

**Independent Multidisciplinary Science Team  
Public Meeting Agenda  
January 18 & 19, 2005**

**DLCD's Basement Hearing Room  
Agriculture Building  
635 Capital Street, NE  
Salem, Oregon**

Please Note: Times listed on agenda are approximate; topics may be added or removed the day of the meeting. Please check <http://www.fsl.orst.edu/imst/> for most recent agenda.

**Tuesday, January 18, 2004**

9:00 Adopt agenda – Carl Schreck  
Adopt December meeting minutes

General Team Business  
Set meeting dates for May 2005  
Brief discussion on electing new Co-Chairs or Chair/Vice Chair

9:30 **Team review and discussion of draft Oregon Coastal Coho Assessment** – Carl Schreck

Similarities and differences between the State's and Technical Recovery Team's population viability analysis and assessments.

Pete Lawson, NOAA Fisheries  
Ed Bowles and Mark Chilcote, ODFW

Team discussion and Review of draft assessment

11:45 Public comment

12:00 Lunch (on your own)

1:15 **Resume Team review and discussion of draft Oregon Coastal Coho Assessment** – Carl S.

2:45 Public comment

3:00 **Operations of the IMST and Clarification of the Intent of State Leaders** – Stan Gregory

Discussion with state leaders involved with the formation and evolution of the Oregon Plan and the IMST. List of participants include:

Jim Myron, GNRO; Louise Solliday, GNRO; Rep. Bob Jenson (at approx 3:30); Ken Bierly, OWEB; Logan Norris, former IMST Chair; Bill Percy, former IMST Co-Chair; others as available

4:45 Public comment

5:00 Adjourn

### **Wednesday, January 19, 2004**

9:00 **Annual Charter Review**—lead by Stan G.

1. Information to consider adding to or revising language in the Charter and Operating Procedures:
  - a. statement of terms of service; commitment to Team
  - b. Oregon Plan: what it is and its intent, how IMST fits in
  - c. statement on compensation based on ORS 541.401
  - d. statement concerning liability issues
  - e. outreach and communication and State's support
  - f. general responsibilities of Team members
  - g. voting procedures
  - h. Other items as suggested by Team members

11:00 **Elect Co-Chairs or Chair/Vice Chair for 2005** – Carl S.

11:15 Public comment

11:30 Lunch (on your own)

12:30 **2005 Annual Work Plan** – Stan

Discuss and craft annual work plan for 2005 and agree on timeline developed at December meeting

1:00 **Update on independent projects** – Stan

Discuss possible locations for April (urban area) and May (eastside area) meetings

1:30 **Review responses to recommendations** received from state agencies regarding instream aggregate mining and temperature reports – Stan. Includes review of letters drafted by IMST after December discussion (OWRD, Core Team, ODF)

3:00 Public comment

3:15 **Resume review of coho assessment if time is needed or adjourn meeting**

5:00 Alternative adjournment

**MINUTES**  
**Independent Multidisciplinary Science Team**  
**January 18 and 19, 2005**

**DLCD's Basement Hearing Room**  
**Agriculture Building**  
**635 Capital Street, NE**  
**Salem, Oregon**

**Members in Attendance:**

Carl Schreck, Co-Chair  
Stan Gregory, Co-Chair  
Bob Hughes  
Carl Yee  
Nancy Molina  
Rich Shepard  
Wayne Elmore

**Others Attending:**

Kathy Maas-Hebner, OSU  
Leah Gorman, OSU  
Ellen Deehan, OSU  
Bruce McIntosh, ODFW  
Tom Nickelson, ODFW  
Jay Nicholas, OWEB  
Bridgette Lohrman, NOAA Fisheries  
Jeff Lockwood, NOAA Fisheries  
Kay Teisl, Oregon Cattlemen's Association  
Brian Doherty, Miller Nash  
Kaitlin Lovell, Trout Unlimited  
Ray Wilkeson, OFIC  
Chris Jarmer, OFIC  
Oliver Waldman, Salmon For All  
Logan Norris, OSU  
Bill Percy, OSU  
Jim Myron, GNRO  
Ken Bierly, OWEB  
Louise Solliday, GNRO  
Sandy Thiele-Cirka, Legislative Assembly  
Representative Bob Jenson, Oregon House of Representatives  
Pete Lawson, NOAA Fisheries  
Jim Paul, ODF

