s notice of intent to review an FPC document. Would “we tread on the toes” of the ISAB as an independent body? he asked.

Eric Merrill said he didn’t see a problem in that regard. But such language would set it up so the FPCOB would be approving assignments. We could go that direction, he added.

Nigro said he was not suggesting the FPCOB approve or disapprove the ISAB’s list of products it intends to review. My proposal is to have the FPCOB provide feedback on scheduling to recognize the current FPC workload, he said. Let’s add language that says if the ISAB signals its intent to review a product and the proposal poses a problem with the FPC workload, the FPCOB could respond. We could add a sentence that says the FPCOB, through its liaison with the ISAB, Jim Ruff, will communicate if there are concerns about the workload, Nigro suggested.

I don’t think that’s problematic, Ruff said. I would be communicating about a potential review with the FPCOB. If the review is imposing an undue burden on the FPC, Michele would let me know, he clarified.

Let’s include a sentence that the FPCOB, through you (Ruff), will communicate about any workload concerns, Nigro reiterated.

That sounds reasonable to me, Graves stated.

Ireland asked for clarification about the role of the ISAB administrative oversight board. DeHart suggested that a Council staff person who understands role of the panels associated with the ISAB make a chart that depicts the relationships.

Nigro asked if Ruff would work up a sentence to indicate that the ISAB liaison will prepare a list of FPC products the ISAB intends to review, and the FPCOB will have an opportunity to respond if they have concerns about the workload. And we should have Michele keep track of the time she and her staff spend responding to the ISAB reviews so we have data on what kind of work load the reviews result in for the FPC, he said.

Measure asked if the oversight board has confidence that Ruff can write new language that covers the situation. And can we proceed to approve the guidelines? he asked. He polled the

FPCOB members and there were no objections. Ruff said he would run the new language by Nigro.

Measure confirmed there were no objections to the guidelines.

Berg asked for a clarification on the language with which the FPCOB was concurring. Does it include Dan Goodman's comments and Tony's suggested sentence? The members concurred that it did.

So it looks like we are fine with the guidelines, Measure concluded.

Merrill explained a chart he had drawn depicting the relationship of the FPCOB with the ISAB Administrative Oversight panel and the Executive Committee. He also described the roles of the various bodies. Merrill said he would finalize a computer diagram and add narrative.

FPCOB Meetings for 2011

Berg asked if the board wanted to meet three times in 2011, as they did in 2010. Members said they did. Measure noted that he had scheduled the FPCOB meetings adjacent to Council meetings in 2010, but asked if there were other thoughts on a schedule. There were none offered by the members.

Berg presented the dates and locations for the 2011 Council and the FPCOB considered how to time the meetings. The FPCOB concluded with the following: Boise on March 7; Portland on July 11; and Coeur d'Alene on November 7. Measure said the meetings would be tentatively scheduled for 1:30 p.m. But we can be really flexible with the time, he added.

Measure asked for other business. I am pleased with Michele's report and pleased with the way the committee is going, he stated.

The meeting adjourned at 2:34 p.m.

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