



## Spokane Tribe of Indians

P.O. Box 100 • Wellpinit, WA 99040 • (509) 458-6500 • Fax (509) 458-6575

April 3, 2008

W. Bill Booth, Chairman  
Northwest Power and Conservation Council  
851 SW Sixth Ave., Suite 1100  
Portland, OR 97204

Dear Mr. Booth,

The Spokane Tribe of Indians would like to take this opportunity to provide specific language for amendments to the Columbia River Basin Fish and Wildlife Program (Program). The Spokane Tribe has worked independently and in cooperation with the Upper Columbia United Tribes to develop amendments that will guide the Program to improve the regions valuable fish and wildlife resources.

Thank you for your time and consideration of the Spokane Tribes' recommendations.

Sincerely,

Richard L. Sherwood, Sr.  
Chairman, Spokane Tribal Business Council

RESOLUTION  
Spokane Tribal Resolution 2008-261

**DEPT. OF NATURAL RESOURCES IS APPROVED TO SUBMIT THE NORTHWEST POWER AND CONSERVATION COUNCILS' 2008 COLUMBIA RIVER BASIN FISH & WILDLIFE PROGRAM AMENDMENTS**

**WHEREAS**, the Spokane Tribal Council is the duly constituted governing body of the Spokane Tribe by authority of the Constitution of the Spokane Tribe; and

**WHEREAS**, under the Constitution of the Tribe, the Spokane Tribal Council is charged with the duty of protecting the health, security and general welfare of the Spokane Tribe and all reservation residents; and

**WHEREAS**, the Department of Natural Resources is charged with the duty of making policy and program recommendations to the Tribal Business Council associated with the Northwest Power and Conservation Councils' Columbia River Basin Fish & Wildlife Program; and

**WHEREAS**, DNR staff has developed Amendment recommendations for submission to the Northwest Power and Conservation Council (NPCC); and

**WHEREAS**, DNR staff is approved to submit the Spokane Tribe of Indians Recommended Amendments to the NPCC; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Spokane Tribal Business Council meeting in Special Session this 3<sup>rd</sup> day of April, 2008, the Tribal Council does hereby approve and authorize signature authority to the Tribal Council Chairman or his designated representative.

**Certification**

The foregoing was duly enacted by the Spokane Tribal Business Council on the 3<sup>rd</sup> day of April, 2008, by the vote of 3 for 0 against and 0 abstain under authority contained in Article VIII of the Constitution of the Spokane Indians ratified by the Spokane Tribe on November 22, 1980.

  
Chairman

	Yes	No	Abstain	Absent
RS	X			
GA				X
CW				X
GF	X			
RG	X			

The Program must be drafted with amendment recommendations that build upon adopted subbasin plans, provincial plans, and measures submitted and adopted in 2005 by the UCUT member tribes. This ensures consistency with the Spokane Tribes' legal rights and existing management plans.

The Upper Columbia Ecoregion is defined as the blocked area above Chief Joseph and Grand Coulee Dams (Intermountain Province), the Kootenai River downstream of Libby Dam (a portion of the Mountain Columbia Province) and the Okanogan Subbasin (a portion of the Columbia Cascade Province). These areas are commonly referred to by the members of the Upper Columbia United Tribes as important to their mutual resource concerns.

**STATUTORY BASIS FOR THE FEDERAL AND THE REGION'S STATE FISH AND WILDLIFE AGENCIES AND APPROPRIATE INDIAN TRIBES PARTICIPATION IN THE PROGRAM:**

*Include the following language in the introduction of the Program:*

--The Northwest Power Act envisions a participatory process that depends on the expertise of the fish and wildlife managers and appropriate Tribes. The Act requires the Northwest Power and Conservation Council to adopt the recommendations of federal and state fish and wildlife agencies, and appropriate Tribes, as part of the Fish and Wildlife Program, unless the Council explains in writing that the recommendations are inconsistent with the Act or less effective than the adopted recommendations. The Council must give deference to the fish and wildlife managers and appropriate Tribes, and not to coordination entities.—

*Include the following coordination, regional coordination, and consultation definitions as developed and approved by all fish and wildlife managers and the NPCC (Feb 08) into the Program:*

--**Coordination**, in this context, is ongoing and effective communication between the Basin's fish and wildlife managers and tribes and other agencies and entities with the explicit purpose of defining Program goals and objectives, identifying limiting factors and threats preventing achievement of those objectives, implementing strategies and actions to address those threats, and monitoring and evaluating the successes and failures in an adaptive management context. In addition, the intent of coordination is to implement protection, mitigation, and enhancement measures and projects in a cost-effective and informed manner and to ensure the measures are integrated with and complement existing management programs in the Region. Coordination should be easily accommodated by technology and requires that the Council and BPA staff provide for timely and accurate communication and information exchange and policy-level interaction. Coordination should not be assumed to be met solely by or through membership organizations, but through direct and consistent communication with the individual fish and wildlife managers and tribes. Funding for agency and tribal coordination and policy and technical support of regional programs will be provided to facilitate involvement in fulfilling coordination and consultation activities consistent with provisions and the intent of the Northwest Power Act.

**Regional Coordination** is communication between and among the fish and wildlife managers, NPCC, BPA, and associated processes to implement the Columbia River Basin Fish and Wildlife Program. This includes the individual fish and wildlife managers and tribes as well as the respective membership organizations to which they may belong. Regional coordination generally attempts to ensure programs and measures are integrated so that anticipated benefits to fish and wildlife accrue at the broadest scale within the Columbia River Basin. Included within the regional coordination definition is integration of measures and programs within local areas so that local objectives are met in a manner consistent with the overall objectives of the Columbia River Fish and Wildlife Program. This coordination involves management at various scales within the Basin and may provide input into broader regional coordination forums and can generally make the broader forums more efficient (e.g., CRITFC, UCUT, and USRT).

**Consultation:** The Act calls for Council consultation with the fish and wildlife managers in the development of the Program during the amendment process and also for BPA consultation with the fish and wildlife managers in the implementation of the Program. Coordination is not consultation, yet the coordination functions described above are necessary and helpful to facilitate meaningful consultation with the fish and wildlife managers and tribes.

The Council and BPA will, on a regular basis, consult with the fish and wildlife managing agencies, and on a government-to-government basis with the leadership of the Columbia River Basin tribes. The consultations will focus on program development, implementation, and evaluation decisions and actions that have the potential to affect each of the Basin's fish and wildlife managers and tribes. Consultation must occur prior to the action or decision being finalized and be initiated by the entity taking action. Consultation should provide a real opportunity to influence the decision and should include a follow up communication.

