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6-5-97

INTERIM PROCEDURES

REGIONAL IMPLEMENTATION FORUM

Executive Committee, Implementation Team, and Technical Teams

I. Purpose and Scope

Initially, the Forum provides an intergovernmental forum for regional discussion and decision on operation and system configuration of the federal Columbia River Power System (FCRPS), with a goal of developing consensus among the members. It is a forum for state, tribal and federal sovereigns in the Columbia River Basin to engage in joint decision-making, to ensure that all views are expressed and considered and to explain the bases of decisions. The focus of the Forum is implementation of the NMFS Biological Opinion on Operation of the FCRPS and funding matters related to FCRPS operations and configuration contained in the Bonneville Budget Agreement. The Forum will consider all relevant aspects of hydropower operations and system configuration as appropriate. The members may agree in the future to expand the scope of issues considered by the Forum beyond hydropower.

II. Organization

The Organization is hierarchical and will consist of a senior regional policy body known as the Executive Committee, a senior program managers' body known as the Implementation Team, and various technical teams and work groups. The technical teams will include a Technical Management Team, a Gas Bubble Team, a System Configuration Team, a PATH workgroup, an Integrated Science Review Team, and such ad hoc technical teams and workgroups as the Implementation Team may deem necessary from time to time to address specific issues. Appendix A depicts the relationships among the Executive Committee, Implementation Team, and Technical Teams, and between the organization and other regional entities and processes.

III. Goals

a) To ensure the broadest possible technical and policy input in planning, funding, and implementation decisions regarding operation and configuration of the FCRPS.

- 1 b) To develop agreement and resolve disputes on operations to be implemented by the federal
2 hydropower operating agencies and other actions related to FCRPS operations and system
3 configuration.
- 4
- 5 c) When agreement is not reached, to ensure the bases for federal decisions are fully explained.
6
- 7 d) To ensure that the decision making process for operations and system configuration is open and that
8 decisions of the organization are explained.
9
- 10 e) To promote coordination between implementation of the NMFS and USFWS Biological Opinions
11 and actions taken under other related regional plans and fora to restore Columbia River Basin fish.
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14 IV. Membership

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16 Membership of all bodies of the Forum is open to:

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- 18 a) state and tribal sovereigns with management authority over fish and wildlife resources in the
19 Columbia River Basin, including Alaska;
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- 21 b) the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Bonneville Power
22 Administration, U.S. Army Corps of Engineers, and Bureau of Reclamation;
23
- 24 c) the Northwest Power Planning Council; and
25
- 26 d) the Idaho Power Company and the Mid-Columbia Public Utility Districts, except that they may not
27 block consensus or request that matters be raised to the next level of the Forum.
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30 V. Participation and Representation

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- 32 a) Members may participate, through designated representatives or their alternates, in all discussions of
33 any bodies of the Forum; present proposals; register objection, concurrence, or abstention on decisions
34 before the body; and request that a decision be elevated to the next level of the Forum. The members
35 will make efforts to enable all members to have a meaningful opportunity to participate in the work of
36 the Organization.
37
- 38 b) Members of any body of the Forum must be represented by a designated representative or alternate
39 in order to participate.

1 c) A list of designated representatives and alternates, where applicable, will be maintained at the offices
2 of the Columbia Basin Fish and Wildlife Authority and at NMFS's office in Portland.

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5 VI. Roles and Activities of the Implementation Team

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7 a) General

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9 1. Maintain on-going oversight of the Technical Management Team (TMT), System
10 Configuration Team (SCT), PATH, Integrated Scientific Review Team (ISRT), and Gas
11 Disease team activities (DGT).

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13 2. Act on behalf of the Executive Committee in developing policy guidelines and resolving
14 disputes related to the operation and configuration of the hydrosystem.

15
16 b) Dispute Resolution

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18 1. Resolve weekly in-season management disputes elevated from the TMT.

19
20 2. Address longer term in-season management policy issues related to the deliberations of the
21 TMT, SCT or DGT.

22
23 3. Define issues for further investigation/deliberation by a technical committee, the
24 Independent Scientific Advisory Board, or Implementation Team ad hoc subcommittees.

25
26 c) Planning

27
28 1. Provide direction to the PATH in developing scope, priorities, and schedule of activities.

29
30 2. Provide a forum for participants and public to address new and ongoing policy initiatives
31 related to the operation and configuration of the hydro system.

32
33 3. Provide policy guidance related to the implementation of the multi-year and annual
34 workplans

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36 d) Budget

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38 1. Oversee the budget activities of the subordinate technical groups in the context of the BPA
39 fish and wildlife financial MOA

1 2. Make recommendations on appropriate funding adjustments in the BPA fish and wildlife
2 financial MOA categories related to the operation and configuration of the hydrosystem
3 (reimbursable, capital expenditures, and system operations).
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6 VII. Conduct of Meetings
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8 a) The meetings of the Executive Committee and Implementation Team will be chaired by the
9 designated representative or alternate of the National Marine Fisheries Service. Meetings may be
10 facilitated at the request of a member when addressing contentious issues. The meetings of the
11 technical teams will be chaired by a member or members selected by the Implementation Team.
12

13 b) Only designated representatives or their alternates may register objection, concurrence or abstention
14 on a decision or request that a decision be elevated to the next level. The Chair or a designated
15 representative or alternate may call upon others to participate in discussions or make proposals. Only
16 designated representatives or their alternates, identified at the start of the meeting, will be seated at the
17 table.
18

