

Regional Implementation Oversight Group TECHNICAL MANAGEMENT TEAM Guidelines

Updated June 2022

Introduction

Federal, tribal, and state governments hold jurisdictions over ESA-listed salmon, steelhead, bull trout and Kootenai River white sturgeon, other aquatic species, and related water management issues across the Columbia Basin. The federal Action Agencies (AAs) implement operations defined in the Columbia River System (CRS) federal action. Current CRS operations are described in the following documents: 1) AA's 2020 CRS Proposed Action as described in the Record of Decision and associated Biological Assessments; 2) National Marine Fisheries Service's and U.S. Fish and Wildlife Service's 2020 CRS and 2008 Upper Snake River Biological Opinions (BiOps); 3) AA's Annual Fish Operations Plan; and 4) AA's Annual Water Management Plans and Seasonal Updates.

The Regional Implementation Oversight Group (RIOG) was established to provide a policy level interagency coordination forum for discussion and coordination of the operations and maintenance of the CRS by regional sovereign representatives. The RIOG and technical sub-teams include representatives from federal agencies, tribes, and states. The overall purpose of the group is to inform the federal, state, and tribal sovereigns that are actively engaged in efforts to benefit both anadromous and resident species regarding implementation issues from each sovereign's perspective. The RIOG is the highest policy level, Regional Forum workgroup and engages during key decision milestones (e.g., Water Management Plan guidance) or to assist with resolution of issues elevated by technical work groups. The RIOG 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.

The Technical Management Team (TMT) operates under the RIOG Guidelines and Procedures. The guidelines in this document supplement the RIOG's procedures and provide more specific guidance to the TMT. As the RIOG procedures are refined, the TMT guidelines may be revised.

Scope

The TMT mission is to develop recommendations from sovereign representatives to the Action Agencies on a variety of in-season operations to benefit fish, including spill, temperature, and flows for ESA-listed salmon, steelhead, sturgeon, and bull trout species within the Columbia River Basin, while taking into account the needs of (and effects on) other listed and non-listed species (such as lamprey). The TMT applies the best available technical information for in-season reservoir operations and management. The TMT seeks regional consensus on technical recommendations regarding operations of the CRS. The focus of the TMT is to assure CRS operations described in NEPA documents, biological opinions, and annual planning documents 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.

Membership

TMT membership is open to RIOG sovereigns. RIOG sovereigns should appoint one member and one alternate to the TMT. Initial confirmation of membership, designation of representatives, and any changes in representation should be provided in writing to all members of the TMT. TMT membership will be updated and posted annually on the TMT web page (<https://pweb.crohms.org/tmt/>).

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 multipurpose hydropower projects in the CRS 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 Action Agencies are responsible for decisions on operation of the CRS projects, based on policy and legal requirements of the AA's; and the Corps and BPA are responsible for Columbia River 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.

In-season Information Sharing & Decision Making

During TMT meetings, the TMT will discuss and recommend operations to the Action Agencies based on the available information. These recommendations will be made by consensus whenever possible. Consensus is defined as lack of objection amongst TMT members.

To inform recommendations the TMT will regularly review and consider the following data (parties responsible for providing the data are noted in parentheses):

- Forecasts produced by the National Weather Service's Northwest River Forecast Center's (RFC) Ensemble Stream Procedure (ESP). (The Corps will use the RFC forecast to prepare flow projections for Priest Rapids, McNary and Lower Granite);
- Single trace procedure (STP) (Corps);
- Volume inflow forecast for the Libby and Dworshak projects (Corps);
- Inflow forecast for the Hungry Horse project (Reclamation);
- Dissolved gas, temperature, and other physical monitoring data (Action Agencies)
- Power system conditions (BPA);
- Current and historical information on salmon, steelhead, bull trout and Kootenai River white sturgeon numbers (Fisheries Managers);
- Migration timing and conditions for salmon and, steelhead (Fisheries Managers)
- Relevant information on other fish and wildlife resources (e.g. sturgeon, lamprey and pinnipeds) (Fisheries Managers).

Additionally, the Annual Water Management Plan (WMP) is developed and used by the Action Agencies as a decision-making and management tool. The WMP includes all known or typical

operations that will be implemented throughout the year. The WMP is amended with Seasonal Updates periodically during the year to reflect changing water supply forecasts and actual operations implemented.

Each year, the TMT will discuss and may suggest updates to the WMP based on new information, updated procedures, or regulatory changes. The draft WMP will be available for review in October. All interested parties may participate in WMP development and will be given an opportunity to review and comment on the draft plan.

a) 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. TMT members and non-TMT members may provide recommendations to the TMT. These requests should provide an operation of the hydrosystem that will provide a biological benefit for listed fish or other species of concern, protect human health and safety, and/or address other authorized uses of the CRS, and should be consistent with the scope of these Guidelines.

