

IMPLEMENTATION TEAM MEETING NOTES

February 13, 1997, 9:00 a.m.-4 p.m.
NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greeting and Introductions.

The February 13 supplemental meeting of the Implementation Team, held at the National Marine Fisheries Service's offices in Portland, Oregon, was co-chaired by Donna Darm and Brian Brown of NMFS. The agenda for the February 13 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. 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 Kathy Mott at 503/230-5420 or via email at Kathy.Mott@noaa.gov.

Our priority for today is to work our way through the TMT issues list, to see what can be resolved and what needs to be moved to another more appropriate forum, said Darm. I would also like to talk briefly about the discussion we had at the IT/Attorneys' Alternative Dispute Resolution workgroup meeting yesterday, she said. In addition, the System Configuration Team has prepared some information on the most important issues that have arisen in the course of FY'98 budget prioritization.

II. Discussion of Corps Position on Gas Abatement Research for FY'97.

Doug Arndt of COE provided an update on the status of the four gas abatement studies the Corps has proposed for FY'97. As you're aware, said Arndt, there has been quite a bit of discussion about the need for these four studies in the context of the Gas Abatement Program. We've been unable so far to resolve this issue at the technical or Implementation Team levels. After a conference call involving a subgroup of the IT, I drafted a short memo laying out the main issue, which focused not so much on the four studies but the goals of the Gas Abatement Program and the use of certain evaluation criteria in assessing our success in meeting those goals, Arndt said. I think the idea today is to pick up that discussion where it left off; if at all possible, I would like to bring this disagreement to closure today, he added.

Arndt spent a few minutes describing the background and goals of the Corps' Gas Abatement Program. He suggested that the Corps provide a succinct summary of the goals, schedule and evaluation criteria envisioned for the Gas Abatement Program at an upcoming IT meeting, to ensure that the region is on the same page. In the meantime, he said, as a result of the input we have received, two of the four studies we had originally proposed (the adult study and the net pen study) will not be carried out. The Corps does intend to carry out the other two studies -- horizontal/vertical distribution and deep tank -- in FY'97. The Corps will draft a letter spelling out the work to be done, its intent, rationale and strategic plan, for distribution to the

region.

I'd like to reiterate Oregon's opposition to the deep tank study, said Tony Nigro. I'll talk to our principals to determine whether or not our opposition is strong enough to warrant elevation of this issue to the Executive Committee, he said. In response to a question, Arndt said the contract for the deep tank study has not yet been issued; Rock Peters added that the main design/build contract for this study will not be issued until the end of the 1997 fiscal year. The contract for the cannulation portion of this study, however, needs to be let immediately, Peters said -- in fact, we need to make a decision today if the work is to be done this year. We'll schedule the DGAS discussion for the April IT meeting, said John Palensky of NMFS.

III. Continued Discussion of Issues from TMT.

When we left off last meeting, said Darm, we were going through the various lists of issues generated by the Technical Management Team, CRITFC, the Salmon Managers and Montana. We sent some of those issues back to TMT for further framing, we decided that some issues fell outside the scope of this forum to consider, and we decided that some were matters of Biological Opinion interpretation, which NMFS agreed to address.

The TMT met February 12 to go through the list of issues requiring further framing, said TMT chair Cindy Henriksen. We agreed that some issues are resolvable within TMT; the meeting generated a list of 11 issues that will require further IT resolution. Henriksen distributed Enclosure C, the compilation of still-outstanding TMT issues. That list, and the resolution of each issue agreed to by the IT at today's meeting, is reproduced below (please see Enclosure C for more detailed framing of each issue):

TMT Issues For the IT 12 February 1997

1. Emergency Procedures (raised by the Salmon Managers).

IT resolution: The TMT's Emergency Protocols document will be discussed further at the TMT's February 19 meeting.

2. Water Temperature (raised by CRITFC).

IT resolution: Since we don't have a specific TMT proposal about how to deal with the technical aspects of this issue in 1997, it isn't quite ready to be raised for IT resolution at this time, Henriksen explained. It will be raised at a future IT meeting if necessary.

3. Biological Data and the Use of Forecasts to Guide In-Season Management (raised by

Montana).

IT resolution: Discussion of this issue was deferred until the IT's March 6 meeting.

