

WATER Steering Team Meeting
February 20th, 2018
Conference Call

Facilitator's Summary

ACTION	By Whom	By When
Pending Action Items from January 30th Meeting		
Discuss FMWQ-18-02 (“ <i>SWIFT</i> ” and “ <i>Mainstem fish habitat</i> ” concepts) internally and circle back to Diana to clarify funding eligibility.	Ian/ Rich	ASAP
Provide an updated budget spreadsheet with CRFM eligible concepts listed in the appropriate table (<i>JPL-18-01 (residualism)</i> ; <i>APH-18-02-SYS (fish facility performance)</i> ; <i>JPL-18-02-SYS (latent mortality)</i> ; <i>JPL-14-01-SYS (predator populations)</i>).	Ian	ASAP
Pull together any CRFM guiding documents and provide them to the region.	Ian/Joyce	ASAP
Provide the Steering Team with more detail on potential information gaps in the BiOp that the RM&E and Reintroduction Plans could address.	Joyce	March 9 th Steering Team meeting
Action Items from February 20th Meeting		
Request that the RM&E Team discuss potential options for operational passage that does not dip into the power pool at LOP.	Steering Team	February 26 th RM&E Team meeting
Work with Corps’ attorneys to gather information regarding their decision process and rationale – at the very least the authorities from which they based their decision. Provide this to the Steering Team and DSC for distribution to the Managers.	Joyce	February 28 th
Ask Rich to provide a brief update on the implications of the LOP authority decision on the Middle Fork RM&E Plan at the March 2 nd Managers Forum meeting.	Joyce	February 28 th
Email Donna regarding ODEQ’s needs for preparing the Mercury TMDL update at the March 2 nd Managers Forum meeting.	Nancy	February 28 th
Ask Kevin to provide an update on the Green Peter conversations between NMFS and the Corps at the March 2 nd Managers Forum meeting.	Joyce	February 28 th
Connect with the Habitat Tech Team to clarify the priority of the projects and what additional support the tech team needs regarding the Section 408 process.	Ian	TBD
Request RM&E Team input on the timing of a study looking at predation in Dexter.	Steering Team	ASAP
Schedule the Steering Team for a conference call on 3/9 and a joint RM&E and Steering Team meeting on 3/22.	DSC	ASAP

Participants: Leslie Bach (NPCC), Joyce Casey (Corps), Ian Chane (Corps), Diana Dishman (NMFS), Brad Eppard (Corps), Bernadette Graham Hudson (ODFW), Nancy Gramlich (ODEQ), Mike Hudson (USFWS), Marc Liverman (NMFS), Tammy Macke (Corps), Kelly Reis (ODFW), Dan Spear (BPA), Jason Sweet (BPA), Karl Weist (NPCC);

Facilitator: Donna Silverberg; **Summary:** Emily Stranz, DS Consulting.

Welcome, introductions, & housekeeping

Donna welcomed the group to the WATER Steering Team meeting. Marc noted that earlier in the day he sent Emily suggested edits for the 1/30 meeting summary; Emily will incorporate edits and send a revised summary to the group for approval at the next meeting.

Authority Issues re: LOP Deep Drawdown

Joyce Casey, Corps, reported that after much discussion, review of authorities, and after consulting with Corps and BPA counsel, Kevin Brice determined that they do not have authority to implement an operation that dips into the power pool at Lookout Point (LOP). Instead, the Corps may consider operations that maintain reservoir elevation above the power pool. Marc Liverman, NMFS, asked the Corps to provide more information on the thought process, guiding documents, and rationale for their decision. Joyce suggested it would be more productive to have the attorneys lead this conversation and answer questions as the experts who have interpreted the language and authorities issue. She suggested that Corps and NMFS attorneys connect with each other, or the Corps' counsel could come and speak directly to the Steering Team.