**AUDIO TAPES OF THIS MEETING ARE AVAILABLE THROUGH THE OREGON WATERSHED ENHANCEMENT BOARD. Please contact Bev Goodreau (503) 986-0187.**

## **January 18, 2005**

Co-Chair Carl Schreck convened the meeting at 9:00 AM.

### **AGENDA**

The draft agenda was adopted as written.

### **CONFLICT OF INTEREST**

Carl S. mentioned that any Team member with a real or perceived conflict of interest should raise it at the beginning of the discussion for the appropriate agenda item

### **FUTURE MEETINGS**

The Team discussed the location and dates of future meetings, and set the June meeting for the 8th & 9th.

### **MINUTES**

The December 2004 minutes were adopted as written.

### **GENERAL TEAM BUSINESS**

Brief discussion of January 19 election of Chairs for 2005 – The Team discussed advantages of proximity of Chairs to staff. Carl S. said that he would be willing to continue as Internal Co-Chair and be staff supervisor. Carl Y. and Nancy indicated willingness to serve as External Co-Chair. Election of Chairs will take place tomorrow.

### **OREGON COASTAL COHO ASSESSMENT – Carl S.**

The IMST held a discussion of the Coho Assessment with Ed Bowles (ODFW), Mark Chilcote (ODFW), and Pete Lawson (NOAA Fisheries).

Carl S. asked the speakers to clarify how criteria ODFW has developed relate to and differ from recovery criteria being developed by the Technical Recovery Team (TRT) for coastal coho. Ed Bowles clarified that ODFW initially worked with the TRT on developing criteria, and provided staff to assist the process. When it became clear that the TRT would not have the criteria in time to inform the listing decision, ODFW began to work independently. That has led to some differences between ODFW and TRT criteria.

Pete Lawson then gave a short presentation on the specific criteria that the TRT are considering, and how they differ from ODFW criteria.

The Team discussed both ODFW and TRT criteria, asking questions about assumptions, statistical analysis, and modeling procedures.

The Team discussed how to approach writing the review of the coho assessment and a potential timeline for writing the response.

**ACTION:** Nancy volunteered to take the lead for compiling the response. Leah will be the FRA assigned to working on the review with Nancy.

The timeline discussion will be revisited on Wednesday afternoon.

Nancy suggested that they use this time to decide on key themes. Rich thought that organizing by section showing individual Team member comments would be valuable. Stan said that deciding the relative weight of each comment, and distinguishing between critical and less critical comments, will be a major service to ODFW. Nancy agreed that the Team would start with identifying areas where Team members agree, then have a conference call to go over areas of disagreement.

Rich thought that spatial aspects, described in words, could be better handled with spatial modeling. He also thought there might be better ways to deal with uncertainty

Other discussion topics included:

- Concerns about using the 7-year trough as the underpinning of the analysis.
- Appropriateness of limiting analysis to “independent” populations. Stan asked what the TRT was doing. Can contact Pete Lawson to find out.
- Whether analysis needs to take stochastic events into account.
- How were the specific numeric “thresholds” (red, yellow, green) chosen? Are they arbitrary? Are they conservative? Is the approach credible within the discipline even if they are arbitrary? What are appropriate thresholds for “threatened” versus “endangered?”
- Use of multiple alternative models to evaluate conclusions.
- Uncertainty of future climatic and ocean conditions.

