

**Bruce A. Measure**  
Chair  
Montana

**Rhonda Whiting**  
Montana

**W. Bill Booth**  
Idaho

**James A. Yost**  
Idaho



**Dick Wallace**  
Vice-Chair  
Washington

**Tom Karier**  
Washington

**Melinda S. Eden**  
Oregon

**Joan M. Dukes**  
Oregon

## **Council Meeting Portland Oregon**

**February 9-10, 2010**

### **Minutes**

Council Chair Bruce Measure called the meeting to order at 1:30 p.m.

#### **Reports from Fish and Wildlife, Power and Public Affairs committee chairs:**

Rhonda Whiting, chair, fish and wildlife committee; Melinda Eden, chair, power committee; and Dick Wallace, chair, public affairs committee.

Fish and Wildlife Committee chair Rhonda Whiting reported that staffer Peter Paquet led a discussion on the Hatchery Scientific Review Group recommendations, and Rob Jones provided a briefing about NOAA Fisheries' perspective on integrating hatchery issues. The committee had an update on RM&E relative to the artificial production categorical review and a briefing on Biological Opinion (BiOp) fast-track projects, which are intended to start this spring, she said. Whiting noted the Fish and Wildlife Division has an intern, Laura Robinson, who is assisting staff to update the 10-year subbasin action plans.

There was also a briefing on the regional PIT-tag coordination effort, Whiting continued. The BiOp calls for NOAA Fisheries to develop an action plan and a PIT-tag inventory is the first step, she said. The committee heard a report on the quarterly project funding reviews, which will come before the full Council, Whiting said. There is one Accord project sponsored by the Yakamas in the review, she said. The wildlife crediting forum has had its first meeting and a second is scheduled for mid February, Whiting concluded.

Power Committee chair Melinda Eden said the committee has meet by phone three times since the last Council meeting to finalize language in the Sixth Power Plan. The committee accepted Appendixes F, G, and P, which are a required part of the plan. The remainder of the appendices will be the subject of a committee meeting later in February, after which they will be proposed for adoption, Eden reported. The committee recommends the Council adopt the Sixth Power Plan in February, with the required appendices, she stated.

Public Affairs Committee chair Dick Wallace reported that a video on the history of energy efficiency in the Northwest, capturing 30 years of smart energy choices, is almost complete.

## **1. Panel discussion regarding Quagga and Zebra Mussels:**

Jim Clune, acting manager of federal hydro projects, Bonneville; Scott Lund, Integrated pest management coordinator, BOR; Robert Willis, Environmental Team leader for the Northwestern Division of the U.S. Army Corps of Engineers; and Scott Rumsey, Regional RM&E Coordinator for NOAA National Marine Fisheries Service.

Staffer Jim Ruff introduced a panel of federal agency representatives who reported on their efforts to monitor, prevent, and prepare for the threat of quagga or zebra mussels being introduced into Northwest waters.

Jim Clune of Bonneville said the agency's 10-year-old aquatic nuisance species (ANS) program has four components: coordination and planning; monitoring; educational outreach; and research. Bonneville has provided funding for the Columbia River Basin's rapid-response plan and supported rapid-response exercises in 2007, 2008, and 2009, he said. Bonneville is also active in the 100<sup>th</sup> Meridian Initiative, which coordinates mussel-prevention activities, and helped pay for preparation of a manual on uniform minimum protocols and standards for interception of mussels on watercraft, Clune noted.

Bonneville has supported a monitoring program at Portland State University (PSU) since 2002, and this year, the agency is supporting an effort between PSU and the Corps of Engineers to significantly increase monitoring at Corps projects in the basin, he continued. In addition, Bonneville supports the Pacific States Marine Fisheries Commission in a number of outreach efforts that target recreational boaters, including watercraft inspection training, a video, publications, and speakers, Clune said. PSU is doing research on antifouling coatings, as well as on how well mussels could survive in water taken out of the Columbia River and transported to the Southwest, he reported.

Scott Lund of the Bureau of Reclamation (BOR) provided an overview of the agency's research activities in the Southwest at Hoover, Parker, and Davis dams and said the BOR is looking at non-invasive controls, including ultraviolet lights and mechanical tools.

Bob Willis of the Corps said his agency's program includes prevention, detection, preparation, and action. He noted that Corps laboratories in the Great Lakes have been doing mussel research for some time.

