

## **Appendix B**

### **Adaptive Management Team Organization & Plan of Operation**

### **Columbia River Channel Improvement Project Adaptive Environmental Management Plan**

March 2006

## **B.1 Authority**

An adaptive management program was specified for the Columbia River Channel Improvement Project (CRCIP) in the Final Supplemental Integrated Feasibility Report and Environmental Impact Statement (January 2003), and by the terms and conditions specified in the National Marine Fisheries Service (NMFS) Biological Opinion (BO) (February 2005). Additionally, the water quality certifications and coastal zone management decisions issued by the States of Oregon and Washington require an Adaptive Management Team (AMT) to be established in relation to the channel modifications.

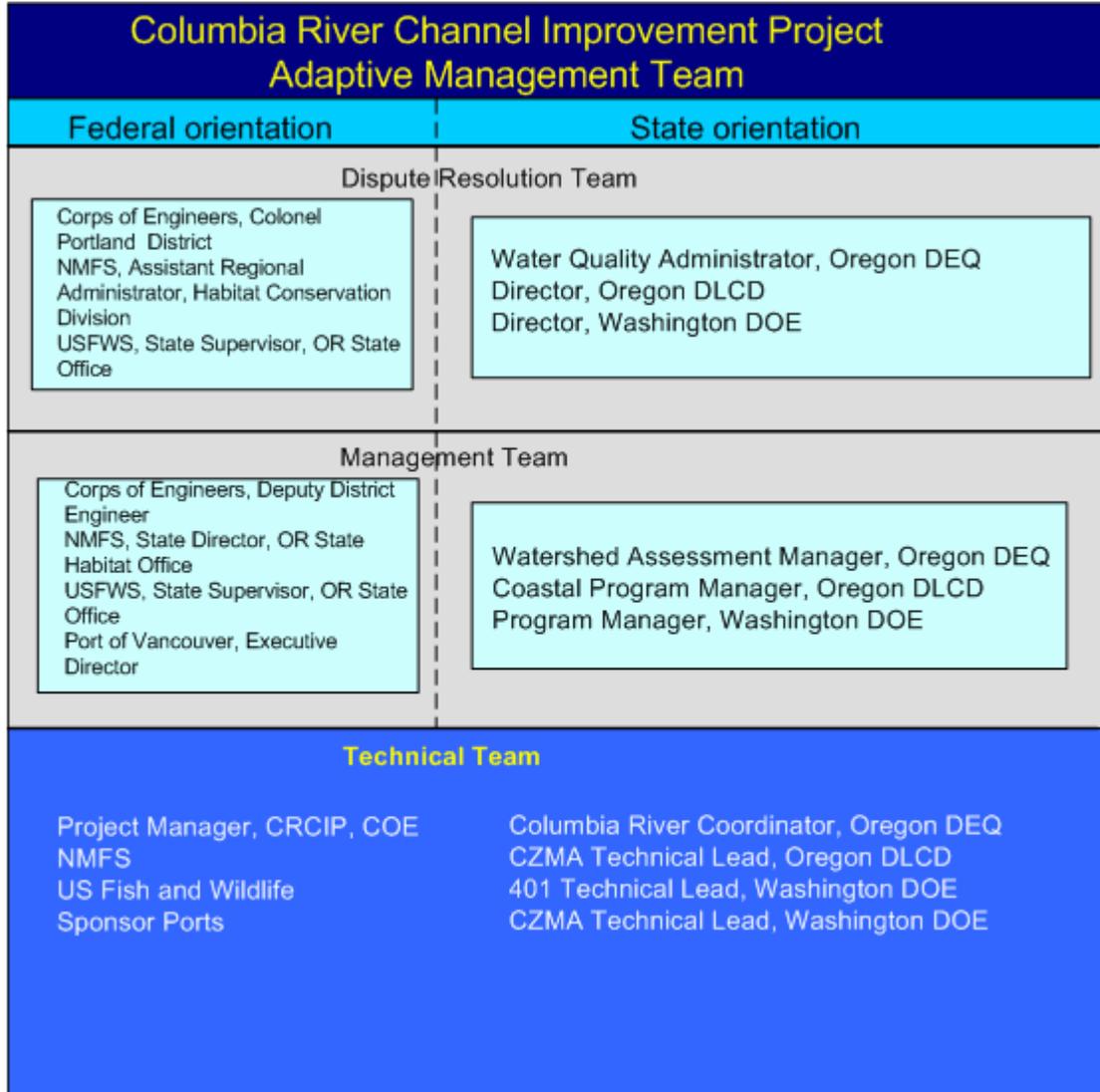
## **B.2 Composition of the AMT**

The AMT comprises the managers, decision-makers, and Technical Staff ultimately responsible for implementing the CRCIP Adaptive Environmental Management (AEM) Plan (Table B.1). The primary federally oriented composition of the AMT includes representatives from

- the U.S. Army Corps of Engineers together with the Sponsor Ports for the CRCIP,
- the NMFS, and
- the U.S. Fish and Wildlife Service (USFWS)

In addition to the federal components, the AMT also includes state representation from

- the Oregon Department of Environmental Quality,
- the Oregon Department of Land Conservation and Development, and
- the Washington Department of Ecology.



**Table B.1. Composition of CRCIP AMT.**

The AMT consists of a Technical Team, a Management Team, and a Dispute Resolution Team (Table B.1). The Technical Team is responsible for conducting the regularly scheduled activities required to implement the CRCIP AEM Plan and Process. The Technical Team consists of individuals who represent federal [e.g., Endangered Species Act (ESA)] and state [e.g., Section 401 of the Clean Water Act (CWA), and the Coastal Zone Management Act (CZMA)] regulatory interests in relation to channel modifications. The Technical Team will execute the AEM Process through an informal, yet scientifically rigorous, process based on collaboration and consensus building.

The Management Team consists of more senior-level managers representing their respective federal and state agencies. In the event that consensus cannot be reached by the Technical Team concerning adaptive management, the Management Team can be consulted to assist in the AEM Process. In addition, the Technical Team might consider specific adaptive management issues to be of sufficient importance to be communicated to the Management Team, even though a consensus opinion might exist among the Technical Team. As specified in the AEM Plan, the Technical Team will inform the Management Team at least annually concerning the status of adaptive management in relation to the CRCIP.