### **OPERATION OF THE IMST and clarification of the intent of state leaders**

Stan introduced the panel representing the state leadership that shaped the intent of the Oregon Plan and the operations of the IMST. This discussion was in response to Rich’s questions regarding the Team’s authority to do independent projects, the nature of annual reporting to the State, minority reports, and public review of draft documents. Following is a summary of the key points.

Paula Burgess, formerly in Gov. Kitzhaber’s GNRO, could not attend the meeting but sent comments to Stan, who read her e-mail to the group. “Independence” was a factor in the Appointing Authorities (Governor, Senate President, and Speaker of the House) agreeing to the concept of an independent science team. Both branches wanted to know that the Oregon Plan was scientifically credible, and an independent science team, with a voice separate from the Executive and Legislative Branches, would be able to evaluate the Plan and its implementation. By mutual understanding, both branches could suggest projects and priorities to IMST, but the Team was ultimately the body that would determine its priorities and work plan. Paula also commented that the IMST was not limited to projects requested by either branch. The Team was free to examine any area of Oregon Plan implementation they felt was warranted, and did not need formal approval from the Appointing Authorities to begin an independent project.

Louise Solliday, GNRO (under both Gov. Kitzhaber and Gov. Kulongoski), commented that the Executive and Legislative branches understood that anyone (even private groups) could ask the IMST to take on a review or project but the Team had independence in carrying out their work plan. Landscape level components and how they may affect salmonids is critical information for the Oregon Plan. If the Team didn’t approach landscapes in their reports, the GNRO would have made the request. Louise also agreed with Logan’s comments regarding public review of technical documents.

Jim Myron, GNRO, concurred with the comments from Paula and Louise. The statute authorizing the IMST is broad and gives wide latitude to the Team to examine issues related to the Oregon Plan. As the state was forming the Oregon Plan and the IMST, Jim represented Oregon Trout. Jim explained the points of independence that Oregon Trout supported and encouraged, including the legal requirement for agencies to respond to recommendations made by the IMST. He felt that maintaining independence was critical for the Team to maintain credibility.

Ken Bierly, Acting Director OWEB, commented that OWEB provides primary funding to the IMST through OSU. All of OWEB's contract agreements with OSU are broad, and do not mention specific projects or products because the Team is self-directed.

Logan Norris, former IMST Chair, discussed the original direction the Team was given by the state after the first members were appointed. He remembers asking "where is our charter?" IMST was told to prepare one and they did so with input from the GNRO, legislative representatives, and the DOJ to ensure that the Charter was consistent with statute. Feedback from all parties was consistent as to the intent of the Team and its independence. While he was with the Team, the annual report always included a work plan listing independent projects and these were presented to the GNRO and SR2 legislative committee.

Logan was surprised that the Team has not yet had a minority report. He feels it is because the Team was always able to resolve differences and noted differing opinions, if any, in reports. Logan advised against public review of draft Team reports. The IMST is modeled after the NRC, the support staff is talented and is able to get technical information. Logan does not see that the reports are lacking in information. Peer or technical review of draft reports should give confidence if the information has been correctly addressed and interpreted. A general public review would drain time and financial resources, and the gains not be substantial enough to warrant the expense. Efficiency is in the best interest of the State. The Team does not make policy or regulations, and the bodies that do should be soliciting public comment. Logan also commented that in the past the Team would meet in a public setting with agencies to discuss recommendations before a report was final and encouraged the Team to continue the practice.

Bill Percy, former IMST Co-Chair, said that scientific independence is critical to the Team's credibility. This doesn't mean that the Team isn't responsive to agencies as IMST done several large reports based on requests. He also mentioned that all independent projects were listed and described in the Team's annual reports and the Team has asked for a review of operations by the State.

Rep. Bob Jenson, Chair of the Committee on Water (House of Representatives) said that as he has read the statute that created the IMST, the Team has considerable responsibility in terms of their own oversight of the actions of Oregon Plan agencies. And that by statute the Team is required to act independently. The Team also has the responsibility to prioritize their work. In the past he has been a critic of the Team for not providing minority reports where there are differences in scientific opinion. As a policy maker he would like to know the differences in opinion.