Willis noted that the Corps now incorporates language into its contracts to address the spread of the mussels by contractors' vessels or bilge water. We have monitoring at all of our projects, and we will be doing vulnerability reports for Bonneville, John Day, and The Dalles dams, he said.

Scott Rumsey of NOAA Fisheries noted that the Biological Opinion (BiOp) for the Federal Columbia River Power System (FCRPS) includes a recommendation calling on the federal agencies to participate in developing a response plan for quagga/zebra mussels. NOAA's

Northwest Fisheries Science Center has been active in developing the quagga/zebra mussel action plan for the West, he reported

Joan Dukes asked if the boat-washing programs are effective. Lund acknowledged that they may not be. Inspectors found that even after scrubbing, live mussels remained on the boats, he said. Lund said boats may need to spend a sufficient time out of water to dry entirely, and that could be five to 30 days.

Karier asked if anyone has measured the financial impacts of mussel infestation. That would help gauge the appropriate level of investment in prevention, he said. Lund said costs of ongoing maintenance at facilities in the Southwest are being evaluated. Clune pointed out that O&M costs could pale in comparison to the cost of lost power if the mussels were to interfere with generation.

Eden asked if Bonneville is acknowledging the mussel threat in its contracts. Bill Maslen of Bonneville responded that the agency expects its contractors to follow federal, state, and local laws. But we are looking at it as a possible “work element” in our contracts, he said, noting that work elements get more attention than boiler-plate contract language.

Wallace encouraged the agencies to pursue a risk analysis to determine if what is being invested in prevention is “the right amount.” Right now, your budget may not match the risk, he said. Wallace also pointed out that it can take considerable time to get through Endangered Species Act (ESA) regulations to use pesticides. “I’d encourage you to get ahead of that game,” he said.

What would you do if the mussels were found? Bill Booth asked. Lund said BOR does not have the authority to manage or treat reservoirs. That is done by other agencies and the states and tribes, he said, noting that the situation varies by reservoir. For example, we don’t have authority to close a boat ramp, Lund noted. A representative of the U.S. Fish and Wildlife Service said while there are certain chemical tools available to kill the mussels, the question is “the side effects.”

## **2. Update and discussion on issues for the Draft Sixth Power Plan:**

Terry Morlan, director, power division.

Power Committee chair Melinda Eden told the Council the committee recommends adopting all chapters of the Sixth Power Plan, along with appendices F, G, and P, which are required under the Northwest Power Act. She said the Power Committee would review the outstanding appendices in a conference call, and the full Council would be asked to adopt them by teleconference before the March meeting.

Despite wording changes, in the big picture, not much has changed, Terry Morlan reported. We still have the same key elements in the plan, he said. Morlan highlighted recent language changes that address concerns that the Council not try to set climate change policy. We acknowledge what the states are doing in this area and make clear that the plan allows the states to meet their own targets, he said. Morlan went over other language changes that were made and explained what is in the sections of the Action Plan.

Measure said Council members would have overnight to review the final changes.

### **3. Council business**

#### **– Adoption of minutes**

Wallace made a motion that the Council approve for the signature of the Vice-Chair the minutes of the January 12-13, 2010 Council meeting held in Portland, Oregon. Whiting seconded the motion, which passed unanimously.

### **4. Council decision on Project Reviews: Quarterly Review**

Mark Fritsch, manager, project implementation.

#### **– Within-year Project Funding Adjustments for Implementation**

Staffer Mark Fritsch reported that the Budget Oversight Group considered nine project funding requests during the first quarter of the fiscal year. Four of those projects are up for a recommendation in February, he said.

The Idaho Department of Fish and Game is requesting \$120,500 to cover the loss of a cost-share, Fritsch explained. The funds will be used to complete a three-year research project on nutrient treatments using salmon carcasses in the Boise-Payette-Weiser subbasins, he said. Booth noted that the F&W Committee recommended approving the project.

Wallace made a motion that the Council recommend that Bonneville fund the within-year project funding request for Project 2007-332-00, Mitigation of Marine-Derived Nutrient Loss in Central Idaho, requested by the Idaho Department of Fish and Game, as presented by the staff and recommended by the Fish and Wildlife Committee. Booth seconded the motion, which passed unanimously.

The second project is a Burns-Paiute Tribe request for \$195,845 to replace a diversion dam on the Malheur River that was lost due to an ice flow in 2006, Fritsch continued. He gave an update on the science review of the project, and said it met scientific criteria, but there were qualifications related to monitoring and an adaptive management report.