4. Biological Threshold Questions Other Than Those Involving In- Season Use of Survival Modeling (raised by Montana).

IT resolution: Discussion of this issue was deferred until the IT's March 6 meeting

5. Projects Where Lack of TDG Monitoring is an Issue (raised by Montana).

IT resolution: Discussion of this issue was deferred until the IT's March 6 meeting

6. Spring Transport of Fish (raised by CRITFC).

IT resolution: This issue was initially designated for discussion in the Alternative Dispute Resolution forum. Darm polled the other IT participants for their views on this issue. Tom Cooney of WDFW said discussion is still ongoing within his agency, and that he was not prepared to articulate a Washington position today. Washington could support transporting less than 50% of the fish if in-river conditions were favorable. One fundamental question, he said, is what benefit CRITFC's proposed operation would yield in comparison to the 1996 operation. Jim Yost said Idaho's goal is to provide the best possible conditions for in-river migrants. We would like to achieve a goal of two-thirds in-river migration and one-third transport, he said, as long as water quality standards are not violated. However, we have not yet fleshed out Idaho position on what to do if this program is contributing to TDG levels in excess of 120%, said Yost, nor have we made a decision on whether or not a percentage of the fish collected should be released to migrate in-river. Oregon's position is that no more than 50% of the spring run should be transported, said Tony Nigro.

I think what I'm hearing is that there needs to be more technical discussion of this issue, said Darm, particularly about what in-river conditions are likely to be, given the size of the current 1997 volume runoff forecast. The Bi-Op specifies that we are to transport what we collect, she said. However, it may well be that under expected 1997 conditions, it will not be possible to collect 50% of the run.

After a few minutes of further discussion, Lothrop said that, from a tribal perspective, the longterm issue surrounding transportation isn't the percentage of in-river vs. transported migrants, it is whether or not transportation produces acceptable levels of smolt-to-adult survival. If we do send this issue to ADR, he said, I'm not sure the percent transported question is really the place to concentrate our efforts. In 1997, the Snake River is going to do what it's going to do. If 1997 was going to

be a dry year, it might be worth investing the effort in a more detailed discussion.

Will anyone be pressing for a release of some portion of the collected fish for in-river migration?
asked Brown. In other words, will anyone be advocating that we operate the collector projects in bypass mode? That's going to depend on river conditions, and the percentage of the run you're able to collect, replied Nigro.

After some minutes of further discussion, Darm summarized the IT recommendation on this item by saying that there is more work to be done at the TMT level. Once the TMT's work is completed, it may be necessary to take this topic up again at IT. It was also agreed that, at this time, transportation is not an item requiring elevation to the Executive Committee.

7. Temperature, Specifically, Spill When Temperature Exceeds 68 degrees F (raised by CRITFC).

8. Summer Spill to Achieve 80% FPE at the Lower Snake River Dams (raised by CRITFC).

IT resolution: These issues, separate but related, were grouped together for discussion purposes. Does anyone outside of Intertribe support the proposal for summer spill to achieve 80% FPE? asked Darm. The Fish and Wildlife Service would support an evaluation study to get better information about this proposal, said Fred Olney. Dennis Rondorf is ready to proceed with this study, which would radio-tag and monitor fall chinook through the Lower Snake River, but we need authorization, said Bob Heinith. It sounds like TMT needs to evaluate the operational impacts of this study, said Arndt.

Washington would also be interested in obtaining summer migrant survival information, said Cooney. We could certainly support spill under good migratory conditions, although we're not interested in challenging the Bi-Op to get that spill, he added.

The Sho-Bans support CRITFC's summer spill proposal, said Keith Kutchins. Oregon does not object to the CRITFC proposal, as long as state water quality standards aren't violated, said Nigro.

So is this an item for TMT, or for ADR? asked Darm. After some minutes of further discussion, it was agreed that this is probably not an issue for dispute resolution -- it sounds as though this is an opportunity, with more time and more fish than we had last year, to get some good information on spill and fall chinook, said Darm. I'll work with Dennis to bring a study proposal to TMT and FPAC, said Heinith. The goal will be to study the impact of spill on summer migrants. It was further agreed that, as long as a serious study of this issue is carried out in 1997, the proponents of this item will not feel compelled to seek dispute resolution.

