



# NORTHWEST POWER AND CONSERVATION COUNCIL April 17-18, 2007

There was bad news and good news for the Council at its meeting in Libby, Montana, starting with the deteriorating water supply forecast for the Snake River Basin and ongoing tension over rejuvenating the Fish Passage Center Oversight Board. On the positive side, there is light at the end of the tunnel for the wrangling with BPA about 2007-2009 fish and wildlife project funding, and a new handbook that standardizes protocols for salmon research and monitoring. Next meeting: May 15-17 in Walla Walla, Washington.

## IN THIS ISSUE

---

Downhill All the Way to Runoff Forecast .....	2
FPC Continues to Divide.....	3
Stage Set for F&W Amenders.....	5
Fish and Flood Pas de Deux at Libby.....	5
F&W Funding Saga Winds Down.....	6
Teaser on ISAB Latent Mortality Report .....	6
Sea Lions Feast While Congress Fiddles .....	7
All Hail the M&E Protocols .....	7

---

## FOR OPENERS

---

Earl Messick, president of the board of Flathead Electric Cooperative, welcomed the Council to Libby. He pointed out that Flathead Electric is committed to bringing renewable resources into its portfolio and currently purchases 2 megawatts (MW) of environmentally friendly power from BPA. The co-op has 200 members enrolled in its green power program and has facilitated the purchase of biofuel generation for one

of its industrial customers, Messick reported.

Flathead Electric places an emphasis on conservation in its service territory and is hiring a full-time energy services director to assist in that effort, he said. We hope to become a leader in Montana for conservation and renewable energy, Messick wrapped up.

## THE AGENDA

### **Downhill All the Way to Runoff Forecast**



Staffer Jim Ruff said the final runoff forecast for the Columbia River Basin, released April 6, shows that most parts of the basin lost snowpack from March 1 to April 1, some by as much as 20 percent. The notable exception is the upper basin, where the inflows into Grand Coulee and Libby remain unchanged at over 100 percent of average, he said.

According to a graph of the normal peak snowpack, 2007 was tracking at about average early in the year, but totals began to drop shortly after the beginning of March. Ruff pointed out the wide contrast between water supply conditions in the upper Columbia basin and those in the Snake River Basin, where snowpack fell sharply from February to April, and some drainages are as low as 32 percent of average.

Overall, the runoff forecast for the Columbia River at The Dalles is 90.4 million acre-feet (MAF), 92 percent of average, Ruff said. The John Day took “a huge drop” of 20 percent from February to April and is now at only 55 percent of average, he said. This could mean significant impacts to fish, especially if temperatures are warm, Ruff pointed out. Forecasts for the Snake are very low, with the inflow at Brownlee Reservoir estimated at 52 percent of average and 70 percent of average at Lower Granite Reservoir, he said.

Bruce Measure commented that while the water supply forecast for the upper Columbia and inflow into Libby look good

now, the “artificial freshet” that is declared for the Kootenai in the spring can cause operators “to dig a hole” in the reservoir. Operators release water to accommodate the expected inflow, he said. The estimate of the inflow is based partially on U.S. and Canadian weather forecasts that don’t necessarily materialize, Measure indicated. Libby is one of the most difficult dams in the system to operate, he stated. “That is one reason Montana whines so loudly about the impact of releases for downstream flows,” Measure said.

### Power Supply Okay

The January through July runoff forecast, a slightly different time period than the water supply forecasts Ruff presented, is for 100 MAF or 93 percent of average at The Dalles, staffer John Fazio reported. The region continues to have a 2,200 average MW generating surplus, based on critical water and the assumption that power from the region’s 3,500 MW of uncontracted independent power resources would be available to Northwest utilities, he said. Using the recently adopted adequacy standard, we do not anticipate any problems with power supply this season, Fazio reported.

In terms of meeting the flow targets in the Biological Opinion (BiOp), we have a better than 50-50 chance of reaching the spring targets on the Snake, measured at Lower Granite, he continued. It is less likely we’ll meet the summer target, which is not unusual, Fazio said. We rarely get to the minimum summer flow targets, especially in August, he stated.

We have “a decent shot” of being above the spring BiOp target on the Columbia, but not such a good chance for summer, Fazio reported. Again, that is not unusual in terms of what’s normal, he said. When you

compare the 2007 forecast summer flows to other years, they are pretty close, Fazio wrapped up.



