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April 30, 2009

DECISION MEMORANDUM

TO: Council Members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Deferred Fourth Quarter 2008 within-year project funding request for Project 2007-127-00, Reestablish Connectivity and Restore Fish Habitat in the East Fork of the South Fork Salmon River Watershed

PROPOSED ACTION: Approve the scope change as reviewed for Project 2007-127-00, Reestablish Connectivity and Restore Fish Habitat in the East Fork of the South Fork Salmon River Watershed.

BUDGETARY/ECONOMIC IMPACTS

This is a non budgetary request, and the project will operate within the Fiscal Year 2008 - 2009 funding recommendations.¹

BACKGROUND

This project originally intended to reestablish fish passage through a 30-foot tall cascade and rehabilitate one mile of fish habitat through a degraded reach of the upper mainstem East Fork of the South Fork Salmon River. As part of the Fiscal Year 2007 - 2009 decision, the project received a favorable review from the ISRP and was funded. Since the time of proposal development and initial project development, the land owner of this reach of the river has entered into a lease-to-purchase option with a mining company so access to the reach was not available for habitat-enhancement activities. Therefore, the Nez Perce Tribe proposed a change in the area and scope of this project to other high-priority needs of the South Fork Salmon River (SFSR) in collaboration with the U.S. Forest Service. The proposed change addressed passage (i.e., culverts), road decommissioning and relocation, and riparian habitat enhancements in the SFSR below the original project site. With this partnership, there are several opportunities with matching funds to coordinate work in the SFSR subbasin. On March 5, 2008 the BOG reviewed this request and included it as part of the requests associated with the Second Quarter of Fiscal Year 2008.

¹ Fiscal Year 2007 @ \$260,000, Fiscal Year 2008 @ \$391,360 and Fiscal Year 2009 @ \$266,240

As part of the Council recommendation associated with the within year budget requests for the second quarter of Fiscal Year 2008, on May 14, 2008, the Council agreed with Bonneville's recommendation and approved this change in scope conditioned on the understanding that this recommendation is for only Fiscal Years 2008 and 2009 and that out-years are dependant on a future process.

At its September 2008 meeting, BOG reviewed another request from the Nez Perce Tribe (i.e., to pursue easements as an approach for habitat activities). It was determined by BOG that this change alters the scope of the project to a level that warrants scientific review. This was then presented to the Council as part of the Fourth Quarter review.

On November 19, 2008, as part of the Council's decisions regarding within-year requests for the Fourth Quarter of Fiscal Year 2008, the Council asked that this requested scope change be reviewed by the ISRP. The Council understands that this project is guided by the implementation plan between the 2000 Biological Opinion and the UPA issued by NOAA Fisheries in 2004. Based on this need to meet the expectations of the BiOp and UPA to continue to improve tributary fish habitat by removing passage barriers and performing other channel improvements, the Council made the recommendation for the ISRP to review the change in scope.

On November 21, 2008, the request was sent to the ISRP for review. The submittal included a cover letter and narrative associated with the scope change for this project.

ANALYSIS

On January 15, 2009 the ISRP requested addition information from the Nez Perce Tribe (ISRP Document 2009-1). The ISRP found that the proposal did not meet scientific review criteria due to lack of detail to allow a scientific evaluation of whether they are technically justified and, thus, might provide benefit to fish and wildlife resources.

On March 6, 2009, the Council received a response from the Nez Perce Tribe intended to address the information requested from the ISRP as part of their ongoing review of Project #2007-127-00, *Reestablish Connectivity and Restore Fish Habitat in the East Fork of the South Fork Salmon River Watershed*. The information received includes a cover letter (dated March 5, 2009) and a revised proposal.

On March 14, 2009, the Council received the final review from the ISRP (ISRP Document 2009-11). The ISRP found that the Tribe's response to the January 2009 ISRP request "*meets scientific review criteria (qualified)*". The ISRP conditioned their recommendation by stating that further work is needed to provide adequate monitoring and evaluation to confirm that sedimentation is the limiting factor and to demonstrate likely benefits to fish, but felt that these monitoring and evaluation improvements should be reflected in the project history and evaluation of activities in the next proposal review.

Based on the ISRP review and the project's link to the FCRPS BiOp, the Council staff recommends that the Council support the scope change as reviewed.