

Responses to ISRP Preliminary Comments and Recommendations

Program: Conservation Enforcement

Project ID: #35052

Title : Conservation Enforcement to Enhance and Restore Fish & Wildlife Resources of the Upper Columbia River under Jurisdiction of the Colville Tribes

Sponsor: CCT

Contact: Joe Peone

FY03 Request: \$245,636

5YR Estimate: \$1,357,294

Short Description: Protect anadromous salmonids from illegal take throughout the Columbia Basin - with emphasis on conservation of depleted stocks. We will focus fish & critical habitat protection - Chief Joe tailrace, Wells Pool and Okanogan R. fisheries/water diversions.

General Comments on Conservation Enforcement Proposals:

A basic question these proposals should address is how to determine the best mix of enforcement personnel and public education to produce the greatest net enforcement benefits.

We will consider a three-prong approach to determine the best mix of enforcement personnel and public education to produce the greatest net enforcement benefit:

- (1) **Historical Perspective** – examine the methods and mix of enforcement to public outreach used in the previous (1992-97) system-wide project (Project 92-024) with nine participating enforcement entities – it had a mix of about 32 enforcement positions to two public outreach specialists or a ratio of about 16:1 ratio. As our project implementation proceeds, we will examine system-wide strategies (e.g., a shared Public Outreach Specialist) that the Colville Tribes Tribal Project could contribute to and benefit from;
- (2) **Adaptive Management** – start by seeking the cooperation of existing Tribalpublic outreach resources (within the Colville Tribes Natural Resources Department) and match it with the efforts of the two proposed conservation enforcement officer positions. Part of the conservation officer’s job will be to provide information and education to resource users. After the first year of project implementation experience, we can examine project levels of effort (enforcement/outreach) and strategies for public education and identify opportunities for improvement; and
- (3) **Innovative** – consider new approaches that would integrate advanced technology and the web-based Conservation Enforcement Data Center Concept with the need to reach out

and inform various segments of the public. If the Conservation Enforcement web site is fully developed, it could provide a means to monitor public awareness relative to key resource issues – both for tribal fishers and the general public. The general approach would be to: develop a Public Outreach Web Site → develop a data base of interested publics (fishing, non-consumptive recreationalists, etc.) → develop issue statements relevant to conservation enforcement → use e-mail as a tool to distribute questionnaires/polls → publish results on the web site to complete the cycle of public awareness → conduct M&E on resultant public opinion data over time. For more detail on this approach refer to the response (below) concerning the development of M&E metric for the Public Awareness (I&E) component.

Each proposal should justify the size of a core staff necessary for effective enforcement and place the current request in the context of core staffing needs.

For natural resources conservation purposes, the Colville Tribes’ enforcement jurisdiction is divided into two regions, i.e., (1) North Half and (2) Colville Reservation. The Reservation is further subdivided into three areas: (1) Omak (West) Area; (2) Nespelem/Keller (Central) Area; and (3) Inchelium (East) Area.

The current allocation of Colville Tribes enforcement positions is presented in (Table 1).

Table 1. The number conservation enforcement personnel (Full Time Equivalents, FTEs) assigned to various enforcement areas under the Natural Resources management jurisdiction of the Colville Tribes .

| Enforcement Zone | FTE | Personnel Description |
|---------------------------------------|------------|---|
| Off Reservation (1.5 million acres) | | |
| North Half Area | 2.0 | (1) Sergeant (1) Officer |
| On Reservation (1.4 million acres) | | |
| Omak (West) Area | 2.0 | (1) Sergeant (1) Officer |
| Nespelem/Keller (Central) Area | 4.0 | (1) Sergeant (1) Officer (1) Officer (1) Officer (1) Seasonal Officer (1) Camp Fee Collector |
| Inchelium (East) Area | 1.0 | (1) Officer |
| Main Office (Mt Tolaman) | 1.0 | (1) Administrative |
| Total | 10.0 | |

Given the large geographic area of the Colville Tribes Reservation (about 3 million acres) – the current level of Natural Resources enforcement coverage averages about 300,000 acres of patrol area per officer (Figure 1). In reality, however, the enforcement intensity of most of the Colville

Tribes jurisdiction is even less than the overall average indicates since half of the current effort (5.0 FTE) is actually allocated specifically to the relatively small area encompassing Lake Roosevelt and the remaining 5.0 FTE is left to patrol the vast majority of the 3 million acre jurisdiction.