SORs should include:

- The biological or operational basis for the recommendation (expected project operations may also be added).
- Whether the request is to implement a NMFS or USFWS BiOp, NPCC Fish and Wildlife Program, or other Federal, State, or Tribal program.
- Members of the agencies who have reviewed and support the request.

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. Final SORs will be posted on the TMT SOR disposition web page (<https://pweb.crohms.org/tmt/>).

SORs are unique and require flexibility and nuanced deliberation at TMT meetings (please see flow chart below). The discussion of SORs 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. 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. The Chair and Facilitator should ensure that adequate time is allotted to each segment of the meeting.

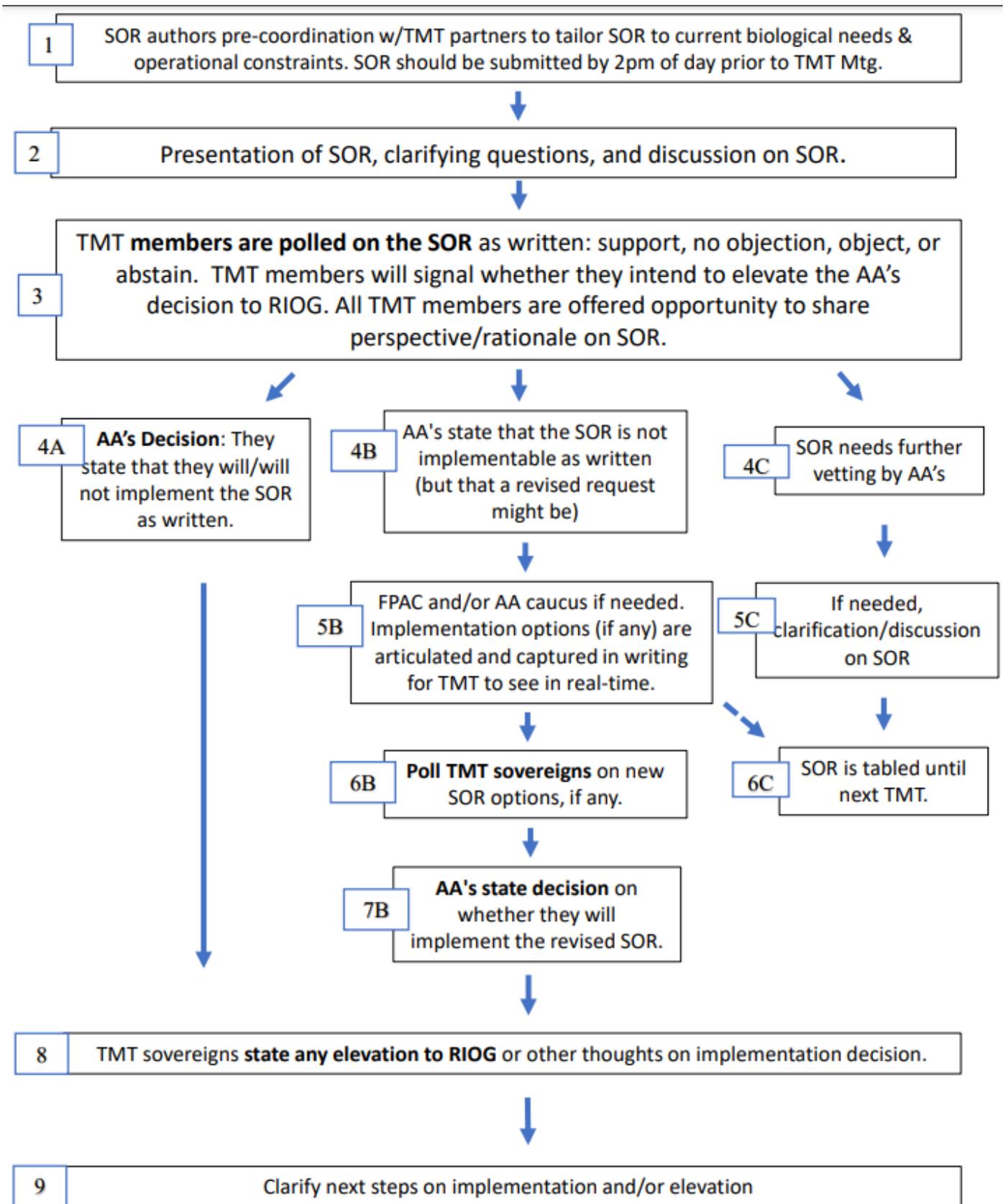
The Chair should also ensure that TMT member polling responses for a SOR are noted in the minutes.

Polling positions/responses include:

- **Support** – Agree with the proposal/action.
- **No objection** – The proposal/action is acceptable; may not completely agree or may have reservations; however, concerns are not strong enough to object.

- **Abstain** – Choose not to register support, no objection, or objection.
- **Object** - Do not fully agree with the proposal/action and need to register concern.

