



## NORTHWEST POWER AND CONSERVATION COUNCIL July 14, 2010

The federal Action Agencies briefed the Council on their 2010-2013 plan for implementing the 2008 Biological Opinion. The Council will convene a committee to make specific recommendations about the future of the Regional Technical Forum, and the Wildlife Crediting Forum has turned to shaping a long-term agreement after acknowledging that a perfect ledger of habitat units acquired so far is too labor-intensive and costly to produce. Next meeting: August 18-19 in Spokane, WA.

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### THE AGENDA

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#### Fed’s Plan Aims for BiOp Targets

Jamae Creecy of BPA told the Council the 2008 federal Columbia River Biological Opinion (BiOp) calls for implementation plans in 2010, 2013, and 2016. Speaking as part of a panel of Action Agency representatives, she said the 2010-2013 plan outlines how the agencies intend to implement the BiOp over the next four years.

The plan focuses on biological and programmatic performance standards, and limiting factors, Creecy said, adding that the agencies addressed adaptive management in a supplemental plan, the Adaptive Management Implementation Plan (AMIP). AMIP

brings in new scientific information and changing circumstances, she said.

Rock Peters of the Corps of Engineers explained the hydropower actions in the plan. We need to make sure the actions meet the performance standards in the BiOp, he said, noting that the actions address water management, dam improvements, kelt management, and climate change. With regard to fish passage at the dams, Peters reported that a spill wall was recently completed at The Dalles Dam to aid juvenile migrants.

The Corps also develops an operational plan, which outlines spill and transportation activities, he continued. Peters said the Corps is working with a group at the University of Washington to develop a plan to address climate change.

Kate Puckett of the Bureau of Reclamation said the BiOp-related work will improve the habitat for 90

populations of salmon and steelhead in the Columbia River Basin. Through their activities, the Action Agencies are building “on-the-ground momentum” to sustain programs through the end of the BiOp period, she said.

Reach assessments, which are being done as part of the habitat effort, give us information that helps us operate our projects, Puckett said, adding, “we hope they are biologically successful.” She also described Reclamation’s water transactions program, which is improving conditions in the Entiat and Methow river subbasins.

Creedy said the BiOp has aggressive survival goals for the estuary, and the agencies are focusing on large projects that offer big opportunities to meet the goals. She pointed out habitat acquisitions that have been made in the estuary, including Fort Columbia and Mudd Lake. We expect a substantial increase in activity in the estuary in 2010-2013, Creedy stated.

#### ***Attack on Predators***

Peters described predator management activities in three areas: fish, bird, and sea lions. He said the program to reduce predation by the Northern pikeminnow has been very effective. There are also studies under way to shed light on the role of non-indigenous species, like shad, catfish, and smallmouth bass, in predation, Peters said.

We are starting to “squeeze down the population” of Caspian terns on East Sand Island, but the cormorant population in the estuary is increasing, he went on. We are developing a management plan for cormorants and will start working with others in the region to reduce the cormorant take of salmon and steelhead, Peters said. The state agencies are central to reducing sea lion predation, he noted, pointing out there will be a major review of the program this year.

The Action Agencies are focusing their hatchery-related activities on getting Hatchery Genetic Management Plans (HGMPs) completed and sent to NOAA Fisheries, Puckett said. The HGMPs will be followed up with site-specific consultations, she said.

With regard to harvest, Creedy said it is not the responsibility of the Action Agencies. But the agencies encourage research into harvest techniques,

and BPA is funding a project with the Colville Tribes on selective fishing equipment, she said.

There is a lot going on with research, monitoring, and evaluation (RM&E), Puckett reported. The Corps will continue to measure juvenile survival at the dams, and there are a number of watersheds that are being “intensively monitored” to see what projects are making a difference, she added.

Peters said the 2008 BiOp survival improvements will be reflected in the adult returns in 2011 for steelhead and sockeye and 2012 for chinook. The 2010 returns are well above the 10-year average – the sockeye numbers “are the big surprise this year,” he said. An emerging issue is the number of fish that are being tagged and marked, Peters added.

