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September 9, 2010

DECISION MEMORANDUM

TO: Council members

FROM: Mark Fritsch, project implementation manager

SUBJECT: Council decision on Project #2010-088-00, *Upper and Lower Lemhi Acquisition/Easements*, Columbia Basin Fish Accord project.

PROPOSED ACTION: The Council staff recommends that the Council support this project for implementation.

BUDGETARY/ECONOMIC IMPACTS

The total budget for this Accord project equals \$21,635,786 (i.e., it ranges from \$988,537 to \$10,000,000 per year) in expense funds for Fiscal Years 2009 through 2013. To date, one contract has been let to implement this project that has a performance period of July 1, 2010 to June 30, 2011 with a budget of \$70,000.

BACKGROUND

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 December 28, 2009, the Council received a Columbia Basin Fish Accord proposal from Idaho Office of Species Conservation (IOSC), #2008-601-00, *Upper Lemhi River-Acquisition* for science review and on January 27, 2010 the ISRP provided their review (ISRP document 2010-5). The ISRP requested additional information in the form of a revised proposal and provided a list of needs for the revised proposal to acquire lands in the Lemhi River. In addition, the ISRP requested additional understanding on the link of this acquisition proposal to the proposed habitat project in the Lemhi River¹.

On July 9, 2010, the Council received from Bonneville a Columbia Basin Fish Accord proposal from Idaho Office of Species Conservation (IOSC), #2010-088-00, *Upper and Lower Lemhi Acquisition/Easements*. The intent of this new proposal was not only to address the ISRP's issues raised in their previous review for Project #2008-601-00, but to submit for review a revised proposal (as requested by the ISRP) that also addresses an additional Lemhi acquisition proposal (i.e., Accord Project #2008-605-00, *Lower Lemhi Habitat Easements Project*²).

The goal of this revised proposal is to protect aquatic and riparian habitat permanently, through conservation easements and fee simple acquisitions, to improve river flow in the Lemhi River, and assist in reconnecting tributary streams to the Lemhi River to benefit all life stages of the listed Snake River spring/summer-run Chinook and Snake River steelhead. Currently, conservation easement and fee simple acquisitions are being pursued for the following:

- approximately 9,086 acres of the Leadore Land Partners, LLC Ranch,
- 1,354 acres of the Cottom Ranch,
- the 1,000 acre Beyeler Ranch, and
- the 608 acre Kenney Creek Ranch.

Through these acquisitions the intent of the proposal is to maintain these properties to maintain their current biological integrity while improving the quality of habitat for all salmonid species in the Lemhi River watershed.

On August 30, 2010 the Council received the final ISRP review of the proposal (ISRP document 2010-31). The ISRP found that the proposal met scientific review criteria.

ANALYSIS

The ISRP found the revised proposal to be thorough in detail and organized to ease the review process. The ISRP appreciated the clear understanding provided in the cover letter regarding the incorporation of the additional proposed acquisition proposal and commended the proponents for the excellent response to their specific issues and suggestions.

¹ Project #2008-602-00, Upper Lemhi River Restoration Project. The goal of this proposal is to provide for restorative actions to address limiting factors and assist in reconnecting tributary streams to the Lemhi River to benefit all life stages of Snake River spring/summer-run Chinook and Snake River steelhead.

² This acquisition proposal had not previously been developed for review. Due to the ISRP review associated with Project #2008-601-00 (demonstrating the link to the to the proposed habitat actions for the acquisitions) and the inherent efficiencies of combining these project Bonneville and IOSC combined them into one project (i.e., #2010-088-00).

Based on the ISRP review and the quality of the revised proposal the Council staff recommends that the Council support this project for implementation.