

## IMPLEMENTATION TEAM MEETING NOTES

January 9, 1997, 9:00 a.m.-4 p.m.  
NATIONAL MARINE FISHERIES SERVICE OFFICES  
PORTLAND, OREGON

### I. Greeting and Introductions.

The January 9 meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Donna Darm of NMFS. The agenda for the January 9 meeting and a list of attendees are attached as Enclosures A and B. The following is a summary (not a verbatim transcript) of items discussed at the meeting, together with actions taken on those items.

### II. Updates.

A. In-Season Management. Doug Arndt of COE reported that five of the six generating units at Ice Harbor Dam are scheduled to be on-line at the beginning of the migration season. He said the Corps will be putting out a fact sheet detailing what happened to the sixth unit, what the Corps is doing from a repair/maintenance standpoint at that project, and what the anticipated schedule is for completion of that work.

B. PATH. It was agreed to schedule a half-day briefing on the current status of the PATH process at the beginning of the next (February 6) full meeting of the IT.

C. ISAB. Independent Scientific Advisory Board Coordinator Chip McConnaha updated the IT on the ISAB's ongoing activities, as well as those of the Independent Scientific Review Panel. He explained that the latter group had been created in response to the Gorton Amendment, and that the ISRP will consist of eight of the ISAB's members, plus a wildlife expert, an oceans expert and a social scientist. Numerous candidates have been nominated to fill the latter three positions; these nominations are currently under review.

The main difference between the ISAB and ISRP, McConnaha explained, is that the ISAB works on questions from all the fora in the region, while the ISRP will be concentrating on specific tasks generated by the Gorton Amendment, notably an independent peer review of individual fish and wildlife program elements. The ISRP is expected to render its report to the Power Planning Council by June 15, 1997.

McConnaha also briefed the IT on the ISAB's upcoming report on the biological effects of power and flood control operations on aquatic life in Libby and Hungry Horse reservoirs. Just to give you a peek at the conclusions the group is looking at, he said, they are particularly concerned about the effects of reservoir fluctuation on life in the tributaries downstream of the reservoirs, he said. One of their preliminary findings is that growth rates, success at spawning and resulting population levels of resident fish in the river segments below Hungry Horse and Libby Dams have been adversely affected by operation of the hydroelectric and flood control systems, due to changes in the hydrograph. The group is now looking at the Bi-Op operation to try to determine the extent to which the Bi-Op may have exacerbated the situation, McConnaha said, adding that the group will present its findings at a meeting with interested IT participants on January 21.

In terms of other conclusions, the group is less concerned about the impacts of reservoir fluctuation on life inside the reservoirs themselves, he continued. Certainly it does have an impact, but the group doesn't think current reservoir operations pose a threat of extinction to the resident fish community.

One comment, said Darm -- the Biological Opinion recognizes the potentially negative impacts of power peaking. It calls on BPA to research those impacts, as well as what can be done to reduce power peaking. As far as I know, no research has been proposed or done to date in either of these areas. The Return to the River report discusses that fact at length, Darm said, and it has also come up in the course of discussion about John Day drawdown. It now sounds like the ISAB is going to bring power peaking to our attention again. It's something that can have a huge impact on the power system, and it's going to keep coming up -- perhaps the time has come to address it in a more in-depth way, she said.

Our people are working with the Mid-Columbia PUDs to study the impact of power peaking on subyearlings below Priest Rapids Dam, said Tom Cooney of WDFW. That study is just getting started this year, he added, and will begin in earnest next year. Also, added Arndt, in the early '70s, the tribes sued the federal government over this issue, and as a result, a whole series of studies were done on the effects of power peaking. It's not as though we're starting from ground zero, he said -- there's a tremendous amount of research that has already been done on this issue.

Anyway, said Darm, I would like to call this power peaking issue to the attention of the Integrated Science Review Team (ISRT), as they put together the research, monitoring and evaluation plan, and let them know that this is a hole in our data base that needs to be filled. So noted, McConnaha replied.

D. Dissolved Gas Team. Brian Brown of NMFS said a conference call had been convened to resolve the fate of the four dissolved gas-related research projects proposed by the Corps and opposed by some IT members. The four studies in question are:

- ? DGAS 97(2)-2: In-river GBT symptomology and mortality (NET PEN)
- ? DGAS 97-3: Evaluation and implementation of non-lethal GBT symptom detection for adults (ADULT)

? DGAS 97(2)-1: Horizontal/vertical distribution to determine TDG exposure (H/V DISTRIBUTION)

? DGAS 97-6: Deep tank pathology and behavior to DGS (DEEP TANK).

