

# Staff summary of Issues and Recommendations

## Long Term O&M Contingency Plans

\*Preliminary draft, please refer to full recommendations for complete review

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### I. 2009 Fish and Wildlife Program Section:

- II, Basinwide Provisions, Section D, 5, a. Completion of Current Mitigation Program (page 21)
- II, Basinwide Provisions, Section D, 6, g. Mitigation Crediting Forum (page 21)
- II, Basinwide Provisions, Section D, 7, Resident Fish Mitigation, c. Management Plan and Operation and Maintenance Funding (page 22)
- II, Basinwide Provisions, Section D, 7, Resident Fish Mitigation, b. Resident Fish Mitigation Settlement Agreements (page 22).
- VI, Mainstem Plan, Section D, 2 Strategies in Specific Areas, Annual and in-season decision-making (page 55)
- VIII, Implementation Provisions, A. Implementating Measures Recommended for 2008 - 2018 (page 60)
- VIII, Implementation Provisions, B. 1. Objectives of Project Review (page 61)
- VIII, Implementation Provisions, D., 1, Andromous Fish, Resident Fish, and Wildlife (page 62)

### II. Overview

The majority the recommendations received by the Council regarding long term O&M/contingency plans addressed the need to protect the extensive investment in ongoing fish and wildlife benefits. This base support remains critical to ensure that current investments made continue to benefit the fish and wildlife over a long period of time. Recommendations received voiced concern over the lack of adequate funding to ensure meeting the intent of these past investments.

The recommendations focus on operations and maintenance funds associated with acquisitions, fish screens and fish ways, and hatcheries. A few recommendations address the need to create a process to ensure protection of the continued value of past actions and investments and make suggestions for how to cover costs.

In addition, a recommendation was submitted to fully support a specific program in the Kootenai Basin.

### III. Recommendation summary and synthesis:

1. General Funding
  - a. Protect mitigation investment over life of project or in perpetuity (1)

- b. Fund long term maintenance of investments in habitat. Council should take lead in being the steward for the significant habitat improvement investment. (5) (7)
  - c. Use unspent project funds in subsequent years, from unforeseen circumstances, to conduct costs measure savings that can go back into the project (26)
- 2. Wildlife
  - a. Fund at adequate operation and maintenance levels (13) (26) (27) to implement wildlife management plans (3) (4) (16) (18) (25) (27) and the Council to be more active in making funding recommendation (4)
  - b. Create process for capital refurbishment to ensure continued value (3) (4)
  - c. Fund to maintain, protect, and/or enhance habitat units (HU's) (26)
  - d. Explore innovative approaches (i.e., endowing stewardship funds)to ensure long-term funding of O&M (35)
- 3. Fish Screens and Fishways
  - a. The habitat based Program relies on the O&M associated with fish screens and fishways, O&M funding has not kept up to maintain that investment(1) (3)
  - b. Create process for capital refurbishment to ensure continued value (3) (4)
- 4. Hatcheries
  - a. Create process for capital refurbishment to ensure continued value (3) (4)
  - b. Adequate O&M funds (13) (27)
- 5. Ensure adequate funding to meet mitigation responsibilities that are not tied to ESA (4)
- 6. Resident Fish Mitigation
  - a. Continue support and include language associated with habitat acquisition that state it should take place through long-term or multi-year agreements and committed funds to achieve and sustain wildlife mitigation objectives (16)
- 7. Sufficient O&M funds to fully support the Kootenai Integrated Fish and Wildlife Program (24)

## IV. Recommendations

### Idaho Department of Fish and Game (IDFG) (1)

- The Program habitat actions relies of screens and fish ways O&M has not kept up with implementation - concurs with the ISRP's recent review - need to bolster language and take a leadership role in this emerging habitat issue.
- Specify within the program that wildlife habitat losses are fully mitigated only when mitigation agreements include operations and maintenance funding to protect these mitigation investments over the life of the project or in perpetuity.

### Oregon Department of Fish and Wildlife (3)

- 3.2 Adequately Fund Wildlife Projects (Attachment 2, Section 3.2)  
Current Program: Pages 20-22, Wildlife Strategies  
Recommendation: BPA shall fund existing projects at levels adequate to implement wildlife area management plans. Rationale: Funding needs to continue to maintain the base level of habitat and credits accomplished to date. BPA will fund existing wildlife projects at levels determined to be consistent with the project management plans. Funding must be sufficient for habitat maintenance and enhancement, and appropriate monitoring as agreed upon in the management plans. Where management plans are not in place, BPA will provide interim funding to manage the wildlife projects and complete the management plans.
- 8.5. Assure Adequate funding to meet mitigation responsibilities  
Current program: pg. 14  
Recommendation 2: The Council and BPA have made significant infrastructure Investments including fish screens, hatcheries, wildlife areas, and other capital improvements. BPA and the Council will work with the States and Tribes to create a process for capital refurbishment over the next ten years. Measure 1: Council should direct funding for replacement and repair beyond current operation and maintenance to ensure the continued value of existing infrastructure investment in fish passage, hatcheries and wildlife areas. Rationale: Existing fish screens, hatcheries and capital improvements on wildlife areas are aging and exhibiting the need for additional money beyond the yearly operation and maintenance budgets. If we begin now, we can plan for upcoming costs in a rationale and coordinated fashion. An overall plan for replacement will need input from all fish and wildlife managers as we prioritize and allocate resources accordingly. Measure 2: The Council will allocate adequate money for mitigation responsibilities. Specifically: a. Adequate funding to provide for hatchery mitigation programs, hatchery conservation programs, and associated monitoring. For instance, maintain funding for Coded Wire Tagging. b. Ensure mitigation responsibilities include mitigation from power line impacts. For example, Greater Sage Grouse populations are particularly impacted by power line corridors that effectively carve up sage grouse habitat, increase predation, and impair nesting and dispersal, reducing the likelihood of