Moving on to Issue 7, Lothrop said the basic idea behind this proposal is to get fish out of the gatewells when water temperatures exceed 68 degrees F, and to allow them to seek cooler water temperatures in the river. The group discussed the

question of whether or not 68 degrees F is an absolute standard, or if there could be some flexibility to look at 70 degrees or even 72 degrees as the trigger for fish bypass. Ultimately, Brown summarized the discussion as follows: would it be worthwhile to reexamine the 68-degree protocol, and if so, which technical group should review it? Also, can the IT give this technical group some guidance about the appropriateness of using a strict temperature standard, rather than fish condition, to guide this decision? It was agreed to ask the Corps' fish facility O&M subcommittee to pick an expert panel to consider the temperature question, drawing from the state water quality agencies and EPA, and to secure the services of an independent facilitator, such as Dick Whitney, for the temperature group. This group will be asked to recommend a solution to the temperature question, hopefully in time for the IT's May meeting.

9. Power Peaking (raised by CRITFC).

IT resolution: There are a variety of facets to this issue, said Darm -- we need a better understanding of the power impacts, and we need to better understand the biological impacts. The Columbia Basin Fish and Wildlife Authority members have asked the Watershed Equity Team to study this issue, Darm added; the BiOp also calls on Bonneville to fund some biological studies on the effects of power peaking. Another component of this issue is the 80% of the previous five days' flow level question -- we believe that should apply for holiday weekends as well, said Bob Heinith of CRITFC.

After some minutes of further discussion, it was agreed that TMT should review the data from last year to see whether there were any weeks in which the 80% of the previous five days' flow criteria was violated, and report back at the March IT meeting. Darm suggested that IT draft a request for the Independent Scientific Advisory Board (ISAB) to review all relevant existing studies and suggest additional research to fill data gaps; I'll contact Chip McConnaha, she said, and report back at the March IT meeting. Lothrop requested that BPA provide an evaluation of the potential power impacts of this issue, and its ability to work within the kinds of limitations proposed; Alan Ruger said he would arrange for a presentation on this facet of the issue at the next IT meeting as well.

As far as restricting power peaking in 1997 operations, said Darm, I don't think it's realistic to expect that to happen this year. It's certainly not going to happen until we get the necessary analyses. I guess we'll find out on March 6, said Lothrop -- I'll come to the meeting with a CRITFC position on the 1997 operations question.

10. Agreement on 1.5 Kcfs at Milner (raised by the Salmon Managers).

IT resolution: The Salmon Managers were asked to develop a proposal on how to address the Milner flow restriction issue in 1997 operations; if the Salmon Managers draft their proposal in time, said Henriksen, we'll discuss it at the next TMT meeting and provide a presentation at the March 6 IT meeting, if there are outstanding issues to be resolved.

11. Delay of April Flood Control Draft (this was resolved, but TMT should nail down the agreed-upon resolution).

IT resolution: TMT to finalize its resolution of this issue.

There is also the list of issues NMFS agreed to resolve at the last IT meeting, said Darm. We have prepared a draft document in response to that request; it is currently undergoing internal review, and I hope to be able to distribute it later this afternoon, she said.

Are there other issues that should be included on the above list? asked Brown. A few minutes of discussion yielded several additional issues for IT discussion, including:

12. Operate John Day to MOP in 1997.

IT resolution: NMFS's view is that John Day at MOP should not be in the Water Management Plan, said Brown -- we don't support it for 1997 because the mitigation would not be in place in 1997, as specified in the Biological Opinion. Darm requested an update from the System Configuration Team on the status of the John Day drawdown justification letter, and the prospects for accomplishing the necessary John Day drawdown studies, at the next IT meeting.

13. Operate Lower Granite at Elevation 710 Feet in 1997.

IT resolution: Rob Lothrop of CRITFC agreed to present a proposal on this subject at the March IT meeting.

14. Spill Beyond August 31.

IT resolution: Discussion of this issue was deferred until the IT's March 6 meeting

IV. System Configuration Team FY'98 Funding Issues.

SCT chair Bill Hevlin distributed Enclosure D, a list of major issues identified by the SCT in the Corps' FY'98 budget.

