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January 8, 2013

## MEMORANDUM

**TO:** Fish and Wildlife Committee members

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

**SUBJECT:** Follow-up for the Willamette River Basin Memorandum of Agreement Regarding Wildlife Protection and Enhancement: Project #2011-003-00, *Willamette Wildlife Mitigation Program (WWMP)*.

**PROPOSED ACTION:** Council staff will present a follow-up on the recent science review associated with this ongoing project. No action is requested.

## BUDGETARY/ECONOMIC IMPACTS

Bonneville agreed to provide over \$144 million in exchange for Oregon to mitigate at least 16,880 additional acres of habitat. This funding will primarily be for acquisition and long-term stewardship (capital funding) and will be provided through Project #2011-003-00, which will replace Project #1992-068-00. Expense activities associated with this agreement, including the management of program implementation, monitoring and evaluation, habitat restoration, and operations and maintenance, will be funded through Project #2011-004-00<sup>1</sup>.

## BACKGROUND

The State of Oregon (Oregon) and the Bonneville Power Administration (Bonneville) entered into the Willamette River Basin Memorandum of Agreement Regarding Wildlife Protection and Enhancement (Agreement) in October 2010 to address federal habitat protection and enhancement commitments for wildlife in the Willamette basin. This Agreement permanently resolves wildlife mitigation related to the federal Willamette River Basin Flood Control Project dams. The U.S. Army Corps of Engineers owns and operates these dams for multiple public purposes, including flood control primarily, as well as recreation, fish and wildlife, and power generation.

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<sup>1</sup> Project #2011-004-00, *ODFW Operation & Maintenance (O&M)*.

On November 9, 2010, Bonneville and the State of Oregon presented to the Council the agreement elements. A key aspect of this agreement was the need to develop criteria to review, prioritize, and select proposed projects. It also stated the requirement to have the criteria reviewed by the ISRP.

On August 16, 2012 the Oregon Department of Fish and Wildlife (ODFW) submitted to the Council the proposal describing the collaborative process used to develop criteria for selecting and prioritizing projects. On August 20, 2012 the proposal was submitted to the ISRP and on September 26, 2012 the ISRP requested a response for additional information on selection criteria for acquiring lands. In addition, the ISRP recommended that the protocols for monitoring and evaluation of lands purchased should be reviewed in the future.

On November 16, 2012 the Council received the response from ODFW. The response included a cover letter that included a cross reference table for the details on where the responses to the ISRP issues were addressed in the proposal narrative, a revised Willamette Wildlife Mitigation Program (WWMP) overview and selection criteria document, and the WWMP attachments A - G. This extensive information packet was submitted to the ISRP on November 19, 2012 and on December 20, 2012 the ISRP provided their review. The ISRP stated the project continues to meet scientific review criteria with qualifications.

Though the ISRP found the project continues to meet science review criteria they qualified their review to acknowledge the work remaining regarding the improvements in direction for management plans; program and project monitoring and evaluation; and development of a comprehensive program database and data management system which are not scheduled for resolution and implementation for at least 18 months. Given the current list of completed acquisitions and the lack of planning and monitoring for them, further delays in direction will only aggravate the backlog of work and the ability to develop an efficient program. Based on this understanding the ISRP provided the following qualifications.

- 1) During contracting, a clear interim set of directions is needed, until such time that long term program direction is completed. In addition, a reasonable timeline for the development or acquisition of a program database and data management system should be provided.
- 2) A complete plan for program and project monitoring and a framework for adaptive management should be provided to the ISRP for review by January 2014. The ISRP would also like to see the application form used for 2012 and 2013 proposal reviews as well as the revised 2014 form.

The ODFW project staff feel that these are appropriate qualifications and will address them in contracting and provide the requested submittal by late 2014.