



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

September 11, 2007

In reply refer to: DK-7

Ms. Stephanie M. Parent
PEAC Managing Attorney
The Environmental Legal Clinic
of Lewis & Clark Law School
10015 SW Terwilliger Boulevard
Portland, OR 97219

RE: BPA FOIA 07-039 (Re: US Army Corps of Engineers FOIA Request #2007-058)

Dear Ms. Parent:

This is in response to the enclosed US Army Corps of Engineers (Corps) response to the above referenced Freedom of Information Act (FOIA) request dated June 1, 2007. In that request you asked for records pertaining to the Willamette River Basin Floor Control Project.

The Corps identified 93 responsive pages to your request that are the exclusive or a primary concern of the Bonneville Power Administration (BPA) and on August 16, 2007, forwarded them to our Agency for determination.

After reviewing those responsive documents by BPA's Authorizing Official, Robert Austin, Deputy Manager, Fish and Wildlife, the BPA has made a determination that pages 1 through 7, pages 11 through 18 and pages 20 through 93 are being released in their entirety. In addition, the Authorizing Official has withheld certain material from pages 8 through 10 and from page 19 pursuant to Exemption 5 of the FOIA, 5 U.S.C. 552(b)(5).

Exemption 5 protects from mandatory disclosure "inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency..." Exemption 5 incorporates the deliberative process privilege which protects advice, recommendations, and opinions that are part of the process by which agency decisions and policies are formulated.

If you are dissatisfied with our determination, you may make an appeal within thirty (30) days of receipt of this letter to Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Both the envelope and the letter must be clearly marked "Freedom of Information Act Appeal."

I appreciate the opportunity to assist you with this matter. If you have any questions about this response, please contact my FOIA Specialist, Laura M. Atterbury, at 503-230-7305.

Sincerely,

/s/ Christina J. Brannon

Christina J. Brannon
Freedom of Information Act Officer

Enclosures: Response documents

FW Willamette ESA.txt; Draft BA Supplement Transmittal Letter (BPA Edits).txt
From: Spear, Daniel J - PGB-5 [djspear@bpa.gov]
Sent: Wednesday, May 30, 2007 5:01 PM
To: Rea, Matt T NWP; Anderson, G Witt NWD; Moriuchi, Davis G NWP;
Clarke, Doug A NWP
Cc: Oliver, Stephen R - PG-5; Delwiche, Gregory K - KE-4; Lorri Bodi;
Gleason, John M - LC-7; Diffely, Robert J - PGPL-5; Daley, Dan - KEWR-4;
Hilliard Creecy, Jamae - PGB-5; Cooper, Suzanne B - PF-6
Subject: FW: Willamette ESA; Draft BA Supplement Transmittal Letter (BPA Edits)

Attachments: BA Supplement Transmittal 5_301_07 DRAFT.doc

Hello:

Steve Oliver, Greg Delwiche, Lorri Bodi, Rob Diffley and myself have had a chance to review the transmittal letter. We appreciate your efforts and feel that the letter largely reflects what we discussed yesterday.

Lorri made some edits to emphasize commitment and ESA benefits.

The major modification of the letter that we made was the deletion of the penultimate paragraph. Steve and Greg felt that the paragraph was ambiguous, particularly regarding the interpretation of the word "authorization." Taking this paragraph out will not preclude us from working with the Services on the implementation and feasibility study stages of the BiOp.

I informed Steve that you will likely want to chat with him about this. He has left for the day but will be available at about 7:15 or 7:30 AM tomorrow.

Once again, we sincerely appreciate all of your time and effort on getting the final details of this project completed.

Dan S.

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Wednesday, May 30, 2007 1:17 PM
To: reggers@pn.usbr.gov; Oliver, Stephen R - PG-5; Anderson, G Witt NWD; Brice, Kevin J NWP; Clarke, Doug A NWP; Willis, Robert E NWP; Karen Blakeney (E-mail); Moriuchi, Davis G NWD; Bodi, Lorri - A-SEATTLE; Delwiche, Gregory K - KE-4; Gleason, John M - LC-7; Spear, Daniel J - PGB-5; Daley, Dan - KEWR-4; Willis, Chuck NWP; Simmons, Mindy M NWP; Braun, Eric P NWD
Subject: Willamette ESA; Draft BA Supplement Transmittal Letter

Folks,

Per our telecom yesterday afternoon, attached is a draft letter transmitting the Supplemental BA to NMFS and USFWS for your review/comment. It's not quite as brief as I had anticipated but adequate I think befitting the level of effort that went into the document it is transmitting forward. I welcome comments on the letter until late this afternoon. First thing in the AM I will have it finalized and sent forward for Colonel O'Donovan's signature. As agreed we will not send the BA Supplement forward to the services until after the Federal execs have an opportunity to talk either tomorrow afternoon or early Friday. In the meantime, we are continuing to make last minute minor revisions and edits.

Matt <<BA Supplement Transmittal 5_301_07 DRAFT.doc>>

FW Willamette ESA.txt; Draft BA Supplement Transmittal Letter (BPA Edits).txt

RE RME_Bodi 5_29_07.txt

will be undertaken as a part of the willamette PA, but the PA will also assume the Mainstem actions to be on-going.

Sorry to bring this up to you at the 11th hour, but we have not engaged, as yet on the RME, and this seems to me to be a decent way of covering all the bases without needing to pick apart the separate documents searching for consistencies and the proper language. This way, we can leave both in with just a little change, maybe, in introductory language. I'm not sure what the alternative may be.- dmd

From: Spear, Daniel J - PGB-5
Sent: Friday, May 25, 2007 10:53 AM
To: 'Rea, Matt T NWP'; Oliver, Stephen R - PG-5; Anderson, G Witt NWD; Clarke, Doug A NWP
Cc: Willis, Robert E NWP; Simmons, Mindy M NWP; Daley, Dan - KEWR-4; Gleason, John M - LC-7; Braun, Eric P NWD; Diffely, Robert J - PGPL-5; Bodi, Lorri - A-SEATTLE; Hilliard Creecy, Jamae - PGB-5; Majkut, Paul S - L-7
Subject: RE: Willamette ESA; Revised Language Characterizing

Hello:

BPA has made an initial VP-level review of the "ouplanting" vs. "reintroduction" language and we are appreciative and supportive of the language that you have provided. Due to pre-Memorial Day absences and time crunches associated with other projects we have not had a chance to give all of the eyes we would like to review what you have provided a chance to do so. We do not, however, anticipate any substantial disagreements and in recognition of your own time crunch, and that you are probably collectively on your twenty-third cup of coffee, we wanted to give you our "okay" quickly. Any minor quivels can be dealt with when we review the clean final draft.

BPA greatly appreciates all of your time and effort on this issue and your efforts to incorporate our input.

Thank you very much!

Dan S.

RE RME.txt

From: Spear, Daniel J - PGB-5
Sent: Friday, May 25, 2007 10:53 AM
To: 'Rea, Matt T NWP'; Oliver, Stephen R - PG-5; Anderson, G Witt NWD; Clarke, Doug A NWP
Cc: Willis, Robert E NWP; Simmons, Mindy M NWP; Daley, Dan - KEWR-4; Gleason, John M - LC-7; Braun, Eric P NWD; Diffely, Robert J - PGPL-5; Bodi, Lorri - A-SEATTLE; Hilliard Creecy, Jamae - PGB-5; Majkut, Paul S - L-7
Subject: RE: Willamette ESA; Revised Language Characterizing

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BPA greatly appreciates all of your time and effort on this issue and your efforts to incorporate our input.

Thank you very much!

Dan S.

Rea, Matt T NWP

From: Spear, Daniel J - PGB-5 [djspear@bpa.gov]
Sent: Tuesday, May 22, 2007 9:53 AM
To: Rea, Matt T NWP
Subject: RE: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

Hello Matt:

In the future, if you want to get any timely information from Dan Daley via e-mail I strongly suggest sending the message to both his office address and to his home e-mail address: sysyphus3474@earthlink.net. I forwarded your message to "Sysyphus" Monday morning so hopefully he will get to it in between hauling a boulder up and down a hill for eternity.

I appreciate you including the estuary activities section. I've sent it around for a internal review with the people that are more knowledgeable about habitat actions but I do not anticipate any substantive changes.

With regards to section 2.5.2.1: John has called Dan D. to make sure he is prepared for the deadline. He has repeatedly said that he is almost done with it. The gist of the section, as I understand it, is that BPA appears to be uncomfortable with funding these projects without a BO. So, once a BiOp is in place, these projects should have a much stronger chance of getting funded in the 09-11 Council F&W Program cycle. This is well outside of my purview, but if necessary John Gleason and myself can punch out some language on this by the end of the day on Wednesday.

With regards to BPA and Willamette habitat actions Dorri Welch is helping me get together a list of land acquisition and restoration activities that BPA has helped fund in the Willamette that specifically impact fishery species such the Green Isle acquisition at the confluence of the McKenzie and Willamette where we are restoring channel connectivity; the Big Island in the McKenzie which includes habitat for Oregon chub, and the Tualitin National Wildlife Refuge.

So, the bottom line is, by hook or by crook we will get you the inputs that you need by COB Wednesday.

Dan S.

-----Original Message-----

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Saturday, May 19, 2007 11:48 AM
To: Daley, Dan - KEWR-4
Cc: Gleason, John M - LC-7; Spear, Daniel J - PGB-5; Diffely, Robert J - PGPL-5; karenbahus@comcast.net
Subject: RE: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

Dan,

Last Chance! If you are going to provide me any BPA inputs into Chapter 2

I'll need them no later than this coming Wednesday by COB. I've attached my latest working version of Chapter 2 so you can see where we are. But essentially, there is no change from what we have previously discussed as places where we are looking for BPA input:

Section 2.5.2.1, NPPC Subbasin Planning Process and F&W Program is where I'd like to address the influence or relationship that this consultation and the resulting BO may (or may not) have on the NPPC F&W program.

You may have been able to discern my frustration in our telecon last week to have Steve telling us that he thinks we don't have enough in the proposed action regarding habitat restoration. I don't know if you guys have taken any action on my request to Steve for

Redacted/Exemption 5/Deliberative Process

We also have a "placeholder" under section 2.5 "How this BA Supplement Relates to the consultation Status" for each of the action agencies to provide any new information (from the original BA) that you believe should be included.

Dan Spear: please note that Chapter 2 is where we added descriptions of estuary activities, including avian predation management, as "other interdependent and interrelated activities". The effects of those actions on Willamette ESUs are being described in the FCRPS BA.

I'll be in all the office Monday-Weds next week trying to get the final draft BA supplement to our writer-editor. The plan is for her to provide us a final review draft on 28 May. We'll have from then until 31 May to complete any final revision. I'm hoping at that point it will just be dealing with show-stoppers and final minor editing/polishing. I suggest that you guys set aside some time on those days for doing a last minute review.

Matt

-----Original Message-----

From: Daley, Dan - KEWR-4 [mailto:dmdaley@bpa.gov]
Sent: Tuesday, May 01, 2007 5:54 PM
To: Rea, Matt T NWP
Subject: RE: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

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Matt - I can see what I can do about Draft Sections for Chapter 2. I take this to mean that the timeframe for the sections is about 2 weeks? If so, then, can you send the official, latest versions of the outline for the chapter, any already completed sections, and any other supporting documents I might find useful in guiding my writing? If should already have them, just indicate which date the latest update was sent on.

As for the NPCC decision letter and BPA's comments...as you are already aware, when federal agencies have long standing relationships with non-federal, resource managers, or regional planning entities, inevitably, there are just as long standing, non-official agreements and understandings about ways to communicate, and which issues are likely to be worthwhile communicating about. Rarely do such partnerships result in all parties being on the same exact page, at the same time, and with the same understanding of what the page says. The relationships work, however, because, despite the different descriptions, different understandings of common goals, and, sometimes, different goals entirely, the varied entities are able to agree that there remains a mutual benefit in the relationship continuing. Additionally, the shared history of the relationship, itself, has brought an institutions memory and understanding of the various agreements and positions the entities have accepted throughout the history.

I'm sure the above description could just as well describe the relationship between the Corps, ODFW, and the sportsmen of the Willamette Basin, as it could describe the BPA/NPCC relationship. For an additional taste of the type of interactions characteristic of BPA/NPCC business, you might imagine your own transactions with ODFW, then add to that stew; a touch of Congressional type checks and balances, a pinch of mutual budget oversight, and a tad of efficiency activism. Other than a bad case of heart burn, I'm offering this rather tortured analogy in the spirit of mutual guidance towards a shared understanding of our agencies' strategic direction and overarching goals. As we have found when the circumstances are reversed, it seems that a standard explanation of the terms of the agreements between the parties will not fully satisfy the questions of a less involved, but still partner, action agency. In that light, I'm also offering the above analogy as an olive branch from an employee of the 'other' Action Agency who has asked many of the same types of questions, as you express in your e-mail. With this note, I will forward your e-mail to the people who have addressed my own questions, so that they

might have a 'first crack' at a response to yours, and that we may better coordinate a response from the many involved staff members here at BPA. I make no guarantee of a totally satisfying response from BPA, on this issue, since our ties to the Willamette Basin, and our history, as a federal agency in the Basin, are so different from the ACOE's, I doubt any response one agency may offer, could ever completely satisfy the other agency's questions.

I'm hoping by forwarding your mail, we may enlist the aid of my fellow staff in responding to the details included in your mail, as well as some help in describing the 'bigger picture' issues affecting BPA and NPCC relations.

- dmd

pg 9

-----Original Message-----

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Wednesday, February 14, 2007 1:15 PM
To: Daley, Dan - KEWR-4
Cc: Krueger, Paul Q - KEWR-4; Fisher, Kathy P - KEWR-4; Gleason, John M - LC-7
Subject: RE: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Dan,

We met with our Writer/editor this morning. Her preference would be to have a file that she can drop into the draft BA supplement Chapter 2 without requiring her to do too much rewriting or editing--although she is able to do that if need be. So let's shoot for the latter. BPA staff will get another shot at it when the draft of Chapter 2 is circulated for internal review but I'll trust you to be able to craft language sensitive to the expectations of BPA execs.

But I want to address a very important subject directly related to the content of that section. Yesterday we reviewed the decision letter and tables summarizing the BPA decisions on the FY 07-09 F&W program which we received from Karl Wiest at NPPC.

{
Redacted/Exemption 5/Deliberative Process
}

The Corps had communicated our strong support for those proposals to BPA six months ago yet they were removed without further discussion with us.

