

REGIONAL IMPLEMENTATION FORUM INTERIM PROCEDURES - ANNEX

1

GUIDELINES FOR TECHNICAL MANAGEMENT TEAM

(Approved by Implementation Team April 3, 1997)

DRAFT Dec.17, 1998)

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I. Introduction

The National Marine Fisheries Service's (NMFS) Biological Opinion on the "Reinitiation of Consultation on 1994-1998 Operation of the Federal Columbia River Power System (FCRPS) and Juvenile Transportation Program in 1995 and Future Years" calls for the establishment of a Technical Management Team (TMT) to advise the operating agencies on dam and reservoir operations, thus optimizing passage conditions for juvenile and adult anadromous salmonids. These guidelines are adopted in accordance with that Opinion. They are also consistent with the Supplemental Biological Opinion issued on May 14, 1998.

The TMT is one of several technical teams within the Regional Implementation Forum established by the NMFS, the U.S. Fish and Wildlife Service (USFWS), the U.S. Army Corps of Engineers (COE), the Bureau of Reclamation (BOR), and the Bonneville Power Administration (BPA). The Regional Forum provides for regional discussion and decision on the operation and configuration of the FCRPS. Its goal is to develop consensus among the various members on these decisions. The TMT's mission is specifically to ensure broad technical participation and use of the best available technical information, and to encourage consensus in decisions on operating the FCRPS. When consensus is not achieved, the TMT ensures that the bases for participants' recommendations and Federal decisions is are fully explained. In such situations, questions can be elevated to the Implementation Team (IT) for resolution.

The TMT operates under the Interim Procedures adopted for the Regional Forum. The following, more specific guidelines supplement the Forum's procedures for TMT operations in 1997. As the Forum procedures are refined, these guidelines may be revised.

II. Scope

The focus of the TMT is on implementing the NMFS Biological Opinion on operation of the FCRPS while considering the provisions of (and effects on) the Northwest Power Planning Council's (NPPC) Fish and Wildlife Program, other biological opinions, state and tribal plans and programs, and other relevant operational requirements. Specifically, the TMT should explore operational scenarios under the NMFS opinion that would serve to protect other fish and wildlife

in the Columbia River Basin and promote coordination and consistency with these other objectives to the extent possible.

III. Membership

See Forum Rules and Procedures.

The members and alternates of the TMT are listed in Attachment 1. Initial confirmation of membership, designation of representatives, and any changes in representation should be provided in writing to the NMFS Implementation Team ~~Chair~~Coordinator.

IV. Roles and Responsibilities

The TMT is responsible for discussion and decision on hydro system and project operations to implement the FCRPS Biological Opinion for listed Snake River salmon and Snake River, Upper Columbia River, and Lower Columbia River steelhead, while taking into account the needs of (and effects on) other listed and non-listed species.

The TMT is to engage in joint decision-making that works toward consensus within the recognized authorities and management jurisdictions of its participating members. Specifically, the State, Tribal and Federal salmon managers (Salmon Managers) recommend the operating conditions that best meet the needs of salmon and steelhead (these may include specific project operations, but this does not foreclose TMT consideration of alternative means of providing the same operating condition). ~~O;~~ other participants (e.g., Resident Fish Managers) may also make recommendations consistent with the scope of these guidelines. The vehicle for communicating a river or project condition which will benefit salmon/steelhead migration is a system operating request (SOR). See Section V(d). All; all parties submitting system operating requests are encouraged to coordinate with other participants to the extent possible. The COE and BOR are responsible for decisions on operation of the FCRPS projects; ~~and the COE and BPA, are~~ responsible for agreements with Canada regarding storage in Canada and other Treaty-related matters. The participation of other affected sovereign and non-sovereign entities is intended to ensure that decision-makers have the broadest possible ~~st~~ource of information upon which to base their decisions. All parties are encouraged to ~~succinctly~~ present their views regarding biological or operational recommendations. Input can provide alternative options for the appropriate authority to consider when making their decisions, but authority for implementing the request remains with the appropriate ~~agencies~~entities.

