IMPLEMENTATION TEAM MEETING NOTES

November 6, 2003, 9:00 a.m.-1 p.m.

NATIONAL MARINE FISHERIES SERVICE OFFICES
PORTLAND, OREGON

I. Greetings, Introductions and Review of the Agenda.

The November 6, 2003 meeting of the Implementation Team, held at the NOAA Fisheries office in Portland, Oregon, was chaired by Jim Ruff of NOAA Fisheries 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 NOAA Fisheries Kathy Ceballos at 503/230-5420 or via email at 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). The Corps' Jim Athearn reported that chum operations began November 3: an 11.2-11.7-foot tailwater range at Bonneville from 7 a.m. to 7 p.m., higher at night as needed. During yesterday's field survey, crews found six adult chum and one redd on the Ives Island spawning grounds. At yesterday's TMT meeting, the salmon managers requested that the tailwater range be increased to 11.3-11.7 feet, said Athearn; BPA said they will investigate that and communicate their decision to the TMT. The other request was that the action agencies do everything they can to smooth out flows between daytime and nighttime, Silverberg said.

At Albeni Falls, Athearn continued, the decision was made to make this a draw-down year, to elevation 2051. The project is now drafting, is currently at about elevation 2053, and is

expected to reach elevation 2051 by November 15.

Other than that, said Athearn, operations are pretty normal for this time of year – there are no other special operations of note, currently. Silverberg noted that the TMT held its annual post-season review/lessons learned meeting yesterday; an informative time was had by all. Ruff requested that a condensed version of the TMT's lessons learned from 2003 be presented at the next IT meeting. One item of particular interest is the summer operation at Dworshak, he said – how we did in using Dworshak storage to reduce water temperatures and increase flow downstream. Silverberg said she will coordinate such a presentation.

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. No TMDL update was presented at today's meeting.

F. Water Quality Plan Work Group. No WQPWG update was presented at today's meeting.

3. FY'04-FY'08 Implementation Plan.

The action agencies have been working on the one- and five-year implementation plans required under the Biological Opinion, said BPA's Suzanne Cooper; we, too, are building on the lessons learned from previous years' implementation planning. She noted that, in this year's plans, the action agencies are moving to more of an ESU-based approach, rather than an RPA-based approach. Our plans are dynamic in nature, she said; while we do have a deadline to meet, information from previous years' research is still coming in, and sometimes comes in after the plan is developed. That means we are open to the possibility of fine-tuning implementation in response to compelling new information, she said.

The implementation planning process is the process by which changes are allowed to the BiOp operations, Cooper continued – they point out how we plan to modify implementation in response to new information, and NOAA Fisheries responds with a findings letter.

We are investigating how to integrate the Council's Mainstem Amendments into our planning, Cooper said; also, in the Hydro Implementation section, we will be identifying some of the operational changes we're contemplating, and indicating which forums those changes will be discussed within, Cooper said.

Athearn said much of what is included in the 2004 Implementation Plan builds on the plans from previous years; we're still working out the specifics of many operations, because

there are still many uncertainties out there. In other words, Athearn said, there are no major surprises, and we are retaining the flexibility to modify operational and configurational decisions in response to new information. We have also added a segment within each "H" section to highlight which forums will be taking up discussion of that particular "H," Athearn said.

The Implementation Plan we're putting together builds on the information in the most recent check-in, Athearn added – as long as you're in tune with that, you won't hear any major surprises.

We're in the process of finalizing the Implementation Plan now, said Cooper; the final plan will be posted to the www.salmonrecovery.gov website on November 17. Final, not draft? Richelle Beck asked. That's correct, Cooper replied – we sent notice to a huge number of interested parties throughout the Northwest that this process was underway, and asking for comments. We did receive some comments, which have been incorporated in the plan, she said. And again, said Athearn, as compelling new information comes in, we will have the flexibility to make changes to the plan.

Will NOAA Fisheries ask for comments on the Implementation Plan? Michelle DeHart asked. I don't know, at this point, Ruff replied – we'll find out. I do know we will be looking at it in the process of developing a findings letter, he said. My point is that there has been no opportunity to comment on this year's Implementation Plan – the document that will be released on November 17, DeHart said. The issues that are really issues are still being debated and developed, Athearn said. There is nothing, operationally, in this plan, that is going to be a major surprise. The only thing the Implementation Plan will say about major issues such as summer spill is that we're still discussing them, Cooper said. We'll find out what the next steps will be in this process and report back to the IT, Silverberg said.

