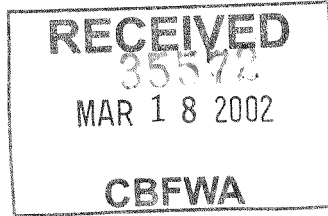


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ROCKY MOUNTAIN ELK FOUNDATION



Rance Block
Northwest Lands Program Manager
9407 North Oakland Ct.
Newman Lake, WA 99025-8442
Phone: (509) 226-0388
Fax: (509) 226-3722
Email: rblock@rmef.org



March 15, 2002

To: Robert J. Austin, Deputy Director for Fish and Wildlife
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208-3621

Subject: Response to letter dated February 11, 2002 to Northwest Power Planning Council (NWPPC) Fish and Wildlife Division Director Doug Marker, regarding Blue Mountain and Mountain Snake project proposals.

Dear Mr. Austin,

I am responding to your letter of February 11, in which you transmitted Bonneville's evaluation of the Blue Mountain and Mountain Snake province project proposals. Specifically, I would like to address your "do not recommend" evaluation of project # 27025 "Acquire South Fork Asotin Creek Property." The Rocky Mountain Elk Foundation (RMEF) strongly disagrees with the reasoning contained in the Bonneville evaluation, and wishes to take this opportunity to explain our rationale.

The South Fork Asotin Creek property (hereinafter referred to as the 'Property') is a very important parcel, containing important fish and wildlife habitat that both the Washington Department of Fish and Wildlife (WDFW) and RMEF have worked to acquire for over 10 years. As stated in the proposal, the South Fork Asotin Creek flows through the Property for over two miles, and George Creek flows through another portion of the Property for approximately one and a half miles. Combined, these two streams provide significant spawning habitat for an ESA listed run of native summer steelhead. The upland portions of the Property not only have a significant impact on the water quality and quantity, but also provide significant shrub-steppe habitat, which provides important winter range for elk, bighorn sheep and deer.

During the subbasin planning process, the RMEF closely scrutinized the available information to be sure we were choosing a project that was a good fit for the needs of the province. To illustrate this point, please note the following quotes from the Asotin Subbasin Summary relative to anadromous fish production:

- *"Spring chinook salmon and summer steelhead production is limited primarily by existing spawning and rearing conditions."*
- *"Water temperature is the primary water quality factor limiting salmonid productivity in the Asotin Creek Subbasin."*
- *"Lower reaches of Asotin Creek have temperatures in excess of 70 degrees F during the summer months. High fecal coliform concentrations are also a concern for Asotin Creek."*
- *"Land use practices have contributed fine sediments to the system, causing gravel to become cemented."*
- *"The amount of unvegetated stream banks has increased stream bank erosion, resulting in sedimentation and impacting fish during the egg and pre-emergent fry stages."*

This acquisition addresses each of these problems in the South Fork Asotin Creek. In acquiring the Property, cattle can be kept out of the riparian zone (or removed altogether), which will greatly reduce fecal coliform and sedimentation resulting from the current cattle operation. The Property contains numerous secondary streams (and associated riparian zones) which WDFW staff feel can be rehabilitated, thereby affecting water temperatures and sedimentation.

From a terrestrial standpoint, I offer the following quotes from the Asotin Subbasin Plan:

- *"Species dependent on shrub-steppe habitat have been extirpated or populations are severely depressed."*
- *"Habitat degradation in the Blue Mountains threatens existing populations of elk, mule deer and bighorn sheep by reducing the forage and habitat base, especially winter range."*

The Property contains several thousand acres of shrub-steppe habitat, which constitutes a critical portion of the available winter range for elk, deer and bighorn sheep. Perhaps even more important is the Property's connectivity with existing public land. The upper parcel of the Property is bordered to the west by the Umatilla National Forest, and on two sides by WDFW's Asotin Creek Wildlife Management Area. If the Property were lost to development, the impact of increased human and vehicular disturbance to the ungulate winter range would greatly devalue the adjoining WDFW winter range.

For these myriad reasons, the RMEF feels we have chosen an ideal project for BPA funding in the Asotin Subbasin.

The scientific evaluations verify the opinion of the RMEF. The Independent Scientific Review Panel (ISRP) rated the project as fundable with the following comments:

"The cost of the land is reasonable and its location and type are very appropriate for the subbasin and its fish and wildlife goals, as well as well in line with criteria for prioritization of purchases." The ISRP review also thought the proposal had *"...refreshingly little O&M."*

The Columbia Basin Fish and Wildlife Authority (CBFWA) review rated the project as "fundable", and initially rated the project as "urgent" but then downgraded it to "high priority" (consistent with other projects initially rated as urgent).

