FORREST CONSERVATION AREA

MANAGEMENT & IMPLEMENTATION

FY 2004 ANNUAL REPORT

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THE CONFEDERATED TRIBES OF WARM SPRINGS
JOHN DAY BASIN OFFICE

PREPARED FOR THE BONNEVILLE POWER ADMINISTRATION

By

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Cover photograph of Dads Creek on the Forrest Conservation Area, courtesy of Forrest Ranch Manager.

ABSTRACT

The Confederated Tribes of Warm Springs Reservation of Oregon (Tribes) acquired the Forrest Conservation Area during July of 2002. The property is located in the Upper John Day subbasin within the Columbia basin. The property consists of two parcels comprising 4,232 acres. The Mainstem parcel consists of 3,445 acres and is located ½ mile to the east of Prairie City, Oregon on the mainstem John Day River. The Middle Fork parcel consists of 786 acres and is located one mile to the west of the town of Austin, OR on the Middle Fork John Day River.

The Forrest Conservation Area is under a memorandum of agreement with the Bonneville Power Administration (BPA) to provide an annual written report generally describing the real property interests of the project and management activities undertaken or in progress.

Acquisition of the Forrest Conservation Area was funded by BPA as part of their program to protect, mitigate, and enhance fish and wildlife habitat affected by hydroelectric facilities on the Columbia River and its tributaries.

The intent of the Conservation Area is to partially mitigate fish and wildlife impacts for the John Day Dam on the Columbia River as outlined in the Northwest Power Planning Council's Wildlife Program (NPPC 1994, §11.1, §7.6). While the Tribes hold fee-title to the property, the BPA has assured a level of management funding for the protection and restoration of fish and wildlife habitat through a memorandum of agreement.

Figure 1. Forrest Conservation Area Mainstem and Middle Fork Tracts within the John Day Basin

INTRODUCTION & PROPERTY DESCRIPTION

The Forrest Conservation Area contains some of the highest value spawning and rearing habitat for anadromous fish in the John Day Basin. Fish species at risk within the basin, which reside for all or part of their life history on the property, include spring Chinook salmon, summer steelhead, Bull trout, Pacific Lamprey, Redband Trout, and Westslope Cutthroat Trout. Additionally, several key wildlife species may benefit from habitat protection.

The Malheur National Forest except for a small portion of private land on the east boundary surrounds the Middle Fork parcel. The 786-acre parcel consists of approximately 50% riparian / meadow and 50% mixed conifer forest. Four miles of the Middle Fork John Day River and 2.2 miles of tributaries are contained within the property. Spring Chinook spawning on the parcel ranges between 25-40% of the total redds of the Middle Fork index.

The Middle Fork John Day River is designated both a State and Federal Scenic Waterway. The Malheur National Forest manages the river corridor below the Middle Fork parcel and private landowners manage the river corridor above. The Indian Rocks Scenic Area is to the northwest of the property and to the south is Dixie Butte.

The Mainstem parcel is completely bordered by private land. The 3,446-acre parcel is 600 acres of riparian / meadow and 2,846 acres of upland shrub steppe. Approximately 1.7 miles of the Mainstem John Day River and 3.5 miles of tributaries are contained within the property. Spring Chinook spawning on the parcel composes 5-10% of total redds of the upper mainstem index.

Riparian habitat conditions of both parcels are severely degraded lacking vegetation along the rivers and tributaries. Agriculture and logging were the primary previous uses of the property, which stripped most of the riparian vegetation and converted much of the wetland areas to pasture.

The Middle Fork parcel has been a high priority for restoration in the Upper John Day basin since 1971 due to the high densities of spawning spring Chinook salmon and critical habitat for summer steelhead, a federally listed species. The Mainstem parcel represents over 1.7 miles of Mainstem habitat, one of the last remaining “gaps” in the riparian restoration targets above Prairie City.

