



COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

The Authority is comprised of the following tribes and government agencies:

Burns Paiute Tribe

Coeur d'Alene Tribe

Confederated Salish and Kootenai Tribes of the Flathead Reservation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs Reservation

Confederated Tribes and Bands of the Yakama Nation

Idaho Department of Fish and Game

Kootenai Tribe of Idaho

Montana Fish, Wildlife and Parks

National Marine Fisheries Service

Nez Perce Tribe

Oregon Department of Fish and Wildlife

Shoshone-Bannock Tribes of Fort Hall

Shoshone-Paiute Tribes of Duck Valley

U.S. Fish & Wildlife Service

Washington Department of Fish and Wildlife

Coordinating Agencies

Columbia River Inter-Tribal Fish Commission

Upper Columbia United Tribes

Compact of the Upper Snake River Tribes

DATE: February 4, 2010
TO: Fish Screening Oversight Committee
FROM: Dave Ward, CBFWA Staff
SUBJECT: January 28, 2010 FSOC Meeting Action Notes

FSOC Teleconference
January 28, 2010
CBFWA Office, Portland, Oregon
8:30 AM PDT

Final Action Notes

Attendees: Dave Ward (CBFWA); Brian Allee (NMFS)

By Phone: Brian Zimmerman (CTUIR), Jamie Swan (BPA), Jody Brostrom (USFWS), Bryan Nordlund (NMFS), Vicki Finn (USFWS), Ray Hartlerode (ODFW), Alan Ritchey (ODFW), Joel Watts (ODFW), Les Perkins (FCA), Julie O'Shea (FCA), Pat Schille (WDFW), Eric Egbers (WDFW), Lynn Stratton (IDFG), Mark Lere (MDFWP), Thad Mosey (Chelan PUD).

Time Allocation:

| | |
|---------------------------------------|------|
| Objectives 1. Committee Participation | 100% |
| Objectives 2. Technical Review | 0% |
| Objectives 3. Presentation | 0% |

ITEM 1: Introductions

ITEM 2: Approval of Agenda

Discussion: The agenda was approved after adding two new items (1) an update from Brian Allee regarding use of surplus federal material/equipment for cost savings, and (2) ownership of Mitchell Act Passage Facilities. Another suggested item was how new bull trout critical habitat designations may affect screens, but it was decided to defer this item until someone more knowledgeable on the subject could attend a teleconference.

ACTION:

- Dave Ward will work with the USFWS to identify the appropriate person and then request that he/she provide a briefing during the next FSOC teleconference.

ITEM 3: Use of Federal Surplus Material and Equipment

Discussion: Brian Allee reported that he has been looking into the possibility of states and tribes using surplus federal material in the construction and maintenance of screens. He is making some progress but does not have a complete report yet.

ACTION:

- Brian Allee will continue to investigate the possibilities and provide an update during the next FSOC teleconference.

ITEM 4: Approve Action Notes from October 22, 2009, FSOC Teleconference

Discussion: The FSOC approved the draft action notes.

ITEM 5: FRIMA Letter Follow Up

Discussion: Vicki Finn updated the FSOC on progress made towards preparing a letter from the USFWS about FRIMA (1) confirming that BPA funds can be used as cost share, (2) clarifying whether or not BPA cost share can be retroactive, and (3) clarifying the process for dividing the overhead costs between the USFWS and the states. The letter was sent January 27, 2010 to each state, with copies to NMFS and CBFWA.

The FSOC also briefly discussed the lack of appropriations for FRIMA, and the likely effect of the pending federal budget freeze on future appropriations.

ITEM 6: Discussion of Issues Related to Farmer's Conservation Alliance Screens

Discussion: The FCA criteria documents were reviewed by and commented on by NMFS and ODFW. Bryan Nordlund led the FSOC in a review of his (NMFS) comments regarding site selection criteria for a horizontal screen, previously submitted by Les Perkins to the FSOC. In summary, Bryan's concerns included: 1) inadequate description of what constitutes an acceptable flow regulation device; 2) assurance of proper bypass flow amounts for the entire irrigation season; 3) assurance of sufficient hydraulic head at the screen site to allow proper screen hydraulic design; 4) bypass outfall location; and 5) specific understanding and agreement by the water user of the requirements for using a horizontal screen. Bryan reported that most concerns expressed by NMFS engineers would be alleviated if Bryan's concerns were addressed, and sites with inadequate conditions were not selected for installation of a horizontal screen. Addressing the concerns would be considered a positive step forward.

Bryan indicated that if appropriate egress evaluations were conducted on horizontal screens, NMFS would then compare results to existing screen technology. If the performance of horizontal screens is deemed equal to or better than conventional screens, and if the site selection criteria were appropriately revised, NMFS could remove the "experimental status" designation for the screens and would recommend regional approval of horizontal screens through FSOC. Bryan also indicated that egress evaluations should be performed at depths of 6 inches over the screens if approval for that design is to be considered. Bryan did point out that NMFS approval would not name FCA screens by name, but rather specify criteria for horizontal screens in general, since there are other styles of horizontal screens that might be considered for specific application (eg. separators, hatchery intakes).

Ray Hartlerode and Alan Ritchey then led the FSOC through a brief review of the ODFW comments.

ODFW comments and NMFS comments on FCA's site selection criteria can be found on the FSOC website:

http://www.cbfwa.org/committee_FSOC.cfm

Les Perkins and Julie O' Shea reported that the FCA has responded to

NMFS and ODFW comments by providing revised documents that have been also posted on the FSOC website.

- ACTION:**
- FSOC Members should review the revised FCA documents and provide comments to Les and Julie (with a copy to Dave) by March 19.
 - Les and Julie will review the comments and provide any further revisions to the documents to Dave by April 9.
 - Dave will ensure all comments and revised documents are posted on the FSOC website.

ITEM 7: Screen and Passage Training

Discussion: Bryan Nordlund provided a summary of screen and passage training NMFS is expected to offer to NMFS staff in the near future, followed by training for BPA staff overseeing mitigation projects involving fish passage. Bryan and the FSOC thought it would be appropriate for the final phase of such training to be geared for a broad audience, open to FSOC members and possibly others. Nordlund stated that it is extremely difficult for NMFS to collect fees from trainees for training facility and other related costs. The FSOC also agreed that it would be most efficient if fiscal accounting for the workshops was handled through the CBFWF, in a manner similar to that of the Fish Passage and Screening Workshop.

The training can be tailored to meet FSOC desires and needs. The general timeframe would be autumn, preferably before irrigation is ceased for the year. Locations discussed included Portland (easiest for NMFS), Yakima, and Pendleton.

- ACTION:**
- FSOC Members should come to the next teleconference prepared to suggest (1) specific training topics, (2) potential training dates, and (3) training location, (4) recommendations for instructors for specific topics.

ITEM 8: Ownership of Mitchell Act Passage Facilities

Discussion: Brian Zimmerman reported that he was having trouble finding a legal interpretation regarding ownership of facilities. This is important because BPA has expressed reluctance in funding maintenance and improvements until these issues are resolved. Brian reported that Brian Allee has been investigating the matter.

The FSOC briefly discussed the confusing nature of the issue, and the lack of ready answers, even after reading from the Mitchell Act itself.

- ACTION:**
- Brian Allee will continue to investigate this matter and provide an update during the next FSOC teleconference.

ITEM 9: Next FSOC Teleconference

Discussion: The next FSOC teleconference is scheduled for Thursday, April 22, 2010, from 8:30 AM to 11:30 AM PDT.