

SECTION 41 – Table of Contents

<u>41 San Poil Subbasin Inventory of Existing Programs – Terrestrial</u>	<u>2</u>
41.1 Current Management Directions.....	2
41.2 Existing and Imminent Protections.....	3
41.3 Inventory of Recent Restoration and Conservation Projects	5
41.4 Strategies Currently Being Implemented Through Existing Projects.....	10

41 San Poil Subbasin Inventory of Existing Programs – Terrestrial

41.1 Current Management Directions

Within the San Poil Subbasin, fish and wildlife resources are co-managed by the State of Washington and the Colville Tribes outside of the boundaries of the Colville Indian Reservation and by the Colville Tribes within the boundaries of the reservation. Other state and federal agencies, including, but not limited to, the U.S. Fish and Wildlife Service (USFWS), U.S. Forest Service (USFS), U.S. Army Corps of Engineers (USACE), Environmental Protection Agency (EPA), the Natural Resources Conservation Service (NRCS), and the Washington Department of Ecology (WDOE) are involved in programs that affect the land or water that provide habitat for fish and wildlife. A complete list of state, federal, and Tribal entities that are involved in management of fish and wildlife or their habitats is included in section 2.4.1, along with a description of each agency's management direction.

The Natural Resources Department of the Colville Tribes has management and regulatory authority that includes, but is not limited to, the following areas: fish and wildlife management, enforcement, land use activities, water rights and adjudication, development permitting, hydraulics permitting and shoreline protection (for example, Confederated Tribes of Colville Reservation (CTCR) Shoreline Management Act). CTCR/Bureau of Indian Affairs uses the Colville Reservation Forest Plan, Integrated Resource Management Plan, Code of Federal Regulations, and others to manage land, fish, and wildlife on the Colville Reservation. It is the mission of the Fish and Wildlife Division, "To provide subsistence, cultural opportunities and economic benefits for the Tribal Membership through sustainable ecosystem management. We accept our responsibility to manage, protect, and enhance tribal natural resources and to provide multiple products and services for the tribal membership on the reservation and on accustomed and traditional lands." The current management direction is to maintain viable populations (numbers and distribution of reproductive individuals) of native and desired nonnative species of fish and wildlife, and their supporting habitats, while providing sufficient numbers to meet cultural, subsistence and recreational needs.

41.1.1 Local Government

Ferry Conservation District (FCD)

FCD is involved in several partnership efforts from individuals and agencies, to school districts and Tribes. As a political subdivision of Washington State government, under the umbrella of the Washington State Conservation Commission, FCD provides natural resources planning and management services to individuals, associations, and local government.

Ferry County Codes

Nine codes or parts of codes may affect fish and wildlife. Most of these address urban planning/land use.

Okanogan County Codes

Ten codes or parts of codes may affect fish and wildlife. Most of these address urban planning/land use.

41.2 Existing and Imminent Protections

Refer to Section 2.4 for a description of the natural resources management agencies and organizations and their primary authorities at the federal, state, and regional levels. Many State and Federal laws and regulations protect natural resources within the IMP. Tribal governments and local governments also have regulations that protect specific areas or locations within the IMP. The following section summarizes the existing and imminent protections for federal and state threatened and endangered wildlife species known or potentially occurring in the San Poil Subbasin. Refer to the San Poil Subbasin Terrestrial Resources Assessment, Section 40, for detailed description of the occurrence and status of federal and state threatened and endangered species in the subbasin.

41.2.1 Endangered Species Act

Bald Eagle

Bald eagles are currently listed as threatened under the federal Endangered Species Act. This provides protection from “take” (i.e., harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect...). Bald eagles were proposed for removal from the endangered species list in 1999. That action has not been taken, in part because one prerequisite for delisting, a nationwide monitoring plan, has not yet been met. If a development project occurs on federal land or involves federal funding (i.e., nexus), an endangered species consultation may be required by the U.S. Fish and Wildlife Service.

Bald eagles are classified as threatened in Washington State.

In 1984, Chapter 77.12.655 RCW was adopted by the Washington State Legislature, requiring the establishment of rules defining buffer zones around bald eagle nests and roost sites. The law states that the rules shall take into account the need for variation of the extent of the buffer zone on a case by case basis.

In 1986, the Bald Eagle Protection Rules (WAC 232-12-292) were adopted by the Washington Wildlife Commission. The rules require permitting agencies (i.e., Department of Natural Resources, counties, cities) to review the database of bald eagle nest and communal roost locations prior to issuing permits for timber harvest, clearing land, residential development, etc. If the activity is within ½ mile of an eagle nest, the permitting agency notifies WDFW, who works with the applicant to develop a Bald Eagle Management Plan (see WAC 232-12-292 (4.4)).

