

# UCSRB Board Meeting Minutes

Thursday, February 19, 2004

10:00 am to 3:00 pm

@ Chelan County Planning Office

411 Washington Street

Wenatchee, WA 98801

**Board Members Present:** Ron Walter, Chelan County  
Joe Peone, Colville Tribe  
Craig Vejraska, Okanogan County

**Others present:** Denny Rohr, UCSRB Facilitator; Chuck Jones, Douglas County; Dick Nason, UCSRB Staff Coordinator; Keith Wolf, KWA/CCT; Britt Dudek, Foster Creek C.D.; Julie Dagnon, Okanogan County; Mike Kaputa, Chelan County; Bob Bugert, Governor's Salmon Recovery Office; Mark Cookson, WDFW; Lisa Pelly, Washington Water Trust, Department of Fish & Wildlife Commission; Sandy Cox, Okanogan County

## Action Items:

1. Bylaws review and discuss – Denny working on this with Paul and Board Members
2. **Sandy** to mail Chuck Peven's approved extension to NCW RC&D office
3. **Dick** to return approved extension to **Chuck Peven**
4. Board conference call to be set for 8:30am 2-23-04 to discuss SOW's and associated subjects – **Denny** to set this up
5. Staff conference call to be set for 8am 2-20-04 to discuss SOW's and associated subjects – **Julie** to set this up
6. Staff to send email out with their phone numbers to **Julie** for Friday conference call
7. Any changes/additions to the Outreach list are due from Board and Staff members by the end of February – submit to **Sandy**
8. Revisit Covered Species re: State Contracts discussion on October 2004 Board meeting agenda for follow up discussion
  - o Maybe by this time next month after breaking down the \$\$ we may see that there is money available to include nonlisted species
  - o **Ron** – might be willing to consider this when we are about 75% done – draft a letter at that time and add this into the plan
  - o **Dick** – the wording of the contract gives us the latitude to include other species
  - o **Craig** – if we add it in it should be done completely and correctly
9. **Dick** - add to Staff agenda – a review of the remaining money \$479,000 (we know that there is no more \$\$ from SRFB)
10. Staff to work on creating the review criteria for the SOQ submittals
11. **Denny / Joe** - Add Colville Hatchery Management discussion to March Board Meeting Agenda
12. **Dick** to schedule a full day meeting to complete the Assignments worksheet
13. Staff to complete the worksheet and present to the Board at April Board meeting+

### **Action Items (continued):**

14. **Joe** suggested that we have a discussion regarding the Implementation of the plan after 2005 and address whether or not we want similar legislation as that being discussed by the Snake River Salmon Recovery Board, HB 3107.
15. **Bob Bugert** mentioned attachment B again and reminded the Board and Staff that we are required to come up with suggestions on how to proceed after June 2005
16. **Bob Bugert** to give Board and Staff an email update on what happened on the morning of 2-19-04 regarding the state legislature and HB 3107.
17. **Chuck** to forward info to Board and Staff regarding Western Planners Conference
18. **Britt** to send to **Sandy** updated information when it becomes available, on the Foster Creek Annual Tour on June 10, 2004 beginning at 8:00 or 8:30am, lunch provided

**Regular Meeting Call to Order:** **Craig** called meeting to order at 10:03am

### **I. Welcome and Introductions**

**Lisa Pelly**, Washington Water Trust, Department of Fish & Wildlife Commission

**Denny** requested that **Ron** give a report on the Aerial Pesticide issue at the end of the meeting if time allowed.

### **II. Approval of January 15, 2004 Meeting Minutes**

**Craig** asked for comments on the January 15, 2004 meeting minutes. Minor corrections were made.

**Craig** moved to approve the January 15, 2004 Board meeting minutes. **Joe Peone** seconded the motion and the motion was passed.

Reviewed January 15, 2004 Board Meeting Action Items:  
**SEE APPENDIX TO MEETING MINUTES**

### **III. Budget Update**

- The budget information will provide us with a monthly snapshot of where we are at with the budgets for L2 and the Regional Contract
- From this meeting forward the budget information will be a standard item on the agenda
- **Julie** asked if the \$ 12,000 left in the L2 contract for the management plan is enough  
**Dick** said that yes, he thought it was an adequate amount

### **Action Items:**

### **IV. Extension of the Chuck Peven Contract**

- **Dick** reported that **Keith**, **Bob Rose** and himself have been working with **Chuck** to develop his SOW
- Staff's recommendation is that the BOD approve the extension of **Chuck's** contract for another \$ 17,000 – current contract ends on May 31, 2004 (no time extension requested)
- This will take care of some of the deliverables that are due by March 31, 2004
- **Jay Kehne** and RCD board approved the extension of **Chuck's** contract with the condition that the UCSRB approve the extension as well
- Elements to be completed by **Chuck** - 2.1.1, 2.31, 2.2.1, 2.1.2, 3.4.1, 2.3.3, 2.2.2, 2.2.3 – (these elements to be completed by **Chuck** by April 5, 2004)

**Joe Peone** moved to approve the extension to **Chuck Peven's** contract. **Ron** seconded the motion and the motion was passed.