With regard to climate change, Peters said “there’s a lot of dust in the air” about it. So far, there’s not a lot that is new, but there is much more detail coming out, he said.

Actions in the 2010-2013 plan will be tracked through progress reports and future implementation plans, Puckett noted.

Creedy wrapped up with a look at next steps, which include a comprehensive report in 2013 that will update the status for each of the interior basin’s Endangered Species Act (ESA) listed species. The agencies will determine at that time whether additional actions are needed to get on track by 2018, she said. The region is working together through the Regional Implementation Oversight Group, the Columbia Basin Fish Accords, and the Council’s fish and wildlife (F&W) program, Creedy concluded.

Jim Yost asked if the region is developing better forecasting tools to help manage water supply. Staffer Jim Ruff said the region has a group that is looking at ways to improve forecasting.

Yost also asked how the Action Agencies’ implementation plan relates to the National Oceanic and Atmospheric Administration’s (NOAA) salmon recovery plans. Puckett said the agencies work closely with NOAA, and the coordination helps to avoid duplication of effort. Creedy pointed out the agencies work with NOAA to develop their

implementation plan and submit the plan to NOAA when it is finished.



### **RTF Reviewers Want More Review**

Staffer Tom Eckman reported that the evaluation of the Regional Technical Forum (RTF) recommended by the Northwest Energy Efficiency Taskforce (NEET) concluded with the consultants' recommendation that a regional committee continue the review and come up with guidance on changing the RTF's charter and other procedures. The aim is to move forward with "a new and improved" RTF, he said.

Tom Karier, who served on NEET's executive committee, said NEET recommended the Council oversee the committee and made suggestions for people to serve on it.

According to a staff memo, the consultants' report said concerns about the RTF fell into two broad areas: growth of RTF responsibilities relative to its management and funding, and concerns about the visibility of RTF operations to utilities and others. Specific concerns included objectivity of RTF members, composition of the membership, how the RTF prioritizes its work, how the RTF will manage additional demands, adequacy of funding and staffing, information management systems, and transparency of procedures.

Eckman said the RTF will release a new work plan for 2011 with a recommendation the budget be increased from \$1.1 million annually to \$1.5 million. We need to get it out soon to meet the budget schedules of utilities and entities that fund the RTF, he added.

Melinda Eden, who served on the NEET steering committee, pointed out that the NEET process was involved and intense. It won praise because when its work was done, "NEET went away," she said. Likewise, when this committee's review is done, the committee will go away, Eden explained. She said she did not agree, as some have suggested, that we need a steering group to oversee the committee. Since it is going to be a Council entity, I think Council

members should be included as members, and I would like to volunteer, Eden added.

Staffer Terry Morlan reported that the RTF "isn't sitting around waiting for the review." It is continuing to meet and carry out its functions, he said.

Bill Booth asked if utilities are interested in continuing funding for the RTF, and Eckman said they were, as was BPA.

The Council agreed to go forward with convening a review committee. Joan Dukes said she is concerned "there is an agenda" behind the review. I don't expect we will end up with an advisory or oversight group for the RTF – we don't need an overseer, she stated.

### **Wildlife Forum Maps Route to Agreement**



Staffer Peter Paquet said the Wildlife Mitigation Crediting Forum is making progress on a long-standing issue: developing a comprehensive agreement for crediting the mitigation of wildlife losses that occurred due to federal hydrosystem construction and inundation. The Council's 2009 F&W program called for initiating the forum, he noted.

One of our charges is to develop an accepted ledger of habitat units acquired, Paquet continued. We have had a subcommittee working on the ledger, which will be posted after a July 20 meeting, he said.

Paquet acknowledged a forum subcommittee found inconsistencies in the way Habitat Evaluation Procedures (HEP) were used, and that, along with other issues, complicates the accounting for habitat units. While there are mechanisms to correct the issues, he said, the time and money it would take "to get to a perfect ledger" would be considerable.

Rather than argue about the inconsistencies, we decided to move forward, Paquet reported. The "bottom line" is that the group is in consensus that "it is not worth the time or money to get to a perfect ledger and agreement on the numbers," he reiterated.

