



YAKIMA BASIN
FISH AND WILDLIFE
RECOVERY BOARD

September 13, 2013

Bill Bradbury, Chair
Northwest Power and Conservation Council
851 SW Sixth Avenue, Suite 1100
Portland, OR 97204

Dear Mr. Bradbury,

Thank you for the opportunity to provide input as the Northwest Power and Conservation Council prepares to amend its Fish and Wildlife Program. The Yakima Basin Fish and Wildlife Recovery Board was created by 21 county and city governments and the Yakama Nation in order to promote the recovery of at-risk fish and wildlife species in central Washington's Yakima Basin. We originally came together to develop the Yakima Subbasin Plan. Since it was released in 2005, we also completed the Yakima section of NOAA's Middle Columbia River Steelhead Recovery Plan and the Yakima Bull Trout Action Plan. We focus on completing broadly supported strategic plans and then coordinating joint efforts to implement them. After reviewing the 2009 Program, we would like to offer the following observations and proposed changes to the Program.

Subbasin plans were originally designed to provide a broad overview of issues in a subbasin and identify appropriate strategies for addressing them. The existing subbasin plans that were completed in 2004-5 continue to serve this purpose well. However, the existing subbasin plans do not provide the level of detail needed to prioritize and sequence specific actions and projects needed to meet defined goals. The full range of activities consistent with subbasin plan strategies is far larger than can be implemented with likely levels of funding and organizational capacity. Because of this, subbasin plans are not effective tools for deciding which of several actions that are all consistent with the plans is a higher priority for funding and implementation.

The 2009 Program acknowledged this, and called for:

- 1) Updates to subbasin plans, including incorporation of Implementation Action Plans (p. 58). However, as of 2013, substantive updates to most subbasin plans have not been completed.
- 2) Development of Multi-year Action Plans based on subbasin plans (p. 59) that the Council would use to "work with Bonneville and relevant entities to estimate multi-year

implementation budgets and secure funding commitments that ensure adequate funding for these action plans.” As of 2013, Multi-year Action Plans have not been completed and used to secure funding.

- 3) Ongoing efforts to integrate ESA recovery plans, the CBFWA recommendations and other planning documents into the program’s implementation planning process (e.g. p.91).

Since 2009, significant subbasin plan updates and MYAPs have not been completed by the Council and its partners. This means that there is still no effective method to identify and prioritize Program investments that would meet the full range of goals identified in subbasin plans and the Fish and Wildlife Program. In addition, the absence of any ongoing capacity funding means that most local subbasin planning teams are now defunct.

Entities other than the Council have worked to develop specific implementation plans for actions that benefit species listed under the federal Endangered Species Act. This work has happened in two contexts, implementation of the FCRSP Biological Opinion and development of ESA-mandated Recovery Plans (see discussion below).

Implementation of the FCRPS Biological Opinion

In developing and revising the FCRPS Biological Opinion, NOAA and the Action Agencies identified specific actions in tributary subbasins, which together with other actions in the mainstem Columbia, were deemed to be sufficient to allow issuance of a non-jeopardy biological opinion for the FCRPS. BPA and the Council have worked together to ensure that priorities identified in the process have been funded and implemented as part of the Council’s Program. BPA also assigned de facto priority to the full suite of actions included in the Fish Accords, which last through 2018. In its 2013 Comprehensive Evaluation, BPA contends that it has already met the tributary habitat targets required of it by the FCRPS Biop for most populations in the Columbia Basin.

It is up to NOAA and the Action Agencies to determine if the priorities identified and implemented under this process have successfully met the standard set by NOAA for operating the FCRPS in a manner that avoids jeopardy for the 10 year period ending in 2018. However, it is essential for all to recognize that the mandates of both the Power Planning Act and the ESA require ongoing investments by the Action Agencies and other partners in the region in order to meet both the recovery standards identified in ESA recovery plans for listed species and the broader Northwest Power Act mandate to “protect, mitigate and enhance fish and wildlife on the Columbia River and its tributaries.”

