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Coeur d'Alene

Colville

Kalispel

Kootenai

Spokane

October 6, 2006

Mr. Mark Walker, Director of Public Affairs  
Northwest Power & Conservation Council  
851 S.W. Sixth Ave., Ste. 1100  
Portland, OR 97204  
Via e-mail and FAX

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

Dear Mr. Walker:

The Upper Columbia United Tribes appreciate the opportunity to comment on the Council's recommendations to BPA for FY07-09 project funding. UCUT and the five member Tribes have engaged very actively in the Council's project solicitation process, and are pleased to support the Council's recommendations in most instances. Specific comments below are presented in the same sequence as the several parts of the Council's draft recommendations are posted on the website:

### **Section 1: Legal Framework**

#### **Bonneville budget commitment**

UCUT recognizes that the \$143M/year expense budget and \$153M/year planning target were established in previously-concluded processes. While additional funding is needed to meet all the basin's fish and wildlife needs, UCUT member Tribes have submitted funding requests that address only high-priority biological needs, thoroughly "scrubbed" of any excess (and without any margin for error).

#### **Council's budget allocation targets**

Funding allocations for the Mountain Columbia and Intermountain provinces were more appropriately sized for FY07-09 than in any previous funding cycle. The package of recommendations for these provinces properly maintains resident fish and wildlife projects essential to fulfill the 70:15:15 policy, helping to ensure that the Council's Program maintains its broad purpose and does not default to an ESA anadromous fish recovery program.

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On the other hand, BPA's anadromous fish obligations in the Columbia Cascade will continue to go largely unaddressed unless funds are re-directed to projects in the vital Upper Columbia ESU.

Any funding unspent in a province during the rate period should stay within that province. Provincial recommendations should be funded with any monies that come available within the province during 07-09.

**Section 2: Project Recommendations and Project-Specific Issues**  
**Ecological provinces**

a. Council generally respected the work of provincial review groups, which UCUT supports. Tribes, managers and stakeholder partners invested significant time and effort in determining best projects to implement subbasin plans, including responses to ISRP and the difficult exercise of putting certain biological needs "on hold" due to insufficient funding. Council's effort to honor this hard work is appreciated.

b. The draft **Mountain Columbia** recommendations are generally satisfactory, although the Kootenai Tribe reiterates its support for the original recommendations of the Mountain Columbia Provincial Oversight Group submitted to the Council in June.

c. The draft **Intermountain** recommendations are generally satisfactory.

1) A workshop on kokanee production with the ISRP is welcomed and upper Columbia kokanee managers/UCUT offer to arrange and facilitate this workshop as soon as practical. If the Council could have the ISRP present a draft of ISRP suggestions, upper Columbia kokanee managers could engage in discussion with the ISRP about the totality of resident fish substitution, management of stocks in perturbed ecosystems, and the transition from resident to anadromous stocks in the upper Columbia ecoregion.

2) Projects in the Rufus Woods subbasin are still sorely needed, especially to move toward anadromous fish returns to upper Columbia habitats. The Rufus Woods Subbasin Area Stock Assessment, Habitat Assessment and Fisheries Evaluation Program (Project 20072700) should be funded with any additional money that may become available for Tier 2 projects in the Intermountain Province.

d. The **Columbia Cascade** provincial review group produced an admirable result, compiling a suite of projects that simply could not fit within a wholly-inadequate \$3M provincial budget cap. Council staff attempted to assist with a prioritization exercise, but clerical errors compounded the impact on specific projects. The Upper Columbia Salmon Recovery Board worked hard to identify cost-shares and overlaps, finding approximately \$800,000 to leverage the BPA funds. It would be most appropriate to invest this money back into the OBMEP proposal (see below).