## V. Consideration of Primary Contractor

- The vision for the primary contractor is to:
  - 1) identify the different elements and tasks (mainly Element 3 and complete those items)
  - 2) provide oversight on the other deliverables to ensure that the rest of the deliverables are being met
- Within a week the Staff should come to an agreement on the SOW, timeframe and \$\$, for the primary contractor –
- It is **Dick's** suggestion that the BOD would then meet via conference call and approve the above contract for the Primary Contractor Contract
- Tasks 3.3.1, 3.3.2 are the TRT's responsibility
- **Dick** stated that Harvest, Hatchery and Hydro are other's responsibilities and our responsibility is to get these other folks together
- **Per Bob Bugert** – regarding those items on which we don't contribute we still need to give status reports to meet our responsibilities
- **Bob Bugert** mentioned that we should refer to attachment B of the contract (could be your problem even if it is not your fault)
- **Dick** mentioned that Staff is looking at BioAnalysts as the primary contractor, they would complete areas 3.1.1, 3.5.2, 3.3.1, 3.3.2, 2.4.1, 3.4.3, 3.4.4, 3.4.2, 3.4.5, 3.4.6, 3.2.1 and 3.2.2
- **Bob Bugert** has suggested that Staff wait until about September 2004 to bundle/compile any requests, deadline changes, edits etc on contract deliverables and then submit them
- **Craig** voiced concern on the time left to meet deliverables
- **Dick** said that he will need to get together with **Keith** and **Bob Rose** so that they can reach an agreement on the SOW, then send out to Staff and then send out to the Board
- **Mike** pointed out that element 3.1.1 is a policy issue
- **Denny** asked what the purpose was of wanting a primary contractor. **Dick** said that they would be acting as an overseer to review the SOW and deliverables
- **Craig** reviewed schedule of this review – Meeting with **Keith & Bob Rose**, Review by Staff, Review by RCD, Review & acceptance by UCSRB BOD
- **Mike** suggested that we clarify due date perception with GSRO – draft progress etc
- **Dick** mentioned that the review date for March 31, 2004 items is May 6 2004
- **Julie** voiced the opinion that our drafts need to be 90% complete prior to the review
- It was mentioned that Subbasin planning is hindering time available to those involved to work on March 31, 2004 deliverables
- **Dick** said that we will meet the majority of the deliverables
- **Dick** talked to **Bob Rose** this morning and would like to work on the SOW tomorrow morning on a conference call. **Keith** and **Julie** will join in on that call
- SOW will be available on Monday to be approved by the Board via conference call
- Board conference call to be set for 8:30am 2-23-04 – **Denny** to set this up
- Staff conference call to be set for 8am 2-20-04 – **Julie** to set this up
- Staff to send email out with their phone numbers to **Julie**
- **Dick** reported that the staff has gone through the Assignments Worksheet and will continue to finalize responsibilities

## VI. Public Outreach List and Brochures

- Outreach list was reviewed
  - Any changes/additions to the Outreach list are due by February 29, 2004
  - Submit additions and changes to **Sandy**
- Small and Large Brochures were reviewed, minor changes made:
  - Strategy for printing, distributing & partnership – to be discussed at a later date

**Ron** moved to approve the language for the large brochure. **Joe** seconded the motion and the motion was passed.

**Joe** moved to approve the language for the small brochure. **Ron** seconded the motion and the motion was passed.

## VII. L2 Contract Extension

- **Denny** mentioned that he and **Tony Grover** discussed the ISRP review that will take place after the May 28, 2004 deadline.
- They will be categorized into some needing responses and some not
- Then they will be forwarded onto us for our review and response with an anticipated deadline of November 1, 2004
- **Tony Grover** reviewed our letter and made a couple of comments/suggestions which **Denny** passed onto the group
- **Dick** suggested that instead of the 1 month period stated in version II we may want to word it as: (from 28<sup>th</sup> on to September 30<sup>th</sup>) as written in the first version
- **Julie** proposed that we be allowed to receive costs from May 29 – through end of September

**Ron** moved to accept the L2 Contract extension letter with the changes suggested. **Joe** seconded the motion and the motion was passed.

