

**Columbia River Regional Forum
System Configuration Team Meeting
December 15, 2022
Final Official Notes**

Representatives of Corps, OR, WA, BPA, NOAA, and others participated in today's SCT meeting facilitated by Blane Bellerud, NOAA. Draft and final SCT notes are available on the COE's TMT website under the FPOM link. For copies of documents discussed in the meeting, contact kathy.ceballos@noaa.gov. See the last page of these minutes for a list of attendees at today's meeting.

Blane Bellerud, NOAA, had a request for fresh invitations with the agenda. He is not able to send out invites because of platform conflicts between Google and Outlook. He requested that members add the meeting as recurring in their own calendar (third Thursday of every month from 9-1 PST).

Starting next month there is a possibility of hybrid meeting. In-person possible as conference rooms are set up.

1. Budget Update

- Ida sent out the most recent SCT Ranking spreadsheet on Tuesday (Dec 13). There were no budget updates (numbers have not changed) but she was able to share future budget requests. These are listed on the FY23 tab.
- Still in the continuing resolution. Congress has been discussing omnibus bill next week. If this does not happen, with the new congress in the New Year, there is talk of locking for the entire year.
- Programs that are receiving earmarks would not receive their money. CRFM is not earmarked. Would put a kink in the national budget for next year.
- This does mean that CRFM would not receive any additional dollars next year.
- Royer believes that there is a strong chance for work plan funding (additional funding available from Congress that is not prescribed to any one project). Within the Corps CRFM has a good chance of getting some of that money. This is only possible if Congress passes the budget.

- PBud allotment of \$29.175 M. CRFM is held to Presidents budget until Congress passes budget. Could get additional dollars with the workplan.

- Capability of \$61 M includes Willamette, Columbia, injunction response, and construction.
- Capability for Columbia (one fiscal year): \$6.2 M tied to projects.

a. Spreadsheet explanation

- All projects are listed that include express capability or needing future capability.
- Black signifies express capability or new projects.
- “FY23 Pbud” (Column H) allocations lists how the administration believes that the funding should be spent.
- “FY23 Pbud Reallocations” (Column I) lists how Royer (as project manager) based on needs has allocated the funding.
 - Royer emphasized that she is trying to get the program through Quarters 1 and 2 because she is relying on the work plan funds to complete the year.
 - She is trying to be strategic and so Quarters 3 and 4 contracts will not be funded immediately.
 - CRFM is only 50% funded for capability for the year. Royer has been trying to communicate the need up the chain and CRFM should be first in line for work plans.

b. Out-year project budgets

- Red line items are out-year projects.
- Royer cannot share budget information but can share projects (FY25).
- Budget requests are made two years in advance and there are no opportunities to change until work plan stage.

Line items:

- RM&E Flex Spill Operation
 - Catch-all
 - SRWG process: Hydrosystem-type look at needs for RM&E.
 - Not finished with process
 - Lean out on anything that would fit under process
- BON Powerhouse 2 Post-construction evaluation
 - Tied to B2FGE construction and desire for post construction monitoring (evaluate for effectiveness)
 - Discussion to be had for what that looks like
- JDA ladder cooling
 - Conduct an EDR
 - Structure in John Day
 - Plan is to try to fund for FY24

- McNary Cooling and Avian Deterrence
 - Follow process for Corps regulations
 - EDR to design
- McNary PIT Detections
 - EDR process
 - What improvements for relative costs?
- ICH and LWM
 - cooling structures
- Budgeting for Lamprey FY25 Tribal Fish Accord
 - Serpentine weir was to be funded in FY24.
 - If the weir is not funded, ladder outages are scheduled for every other year so there is a question of whether to request funds for FY25 or FY26. The Corps find this an important project.
 - There other projects the Corps could implement for lamprey as well.
 - Currently the Project Description is blank as a placeholder. Royer hopes to fill in project scope in the next month or so.

Tom Lorz. Umatilla/CRITFC, is concerned that there is no funding for the PIT trawl and that there is a risk to funding depending on the work plan status.

Royer said that there is currently no funding for anything other than what has been previously allocated. She also pointed out that the risk of waiting for the work plan is not just for the Columbia but also affects the Willamette.

Bellerud noted that because Willamette gets priority and they also benefit from the PIT trawl. He asked if there was a way to share the cost between the Columbia and Willamette funding.

Royer does not agree that the Willamette is being prioritized at this point. The Corps is not funding everything and they are going to run out of funding. CRS legally cannot shift the PIT Trawl project to a Willamette BiOp requirement, because the PIT trawl is specified in the Columbia BiOp and not Willamette.

Lorz said that he is concerned that there is no money being put towards the PIT Trawl because the Corps are planning a risky move with waiting on the Work Plan status. He wants to be aware so that he can share this information with his policy people when they ask what is going on with funding.