19 c) When decisions are proposed for adoption by one of the bodies of the Forum, the chair will identify,
20 and the meeting notes will reflect, the member making the proposal. If an issue is to be decided, the
21 chair will poll the members for their concurrence, objection or abstention and the basis for their
22 position. If an issue is to be postponed or is otherwise resolved, the Chair will identify the further action
23 or the resolution. The meeting notes will reflect the above information.
24

25 d) Meeting agendas will be developed by the meeting chair, with member input, and distributed to the
26 members at least one week prior to the meeting. Members wishing to include an issue for decision on
27 the agenda should provide a statement of the issue to be distributed with the agenda. Materials to be
28 handed out at the meeting will be faxed to members participating by phone before the meeting starts.
29 The agenda will clearly identify decision items.
30

31 e) Meeting notes will be taken at all meetings, included with the agenda and materials for the next
32 meeting, and approved at that meeting. Meeting notes will be available for inspection and copying at
33 the offices of the Columbia Basin Fish and Wildlife Authority and at NMFS's offices in Portland.
34

35 f) Meetings of the bodies of the Forum will be open to the public. The chair may call for public
36 comment as appropriate during the meetings. Time will be reserved at the end of each meeting for
37 members of the public to comment.
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1 VIII. Reporting and Oversight

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3 a) The Executive Committee will oversee the work of the Implementation Team, which will report on
4 its activities at Executive Committee meetings.

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6 b) The Implementation Team will oversee the work of the various technical teams and workgroups,
7 which will report on their activities at Implementation Team meetings.

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9 c) All bodies of the Forum will operate under the same rules of procedure, except that technical teams
10 may propose special rules to address unique circumstances. The Implementation Team will approve
11 any special rules of the technical teams.

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14 IX. Frequency of Meetings

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16 a) The Executive Committee will meet at least once quarterly. The Committee may convene by
17 teleconference if appropriate to consider in-season management disputes (described in XI(f) below)
18 elevated by the Implementation Team.

19

20 b) The Implementation Team will meet at least once monthly. During the smolt migration season
21 (generally April 1 through September 15) the Implementation Team will also meet weekly by
22 conference call if necessary to resolve any disputes raised from the Technical Management Team.

23

24 c) The technical teams will meet as often as necessary to complete their work, or as requested by the
25 Implementation Team.

26

27 d) At the request of a majority of the members, as demonstrated by the proponents of the meeting, any
28 of the bodies of the Forum may meet or conduct meetings in addition to those regularly scheduled.

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31 X. Decision-Making and Dispute Resolution

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33 a) Any member of any body of the Organization may make a technical proposal for decision by that
34 body. Members will make all reasonable efforts to make technical proposals first in the appropriate
35 technical team to allow for the technical issues to be fully developed. The Implementation Team or the
36 Executive Committee may decline to entertain a technical proposal that has not been considered by the
37 appropriate technical team.

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- 1 b) Any member of any body of the Forum may make a policy proposal for decision by that body.
2 Members will make all reasonable efforts to ensure technical issues related to that decision have first
3 been fully aired in the appropriate technical team and/or the Implementation Team. Members will make
4 all reasonable efforts not to raise policy issues that have already been decided at that level.
5
- 6 c) At the January Implementation Team meeting the Team will identify those implementation issues that
7 can reasonably be decided in advance of the salmon and steelhead migration season. The
8 Implementation Team will assign technical issues as appropriate to technical teams for advice or
9 additional information. The Implementation Team will seek to decide as many implementation issues as
10 possible in advance of the migration season and to elevate those issues that cannot be decided to the
11 spring Executive Committee meeting. Members will make all reasonable efforts during the migration
12 season not to raise issues that were decided in advance of the migration season. The Implementation
13 Team may decline to entertain such an issue.
14
- 15 d) Consensus is defined as the lack of objection. The members will make all reasonable efforts to
16 achieve consensus. When consensus cannot be achieved in one of the technical teams or workgroups,
17 the objecting member may request that the issue be elevated to the Implementation Team. When
18 consensus cannot be achieved among the members in the Implementation Team, the objecting member
19 may request that the issue be elevated to the Executive Committee. Rules for elevating issues are
20 detailed in the section on decision-making and dispute resolution.
21
- 22 e) When consensus cannot be achieved in a technical team or workgroup, the federal agencies will
23 state how they intend to proceed. A member objecting to the proposed action may ask that the issue be
24 raised to the Implementation Team for resolution. The technical team will formulate a written
25 description of the disagreement. When disputed issues are raised, any member may make
26 presentations.
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- 28 f) Members will make all reasonable efforts to present an issue for decision by the Executive
29 Committee or Implementation Team in writing at least two weeks prior to the meeting at which they
30 request that the issue be addressed. The Executive Committee or Implementation Team may decline to
31 entertain an issue that is not sufficiently well-defined to allow a decision.
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- 33 g) When consensus cannot be achieved in the Implementation Team, the federal agencies will state
34 how they intend to proceed. If the decision is a weekly in-season management one, the member with
35 authority to make the decision will make the final decision. If the decision is other than a weekly in-
36 season management decision, a member objecting to a proposed federal action may request that the
37 issue be raised to the Executive Committee. The Implementation Team will formulate a written
38 statement of the issue. Any member may provide a statement in support of or opposition to the
39 proposed action.

1 h) In the absence of consensus, the party with authority will make the final decision and explain that
2 decision in writing before the next regularly scheduled meeting. Nothing in these rules alters the legal
3 authorities of any of the parties.

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5 i) A quorum consists of those members' designated representatives or their alternates present and
6 registering consent, objection, or abstention to a decision made at a noticed meeting or conference call.

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8 j) A member entity must be present through a designated representative or alternate in person or by
9 electronic means to register consent, objection, or abstention on a decision.

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