



Reply to
Attention of

DEPARTMENT OF THE ARMY
NORTHWESTERN DIVISION, CORPS OF ENGINEERS
P.O. BOX 2870
PORTLAND, OREGON 97208-2870

February 7, 2003

Fish Management Office

Ms. Judi Danielson, Chair
Northwest Power Planning Council
851 SW Sixth Avenue, Suite 1100
Portland, OR 97204-1348

Dear Ms. Danielson

Thank you for the opportunity to comment on the Northwest Power Council (Council) Draft Mainstem Amendments to the Columbia River Basin Fish and Wildlife Program. The U.S. Army Corps of Engineers (Corps) has reviewed the document and provides the following general comments, followed by specific comments.

As you know, the Corps, the Bureau of Reclamation and the Bonneville Power Administration, collectively known as the "Action Agencies", have consulted with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) regarding operation of dams and reservoirs which are part of the Federal Columbia River Power System (FCRPS). The NMFS and USFWS issued Biological Opinions (BiOps) on operation of the FCRPS on December 21 and December 20, 2000, respectively. These BiOps include a "Reasonable and Prudent" Alternative (RPA) which identify measures and action that are necessary for the Action Agencies to avoid jeopardizing anadromous and resident fish in the Columbia River listed as endangered or threatened under the Endangered Species Act (ESA). The Corps prepared and signed a Record Of Consultation and Statement Of Decision (ROCASOD) on the Biological Opinion on Effects to Listed Species from Operations of the Federal Columbia River Power System in May 2001 addressing how we would implement the RPAs in our operations and actions.

The Corps (and other action agencies) are committed to meeting the BiOp requirements and in so doing, prepare 1-year and 5-year implementation plans (IP) annually- The Action Agencies completed a combined 1 - and 5- year IP for the 2003-2007 period on November 7, 2002 in coordination with the council, states, tribes and other interested parties- A copy was provided to the Council and it is available for review on the Internet at: <http://www.salmonrecovery.gov/index.shtml>

The Corps recognizes the Council's need to address fish and wildlife resources beyond those listed for protection under the ESA. Additionally, the Corps in operating its projects has responsibilities to adequately protect, mitigate, and enhance fish and wildlife in a manner that provides equitable treatment and to take into account the

Council's program- We are committed to addressing our mitigation requirements and undertaking actions to protect and enhance habitat for other species that are not listed under the ESA, within the limits of our authorities and funding. This includes species of concern mentioned in the draft amendments such as burbot and lamprey. However, prudent use of our resources requires continued emphasis on meeting our ESA requirements.

The proposed amendments provide a good approach to protecting fish and wildlife resources in the Columbia Basin and for the most part they compliment the BiOps. The Action Agencies' all-H approach is intended to benefit listed species but will also benefit non-listed species through the habitat and system/project improvements identified in the IPs.

Some of the proposals in the proposed amendments, such as those pertaining to spill operations and spring and summer flow augmentation, are not consistent with the BiOps and our current operations, as addressed in the ROCASOD. We are aware of

the debate over the merits of the flow augmentation and spill recommended in the BiOps, however, the Corps and the other Action Agencies intend to implement the actions called for in the BiOps and adopted in the ROCASOD. The proposed amendments acknowledge that the proposals deviate from the BiOps, but also recognize that the BiOps have some flexibility and allow for adaptive management based on new science.

We share the desire to develop cost effective measures to protect and restore species as new scientific information and opportunities become available, within the adaptive management framework. To that end, we have been sharing with the Council the results of spill studies and other research on configuration and operational changes at different projects and will continue to do so. We are also interested in any new information that the Council receives through this review process that might help to shape more cost efficient and/or biologically effective flow and spill operations, If such information is available, we would be interested in working with the Council, other Action Agencies and the services (NMFS and USFWS) in the existing regional forums to discuss adjustments under the adaptive management process. The Corps would not support pursuing any changes that would require reinitiation of consultation under the ESA.

The Corps supports the Council's interest in becoming more engaged in the regional coordination processes, such as the IT, TMT and SCT. In the past, the Council was involved in these forums and even served as co-chair of the SCT. These forums

are the vehicle for system operators and fish and wildlife agencies to identify potential conflicts, priorities, trade-offs and opportunities and to "consult with the Council, affected

entities, and the public on how best to resolve conflicting needs," as recommended in the draft amendments on page 21, lines 25-30. We believe increased participation by the Council, in processes would benefit the Council and the region in implementing our programs.

Specific Comments:

Page 12, lines 31-32 The Council should recognize in their efforts to increase diversity that the states and others have, or are developing, programs to manage exotic or nuisance species, which can be detrimental to native fish and wildlife populations,

and incorporate that as an objective. Examples would be New Zealand mud snails, Eurasian water milfoil, Brazilian elodea and purple loosestrife

Page 13, lines 16-18. The amendment talks about evening out flows- Natural summer flows would decline gradually and would fluctuate with rain events, so even flows would not necessarily approximate the natural hydrograph.