The TMT is a year-round technical body. Pre-season planning will consist of development of a Water Management Plan. In-season management is to implement the Biological Opinion and its 1998 Supplement and the Water Management Plan, ~~with consideration of other species as noted above.~~ Post-season review will consist of a review of the previous year's activities and performances, and updating of operating procedures as needed. Throughout the year the COE, BOR, and BPA will coordinate planning and operational decisions, that may affect salmon and

other species, through the TMT (e.g., yearly agreement on Non-Treaty Storage Agreement spring/summer operation, the 5-year Idaho Power Company Agreement, and the Libby/Arrow swap). The COE, BOR and BPA will specifically use the TMT as a forum for the coordination and consideration of potential effects on salmon, steelhead and other species prior to a final decision. Idaho Power Company, the Mid-Columbia Public Utility Districts, and other non-sovereign participants are also encouraged to use TMT as a forum for coordination of planning and operational decisions throughout the year.

V. Operating Procedures

a) Annual Water Management Plan

By April 15 each year, the TMT will -finalize an annual Water Management Plan based on the run-off forecast and other factors specific to that year. (A complete draft, subject to refinement based on the April 1 forecast, should be available for review no later than March 10 each year.) All interested parties may participate in the plan development and will be given an opportunity to review and comment on the draft plan. In general, the Salmon Managers will provide information on salmon and salmon operational requirements to be included in the plan, Resident Fish Managers will provide information on resident fish needs, and the action agencies will provide information on:— Reservoir status; planned project operations (and operating constraints); flow forecasts; anticipated special operations for research and other purposes; turbine outage and maintenance plans; and operating agreements and contracts that may affect annual operations. Priorities among competing needs should be resolved within the context of the scope of these guidelines.

b) Summary of In-season Management Key Weekly Events

Monday Begin implementing operations based on last week's decision.

Tuesday (ASAP) The COE and BPA posts or otherwise distributes weekly (Monday through Sunday) flow projections for McNary and Lower Granite, along with resulting reservoir operations and elevations, and current dissolved gas and temperature data. Salmon Managers will post or otherwise distribute biological information.

Tuesday (3 pm) TMT Members (or others) submit SORs to the Reservoir Control Center and send copies to TMT members and participants. **The Reservoir Control Center posts all the SOR's received on the TMT homepage as soon as they are delivered. This will allow all the information to be kept central and facilitate efficient review by all parties. The Corps will scan in any SOR's that are not provided electronically. As always, electronic copies are preferred.**

Wednesday (noon) The TMT meets to discuss in-season management data and system

operational requests and decides on the following week's operation. If necessary, thhe TMT frames the issues to be raised to the IT.

Thursday (1 pm) In case of impasse, dDisputes are resolved through the IT if needed.

Friday (noon) Action agencies document the decision on operation to begin on the following Monday. This decision, and rationale, are posted on the TMT homepage or otherwise distributed.

Friday (PM) The TMT meeting notes are posted on the TMT homepage or otherwise distributed

c) In-season Management Data

The TMT will use the National Weather Service's River Forecast Center's (RFC) streamflow forecast for the Columbia River Basin. This forecast (and the basic reservoir operations that are assumed when producing it) is the official forecast to be used for the decision-making process. The BPA forecast may be used as supplemental information. The COE will use the RFC forecast to prepare weekly (Monday through Sunday) flow projections for McNary and Lower Granite. As early as possible on Tuesday, the flow projections and resulting reservoir operations will be posted on the TMT home page or otherwise distributed. The action agencies will also provide dissolved gas, temperature, and other physical monitoring data available for decision-making.

During the anadromous fish migration period, the Salmon Managers will provide biological information on salmon and steelhead numbers, migration timing and condition, in the current year and historically. The USFWS, and others as appropriate, will provide relevant information on other fish and wildlife resources.

d) System Operations Requests

TMT members will provide recommendations to the TMT on hydro system and project operations consistent with the scope of these guidelines. Recommendations from non-TMT members will also be accepted. These recommendations will be in the form of system operational requests (SORs) stating the objective sought (e.g., keep flows at a location X in a W-Z range). Each SOR will include the biological basis for the recommendation. Each SOR will also indicate whether the request is to implement the NMFS opinion or an operation, outside the scope of the NMFS opinion.

