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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.

Status and Trend Annual Reporting, Project #2009-002-00

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 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.

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 the ISRP review the Council supports the project for implementation.

Sincerely,

Tony Grover
Director, Fish and Wildlife Division

cc: Jamae Hilliard Creecy, BPA
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