DISCUSSION OF RESULTS /ACTIVITIES

2004 Statement of Work

Objective 1. Complete Property Baseline Assessments

Discussion: The Tribes MOA with the BPA requires completion of a baseline property survey and assessments following the USFW's Habitat Evaluation Procedure (HEP) and the USFS's Hankin and Reeves survey protocol. Generally, these inventories will be conducted to establish a baseline resource condition for crediting BPA's mitigation obligation and to provide crucial resource information for further understanding of current habitat conditions of the property. Additionally, the Tribes will use the information to identify potential enhancement projects and to monitor recovery trends.

Tasks

- 1.1 Complete HEP assessment for the property. The HEP field surveys for the property were completed in 2003 with Washington Department of Fish and Wildlife (WDFW). The remaining work to be conducted in 2004 will entail assembling analyzed data from models and preparing a draft HEP report, which will be distributed for review. Following incorporation of comments from the Tribes and BPA, the final report will be prepared, published, and distributed.

- a. Coordinate with WDFW for the assembly of habitat data collected during field surveys.
- b. Prepare draft HEP report and distribute.
- c. Incorporate comments from Tribes and BPA, and prepare final report, publish, and distribute.

Worked with WDFW on HEP report development and review of collected data. The draft HEP report was not fully assembled by the end of the contract period but will be completed during spring of 2005.

- 1.2 Complete Hankin and Reeves aquatic habitat inventory for the property.
 - a. Select contractor to conduct the aquatic habitat inventory. Assemble and coordinate contract development with Tribes and contractor. Contract will include conducting field surveys, data collection, data entry, and final assessment report.
 - b. Coordinate field surveys with contractor.
 - c. Assemble and contribute necessary background resource monitoring data.
 - d. Review and incorporate comments to the draft report.
 - e. Following incorporation of comments from Tribes and BPA, the final report will be prepared, published, and distributed.

Oregon Department of Fish and Wildlife (ODFW) was selected as contractor for the Aquatic Habitat survey and entered contract with Tribes during summer of 2004. Field survey was conducted during September. The final report was not completed by the end of the contract period but is expected by January 2005.

- 1.3 Complete habitat map of the property.
 - a. Ground truth habitat map assembled from aerial photographs for the property in 2003 for accuracy.
 - b. Incorporate changes to habitat map.

Conducted habitat mapping of the property throughout portions of the summer and fall. Ground surveys for habitat cover types were incorporated into map. The final habitat map was assembled and put into GIS coverage for the property.

- 1.4 Continue coordinating and planning instream habitat surveys started in 2003 with Bureau of Reclamation (BOR) on portions of the property.
 - a. Assemble and contribute necessary background resource monitoring data to BOR for assembly of instream habitat report, which BOR will produce.
 - b. Review and comment on draft instream habitat report.

Distributed requested water temperature data to BOR. Reviewed draft instream habitat report prepared by BOR.

- 1.5 Complete Proper Functioning Condition Assessment for the riparian areas of the property.
 - a. Select contractor to conduct the assessment of the riparian areas using the Proper Functioning Assessment Methodology.
 - b. Assemble and coordinate contact development with Tribes and contractor. Contract will include conducting field surveys, data collection and completion of final assessment report.
 - c. Incorporate final report into the Property Management Plan.

National Riparian Team members were selected for the PFC assessment and entered contract with Tribes during September of 2004. Field survey was conducted during October 2004 with BPA COTR present. The final report was not completed by the end of the contract period but is expected by December 2004.

Objective 2. Property Management and Protection Plan

Discussion: Various ongoing and new protection and management activities are necessary for proper program implementation of the Forrest Conservation Area. Available data, resource information, and management methods will be assembled and incorporated into a draft management plan by the Forrest Conservation Area Manager. The draft plan will be distributed for review to BPA, Tribes, cooperating agencies, advisory group, and interested public. Following incorporating comments received, the final management plan will be prepared, published, and distributed.

Tasks

- 2.1 Develop objectives, resource goals, management strategies and methods with the advisory group.

Compiled existing resource information pertaining to the property, assembled goals, strategies, and methods into draft management plan.

- 2.2 Prepare a draft management plan.
 - a. Distribute draft management plan for review to Tribes, advisory group, BPA, and interested public.
 - b. Incorporate draft comments into final management plan, publish, and distribute to BPA, cooperating agencies, advisory group, and interested local public.

