

# IMPLEMENTATION TEAM MEETING NOTES

**February 13, 2002, 9:00 a.m.-4 p.m.**

**NATIONAL MARINE FISHERIES SERVICE OFFICES  
PORTLAND, OREGON**

## ***I. Greetings, Introductions and Review of the Agenda.***

The February 13, 2002 meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Jim Ruff of NMFS and facilitated by Donna Silverberg. The meeting agenda and a list of attendees are attached as Enclosures A and B.

The following is a distillation (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from NMFS's Kathy Ceballos at 503/230-5420 or via email at [kathy.ceballos@noaa.gov](mailto:kathy.ceballos@noaa.gov).

Silverberg welcomed everyone to the meeting, led a round of introductions and a review of the agenda.

## ***2. Updates.***

***A. In-Season Management (TMT).*** TMT chair Cindy Henriksen said that, because the system is in winter mode, there is little to report in terms of reservoir operations or TMT decision-making. The River Forecast Center has issued the February final water supply forecast, she said; it is somewhat larger than the January final forecast. The new January-July forecast at Grand Coulee is 60.8 MAF, 97% of normal, Henriksen said, adding that the RFC is now using a new 30-year period from which to calculate its "normal" volume averages.

Moving on, Henriksen said the new April-July forecast at Lower Granite is 20.8 MAF, also 97% of average. At The Dalles, the new January-July water supply forecast is 101 MAF, 94% of average.

In response to the February final water supply forecast, Henriksen continued, the Corps has recalculated its end-of-month flood control objectives. The new February 28 flood control target elevation at Libby is 2375 feet; the March 15 target at that project is 2370 feet. The current Libby elevation is 2382 feet, she said, so the project is drafting at a rate of 10 Kcfs. At Hungry Horse, said Henriksen, we're now shooting for an April 30 flood control elevation of 3525 feet; Hungry Horse is currently at elevation 3515. At Grand Coulee, the April 30 draft point is elevation 1232; it is currently at 1268 feet. At Dworshak, said Henriksen, the April 30 flood control point is 1503 feet, 20 feet below the current Dworshak elevation. Brownlee is attempting to reach elevation 2039 feet by April 30; TMT will be exploring the opportunity to shift system flood control from Brownlee and Dworshak to Grand Coulee, Henriksen said. Those scenarios will be discussed at the next TMT meeting on February 27, she added.

Ruff noted that the current runoff volume prediction for the Snake River at Brownlee is the lowest in the basin, about 72% of normal. The forecast for the Upper Snake is in the mid-80% range, said Ruff -- any explanation as to why the water supply forecast is so much lower at Brownlee? I'll check on that, and get you an answer, replied Jim Fodrea -- I believe the RFC does some fairly unique things concerning adjustments to the Brownlee forecast.

**B. Independent Scientific Advisory Board (ISAB).** No ISAB report was presented at today's meeting.

**C. Water Quality Team (WQT)** No WQT update was presented at today's meeting.

**D. System Configuration Team (SCT).** No SCT update was presented at today's meeting.

**E. TMDL Update.** See Agenda Item 8, below.

### **3. 2002 Water Management Plan.**

Henriksen reported that the TMT is using the winter period, as usual, to discuss the annual planning documents, including the 2002 Water Management Plan. A draft version of the plan was posted to the TMT homepage in November; NMFS, the Fish and Wildlife Service and the states of Oregon and Montana have submitted comments on the draft plan. Those comments are also available via the TMT website, Henriksen said. The State of Idaho and CRITFC have also indicated that they intend to submit comments, she said, but those have not yet been received. The action agencies are working on a response to the comments received so far, a process that should be complete by the end of February, said Henriksen. Once all comments are received and incorporated, we will be able to finalize the plan, she added.

Henriksen asked whether the final 2002 Water Management Plan should be presented to NMFS or to the IT. Ruff replied that the BiOp calls for annual plans to be finalized through the Regional Forum process, so a presentation to the IT would be appropriate. With luck, said Henriksen, we will be able to present the 2002 Water Management Plan at the next IT meeting.

Silverberg observed that, for the first time this year, the Water Management Plan is an action agencies' product, rather than a TMT product. She added that Henriksen's briefing at the next IT meeting will include an overview of the 2002 WMP, including what has changed from last year's plan, as well as a review of comments received and the action agencies' response to those comments, plus a status report on spring-summer update to the 2002 WMP.