The National Marine Fisheries Service (NMFS) stated that the project met the intent of Reasonable and Prudent Action (RPA) 150 of the Biological Opinion, further stating that; *"Although proposed project will extend a current WDFW wildlife area and primarily contribute to goals of maintaining elk populations, property purchase would include streams that provide critical contiguous habitat in the Asotin Creek watershed for federally endangered anadromous fish."*

The only review in which the project did not fare well was the one performed by Bonneville. During that review the project was rated as a category "D" proposal. Category "D" is defined as "New proposals or on-going projects that do not meet all of the above criteria." The criteria are:

- Be consistent with the Council's Fish and Wildlife Program;
- Not be in conflict with NMFS' or USFWS 2000 Biological Opinions or the Action Agencies Implementation Plan;
- Be consistent with Federal trust and treaty responsibilities;
- Have scientific merit (rely largely on ISRP)
- Be implementable (technical feasibility); and,
- Include the appropriate level of effort and costs.

Based on the information provided in this letter, the RMEF does not agree that project proposal 27025 does not meet all of the criteria used in the BPA evaluation. We would appreciate a clarification of which criteria the project did not satisfy.

The following comments were also provided in the referenced Bonneville letter: *"Do not recommend. Future funding of wildlife mitigation in this area will be contingent upon resolution of wildlife crediting issues. It appears that there are no further construction/inundation wildlife credits available to be applied against this proposed project. However, this project could be reconfigured to target riparian protection as implementation of RPA 150."*

The RMEF has the following comments in response to those Bonneville comments:

- (1) *"However, this project could be reconfigured to target riparian protection as implementation of RPA 150."*
The NWPPC staff has repeatedly stressed the need for projects to emphasize watershed functionality, not just individual species. RMEF is submitting this project to demonstrate our commitment to proposals that have significant ecosystem and watershed values. This project contains both high fish and wildlife values, and the RMEF believes it is entirely appropriate for it to be funded as a result of meeting the NMFS Biological Opinion (BIOP) criteria. A preponderance of scientific evidence now exists which illustrates the value of upland connectivity to stream quality and flow. The wildlife value of the upland portion of the project notwithstanding, those uplands provide a critical link to the streams flowing through the Property. To divorce the two, when the opportunity exists to keep them connected seems shortsighted. Aside from that point, the landowners are interested in selling their entire ranch, not just the water rights. If the water rights were removed from the uplands, there would be very little "ranching value" remaining. The landowners have made it clear they would not be interested in such an offer. We hope this project is not unfairly being characterized as solely a wildlife project because the RMEF submitted it.

- (2) *"Future funding of wildlife mitigation in this area will be contingent upon resolution of wildlife crediting issues."*
Although the RMEF believes this project could be funded by meeting BIOP criteria, we also recognize it could provide wildlife and mitigation crediting. At no time during the proposal submittal and evaluation process was The RMEF informed that projects would not be funded in the Blue Mountains province because of crediting issues. The RMEF believes that if Bonneville never intended to fund projects with wildlife components, official notice should have been given early on, so as to save project proponents time and labor to participate in a process with no hope of success. In fact, these "issues" should have been resolved prior to project solicitation.

- (3) *"It appears that there are no further construction/inundation wildlife credits available to be applied against this proposed project."*
In communications with NWPPC and WDFW staff, it appears there are wildlife credits still available for the lower Snake River. Bonneville's wildlife accounting spreadsheet distributed to CBFWA members on December 10, 2001 shows that 12,768 HU credits are still available for lower Snake River compensation. The September 13, 1995 amendment to Section 11 (Wildlife) of the NWPPC's 1994 Fish and Wildlife Program specifically states, in Paragraph 11.3F.3, that Bonneville should "fund implementation of the hydro power share of unaddressed mitigation according to Section 11.3D of the program. Highest priority should be given to unaddressed losses sustained by the Nez Perce Tribe and Yakama Indian Nation." The RMEF did not interpret "highest priority" to mean "exclusive priority". If this project cannot be funded through BIOP criteria, the RMEF requests consideration that some of these available wildlife credits be applied to this project.

It is confusing to have spent the labor (over 1,000 hours for the RMEF and the WDFW combined) and over \$3,500 in travel and phone bills to participate fully in the process, only to have the final decision come down to an interpretation of crediting issues. If a project that has scored as well as this in all the reviews cannot be funded, it is difficult for the RMEF to understand where we can participate in this process.

Sincerely,



Rance Block, Northwest Lands Program Manager
Rocky Mountain Elk Foundation

cc: Mr. Larry Cassidy, NWPPC Mr. William Shake, USFWS
Mr. Tom Karier, NWPPC Mr. John Andrews, WDFW
Mr. Brian Brown, NMFS Mr. Bill Tweit, WDFW
Ms. Jann Eckman, CBFWA