The draft property management plan was distributed to advisory group and BPA during a February advisory group meeting. A comment review meeting was held during May with the advisory group and BPA. After review of comments, it was suggested by BPA to perform a

Proper Functioning Condition (PFC) Assessment of the riparian areas along with an independent grazing evaluation. Tribes decided to delay management plan work until a PFC and grazing evaluation could be performed and incorporated into the management plan.

Objective 3. Operations and maintenance (ongoing annual management tasks)

Discussion: Performing regular and routine management activities are necessary for proper operation of the Conservation Area and to ensure that current fish and wildlife values of the property are maintained.

Tasks

3.1 Boundary fence

- a. Repair boundary fence where necessary on the Mainstem and Middle Fork parcels to reduce/eliminate trespass grazing from adjacent National Forest lands and private property.
- b. Replace or remove deficient and failing wire gates.
- c. Replace approximately .4 miles of east boundary fence on the Mainstem parcel.

Boundary fence sections were repaired on both parcels previous to cattle turnout on the forest allotments and within the property. Two failing wire gates on the Middle Fork parcel were replaced with steel swing gates for improved access and manageability.

Half mile of new east boundary fence was constructed. The fence was constructed on the new east property boundary that had been previously marked by professional land surveys. The new boundary line added slightly to the property acres.

Four locations of electric fence varying from ½ mile to 100 yards were constructed and maintained throughout the growing season. Electric fence locations on the Middle Fork parcel worked well for the exclosure of cattle, elk and deer from riparian areas recently planted with hardwood cuttings.

3.2 Property patrol

- a. Conduct random patrols of boundary fences and interior of property for evidence of cattle and pedestrian trespass (e.g., cut/broke fences, open gates, and other unauthorized uses).
- b. Conduct hunter checks and trespass patrols during big game hunting seasons.

Random property patrols were conducted throughout the year for unauthorized trespass or evidence of property damage. One incident was reported to OSP for unauthorized take of a cow elk during the big game controlled hunt seasons. OSP found, cited, and prosecuted the violator.

3.3 Maintain buildings, structures, and grounds (e.g., lawn and weed cutting, fence maintenance, and building repairs).

- a. Repaint trim on office facility.
- b. Construct exterior office sign.
- c. Removal of trash and scrap material from the property.

Trash and metal scrap material was removed from the property. Two large flat bed trailer loads of scrap metal were removed from the mainstem property that was left by the previous owner. Insulated 1/2 of the shop facilities roof. Half of the walls were insulated, covered with sheet rocked, and painted. An exterior office sign was completed and installed along

with a natural rock wall flower garden area. The office lawn and flower gardens were maintained and upgraded. The water system citrine was drained and cleaned.

3.4 Maintain irrigation ditch water delivery system.

- a. Clean/repair the existing irrigation system where found necessary.
- b. Ensure good working order of irrigation fish screens.
- c. Regulate diverted irrigation water during season and prohibit irrigation outside of the legal irrigation season.
- d. Coordinate with adjacent landowners who have water rights that pass through the Mainstem parcel.

Irrigation system was cleaned in several areas for the efficient delivery of water. Fish protection screens on the irrigation ditches were installed previous to water turn out and were cleaned regularly and maintained throughout the irrigation season. Coordination with adjacent landowners was done for ditch cleaning and water delivery through the Mainstem parcel to adjacent water users.

Continued work on McHaley consolidation project for the mainstem property. During 2001, the Grant Soil and Water Conservation District installed a new diversion structure that provides year round fish passage for the Upper McHaley ditch. It was determined at the time the ditch could also serve water users on the Lower McHaley ditch. Both the Lower and Upper Points of Diversions(POD) are located on the Forrest Conservation Area property. The consolidation project would eliminate the lower point of diversion and both would be served by the upper POD. Approximately 30 water users are associated with the Lower McHaley diversion.

McHaley Consolidation work completed during contract period.