#### ***4. Update on Status and Schedule for the Council's Mainstem Provincial Review Process.***

Tom Iverson of CBFWA updated the IT on the current status of the mainstem rolling systemwide province review. We were on schedule to complete our program summaries and to do a solicitation earlier this month, Iverson said; as the deadline approached, the action agencies requested more time to contribute to and shape those program summaries. We added a month to the timeline, he said; BPA then requested some additional time to develop the solicitation letter. There is some concern on BPA's part that the mainstem/systemwide province will be getting too broad a swath of projects, and that the action agencies won't get the projects they need to meet their RPA objectives, he explained.

The bottom line is that we have now added another week to the program summary development process, said Iverson, to allow the rest of the region to review these documents. The current draft of the program summary document is available via the Council website, he said. So this is the final week for other entities in the region to submit comments on any of the summaries? Ruff asked. That's correct, Iverson replied; we're hoping that all of those comments will be received, assimilated and incorporated into a final program summary document by Friday, February 22.

The bottom line is that the schedule for the mainstem/systemwide province review has been delayed by about three weeks, said Iverson. When that occurred, Council staff decided to decouple the innovative projects process from the mainstem/systemwide review, he said, distributing copies of the current schedule for the innovative projects process. We also hope to finalize the new schedule for the mainstem/systemwide province review at a meeting with BPA this Friday, so that we can post the new schedule to our website on Friday afternoon. Iverson said it now appears that the mainstem/systemwide solicitation process will take place from March 13-April 24.

Once the proposals are received, he said, we'll go through the same process we've used for the other provinces; copies will be sent out to the ISRP and CBFWA's members. During the week of June 17, we'll convene the third province meeting, at which the projects will be presented by their proponents. The ultimate goal is a Council decision on these projects by October, Iverson said, adding that this decision will cover projects to be implemented from FY'03 through FY'05. Ruff urged the other IT participants to stay involved in the mainstem/systemwide province review process, because of its profound implications for BiOp implementation. At Silverberg's request, Iverson said he will provide a further update at the next IT meeting.

## ***5. Survival Estimates for the Passage of Spring-Migrating Juvenile Salmonids Through Snake and Columbia River Dams and Reservoirs, 2001.***

Bill Muir briefed the IT on results from NMFS' 2001 survival studies, working from a series of overheads. Copies of Muir's presentation are available as Enclosure E; please refer to this document for details of Muir's presentation. Among the highlights:

- The study yielded both reach and system survival estimates for yearling chinook and steelhead, as well as fall chinook; the study shows the effects of low flow and limited spring spill during 2001, and also includes a statement about future adult returns.
- There was no spill at the Snake River dams in 2001, limited spill at the Lower Columbia dams and near-normal spill at only a couple of dams in the Mid-Columbia.
- During the spring migration, survival to Lower Granite Dam was about average for Snake River Basin hatcheries. However, system travel times were much longer than average. For non-transported fish, survival through the hydrosystem in 2001 was much lower than in past years due to low flows and lack of spill. Predation by Crescent Island terns was high, particularly on steelhead. Finally, it was difficult to quantify the benefits of limited lower river spill in 2001.
- Moving on to fall chinook survival, Muir said flow, temperature, turbidity and release date were all highly correlated in 2001. Survival was highly correlated with all of these variables. Sorting out the relative effect of these variables would require manipulative experiments.
- With respect to the specific effects of these variables, said Muir, water temperature affects smolt growth and predator metabolism; turbidity provides refuge from predation, flow provides directional cues and speeds migration (for active migrants), and flow influences both temperature and turbidity levels.

Muir also discussed NMFS' attempts to factor these data into an estimate of how the poor migration conditions in 2001 will impact future adult returns. In general, he said, it is difficult to say; no one knows for sure how low flows + limited spill + maximum transport + good ocean conditions will play out, in terms of future adult returns.

Muir added that NMFS' draft annual report on the survival of spring migrants in 2001 is available via the following website:

<http://www.efw.bpa.gov/EW/EWP/DOCS/DRAFTS/welcome.htm>.

Does any of this information change NMFS' opinion on the relative importance of spill, transport and other routes of passage? asked Annie Wexler of Save Our Wild Salmon. Our passage strategy is clearly laid out in the 2000 FCRPS Biological Opinion, Ruff replied – also, we intend to continue to try to address some of the key uncertainties referenced in the BiOp. In other words, said Ruff, we intend to give the BiOp's passage actions a chance to work, but we are evaluating the new information that comes in every year very closely.

