

**Northwest Power and Conservation Council
Meeting Summary
May 17, 2022
Whitefish, Montana and Webinar**

Council Chair Guy Norman brought the meeting to order at 8:00 a.m. Council Members Jeffery Allen, Doug Grob, Ginny Burdick, KC Golden, Jim Yost, Louie Pitt Jr., and Mike Milburn were in attendance in Whitefish, Montana. The next Council meeting is scheduled for June 15, 2022.

Reports from Committees

Fish and Wildlife Committee

Member Allen, Fish and Wildlife Committee Chair, reported on the Fish and Wildlife Committee meeting held on May 10.

1. Asset Management Strategic Plan Priorities for FY 2023 for Hatcheries and Screens

Project Review and Implementation Manager Mark Fritch gave a review of the Asset Management Strategic Plan priorities for FY2023 for hatcheries and screens. The Asset Management Subcommittee and the Fish and Wildlife Committee recommend to the full Council, \$500,000 of projects spread out across the region. Fritch will review the recommendations with the Council in detail next month.

2. Restoration of Interior Columbia River Coho

Fish and Wildlife Program Analyst Maureen Hess gave an update on several Coho hatchery efforts going on around the region and introduced the presenters. The Fish and Wildlife Committee received updates from the Confederated Tribes of the Umatilla Indian Reservation, Yakima Nation, Nez Perce Tribe, and the Oregon Department of Fish and Wildlife on what they've accomplished to reestablish extirpated populations. Member Allen is encouraged by the great work they are doing.

Power Committee

Member Yost, Power Committee Chair, reported on the Power Committee Meeting held on May 11, 2022.

1. Preview of Upcoming Division Work

Council staff outlined the Power Division priorities for the remainder of 2022 and into 2023.

Updating the GENESYS model remains a high priority. They're working on improving model assumptions and increasing regional consensus for use this year in adequacy assessment and other studies. Member Yost mentioned that staff is looking to possibly refine the loss of load probability formula the Council has been using and exploring how different risk formulas are used across the country.

2. Bonneville's Resource Program, Part 1

Bonneville staff presented on its Resource Program and needs assessment. Bonneville's Resource Program develops forecasts of federal system energy, capacity, and balancing needs, and evaluates resource development solutions to meet those needs. While the Resource Program is informational and not a decision-making process, nor a decision document, the Resource Program and the results of this process do inform Bonneville's resource acquisition strategies. Though it is prudent for Bonneville to study its needs and examine resource availability, under the Act, Bonneville's resource acquisition decisions are to be consistent with the Council's power plan. The timeframe for the next Bonneville Resource Program is 2024-2033, which aligns with the beginning of the next rate case. The 2021 Needs Assessment results demonstrate Bonneville is energy limited during certain periods of the year. Bonneville is shifting from using 80 years of historical data on streamflows to using the most recent 30 years, and this change results in more expected generation in the winter and less generation in summer, compared to the 80 years of history.

3. Discussion of Better Ways to Measure Resource Adequacy for the Pacific Northwest

Senior Power Systems Analyst John Fazio summarized the Council's current approach to measuring the adequacy of the PNW power supply and presented different scenarios with which to improve that assessment. He introduced the concept of using multiple metrics to measure adequacy and discussed ways to consider economic impacts. Fazio anticipates that by next year, advisory committees will consider revision the current resource adequacy standard and possibly include a metric for resiliency.

4. Status Report on Lower Snake River Dam Power Analysis Scope of Work Development

Member Yost reported that Council staff has presented the complete Lower Snake River Dam power analysis scope of work to the full Council. Staff has not made any changes to this scope of work as proposed in April and considers it final unless changes are requested by the Council.

Fish and Wildlife and Power Committee meeting materials for May 2022 can be found here: <https://www.nwcouncil.org/calendar/fw-and-power-committee-meetings-may-10-2022/>

Public Affairs Committee

Member Pitt, Public Affairs Committee Chair, reported on the Public Affairs Committee Meeting held on May 11, 2022.