I note:

Project 1: "Willamette Flow Management Project" submitted by The Nature Conservancy. BPA Comment: "Willamette Basin BiOp is under development and is anticipated to further define this issue". BPA knows full well that the BiOp will not really further define the issue other than to emphasize the need for more study and analysis to determine the effects of flow management on listed species. BPA staff has been extremely resistant to any change in flow management and have been advocating strongly for the need for additional monitoring and better science to support flow decisions. This project would have leveraged F&W program funds against funding provided by TNC to perform exactly that kind of evaluation. Yet when faced with an opportunity to assist in funding--BPA punted.

Project 2: "Development of Protocols and priorities for re-establishing naturally producing populations of Upper Willamette River Chinook Salmon above Corps Dams in the Willamette Subbasin". BPA Comment: "Passage at Dams is a Corps responsibility". We are

clearly in this together. Yes, the decision to modify dams to improve passage is a ultimately a Corps responsibility. However, that is not a decision that we can or would want to make unilaterally--it will have to be made in cooperation with the other state and Federal agencies in the basin--especially BPA.

We've been working with the Steelhead and Chinook Above Barriers committee representing those agencies for several years now to determine the appropriate protocols for outplanting native fish. Protocols, I might add, that BPA staff seem to agree are critical. We've pleaded on numerous occasions, for BPA to commit staff to participate in this forum. The ability of that group to undertake significant steps in developing the protocols has been hampered by funding constraints. As you know, Corps appropriated O&M funds are extremely tight.

The funding under the F&W program would have enabled ODFW and other members of the committee to initiate those investigations.

{ Redacted/Exemption 5/Deliberative Process }

These were minor projects for relatively small amounts of funding that would have really helped us get a handle on a couple of key issues in the Willamette River Basin.

Matt

-----Original Message-----

From: Daley, Dan - KEWR-4 [mailto:dmdaley@bpa.gov]
Sent: Tuesday, February 13, 2007 6:27 PM
To: Rea, Matt T NWP
Cc: Krueger, Paul Q - KEWR-4; Fisher, Kathy P - KEWR-4; Gleason, John M - LC-7
Subject: RE: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

Matt - Do you want a file ready for her to incorporate, or something she will redraft? The latter can be done by the beginning of next week, assuming BPA execs will be able to review for policy issues prior to release of the DRAFT BA. Add a week to 10 days for this step if you need an already reviewed version. But, please. let me know which one you picked.

- dmd

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Friday, February 09, 2007 2:31 PM
To: Daley, Dan - KEWR-4
Cc: Gleason, John M - LC-7
Subject: Willamette ESA; Draft Chapter 2 (UNCLASSIFIED)

pg 10

Classification: UNCLASSIFIED
Caveats: NONE

Dan,

I've got a writer/editor on board working on pulling together the draft supplemental BA. I've asked her to focus initially on Chapters 1 and 2. I've given her a first draft of chapter 1, Purpose and Scope, to work from.

I'll spend the next few days on giving her a rough draft of Chapter 2, Background, for those sections that I can write.

If you go to the outline, you'll be reminded that there a couple of places where we were looking for BPA input in Chapter 2. Specifically section 2.6.2.1, NPPC Subbasin Planning Process and F&W Program where I'd like to address the influence or relationship that this consultation and the resulting BO may (or may not) have on the NPPC F&W program. We also have a "placeholder" under section 2.5 "How this BA Supplement Relates to the consultation Status" for each of the action agencies to provide any new information (from the original BA) that you believe should be included.

Call me if you want to discuss it. Otherwise if you can give me some sense of when you might be able to provide drafts I'd appreciate it.

Matt

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE

Rea, Matt T NWP

From: Oliver, Stephen R - PG-5 [sroliver@bpa.gov]
Sent: Wednesday, May 16, 2007 7:57 AM
To: Anderson, G Witt NWD; Spear, Daniel J - PGB-5; Rea, Matt T NWP
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Witt;

The change is in the last para. Your text doesn't allow me to bold or change font size, so I bracketed [[]] the correct language and placed parentheses (()) around the language that someone had inserted and should be deleted.

Combining this issue with the fact that DOJ uses "WordPerfect", it is amazing that we have the ability to communicate at all.

I would like to express my appreciation for the meeting yesterday, and the positive approach that Matt and Doug suggested.

Stephen R. Oliver
Vice President, Generation Asset Management Bonneville Power Administration
Ph: (503) 230-7503 or (503) 230-4090
FAX: (503) 230-3986

-----Original Message-----

From: Anderson, G Witt NWD [mailto:G.Witt.Anderson@nwd01.usace.army.mil]

Sent: Wednesday, May 16, 2007 7:18 AM
To: Oliver, Stephen R - PG-5; Spear, Daniel J - PGB-5; Rea, Matt T NWP
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Steve/Dan - security on our email does not allow us to see the red or green.
Could you show in caps or brackets?

Witt

-----Original Message-----

From: Oliver, Stephen R - PG-5 [mailto:sroliver@bpa.gov]
Sent: Tuesday, May 15, 2007 5:33 PM
To: Spear, Daniel J - PGB-5; Rea, Matt T NWP; Anderson, G Witt NWD
Cc: Delwiche, Gregory K - KE-4; Lorri Bodi; Gleason, John M - LC-7; Diffely, Robert J - PGPL-5; Daley, Dan - KEWR-4; Cooper, Suzanne B - PF-6
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Please note that some edits were made to my "background" e-mail section before it was forwarded to you today with comments on the Supplemental BA. One of those edits substantively modified the nature of the intended statement. So please note that the language in green was the original statement, and the language in red should be deleted.

From: Oliver, Stephen R - PG-5
Sent: Tuesday, May 15, 2007 1:51 PM
To: Spear, Daniel J - PGB-5; Delwiche, Gregory K - KE-4; Bodi, Lorri - A-SEATTLE; Gleason, John M - LC-7
Cc: Oliver, Stephen R - PG-5
Subject: Willamette Draft Supplemental BA Comments 5-14-07sro
Importance: High

Background

At a May 8, 2007 Willamette BiOp Manager's meeting, there was significant discussion of re-introducing endangered species above the Willamette system dams. Chuck Willis (USACE) stated that an informal team of biologists called the Steelhead and Chinook Above Barriers

(or SCAB) and the Lower Columbia TRT had decided that re-introduction to spawning and rearing habitat above the USACE dams was a critical centerpiece to that effort to recover Willamette endangered anadromous species the

In preparation for the May 8th meeting I had asked for a balanced presentation of the biological pros and cons of re-introduction, and for examples of where such re-introduction had been successful above high head dams elsewhere in the United States. This balance was not achieved at the meeting. Presentations were oriented to advocating for re-introduction.

While there were presentations on the success/failure of passage at high head projects there was no discussion of where a reintroduction of salmonid species into an environment from which they had been extirpated had been successful.

USACE representatives summarized the draft supplemental BA's proposed actions as defining a "presumptive path" toward re-introduction of endangered species above the Willamette dams. NOAA representatives reinforced this "presumptive path" notion, and stated that BPA simply needs to "pony up" money to support the re-introduction and associated fish passage/collection structures.

BPA's perspective is that we are willing to participate in all necessary investments that have a demonstrated high probability of mitigating the dams' operational impacts on the endangered species. The May 8th meeting raised several issues in this regard:

* Essentially every party presenting data stated it was preliminary.

* The proposal is to re-introduce hatchery stocks above the dams.

It is

not clear at this time that this proposal is feasible or will provide biological benefits.

* The Round Butte/ Pelton fish passage/collection device was discussed

as a model of what might need to be considered on Willamette projects, but it was pointed out that the Round Butte reservoir elevation only fluctuates 20', whereas the major Willamette projects elevation fluctuates 90-125'.

* Preliminary radio tagged re-introduction of "spawners" above Willamette dams had results where two out of three years stock nearly completely died before spawning. No one knows why the fish mostly died in two years and mostly lived in one year.

* It is unclear how juvenile fish will be able to survive and direct

themselves through the relatively large Willamette reservoirs.

* It was clear that there seems to be a lack of ability (legal

hooks or willingness) to recover and restore downstream habitat, and therefore the focus has turned to accessing habitat above the dams. This seems to ignore the potential remaining problems with downstream habitat that could undermine upstream investments.

It is my perspective that the federal Action Agencies had agreed on a deliberate and staged approach to the Willamette supplemental BA. This approach centered on the development of a System Configuration Study (SCS)

that would systematically assess the technical, biological, and economic feasibility of changing operations and constructing fish passage, and temperature control infrastructure on the Willamette dams. Although USACE has generally stated they will not take actions inconsistent with the authorized purposes of a project, we agreed to study infrastructure/configuration changes at dams with and without authorization for such structures. We agreed that the biological feasibility would consider whether upstream investments would be undermined by vast downstream ecological damage sustained in the lower Willamette and estuary due to massive and long standing industrial, municipal and agricultural impingement on the Willamette River.

The completion of the SCS should be a prerequisite to any 15-year commitment add[[to reintroduce listed species above the Willamette dams]] delete((reconfigure the USACE projects, or to build traps above the dams,)) because the SCS will demonstrate

the feasibility of sustaining listed species in those habitats.

Comments

I have edited the draft supplemental BA to reflect our concerns. I have tried to keep the changes as minimal as possible.

<< File: Willamette Supp'l BA sro5-14-07.doc >> Stephen R. Oliver Vice President,
Generation Asset Management Bonneville Power Administration
Ph: (503) 230-7503 or (503) 230-4090
FAX: (503) 230-3986

Rea, Matt T NWP

From: Spear, Daniel J - PGB-5 [djspear@bpa.gov]
Sent: Tuesday, April 24, 2007 2:09 PM
To: Rea, Matt T NWP
Cc: ann.gray@noaa.gov; anne.mullan@noaa.gov; Bailey, Randy NWP; Braun, Eric P NWD; Chris Allen (E-mail); Diffely, Robert J - PGPL-5; Daley, Dan - KEWR-4; Evan Haas; Gleason, John M - LC-7; John Johnson (E-mail); Karen Blakeney (E-mail); lance.kruzic@noaa.gov; Michael Cobell (E-mail); Patty.Dornbusch@noaa.gov; Richard Domingue (E-mail); Simmons, Mindy M NWP; stephanie.burchfield@noaa.gov; Taylor, Gregory A NWP; Willis, Chuck NWP; Willis, Robert E NWP; wparks@pn.usbr.gov; sisyphus3474@earthlink.net
Subject: RE: 4/26 Managers' Meeting - Outplanting Agenda Item

Hello Matt:

Welcome home.

To be perfectly clear: We (BPA) acknowledge that this topic has been broached before; however, we considered it to be an item for consideration and not a definitive action. We never agreed to it as a proposed action. Our intent was to wait for your first shared draft of the hatchery section to comment on it but the NOI has forced all of our hands and expedited publication, review and comment more quickly than we would like. We feel that this action merits a thorough managerial/technical level discussion.

Dan S.

----- Original Message -----

Subject: RE: Confirmed TIME CHANGE for Willamette ESA---Manager's Forum, April 26 at BPA (and new agenda item)
Date: Mon, 23 Apr 2007 09:34:14 -0700
From: Spear, Daniel J - PGB-5 <djspear@bpa.gov>
<mailto:djspear@bpa.gov>

To: Stephanie Burchfield <Stephanie.Burchfield@Noaa.gov>
<mailto:Stephanie.Burchfield@Noaa.gov> , Ronald Eggers <reggers@pn.usbr.gov>
<mailto:reggers@pn.usbr.gov>
CC: Daley, Dan - KEWR-4 <dmdaley@bpa.gov> <mailto:dmdaley@bpa.gov> ;
Gleason, John M - LC-7 <jmgleason@bpa.gov> <mailto:jmgleason@bpa.gov> , Diffely, Robert J -

PGPL-5 <rjdiffely@bpa.gov> <mailto:rjdiffely@bpa.gov> , chris_allen@fws.gov, kemper_mcmaster@fws.gov, Ann.Gray@noaa.gov, Anne.Mullan@noaa.gov, Bruce.Suzumoto@noaa.gov, Evan.Haas@noaa.gov, Jane.Hannuksela@noaa.gov, John.K.Johnson@noaa.gov, Lance.Kruzic@noaa.gov, Patty.Dornbusch@noaa.gov, Richard.Domingue@noaa.gov, Rob.Walton@noaa.gov, Eric.P.Braun@nwd01.usace.army.mil, G.Witt.Anderson@nwd01.usace.army.mil, Chuck.Willis@nwp01.usace.army.mil, Doug.A.Clarke@nwp01.usace.army.mil, Gregory.A.Taylor@nwp01.usace.army.mil, Matt.T.Rea@nwp01.usace.army.mil, Mindy.M.Simmons@nwp01.usace.army.mil, Robert.E.Willis@nwp01.usace.army.mil, Karen Blakney <kblakney@pn.usbr.gov> <mailto:kblakney@pn.usbr.gov> , Michael Cobell <mcobell@pn.usbr.gov> <mailto:mcobell@pn.usbr.gov> , Tanya Sommer <TSOMMER@pn.usbr.gov> <mailto:TSOMMER@pn.usbr.gov> , William Parks <wparks@pn.usbr.gov> <mailto:wparks@pn.usbr.gov>
References: <s6277ad6.091@ibr1pnr2.pn.usbr.gov> <mailto:s6277ad6.091@ibr1pnr2.pn.usbr.gov> <46290BD2.2070309@noaa.gov> <mailto:46290BD2.2070309@noaa.gov>

Hello:

The room number is 370.

The call in number is 503-230-5566 Passcode: 7196#.

I will wait in the lobby to escort people. Luckily, there are no badge-necessary doors on the third floor. Room 370 is easy to find: Take the elevator to the third floor. From the elevators turn to face the MC Escher-like painting of a hand in the act of drawing. Take the right turn from the MC Escher-like painting (towards the painting of a duck) and follow the hallway. Room 370 will be on your left exactly where the gigantic three-dimensional map of the Pacific Northwest is.

There will be caffeine and calories provided.

BPA also has a new agenda item: We would like to discuss the choice to plant hatchery fish above the blocking projects. To assure that this item is discussed through and through we would like to put it first on the agenda.

Thank you,

Dan S.

