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June 30, 2011

MEMORANDUM

TO: Fish and Wildlife Committee Members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Quarterly Review of Within-year Project Funding Adjustments for Implementation

At your meeting in July, Council staff will review the requests and schedule associated with the funding adjustment requests for the third quarter of Fiscal Year 2011. This agenda item will be for review and discussion only and no Committee action is requested. After an opportunity for comment, these requests will come back to the Committee and Council for a decision at the August meeting.

BACKGROUND

In 2004, Bonneville and the Council formed a budget oversight group (BOG) to conduct a budget tracking process. A principal role of the BOG is to validate whether the requests are a reschedule¹ or within-year request (i.e., scope change, budget change, scope/budget change, and new request). Reschedules are forwarded to Bonneville for assessment and funding as funds become available, and within-year requests are also forwarded to Bonneville for recommendation on the availability of funds as identified at the quarterly reviews.

The BOG meets monthly to review change requests and to track the fiscal year budget and then uses quarterly reviews to initiate a process to establish which budget adjustment requests can be met with the available funding in the current fiscal year project budget². This process also includes a public comment period.

Of the four requests reviewed by the BOG during the third quarter of Fiscal Year 2011, one request is seeking a decision in August. As outlined in the attached table (see Attachment 1),

¹ Reschedules are project work task or tasks, as reviewed and approved, that are aligned from one fiscal year to another.

² The balance for the within-year placeholder at the end of the second quarter of Fiscal Year 2011; Bi-Op Placeholder @ \$1,793,614 (out of \$2,000,000), and Non-Bi-op Placeholder @ \$709,234 (out of \$1,000,000).

one request triggered the threshold adjustment as part of the budget-tracking process, one request was within the recommendation made as part of the wildlife categorical review, and one request is currently under review by the BOG Management Group. Based on staff review and comment received, the staff will bring to the Committee and the Council a recommendation at the August meeting.

Following is a brief summary of the project request.

Quarterly

- **Project #2000-027-00, *Malheur River Wildlife Mitigation***

The Burns-Paiute Tribe (BPT) is requesting an additional \$174,473 in expense funds to cover costs associated with the replacement of a diversion dam on the Malheur River that was lost due to an ice flow event in 2006.³

This wildlife project manages 6385 deeded acres of wet meadow, wetland and sagebrush steppe habitats along the Malheur River. In addition the project addresses 4,154 acres leased from the Department of State Lands, and 21,242 acres leased from the Bureau of Land Management.

This request has been before Council in the past and was recommended for a \$195,845 budget adjustment on February 10, 2010.⁴

Since the previous approval it was determined that the diversion design did not provide adequate attraction flows for fish passage at all flow levels of the Malheur River. Currently, the Oregon Department of Fish and Wildlife requires attraction flows to be maintained at a minimum for 10% at all flow volumes. The Malheur River flow, at the diversion location, fluctuates from greater than 1,000 CFS to lower than 100 CFS. Based on this understanding the BPT investigated other options for supplying water (e.g., sprinkler or gated pipe option) and repair the ongoing bank erosion but found them to be cost prohibitive.

The current diversion structure/fish weir design will meet Oregon Department of Fish and Wildlife requirements and has a total cost of \$380,700. After subtracting the portion paid in previous engineering fees \$10,382 (engineering costs associated with the previous request) and the previous change request \$195,845 there is a budget shortfall of \$174,473.

³ This is the only diversion associated with this project. The Burns Paiute Tribe acquired the Denny Jones Ranch in Juntura, Oregon in November 2000.

⁴ The request for \$195,845 exceeded the budget flexibility provided for in the proposed 5-year annual expense budget in the Wildlife Categorical Review.

Attachment 1: Within-year project funding adjustments received as part of the third quarter of Fiscal Year 2011.

Type	Project #	Project Title	Sponsor	FY 2011 Budget (BPA)	Request	Status
Quarterly						
	2000-027-00	Malheur River Wildlife Mitigation	Burns-Paiute Tribe	\$536,885 ⁵	\$174,473	August Decision
	1988-115-25	Yakima River Design and Construction - YKFP	Bonneville Power Administration	\$56,000	\$375,000	BOG Management ⁶
Threshold						
	2002-035-00	Riparian Buffers in Gilliam County	Gilliam County Soil and Water Conservation District	\$77,191	\$1,600	Threshold, 6/9/11 approved
Category						
	1992-061-00	Albeni Falls Wildlife Mitigation	Coeur D'Alene Tribe	\$423,663	\$9,600	Wildlife Category Review, 6/9/11 approved

⁵ Includes the \$195,845 within year adjustment approved by the Council on February 10, 2010.

⁶ The BOG deferred to the Management Group due to the regulatory nature of this request to provide mitigation for wetland impacts due to the operation of the Cle Elum Hatchery. Currently negotiation are underway with the Washington Department of Ecology for confirmation that the proposed Tillman Creek mitigation/restoration is complete and provide necessary mitigation required for the Well 3 wetland impacts. BOG management decision is deferred until additional detail and confirmation is received.