recovery. Measure 3: Maintain adequate funding for Select Areas Fishery Enhancement (SAFE) as a core mitigation responsibility and selective harvest as a tool to protect listed species. Rationale: The SAFE project has effectively reduced fishing impacts to listed anadromous fish in the mainstem Columbia River while mitigating for loss productivity upstream. The Council's continued support for this program is critical to mitigating the impacts of the dams on commercial and recreational fishing opportunity.

Measure 4: Council will increase funding to achieve the objectives and goals of the resident fish section of the Program.

#### **Washington Department of Fish and Wildlife (4)**

- Adequate funding to meet mitigation responsibilities  
Current program: pg. 14  
Recommendation 1: Specify that Council plays a pivotal role in ensuring adequate funding to meet mitigation responsibilities including those that are not tied to Bonneville Power Administration's requirements under the Endangered Species Act. Rationale: The Council's role, as described in the Power Act, is to recommend which projects are to be funded by Bonneville Power Administration (BPA). Recently, the Council has moved away from recommending funding levels for projects which has resulted in some Council recommendations either being inadequately funded or unfunded.
- Recommendation 2: The Council and BPA have made significant infrastructure investments including fish screens, hatcheries, wildlife areas, and other capital improvements. BPA and the Council will work with the States and Tribes to create a process for capital refurbishment over the next ten years. Measure 1: Council should direct funding for replacement and repair beyond current operation and maintenance to ensure the continued value of existing infrastructure investment in fish passage, hatcheries and wildlife areas. Rationale: Existing fish screens, hatcheries and capital improvements on wildlife areas are aging and exhibiting the need for additional money beyond the yearly operation and maintenance budgets. If we begin now, we can plan for upcoming costs in a rationale and coordinated fashion. An overall plan for replacement will need input from all fish and wildlife managers as we prioritize and allocate resources accordingly. Measure 2: The Council will allocate adequate money for mitigation responsibilities. Specifically: a. Ensure mitigation responsibilities include mitigation from power line impacts. For example, Greater Sage Grouse populations are particularly impacted by power line corridors that effectively carve up sage grouse habitat, increase predation, and impair nesting and dispersal, reducing the likelihood of recovery. b. Adequate funding to provide for hatchery conservation and mitigation programs, and associated monitoring. For instance, maintain funding for Coded Wire Tagging and recovery is essential for hatchery effectiveness monitoring. Measure 3: Maintain adequate funding for Select Areas Fishery Enhancement (SAFE) as a core mitigation responsibility and selective harvest as a tool to protect listed

species. Rationale: The SAFE project has effectively reduced fishing impacts to listed anadromous fish in the mainstem Columbia River while mitigating for loss production caused by upstream dams by directing fisheries into off channel sites. In addition, selective sport and commercial fisheries have been effective at reducing fishing impact to natural origin spawners. The Council's continued support for these programs are critical to mitigating the impacts of the dams and providing commercial and recreational fishing opportunity.

- **5.2 Adequately Fund Wildlife Projects**

Current Program: Pages 20-22, Wildlife Strategies

Measure: BPA shall fund existing projects at levels adequate to implement wildlife area

management plans. Rationale: Ecological condition must be maintained on wildlife areas over time. Funding of wildlife areas has been flat lined for years and current funding levels are not reflective of full implementation of management plans that maintain habitat credits or improve quality of habitat to achieve mitigation value.. BPA will fund wildlife projects at levels determined to be consistent with the project management plans. Funding must be sufficient for habitat maintenance and enhancement, and appropriate monitoring as agreed upon in the management plans and the monitoring scheme developed/referenced below. Where management plans are not in place, BPA will provide interim funding to manage the wildlife projects and complete the management plans. In addition, it is imperative that BPA fund restoration after catastrophic events like fire and flood to maintain habitat values and infrastructure.

### **Washington State Governor's Salmon Recovery Office (5)**

- Support Stewardship and Long-term Maintenance of Investments in Habitat
  - need to fund long-term stewardship and maintenance of the restoration and protections actions.
  - The Council should take the lead should take the lead in setting a new precedent for long-term stewardship of its significant habitat improvement investments.