All SORs will be submitted by 3:00 pm on the day prior to the TMT meeting, provided that the flow projections were available earlier that day. Electronic submittal through the Proposal Submission/Review form on the COE TMT Internet page is preferred but proposals may also be sent via FAX to all TMT members. TMT and public comments on the proposal can also be appended via the Internet form. If proposals are incomplete, or are not received in time for sufficient review, the TMT may choose to delay action, but lack of an SOR should not preclude

discussion of relevant matters at the meeting.

SORs should list members of the TMT who have reviewed and support the request.

When an SOR has been properly submitted, the hydro system operators (COE, BOR, BPA) should be prepared at TMT to describe the operational implications of meeting the request.

e) Meetings

Between the last week of March and up to at least August 31 the TMT will meet at least every Wednesday, more often if necessary, to conduct in-season management. All meetings will be open to interested parties. A conference line will be available for those who cannot attend in person.

An agenda for each meeting will be distributed at least three business days prior to the meeting (the preceding Friday in the case of the regularly scheduled in-season meetings). The principal purpose of the meetings, and a standing agenda item during the migration season, is to ~~review~~ review the status of the preceding week's SOR and operations, biological data, new SORs and project operating data to reach informed decisions on FCRPS operations within the scope of these guidelines and the Water Management Plan for the following week(s). As other items are brought forward for TMT consideration they will be added to the agenda for future discussion, but lack of an agenda item will not preclude discussion of relevant matters at the meeting.

The discussion of SORs at TMT meetings will include distinct segments dealing with both biological and operational issues. Biological questions associated with a System Operational Request (~~SOR~~) will be addressed to ensure that the biological basis of the SOR is clear and to allow the TMT to consider any additional biological information that may be made available at the meeting. After presenting and discussing the biological basis for an SOR, the members sponsoring the request will reiterate, modify, or otherwise conclude on ~~the~~ biological basis of the SOR, and the Chair will bring closure to this segment of the meeting. The meeting will then move on to consideration of operational alternatives. The chair should ensure that adequate time is allotted to each segment of the meeting.

The Chair should also ensure that the support or opposition of each TMT member for an SOR or a final decision ~~are~~is noted for the minutes.

f) Meeting Facilitation

Meetings of the TMT will be facilitated by an impartial facilitator, with skills as a meeting manager and conflict resolver, to allow all TMT members the opportunity to fully participate in discussions, and to help members resolve conflicts as they arise. The meeting facilitator shall serve at the will of all members of TMT. His/her role will include helping the chair to:

- Develop meeting agendas
- Manage the meeting agenda in a balanced and even-handed fashion so that all members have an opportunity to speak and be heard.
- Highlight decisions reached by the group, and
- Enforce the ground rules established by the TMT (see Attachment 2)

The meeting facilitator will also help the TMT membership to:

- Stay focused on the agenda and prioritize items that need action and further discussion
- Reach consensus on decisions
- Resolve conflicts that may arise in the course of discussion
- Clarify issues, seek potential solutions to impasses, and develop opportunities that may resolve conflicts and increase the overall satisfaction with the TMT process in the long term.

TMT members may give feedback directly to the facilitator or to the chair if they have concerns with the manner by which meetings are managed.

gf) In-season Decision making

On Wednesday afternoon the TMT will decide on operations for the following week based on the available information and any pending SORs. These weekly operating decisions will be made by consensus. Consensus is defined as lack of objection by one or more of the members. In the absence of consensus, the decision will be referred to the Implementation Team in accordance with the dispute resolution process described below.

