



YAKIMA BASIN
FISH AND WILDLIFE
RECOVERY BOARD

MINUTES

April 25th, 2007 Board of Directors Meeting

As approved by the Board of Directors, May 23rd, 2007

Time & Location: 5:30 to 7:30 pm, at the Prosser Fisheries Facility in Prosser

Attendance:

Board: Paul Ward (Yakama Nation), David Bowen (Kittitas County), Leo Bowman (Benton County), Matt Bleich (City of West Richland), Terry Keenhan (Yakima County), Dave Brown (City of Yakima), Morgan Everett (City of Prosser), Phil Mees (Benton County Alternate), Nancy Aldrich (City of West Richland alternate)

Staff: Alex Conley, Executive Director

Other Participants:

Adam Fyall (Benton County), Jim Milton (Yakima Basin Water Resources Agency), Margaret Neuman (Mid-Columbia Regional Fisheries Enhancement Group), Dawn Wiedmeier (BOR), Phil Miller (GSRO)

Meeting Topics:

Tour of Fisheries Facility

The meeting began with an informal tour of the Prosser Fisheries Facility. Participants viewed the screen bypass/juvenile fish facility, sturgeon ponds, and kelt re-conditioning facility. The rest of the meeting was held in the just-completed classroom in the facility. Mark Johnston of the Yakama Nation led the tour, and Bob Tuck of the Yakima Basin Environmental Education Program discussed the education programs that will use the new classroom.

Updates

David Bowen noted that the cities of Roslyn and Cle Elum will make a determination as to who will serve as the Kittitas County small city representative on the Board of Directors. Adam Fyall announced the Benton County Salmon Summit to be held May 8th at Horn Rapids. It is an educational event for over 1000 children from schools in Benton and Yakima Counties.

Agenda & Minutes

Chairman Bowen convened the meeting. Roll was taken and the presence of a quorum confirmed. A motion to approve the agenda as presented was made by Leo Bowman and seconded by Paul Ward. The motion carried. A motion to approve the minutes for the March

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28th meeting with a correction of the spelling of Yakima County was made by Leo Bowman and seconded by Morgan Everett. The motion carried.

2007 SRFB Funding Round Preparations

Alex updated the Board on the status of the 2007 SRFB project review process. He announced the May 10th applicant workshop and presented the Board with a draft schedule for the review process and lists of current committee membership. The process has been announced via email; it will also be advertised in local newspapers and on the Board's website. Board feedback on schedule and committee membership was requested. Significant changes from past funding rounds include 1) earlier involvement of the state technical review panel, and 2) use of a pre-application to guide energy towards the best projects and facilitate early resolution of any concerns about project designs. We expect roughly the same dollar amount for the Yakima Basin as last year (\$1.2 million). Board staff will continue discussions with Klickitat County over allocation of the overall Mid-Columbia allocation (\$1.6 million last year, but possibly slightly more this year).

Coordination with Watershed Planning

Jeff Tayer of WDFW had asked to put this item on the agenda but was unable to attend the meeting. The Board noted that the first meeting of the reconvened Watershed Resource Advisory Council for Benton and Yakima Counties had occurred, and that it was tasked with developing a detailed implementation plan (DIP) by the end of September. Alex is working with Milton to coordinate the watershed planning process with the salmon recovery plan. Leo Bowman expressed his support for the increased collaboration between watershed planning, salmon recovery planning and the Mid-Columbia RFEG.

FCRPS Biological Opinion Update

Phil Miller of the Governor's Salmon Recovery Office gave an update on the Federal Columbia River Biological Opinion remand process. The Action Agencies (AA's: USBOR, USACE and BPA) recently released their revised draft proposed action (PA) and the supporting biological analysis. The State of Washington is formulating its comments on these drafts and asking the four recovery boards to provide input to the State before May 11th. The AA's will provide a revised draft PA to all parties by May 21. Comments on the May 21st PA are due from all parties to the Court by June 11th. Phil encouraged the Board to submit our comments after May 21st directly to the Action Agencies and NOAA Fisheries. Phil expressed that his role is to connect with the boards about the status of the BiOp and opportunities to provide input. On June 20th, Judge Redden will hold a conference to review the status of the BiOp process and indicate whether or not it appears sufficient to meet the Court mandates.