In particular, efforts will be directed at expediting measures to improve the survival of the basin's anadromous fish, resident fish, and wildlife populations and resolving any disputes that are hampering expeditious program implementation. As part of the consultations, the Council and BPA will also encourage the agencies and tribes to identify and resolve differences in their respective positions on key Columbia River Basin fish and wildlife issues. The Council further expects regular contact will be maintained between the staffs of the Council, BPA, and the agencies and tribes (See Regional Coordination). This requires timely and accurate communication and information exchange and policy interaction.--

*Include the following coordination funding for the Spokane Tribe of Indians:*

-- Provide funding for the Spokane Tribe of Indians for coordination activities as negotiated between the Spokane Tribe of Indians and Bonneville Power Administration at the equivalent of 1/19<sup>th</sup> share of coordination funds.--

## RESIDENT FISH SUBSTITUTION AND MITIGATION LANGUAGE

The current program adequately addresses the policy of Resident Fish Substitution. We recommend that this policy, as included below, be forwarded into the next program. The intent being that the program continues, as one of its highest priorities, mitigation in blocked areas.

*Include the following guidance language in the Program:*

-- Given the large anadromous fish losses in the blocked areas (NPCC 2005, Appendix E), a corresponding part of the mitigation for these losses must occur in those areas. Current Program actions have not yet mitigated these losses. The program has a “Resident Fish Substitution Policy” for areas in which anadromous fish have been extirpated. The following actions are necessary to address anadromous fish losses and mitigation requirements in all blocked areas:

- Restore native resident fish species (subspecies, stocks and populations) to near historic abundance throughout their historic ranges where original habitat conditions exist and where habitats can be feasibly restored.
- Take action to reintroduce anadromous fish into blocked areas, where feasible.
- Administer and increase opportunities for consumptive and non-consumptive resident fisheries for native, introduced, wild, and hatchery-reared stocks that are compatible with the continued persistence of native resident fish species and their restoration to near historic abundance (includes intensive fisheries within closed or isolated systems).--

*Include the following implementation language in the Program:*

-- **Eliminated habitat:** Where habitat for a target population is irreversibly altered or blocked, and therefore there are no opportunities to rebuild the target population by improving its opportunities for growth and survival in other parts of its life history, then the biological objective will be to provide a substitute. In the case of wildlife, where the habitat is inundated, substitute habitat would include setting aside and protecting land elsewhere that is home to a similar ecological community. For fish, substitution would include an alternative source of harvest (such as a hatchery stock) or a substitution of a resident fish species as a replacement for an anadromous species.--

*Include the following guidance language in the Program:*

-- **Substitution:** Mitigation in areas blocked to salmon and steelhead by the development and operation of the hydropower system is appropriate, and flexibility in approach is needed to develop a program that provides resident fish substitutions for lost salmon and steelhead where in-kind mitigation cannot occur. The “Compilation of Salmon and Steelhead Losses in the Columbia River Basin” and the “Numerical Estimates of Hydropower-related Losses” contained in the Council Program (NPCC 1987, 1994, 1995, 2000, 2005) Technical Appendix E are the starting place for the Council’s approach regarding substitution.--

*Include the following resident fish substitution selection criteria:*

--Feasibility criteria for substitution projects will consider the following steps:

- Can the habitat be rehabilitated?
- Can the restoration effort be maintained?
- Will the restoration support a healthy functional intact native ecosystem?
- What means and level of effort will be necessary to re-establish a native intact habitat?
- Is there opportunity to proceed with a proposed measure?
- Are restoration efforts the least cost alternative?

If it is determined that native restoration is not feasible, a specific action will be developed for an existing intact population, community and/or habitat. Manage non-native fish to maximize use of available existing habitats to provide a subsistence and sport fishing resource, without adversely affecting native fish populations.--

## **PROGRAM FUNDING ALLOCATION LANGUAGE**

*Include in the Program the following funding allocation language:*

--As part of moving the Program forward in a manner that is fully integrated toward subbasin plan implementation, Council funding allocations for Provinces and/or subbasins will be informed by the following two policies and four principles.

Funding for the Program will be consistent with the 70-15-15 policy from the 1994, 1995, and 2000 Programs, a funding allocation share of 70% for anadromous fish, 15% for resident fish, and 15% for wildlife. This policy will be used to benchmark Council funding recommendations as a minimum for resident fish and wildlife spending.

Funding will also remain consistent with Bonneville Power Administration's 70-25-5 policy for on-the-ground spending, a funding allocation share of 70% for on-the-ground work, 25% for research, monitoring, and evaluation, and 5% to Program administration. Monitoring and evaluation funds that inform specific on-the-ground actions or adaptive management will be considered to be part of the 70% planning target for on-the-ground actions.

Funding for the Fish and Wildlife Program must reflect an expense budget that meets the entire need for fish and wildlife, including the increased budget needs resulting from the Biological Opinions.

Program funding recommendations should follow the principles and associated data identified below.

- 1) FCRPS JCCA hydropower allocations – funding should be more closely tied to areas with higher federal hydropower responsibility (e.g. > 75%).
- 2) Existing losses assessments – funding should be more closely tied to areas with higher losses as identified in Appendix E of the Program and wildlife losses assessments for dam construction and inundation (e.g. areas > 35% in relationship

- to documented losses assessments – wildlife and anadromous fish loss assessments).
- 3) Under mitigated areas/resources – Consistent with 2000 Program policy (wildlife), shift fish and wildlife funding priorities from subbasins or Provinces that have used past funding to significantly improve the ecology and productivity or meet mitigation responsibilities into areas that are traditionally under mitigated or under represented in the Basin where there is a known FCRPS responsibility.
    - a. As a subset for ESA/ESU based funding; prioritize ESU's that have been historically under funded and have the largest gaps toward recovery.
  - 4) ESA provision – funding for ESA related salmon and steelhead recovery should not impact mitigation for non-ESA resources (anadromous, resident fish and wildlife) impacted by the FCRPS.--

**OR** as an alternative if the Program reflects a funding allocation structure that is basin wide in concept and more closely aligned with the 70-15-15 concept. This new concept will include an increase in support for resident fish expenditures for substitution projects mitigating for lost anadromous fish in the blocked areas of the basin. We recommend that the Fish and Wildlife Program reflects an expense budget that meets the entire need for fish and wildlife, including the increased budget needs resulting from the Biological Opinions.

*The Spokane Tribe recommends the following funding allocation language be amended into the Program:*

-- Once the placeholders for ISRP and BPA overhead funding are subtracted from the total available Program expense budget, the following funding percentages will be adhered to:

- 60% to anadromous fish projects (ESA and non-ESA)
- 25% to resident fish projects (mitigation for impacts to resident fish and lost anadromous fish) includes a 10% shift of the anadromous fish allocation to resident fish substitution for lost anadromous fish in the blocked areas
- 15% to wildlife projects--

*Include in the Program the following long term funding allocation language:*

--Past Program language, measures, amendment recommendations, Spokane Tribe of Indians planning efforts, and a 2006 Memorandum of Understanding between the Spokane Tribe of Indians and BPA recognize and support the development of broader fiscal and project implementation horizons. The Spokane Tribe of Indians has consistently provided Program recommendations in the form of 10 year planning since 1994. Based upon the benefits of these unimplemented recommendations, we recommend that the Council support BPA entering into negotiations with the Spokane Tribe of Indians to complete a ten-year funding agreement. This will implement critical strategies and measures within the Program that would address FCRPS mitigation obligations in the Upper Columbia Ecoregion.--

*Include in the Program the Spokane Tribe of Indians 10-year Implementation Plan:*

--The Spokane Tribes' 10-year plan to implement the NPCC adopted Upper Columbia and Spokane subbasin plans to address the prioritized biological objectives, measures and limiting factors.