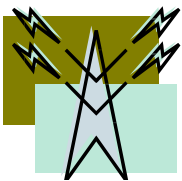
The forum has turned to developing a roadmap that will get to an agreement on the crediting issues, Paquet went on. This will in turn lead to a long-term comprehensive agreement on losses due to construction and inundation, he said.

Philip Key of BPA said he agreed with Paquet's summary. We're encouraged by what is coming out of the forum subcommittees, he said. The work will lead to "stronger, more reliable, and consistent HEPs," Key stated.

Lawrence Schwabe of the Confederated Tribes of the Grande Ronde pointed out that F&W managers in the Willamette Valley are using a different tool than HEP to establish habitat units. He said habitat acquisitions are going forward in the valley. "It seems good on our end," Schwabe added.

Brian Lipscomb of the Columbia Basin Fish and Wildlife Authority (CBFWA) said the agencies and tribes recommended the forum to get the crediting consistent across the basin. We're encouraged by the progress and are optimistic about resolving the issues, he stated.

Booth asked if the roadmap would be the template to be used for settlement. Paquet said the roadmap would spell out the steps and timelines for getting to an agreement and a schedule. Booth asked Paquet to put together a memo for the Council about what the forum is doing with the roadmap and how it addresses the issues raised in the F&W program.



### **Uncertainty on the Big Lines**

There is considerable ongoing transmission planning and development activity in the West, according to staffer Wally Gibson, who briefed the Council on a number of large high-voltage projects. The main drivers of the proposals are load service and renewable portfolio standard (RPS) requirements in the Northwest and California, he said.

Some of the projects are under construction, but many are in the planning and permitting stage, and some are encountering siting difficulties, Gibson said. But the main constraint may be the commercial viability of

projects, especially those that are targeted to meeting RPS, he said. Much of the construction that is currently going on is the result of BPA's network open-season process, Gibson added.

A number of major projects are now under study to examine the interactions among them for Western Electricity Coordinating Council (WECC) rating purposes, he said. WECC rating establishes maximum safe operating limits for a line, Gibson explained, adding that WECC's review is not about commercial viability.

BPA's McNary-John Day project, which is largely to handle new wind development, is under construction, but BPA's I-5 corridor project is one of several in the region facing siting issues, he said. Portland General Electric's Cascade Crossing project, which would move power from east of the Cascades, also has siting issues, Gibson pointed out.

He described a number of projects planned for the Northwest from 2010 to 2015 and beyond. Some, like PacifiCorp's Hemingway to Captain Jack, which would connect the company's eastern territory with the Pacific Intertie, have been shifted to "the back burner," and others, like Northern Lights from Canada, are "merchant projects" seeking customers, Gibson said.

A number of projects are proposed for the Intermountain Area, he continued. The Zephyr project, which would bring power south from Wyoming to California and the Southwest, recently announced 3,000 megawatts of shipper agreements and has some "anchor tenants," Gibson reported. It is "heavily dependent on California's RPS," he added.

According to Gibson, there is overlap among the proposals to bring power from Montana and Wyoming to the south. He said the projects are faced with uncertainty about how California's rules on renewables will play out, particularly what percent of the generation will have to come from in-state versus out-of-state sources.

The biggest hurdle for a number of these projects is commercial viability, he summed up. There is a heavy dependence on expectations about California's renewables market for some projects, but the RPS requirements "are iffy," Gibson said. Siting is the

next big hurdle, he noted. Typically, the sponsor must demonstrate need and “gain some aggregate level of public acceptance,” Gibson concluded.



## **WDFW Gets Selective About Gear**

The Washington Department of Fish and Wildlife (WDFW) is testing selective fishing gear and barbless hooks in Columbia River fisheries, according to Bill Tweit of WDFW. The use of selective fishing gear is not an end in itself, but a means to achieve other goals, he said. Our overarching goal is to “promote the conservation and recovery of wild salmon and steelhead and provide fishery-related benefits,” Tweit stated.

Harvest is an important cultural value in the region for tribes and others, he said. The department wants to avoid “getting caught in the harvest-versus-recovery buzz saw,” Tweit added. As the salmon returns improved, we reinstated harvest, and we’ve had a very positive reaction, from people happy to fish in areas previously off-limits, to communities benefiting economically from more fishing, he said.