We are also working on the five-year Water Management Plan called for in the BiOp, said Athearn; that is not as far along, however. BPA's Ken Barnhart noted that the five-year WMP will discuss such topics as how the transition from research to implementation will be made – in other words, how are we going to decide how many years of research into, say, spill, is enough to allow us to make actual operational changes. The overall intent of the five-year IP is to look deeper into the future, as far as the year 2008. The idea is to examine where we think we're headed with various projects, and how the decision process is going to work as research transitions into operational and configurational changes, Ruff noted. The five-year Water Management Plan will be released for comment in draft form, Athearn added.

So the one-year Implementation Plan will not call for any changes to the summer spill program? Mike O'Bryant asked. No – that's one of the issues on which discussions are ongoing, Athearn replied.

4. 2004 Water Management Plan.

Athearn said the final 2004 Water Management Plan is now available via the TMT homepage. Again, this plan, unlike some previous WMPs, contains uncertainties as well – the

Council's Mainstem Amendments, summer spill etc., Athearn said -- we're still working out how we will handle those issues. Athearn added that the draft fall/winter update to the 2004 WMP will be released within a couple of weeks, and will be discussed within the TMT process. The 2004 WMP is available via the TMT website, Cooper added.

5. Update on Summer Spill Evaluation Discussions.

Ruff said these discussions have been ongoing through an ad hoc work group in the CBFWA forum, formed in response to a directive in the Council's Mainstem Amendments. Tony Nigro and I are chairing a CBFWA work group that has met numerous times to develop a spill evaluation for 2004, Ruff said. The group has developed four options for evaluating summer spill: looking at the current spill program project-by-project (the "status quo" option), including the SRWG and AFEP processes which identify refinements in spill operations at each dam to achieve the highest survival. Option 2 is a reduction in summer spill, with two sub-options: continue with the current project-by-project spill evaluations planned for 2004, then reduce spill after mid-July, and second, an overall reduction in the volume of summer spill at all projects, with or without evaluations. Option 3 is to implement the BiOp spill program and evaluate it to get a baseline survival level for summer migrants, and to identify potential measures that would offset the benefits of summer spill, and evaluate their cost and feasibility. Option 4 could increase spill over current BiOp spill levels, to inform an in-river vs. transport survival evaluation, Ruff said – how well would summer migrants survive in-river with a spill program at the collector dams? There would be fewer fish in the barges and more fish in-river under this option, Ruff explained.

The next step will be to take those four options to a science work group, which has met one time so far, to try to determine how to evaluate each option – their feasibility, how many fish would be needed, their levels of precision, how long it would take to get these answers, and cost Ruff said. He added that IDFG's Russ Kiefer is chairing the science group. At that first meeting, we had some difficulty getting to what, exactly, our role should be, Kiefer said; there is also concern about designing studies that would yield the maximum possible information if spill is reduced, particularly in time for implementation in 2004. Additional discussions are scheduled over the next week or two, Ruff added – the science team meets again tomorrow morning, and the full spill work group is meeting tomorrow afternoon to decide what to present at the November Council meeting in Coeur d'Alene. The meetings are being hosted and facilitated by CBFWA and are open to the public, Ruff added.

The group devoted a brief discussion to the differences between the four study options. Kiefer then asked the IT to clarify the science team's role in this process. We would like you to decide how best to evaluate all four options, Ruff replied. The expectation is that the science team will look at all four options with an eye toward developing performance measures and experimental deigns for each option, said Tony Nigro. We would also like your opinion about the logistical feasibility of getting those experimental designs in place in 2004, as well as the precision that will result – how well we'll be able to measure or detect the response of the target species to the spill program under each option, Nigro said. You may decide that a combination of more than one of these options will best answer the questions the region has put on the table,

Nigro said, adding that he will attend tomorrow's science team meeting to expound further.

Steve Haeseker said that, in his view, the CBFWA work group is putting the cart before the horse, because each of these options is attempting to answer very different questions. Policy makers need to provide policy direction to the science team as to which of these questions they should be attempting to answer, he said. The science team is intended to be a technical group telling us how they would evaluate each of these four options, said Cooper -- perhaps that wasn't made clear enough. What we're trying to get at is, if you operate the system as laid out in each of these options, what are the consequences to the listed and non-listed species, Nigro said – how will fish perform under each scenario? How will we measure the response of fish under each of these options relative to the status quo? The motives for putting each option on the table may be different, but the basic scientific question we need to answer is the same. The bottom line is, if you choose one of these options, what will be the response of the fish to that operation? Nigro said. Haeseker said he disagrees with Nigro's assessment – it doesn't seem to me that the policy people are providing good guidance about what questions the scientists are being asked to answer, he said.