Member Pitt is working with Executive Director Bill Edmonds and staff on hosting a Congressional staff visit. The Public Affairs Committee selected the week of September 26, 2022 to have the visit.

Council Meeting Agenda Items

1. Discussion on Pacific Northwest Electric Power Issues with Montana Public Utilities

Representatives from various Montana electric cooperatives offered their unique perspectives on power issues in the region. This group of board members, general managers, and communications staff highlighted similar concerns within their service territories. They expressed that the main concern of their members is keeping electricity affordable and reliable. They emphasized how crucial hydroelectric power has been for them and their members, and all spoke out against the removal of hydro resources such as the Lower Snake River Dams (LSRDs). Mark Hayden, General Manager of Missoula electric Cooperative pointed to the forecasted load growth with the continual influx of new customers to the area as a major concern.

Mark Johnson, General Manager of Flathead Cooperative also expressed concern about resource adequacy and concerns about the modeling that is done by the Council. He said there are differing perspectives in the region on how to define and model resource adequacy, and he pleaded with the Council to allow staff work with utility associations to get to an agreed upon and accurate model.

Hugo Anderson, General Manager of Glacier Electric highlighted the need for additional infrastructure and redundancy feeds on transmission lines with the movement toward increased electrification and renewables. He would also like to see assistance for energy efficiency/weatherization programs helping more low-income households

Marianne Roose, Board of Trustees Vice President of Lincoln Electric Cooperative suggested that instead of analyzing breaching the LSRDs to help salmon, the Council should allocate a larger percentage of funding for studying the effects of ocean habitats, harvest, and predation. She said there are salmon problems coastwide and breaching dams does little to address this.

Terry Crooks, Board of Trustees member of Flathead Electric Cooperative also echoed

members' concerns about adequacy saying that the LSRDs are the workhorse during winter in the region. They're concerned that without the LSRDs, the region would face events similar to the Texas power crisis. He also echoed that the predation of salmon is a challenge that needs to be addressed.

Member Yost expressed appreciation for all of the speakers and noted that the Council Power Committee works with the Pacific Northwest Generating Cooperative (PNGC) comparing PNGC's load forecast with the Council's load forecast on an annual basis. He said it's more critical today than in the past that industry, utility, BPA, and Council staffs coordinate to assess reliability, adequacy, and loss of load probability in the region. This is on the Power Committee's agenda in June 2022.

Member Milburn thanked the presenters and said their words were appropriate in emphasizing what the Council's primary responsibility is according to the Power Act, to ensure power is available when needed.

Member Burdick conveyed her appreciation for the presentations, particularly in bringing up issues of transmission and weatherization for low-income customers. She believes these issues haven't gotten attention they deserve, and with the move toward more renewables, these will be key issues.

Member Golden echoed the importance of assistance for low-income energy efficiency, saying that the gap between need and performance in low-income communities is a huge issue in Washington as well. He said that going forward he hopes in this time of uncertainty there can be further conversation on anything the Council can help with to relieve the bottlenecks in getting energy efficiency to low-income communities.

Chair Norman expressed appreciation for the presenters' stories and the passion for people they serve.

2. First Year Implementation Report on Increased Mitigation Efforts in the Blocked Areas Above Grand Coulee and Chief Joseph Dams

Chad McCrea, Natural Resources Director for the Spokane Tribe of Indians reported on efforts to increase mitigation in the blocked areas above Chief Joseph and Grand Coulee Dams, as called for in the 2020 Addendum to the 2014 Columbia River Basin Fish and Wildlife Program.

The 2020 Addendum to the Council's Fish and Wildlife Program called on BPA to begin a comprehensive effort for the next 5 years to intensify, expand, and then sustain the mitigation effort in the areas above Chief Joseph and Grand Coulee Dams. Specifically, it called on BPA to work with the Spokane Tribe of Indians and the Tribe's list of mitigation

measures recommended to the Council, and that BPA and the Spokane Tribe should report annually detailing the progress made in this mitigation effort. Representatives from the Spokane Tribe of Indians have met quarterly with BPA since the adoption of the 2020 Addendum to the Council's Fish and Wildlife Program. Their efforts have been targeted at implementing the Addendum's call to increase significantly the mitigation of impacts to the Spokane Tribe from the construction and ongoing operational impacts of Grand Coulee Dam.