At a joint meeting in November, the Dissolved Gas Team and System Configuration Team reviewed these projects and recommended that the NET PEN and ADULT studies not be funded; they designated the H/V DISTRIBUTION and DEEP TANK studies as questionable. During the January 7 conference call, which included participants from NMFS, COE, ODFW and WDFW (the Tribes were also asked to participate, but were unable to do so), it was agreed to drop the NET PEN and ADULT studies from further consideration in this at this time; it was further agreed that the H/V DISTRIBUTION and DEEP TANK studies would be reconsidered by a technical group formed at today's IT meeting for that specific purpose. This technical group will be asked to answer the following question: are the two studies structured, or can they be restructured, to fill information gaps necessary for selection among alternative gas abatement measures?

After a few minutes of further discussion, the IT recommended that the above-referenced dissolved gas study technical group include: Mark Schneider on NMFS, Ron Boyce of ODFW, Jim Nielsen of WDFW, Bill Maslen of BPA, Gustavo Bisbol from the Council staff, Bob Heinith from CRITFC and Rock Peters from COE. Brown said NMFS would set the meeting up as soon as possible.

What will be the outcome of that meeting? asked Arndt. If they agree that the two remaining studies are needed to help us decide among gas abatement alternatives, the controversy dissipates, and the studies go forward, Brown replied. If they conclude that those studies are not needed, but the Corps continues to advocate that the studies go forward, then the issue will return to IT.

E. System Configuration Team. Jim Ruff of the Council staff said SCT has scheduled a day and a half of meetings for next week, a regular SCT meeting at which the group intends to continue the prioritization of FY'98 projects, and a half-day briefing on the Lower Snake River Drawdown Feasibility Study from the Corps' Walla Walla District staff.

Just to give you a heads-up, Ruff continued, there are a couple of issues I know we're going to be wrestling with as we go through the FY'98 prioritization process. The first is whether or not to install extended-length screens at John Day Dam, a project that is expected to cost \$30 million, given the fact that a decision to draw that project down in the future would make those screens obsolete. On the other hand, Ruff said, the screens would provide an interim benefit until such a time as drawdown actually occurs. Prototype testing has shown some of the highest FGE on the river from the screens we would be installing at John Day. The Tribes, however, do not like screening and bypass systems anymore, so this is an issue that's

bound to come to IT in the next few months.

Before we make a policy call about whether or not to move forward with design and implementation of extended-length screens at John Day, said Darm, we need a lot more information -- how long will the John Day drawdown feasibility studies take, how long will it take to implement drawdown, what does the prototype data really show, how much will it cost, what program elements need to go forward in FY'98... there's a lot more information we need before we can make that decision, Darm said. And we'll provide that, Ruff replied.

The second issue I can see just over the horizon relates to the Corps' gas abatement program, he continued -- the Corps is on the verge of releasing its Phase II DGAS report, which will include a recommendation that we start design and construction of a prototype gas abatement structure or structures at one of the projects in the system. The question that's going to be raised is, what structure, out of the host of alternatives, should we move forward with, and at what project? said Ruff.

Ruff also touched briefly on the John Day drawdown studies justification letter, signed by NMFS, which is now in the possession of the Corps. Once Corps review is complete, the letter will be sent to the appropriate House and Senate subcommittees, with the goal of restoring about \$1.5 million in funding to begin the biological work in John Day pool in FY'97, he said. Time is passing, however, and the longer we wait, the less we'll be able to accomplish in 1997.

### III. Report and Follow-Up on Dec. 10-11 Executive Committee Meeting.

A. Alternative Dispute Resolution. Essentially, the EC authorized the IT to work with the Lawyers' Group that has been addressing the ADR issue -- it's more or less an open charge, Darm explained. This joint ADR group met yesterday; briefly, what we tried to do was organize our thinking in terms of decisionmaking and dispute resolution, she said. We talked about two basic ADR models:

- ? Advisory, in which NMFS, the states and tribes advise the operating agencies about how to operate the hydrosystem or
- ? Joint decisionmaking, in which all relevant sovereigns use a cooperative process to forge implementable agreements.

Pretty much everyone agreed that they like the joint decisionmaking model better, said Darm. The question is, what happens if, rather than reaching a decision everyone is comfortable about implementing, you reach impasse?

So the IT/Lawyers Group has several tasks before it, said Darm: first, it needs to define the appropriate structure for the ADR

forum, as well as a set of rules and procedures. Second, it needs to develop impasse procedures, to help the region move beyond gridlock when gridlock occurs.