Royer said that as of now, the plan is to fund the PIT Trawl later in FY23, but there is another option for funding. Fund in early-October of FY24 (in calendar year 2023). Use

the FY24 funds for FY24 work. It is not a preferred option but it has been done in the past.

Jay Hesse, Nez Perce, asked if FY23 PIT trawl is out of the FY23 capability.

Royer said that the operations for the 2023 PIT trawl is out of FY22 budget and has been executed. She added that it is typical to fund out of the FY year prior.

Scott Bettin, BPA, asked if the Bonneville PIT tags could be added.

Royer said that she has been talking to Erin (the Project Manager) and there is a chance that there are ways to add a little funding. Moving through the year things may shift some but it would be small. There are deadlines and the work needs to be completed.

Charles Morrill, WDFW, felt that about pushing the budget to October is something that should be looked at and should be used if necessary.

Royer is optimistic and feels that it can be lined up in October.

Morrill appreciates Royer's efforts.

Jonathan Ebel, IDFG, asked about the probability of the occurrence of not finding funding for the PIT trawl. If the probability is high than he feels that there needs to be another plan because the data is necessary.

Royer said that the probability is high that the PIT Trawl will get funded. If it comes to October and there is no additional FY23 funding than it will be top FY24 priority. They will fund immediately in October but Royer's preference is to not use this method. If CRFM gets Work Plan funding than it will get funded in FY23, this is predicated on the budget passing. She is nervous about some in Congress speaking of freezing the budget and being in the CRA-type situation for the entire year. With the Work Plan, she feels confident for the project for the rest of the year.

Morrill asked whether that the concerning information is from division.

Royer said that the concerns are coming from news.

2. O&M covered by CRFM? (important for fish passage)

- McNary Hoists rebuild/replacement
- Little Goose Jetty Replacement
- Bonneville Spillway erosion repair and abatement work
- John Day STS Rehab review - at least get a PDT to determine what the path forward is, replace in kind, redesign with lamprey features....

- John Day AWS pump replacement, similar to North Shore at John Day that was covered by CRFM the pumps are past their service life and should be redesigned or replaced with more reliable units, look at installing similar entrance weir to reduce moving parts.
- TDA Spillway reliability, at least return unit 9 to service

Lorz appreciated that the budget was made available ahead. He disagrees with the Corps read on the O&M coverage. He believes that there is precedent for the O&M coming to CRFM for funding. He gave an example of Bonneville spillway erosion in the early-2000s, it was funded by CRFM and was an O&M issue to cover the holes. He strongly suggests looking at the precedent and the options there.

He is most terrified of the McNary Hoists as they are at 120% capacity (re: email from Chris Peery). When they were originally designed they were undersized. The design is inadequate and he is concerned that the spill pattern at McNary will not be close to what NOAA is expecting for survival and what was assumed for the BiOp.

Lorz is concerned that McNary and Walla Walla will drag out the spill days. The schedule at McNary is close to decadal. He knows of other projects that are also O&M projects and are lagging. He is surprised that the use of CRFM budget is not being considered by the Corps to take care of some of the longer-term risks.

Royer said that she hears what Lorz is saying but it is hard for her to speak to older projects because she was not involved or engaged in their planning. Royer will try to have a conversation with the SUQ. She thinks that they are hemmed in by the boundaries within the fiscal laws. Funding requires viability and a sound justification or the rest of the program could be put at risk.

Lorz recommends that Royer speak to Mike Langeslay. If a project design or operation is found to be inadequate, it is possible to take back to CRFM to redesign to bring it back to what was required for the fish mitigation. He recommends her to look into this as John Kranda used it in the past.

Bettin added that he believes that the difference is the hoists that were changed were for the TSWs. There needs to be a nexus of something that was changed for fish to have the connection to SCT. Bulk of hoists are not going to fall into the category.

Royer said that if something was originally funded by O&M than it makes it very difficult for her to make a case to fund it with CRFM money.

Lorz believes that these were not originally funded by O&M but rather are the original Corps-built fishways and the original design was flawed. Lorz is concerned for the fish

and he is trying to provide possible avenues to have the hoists fixed. He also warns that the legal issues become more contentious.

Royer explained that there is risk and there is the law. She said that it is not as if they do not want to fund the work but in some cases, there are no workarounds.

Ebel asked if that the purpose has changed from the original design. They were not spilling for fish originally but they are now used for fish passage. Given that the original use for the hoists have changed he believes that Lorz's argument is viable. They did not plan for spilling for fish at McNary originally, instead they were spilling for human safety and power needs. It is not a new use as the spilling for fish started in the early nineties but it is relatively new in the context of the age of McNary. He believes that the spill hoists at McNary are critical.