Wallace made a motion that the Council recommend that Bonneville fund the with-in year project funding request for Project 2000-027-00, Malheur River Wildlife Mitigation, requested by the Burns-Paiute Tribe, as presented by the staff and recommended by the Fish and Wildlife Committee. Eden seconded the motion, which passed unanimously.

Two Nez Perce Tribe projects related to Big Canyon fish habitat and the Big Canyon Creek watershed did not meet science review criteria, Fritsch reported. Staff did not recommend the Council approve these projects, he said.

#### **– Accord Project: Project #2009-003-00 Columbia Cascade Province MOA Habitat Projects**

Another project up for consideration was related to the Columbia Basin Accords. Fritsch recounted the review process for the Yakama Nation proposal. He explained that the

Independent Scientific Review Panel (ISRP) found that the project did not meet science review criteria due to the lack of a monitoring and evaluation (M&E) plan.

The region is currently developing a comprehensive M&E plan, and there is a large monitoring effort associated with other work in the Upper Columbia, Fritsch said. The Yakama Nation intends to work closely with ongoing efforts to accomplish monitoring for this project, he indicated. Staff is proposing the project proceed, with the stipulation that necessary monitoring elements will be available from other sources, Fritsch said. The project would be reviewed for satisfactory M&E at a later time, he added.

Dukes pointed out the staff worked out a creative solution for the project. When the M&E portion of the project is proposed, it will receive science review, she said. Wallace said the F&W Committee would like to have the project come back to the Council once there has been an ISRP review of the monitoring approach, regardless of the outcome.

Wallace made a motion that the Council recommend that Bonneville fund Project 2009-003-00, Columbia Cascade Province MOA Habitat Projects, as presented by the staff and recommended by the Fish and Wildlife Committee with the condition that necessary monitoring elements be based on favorable ISRP review of the monitoring and evaluation plan proposed for Project 2010-001-00 Upper Columbia Programmatic Habitat Project. After the ISRP review for project 2010-001-00, Bonneville, Yakama Nation, and Council staff will return to the Council with a monitoring approach. Whiting seconded the motion, which passed unanimously.

## **5. Presentation on the Cowlitz Tribe and upcoming smelt ESA listing decision:**

Taylor Aalvik, Cowlitz Tribe Director of Natural Resources, and Nathan Reynolds, Tribal Ecologist.

Taylor Aalvik and Nathan Reynolds of the Cowlitz Tribe briefed the Council on the tribe's natural resource activities and on its petition to list smelt under the ESA. Aalvik pointed out that in 1855, the tribe declined to sign a treaty and go to the Quinault Reservation. Members remained scattered in southwest Washington, he said. The Cowlitz became a federally recognized tribe in 2000, Aalvik added.

The tribe's 1.6 million acres of ancestral lands include a portion of the Columbia River estuary, he explained. The tribe operates a natural resource program to conserve, protect, and restore culturally significant resources within its traditional homelands, Aalvik stated. We have partnerships with a number of agencies to carry out our activities, he said.

Aalvik outlined a number of the program activities, including habitat restoration, salmon and steelhead preservation, and Columbia white-tail deer protection. He said other culturally significant resources include many Lower Columbia plants.

Reynolds described several of the plant species and their historical use by the tribe. The plants include red cedar, wapato roots, camas lily, cattails, Oregon white oak, and huckleberries, he said.

With regard to smelt (eulachon), the Cowlitz petitioned to have the small anadromous fish listed under the ESA because of the huge decline in their once-abundant numbers, Aalvik said. Eulachon are an important species in the Cowlitz culture, he said.

Reynolds pointed out that if the smelt go extinct, the smelt-related culture of the Cowlitz goes extinct. He said after the tribe submitted its petition in 2007, NOAA reviewed it and issued a proposed finding in 2009. The proposal was to list the smelt as threatened under the ESA, Reynolds noted. NOAA found many threats to the fish, including a dramatic alteration of habitat, particularly due to the eruption of Mt. St. Helens, he said. NOAA is expected to finalize its ruling on the smelt in March 2010, he added.

## **6. Briefing on CBFWA's reorganization :**

Rob Walton, Chair CBFWA.

Rob Walton of NOAA Fisheries explained that the Columbia Basin Fish and Wildlife Authority (CBFWA) is a trade association of agency and tribal resource managers formed in 1987. The chair rotates among the member categories, and Walton is now chair.

In addition, Walton currently chairs the Federal Caucus, and he said his dual chairmanships present opportunities for entities to combine efforts and work together. Climate change is a potential area for collaboration, Walton suggested, and he invited Council members to suggest others.

