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January 6, 2010

DECISION MEMORANDUM

TO: Council Members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Council decision on Project #2008-111-00, *Twin Lakes Enhancement*, 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 \$2,000,816 (e.g., ranges from \$115,969 to \$608,750 per year¹) in expense funds for Fiscal Years 2010 through 2017. There is no contract established at this time for the Fiscal Year 2010 start.

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

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

the Council provides funding recommendations based on full consideration of the ISRP's report and the Council's Program.

On July 1, 2009, the Council received from Bonneville a Columbia Basin Fish Accord proposal from the Confederated Tribes of the Colville Reservation, #2008-111-00, *Twin Lakes Enhancement*. The proposal was submitted to the ISRP for review, and on July 24, 2009 the ISRP requested additional information (ISRP document 2009-32) from the sponsor before they could determine if the proposal met scientific criteria. Generally, the ISRP requested additional detail on the technical justification and background information, including study design, objectives, and methods for the proposal.

The purpose of this project is to improve summer habitat for native redband trout in the Twin Lakes (i.e. North and South), by enhancing dissolved oxygen levels in bottom waters. This project, if successful, will contribute to direct improvements in the survival and productivity of native redband trout in the Columbia basin, and will be a model for subsequent lake oxygenation projects aimed at improving critical lake habitat for resident native trout

On September 8, 2009 the Council received a response from the CCT, and on October, 16, 2009 the Council received the review from the ISRP (ISRP document 2009-41). The ISRP found the proposal in its current form does not meet scientific review criteria because the oxygenation only temporarily treats the symptom (anoxic hypolimnion) and did not consider alternative treatments that potential could solve eutrophication problem.

At the request of the CCT, the ISRP participated in a teleconference call on November 16, 2009 to clarify the concerns raised by the ISRP reviews associated with the proposal, and on November 24, 2009 the Council received a response from CCT intended to address the concerns raised by the ISRP in their previous reviews.

On December 10, 2009 the ISRP provided their follow-up review (ISRP document 2009-51) and found that the revised proposal "*Meets Scientific Review Criteria (Qualified)*".

ANALYSIS

The qualifications raised by the ISRP were not intended to be addressed at this time, but as part of future reviews. As seen in other reviews, the review panel intended only to strengthen the projects implementation and performance by these qualifications. In this instance the qualifications dealt with monitoring data and statistical requirements to satisfy management needs associated with trout growth, survival and harvest being better explained and summarized for future reviews. No public comments were received on the ISRP reviews.

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