### **FPC Continues to Divide**

Staffer John Shurts refreshed the Council on the background leading up to the pending decision on reconstituting the Fish Passage Center (FPC) Oversight Board. Last month in Boise, we released a proposal for public review and asked for comment by April 6, he said. We received more than a dozen comments before the deadline, and we recently received comments from the Columbia Basin Fish and Wildlife Authority (CBFWA) and a letter from Montana's governor, Shurts reported. None of the earlier comments supports the Council's proposal, and many take aim at the lack of public members, he added. Shurts also said commenters want the Council to delay a decision and spend more time talking directly with those who are interested in the outcome.

Many comments reflect "a misperception" about the role of the Oversight Board, he continued. This is not like a regular board of directors, rather it is an oversight group focused on ensuring the FPC works to implement the provisions of the Council's program in an accountable way and that the FPC's work is compatible with the regional data management system, Shurts said. For that reason, we framed up another alternative that would entail a small management board of perhaps two Council members and the executive director of CBFWA that could consider and propose whether to expand the board and to what extent, he explained.

Larry Peterman of the Montana Department of Fish, Wildlife and Parks presented highlights of the CBFWA comments on the Oversight Board proposal. He said CBFWA recommends funding for the Fish Passage Technical Services project proposal. It creates the needed management structure, describes in detail the scope of work and contract deliverables for the FPC, and expands the current staff to include expertise in resident fish and reservoir operations, Peterman explained. He also said a representative from the U.S. Fish and Wildlife Service should be added to the Oversight Board. CBFWA's comments express support for having public members on the board.

This is a potentially contentious issue, but it need not be, Measure said. He agreed with Shurts' comments on the role of the board, describing the role as management, not policy. Measure said the Council needs "to move forward" on reconstituting the Oversight Board. He noted that Montana's governor, Brian Schweitzer, sent a letter urging Council action to get something on the ground.

Measure explained that the proposal released after the Boise meeting outlines changes to the current membership categories, including the designation of the Council representative as chair; expanding the state fish and wildlife (F&W) agency representatives to two, with one member from the upper and one from the lower basin; and elimination of two members from the public at large. I propose we take the small step of opening the reconstituted board for recruitment and after that consider further changes, he stated. Measure said his motion to adopt the amended membership categories would also eliminate the designation of NOAA Fisheries as a member.

Measure made a motion, seconded by Rhonda Whiting, that the Council adopt the following membership categories for the FPC Oversight Board:

- One Council member or Council representative, who will be the chair
- One member representing the upper Columbia River Basin tribes
- One member representing the lower Columbia River Basin tribes
- Two members representing the state F&W agencies, one from the upper Columbia River Basin (Idaho/Montana) and one from the lower Columbia River Basin (Oregon/Washington), and
- Two members from the scientific community.

The motion also authorized the Council's executive director to seek nominations to the board.

#### Let's Add NOAA

Joan Dukes questioned why there was no category for public members and said she is strongly concerned about eliminating the NOAA Fisheries member. Measure responded that the Oversight Board is not a policy body, but has a role in overseeing management of the FPC. Council chair Tom Karier said the designations don't preclude NOAA representation, but do not require it. Bill Booth said he was also concerned about leaving NOAA out and would like to see the agency named.

Jim Kempton pointed out that deletion of NOAA Fisheries from the categories came about because that agency indicated it did not want to be designated. I support the motion, he added.

I subscribe to the comments in the CBFWA letter, Melinda Eden stated. She said her view of the Oversight Board was that it should not be a group of scientists. The board is being set up [in this proposal] to come up with different science from the FPC peer reviewers, Eden suggested. "We are spinning our wheels" on this, she stated. I would vote in favor of a motion that reflects the CBFWA comments, Eden added.

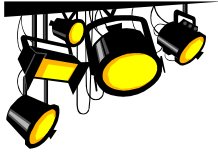
Measure withdrew his motion and restated it to designate one of the two members from the scientific community to be from NOAA Fisheries. Whiting seconded the motion.

Larry Cassidy urged his colleagues to consider "what we are trying to do." He pointed out that when he chaired the FPC Oversight Board, the two public members had competing viewpoints and "dug in their heels" on issues. Our purpose here is to get the information from the FPC, "much of which is good," to be more useful to the region, Cassidy said.

Eden asked for a roll-call vote on the motion, which passed six to two, with both Oregon members voting no.

The Council is interested in appointing people with a scientific background related to FPC functions, Kempton said. The nominees will be evaluated on that basis, he added.

Cassidy noted he had seen letters accusing the Council of holding its meeting in Libby to make this controversial decision in a location that was unlikely to draw a large public audience. That is an unfair accusation, he stated. Libby was selected as the meeting site long before this was put onto the agenda, Cassidy said.



## Stage Set for F&W Amenders

Staffer Lynn Palensky laid out a proposed schedule for amending the Council's F&W program. She noted the relationship between amending the program and updating the Power Plan. The Northwest Power Act calls for the Council to review the Power Plan every five years and to amend the F&W program before reviewing the plan, Palensky said. The dates in this schedule were timed to meet that requirement, she explained.