The initial discussions in 2020 resulted in an \$85,000 permanent increase in funding to the wildlife program, a \$70,000 increase to the base hatchery budget, and a \$40,000 increase to northern pike suppression, totaling \$195,000 for 2021. Additional efforts for one-time projects were accomplished with BPA providing matching dollars in the amount of \$600,000 to assist the hatchery program and the Bureau of Indian Affairs to purchase a fish marking trailer. Additional maintenance funds provided for the hatchery included \$56,000 for roof replacement and electrical maintenance at the Spokane Tribal Hatchery. Based on the Council's recommendation, BPA provided funding of \$130,000 maintenance and retrofitting the Tribe's aging white sturgeon research vessel.

Finally, the Council's Addendum calls for BPA to increase significantly and begin a comprehensive effort that sustains an effort to intensify and expand mitigation with the Spokane Tribe of Indians. McCrea said that 2 years into this process, the consistent message from BPA is that there is no new money, and this has been a message they've heard for over a decade. An anticipated \$9,000 increase for northern pike suppression is the start of year budget for FY 2022.

Dr. Brent Nichols, Division Director of Fisheries and Water Resources for the Spokane Tribe of Indians added that he has been communicating over the last few months with the newly appointed Executive Manager of the Fish and Wildlife Program at BPA, Jason Sweet, and that he appreciates the rapport they are building. The Spokane Tribe plans to have their next quarterly meeting with Sweet in July in Spokane.

Member Pitt mentioned that he has heard that inflation and the flatlining of the budget has been affecting everyone, but he believes this blocked area needs more focus in terms of funding from BPA. He is hoping the BPA and partners can come up with a long-term funding strategy.

Nichols mentioned that they are looking for other resources and the State of Washington have been very supportive in the past year with a \$3.2 million investment to the Upper Columbia Tribes as they move into their phase 2 reintroduction efforts. They've been able to successfully monitor spawning of adults and are capturing out-migrating smolts from those successful spawning events. This year they implemented their first wide scale smolt release to look at the effects of predation and smolt movement throughout the system.

Patty O'Toole, Council Fish and Wildlife Division Director formally introduced Jason Sweet who was recently selected to manage BPA's Fish and Wildlife Program. Sweet comes into the role with past experience in the Power Services Division and in the Fish and Wildlife Policy and Planning group at BPA. He is looking forward to working with the Tribe and he is hopeful that there will be more funding opportunities going forward.

Presentation materials are posted with this summary here:
https://www.nwcouncil.org/fs/17748/2022_05_2.pdf

3. Update on Pacific Lamprey Conservation and Restoration in the Columbia River Basin

Representatives from the Pacific Lamprey Conservation Initiative (PLCI) presented on the status of Pacific Lamprey conservation and restoration throughout the U.S. range with an emphasis on the Columbia River, and also progress made in implementing the Fish and Wildlife Program's PLCI Columbia River Basin Projects.

Christina Wang from the U.S. Fish and Wildlife Service first provided PLCI staff updates. Kelly Coates of the Cow Creek Umpqua Tribe is the Tribal Co-Chair of PLCI. Alicia Marrs was hired in 2019 as the PLCI Coordinator. Benjamin Clemens is taking over for Wang as the new State and Federal Co-Chair of PLCI's Conservation Team.

Ben Clemens briefly presented the Pacific lamprey lifecycle. Pacific Lamprey are a primitive, jawless, eel-like fish native to the Pacific Northwest that have a complex lifecycle. They spawn in freshwater and migrate to the ocean as juveniles which can take anywhere from 2 to 10 years. As juveniles, they parasitize various fishes and whales in the ocean feeding on their blood. They can do this for 1 to 6 years and can grow to 3 feet in length. Eventually they return to fresh water and can spend up to 2 years in fresh water before they spawn. They migrate from the mouth of the Columbia River to Chief Joseph and Hells Canyon dams, in the mainstem Columbia and Snake rivers, respectively. Threats to Pacific lamprey occur throughout the entire range of the species and include but are not limited to restricted mainstem and tributary passage, reduced flows and dewatering of streams, stream and floodplain degradation, degraded water quality, predation and changing marine and climate conditions. Clemens explained the Pacific Lamprey need attachment surfaces and areas to rest during their migration, which makes it difficult for them to navigate fish passageways. Pacific lamprey numbers have greatly decreased over the years due in large part to hydrosystem infrastructure.

