



CONFEDERATED TRIBES

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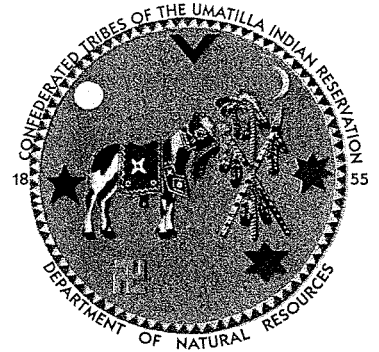
Umatilla Indian Reservation

Department of Natural Resources
ADMINISTRATION

P.O. Box 638

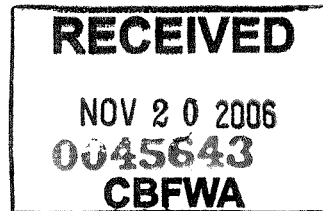
Pendleton, Oregon 97801

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November 13, 2006

Greg Delwiche
Vice-President for Environment, Fish and Wildlife
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621



Dear Greg:

Our wildlife mitigation project leaders have been notified by your Contract Officer's Technical Representatives (COTR) and managers that we are expected to eliminate all wildlife population monitoring from our 2007 statements of work. We have been told that this is a Bonneville Power Administration (BPA) Policy position and that it is somehow supported by the Northwest Power and Conservation Council (Council). It is our understanding that BPA is taking the position that habitat monitoring using the US Fish and Wildlife Service's Habitat Evaluation Procedure (HEP) is adequate to meet all monitoring associated with wildlife projects. This development is highly disturbing and inconsistent with sound resource management principles and our understanding of the directives of the existing Council Fish and Wildlife Program.

When the managers first pursued mitigation for impacts to terrestrial habitats and species, BPA and the utilities questioned whether there were any unmitigated losses. As such the managers were required to develop a method to document estimated losses. Since there was no consistent information on populations of terrestrial wildlife impacted, the managers turned to HEP as a suitable and nationally accepted habitat accounting methodology.

Consistent with this direction, the wildlife managers chose to focus initially on a habitat-based approach to mitigating impacts from the construction and inundation of the FCRPS. The Council and BPA agreed with the approach and interim goals based on HEP were established. However, the managers and the Council have never taken the position that this was the only approach to reaching the full mitigation obligation of BPA.

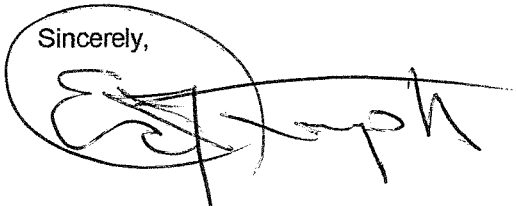
While HEP provides a foundational accounting methodology for tracking our progress toward interim goals it is clearly inadequate to capture all the subtleties of ecological responses to protection, restoration and enhancement treatments. BPA would never consider limiting their evaluation and monitoring of the hydro system operations to simply the gross kilowatt hours generated by the facilities or acre feet stored. There are many critical pieces of data that support the sound decision making necessary to assure a reliable and safe power system. It appears that BPA is taking the position that habitat effectiveness is secondary to crediting. If so, this is clearly contrary to the intent of the Council's program and inconsistent with the way the fisheries mitigation obligation is approached. HEP is a basic habitat accounting tool and was never intended to meet all the biological monitoring needs of what is arguably the most complex and extensive wildlife mitigation effort in history.

November 13, 2006

Your letter to the Council on October 6 recognizes BPA's commitment to "implement projects that are of the highest priority for enhancing natural ecological functions that increase the abundance, distribution, and diversity of fish and wildlife populations affected by the Federal Columbia River Power System (FCRPS)". We must remember the importance of being able to document for the Region's rate payers the biological successes of the projects implemented through our partnership with BPA. While we agree that population level changes may not be an appropriate way to document project effectiveness, certain biological responses such as habitat use and presence/absence monitoring for certain species can be a highly efficient way to gauge and document improvements in habitat effectiveness.

A reasonable level of monitoring of ecological processes including species response is necessary and critical to understanding and documenting the effectiveness of our habitat treatments on mitigation areas. This is in addition to the existing obligations that the managers have to monitor overall populations of wildlife species within their jurisdictions. It seems appropriate that the managers and BPA work to come to resolution on what constitutes reasonable M&E of treatment effectiveness and what actions may be clearly in lieu of managers existing obligations to monitor wildlife populations. I am committed to working with you and your staff on this issue and request your commitment to do so prior to implementing any blanket changes to wildlife monitoring in the Region. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Quaempts", is written over a circular stamp or mark.

Eric J. Quaempts, Director
CTUIR Department of Natural Resources

Cc: CTUIR Fish and Wildlife Commission
Tom Carrier, Chair NPCC
Brian Lipscomb, Director CBFWA