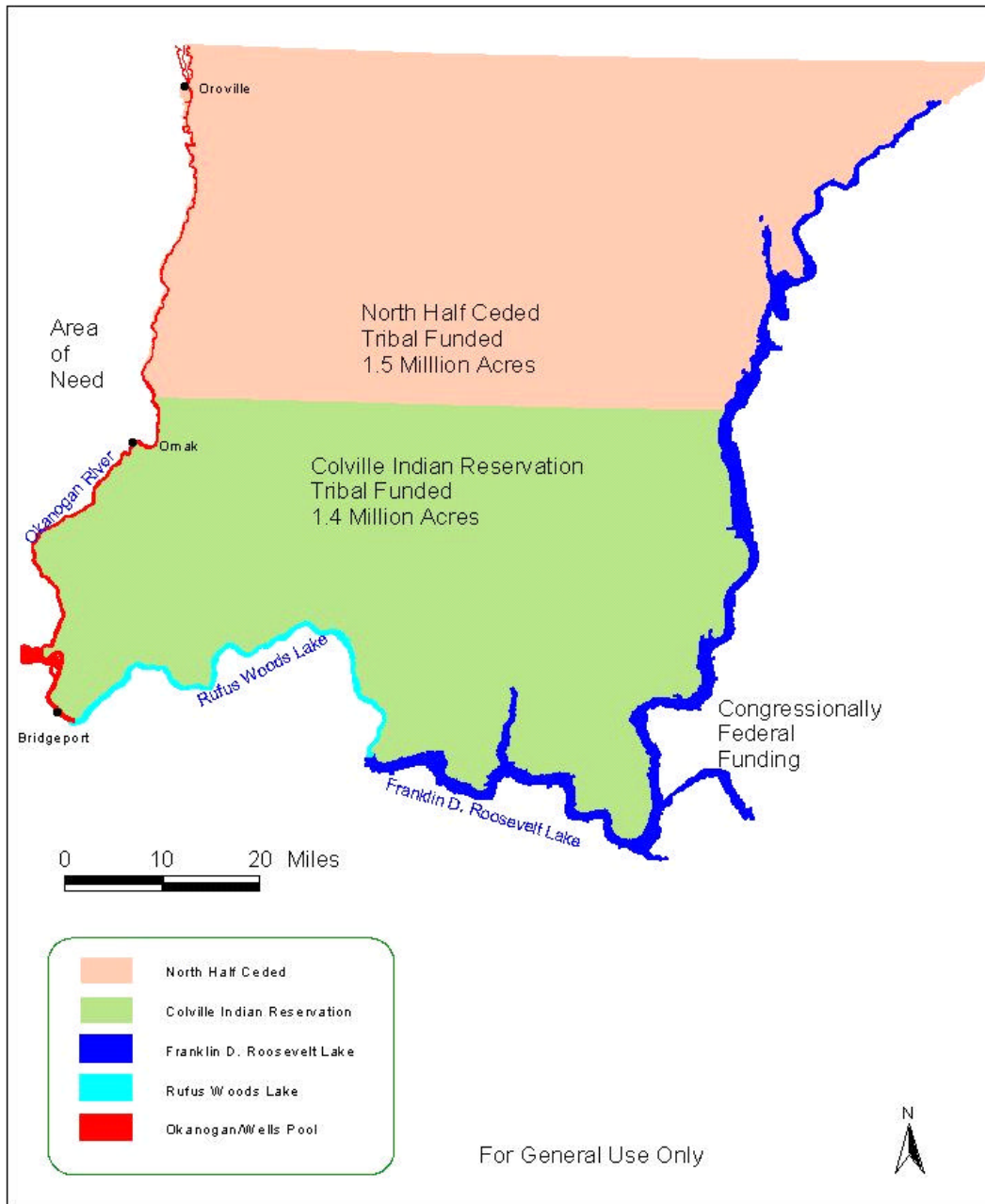


Figure 1. The Colville Tribes enforcement jurisdiction -- geographic areas currently receiving funding from Congressional Appropriations and Tribal Funding. The area color codes are: pink -- the North Half jurisdiction (1.5 million acres); green -- the Colville Tribes Reservation; blue -- Lake Roosevelt; and red -- the Omak Area / Okanogan River system.

The area of need for the protection of ESA-listed anadromous salmonid stocks is the Omak (West) Area and Okanogan Subbasin that is presently covered by two Colville Tribal Officers (Figure 2). The Okanogan System consists of about 8,000 square miles (5.1 million acres) of which 23% (1.2 million acres) is in the United States. The proposed BPA Project will add two new Conservation Enforcement Officers to this region – for a total of four Colville Tribal officers. Thus the overall average coverage after the BPA project is implemented will be about one tribal officer per 294,000 acres. In addition, we anticipate an increasing demand for services of the ESA-focused BPA-funded project once the two new positions come on line due to additional fisheries planned for the near future and the current lack of enforcement on critical habitat issues and water withdrawals.

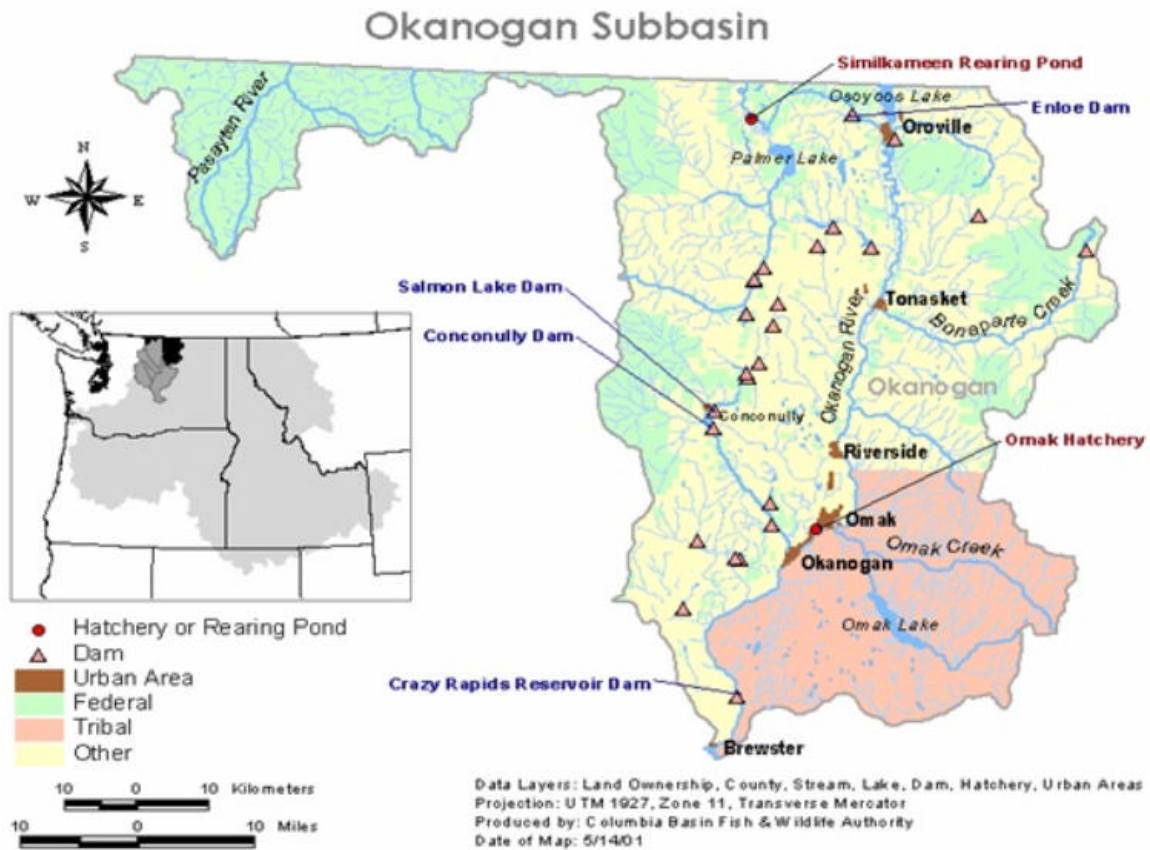


Figure 2. The Omak (West-side) enforcement jurisdiction encompassing the Okanogan River system.