The joint legislative committee (SR<sup>2</sup>) that the Team is required by statute to report to is not in place at this time. He commented that there needs to be a letter from the Governors, the Senate President, and Speaker of the House, indicating which legislative committees have oversight of

IMST (one for the House and one for the Senate) or he would like to see an ad hoc committee in place.

In regards to a public review process, Rep. Jenson said that problems exist when people feel that they do not have an opportunity to provide input. During a public review, not all comments received would be technical, but may have some merit. He is willing to support the closely-guarded draft documents, but did suggest that the Team release a “pre-finalized” draft to cover the potential that they missed something. Policies are being made in Oregon and outside of Oregon based in part on what IMST says. Before something comes out as gospel it is wise, politically, to allow people a chance to evaluate the information and provide input.

Carl Schreck mentioned that the Team has agreed to post draft science questions and table of contents for project reports on the web after approval by the IMST. The public is free to comment on those and ask questions of the Team. Rep. Jenson said that would be an openness that would not challenge objectivity. Openness is generally advisable. Louise said that this would allow people to come to a meeting and comment on the posted information.

The Team then turned to Rich’s concerns:

Stan commented that Rich wanted the State to authorize Team projects in writing. He asked Rich if what he heard was sufficient or if he still needed something in writing. Rich said that all the comments he heard were consistent among the group of leaders and the verbal statements were sufficient. For final clarification, Bob asked Rich if he needed anything in writing from the state leadership. Rich confirmed that he did not need it in writing.

Carl S. asked the panel if the state expects a synthesized Team product from IMST technical reviews or a collection of individual reports. Louise said absolutely, they want experts from different areas to provide a multidisciplinary perspective in one document.

Stan also suggested to the group of leaders that this type of interaction between the Team and the State leadership occur more frequently to allow new members an opportunity to orient themselves to the processes the IMST uses and the expectations of the State. The panel agreed that that was a good idea. Stan thanked the panel for their time and input.

### **Public Comment**

During the afternoon public comment period, Oliver Waldman, Salmon for All, commented that ODFW’s work on the status of coastal coho will also have unofficial implications for coho listings in Washington. He said that the IMST’s focus on habitat is welcome news because most attention has been directed at commercial harvesting of coho.

The meeting was adjourned at 4:30.

**Wednesday, January 19, 2005**

Co-Chair Carl Schreck convened the meeting at 9:10am

**ANNUAL CHARTER REVIEW – Stan**

Stan led discussion of Rich's letter to the Co-Chairs dated January 3, 2005. He reviewed the IMST's previous afternoon discussion with state leaders and Rich's agreement that his questions regarding the IMST's independence and authority to determine its projects had been addressed. Stan said there were still aspects of Rich's letter that needed response (nature of communication, minority reports, and how to explain the work plan and products).

Stan explained that all Team members are able to constructively criticize the IMST but it is only appropriate to do so within the Team. Carl S. asked Rich why he went to the legislature and GNRO with his letter. Rich said he had wanted written answers to what he felt were legitimate questions that weren't being answered by the Team. Stan reminded Rich that IMST sent a letter to the Department of Justice about the issue of IMST independence and other concerns Rich has had, but the passage of Measure 37 has delayed a formal response from the DOJ. Both Representative Jenson and Jim Myron had contacted Stan and wanted to know why these questions hadn't been answered within the Team. Bob asked Rich if he received any response in writing. Rich said he received a letter from Representative Jenson on Monday.

Carl S., Bob and Stan suggested to Rich that internal IMST questions are better discussed within the Team. Rich agreed.

**ACTION:** Stan will draft the IMST response to Rich's letter, based on today's discussion. The draft will be sent to Team members for comment. The letter will be sent to Rich and copied to Rich's original cc list.

