

# **Regional Implementation Oversight Group TECHNICAL MANAGEMENT TEAM Team Guidelines**

April 2013

## **I. Introduction**

Federal, tribal and state governments share jurisdiction over salmon and steelhead and related water management issues across the Columbia Basin. These governments have participated in a multi-year collaboration process to inform the federal Action Agencies and NOAA regarding the development and implementation of the Biological Opinions (BiOps) for the Federal Columbia River Power System (FCRPS). Priorities for implementing the BiOp are based on the needs of the ESA listed salmon, steelhead, and resident fish species; hydro impacts and opportunity to address key limiting factors.

As described in the BiOps and related documents, the Regional Implementation Oversight Group (RIOG) has been established to provide a high-level policy forum for discussion and coordination of the implementation of the FCRPS and related BiOps. The overall purpose of RIOG is to inform the federal, state and tribal agencies that are actively engaged in salmon recovery efforts regarding implementation issues from each sovereign's perspective.

FCRPS BiOp Implementation will consider a broad, long-term fish recovery context and ecosystem (All H) approach. The RIOG will consider results and adaptive management at the species, or ESU/DPS, level.

The RIOG is a forum for interagency coordination and does not supplant existing federal, state or tribal decision making authorities. All decisions under the authority of the federal government will continue to be made by the appropriate federal agency with the statutory authority to make such decisions.

For FCRPS hydro system implementation issues, the RIOG Senior Policy Group (RIOG) is supported by a Senior Hydro Technical Team (Senior Hydro Team), which in turn is supported by the Technical Management Team (TMT), the System Configuration Team (SCT), and other technical teams. The TMT operates under the RIOG Guidelines and Procedures approved October 31, 2008. The following more specific guidelines supplement the RIOG's procedures for TMT operations. These guidelines are adopted in accordance with the RIOG Guidelines and Procedures. As the RIOG procedures are refined, these guidelines may be revised.

## **II. Scope**

The TMT's mission is specifically to ensure broad technical participation and use of the best available technical information, and to encourage regional consensus on technical

recommendations regarding operations of the FCRPS. The focus of the TMT is to assure FCRPS operations specified in the NMFS and USFWS BiOps are implemented while considering the provisions of (and effects on) the Northwest Power and Conservation Council's (NPCC) Fish and Wildlife Program, other BiOps, State and Tribal plans and programs, and other relevant operational requirements. Specifically, the TMT should explore operational scenarios under the BiOps that would serve to protect other fish and wildlife in the Columbia River Basin and promote coordination and consistency with these other objectives to the extent possible.

### III. Membership

See Requirements for All Technical Teams in Section VIII below. The members and alternates of the TMT are listed in Attachment 1. Initial confirmation of membership, designation of representatives, and any changes in representation should be provided in writing to all members of the Technical Management Team.

### IV. Roles and Responsibilities

The U.S. Army Corps of Engineers (Corps), Bureau of Reclamation (Reclamation), and Bonneville Power Administration (BPA), collectively referred to as the Action Agencies (AAs), consult on the effects of the operation of 14 Federal multi purpose hydropower projects in the Federal Columbia River Power System (FCRPS) on listed species with the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS).

Federal, State and Tribal fisheries managers are responsible for the management of anadromous fish and resident fish in the basin. The Corps and Reclamation are responsible for decisions on operation of the FCRPS projects; and the Corps and BPA are responsible for Treaty agreements with Canada regarding storage in Canada and other Treaty-related matters. The participation of other affected sovereign and non-sovereign entities is intended to ensure that decision-makers have the broadest possible source of information upon which to base their decisions. Input can provide alternative options for the appropriate authority to consider when making their decisions.

### V. Operating Procedures

#### a) Annual Water Management Plan

The Annual Water Management Plan is developed and used by the Action Agencies as a decision-making and management tool, and includes all known or typical operations that will be implemented throughout the year based on prior years' gathered data. In its current form, it is a draft "Seasonal Update" that is amended throughout the management year as needed to reflect actual operations taking place.

