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August 19, 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 August 18, 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 August.

Deschutes Basin Sockeye, Project #2008-307-00

In 2008-2009, the Bonneville Power Administration, the U.S. Army Corps of Engineers, and the U.S. Bureau of Reclamation (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). These agreements with these Tribes and CRITFC are 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 (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 implementation recommendations based on full consideration of the ISRP's report and the Council's Program.

On November 4, 2008, the Council received from Bonneville an Accord proposal from the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), #2008-307-00, *Deschutes Basin Sockeye*.

On December 12, 2008 the ISRP provided its preliminary review (ISRP document 2008-15). The ISRP found that the proposal needed additional detail and provided a recommendation of “Response Requested - Does Not Meet Criteria.”

On May 12, 2010 the Council received from Bonneville a response to the issues raised by the ISRP, and on June 14, 2010 the Council received the final review from the ISRP (ISRP document 2010-19). The ISRP found that the proposal “Meets Science Review (In-Part, Qualified).” No public comment was been received on the ISRP reviews.

The goal of this collaborative program is to develop and re-establish a self-sustaining harvestable anadromous sockeye salmon (*Oncorhynchus nerka*) run above the Pelton Round Butte Hydroelectric Project (PRB Project).¹ The objectives of this project are designed to address critical uncertainties in the Deschutes River basin associated with the Lake Billy Chinook and Suttle Lake *O. nerka* ecology and life-history as follows.

- Objective 1. Determine the genetic structure of *O. nerka* in the Deschutes and Metolius river basins.
- Objective 2. Determine outmigration timing and abundance of *O. nerka* from Suttle Lake.
- Objective 3. Determine movement of *O. nerka* from Suttle Lake to SWW
- Objective 4. Compare SAR rates between Suttle Lake and Lake Billy Chinook
- Objective 5. Determine *O. nerka* population size and distribution in LBC
- Objective 6. Determine spawner escapement of *O. nerka* in the Metolius River for the LBC group.
- Objective 7. Develop quarterly and annual reports.²
- Objective 8. Facilitate the development of a sockeye reintroduction plan³

The ISRP found the proposal much improved over the original version reviewed in late 2008. The panel found that two of the objectives meet review criteria (Objectives 1 and 5) and additional detail is needed for Objectives 2, 3, 4 and 6. The ISRP qualified its recommendation

¹ The PRB Project is owned and operated by Portland General Electric Company (PGE) and the CTWSRO. In 2005, the Federal Energy Regulatory Commission (FERC) granted PGE and CTWSRO a new 50-year operating license. In 2004, a Settlement Agreement concerning the relicensing included provisions for a Fish Passage Plan to: 1) establish self-sustaining harvestable anadromous fish runs of Chinook, steelhead and sockeye above the PRB Project; and 2) provide for safe, timely and effective upstream and downstream fish passage of adult and juvenile life stages of several fish species including sockeye. The achievement of the goal is a shared responsibility among the CTWSRO, PGE and the Oregon Department of Fish and Wildlife (ODFW) because CTWSRO and PGE are co-licensees and CTWSRO has co-management authority with ODFW regarding fish and wildlife in the Deschutes River Basin. Within the Deschutes Subbasin, CTWSRO, PGE and ODFW conduct *O. nerka* investigations both cooperatively with and independently of one another in the basin and this project like others has been developed to accommodate and support information and data sharing.

² The Council agrees with the ISRP that this objective should be treated as an administrative task and addressed in contracting.

³ The development of a sockeye reintroduction plan is being paid for by PGE and facilitated by CTWSRO and ODFW.

regarding Objective 8, develop a sockeye reintroduction plan, with the condition that if the reintroduction involves artificial production funded through the Fish and Wildlife Program a proposal to develop a Master Plan under the Council's Three-Step process would be needed.

The additional detail requested for Objectives 2, 3, 4 and 6 addresses the adequacy of the sample size required to satisfy the precision of the estimates outlined in the specific objectives. The ISRP suggested that a statistician would be able to provide this analysis. The Council staff agrees with the ISRP and suggests that this analysis could be conducted through Project #1991-051-00, *M&E Statistical Support For Life-Cycle Studies* and work with Dr. John Skalski of the University of Washington to complete the analysis for ISRP review.

Based on the ISRP review, the Council supports the project for implementation, subject to return by the ISRP of a favorable analysis of the sample size, as called for in ISRP document 2010-19, prior to initiating the activities associated with Objectives 2, 3, 4 and 6. In addition, if the reintroduction plan (Objective 8) involves artificial production funded under the Fish and Wildlife Program further ISRP review will be required.

Sincerely,

Tony Grover
Director, Fish and Wildlife Division

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