- Conducted tour and overview of McHaley consolidation project with ODFW. ODFW will provide a new fish screen for the Upper McHaley diversion possibly during 2005-06.
- Worked with Oregon Water Resources Department (OWRD) compiling the initial application material. The point of diversion transfer application will be submitted during the 2005 contract period.
- During the 2003 contract period, the project was presented to associated Lower McHaley water users. The active and major water users were in support of the project and cooperated during this contract period.
- The project was presented to the Prairie City Council and they were in support of the project.
- Contracted and completed certified water right surveys for the McHaley consolidation project and final proof survey of watercress springs for the office facilities.
- Concrete transfer box and head gates were installed in the upper McHaley ditch. The structure will be used for the transfer of irrigation water from the upper McHaley ditch to the lower McHaley ditch.

3.5 Noxious weed control

- a. Grant County's weed ordinance requires identification, inventory, mapping, and diligent control of noxious weeds. The property has the presence of multiple weed

species listed on the County's weed control list. To comply with State and County rules the JDBO staff will track noxious weed locations and herbicide treatment areas.

- b. A variety of methods will be used for weed eradication such as, hand pulling, mowing, and herbicide application.
- c. Some special use herbicides require attaining and updating a Pesticide Applicators License (PAL) for Oregon. The Forrest Manager and technician will obtain a PAL for the use and application of special use herbicides on the property. Approximately 40 to 50 acres of noxious weeds will be treated with herbicides.

Manager obtained Pesticide Applicators License for herbicide applications to noxious weeds. Treatment of approximately 50 acres of noxious weeds was performed to the mainstem parcel. Present priority weeds of concern are white top, diffuse/spotted knapweed, thistles, teasel, and medusa head.

Mechanical cutting and hand pulling of noxious weeds was performed in areas of low invasion and around buildings on the Mainstem parcel. The Oregon Youth Conservation Corps (OYCC) and staff spent a week pulling noxious weeds along the riparian area of the mainstem parcel.

3.6 Juniper removal

- a. Conduct approximately 60 acres of juniper removal to the Mainstem parcel. Treatment method will be cut and leave lay in two small spring drainages where densely populated juniper have encroached on native vegetation and diminished water flows.
- b. Coordinate partial removal of juniper trees from previous cut and leave lay treatments, performed in 2002, with interested non-profit volunteer groups in the community.

Approximately 20 acres of juniper were felled and left lay in the lower upland treatment area. Treatment of remaining areas will be done as time allows during 2005-06. Approximately 20 acres of Juniper treated in 2002 were cut and piled by volunteers and OYCC crews. Volunteers delivered seven to ten cords of firewood to local families in need. Seven cords were also used by the local OYCC and volunteers.

3.7 Grazing, Haying, and Irrigation Water Leases

- a. Make determinations regarding the issuance of grazing, haying, and water leases to generate revenue for tax payments and offsetting management costs for the Conservation Area. Lease determinations will be a cooperative effort among the advisory group, Tribes, and BPA.
- b. If leases are determined acceptable. Select operators, assemble and coordinate lease development with Tribes, and monitor lessee compliance.

Grazing and haying leases were supported through discussions with advisory group and Tribes. The group also supported longer term leases for increased cooperation from lessees and lower associated management costs.

An annual grazing and haying plan was assembled for the property and reviewed by Tribal Range Conservationists. Grazing and haying lease opportunities were advertised and bids received. Lessees were selected and entered into annual leases with the Tribes.

A total of 318 Tons of hay was harvested on the mainstem parcel. Grazing utilized 335 animal unit months (AUMs) on the middle fork parcel and 934 AUMs on the mainstem parcel.

- 3.8 Solicit information and coordinate with federal and state conservation incentive programs for possible property enrollment to generate revenue and funding for riparian fencing and planting projects. If successful this can be used to cost share BPA funded work specified in Objective 7

Determined eligible riparian acres for enrollment into the Conservation Reserve Enhancement Program (CREP) with local Natural Resources Conservation Service (NRCS). The Middle Fork parcel is eligible for 136 acres with water rights and 15 without. The mainstem parcel is eligible for 40 acres with water rights and 2.5 acres without.

The Tribes have decided to pursue CREP enrollment for the total eligible Middle Fork acres during 2005 and total eligible mainstem acres during 2006. The CREP contract would fund both planting and fencing projects and provide annual lease payments to the Tribes. Lease payments will be used to offset program costs and tax payments.

