

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

March 9, 2010

Minutes

Bruce Measure called the meeting to order at 1:32 p.m. on March 9 and adjourned it at 4:52 p.m. All members were present.

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

Bill Booth, chair, fish and wildlife committee; Melinda Eden, chair, power committee; and Rhonda Whiting, chair, public affairs committee.

Bill Booth reported that the Fish and Wildlife (F&W) Committee received an update on the Bitterroot and Blackfoot subbasin plans and discussed the draft Monitoring, Evaluation, Research and Reporting (MERR) plan. Staff updated us on the RM&E/Artificial Production Category Review and the nine Biological Opinion (BiOp) Fast-track proposals that are out for public comment, he said. We had a briefing on the Hatchery Scientific Review Group alternatives and decided to take more comment on them, Booth stated. The committee also discussed the Mid-Columbia Coho Restoration Project, coming up for Council action today, he added.

Melinda Eden reported that the Power Committee discussed Tradeable Renewable Energy Credits (TRECs) and that staffer Jeff King will write a paper on the subject, and that BPA and PNUCC are also working on the issue. We had a review of the roles of regional conservation entities and talked about future power division agenda items, Eden said. Appendices I and J for the Sixth Power Plan have not yet been approved, but they will be ready for our April meeting, she added.

Rhonda Whiting reported that the Public Affairs Committee has on its agenda a review of the 2010 public affairs work plan and a discussion of additional outreach for the power plan. We are also talking about plans for a Congressional tour in August, she said. Whiting reported she and staff had visited Washington, D.C. last week and that BPA's Steve Wright had also been there recently and received "positive feedback" about the Council's power plan.

Dick Wallace moved that the Council: add to the agenda of the meeting a decision to release the draft Monitoring, Evaluation, Research and Reporting Plan for comment by the public and the Independent Scientific Advisory Board (ISAB) and Independent Scientific Review Panel (ISRP); find that Council business requires consideration of this issue; and find that no earlier notice was possible. Booth seconded the motion.

When we talked about this last month, I asked if this document would come before the Council for a discussion and was told that it would, Eden stated. But now, before we have had that discussion, we are releasing the document, she said. The motion passed on a 7 to 1 roll-call vote. Eden voted no.

Wallace moved that the Council meet in Executive Session beginning at 8:30 am on Wednesday, March 10, to discuss Council organization, structure, procedure, and personnel issues. The motion passed unanimously on a roll-call vote.

1. Briefing on 2010 Fishery Forecasts and 2009 Fishery Retrospective:

Bill Tweit, Washington Department of Fish and Wildlife; and Ed Schriever, Idaho Department of Fish and Game.

Bill Tweit of the Washington Dept. of Fish and Wildlife gave a presentation on Columbia River 2009 salmon and steelhead returns and 2010 forecasts. He said nearly 2.2 million adult salmonids entered the Columbia River in 2009. There were strong returns overall, plus record-setting jack returns for some stocks, Tweit noted. Given that we have enjoyed several years of good conditions, we are hopeful to get some above-average returns this year.

We think upriver spring chinook could set a record, with returns of 470,000 predicted, compared to the actual return last year of 169,300 fish, Tweit reported. Other stocks also look strong, he said. For sockeye, last year's returns were "sublime," according to Tweit. This year's forecast is 125,200 total returns, including 600 wild fish, but the runs are starting to trend downward, he noted.

For fall chinook, the 2010 forecast is for 652,700 fish, compared to an actual of 418,300 in 2009, Tweit said. The prediction for Upriver Bright fall chinook is 310,800, compared to last year's 212,000, and he noted a very strong jack return. For the Bonneville Pool Hatchery fall chinook, which Tweit called "the backbone of the Washington sport fishery," the 2010 forecast is 169,000, compared last year's actual of 49,000.

We are expecting a decrease in coho in 2010, but it's still an increase from some bad years, he said. The forecast is almost 390,000, compared to just over 1 million last year, Tweit pointed out.

He provided an overview of last year's non-treaty fisheries. Tweit reported for upriver spring chinook, 21,000 hatchery fish were kept. There were 371 Endangered Species Act (ESA) mortalities, a 1.7 percent impact, compared to the 2 percent ESA limit, he said. For sockeye, there was a 0.6 percent impact versus a 1 percent ESA limit, and for upriver summer steelhead, the impacts have been preliminarily estimated at 1.23 percent, compared to a 2 percent ESA

limit, according to Tweit. All of the 2009 treaty fisheries stayed within their limits, he noted. There was no commercial gillnet season for spring chinook, Tweit said.

In 2010, we plan to use a 40 percent buffer for non-treaty spring chinook, he told the Council. We are going to manage very conservatively, he said.

Ed Schriever of the Idaho Dept. of Fish and Game (IDFG) provided an update on Snake River salmon and steelhead. We saw a tremendous run of fall chinook in 2009, and the jack count was an all-time record of 41,000 at Lower Granite, he reported. We expect this year's returns to exceed those of 2009, Schriever said.