*Aquatic measures*

1. Artificially produce sufficient genetically appropriate native and focal species to fulfill management and harvest needs by continuing to operate and maintain/improve Spokane Tribal, Sherman Creek, and Ford Trout Hatcheries, and the Lake Roosevelt Net-Pens to collectively produce kokanee salmon, rainbow trout, and redband trout for release into Lake Roosevelt and Banks Lake. This will include the cost of 100% marking all hatchery fish released into Lake Roosevelt as identified by the Independent Scientific Review Panel (ISRP). Coordinate decisions on hatchery production, stocking and outplanting locations through a committee consisting of representatives from the Confederated Tribes of the Colville Reservation, the Spokane Tribe of Indians and the Washington Department of fish and Wildlife. Upper Columbia Subbasin Objectives 1A5, 2A2, 2C1; Spokane Subbasin Objectives 2C1, 2C3).
2. As partial mitigation for anadromous fish losses, fund a cooperative project among the Spokane Tribe of Indians, Confederated Colville Tribes and the Washington Department of Fish and Wildlife to monitor and evaluate the Lake Roosevelt biota to assess the effectiveness and impacts of artificial production measures, the effects of exotic introductions, and the impacts of reservoir operations. (Upper Columbia Subbasin Objectives 1A1, 1A5, 2A1, 2A2, 2C1; Spokane Subbasin Objectives 1A1, 1A2, 1B2, 2A1, 2A2, 2C1,).
  - Complete annual assessments of the efficacy of the Lake Roosevelt Artificial Production Program by conducting a year-round reservoir-wide creel survey and completing annual assessments of kokanee returns and redband trout recruitment as identified in the 2008 Lake Roosevelt Fisheries Guiding Document. (Upper Columbia Subbasin Objectives 1A1, 2A2, 2C1; Spokane Subbasin Objectives 1B2, 2A1, 2A2, 2C1)
  - Assess factors limiting fish communities in Lake Roosevelt through evaluation of hydro-operation impacts, non-native fish impacts and restoration/enhancement activities effects on native and hatchery fish. Complete assessments via fisheries surveys using electrofishing, gill netting, trawling and other appropriate methodologies to collect fisheries population, life history, diet and other suitable metrics data. (Upper Columbia Subbasin Objectives 1A1, 1B2, 2A1, 2A2; Spokane Subbasin Objectives: 1A1, 1B2, 2A1, 2A2).
  - Assess factors limiting fish communities in Lake Roosevelt through evaluation of hydro-operation impacts, non-native fish impacts and restoration/enhancement activities on the lower trophic levels in Lake Roosevelt, and ultimately native and hatchery fish. Complete assessments

- via water quality, hydrology and productivity surveys to determine physical, chemical, and biological effects. (Upper Columbia Subbasin Objectives 1A1, 1A2, 1B2; Spokane Subbasin Objectives 1A1, 1B2, 1B7)
- ❑ Conduct mark-recapture studies of the artificial production program to determine release strategies that maximize harvest and adult returns. (Upper Columbia Subbasin Objectives 1A1, 2A2, 2C1; Spokane Subbasin Objectives 1B2, 2A1, 2A2, 2C1).
  - ❑ Monitor and map the availability of fish/riparian habitat and effects of habitat restoration measures in Lake Roosevelt and tributaries at various lake elevations to determine habitat availability at changing lake levels. Address habitat limiting factors by implementing vegetation enhancements, seeding, and natural and artificial structures. (Upper Columbia Subbasin Objectives 1A1, 1A2, 1B2; Spokane Subbasin Objectives 1A1, 1B1, 1B2, 1B7)
  - ❑ Assess genetic distribution of redband trout and other native species in the intermountain province in coordination with fisheries co-managers (Upper Columbia Subbasin Objectives 1C1, 2A1; Spokane Subbasin Objective 1C1, 2A1).
  - ❑ Update the Lake Roosevelt Fisheries Guiding Document. Contents should include management actions and direction, and guide evaluation and research work to ensure projects are an adaptive management tool that will improve understanding of the factors affecting Lake Roosevelt, leading to better management decision-making in the future. (Upper Columbia Subbasin Objectives 1A2, 1A3, 2A1, 2A2, 2C1; Spokane Subbasin Objectives 1B2, 1B7, 1C3, 1C4, 2A2, 2A3, 2C2, 2C3).
3. As partial mitigation for resident fish losses, fund a cooperative project among the Spokane Tribe of Indians, Confederated Colville Tribes and the Washington Department of Fish and Wildlife to complete a baseline assessment of white sturgeon populations and associated habitats in Lake Roosevelt from Grand Coulee Dam to the international border, including the Spokane Arm of Lake Roosevelt. (Upper Columbia Subbasin Objectives 1A1, 1B2, 2A2, 2C1; Spokane Subbasin Objectives 1A1, 1C3, 2A, 2C2)
- ❑ Conduct baseline population assessments to monitor hatchery and wild sturgeon populations (size, abundance of age classes, age/length frequency, recruitment rate, mortality, distribution and migration patterns, life history, habitat use, etc.), environmental factors limiting sturgeon abundance, and effectiveness of recovery measures. (Upper Columbia Subbasin Objectives 1A1, 1B2, 2A2, 2C1; Spokane Subbasin Objectives 1A1, 1C3, 2A1, 2C2)
  - ❑ Implement recovery measures based on knowledge gained through assessments, limiting factors workshops, Upper Columbia White Sturgeon Recovery Initiative Plans and Lake Roosevelt sturgeon recovery plans. (Upper Columbia Subbasin Objectives 1A1, 1B2, 2A2, 2C1; Spokane Subbasin Objectives 1A1, 1C3, 2A1, 2C2)

