

COLUMBIA RIVER REGIONAL IMPLEMENTATION FORUM

GUIDELINES AND PROCEDURES

Approved at the November 7, 2002 IT meeting.

Executive Committee, Implementation Team, and Technical Teams

I. Purpose and Scope

Purpose: The Implementation Team (IT) of the Columbia River Regional Forum is established to provide a forum for discussion, decision-making and coordination of the three sovereign governments working to implement hydro system related recovery strategies for endangered salmon and other species in the Columbia River. The purpose of the group is to provide an opportunity for input and thorough discussion of issues to inform federal, state and tribal agencies that are actively engaged in salmon recovery efforts. Each of the governments may assign upper level management staff experts to address the specifics of recovery actions that relate to the Federal Columbia River Power System (FCRPS/hydro). These staff experts must also have a working knowledge of the other “H’s” that are critical to the overall salmon recovery effort and be capable of communicating with a wide range of constituents both in and out of the team. The overall goal of the team is to provide a forum that increases the transparency of hydro-related salmon recovery decisions made in the Columbia River Basin concerning river operations, system configuration, and water quality.

Scope: The IT meetings will be held in venues throughout the Columbia Basin and will be utilized as a forum to:

- jointly and thoroughly discuss issues that arise in the implementation of the 2000 FCRPS BiOps and the Federal All-H Strategy;
- provide an opportunity for input to inform federal decision-making on these issues;
- resolve policy disputes that arise at the technical team level;
- notify state and tribal partners of the decisions that the federal government has or has not made as they relate to these issues, including how the state and tribal input was used in the decision-making process;
- focus on the longer term implications of short term management actions;
- make the necessary links to other “H”-team efforts in the recovery process;
- jointly develop criteria to support decisions or changes to current management practices;
- identify opportunities for improved coordination and partnerships to increase efficiencies and avoid unnecessary duplication;
- increase awareness and include consideration of BiOp actions on non-listed species, cultural and other resources, and the multi-purposes of the Columbia River Basin; and
- facilitate an open communication process that can keep the public and other agencies informed of on-going progress and the rationale behind the decisions that are made through the Regional Forum.

II. Organization

The Regional Forum is hierarchical and will consist of an executive-level regional policy body known as the Executive Committee, a senior program managers' body known as the IT, and various technical teams and work groups. The technical teams will include a Technical Management Team, a Water Quality Team, a System Configuration Team, and such ad hoc technical teams and workgroups as the IT may deem necessary from time to time to address specific issues. Appendix A depicts the relationships among the Executive Committee, IT, and Technical Teams, and between the organization and other regional entities and processes.

III. Goals

- a) To ensure the broadest possible technical and policy input in planning, funding, and implementation decisions regarding hydrosystem operation, configuration, and water quality actions related to implementation of the 2000 FCRPS BiOps or other applicable BiOps.
- b) To develop agreement and resolve disputes on operations to be implemented by the federal hydropower operating agencies and other actions related to FCRPS operations, including system configuration and water quality.
- c) To ensure that the decision making process for operations and system configuration is open and, when agreement can not be reached, to ensure the basis for federal decisions are fully explained.
- d) To promote coordination between implementation of the NMFS and USFWS 2000 Biological Opinions and actions taken under other related regional plans and fora to restore Columbia River Basin fish.

IV. Membership

Membership of all bodies of the Regional Forum is open to:

- a) state and tribal sovereigns with management authority over fish and wildlife resources and water quality in the Columbia River Basin, including Alaska;
- b) Federal agencies with regulatory or action authority in the Columbia River, including the National Marine Fisheries Service, U.S. Fish and Wildlife Service, Bonneville Power Administration, U.S. Army Corps of Engineers, Bureau of Reclamation, and the Environmental Protection Agency;

c) the Northwest Power Planning Council; and

d) the Idaho Power Company and the Mid-Columbia Public Utility Districts, except that they may not block consensus or request that matters be raised to the next level of the Forum.