### **Upper Columbia Salmon Recovery Board (7)**

- Mechanisms for Supporting Stewardship and Long-Term Maintenance of Investments in Habitat
  - Recommendations - The Council should take the lead in setting a new precedent for long-term stewardship of its significant habitat improvement investments. The Council can do this by setting aside a small percentage of the existing investment in each Province (e.g. 5% annually) to be managed locally (i.e. watershed councils, region, state – depending on the infrastructure) for long-term monitoring and maintenance needs. Turning to the local infrastructure that is in place to develop a mechanism for stewardship investment will ensure accountability and foster collaborative partnerships. Council investments in stewardship will facilitate adaptive

management on previous investments, and will inform the program in its future habitat restoration investments.

**Coeur d'Alene Tribe (13)**

- Adequate project O&M funding for ongoing long-term projects (i.e., wildlife properties, fish hatcheries, etc.)
- Continue to fund adequate long-term operations and maintenance (O&M) and enhancement/restoration activities to maximize habitat benefits to target C&I species.

**Confederated Salish and Kootenai Tribes (16)**

Current Program: Pages 20-22, Wildlife Strategies

- BPA shall fund existing and future projects at levels adequate to implement wildlife area management plans

Current Program: Pages 22-23, Resident Fish Mitigation and Crediting

- The Council should continue to support and BPA shall fund the existing language in the 2009 Program regarding resident fish mitigation, on pages 22-23.

In addition:

- Maintain the existing language from the 2009 Program
- Resident Fish Mitigation Settlement and Multi-year Agreements whenever possible, resident fish mitigation via habitat acquisitions should take place through long-term or multi-year agreements that, as with , have clear objectives, a plan for action over time, a committed level of funding that provides a substantial likelihood of achieving and sustaining the stated wildlife-mitigation objectives, and provisions to ensure effective implementation with periodic monitoring and evaluation.

**Confederated Tribes of Grand Ronde (18)**

- BPA shall fund existing and future projects at levels adequate to implement wildlife area management plans

**Kootenai Tribe of Idaho (24)**

- BPA shall provide sufficient operations and maintenance and funding to support full implementation of the Tribe's integrated fish and wildlife program.

**Nez Perce Tribe (25)**

- BPA shall fund existing projects at levels adequate to implement wildlife area management plans
- BPA to provide interim funding to manage the wildlife projects and complete the management plans where management plans are not in place.

### **Spokane Tribe of Indians (26)**

- **Wildlife Operations and Maintenance Funding**  
The Council shall retain measures in the Program that support the adequate long-term funding of Wildlife Mitigation, Operation, and Maintenance projects. Adequate and longterm funding of Wildlife O&M was a focus of past Fish & Wildlife Programs. The Spokane Tribe of Indians supports the following funding principles:
  - BPA will provide "adequate funding" to maintain, protect, and/or enhance habitat units (HU's) that have been acquired and/or shall be acquired to mitigate wildlife habitat losses. "Adequate funding" shall further be identified as the necessary monetary requirement to complete all approved actions identified by the Tribes at a reasonable rate of implementation. Project sponsors shall use the "1998 CBFWA Wildlife Managers: Guidelines for Enhancement, Operation, and Maintenance Activities for Wildlife Mitigation Projects", the "2007-4 IEAB Task 116: Investigation of Wildlife O&M Costs", and past project expenditures to assist with determining the appropriate actions & funding levels;
  - Spokane Tribe of Indians will retain flexibility to use unspent funding in subsequent years. Project sponsors shall be able to work directly with BPA staff to determine how unspent funding can be used within the project that result from unforeseen circumstances such as weather events or fire. This flexibility shall provide Project Managers with benefits to conduct costs measure savings that can go back into the project; and
  - BPA will provide funding consistent with approved site specific management plans.

### **Upper Columbia United Tribes (UCUT) (27)**

- The UCUT specifically propose the following to be included in the new Program  
Adequate project O&M funding for ongoing long-term projects (i.e., wildlife properties, fish hatcheries, etc.);

### **Upper Snake River Tribes Foundation (28)**

- **Current Program: Pages 20-22, Wildlife Strategies**  
Measure: BPA shall fund existing projects at levels adequate to implement wildlife area management plans

### **Bonneville Power Administration (35)**

- **Wildlife:** The Accords do not address wildlife mitigation crediting in any detail. Nonetheless, we recommend that the Program should adopt the conclusions and recommendations from the Wildlife Crediting Forum closeout report, including encouragement for subregional efforts to resolve the few remaining areas where resource managers and BPA disagree on remaining mitigation. With respect to wildlife habitat mitigation tracking, the

Program should continue to support flexible negotiated resolutions that can rely on any agreed upon metric or base. For tracking Program accomplishments after construction and inundation mitigation is completed, the Council should consider retiring habitat units, because they are not adopted or accepted in all parts of the basin and rely instead simply on acres. The Program should also support our efforts to explore innovative approaches, such as endowing stewardship funds to ensure long-term funding for operations and maintenance.