In summary, we anticipate that the level of effort to meet “core responsibilities” for the Okanogan system and mainstem Columbia River under Colville Tribes jurisdiction would be much greater than the initial four FTE (2 CCT + 2 BPA funded) we have proposed for the BPA enhancement project. In future years we plan to seek additional support for conservation enforcement from BIA, NMFS and Department of Justice Grants – based on the success that CRITFE has had in obtaining funding from these sources in recent years.

The proposals should also describe the potential for matching effort.

The Colville Tribes' Parks and Recreation Enforcement Division will provide 2.0 FTE (experienced officers) to match the proposed BPA-funded conservation enforcement FY2003 project.

| | Proposed BPA Support | Colville Tribes Match |
|-------------|-----------------------------|------------------------------|
| FTE | 2.0 | 2.0 |
| Cost | \$245,636 | \$200,802 |

The following Table 2 provides a detailed 'line-item' budget showing the matching funds to be provided by the Colville Tribes – for the proposed BPA-enhanced FY 2003 Project #35052.

Table 2. Colville Tribes' Match for FY 2003 BPA Project #35052 Budget.

| Annual Funding Period: January 1, 2003 to December 31, 2003 | | CCT Cost Share | |
|--|--------------|-----------------------|-----------------|
| | Basis | Units | CCT Cost |
| 1. PERSONNEL | | | |
| Wages: | | | |
| CT Funded Sergeant – Salary | \$39,790 | 1 | \$39,790 |
| – Overtime | | | \$2,985 |
| CT Funded Officer II – Salary | \$32,916 | 1 | \$32,916 |
| – Overtime | | | \$2,470 |
| BPA Funded Officer II – Salary | \$32,916 | | \$0 |
| – Overtime | | | \$0 |
| Wages Sub-Total: | | 2.0 | \$78,161 |
| Fringe Benefits: | | | |
| CT Funded Sergeant – Salary Fringe | | 1 | \$9,073 |
| – OT Fringe | | | \$510 |
| CT Funded Officer II – Salary Fringe | | 1 | 8,272 |
| – OT Fringe | | | \$427 |
| Fringe Sub-Total: | | | \$18,282 |
| PERSONNEL SUBTOTAL | | 2.0 | \$96,443 |
| PART 2. NON-EXPENDABLE EQUIPMENT | | | |
| Jet Boat (Navigation, communications and police equipment) | | | \$45,000 |
| SUBTOTAL | | | \$45,000 |
| PART 3. EXPENDABLE SUPPLIES | | | |
| Operational Supplies (Officer uniforms, badges, weapons & equipment, vehicle supplies, Booklets, Life Preservers, Boat/Vehicle Overhead Lights, First Aid Kits, Emergency Equipment) | | | \$2,650 |
| Laptop Computers | \$1,800 | 2 | \$3,600 |
| SUBTOTAL | | | \$6,250 |
| PART 4. OPERATION AND MAINTENANCE | | | |
| GSA Vehicle Lease | \$12,500 | 1 | \$12,500 |
| Vehicle & Liability insurance | \$1,000 | 1 | \$1,000 |
| Phone Service (inc. cell phones) | \$500 | 2 | \$1,000 |
| Equipment Operation (outboard motor, boat gas & oil, field boat repairs) | | | \$4,000 |
| Equipment Maintenance (office equipment maintenance, boat engine tune-ups, outboard & inboard repair) | | | \$3,000 |
| Radio installation, maintenance & repair | | | \$1,000 |
| SUBTOTAL | | | \$22,500 |
| PART 5. TRAVEL | | | |
| SUBTOTAL | | | \$ 0 |

| | |
|--|------------------|
| PART 6. SERVICES & SUBCONTRACTS | |
| SUBTOTAL | \$ 0 |
| PART 7. Administrative Costs | |
| Subtotal of Direct Dollars | \$170,193 |
| Subtotal of Base Personnel Salary (less OT + Fringe) | \$72,706 |
| Indirect @ 42.1% of Personnel (0.421 x above line) | \$30,609 |
| TOTAL Colville Tribes Match FY-2003 | \$200,802 |

BPA funding for FY2003 would provide a significant level of additional effort to provide enhanced protection of targeted resources. In future years, we plan to seek additional matching effort from alternative funding sources, e.g., BIA, NMFS and Department of Justice.

Officers should be trained in fish and wildlife (as with the NPT).

If BPA funding for this project is approved, we will immediately implement a hiring process and concurrently develop a plan for Police Academy training (based on Colville Tribes' Enforcement Division Standards). Colville Tribes Fish & Wildlife training will be based on the model developed by the NPT Conservation Enforcement Department (see description below). We will contact Chief Adam Villavicencio (NPT-CE) and Chief John Johnson (CRITFE) for their advise on setting up a training plan for fish, wildlife, habitat, and other conservation-related issues. We will also contact National Marine Fisheries Service and request sponsorship into their Academy – as was accomplished by the NPT-CE Department.

The NPT conservation enforcement training example consists of federal academies and on-the-job training leading to conservation officer certification by the Tribe:

- Indian Police Academy – Bureau of Indian Affairs, Artesia, New Mexico
- Basic Land Management Academy – National Marine Fisheries Service, Glynco, Georgia
- Field Recruit training (officer ride along) – on reservation
- Officer Certification -- Federal Land Management Training Academy¹

In addition to basic police training, specialized training for NPT conservation officers includes resource management fundamentals, fish & wildlife biology, Endangered Species Act processes, Federal and State fish & wildlife regulations, NPT fish & Wildlife code, manual & computerized record keeping, physical fitness, hand to hand combat, emergency medical assistance, and search & rescue.

¹ The Federal Land Management Training Academy is a multi-agency facility for training of federal conservation law enforcement personnel stationed throughout the United States; the National Marine Fisheries Service sponsors the Nez Perce Tribal officers.

Describe how the impact of public education – e.g . changes in public awareness or increases in enforcement effectiveness – will be measured. Metrics to measure success and evaluate program performance need to be identified. These metrics and the monitoring program they enable should be described in advance of program enhancement.

The following null hypothesis and possible metrics are proposed for Public outreach, education, awareness, participation:

H0: Improved public education and awareness does not enhance LE efforts via public support and involvement.

Metrics: Public opinion polls, public volunteer work, voluntary compliance with laws and rules, “poacher hotline” information on violations.