- Continue interim hatchery production, including 100% PIT-tagging of hatchery sturgeon and 100% PIT-tagging and sonic tagging of broodstock collected in the upper Columbia River. (Upper Columbia Subbasin Objectives 1A1, 1B2, 2A2, 2C1; Spokane Subbasin Objectives 1A1, 1C3, 2A1, 2C2)
4. Sturgeon are disappearing in the first year of life in the upper Columbia River. Limiting factors are under investigation under the Lake Roosevelt Sturgeon Recovery Project, but a sturgeon hatchery is necessary to conserve the remaining population. As partial mitigation for resident fish losses, fund completion of the Northwest Power and Conservation Council's 3-step process and plan development for a dedicated conservation sturgeon hatchery for Lake Roosevelt and the upper Columbia River. Upon successful completion of the 3-step process, complete construction of a conservation white sturgeon hatchery, and begin operation and maintenance phase, including continuation of the marking program and development of a genetic management plan to protect remaining genetic diversity of the population. (Upper Columbia Subbasin Objectives 1A5, 2A1, 2A2, 2C1; Spokane Subbasin Objectives 1C3, 2C2)
  5. Support objectives to assess feasibility for anadromous fish reintroductions above Chief Joseph Dam and Grand Coulee Dam (Upper Columbia Subbasin 1B1, 2A1, 2A2, 2D1, 2D2; Spokane Subbasin Objectives 2D1, 2D2)
  6. In cooperation with the Northwest Power and Conservation Council, Bonneville Power Administration, Bureau of Reclamation, and others, develop hydro-operations at Grand Coulee Dam that will reduce entrainment and drawdown impacts on rainbow trout, redband trout, kokanee salmon and other species of interest in Lake Roosevelt. This measure was identified by the Independent Scientific Review Panel as critical to development of a functional kokanee population in Lake Roosevelt. Also, support implementation of water quality strategies that benefit the upper Columbia River and its tributaries, including alternative reservoir operation scenarios if appropriate. As an interim measure, until interested parties can come to agreement on hydro-operations, operate Grand Coulee Dam as recommended by the Northwest Power and Conservation Council's Mainstem Amendments to the Columbia River Basin Fish and Wildlife Program (2003) and the Draft Biological Opinion (2007). (Upper Columbia Subbasin Objectives 1A1, 1B2; Spokane Subbasin Objectives: 1A1)
  7. As partial mitigation for anadromous fish losses enhance fish populations and restore riparian habitats of streams and lakes on or adjacent to the Spokane Indian Reservation. Conduct riparian habitat restoration and increase channel complexity to address limiting factors in Lake Roosevelt and tributaries. Address habitat limiting factors by implementing vegetation enhancements, seeding, and placement of natural and artificial structures. Initial plans include passage/habitat improvements for adfluvial rainbow trout and kokanee (eg. eliminate 10 migration barriers, reduce embeddedness by 25 percent, increase average canopy

- cover to 60 percent, introduce 100 pieces of large organic debris per mile (short term), manage vegetation to promote large organic debris in the future (long-term) and increase sinuosity to provide habitat diversity). Monitor reservoir and tributaries to assess effectiveness and determine if interim targets are achieved. (Upper Columbia Subbasin Objectives 1A1, 1A2, 1A3, 1B1, 1B2, 1B6; Spokane Subbasin Objectives 1A1, 1B1, 1B2, 1B7, 2A1, 2A3, 2C3)
8. Minimize negative impacts to native species from nonnative species by using appropriate methods to remove nuisance species (gill net, electrofish, fishing regulations, bounties or other appropriate methodologies). All or a combination of methodologies may be implemented while fisheries managers determine the most appropriate method for Lake Roosevelt. Monitor reservoir and tributaries to assess effectiveness and determine if interim targets are achieved. Upper Columbia Subbasin Objectives 1B2, 2C1; Spokane Subbasin Objectives 1A1, 1A2, 1B2, 2A2, 2A3)
  9. Assist with funding coordination amongst entities around Lake Roosevelt and in adjacent systems. Includes at a minimum the Lake Roosevelt Fisheries Evaluation Program (science group), Lake Roosevelt Management Team, the Lake Roosevelt Hatchery Coordination Team, and transboundary water quality groups. (Upper Columbia Subbasin Objectives 1A4, 1B2, 2C1; Spokane Subbasin Objectives 1C3, 1B7, 2C3).
  10. Assess current status of mussel populations in the Spokane Arm and the Columbia River adjacent to the Spokane Indian Reservation. (Upper Columbia Subbasin Objectives 1A1; Spokane Subbasin Objectives 1A1, 1C1, 1C2).

### *Terrestrial measures*

11. Complete mitigation for the construction and inundation losses of wildlife habitat, as defined in the Wildlife Protection, Mitigation and Enhancement Planning for Grand Coulee Dam (Final Report 1986). (Upper Columbia Subbasin Objectives 1A1 through 1A9, 2C2; Spokane Subbasin Objectives 1A1 through 1A9; 2B3).
12. Conduct annual Operation & Maintenance (consistent with the CBFWA Wildlife Operation, Maintenance, and Enhancement Guidelines) activities on lands that are acquired as partial mitigation for the construction and inundation losses for Grand Coulee Dam. (Upper Columbia Subbasin Objectives 1A strategy a, c; Spokane Subbasin Objectives 1A10, 1A11).
13. Conduct annual Wildlife Monitoring & Evaluation activities on lands that are acquired as partial mitigation for the construction and inundation losses for Grand Coulee Dam. (Upper Columbia Subbasin Objectives 1A strategy a, c, and Research, Monitoring & Evaluation Plan; Spokane Subbasin Objectives 1A10, 1A11, Research, Monitoring & Evaluation Plan).

14. Implement as partial mitigation a Sharp-tailed Grouse Restoration Project on the Spokane Indian Reservation. (Upper Columbia Subbasin Objectives 1A8 strategy a, b, c, 2A2; Spokane Subbasin Objectives 1A8 and 2A2).
15. Conduct a terrestrial operation loss assessment for Grand Coulee Dam, develop an operational loss mitigation plan, and implement projects as partial mitigation for the operational losses. (Upper Columbia Subbasin Objectives 1B1 and 1B; Spokane Subbasin Objectives 1B1 through 1B3).