At yesterday's meeting, said Darm, it was suggested that the annual Water Management Plan might be a good vehicle for fleshing out those impasse procedures, as we attempt to resolve some of the nagging issues that bothered folks last year. The ADR group has been charged to develop a recommendation that can be presented at the Executive Committee meeting at the end of February, she added, and it might be useful to develop a list of issues from the 1997 Water Management Plan for discussion at the next IT meeting. The TMT could try to put that on paper, Ruff agreed.

What, specifically, has the EC asked IT to provide to them at their next meeting? asked Arndt. They asked us to work with the ADR group to develop recommendations on ADR, Darm replied. That includes both rules and procedures for the ADR process, as well as impasse procedures and a list of issues that could be subjected to a trial ADR process. So the idea is to test drive some possible ADR procedures, as well as to get a jump on some of the more difficult issues the region faces prior to the migration season? asked Tony Nigro. That's correct, Darm replied.

Several IT members, including Nigro, Darm and Lothrop, suggested that it would be appropriate for the IT to be more directly involved in the development of the 1997 Water Management Plan than it was last year. After a few minutes of further discussion, the group clarified the work product the IT is asking the TMT to deliver by February 6: a draft Water Management Plan, including a list of issues that need to be resolved prior to the 1997 migration season; in addition, the IT requested that the Corps present the most recent draft of the Fish Passage Plan, together with a list of associated issues; a discussion of all of these items will be placed on the Feb. 6 IT agenda.

B. Furse/Crapo Letter and Response. Darm distributed Enclosure D, a written response from NMFS Regional Administrator William Stelle to Reps. Mike Crapo and Elizabeth Furse and their letter of December 9 (see Enclosure D for details of NMFS's response).

C. Coordination of SCT Budget with NPPC. Mainly I wanted to introduce this topic and get people thinking about it, because this BPA MOA implementation stuff is new to everybody, Darm said. The SCT was charged, first of all, with coordinating regional input on the Corps' capital construction budget. It was agreed in the course of the BPA MOA discussions, and by the Executive Committee at its most recent meeting, that the SCT should continue to be the place where that coordination occurs. It has also been suggested -- and the EC agrees -- that the SCT is the logical place to coordinate input on the Corps' fish O&M budget items.

The next question is, how does the Power Planning Council fit into these SCT discussions? Darm continued. The SCT is, of course, co-chaired by Jim Ruff of the Council staff; this is one obvious area of interface. The

Council staff also attends the meetings of the IT, which oversees the activities of the SCT. However, the Council has expressed a desire for something more formal.

From a practical standpoint, it would probably be best to look to the MOA for guidance on this issue, said Doug Marker of the Council staff. One thing I would like to do is schedule a Council review of what comes out of the SCT's budget prioritization process, because of that process' impact on other budgets, he said. But our feeling is, let's take advantage of the structures already in place to get the planning done, then look at how these work projects fit into the broader picture of the overall MOA budget.

Isn't the real issue here the fact that the Council is seeking to define its role in the processes taking place under the NMFS Regional Forum? asked Arndt. I have to tell you, he said, that although the Corps is committed to moving forward through the NMFS Regional Forum structure, it isn't very interested in working through two separate forums. I don't think that's what is being suggested, said Darm. Perhaps not, but I sense that could be the practical outcome, if we're not careful, Arndt replied.

The understanding I came away with from the last EC meeting is that the Council's role in this process would be to facilitate public review, and of course to provide comments of their own, Nigro observed. It sounds as though I need to go back to the Council and raise just these questions, said Marker. However, to address Doug's concern, the Council has no more desire than the Corps to subject the Corps budget to two separate prioritization processes.

Rob Lothrop pointed out that there are some rather large differences of opinion among the SCT membership regarding some of the big ticket items -- such as extended-length screens at John Day and Bonneville Dam PH1 DSM -- in the Corps' capital construction budget. When the draft Multi-Year Implementation Plan is released early next week, you'll see that the Mainstem Construction chapter identifies two main approaches to capital construction in the mainstem, said Ruff. One is what you might term a Council/Federal approach, which emphasizes screening, gas abatement and transport improvements, while moving forward with drawdown feasibility studies. The other is the approach proposed by CRITFC and the Shoshone-Bannock Tribes, which says, in essence, don't spend any more money on technological fixes, especially at the Snake River projects. Instead, the tribes propose that we move forward full speed ahead on drawdown design and implementation at the Lower Snake projects and John Day.