Given a Conservation Enforcement web site that is accessible to large numbers of individuals interested in fish & wildlife, the internet could be used as a tool to conduct public opinion polls to measure public awareness of important conservation enforcement issues. The general approach would be to:

1. Develop a Public Opinion Web Site Page that is informative, interesting and accessible;
2. Develop a data base of individuals interested in resource management (with key descriptors to indicate special characteristics, e.g., sport fisher, tribal fisher, non-consumptive resource user, etc.);
3. Develop issue statements of fundamental importance to conservation enforcement;
4. Use e-mail as a tool to distribute questionnaires (possible rewards for participation);
5. Publish results on the web site to enhance interest and participation;
6. Monitor results of the public opinion polls over time.

In addition, statistics on public participation could be derived from conservation officer contacts and web site enhanced “poacher hotlines” to report violations. For example, various public participation statistics could be monitored over time:

- the number of citizens volunteering to participate in conservation enforcement efforts (patrol ride-along, school presentations, etc);
- the number of calls to violation hotlines and web-based violation reports;
- compliance rates for primary categories of violations in different areas.

ISRP Preliminary Comments:

We thank the ISRP for the detailed reading of our proposal and their acknowledgement of the positive aspects the proposed work.

The proposed project had strong relationships with other enforcement and recovery projects that are implicit throughout but could be made more explicit in the “relationships to other projects” section.

The following summary describes some of the Colville Tribes salmon restoration projects that have strong relationships with the Conservation Enforcement Project. The Confederated Tribes of the Colville Indian Reservation have obtained funding for the following suite of six projects from the Pacific Coastal Salmon Recovery Fund, PCSRF (Table 3). All of the six projects of these salmon enhancement projects are centered in the Okanogan subbasin.

The Okanogan subbasin is the largest single sub-watershed in the entire Columbia River Basin and also represents the uppermost tributary of the Columbia River currently accessible to anadromous salmonids. In the Okanogan subbasin, habitat degradation, barriers to passage, water quantity, water temperature, and water quality play significant roles in limiting production capacity for salmonids. In addition, productive capacity for summer chinook in the Okanogan River system is further negatively influenced by quality and quantity of available spawning and rearing habitat, and uneven distribution of spawning within the available habitat. Due to the importance of this region to tribal members and to the success of salmon recovery and restoration efforts in the upper Columbia River, the Colville Confederated Tribes' Fish and Wildlife Department have to date focused their anadromous salmonid recovery efforts primarily in the Okanogan River basin. Those restoration efforts on behalf of summer steelhead and spring chinook salmon in the Okanogan River basin have been directed in particular toward the Okanogan River tributaries.

Omak Creek is one of the major tributaries of the Okanogan River and is located entirely within the boundaries of the Colville Confederated Tribes' Reservation. Omak Creek is unique in that it is only tributary of the Okanogan River on the U.S. side of the border that has not been severely altered by water withdrawals or man-made impediments to fish migration. Four of the six projects included in this application focus specifically on Omak Creek. These projects include a groundwater supplementation project, a habitat acquisition and restoration project, a habitat/passage improvement project, and a monitoring and evaluation project. Of the remaining two projects contained in this application, one is for development of a summer chinook acclimation pond, and the other a somewhat more broadly focused salmon recovery planning proposal. The activities outlined in these projects provide direct benefit to salmon as well as enhancing and supporting ongoing salmon recovery efforts in the upper Columbia River basin, in the Okanogan basin, and on and around the Colville Indian Reservation.

Table 3. Highlight summary of CCT projects funded by the Pacific Coastal Salmon Recovery Fund (PCSRF).

| Project Title | Activity Summary | Benefit to Salmon | Milestones |
|--|--|--|---|
| 1. Omak Creek Groundwater Supplementation | Supplement Omak Creek with groundwater to provide as much as 4 cubic feet per second of additional streamflow during the summer low flow period and reduce stream temperature as much as 4 degrees centigrade in 4-mile reach of Omak Creek. | Improve salmonid spawning and rearing conditions in the lower four miles of Omak Creek through increasing summer base flows and by improving water quality through stream temperature reductions. | Develop BA and other consultation requirements, secure permits and complete contractor selection process Construct water conveyance system Provide supplementation water to Omak Creek |
| 2. Omak Creek Habitat Acquisition & Restoration | Acquire and restore 2.5 acres of important spawning, rearing and migration habitat in Omak Creek. The 2.5-acre site extends up Omak Creek from its confluence with the Okanogan River. | Improve salmonid spawning, rearing, and migration habitat in lower Omak Creek. Restoration and protection of this habitat is also important to success of efforts to restore wild summer steelhead in Omak Creek. | Acquire necessary permits, meet ESA requirements and complete appraisal process Purchase property Restore and enhances riparian habitat |
| 3. Okanogan Summer Chinook Acclimation Pond | Develop a new acclimation site for summer chinook in the upper middle Okanogan River at site of an existing irrigation pond. This project is part of a reform and expansion of an existing summer chinook program in Okanogan River. | Improve dispersal of adult summer chinook salmon in the Okanogan River. Improved dispersal is anticipated to result in increased juvenile production and subsequent increases in numbers of sub-yearlings surviving out-migration. | Complete production planning, NEPA and other consultation requirements, secure permits, negotiate OTID agreement, and complete contractor selection process Make pond modifications prior to pond refill for the irrigation season Prepare facility for fish rearing and purchase necessary supplies Operate and maintain acclimation pond |