**ACTION:** Kathy will have staff put together a briefing document for new Team members based on the discussion with State leaders discussion at the January 18, 2005 IMST meeting.

Discussion moved on to the Charter including the topics of minority reports and the responsibility of Team members to the IMST, its operational processes and overall ability to function.

Rich indicated that he thinks a minority report as a complete document separate from a document completed by the rest of the Team. Bob commented that a minority report can be a letter. Stan explained that IMST speaks to the State as clearly as possible in a single voice, and unresolved differences within the Team would be clearly spelled out in a minority report. Minority reports are not a separate stand alone document.

Rich said his interpretation is completely different, that a minority report is a separate document. Wayne asked Rich if that was the thought process he used to justify the letter Rich sent around the state.

Nancy observed that IMST is expected to present all points of view, and the degree to which each view was supported by Team members. A minority report is for extreme cases of differing opinions that can not be addressed within the body of the main report.

Rich asked the Team to change “report” to “written statement” in the Charter, and the Team agreed to this suggestion.

Wayne, Nancy, Bob, Carl S., and Stan discussed the responsibility of each Team member to operate within the IMST Charter, and to raise issues within the Team to handle concerns effectively.

Stan asked Rich why he chose to operate differently. Rich said he was careful in his letter to say that he was not representing the Team. Wayne asked Rich why he didn’t just tell the Team that he would like to hear from a group and make a motion to address it instead of going outside of the operating Charter.

Stan asked the Team members for suggestions on how to provide guidance on appropriate methods for Team members to communicate with the State. He explained that a letter to the Team that is copied to the oversight committee becomes an official Team action. In its Charter, the IMST intended “official” to include letters about Team function to the oversight committee, particularly because that requires response from the agencies or oversight committee. Stan asked how the Team could make this point more clear.

Bob said that IMST members need to be careful about what they do so that the Team can function. Rich’s letter surprised him a lot because Carl S. and Stan had worked hard to answer Rich’s questions.

Nancy commented that being a Team member means helping a Team function and that each member’s actions need to be toward accomplishing the work directed to the Team.

Stan read a proposed sentence to amend language in the Charter regarding communications between the Team and the State. The Team agreed to this sentence.

#### **ELECTIONS OF CO-CHAIRS FOR 2005 – Carl S.**

The Team decided to continue with two Co-Chairs (Internal and External) rather than a Chair and Vice Chair. There was discussion about the administrative home for IMST. Management of IMST budget is done through OSU, requiring one Co-Chair to be an OSU faculty member.

- Carl Schreck (nominated by Bob; seconded by Stan) was unanimously re-elected as internal co-chair for 2005.
- Nancy Molina (nominated by Wayne; seconded by Rich) was unanimously elected as external co-chair for 2005; Nancy will begin her co-chair duties after this IMST meeting.

**ACTION:** Carl S. will set up meetings with key OSU officials to talk about administrative support for the IMST, its staff, and budget.

**ACTION:** Nancy will meet with Stan and Kathy for a briefing on External Chair responsibilities.

#### **ANNUAL CHARTER REVIEW (CONTINUED)**

IMST continues discussing edits to the IMST Charter. Carl S. was present for discussion, but absent for final vote. The Team agreed to not change the charter regarding public review but to

experiment with the process. IMST present voted unanimously (6 yes; C.B.S absent) to accept edits as discussed.

**ACTION:** Kathy will incorporate changes in the letter to Representative Jenson and the Water Committee about the special interest groups' suggested changes to the IMST Charter, and send final to co-chairs for signatures.

**ACTION:** Kathy will work with Stan to finalize edits to the IMST Charter, and will re-circulate to Team for final approval before posting on the web and attaching to annual report.

### **2005 ANNUAL WORK PLAN – Stan**

IMST discussed and crafts annual work plan and timeline for 2005 (internal document).