**SPOKANE TRIBE OF INDIANS**

Province (by sub-basin)	Project Detail	Project Type	Past Investment	Prioritized Biological Objectives	Prioritized Limiting Factors	Strategies and Actions/ Measures	Current Actions	
							Identified Metrics	Current Status relative to Objectives (1-10) E=Ecology M=Management K=Knowledge
Intermountain-Upper Columbia, Spokane	Spokane Tribal Hatchery (1991-046-00), Partially mitigates for Grand Coulee Dam - Resident Fish Substitution. Raise salmonids for recreational and subsistence purposes.	Ongoing - ISRP reviewed - was given qualified funding for 2007-09 based on outcomes of addressing ISRP comments/concerns about kokanee production success.	Past Investment = \$2.5 million Capital - 1990.	Maintain, restore and enhance subsistence species to provide for harvestable surplus.  Upper Columbia Subbasin Objectives 1A5, 2A2, 2C1 Spokane Subbasin Objectives 2C1, 2C3	Hydro-operations (dam construction-lost anadromous fish)	Artificially produce sufficient genetically appropriate native and focal species to fulfill management and harvest needs through maintaining/improving existing AP programs including WDFW Sherman Creek Hatchery and LRDA Net Pen Projects.	750K RBT (triploid), 450K KOK Includes cost of 100% marking all hatchery fish as identified by ISRP requirements.	M=5, Hatchery objectives are perpetual
Intermountain-Upper Columbia, Spokane, SanPoi	Lake Roosevelt Fisheries Evaluation Project (1994-043-00). Partial mitigation for Grand Coulee Dam - Resident Fish Substitution. Monitoring and evaluation of artificial production program, hydropower impacts and status of native fish populations..	Ongoing - ISRP reviewed and identified for full funding 2007-09		Evaluate artificial production program effectiveness and impacts.  Upper Columbia Subbasin Objectives 2A1, 2A2, 2C1 Spokane Subbasin Objectives 1B2, 2A1, 2A2, 2C1	Hydro-operations (dam construction-lost anadromous fish)	Continue annual assessment of hatchery fish released into Lake Roosevelt (includes assessment of kokanee salmon, rainbow trout and redband trout programs).	Annual reservoir-wide creel, kokanee returns and redband trout recruitment following experiments outlined in Sept 2008 Lake Roosevelt Fisheries Guiding Document	M=5
				Evaluate hydro-operation impacts on artificial production program and implement strategies to reduce.  Upper Columbia Subbasin Objectives 1A1, 1B2 Spokane Subbasin Objectives 1A1	Hydro-operations (general) - we know hydro-operations negatively impact the Lake Roosevelt fishery through entrainment, drawdown impacts and potentially in other ways. As identified by the ISRP, we are required to develop strategies to address these impacts.	Develop plans to reduce entrainment and drawdown impacts on kokanee salmon, rainbow trout, redband trout and other species. Work with Bonneville Power Administration, Bureau of Reclamation, the Northwest Power and Conservation Council, and others to develop hydro-operations at Grand Coulee Dam that will benefit kokanee in Lake Roosevelt (as identified as a requirement by the Independent Science Review Panel).	Complete plan development with input from NPCC, BPA, USBOR, the Lake Roosevelt managers, and other interested parties.	M=6
				Evaluate hydro-operation impacts on native fish and implement strategies to reduce. This work will heavily overlap with assessments of impacts on the artificial production program (identified above).  Upper Columbia Subbasin Objectives 1A1, 2A2 Spokane Subbasin Objectives 1A1, 2A1, 2A1, 2A2, 2C1	Assess operations impacts on fish to identify limiting factors.	Develop & implement plans to reduce impacts - includes annual fisheries and productivity monitoring to assess operations effects on fish in Lake Roosevelt. Methodologies will be based on plans developed with biostatistician as identified by ISRP.	Develop annual fisheries and productivity monitoring plans.	M=6
				Monitoring of on-the-ground projects implemented to help restore/protect the Lake Roosevelt Fishery (expand stable littoral zones, implement nutrient enrichment, predator reduction, habitat improvements in the Spokane Arm, Hawk Creek, and potentially other locations).  Upper Columbia Subbasin Objectives 1A1, 1A2, 1B2 Spokane Subbasin Objectives 1A1, 1B1, 1B2, 1B7, 2A1, 2A2, 2A3	Hydro-operations (e.g., entrainment, drawdown impacts), oligotrophication, predators, loss of habitat.	Assess effects of seeding project (pilot & potential larger scale)  Assess predator reduction project for effectiveness.  Assess habitat improvements in the Spokane Arm, Hawk Creek and other potential locations.	Incorporate into annual Lake Roosevelt monitoring program. Complete under the guidance of a biostatistician to formulate the most cost efficient program to answer relevant fisheries questions.	K=0 K=0 K=0

				Maintain coordination amongst entities around Lake Roosevelt and adjacent systems. Includes coordination to work with appropriate parties to reduce mainstem Columbia River TDG to < 110%.  Upper Columbia Subbasin Objectives 1A4, 1B2 Spokane Subbasin Objectives 1B7, 2C3	Multi-agency management area and project coordination.	Maintain LRFEP, LR Mgmt Team, & LR Hatchery Coord. Team working groups. Coordinate with Transboundary Gas Group	Coordinate and participate in fisheries managers and other types of meetings as necessary.	M=5
Intermountain - Upper Columbia, Spokane, San Poil	Lake Roosevelt Sturgeon Recovery Project (1995-027-00). Recovery of resident population(s) of white sturgeon in the upper Columbia River.	Ongoing - ISRP reviewed - was given qualified funding for 2007-09 based on outcomes of addressing ISRP comments regarding interim conservation artificial production. ISRP comments will be addressed through the Lake Roosevelt Conservation Sturgeon Hatchery 3-Step Project (2007-372-00).		Determine genetic distribution of native focal species (white sturgeon, etc.), identify limiting factors, and develop strategies to address limiting factors. (i.e., reduce predation on white sturgeon).  Upper Columbia Subbasin Objectives 1A1, 1B2, 2A2, 2C1 Spokane Subbasin Objectives 1A1, 1C3, 2A1, 2C2	Hydro-operations (flow, water quality, habitat)	Monitor upper Columbia River sturgeon for factors limiting recruitment to the population (predation, flow, food availability, turbidity, substrate, etc.)	Assess limiting factors identified through workshops to determine individual and combined impacts. Continue baseline population assessments to monitor population and recovery measures.	K=5
				Develop and implement recovery measures based on knowledge gained through limiting factors workshops, UCWSRI plans, and Lake Roosevelt sturgeon recovery plans.		Implement recovery measures identified through coordinated assessment efforts.	M=3	
				Continue interim hatchery production - track hatchery fish to estimate survival of planted family groups and track broodstock to evaluate impacts and maintain genetics database.		100% PIT-tag hatchery white sturgeon released into the recovery area (up to 4500/yr) and 100% PIT-tag/Sonic-tag adult broodstock released back into the upper Columbia River. Maintain monitoring and telemetry programs to track tagged sturgeon.	M=5	
				Coordination (Develop technical/policy groups).  Upper Columbia Subbasin Objectives 1B2, 2C1 Spokane Subbasin Objectives 1C3, 2C3	Multi-agency management area and project coordination.	Develop technical/ policy groups to coordinate with other researchers and managers on white sturgeon issues in the upper Columbia River recovery area (in U.S. and Canada).	Coordinate/participate in the Upper Columbia White Sturgeon Recovery Initiative meetings, Lake Roosevelt managers meetings, etc.	M=5 Ongoing for life of project due to inter-organizational nature of work.
Intermountain - Upper Columbia, Spokane	Lake Roosevelt Sturgeon Conservation Hatchery - 3-Step (2007-372-00).	Ongoing - ISRP reviewed - qualified funding in 08-09 - future funding based on outcomes in 2008.		Maintain, restore & enhance wild populations of native fish & subsistence species to provide for harvestable surplus.  Upper Columbia Subbasin Objectives 1A5, 2A1, 2A2, 2C1 Spokane Subbasin Objectives 1C3, 2C2	Sturgeon are disappearing in the 1st year of life in the upper Columbia River. Limiting factors are under investigation under project # 1995-027-00. A sturgeon hatchery is needed to prevent the population from disappearing.	Complete the Northwest Power and Conservation Council's 3-Step process and plan development for a dedicated conservation sturgeon hatchery for Lake Roosevelt and the upper Columbia River.	Complete the NPCC 3-Step Process.	K/M=9