In moving forward in the short term, Joyce suggested that the Steering Team ask the RM&E Team to revisit options for operational passage at LOP to determine whether there is another operation that could be tested in FY18. Joyce noted that, in order to implement a test operation this year, the Corps will need to start coordinating by the end of March. The RM&E Team is scheduled to discuss options at their meeting on February 26th, however, Mike noted that the RM&E Team has already discussed potential operational passage options and developed the deep drawdown as the option to test for a number of reasons. If there were other options, they likely would have already been noted in the Middle Fork RM&E Plan. The group recapped that there are three passage routes that were planned to be tested concurrently: operational, head of reservoir, and structural.

The Team revisited previous conversations around the potential to seek authority for this operation, noting that regional managers should discuss what this path would entail. The Steering Team coalesced around a three-pronged approach to move this conversation forward:

1. Work to set up an inter-agency conversation between legal counsel regarding authorities and interpretation.
2. Ask the RM&E Team to identify any potential operations that do not dip into the power pool.
3. Request that regional managers discuss the pros and cons of seeking Congressional authority for a passage operation to dip into the power pool and to clarify a path forward on this point.

Because NMFS identified the deep drawdown as a priority passage route to test, and testing operational passage is an RPA measure, it is important that the region get these questions answered now. When it is time to make decisions in 2019 and 2021, the region should not still be questioning whether the deep drawdown is an option.

In order to support a productive conversation on this at the March 2nd Managers Forum meeting, the Steering Team suggested more information be provided from the Corps' attorneys regarding how they arrived at their decision. At the very least, the attorneys should provide the authorizing language they have been reviewing. Additionally, the Steering Team thought that it would be helpful to ask Rich Piaskowski, RM&E Team chair, to provide a brief presentation on how this impacts the overall RM&E plan for the Middle Fork – the “so what”, technically speaking, and what alternative ideas the RM&E Team has for testing operational passage.

- **Action:** The Steering Team will ask the RM&E Team to consider potential alternate passage operations that do not dip into the power pool. They would like a report back on any options before the end of March.
- **Action:** Joyce will work with Corps' attorneys to provide information regarding their decision process and rationale – at the very least they will provide the authorities from which they based their decision. Joyce will provide this back to the Steering Team and DSC for distribution to the Managers prior to their March 2nd meeting.
- **Action:** Joyce will ask Rich to provide a brief update on the implications of this decision on the Middle Fork RM&E Plan and to point out other passage methods that RM&E identifies at the March 2nd Managers Forum meeting.
- **Action:** Donna will ask the managers to discuss the pros and cons of seeking congressional authority and what that path would entail.

Note: The 2017 baseline study results are not yet ready and thus were not presented at the recent Willamette Science Review. Researchers are still working the data. There was a pilot study conducted in 2016, which the Corps feels did not provide the level of detail needed to inform baseline survival; however, the 2017 study should. NMFS noted that the 2016 data suggests a flat minimum conservation pool elevation does not support fall downstream passage.

Planning for March 2nd Managers Forum

Donna shared a draft agenda for the Managers Forum meeting, noting that she reached out to Managers regarding the agenda and the draft reflects those conversations. Generally, the frame for the session is: where did we say that we would be and where are we?

Steering Team members provided updates on agenda items:

- Ian is working to get updates from all of the technical teams and will provide a report out at the Managers Forum.
 - Joyce asked Kelly Janes to provide an update on the Detroit/Cougar NEPA Public Engagement Process, as Kelly is project lead for the effort.
 - Zach Laboy is willing and able to provide a report out on the Mercury TMDLs. However, he needs to know how much time he has to speak and roughly what time he will be reporting. Nancy will send an email to Donna detailing ODEQ's information needs.
 - An update on Green Peter will be added to the section on progress updates; Kevin Brice will provide the update. This issue was elevated to the Managers in September 2017 and needs final closure.
- **Action:** Nancy will email Donna regarding ODEQ's needs for preparing the Mercury TMDL update.
 - **Action:** Joyce will ask Kevin to provide an update on the Green Peter conversations between NMFS and the Corps.