## ***6. Report on Action Agencies' FY'01 Progress Report and Status of NMFS' Findings Letter.***

Ken Barnhardt said the progress report, one of three required reports in the BiOp, is nearing completion; it is scheduled for release in mid-March. It's taking us a bit longer than we originally anticipated, he said, in part because 2001 was such an unusual year. Barnhardt said the progress report will include an executive summary and sections on 2001 water and power conditions, progress made in 2001, and detailed progress reports for each of the Hs. The last section of the report will describe adaptive management decisions made in 2001, some of the conclusions we've drawn and lessons learned, Barnhardt said, adding that there will also be several appendices included with the report.

Ruff said once the action agencies' annual plans and the progress report are submitted, NMFS will have 45 days to review those documents and issue a findings letter, expressing NMFS' opinion on the progress made -- and not made -- in 2001. Chris Toole provided a brief update on the findings letter process, noting that this letter has to do two things: advise the action agencies if NMFS sees any areas where it appears there may be trouble in meeting the survival improvement criteria in the BiOp, and to amend the RPAs to reflect adaptive management recommendations in the action agencies' annual implementation plans.

Toole distributed a handout, "General Approach to Evaluating RPA Action Status In NMFS Findings Letter," and spent a few minutes going through its contents. Jim Litchfield asked about the process NMFS envisions for modifying RPAs and changing sections of the BiOp. It will be the same process we used to change the 1995 BiOp, Toole replied -- it will basically be an update or amendment to the BiOp, signed by Bob Lohn. The conclusion will be that the amendment still avoids jeopardy, Toole said. Will that amended language undergo public review? Litchfield asked. That's not NMFS' intention at this time, but that's one of the reasons we're describing the process to you at today's meeting, said Toole. It will certainly be important to have a vigorous IT discussion of those changes once they're completed, observed Ron Boyce.

#### ***7. Report on Washington's Commitment to Work With the National Academy of Science on Mainstem Flow.***

Bill Tweit distributed a handout, titled "Focus: The Columbia River Regional Initiative." Tweit explained that this brief document is a heads-up about a process that, so far, is largely conceptual; its intent is to take care of many of the internal issues that have plagued the State of Washington in recent years. There has been a lot of emphasis on water issues at the Governor's office over the past year, said Tweit; part of the reason for that is the litigation that has taken place. At the executive level, the directors of WDFW and WDOE have agreed that it is not helpful to continue to wrangle over this ongoing internal debate. As a result, said Tweit, we have agreed to ask the National Academy of Sciences to take this issue on. They have agreed to do so, but we have not yet framed the actual questions the National Academy will be asked to consider. These questions will revolve around the adequacy of mainstem flows for survival, to inform the debate about water withdrawals to augment flow, Tweit explained.

So you're going to ask the academy to review the adequacy of actual flows, or of the flow objectives? Ruff asked. That has yet to be resolved, Tweit replied – even finding a common vernacular is going to be challenging, let alone agreeing, between WDFW and WDOE, on how the questions to the NAS should be framed. The idea is that future mainstem water withdrawal permits will be issued based on mutually-agreed-upon criteria, Tweit said.

What's the geographic scope of the review – just the Mid-Columbia, or the lower river as well? Ruff asked. We want to provide a solid scientific foundation for decisions about water withdrawals throughout the mainstem Columbia, Tweit replied; the scope hasn't been decided for sure, but the goal is to eliminate this disagreement throughout the mainstem Columbia River.

In response to another question, Tweit said Washington hopes to complete the CRI process in 2002, so they can move on to the negotiated rulemaking process. Ruff noted that WDOE has sent letters to all of the key Federal agencies requesting participation in the CRI process; he said Brian Brown will be representing NMFS. Tweit added that the first meeting of the CRI steering committee has not yet been scheduled. Ruff said that, from his perspective, it would be a good idea to receive regular updates on the CRI process at future IT meetings. Tweit agreed to provide them.

And what's Washington's interim water use policy? Ruff asked. That's unclear at this time, due to the various lawsuits that are currently underway, Tweit replied. At WDFW, we would argue that any near-term water permits would need to be very heavily conditioned, so that if the science review argues against water withdrawals, they can be cut off.

