



Kalispel Tribe of Indians

October 5, 2006

Mark Walker
Director of Public Affairs
Northwest Power & Conservation Council
851 SW 6th Avenue, Suite 1100
Portland, Oregon 97204-1348

RE: NPCC's Recommendations for FY07-09 BPA F&W Project Solicitation

Dear Mr. Walker:

The Kalispel Tribe (Tribe) appreciates the opportunity to comment on the Northwest Power and Conservation Council's (NPCC) recommendations to BPA for FY07-09 project funding. The Tribe has been very active throughout the entire NPCC project solicitation process. The Tribe fully supports the recommendations provided by the Intermountain Provincial Oversight Committee. These recommendations reflect management needs associated with the NPCC Fish and Wildlife Program and approved subbasin plans. Any deviation from the Intermountain Oversight Committee recommendations would paralyze important mitigation within the Intermountain Province. Additionally, it would undermine the direction given by the Council at the onset of this process. Throughout this process the Kalispel Tribe has urged the NPCC to carefully consider ISRP comments, particularly where ISRP comments exceed their statutory authority. We generally support the recent NPCC recommendations for the Intermountain Province; however these recommendations include ISRP provisions for several projects.

We would also like to comment on a few Programmatic issues.

- 1) MSRT recommendations – The Tribe fully supports the draft Council decision to fund the Kalispel Tribe's proposal to coordinate its inter-governmental needs related to Program implementation within the Intermountain Province and Columbia River Basin.

- 2) decision to engage in a process to scope issues relating to Program and project O&M, we implore the NPCC to use existing resources (Wildlife Operation, Maintenance and Enhancement Guidelines, CBFWA 1998) that were developed to address this issue as a base from which to start these discussions. Any effort to assign a "one-size-fits-all" solution to determine costs will ultimately fail if habitat type and geography are not taken into account. Similarly any benchmarking needs to be completed from programs and projects that have similar legal mandates and/or goals/objectives in order to satisfy this process. We are excited about the opportunity to assist in this effort and will fully engage in the upcoming process.
- 3) Wildlife population monitoring - Recent information from BPA has indicated a lack of interest in continued Population-based wildlife effectiveness monitoring as requested by the ISRP during several past reviews. BPA has taken steps to eliminate this M&E funding and tasks from budgets already. We are concerned that elimination of this type of monitoring will put wildlife projects at odds with the ISRP and culminate in perceptions that the wildlife portion of the Program is unscientific. This may lead to a lack of support to complete the BPA construction and inundation obligations. Although we agree that HEP and HU crediting may be enough monitoring for wildlife projects, we are still very concerned about the potential ramifications to this valued portion of the Wildlife Program.

Attached are project specific comments we feel need to be taken into account by the NPCC in order to make final decisions that are well informed and consistent with the local prioritization by stakeholders.

If you have any additional questions or information needs, please do hesitate to contact me or my staff. Thank you for your attention to this important matter.

Sincerely,



Deane Osterman, Director
Kalispel Natural Resource Department

Project 200716200 – Kalispel Tribe Fish and Wildlife Coordination

The Tribe supports the Council's recommendation to fund this proposal in its entirety for governmental coordination within the entire scope of BPA's Fish & Wildlife Integrated Program. We have been involved in the recent development of coordination proposals with appropriate tasks and deliverables, and have provided NPCC with recommendations as how the Tribe would participate in coordination activities related to the Program.

Project 200724600 – Restoration of bull trout passage at Albeni Falls Dam using a trap-and-haul approach in conjunction with investigations to assess effectiveness of rapid genetic analysis in assigning natal tributary.

The final recommendation of the ISRP is to fund the electrofishing portion of this project and conditionally fund the temporary trap and haul system if the electrofishing effort yields 40 + bull trout adults. However, *"the ISRP believes that at this time the idea of volitional migration following assisted dam passage is sufficient without the genetic assignment to natal streams coupled with radio-telemetry"*. The ISRP has recommended not funding the genetic analysis because it is unclear *"whether the genetic samples and assignment methods are sophisticated enough to assign the natal river with sufficient accuracy."* The ISRP has also recommended not funding genetic analysis and radio tagging with the observation *"That fish can be collected, genotyped, and tracked to a spawning location is an interesting observation, but not really a biological end-point."*

Radio tagging is very important because it will determine where and when these fish are rearing and/or spawning above the dam. Radio tracking of specific fish trapped below the dam to specific spawning areas above the dam would definitively demonstrate a direct biological benefit to the Pend Oreille River bull trout population, and would demonstrate that lethal take of bull trout is being minimized (or avoided). This information will validate or invalidate any genetic analysis linking a particular fish to a particular population. It will allow biologists to further study fish and their specific habitat to determine any other risks or threats (non-native competition, barriers to fish passage, predation etc.). In addition, it will determine whether these fish become entrained again.

