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Henry Lorenzen
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Pat Smith
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Tom Karier
Washington

Phil Rockefeller
Washington

February 5, 2013

DECISION MEMORANDUM

TO: Council Members

FROM: Peter Paquet, Manager Wildlife & Resident Fish

SUBJECT: Decision on Habitat Evaluation Procedures (HEP) Process

INTRODUCTION

BPA entered into Memorandum of Agreements (MOAs) with state, federal, and tribal wildlife management entities, with jurisdiction throughout the Columbia Basin Region, to protect and/or enhance habitat as mitigation/compensation for losses due to the construction of hydro facilities and subsequent inundation when the dams were put into operation. Habitat Evaluation Procedures (HEP) are used to evaluate and document habitat losses and habitat gains. Habitat units (HUs), the output of HEP analysis, are the form of currency used to document both the losses from hydro projects (dams) and the gains from habitat protection/enhancement measures (mitigation projects). BPA applies the HUs it earns against the HUs lost as reflected in habitat loss assessments wildlife managers developed to estimate and document the impact of the construction of FCRPS dams throughout the Columbia Basin Region.

The Regional HEP Team (RHT) is an evaluation team that conducts HEP evaluations. The RHT provides consistent application of HEP models and unbiased survey results (HU credits). In addition, RHT staff identifies and rectifies (when possible) inconsistencies in past HEP evaluation results. The contract to manage the HEP team is currently managed by CBFWA. The HEP team, led by Paul Ashley has been conducting HEP surveys around the basin since 2000. HEP surveys were conducted prior to 2000, but were not conducted under a standardized methodology. The data for the HEP surveys resides with the individual managers and on disks with Paul Ashley. According to most wildlife managers, the vegetation data collected in the surveys are important to preserve and to preserve it in one central repository. Paul retires in less than two years and he has trained others on the team to conduct surveys into the future, however, a succession plan is needed.

At the November, 2012 monthly meeting the Council made several decisions regarding processes and activities that were reviewed through the Council's Program Evaluation and

Recommendation Committee. At that time the Council directed the staff to take the following actions with regard to the Habitat Evaluation Procedures Process:

1) Reconvene the Wildlife Crediting Forum (WCF) to address needs and future plans for HEP; specifically to make recommendations to the Council on:

- As a first priority, the need to access information such as GIS maps or tools from NHI in the future.
- The need, if any, for future HEP surveys
 - Describe the need for HEP surveys to support active management decision making
 - frequency and duration of that work
 - recommended succession plan as the current HEP team leader transitions to retirement
- The need to archive the existing vegetation transect data into a central repository.

2) The WCF should convene as needed to develop recommendations and suggested outcomes for review by the Fish & Wildlife Committee by January 1st 2013, or sooner, on needs identified above.

Following the November meeting three meetings were held on November 14, 28 and December 19. Invitees included regional fish and wildlife managers, Bonneville and customer group representatives. The attached document (see below) is the result of those meetings and represents the position of the majority those who actively participated in the discussions. Following its January 2013 meeting, the Council directed the staff to seek public comment on the aforementioned document. Comments were received from the Kalispel Tribe of Idaho and the Spokane Tribe (see attachments).

RECOMMENDATION

Staff recommends that the Council the Council should accept and endorse the attached recommendations from Wildlife Crediting Forum/Wildlife Focus Workgroup. While recent comments have indicated some concern over process issues, staff believes that the creation of a Council led Wildlife Advisory Committee should provide a forum where these issues can be addressed and resolved. Any decisions by the Advisory Committee would be subject to Council approval.

ATTACHMENT 1

Wildlife Focus Workgroup/ Council Wildlife Crediting Forum recommendations for the Regional Habitat Evaluation Procedures (HEP) Team

Council staff, in discussions with the regional resource managers and BPA, developed the following recommendations regarding the future of the Regional HEP Team understanding that Paul Ashley and John Andrews, the two permanent HEP Team staff and leads, will retire by December 2014.