Deliberate harassment of eagles is prohibited by state and federal law (Chapter 77.15.130 RCW; Bald Eagle Protection Act; Endangered Species Act; and, Migratory Bird Treaty Act).

Canada Lynx

The lynx was listed as a state threatened species in Washington in 1993 and was listed as

a federally threatened species under ESA in April 2000. The San Poil Subbasin includes land within designated lynx analysis units (Kettle Range and Vulcan-Tunk).

Legal take of lynx in Washington ceased in 1991 and consequent designation as a threatened species presently provides complete protection from hunting or trapping at both the state (Chapter 77.16.120 RCW) and federal level.

Gray Wolf

The gray wolf is listed as a federally threatened species under the ESA and is classified in Washington State as endangered.

In Washington, protection of gray wolf from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of state endangered species with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

Grizzly Bear

The grizzly bear listed as a threatened species under ESA and as an endangered species in the state of Washington. Protection of grizzly bear in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of state endangered species with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

Fisher

The fisher is will become a candidate for federal listing under the ESA in the near future (USFWS 2004). Fisher is a state endangered species in Washington.

In Washington, fisher is managed based on the findings of the WDFW status report (Lewis and Stinson 1998). Protection of fisher in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of state endangered species with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

American White Pelican

The American white pelican is listed as an endangered species in Washington.. Protection of American white pelican in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of an American white pelican with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

Northern Leopard Frog

The northern leopard frog is classified as an endangered species in Washington. Protection of northern leopard frog in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of northern leopard frog with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

Sage Grouse

The sage grouse is classified as a threatened species in Washington. Protection of sage grouse in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of sage grouse with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

Sharp-tailed Grouse

The Columbian sharp-tailed grouse is classified as a threatened species in Washington. Protection of sharp-tailed grouse in Washington from hunting, possession, or control is provided under Chapter 77.16.120 RCW. Washington further charges those convicted of illegal take of sharp-tailed grouse with a \$2,000 reimbursement for each animal taken or possessed (Chapter 77.21.070 RCW).

41.3 Inventory of Recent Restoration and Conservation Projects

Below is a summary of some of the BPA and non-BPA funded projects identified within the San Poil Subbasin. Projects that are relevant to both terrestrial and aquatic resources may be presented in the aquatic inventory section for this subbasin (see Section 39). Refer to Section 2.4, Inventory of Projects in the IMP, for description of projects involving more than one subbasin. Major Grand Coulee Dam wildlife mitigation projects are located and managed in more than one subbasin. Appendix H includes more comprehensive listings of the BPA and non-BPA funded project conducted in this subbasin and the entire IMP.

41.3.1 BPA Funded Projects

Project #1992-048-00 Colville Tribes Hellsgate Wildlife Mitigation

Project Description:

The focus of the Hellsgate Project is the protection, restoration, and enhancement of critical winter habitat for big game and shrub-steppe/sharp-tailed grouse habitat on lands purchased/managed for mitigation on the Colville Indian Reservation. At present, the Hellsgate Project protects and manages 25,501 acres for the biological requirements of wildlife (CCT 2004). Currently there are 12 management units that make up the Hellsgate Project, most are located on or near the Columbia River (Lake Rufus Woods and Lake Roosevelt) and surrounded by Tribal land. These management units contain a wide diversity of vegetative types and habitats for a variety of wildlife.

Associated Monitoring:

- Monitor threatened and endangered species and habitats of concern.
- Conduct HEP to evaluate habitats and collect HU data for mitigation accounting.
- Conduct annual neo-tropical bird surveys for species diversity using project lands.
- Conduct population and trend data to monitor habitat use and seasonal distribution.
- Coordinate with other agencies and Tribes on Columbia River mitigation issues and methodologies.

Accomplishments:

- Acquired 23,000 acres of habitat for mitigation.
- Protected 11,000 Habitat Units on acquired lands.
- Installed fencing on several units.
- Conducted noxious weed control on acquired lands.

Notes:

No enhancements to project lands to offset hydropower losses have taken place. Some small-scale enhancements have been conducted using USDA funds to plant native vegetation on selected sites.

Project #21034 Colville Tribes Habitat Restoration and Adaptive management of Columbian Sharp-tailed Grouse on the Intermountain Province

Project Description:

Develop and implement an adaptive management plan that will include restoration of native plant communities on lands within the Intermountain Province to support viable meta-populations of Columbia sharp-tailed grouse.

Associated Monitoring:

Monitor sharp-tailed grouse and their habitats using scientific principals and techniques to ensure that project objectives are being met and to provide a basis for use of adaptive management when appropriate. To evaluate species and habitat responses to management activities for the benefit of Sharp-tailed grouse and other wildlife using similar habitats. Develop a Habitat Suitability Index for the area and create a sharp-tailed grouse management plan for the Colville Reservation.