Each year, the TMT will discuss and make suggested updates to the Water Management Plan Seasonal Update based on prior years' experience, updated procedures, or regulatory changes. The draft will be available for review in October. All interested parties may participate in the plan development and will be given an opportunity to review and comment on the draft plan. In general, the fisheries managers will provide information on salmon operational requirements, the needs of other anadromous fish (such as Pacific lamprey) and the needs of resident fish (such as bull trout) to be included in the plan. The Action Agencies will provide information on reservoir status; planned project operations (and operating constraints); flow forecasts; anticipated special operations for research and other purposes; turbine outage and maintenance plans; and operating agreements and contracts that may affect annual operations. Guidance on how priorities should be set among competing needs should be provided by the plan. The Action Agencies will be responsible for finalizing the Water Management Plan.

b) Summary of In-Season Management Weekly Events

The following weekly timeline is established to support a successful TMT process for timely information exchange, productive discussions at TMT meetings and informed in-season management decisions. While adhering to this timeline would best support the process, TMT members understand the need to be flexible around the schedule in order to adapt to changing and unforeseen conditions.

Tuesday:

Salmon Managers discuss the TMT agenda and upcoming operations at a Fish Passage Advisory Committee (FPAC) meeting.

- Action Agencies discuss the TMT agenda and upcoming operations via conference call. Before the end of the conference call, the Fish Passage Advisory Committee (FPAC) Chair is connected to the Action Agency call to coordinate on the TMT agenda.
- TMT Members (or others) submit SORs to the Reservoir Control Center (RCC) via email by 4:00 PM and/or emails copies directly to all TMT members and participants. The Salmon Managers will email SORs to all project owners for which an operation is requested. The Salmon Managers will post the SOR to the Fish Passage Center web page, and an electronic version of any SOR will be simultaneously sent to the Corps so that it is available for the TMT web page.

Wednesday (9 am):

- The TMT meets bi-weekly, with conference calls scheduled as needed, to discuss in-season management data and SORs, document operations, and recommend the following two weeks' operations. The actual meeting schedule may be adjusted by TMT consensus to accommodate special circumstances. By the start of the meeting, all SORs and the disposition will be posted to the TMT web page for use by members who can not attend the meeting.

Friday (pm):

- The TMT draft Official meeting minutes and Facilitators' notes will be emailed to TMT members.

#### c) In-season Management Data

The TMT will consider the forecasts produced by the National Weather Service's Forecast Center's (RFC) Ensemble Stream Procedure (ESP), the Corps' single trace procedure (STP) EW, the Corps' volume inflow forecast for the Libby and Dworshak projects, and Reclamation's inflow forecast for the Hungry Horse project. These forecasts (and the basic reservoir operations that are assumed when producing them) are the official forecasts to be used for the decision-making process. The BPA forecast may be used as supplemental information. The Corps will use the RFC forecast to prepare flow projections for Priest Rapids, McNary and Lower Granite.

The Action Agencies will also provide dissolved gas, temperature, and other physical monitoring data available for decision-making.

The fisheries managers will provide current and historical biological information on salmon and steelhead numbers, migration timing and condition. Relevant information on other fish and wildlife resources (e.g. sturgeon, bull trout, lamprey and pinnipeds) will also be provided as appropriate.

#### d) System Operational Requests

System Operational Requests (SOR) are an in-season management tool for bringing forth requests to deviate from or refine planned, existing or BiOp recommended operations. These requests should provide an operation of the hydrosystem that will provide a biological benefit for listed fish or other aquatic species of concern, and/or protect human health and safety.