Tweit went on to explain managing hatchery fish and selective fisheries. There are only three ways to manage hatchery fish to remove them from the river, he said: increase harvest on them; install weirs to trap them; or decrease hatchery production. Tweit stressed the importance of harvesting all of the hatchery fish. And he pointed out the difficulty in avoiding stocks other than those being targeted; there are always species present that you don’t want to harvest. “There’s overlap” in the timing of stocks present in the river, Tweit said.

There are many things managers can do in terms of timing, area, and gear selectivity to avoid harvesting wild fish and promote catching hatchery fish, he said. There is no one tool to use, Tweit explained, giving an example of how the mesh size in a net can make a large difference in which fish are caught.

We can mass mark hatchery fish and implement mark-selective fisheries for both commercial and recreational fishers, he continued. The goals of WDFW’s alternative commercial fishing gear

program are to maximize the harvest of hatchery fish and the survival rate of wild fish, as well as support stable and economically viable commercial fisheries, Tweit said. Commercial fisheries are where you get the most results, he added.

Tweit said there was pilot program in 2009 to test types of gear, including purse seines, beach seines, and trap nets. The pilot project, a partnership between Washington and Oregon, is being expanded in 2010, and there is \$1.975 million in funding available to carry it out, he reported.

Tweit described the 2010 project, which will focus on fall chinook and coho and be carried out in a number of locations on the river. The objectives are “to prove we can catch fish,” and if we don’t, commercial fishers won’t use the gear, he pointed out. And if we can’t remove the hatchery fish, we’re back to weirs and reducing the number produced, Tweit indicated. The project will also look at how many wild and upriver chinook are encountered – the concentrations and where they occur, he added. The next step is to “catch fish” and then design a project for 2011, Tweit said.

With regard to recreational fisheries, we intend to expand the range of the mark-selective fisheries, including spring and summer chinook, coho, and steelhead in the Columbia River, he said. The expansion will also include a pilot mark-selective ocean fishery for chinook, and we’re planning to develop selective fishing in Puget Sound, Tweit added.

### ***Handle With Care***

The rules for a selective fishery relate to gear, handling, and promoting responsible fishing behavior, he explained. “Careful handling” is a basic ethic of selective fishing, and we want to emphasize that to anglers, Tweit said. We are releasing the fish to survive and spawn, so it’s important to follow such rules as leaving fish in the water as they are dehooked, he explained.

New for 2011, only barbless hooks can be used in Washington for salmon and steelhead in the Columbia from the mouth upstream to McNary Dam, Tweit said. That is not concurrent with Oregon rules and “that’s a

big problem,” he added. We’re committed to reconciling the discrepancy, Tweit stated.

Idaho and Washington have prohibited barbed hooks for Columbia River salmon, but Oregon hasn’t, although it advises against their use, Karier said. I know it is hard to get evidence to prove there is a difference for the fish, but “we need to use common sense,” he said. What happens now that there are different policies? Karier asked.

The states are not bound to have concurrent regulations, but it helps if they do, Tweit responded. Over the next months, we’ll work to get concurrence, he said. The science out there is not definitive, and it’s more of a social question, Tweit noted. Because of that, we want to hear from others about it, he added. Oregon shares our perception that careful handling is paramount with selective fisheries, Tweit stated.

Does Washington restrict walking on spawning beds during spawning season? Dukes asked. Tweit responded that WDFW sometimes closes spawning areas, but not always, and where possible, we regulate in-stream work when there are spawning fish present, he said.

Dick Wallace asked if barbless versus barbed hooks is a science or policy question. It’s more of a policy call, Tweit responded. We’d like to have more science, he said, but in terms of whether it’s easier to take a barbless hook from a fish than a barbed one, it is. But “I can’t prove scientifically” that it’s better, Tweit stated.