| Project Title | Activity Summary | Benefit to Salmon | Milestones |
|---|---|---|---|
| 4. Omak Creek Summer Steelhead Habitat /Passage Project | Remove remaining barriers to passage, restore stream channel function, and eliminate excessive sediment delivery through the Mission Falls reach of Omak Creek. Project funds will also be used to reconstruct a one-half mile reach of lower Omak Creek which currently has highly unstable stream banks. | Open 27-miles of spawning and rearing habitat for summer steelhead by facilitating passage through the Mission Falls reach of Omak Creek. | Complete consultation requirements, secure permits and complete contractor selection process. Complete construction activities in lower half-mile of Omak Creek Design instream structures required in Mission Falls area Complete construction activities in Mission Falls reach |
| 5. Conduct Monitoring & Evaluation of Project Measures Associated with Recovery & Restoration of Anadromous Fish in Omak Creek | Monitor and evaluate key elements of juvenile fish survival, habitat restoration, adult passage, ESA incidental harvest, habitat utilization and spawning success in Omak Creek. | Monitoring and evaluation of recovery and restoration programs in Omak Creek is essential to development of effective adaptive practices that ensure the success of those programs. | Develop BA and other ESA requirements and secure any permits necessary. Implement Okanogan River summer steelhead fishery. Compile Chief Joseph Tailrace Fishery data Monitor growth and condition of riparian plantings and other physical habitat attributes on the lower 4 miles of Omak Creek. Monitor adult steelhead returns and spawning activity Monitor juvenile steelhead abundance, distribution and survival. Conduct creel survey in Chief Joseph Tailrace Fishery. Monitor stream flows and water temperatures. Develop RFPs and complete subcontractor selection process. Begin PCSRF project administration and coordination. Continue PCSRF project administration. Begin Tribal participation in salmon recovery, restoration and enhancement planning and coordination processes. |
| 6. Upper Columbia Basin Salmon Recovery, Restoration and Enhancement Planning and Coordination | Provide tribal coordination with Upper Columbia River Anadromous Fish Recovery processes and participation in other key regional forums addressing anadromous fish restoration and enhancement activities. Activities also include project support and administration for all CTCR PCSRF projects including development of semi-annual reports and ongoing progress reports, compliance assurance and milestone tracking. | Successful integration of overlapping and complementary regional Salmon restoration and recovery efforts is essential to the successful implementation of those programs and will ensure that the best strategies for salmon recovery and restoration are implemented. Project administration and reporting supports successful implementation of on the ground salmon recovery and restoration activities. | Develop RFPs and complete subcontractor selection process. Begin PCSRF project administration and coordination. Continue PCSRF project administration. Begin Tribal participation in salmon recovery, restoration and enhancement planning and coordination processes. |

In addition to the general comments provided above, the proponents should address the following comments specific to this proposal:

• Do enforcement plans currently exist?

Yes, enforcement plans for the current Natural Resources Enforcement Division exist – refer to the following enclosure outlining the BIA Statement of Work (5.0 FTEs). The plan for the enforcement work funded by Congressional appropriations (5.0 FTEs) is focused entirely on Lake Roosevelt Parks and Recreation issues and has no overlap with the proposed BPA enforcement project. The proposed Project (#35052) is focused on depleted fish & wildlife species and habitats – primarily in anadromous streams downriver from Grand Coulee Dam, e.g., Chief Joseph Tailrace, Wells Pool and the Okanogan River system.

BUREAU PROGRAM(S) TO BE PERFORMED

Scope of Bureau Program(s) to be performed

To Holistically manage, protect and enhance the recreational, cultural and traditional resources of the Colville Reservation and boundary waters while providing for the safety and health of the general public when those recreation resources are used.

Statement of Work

Perform an overall Parks and Recreation enhancement and conservation program on the Colville Indian Reservation and boundary waters.

A. Management functions shall encompass the following:

1. Plan, manage and enhance recreational activities on the Colville Indian Reservation and boundary waters.
2. Educate and inform the public of facilities, uses, laws and regulations of the Colville Confederated Tribes.
3. Implement CCT Coordination of Law Enforcement Agreement with Colville Tribal Police Services, Fish and Wildlife and Parks and Recreation Programs.
4. Review and update the boating, camping, liquidated damage schedules, and ORV codes on an annual basis.
5. Develop a management plan with policies and procedures describing how the campgrounds will be maintained and operated, establishing fees for use of facilities and developing needed rules and regulations.
6. Protect and conserve the Tribes environment, cultural, historical, and archaeological resources in accordance with applicable provisions of federal and tribal law.
7. Develop a brochure to inform tribal and non-tribal recreational users on the laws and regulations of the Colville Confederated Tribes.
8. Maintain liaison with other Tribal and Bureau of Indian Affairs offices and Federal, State, County and City governments.

B. Law enforcement functions will encompass the following:

1. Provide for the safety and general welfare of the public by enforcing all Colville Tribal Laws
2. Work with National Park Service to provide mutual assistance in emergency situations under the Memorandum of Understanding.
3. Assist Fish and Wildlife program during special big game hunts, fishing and gathering inventory data during eagle survey.
4. Continue ongoing law enforcement training to upgrade law enforcement skills.
5. Set up a search and rescue program for diving, climbing, organized search party techniques for lost or missing individuals.
6. Provide education and information on the Tribes Title IV laws and codes concerning camping, fishing and boating regulations to the public and schools and outside agencies.

C. Maintenance function will encompass the following:

1. Develop, schedule and perform a maintenance service to campground areas, vehicles and boats.
2. Identify and prioritize projects for preventative and on going maintenance of existing campgrounds.
3. Perform annual safety inspections of campground areas and equipment and develop a plan to take corrective action.
4. Gather campground inventory data, enter in GIS, fence areas and place signs in campground areas.
5. Provide public facilities by constructing and installing outhouses and picnic tables, setting out garbage barrels, providing a garbage pickup service, installing fire grills and pulling/spraying weeds to reduce damage and conserve the environment.

D. Parks and Recreation Program in performance of this contract shall use a two-way radio in compliance with the FCC and local regulations.

The initial enforcement plan for BPA project is presented in the FY2003 Statement of Work: Objective 2 covers fish protection; Objective 3 covers Operation & Maintenance; and Objective 3 covers critical habitat protections – specifically compliance water diversions (see step-down plan below). The purpose of Task 2.3 is to develop specific enforcement action plans in coordination with Colville Tribes’ fishery management goals, objectives and priorities; and the purpose of Task 2.4 is to provide a plan for inter-agency cooperative enforcement operations.

Objective 2. Enhance enforcement for protection of depleted anadromous & resident fish in the mid and upper Columbia Basin.

Task 2.1. Maintain the existing enforcement baseline and increase the overall fisheries and habitat law enforcement within the Colville Tribes Management Jurisdiction over 2002 baseline levels. The current baseline level of effort for CY2002 is ten (10) officers and with a primary focus on Lake Roosevelt resources. The BPA enhanced enforcement project will add two additional officers resulting in an enhanced total of twelve (12) conservation officers.

Task 2.2. In conjunction with tribal policy directives and guidelines, coordinate with other enforcement entities to enhance protection for depleted fish stocks throughout the Columbia Basin.