The Dispute Resolution Team includes those top-level managers and decision makers who are ultimately responsible to ensure that the implementation of the CRCIP AEM Plan ensures compliance with their respective federal and state mandates. The Dispute Resolution Team will address those AEM issues and concerns that cannot be resolved by the Management Team. The Dispute Resolution Team will have the same opportunity as the Management Team to be informed annually about the status of the CRCIP Adaptive Management Project.

To be eligible for appointment to the AMT, a candidate must (1) work for an agency with regulatory responsibility in relation to the actions the Corps will be undertaking or be a cost sharing partner with the Corps, (2) have the ability to work productively in a group setting towards common objectives in support of the AEM Plan, and (3) represent their constituent organization.

Each participating agency shall be responsible for appointing one or more representatives to the AMT. It is the responsibility of each agency to designate alternate representatives as necessary. Terms of service on the AMT are indefinite, but may be determined separately by each agency.

### **B.3 Scope and Objectives**

The AMT is responsible for implementing the AEM Plan for the CRCIP. As outlined in Table B.1, the AMT reflects both federal concerns regarding threatened or endangered species throughout the river and estuary, and state interests concerning water quality standards and beneficial uses related to coastal zone management and river conditions.

The AMT will consider monitoring, research, and other information obtained during project implementation and make decisions concerning modifications to the project if such information indicates that the decision criteria (i.e., “trigger values”) established by the AMT have been exceeded. The AMT will regularly evaluate the effectiveness of the CRCIP monitoring program and related research, to ensure that project construction and operation have impacts no greater than those used in the derivation of the decision criteria.

The AMT will conduct adaptive management within the framework described in the CRCIP AEM Plan document. Adaptive management will (1) mitigate for any impacts that exceed the decision criteria, (2) modify the project to maintain consistency with the decision criteria, and (3) possibly stop the project. The AMT will carry out the AEM Process in a manner consistent with the ESA incidental take provisions stated the BO, as well as the ecological resource and water quality compliance issues associated with Section 401 of the CWA and the CZMA as implemented by the states of Oregon and Washington.

