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January 13, 2010

Mr. William C. Maslen  
Manager, Fish and Wildlife Division  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Dear Mr. Maslen:

The purpose of this letter is to advise you of the Council's decision on a Columbia River Fish Accord proposal. This recommendation was made by the Council at its meeting on January 12, 2010.

In addition, a purpose of this letter is to inform the project sponsor and other interested parties of the status of this Council action. The following is a summary of the action taken by the Council at the meeting in January.

### **Twin Lakes Enhancement, Project #2008-111-00**

In 2008-2009, the Bonneville Power Administration, the U.S. Army Corps of Engineers, and the U.S. Bureau of Reclamation (the "Action Agencies") signed agreements with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWSRO), the Confederated Tribes and Bands of the Yakama Nation (YN), and the Columbia River Inter-Tribal Fish Commission (CRITFC). The agreement with these Tribes and CRITFC is referred to as the Three Treaty Tribes MOA. The Action Agencies also signed agreements with the Confederated Tribes of the Colville Reservation (CCT), the Shoshone-Bannock Tribes (SBT), and the states of Idaho, Montana, and Washington. These agreements are known as the Columbia Basin Fish Accords.

As set forth in the guidance document outlining the review process for the Accords, the Council recognizes Bonneville's commitment to Accord projects. The Accords do not, however, alter the Council's responsibilities with respect to independent scientific review of project proposals or the Council's role following such reviews. As with all projects in the Fish and Wildlife Program, Accord projects are subject to review by the Independent Scientific Review Panel (ISRP), and the Council provides funding recommendations based on full consideration of the ISRP's report and the Council's Program.

On July 1, 2009, the Council received from Bonneville a Columbia Basin Fish Accord proposal from the Confederated Tribes of the Colville Reservation, #2008-111-00, *Twin Lakes Enhancement*. The proposal was submitted to the ISRP for review, and on July 24, 2009 the ISRP requested additional information (ISRP document 2009-32) from the sponsor before they could determine if the proposal met scientific criteria. Generally, the ISRP requested additional detail on the technical justification and background information, including study design, objectives, and methods for the proposal.

The purpose of this project is to improve summer habitat for native redband trout in the Twin Lakes (i.e. North and South), by enhancing dissolved oxygen levels in bottom waters. This project, if successful, will contribute to direct improvements in the survival and productivity of native redband trout in the Columbia basin, and will be a model for subsequent lake oxygenation projects aimed at improving critical lake habitat for resident native trout

On September 8, 2009 the Council received a response from the CCT, and on October, 16, 2009 the Council received the review from the ISRP (ISRP document 2009-41). The ISRP found the proposal in its current form does not meet scientific review criteria because the oxygenation only temporarily treats the symptom (anoxic hypolimnion) and did not consider alternative treatments that potential could solve eutrophication problem.

At the request of the CCT, the ISRP participated in a teleconference call on November 16, 2009 to clarify the concerns raised by the ISRP reviews associated with the proposal, and on November 24, 2009 the Council received a response from CCT intended to address the concerns raised by the ISRP in their previous reviews.

On December 10, 2009 the ISRP provided their follow-up review (ISRP document 2009-51) and found that the revised proposal “*Meets Scientific Review Criteria (Qualified)*”. No public comments were received on the ISRP reviews.

The qualifications raised by the ISRP were not intended to be addressed at this time, but as part of future reviews. As seen in other reviews, the review panel intended only to strengthen the projects implementation and performance by these qualifications. In this instance the qualifications dealt with monitoring data and statistical requirements to satisfy management needs associated with trout growth, survival and harvest being better explained and summarized for future reviews.

Based on the ISRP review the Council supports the project for implementation.

Sincerely,

Tony Grover  
Director, Fish and Wildlife Division

cc: Jamae Hilliard Creecy, BPA  
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