Task 2.3. Develop specific enforcement action plans in coordination with tribal fishery management goals, objectives and priorities. Meetings will be held on a regular basis with Tribal biologists and natural resources staff to determine biological objectives and priorities; enforcement priorities will be

developed accordingly. The deliverable is to implement enforcement activities that are consistent with Colville Tribes fish & wildlife management concerns and priorities.

Task 2.4. Provide inter-agency support, coordination and cooperation to enhance enforcement effectiveness – to the extent possible given operations budget restrictions.

Subtask 2.4.1. Seek opportunities to conduct overt and covert enforcement operations, aircraft surveillance, inter-agency patrols, and public awareness efforts, via coordination and cooperation with other enforcement entities.

Subtask 2.4.2. Provide other enforcement entities (e.g., state and federal) with assistance for protection of resident fish in tribal fishing (within constraints of current funding levels).

Subtask 2.4.3. Provide other enforcement entities with assistance for protection of critical habitat of anadromous and resident fish throughout Colville Tribes jurisdiction (within constraints of current funding levels).

Task 2.5. Provide required basic and advanced training of fisheries and habitat enforcement personnel relative to specific enforcement responsibilities of the Colville Tribe.

Product: Enhanced enforcement effort, personnel, equipment, training, and integrated operational plans resulting in better coordination and effectiveness of the BPA-funded, Colville Tribes' conservation enforcement project. The ultimate product is the increased protection of the fish, wildlife and watershed resources and treaty fishing rights.

Schedule: All of these tasks are on going throughout the life of the contract.

Objective 3. Operate and maintain patrol vehicles, patrol boats, aircraft flights, equipment, and facilities – to the extent possible given budget restrictions – to provide for full time (7x24x365) enforcement readiness and effectiveness.

Task 3.1. Operate and maintain patrol vehicles, patrol boats, equipment, and facilities – to the maximum extent possible given budget restrictions.

Task 3.2. Contract aircraft flights for aerial patrols of Tribal fisheries e.g., mainstem Columbia River (e.g. Wells Pool and Chief Joseph Tailrace) and Okanogan River – to check for fisher effort and compliance with regulations.

Product: Optimized enforcement readiness, resulting in maximum performance. Ultimately, increased protection of the fish, wildlife and watershed resources and Tribal fishing rights.

Schedule: All of these tasks are on going throughout the life of the contract.

Objective 4. Protect critical habitat and conduct cooperative enforcement of water diversion and screening regulations and in the Okanogan Basin -- in conjunction with local, state and federal regulatory entities.

Task 4.1. Seek opportunities for specialized training for law enforcement personnel in the area of environmental and habitat enforcement application via inter-agency cooperation & resource sharing (for example with the Washington Department of Ecology and National Marine Fisheries Service). Ensure that all current officers have attended an ESA enforcement overview training class. As training opportunities are identified and are deemed relevant to our project, all officers will be directed to specific training related to environmental and habitat enforcement protection. New officers will complete the basic Police Academy training and then work on the "enhanced" training modules such as the ESA and environmental training.

Task 4.2. Conduct enforcement of water diversion and screening regulations in the Okanogan River basin and to the extent possible coordinate with Federal, State and local enforcement agencies.

Task 4.3. Work within tribal policy guidelines to enhance "*gravel-to-gravel management*" of salmonid habitat resources; and to the extent possible, coordinate with state, tribal, and federal agencies -- in an effort to provide other enforcement entities with assistance for protection of spawning and habitat areas.

Task 4.4. Coordinate with tribal conservation enforcement efforts and participate in basin-wide habitat enforcement efforts (within the constraints of current funding levels and respective tribal policies).

Task 4.5. Assist Washington State agencies -- to the extent possible given funding limitations -- in the coordination and integration of their currently funded fish, wildlife, habitat and cooperative compliance Enforcement Programs.

Product: Improved and expanded habitat law enforcement protection, effectiveness, and accountability – via enforcement of water diversion and screening regulations in the Okanogan River Subbasin and enhanced inter-agency cooperation. Expanded habitat and environmental enforcement protection is being proposed for implementation in 2003; to the extent possible, Colville Tribes will coordinate with fish, wildlife and habitat restoration efforts being conducted by other entities.

Schedule: Tasks will be ongoing. Efforts will be made for Colville Tribal Conservation officers and supervisors to attend the monthly CBLEC meetings or other relevant meetings -- as a coordination mechanism.

As project implementation proceeds, The tasks under Objective 1 are designed to adaptively manage the project and update the overall Strategic Plan and specific enforcement performance plans on an iterative annual cycle.

Objective 1. Adaptively manage the Colville Tribes ' conservation enforcement project by making changes to the BPA performance plan, enforcement strategic plan, and evaluation study design – based on M&E results.

Task 1.1. Revise the BPA statement of work and performance plan for FY 2004 and beyond – based on the results of the M&E component during 2003 implementation {see Objective 2 for implementation phase}.

Task 1.2. Update the Colville Tribes implementation approach and enforcement strategic plan to respond to opportunities for FY 2004 project improvement – based on the results of the M&E component during 2003 implementation {see Objective 5 for implementation phase}.

Task 1.3. Refine performance measures that best fit Colville Tribes ' mainstem and tributary fishery enforcement application and revise monitoring & evaluation study design for FY 2004, as needed – based on the results of the M&E component during 2003 {see Objective 6 for implementation phase}.

Product: The Colville Tribes ' Conservation Enforcement (CE) program is based on Adaptive Management principles, and we anticipate that M&E coupled with responsive CE management will result in continual improvements in the efficiency and effectiveness of the program. Enhancements will occur both in terms of refining performance measures that best fit our specific CE application and changing our enforcement implementation approach & evaluation methodology to address opportunities for project improvement. This adaptive management process will not occur all in the first year, but incrementally over the life of the project.

• **An important component of this proposal is education of the public and “conservation” training of enforcement officers. Detail is given on the educational tools to be used, but more thought should be given as to how the impact of that education – e.g . changes in public awareness or increases in enforcement effectiveness – will be measured. For example, will it be enough to have officers attend the ESA enforcement overview training, or will there be some evaluation of the effectiveness of that training?**

How changes in public awareness or will be measured.

The following null hypothesis (H0:) and evaluation metrics are proposed for Public outreach, education, awareness, participation (refer to Table 1):

H0: Improved public education and awareness does not enhance LE efforts via public support and involvement.