TMT members may provide recommendations to the TMT on hydro system flows and/or expected project operations consistent with the scope of these guidelines. Non-TMT members may also submit recommendations for consideration. These recommendations will be in the form of system operational requests (SORs) stating the operation objective(s) sought (e.g., keep flows at a location X in a W-Z range). Expected project operations may also be added. Each SOR will include the biological or operational basis for the recommendation. Each SOR will also indicate whether the request is to implement a NMFS or USFWS BiOp, NPCC Fish and Wildlife Program, or other Federal, State or Tribal program. Non-TMT members may also submit SORs for special operating purposes for TMT consideration.

SORs should list members of the agencies who have reviewed and support the request. The SOR will be outlined for description on the TMT SOR disposition web page. The SOR will be posted to the agenda prior to the start of the TMT meeting so that telephone

participants can follow the conversation at the meeting. If proposals are incomplete, or are not received in time for sufficient review, the TMT may choose to delay action, but lack of an SOR should not preclude discussion of relevant matters at the meeting.

When an SOR has been properly submitted, the Action Agencies should be prepared at TMT to describe the operational options and implications of meeting the request. Any decision to implement or not implement will be recorded in the official meeting materials and summarized at the end of those minutes. The meeting facilitator will clarify the decision at the meeting to assure that the record accurately reflects the disposition of the request.

The discussion of SORs at TMT meetings will include distinct segments dealing with both biological and operational issues. Biological questions associated with an SOR will be addressed to ensure that the biological basis of the SOR is clear, and to allow the TMT to consider any additional biological information that may be made available at the meeting.

The meeting will then move on to a discussion of operational alternatives to meet the SOR by the Action Agencies and members of the TMT. The Chair should ensure that adequate time is allotted to each segment of the meeting.

The Chair should also ensure that the support or opposition of each TMT member for an SOR and a final decision by the Action Agencies are noted in the minutes.

#### e) Meetings

Between the last week of March and up to at least August 31 the TMT will meet every other Wednesday, or more often if necessary, to conduct in-season management. All meetings will be open to interested parties. A conference line will be available for those who cannot attend in person.

An agenda for each meeting will be posted to the TMT webpage as soon as possible prior to the meeting (the preceding Monday in the case of the regularly scheduled in-season meetings). The principal purpose of the meetings and standing agenda items during the migration season is to review the status of the preceding week's SOR and operations, biological data, new SORs and project operating data, and to reach informed decisions on FCRPS operations for the following week(s). As other items are brought forward for TMT consideration, they will be added to the agenda for future discussion, but lack of an agenda item will not preclude discussion of relevant matters at the meeting.

#### f) Meeting Facilitation

Meetings of the TMT will be facilitated by an impartial facilitator, who will allow all TMT members the opportunity to fully participate in discussions and to help members resolve conflicts as they arise. The meeting facilitator shall serve at the will of all members of TMT and should have skills as a meeting manager and conflict resolver. The meeting facilitator's role will include:

- Assisting the chair and TMT members in the development of meeting agendas
- Managing the meeting agenda in a balanced and even-handed fashion so that all members have an opportunity to speak and be heard
- Helping the group stay focused on the agenda and prioritize items that need action and further discussion
- Enforcing the ground rules established by the TMT (see Attachment 2)
- Helping the group reach consensus on decisions
- Helping the group resolve conflicts that may arise in the course of discussion
- Highlighting any decisions the group may reach
- Working with members between meetings to clarify issues, resolve disputes, and seek potential solutions to impasses
- Assisting members to develop opportunities that may resolve conflicts and increase the overall satisfaction with the TMT process in the long term, and
- Helping the group maintain a sense of humor

TMT members may give feedback directly to the facilitator or to the chair if they have concerns with the manner by which meetings are managed. The facilitator will be replaced if, after discussion with the facilitator, members or the facilitator believe he or she is not able to remain impartial in the delivery of service.

