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July 26, 2012

DECISION MEMORANDUM

TO: Council Members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Council decision on Project #2002-059-00, *Yankee Fork Salmon River Restoration*, Columbia Basin Fish Accord project

PROPOSED ACTION: The Council staff recommends that the Council support the implementation of the Yankee Fork PS3 Side Channel work for this project. This recommendation is conditioned on the understanding that the additional information requested by the ISRP (ISRP document 2012-10), as outlined below, will be addressed in a revised project proposal form, and that further project implementation is contingent on a future review and approval process.

BUDGETARY/ECONOMIC IMPACTS

The Accord budget for this project is approximately \$5,177,259 (i.e., ranging from \$313,042 to \$624,431 per year) in expense funds for Fiscal Years 2009 through 2018. The current contract associated with this project totals \$299,400 and has a performance period of February 1, 2012 to January 31, 2013. In addition, there is a contract request (CR-219540) for \$1,470,800 with a start date of August 15, 2012 and an end date of August 14, 2013 for restoration work.

BACKGROUND

In 2008-2009, the Bonneville Power Administration, the U.S. Army Corps of Engineers, and the U.S. Bureau of Reclamation (the Action Agencies) signed agreements with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), the Confederated Tribes and Bands of the Yakama Nation (YN), and the Columbia River Inter-Tribal Fish Commission (CRITFC). The agreement with these Tribes and CRITFC is referred to as the Three Treaty Tribes MOA. The Action Agencies also signed agreements with the Confederated Tribes of the Colville Reservation (CCT), the Shoshone-Bannock Tribes (SBT), and the states of Idaho, Montana, and Washington. These agreements are known as the Columbia Basin Fish Accords.

As set forth in the guidance document outlining the review process for the Accords, the Council recognizes Bonneville's commitment to Accord projects. The Accords do not, however, alter the Council's responsibilities with respect to independent scientific review of project proposals or the Council's role following such reviews. As with all projects in the Fish and Wildlife Program, Accord projects are subject to review by the Independent Scientific Review Panel (ISRP), and the Council provides funding recommendations based on full consideration of the ISRP's report and the Council's Program.

Activities in the Yankee Fork, as part of the Upper Salmon River projects, have been ongoing in the Program since 2002 (i.e., Project 2002-059-00, *Yankee Fork Salmon River Dredge Tailings Restoration Project*). On November 15, 2006, as part of the FY 2007 -2009 funding recommendation associated with the project, the Council recommended the following.

Fundable in part (qualified). Fund completion of planning work for step submittal to address ISRP concerns¹. Funding for implementation contingent upon favorable ISRP and Council review.

On June 30, 2008, the Council received from the Shoshone Bannock Tribes the Yankee Fork Floodplain Restoration Project Implementation Plan for 2008 - 2018. The submittal was intended to address the "step review" condition placed on this project as part of the FY 2007 -2009 funding recommendation. On August 21, 2008 the ISRP provided their review (ISRP document 2008-11). The ISRP found that the submittal "*Does Not Meet Scientific Review Criteria.*" Shortly after this review, on November 7, 2008, Bonneville entered into a memorandum of agreement (MOA) with the Shoshone-Bannock Tribes that included this project.

On February 16, 2012 a submittal was received from Bonneville for Project #2002-059-00, *Yankee Fork Salmon River Restoration*. The information received from Bonneville indicated that since the last review and with the support of the MOA, the Shoshone-Bannock Tribes has worked with the U.S. Bureau of Reclamation, Trout Unlimited, U.S. Forest Service and the landowner to gather information and refine the original proposal to address the concerns raised by the ISRP. The result was a restructured proposal, intended to not only address the previous ISRP reviews, but to present a refined approach to address restoration needs in the Yankee Fork Salmon River.²

The goal of this proposal is to increase juvenile spring/summer Chinook salmon abundance and survival through increases in suitable habitat (rearing, high flow refugia, riparian and wetland) and increase the physical quality of environmental characteristics. The SBT are pursuing this effort through a multi-year implementation plan. The current submittal is directed at a reach of the Yankee Fork from river mile 3.0 to 6.9 in an action titled Yankee Fork PS3 Side Channel (i.e., Pond Series 2 and Pond Series 3).

¹ ISRP document 2006-6.

² As part of the submittal the SBT requested consideration by the Council to be dismissed from the Three-Step Review Process.

On March 21, 2012 the Council received the ISRP review (ISRP document 2012-5). The ISRP found the revised proposal and supporting documents “*Meets Scientific Review Criteria (Qualified)*”. They qualified this review stating that they should review the response to the qualifications outlined and detailed in the current review *prior* to implementation. Generally the ISRP requested the following.

1. Develop a formal Fish and Wildlife Program proposal for the pond reconstruction actions.
2. Pursue the reach-scale analysis and design work needed to develop justified actions.
3. Make necessary modifications in design specifications for pond series habitat alterations so that they function primarily during base flow conditions in summer and during winter. Re-construction of pond margins to hold juvenile Chinook salmon during high flow conditions in June is not biologically justified and should not be part of the proposed work.

On June 18, 2012 a response was received from Bonneville that included the requested narrative (Qualification #1 above) and a SBT response to the other qualifications raised by the ISRP. On July 19, 2012, the Council received the ISRP review (ISRP document 2012-10). The ISRP found that the proposal met science review criteria with qualifications.

ANALYSIS

The ISRP found the response was thorough and complete in addressing the critical and technical issues raised in their previous review and that that the revised plan to modify the habitat in Pond Series 3 (PS3) is appropriate to implement at this time. Though the ISRP provided a favorable review for PS3, they qualified their recommendation that additional elements of the project will need additional information and review prior to implementation.

The SBT are proposing to revise the existing project proposal to incorporate a multi-year implementation plan. The multi-year implementation plan will address the additional information that the ISRP has requested. The ISRP is supportive of this approach and state that they look forward to receiving the following information in a revised project proposal.

1. Further development includes biological objectives for focal species in terms of Viable Salmonid Population (VSP) parameters.
2. Physical habitat objectives are developed in reach scale assessments consistent with the Tributary Analysis.
3. Monitoring and evaluation is sufficient to evaluate fluvial geomorphic conditions following habitat construction and fish population response.

As part of the review, the ISRP provided general comments intended to strengthen the project as a whole and acknowledged the significant amount of work and coordination that has occurred recently to ensure that this project is successful.

Based on the ISRP review, the Council staff recommends that the Council support the implementation of the Yankee Fork PS3 Side Channel action of this project. This recommendation is conditioned on the understanding that the additional information requested by the ISRP (ISRP document 2012-10), as outlined above, will be addressed in a revised project

proposal form, and that further project implementation will be contingent on a future review and approval process.