In response to a question, Ruff said the SCT is currently in the process of fine-tuning the Corps' FY'98 CRFM budget. And when you talk about the tribal approach and its different budgetary priorities, said Arndt, it's too late for the Corps of Engineers to take a completely new tack on FY'98. We understand that, said Darm -- I guess my question is, is there a role for this group, or for an ADR process, to play in how the Corps spends FY'98 funds? We'll know more after next week, Ruff replied. My reaction is, you bet, added Arndt -- we should have been more involved last year when they were putting together the FY'98 budget, and we should be thinking now not only about fine-tuning FY'98, but about FY'99 as well.

Once the President's budget is on the street, then it's in Congress' hands, and there will be some further dialogue about what will be in the Corps' FY'98 budget, said Lothrop -- it's not cast in stone for FY'98. Would it not, then, make sense, to use a forum like this one to try to develop a common vision about a more unified set of regional comments or testimony? asked Cooney.

Where I'm trying to go with this discussion is, is this another category of issues we should be teeing up for the ADR impasse resolution process? asked Darm. I may dissent from that, because, given what I've seen of that ADR group's ability to tackle issues, it's about as productive as watching molasses flow on a glacier, said Lothrop. I'm not all that confident that that effort is going to be the answer to all of our problems. Where else do you suggest that we engage in that type of discussion? asked Darm. I'm open to any better ideas you might have.

In the meantime, would it be worthwhile, regardless of where we try to resolve them, to ask the SCT to develop a list of issues? asked Darm. We've already done so, replied Ruff -- they're outlined in the Mainstem Construction chapter of the MYIP. And while we may not have regional agreement that this is the forum in which all of these issues will ultimately be resolved, added Arndt, the IT is as good a place as any to talk about and try to head off potential disputes and, hopefully, avoid them.

So to summarize, said Cooney, we all recognize that this process is under review; we all think it would be useful to have a place where the region can sit down and talk about the alternative approaches to longterm mainstem construction; we've all, I think, said we're willing to come here and talk about them, while the review process is ongoing. Any disagreement? he asked. As long as you understand that the tribes will also be engaging these issues in a variety of other fora, said Lothrop.

The group revisited the question of what specific assignment is being made to the SCT. My hope is that the SCT can provide a list of issues specific to the budget for FY'98, similar to the issues list we've asked the TMT to provide from the Water Management Plan, said Darm. To the extent that they can use whatever has already been written for the MYIP, fine.

It was agreed to schedule a supplemental IT meeting in February, specifically to work through some of these issues prior to the EC meeting on Feb. 25-26. The supplemental IT meeting was scheduled for Thursday, February 13, time and location t.b.a.

D. Next EC Meeting in Spokane Feb. 25-26. Agenda items for the February EC meeting include a presentation on the 1997 Water Management Plan, a report from the IT/Attorneys' group on alternative dispute resolution, and a further report on the 1996 migration season, incorporating whatever additional analysis has been done on the raw data. What about upriver/downriver issues, since we'll be meeting in Spokane? asked Marker. That's a possibility, Darm replied. I would also suggest that we add an item to the agenda for the February 6 IT meeting, "Other Topics for Feb. 25-26 EC Agenda," she said.

Will we have an opportunity to discuss the MOA allocation process at the February EC meeting? asked Arndt. That's an issue without a home right now, Darm replied -- especially since we've agreed to focus on hydropower, I don't think the EC is the place to deal with it. I'd let the BPA MOA group wrestle with that one, suggested Lothrop. Darm agreed.

Other thoughts about the February EC agenda? asked Darm. Outreach to the tribes continues to be an issue, said Lothrop.

#### IV. Snake River Recovery Plan.

We've deputized an internal group to begin working through the comments received to date on the Snake River Recovery Plan, said Brown. We've set an internal date of June 1 to release a final plan; as part of that process, we've started with a detailed outline of the major components of the plan, and plan to use the IT to share at least the hydro portion of that outline with the group. Under our current schedule, that outline should be available by mid-February, Brown added.

#### V. Emergency Operations.

As far back as July, said COE's Cindy Henriksen, there was a recognition among the TMT membership that we needed an appendix to the Water Management Plan that would cover, not necessarily emergency operations, but reliability issues and associated technical procedures. A TMT subgroup has been working to develop this emergency procedures appendix, which will spell out the definition of an emergency, who declares an emergency, as well, of course, as a process for dealing with various emergency situations.