### **ISRP Letter Sparks Debate**

Staffer Tony Grover said the F&W Committee had discussed sending a draft letter to the Independent Scientific Review Panel (ISRP) regarding the upcoming RM&E and artificial production reviews. We have the development of the monitoring, evaluation, research, and reporting (MERR) strategy and a huge body of work coming forward on RM&E, he said, and it seems timely to send guidance to the ISRP about issues the Council feels the panel ought to look at closely, he said.

Grover went over a few points in the letter, noting it sends a signal to the ISRP that the Council will be looking to consider moving money from RM&E to on-the-ground projects. The letter states: “While setting a hard and fast budget-reduction target is premature, the Council intends to recommend appropriate adjustments to projects and apply savings to on-the-ground work.”

Karier proposed an amendment to the letter. Every time we review RM&E, we end up expanding it, he said, adding that the Council has not always looked at ongoing projects “that may have run their course.” In describing his amendment, Karier said the Council should be clear about its goals, including obtaining data for measuring performance on high-level indicators, the BiOp, and projects under the Council’s F&W program.

The amendment does not set a firm budget, but says the Council will consider reprogramming funds to meet a goal for “a specific percentage” of spending on RM&E, he explained. While the Council may decide not to do that, the amendment tells the region the Council is considering doing so and is looking for opportunities to make changes that will bring more benefits to on-the-ground work, Karier stated.

He made a motion to adopt his amendment, and Council chair Bruce Measure seconded it. Wallace pointed out that the letter is directed toward a science panel. Some of the points in the amendment are already built into the letter, but some of the suggestions are not appropriate for the science panel to address, he indicated.

Wallace said he thought setting specific percentages for categories of spending “is tricky business.” When the Council considered the level of RM&E in the program, it decided to initiate MERR, “which is progressing,” he said. MERR will engage the region in setting priorities, Wallace said. He pointed out that there is debate going on about the overall cost of the F&W program, and depending on how the costs are calculated, RM&E may make up only 12 percent of the spending.

I support the motion, Measure said. These are aspirational goals for the region, and it’s a good idea to have them, he said. Without goals and the percentages, “it’s too nebulous,” Measure added.

Karier said even though the letter is for the science panel, it is appropriate to include the spending considerations. This implements policy we set in the F&W program, he stated.

Eden said she agreed with the goal of setting the most cost-effective budget to get the information needed. But this is a letter to the ISRP, and funding recommendations belong to the Council, she stated. It's inappropriate to include this in the letter, and even if it were a good idea, it is premature since we are not finished with MERR, Eden said.

I'll support the letter that came out of the committee, Booth said, although I don't disagree about having a goal for RM&E. I don't think we're ready to set the right goal yet, but we can continue to do the MERR work and get there, he stated. We need better information about what is the right number and how it affects other parts of the program, Booth said.

When I came on the Council, there was very little information about the level of RM&E, Rhonda Whiting said. But since then, BPA has come up with accounting programs that let us know about the amounts being spent, she said. "People were shocked," Whiting added. But we make the policy on this, and we don't want to put money issues into the hands of the ISRP, she said.

Whiting also said the tribes have had a great deal of experience with "cookie-cutter" approaches to determining funding, and they create problems. If we put in a cap on the RM&E spending, we could have the same kinds of problems, she said. I agree that at some point we need to establish a percentage, but not today, Whiting stated. And when we do, we need to look at each project individually, she added.

The motion to amend the draft letter failed, with Karier and Measure alone voting in favor of it.

"I'd have liked a tougher letter," but will stand by the letter from the committee, Booth said, prior to a vote to approve the draft. Dukes said she would have liked "a softer letter," but the committee came together on a draft. "That's what we're supposed to do," she added. The Council voted in favor of sending the letter from the F&W Committee, with minor revisions, to the ISRP.

## The High Cost of Mussels



Noelwah Netusil of the Independent Economic Advisory Board (IEAB) briefed the Council on the board's report on the potential economic effects of a zebra/quagga mussel infestation in the Northwest. Roger Mann, IEAB chairman, was the primary author of the report and presented draft findings in April, she said, adding the report is now final.

The major changes that have been made since April include adding "a worst-case" scenario about an invasion in the upper Snake River; expanding a section that details state prevention programs; and expanding our contacts with experts and incorporating their suggestions, Netusil reported.