From: Stephanie Burchfield [mailto:Stephanie.Burchfield@Noaa.gov]
Sent: Friday, April 20, 2007 11:52 AM
To: Ronald Eggers
Cc: Spear, Daniel J - PGB-5; Daley, Dan - KEWR-4; Gleason, John M - LC-7; Diffely, Robert J - PGPL-5; chris_allen@fws.gov; kemper_mcmaster@fws.gov; Ann.Gray@Noaa.gov; Anne.Mullan@Noaa.gov; Bruce.Suzumoto@Noaa.gov; Evan.Haas@Noaa.gov; Jane.Hannuksela@Noaa.gov; John.K.Johnson@Noaa.gov; Lance.Kruzic@Noaa.gov; Patty.Dornbusch@Noaa.gov; Richard.Domingue@Noaa.gov; Rob.Walton@Noaa.gov; Eric.P.Braun@nwd01.usace.army.mil; G.Witt.Anderson@nwd01.usace.army.mil; Chuck.Willis@nwp01.usace.army.mil; Doug.A.Clarke@nwp01.usace.army.mil; Gregory.A.Taylor@nwp01.usace.army.mil; Matt.T.Rea@nwp01.usace.army.mil; Mindy.M.Simmons@nwp01.usace.army.mil; Robert.E.Willis@nwp01.usace.army.mil; Karen Blakney; Michael Cobell; Tanya Sommer; William Parks
Subject: Confirmed TIME CHANGE for Willamette ESA---Manager's Forum, April 26 at BPA

Thanks to all for your flexibility and willingness to work with us on NMFS' need to change the Willamette Managers' Forum meeting. The early time isn't ideal for many of us, myself included, but this is the only time on

April 26
that worked.

April 26, 7:30 - 9:00 a.m., at BPA Headquarters, Portland (Dan Spear,
BPA,
will send email confirming room # and conference line)

Agenda - as proposed by Matt in email below. NMFS proposes we add to
the
item, "Status of Willamette RiverKeeper 60-day NOI," a brief discussion
of
the need to schedule additional meetings with the plaintiffs to discuss
settlement issues.

We recognize that the previous meeting time allowed for up to 3 hours to
cover these agenda topics, and now we'll have 1.5 hours. NMFS believes
that
many of the topics can be addressed quickly. For instance, rather than
discuss the 9th Circuit decision in detail, we can identify the 2 or 3
big
messages from that decision that affect the Willamette consultation, and
then
focus on those issues. We also might want to structure the meeting to
focus
on most urgent issues, such as schedule for completion of BA, and 60-day
NOI.

Thanks especially to those of you who have moved other meetings to
accommodate this switch.
Stephanie Burchfield

<Stephanie.Burchfield@Noaa.gov>
<mailto:Stephanie.Burchfield@Noaa.gov> 4/18/2007 11:25:51 AM >>>

All,
NMFS needs to meet at another time on Apr 26th. I've checked
with
the
Corps and BPA, and they could do it from 7:30 - 9:00 a.m. that
day.
BPA
promises lots of caffeine.

Please let me know if this time will not work for your agency.
Otherwise, we'll send out official notice of this change.

Thanks.
Stephanie Burchfield

From: Rea, Matt T NWP [
Sent: Wednesday, April 11, 2007 3:29 PM
To: Bruce.suzumoto@noaa.gov; rob.walton@noaa.gov;
kemper_mcmaster@fws.gov;
reggers@pn.usbr.gov; Clarke, Doug A NWP; Anderson, G

Witt
NWD

Folks,

This is a reminder that we have a Willamette ESA
all-agency
Manager's Forum meeting scheduled for April 26, 1-4 PM at BPA
headquarters

(Room No. TBD)

We propose the following discussion topics:

- Implications of 9th Circuit Court Decision for Willamette Consultation
- Status of Willamette RiverKeeper 60-Day NOI
- Revised Proposed Action; Status and update
- Effects Assessment: Approach and Coordination
- Proposed Schedule: Completion of the Supplemental BA
- o 4/27 Complete AA internal review of Revised PA; Comments to CENWP
- o 5/5 Revised draft PA to Services
- o 5/8 Initiate collaborative effects assessment "workshop"
- o 5/25 Complete Effects assessment
- o 5/31 Final Supplemental BA to Services
- Regional Strategies related to Recovery Planning

3.6. Structural Modifications: Fish Passage, Temperature Control and Hatcheries

Proposed Action: The action agencies propose to undertake a series of studies looking first comprehensively at the entire basin and then systematically at the key sub basins, to evaluate the feasibility and relative benefits of structural and related operational modifications to the Willamette Basin dams designed to improve survival and productivity of ESA listed aquatic species. Collectively called the System Review, these studies will include evaluation of: (1) the technical feasibility; (2) biological justification; and (3) cost-effectiveness of these and other potential proposed measures so that the relative effectiveness and efficiency of potential Federal actions can be compared. In addition to addressing ESA issue, the System Review would also address structural and operational needs associated with Clean Water Act (CWA) compliance. The studies will be conducted in close coordination with NOAA-F, USFWS and other appropriate state and Federal resource agencies and tribes. The studies will result in decision documents stating agency positions on individual measures. For those measures determined to be feasible and recommended, the action agencies will seek authorization and appropriation for implementation through normal budget and program procedures

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This section deals with action agency proposed measures to address structural modifications at Corps dams in the Willamette Basin that may be needed for improving the survival and productivity of ESA listed species. The Action Agencies, assisted by state and other Federal resource agencies, including NOAA-F and USFWS, have identified a number of structural modifications that should be evaluated, including (but not limited to):

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- o Improving existing fish collection and handling facilities to meet current accepted standards for ESA listed species at Dexter Dam, Fall Creek Dam, Foster Dam and Minto Fish Collection Facility below Big Cliff Dam (see Section 3.6.1, Willamette Valley Fish Facilities Improvements Conceptual Design Report):
- o Upgrading adult and juvenile fish passage facilities at those projects where passage was authorized and constructed as part of the original project, including Foster, Green Peter, Cougar and Fall Creek dams;
- o Providing adult and juvenile fish passage at those dams in the basin where passage facilities were not constructed as part of the original project, including Big Cliff, Detroit, Blue River, Lookout Point, Hills Creek, Dorena, Cottage Grove and Fern Ridge dams (including adult volitional passage as a potential long-term alternative solution):
- o Modifying and/or replacing existing fish hatchery facilities constructed to mitigate for the impacts of the projects (see Section 3.4, Fish Hatchery Operations and Reform Actions):
- o Providing selective withdrawal capacity or other alternative methods to achieve downstream water temperature regimes to provide improved fish passage efficiency and habitat conditions, and survival and recovery opportunities below those dams where such capability does not exist.

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The Action Agencies recognize that NOAA-F and USFWS have identified the Willamette Dams as having adverse effects upon,

{ Redacted/Exemp 5/Del Proc } certain ESA listed fish and that there is an expectation that the Action Agencies will implement the structural measures necessary to avoid jeopardizing those species. However, this element of the revised proposed action is presented from the perspective of the Action Agency requirement to work through the necessary Federal

pg 19

planning, program and budget process. From that perspective, it is not clear that all of these structural measures are necessary to avoid jeopardizing the continued existence of listed species or that they would effectively improve habitat conditions and survival for listed species. Individually and collectively, these measures will be expensive and will take years to study and implement. Therefore, it will be necessary to clearly identify which structural modifications are the highest priority measures. In most cases, the Action Agencies do not have existing authority and /or the appropriated funding necessary to implement them. However, if specific measures are determined to be necessary to avoid jeopardy, or are determined to be otherwise appropriate to propose as Federal actions, the action agencies would be willing to seek the necessary authority and appropriations.

3.6.1 Willamette Valley Fish Facilities Improvements Conceptual Design Report

Subsequent to completion of the 2000 BA the Corps undertook initial efforts to evaluate facility needs for listed fish species at the Willamette dams. The "South Willamette Valley Fish Facilities Improvements Conceptual Design Report", completed in 2005, reviewed existing fish trapping facilities at Minto, Foster Dam, Dexter Pond and Fall Creek. The report developed and presented a preliminary evaluation of conceptual alternatives for improving the existing facilities to meet updated criteria for reducing mortality and sorting wild fish. Conceptual designs and cost estimates were prepared for the recommended alternative at each of the locations. Table 3. presents a summary of the recommended improvements for each of the fish handling sites, as well as preliminary cost estimates for the improvements.

The evaluation revealed that the existing trapping facilities did not provide adequate trapping, sorting, holding, and transport facilities for handling ESA listed fish. These facilities were designed and constructed as broodstock collection facilities without the benefit of current knowledge and design criteria developed to provide safe and effective trapping conditions. With the exception of the Minto Trapping facility, the required improvements focused on improving the sorting, post-sort holding, and truck loading facilities. These features were found to be inadequate and suggested that replacement of all four trapping facilities may be required to meet current criteria for ESA listed species. At the Minto Trapping Facility, the entire trapping facility was found to be inadequate to meet current operation requirements. No flexibility was available within the existing facility for future program requirements

The Corps of Engineers considers upgrading of these facilities to be a high priority and is seeking funding through the Operations and Maintenance (O&M) budget "Critical Infrastructure Program". The Corps believes that the highest priority amongst the four sites evaluated is the Minto Fish Collection Facility below Big Cliff Dam on the North Santiam River. This is due not only to considerations for protecting ESA listed fish species but also for protecting the health and safety of workers at the Minto facility. The President's FY 08 budget includes \$200 K developing a Detailed Design Report from the initial conceptual design. Funds are programmed for developing Plans and specifications in FY 09 (\$1M) and implementation in FY10 (\$11M).

The Action Agencies will work with NOAA-F, USFWS and other resource agencies to establish priorities amongst the other fish handling facilities. Evaluation of those alternatives will be integrated into the System Review Studies described in Section 3.6.2.

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Deleted: This section describes a proposal by the Action Agencies to undertake a comprehensive set of studies, collectively called the Willamette Basin Review, designed to evaluate potential structural and related operational modifications needed at the Corps' Willamette Basin dams to address survival and productivity of ESA listed species. The intent of the Willamette Basin Review is for the Action Agencies, working collaboratively with NOAA-F, USFWS and other stakeholders, to evaluate the technical, biological and economic merits for those measures and to seek authorization and appropriation for those measures determined to be biologically and economically justified.
Deleted: ¶ Figure 3. presents a conceptual diagram of the steps or phases in the Willamette Basin Review process. The Action Agencies envision the Willamette Basin Review being conducted in phases: Phase I—Reconnaissance Study; Phase II— Systemwide Feasibility Phase Study; Phase III—Subbasin System Configuration Studies; Phase IV— Detailed Preconstruction Engineering and Design; and, Phase V— Implementation. Each of the phases is described in more detail below. Figure 3. shows a conceptual schedule for implementation. The schedule is dependent on: (1) completion of decision documents ... [1]
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Table 3. Recommended Improvements to Fish Handling Facilities

Facility	Existing System Modifications	New Facility Components	Estimated Project Cost (\$)
Minto	<ul style="list-style-type: none"> ▪ <u>Raise barrier dam crest with Obermeyer spillway gate.</u> ▪ <u>Upgrade existing access road.</u> 	<ul style="list-style-type: none"> ▪ <u>Intake with fish screen.</u> ▪ <u>Fish ladder</u> ▪ <u>Pre-sort holding ponds.</u> ▪ <u>Elevated sorting facility including sorting area, post-sort raceways, crowding channel, and truck loading.</u> ▪ <u>Complete electrical system.</u> 	10,003,000
Foster	<ul style="list-style-type: none"> ▪ <u>Tie to existing fish ladder entrance and AWS.</u> 	<ul style="list-style-type: none"> ▪ <u>Fish ladder.</u> ▪ <u>Pre-sort holding pond.</u> ▪ <u>Elevated sorting facility including sorting area, post-sort raceways, crowding channel, and truck loading.</u> ▪ <u>Broodstock holding and spawning facility.</u> 	7,546,000
Dexter Pond	<ul style="list-style-type: none"> ▪ <u>Install intake screen on existing intake.</u> ▪ <u>Install new fish entrance barrier panel.</u> ▪ <u>Install new floor diffusers for existing</u> 	<ul style="list-style-type: none"> ▪ <u>Fish lock.</u> ▪ <u>Elevated sorting facility including sorting area, post-sort raceways, crowding channel,</u> 	5,748,000

	<ul style="list-style-type: none"> ▪ <u>pre-sort holding pond.</u> ▪ <u>Install new fish crowder on existing pre-sort holding pond.</u> ▪ <u>Upgrade electrical system and controls.</u> 	<ul style="list-style-type: none"> ▪ <u>and truck loading.</u> 	
Fall Creek	<ul style="list-style-type: none"> ▪ <u>Inspect and repair/replace existing gates and pumps.</u> ▪ <u>Replace electrical system and control panels.</u> ▪ <u>Install gravity water supply pipe from fish horns to elevated sorting facility.</u> 	<ul style="list-style-type: none"> ▪ <u>Fish lock.</u> ▪ <u>Elevated sorting facility including sorting area, post-sort raceways, crowding channel, and truck loading.</u> 	3,751,000

3.6.2 Willamette System Review

This section describes a proposal by the Action Agencies to undertake a comprehensive set of studies, collectively called the Willamette System Review, designed to evaluate potential structural and related operational modifications needed at the Corps' Willamette Basin dams to address the adverse impacts of those projects (both known and at this time unknown) upon the survival and productivity of ESA listed species. The intent of the Willamette System Review is for the Action Agencies, working collaboratively with NOAA-F, USFWS and other stakeholders, to evaluate the technical, biological and economic merits of those measures. For those measures determined to be biologically and economically justified to avoid jeopardizing the continued existence of the ESA listed species, and potentially assisting in their recovery, the Action Agencies will seek to implement such actions. (BPA has broad authority, and does not appropriate money from Congress. That last part of sentence did not seem to apply to BPA).

Figure 3. presents a conceptual diagram of the proposed steps or phases in the Willamette System Review process. The Action Agencies envision the Willamette System Review being conducted in phases: Phase I—Reconnaissance Study; Phase II— Systemwide Feasibility Study; Phase III—Subbasin System Configuration Studies; Phase IV—Detailed Preconstruction Engineering and Design; and, Phase V-- Implementation. Figure 3. shows a conceptual schedule for implementation. The schedule is dependent on: (1) completion of decision documents justifying moving forward on subsequent phases; and, (2) receipt of appropriate congressional authorization and appropriation to implement those phases. The major steps and phases of the proposed System Review Study are described below.

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3.6.2.1 Guidance for Conducting Studies

The Willamette System Review will generally follow Army Corps of Engineers guidance for conducting large-scale water resource studies. That guidance is stipulated in detail in Engineer Regulation (ER) 1105-2-100, also known as the "Planning Guidance Notebook". ER 1105-2-100 provides the overall direction by which the proposed Action Agency ESA recovery measures will be formulated, evaluated and selected for implementation. Feasibility studies conducted under ER 1105-2-100 are normally required to be cost-shared by a non-Federal entity willing to act as the project sponsor. In the case of the Willamette System Review, the action agencies will seek funding to conduct the studies at 100 percent Federal cost since they address Federal ESA requirements at existing Federal projects. Matt, this is limited to the cost of the FEIS, and not to implementation, correct? However, the Willamette Review Studies will otherwise follow the normal Corps of Engineers planning process and programs, specific applicable policies, and analytical requirements specified in ER 1105-2-100.