Objective 4. Monitoring and evaluation

Discussion: Continue fish, wildlife, and habitat monitoring activities that have previously been initiated in 2002 and 2003. We anticipate other monitoring and evaluation activities to be conducted as found necessary for compiling baseline resource information for monitoring restoration projects. These may include activities such as, wildlife population surveys, water quality monitoring, instream flows, as well as baseline habitat assessments proposed under the MOA with the BPA.

Tasks

- 4.1 Conduct annual spawning ground counts for spring Chinook and summer steelhead in coordination with Oregon Department of Fish and Wildlife.

Steelhead redds were counted May 18th on all tributaries contained within the property. One redd was found in Vincent Creek on the Middle Fork parcel and 2 in Dads Creek on the mainstem parcel.

Two Spring Chinook redd surveys were conducted on September 8th and 15th for the John Day River reach contained within the mainstem parcel boundary. Thirteen redds were found within the 1.8-mile river reach for a 7.2 redds per mile average. One survey was performed September 20th for the Middle Fork John Day River reach contained within the Middle Fork parcel boundary. Seventy-six redds were found within the 3.7 mile reach for a 20.5 redds per mile average.

- 4.2 Conduct annual herd composition counts for big game animals on the property.

Spring ground surveys were conducted February 27th, April 7th, and May 17th for the mainstem parcel. The winter months were severe with heavier than normal snow fall moving animals down the river valley to more suitable winter range. The absence of deer during the February survey prompted the need for additional surveys.

One hundred and three elk were counted in February with 41 calves, 7 bulls, and 55 Cows; for ratios of 13 bulls and 74 calves per 100 cows. Additionally there were 2 doe Antelope counted.

The April 7th survey produced a count of 13 mule deer with 11 does and 2 fawns; for ratios of 18 fawns per 100 does. Four antelope were also counted for ratios of 100 fawns per 100 does.

The May 17th survey produced 20 mule deer 6 bucks, 14 does; for ratios of 42 buck per 100 does.

A fall ground survey was conducted November 15th on the mainstem parcel. The survey counted 27 mule deer, 3 bucks, 8 fawns, and 16 does; for a ratios of 19 bucks and 50 fawns per 100 does. The mule deer data was shared with ODFW for their fall count data.

4.3 Spring avian census monitoring along the riparian and upland areas of the property.

Spring avian census monitoring was conducted on both parcels of the property located in both the riparian flood plain and in upland area. Ten sites were surveyed on the Mainstem parcel and 12 on the Middle Fork parcel during May.

4.4 Take photos at established points along the riparian and the upland areas for habitat monitoring.

Fall photo points were taken along the riparian and upland areas of the property.

4.5 Conduct snorkeling surveys for juvenile fish species composition within the monitoring reaches along the rivers of the property.

Snorkeling surveys were conducted during August in the mainstem and Middle Fork John Day River within established monitoring reaches. Four mainstem and 5 Middle Fork monitoring reaches were surveyed.

4.6 Begin to assemble and enter flora and fauna species presence for the property into an inventory database.

Entered and assembled partial data base with flora and fauna species for the property.

Objective 5. Provide continued managerial, clerical, and technical support to the property manager

Discussion: Technical assistance is available and provided by additional Department of Natural Resource Tribal staff in management support of the Conservation Area.

Tasks

- 5.1 Support preparation of the property management plan, monitoring, and development of restoration projects.
- 5.2 Support the on-site manger with oversight and technical assistance provide by the Warm Springs program manager.
- 5.3 Support the BPA contract with ongoing fiscal tracking, contract compliance, purchasing, payroll, and other similar administrative activities.
- 5.4 Support the on-site manager with general office and administration support, such as timesheets, purchasing, invoice payments, leases, and contracts.

Assistance was provided by Tribal staff for program tasks of property planning, restoration projects, office coordination, fiscal tracking, contracts, purchasing, payroll, and general office and administration.

