

W. Bill Booth  
Chair  
Idaho

James A. Yost  
Idaho

Tom Karier  
Washington

Dick Wallace  
Washington



Bruce A. Measure  
Vice-Chair  
Montana

Rhonda Whiting  
Montana

Melinda S. Eden  
Oregon

Joan M. Dukes  
Oregon

January 6, 2010

## DECISION MEMORANDUM

**TO:** Council Members

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

**SUBJECT:** Council decision on Project #2009-002-00, *Status and Trend Annual Reporting*, 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 \$2,631,356 (e.g., ranges from \$75,000 to \$365,521 per year<sup>1</sup>) in expense funds for Fiscal Years 2008 through 2017. A contract (#42224) associated with the project has been executed and reflects a performance period of May 1, 2009 to February 28, 2010 at \$97,080. A contract change request (amendment) is pending to extend the period of the current contract (with no additional costs) through June, 30, 2010.

### 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

---

<sup>1</sup> This range includes the anticipated 2.5percent 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 July 30, 2009, the Council received from Bonneville a Columbia Basin Fish Accord proposal from the Yakama Nation (YN), #2009-002-00, *Status and Trend Annual Reporting*. The proposal was submitted to the ISRP for review, and on August 28, 2009 the ISRP provided a review (ISRP document 2009-38). The ISRP members requested additional information before they could determine if the proposal met scientific criteria.

On November 18, 2009 the Council received a response from the YN, and on December 21, 2009 the Council received the final review from the ISRP (ISRP document 2009-55). The ISRP found that the proposal "Meets Scientific Review Criteria (Qualified)." To date, no public comment has been received on the ISRP review.

The long-term goal of the Status and Trend Annual Report project is to support mitigation described in the 2008 FCRPS Biological Opinion and the obligations of the NPCC Fish and Wildlife Program by annually reporting progress towards salmon recovery efforts relevant to the Columbia Cascade Province.

## **ANALYSIS**

Although the ISRP found that the proposal meets review criteria, they qualified their review with three concerns that they feel can be addressed in contracting. The concerns include work-element timelines, stakeholder agreements and establishing procedures for ongoing coordination. In discussion with Bonneville, Council staff agrees that these concerns will be addressed as part of contracting. In addition, the Council staff expects that the project proponent will participate in development of a regional approach to monitoring, evaluation, research and reporting (MERR) framework. Changes to scope and intent of this project may be required once the regional MERR framework is in place.

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