The discussion continued in this vein for some minutes. Dave Statler suggested that there are certain common questions the science team needs to answer for all four options, including: what are the benefits and detriments of spill, transportation and passage through the turbines? Another clear question is, is the performance standard being met? Cooper said. That is a straightforward question you could design a study around, DeHart agreed. And we have been wrestling with similar questions in the work group, Ruff said; frankly, one of the benefits of this exercise may be to clearly articulate where the data gaps lie for summer migrants. There is a lot of uncertainty surrounding many aspects of fall chinook recovery, Ruff said.

Still, we have been making operational decisions in the face of those unknowns, observed Jim Litchfield. Now we have four operational options, and to me, the question is, what evaluations do we need to do to understand the effects of each of those options on the fish? Was it a good change, a bad change, or did it cause an unexpected effect? said Litchfield. I still feel we should be asking the scientists to start with the uncertainties and design studies to address them, rather than starting with operational scenarios and designing studies around them, Haeseker said. Kiefer said that, in his opinion, the burden of proof should be higher when making changes to a BiOp than it is when the BiOp is originally developed, using best available information, to mitigate an imminent threat to an endangered species. He said he supports the approach Haeseker is suggesting.

Moving on, John Palensky discussed the work of the offset work group that has been considering another aspect of this issue. Two of the options – Options 2 and 3 – follow direction that has come from Council discussion – why can't we reduce spill and implement offsets to make up for any differences in survival that would result? Palensky said that, in his capacity as the chair of the offset subgroup, he had developed a list of seven offset principals; the group met yesterday and approved these principals.

Under Palensky's seven principals, any offset should:

- provide equal or greater benefit to fall chinook
- be temporally consistent (provide benefits within the same brood year, either smolts or adults)
- capture the diversity of the impacted stocks (early vs. late migrants within the run)
- be funded over and above the existing program
- address both listed and non-listed stocks
- be implementable on or before the spill reduction actually occurs, including any necessary ESA consultation work
- be something that is not already contemplated and in the queue of recovery measures and RPA actions.

Again, the offset work group approved these principals yesterday, said Palensky, adding that the participants in this group include NOAA Fisheries, the Corps, NPCC, the Public Power Council, USFWS and BPA. The CRITFC will also be a part of the group but did not participate in yesterday's meeting. We have developed a matrix of the seven principals and the various offset measures that have been suggested, Palensky said; this matrix will indicate the level of consistency of each of those offset measures with the principals. Offset measures suggested to date include increases in predator control, from terns to pikeminnow to sea lions; law enforcement augmentation; habitat activities; increased flow augmentation, installation of additional RSWs, supplementation, and reductions in harvest. Palensky said this matrix will be presented for Council consideration at the upcoming Coeur d'Alene meeting.

One of the big questions is, if we do not know what the impact of reduced spill is, it will be difficult to quantify the value of a given offset, Palensky said – essentially, how do you measure it?

The group discussed the offset principal concerning items that are already contemplated under the BiOp and in the pipeline; the IT discussed various circumstances under which already-contemplated projects could, conceivably, become offsets -- projects which might otherwise never be funded, for instance. Bill Tweit said that, in essence, what this could be setting up is a separate funding mechanism that essentially would be used to increase funding certainty on projects. Perhaps on a case by case basis, but not for a suite of projects, Athearn replied. Perhaps I was oversimplifying, said Tweit, but it does seem to me that the entire thread weaves in that direction. In essence, the "summer spill fund" becomes an instrument of greater funding certainty, he said. My view is that moving those activities that have already been approved as high-priority even higher on the funding list is not an offset, Palensky said – I think that's what you're trying to get at.

If you were to create a "summer spill fund," why wouldn't that just flow to the next-highest priorities on the list? Tweit said. That's an interesting question, and will be one of the items discussed in the future, Silverberg said.

Statler said the BiOp calls for an "aggressive non-breach strategy," as well as a program of offsite mitigation -- that's a grand experiment in itself, he said. My concern is, if the region decides to retreat somewhat from the "aggressive non-breach strategy," that will increase the

need for even more offsite mitigation activities, Statler said – it's that, one step forward, two steps back approach I'm wrestling with.

Again, we will be fleshing out the offset matrix further and presenting it to the Council later this month, said Palensky; they will likely provide us with some further direction at that point. The largest issue, again, is how to measure the benefits; another large issue is the process under which the region will decide which option to pursue. Palensky said he will email copies of the principals and matrix to the IT membership; he asked that any comments on these documents be provided to him within the next few days.

6. Discussion of Next Steps for Spill Management.

At the October 23 TMT/IT meeting, said Silverberg, you will recall that Michelle DeHart and Richie Graves gave us a thought-provoking presentation on the available data on historic fish passage and spill dates – in particular, the end date for spill, and the idea that the available fish passage data would need to be augmented before any changes are made to the spill management program. We asked the IT participants to think about the available data, and the question of whether it is practical or defensible to continue to make management decisions based on that data. There was a lot of information presented, she said, and we wanted to give folks an opportunity to digest it before discussing it again today.

