

**ISRP Recommendation and Summary Comments:** *Response Requested for project 2008-207-00 CTUIR Ceded Are Priority Stream Corridor Conservation and Protection*

This project is potentially beneficial to both anadromous and resident species. As the Tribes state, this project is important because it is the major project for land acquisition under the Accords. They also provide reference that land acquisition is generally more cost-effective than easements (Prose et. al, 1986). However, not enough detail is provided in the proposal to fully assess potential benefits to fish and wildlife.

This is a potentially important project, but, before the ISRP can make a final recommendation, a response is requested in the following areas:

Comment 1): Does this proposal constitute the “Acquisition Plan”? Will a comprehensive acquisition document be developed as a work element associated with this proposal?

Response: The proposal is not an acquisition plan. The proposal articulates a process to achieve an integral component of a comprehensive habitat conservation and restoration effort. Much work has been done to analyze and prioritize habitat for conservation and protection in the subbasins targeted under this proposal including QHA and EDT modeling. The process is guided by priorities established in the Subbasin Plans, focused on achieving BiOp requirements for habitat conservation and positions the CTUIR to effectively prospect for and secure lands on a willing seller-willing buyer basis. All potential acquisitions will go through a 3 tier prioritization process.

- 1) The four Subbasin Plans that encompass ceded lands of the Umatilla (Grande Ronde, Umatilla, Walla Walla, John Day) & two Recovery Plans (Middle Columbia Steelhead ESA Recovery Plan & Draft Oregon Snake River Recovery Plan ) have identified through EDT & QHA priority areas for protection. Willing seller inquiries will be focused within these areas.
- 2) These areas will be further evaluated within the framework of the FCRPS BiOp to focus on areas where there is the greatest Habitat Quality Improvement need.
- 3) The Ranking Criteria within the original proposal will then be used to further evaluate the benefits of the property relative to other priority area properties.

Comment 2): In either case, within the proposal, more explanation is needed on the quantitative anticipated benefits to fish and wildlife in terms of protection or restoration of productivity, abundance, diversity, and spatial structure (presumably from EDT/QHA estimates).

Response: Achievement of benefits to fish and wildlife will be characterized through BiOp metrics for each acquisition as completed and through M&E associated with restoration and management of each conserved tract. Priority areas identified in Recovery Plans and EDT modeling help to identify the priority properties for purchase and protection in order to address limiting factors for key species in specific basins. . **-Please see the attached addendum highlighting the available science behind our acquisition**

**priorities.** Quantitative changes in productivity, abundance, etc will be evaluated at a watershed and subbasin scale as part of ongoing natural production R,M and E and not at the project or reach scale.

Comment 3): Some indication is needed of (a) the prioritization of the four subbasins – Grande Ronde, Umatilla, Walla Walla, and John Day – that are components of the acquisitions and (b) the anticipated extent of the acreage to be acquired.

Response: The “Hillman Method” used by the Action Agencies to estimate population productivity improvement was not conducted in such a way as to permit comparison between subbasins. As stated within the proposal, CTUIR’s highest priority basin is the Grande Ronde. This is due to analysis conducted under the FCRPS BiOp showing a high probability to improve the population status of listed Snake River Spring Chinook through protection of key spawning habitat areas identified in the Subbasin Plan and Recovery Plan (see documentation below under next question). Although this is our highest priority from our analysis, acquisitions or conservation easements in other key locations within the CTUIR Ceded Lands also have potential to realize significant benefits to listed species. As in the Grande Ronde, priorities in other basins will also be based on analysis conducted within each of the applicable Subbasin Plans and subsequent recovery plan analysis as well as analysis conducted under the FCRPS BiOp. Although areas will be identified and prioritized within CTUIR’s Ceded lands that would have the highest species benefits, and our outreach efforts will focus on those areas, acquisition is based on willing seller opportunities. This project will provide the CTUIR a framework to prioritize areas for acquisition within the selected basins that have the highest probability of quantifiable benefits (using existing data) to listed species. Within those priority areas, available properties will be further evaluated using the Ranking Criteria outlined within the proposal.

Although CTUIR have identified some key areas and properties as priorities, due to sensitivities & uncertainty surrounding acquisition of private properties, exact size of land parcels to be acquired can not be guaranteed. CTUIR is laying out a framework on how they will prioritize properties for potential acquisition throughout their Ceded Lands.