Documents released to date include 1) proposed actions for the hydro system, the Columbia River estuary, tributary habitats (including the Yakima Basin), and hatcheries, 2) assessments of the current status of listed fish populations and the projected benefits from proposed actions. The documents propose prioritizing population-specific actions based on the gaps between desired and current status of populations. Phil noted that there were several positive aspects to the current drafts, but that they were still missing key information, such as proposals for the Monitoring and Evaluation efforts needed to track gaps, and an explanation of the methodologies used to determine gaps identified in current documents.

The heart of the tributary habitat section of the PA is a proposed increase in fisheries mitigation funding via the BPA Fish & Wildlife Program from \$20 million to \$35 million per year for the next nine years that will be available across the basin. Further increases are proposed for 2010 to 2019 for the listed populations with the greatest survival gaps. Specific analysis of the Mid-Columbia Steelhead DPS claims that there is less gap for this listing than for others, such as Upper Columbia and Snake River Steelhead, and that the PA will address the power system's liability by 2017. For Upper Yakima over long term there is a remaining gap after all the actions. That would mean there is some opening for additional work. The legal standards for the power system BiOp is to avoid jeopardy and not impede recovery; it is not intended to implement all recovery actions addressed in recovery plans. The FCRPS Proposed Actions does not address any actions by BOR's Yakima Project. Phil noted that the State want to see the Yakima Project covered by a separate Biological Opinion that addressed ESA concerns and makes a contribution to recovery efforts. Phil discussed key questions about the relationship between Washington's regional recovery plans and the BiOp process, including:

1) Is the recovery plan still voluntary given the incorporation of habitat actions into the Power System BiOp? Answer: Yes. The BiOp may require the Action Agencies to provide additional funding and support to recovery actions, but obligation would extend to other parties only when they choose to enter into a voluntary contract with the Action Agencies to implement recovery actions. The BiOp process only creates mandates for the Action Agencies.

2) Will the BiOp change the Board's recovery plan? Answer: No, the plan is developed under a different section of ESA in partnership with the state and NOAA-Fisheries. Any effort to change the plan from outside the local planning process would violate the need to for the BiOp to demonstrate that actions are "reasonable certain to occur," as local support would become much less likely.

Leo Bowman expressed his concern that discussions of the BiOp were not clearly stated, and that the Board's role was not clear. He noted that the State and other parties directly involved in the process needed to work out significant questions before requesting Board input.

Alex expressed that his primary concern with the current Proposed Action was the lack of correspondence between BiOp products and the NOAA TRT products used in recovery planning. He did not see a role for additional Board comments on the BiOp process at this juncture. Alex was tasked by the Board with developing a short letter to Washington State representatives addressing the need for correspondence between NOAA's Viable Salmonid Population framework and stock status assessments and the prioritization framework described in the draft PA. Matt, Paul and David Bowen volunteered to review the letter prior to submission.

Recovery Plan Update

The Board briefly reviewed the current status of the Board's Steelhead Extract of the Yakima Basin Salmon Recovery Plan and its incorporation into the Mid-Columbia Steelhead Recovery Plan under development by NOAA. Alex sent out a draft of the first chapter of the Board's extract and draft action summaries for the Yakima Populations drafted for the NOAA Recovery Plan for review by members of the board. The Board then discussed the timeline for remaining revisions. Alex noted that for Chapters 2 & 4, the remaining task was to incorporate NOAA's stock status assessments, which have not been finalized. He noted that the Board's technical team has given the ICTRT all the feedback we are likely to on current drafts of the Yakima Stock

Status Reports, and will need to work with the TRT to address these comments and incorporate them into a draft of the Status Assessments that can be included in the Recovery Plan.

Coordinator Hiring Process

Interviews are being set up with five candidates. Bowen and Lillquist have volunteered to help with interviews. Alex plans to have someone selected by next month's meeting.

Legislative Update

Alex presented the Board with a written update on the final status of legislative proposals tracked by the Board. SB 5224, which calls for continuation of the Governor's Salmon Recovery Office, was approved. Final funding levels for the office were still being sorted out, as FTEs were included in multiple line items. HB 1598 (regarding the application of Public Records requirements to recipients of SRFB funding) was approved with an amendment clarifying that such requirements apply specifically to the project sponsor, and not to any landowners and contractors also associated with the project. State funding for the SRFB was approved as originally proposed in the Governor's Budget (\$18 million- same as previous biennium). All were expected to be signed by the Governor.

Financial and Activity Reports

The Board received written reports on Board finances and the Executive Director's activities.

The next meeting was set for Wednesday, May 23rd. No additional public comment was received. The meeting was adjourned at 7:45 p.m.