#### g) In-season Decision Making

During TMT meetings, the TMT will discuss and recommend future operations based on the available information and any pending SORs. These operating recommendations will be made by consensus whenever possible. Consensus is defined as lack of a formal objection amongst TMT members present during the meeting or after a polling of members not present when TMT members agree the issue is important to an entity not present at the meeting – or if the item was not clearly identified on the day’s agenda ahead of time. . In the absence of consensus amongst TMT members, the issue will be framed for the RIOG in accordance with the dispute resolution process described below (see Requirements for All Technical Teams #8.) Objections to decisions that are not strong enough to prompt one or more TMT members to elevate the issue will be documented in the minutes of the TMT meeting.

If the recommendation is to implement the SOR or a modification of the SOR as agreed to by the TMT, then this should be documented for the minutes, and the SOR (and the BiOp, Council’s program or other plan on which it is based) may form the basis for the decision. If the Action Agencies do not agree to implement an SOR, they will describe for the minutes both the intended operation and the basis for that decision, which may relate to the BiOp, operational constraints, cost or an alternative view of the best available biological information. In each case, a full explanation will be provided by the Action Agencies to the TMT.

The final decision made by the Action Agencies on the following week's operation will be made at the meeting whenever possible. In-season FCRPS operating decisions made through a separate process, such as those under the Action Agencies' authority for emergency situations, will be explained and documented as soon as possible, but in any case no later than Friday following the TMT meeting.

#### h) Documentation

Drafts of the Official Meeting Minutes and Facilitator's Summary Notes for all TMT meetings will be shared with TMT members as soon as possible following each TMT meeting. Once reviewed by TMT members, the meeting minutes and summary notes will be posted to the TMT home page, ideally by Tuesday afternoon prior to the next meeting. Additional comments on either set of documents may be provided and discussed at the following meeting.

The TMT meeting minutes will be used to keep track of the decision-making process. The minutes will include the substance of any SOR, the decision, the decision-maker, and the basis for the decision. The minutes will also include: (1) documentation of consensus or a listing of members objecting to an SOR or a final decision; and (2) when an SOR is not implemented, clear documentation of the reasons provided by the decision-maker.

If a decision is elevated and therefore not made at the weekly TMT meeting, documentation on the final decision reached will be provided separately in writing and will include the same information noted above. This documentation of the decision should happen before the next regularly scheduled TMT meeting and be sent to the Chair of TMT, who will post it on the TMT homepage.

Each member is responsible for reviewing the decision documentation and the meeting minutes, especially if the agency he/she represents is one of the decision-makers.

Interested parties may request copies of the minutes if they have no access to the TMT homepage.

#### i) Distribution of Information

Meeting notes and material will be made available to TMT participants throughout the year. These materials will be made available through the TMT home page and may also be emailed to members and participants that request such services.

#### j) Public Participation

The public may comment on an issue at the end of the discussion on that issue or at the end of the meeting, based on the discretion of the group and the facilitator. They may also comment outside the TMT process.

### VII. Unscheduled Meetings

Any member of the TMT may call an unscheduled meeting when a situation requires action of the TMT before the next scheduled meeting.

#### VIII. Requirements for all Technical Teams – (Per “RIOG Collaboration Teams and Operational Guidelines”)

1. **Membership:** RIOG sovereigns should appoint one member and one alternative to the various RIOG teams.
2. **Chair:** The team chair should be a federal agency representative, although a state or tribal representative may serve as a coordinator or co-chair.\*
  - a. \*Historically, FPAC has included State and Tribal Chairs.
3. **Charters:** Each team should develop processes for conducting business, developing work products, and collaborating on relevant issues.
4. **Agendas and Materials:** Agendas will be developed by the technical team chairs, with input by team members. Agenda topics shall be within scope of the RIOG guidelines and focus on FCRPS BiOp implementation. Agendas and materials should be available ahead of time & posted on FCRPS website. A goal is to have materials available one week in advance.
5. **Administrative Record Keeping:** Agendas, materials, attendance lists and meeting notes should be maintained by each team, posted on the RIOG website and retained as federal administrative records at the respective agency.
6. **Assignments:** Assignments will come from the RIOG chair to the respective team chair, and the details transmitted via the RIOG template. There are three types of assignments:
  - a) Assignments based on the scope of work for each technical team as identified in the RIOG and TMT guidelines,
  - b) Assignments based on a specific request for collaboration and input from the Action Agencies or NOAA, and,
  - c) Assignments based on a specific request from the RIOG.
7. **Reporting Progress to the RIOG:** Assignments made by the RIOG should be completed by the deadline, except as mutually agreed. The technical team chair is responsible for developing, coordinating, and reporting these results in a timely manner.
8. **Raising Policy Issues or Disputes to the RIOG** (language per “2010 Hydro Dispute Resolution Procedures”):