Comment4): Priority areas identified in the Subbasin Plans and by EDT need to be discussed in some detail, including expected gains in production and abundance resulting from the acquisitions.

Response: As indicated, the Grand Ronde basin has been determined to be the highest priority due to the likely ability to improve the population status of listed Snake River Spring Chinook through protection of key spawning habitat. However, should prioritized properties not be available within the Grand Ronde or should funding allow for additional acquisitions, the CTUIR will use the above framework to identify additional areas within the CTUIR Ceded Lands (John Day, Umatilla, and Walla Walla) to prioritize a protection strategy. Expected percentage change in abundance and relative protection benefit (high, medium, low) resulting from implementation of protective measures was determined in

Subbasin and recovery planning analysis. —Please see the attached addendum highlighting the available science behind our acquisition priorities.

CTUIR has attempted to describe the ranking and prioritization process that will be used prior to initiating acquisition negotiations; however, exact gains in production and abundance resulting from the acquisitions on individual property basis is hard to determine at this time due to the uncertainty surrounding the willingness of property owners to sell. If the highest priority properties become available in the Grand Ronde, the CTUIR estimates based on the application of the “Hillman method” which is in use by the Action Agencies, that the protection will bring about a 28% Population Productivity Improvement over a 10 year period in coordination with active restoration efforts (2008 BPA Fish Accords MOA Attachment G). Due to the sensitive nature of landowner privacy and negotiations, exact properties will not be identified within this document. If funding allows and sale opportunities are available, additional high priority properties will be evaluated using the third tier ranking criteria. If negotiations are not successful for priority properties in the Grande Ronde, production estimates may be lower.

Comment 5): More detailed discussion is needed of how scoring of criteria would be done (expert opinion, data analysis, EDT or QHA, etc.)

Response: See question 3 above. Potential properties will be evaluated through a 3 tier process as described above. Once they have been identified to fit within priority areas for protection within Subbasin and Recovery Plans they are then evaluated on their ability to help meet the Habitat Quality Improvement needs identified within the FCRPS BiOp. Relative benefit of protection and restoration from EDT or QHA geographic area analysis will provide the basis for establishing priority areas. Following that, the criteria outlined in the Narrative will be used to evaluate opportunities within the priority areas and to develop targeted properties for prospecting opportunities in the future. These Ranking Criteria will be used to compare two or more like projects.

Potential project evaluation will be done by a multidisciplinary team consisting of CTUIR staff with BPA and other conservation partner support.

Comment 6): More details and definitions are needed for Criteria 3.

Response: Criteria 3 focuses on the long term defensibility of the conservation values associated with the tract. Will acquisition provide the ability to address limiting factors identified in management plans, and will those qualities be able to be protected into the future? This criterion requires the evaluation team to consider long term defensibility issues related to a specific tract of land. The evaluation team will need to consider the potential for a specific acquisition to be successful at protecting or restoring habitat and addressing an identified limiting factor or a degraded condition over the long term. In cases where defensibility of rate payer investment is in question, further analysis and/or a more extensive conservation strategy may be required before advancing project to acquisition. In response to ISRP comments we have revised this criteria as follows:

**Revised Criteria 3: Degree of defensibility relative to size and configuration of acquisition tract and adjacent threats.**

- High probability of long term defense of conservation values (e.g. - limited threats from adjacent properties or upstream influences, large project size configured with minimal defense perimeter). (+1 pt)
- Limited potential for significant or long term loss or extensive short term loss of conservation values (e.g.- Limited potential for significant long term loss might include potential for a land use zone change that permitted conversion of adjacent lands to low density residential, while extensive short term loss could include extensive upstream and/or adjacent private forest lands w/ potential for future logging activities) (-1 pt)
- Significant potential for limited long-term or extensive short term loss of conservation values (-2pts)  
(e.g.- Significant potential for limited long term loss might include existing land use zoning permitting conversion of adjacent lands to low density residential, while significant potential for extensive short term loss could include extensive corporate timber lands upstream and/or adjacent logging activities).
- Significant potential for extensive long-term loss of conservation values (e.g. – small conservation property with extensive defense perimeter within urban growth boundary) (-3pts)

Comment 7): A list and relatively detailed description of sites that will be acquired or have the potential for acquisition, in so far as they are known, should be provided in the proposal or an acquisition plan. This list would aid in understanding the general characteristics of the types of areas that would be acquired under this project, and why they have been selected. (If necessary this list could remain confidential and will not be distributed beyond the ISRP.)

