



Lower Columbia Fish Recovery Board

April 3, 2020
Board Meeting
Conference Call/Webinar

Draft Minutes
For Approval: June 5, 2020

Present: Taylor Aalvik, Mike Backman, Paul Greenlee, Richard Mahar, Hal Mahnke, Gary Medvigy, Todd Olson, Gary Stamper, Don Swanson, Dean Takko, Olaf Thomason, Jade Unger, Dennis Weber, Del Wilson and TAC Chairman Rudy Salakory.

Absent: Lee Grose. Chairman Olson excused the absent members.

PUBLIC COMMENTS: None

DIRECTOR'S REPORT

Director Manlow stated he wanted to recognize Doug Stienbarger for his years of service on the TAC. Mr. Stienbarger is one of the Board's longest standing TAC members serving 19 years. Due to the COVID-19 pandemic, the Board could not honor him in person. Staff sent him an engraved pen gift set and a thank you card on behalf of the Board.

Director Manlow sent out the Director's Report in advance of the April meeting.

- He gave an update to the Board on the Tacoma Power Fisheries and Hatchery Management Plan (FHMP). A meeting has been set with Keith Underwood and his staff for 4/7/2020. Chairman Olson and Director Manlow will be attending the meeting to discuss how the Board can work with Tacoma Power to finalize the plan. In addition, they will discuss Tacoma's CRR Program to see if the Board will have a future role in helping Tacoma Power administer the program.
- All staff are working remotely, just as most entities are. Staff is able to access their work computers remotely using laptops and home computers as well as using our cell phones for communication. Director Manlow stated the transition from office to home has gone smoothly. Item #2 relates to updating our policies to reflect our current work situation.

BUSINESS MEETING

Item #1 Consent Agenda

Board member Weber moved and Board member Greenlee seconded to approve the Consent Agenda as submitted. No discussion. Motion carried.
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Item #2 Policy and Technology Updates Related to the COVID-19 Outbreak

1. Approval of an updated Telecommuting policy;
2. Authorization for the Director to enter into a cellular phone service provider contract for two staff cellular phones and service;
3. Update the Electronic Communications policy; and

4. Approval of an Administrative Leave policy.

Director Manlow asked Ms. Smee to present and walk through the policies. She has been the lead on gathering the information from various state and county sources. Ms. Smee stated there are four action items in this one summary. We have combined them into one action item because they are all related to the COVID-19 outbreak and changes how we are conducting business.

- 1. Approval of an updated Telecommuting policy:** Ms. Smee presented the updated telecommuting policy to the Board. The current telecommuting policy with changes is included in your Board packets. The current policy was written quite a few years ago and only allowed for very specific reasons to telecommute such as, 1 or 2 day special projects with limited interruption and trip reduction. Staff would like to update the policy to include more general language that the Board generally supports telecommuting for management purposes and it's a positive personnel approach for management and not just for special projects or trip reduction. Staff also changed a small amount of language to consolidate and update the policy.

The Board members did not have any questions on the item.

- 2. Authorization to enter into a Cellular Phone Service Provider Contract:** Ms. Smee presented the item. Staff is asking the Board to approve two cellular phones for the Salmon Recovery Technicians. Working remotely, it is difficult to use personal equipment and items to conduct Board business. When using your personal cell phone for work, everything on your phone is open for public disclosure. It's important, as we continue to work remotely, that we have a way to keep in contact with people that won't open staff for public disclosure. We are asking approval for two cellular phones for the staff members that are in meetings and in the field more often. This item would carry over when we are able to resume a normal work schedule again.

Questions and comments from the Board members:

- Board member Greenlee asked if two cellular phones are enough. Ms. Smee stated the other staff discussed the need and concluded that they don't receive a lot of phone calls and they work mostly by email. Staff agreed that the few calls we may receive on our personal cell phones were fine.
- Board member Backman asked why the Board was not using Zoom for the meeting today that way you wouldn't need a phone and a computer, the meeting could just go through the computer. Ms. Smee stated members could use just their computers if they had a microphone and headset but not all computers do. We use GoToMeeting because we have a contract with them and have for many years.
- Board member Mahnke stated if any business is conducted on your personal cellular phones, even if unintentional, then the phone becomes available for disclosure. Ms. Smee agreed. He added that perhaps, in order to protect staff, maybe everyone should have a work phone.
- Board member Stamper cautioned staff about text messages. Ms. Smee stated in the policies she researched they concluded that text messages are a public record and have to be kept for a minimum of seven years. He added it is better to make a phone call.
- Board member Takko stated the legislature is having an issue with this due to the recent court decision. He noted that the people who make public records requests know how to get access to any phone and any computer and they really aren't protected from public disclosure.
- Board member Stamper said he tried the two phone system and it did not work for him. He only has a personal cell phone and does use it for County business. You just have to be careful

and smart when using the phone. Obey the laws as best you can when it comes to using text messaging.