3.6.2.2 Phase I: Reconnaissance Study

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The initial phase of the Willamette System Review will be a Reconnaissance Phase Study. The Reconnaissance Phase Study will be used primarily to establish a basis for moving forward into more detailed Feasibility Studies in Phase II. The Reconnaissance Study will:

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- (1) Include a regional (Basin-wide) overview of structural problems and opportunities related to ESA and CWA compliance that will set the stage for the more detailed sub-basin studies that will follow;
- (2) Identify and describe the full range of potential structural and related operational measures and alternatives that may be evaluated in the more detailed feasibility studies to follow; (I assume not all of the FIES alternatives will make it to the detailed stated, i.e. some will be eliminated.
- (3) Address integration of potential Action Agency measures with ongoing NOAA-F and ODFW Recovery Planning efforts for ESA listed salmonids in the Upper Willamette ESU;
- (4) Provide and initial definition of detailed evaluation criteria to be used for determining technical feasibility, biological merit and cost-effectiveness of the measures to be evaluated;
- (5) Establish initial priorities for structural and operational alternatives, and for the order in which subbasins will be evaluated; and,
- (6) Provide the basis to scope the more detailed subbasin feasibility phase studies to follow.

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The end product of the Reconnaissance Phase will be a Section 905(b) report. Under ER 1105-2-100, Section 905(b) reports are the Corps of Engineers decision document for Reconnaissance Phase studies. They are used to establish whether there is a Federal Interest in moving forward into more detailed feasibility studies, and to establish the range of alternatives to be considered. In the case of the Willamette System Review, the Section 905(b) report will be used to communicate the scope and purpose of the Feasibility Studies and to obtain support and consensus from stakeholders (including the State of Oregon, other Federal and state agencies, tribes and others) regarding the proposed approach. Coordination with stakeholder to establish basin-wide priorities for follow-on action will be critical.

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The Action Agencies will seek funding to initiate the reconnaissance study during Federal Fiscal Year 2008. It is expected to take approximately 1 year to complete.

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3.6.2.3 Phase II: Comprehensive Systemwide Feasibility Study

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Phase II of the Willamette System Review will be a Systemwide Feasibility Study. The end result of the Feasibility Study will be a Feasibility Report, which is a Decision Document. The Feasibility Report will make recommendations through review and approval chains within the Action Agencies, the administration and congress in regard to measures thought to be justified, and seeking authorization and appropriation for implementation. The Feasibility Report will include a Programmatic EIS intended to replace existing Corps of Engineers NEPA coverage for ongoing operation and maintenance of the Willamette Basin Project. Public Involvement and outreach will need to be part of the Feasibility Study process. The Systemwide Feasibility Report will also provide the foundation for the Corps to move forward on updating individual project Operating Manuals and possibly developing an Operations Master Manual (See Section 3.6.1.).

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The System wide Feasibility Study will include a preliminary evaluation of structural alternatives, including

- o Fish handling and passage facilities (such as ladders, screens, juvenile bypass systems, spillway modifications, stilling basin improvements, etc.)
- o Temperature control facilities (selective withdrawal towers and other alternatives)
- o Hatcheries
- o Modification of revetments bank protection sites

The feasibility study is not intended to be an evaluation of a full range of operational alternatives. However, it will include a preliminary study of operational alternatives to the extent that they are related to structural alternatives, such as:

- o operational changes that should be considered as alternatives to structural modifications; or,
- o Operational changes that may be needed to fully realize the benefits associated with structural modifications

The Systemwide Feasibility Study would set the context for decisions within the region and for operation the 13 Willamette Basin Dams as a system. It will also help to establish a priority or ranking of various alternative measures in terms of their technological potential, biological merit, and cost-effectiveness that will provide a basis to inform Federal agency decision-makers which actions would be most beneficial to listed species. It will specifically address such issues as whether structural solutions should be used, and if so, which ones in which subbasins; the order in which the projects need to be constructed; and strategies for organizing and implementing this long-term, phased ESA recovery effort.

Detailed evaluations of the potential structural and related operational alternatives would be conducted in Phase III, the Subbasin Detailed System Configuration Studies described in Section 3.6.1.4. However, as shown on figure 3, the Action Agencies intend to integrate and concurrently conduct the first of the Phase III studies (North Santiam) with the Phase II study. The intent is for the Phase II feasibility study to contain evaluation of the highest priority measures and to ensure an expeditious movement toward a decision on implementation of the highest priority structural modifications for addressing ESA needs.

The Phase II Study is expected to be initiated no earlier than FY 09 and would take approximately 30 months to complete.

3.6.2.4 Phase III: Sub Basin Detailed System Configuration Studies

Phase III will consist of a series of detailed feasibility level system configuration studies conducted for each of the major subbasins in the Willamette Basin on which Corps projects are located. As shown on figure 3, the conceptual schedule for completion of the System Configuration Studies would call for these studies to be conducted in rolling and overlapping order (and the same for subsequent Pre-Construction Engineering and Design and then construction). For example:

- o Phase IIIa: North Santiam
- o Phase IIIb: McKenzie River
- o Phase IIIc: Middle Fork
- o Phase IIId: South Santiam
- o Phase IIIe: Coast Fork
- o Phase IIIf: Long Tom

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The Systemwide Feasibility Report will also provide the foundation for the Corps to move forward on updating individual project Operating Manuals and possibly developing an Op

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The actual order in which the subbasin studies would be conducted would be based on priorities determined in Phase I, thus Phase II may be reordered as more knowledge of problems and solutions is obtained. As previously noted, it is the intent of the action agencies to initiate the first Phase III study (North Santiam?) concurrently with Phase II and complete them simultaneously so that the Phase II decision document can be submitted forward for authorization and approval of specific measures for implementation in the highest priority Subbasin as expeditiously as possible.

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The Phase III studies would include detailed evaluation of structural and operational alternatives at individual Corps dams in the Willamette Basin within their respective subbasins. As previously noted, the evaluations would generally follow the planning and analytical processes promulgated in the Corps Engineer Regulation 1130-2-100. The scope of the Phase III studies will be based on results of the Phase I Reconnaissance Study and initial work in Phase II and will be developed in collaboration between the Action Agencies, NOAA-F, USFWS and other stakeholders. The primary objective of the Phase III studies would be to recommend for implementation those measures shown to be technically feasible, biologically justified and cost-effective. In order to achieve those objectives, there are some important study elements and tasks that will have to be included in the scope of work.

Adequate NEPA compliance and documentation would be included in the scope of each of the subbasin studies to ensure that recommended measures may be implemented.

(1) Technical Feasibility: the measure can be shown to be feasible to implement given the physical and operational constraints of the Willamette Basin Project under current operational authority. In this phase the action agencies will need to plan, design and engineer the alternatives to a sufficient level of detail (10 to 30% design, depending upon the complexity and uniqueness of the facility) to make a determination of technical feasibility. That level of design will also allow accurate estimation of costs of alternative measures necessary to determine cost-efficiency.

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(2) Biological Justification: if implemented, the measure is expected to produce the desired physical and ecological results leading to avoidance of jeopardy. In order to determine the relative biological benefits of proposed alternatives are biologically justified, an important element of the study will be a detailed evaluation of the environmental baseline conditions of habitat, and the potential future environmental conditions of habitat upstream and downstream of Willamette system dams (the Corps completed? collection of this baseline data in 2006). In order to understand and evaluate the potential benefits associated with alternative mitigation measures, such as fish passage and temperature control, and to establish implementation priorities, it will be essential to first clearly understand the potential for that habitat to support and produce ESA listed species under a variety of alternative mitigation strategies. This will also allow a comparison of current and expected future environmental conditions with and without the proposed alternative measures.

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As part of the Feasibility Study, the action agencies expect to develop, test, calibrate and use models and other tools to estimate and forecast survival and productivity of listed species under various alternative structural measures and strategies. Decisions regarding which model or models to use and the metrics they measure will be developed in coordination with NOAA-F, USFWS and other stakeholders in the region through the conduct of the feasibility study. Input parameters for any population models developed and used for this purpose will need to be based on collected site or reach specific field data.

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In order to achieve these objectives, biological research, monitoring and evaluation will need to be conducted in conjunction with the Phase II and III studies. Section 3.2.6.7 describes a framework of research, monitoring and evaluation recommended in conjunction with the System Review studies.

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(3) Cost-effectiveness; the proposed measures recommended for implementation must be shown to be cost-effective means to achieve the desired biological results for avoiding jeopardizing the continued existence of ESA listed species and supporting their recovery. Under ER 1130-2-400, the Corps undertakes an evaluation process called Cost Effectiveness/Incremental Cost Analysis (CE/ICA) to evaluate projects where the primary outputs are ecological rather than monetary outputs. CE/ICA is an alternative to traditional Cost/Benefit Analysis and is intended to provide decision-makers with information needed to determine if a proposed project or measure is economically justified. As previously noted, in order to perform CE/ICE it will be necessary to produce quantifiable estimates of ecological outputs. In addition, it will be necessary to produce accurate estimates of implementations costs, including both costs to construct, operate and maintain the proposed measures, as well as other related costs, such as benefits foregone to other authorized project purposes (Flood control, hydropower, irrigation, recreation, etc.), as a result of implementation.

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3.6.2.5 Phase IV: Pre-Construction Engineering and Design

Phase IV consists of the developments of detailed pre-construction engineering and design (PED) necessary to award contracts and construct structural measures recommended for implementation. PED typically can be initiated while the Corps is awaiting authorization and appropriation to construct as long as Congress appropriates funds for the PED phase. The scope and schedule of PED will depend on the type and extent of measures proposed for implementation following Phase III.

Deleted: [Note: Need to add something here regarding the relationship of the feasibility study to the RM&E program; RM&E elements needed for comparing and evaluating alternatives need to be conducted within the framework of the System Review Study. We need to pick up on our RME small group.]
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3.6.2.6 Phase V: Implementation

Implementation, including project construction and operation, will occur following project approval by Action Agency higher authority and congressional authorization and appropriation where necessary.

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3.6.2.7 Research, Monitoring and Evaluation to be Conducted in Conjunction with System Review studies

[Note: Need to add something here regarding the relationship of the feasibility study to the RM&E program; RM&E elements needed for comparing and evaluating alternatives need to be conducted within the framework of the System Review Study.

3.6.3 Willamette River Temperature Control Project

This section deals with recent and proposed structural modifications at Cougar Dam on the South Fork McKenzie River. This is the only location in the Willamette Basin Project where significant structural modifications associated with ESA listed species has occurred since the 2000 BA was completed.

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At the time the 2000 BA was written, construction of a selective withdrawal towers at Cougar and Blue River Dams was authorized under the Willamette River Temperature Control Project. The selective withdrawal towers were designed to allow for withdrawal of water from various levels in the reservoirs, during periods of thermal stratification, to more closely meet pre-project temperatures below the reservoirs. The temperature control project would modify the existing intake towers by adding new wet wells with discreet throttled ports. NOAA-F, USFWS and Oregon Department of Fish and Wildlife (ODFW) supported construction of selective withdrawal at first at Cougar Dam because it has much more of an influence on downstream water temps in the mainstem McKenzie than does Blue River and also because modifying water temperatures in the South Fork McKenzie would directly restore more habitat than that available in Blue River. Construction of the selective withdrawal tower at Cougar Dam was initiated in 2000 and completed in December 2004.

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As described in the 2000 BA, construction of the selective withdrawal tower at Blue River Dam was anticipated to begin in 2002. However, construction has not been initiated. This was partially the result of cost overruns in the construction of the Cougar selective withdrawal tower. Not enough funds remain under the authorized expenditure limit for the total McKenzie River Temperature Control Project to allow construction of Blue River as well. The Corps has undertaken a Post-Authorization Change Report to evaluate and recommend alternatives, including constructing fish passage facilities at Cougar Dam in lieu of selective withdrawal at Blue River.

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Although Construction of the Cougar Dam Water Temperature Control facility was covered under a separate Biological Opinion, continued operation of the facility as an integral part of Cougar Dam and the Willamette System will be addressed under the Section 7 consultation for continued operation of system. A separate Biological Opinion has been prepared addressing construction of the proposed fish passage facilities at Cougar Dam.

3.6.2.1 Updated status of Cougar Dam Water Temperature Project construction and operation

The 2000 BA described the planned construction of the selective Water Temperature control (WTC) tower at Cougar Dam. Construction was initiated in 2000, completed in December 2004, and fully operational by May 2005. The alternative that was implemented is multilevel intake structure, which was found to be the most effective means of controlling water temperatures for discharges of up to 2,000 cfs. This required significant modification of the existing structure. Gates in front of the regulating outlet and penstock maintain the required maximum discharge capacity of the intake structure. Operation for temperature control requires selectively withdrawing water from different elevations in the pool to meet target outflow temperatures. Decisions on the flow distribution are based on the outflow and data from temperature instrumentation on the face of the structure. This instrumentation allows for effective remote operation of the SWS. In addition to controlling the volume of flows, temperature data is required to determine thermal stratification in the reservoir, and finally outflow temperatures. The capability to mix water from different levels to achieve a target temperature and volume is required. Gates can be "throttled" at different levels to control the

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proportion of flow from different levels. In addition the electrical generation system was upgraded to include replacement of turbine runners with "fish friendlier" runners that utilize minimum gap technology.

Since its initial operation in January 2005, this newly constructed WTC structure on Cougar Dam has generally shifted the thermal hydrograph for Cougar's water releases from an unnatural and deadly temperature regime back to the natural temperature hydrograph on the South Fork of the McKenzie River immediately downstream of Cougar Dam. This construction improvement has increased salmon survival in and around Cougar Dam. Cougar Dam is the only Federal project in the Willamette Basin with temperature control capability.

3.6.2.2 Post-Authorization Change Report

In January 2006, the Corps prepared a Post Authorization Change (PAC) report to provide the historical basis and justification for constructing a permanent fish collection and transportation facility and creating a program for extended biological monitoring and evaluation at Cougar Dam under the authorized Willamette River Temperature Control Project.

Although the Cougar WTC has successfully shifted the hydrograph for the water releases and the downstream ecosystem has realized a significant benefit, the returning anadromous salmonids and resident bull trout remain separated from over twenty miles of high-quality upstream habitat.