Brian Lipscomb of CBFWA said in preparing the current work plan, "we've taken CBFWA apart and put it back together again." He said the organization's focus has evolved from planning to implementing F&W actions. There are significant check-in points coming up for adaptive management under the Council's F&W program and the FCRPS BiOp, Lipscomb said, noting that for the first time in 15 years, the two programs are synchronized in time.

He told the Council that CBFWA's work plan has been approved by its members and is out for signature. The plan lays out the organization's policy directions and a management structure to carry them out, Lipscomb explained. CBFWA's budget has been sized to fit Bonneville's allocation, he said.

CBFWA is also working on its fourth edition of the Status of the Resource Report, according to Lipscomb. He invited the Council and Bonneville to an April 20 face-to-face meeting with the tribes to discuss committing to the work plan.

Booth congratulated CBFWA for working out issues related to regional coordination between state and tribal F&W managers and other entities. It was "a tough issue," he stated. Booth asked how frequently CBFWA would prepare and adopt a budget. Lipscomb said CBFWA prefers an annual budget cycle to a multiyear.

## **7. Council Decision on adoption of the Sixth Power Plan:**

Terry Morlan.

Dick Wallace said it was his distinct honor to make a motion that the Council

- adopt the Sixth Northwest Conservation and Electric Power Plan, as presented by staff and recommended by the Power Committee with changes adopted by the Members at this meeting;
- direct the staff to prepare the supporting appendices and a response to comments for Council review and approval
- direct the staff to make the necessary editorial changes to the plan, with review by an editorial review committee named by the Chair to assure that all such changes are truly editorial; and
- direct the staff to give appropriate notice of its action.

Eden seconded the motion.

In a prelude to the vote, Eden said preparations for this plan began in June 2007, when staff began gathering issues to address. That December, an issue paper was released, and the work has been ongoing since then, she said. Eden thanked the Council for considering “an excellent plan” that “expands the portfolio of resources and encourages technological innovation.” She called the plan a highly technical document with complicated analyses. Eden thanked the staff for its efforts and the region for its participation. “The region participated as never before” and the plan “is better for it,” she stated. The public meetings were well attended, and 769 groups and individuals commented on the draft, Eden noted.

Tom Karier referred to an article he recently read that touted the great potential of conservation. According to the article, no one is keeping track of the potential except the Northwest, he said. The Northwest has “a great energy heritage” with hydropower, low rates, and a clean system, Karier said. The low-carbon heritage is enhanced by investments in conservation, as well as the development of wind power, he stated.

Karier called the Sixth Power Plan “bold, smart, and a path to preserve the great Northwest energy heritage.” He praised Eden’s leadership and contribution to bringing the plan to completion.

Wallace said the plan significantly enhances the integration of the Council’s Fish and Wildlife (F&W) Program with power planning. He said an estimated 47,000 new jobs will result from the pursuit of energy efficiency in the Northwest.

Council chair Bruce Measure reiterated the praise for the staff and said Eden’s leadership on the Power Committee “was fair to all members.” He thanked Jim Yost for his advocacy of difficult issues and acknowledged Wallace, a Fish and Wildlife Committee member who spent many hours listening to the Power Committee.

In a roll-call vote, all eight members of the Council voted aye.

Eden thanked the members for their vote. She noted that the conservation target is a significant increase over past savings, and she said the plan is remarkable for reflecting rapidly changing conditions in the Northwest. Carbon penalties loom, and the conservation goals won't be easy, Eden said. Everyone in the region needs to work together to achieve them, she stated.

Morlan offered his thoughts on the plan. The Council has adopted a plan, he said, that:

- identifies a resource strategy that is grounded in energy efficiency
- provides a strategy that will allow states to reach their carbon-reduction goals in the most cost-effective manner
- advances the region's ability to address capacity and flexibility issues
- provides a clear perspective on how the Power Plan and F&W program fit together
- recognizes individual utility differences
- encourages important changes to the operation and expansion of power system infrastructure, and
- provides for tracking and monitoring progress on implementation.

The process for developing the plan "was not without challenges and stress," Morlan stated. It was something like the reality TV show "Survivor," and "some of us were almost voted off the island," he quipped. Morlan wrapped up by presenting Council members with Survivor tee shirts he said "were green, but not too green."

The meeting adjourned at 11 a.m.

Approved March 10, 2010

/s/ Dick Wallace  
Vice-Chair