## VIII. Covered Species re: State Contracts

- **Craig** mentioned that when **Jeff Koenings** was here he told us that they were only going to cover the ESA listed species
- **Joe** stated the Colvilles' concern – under BPA is all species, economic base for fisheries, Why is the state of WA pounding the table for all species, but then in their programs they state only listed species
- **Ron** commented that with this whole process we have to make land use decisions – don't want have to modify every 2 years - Want it to be generic enough to encompass the future changes
- **Ron** said that they see the need to have this be more all encompassing. Doesn't want staff to be wasting their time on this issue any longer we have more important things to do. Need to find a better time in the future when all can get back together to discuss it. Let's honor the original motion and decision that was made
- **Craig** mentioned that in the context of the budget we only have this much available
- **Chuck** asked what the reason was for getting in to the species that are not listed? There are discussions of other species in the plan
- **Joe** added that the Colvilles' want to promote the storage assemblages – promoting salmon recovery

### VIII. Covered Species re: State Contracts (continued):

- **Julie** voiced concerned that the guidelines have not been developed for the nonlisted species, don't want to be contractually responsible for adding the nonlisted species since we don't have the guidance from the State and the Fed's
- **Craig** stated that for this amount of money this is what we will do
- **Britt** commented that there will be more than one iteration – we have to know what the assurances are, need to stick with the conclusion that **Craig** has made. Need to know what the benefit is for doing nonlisted species then they are "safe harbored" – but without their assurance than you may have to go back and do it all again
- **Dick** – even if sockeye was mentioned, but if the state says due to lack of funding and the Feds aren't interested – how successful would we be in this – would we be setting ourselves up for something that we couldn't complete?
- **Joe** stated that the bottom line is that it won't affect our goals anyway. We aren't going to stand in the way of this – but want you to know where we are coming from
- **Ron** mentioned that in the plan under contact with other species isn't this somewhat addressed
- **Craig** suggested that we need to stay focused on our deliverables and what we are funded to do. Don't want to see us go off on a tangent and invest time and money that replaces meeting our deliverables
- **Dick** said that Staff knows that there is no more \$\$ from SRFB, add to Staff agenda a review of the remaining money \$479,000
- **Dick** – Staff assignment to complete the Assignments Worksheet
- Revisit on October 2004 Board meeting agenda for follow up discussion
  - Maybe by this time next month after breaking down the \$\$ we may see that there is money available to include nonlisted species
  - **Ron** – might be willing to consider this when we are about 75% done – draft a letter at that time and add this into the plan
  - **Dick** – the wording of the contract gives us the latitude to include other species
  - **Craig** – if we add it in it should be done completely and correctly

### IX. Status of RFQ for Roster of Consultants

- **Mike** gave an update on the number of submittals that we had up to 2-18-04
- **Denny** asked what the process is that staff will go through for the reviewing of the submittals
- **Mike** suggested that Staff would set internal guidelines (review criteria) and go from there before choosing who to use
- **Chuck** asked if the 5 folks already on the L2 roster automatically go onto the current roster. **Dick** said that he had discussed this with **Jay Kehne** and that the answer is yes
- **Mike** mentioned that Staff should work on creating the review criteria

### X. Colville Hatchery Management

- **Joe** requested that this be deferred until the March 2004 Board Meeting

## XI. Staff Meeting Report

- **Dick** reported that the Assignments Worksheet was discussed and filled in through June 2004 at the last Staff meeting
- **Craig** asked when would the Assignments Worksheet would be complete and returned to Board
- **Dick** and **Julie** felt that a full day meeting is required to complete the worksheet
- Staff agreed to complete the worksheet and present at April BOD meeting

## XII. GSRO Report

### Briefing on House Bill 3107

- **Bob Bugert** – Notified the Board that the Snake River Salmon Recovery Board (SRSRB) has requested specific legislation to designate them as a quasi-governmental entity. The SRSRB would then serve as a fiduciary body for the planning and implementation grants. They would have no authority over land or water, but would be responsible for getting the recovery plan done and implemented.
- The bill was introduced to the Senate and passed 46 – 3. The House Committee on Fisheries, Ecology, and Parks has tabled the Bill at request of some legislators, who evidently have concerns about this bill, as it is perceived to add another layer of bureaucracy. At this time the bill is backed by 9<sup>th</sup> and 16<sup>th</sup> districts.
- **Chuck Jones** asked why did they do this? **Bob** answered that they wanted a fiscal body that could provide long-term continuity to the implementation of the plan. **Bob** suggested that Board members might want to get a hold of **Dick Jones** (Columbia County Commissioner) to discuss the rationale for the SRSRB seeking status as a quasi-governmental entity. This notion has support from 5 counties and 2 tribes (Nez Perce & Umatilla). They are in the process of setting up an interlocal agreement from those 7 bodies to identify the SRSRB as the appropriate body to carry out the recovery plan and its implementation.
- Rep. Cooper (the House committee chair) received letters of support from the Snake River Planning Units and Lead Entity. Evidently, the 5 counties and the 2 tribes will be sending similar letters stating their support for the bill. WDFW testified in support of this effort, yet GSRO did not testify on this.
- There could be repercussions against regions because of this attempt, as some legislators have strong concerns about the role of regions. The Board discussed whether they should contact the representatives and encourage them to continue with regional boards. **Ron** and **Craig** thought that it was this Board's position to stay neutral on the legislation, yet individual Board members could contact them if so desired.
- **Keith** asked if the Yakama's have been contacted. **Bob** said that the SRSRB was to contact them but was not sure if they did.
- Noting that this legislation pertained to implementation, **Joe** suggested that we have a discussion regarding the implementation of the plan after 2005 and address whether or not we want similar legislation.
- **Bob Bugert** agreed, and mentioned Attachment B of the SRFB contract again that we are required to come up with suggestions by October 2004 on how to proceed after June 2005.
- **Ron** asked - How do we want to operate and exist after the planning stage?