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The resource agencies and local interests strongly recommended the inclusion of fish passage above Cougar Dam throughout the planning, design, and construction of the WTC Structure, but a permanent collection and transportation facility was not included, because the Corps determined it lacked the authority to include fish passage facilities issues under existing authorization for construction of the WTC (contained in the Water Resources Development Act of 1999). To remedy this disconnect, the Corps conducted a limited reevaluation of the project evaluating to the addition of fish passage at Cougar using Willamette Temperature Control Project funds. The result of the reevaluation is the Post Authorization Change (PAC) Report which will be submitted forward through the agency review and approval process for possible congressional action on a series of recommendations:

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(1) Construct a permanent fish trap-and-haul facility, as described in the Cougar Fish Collection and Transportation Facility Alternatives Report, to allow implementation of a trap-and-haul program that will restore connectivity between fish populations located above and below the Cougar project. This program will help in the protection and recovery of UWR spring Chinook salmon by re-accessing historic spawning and rearing habitat located above the Cougar project. It will help in the protection and recovery of bull trout by providing a genetic link among local subpopulations in the McKenzie River Basin. It will also insure a mechanism by which sub-adult and adult bull trout passing to below Cougar Dam via the water temperature control tower can be restored to the relatively small subpopulation located above the Cougar project. If authorized, fish passage facilities at Cougar Dam would be constructed using appropriated WTC Project funds beginning in FY 2008.

Deleted: So, has this already been determined to be included in the PA, or will this be competing with all of the other structural modifications in the FEIS?

2) Provide for an extended biological monitoring and evaluation program of the downstream ecosystem and of fish entrainment in the tower to determine and insure the most effective protocol for implementation of water temperature control and of the trap-and-haul program, and to document the biological benefits realized from these protective and restorative measures.

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3) Reduce the Operating Mitigation Program when the monitoring and evaluation program and other studies demonstrate and document the successful natural production of juveniles and of adult return rates leading to a self-sustaining population of Chinook salmon over a range of natural environmental conditions above Cougar Dam. Since the mitigation program was put into place to offset the loss of habitat and production above the dam, this program's efforts should be decreased once the habitat is used again by a viable population.

4) Defer construction of the Blue River WTC Structure. This report demonstrates that the upstream effect of construction of a fish trap-and-haul facility when added to the effect of the Water Temperature Control structure at Cougar is comparable to the biological benefits that would be realized with the construction of WTC's at both Cougar and Blue River, at a lower cost per output. The PAC report does not, however, advocate for removing Blue River from the authorizing legislation, because it is possible there could be a future need for constructing the facility. Implementation of temperature control facilities at Blue River Dam will likely be one of the alternative measures evaluated in the context of the System Review Studies.

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Deleted: , in contrast to the construction of the proposed water temperature control structure at Blue River will result in

Deleted: reduction in project costs. This is a curious statement. It may result in a 22 percent reduction in costs, but it is for a different project. I don't think I would characterize this as a savings in project costs. Perhaps you could make a pitch these redirected funds will result in savings that the Corps intends to apply to other mitigation?

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Deleted: Attached to the PAC report are several appendices that contain background and additional information that was used in the preparation of this report, or that was prepared as a result of this report. The Final PAC report will contain a Biological Opinion from NMFS on the proposed action. Implementation of the specific recommendations from the PAC report is pending final Corps of Engineers higher authority approval and congressional appropriation.

The PAC report estimates that, in terms of fish productivity, the benefits of fish transportation facilities at Cougar Dam will more than offset the benefits that would have been gained through temperature control at Blue River. By not constructing the Blue River facility but adding the permanent fish collection and transportation facility and implementation of the extended biological monitoring and evaluation program, the total project cost will be reduced by an estimated 22 percent.

[NOTE: Final resolution of the PAC report is expected prior to completion of the Willamette Supplemental BA, at which time this section can be updated.]

Figure 3. __ presents a conceptual diagram of the steps or phases in the Willamette Basin Review process. The Action Agencies envision the Willamette Basin Review being conducted in phases: Phase I—Reconnaissance Study; Phase II— Systemwide Feasibility Phase Study; Phase III— Subbasin System Configuration Studies; Phase IV—Detailed Preconstruction Engineering and Design; and, Phase V-- Implementation. Each of the phases is described in more detail below. Figure 3. __ shows a conceptual schedule for implementation. The schedule is dependent on: (1) completion of decision documents justifying moving forward on subsequent phases; and, (2) receipt of appropriate congressional authorization and appropriation to implement those phases. The major steps and phases of the proposed System Review Study are described below.

3.6.1.1 Guidance for Conducting Studies

The Willamette System Review will generally follow Army Corps of Engineers guidance for conducting large-scale water resource studies. That guidance is stipulated in detail in Engineer Regulation (ER) 1105-2-100, also known as the "Planning Guidance Notebook". ER 1105-2-100 provides the overall direction by which Corps of engineers Projects are formulated, evaluated and selected for implementation. It contains a description of the Corps of engineers

erations Master Manual (See Section 3.6.1. _).



Chris
Allen/OSO/R1/FWS/DOI
12/15/2006 08:34 AM

To "Rea, Matt T NWP" <Matt.T.Rea@nwp01.usace.army.mil>
cc
bcc
Subject Re: FW: Reason for Request for Delay in Releasing Flow Proposal (UNCLASSIFIED)

OK Matt. Thanks for the update.

By the way, I let Kemper know he would likely be getting a call from Davis soon to discuss the status of the proposed action/BA and the recent discussion with NOAA.

Chris

Chris Allen
Fisheries Biologist
U.S. Fish & Wildlife Service,
Oregon Fish & Wildlife Office
2600 SE 98th Ave Suite 100
Portland, OR 97266
(503) 231-6179
email: chris_allen@fws.gov
"Rea, Matt T NWP" <Matt.T.Rea@nwp01.usace.army.mil>



"Rea, Matt T NWP"
<Matt.T.Rea@nwp01.usace.army.mil>
12/13/2006 08:01 AM

To: <stephanie.burchfield@noaa.gov>, <chris_allen@fws.gov>
cc:
Subject: FW: Reason for Request for Delay in Releasing Flow Proposal (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Chris and Stephanie,

BPA has concerns about the Flow Management piece that they have requested we resolve before handing off a revised draft. Concerns mostly center on tributary Maximums and Ramp Rates. As you've probably seen by now, I've scheduled a meeting with BPA managers for Dec. 18--necessitating a rescheduling of our technical team meeting. Sorry about that. This will be the primary topic on the agenda with BPA.

Matt

-----Original Message-----

From: Rea, Matt T NWP
Sent: Tuesday, December 12, 2006 10:44 AM
To: 'Spear, Daniel J - PGB-5'; Braun, Eric P NWD
Cc: Daley, Dan - KEWR-4; Diffely, Robert J - PGPL-5; Gleason, John M - LC-7; Dan
Subject: RE: Reason for Request for Delay in Releasing Flow Proposal (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Dan,

You've probably seen by now that the manager's meeting has been confirmed for Dec. 18. That conflicts with the Tech Team meeting which will need to be rescheduled.

The short answer to your question is no--the revised flow management piece has not been released. Chuck handed me a revision at the end of last week which was mostly a reorganization of the proposal based on NMFS comments. I'm in the process of editing it for consistency with other sections and adding information on the Flow Management Committee under WATER. I'll admit that I'm anxious to get the revision turned around and back to the services but won't do so if your management has concerns.

I've gone back over the November comments from Rob and I'll be the first to admit that I'm not clear on BPA's issues. I've already expressed my concerns about the need to make certain that hydroregulation modelling approaches are consistent. Those are the issues that we tasked the technical modelling team that we put together as an outcome of last week's meeting at NWD is addressing the specific concerns. I'm checking back with Mary Karen Scullion and Karl Kanbergs to determine the extent to which those concerns may have been addressed to date.

Stay tuned for more I guess.

Matt

-----Original Message-----

From: Spear, Daniel J - PGB-5 [mailto:djspear@bpa.gov]
Sent: Tuesday, December 12, 2006 9:17 AM
To: Rea, Matt T NWP; Braun, Eric P NWD
Cc: Daley, Dan - KEWR-4; Diffely, Robert J - PGPL-5; Gleason, John M - LC-7; Dan
Subject: Reason for Request for Delay in Releasing Flow Proposal
Importance: High

Hello Matt and Eric:

Sorry for missing your call this morning Matt.

In my e-mail I passed on my management's instruction to ask that the flow piece be delayed until after the managers' meeting on the 18th or 19th. Our managers are working on an articulation of their issues but want to assure that they are aligned on the issues internally before sending anything official. This internal alignment has been delayed due to the difficulty in getting our busy managerial team together.

Most of the issues at hand were expressed in an e-mail from Rob Diffley on November 6. The e-mail is attached.

You should be hearing something more direct from my management either this afternoon or tomorrow morning.

Dan S.

-----Original Message-----

From: Spear, Daniel J - PGB-5
Sent: Monday, December 11, 2006 5:06 PM
To: 'Rea, Matt T NWP'
Cc: Daley, Dan - KEWR-4; Diffely, Robert J - PGPL-5; Gleason, John M - LC-7; Cooper, Suzanne B - PGB-5
Subject: RE: Willamette ESA; Flow Management Piece (UNCLASSIFIED)

Hello Matt:

Was the revised flow management piece sent to the Services today?

If it was not BPA would greatly appreciate it if you could wait until after the Managers' Meeting on the 18th or 19th before sending it out since we plan on making the flow management piece a topic in the managers' meeting and would prefer to have Action Agency alignment on it before distributing it to the Services et al.

Thank you very much.

Dan S.

-----Original Message-----

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]

Sent: Friday, December 08, 2006 3:10 PM

To: ann.gray@noaa.gov; anne.mullan@noaa.gov; Bailey, Randy NWP; Braun, Eric P NWD; Chris Allen (E-mail); Diffely, Robert J - PGPL-5; Daley, Dan - KEWR-4; Evan Haas; Gleason, John M - LC-7; John Johnson (E-mail); Karen Blakeney (E-mail); lance.kruzic@noaa.gov; Michael Cobell (E-mail); Patty.Dornbusch@noaa.gov; Richard Domingue (E-mail); Simmons, Mindy M NWP; Spear, Daniel J - PGB-5; stephanie.burchfield@noaa.gov; Taylor, Gregory A NWP; Willis, Chuck NWP; Willis, Robert E NWP; wparks@pn.usbr.gov
Subject: Willamette ESA; Flow Management Piece (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Hey Folks,

When we met earlier this week, we committed to getting a revised version of the flow management piece out to the services by COB today. Chuck Willis did hand off a revision to me yesterday. I'm going thorough it now and doing some further editorializing, including filling in the blanks on Flow Management Committee and other elements. I know that some of you were chomping at the bit to review it over the weekend but you'll just have to wait until Monday.

Matt

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Rea, Matt T NWP

From: Spear, Daniel J - PG-5 [djspear@bpa.gov]
Sent: Monday, November 13, 2006 4:51 PM
To: Rea, Matt T NWP; Bailey, Randy NWP; Braun, Eric P NWD; Simmons, Mindy M NWP
Cc: Gleason, John M - LC-7; Daley, Dan - KEWR-4; Diffely, Robert J - PGPL-5; Dan
Subject: Establishment of TMT-like Forum for implimentation of the Willamette BiOp
Attachments: Regional Forum explained.doc

Hello:

During our last meeting I offered to provide some information on how the Regional Forum process functions for the FCRPS in hopes that we might, eventually, adapt this structure to the Willamette once its BiOp is complete.

Attached is an informational piece that I prepared on the FCRPS Regional Forum that gives an executive level explanation of how it works. This was culled from several documents on the NOAA website that I have not been able to find again because NOAA seems to keep a "free range" website in which links migrate from place to place.

The FCRPS Regional Forum was created with the help of Donna Silverberg who is also the head of DS Consulting, which is the firm that has provided facilitation services for the Regional Forum since its inception. I could informally ask Donna for a few additional pointers on what it takes to create such a polic apparatus/forum. Any serious work done Donna or DS Consulting on developing a similar entity for the Willamette would, however, be well beyond the scope of their contract and would require a separate funding mechanism to pay for it. The ability to do this lies well above my pay grade.

Dan

<<Regional Forum explained.doc>>

12/5/2006

The Regional Forum

The Regional Forum is the process by which federal agencies with regulatory or action authority in the Columbia River, and sovereign states and tribes with management authority over fish and wildlife resources and water quality in the Columbia River Basin, work together to adaptively manage the Federal Columbia River Power System (FCRPS). The Regional Forum assures the broadest possible technical and policy input into FCRPS planning, funding, hydrosystem configuration, water quality actions, and BiOp implementation. The regional forum consists of the System Configuration Team (SCT), the Water Quality Team (WQT), the Technical Management Team (TMT), the Implementation Team (IT), and the Executive Committee. The goal of the Regional Forum is to reach consensus on technical and policy issues whenever possible. Consensus is defined as the lack of strong objection.

The SCT reviews progress on planning/engineering studies and the collection of research data, and makes appropriate modifications to the measures or schedules that are contingent upon completion of these studies.

The WQT provides scientific and technical recommendations, advice and guidance on water quality issues for decisions that impact aquatic resources.

The TMT is responsible for making recommendations on dam and reservoir operations under the BiOp and all other pertinent statutes.

If an issue arises in the SCT, WQT or TMT that cannot be resolved any party can choose to elevate it to the IT. The IT is comprised of program and policy level representatives from the federal operating and regulatory agencies, states, Columbia River Indian Tribes, and mid-Columbia public utility districts. The IT will resolve the policy issue raised by the SCT, WQT or TMT and thereby give guidance to these groups that they will then carry out. The IT also serves as a setting for information exchange and discussion of real-time operations of the hydroelectric system to protect migrating salmon and other ESA-listed species, needs and priority for changes to mainstem Columbia fish passage facilities, fish transportation, and research, monitoring and evaluation needs.

When the IT cannot come to consensus on a disputed issue it is elevated to the Executive Committee. The Executive Committee is comprised of the heads of all of the entities involved and they will make the ultimate decision that will determine the operation in question or the unresolved issue. It is rarely necessary for an issue to be resolved by the Executive Committee.

All Regional Forum meetings are facilitated by an impartial third party and official minutes are taken by an independent note taker. The meetings are open to the public at large.

The most typical way that an issue is raised in the Regional Forum is through the System Operation Request (SOR). The SOR is the official means that any party can use to

request a change from the operations outlined in the implementation documents. An SOR details a requested change in operations and a rationale for the change. Typically, an SOR is first discussed at TMT, which often agrees to the SOR or else hammers out a compromise operation.