Page 13, line 35. We operate individual projects as part of the entire system, for flood control and other purposes, and our emphasis will continue to be on protecting and restoring listed (ESA) species. Localized populations will be considered but we will not be able to prioritize non-listed fish species in the immediate vicinity of dams 21, line 17. Recommend you specify native aquatic plants.

Page 22, line 10. It is not clear what is meant by "stabilize" the white sturgeon population. Our goal, as required in the USFWS BiOp, is for recovery.

Page 26, lines 19-23. The Corps, in coordination with the region, has accelerated the research and design of an RSW for installation at Ice Harbor Dam as part of an effort to identify cost efficiencies to help with BPA's financial situation. The Council has been briefed on this action and by unanimous vote supported the Corps plan to expedite the Ice Harbor work.

Page 27, lines 1-8. 'The Corps is making every effort to manage project spills to avoid exceeding total dissolved gas limits, which are 120 %where we have variances. We are not aware of any way to determine mortality or other effects associated with short-term exceedence of this limit.

Page 28, lines 16 and 38. The recommendation to conduct research on fish diseases at fish passage facilities is too vague and wide open and could lead to a potentially costly generic research program. We have conducted research on specific

disease concerns (e.g. BKD) and believe any future research should be targeted to specific concerns.

Page 28, line 37. We are not aware of any problem with the accuracy of our adult Ash counting accuracy. If the Council is aware of problems, please let us know what the concerns are.

Page 32, lines 35-37. The Corps operates Libby on minimum flow January through April to be as U as possible to meet sturgeon and bull trout flows. Any flow above that which is needed for sturgeon and bull trout is used for meeting summer flow objectives at McNary. By eliminating the Biological Opinion objective of being within the 1/2 foot of upper rule curve on April 10th, the ability for Libby to meet the bull trout flows may be limited, especially if the draft limit in August K raised to above the current limit of El. 2439-is also operated on minimum flow, subject to flood control to be as full as possible by April 10h, and again by June 30. In-season evaluations will determine if Lower Granite flow objectives or meeting the flood control elevation by June 30 is preferred. The Corps plans on continuing to operate Dworshak on minimum flow through April 10th to provide as much water as possible for spring and summer flow objectives.

Page 33, lines 6-10. The Corps began interim implementation of VARQ flood control operations at Libby Dam on December 31, 2002. We are continuing to work on an Environmental Impact Statement for long-term implementation.

Page 37, line V& Any revisions to operations at the projects should be pursued through the adaptive management flexibility incorporated in the BiOps. The Corps would not support reconsultation on the FCRPS and cannot reconsult on individual projects or operations.

The following specific comments on Water Management and pertain to the Summary of Modeling Assumptions f0[Mainstem Hydro Operations Table in the draft amendments or the text identified:

a. The Summary of Modeling Assumptions fo rMainstem Hydro Operaitons (Table) under the Council Preferred Alternative shows that up to 1 Maf of flow augmentation water to be stored in treaty space was modeled. The U.S. and Canada negotiate this operation on a yearly basis, and it may not be prudent to use this as an operation that may be relied upon The Corps also recommends that the Canadian operation be updated, as operating rule curves have changed under planning studies and have reshaped the water released from Canadian projects.

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b. The Corps' objectives for spill are to comply with the biological opinion. The spill that was modeled is higher than that needed to meet the current BiOP objectives. Research is being conducted on removable spillway weirs for fish passage structures and shows that it may be effective at bypassing fish with lesser amounts of spill than current spill levels. As research develops on these fish passage structures, and without further information, the Corps' recommends preparing the model studies with current spill levels.

c. The Corps plans to meet biological opinion flow objectives for bull trout at Libby in July and August. The minimum flow is 6000 cfs in the lowest water years. There are a number of years where these flow objectives were not met due to limiting the draft at Libby in August.

d. The Corps has not adopted Integrated Rule Curves (IRCs) for Libby Dam. Often IRCs are similar to CRT 63 flood control evacuation in January through March. IRCs then recommend refill through June. The biggest variation of IRCs to current operations is in July through August- The BiOp recommends draft of up to 20 feet from Libby and Hungry Horse in July and August and IRCs recommend only 10-foot draft in July and August. The reduced draft in summer is evidenced in Council studies and resultant shift of power generation (Table and page 36, lines 42-48)

We appreciate the opportunity to comment on the proposed mainstem amendments. If you have any questions, please contact Eric Braun of my staff at (503) 808-3721.

Sincerely,



Michael B. White, P. E.
Director, Civil Works and Management