**ACTION:** Kathy will revise the timeline based on discussion, and send out to Team next week.

**ACTION:** Kathy will check with Steve Hobbs about the Board of Forestry's expected role for the IMST, if any, (or individual members) in the ODF indicators workshop.

**ACTION:** Kathy will communicate with ODFW about the timing of their Stock Status and Trends draft. IMST will make priority decisions based on ODFW timeline.

### **UPDATE ON INDEPENDENT PROJECTS – Stan**

IMST discussed possible locations for future traveling IMST public meetings; Kathy provided input from ODA regarding locations in eastern Oregon.

**ACTION:** Kathy will consult with Rep. Jenson and Jim Myron for potential meeting locations in Portland and John Day.

**ACTION:** Leah will investigate sites for the May meeting and a possible field trip in Portland.

### **REVIEW OF AGENCY RESPONSES TO IMST RECOMMENDATIONS – Stan**

The IMST discussed the agency responses to recommendations made in several Team reports, and letters drafted after the December 2004 meeting. Carl S. was absent from the discussions and vote.

#### **Instream Aggregate Mining Report**

IMST discussed edits to draft review of the Core Team's responses prepared by Carl Y. after the December meeting. IMST voted to accept the edited IMST response (5 yes; Rich abstained; C.B.S. absent)

**ACTION:** Carl Y. and Kathy will incorporate edits and will send around to Team for final approval. The cover letter will reflect that Rich abstained from voting.

#### **Klamath Basin Report**

The Team discussed the ODFW responses to the Klamath Basin Report. The agency responses to Recommendations 1, 2, 3, 6, 7, and 10 are adequate. The response to Recommendation 4 is indeterminate (IMST will ask ODFW for more specific examples of collaboration). The Team voted on its response to ODFW (6 yes; C.B.S. absent).

ACTION: Kathy and Stan will draft IMST response and send to the Team for comments.

### **Temperature Report**

The Team discussed OWRD, DEQ, OWEB, and ODA responses to recommendations in the Temperature Report. IMST discussed the OWRD draft prepared after December meeting. IMST voted to accept the draft (6 yes; C.B.S. absent).

ACTION: Kathy will send the Team's response to OWRD.

DEQ responses to Recommendations 1, 2a, 4b, 4c, and 5 are adequate. Responses to Recommendation 2 and 2b are adequate, but IMST will provide comments and clarification then discuss further with DEQ. Response to Recommendations 3 and 3a are inadequate, and the response to Recommendation 4a is indeterminate. IMST voted on Team response to DEQ (6 yes; C.B.S. absent).

OWEB responses to Recommendations 4 and 5 are adequate. IMST votes on Team response to OWEB (6 yes; C.B.S. absent).

ODA responses to Recommendations 5 and 8 are adequate. The response to Recommendation 7 is intermediate. IMST notes that agricultural interests alter wetlands, and Senate Bill 1010 and the USDA Wetlands Program discuss wetlands and agriculture. IMST will ask for clarification and some examples. IMST voted on Team response to ODA (6 yes; C.B.S. absent).

ACTION: Kathy and Stan will draft IMST's responses to DEQ, OWEB and ODA and send to Team for comment.

### **RESUME REVIEW OF COHO ASSESSMENT**

Team discussion of Coho Assessment, Part I resumed. Nancy drafted an outline for the assessment and review of Part I. Leah will work with this outline.

ACTION: Leah and Nancy will gather all comments from the IMST members by January 28, 2005, and write up a draft IMST response to Part I by the end of the first week in February.

ACTION: The IMST will conduct an hour-long conference call at 2pm on February 15, 2005. This is a public meeting that will be announced. Leah will set up meeting room.

ACTION: Kathy will keep in touch with Bruce McIntosh about Part II (PECE), and distribute to Team as soon as we receive it. Team will read PECE document before the February 22, 2005 IMST meeting.

### **PUBLIC COMMENT**

There being no public comment, the meeting was adjourned at 3:30 PM.