V. Participation and Representation

a) Members may participate, through designated representatives or their alternates, in all discussions of any bodies of the Regional Forum; present proposals; register objection, concurrence, or abstention on decisions before the body; and request that a decision be elevated to the next level of the Regional Forum. The members will make efforts to enable all represented members to have a meaningful opportunity to participate in the work of the Regional Forum.

b) Members of any body of the Regional Forum must be represented by a designated representative or alternate in order to participate in the decision-making.

c) A list of designated representatives and alternates, where applicable, will be maintained at NMFS' office in Portland. The IT Chair shall update the list at least annually.

VI. Roles and Activities of the Implementation Team

a) General

1. Maintain ongoing oversight of the Technical Management Team (TMT), System Configuration Team (SCT), and Water Quality Team (WQT).

2. Act on behalf of the Executive Committee in developing policy guidelines and resolving disputes related to the operation, configuration, and water quality of the hydrosystem.

b) Dispute Resolution

1. Resolve in-season management disputes elevated from the TMT.

2. Address longer-term, in-season management policy issues related to the deliberations of the TMT, SCT or WQT.

3. Define issues for further investigation/deliberation by a technical committee, the Independent Scientific Advisory Board, or IT ad hoc subcommittees.

c) Planning

1. Provide a forum for participants and the public to address new and ongoing policy initiatives related to the operation, configuration, and water quality of the hydro system.
2. Provide review, input and policy guidance related to the development and implementation of hydro-related actions in the Federal Action Agencies 5-year and annual BiOp implementation plans.
3. Facilitate adaptive management by sponsoring a post-season evaluation of the efficacy of the Action Agencies' 5-Year and Annual Plans and related progress reports.

VII. Conduct of Meetings

- a) The meetings of the Executive Committee and IT will be chaired by the designated representative or alternate of the National Marine Fisheries Service. Meetings will be facilitated by an impartial facilitator to allow all representatives full participation in discussions and to assure that all members have an equal opportunity to participate. The meetings of the technical teams will be chaired by a member or members selected by the IT.
- b) Only designated representatives or their alternates may register objection, concurrence or abstention on a decision or request that a decision be elevated to the next level. The Chair or a designated representative or alternate may call upon others to participate in discussions or make proposals. As appropriate, only designated representatives or their alternates, identified at the start of the meeting, will be seated at the table.
- c) When decisions are proposed for adoption by one of the Regional Forum teams, the chair will identify, and the meeting notes will reflect, the member making the proposal. If an issue is to be decided, the chair will poll the members for their concurrence, objection or abstention and the basis for their position. If an issue is to be postponed or is otherwise resolved, the Chair will identify the further action or the resolution. The meeting notes will reflect the above information.
- d) Meeting agendas will be developed by the meeting chair and IT Coordinator, with member input, and distributed to the members at least one week prior to the meeting. Members wishing to include an issue for decision on the agenda should provide a statement of the issue to be distributed with the agenda. Materials to be handed out at the meeting will be faxed to members participating by phone before the meeting starts. The agenda will clearly identify decision items.
- e) Meeting notes will be taken at all meetings. The notes will be provided to members along with the agenda and materials for the next meeting, and approved at the next meeting. Meeting

notes will be available for inspection and copying at the NMFS' office in Portland and posted on Regional Forum team websites.

f) Meetings of the Regional Forum will be open to the public. The chair may call for public comment as appropriate during the meetings. Time will be reserved at the end of each meeting for members of the public to comment.

VIII. Reporting and Oversight

a) The Executive Committee will oversee the work of the IT, which will report on its activities at Executive Committee meetings.

b) The IT will oversee the work of the various technical teams and workgroups, which will report on their activities at IT meetings.

c) All bodies of the Regional Forum will operate under the same rules of procedure, except that technical teams may propose special rules to address unique circumstances. The IT will review and approve any special rules of the technical teams.