Council staff met with other interests in the region to develop the schedule, Palensky continued. She went over the major steps in the year-long process, including a call in October for recommendations to amend the program, public review, Council review and development of a draft program, public comment on the draft, development of final amendments, and Council adoption.

We are preparing for the call for recommendations, Palensky said. She explained that the Council could ask for proposals in specific areas of the program, but under any circumstances, there are likely to be a lot of general recommendations and comment.

Eden asked about the purpose of the ad hoc group that is meeting to discuss biological objectives for the program. The group is talking about what form the objectives should take, including whether they should be population or habitat-based, and whether the All-H Analyzer (AHA) model is most useful, staffer Peter Paquet responded. He noted that the AHA developers had briefed the ad hoc group on that work. We are exploring various alternatives and what people would like to see in the final

program, Paquet said. And, he added, the work on biological objectives could help define what the Federal Columbia River Power System (FCRPS) is responsible for in the program.

I am concerned that our investment in AHA be used to the greatest extent possible, Eden stated. We wanted that work to provide a starting point for Council discussion, not for a group that we have no authority over, she said. We need to make use of the work we've invested in, Eden added.

Whiting pointed out that the ad hoc group is made up of interests that don't usually work together. "I applaud their efforts," she stated. They want to have something to present to the Council in which they have hashed out a lot of the issues, Whiting said.

Karier noted that the information from the planned September science conference will need to be turned around quickly to be useful in the amendment process. A motion to approve a schedule and process for amending the F&W program passed unanimously.

## Fish and Flood Pas de Deux at Libby



Brian Marotz of the Montana Department of Fish, Wildlife and Parks explained the "tiered discharge approach" being implemented at Libby Dam to accommodate both spawning for endangered Kootenai white sturgeon and a major spring flood control operation. We are dealing with the white sturgeon BiOp and the 2003 draft rules for the VARQ flood control operations, he said, describing how operators manage the project to meet both mandates.

Marotz pointed out that spring discharges from Libby Dam are limited until the Kootenay Lake Board of Control declares a “freshet,” at which time releases are increased. He noted that the board acted on April 17, the day the Council toured Libby Dam, to declare the freshet, which will immediately change spring operations. The challenge, according to Marotz, is to smooth the outflows to enable white sturgeon spawning below the dam.

### **F&W Funding Saga Winds Down**



Staffer Patty O’Toole presented a draft letter to BPA following up on a March 19 staff letter that requested clarification about why BPA deviated from the Council’s recommendations in its FY 2007-2009 F&W project funding decisions. A staff memo explains that BPA responded to the original letter with more information and explanation about the changes made in project selections and budgets.

The draft letter cites continuing concerns about BPA’s in-lieu policy, project reporting requirements, and the nexus between the Council’s F&W program and FCRPS responsibilities for funding. It expresses the Council’s desire to re-establish a strong working relationship with BPA to resolve outstanding issues.

Dukes made a motion that the Council approve the letter. Eden said she would vote for the letter, but did not think it was a strong enough statement. The law requires BPA to spend F&W funds in a way that is consistent with our program, and I don’t think they have done that, she stated. The Council voted unanimously to send the letter.



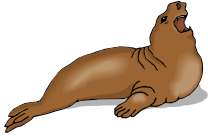
### **Teaser on ISAB Latent Mortality Report**

Ruff and staffer Steve Waste previewed the Independent Scientific Advisory Board’s (ISAB) report on latent mortality. Latent mortality refers to the delayed effect on juvenile salmonid migrants of their downstream migration experience, Ruff explained. He told the Council that representatives of the ISAB would appear at the May meeting to give a full briefing on their report.

The ISAB reviewed eight competing hypotheses on latent mortality, Waste said. He noted that the Columbia River Inter-Tribal Fish Commission (CRITFC) asked the ISAB to assign weights to the various hypotheses, but the ISAB declined to do so.

Ruff went over several ISAB recommendations, including one that suggests all of the data from various studies be merged into a single analytical model. The ISAB believes this would provide the most rigorous scientific approach, he indicated. The ISAB also said there is considerable uncertainty about delayed mortality because of variations in ocean, climate, and plume conditions, Ruff said. The ISAB made recommendations about future monitoring, research, and evaluation to get at better estimates of in-river survival and mortality below Bonneville Dam before fish enter the ocean, he reported.

Cassidy said he understood that delayed mortality is a big issue in the BiOp remand litigation and that there is a huge gap between the parties’ estimates about the magnitude of the effect. Karier said the question of delayed mortality is also important in determining the responsibility of the hydro system for effects on salmonids.