Intermountain - Upper Columbia, Spokane	Construction of Lake Roosevelt Sturgeon Conservation Hatchery	New Project - dependent upon outcome of 3-Step Process (Project # 2007-372-00)		Maintain, restore & enhance wild populations of native fish & subsistence species to provide for harvestable surplus.  Upper Columbia Subbasin Objectives 1A5, 2A2, 2C1 Spokane Subbasin Objectives 1C3, 2C2	Sturgeon are disappearing in the 1st year of life in the upper Columbia River. Limiting factors are under investigation under project # 1995-027-00. A sturgeon hatchery is needed to prevent the population from disappearing.	Build Lake Roosevelt White Sturgeon Conservation Hatchery	Complete construction of conservation sturgeon hatchery.	M=0
Intermountain - Upper Columbia, Spokane	Operations and Maintenance of Lake Roosevelt Sturgeon Conservation Hatchery - Includes completion of HGMP.	New Project - dependent upon outcome of 3-Step Process (Project # 2007-372-00)		Maintain, restore & enhance wild populations of native fish & subsistence species to provide for harvestable surplus.  Upper Columbia Subbasin Objectives 1A5, 2A2, 2C1 Spokane Subbasin Objectives 1C3, 2C2	Sturgeon are disappearing in the 1st year of life in the upper Columbia River. Limiting factors are under investigation under project # 1995-027-00. A sturgeon hatchery is needed to prevent the population from disappearing.	Begin Operation & Maintenance phase of conservation sturgeon hatchery, including continuation of marking program to identify hatchery-produced fish and broodstock.	Begin Operation & Maintenance phase of conservation sturgeon hatchery. PIT tag 100% of juvenile sturgeon released. Sonic tag & 100% PIT tag broodstock.	M=0
		HGMP - Lake Roosevelt Sturgeon Conservation Hatchery		Protect genetic integrity of native fish.  Upper Columbia Subbasin Objectives 2A1, 2C1 Spokane Subbasin Objectives 1C3, 2C2	Development of conservation sturgeon hatchery for Lake Roosevelt and the upper Columbia River - minimize &/or prevent negative hatchery fish impacts.	Develop and implement hatchery genetic management plans to maintain genetic diversity of wild stocks in hatchery produced fish.	Complete HGMPs for white sturgeon in the upper Columbia River.	M=2
Intermountain - Upper Columbia, Spokane	PILOT - Seeding and Fertilization in Lake Roosevelt to improve habitat and food resources.	New Project - Pilot project to assess potential of seeding large flats dewatered in the spring. Fertilization of associated coves will also be assessed to determine effects on habitat and food resources within the reservoir.		Expand stable littoral zones in Lake Roosevelt / Begin implementation of habitat strategies for native fish.  Upper Columbia Subbasin Objectives 1A1, 1A2, 1A3, 1B2, 1B6 Spokane Subbasin Objectives 1A1, 1A2, 1B2, 1B7, 2A3	Productivity, Habitat availability, Predation	Use vegetation enhancements/seeding. Monitoring of project effectiveness will be incorporated into monitoring program developed for Lake Roosevelt.	Pilot - Plant grass/millet or other appropriate vegetation over 20-40 1 ha test quadrants.	E/M=0
Intermountain - Upper Columbia, Spokane	LARGE SCALE - Seeding and Fertilization in Lake Roosevelt to improve habitat and food resources.	New Project - implementation dependant upon favorable outcome of pilot project. Pilot will assist with determination of appropriate plants, areas, etc.		Expand stable littoral zones in Lake Roosevelt / Begin implementation of habitat strategies for native fish.  Upper Columbia Subbasin Objectives 1A1, 1A2, 1A3, 1B2, 1B6 Spokane Subbasin Objectives 1A1, 1A2, 1B2, 1B7, 2A3	Productivity, Habitat availability, Predation	Use vegetation enhancements/seeding to improve habitat and productivity for fish in Lake Roosevelt. Monitoring of project effectiveness will be incorporated into monitoring program developed for Lake Roosevelt.	Plant appropriate vegetation 10 ft below full pool to annual lowest level [cover 5% of total acreage available - percentage to be based on pilot study assessments].	E/M=0
Intermountain - Upper Columbia, Spokane, San Poil	Remove non-native predators using established methods.	New Project - implementation of project is based on Independent Scientific Review Panel's recommendation that reduction of predators is necessary to continue the Lake Roosevelt kokanee salmon artificial production program.		Minimize negative impacts (competition, predation, introgression) to native species from nonnative species/stocks.  Upper Columbia Subbasin Objectives 1B2, 2C1 Spokane Subbasin Objectives 1A1, 1A2, 1B2, 2A2, 2A3	Predation	Use appropriate methods to remove nuisance species (co-managers need to assess most appropriate method for Lake Roosevelt - bounty program, commercial netting, electrofish, etc. We will continue to try liberalization of current fishing regulations initially to control populations). Monitoring of project effectiveness will be incorporated into monitoring programs developed for Lake Roosevelt.	Gill net, electrofish, and/or hook and line where large groups congregate (areas currently known) &/or use of a bounty program. All or a combination of methods may be used initially while managers determine most appropriate method for Lake Roosevelt.	M=0