One issue that has arisen is the topic of mitigation for emergency operations, Henriksen continued. The TMT feels that mitigation is clearly a policy issue, not a technical issue. We feel that it is inappropriate even to discuss mitigation in the Water Management Plan. Our preference would be to approach this appendix purely as an exercise in technical planning, she said.

That seems right to me, Cindy, Darm replied -- you can flag mitigation as a policy issue that

needs to be addressed outside the TMT forum. One piece of mitigation, however, does seem purely technical, Darm said: the first step, identification of the impacts of the emergency action on listed and unlisted fish. Also, while we don't want to ask technical folks to resolve the policy issues in the Water Management Plan, we do want them to develop the alternative scenarios under which mitigation would or would not occur, said Brown -- otherwise we're going to have to form a subgroup of this group to do that. It was also suggested that the emergency procedures appendix include language to the effect that, when an emergency does occur, the TMT will consider actions to immediately offset any impacts detrimental to migrating salmonids. Another question for technical consideration is, how do we quantify those negative impacts? added Nigro.

The approach we're taking is, rather than trying to anticipate and define every possible emergency situation, we're trying to set up a more generic process for dealing with emergencies, Henriksen said. We can certainly talk about how to identify and quantify negative impacts that result from emergency operations; perhaps the logical next step is for the TMT to identify all the issues associated with the development of these emergency procedures, and bring those to the next IT meeting, she suggested.

After a few minutes of further discussion, it was agreed that the emergency procedures appendix will also include language to the effect that there is a requirement to develop mitigation options each time there is an emergency, the effects of which cannot be fully ameliorated for. Basically, said Darm, we would like the TMT to bring the IT some ideas about what alternative actions might be available to offset the negative effects of an emergency operation -- not on a case-by-case, emergency-by-emergency basis, but on a more generic letter.

Darm also touched on the IT's earlier assignment to the TMT, to present the draft 1997 Water Management Plan and a list of associated issues at the IT's February 6 meeting.

## VI. Multi-Year Implementation Plan (MYIP) Update.

Darm distributed Enclosure E, explaining that a small group of IT and PATH members had met last month in the wake of the Harza interim drawdown decision report. In the course of that meeting, she said, we talked about what kind of a framework should be used to make a decision on the two major options for the Snake River: natural river drawdown, or continued transportation. This document (Enclosure E), which will be included in Chapter 5 of the MYIP, is an attempt to describe what that decision path might look like, Darm explained.

Basically what I tried to do in writing this document is to contrast the Harza report with the other

biological, economic and engineering information that will come available in time to help us make a decision, said Cooney. It boils down to three major questions:

- ? What level of survival from smolt to adult return is necessary for the recovery of the Snake River salmon stocks?
- ? What options are available to improve smolt-to-adult survival of Snake River salmon stocks?
- ? What is the expected level of improvement in survival associated with each of these options?

One of the things we concluded, said Cooney, is that we're not going to have a lot more information that will help us make a better decision in two or three years. The only area where we're going to have significantly better information is transport survival and in-river survival under improved conditions. That's a pretty important message, Cooney said -- it's time to start getting organized to make that drawdown decision (see Enclosure E for details).

My recommendation is that we develop a stand-alone workplan under the decision framework, said Cooney -- we can pull this section out of the MYIP, and integrate it with some perspectives from the Mainstem Construction chapter, so that it isn't just buried in the middle of a 500-page document. I agree, said Darm -- this is the heart of the matter. However, it needs a lot of work, and a lot more fleshing out, specifically in the incorporation of analytical results from all of the models, Cooney said. I'm interested in two things from an analytical standpoint, said Darm -- first, some sort of prediction of what would happen to the fish under each scenario. Second, what are the other ecological benefits and risks associated with each scenario? Those are the things the region needs to support a decision on this issue, she said.

After a few minutes of further discussion, it was agreed that the decision framework subgroup (which includes representatives from the states, tribes, NMFS, COE and NPPC) will develop this stand-alone workplan; the next meeting of this group was set for 9 a.m. Thursday, January 30, here at NMFS.

## VII. Next Meeting Date, Work Assignments and Agenda Items.

The next IT meeting was set for Thursday, February 6 from 9 a.m. to 4 p.m. at NMFS's Forum Building offices in Portland, Oregon. A supplemental meeting, to discuss issues related to the 1997 Water Management Plan, the 1997 Fish Passage Plan and the Corps' FY'98 CRFM budget, was scheduled for Thursday, February 13 (time and location t.b.a.). Meeting notes prepared by Jeff Kuechle.

Final Notes 2-20-97