There are eight specific issues having to do with the structure of the FY'98 spending package, said Hevlin; there's also an overarching issue, which has been raised by CRITFC, that focuses on the overall philosophical direction of the Corps' Columbia River Fish Mitigation program. The main issue is, do we continue with the status quo, and spend another \$350 million to \$400 million to build screened bypass and transportation systems, as proposed by the federal agencies, or do we take a different approach, allocating those funds to immediate implementation of drawdown at the four Lower Snake River projects, as the tribes are advocating, said Bob Heinith. From the tribal perspective, if we don't see spending priorities start to shift in FY'98, it will be very difficult to move forward with some of the higher priorities in the tribal plan. We believe that's a big enough issue to raise to the EC, if the IT is unable to resolve it, Heinith said.

It's a "forest vs. trees" analogy, Hevlin explained -- our list of eight issues is the trees, and CRITFC's issue is the forest. What they're basically asking is, does it make sense to continue to spend money on screens and transportation at the Lower Snake dams, when there's a good chance we'll be breaching those dams in the next few years?

In looking at the SCT's list of specific issues (Enclosure D), said Arndt, please bear in mind that these estimates do not reflect pre-1996 costs, nor do they reflect BPA costs.

Hevlin described the process SCT had used to arrive at the list of FY'98 issues; essentially, individual SCT members were polled for their ranking of each of the 40+ projects on the SCT's FY'98 spreadsheet. Projects were ranked either as high priority, low priority, or no priority -- do not fund. Significant issues were flagged when a given project was ranked as a "high priority" by at least one SCT member and a "no priority" by at least one member. In 32 of the 40 cases, there was no significant difference of opinion; in these eight cases there was (please see Enclosure D for detailed framing of each issue).

At this point, Hevlin continued, SCT is not asking IT to jump in on any of these specific issues. Four of the eight issues are on a short timeline; if SCT can't reach resolution on them within the next two months, then we will need to raise them to IT. CRITFC's "forest" issue, however, does require immediate IT discussion.

In response to a question, Hevlin identified the following projects from the SCT list as time-sensitive, with contract issuance relatively imminent:

- ? [ISSUE 2] -- Continuation of the surface bypass study at Lower Granite Dam -- needs to be resolved by: April '97
- ? [ISSUE 4] -- John Day extended length screen installation -- needs to be resolved by: April '97
- ? [ISSUE 6] -- Bonneville PH2 DSM, monitoring and outfall relocation; PH1 DSM, monitoring and outfall relocation -- contract to be let by: July 1, 1997.
- ? [ISSUE 8] -- Separator evaluation -- contract to be let by August 1, 1997.

Personally, I think these issues are ripe for IT discussion, said Darm; however, we need more information before we can decide whether they should go forward or not -- things like potential benefits to fish, and the reasons various SCT participants endorse or oppose each measure..

Lothrop said he would like to elevate the "forest" issue to the Executive Committee. And how, exactly, should it be framed? asked Darm. A few minutes of discussion yielded the following specific question for EC consideration:

Issue for EC

Should the region hold all expenditures in the Lower Snake River and at John Day Dam in abeyance except engineering, design, feasibility, NEPA and Congressional authorization/appropriations to move immediately to drawdown?

CRITFC: minor exception for adult fishway improvements and completion of John Day/Ice Harbor flip lips.

Nigro requested a comprehensive technical assessment of each of the eight issues identified by the System Configuration Team, which at minimum outlines areas where different SCT participants disagree, as well as how they disagree. I must not have communicated very well, said Hevlin -- SCT has a plan to provide that information to IT over the next two months. The assignment we took away from the last IT meeting was, 1) to identify the issues and 2) to develop recommended resolutions for each issue. My objective today was simply to give IT a heads-up, said Hevlin -- these are the big issues we've identified so far. Again, however, we're not asking for an IT decision on any of the eight today. In response to another question, Hevlin said the only contract that will need to be let before May is the one for the surface collector at Bonneville.