We had success with sockeye returns last year, and IDFG is forecasting between 700 and 1,100 returns this year, he noted. IDFG's 2010 forecast for Snake River spring/summer chinook, both natural and hatchery, is 179,000 returns, according to Schriever. That would be a new record and create tremendous fishing opportunities, but "we are holding our breath," he said. If we see the kind of numbers that we are estimating, "you should come to Idaho and fish for spring chinook," Schriever told the Council.

He said if you compare the fish numbers from the 1990s to the decade that just ended, there were big jumps in the numbers for all species. So we think all the stocks are moving in the right direction, Schriever added.

2. Update on CBFish.org (Taurus website):

Ben Zelinsky, Bonneville Power Administration; Matt Deniston and Dal Marsters, Sitka Technology.

Ben Zelinsky of BPA updated the Council on the agency's customized software system, known as Taurus, and its Web site, www.cbfish.org. The mission of Taurus is to transparently and consistently manage project and portfolio decisions in support of the F&W Program's objectives and obligations, he noted. Zelinsky demonstrated how the Web site works and said cbfish.org provides "unprecedented views" into the F&W program's activities and accomplishments. He said cbfish.org, which is available to the public, tracks and manages the decision history for each fish project and provides information on relationships to other projects and to the Biological Opinions.

Zelinsky pointed out that through the Web site, you can get a sense of what the F&W program is doing. There is information on projects that have been closed out and you can track what the Council recommends for a project and how or whether a final contract reflects that recommendation.

3. Council Decision on Project Reviews:

Mark Fritsch, Manager, Project Implementation; Tom Scribner and Keely Murdoch, Yakama Nation.

- **Project #1996-040-00, Mid-Columbia Coho Restoration Project**

Staffer Mark Fritsch presented a request for Step 1 funding for the Mid-Columbia Coho Restoration project, sponsored by the Yakama Nation. This project, aimed at re-establishing naturally spawning coho populations in mid-Columbia tributaries, has been in our program since 1996, he noted. Program costs to date are about \$24.1 million, according to a handout. The project has been funded by BPA and other federal agencies, tribes, and cost-sharing has come from Grant, Chelan, and Douglas PUDs, as well as NOAA through the Mitchell Act.

Tom Scribner, representing the Yakamas, said the goals of the feasibility study were to determine if a local broodstock could be developed from lower Columbia River stocks, initiate natural production, and answer critical uncertainties about species interactions. We hope to achieve a locally adapted naturally spawning population by 2028 and to provide harvest opportunities in most years, Scribner noted. Once we achieve that, we would discontinue the program, he said.

Keely Murdoch, also representing the Yakamas, described how the three study goals were achieved and what the project will do next. We are proposing a phased approach for broodstock development and natural production, she said, and explained the project's use of natural acclimation sites, their locations, plans for monitoring and evaluation, and project performance indicators.

We have a recommendation from staff to approve this project and enable it to move to Steps 2 and 3, even though it did not receive a positive review from the ISRP, Booth said. The F&W Committee approved it, but not unanimously, he stated.

The funding for this phase would be about \$1.4 million, Booth noted. The Committee felt the three issues raised by the ISRP could be handled properly during the work that will be done on the project's master plan, which would be brought back to us for approval, he said.

This is a longstanding project, stated Wallace. Of the three issues raised by the ISRP, two are straightforward, and the third involves a scientific debate over fish genetics, he explained. After the master plan and environmental review are done, we feel it needs to go back to the ISRP, Wallace said.

I was the no vote on the F&W Committee, Joan Dukes said. Issue 3 is a serious scientific issue, and if we approve this and still have a scientific dispute with the ISRP after it is done, we'd have spent all this money and not resolved it, she stated. I think we need to resolve this, Dukes added.

I have great admiration for the work the Yakamas have done, but it is premature to move from Step 1 to Steps 2 and 3 now, Eden said. We need to resolve this issue before we spend the money, and I'd like to hear from the ISRP about this, she stated. I'll vote no on this now, but that doesn't mean I'd vote no in the future, Eden said.

Wallace moved that the Council recommend that the Mid-Columbia Coho Restoration Project, Project Number 1996-040-00, proceed to final design and revised master plan addressing ISRP concerns for final ISRP review. Whiting seconded, and the motion passed on a 6-2 vote. Eden and Dukes voted no.

4. Discussion on the future role of the Independent Economic Analysis Board (IEAB):

Terry Morlan, director, power division.

Measure led a discussion of the future role of the Independent Economic Analysis Board (IEAB). Karier said he and Booth had drafted a revised charter for the IEAB. The charter had been fairly narrow in the past and so we tried to expand it, Karier stated.

Members are now talking about expanding the IEAB charter, but we haven't resolved previous discussions we've had about the value, usefulness and performance of the IEAB, Eden noted. Let's see the results of the latest task to look at the impact of a mussel infestation, and then discuss the IEAB's role, Eden recommended. One proposal on the table is to use ad hoc groups of economists to address particular issues, she stated.

I'm intrigued by the idea of an ad hoc group of economists to interact with our scientists on the F&W side, Wallace stated. But we are not ready to decide this issue yet -- let's see the results of the mussel project and review our fundamental charges under the Act, he recommended.