Metrics: Public opinion polls, public volunteer work, voluntary compliance with laws and rules, “poacher hotline” reports, and information on violations.

Given a Conservation Enforcement web site that is accessible to large numbers of individuals interested in fish & wildlife, the internet could be used as a tool to conduct public opinion polls that would measure public awareness of important conservation enforcement issues. The general approach would be to:

7. Develop a Public Opinion Web Site Page that is informative, interesting and accessible;
8. Develop a data base of individuals interested in resource management (with key descriptors to indicate special characteristics, e.g., sport fisher, tribal fisher, non-consumptive resource user, etc.);
9. Develop issue statements of fundamental importance to conservation enforcement;
10. Use e-mail as a tool to distribute questionnaires (possible rewards for participation);
11. Publish results on the web site to enhance interest and participation;
12. Monitor results of the public opinion polls over time.

In addition, statistics on public participation could be derived from conservation officer contacts and web site enhanced “poacher hotlines” to report violations. For example, various public participation statistics could be monitored over time:

- the number of citizens volunteering to participate in conservation enforcement efforts (patrol ride-along, school presentations, etc);
- the number of calls to violation hotlines and web-based violation reports;
- compliance rates for primary categories of violations in different areas.

How changes in enforcement effectiveness will be measured.

The Colville Tribes Conservation Enforcement project is based on Adaptive Management principles, and we anticipate that M&E coupled with responsive CE management will result in continual improvements in the efficiency and effectiveness of our program – as an iterative process over time. Enhancements will occur both in terms of refining performance measures that best fit our specific CE application in the Mid- and Upper Columbia River and changing our enforcement implementation approach & evaluation methodology to address opportunities for project improvement. This adaptive management process will not occur all in the first year, but

incrementally over the life of the project. The following three law enforcement effectiveness objectives and three biological objectives will be incorporated into the evaluation of the Colville Tribes-CE program.

Law Enforcement Effectiveness Objectives:

- Increased LE effectiveness throughout the watersheds of the Columbia Basin under the co-management of the CCT -- via increased public awareness, voluntary compliance with laws and rules, and deterrence of illegal activities.
- Increased LE effectiveness in anadromous and resident fish protection via annual planning to ensure effective use of personnel and equipment, and close coordination with fisheries management and regulatory agencies.
- Increased LE effectiveness in anadromous and resident fish protection via long-term strategic planning, tribal coordination at LE command levels, and support of state & federal enforcement agencies.

Biological Objectives:

- Improvement in adult salmon survival during in-river migration as measured by temporal trends in inter-dam and reach conversion rates.
- Increased survival of juvenile salmon and protection of critical habitat as measured by case studies, and compliance with various regulations.
- Increased survival of resident fish populations (e.g., lamprey and sturgeon) via enforcement, habitat protection, and public outreach.

These objectives can be measured against specific biologically-based performance criteria and metrics (Table 4).

Table 4. Performance criteria, null hypotheses, and metrics for evaluation of biological benefits of enhanced law enforcement.

| Performance Criteria | Null Hypotheses | Metrics |
|---|--|--|
| Adult salmon passage survival through the migration corridor, fisheries, and tributary streams under the comanagement jurisdiction of the Colville Tribes. | An increase in the level of enforcement in the mainstem Columbia River and tributaries does <u>not</u> reduce illegal take and improve adult salmon survival. | Inter-dam conversion rates, Bonneville to Lower Granite dams. Adult passage monitoring, estimates of losses due to illegal take, and radio telemetry studies in tributary areas under the jurisdiction of the Colville Tribes. |
| Protection of critical spawning and rearing habitat of anadromous salmonids. | Enforcement of habitat regulations ² in tributary areas does <u>not</u> increase natural production success or improve the integrity of critical habitat. | Compliance rates with laws and rules for the protection of stream habitat, riparian zones, watersheds and ecosystems. |
| Juvenile salmonid out-migration survival through the migration corridor | Enforcement of “trout” fishing regulations and water diversion & screening regulations does <u>not</u> increase juvenile salmonid survival in tributaries and mainstem. | Compliance rates with “trout” fisheries and screening regulations on mainstem pump and tributary diversions. |
| Inter-agency coordination | Enhanced inter-agency coordination and resource sharing does <u>not</u> improve efficiency and cost-effectiveness of LE efforts. | Contacts, enforcement statistics, habitat protected, and fish saved via Colville Tribes-CE and inter-agency task forces. |
| Public participation | Improved public education and awareness does <u>not</u> enhance LE efforts via public support and involvement. | Public opinion polls, public volunteer work, voluntary compliance with laws and rules, “poacher hotline” information on violations. |
| Resident Fish | Increased levels of law enforcement for Columbia Basin resident fish species and their critical habitats does <u>not</u> improve the species’ life cycle survival and population levels. | Enforcement statistics; compliance rates with laws and rules; run size estimates, fisheries statistics; public awareness. |

Using consistent protocols for collection of fundamental enforcement statistics, we can compile and evaluate user contact, specific types of violations and compliance statistics based on the ratio between the number of violations (by type and total) to the number of enforcement contacts. In general, the compliance rate is calculated as:

² State and Federal water quality standards, Forest Practices Acts, BLM grazing regulations, etc.

Equation: $1 - (\text{total number of violations} / \text{total enforcement contacts})$, expressed as a percentage. Monitoring violation rates (and its inverse compliance rates) over time will provide a means of tracking enforcement efficacy. We also examine enforcement input/output statistics from the 1997 demonstration project to present -- to quantify post-project trends compared to baseline conditions. In the future, evaluation of compliance rates measured during this project will be compared to similar metrics from the ongoing CRITFE mainstem and other BPA tributary conservation projects (e.g., Nez Perce Tribe and Umatilla Tribes) for the purposes of developing a performance standard for this project and perhaps performance standards (or targets) that would be applicable to system-wide enforcement efforts.

“Conservation” training of enforcement officers.

The Colville Tribes Enforcement Division enforces the Colville Tribes’ Fish & Wildlife Code and all other relevant laws pertaining to the Tribes’ Natural Resources. All the full time officers (10 FTE) have been through the 14-16 week BIA Police Academy as well as other special Training courses; and the conservation officers all have Police Commissions. The new CE officers under the BPA project will also receive this basic Police Training.