The final decision made by the Action Agencies on the operation(s) will be made at the meeting whenever possible. The Action Agency's decision to implement the SOR, or a modification of the SOR as recommended by participants and agreed to by TMT, should be documented in the minutes. If the Action Agencies do not agree to implement an SOR, they will describe for the minutes both the operation that will be implemented and the basis for that decision, which may relate to the BiOps, 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. TMT members will be asked to state if they plan to elevate the Action Agencies' decision to RIOG, in which case the issue will be framed for the RIOG in accordance with the process described below on page 8 (see 2010 RIOG Hydro Dispute Resolution Procedures Attachment 1). Note: TMT members can signal that they will elevate an issue at any point in the SOR deliberation and polling process.



Meeting Coordination & Schedule

The following schedule is established to support a successful TMT process. While adhering to this schedule is ideal, TMT members understand the need for flexibility to adapt to changing and unforeseen conditions.

Regularly-scheduled TMT meetings will be held approximately weekly during fish passage season (April through August) and biweekly outside of fish passage season (September through March). TMT members may call an unscheduled meeting when a situation requires action of the TMT before the next scheduled meeting. For regularly-scheduled meetings, which typically are held on Wednesdays, the schedule is as follows:

Monday:

- An agenda and meeting materials will be posted to the TMT webpage as soon as possible prior to the meeting (Monday in the case of regularly-scheduled Wednesday meetings)

Tuesday:

- Fisheries Managers discuss the TMT agenda and upcoming operations at a Fish Passage Advisory Committee (FPAC)¹ meeting.
- Action Agencies discuss the TMT agenda and upcoming operations; after AA conversation, the FPAC Chair is connected to the Action Agency call to coordinate.

Wednesday:

- Regularly-scheduled meetings are held in the morning but may be adjusted by TMT consensus to accommodate special circumstances.

Friday:

- The TMT draft official meeting minutes and facilitators' summary will be emailed to TMT members by Friday evening, or as soon as possible following each TMT meeting.

Meeting Chair & Facilitation

Per the RIOG *Requirements for All Technical Teams*, the team will be chaired by a federal agency representative, although a state or tribal representative may serve as a coordinator or co-chair. In addition to the responsibilities described in RIOG's Requirements, the TMT Chair is responsible for coordinating TMT meeting details, including, but not limited to meeting space and logistics, preparing agendas, and providing meeting materials on the official TMT website.

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 will provide process guidance to keep the group on track, focused and productive.

¹ FPAC includes representatives of federal, state, and tribal fish management agencies.

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

Documentation

The TMT meeting minutes will be used to keep track of the decision-making process. The minutes will include the substance of decisions, the decision-maker, and the basis for the decision. 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 they represent is one of the decision-makers. Once reviewed by TMT members, the meeting minutes and summary will be posted to the TMT website. Additional comments on either set of documents may be provided and discussed at the following meeting.

Interested parties may request copies of the minutes if they do not have access to the TMT homepage (<https://pweb.crohms.org/tmt/>).

Public Participation

Public participation at TMT is welcome via phone and/or web-meeting. The public may comment or ask questions at the end of the meeting, based on the discretion of the group and the facilitator. They may also comment outside the TMT process; any comments/questions from the public that are provided to the facilitator will be forwarded on to TMT members.

*** The TMT Guidelines are maintained by DS Consulting; they are developed in collaboration with TMT, updated periodically, and approved by consensus among TMT members. ***

ATTACHMENT 1: 2010 RIOG HYDRO DISPUTE RESOLUTION PROCEDURES (last updated 10/2010):

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, they 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 consent, 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 2: TECHNICAL MANAGEMENT TEAM (TMT) MEMBER ORGANIZATION (See TMT meeting agendas for up-to-date list of Representatives and Alternates <http://pweb.crohms.org/tmt/agendas/2020/>)

National Marine Fisheries Service
U. S. Army Corps of Engineers
Bonneville Power Administration
U.S. Bureau of Reclamation
U.S. Fish & Wildlife Service
State of Washington
State of Oregon
State of Idaho
State of Montana
Coeur d'Alene Tribe of Idaho
Confederated Tribes of the Colville Indian Reservation
Nez Perce Tribe
Kootenai Tribe of Idaho
Confederated Salish & Kootenai Tribes of the Flathead Reservation
Shoshone-Bannock Tribes of Fort Hall
Spokane Tribe of Indians
Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Confederated Tribes of the Warm Springs Reservation

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
Yakama Indian Nation

ATTACHMENT 3. MEETING GROUND-RULES & EXPECTATIONS

The following meeting ground-rules and expectations were discussed and agreed to by all TMT members present at the February 2020 meeting of the TMT. They may be changed at the request of the Team.

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,
- Not interrupting or having side conversations during the meeting,
- Monitoring personal airtime,
- 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, and,
- Remembering that members are representing agencies, not stating individual opinions.

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. If an alternate attends in place of a TMT member, a briefing, both before and after the meeting, is expected with the primary representative. Alternates or technical resource staff are welcome to attend all meetings and provide input through their primary representative, or when called on by TMT members.

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 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.