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SLIDES: Lessons Learned from the Development and Implementation of an Adaptive Management Plan at Three Hydropower Plants in Northeastern Washington State

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Lessons Learned from the Development and Implementation of an Adaptive Management Plan at Three Hydropower Plants in Northeastern Washington State

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- 11 slides (including this one and the title!)
- Main Points.
- Pacific Northwest Experience.
- Considerations.
- Oil and Gas Development.
- Conclusion – Main Points.



Main Points

- A Successful Adaptive Management Plan will:
 - be specific (i.e., general language in the agreement does not constitute flexibility);
 - be developed based on sound science, not in lieu of sound science (i.e., information needed to protect against an irretrievable commitment of resources);
 - include measurable goals and objectives;
 - include predetermined alternative strategies (Plan B);
 - include time sensitive decision making processes (e.g., oversight committees, dispute resolution procedures, communications protocols, etc.);
 - include a long-term monitoring plan (as opposed to a study-based adaptive management plan).



Adaptive Management:

- A specific, goal oriented process for achieving a desired future condition.



Pacific Northwest Experience

- Adaptive Management Agreement developed as a principle component of 3 Habitat Conservation Plans.
- HCPs developed to address impacts to 5 species of salmon and steelhead, 2 listed as endangered.
- 3 hydropower projects, 2 public utility districts, 3 Federal agencies, two states, 5 tribes, 1 NGO were involved in the negotiations.
- Agreements were intended to address ESA, FPA, FWCA, Pacific Northwest Electric Power Planning and Conservation Act, Title 77 Regulatory Code of Washington.



Pacific Northwest Experience

- Plan development occurred from 1993 through June, 1998.
- Separate NOAA office to review, permit and implement the agreement.
- Implementation began concurrently with environmental and ESA review.
- Interpretive differences occurred almost immediately (operations, studies, existing information, provisions of agreement, etc.).
- Substance of agreement would not support environmental and ESA reviews.



Pacific Northwest Experience

- No agreement on fundamental provisions of Adaptive Management Plan –
 - definition of "no net impact",
 - how to measure NNI,
 - limitations to "ultimate decision" making authority.
- Phase two negotiations occurred from 1998 through 2002 to resolve "technical details."
- General framework remained intact, specific provisions renegotiated:
 - Standards to be achieved - 91% total project survival versus 95% juvenile dam passage survival;
 - Schedule for achieving standards
 - Studies (design, data collection, required statistical precision, flow year provisions, fish run characteristics, etc.)
 - Alternative "plan B" – what happens if standards are not achieved on schedule?
- Final approval given by FERC in 2004.



Some Considerations:

- AMPs will invariably fail without science base.
- Should be written in plain English.
- Should be detailed;
 - flexibility is achieved by providing opportunities to achieve standards, not by poorly worded agreements.
- Should include "Plan B";
 - Plan B provides sufficient incentive for the parties to achieve standards.



Oil and Gas Development

- Principles are the same.
- AMPs should be developed by inter-agency, interdisciplinary teams.
- Opportunities exist for both listed and non-listed species:
 - Resource Management and Forest Plans.
 - Habitat Conservation Plans.
 - Safe Harbor Agreements.
 - Candidate Conservation Agreements.
 - Others.
- Agency front loading will streamline permitting processes, saving time and money for the developer.



Main Points

- A Successful Adaptive Management Plan will:
 - be specific (i.e., general language in the agreement does not constitute flexibility);
 - be developed based on sound science, not in lieu of sound science (i.e., information needed to protect against an irretrievable commitment of resources);
 - include measurable goals and objectives;
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 - include a long-term monitoring plan (as opposed to a study-based adaptive management plan).



- Original Agreements:

- <http://www.nwr.noaa.gov/1hydrop/hydroweb/archiveferchcps.html>

- Final Agreements:

- <http://www.nwr.noaa.gov/1hydrop/hydroweb/hcp.htm>