Kelly Coates explained the significance of Pacific Lamprey to the tribes of the Northwest. They have inhabited the Pacific for millions of years. They are a culturally significant first food source, a lipid-rich fatty fish. They can also be used as medicine for skin, hair, or teething babies. Coates explained that the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of

Oregon, the Confederated Tribes and Bands of the Yakima Nation, and CRITFC have worked tirelessly for years to restore lamprey in the Columbia River Basin.

Wang gave an overview of PLCI as well as its reach and engagement. PLCI is a collaboration of Native American tribes, federal, state, municipal and local agencies, and non-profits working together to conserve Pacific lamprey. Their mission is to achieve long-term persistence of Pacific lamprey and their habitats and support their traditional tribal cultural use throughout their historical range – Alaska, California, Idaho, Oregon, and Washington. PLCI has 176 partners, 33 signatories to the Conservation Agreement, and 18 Regional Management Units (RMUs). The key components of PLCI are Assessment, the Conservation Agreement, and the 18 RMUs. Their reach continues to grow.

Since 2018, 29 lamprey projects have been funded with 24 funded by BPA. BPA provides \$300K annually. PLCI became eligible for project funding from the National Fish Habitat Partnership (NFHP) in FY 2022. Currently, there are six active projects that focus on Pacific lamprey funded through the Fish and Wildlife Program. These projects have a variety of goals and objectives, but generally aim at establishing population status and trends information, documenting distribution, identifying limiting factors, and developing reintroduction and supplementation actions. Wang also mentioned that PLCI has a new website: <https://www.pacificlamprey.org/>.

Member Pitt emphasized the cultural importance of Pacific lamprey all throughout the Northwest as said we still have a lot to learn about them.

Chair Norman commented that this effort has been decades long and remarkable and that he appreciates the work of PLCI and the contributions of BPA and the Council.

Presentation materials are posted with this summary here:
https://www.nwcouncil.org/fs/17750/2022_05_3.pdf

4. Council Approval of Statement of Basis and Purpose and Response to Comments for the 2021 Power Plan

Andrea Goodwin, Senior Counsel, and John Shurts, General Counsel, reviewed the proposed action for the Council to approve the Statement of Basis and Purpose and Response to Comments for the 2021 Northwest Power Plan.

With the approval of the Statement of Basis and Purpose and Response to Comments, the Council will complete the process to develop and adopt the 2021 Northwest Power Plan. Upon approval, the Council will publish in the Federal Register a notice of the Council's final decision to adopt the 2021 Power Plan.

The Council adopted the 2021 Power Plan at its February 2022 Council meeting. The Council completes its power plan process by approving a “statement of basis and purpose” that includes a response to the comments the Council received on the draft power plan. The statement explains the statutory framework for the power plan, the process the Council followed in developing and adopting the power plan, and how the Council considered and addressed key issues and topics in development of the power plan and issues raised in the comments received on the draft.

The Power Act does not say anything about a “statement of basis and purpose” or a “response to comments” on the draft for the power plan. We do this because of basic principles of administrative law (courts faced by a challenge to an administrative agency decision will want to see from the agency a discussion of the how the agency handled key issues and comments) and specific requirements of the federal Administrative Procedures Act (APA). The APA requires federal agencies, after completion of a notice and comment rulemaking, to approve a “statement of basis and purpose” that identifies how the agency handled key issues in the development of the final rule, especially those raised in comments from outside the agency. The Council generally follows the notice-and-comment rulemaking requirements of the federal APA to the extent practicable, and the Act explicitly says that the standards of judicial review in the APA apply to review of Council decisions.

