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December 1, 2009

DECISION MEMORANDUM

TO: Council Members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Council decision on Project #2007-007-00, *Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon*, a Columbia Basin Fish Accord project.

PROPOSED ACTION: The Council staff recommends that the Council support the project for implementation.

BUDGETARY/ECONOMIC IMPACTS

The total amount associated with this Accord project equals \$2,540,388 (e.g., ranges from \$211,032 to \$285,106 per year¹) in expense funds for Fiscal Years 2008 through 2017. A contract (#43272) associated with the project has been executed and reflects a performance period of July 1, 2009 to June 30, 2010 at \$211,032.

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

¹ This range includes the anticipated 2.5-percent annual inflation adjustment, beginning in Fiscal Year 2010.

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 Columbia Basin Fish Accord proposal from the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), #2007-007-00, *Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon*. The proposal was 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 October 20, 2009 the Council received a response from Bonneville, and on November 20, 2009 the Council received the final review from the ISRP (ISRP document 2009-45). The ISRP found that the proposal "Meets Scientific Review Criteria (Qualified)." To date no public comment has been received on the ISRP review.

The goal of the project is to establish, conserve and/or maintain harvestable populations for the Hood River and Fifteenmile Creek subbasins. Information obtained from this project will be used to develop Pacific lamprey management plans for Fifteenmile and Hood River subbasins and guide restoration activities. Project objectives include the following.

1. Estimate adult Pacific lamprey escapement in Fifteenmile Creek;
2. Evaluate the feasibility of estimating Pacific lamprey spawner escapement to Hood River;
3. Characterize adult Pacific lamprey use of Fifteenmile Creek;
4. Describe Pacific lamprey spawning distribution in Fifteenmile Creek and Hood River Subbasins;
5. Describe redd characteristics and habitat within stream reaches in Fifteenmile and Hood River Subbasins;
6. Determine larval lamprey distribution and associated habitat in Fifteenmile Cr. and Hood River Subbasins;
7. Determine out-migration timing and relative abundance of larval lamprey in Fifteenmile and Hood River Subbasins; and
8. Identify factors limiting Pacific lamprey production within Fifteenmile and Hood River Subbasins

ANALYSIS

The ISRP found the proposal met scientific review criteria for studying Pacific lamprey in the two subbasins. The two qualifications raised by the ISRP are intended to inform the CTWSRO of possible issues that would strengthen the project as part of implementation. The first issue raised is a suggestion to incorporate, into the projects scope, a study on contaminants due to the vulnerability of lamprey during their extended juvenile stage in freshwater. The second item raised addressed the need to consider a different sampling design for sampling juvenile lamprey.

Both these qualifications, as stated by the ISRP, can be addressed without additional ISRP review.

A key objective of the *Tribal Pacific Lamprey Restoration Plan for the Columbia River Basin*² that was developed by CRITFC and its member tribes is to not only get a better understanding of the health impact for the ingestion of lamprey, but to also determine if toxic contaminants are a limiting factor to lamprey populations in the Columbia River Basin.

Currently, the restoration plan is being reviewed by the ISAB, but will also be a key aspect of the Columbia River Inter-Tribal Fish Commission (CRITFC) Project #2008-524-00, *Pacific Lamprey Passage Design*. On August 12, 2009 the Council supported only the ongoing actions associated with the finalization of the lamprey restoration plan and that any additional actions depend on CRITFC addressing the ISRP concerns and future reviews by the ISRP and Council.

Though a study on contaminants is outside the current scope of the CTWSRO's accord proposal #2007-007-00, *Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon* the Council and Bonneville should encourage collaboration with other efforts in the basin to ensure efficiencies and effectiveness in the lamprey restoration efforts in the Columbia River Basin. It is also the understanding that if contaminant sampling occurs within the ceded and U&A lands of the CTWSRO it will be coordinated with their ongoing projects associated with lamprey.³

Based on the ISRP review the Council staff recommends that the Council supports this project for implementation.

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² CRITFC, 2009. *Tribal Pacific Lamprey Restoration Plan for the Columbia River Basin*. Available at critfc.org.

³ Currently the CTWSRO have two ongoing projects: Project 2002-016-00, *Evaluate the Status of Pacific Lamprey in the Lower Deschutes River*; and #2008-308-00, *Willamette Falls Lamprey Escapement Estimate*