While the region has Ashley and Andrews available, the WFW/WCF wants to employ them in tasks that their successors would likely not be as capable of performing. In particular, the WFW/WCF would like them to concentrate on the HEP related tasks that may inform future policy discussions highlighted in the Council's Wildlife Crediting Forum Report on Forum Deliberations (2011).

Wildlife Advisory Committee

The WFW/WCF recommends that the Council reconvene the Wildlife Advisory Committee (WAC) to facilitate discussions between resource managers, BPA, the Council, and other interested parties to plan the future for Regional HEP Team needs. The outcome of such discussions could be a joint recommendation to the Council in the forthcoming program amendment process. This forum is the appropriate group to make recommendations and guide the Regional HEP Team into the future where work on operational losses will create a need for employment of new methods and technologies supported by the managers, BPA, and the ISRP. Due to the forthcoming Fish and Wildlife Program amendment process that will begin in April 2013, the WFW/WAC makes specific suggestions for the first two years, with out-year suggestions guided by the following general principles.

- The need for additional HEP reports should drive future HEP Team funding.
 - The need for HEP on new acquisitions will diminish as BPA completes C&I mitigation.
- Currently, BPA and the regional resource managers need some follow up HEP capacity to track project agreement compliance on many properties. That need may be influenced by two things.
 - First, long term settlements for operation and maintenance.
 - Second, technology advances may allow the region to more cost effectively track changes in habitat conditions using remote sensing or other techniques.
- The WFW/WAC does not expect the region to employ HEP to assess operational losses on fish or wildlife since the ISRP does not currently support expanded use of HEP, other pilot projects are already underway to explore how best to fulfill that specific need.
 - Depending upon results from ongoing pilot projects and the Council's recommendations, it may be appropriate to task the Team to perform the technical testing and evaluation of operational loss models and methodologies, or other alternative habitat evaluation methods.

Regional HEP Team

- FY 2013: Maintain current RHT staffing and structure by keeping the current contract in place.

- Employ Wildlife Crediting Forum standard operating procedures that address variation and species stacking
 - Complete HEP reports for projects where data has been gathered already
 - Conduct baseline surveys and complete HEP reports for new 2012-2013 acquisitions
 - Complete Wildlife Crediting Forum Tier 1 fish habitat project HEP reports
 - Conduct follow-up HEPs on established projects with contested past HEP results
 - Aid BPA as needed in updating ledger with new information from new reports
 - Provide technical support for sub-regional wildlife settlement negotiations. Not all areas can be addressed in FY 2013.
 - Lower four Columbia River dams
 - Southern Idaho
 - Northern Idaho
 - Lower Snake
 - Develop and propose a plan for securely storing historic HEP reports, matrixes, models, and data for as many projects as feasible
 - Develop succession/transition plan for change in RHT leadership
 - Hire potential HEP Team leader replacement in spring of 2013 to allow two field seasons of training.
- FY 2014: Maintain current RHT staffing and structure with new staff transitioning into leadership roles
 - Complete HEP reports for projects where data has been gathered already
 - Conduct baseline surveys and complete HEP reports for new 2013-2014 acquisitions
 - Complete WAC Tier 2 fish habitat project HEP reports based on list of projects prioritized by the WAC
 - Conduct follow-up HEPs on established projects with contested past HEP results
 - Aid BPA in updating ledger with new information from new reports
 - Continue providing technical support for wildlife settlement negotiations.
 - Implement the plan for securely storing historic HEP reports, matrixes, models, and data for as many projects as feasible
 - Complete succession training for new RHT leadership
- 2015 and beyond: Team constitution and duties commensurate with regional need for ongoing HEP surveys or other habitat analyses as assessed through the forthcoming program amendment process. Settlements may likely eliminate the need to rely on HEP extensively and new technology may enable compliance monitoring with a reduced need for on-the-ground follow-up surveys.