There are a number of ideas out there for the IEAB, and we should vet them all, said Booth. I've been a proponent of having strong economic analysis, he stated. The Act envisions that the Council would take economics into account -- it talks about ensuring an affordable power supply, Booth pointed out. We are dealing with ratepayer dollars, he added. To disband the IEAB would send the wrong signal to the region, Booth continued. My desire is to maintain a strong team at the IEAB, and for the Council to do a better job of using and managing the IEAB, he said. They can provide more value to the Council than they have, Booth added.

In the past year, we've been aware of a disconnect with the Council, said Roger Mann, chair of the IEAB. We've been trying to determine how to be more helpful to the Council, and we think there's more we can and should do, he stated. But we have to interact more with the Council and perhaps change our mix of expertise over time to match what the Council needs, Mann said. We could get involved with forecasting and explaining how the regional economy interacts with what you do, he added.

When the Gorton amendment came out, there was a lot of concern about it, including from Native American groups, but the Gorton amendment has turned out to be valuable, Whiting noted. The more information we have when we make decisions, the better it is, she said.

The IEAB has had many significant accomplishments and done many valuable reports for us in the past and fulfilled the vision and language of the Act, which is to achieve less expensive results, stated Karier. Its future shouldn't rest on this one new report, he said.

Measure asked for comment from the audience. As customers, we support the IEAB, said Scott Corwin of the Public Power Council. The key is properly framing the questions to get quality output, and stakeholders can help you with that, he stated. The IEAB is a relatively small investment if you compare it to the Council's overall budget, Corwin said. I support the IEAB and hope you can come to a resolution to move this forward, he concluded.

Charles Pace, a resident of Idaho, commented by telephone about integrating economics into the work of the ISAB and about the Power Act's provisions dealing with cost-effectiveness and having an adequate economical power supply.

5. Council decision on the adoption of the remaining Sixth Power Plan items, including appendices I and J and the *Statement of Basis and Purpose for the Sixth Power Plan and Response to Comments on the Draft Sixth Power Plan*:
Terry Morlan; and John Shurts, legal counsel.

The parts of the Sixth Power Plan that still need Council approval include appendices I and J, the “statement of basis and purpose,” and the response to comments on the draft plan, said staffer Terry Morlan. The Power Committee agreed today there was no point in trying to push for a decision on these items at this point, he noted. Appendix I, Generating Resources, is not yet done, Morlan added. He said all the outstanding items would be brought to the Council for a decision at the April meeting.

6. Council Business:

– **Approval of Annual Report to Congress**

Staffer John Harrison reported there had been very few comments on the draft Annual Report to Congress and that with one exception, the comments were editorial. The exception, he said, was a comment from Northwest Requirements Utilities that suggested the report include a paragraph about unbundled renewable energy credits and how they would be addressed in the future. I added some language from the power plan on that subject to the report, Harrison stated.

Wallace moved that the Council approve the Annual Report to Congress, pending the receipt of Bonneville’s comments, and direct the staff to give appropriate notice of its action. Dukes seconded, and the motion passed.

– **Approval of Fish Passage Center Oversight Board Member**

Measure reported the Fish Passage Center Oversight Board (FPCOB) met on March 8 and that Brian Marotz of Montana had told the board his work load precludes his further participation as a member of the FPCOB. Paul Kline of Idaho stepped up and said he would serve on the board, and he attended the meeting this week, Measure said.

Wallace moved that the Council appoint Paul Kline as a member of the Fish Passage Center Oversight Board. Dukes seconded, and the motion passed.

– **Council Decision to Release Monitoring, Evaluation, Research and Reporting (MERR) plan for public comment**

The Council discussed whether to release the draft Monitoring, Evaluation, Research and Reporting (MERR) Plan for comment by the public and the ISAB and ISRP. My opinion is that this document is ready to go out for public comment, Booth said. If we move this out today, we can have a 45-day comment period, Wallace added.

I'm delighted that we have a draft M&E plan and appreciate the work that has been done, said Eden. But at a previous meeting a commitment was made that the Council would have presentation on this document and an opportunity to discuss it, she stated. I will vote against the motion due to that process issue, Eden added.

I don't think there is any harm in putting this out for comment, staffer Tony Grover said. We can brief Member Eden individually, and we can make a full-blown presentation to the Council in Boise, he noted. Karier suggested the Council review its policy on how an issue moves through from the F&W Committee to the full Council. This is a big report, and I had questions about it when I read it, he said. I look forward to a robust discussion of it at some point, Karier added.

Wallace moved that the Council: direct the staff to release the draft Monitoring, Evaluation, Research and Reporting (MERR) Plan for a 45-day public comment period, and request that the ISAB and ISRP provide comments in the same timeframe. Dukes seconded, and the motion passed on a 7 to 1 vote. Eden voted no.

– **Adoption of minutes**

Wallace moved to approve the minutes of the February 9-10, 2010 Council meeting held in Portland, Oregon. Eden seconded, and the motion passed.

Approved April 14, 2010

/s/ Dick Wallace
Vice-Chair

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