## Sea Lions Feast While Congress Fiddles

Staffer Mark Walker gave the Council an update on a bill introduced into Congress by Washington Representatives Brian Baird and Doc Hastings. The bill would expedite Department of Commerce permits for the lethal removal of sea lions that are eating salmon in the Columbia River, he explained. Under the bill, the Secretary of Commerce would make a determination within 90 days on whether legal take is necessary, and if the determination is yes, eligible entities could apply for permits and get approval within 30 days, Walker said. This would streamline the process for lethal removal, he added.

The “big problem” with the bill is that it waives the National Environmental Policy Act (EPA), which is “a hot-button issue” in Washington, D.C., Walker continued. The bill has been introduced in the House, but not in the Senate, he said, adding that he got a “negative response” when he checked on the idea with sources in the Senate. I don’t think the bill is going anywhere soon, Walker stated. He added that the Council could consider whether it wants to go on record in support of expediting the lethal-take process.

Jaime Pinkham of CRITFC told the Council that the salmon count at Bonneville Dam is running at about 200 a day right now, but 25 to 30 sea lions are hanging out and taking 60 to 70 salmon daily. We are taking a significant hit, he stated, indicating that the loss of early returnees is of particular concern because of impacts to the vitality of the stock. I agree that there is not a lot of support in Congress for the bill to expedite lethal take, Pinkham said. Asking for a NEPA

exemption is “the kiss of death,” he added. Pinkham said while the tribes have signed on to the lengthy effort for getting a permit under current law, they support streamlining the permit process.

We passed a letter in 2001 saying that we strongly advocate all means, including lethal, to remove sea lions that are feeding on salmon in the river, Cassidy said. He suggested the Council could reaffirm its support for the letter. Cassidy also said that the state of Washington has begun the process to get a permit under the current law and that it may go through in as little as a year and a half.

## All Hail the M&E Protocols



Keith Wolf, a member of the Pacific Northwest Aquatic Monitoring Partnership (PNAMP) steering committee, outlined the contents of *The Salmonid Field Protocols Handbook*. The 489-page book is the result of collaboration among an international group of scientists, and the work is broadly applicable across the Pacific Rim, he said. Researchers from Russia to Japan to New Zealand have the same needs as researchers in the Northwest in terms of standardized protocols for salmon, Wolf explained.

Waste pointed out that material in the book was drawn from a review of over 375 sources, and that the authors boiled the information down to 13 principal and five supplemental techniques. The standardized methods for collecting salmonid data detailed in the volume represent an opportunity to link independent efforts and improve quality and consistency of data gathered during field work, according to a book synopsis.

To understand status and/or trends with regard to salmon populations, we have to have data, and we rely on monitoring protocols to give us solid information, Wolf said. The handbook is an advancement in data collection – the key is standardization, he stated.

David Johnson, lead author of the handbook, explained that the material was derived from a large number of documents and that the effort involved over 150 people. We initially decided we were going to take “the best of the best” from the documents we reviewed, he said.

This is an exciting development, Karier responded, calling the book the product of people with vision and the foresight to involve the international community. The Council voted unanimously to ask the ISAB and Independent Scientific Review Panel (ISRP) to determine whether the already peer-reviewed handbook furthers the F&W program goal of developing an effective monitoring and evaluation plan.

**END NOTES** \_\_\_\_\_

**Screen Monitoring Effort Passes.** The Council recommended funding for a Washington Department of Fish and Wildlife pump screen inventory, assessment, and monitoring-effectiveness project in the Columbia Cascade province. The project, which has undergone some back-and-forth with the ISRP, has a budget of \$308,000 per year for three years.

**Council Budgets Released for Comment.** The Council voted unanimously to release its draft FY 2009 budget and FY 2008 revised budget for public comment. According to staffer Sharon Ossmann, the

2008 revised budget is \$9,276,000, the 2009 draft budget is \$9,467,000, and both reflect the current level of Council staffing.

**Power Model Funded, Wind Forum Chartered.** The Council approved a \$55,200 contract with Systematic Solutions, Inc. to develop a 20-year demand forecast model that will be used to update the next Power Plan. The Council also approved creation and appointment of a steering committee for the Northwest Wind Integration Forum. The forum was one of the key recommendations that came from the recently completed Wind Integration Action Plan.

###

**Council 2007 Calendar**

May 15-17	Walla Walla, WA
June 12-14	Idaho
July 10-12	Portland, OR
August 14-16	Washington
September 11-13	Portland, OR
October 16-18	Missoula, MT
November 13-14	Coeur d’Alene, ID
December 11-13	Portland, OR