Accomplishments:

- Literature review of all information concerning sharp-tailed grouse on the Intermountain Province.
- Conducted grouse surveys on known and historic leks.
- Surveyed for new leks.
- Trapped and collected data on marked 48 birds fitted with radio collars.
- Followed and mapped habitats used by marked grouse throughout the year.
- Conducted genetic variance tests on trapped birds.
- Determined sharp-tailed grouse seasonal ranges, and associated GIS maps.
- Formed and coordinated with a regional grouse team for support and input.
- Reported our progress through quarterly reports and unpublished papers.
- Conducted a public outreach program to inform individuals of status and future of sharp-tailed grouse on the Colville Indian Reservation and Intermountain Province.

Notes:

This is currently the last year of funding for the sharp-tailed grouse project. The regional grouse team agrees that this is an extremely important project that addresses concerns of various agencies throughout the region dealing with a State Threatened and Endangered species. It is the recommendation of the regional grouse team that future funding for this

project be a priority in within the IMP and that the work continue to conserve and protect this species and associated habitats.

41.3.2 Non-BPA Funded Projects

Water and Soil Protection Project (WASP)

Project Description:

The intent of WASP was to partner with landowners and other natural resource agencies to conduct a cost-share program, offer technical assistance, and provide a public information and educational outreach programs for water quality improvement and protection. Eligible activities included streambank stabilization, riparian vegetation restoration, spraying of noxious weeds, riparian fencing, hard crossings, off stream watering improvements and erosion control BMPs. Also provided was free engineering to landowners and agencies through a separate engineering grant for implementation projects. The project was funded by the Washington State Conservation Commission and ended in 2002.

Associated Monitoring:

Continued Monitoring by FCD Staff.

Accomplishments:

Technical assistance including permit processing, on-the-ground site surveying, and engineering design development with NRCS and the N.E. Area District Engineers were facilitated by FCD. Numerous other landowners were offered technical assistance to help them address water quality problems on their lands. Many more were helped over the phone and in personal office meetings to answer questions and provide information or suggest other agencies to contact.

On-the-ground accomplishments for these projects resulted in several hundred feet of streambank stabilization through engineered designs and bioengineering projects. Many acres of erosion control and habitat development came from planting grass mixture, shrubs, and trees. Additional acres of steep slopes of noxious weed (knapweed) received chemical treatments to prevent further erosion and aid in the re-establishment of beneficial plants. These activities were conducted on the San Poil Watershed (WRIA 52) and Kettle River Watershed (WRIA 60).

WASP has had a very positive impact on the Ferry County landscape and has enabled FCD to educate and assist the families who live here to improve water quality functions and values. Each engineered and bioengineering design, as well as other water and landscape BMPs that are implemented provide a testing ground for the District upon which to refine BMP designs and applications.

Water and Soil Protection Project II (WASP II)

Project Description:

The intent of WASP II (Continuing the concepts from WASP) was to partner with landowners and other natural resource agencies to conduct a cost-share program, offer technical assistance, and provide a public information and educational outreach programs

for water quality improvement and protection. Eligible activities included streambank stabilization, riparian vegetation restoration, spraying of noxious weeds, riparian fencing, hard crossings, off stream watering improvements and erosion control BMPs. We also provide free engineering to landowners and agencies through a separate engineering grant for implementation projects. The project was funded by the Washington State Conservation Committee and ended in 2002.

Associated Monitoring:

Continued Monitoring by FCD Staff.

Accomplishments:

Technical assistance including permit processing, on-the-ground site surveying, and engineering design development with NRCS and the N.E. Area District Engineers were facilitated by FCD. Numerous other landowners were offered technical assistance to help them address water quality problems on their lands. Many more were helped over the phone and in personal office meetings to answer questions and provide information or suggest other agencies to contact.

On-the-ground accomplishments for these projects resulted in several hundred feet of streambank stabilization through engineered designs and bioengineering projects. Many acres of erosion control and habitat development came from planting grass mixture, shrubs, and trees. Additional acres of steep slopes of noxious weed (knapweed) [received chemical treatments] to prevent further erosion and aid in the re-establishment of beneficial plants. These activities were conducted on the San Poil Watershed (WRIA 52) and Kettle River Watershed (WRIA 60).

WASP II has had a very positive impact to the Ferry County landscape and has enabled FCD to educate and assist the families who live here to improve water quality functions and values. Each engineered and bioengineering design, as well as other water and landscape BMPs that are implemented provide a testing ground for the District upon which to refine BMP designs and applications.