Royer can have a conversation, she feels like she has had this conversation already. The fish ladders are not CRFM items because they have been operating for many years. After many years, they become hard to defend as a part of CRFM. CRFM is intended for fish passage projects. She said that it will be a tough sell if not they are not physically changing the structure itself.

Morrill said that in early-2022 there was a meeting with the McNary project manager talking about the issue from a safety perspective. Morrill is puzzled as to why the Corps is not able to fix the issue from a safety standpoint.

Royer suggests to bring up elevation for dam safety at FPOM. Has heard side conversations about it but she is not a part of it because she is not a part of O&M. She does understand the concerns. Tammy and others are working hard trying to find pathways. Royer can have conversations and will continue to have conversations but it will be challenging because of the limitations of what projects can qualify for CRFM funding.

Studebaker believes that the list should be gone through together to add clarity of what are specifically O&M and those that are maybe a bit more gray and may be able to be coordinated.

Royer has already looked through the list and did not see any that are CRFM but if people want to bring it to FPOM and have the discussion they can.

Studebaker believes that there is some value to bringing District and Division together. .

Royer looks forward to the meeting invite.

Lorz asked if there was anything that Royer felt could be considered gray.

Royer did not see anything she did not see anything but with the STS item, if they were to make some kind of fish passage improvement, it could be in the added to the CRFM fold. Many of the items have been in operation for a long time; replacement would not be considered an improvement.

Lorz believes that O&M and CRFM need to work together to meet their fish mitigation responsibilities under the legally binding BiOp. He is trying to help give ideas for the Corps to continue to meet their requirements.

Royer talked to Tammy, she is aware and is in agreement that most of the items are O&M. Royer said that it may be helpful to discuss with Tammy about the boundaries with O&M. She may have more perspective because she has been around longer but Royer said that she and Tammy agree about the boundaries of the list.

Lorz is concerned that the Corps will have to take out six bays at McNary due to hoist concerns. He said that by taking six bays out of the spill pattern would have a detrimental effect on spillway survival. He will have to challenge NOAA to step up to do what needs done or declare jeopardy.

Royer has had conversations are the result is not what Lorz has wanted. Studebaker will lead the charge on having more discussions. Royer does not want people to have expectation that boundaries will shift much. She would like to be creative but she cannot fund it and be found in violation of the law.

Bellerud asked for an interpretation from the Corps lawyers in regards to this situation.

Royer said that the boundaries are defined in the language and is based on precedent. She is concerned that if lawyers become involved there will be stronger limitations. She is not interested in going to lawyers. She would rather define the path with Tammy and others.

Ebel asked for the language of the laws and if it would be possible to replace the words 'replacement' with 'redesign'. This would be true as the technology has changed and the current system is not working. He asked if it changes the way that it would be evaluated.

Royer will talk to Tammy to hash out a better justification for the boundaries between the parsing of money. Tammy should also be able to add this to the FPOM agenda to provide more clarification.

3. Definition of SCT Functions

Bellerud introduced Morrill's request to review the SCT description. He said that it is found in the BA and is part of the proposed action.

Morrill is interested in the description because it is needed by his agency.

Bellerud said that because it is in the BA it is not in the BiOp. It is something that the Action Agencies provide and define. There are only a few rare reasons why SCT would be able to modify it. For example, through a jeopardy of opinion. This did not happen this time. Action Agencies' definition was swallowed in the BiOp. They are obligated to do this and if they do not keep to the proposed action then the BiOp is not active.

A few more clarifications were provided over a difference of understanding of definitions.

4. Ongoing topics

- Avian Wires at McNary
- Improved PIT tag detection (especially below BON, BON and MCN)
- Flex Spill Evaluation (no funding has been identified).
- PIT trawl 2023 and 2024- Are operations funded?

Next Meeting: January 19, 2023 (possible hybrid meeting)

Send in the requests for topics the week before.

Today's Attendees:

Name	Affiliation
Cindy Studebaker	<i>Corps</i>
Ida Royer	<i>Corps</i>
Jacob MacDonald	<i>Corps</i>
Steve Sipe	<i>Corps</i>
Steven Juhnke	<i>Corps</i>
Christine Peterson	<i>BPA</i>
Scott Bettin	<i>BPA</i>
Jonathan Ebel	<i>IDFG</i>
Jay Hesse	<i>Nez Perce Tribes</i>
Blane Bellerud	<i>NOAA</i>
Kelsey Swieca	<i>NOAA</i>
Trevor Conder	<i>NOAA</i>
Erick Van Dyke	<i>ODFW</i>
Tom Lorz	<i>Umatilla/CRITFC</i>
Charles Morrill	<i>WDFW</i>

Minutes by Andrea Ausmus, CorSource Technology Group LLC, Contractor for Bonneville, AMausmus@bpa.gov (971-373-1288). Please send any requested edits to Kathy Ceballos, NOAA, kathy.ceballos@noaa.gov.