Response: General descriptions of priority conservation areas are provided in the attached addendum. We have articulated a framework and prioritization process based on available science that outlines areas where habitat protection will bring about the greatest benefit to species, followed by further evaluation with the ranking criteria proposed in the narrative. Though CTUIR and BPA have worked cooperatively together to identify some key areas for acquisition, it would be inappropriate to identify private properties on a map until the landowners are consulted and have become willing sellers. While we appreciate ISRP's willingness to keep information confidential, the Tribe's legal advisors are not confident the ISRP could honor that in the face of a public records request.

Comment 8): Develop a monitoring and evaluation framework.

Response: The Confederated Tribes are committed to comprehensive interagency monitoring and evaluation effort throughout the Columbia Basin. Products from these efforts support decision making at all levels of fish and wildlife management and will inform both the prioritization of conservation and prescription of associated restoration efforts. CTUIR will continue to coordinate and integrate efforts of model watershed (s), ODFW, WDF, CRITFC, USFS, BOR to meet VSP, hatchery, and habitat effectiveness monitoring. CTUIR monitoring plans reflect on other monitoring efforts to avoid overlap and maximize the efficient use of resources. CTUIR will continue to share and coordinate monitoring elements that are of standardized biological metrics for fish status and trend monitoring. This collaborative analytical approach will ensure that CTUIR is responsive to management questions and continues to coordination with co-managers and

action agencies. The purpose of the project is to acquire land that has been previously identified through various sources (SBP, Recovery Plans, FCRPS BiOp analysis) as a high priority for protection in order to bring about the recovery of critical habitats and listed species. Monitoring and evaluation for this project will be incorporated into existing multiagency efforts in the basins where the acquisition takes place as well as looked at in the context of Population Improvements gained under BPA's actions under the FCRPS BiOp.

### **ISRP Comments**

#### *1. Technical Justification, Program Significance and Consistency, and Project Relationships (sections B-D)*

The rationale for selection of sites for acquisition based on priority areas identified in the Subbasin Plans and on EDT/QHA modeling is reasonable, but the proposal provides insufficient detail for scientific review. Although the project is coupled directly to Subbasin Planning and is also linked to a number of other ongoing projects, benefits to fish and wildlife are not provided. The sponsors should be commended for developing a set of criteria for selection of sites for acquisition. Each of the criteria will be scored for a site, and the total score will play a role in prioritizing the site for acquisition.

The proposal could be improved if more detailed information on the priority sites identified in the Subbasin Plans and from EDT was provided. This information could include locations of the sites within the various basins (with a map of sites in the context of each basin as a whole); size of the area; connectivity to other sites; whether the sites are used for spawning and/or rearing; and expected gains in productivity, abundance, and diversity (presumably from EDT/QHA estimates).

In the Technical Justification section, we have some questions about Criteria 3 in the Project Prioritization Table: Some definition is required for these criteria. What constitutes a "high probability"? What constitutes limited potential, significant or long-term loss, extensive short-term loss? It is not clear how these criteria would be applied.

#### *2. Objectives, Work Elements, and Methods (section F)*

The objectives and methods pertain primarily to the process that will be used to select and acquire sites. The proposal would be strengthened if there was more detailed discussion of how selection criteria would be scored. Would the scoring be based on expert opinion, data analysis, or by some other means or combination of means? Some terms in the criteria such as connectivity should be better explained in the context of the scoring procedure.

If possible, the sponsors should provide a list of the sites that will be acquired or have the potential for acquisition (with a relatively detailed description of each) as examples of the kinds of areas that would be acquired under this project.

Based on the description of the methods, the proposal is basically requesting permission to acquire all lands possible that achieve some minimum score in the rating scheme? However, there should be some technical review of the lands included as potential acquisition or easement candidates from EDT/QHA and how these sites were scored using the criteria. Some of the scoring criteria appear to be fairly subjective. Some examples of how these criteria are being interpreted would provide a better indication of how they are being applied.

Under method 5. Negotiate Sale Price, it would be prudent to determine if the landowner is amenable to sale or establishing a conservation easement before going to the trouble and expense of an appraisal.

### *3. M&E (section G, and F)*

No M&E program is specified. The sponsors should demonstrate a commitment to M&E and describe the M&E program. Sufficient detail should be provided to demonstrate that benefits to fish and wildlife have occurred in the three watersheds. This project may provide an opportunity to compare relative benefits that accrue from different types of acquisitions.