It is envisioned that the AMT will act primarily through consensus, where consensus is obtained when no person of the AMT formally opposes the particular issue in question. Formal opposition shall be provided in writing to the AMT.

## **B.4 Description of Duties**

The duties of the AMT focus on the continuing implementation of the CRCIP AEM Plan and include the following activities:

- establish and revise as necessary AMT operating procedures;
- execute the CRCIP AEM Plan and Process;
- define and recommend resource management objectives (decision criteria or “trigger values”) for environmental and ecological components of the CRCIP AEM Plan;
- implement the relevant provisions of the BO, Section 401 of the CWA, and the CZMA;
- obtain and review summaries of monitoring activities (MA-1 through MA-6) and other AEM-relevant information concerning channel improvements from the Technical Work Group;
- define and solicit additional information that needs to be provided by the Technical Work Group to the AMT;
- recommend management actions (i.e., continue the current CRCIP, or undertake adaptive management) in relation to the monitoring data, other supporting information, and the agreed upon decision criteria; and
- provide for transparency and documentation of the AEM Plan and Process.

## **B.5 Tribal Involvement in the AMT Process**

The federal government agencies that comprise the AMT have a “government to government” relationship with the Tribes that have been acknowledged in the development and implementation of the CRCIP. As part of it’s work to implement the ESA; NMFS and the USFWS will address Tribal issues associated with the ESA via Secretarial Order 3206 (American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the ESA). This Order clarifies the responsibilities of the component agencies, bureaus, and offices of the Department of the Interior and the Department of Commerce, when actions taken under authority of the ESA affect, or may affect, Indian lands, tribal trust resources, or the exercise of American Indian tribal rights. This Order further acknowledges the trust responsibility and treaty obligations of the United States toward Indian Tribes and tribal members and its “government to government” relationship in dealing with Tribes.

The Tribes and the Columbia River Inter-tribal Fish Commission (CRITFC) have a continuing interest in the CRCIP. In order to acknowledge the unique role that the Tribes have in the AMT Process and to support the “government to government” relationship that the federal government has with the Tribes, including compliance with Secretarial Order 3206, the Tribes have agreed to participate in the AMT Process in the following manner:

- Individual tribal governments may request “government to government” consultation at the Management Team and/or Dispute Resolution Team levels with the USFWS and NMFS in accordance with Secretarial Order 3206 to address specific issues associated with the findings of the CRCIP AEM Process.
- The Management and Technical Teams will provide briefings to the CRITFC and USFWS Committee on the status and findings of the AMT as requested. AMT participants will be available to respond to questions from CRITFC and/or individual Tribe’s questions about the project. This may involve follow-up discussions via e-mail, regular mail, phone or visits to the CRITFC office and/or to the individual Tribe’s reservation.
- CRITFC Technical Staff and Technical Staff from individual member Tribes will be invited to the annual Anadromous Fish Evaluation Program meeting that addresses estuary issues, including the monitoring and research resulting from implementation of the CRCIP.

## **B.6 Sub-groups**

The AMT may establish such work groups or subcommittees as it deems necessary for the purposes of compiling information, performing analyses, discussing issues, and reporting back to the AMT. Examples of an AMT Work Group could be Dungeness Crab Team, or Sturgeon Support Team, etc.

The Technical Work Group described in the CRCIP AEM Plan will serve as a standing sub-group of the AMT.

## **B.7 Estimated Number and Frequency of Meetings**

The Technical Team of the AMT will meet at least quarterly. The Technical Team and its support group(s) can, however, meet more frequently, for example, as determined by the availability of monitoring summaries or the occurrence of CRCIP-related events not anticipated in the design and/or implementation of the AEM Plan. The Technical Work Group will meet as needed, and any member of the Technical Work Group can call a meeting. The entire AMT is expected to meet annually. Individual participating agencies may call additional meetings of the AMT as deemed appropriate.

## **B.8 Duration**

It is the intent that the AMT shall continue throughout the construction and monitoring phase of the CRCIP.

## **B.9 Agency Responsibility**

Each agency represented on the AMT is responsible for ensuring that the AEM Process is meeting agency needs. The AMT as a group does not intentionally make decisions that would reduce the ability of any participating agency to realize its mission or meet its regulatory responsibilities.