Completion and Implementation of ESA Recovery Plans

NOAA Fisheries and state and local partners (including us, as one of seven Washington Regional Recovery Boards) worked together to develop recovery plans for listed salmon and steelhead ESUs and DPS. These plans set specific recovery criteria that NOAA will use to determine if listed species are recovered sufficiently to remove them from the threatened or endangered species list (delisting). These

plans also identify specific recovery actions that would, if fully implemented, be sufficient to meet these criteria and allow delisting. Now that recovery plans have been completed, NOAA and its partners are focused on developing and maintaining implementation plans that provide detailed and up-to-date information of what steps need to be taken to implement the actions called for in the recovery plans. The standards for recovery are significantly higher than the non-jeopardy standards identified by NOAA and the Action Agencies in the FCRPS Biological Opinion. In addition, the USFWS plans to release a recovery plan for Bull Trout in 2014, and we have been working closely with the Service to identify specific actions needed to recovery bull trout in the Yakima Basin. While many of the specific needs identified in the recovery plans are being implemented via existing efforts (both under the Council's Fish & Wildlife Program and via other local and regional programs), there are also significant unmet needs that must be addressed in order for listed species to reach levels that allow delisting.

Program Recommendations

While both of these processes are making significant progress towards implementing the Program's goals, they are not sufficient to fully implement the Program. In order to ensure that realistic implementation plans for meeting Program's goals are developed and considered for funding, we recommend that:

- 1) The Program should specifically identify recovering all listed ESUs and DPSs to levels that meet recovery criteria in ESA-listed recovery plans as a Program goal (acknowledging that this is often an interim goal, and that full implementation of the Northwest Power Planning Act may require recovering species to abundance levels well above delisting goals, in order to support abundant harvest and meet the Act's broader mitigation goals).
- 2) The Recovery Criteria identified in ESA recovery plans should be specifically identified as Program objectives, while recognizing that meeting these objectives will require coordinating full implementation of the Program with implementation efforts driven by other mandates (such as actions by Action Agencies in other areas (e.g. Corp of Engineers management of levee systems and Reclamation management of the irrigation projects), federal land managers, state and local jurisdictions, etc.).
- 3) The Program should commit the Council and federal Action Agencies to continuing to work with local and regional partners (including Washington State's recovery boards) to develop long-term implementation plans that, if implemented, would recover target species to levels that meet both ESA recovery criteria and the broader mandates of the Northwest Power Planning Act. These implementation plans should build on the existing work described above and be consistent with existing subbasin plans. In places (e.g. areas where all anadromous species are listed) it may be possible to simply adopt ESA recovery plans and associated implementation planning efforts. In other areas, where significant actions are needed for non-listed target species and ecosystems, or to recover listed species to levels well beyond meeting delisting criteria, additional work will be needed to identify appropriate goals and criteria and identify the actions that will be needed to meet those goals. We believe that it is critical that broadly

accepted implementation plans be available prior to 2018, so that they are able to inform 1) development of the next FCRPS Biological Opinion, 2) future Fish Accords, 3) the next round of Council project reviews, 4) subsequent NOAA 5-year status reviews and any associated recovery plan updates, and 5) other local and regional efforts.

We look forward to participating in ongoing discussions with the Council about the specifics of how these implementation plans would be developed, be it through updates or supplements to subbasin plans, incorporation into the program of recovery plan implementation schedules, or other approaches. Completing effective implementation plans will require time, coordination and sufficient resources for all partners to participate fully. We encourage the Council to fully support these efforts.

Incorporating these proposed amendments into the Council's Fish and Wildlife Program will help ensure that partners throughout the region are able to work together in a coordinated fashion to fully recover at-risk fish species in the Columbia Basin. While significant progress has been made across the basin in the last decade, much remains to be done. Even as we celebrate our success, we need to be working to identify, prioritize and implement the full range of actions needed to recovery ESA listed species and fully implement the Northwest Power Act. We look forward to working with the Council and many other partners to help make this happen.

Sincerely,



Alexander Conley

Executive Director
Yakima Basin Fish & Wildlife Recovery Board