- Board member Takko added that in the Legislature everyone is going to two separate phones. However, occasionally members will inevitably receive Legislature business on their personal phones. He cautioned that you just have to be careful with text messages.
- Director Manlow stated he was on the fence about this because he conducts most of his business in the office. He is sensitive to staff having to use their personal equipment to conduct Board business and staff is not being reimbursed for using their personal cell phones. Director Manlow suggested getting a third cell phone to have available if the other staff needed to use it. It may not be used as frequently but it would be available when needed.

Board member Medvigy arrived.

Board member Greenlee moved to amend the motion to authorize a third cellular phone be purchased as a floater for the office and Board member Stamper seconded to approve the amended action. No discussion. Motion carried.

- 3. Update the Electronic Communications Policy:** Ms. Smee presented the item. The current Electronic Communications policy with changes is included in your Board packets. She stated the update was more rewording the current policy to add in the cellular phones because initially, the Board did not have a cell phone policy. We added language to put the cell phones into the mobile devices section and updated the wording to reflect what we are currently doing now.

The Board members did not have any questions on the item.

- 4. Approval of an Administrative Leave Policy:** Ms. Smee presented the item. This leave allows the Director to put staff on leave with pay under circumstances where it is for the best that the employee is not in the office. In this case, if staff couldn't telecommute, couldn't get back into the office, couldn't work, and we didn't have control over the situation, then this policy would allow the employee to be paid until the situation could be resolved either by working remotely or coming into the office.

To date, staff has not had to use Administrative Leave and may never use it, but it is good to have it in our policy manual in case something does come up to help support staff and the work they are doing. This policy was advised by the Recreation Conservation Office (RCO) when discussing telecommuting. This policy can be grant funded just like the other types of approved leave.

Questions and comments from the Board member:

- Board member Takko asked if there is a time frame on the leave. Ms. Smee stated no, it is general enough to accommodate different situations. One example is that if the state doesn't pass the budget on time. She noted, years ago she worked in a federal office and when the federal government didn't pass their budget, they were not allowed in the building. Luckily they had Administrative Leave for the few days staff was off. The state budget issue has been a concern for LCFRB employees in the past. The leave can also be used for emergencies, safety concerns, and health reasons.
- Board member Takko stated he doesn't have a problem with the policy as long as there is a limitation to it. Especially with the COVID-19 issue going on right now hopefully it will be short term, but if it continues and becomes a long drawn out timeframe and no work is getting done, then how long does the Board take on that expense before staff applies for unemployment like

everyone else? Board member Greenlee suggested that if the leave extends beyond 30 days, then the Director should report to the Board for approval.

- Board member Backman stated in Wahkiakum County, they cannot give public funds to staff without doing some type of work, even if they are calling in. There has to be some rules to the policy.
- Board member Medvigy noted they are dealing with this in Clark County as well. Taxpayers expect, as they lose their jobs and get furloughed, that they don't want taxpayer money spent on employees that aren't doing anything. The points are well taken and it's very difficult to put something in place. The continuity of government and LCFRB is important to continue their work. He agreed that it can't be an open ended amount of time and we have to spend taxpayer dollars wisely.
- Board member Greenlee stated he is sensitive to issues of gifting and taxpayer funds. If the Board has to review Administrative Leave every month then that could be enough of a backstop for those concerned.
- Chairman Olson concurred and appreciates everyone's comments. He noted that the language in the policy states that "the Executive Director determines", but he would expect that the Director would contact the Executive board if he was placing staff on Administrative Leave, the leave circumstances, and the period recommended. The Chairman agreed there should be a limit in the policy and if there are circumstances where the Board would have to consider beyond 30 days then it would allow the Director to discuss with the Board.
- Board member Stamper noted Lewis County is dealing with this situation right now and many of the county governments are also. He stated he felt 30 days is appropriate at this time. He added that the Director has good communication with the Board and will use good judgement on the issue. He is the one that will be looking at the budget every day and making sure work is getting done.
- Board member Greenlee stated he would suggest the language of 30 days or subject to extension by the Board.

Board member Takko moved to amend the motion to authorize approval of Administrative Leave up to 30 days or subject to extension by the Board and Board member Swanson seconded to approve the amended action. No discussion. Motion carried.

Board member Greenlee moved and Board member Stamper seconded to approve Item #2 as amended:
-The updated Telecommuting Policy;
-Authorization for the Director to enter into contract for cellular phones and service as amended;
-The updated Electronic Communications Policy; and
-Approval of an Administrative Leave Policy as amended.

No discussion. Motion Carried.

GOOD OF THE ORDER:

- Board member Greenlee stated it was great to hear everyone's voices and he hoped everyone is safe and healthy.
- Board member Stamper thanked staff for the creativity during this difficult time. He appreciates the work everyone is doing during this stay at home order.
- Board member Weber thanked staff for working out the online issues for the meeting.
- Chairman Olson thanked everyone for calling in and signing into the meeting in order to participate.

At 1:40 p.m. the Board adjourned.