In that case, I don't believe this issue is ripe for Executive Committee decision, said Nigro. After some minutes of further discussion, it was agreed that the "forest" issue -- the philosophically different approaches of the tribes and the federal agencies to capital improvements on the mainstem -- would be placed on the EC agenda as a discussion item, not a decision item. Darm summarized the differences in spending philosophy by saying that the Sho-Ban Tribes are proposing that no further money be spent on the four Lower Snake projects, because they're going to be mothballed, sooner, hopefully, rather than later; NMFS, on the other hand, is proposing that the IT look at the projects on the SCT's issues list on a project-by-project basis, and make a decision based on costs and benefits, while the Corps and the Power Planning Council intend to implement all of the projects outlined in the Biological Opinion. All of these parties, with the possible exception of the Shoshone-Bannock Tribes, are willing to participate the middle, project-by-project evaluation path, at least in the short term.

Andre L'Heureux of the Council staff suggested that it might be more helpful to characterize the Executive Committee discussion item as one of overall management of the budget under the fish cap, rather than a difference in philosophical approaches. I agree, said Darm.

As far as how we pursue that project-by-project evaluation, said Darm, the SCT will take this list of eight controversial projects, as well as a list proposed by CRITFC, and develop an analysis of the biological benefits of each, as well as the biological detriments of not completing them. Any other available information, on costs, scheduling etc -- will also be provided, no later than the May 1 Implementation Team meeting. SCT will attempt to provide this information for at least some of the projects on the list -- probably issues 1 and 6 -- for consideration at the April 3 IT meeting.

One other point, said Heinith -- there is an MOA side to this discussion, and there is also a biological side. We've put forward performance standards that we believe ought to be met by 2001, and that's where all these measures should be directed -- an 80% FPE goal, 95% survival at each dam, and a 50% reduction in adult delay and pre-spawning mortality. My question is, said Heinith, can we get everyone in the region to accept those as the goals of this effort? Does the region even have a common goal? added Lothrop. That discussion has been taking place in the PATH/IT decision framework subgroup, said Darm. This group met last week to discuss these and other questions; I would suggest that it meet again, later this month. After a few minutes of discussion, the next meeting of the PATH/IT decision framework subcommittee was scheduled for Tuesday, February 25 from 9 a.m. to 4 p.m.

In response to a question, Arndt said the documentation needed to make the 1999 drawdown decision will include the necessary NEPA work, and will be adequate to allow the Corps to go to Congress for funding in 1999 -- we won't be starting the NEPA process at that point, we'll be finished with it, he said. There is still some question about how the Environmental Impact Statement will be packaged, but what will come out in 1999 will be both the technical and the environmental packages necessary to go to Congress for any required authority changes, Arndt explained.

V. Proposed Executive Committee Agenda for February 25-26.

After some minutes of discussion, the IT agreed that, given the lack of disputes ready for Executive Committee resolution, the February EC meeting will be postponed until May; this will still allow time for discussion and resolution of any disputes regarding FY'98 system configuration investments.

VI. Status of Ice Harbor Turbine Outage.

Arndt said an independent panel of experts from Reclamation, BC Hydro and General Electric have completed a root cause analysis of the Ice Harbor turbine outage situation; based on their assessment, the Corps has decided to go ahead with a partial rewind -- the quick fix. Unit 5 is currently being dismantled; the repair work will be initiated within the next couple of weeks on an expedited schedule, said Arndt. However, Unit 5 will not be available during the spring 1997 migration season.

VII. Multi-Year Implementation Plan Update.

This item was not discussed at today's meeting.

VIII. Other.

Darm announced that Judge Marsh had issued a ruling today, and had rejected the Federal briefs because they were over-length and used the wrong font size. They will have to be redone, and the hearing has been rescheduled from March 17 to March 31.

To end the meeting on a positive note, said Arndt, we've been talking for some time about the

desire to have water temperature control capability at Dworshak Hatchery, such that cold water releases from the dam would no longer be a concern. General Griffin has now issued an order that the Corps is to move out smartly on this project, using O&M funds; plans and specs on the project will begin immediately. The only downside, said Arndt, is that it's unlikely we'll have the temperature control system operational by this July or August -- it will probably be next year before it's up and running.

While we're on the subject of good news, added Hevlin, the Corps has also agreed to install a TDG monitoring station below Chief Joseph Dam.

IX. Next IT Meeting Date and Agenda Items.

The next Implementation Team meeting was set for Thursday, March 6, from 9 a.m. to 4 p.m. at NMFS's Portland offices. With that, the meeting was adjourned. Meeting notes prepared by Jeff Kuechle, BPA contractor.