IX. Frequency of Meetings

a) The Executive Committee will be convened when deemed necessary by any of the participating members and no less frequently than annually. The Committee may be convened by teleconference call, if appropriate, to consider in-season management disputes elevated by the IT.

b) The IT will meet monthly. IT may also meet by teleconference call, as necessary to resolve any disputes elevated by the technical teams.

c) The technical teams will meet as often as necessary to complete their work, or as requested by the IT.

d) At the request of a majority of the members, as demonstrated by the proponents of the meeting, any of the bodies of the Forum may meet or conduct meetings in addition to those regularly scheduled.

X. Decision-Making and Dispute Resolution

a) Any member of any team of the Regional Forum may make a technical proposal for decision by that team. Member representatives will make all reasonable efforts to negotiate and resolve technical proposals in the appropriate technical team to allow for the technical issues to be fully

developed. If the technical team is unable to resolve an issue, the members will frame the issue in dispute prior to raising it to the IT. The IT or the Executive Committee may decline to entertain a technical proposal or issue that has not been fully developed and considered by the appropriate technical team.

b) Any member of any team of the Regional Forum may make a policy proposal for decision by that team. Members will make all reasonable efforts to ensure that technical issues related to the policy issue have first been fully aired in the appropriate technical team and/or the IT. Members will make all reasonable efforts not to elevate policy issues that have already been decided at the level to which it is being elevated.

c) At the January IT meeting, IT will identify those implementation issues that can reasonably be decided in advance of the salmon and steelhead migration season. IT will assign technical issues as appropriate to technical teams for advice or additional information. IT will seek to decide as many implementation issues as possible in advance of the migration season and to elevate those issues that cannot be decided to an Executive Committee meeting. Members will make all reasonable efforts during the migration season not to raise issues that were decided in advance of the migration season. The IT may decline to entertain such an issue.

d) The goal of the Regional Forum is to reach consensus on technical and policy issues whenever possible. Consensus is defined as the lack of strong objection. Participation in a consensus process implies that all members are actively participating in good faith and are searching for an accommodation of those interests represented at the table. The members will make all reasonable efforts to achieve consensus. When consensus cannot be achieved in one of the technical teams or workgroups, the objecting member(s) may request that the issue be elevated to the IT or Executive Committee as follows:

1. When consensus cannot be achieved in a technical team or workgroup, the federal agencies will state how they intend to proceed. A member objecting to the proposed action may ask that the issue be raised to the IT for resolution. The technical team will formulate a written description of the disagreement. When disputed issues are raised, any member may make presentations to help clarify the issues.
2. When consensus cannot be reached at the IT, the agency with authority to proceed will state how they intend to proceed. If the decision relates to weekly in-season management, the member with authority to make the decision will make the final decision. If the decision is other than a weekly in-season management decision, a member objecting to a proposed federal action may request that the issue be elevated to the Executive Committee. The IT will formulate a written description of the disagreement. When disputed issues are raised, any member may make presentations to help clarify the issues.

3. Members will make all reasonable efforts to present an issue for decision by the IT or Executive Committee *in writing* at least one week prior to the meeting at which they request that the issue be addressed. The Executive Committee or IT may decline to entertain an issue that is not sufficiently well defined to allow a decision.
4. When all efforts to achieve consensus have been made, the member or agency with authority will make the final decision and explain the rationale for that decision in writing before the next regularly scheduled meeting. Nothing in these rules alters the legal authorities of any of the parties.

e) Decisions will be made by those designated representatives or their alternates present and registering consent, objection, or abstention to a decision made at a noticed meeting or conference call.

f) Each member is responsible for having a designated representative or alternate present at the meeting (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.

XI. Annual Review of Procedures

a) IT shall review these procedures annually and make changes based on a consensus decision of the group.

*Consensus on these procedures was achieved at the November 7, 2002 IT meeting.
Facilitator: Donna Silverberg*