Objective 6. Provide Administrative Support Costs (ongoing annual management tasks)

Discussion: Operation of the Conservation Area requires additional support in the form of fringe benefits, indirect costs, supply purchases, and other recurring expenses.

Tasks

- 6.1 Provide fringe benefits at the rate of 21% of salary for employees.
- 6.2 Provide indirect costs at the rate of 37.7% of total budget expenditures, excluding capital equipment purchases and subcontracts.
- 6.3 Purchase office and field supplies.
- 6.4 Pay regular and recurring expenses such as, GSA vehicle, utilities, and insurance.

Administrative support costs were provided for fringe benefits, indirect costs, supplies, equipment, GSA, utilities, and insurance.

Objective 7. Riparian planting/native nursery implementation

Discussion: The riparian corridors of the Forrest Conservation Area are deficient in the quantity of trees and shrubs that are usually associated with healthy riparian areas. Planting the riparian corridors with native tree and shrub species is the preferable restoration method. Additionally, the continued operation and maintenance of the native plants nursery on the Mainstem parcel is critical for increasing the supply of native plant materials for future planting projects.

Tasks

- 7.1 Collection of native tree cuttings for planting material to be used on the property.

Approximately 2,000 native tree cuttings were collected from surrounding areas near the general vicinity of the Middle Fork parcel. The hardwood cuttings obtained were cottonwood, willow, and red osier dogwood. An additional 2,000 cuttings were also obtained from other Tribal programs and 600 Douglas-fir/ponderosa pines from the Forest Service.

- 7.2 Densely plant approximately 1 mile both banks of the Middle Fork John Day River and ½ mile of tributaries riparian zone on the Middle Fork parcel.

Planted approximately ¼ mile both banks of tributaries on the Middle Fork parcel. Plants were distributed 5-7 feet apart along the green line of the riparian. Approximately ¾ mile of the Middle Fork River was planted using the same method as the tributaries. Additionally, 300 Douglas fir were planted in the upper meadows on the Middle Fork parcel. OYCC crews participated in the planting.

Planted approximately ¼ mile both banks of tributaries and river on the mainstem parcel. Areas planted were showing little natural re-growth of hardwood species. Additionally, 100 Ponderosa pine were planted along Dads creek in an area previously treated for Juniper invasion.

- 7.3 Perform routine maintenance and operation of the native nursery. Activities performed will be maintenance of the irrigation system, weed species control, and perimeter fence.

Performed limited maintenance to the native nursery.

Objective 8. Complete required compliance surveys and consultations for non-exempt activities.

Discussion: Land disturbing activities may require preparation of compliance documents (i.e., biological assessment, and environmental checklist) and consultation with federal or state agencies (e.g., National Marine Fisheries Service, Oregon Water Resources Department, State Historic Preservation Office). A determination of required compliance/consultation documents will be made on a project specific basis.

Tasks

1.1 Implement contract for cultural resource survey required for new fence construction project.

Assembled statement of work for cultural resource surveys required for three new fence projects. The Tribal Cultural Resource Department performed the surveys in May and submitted the report to the State Historic Preservation Office and BPA. The surveys found nothing of significance and were cleared to proceed.

1.2 Complete Biological assessments and informal/formal consultation with NOAA and/or USFWS for non-exempt projects. Herbicide treatments will require pre and post treatment reporting to BPA on an annual basis.

No consultation was required with NOAA or USFWS. Herbicide treatments were reported to BPA.

1.3 Complete an environmental checklist for BPA funded activities.

Completed environmental checklist for annual projects and submitted to BPA.

Objective 9. Reporting

Discussion: Several project reports will be provided to the BPA COTR on agreed upon dates throughout the contract period.

Tasks

9.1 Prepare and submit quarterly progress reports verifying progress per objective of the FY 2004 SOW to the BPA COTR.

Quarterly reports were submitted to BPA.

9.2 Prepare and submit the FY 2004 annual report to the BPA COTR within 90 days after contract period.

This is the annual report for FY 2004.

9.3 Prepare and submit FY 05 SOW and Budget 60 days prior to the completion of the FY04 contract to BPA COTR.

FY 2005 SOW and Budget was submitted to BPA COTR.