Trap and haul is necessary to determine what portion(s) of the tailrace the fish are utilizing, when they are utilizing it and during what flows. This is important data for the future location and design of upstream volitional fish passage at the dam which is required in the US Fish and Wildlife Service's 2000 Biological Opinion. This data collection should not be delayed or eliminated from the project proposal by making the funding for trap and haul conditional upon the collection of 40+ bull trout adults through electrofishing over one year. Any delay in this data collection will subsequently delay the provision of volitional upstream fish passage for bull trout at the dam. It will also prolong the continued entrainment and loss of spawning age adult bull trout from threatened subpopulations above the dam.

The ISRP points out that it is not clear whether genetic samples and assignment methods are sophisticated enough to assign the natal river with sufficient accuracy. The Tribe agrees that this technique is not perfect and cannot assign with 100 percent certainty, the natal stream of an individual fish. However, it is apparent that this assignment method has worked well on the Clark Fork River system. Genetic analysis is not just important to ensure proper relocation of adult bull trout. It is also important to determine how much of a threat entrainment poses to each subpopulation above the dam. This information is essential for the recovery of these subpopulations.

The US Forest Service and the US Fish and Wildlife Service will be providing letters to NPCC in support for this project.

200714900 - Pend Oreille Nonnative Fish Suppression Project

The ISRP has taken the position that, while the activities proposed intended to benefit bull trout by suppressing lake trout are in good faith and lake trout assuredly pose a serious problem, the actions are being proposed 20 years too late to benefit bull trout. The Tribe disagrees with this philosophy. They wondered if it is not likely that bull trout in the lake are already beyond recovery. It is the Tribe's position that we are continuing with bull trout recovery efforts in Upper Priest Lake and we do not agree that this population is beyond recovery. Information provided by the ISRP to come to this conclusion is incomplete. The Kalispel Tribe provides the following information.

- In 2003, a total of 255 hours of gill netting was accomplished resulting in 571 lake trout being removed from Upper Priest Lake. During the June effort, the lake trout to bull trout ratio was 89:1, while the ratio for the August was 28:1; total for the year was 571 lake trout/14 bull trout or 41:1; the catch per unit effort was 0.98 lake trout per hour per 100m² of net. For 2002 (four efforts totaling 372 hours) 807 lake trout and 9 bull trout were caught for a 90:1 ratio; the catch per unit effort was 1.02 lake trout per hour per 100m² of net. For 2001 (three efforts totaling 121 hours), 471 lake trout and 7 bull trout were caught for a 67:1 ratio; the catch per unit effort was 1.8 lake trout per hour per 100m² of net. While ratio of lake trout to bull trout ratio is one means of looking at relative abundance, the Tribe does not feel that this accurately depicts the true ratio of these two species in Upper Priest Lake. We state this as we are aware that while some habitat overlap occurs in the lake, bull trout and lake trout generally utilize different areas in the lake. Areas utilized by bull trout are avoided and areas known to support lake trout are heavily netted, therefore, numbers are biased toward a higher lake trout ratio.
- The Tribe has done extensive surveys in two major tributaries to Upper Priest Lake, Gold Creek and Upper Priest River. Based upon bull trout collections, the Tribe estimates the number of bull trout in Gold Creek and Upper Priest River are 521 fish and 2,285 fish, respectively.

The ISRP also stated that *"in the original proposal there was not convincing evidence put forth that either the deepwater trap netting in Upper Priest Lake, or the employment of a strobe light in the Thorofare to deter lake trout reinvasion of Upper Priest Lake, had a reasonable chance for success (and for the effort to benefit bull trout, both those activities would need to be successful)."* The Tribe feels that the pilot study conducted by the Idaho Department of Fish and Game, showed great promise. Their results indicated that strobe lights repelled a minimum estimate of 75-80 percent of the lake trout that approached the strobe lights. This is considered a minimum estimate.

The US Fish and Wildlife Service will be providing a letter to NPCC in support for this project.

In conclusion, the Tribe believes it is important to fund all portions of these two projects so that take of bull trout in the Pend Oreille River and Priest Lake systems is minimized, and that bull trout in these areas will contribute to the recovery of the species throughout their range.