The statement of basis and purpose should enable the public to obtain a general idea of the purpose of, and justification for the analysis, findings, and recommendations included in the power plan. The response to comments should demonstrate the Council’s consideration of the issues raised in comments to the Council throughout the power plan process, including on the draft plan, and how the Council considered those comments in shaping the final plan.

Staff circulated a draft statement of basis and purpose and response to comments to the Council members and staff in late April under separate cover. The document circulated then is still the operative document we are asking the members to approve. We have received a small number of non-substantive editorial suggestions (e.g., spell out T&D) that we will incorporate after approval.

Staff recommends adoption of the Statement of Basis and Purpose and Response to Comments for the 2021 Power Plan. Alternatively, the Council could recommend substantive changes to the statement and delay approval until those changes have been made and reviewed.

Member Yost commented that he found this document to be well written and precise, and it’s one of the better documents that the Council has put together. He said this a good document to add to the Plan for future use.

Presentation materials are posted with this summary here:
https://www.nwcouncil.org/fs/17749/2022_05_4.pdf

Council decision to approve Statement of Basis and Purpose and Response to Comments for the 2021 Power Plan

Vice Chair Grob moved that the Council approve the Statement of Basis and Purpose and Response to Comments for the 2021 Power Plan [with the changes made by the Members at today's meeting].

Member Yost seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

5. Council Business

Council approval of the April 2022 Council Meeting Minutes

Vice-Chair Grob moved that the Council approve for the signature of the Vice-Chair the minutes of the April 13, 2022 Council Meeting held in Portland Oregon via webinar, as presented by staff.

Member Yost seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

Motion to release the Draft Fiscal Year 2024 and Fiscal Year 2023 revised budget for public comment

Vice-Chair Grob moved that the Council approve the release of the draft Fiscal Year 2024 Council budget and Fiscal Year 2023 revised budget for public review and comment through June 22, 2022, as presented by staff [with the changes made by the Members at today's meeting].

Member Allen seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

Motion to appoint members to the Independent Scientific Review Panel (ISRP)

Move that the Council appoint:

- Richard Carmichael
- Patrick Connolly
- Kurt Fresh
- Josh Korman
- Thomas Quinn

to the Independent Scientific Review Panel (ISRP) for a second term, as presented by staff.

Member Yost seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

Motion to approve the Council's Annual Report to Congress for Fiscal Year 2021

Vice-Chair Grob moved that the Council approve the Council's Annual Report to Congress for Fiscal Year 2021, as presented by staff [Member Pitt noted an error in his bio that will be corrected].

Member Yost seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

Motion to approve Annual BPA Fish and Wildlife Cost Report for Fiscal Year 2021

Vice-Chair Grob moved that the Council approve the Fiscal Year 2021 report to the Northwest Governors on Bonneville's Fish and Wildlife Costs, as presented by staff, [with the changes made by the Members at today's meeting].

Member Allen seconded.

No discussion.

Voice vote – all in favor, none opposed.

Motion was approved.

Recognition of Ben Kujala

Council Members and staff took time to recognize and thank former Power Division Director Ben Kujala as he transitions out of the Council after over 9 years. Chair Norman praised Kujala's expertise and immense understanding of the region's energy system and how he clearly communicates that knowledge to the layperson. Chair Norman also praised Kujala's ability to lead the Power Division to complete the 2021 Power Plan in the midst of the pandemic. Member Yost praised Kujala's ability to do great work working with people on both sides of the political aisle even while navigating politically charged issues. Member Yost said Kujala was an excellent trainer of Council Members and staff. Executive Director Bill Edmonds commended Kujala's ability as a leader and his strong family ties and expressed that while it's not easy losing a high performing colleague, he is heartened that he is doing what is best for his family.

Public Comment

There were no participants for public comment.

Chair Norman adjourned the meeting at 11:30 a.m.

Northwest Power and Conservation Council meeting materials for May 2022 can be found here: <https://www.nwcouncil.org/calendar/council-meeting-may-17-2022/>