If the decision is to implement the SOR, then this should be documented for the minutes, and the SOR (and the Biological Opinion, Council's program or other plan on which it is based) may form the basis for the decision. If the action agencies do not agree to implement an SOR, they will describe for the minutes both the intended operation and the basis for that decision. The basis for the decision could include that the proposed operation is inconsistent with a Biological Opinion, that operational constraints prevent its implementation, that cost is prohibitive, or that the action agency has an alternative view of the best available biological information. If the action agencies believe ~~basis is a view of~~ the best available biological information supports a position that differs from that of the relevant fish and wildlife agencies or tribes, then the explanation should acknowledge this difference and should provide a clear, succinct explanation of the data, analysis or judgement that supports the alternative view. In each case, the specific information considered in reaching the decision will be documented in writing and provided to the TMT and IT.

The final COE and BOR decisions on the following week's operation will be made at the meeting whenever possible. The TMT will try to avoid making decisions outside the established process.

In-season FCRPS operating decisions made through a separate process, such as those under the operating agencies' authority for emergency situations, will be explained and documented as soon as possible, but in any case not later than Friday following the TMT meeting.

~~g)~~ h) Documentation

Minutes of all TMT meetings will be prepared in accordance with Regional Forum procedures and approved by the TMT. Every effort will be made to post the draft meeting notes to the TMT home page by the Friday afternoon following the meeting. Comments will be due by the following meeting.

The TMT meeting minutes will be used to keep track of the decision-making process. The minutes will include the substance of any SOR, the decision, the decision-maker, and the basis for the decision. The minutes will also include: (1) documentation of consensus or a listing of members objecting to an SOR or a final decision; and (2) when an SOR is not implemented, clear documentation of the reasons provided by the decision-maker.

If a decision is elevated to the IT and therefore not made at the weekly TMT meeting, documentation on the final decision reached will be provided separately in writing by the IT (or the EC as the case may be) and will include the same information noted above. This documentation of the decision should be distributed via home page and other appropriate means by noon on Friday.

Each member is responsible for reviewing the decision documentation and the meeting minutes, especially if the agency he/she represents is one of the decision-maker.

Interested parties may request copies of the minutes if they have no access to the TMT homepage.

i) — ~~h)~~ Distribution of Information

Meeting notes and data items will be made available to TMT participants throughout the year. This material will be made available through the TMT home page and may be reproduced on ~~or~~ other entities' Internet home pages on the Internet where available. These materials will also be faxed to members and participants that request such services. Regular mail may be used for materials when time permits.

j) — ~~i)~~ Public Participation

Members of the public may comment on an issue or agenda item at the end of the meeting. They may also comment outside the TMT process.

VI. TMT Dispute Resolution Process

In the event that the TMT is unable to reach consensus on an issue, any member may request that the item be elevated to the Implementation Team. Every effort should be made to ensure that the issue is raised before a decision is ~~made needed~~ so it can be discussed at the monthly IT meeting (first Thursday of the month). Issues that may require discussion at the Executive Committee level should be raised even further in advance to allow consideration at the monthly IT meeting and subsequent referral to a quarterly meeting of the Executive Committee.

If, despite all efforts to the contrary, the TMT finds at its Wednesday meeting that it is unable to resolve a weekly in-season management dispute, and the decision cannot await consideration at ~~the next a~~ regularly scheduled meeting, the IT will meet by conference call at 1:00 on the following Thursday. In the event that such a meeting is necessary, the TMT will prepare, and agree to, a brief summary of the issue(s) and a short description of the opposing viewpoints. This document will be given to the IT members by 9:00 a.m. on Thursday morning.

The IT will attempt to reach consensus. If the IT is unable to reach a consensus, then a final recommendation will be made by the appropriate agency (e.g., NMFS or USFWS if the issue relates to implementation of a Biological Opinion, or NPPC if the issue relates to implementation of the Fish and Wildlife Program). The member with the authority for the action will then make the decision and will post [it on the TMT homepage](#) or otherwise distribute it, along with a written description and rationale, by noon on Friday.