Intermountain - Spokane	Spokane Tribe Fish Habitat Enhancement Project	New - will require ISRP review.		Restore connectivity for salmonid habitats as appropriate - Provide harvest opportunities that support subsistence and sport angler harvest.	Hydro-operations (dam construction-lost anadromous fish) - off-site mitigation.	Enhance streams and lakes on the Spokane Tribe Reservation.	Restore passage from Spokane Arm to tributaries (1-2 streams)	E/M=0
				Upper Columbia Subbasin Objectives 1B1, 2A2 Spokane Subbasin Objectives 1B1, 2A1, 2C3		Monitor and evaluate water quality, productivity, habitat and fish communities.	Complete project monitoring and evaluation	M=0
Intermountain - Spokane	Lake Roosevelt Fish Habitat Enhancement Project	New Project - will require ISRP review.		Begin implementation of habitat strategies for addressing identified limiting factors for all focal species and native fisheries. Limiting factors will be determined through the evaluation programs already in effect on Lake Roosevelt (eg. Lake Roosevelt Fisheries Evaluation Program).	Suitable Habitat Availability	Conduct riparian habitat restoration and increase channel complexity to address known limiting factors.	Increase littoral habitat complexity using natural and artificial structures where feasible.	M=0
Intermountain- Upper Columbia, Spokane, SanPoil	Feasibility Study - Reintroduction of Anadromous Salmon above Grand Coulee Dam	New Project - will require ISRP review.		Evaluate feasibility of anadromous fish reintroductions above Grand Coulee Dam.	Dam construction blocked anadromous fish passage.	Expand Chinook & steelhead range & habitat wherever possible	Conduct study to assess feasibility of passage at Grand Coulee Dam.	K/M=0
Intermountain- Upper Columbia, Spokane	Mussel Assessment - Spokane Arm of Lake Roosevelt & Columbia River Adjacent to the Spokane Indian Reservation.	New Project - will require ISRP review.		Continue to evaluate hydropower impacts to native and focal species.	Habitat degradation (drawdown effects), water quality impacts and loss of salmonid host (loss of anadromous fish)	Assess current status of mussel population in the Spokane Arm and the Columbia River adjacent to the Spokane Indian Reservation.	Complete assessment via SCUBA &/or snorkel surveys, sediment sampling and other appropriate methods.	K=0
Intermountain- Spokane & Upper Columbia	Spokane Tribe of Indians Wildlife Mitigation Project - 1998-003-00 WILDLIFE PROJECT (Grand Coulee Dam construction and inundation impacts)	Ongoing - ISRP reviewed; request 5 year ISRP review to access monitoring results and management direction to date	\$1.36 M - expense	Spokane Subbasin Objective 1A1- 1A6, 1A8-1A10.  Upper Columbia Subbasin Objective 1A1-1A6, 1A8-1A9.	No maintenance or enhancement of habitat would result in decreasing HU's on mitigation lands.	Maintain and Enhance wildlife values, HUs, for the life of the project on existing & newly acquired mitigation lands through adequate long-term Operations and Maintenance funding.	Maintain and/or increase HUs annually on acquired lands through O&M activities.	E/M-4

Intermountain-Spokane & Upper Columbia	Spokane Tribe of Indians Wildlife Mitigation Project - (formerly Blue Creek Winter Range) 1991-062-00 Complete land acquisitions to meet the identified HEP losses related to Grand Coulee Dam construction & inundation losses. (Project may not be needed depending on the results of HEP Analysis of the FY2007 land acquisitions).	Ongoing - ISRP review 2006; Review to determine current status of available HU credits.	\$10.77 million - capital \$272K - expense	Spokane Subbasin Objective 1A1-1A6, 1A8-1A9.  Spokane Subbasin Objective 1A1-1A6, 1A8-1A9.	Acquire the necessary habitat to meet the HU requirements for mitigation of the Grand Coulee Dam Construction & Inundation Wildlife Losses as identified in Appendix C, Table 11-4 of the CRB 2000 Fish & Wildlife Program.	Acquire through fee title acquisition the necessary acres of habitat to meet the remaining HUs needed for complete mitigation.	Remaining HUs needed for mitigation.	E/M-9
Intermountain - Spokane & Upper Columbia	UCUT Wildlife Monitoring & Evaluation Project (UWMEP) - Project will conduct Wildlife M&E efforts for the 5 UCUT Tribes on a regional scale for consistency and adequate effort.	ISRP reviewed individual Project M&E planning in 2006; Project will be a regional Wildlife M&E effort not previously conduct in the Columbia River Basin.		Spokane Objective 1A11: Evaluate effectiveness of mitigation by monitoring & evaluating species and habitat responses to mitigation actions.  Upper Columbia Objective 1A: Strategy C: Evaluate effectiveness of mitigation by monitoring and evaluating species and habitat responses to mitigation actions.	Unknown status of the species response to activities been conducted on mitigation sites.	UCUT Wildlife Monitoring	M&E	E/M-3
Intermountain - Spokane & Upper Columbia	Spokane Tribe of Indians: Grand Coulee Dam Operational & Secondary Wildlife Loss Assessment Project; Loss Assessment will cover 7 miles of the Columbia River and 23 miles of the Spokane River that defines the the west and south boundaries of the Spokane Indian Reservation, respectively.	New Project - needs to go through solicitation and ISRP review		Spokane Objective 1B1: Assess and mitigate the operational effects of the Grand Coulee Project.  Upper Columbia Objective 1B1: Quantitatively assess operational impacts of the Grand Coulee Project on terrestrial resources by year 2008.	Unknown status of impact	Complete and implement study design	Measured Loss Assessment (undetermined crediting format).	K-0
				Spokane Objective 1B2-3: Develop mitigation plan for operational effects by year 2010; Implement initial mitigation plan by 2015, incorporating an ongoing revision and review cycle and adequate O&M funding.  Upper Columbia Objective 1B2: Develop mitigation plan by year 2010 and implement initial mitigation by year 2015.	To be determined by assessment.	To be determined.	Metrics yet to be determined.	

## **FUTURE PROJECT SOLICITATIONS/REVIEWS AND ISRP SCIENCE REVIEWS**

We recommend that the Council alter the ISRP review of Program related projects so that future solicitations target only new actions and/or research. We also recommend a modified scientific review structure for ongoing projects with longstanding support and investment. For example hatchery operations and maintenance projects will be reviewed using monitoring and evaluation reporting and ISRP interaction to assure that implementation is on the adaptive management path. Science review would occur within timelines logically associated with hatchery operations (every 4 to 6 years) and will either confirm existing directions or offer new alternatives based upon the information and data collected and presented via project/program monitoring and evaluation. Other examples include that of wildlife operations and maintenance and long term habitat restoration and enhancement projects. Wildlife O&M reviews would be similar to the hatchery example and would occur on a timeline of 4 to 5 years. Long-term habitat enhancement and restoration projects would be reviewable on 5 to 7 year intervals.

## **UPPER COLUMBIA ECOREGIONAL MONITORING AND EVALUATION**

*Include in the Program the following Upper Columbia Ecoregional Monitoring and Evaluation language:*

--The Upper Columbia Ecoregion requires a robust, well funded monitoring and evaluation and data management programs to ensure that long-term anadromous, resident fish and wildlife projects are achieving the established biological benchmarks over time. The UCUT strategy relies on 1) adequate funding for long-term monitoring and evaluation elements; 2) proper linkages to data sharing and data management; and 3) investments in appropriate infrastructure.

### 1. Adequate funding for long-term based monitoring and evaluation elements-

Funding should be available to provide the core programs and projects with the resources necessary to adaptively manage resources toward the achievement of biological outcomes. Consistent with funding allocation priorities and principles, project level monitoring and evaluation funding should be reasonably funded and not capped. It should be based on the needs of long-term biologically-based outcomes.