The FCRPS is a vast and complicated system that touches on a multitude of interests. The Regional Forum process allows all parties to adaptively manage the FCRPS' operation to the unique conditions of each water year, and it allows for an exchange of data and research findings that assures that the FCRPS is operated according to the most up-to-date information available.

From: Daley, Dan - KEWR [dmdaley@bpa.gov]

Sent: Tuesday, December 14, 2004 6:54 PM

To: Rea, Matt T NWP; Karen Blakney; Gleason, John M - LC

Cc: Ponganis, David J NWD; Lear, Gayle N NWD; Willis, Chuck NWP; Willis, Robert E NWP; Jim Fodrea; Maslen, Bill - KEW; Bodi, Lorri - A; Cooper, Suzanne B - PG

Subject: RE: Willamette ESA Consultation; Status of Comments on NOAA chap. 1-8

Matt- Figured I could take a bit since you weren't getting to these until tomorrow. At the same time, its probably a good thing my salary is not adjusted for prompt deliveries. I'd be giving out free pizzas for a long time, or worse, not to give anyone any ideas on potential penance.

I have made a few suggestions in both the summary and detailed comment pieces (in red and blue because they were done on two different machines). I'm including the Transmittal letter only for completeness, you've already seen the content.

Do what you may with any of the comments, but wanted to get a little of what you heard on Thursday onto paper. Regardless of what these annotations may make you think, I believe we should be somewhat sensitive about tone. As some of my contributions in the attached would seem to put the lie to that statement (my emphasis was on, well.. not tone, anyway), I will be glad to make up for it by adjusting any you may need help with, tomorrow. Just call or write.

Thanks

Daley

12/14/04

Rea, Matt T NWP

From: Spear, Daniel J - PGB-5 [djspear@bpa.gov]
Sent: Tuesday, May 29, 2007 10:39 AM
To: Rea, Matt T NWP
Subject: FW: Willamette ESA; Revised Language Characterizing

Attachments: Section 3.02.doc



Section 3.02.doc
(25 KB)

Some edits to section 3.02 from Lorri Bodi.

From: Bodi, Lorri - A-SEATTLE
Sent: Tuesday, May 29, 2007 8:45 AM
To: Spear, Daniel J - PGB-5; Oliver, Stephen R - PG-5; Hilliard Creecy, Jamae - PGB-5; Delwiche, Gregory K - KE-4; Gleason, John M - LC-7
Subject: FW: Willamette ESA; Revised Language Characterizing -- Questions on Services and Off Ramps?

See my suggested edits and guidance.

From: Oliver, Stephen R - PG-5
Sent: Friday, May 25, 2007 9:47 AM
To: Hilliard Creecy, Jamae - PGB-5; Delwiche, Gregory K - KE-4; Bodi, Lorri - A-SEATTLE; Gleason, John M - LC-7; Spear, Daniel J - PGB-5; Majkut, Paul S - L-7
Subject: FW: Willamette ESA; Revised Language Characterizing

These revisions are consistent with our last discussion, and responsive to our concerns. I intend to affirm our support for the changes unless I hear something different from you today.

Stephen R. Oliver
Vice President, Generation Asset Management
Bonneville Power Administration
Ph: (503) 230-7503 or (503) 230-4090
FAX: (503) 230-3986

From: Daley, Dan - KEWR-4 [dmdaley@bpa.gov]

Sent: Wednesday, July 21, 2004 6:07 PM

To: Robert E NWP' 'Willis (E-mail); Chuck NWP' 'Willis (E-mail); Matt T NWP' 'Rea (E-mail)

Cc: Krueger, Paul - KEWR-4; Cooper, Suzanne B - PG-5

Subject: FW: Edits to Draft Willamette BiOp Joint Comments

I was going to send a simple check-in to see if we hit a snag in the PFC write up coming from Chuck, when it occurred to me that some clarity may be in order, if we are to stay on the same page. Also, its a lot easier to mark out a territory; if you're the first one to do so. I know, I know; what the hell is this guy talking about? By way of explanation, I am forwarding a message sent to our staff hatchery lead, Jeff Gislason, and our chief multi-tasker contractor, Tracy Hillman. The forwarded message asks Tracy and Jeff to look for flaws in the logic I lined out in my last message to Chuck, in which I described some lingering reasons for caution before heading out, full-steam, on a habitat enhancement crusade.

In explaining the situation to the hatchery guys, I also extend the logic a bit; to include an interim program towards Recovery, but one which lends itself, I think, more to the distinct natural history of the Willamette Populations; and, in doing so, more appropriately focuses the effort at the threats to the populations. All this, while taking advantage of the unique circumstances and opportunity; rather than force the existing situation to its knees, before resurrecting it in a completely different, habitat enhancement direction. Essentially, the logic runs with the new hatchery policy, and calls for the continuation of relatively intense, but still, largely successful hatchery use. Only this time, with reformed hatchery practices, and intense monitoring and evaluation, thus making it a more traditional, but still, much used approach to addressing threatened animals, and the ambient conditions making them so.

Maybe its kind of out-of-box thinking, at this point in time, but its hard to refute the symmetry in the approach, and harder, still, to accuse of being inconsistent with any of the new-wave policies making the scene, this year. So, here's my attempt at clarifying my cautions, which is going to seem more like putting out fire with gasoline, at first. But I ask that you stick with it for just a bit, to see if it doesn't better fit the square-hole of the Willamette, than the thus far on the table, round-peg approaches. If not, I'll be the first to fold it up, and put the whole table away.

Let me know if you are going to shoot me, or cheer me the next time I'm on your side of town, OK?

-----Original Message-----

From: Daley, Dan - KEWR-4

Sent: Friday, July 16, 2004 2:07 PM

To: Gislason, Jeff - KEWR-4; Tracy Hillman (E-mail); Tracy Hillman (E-mail 2)

Cc: Geiselman, Jim - KEWR-4; Irish, James T - PGF-6; Krueger, Paul - KEWR-4; Maslen, Bill - KEW-4

Subject: FW: Edits to Draft Willamette BiOp Joint Comments

Jeff/Tracy - I wonder if you might not take a look at this chain and let me know of any glaring errors or omissions in my argument for closer inspection of Willamette stocks in light of their speckled genetic history? My intent is not to hold up the Draft BO, or force reevaluation of the Willamette listings (a particularly futile goal from the outset), so much as to undermine the assumptions of harm from the hydrosystem. These are particularly broad and all-inclusive, causing a similarly comprehensive RPA. While the jeopardy decision could well be revisited in a post hatchery policy revisions world, my guess is that a no jeopardy decision would not be enough, by itself, to change the ambitious scope of NOAA's vision of what's needed in the basin.

However, a reevaluation of the stocks at risk, their histories, and the combined actions taken on their behalf in the FCRPS, as well as anything from this, the Willamette, BO; may be the critical weight required to inject a bit of prudence in the direction NOAA eventually takes. Being essentially a pragmatist, though, I can see the writing on the wall that says it'll take something other than BPA's word to cause even a serious hesitation, before rolling ahead with the core of a BO which is already agreed upon by NOAA, and getting nods from the lead district of ACOE. However, what I am suggesting, in asking the Corps for a bit more caution, is essentially just that, since there are, quite understandably, few cautious District staffers when it comes to ensuring the Willamette gets its due, and a tendency of staffers (Corps, as well as NOAA, OR state office, I think) towards a general feeling that 'the Willamette can be done better.' All they need is a chance to prove it, and for the FCRPS BO to carry on as usual. In my mind, and those being the specific two conditions, there will be no need for an order coming out of a Remand Court to get meaningful Progress in the Willamette. Not to mention, who could argue the fact that consistency with the FCRPS BO was a goal, right up to the point, and including, the part past that

file://\Nwp-ap-pdx01\nwp\ETDS\Willamette\ESA_Consultation\Willamette ESA Consultation\Draft BO NO... 7/26/2007

point that says the BO won't work, it'll lose in Court, and it is destined, at the least, to suffer a slow death thru benign neglect? Obviously, there's a need for a path to our own, or better, 'The Willamette's'.

The potential difference in the resultant BO, in my mind, between arguing for consistency and arguing for success, is the emphasis of the resulting actions lined up, out of court, to reestablish the stocks at risk. These can be expensive, watershed and basin - level, habitat enhancement efforts and reintroduction programs; or they might just as well be more grounded in strategic use of a re-engineered hatchery system, which, coincidentally, may cost a few 10s of millions less than the full-fledged habitat approach. My guess is that the latter approach should also be viewed by the broadening array of interested parties, as a more appropriate near-term action in an intensely hatchery influenced Basin. It also, conveniently, lies well within the Corps authorities, and expertise, as well as likely being an approach, given universal marking of all released fish that can be accommodated, if not actually welcomed, within the scope of current basin-wide R,M&E plans (or, are they hopes?)

Even so, it would take a revised Proposed Action, possibly the same for the AA BA, to initiate any kind of movement in the hatchery reform-based Willamette Recovery Plan direction. A potential side - benefit, might be that made-to-order, *in vitro*, hatchery effectiveness, and genetics lab we keep thinking the Science Center will ask for, any day. That sort of redirection is about the upper limit of what I see as the art of the possible in the Willamette, and, hopefully, what could result from a closer look at the historic methods of approaching the same problem. Namely, widespread non-reformed, non-strategic use of hatchery fish.

But, I don't want to blow any chances of that happening by harping on an issue that can be easily dismissed, and, so far, has been. Better it remain as an early step in a broader, more expensive program, than be dismissed by NMFS, as the corner stone of an alternative program. Chances are, the early steps are all that will matter, anyway.

Tracy, I'm not sure of your status as far as contracts are concerned, so am cc'ing to J.G. in case he has a problem with this request, but your prior involvement in evaluating the status of the Willamette stocks made you a prime candidate for recipient of this mail. I apologize for any inappropriate presumptions made along that line of thought, but am still hopeful you may have 1/2 an hour to scratch your head on this and jot down a thought, or two. Jeff - I guess you're probably just stuck with it, but let me know if its absolutely impossible over the next two weeks, or so, OK?

Thanks guys. Here's a link to the Willamette Draft BO, if you'll need to refresh memories:

[hfile/EFW_Pub/Kewi/Fodrea/NMFS_Draft_Willamette_BiOp](file:///hfile/EFW_Pub/Kewi/Fodrea/NMFS_Draft_Willamette_BiOp) <file:///hfile/EFW_Pub/Kewi/Fodrea/NMFS_Draft_Willamette_BiOp>

That'll only work for you, Tracy, if you happen to be in the building, some time soon. Better, if you feel the need, you get one of us to send the damn thing to you over ground. Let me know if that's the case.

-----Original Message-----

From: Daley, Dan - KEWR-4

Sent: Thursday, July 15, 2004 3:42 PM

To: 'Willis, Chuck NWP'

Cc: Rea, Matt T NWP; Willis, Robert E NWP; Gleason, John M - LC-7

Subject: RE: Edits to Draft Willamette BiOp Joint Comments

Chuck, Thanks for the well thought out response, but please don't start expecting responses, in kind. I know my limits. You've outlined a reasonable course of action in your first three paragraphs, with the single exception, in my mind, that the TRT reviews are intended, I believe almost by definition, to be recommendations for Recovery, not jeopardy, or an RPA. This should be a major caveat, I believe in any ROD we could write for this BO, and a cold shower for those who would have us running down to the 'flock' of above-project restoration actions. Why not, instead, walk down to a number of hand picked mainstem projects with high likelihood of success, and are directly associated with jeopardy, or, better yet, all the more reason for a no-jeopardy decision?

In addition, while I think we shall see an interpretation of the new hatchery policy that does nothing less than tie all the lose within-basin transfer supplementation ends together in the Willamette; I believe there is also an issue of

introgression of out of Basin stocks, in particular upper- and mid- Columbia production, is there not? Especially in those places where upper river fish were used almost exclusively to supplement above blocking projects. I'm certainly not the expert here, and maybe you can save me a lot of digging thru the 'Viability Studies,' but it seems to me that the Willamette stocks were considered to be distinct because they clustered separate from other lower River stocks. This from the TRT, I believe, but most likely using a Waples' analysis. The actual cluster analysis found them distinct, but also found them the closest of all lower populations, to upriver fish. I don't believe I ever saw a discussion of a cluster analysis done to distinguish Willamette from upriver fish, but most standard methods of which I am aware, would require just that. Even so, without the Willamette/upriver statistic, I'm thinking the mentioned analysis, combined with similarities in behavior and migration timing, makes me wonder about multiple coincidences even before we add the supplementation histories.

Yeah, sure, the AA's haven't been all that successful in a role that would have us question the Services' science, but I'm thinking what we may have, here, is more a question of last minute pressure to get something out, and a function of having the non-expert hydro staff at NOAA run with the writing, without having time to check with the experts. So, it wouldn't seem that NOAA is out of the woods, yet, in their one-size fits -all hatchery policy. And given the reliance in the BO on watershed effects, as you point out, being at issue with the 'Causes for Decline,' I wonder if a just as plausible case couldn't be made for the late timing of the migrants to be an overriding issue in survival, and overall productivity, putting a slight kink in the cumulative effects of multiple hydro projects that seems to be the argument finding itself on point from NOAA (there seems, at least, anecdotal evidence indicating the late timing to have been more closely associated, temporally, with widespread hatchery outplanting than anything like project construction, but I'm not sure how such a thing can be teased out of the spotty records). But enough on that, already, although, I would look forward to anything you may have that would save me work, tracking these down, or, better yet, anything that would debunk any of the arguments above so I wouldn't have to go there, at all.

You also mention language, or the intent, to credit hatchery programs. I have not yet seen the actual language that NOAA would use to describe any 'substantial' benefits, although I have seen preliminary language to the effect that the benefit of hatchery production is still questionable, although NOAA will concede that, where few other alternatives have been available (this will, presumably include the Willamette, tho the specific language referred to Columbia and Snake fish), and there has been little evidence of sustained, precipitous decline in numbers, the hatchery production shall be viewed as a slightly beneficial factor in maintaining the populations to date. While certainly not a model of conclusionary statements, this language could be considered absolutely definitive, compared to that used in the FCRPS sections on Willamette populations. My opinion, **only**, but the FCRPS language seems to be purposely vague, either because its not a subject the authors were 'warmed' to, or simply to keep all the options open. Again, just pointing to future work efforts in doing the necessary background checks.