UCUT member Tribes support the addition of BPA/ESA funds into the Columbia Cascade. The Interior Columbia Technical Review Team (TRT) (an independent arm of NOAA Fisheries) has identified Okanogan and Methow subbasin stocks (key to chinook and steelhead recovery) at highest risk of extinction. Critical ESA recovery projects include: 1) OBMEP; 2) Locally Adapted Broodstock; 3) Salmon Creek; 4) McIntyre; 5) Omak Creek.

#### Basinwide research, monitoring and evaluation, and coordination projects

The Basinwide, mainstem and systemwide project review process was somewhat "orphaned," without much up-front guidance to reviewers. A post-hoc self-selected review team conducted an admirable effort, somewhat stymied by inadequate participation by all affected interests, uncertain criteria for access to this portion of the funding, and after-the-fact guidance to proposal-writers. As a result, Council's substantial re-visitation of the MSRT package of proposals is warranted, while more deliberate attention is given to parameters and priorities for accessing funds allocated to this "province."

#### Tagging projects

The Council recommends a review of all tagging projects. Tagging is an essential management and research tool where populations are comprised of hatchery and naturally-produced stocks. Tagging also is important to monitor survival and productivity of resident salmonids, especially those with adfluvial life histories.

#### New projects added to MSRT recommendation

UCUT supports new projects as long as they are consistent with ranking and support from provincial groups. We cannot support deviations from the base work product of the provinces, or moving projects up and down a provincial list.

UCUT specifically supports Project 200724900, Evaluation of live capture/selection fishing gear - (\$130,000 first year to develop study design, then ISRP review, then total \$500,000 over 3 years).

#### Innovative project placeholder - \$1M/yr.

The innovative projects recommended by the ISRP often appeared to be research projects of specific interest to ISRP members. Many of the 07-09 project proposals incorporated innovative components, and it seems inappropriate to set aside funds for ISRP-preferred projects without establishing clear standards and review for **all** innovative projects and project components. This placeholder amount should be considered available to fund on-the-ground work, or research that answers specific management questions.

**Unallocated placeholder/Amount unspent in FY2003-06 available in FY07-09**

- a. UCUT /member Tribes concur that it is prudent for the Council to set-aside some funds for needs that have not yet been fully identified.
- b. We ask the Council and BPA to clearly itemize all available unallocated funds, including funds unused in the current rate period, expense funds made available when projects were reclassified as capital projects, plus placeholders set aside by the NPCC.

Then, engage Tribes and managers in an open, transparent dialogue about the highest biological need and best uses for all those funds. The project solicitation process has elicited a peer-reviewed and refined suite of projects best suited to implementing subbasin plans. Any funds set aside in the basinwide projects reserve should be used to meet clearly-defined high-priority BPA obligations.

**Section 3: Programmatic and Broad Policy Issues**

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**2. Monitoring and evaluation.**

- a. The Council recommends interim level funding for several regional-level M&E projects. UCUT supports further deliberation about the appropriate scope and funding for program regional M&E.
- b. The Okanogan Basin Monitoring and Evaluation Program (OBMEP) should be restored as much as possible from the 2/3 reduction in funding in the draft Council recommendations. OBMEP has helped transform the way salmon and steelhead are monitored, and was originally designed as a minimum 20-year long-term status and trend monitoring program at the subbasin scale, capable of being rolled-up at various spatial scales from subbasin to ESU and basin-wide.

Information produced by this program is freely shared with others, made widely available in a timely manner through the internet, and of proven value to salmon recovery planning, the BiOp remand process, and TRT. OBMEP staff have developed good working relationships with numerous private land owners throughout the Okanogan River basin, and this project is strongly supported by Okanogan County and the Upper Columbia Salmon Recovery Board (which scored OBMEP as the highest ranked project),

as well as the ISRP (which cited OBMEP as a fine example of a monitoring project. OBMEP addresses the need for monitoring and evaluation of the RPA/UPAs outlined in the 2006 FCRPS BiOp Conceptual Framework, and is fundamental for monitoring progress toward recovery for summer steelhead in the Upper Columbia ESU. Additionally, at the funding level originally requested, OBMEP leverages approximately \$300,000 in cost share dollars.

c. Recent information from BPA indicates 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. UCUT/member Tribes 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, we remain very concerned about the potential ramifications to this valued portion of the Program.

