

August 16, 2013

The Action Agencies of Bonneville Power Administration, the U.S. Army Corps of Engineers and the Bureau of Reclamation

RE: 2013 FCRPS BiOp Draft Comprehensive Evaluation

Dear Action Agencies,

The following is a response from Northwest Requirements Utilities (NRU) regarding your July 10, 2013 "Draft 2013 Comprehensive Evaluation" (Evaluation). NRU is a non-profit trade association of 52 public power systems that rely upon BPA as their primary or exclusive supplier of wholesale electric energy. These utilities account for nearly 25% of BPA's wholesale public power sales in the Northwest. Northwest Requirements Utilities has been very active in all forums to support the Action Agencies in fulfilling their environmental stewardship responsibilities, particularly regarding fish and wildlife issues associated with FCRPS operations. We are also interested in the Action Agencies applying sound business principles and the best available science that has been peer reviewed in administering a program of environmental mitigation.

The 2013 Comprehensive Evaluation documents the accomplishments of the Action Agencies in implementing the Biological Opinion (BiOp) for the operation of the Federal Columbia River Power System (FCRPS) from 2008 to 2012. The Bi-Op provides a plan for environmental mitigation for the FCRPS dams through 2018 where the measures and evaluation criteria have been subject to close scrutiny using the best science available from NOAA Fisheries and the Federal Agencies. The FCRPS Bi-Op is the scientifically supported roadmap for mitigation measures for FCRPS facilities which has been embraced by the Federal Action Agencies, as well as NOAA Fisheries and the courts.

NRU members have supported the Bi-Op and did not oppose BPA entering into Fish Accords with many Native American Tribes. BPA also entered into spending agreements with the States for environmental mitigation. NRU members are pleased that the Evaluation reports an upward trajectory of the abundance trend for most ESA listed species.

Hydropower:

NRU's members recognize that actions to improve the overall survival of fish passing through the hydro system are an essential component of the BiOp's implementation. We are pleased that the portfolio of hydro projects is on track to meet or exceed the survival targets established in the BiOp. The major investments and improvements documented in the Evaluation have achieved rigorous performance standards for both dam and in-river survival for juvenile fish.

NRU members strongly encourage the Action Agencies to move forward with reducing voluntary spill that goes above and beyond the levels listed in the BiOp. The Evaluation points out that high

flows and high spill levels can impede the progress of returning adults. Specifically, high spill levels can cause fallback, increasing straying and harvest-related mortality.¹ NRU members support further monitoring and research if necessary to examine the impacts of high spill levels on returning adults. As the implementation of the program of actions progresses at the federal dams, we expect to see the benefits from the study and implementation of reduced spill as originally contemplated in the BiOp.

Habitat Protection and Improvement Actions:

The habitat protection and improvement program implemented under the BiOp is one of the largest and most complex of its kind in the nation. Each year, the Action Agencies spend tens of millions of dollars to protect and improve estuary and tributary habitat that is critical for the life cycle of salmon and steelhead.

NRU members continue to support targeting the most critical habitat and the best mitigation projects for priority funding. The prioritization and implementation of habitat protection and improvement programs should continue to be based on sound scientific principles under the Northwest Power Planning Council's Independent Scientific Review Panel.

Hatchery Actions:

Hatchery programs remain an integral component of the overall BiOp program; however, the primary focus should remain on the recovery of ESA-listed stocks. Hatchery programs should be managed so as not to impede recovery of ESA-listed salmon and steelhead. NRU members support the implementation of research-based hatchery management practices that meet production requirements while minimizing impacts on ESA-listed species.

Harvest:

With the hydro system on track to meet BiOp requirements, it is essential that harvest and other factors impacting fish are also meeting recovery goals. NRU members support actions to reduce mortality of ESA-listed fish by developing a management plan and constructing alternative habitat for Caspian terns and double-crested cormorants, continuing the northern pikeminnow management program, and identifying and implementing effective deterrents against California sea lions. We support continued cooperation between the Action Agencies, US Fish and Wildlife, and NOAA Fisheries to balance the various statutory obligations governing the treatment of predatory species.

While measures to address predation occur within the BiOp, other harvest impacts on ESA-listed fish are primarily managed through the states, tribes, and federal agencies other than the Action Agencies. NRU members support continued efforts to identify and implement measures to reduce the impacts of harvest on ESA-listed natural origin fish. We will continue to work with Northwest River Partners to monitor this approach to harvest.

Research, Monitoring & Evaluation:

¹ 2013 DRAFT Comprehensive Evaluation Section 1, page 48.

The research, monitoring and evaluation program should be utilized to support measurable actions with a strong scientific basis. Activities without measurable benefits should be reduced or eliminated. The program should promote accountability for the implementation of the BiOp and be utilized to identify best practices. NRU members support utilizing the research, monitoring and evaluation program to quantify the benefits of BiOp activities and to identify the most effective actions to enhance fish survival.

NRU members particularly support research aimed at optimizing spill for fish passage by identifying the appropriate balance between pinpointing minimum gate openings for the safe conveyance of juveniles; identifying spill amounts and patterns that minimize juvenile fish exposure to predators; ensuring upstream migrating adults are able to find and enter fish ladders quickly; and not exceeding TDG standards. Developing a scientific rationale for the level and shape of the spill for fish passage promotes the recovery of ESA-listed fish while balancing the multiple uses of the hydro system.

Thank you for the opportunity to comment.

Best Regards,

John Saven, Chief Executive Officer

CC: Members of NRU
Terry Flores, Northwest RiverPartners
Scott Corwin, Public Power Council