That being said (and I apologize for the number of words it took to say it), I would underline your admonishment that we keep any inconsistencies in our minds as we focus our attention on the things we know will be of benefit, AND appropriate areas of action for the three AAs. My problem in this final regard is not that we are moving forward with our part in pushing this BO along, or that we are doing so by using the best of what we feel has been handed us. I'm in total agreement with that course, and with not being the reason for slowing it down even a bit, right now. Rather, my concern comes from the pace, apparently being followed at the moment, in the FCRPS. This an issue for the reasons I gave a couple of days, ago:

We will likely be expected to discuss the state of the Willamette BO in the next couple of months with the Regional Execs, who having been totally immersed in other-than-Willamette issues, are just as likely to want a discussion in terms of how the Willamette BO will fit with all they've been worried about, as they will be to want a discussion of simply why they don't need to be worried about it. My sense is the latter approach won't cut it, while we have no real plan to do the former, nor are we in a position to demand that the FCRPS staffers take care of the problem. The pace in the FCRPS, as I mentioned, being somewhat intense, right now, and all that much more difficult to track, isn't likely to allow us to follow it with 'one ear open' for long. BUT, if nobody on your end has a problem similar to mine, I'll leave it my private hell and get off your case(s). That's not gonna do a whole bunch for my availability over the next several weeks, though, unless I, or we, can say its been dealt with, one way, or the other.

Again, there's only one thing worse than a nag, and that's a talkative nag. So, I apologize for the verbosity, as well as my relentless peskiness, but, in payment, I'm willing to try and draft a strawman for a kinda map of what we would

need to do, if we are to ensure we don't loose touch with this whole thing. I'm not sure that I'm the best guy to do it, given where I work, and what my perspective is trained to be; but I'll try, if you guys promise not to dismiss it out of hand, when I'm done.

For what it's worth, those are my thoughts.

Have a good day!

Chuck

Chuck Willis
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-----Original Message-----

From: Daley, Dan - KEWR-4 [mailto:dmdaley@bpa.gov]
Sent: Tuesday, July 13, 2004 1:29 PM
To: Willis, Chuck NWP
Cc: Rea, Matt T NWP; Willis, Robert E NWP
Subject: RE: Edits to Draft Willamette BiOp Joint Comments

Chuck - don't know if Matt or Bob are in; so I'm sending this on to you, with an invitation for them to respond if they have thoughts. Do we have any new information from the Services on their concerns, desires, needs, from a schedule point of view?

I ask because the last schedule I remember seeing has us concluding the Willamette Consultations in November?, i believe. I'm wondering if this gives any time at all to take into consideration some of the related work products that are being, or just recently, have been developed simultaneously in the Columbia and in the Region as a whole. In particular, these regional work products would include, but are not limited to the subbasin plans, TRT findings, the Columbia Basin RM&E plan, the newly released hatchery policy, and the trickling out of the revised white papers.

NOAA's, at least the Willamette BO's staff, lack of concern about these coincidentally overlapping, but more like overwhelming, occurrences at the last meeting (when they were all brought up as possibilities) does not give me any kind of comfort. Nor does my skimming through what I've seen so far of the FCRPS Remand Draft BO, and its many holes that we could lose the Willamette in. Not to mention the many fields of smoke that could completely obscure the Willamette.

I believe we need to lay out a plan of action that has us maneuvering through this mind field as if we knew it were there, not as if we had armored shoes on. That's not to say that I am crying 'consistency', again. I'm not. I'm concerned, mostly, that we will likely need to brief Regional execs this summer, on progress, and, so far, my answer would be "We've gotten really good at identifying questions." Can we agree to me crying, maybe: "HELP!"
Do you have any more specific information that could help here?

-----Original Message-----

From: Daley, Dan - KEWR-4

To: Karen Blakney; Gleason, John M - LC-7; Eric.P.Braun@nwd01.usace.army.mil; Willis, Chuck; Michael Cobell

Cc: Johnson, Gary A; Taylor, Greg; Breiling, John J; Rea, Matt T; Willis, Robert E; Mackey, Tammy M

Sent: 7/9/2004 7:54 PM

Subject: RE: Edits to Draft Willamette BiOp Joint Comments

My Edits on the Issue Paper, are attached. They won't be directly incorporable (is that a word?) into the piece Chuck is working on, but they might jar a memory or two.

I'm thinking, though, that for all the desire there may be to keep distance between this and the FCRPS, there's no way that can be accomplished without some major disconnects. See "Relation to FCRPS and "operations and fish facilities" in the brief.

Unfortunately, I also believe we may be well rewarded to remember the gazillions of dollars being spent on research and data bases in the Columbia. To set out on a pilgrimage to establish a separate, and non-parallel research program in the Willamette is a wee bit of a pipe dream, I think, and likely a disservice to both efforts.

That's not to say I don't agree with the direction we're going with modifying the PFC approach, only that I'm thinking we best find a way for NOAA to do the research necessary to evaluate our efforts, and have it look just like the research NOAA is doing in the Columbia. Let me know, Chuck, if you need an idea or two on how to do that.

From: dm daley [sysyphus3474@earthlink.net]
Sent: Tuesday, July 06, 2004 5:14 PM
To: Rea, Matt T NWP; Willis, Chuck NWP
Cc: pqkrueger; Michele J Johansson; Jesse L. Halsted; dmdaley
Subject: Comments-Willamette BO-Finally!

Sorry about the delay in getting these to you. A thousand possible explanations come to mind, but none that you would want, or enjoy hearing. So, I'll apologize, and leave it at that.

I'll have to send these comments in pieces, because that's the only way they will make it thru my home firewall, but send, I will.

The first part consists of your 'Consolidated Comments' document, that has been about cut and pasted to death, but it is still the easiest way, I think to keep track of the various comments and maintain their relative position to the BO narrative they address. I hope it works as well for you as it does I. I apologize for the many flashy colors and formats, but I didn't want to auto-format them on this XI version of Word, only to have me end up the only one to be able to work with them.

The majority, hopefully all, are in one 'track changes' mode, or another, or I, hopefully, remembered to manually change the font color of the comments that hadn't been tracked. Please confirm you received these by hitting 'reply' and 'send'.

Let me know if you have any problems, or questions. I'll be at 360-687-1044 thru Thursday morning.

The next piece will follow shortly.

dm daley
sysyphus3474@earthlink.net

From: dm daley [sysyphus3474@earthlink.net]

Sent: Tuesday, July 06, 2004 7:22 PM

To: Rea, Matt T NWP; Willis, Chuck NWP

Cc: pqkrueger; Michele J Johansson; Jesse L. Halsted; dmdaley; jmgleaseon; jtirish; dplane; sbcooper

Subject: Comments-Willamette BO-

Additional pieces to associate with BPA's Willamette BO comments. The first is Karen Blakeney's e-mail about jeopardy analysis, and what constitutes an environmental baseline, along with the 'PFC' issue. I'm including it here just as a reminder to that Karen's thinking pretty much pushed the 'think hard' button at Bonneville, also. Problem was the more we thought, the more we smelled something fishy with this whole set-up, but PARTICULARLY, with the PFC as a kind of omnipotent performance standard, where achieving PFC is pretty much in the eye of the beholder. Don't think we want to go there, or towards any of the problems Karen raises. We comment to that affect, but let me know if it doesn't feel that way.

The next is the piece that the Corps sent around about the federal contracts for state held water rights, and how they always seem to sparkle in a special way that simple state water rights never, ever seem to acquire. I'm not pointing anything at anybody here, just relaying what seems to be a fairly common point of view here in more 'water challenged' parts of the NW, that's all.

Last, is a newly revised version of the internal update on Willamette Issues I provided those nearer to god than I, at Bonneville. I haven't reread it to check for anything embarrassing, but I'm sure you'll let me know, anyway. It reminds me that there are two big issues that our comments, thus far, don't do justice. One is the potential homets nest that could result from a misstep by NOAA in 'acclimatizing' the region to its new hatchery policy. We should probably talk thru the whole issue on Thursday, particularly how it relates to NOAA's 'administration' of anything presently in the BO. Its kind of a smorgasbord of ways to keep all their options open.

The second issue I wanted to mention because our comments don't, is my overall impression of a general lack of rigorous analysis throughout the document. It's enough that I almost told myself NOAA wouldn't dare to point fingers with this being the only real quantification of 'threats' that they can come up with. But point away they did, and we all got our respective snootful, too. There's just something kind of unfair, and almost un-American about how they manage to do that, with so little to go on. Anybody else feel the same way?

I may have a piece, or two, that got 'orphaned', which I will try and track down to forward before Thursday. Matt, can you forward what needs to be forwarded to the BoR and your in-house folks? I appreciate it.

|

Rea, Matt T NWP

From: Fodrea, Kimberly - KEWR-4 [kafodrea@bpa.gov]
Sent: Monday, October 21, 2002 3:53 PM
To: Matt Rea (E-mail)
Cc: Wellschlager, John D - PGF-6; Gleason, John M - LC-7; Maslen, Bill - KEWR-4; Daley, Dan - KEWR-4
Subject: FW: Willamette issues

Matt,

After digging through my files, these are the issues that I would like to talk about on Wednesday. I think many of these issues have been addressed, but it's hard to say for sure. I would like to run through these issues briefly on Wednesday to confirm with the Services whether or not they think each issue has been addressed, and how it has been addressed. I've tagged several issues with an "*" to note the ones that I think are most important for the managers to discuss soon, but the list may change during/following our next meeting.

Please let me know if you have any comments/questions/concerns. Thanks,
-Kim

- > Formal Comments Mailed to the Services April 20, 2001
- > * Baseline conditions should be based upon the conditions at the time of listing as opposed to looking back before the project was constructed.*
- > * Scientific underpinning should be provided for all RPA actions.
- > * Biological performance measures should be established to set the goal of the RPA actions.
- > * Schedule of actions should be reasonable to achieve.
- > * Prioritization of actions will be necessary to determine funding priorities within the Willamette RPA.
- > * Prioritization of actions will be necessary to determine funding priorities within the Columbia River Basin.
- > * Regional coordination will be necessary but cannot replace the Action Agencies' decision-making authority.
- > * Issue resolution process(es) need to be established to resolve implementation issues.
- > * Consistency with VSP is necessary.
- > * Consistency with All-H Paper is necessary.*
- > * Content of the ITS should be limited to minor actions.
- > * Schedule for completing the consultation should not outweigh the importance of developing an agreeable opinion/RPA.*
- > * Flow targets need to be studied for feasibility and justified biologically.
- > * Mainstem temperature objective is beyond the distance that can be influenced by the dams.
- > * Nutrient enhancement with carcass placement requires ODFW cooperation.
- > * Nutrient enhancement should not be limited to carcass placement without considering alternative nutrient sources.
- > * Passage needs to be justified by demonstrating that a viable population cannot be sustained below the dams without passage.*
- > * Passage requirement seems inappropriate since hatcheries have mitigated for the blocked habitat.
- > * Passage requirement is inconsistent with other consultations at passage-blocking projects... Chief Joseph, Hells Canyon, etc.*
- > * Water temperature control objectives in the Willamette Basin are contradictory where water typically is too cold immediately below the dams and too warm in the mainstem.
- > * Restoring the ecosystem goes beyond the action agencies' responsibility to mitigate for the impacts of continuing operations.

- > * Actions such as habitat improvements and culvert improvements on
- > Forest Service roads upstream of the projects are the responsibility of
- > the land management agency.
- > * Population monitoring by the action agencies should only be to
- > define objectives and monitor progress toward meeting objectives.

> Issues That Came Up During the Sep 27, 2001, ODFW Briefing

- > * Is it reasonable and prudent to require that bull trout are restored
- > to their historical distribution?
- * Is ecosystem restoration a viable RPA?
- * Are extensive actions in the RPA going to be supported throughout
- the Columbia River Basin?

> Issues That Came Up During the July 15, 2002; Consultation Briefing

- > * With so much of the actions in the RPA to be determined later, how
- > can we agree that the RPA is reasonable and prudent?
- > * Is passage biologically justified?
- > * Is juvenile passage feasible?*
- * Does the Corps have authority to provide passage?
- > * Are actions that require a non-federal cost-share partner viable for
- > inclusion in the RPA? Is this cost share be expected from BPA's Fish &
- > Wildlife Program, which is already stretched thin?
- > * How will we prioritize funding of Willamette RPA actions when
- > weighed against the other BiOps RPA actions?
- > * Would we be better off with an action-based RPA rather than one
- > based on meeting a biological performance-objective?
- > * What are the implications of the new hatchery policy in the
- > Willamette?*
- > * What are the implications of the NMFS status review on Willamette
- > species?
- > * Why are bull trout given a jeopardy BiOp here when the Forest
- > Service BiOp concluded no jeopardy?*
- > * Where are the upper limits of the action area?* Is this consistent
- > with other consultations?
- > * Are the goals of restoring the ecosystem beyond the Action Agencies'
- > responsibility?
- > * What level of research, monitoring, and evaluation is the
- > responsibility of the Services and not the Action Agencies?
- > * What are the reservoir elevation and generation impacts of the
- > proposed mainstem flow targets?
- > * What are the proposed tributary flow targets and what are their
- > impacts?

BPA HEC-5 modeling requests.txt

From: Wellschlagel, John D - PGF-6 [jdwellschlagel@bpa.gov]
Sent: Monday, October 21, 2002 4:00 PM
To: 'Bruce Duffee - Chief, Hydrologic Section'
Cc: 'Matthew Rea - Corps'; 'Mary Karen Scullion - RCC'; Kerns, Steven R
- PGPO-5; Bartlett, Kristine - PGPO-5; Bird, Ian M - PGPO-5
Subject: BPA HEC-5 modeling requests

Bruce,
Thanks for your patience. Attached below is BPA's request for your next run of the HEC-5 model.

- 1) Projected % of fill for each reservoir for the min. flows proposed by the draft Bi-op for each type of water year (low, moderate, high).
- 2) % difference of fill using proposed flows vs. historical fill rates given similar runoff conditions (again for low, moderate & high).
- 3) A comparison of spill resulting from the required min. flow requirements for each class of water year compared with historical spill at each project?
- 4) Projected generation under Bi-Op flow conditions vs. historical generation levels, by project
- 5) A comparison of how the results above compare for low water conditions using the HEC-5 model vs. actual flow conditions for 2001 which was also a low water year. This will help to us to benchmark how any compromises made to the model for usability may effects the results on projected generation. I have also attached a short write-up (less than one page) from our modeling group (Steve, Kristine & Ian above) listing some concerns and questions they have with the model logic.

Thanks for working with us on this. I will be out of the office Tuesday thru Friday of this week, but if you have any questions, please leave me a message and I'll try to get back to you.