#### ***8. TMDL Update.***

Mary Lou Soscia reported that development of the mainstem TMDL proceeds apace; one important thing coming up right now is finalizing our load allocations for the temperature TMDL, she said. We will be presenting those allocations at a series of public meetings in March, Soscia said; we have sent out an announcement of those meetings Soscia distributed a handout titled "To Whom It May Concern," then spent a few minutes going through the contents of this document, including the schedule for the temperature TMDL development: draft issued May 1, followed by a 90-day public comment period, with the final temperature TMDL issued by EPA in November 2002.

Soscia also touched on EPA's efforts to coordinate with the ongoing state and federal implementation planning processes. Something else of note is that the final Lower Columbia (Pacific Ocean to confluence with the Snake River) TDG TMDL will be released on February 18, Soscia said, adding that a series of public meetings – in Kennewick, Pendleton, Portland and Vancouver – has been scheduled in March to discuss that TMDL.

We're also working on the Lake Roosevelt TDG TMDL with the Colville and Spokane Tribes, as well as working closely with the State of Washington on the Mid-Columbia and Lower Snake TDG TMDL, Soscia said.

## ***9. Discussion of Changes to Existing Implementation Processes and Procedures.***

This is a continuation of a dialogue we started in November, Silverberg said; as you will recall, the IT membership was asked to review the (never-finalized) IT guidelines, as well as the purpose and scope of this group. I was asked to draft a purpose and scope statement, which I did, distributing it by email in late November, Silverberg said. We had further conversation at the December 5 IT meeting, she said, but never really decided where to go with this issue, or those documents, in the future.

Silverberg observed that, in her opinion, the IT seems to be working fine. With that in mind, said Silverberg, do we need to continue with this exercise? We can continue to schedule it as a discussion item, she said; you could also ask John Palensky, Jim Ruff and I to update the IT guidelines, then bring them back to the group for finalization.

Are there people who think the IT is not functioning well? Ruff asked. If not, what would improve this process? In NMFS' view, the IT is functioning better here of late; if others agree, we would be willing to update the IT guidelines and bring them back at a future meeting for IT review.

Gary Sims observed that various tribal comments have been made about potential ways to improve the IT process; one of those comments was that the IT needs to schedule some meetings outside of Portland, i.e., elsewhere around the Northwest. That would certainly be one refinement we could consider, Silverberg agreed. Jim Athearn suggested that, if the IT schedules meetings in other cities, NMFS needs to be sure to send out adequate advance notice, to ensure maximum participation. Jim Fodrea suggested upriver venues, such as Spokane and Montana, as the most appropriate potential non-Portland IT venues. Sims further suggested that a special meeting between the IT and the upriver tribes in Spokane or Boise would be an important good-faith outreach effort.

The group discussed various facets of the IT purpose and scope; Tweit said Washington trusts NMFS to update the guidelines and bring them back to the group. Fodrea observed that one important point is the scope of the IT's responsibilities; is it just hydro, as it has been in the past, or is it all Hs? That's an important point, Ruff agreed.

What about Idaho – are there things we could be doing at IT that would make it more worthwhile for you to participate? Silverberg asked. No, I've just been busy elsewhere, Jim Yost replied; with the operational season in the offing, I'm ready to re-engage in the IT process.

In summary, then, we will work over the guidelines and bring a revised document back for IT review, Silverberg said. We will also try to make some progress in re-engaging with the tribes, possibly beginning by holding the IT's April meeting in Idaho, in conjunction with the April Council meeting in Boise, or possibly Spokane. Sims said he will investigate where the most appropriate venue for the April or May IT meeting would be, from a tribal perspective. If we do decide to hold a meeting in Spokane or Boise, said Fodrea, I would suggest that you time

it to include discussion of an issue of particular interest to the tribes.

After a brief discussion, there was general agreement that Sims will investigate the when and where to hold the meeting to get enhanced tribal involvement; Silverberg, Ruff and Palensky will update the IT guidelines and will send them out prior to the next meeting of this group.

***10. Next IT Meeting Date.***

The next meeting (a conference call) of the Implementation Team was set for Thursday, March 7, if needed. The next face-to-face IT meeting was set for either Thursday, April 4 or Thursday, April 11. Meeting summary prepared by Jeff Kuechle, BPA contractor.