On January 19, 2010, the RIOG approved the following hydro dispute resolution procedures on a trial basis. The goal of these procedures is to provide an efficient and timely process to address in-season management and other potential disputes.

When policy guidance is needed or if there is a dispute, the technical team will discuss the issue and identify or narrow the specific issue or question in dispute. If a team is unable to reach resolution, the Technical Team Chair may poll the sovereigns for their views and input.

In the case of a short-term dispute (e.g. where a decision is required within 2 weeks), the responsible federal agency will make a decision after considering the views and input of the technical team. The federal agency with the authority to make the decision will notify the RIOG and technical team members about its decision and rationale in a timely manner.

If a technical team member contests the federal decision, he/she should confer with their RIOG Senior Policy Team representative. The RIOG representative may further raise the issue to the Senior Hydro Team Chair for further consideration. If further discussion is warranted, the Senior Hydro Team Chair will convene the team to prepare a RIOG Policy Briefing Paper, with the assistance of technical team members. The RIOG may have a conference call to further address the dispute in a timely matter.

In the case of a longer-term dispute, the technical team chair should bring it to the attention of the Chair of the Senior Hydro Team. In communicating the issue to the Chair of the Senior Hydro Team, the notification should include the RIOG Chair and the RIOG Coordinator.

The Chair of the Senior Hydro Team will convene the Team to further discuss the issue and prepare a RIOG Briefing paper according to the RIOG template (see attached), with the assistance of technical team members. Team members may be asked to supply additional information during the process.

At times, technical team and RIOG meetings may include a polling of sovereign views on a given issue. Sovereign views will be made by designated representatives (or their alternates) registering support/consent, no objection, objection, or abstention to a decision made at a noticed meeting or conference call.

Each member organization is responsible for having a representative or alternate present at these meetings (in person or by conference call) to register consent, objection, or abstention on a decision. Every effort will be made to ensure that those members who feel strongly about an issue can be present at the meeting at which the issue will be discussed. Each sovereign is encouraged to provide coordination and communication between technical team and RIOG members.

The RIOG may include an opportunity for public input into a policy issue or dispute. If so, timely notice and relevant materials will be made available to the public.

The federal agency with the authority to make the decision will notify the RIOG and technical team members about its decision and rationale in a timely manner. Agency decisions, RIOG comments and supporting materials will be posted on the RIOG website and maintained in the respective federal administrative records.

Based on recommendations or requests from the RIOG, policy issues and disputes may be further elevated to the Regional Executives, which include the federal administrative heads, Governors and Tribal Chairs.