As reported in April, calcium levels and temperature are key factors in mussel survival, she said. There are areas in the upper Snake where calcium concentrations could be hospitable to mussels, Netusil said. An analysis of the potential impacts shows the costs "could be as low as tens of millions of dollars or as high as hundreds of millions" if there is a major infestation in the upper Snake, she said, adding that there is a great deal of uncertainty and a wide range of potential costs.

Netusil said the IEAB analyzed the impact on federal hydropower and fish passage facilities, hatcheries, habitat and valuable species, and water diversion and pumping facilities, including fish screens. The analysis does not include impacts to non-federal dams, costs to navigation or irrigation facilities, or to other waterfront facilities, she said.

An infestation in one area also increases the likelihood of an infestation elsewhere, Netusil continued. She said there are major benefits, beyond the immediate savings, to using prevention to delay infestation, including ongoing scientific research and advancements in control techniques. Delay would give officials more time to prepare, Netusil added.

The evidence is that prevention efforts are underfunded, with the region currently spending about \$3 million annually, she continued. The IEAB suggested that funding could be targeted toward areas

in the basin that are most susceptible to invasion, but to understand the environmental conditions that promote mussel growth, more research is needed, Netusil said.

Morlan explained that a major factor in the potential expense to the hydro system is an infestation of fish screens so heavy it inhibits water passage. The screens would have to be removed and cleaned, and if you take the screens out during fish passage season, you would have to shut down the turbines, he said.

Booth said the report is a tool to advise the region about the potential costs of an infestation. He suggested the Council put out a press release to publicize the IEAB's findings.

Staffer Jim Ruff said there is tremendous interest in the report and that it will be sent to the invasive species coordinators in all Northwest states. He also said the report will be posted on the websites of other organizations.

The consensus is we need "as strong a prevention program as we can afford," Yost stated. But we can't expect to inspect every boat that's been in infested waters, he said. We are working with the Shoshone-Paiute tribe on a decontamination unit they will take to Lake Mead, Yost said. "It's a real problem, and we are trying to do something in Idaho," he added.

Wallace asked about the research into calcium levels and the difference between the zebra and quagga mussels. Ruff said quaggas have infested Lake Mead, and the calcium levels there are much higher than anywhere in the Northwest, including the upper Snake. Researchers at Portland State University are trying to grow quaggas in Columbia River water down at Lake Mead, and this research will give us an indication of whether the mussels could be productive here, he added.

## **END NOTES**

**BiOp Projects Approved.** The Council voted to recommend funding for two projects related to the 2008 BiOp. The first is a fast-track WDFW project to estimate the relative reproductive success of hatchery and natural-origin fish in the Methow River Basin,

with an annual budget of \$237,281. The second is a U.S. Geological Survey and Oregon Department of Fish and Wildlife project to study predation by non-indigenous species on salmon and steelhead, with an annual budget of \$350,000.

**Accord Project Okayed.** The Council also approved a Columbia Basin Fish Accords project, sponsored by the Columbia River Inter-Tribal Fish Commission, to develop a monitoring framework for tribal harvest estimates throughout the Columbia River Basin. The total budget for the project is \$546,047, with annual budgets from \$48,315 to \$60,920.

**F&W Spending Tops \$745 Million.** The Council approved a motion to send out the ninth annual report to the Northwest governors on BPA's F&W expenditures. According to the report, for fiscal year 2009, BPA reported total expenditures of \$745.2 million.

**ISRP Appointees Approved.** The Council renewed the appointment of Bob Bilby and appointed Dennis Scarnecchia to the ISRP. Scarnecchia also serves on the Independent Scientific Advisory Board. Both will serve a three-year term through September 2013.

**Graves Joins FPCOB.** The Council approved the appointment of Ritchie Graves of NOAA Fisheries to the Fish Passage Center Oversight Board. He replaces John Ferguson, who stepped down as the NOAA representative.

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### **Council 2010 Calendar**

August	18-19	Spokane
September	21-23	Bend
October	13-14	Portland
November	9-10	Portland
December	14-16	Portland