## XII. GSRO Report (continued)

### Briefing on House Bill 3107

- **Dick** mentioned the delay in the implementation phase due to NOAA's review and adoption of the plan. And this BOD may want to address what we might do during that period of time

### RTT

- Bob Bugert mentioned that the RTT has worked with subbasin plan coordinators to review subbasin plans and provided them with comments.
- They are now working with coordinators to make sure that the comments they provided were not impossible to address.
- The RTT meeting minutes with comments and feedback will be incorporated into a memo and sent to BOD prior to the next BOD meeting in March

## XIII. General Discussion

### Denny reviewed several items as follows:

- Sandy was asked to review Proposed 2004 Board Meeting Schedule
  - Looks good for now – will modify if and when the need arises
  - Will need to change the June 17<sup>th</sup> time and location to accommodate the workshop on Hatcheries
- Denny commented on BOD letters distributions
  - Copies of all UCSRB letters sent out with the Board members cc'd will be emailed to the Board members
- Denny asked Bob Bugert about the status of the March workshop discussions
  - March workshop on Harvest – **Bob Bugert (Heather & Steve Parker** – may need 2 hours) **Bob Bugert** suggests that this workshop be done in April as opposed to March
  - **Keith** reminded us that the public is asking for more interaction with the Board
  - **Chuck** suggested that we address these workshop topics after subbasin planning
  - **Joe** said that the Colvilles' would like to present on Hatcheries as well (**Steve Smith or Joe**)
  - June 17<sup>th</sup> was the agreed upon date for the next workshop
    - Location to be determined (Chelan and Brewster were both suggested)
    - **Sandy** to notify **Carla Truscott** at the PUD when schedule is confirmed
    - Start BOD meeting 1 – 5pm
    - Workshop 7:00 – 9:00pm
- Aerial Pesticide Update (**Ron Walter**)
  - Buffer zone (aerial & ground) – probably more fear out there than is justified
  - Biggest concern is what it does generate within the people that are involved in all of the process is that outside “forces” agencies can come in and influence the work that has been done up to that point
  - Concerned that the farmers will be forced to use products that they are not familiar with nor have any experience using. They will be spending more per acre than before and will more than likely use more chemicals than before
  - The good thing is (**Tim Smith**, extension agent) did research on some of the new products and found that some of the new products are very effective and less toxic

- Aerial Pesticide Update (continued):
  - Drift issue is addressed because some of the products are applied with a solid stream application – in the long run there is the potential of finding new products that offer a more balanced benefit
  - Urban areas are exempt
  - Farm bureaus and Ag groups will attempt to fight it
  - This rule is in place for 2 years
  - Finding that the farmers are not following the label limit instructions when applying
  - As in the basin where irrigation is still done and a wasteway is used – how will that be effected
  - **Britt** mentioned concerns that there are 9 copycat lawsuits filed after this one. Sets very dangerous precedence
  - Tree fruit is pulled off of the label – it will still be used for corn or cotton etc
  - Asked that we contact Washington Friend Farms and Forest and consider the work that the EPA does as a section 7 review and ask that they continue
  - WSDA and Tree Fruit Research Station working with NOAA and ? for assurances

**Denny** reported back to the BOD that Paul did an excellent job when he presented to the House Capital Committee Meeting on January 22, 2004.

**Chuck** mentioned the Western Planners Conference and will forward info to Staff and Board Members when it becomes available

**Julie** commented on the Methow Basin Watershed Planning response letter that the Okanogan Board of Commissioners sent out to some of the members of the Methow Basin Watershed Planning unit.

#### **XIV Public Comment**

- None

**Craig** adjourned the meeting at 2:35pm

#### **Summary of Motions**

**Craig** moved to approve the January 15, 2004 Board meeting minutes. **Joe** seconded the motion and the motion was passed.

**Joe** moved to approve the extension to **Chuck Peven's** contract. **Ron** seconded the motion and the motion was passed.

**Ron** moved to approve the language for the large brochure. **Joe** seconded the motion and the motion was passed.

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