## ATTACHMENT 1 **TECHNICAL MANAGEMENT TEAM (TMT) MEMBERS**

*This list will be updated as needed to stay current.*

### **ORGANIZATION - REPRESENTATIVE / ALTERNATES**

National Marine Fisheries Service - Paul Wagner /Richard Domingue  
U. S. Army Corps of Engineers - Doug Baus / Karl Kanbergs /  
Bonneville Power Administration – Tony Norris / Scott Bettin /Robyn MacKay  
U.S. Bureau of Reclamation - John Roache / Mary Mellema / Pat McGrane  
U.S. Fish & Wildlife Service - David Wills / Steve Haeseker  
State of Washington - Charles Morrill/  
State of Oregon – Rick Kruger /  
State of Idaho - Russ Kiefer / Pete Hassemer  
State of Montana - Jim Litchfield / Brian Marotz  
Coeur d’Alene Tribe of Idaho – Tiffany Allgood  
Confederated Tribes of the Colville Indian Reservation –Sheri Sears/Keith Wolf  
Nez Perce Tribe of Idaho – Dave Statler /Dave Johnson  
Kootenai Tribe of Idaho – Sue Ireland / Billy Barquin  
Confederated Salish & Kootenai Tribes of the Flathead Reservation – Stu Levit  
Shoshone-Bannock Tribes of Fort Hall – Lytle Denny ?  
Spokane Tribe of Indians - Deanne Pavlik-Kunkel / Andy Miller  
Confederated Tribes of the Umatilla Indian Reservation (CTUIR) – Tom Lorz / Kyle Dittmer (CRITFC)  
Confederated Tribes of the Warm Springs Reservation – Brad Houslet  
Yakama Indian Nation – Bob Rose

### **ELIGIBLE ORGANIZATION WITH NO OFFICIALLY DESIGNATED MEMBER - CONTACT PERSON / ALTERNATE**

Shoshone-Paiute Tribes of Duck Valley Reservation  
Burns Paiute Tribe  
Kalispel Tribe  
State of Alaska

## ATTACHMENT 2

### **MEETING GROUND-RULES & EXPECTATIONS**

The following meeting ground-rules and expectations were discussed and agreed to by all TMT members present at the 4/10/13 meeting of the TMT and subsequent email approval from other parties not present at the meeting. They may be changed at the request of the Team.

#### I. Ground-Rules

Meetings will start and end on time unless members agree otherwise.

Members will treat each other with respect, which includes:

- Separating the people from the problem
- Listening to what others have to say
- No interruptions
- Monitoring your own air time
- No side conversations
- Letting the facilitator or chair know when you would like to speak
- Being mindful of tone and language when speaking directly to others or to the group
- Remembering that members are representing agencies, not stating individual opinions

During in-season management, each member agency/group will have one primary TMT representative who will sit at the table during meetings. Alternates or technical resource staff are welcome to attend and provide input through their primary representative, or when called on by TMT members. All are welcome to sit at the table --with preference for the primary representatives if there is a space limitation.

Any issues elevated from the TMT to the RIOG or Senior Hydro Team will be thoroughly discussed at TMT. TMT members will agree on the “issue statement” for elevation. The TMT Chair will then present the issue at the RIOG or Senior Hydro Team meeting. All TMT members will brief their agency RIOG representative on the issue prior to the RIOG meeting.

The meeting facilitator may make process comments in order to keep the group on track, focused and productive.

#### II. Expectations

Members are expected to come prepared to participate in the meetings. This means, they will provide necessary input to discussions and work towards making decisions based on information they have gathered from their respective agencies between meetings.

Members are expected to keep their agencies and staff apprised of decisions or important meeting discussions. Members are encouraged to keep their RIOG members up to date on issues addressed at TMT.

Members are expected to attend all meetings or send an alternate. If an alternate attends the meeting, a briefing, both before and after the meeting, is expected of the primary representative. The group will not revisit information for members who were absent from or late to a meeting unless time allows for it and this is the will of the group.

Members are expected to follow through on assignments to which they agree, or are given by other team members, on a timely basis. This includes requests for comments on information or reports from other team agencies.

The meeting facilitator is expected to keep the group on track and focused on agenda items. Additionally, the group expects the facilitator to assure equal participation, highlight any decisions that the group reaches, and maintain a sense of humor.

People who listen in on the telephone are expected to “sign-in” as they call in on the conference telephone line.

Group members may contact the facilitator at any time to make process suggestions, raise concerns or request additional assistance at or between meetings.