### 2. Proper linkages to data sharing and data management must be established-

Data sharing and data management has been elevated as an important topic to improve decision making relative to fish and wildlife within the Columbia River Basin. Several efforts have been initiated over the years focusing on consolidating data from the tribal, federal and state agencies. However, data assimilation from the Upper Columbia Ecoregion has not been prioritized.

### 3. Investing in appropriate infrastructure-

The Upper Columbia managers do not have robust fish and wildlife information and technology (IT) support and most biologists are not well trained in database administration, function, or operations. Therefore, to bridge this gap will require investing in improvements to the tribal technological infrastructure by providing knowledgeable staff. This infrastructure will enable communication within both the ecoregional and regional (Columbia River Basin) data management infrastructure.--

*Include in the Program the following UCUT Wildlife Monitoring and Evaluation language:*

--The NPCC will investigate the implementation of the UCUT Wildlife Monitoring and Evaluation Project (UWMEP) to a regionalized basin-wide approach for wildlife monitoring and evaluation. BPA will fund the UWMEP to provide habitat based monitoring using select population and guild data to support habitat functionality comparisons to a reference or desired future condition. This project has been reviewed by the ISRP and found to be acceptable as a regionalized approach to wildlife monitoring and evaluation.--

#### ***BEF Model Watershed Strategy for Monitoring***

We recommend that the Council endorse and explore opportunities to establish a long-term funding and restoration approach that is consistent with the Bonneville Environmental Foundation's (BEF) Model Watershed Program. Through BEF's Model Watershed Program, funding is provided and committed over a ten-year period to ensure that 1) scheduled monitoring and evaluation activities occur, 2) progress towards reaching stated restoration objectives is evaluated and reported, and 3) restoration strategies are adapted and adjusted according to measured results.

*Include in the Program the following ten-year monitoring and evaluation strategy consistent with the BEF Program:*

--Test and establish several ten-year pilot projects in the Columbia River Basin. Provide for a long-term funding commitment that is linked to the strategies as identified below.

Under this Model Watershed Program, tribal and non-tribal Fish and Wildlife programs develop an integrated ten-year restoration and monitoring strategy that:

- Sets specific and measurable ecological restoration objectives at the outset;
- Establishes a comprehensive monitoring program upfront that identifies parameters and metrics necessary to track progress towards meeting stated ecological objectives;
- Identifies a ten-year series of coordinated actions necessary to restore fish and wildlife habitat and natural ecosystem processes;
- Establishes a timetable to ensure that results are systematically evaluated and restoration strategies are adjusted and improved according to measured results;

- Integrates regular review from an independent team of Ph.D. level watershed and fisheries scientists.

BPA commits to provide funding and support over a ten-year period so long as Model Watershed partners:

- Measure and annually report on the cumulative ecological outcomes or trends in the project watershed;
- Regularly compare measured results to stated benchmarks and objectives and assess the capacity for current restoration strategies to achieve desired outcomes;
- Establish and use information feedback loops that allow ongoing restoration strategies to be adjusted and improved;
- Use monitoring results to demonstrate accountability for investments of time and money.--

## **IN-LIEU POLICY**

The Northwest Power Act requires Bonneville Power Administration (BPA) to use the Bonneville Fund to protect, mitigate and enhance fish and wildlife to the extent adversely affected by hydroelectric development, consistent with the Council’s program. But the Act prevents BPA from making expenditures that merely substitute ratepayer funding for other sources. Specifically, section 4(h)(10)(A) requires that – “Expenditures of the Administrator pursuant to this paragraph shall be in addition to, not in lieu of, other expenditures authorized or required from other entities under other agreements or provisions of law.”

*Include in the Program the following in-lieu implementation language:*

Federal Columbia River Hydropower System “Blocked Area” mitigation for lost anadromous fisheries is the policy of resident fish substitution. This policy allows BPA to make expenditures consistent with the Northwest Power Act and the Council’s program as “out of place” and “out of kind.” As defined, resident fish substitution mitigation is the sole responsibility of BPA to fund.

*Include in the Program the following in-lieu language:*

-- BPA in-lieu funding prohibitions apply only when funding is **actually available**, or is required of an entity as a non-discretionary expenditure. The following five examples identify where the in-lieu policy strictly applies.

- 1) An entity is required to make expenditures. Mandatory funding requirements could arise under a license condition for a non-federal hydroelectric project through FERC, an enforcement order under the Clean Water Act, or as a legislative mandate.
- 2) Specific resources are included in appropriations bills.
- 3) A non-specific appropriation is provided, but a specific project is described in a congressional committee report or other legislative language.

- 4) An agency's budget justification identifies a specific measure to be funded.
- 5) Where legislative history and an agency's budget request are silent, but where an appropriation has been justified to support a project or program for which BPA otherwise would provide funding.--

## **WILDLIFE OPERATIONS AND MAINTENANCE FUNDING**

*Include in the Program the following wildlife operations and maintenance language:*

--The Northwest Power and Conservation Council (NPCC) shall support & the Bonneville Power Administration (BPA) shall provide adequate and long-term funding of Wildlife Mitigation Operation and Maintenance Projects (Wildlife O&M) associated with the federal hydropower facilities throughout the Columbia River Basin. Adequate and long-term funding of Wildlife O&M was a focus of past Fish & Wildlife Programs, as well as being key components of the UCUT member Tribes' current Wildlife Mitigation Memorandum of Agreements. The following funding principles shall apply:

- 1) Provide "*adequate funding*" to maintain, protect, and/or enhance habitat units (HU's) that have been acquired and/or shall be acquired to mitigate wildlife habitat losses. "*Adequate funding*" shall further be identified as the necessary monetary requirement to complete all approved actions identified by the Tribes at a reasonable rate of implementation. Project sponsors shall use the "*1998 CBFWA Wildlife Managers: Guidelines for Enhancement, Operation, and Maintenance Activities for Wildlife Mitigation Projects*", the "*2007-4 IEAB Task 116: Investigation of Wildlife O&M Costs*", and past project expenditures to assist with determining the appropriate actions & funding levels;
- 2) Provide flexibility to use unspent funding in subsequent years. Project sponsors shall be able to work directly with BPA staff to determine how unspent funding can be used within the project; examples are rescheduling of work or additional activities that result from unforeseen circumstances such as weather events or fire. This flexibility shall provide Project Managers with benefits to conduct costs measure savings that can go back into the project; and
- 3) Provide funding consistent with approved (between sponsor and BPA) site specific management plans.--

## **MAINSTEM FLOW AND SPILL REQUIREMENTS FOR STORAGE RESERVOIRS IDENTIFIED IN THE IMPLEMENTATION OF THE BiOp**

For actions implemented by the FCRPS to meet flow and spill requirements identified in the draft Biological Opinion and final Biological Opinion on the FCRPS, the UCUT member tribes strongly recommend that the Program include measures to offset or mitigate for impacts related to these dam operations. The areas that should be included for consideration are impacts to fish, wildlife, water quality, and cultural resources.