RM&E Concept Conversation Update

The Federal Family (BPA, Corps, NMFS, and USFWS) reported out on conversations that they had in response to the Steering Team's request regarding a number of proposed FY18 RM&E concepts. The Federal Family met on February 13th to discuss these concepts as they relate to RPA measures, priorities, and potential next steps/resolution. They reported the following to the Steering Team:

- **FMWQ-18-01 (Revetments):** The Corps clarified that habitat work is not eligible for CRFM funding, thus in their conversation, the Federal Family considered alternate ways to move the revetment work forward using BPA habitat funding. Ian provided the existing revetment analysis to the Habitat Tech Team (HTT) and asked for the priority of the six identified projects. Nancy Gramlich, ODEQ, and Karl Weist, NPCC, both members of the HTT noted that the HTT already prioritized the six projects some time ago and was waiting for additional action from the Corps regarding Section 408, which they previously had considered too cumbersome to pursue. The Section 408 process does not have a funding mechanism attached; so, on-the-ground work will require funding from other sources. It was suggested that there might be ways for the Corps to work with the HTT to streamline the 408 process.

Bernadette Graham Hudson, ODFW, asked how prioritizing the projects relates back to the proposed RM&E concept, which not only addressed the revetments, but also management elements of flow and water quality. Because the Corps deemed the concept ineligible for CRFM, they instead tried to find ways to move the revetment restoration work forward.

→ **Action:** Ian will connect with the Habitat Tech Team to clarify what additional support the tech team needs regarding the Section 408 process.

- **JPL-18-01 (Detroit winter steelhead residualism):** Joyce noted that the Action Agencies need a better understanding about how the information from this study would fit into NMFS' thinking, specifically as it relates to developing performance standards. NMFS was tasked with checking on this internally and reporting back. Marc shared that, after internal discussions, NMFS has determined this information would be most useful for them to gather after the Corps has reinstated passage to see if movement through the reservoir is adequate. Previously, there were questions about gathering this information now, because this would be the last year to get pre-passage information. 2018 is the last year juvenile steelhead would be expected to be outmigrating through Detroit reservoir as a result of previous above-dam releases, and therefore any later study would require future above-dam releases.
 - Any data informing passage criteria needs to be well planned with the fish and wildlife agencies to ensure that the study will yield the information needed.
 - When ready, the study should be set up with appropriate metrics determined with the RM&E team.
 - There was concern that the region may be missing an opportunity to gather helpful information, specifically regarding steelhead residualism and behavior. There may be a point in the future in which these questions come up again, and the region needs to start from scratch to gather the data.
- **JPL-18-02-SYS (latent mortality):** Joyce noted that the Action Agencies also needed a better understanding about how information from this study would fit into NMFS' performance standards. NMFS was tasked with checking on this internally and reporting back: Marc said this information will go into a broad survival assessment, not just for specific project passage. He noted that NMFS views the copepod study being discussed for Cougar as an opportunity

to get information needed on the full life-cycle of these fish. Ian thought latent mortality could be tested by holding fish in facilities after passage to determine whether the dam is contributing to the mortality. Also, team members suggested that they think about the research need first, then NMFS and the Corps can talk about performance standards.

- **JPL-14-01-SYS (Predator population in DEX):** The Corps clarified that this concept is eligible for CRFM funding and noted that Federal Family thought this concept could be set aside until Lookout Point (LOP) survival is understood. Marc noted that there are a couple years of data at LOP and, depending on the results for FY17, it may be time to start looking into Dexter predation. Ian agreed, noting there may be efficiencies in conducting this study in FY19. The group agreed to pass the timing issue back to the RM&E Team for input.
 - **Action:** Request RM&E Team to consider and provide input on timing of a study looking at predation in Dexter.

Next Steps

The Steering Team agreed it would be helpful for them to convene for a check-in call after the WATER Managers Forum meeting. Because their regularly scheduled meeting (3/6) did not work for everyone, they agreed to hold a conference call from 2:00-3:30 on Friday March 9th.

Additionally, they asked that DS Consulting work with the RM&E Team to schedule a joint Steering and RM&E Team session for March 22nd in the afternoon.

- **Action:** DS Consulting will schedule the Steering Team for a conference call on 3/9 and a joint RM&E and Steering Team meeting on 3/22.

Thank you for your review: please submit questions or modifications re: this summary to nancy@dsconsult.co