



# COLUMBIA BASIN FISH AND WILDLIFE AUTHORITY

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October 20, 2008

TO: MAG

FROM: CBFWA staff

SUBJECT: Outline and draft concepts for commenting on the Council's draft Fish and Wildlife Program

Coordinating and promoting effective protection and restoration of fish, wildlife, and their habitat in the Columbia River Basin.

**The Authority is comprised of the following tribes and government agencies:**

Burns Paiute Tribe  
Coeur d'Alene Tribe  
Confederated Salish and Kootenai Tribes of the Flathead Reservation  
Confederated Tribes of the Colville Reservation  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of the Warm Springs Reservation  
Confederated Tribes and Bands of the Yakama Nation  
Idaho Department of Fish and Game  
Kootenai Tribe of Idaho  
Montana Fish, Wildlife and Parks  
National Marine Fisheries Service  
Nez Perce Tribe  
Oregon Department of Fish and Wildlife  
Shoshone-Bannock Tribes of Fort Hall  
Shoshone-Paiute Tribes of Duck Valley  
U.S. Fish & Wildlife Service  
Washington Department of Fish and Wildlife

**Coordinating Agencies**

Columbia River Inter-Tribal Fish Commission  
Upper Columbia United Tribes  
Compact of the Upper Snake River Tribes

## A. Definition of Roles

**Deficiency** - The draft Program does not clearly identify the role of the fish and wildlife agencies and tribes in planning, implementing and evaluating the Program as described in the Northwest Power Act.

**Resolution** - The Council should include in the final Program the recommended language of the agencies and tribes. For example:

- 1) Include the agencies' and Tribes' recommended language in Amendment 1.1 on Line 16 on Page 5 of the draft Program,
- 2) Include the agencies' and Tribes' recommended language in Amendment 1.7 on Page 5 line 17 in the draft Program (replace 2<sup>nd</sup> paragraph on this page), and
- 3) Replace Pages 44-48 in the draft Program with the M&E framework described in the agencies and Tribes Section 2 recommendations.

## B. Measures

**Deficiency** - The draft Program does not clearly identify which measures are included in the Program and which measures are not included.

**Resolution** - The Council should include in the Program, or in an Appendix, the specific measures that are included in the final Program. The agencies and Tribes are submitting an example of how an appendix may be constructed to address this immediate concern; however, they strongly encourage the Council to adopt the original comprehensive subbasin summary tables provided in the consensus CBFWA recommendations. Including lists of strategies and measures without the linkage to biological objectives and limiting factors loses the accountability in the Program that the agencies and tribes are seeking. The draft tables submitted by the agencies and Tribes are organized consistent with the subbasin summary tables previously submitted and can be easily linked back to the agencies' and Tribes' adaptive management framework, if necessary. This appendix represents all of the measures that should be considered for the final Program; not all measures were originally submitted or submitted in a common format.

### **C. Adaptive Management**

Deficiency - The draft Program discusses adaptive management and provides a foundation for implementing adaptive management; however, current science indicates, as submitted in the supporting material provided by the agencies and tribes, that explicit linkage among objectives, strategies, measures and monitoring are necessary to truly learn through implementation. The draft Program is missing those explicit linkages.

Resolution - The Council should incorporate explicit objectives, measures, monitoring, and reporting as included in the Agency and Tribes' amendment recommendations. Replace Pages 44-48 in the Draft Program with the M&E framework described in the agencies and Tribes Section 2 including Sections 2.1.5 – 2.1.8. Subbasin plans should be updated through the inclusion of subbasin summaries and long-term work plans by June 2009 which includes the essential elements for adaptive management at the subbasin scale.

### **D. Loss Assessment Methodology**

Deficiency - The draft Program does not include the measures recommended by the agencies and Tribes to develop a common methodology for performing resident fish loss assessments or operational loss assessments for wildlife. A common methodology is important for consistency across the basin, as well as, for establishing a foundation for setting objectives which is imperative for successful adaptive management.

Resolution - The Council should include in the Program Amendment 2.2.4A and 2.3.4A of the agencies' and Tribes' recommendations.

### **E. Biological Objectives**

Deficiency - The draft Program does not clearly identify biological objectives. The editorial changes that have been made are significant and should be retracted. Defining mitigation for the impacts of the hydro system in the Columbia and its tributaries is the primary statutory requirement for the Program. Having the Program clearly establish and maintain the losses due to the hydropower system is an essential element for the Program to include. In this context, clearly established biological objectives will serve to quantify and track the implementation of measures to achieve the mitigation of these losses.