ATTACHMENT 2

Good afternoon Peter,

After receiving your request to review the “Recommendations for Regional Habitat Evaluation Procedures (HEP) team” document on the Wildlife Crediting Forum page of the Northwest Power and Conservation Council’s website, I have the following statements/ comments:

1. Although the Colville Tribes are not a member of CBFWA and do not have supervisory direction over the CBFWA Regional HEP Team, I support the recommended timelines.
2. Although Paul Ashley is very well educated and experienced in HEP, his potential successor(s) should have prior background knowledge and directed experience leading to their capacity to perform assigned tasks.
3. The Regional HEP Team may not be appropriate and/or supported as the lead on future operational loss assessments for the Colville Tribes.
4. I’m a little puzzled as to how the Wildlife Crediting Forum made these “recommendations” without reconvening the WCF. It appears that CBFWA may have made the recommendations and then the WCF “label” was added without seeking input from all of the WCF Managers.

Although the Colville Tribes were not part of the discussions during the development of this document, we definitely support reconvening an all-encompassing group of wildlife experts in the Columbia Basin under the direct authority of the NPCC to discuss such issues. A stable, “non-partisan” wildlife group would greatly assist the Basin in maintaining collaboration and consistency while supporting the full mitigation of wildlife losses due to the Columbia River Hydropower System.

These are my comments on the Proposed recommendations for the Regional HEP Team. If you would like official comments by the Colville Tribes, please inform me of such request, at which time I will run this through our process for comment. Due to the time constraint of your requested comments, this was not an option to meet today’s deadline.

Richard Whitney
Wildlife Biologist

Colville Confederated Tribes
Fish and Wildlife Department
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ATTACHMENT 3



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28 January 2013

Peter Paquet
Northwest Power and Conservation Council
851 S.W. Sixth Avenue, Suite 1100
Portland, Oregon 97204

RE: Recommendations for Regional Habitat Evaluation Procedures (HEP) Team (RHT)

Dear Peter,

The Kalispel Tribe offers the following comments on the draft staff recommendation for the RHT.

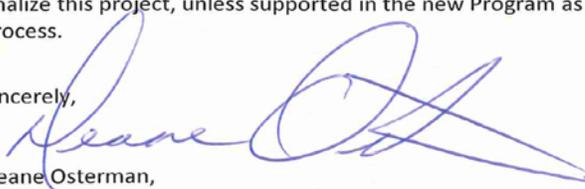
Simply stated, the Tribe would be comfortable with a recommendation that simply lines out the next two year's priorities and schedule for the RHT and transitions the Region's wildlife managers to consider the settlement of remaining construction and inundation mitigation crediting issues with the Bonneville Power Administration (BPA). We feel strongly that enough information exists to reasonable conclude the remaining mitigation through a settled crediting approach. We also recommend that the Region not support ongoing funding and planning efforts toward the RHT until such time that is deemed absolutely necessary to maintain. We agree with the ISRP that HEP is no longer necessary and the transition to functional science based monitoring is the logical next step for the wildlife portion of the Program.

We were troubled by several of the statements in the draft staff recommendation such as: RHT being unbiased; all of the wildlife managers concluding the vegetation data is useful and necessary to maintain; and that the attached document (to the recommendation) was a consensus of the wildlife managers, as only a maximum of seven managers were ever in attendance and never was any state representative present. Also, regarding the attachment or WFW/WCF/WAC recommendation, we have the following concerns: not all wildlife managers agree to reconvene the Wildlife Advisory Committee managed through the NPCC; and that the RHT is the right group to discuss, analyze, or otherwise test/create new monitoring methods or crediting methods for future Operational Losses.

We do agree with and support that this recommendation be paired down to the Regional HEP Team heading on pages 4 and 5. However, as we transition into a new Program in 2014, we do agree with any of the recommendation that continue with the RHT past the end of the 2014 RHT contract with BPA. This process and its related needs should be wrapped up and closed out by then.

We appreciate the opportunity to comment and encourage the staff recommendation be paired down to just the two year plan for the RHT and their priority actions (pages 4/5) until the retirement of current staff and then finalize this project, unless supported in the new Program as determined via the 2014 Program Amendment Process.

Sincerely,


Deane Osterman,
Executive Director, KNRD