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ATTACHMENT 1

DESIGNATED ~~TMT~~ TECHNICAL MANAGEMENT TEAM (TMT) MEMBERS

ORGANIZATION	REPRESENTATIVE	ALTERNATES
National Marine Fisheries Service	Chris Ross	<u>Paul Wagner</u> <u>Michael Newsom</u>
Corps of Engineers	Cindy Henriksen	Bolyvong Tanovan/ <u>Jim Athearn</u>
Bonneville Power Administration	Robyn MacKay	<u>Scott Bettin</u> <u>Dan Daley</u>
Bureau of Reclamation	Romeo Wisco	<u>Lori Postlethwait</u> / <u>Eve lyn Dunbar</u> <u>Harry Taylor</u>
U.S. Fish & Wildlife Service	<u>Marv Yoshinaka</u> <u>Fred Olney</u>	<u>Marv Yoshinaka</u> <u>Bob Hallock</u> / <u>Susan Martin</u>
State of Washington	Jim Nielson	
State of Oregon	Ron Boyce *	
State of Alaska		
State of Idaho	Ed Bowles	<u>Steve Pettit</u>
State of Montana	<u>Mark Reller</u>	<u>Brian Marotz</u>
Kootenai Tribe of Idaho		
Confederated Tribes of the Umatilla Indian Reservation		
Confederated Salish & Kootenai Tribes of the Flathead Reservation	Joe DosSantos *	
Shoshone-Bannock Tribes of Fort Hall	Keith Kutchins *	
Confederated Tribes of the Warm Springs Reservation		
Yakama Indian Nation		
Shoshone-Paiute Tribes of Duck Valley Reservation		
Burns Paiute Tribe		
Kalispel Tribe		
Spokane Tribe of Indians	Tim Peone	Keith

		Underwood
Nez Perce Tribe of Idaho	Dave Statler *	
Coeur d'Alene Tribe of Idaho		
Confederated Tribes of the Colville Indian Reservations	Jerry Marco	Kirk Truscott

(*) Lacks written response to request for designation of representatives

Attachment 2.

MEETING GROUNDRULES & EXPECTATIONS

The following meeting groundrules and expectations were discussed and agreed to by all members present at the June 17, 1998 meeting of the TMT. They may be changed at the request of the Team.

GROUNDRULES

Meetings will start and end on time unless an emergency requires otherwise.

Members will treat each other with respect which includes:

- Listening to what others have to say
- No interruptions
- Monitoring your own air time
- No side conversations
- Letting the facilitator or chair know when you would like to speak
- Being mindful of tone when speaking directly to other members of the team

Each member agency/group will have one primary TMT representative who will sit at the table during meetings. Alternates or technical resource staff are welcome to attend and provide input through their primary representative, or when called on by TMT members.

Any issues elevated from the TMT to the Implementation Team (IT) will be thoroughly discussed at TMT. TMT members will agree on the “issue statement” for the IT. The TMT Chair will then present the issue at the IT meeting. All TMT members will brief their agency IT representative on the issue prior to the IT meeting.

The meeting facilitator may make process comments in order to keep the group on track, focused and productive.

EXPECTATIONS

Members are expected to come prepared to participate in the meetings. This means, they will provide necessary input to discussions and work towards making decisions based on information they have gathered from their respective agencies between meetings.

Members are expected to keep their agencies and staff apprised of decisions or important meeting discussions.

Members are expected to attend all meetings or send an alternate. If an alternate attends the

meeting, a briefing, both before and after the meeting, is expected of the primary representative. The group will not revisit information for members who were absent from or late to a meeting.

Members are expected to follow through on assignments to which they agree, or are given by other team members, on a timely basis. This includes requests for comments on information or reports from other team agencies.

The meeting facilitator is expected to keep the group on track and focused on agenda items. Additionally, the group expects the facilitator to assure equal participation, highlight any decisions that the group reaches, and maintain a sense of humor.

People who listen in on the telephone are expected to “sign-in” as they call in on the conference telephone line.

Group members may contact the facilitator to discuss process issues at any time.