Resolution - The Council should defer to the agencies and Tribes' recommendations provided in Amendment 2.0.1. The 2000 Program language should be retained and not weakened. The editorial changes that have been made to the 2000 Program are significant and should be retracted. The Council should

also consider expediting the review of the subbasin summary tables and the process for including them in the updated Subbasin Plans. With all of the information now available, and in a common format, for each subbasin, a validation/update process should not take a significant amount of time.

## **F. Implementation Plans**

Deficiency - The draft Program calls for the development of implementation plans and indicates that the Council will work with Bonneville and project sponsors to estimate budgets and secure funding commitments that assure adequate funding. However, the Council does not describe a process for developing the multi-year implementation plans.

Resolution - The Council needs to explain in detail the essential elements and process for developing and adopting these long-term work plans. The agencies and Tribes recommend the following process and elements for long-term work plans:

### **Process for Developing and Adopting Long-Term Work Plans (LTWP)**

- Measures are explicitly included in the 2008 Program. The Council could be explicit to the public by providing the strategies and measures components of CBFWA's Section 3-4 tables (as well as other adopted measures and mainstem measures) in an Appendix to its final Program;
- Subbasin Plan summaries are posted in full for public review. The Council could post the complete CBFWA Section 3-4 tables (all components, objectives, limiting factors, strategies and measures) to their website for public review and comment;
- Develop LTWPs that incorporate the full subbasin summaries as coordinated with local planners. The fish and wildlife managers, BPA, and Council could develop LTWPs based on the CBFWA sections 3-4 and individual Members' recommendations, incorporating input from our communication efforts along with the public review and comment on these summaries. The LTWPs would be posted with the subbasin summaries for public review;
- A LTWP would be developed for the Mainstem and Systemwide portion of the Program to include systemwide monitoring and evaluation and coordination projects.
- The LTWPs would be effective for setting priorities for FY2010-17 with an Adaptive Management check-in in 2013.

- The LTWPs would be incorporated into the Council's Subbasin Plans as part of the adaptive management process envisioned in the 2000 Program, providing an update to the management plans for implementation, and completed by June 2009.

### **Essential Elements to Include in Long-Term Work Plans**

The essential elements of LTWPs are required to support Adaptive Management through transparent, accountable, and effective planning, implementation and evaluation. These elements include:

- Actions to implement measures linked to strategies that address threats that cause the limiting factors that prevent achievement of biological objectives (explicit linkages);
- Budgets to implement actions sequenced and agreed to over time;
- Expected environmental and biological response to implementing the action or suite of actions (progress towards biological objectives);
- Predicted timing for biological response to the suite of actions; and,
- Targeted monitoring to support evaluation of successful implementation of the suite of actions.

### **G. Subbasin Plan Update Schedule**

Deficiency - The draft Program proposes a three-year process for updating Subbasin Plans. On Page 8 the draft Program reads "The focus of the program and the Council now turns to performance." Three more years of planning does not support this statement.

Resolution - The Council should develop a six-month process for updating the management plan sections of the Subbasin Plans and developing 3-5 year work plans for implementation consistent with the management plans described in the 2000 Fish and Wildlife Program. This process should strictly focus on identifying priority work to be completed in the near future and ensuring that linkages are made between the work to be done and the expected biological benefit anticipated to be achieved.

### **H. Wildlife**

Deficiency – The draft program does not include the background context and specific measures recommended by the agencies and Tribes that were developed to improve the clarity, implementation, and accountability of the wildlife program. These measures were developed after careful deliberation by the managers based upon their experience with implementing the 2000 Program. Specific recommendations for measures clarifying the 2:1 loss ration for construction and

inundation losses, criteria for assuring funding adequate to manage wildlife mitigation lands for habitat and ecological objectives tied to management plans, criteria for projects to be credited against construction and inundation losses, and recommendations for wildlife monitoring and evaluation and reporting are not included.

Resolution – The wildlife language in the Draft Program, other than the inclusion of the Wildlife Mitigation Crediting Forum, is significantly different from the recommendations of the agencies and Tribes in context and specificity and should be retracted. Wildlife recommendations contained in Section 2.3 for specific measures to address the 2:1 crediting ratio, long-term funding agreements, crediting and wildlife monitoring and evaluation should be included in the Program.