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January 13, 2010

Mr. William C. Maslen
Manager, Fish and Wildlife Division
Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208

Dear Mr. Maslen:

The purpose of this letter is to advise you of the Council's decision on a Columbia River Fish Accord proposal. This recommendation was made by the Council at its meeting on January 12, 2010.

In addition, a purpose of this letter is to inform the project sponsor and other interested parties of the status of this Council action. The following is a summary of the action taken by the Council at the meeting in January.

Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon, Project #2007-007-00

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

On November 4, 2008, the Council received from Bonneville a Columbia Basin Fish Accord proposal from the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), #2007-007-00, *Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon*. The proposal was submitted to the ISRP for review, and on December 12, 2008 the ISRP provided a review (ISRP document 2008-15). The ISRP members requested additional information before they could determine if the proposal met scientific criteria.

On October 20, 2009 the Council received a response from Bonneville, and on November 20, 2009 the Council received the final review from the ISRP (ISRP document 2009-45). The ISRP found that the proposal “Meets Scientific Review Criteria (Qualified).” No public comment was received on the ISRP review.

The goal of the project is to establish, conserve and/or maintain harvestable populations for the Hood River and Fifteenmile Creek subbasins. Information obtained from this project will be used to develop Pacific lamprey management plans for Fifteenmile and Hood River subbasins and guide restoration activities. Project objectives include the following.

1. Estimate adult Pacific lamprey escapement in Fifteenmile Creek;
2. Evaluate the feasibility of estimating Pacific lamprey spawner escapement to Hood River;
3. Characterize adult Pacific lamprey use of Fifteenmile Creek;
4. Describe Pacific lamprey spawning distribution in Fifteenmile Creek and Hood River Subbasins;
5. Describe redd characteristics and habitat within stream reaches in Fifteenmile and Hood River Subbasins;
6. Determine larval lamprey distribution and associated habitat in Fifteenmile Cr. and Hood River Subbasins;
7. Determine out-migration timing and relative abundance of larval lamprey in Fifteenmile and Hood River subbasins; and
8. Identify factors limiting Pacific lamprey production within Fifteenmile and Hood River subbasins

The ISRP found the proposal met scientific review criteria for studying Pacific lamprey in the two subbasins. The two qualifications raised by the ISRP are intended to inform the CTWSRO of possible issues that would strengthen the project as part of implementation. The first issue raised is a suggestion to incorporate, into the projects scope, a study on contaminants due to the vulnerability of lamprey during their extended juvenile stage in freshwater. The second item raised addressed the need to consider a different sampling design for sampling juvenile lamprey. Both these qualifications, as stated by the ISRP, can be addressed without additional ISRP review.

A key objective of the *Tribal Pacific Lamprey Restoration Plan for the Columbia River Basin*¹ that was developed by CRITFC and its member tribes is to not only get a better understanding of the health impact for the ingestion of lamprey, but to also determine if toxic contaminants are a limiting factor to lamprey populations in the Columbia River Basin.

¹ CRITFC, 2009. Tribal Pacific Lamprey Restoration Plan for the Columbia River Basin. Available at critfc.org.

The restoration plan was recently reviewed by the ISAB², and will also be a key aspect of the Columbia River Inter-Tribal Fish Commission (CRITFC) Project #2008-524-00, *Pacific Lamprey Passage Design*. On August 12, 2009 the Council supported only the ongoing actions associated with the finalization of the lamprey restoration plan and that any additional actions depend on CRITFC addressing the ISRP concerns and future reviews by the ISRP and Council.

Though a study on contaminants is outside the current scope of the CTWSRO's accord proposal #2007-007-00, *Determine Status and Limiting Factors of Pacific Lamprey in Fifteenmile Creek and Hood River subbasins, Oregon* the Council and Bonneville should encourage collaboration with other efforts in the basin to ensure efficiencies and effectiveness in the lamprey restoration efforts in the Columbia River Basin. It is also the understanding that if contaminant sampling occurs within the ceded and U&A lands of the CTWSRO it will be coordinated with their ongoing projects associated with lamprey.³

Based on the ISRP review the Council supports the project for implementation.

Sincerely,

Tony Grover
Director, Fish and Wildlife Division

cc: Jamae Hilliard Creecy, BPA
Peter Lofy, BPA
Christine Read, BPA
Paul Krueger, BPA
Greg Dondlinger, BPA

² The ISAB completed their review on December 22, 2009 (ISAB document 2009-3) - *In view of the freshwater life history of lamprey, and increasing concerns about the modern chemicals being discharged into the Columbia River Basin, the ISAB wishes to emphasize the potential implications of contaminants in lamprey both for lamprey restoration and human health. Contaminant studies must remain within the scope of this Plan, perhaps even figuring prominently, as these fish are subjected to considerable exposure. Lampreys have high lipid content which makes them particularly susceptible to contaminant uptake.*

³ Currently the CTWSRO have two ongoing projects: Project 2002-016-00, *Evaluate the Status of Pacific Lamprey in the Lower Deschutes River*; and #2008-308-00, *Willamette Falls Lamprey Escapement Estimate*.

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