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August 5, 2010

MEMORANDUM

TO: Council Members

FROM: Peter Paquet, Manager Wildlife & Resident Fish
Jim Rapp, WCF Facilitator

SUBJECT: Update on Wildlife Crediting Forum

BACKGROUND:

The Council chartered the Wildlife Crediting Forum to develop a solution for the mitigation obligation stemming from the construction and inundation impacts of the Federal Columbia River Power System (FCRPS). The Forum consists primarily of wildlife program managers from the tribes and state fish and wildlife agencies impacted by Columbia River Hydrosystem. The U.S. Fish and Wildlife Service, Utility Customers and Bonneville are also members.

The original mandate to the Forum was to make recommendations regarding the NPCC Wildlife Crediting Program with respect to:

1. Developing a commonly accepted "ledger" of habitat units acquired by BPA
2. Developing a common database for tracking, assigning and recording habitat units
3. Resolving issues about accounting for habitat units
4. Other issues related to wildlife crediting, including the use of HEP or alternative evaluation procedures

DISCUSSION

The Forum has met almost monthly since January, 2010 (except April and August) to review and develop recommendations for coming to agreement(s) on the scope and balance of these mitigation obligations. The Forum has also convened three subcommittees to date to discuss specific issues (credits for fish projects, public lands, and general ledger issues). The WCF has reviewed the existing Bonneville funded mitigation projects and has updated the ledger of

Habitat Unit credits resulting from these actions. This has resulted in a new ledger and map with more detail than has previously been available.¹

At the May Forum meeting, members began to discuss the possibility of reaching one or more “agreements” as the means of resolving issues with the Wildlife Crediting Program, rather than approach resolution through the 4 work items (see above) listed in the original scope. The Forum began to conclude that the many technical and recordkeeping issues with the ledger, overlaid with unresolved policy issues, made resolution using the path contemplated by the original scope extremely difficult at best.²

The Forum met in June and July to continue this discussion. A status report was also provided to NPCC in July. As of writing, Forum members appear to have committed to the “agreement” solution. The Forum has directed that a report be prepared to help them consider elements of the final analyses of Wildlife Crediting program records, and arrive at concrete recommendations for what is termed an agreement “roadmap”. Additional meetings have been scheduled for September and October for this purpose.

Two broad categories of issues have been identified by the Wildlife Crediting Forum:

1. Elements that describe how crediting “ledger” issues will be resolved. These include technical and policy issues related to calculating credits and evaluating habitat projects, and details about project implementation.
2. Elements that detail the types of agreements possible and how agreements will be crafted. This category includes definition of the parties to the agreements, the number of agreements, and the term of the agreements.

¹ These documents can be found at the Council’s WCF website (www.nwcouncil.org/fw/wcf) under the June 2110 heading.

² *Note: the possibility of shifting to a “settlement agreement” option is briefly referenced as an acceptable alternative in the original Forum charter: “.... or strategies that will allow parties to achieve long-term settlement agreements.”*