The BPA Project Statement of Work provides for “conservation” training:

Task 2.5. Provide required basic and advanced training of fisheries and habitat enforcement personnel relative to specific enforcement responsibilities of the Colville Tribe.

To facilitate implementation of this task, we will coordinate with the Nez Perce Tribal-CE and the CRITFE projects to design a conservation enforcement training program for our new CE officers. We will request sponsorship by the NMFS – for ours officers to attend the Basic Land Management Academy, Glynco, Georgia – and achieve its certification.

In addition, Colville Tribal Fish & Wildlife Division biologists will provide biological training specific to our jurisdiction. The Colville Tribes Project Leader and the enforcement supervisor assigned to the BPA project will be responsible for evaluating the CE Officers performance relative to KSAs related to fish & wildlife, conservation and resource issues resulting from advanced training.

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| <p>• Are educational programs already in place? What has been learned from their successes and failures?</p> |
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The Colville Tribes’ Fish & Wildlife Public Education Program – focused on anadromous fisheries restoration and other pertinent resource issues – is currently under development and will be implemented in the fall of 2002. The development of the Information and Education function within the Colville Tribes Fish & Wildlife Division is very timely with respect to the proposed BPA-funded Conservation Enforcement Project that would start in January 2003. Elements of the CCT Public Education Program include:

1. A Public Education Coordinator to be advertised and hires as soon as possible and in place by October 2002;

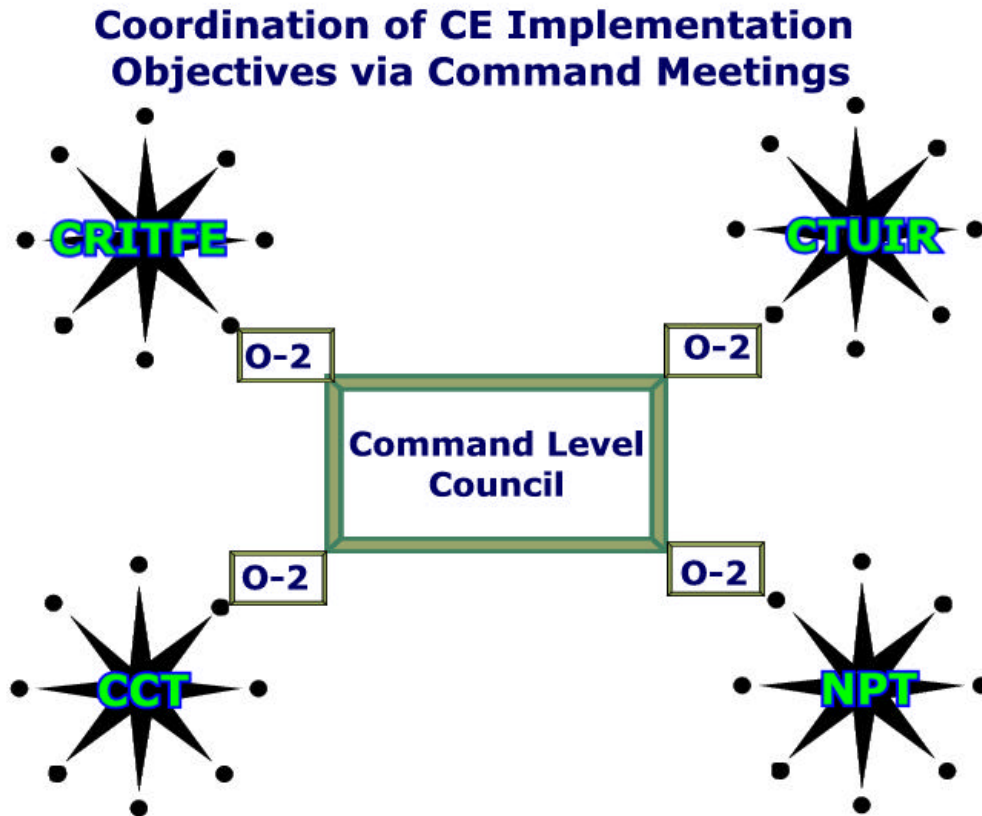
2. A traveling display featuring hunting and fishing education – that will be targeted at youth groups and schools, the sporting public, Chambers of Commerce and the general recreation public;
3. Salmon Festivals to be implemented sequentially this fall in five communities within the Okanogan Basin – featuring conservation education as a main theme.
4. Specific fisheries enhancement projects have public outreach components; for example the Salmon Creek Project:

For the past 90 years, the Okanogan Irrigation District (OID) has diverted 100 percent of the flow from Salmon Creek leaving 3.5 miles downstream of the diversion dam dry. The CTCR, OID, and NRCS are involved in an effort to restore instream and riparian habitat in lower Salmon Creek. The primary goal is to restore fish passage for spring chinook and steelhead. In 2001, Phase 1 of the restoration of the lower 4.3 miles of Salmon Creek will begin. This will involve public outreach, field studies, NEPA, project design, and permitting.

Since most of the public outreach efforts are being implemented later this year (2002), we do not have a track record of successes/failures to report at this time. However, the design of this major public outreach effort can be formulated to enhance the proposed BPA-funded conservation enforcement project.

• Will coordination with other enforcement efforts be done primarily through the website or through other means? Is the website operational yet, to be developed during this project?

Coordination with other BPA-funded enforcement efforts (e.g., CRITFE, Nez Perce Tribe and Umatilla Tribe) will be done at the command level via periodic coordination meetings. The following illustration depicts the coordination of Objective 2 (Enforcement Implementation) of the four proposed BPA conservation projects by council meetings comprised of the Project Leaders and Enforcement Chiefs to discuss issues of inter-tribal and system-wide significance.



The pre-existing Columbia Basin Law Enforcement Council (CBLEC) can be utilized for the coordination with other tribal, state, and federal fish & wildlife enforcement entities.

From the project performance perspective the Colville Tribes project will coordinate via the existing Monitoring & Evaluation Web Site – www.Eco-Law.net – maintained by Steven Vigg & Company. The Eco-Law.net web site is currently operational for the CRITFE and Nez Perce Projects, and the Colville Tribes Project will be added to the web site as soon as possible – e.g., within two weeks of BPA-funding of the Colville Tribes CE Project.

Coordination of Objective 7 via the M&E Web Site