3. Data management.

a. UCUT/member Tribes agree with the Council's recommendation for interim level funding pending resolution of data management priorities.

b. UCUT would like to talk with other parties about incorporating resident fish, wildlife, and other upper Columbia data, to fill a major gap that currently exists in regional data management. We would like to interface StreamNet with OBMEP, the Resident Fish Joint Stock Assessment, and other resident fish and wildlife population monitoring, or seek an alternative that makes regional data management more useful to upper Columbia interests.

c. UCUT/member Tribes need an initial level of funding to format and upload upper Columbia data, and engage in periodic discussions about regional data management. This would facilitate engaging upper Columbia managers in regional RM&E efforts. Currently, the States and CRITFC receive data management support, and we ask the Council to support funding for UCUT involvement in the StreamNet core team.

4. Coordination funding

a. UCUT supports the Council's recommendation to fund the Spokane and Kalispel Tribes' proposals for governmental participation in the entire scope of BPA's Fish & Wildlife Integrated Program.

b. The UCUT proposal has merit as a stand-alone project, substantiated by years of UCUT staff coordination and participation in the Council/BPA Program arena without BPA direct funding. While the MSRT advanced an equity argument (if CRITFC is funded, then UCUT should be funded), the substance of the UCUT proposal independently justifies the Council recommendation.

c. UCUT supports the Council's requirement for specific tasks and deliverables in coordination projects. It was unfortunate that the solicitation process for coordination proposals became inverted, so that specific tasks were requested in late September for proposals that were submitted in late May; and the tasks were submitted based on the CFWA coordination proposal, rather than on a pre-identified set of coordination and participation needs for the region.

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Council Members apparently recognize flaws in the process, and UCUT asks that the Council engage as soon as possible in direct dialogue with State and Federal fish and wildlife managers and Tribes to devise an equitable opportunity for government-to-government coordination and participation in the Council's Program.

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6. Use of Bonneville's capital borrowing authority

The \$36M/year in capital projects should be subject to clearly-identified goals, objectives and tasks, prioritized and specified in a formally-adopted Capital Plan. UCUT has already requested that BPA and the Council work with UCUT to develop a comprehensive Capital Plan, which we would like to pursue as soon as this project solicitation process has concluded.

7. Step review

While UCUT/member Tribes do not oppose the three-step review process, we remind the Council that the Chief Joseph Hatchery Program will complete the planning and design phases and should be budgeted for capital outlays of approximately \$28.6 M in the 08-09 funding cycle.

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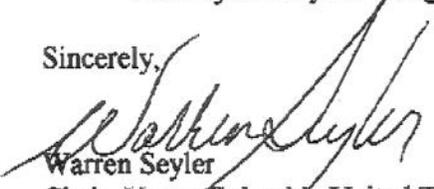
9. Funding for operations and maintenance

UCUT/member Tribes agree that a detailed review should be conducted to determine appropriate funding levels for O&M. These Tribes need to be and will be involved in the review process. Some portions of this work have already been accomplished, so a foundation exists for advancing this review (see CBFWA O&M guidelines 1998).

There is a danger in trying to cost O&M into a one-size-fits-all product, as habitat type and geographical differences can significantly skew costs. Likewise, there is danger in looking at the Program and its O&M obligations in comparison to other types of Programs and projects with different legal authorizations and goals/objectives. Costs for this Program must be sized in direct relationship with the goals and objectives of this Program.

Thank you for your thoughtful consideration of these comments.

Sincerely,



Warren Seyler

Chair, Upper Columbia United Tribes

cc.: UCUT Member Tribes  
NW Power & Conservation Council Members  
Greg Delwiche, BPA V.P. for E,F&W