Water and Soil Protection Project III (WASP III)

Project Description:

The intent of WASP III (Continuing the concepts from WASP II) was to partner with landowners and other natural resource agencies to conduct a cost-share program, offer technical assistance, and provide a public information and educational outreach programs for water quality improvement and protection. Eligible activities included streambank stabilization, riparian vegetation restoration, spraying of noxious weeds, riparian fencing, hard crossings, off stream watering improvements and erosion control BMPs. We also provide free engineering to landowners and agencies through a separate engineering grant for implementation projects. The project is funded by the Washington State Conservation Committee, and is scheduled to terminate at the end of 2003.

Associated Monitoring:

Continued Monitoring by FCD Staff.

Accomplishments:

Technical assistance including permit processing, on-the-ground site surveying, and engineering design development with NRCS and the N.E. Area District Engineers were facilitated by FCD. Numerous other landowners were offered technical assistance to help them address water quality problems on their lands. Many more were helped over the phone and in personal office meetings to answer questions and provide information or suggest other agencies to contact.

On-the-ground accomplishments for these projects resulted in several hundred feet of streambank stabilization through engineered designs and bioengineering projects. Many acres of erosion control and habitat development came from planting grass mixture, shrubs, and trees. Additional acres of steep slopes of noxious weed (knapweed) received chemical treatments to prevent further erosion and aid in the re-establishment of beneficial plants. These activities were conducted on the San Poil Watershed (WRIA 52) and Kettle River Watershed (WRIA 60).

WASP III has had a very positive impact to the Ferry County landscape and has enabled FCD to educate and assist the families who live here to improve water quality functions and values. Each engineered and bioengineering design, as well as other water and landscape BMPs that are implemented provide a testing ground for the District upon which to refine BMP designs and applications.

Riparian Demonstration and Education Project (RDEP)

Project Description:

The Riparian Demonstration and Education Project (RDEP) implemented riparian protection, enhancement, and restoration for water quality benefits throughout Ferry County Conservation District in Water Resource Inventory Area (WRIA) 52, 58, and 60. This project met the challenge of protection and restoration of riparian areas adjacent streams and lakes in such a manner that maintains water quality integrity while improving, protecting, or enhancing fish and wildlife habitat. The implementation projects in this program are available for use in individual, group, associations, and schools for education efforts into the future. Many varieties of BMPs have been implemented and landowners can view the different strategies used to create the various types of environmental protection and enhancement that we have utilized. This project is funded by the Washington State Department of Ecology and sponsored by the FCD. The project ends in 2003.

Associated Monitoring:

FCD Staff continues the monitoring efforts for this project.

Accomplishments:

Developed a Riparian Education and Demonstration Program to include implementation of projects on the FCD property, and a native plant nursery for use in this and future implantation projects. Conducted a partnering restoration effort with several individual landowners, agencies, the Colville Confederated Tribes, and School Districts (as far as Seattle). Implemented an extensive public education and information program. Perform a comprehensive monitoring program.

41.4 Strategies Currently Being Implemented Through Existing Projects

41.4.1 Limiting Factors and Strategies

Refer to Figure 39.1 of the Aquatic Inventory section for a graph displaying the percent of all fish and wildlife mitigation projects in the Subbasin that respond to specific limiting factors. Wildlife mitigation projects in the basin respond primarily to the limiting factors of habitat quantity and quality; in addition, the sharp-tailed grouse project, mule deer study, and cougar research addressed lack of information on wildlife species.

Figure 39.2 of the Aquatic Inventory section shows the types of management strategies used in the fish and wildlife mitigation projects in the Subbasin. Wildlife mitigation projects in the Subbasin have used primarily the habitat acquisition and habitat improvement/restoration strategies. Other strategies include RM&E and watershed planning/recovery planning.

41.4.2 Gaps Between Actions Taken and Actions Needed

The primary terrestrial resources mitigation need in the subbasin, with respect to the FCRPS, is completion of the construction loss mitigation for the Grand Coulee Project. The construction loss assessment was completed in 1986 (Creveling and Renfrow 1986). Currently, the mitigation for the construction wildlife losses in terms of Habitat Units (HUs) is about 51 percent complete (refer to Section 40). Acquisition of HUs for the Washington State threatened sage grouse has been completed; future enhancement and monitoring funding will be necessary to improve and maintain habitat values. Acquisition of HUs for the Washington State threatened sharp-tailed grouse is approximately 52 percent complete. Populations of this species are considered at very high risk in the state and continued action to enhance habitats and populations in the province is needed.

Additional funding for habitat acquisitions, enhancement and/or restoration measures, and maintenance funding will be necessary to meet the existing construction loss mitigation obligation.