Ruff said one question he has is, while the data presented was interesting, there was one piece missing: a graph showing historic passage timing for Lower Monumental similar to what was presented for Lower Granite. We can put something together for you, DeHart replied. That's important because Lower Monumental is the next project upstream from Ice Harbor, where summer spill is occurring, said Ruff – it's just one more piece of information that would be useful for us to have. DeHart noted that the entire FPC presentation from the October 23 meeting is available via the Fish Passage Center website, under the "Historic" tab.

Another question raised on October 23 was, what other stocks would need to be marked, and in what numbers, to ensure a more representative sample in the smolt monitoring program, Ruff said – we agreed to discuss that further today. We also discussed the advantages of using a fixed planning date for the end of spill vs. making that decision based on the percentage of the run passed to date, said Tweit – we also agreed to discuss that question at today's meeting.

Nigro noted that the BiOp benefit analysis assumed that 100% of the run benefits from spill. Before we proceed with this discussion, he said, we need to know how a change in management practice would affect the BiOp jeopardy analysis.

DeHart noted that, from a practical standpoint, it would be very difficult to significantly change the smolt monitoring program in time for implementation by March 2004 – particularly given the fact that we don't even have adequate funds to do everything we would like to do in terms of marking fish under the existing program. So, it's already too late for 2004, asked Ruff – they're already marking fish for release this spring? Getting agreement on a revised program alone will be a very difficult task, let alone getting funding and implementation in place in time,

DeHart observed.

Ken Barnhardt noted that the discussion of this issue has been ongoing for some time; while BPA feels these discussions need to continue, the sense he is getting is that the region isn't ready to make a decision on this issue yet. It also sounds as though it isn't going to be possible to implement major changes to the smolt monitoring program in 2004, he said. One of the things we really need to get our arms around is, what is the magnitude of those changes? Ruff said – which stocks would we need to mark, and how many fish are we talking about? Doubling the smolt monitoring program? Tripling it? At what additional cost? Another question is, which index stocks are you interested in? DeHart asked – is it just the list of stocks that are affected by spill?

Tweit said that, in his opinion, this may not be as high a priority as other information needs in the region. DeHart added that, unless there is agreement among the action agencies that they will continue to spill after August 31 in years when the 95% passage point isn't reached until after that date, there isn't much point in pursuing this effort – any increase in the number of fish marked will be very expensive at $2.25 per tag.

Silverberg went to the white board and wrote down the following decision tree related to changing the smolt monitoring program:

- Index stocks would need to be identified (salmon managers and NOAA Fisheries)
- Does the region want to change to managing spill to the 95% passage point, recognizing that, in many years, it occurs after August 31?
- What is the risk involved in moving to a percent passage approach? (manage to a planning date unless there is unanimous consensus that a different date is more appropriate?)
- If the answer to the above question is yes, more passage data will be needed
- How many marked fish will be needed to provide sufficient information to make the decision? Is such a program feasible? What will such an increase cost, in terms of both additional tags and monitoring? What are the costs related to the uncertainties?

The group devoted a few minutes of discussion to the approach used to set the end date for spill at the Mid-Columbia projects; DeHart cautioned that the Mid-Columbia is a much simpler system, with far fewer species of concern. The discussion then returned to the question of whether this issue is even worth pursuing, if BPA is unwilling to consider spill past the current end date of August 31. In some years – one out of 13, according to the data we've seen – the 95% passage point would not be reached until October, Ruff noted. Again, I don't think we have a process for making such a decision, yet, Barnhardt replied -- Bonneville isn't ready to make that call at this time.

Haeseker said that, in his view, this issue should be put to rest and buried.

It sounds to me as though we may have agreement that the executives need to be informed about what will be involved in moving the region from a planning date for spill to

managing spill based on a percent of the run passed, Silverberg said – basically, show them everything on the flip chart, plus the information presented by the Fish Passage Center on October 23. And perhaps, once that information is presented to the executives, presuming that they will concur with us that this is a bad idea, we can put this issue to rest, once and for all, formally, Haeseker said. And it sounds to me that if, in a given year, the data is so overwhelming that spill should be cut off early or extended that we can achieve a regional consensus on that point, there is enough flexibility in the existing BiOp to make that adaptive management call, Barnhardt said. There was general IT agreement on this course of action.

7. Next IT meeting Date.

The next meeting of the Implementation Team was set for Thursday, December 4. Meeting summary prepared by Jeff Kuechle.