/lc

Approved in open session on _____

Signed: _____

Todd Olson, Chairman

Director's Report
April 3, 2020

Covid-19 Response – In response to the Governors directives, we have transitioned entirely to working from our homes. Most partner organizations, including the Governors Salmon Recovery Office, state agencies, and other Regions have taken a similar approach. For the LCFRB staff, we are using remote access software to allow us to access our work computers and server directly from either personal or spare LCFRB computers. We are also using personal cell phones for communications. Staff is proposing policy updates to address this situation, given lack of alignment with existing policies.

2020 SRFB Grant Process – The 2020 grant round is underway ([LINK](#)). In March we held our virtual tours and project presentations, which was all accomplished via Webinars on four separate days. Both the State Review Panel and RCO staff participated and provided feedback to sponsors. Several Board members also participated. We are expecting formal feedback from the Review Panel on April 3. At that time they will let us know if projects need more information, are cleared, or are potentially projects of concern. The next step is for the TAC to meet on April 28 and 29 to discuss and review applications, and develop final lead entity feedback. See the above link for the complete calendar.

Statewide Strategy (Extinction is Not an Option) Update – The Governor's Salmon Recovery Office (GSRO) has started the process of updating the Statewide Strategy ([LINK](#)). Work is currently focused on a series of workshops and meetings with stakeholders and Tribes to solicit feedback on what is working, and what is not, with regard to implementation and recovery. We and the other Regional Organizations met in person in Snoqualmie with the GSRO and project team last month to discuss regional priorities. The project team also conducted an individual interview with Director Manlow. The Director also participated in a conference call with the Office of Financial Management and GSRO to discuss key points outlined in our prior letter, including the need to revisit the organizational structure of the GSRO to increase support for regional and statewide functions. Next steps include developing recommendations for the steering committee, vetting those recommendations with the Washington Academy Sciences, presenting recommendations to the Natural Resources Cabinet for review, public review and feedback, and developing recommendations to the Governor (Fall/Winter). We are currently coordinating with the Northwest Power and Planning Council (NPCC) and GSRO to schedule a presentation on the statewide strategy update process to the Council members in early June.

NOAA Fisheries Five Year Status Review – NOAA published the Federal Register Notice for the next five year status review on October 1, 2019 ([LINK](#)). We will be providing updated data and information on recovery progress since the last review, including results of the East Fork Lewis Program Review and the CFSP report, land use program accomplishments (e.g., Forest and Fish RMAP), and completed SRFB projects. We will be coordinating with WDFW as we finalize comments to ensure consistency and accuracy of data sources and conclusions relating to hatchery and harvest accomplishments. The comment deadline has been extended to May 26, 2020.

Conservation and Sustainable Fisheries Plan (CSFP) Report – We are wrapping up our first annual CSFP ([LINK](#)) report, in coordination with WDFW, and will provide an overview of results today. This report will document what has been achieved to date in implementing hatchery and harvest reform actions and strategies in the Lower Columbia region, and will also provide an update on how our salmon and steelhead populations are doing relative to abundance delisting targets. We anticipate submitting the report as part of the new information submittal to the National Marine Fisheries Services (NMFS) for the 2020 “five year status review”

(see below). We will also be providing a copy to WDFW and the Fish & Wildlife Commission to support their hatchery reform policy review. The timing is now aligned with completion of our 5-Year status review comments.

Clark County Clean Water Restoration Fund (CCCWRF) Project List – Now that the Board has approved the final 2019 CCCWRF ([LINK](#)) project list, Denise has been working to finalize contracts. We have already completed several contracts to allow project sponsors to start work as soon as possible. We have also been working on minor amendments to previously funded projects.

Tacoma Power Fisheries and Hatchery Management Plan (FHMP) – Staff continues to work with Tacoma Power and the Fisheries Technical Committee (FTC) on development of the Fish Hatchery Management Plan (FHMP) for the Cowlitz River ([LINK](#)). Our goal is to ensure recovery plan priorities, goals and targets are incorporated and addressed in the plan. Tacoma has requested a one year extension (through October 2020) for completion of the FHMP, and a Federal Energy Regulatory Commission (FERC) decision is pending. We provided feedback at two workshops in February, and will be participating in an April 7 FTC meeting.

Columbia Basin Partnership (CBP) – The Director continues to represent the salmon recovery regions in this effort ([LINK](#)). After a recent series of statewide technical workshops relating to a scenario building exercise, the Director coordinated with the Upper Columbia, Mid-C, and Snake recovery regions to develop and submit a proposed “scenario” based on more fully implementing existing recovery plans. The CBP integration team will be reviewing all of the scenarios submitted to date this week, and the full team will be discuss how scenarios will be integrated in the full Phase II report prior to June, which is when the process ends. We are hoping this effort will increase support for recovery work across Columbia Basin. The Director is working with both the GSRO and CBP to identify ways to communicate and capture outputs from the CBP process into the statewide strategy update, and vice versa.