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February 23, 2012

## DECISION MEMORANDUM

**TO:** Council members

**FROM:** Mark Fritsch, project implementation manager

**SUBJECT:** Council decision on Project #2008-311-00, Monitoring *Wild Populations of Spring Chinook Salmon (Oncorhynchus tshawytscha) and Summer Steelhead (O. mykiss) in Tributaries of the Lower Deschutes River within the Boundaries of The Confederated Tribes of the Warm Springs Reservation of Oregon, Columbia Basin Fish Accord project*

**PROPOSED ACTION:** The Fish and Wildlife Committee recommends that the Council support this project for implementation.

### BUDGETARY/ECONOMIC IMPACTS

The total budget for this Accord project equals \$3,134,330 (i.e., it ranges from \$314,865 to \$383,632 per year) in expense funds for Fiscal Years 2009 through 2017. To date, one contract totaling \$540,514 has been issued and had a performance period of March 1, 2009 to February 28, 2011<sup>1</sup>. This contract has expired and currently there is no active contract associated with this proposal. In addition there is a contract request for \$330,805 (CR-121019) with a start date of March 1, 2011 and an end date of February 28, 2013.

### 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

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<sup>1</sup>The project has spent \$553,724 to date. Of that \$540,514 has been spent on the contract and \$13,210 from the project budget for BPA furnished PIT tags. The majority of the cost associated with billing for this contract are for Salary/Fringe, Supplies, Training/Travel (includes GSA rigs) and Office O&M for phone/internet services.

(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.

On November 4, 2008, the Council received from Bonneville a set of 11 Columbia Basin Fish Accords proposals. Included in this set were two proposal from the CTWSRO for proposal #2008-311-00a *Warm Springs Watershed Spring Chinook Production Monitoring*, and proposal #2008-311-00b, *Warm Springs Reservation Steelhead Production Monitoring*. These proposals were submitted to the ISRP for review, and on December, 12, 2008 the ISRP provided a review (ISRP document 2008-15). The ISRP members requested additional information before they could determine if the proposal met scientific criteria.

On May 12, 2010, the Council received a response from Bonneville for Project #2008-311-00, *Natural Production Monitoring and Management*. This response was intended to address the ISRP's concerns raised for the two proposal listed above. The proposals were combined by Bonneville and CTWSRO for cost and workload efficiencies.

On June 16, 2010 the Council received the ISRP review (ISRP document 2010-20). The ISRP provided a review by objectives (#8) and found that five need a response, two did not meet review criteria, and one the ISRP provided a "no recommendation". Based on the Review Council staff requested a response for Bonneville and CTWSRO.

On November 19, 2010, the Council received a response and on December 15, 2010 the Council received a notice from Bonneville that the CTWSRO would like to pull the submittal from ISRP review. After discussing their submittal with Bonneville, the CTWSRO decided that their ISRP response could benefit from additional detail to clarify their responses to ISRP concerns.

On April 1, 2011, the Council received a submittal from Bonneville intended to address the issues raised by the ISRP in their previous review (ISRP document 2010-20). The submittal included a cover letter a revised narrative and support documents.

The goal of this project is to continue the life-cycle monitoring to maintain annual trend status data for spring Chinook salmon and steelhead populations in the Warm Springs River and Shitike Creek on the Reservation. These monitoring efforts will include adult escapement, adult spawning ground surveys, juvenile rearing, and juvenile outmigration.

On April 26, 2011 the Council received the follow-up review from the ISRP (ISRP document 2011-11). The ISRP found that CTWSRO had addressed many of the issues raised in their previous reviews, but requested additional detail of the interpretation of the data. The ISRP raised three issues needing to be resolved, and asked for additional detail regarding Goal 1 (i.e.,

Objective A, C, and D). Though certain actions associated with this proposal had met science review, the ISRP requested the sponsor to provide a response for science review.

On May 6, 2011 the Council received a response from CTWSRO and Bonneville intended on addressing the additional information and detailed by the ISRP in their previous review (ISRP document 2011-11). On May 25, 2011 the ISRP provided their review (ISRP document 2011-13) and requested a response regarding the three objectives that have not met science review criteria (i.e., Objective A, C, and D). To date, no public comment has been received on the ISRP reviews.

On November 23, 2011 the Council received a response from CTWSRO and Bonneville to address the information requested by the ISRP. The submittal included a cover letter that described changes made to the proposal and how past ISRP reviews and concerns had been addressed. Though the goal of the proposal remained the same the received proposal had been totally revised in design and detail (including the title<sup>2</sup>) by the CTWSRO staff. The revised proposal was submitted to the ISRP and on January 25, 2012 the ISRP provided their review (ISRP document 2012-1).

The ISRP found that the revised proposal meets scientific review criteria (qualified) and stated that the CTWSRO had provided sufficient details and information to implement this project.

## **ANALYSIS**

The ISRP was supportive of this project and provided the qualification rating as “suggestions” that are not to be addressed in a response, but to be incorporated as part of the statement of work and the implementation of this project. In essence these “suggestions” are intended to strengthen the project overall and more importantly the findings.

Based on discussions with Bonneville and CTWSRO staffs, the Council staff determined that the “suggestions” raised by the ISRP can be addressed during contracting and incorporated into the statement of work associated with the implementation of the project. If needed the statement of work can be reviewed by Council staff to verify that the ISRP suggestions were addressed.

Based on the ISRP review, the Fish and Wildlife Committee recommends that the Council support this project for implementation.

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<sup>2</sup> The new title is as follows. Monitoring Wild Populations of Spring Chinook Salmon (*Oncorhynchus tshawytscha*) and Summer Steelhead (*O. mykiss*) in Tributaries of the Lower Deschutes River within the Boundaries of The Confederated Tribes of the Warm Springs Reservation of Oregon.