Thanks

John Wellschlagel
BPA Project Representative
Willamette, Rogue & Yakima Basins
503-230-5944

<<Operations Planning Comments on Willamette ESA Mainstem Flow Strategy.doc>>

refer to BPA



"Fodrea, Kimberly -
KEWR-4"
<kafodrea@bpa.gov>

08/26/2002 05:23 PM

To: "Chris_Allen@r1.fws.gov" <Chris_Allen@r1.fws.gov>,
Cat_Brown@r1.fws.gov

cc: "Wellschlager, John D - PGF-6" <jdwellschlager@bpa.gov>, "Lynne
Krasnow (E-mail)" <lynne.krasnow@noaa.gov>, "Matt Rea (E-mail)"
<matt.t.rea@nwp01.usace.army.mil>, "Chuck Willis (E-mail)"
<Chuck.Willis@nwp01.usace.army.mil>

Subject: RE: BPA funding and Willamette Consultation

Chris and Cat,

I pulled the attached information together last spring, so hopefully it will help explain our fish and wildlife program. If you have any questions, please call or let me know if you want to hear more about this program at our next meeting.

Thanks, -Kim

Kim Fodrea
Fish & Wildlife Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

-----Original Message-----

From: Wellschlager, John D - PGF-6 [mailto:jdwellschlager@bpa.gov]
Sent: Wednesday, August 21, 2002 3:54 PM
To: 'Chris_Allen@r1.fws.gov'; kafodrea@bpa.gov
Cc: Cat_Brown@r1.fws.gov
Subject: RE: BPA funding and Willamette Consultation

Chris & Cat,

Since Kim is on AL this week and I'm on AL next week, I will attempt to answer your questions to the extent I can. I'm sure Kim will correct me if I misrepresent anything next week. While I am very knowledgeable on the O&M and Capital funding programs related to generation work at the projects, I am less so with the fish stuff. Having said that, here's my understanding. First, for any F&W project to qualify for BPA funding through the O&M program it must 1) already exist and 2) be part of the existing project. Asking for O&M funding on a project yet to be built or to build a new project would not be allowed. For example, you could not request O&M funding from BPA to build a fish ladder at Green Peter. This would essentially be asking to use maintenance money for a new capital project. Nor would BPA fund a restoration project not directly attached to a facility. For example, installation of some LWD a mile down stream from a project. Additionally to qualify for any BPA O&M money a project must have some generation. For example, Fall Creek Dam would not qualify since there is no generation at that project. The WV Generation projects are mutli-purpose projects. As such, BPA only funds that percentage of a restoration project which matches that of the projects allocation for power. For example, Cougar is allocated for funding from BPA as follows for power; 20% for O&M and 23% for new Capital projects. This means that based on the original project purpose, BPA (using rate payer dollars) assumes 20% of the responsibility for all O&M work and 23% for any new capital investments. O&M is directly funded to the Corps since it is addressing maintenance work on existing facilities. The Capital side works differently. Any new Capital projects must be appropriated by the Corp thru DC without any BPA involvement. After the project is complete, BPA then repays the treasury the percentage due for that particular project using rate payer dollars. The Water Temp Control Tower at Cougar is a good example of this. BPA did not and would not pay any funding up front for this kind of project. The Corps had to seek project approval through Congressional action. After this project is complete, BPA will then be back billed for our 23% share of whatever the final cost is and pay this amount to the treasury. The only exception to the above rules are some special programs administered by the BPA F&W group. Since I don't understand those well enough to attempt an explanation, I'll let Kim handle that one. Hopefully my explanation above makes sense. If you have any questions, please let me know.

John Wellschlager
BPA Project Representative

Willamette, Rogue & Yakima Basins
503-230-5944

PS: O&M and Capital percentages paid by BPA generally run between a low of 20% for Cougar to a high of 51% for Detroit within the WV. These percentages are generally much higher for the main stem Columbia River Plants, running between 70% and 100%.

-----Original Message-----

From: Chris_Allen@r1.fws.gov [mailto:Chris_Allen@r1.fws.gov]
Sent: Wednesday, August 21, 2002 2:07 PM
To: jdwellsschlager@bpa.gov; kafodrea@bpa.gov
Cc: Cat_Brown@r1.fws.gov
Subject: BPA funding and Willamette Consultation

Hi John and Kim,

Would it be possible for you to forward information to help us understand BPA funding mechanisms as they may relate to the Willamette ESA consultation. I think this is a task BPA accepted during a consultation meeting this past year. At this point Cat and I are unclear as to whether potential RPA components of the Willamette Opinion would be funded from O & M funds for each Corps project or through BPA's Fish and Wildlife Program, or some combination thereof. How does funding shake out for the FCRPS BO implementation? Is BPA's contribution to implementation funded through O & M, the F & W Program or both and what is the process for funding implementation?

In addition, though Cat and I have recently increased our understanding of the NWPPC and the role of subbasin summaries, any information you could provide on these efforts, and their potential role in the Willamette consultation would be appreciated as well.

Thanks in advance and I hope all is well over at BPA (well, at least better than the paper portrays).

-Chris

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BPA's Fish & Wildlife Program.ppt

BPA's Fish & Wildlife Program

This is just a summary of information plus some of the more relevant congressional language that established the program. For the details of our program, check out the CBFWA, Council, and BPA websites.

Particularly, this website has a summary of our program:
<http://www.nwccouncil.org/library/2009/2009-19/Default.htm>

Also, these websites have numerous links to information about the ongoing provincial review process:

<http://www.nwccouncil.org/tw/wr/rwrcv/Default.htm>
<http://www.cbftwa.org/provreview.htm>
<http://www.stw.bpa.gov/cw-bip/PW/S2/ajinstonSystemwide.crl>

Northwest Power Act (1980)

- Called for the BPA-funded Fish & Wildlife Program
- Established the Northwest Power Planning Council (the Council). Then the Council established:
 - Columbia Basin Fish & Wildlife Authority (CBFWA)
 - Provincial Review Process
- Established the Independent Scientific Review Panel (ISRP)

Northwest Power Act (cont'd)

- Congress directs the Council to
 - develop a program to protect, mitigate, and enhance fish and wildlife of the Columbia River Basin that have been impacted by hydropower dams
 - make annual funding recommendations to the Bonneville Power Administration for projects to implement the fish and wildlife program

The Northwest Power Act's Purpose

- to encourage, through the unique opportunity provided by the Federal Columbia River Power System—
 - 3201(A), Conservation and efficiency in the use of electric power, and (Pacific Northwest Electric Power Planning and Conservation Act, [Northwest Power Act], §201(A), Dec. 8, 1980, 94 Stat. 2687.)
 - 3201(B), the development of renewable resources within the Pacific Northwest; [Northwest Power Act, §201(B), 94 Stat. 2697.]
 - 3201(C), to ensure the flexible development of an adequate, efficient, economical, and reliable power supply; [Northwest Power Act, §201(C), 94 Stat. 2697.]
 - 3201(D), to provide for the participation and consultation of the Pacific Northwest States, local governments, consumers, customers, users of the Columbia River System (including Federal and State fish and wildlife agencies and appropriate Indian tribes), and the public at large within the region in:
 - 3201(D)(1), the development of regional plans and programs related to energy production, renewable resources, other resources, and generation, mitigation, and conserving fish and wildlife resources; [Northwest Power Act, §201(D), 94 Stat. 2697.]
 - 3201(D)(2), including the orderly planning of the region's power system, and [Northwest Power Act, §201(D)(2), 94 Stat. 2698.]
 - 3201(D)(3), providing environmental quality; [Northwest Power Act, §201(D)(3), 94 Stat. 2698.]
- to provide that the customers of the Bonneville Power Administration and their consumers continue to pay all costs necessary to produce, transmit, and conserve resources to meet the region's electric power requirements, including the amortization on a current basis of the Federal investment in the Federal Columbia River Power System; [Northwest Power Act, §201(E), 94 Stat. 2698.]
- to protect, mitigate and enhance the fish and wildlife, including related spawning grounds and habitats, of the Columbia River and its tributaries, particularly anadromous fish which are of significant importance to the social and economic well-being of the Pacific Northwest and the Nation and which are dependent on suitable environmental conditions substantially obtainable from the management and operation of Federal Columbia River Power System and other power generating facilities on the Columbia River and its tributaries; [Northwest Power Act, §201(F), 94 Stat. 2698.]

Northwest Power Act

- 8396(h)(1)(A). The Council shall promptly develop and adopt, pursuant to this subsection, a program to protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, on the Columbia River and its tributaries. Because of the unique history, problems, and opportunities presented by the development and operation of hydroelectric facilities on the Columbia River and its tributaries, the program, to the greatest extent possible, shall be designed to deal with that river and its tributaries as a system.
- 8396(h)(1)(B). This subsection shall be applicable solely to fish and wildlife, including related spawning grounds and habitat, located on the Columbia River and its tributaries. Nothing in this subsection shall affect, modify, or affect in any way the laws applicable to rivers or river systems, including electric power facilities related thereto, other than the Columbia River and its tributaries, or affect the rights and obligations of any agency, entity, or person under such laws.
- 8396(h)(2). The Council shall request, in writing, promptly after the Council is established under either subsection (a) or (b) of this section and prior to the development or review of the plan, or any major revision thereto, from the Federal and the region's State fish and wildlife agencies and from the region's appropriate Indian tribes, recommendations for:
 - 8396(h)(2)(A). resources which can be expected to be implemented by the Administration, using substances under this chapter and other laws, and other Federal agencies to protect, mitigate, and enhance fish and wildlife, including related spawning grounds and habitat, affected by the development and operation of any hydroelectric project on the Columbia River and its tributaries;
 - 8396(h)(2)(B). establishing objectives for the development and operation of such projects on the Columbia River and its tributaries in a manner designed to protect, mitigate, and enhance fish and wildlife; and
 - 8396(h)(2)(C). fish and wildlife management coordination and research and development (including funding) which, among other things, will assist protection, mitigation, and enhancement of anadromous fish at, and between, the region's hydroelectric dams.

Northwest Power Act

- 8396(h)(3). The Council shall develop a program on the basis of such recommendations, supporting documents, and views and information obtained through public comment and participation, and consultation with the agencies, tribes, and customers referred to in subparagraph (A) of paragraph (2). The program shall consist of measures to protect, mitigate, and enhance fish and wildlife affected by the development, operation, and management of such facilities while ensuring the Pacific Northwest an adequate, efficient, economical, and reliable power supply. Enhancement measures shall be included in the program to the extent such measures are designed to achieve improved protection and mitigation.
- 8396(h)(4). The Council shall include in the program measures which it determines, on the basis set forth in paragraph (3), will:
 - 8396(h)(4)(A). complement the existing and future activities of the Federal and the region's State fish and wildlife agencies and appropriate Indian tribes; [Northwest Power Act, §4(h)(4)(A), 94 Stat. 2706.]
 - 8396(h)(4)(B). be based on, and supported by, the best available scientific knowledge; [Northwest Power Act, §4(h)(4)(B), 94 Stat. 2706.]
 - 8396(h)(4)(C). utilize, where equally effective alternative means of achieving the same sound biological objective exist, the alternative with the minimum economic cost; [Northwest Power Act, §4(h)(4)(C), 94 Stat. 2706.]
 - 8396(h)(4)(D). be consistent with the legal rights of appropriate Indian tribes in the region; and [Northwest Power Act, §4(h)(4)(D), 94 Stat. 2706.]

Northwest Power Act

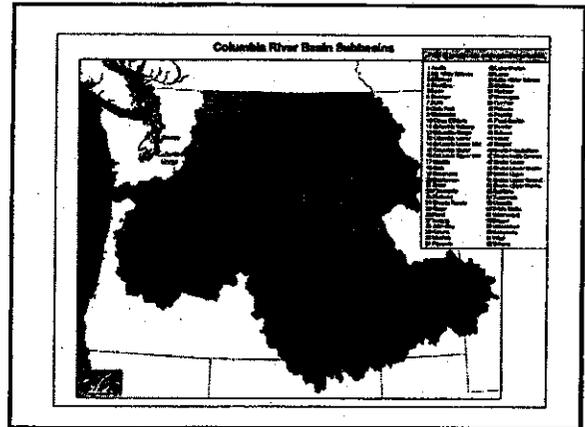
- 8396(h)(5)(E). In the case of anadromous fish--
- 8396(h)(5)(F)(i). provide for improved survival of such fish at hydroelectric facilities located on the Columbia River system; and [Northwest Power Act, §4(h)(5)(F)(i), 94 Stat. 2709.]
- 8396(h)(5)(F)(ii). provide for sufficient quality and quantity between such facilities to improve production, migration, and survival of such fish as necessary to meet sound biological objectives. [Northwest Power Act, §4(h)(5)(F)(ii), 94 Stat. 2709.]
- 8396(h)(7). The Council shall determine whether such recommendations received in accordance with the purposes of this chapter. In the event such recommendations are inconsistent with each other, the Council, in consultation with appropriate entities, shall resolve such inconsistency in the program giving due weight to the recommendations, expertise, and legal rights and responsibilities of the Federal and the region's State fish and wildlife agencies and appropriate Indian tribes. If the Council does not adopt any recommendation of the fish and wildlife agencies and Indian tribes as part of the program or any other recommendation, it shall explain in writing, as part of the program, the basis for its finding that the adoption of such recommendation would be:
 - 8396(h)(7)(A). inconsistent with paragraph (5) of this subsection; [Northwest Power Act, §4(h)(7)(A), 94 Stat. 2709.]
 - 8396(h)(7)(B). inconsistent with paragraph (6) of this subsection; or [Northwest Power Act, §4(h)(7)(B), 94 Stat. 2709.]
 - 8396(h)(7)(C). less effective than the adopted recommendations for the protection, migration, and enhancement of fish and wildlife. [Northwest Power Act, §4(h)(7)(C), 94 Stat. 2709.]
- 8396(h)(8). The Council shall consider, in developing and adopting a program pursuant to this subsection, the following principles:
 - 8396(h)(8)(A). Enhancement measures may be used, in appropriate circumstances, as a means of achieving offset protection and mitigation with respect to compensation for losses arising from the development and operation of a hydroelectric facility of the Columbia River and its tributaries as a system. [Northwest Power Act, §4(h)(8)(A), 94 Stat. 2709.]

Northwest Power Act

- 8396(h)(9)(B). Consumers of electric power shall bear the cost of measures designed to deal with adverse impacts caused by the development and operation of electric power facilities and programs only. [Northwest Power Act, §4(h)(9)(B), 94 Stat. 2710.]
- 8396(h)(9)(C). To the extent this program provides for coordination of its measures with additional measures (including additional enhancement measures to deal with impacts caused by factors other than the development and operation of electric power facilities and programs), such additional measures are to be implemented in accordance with agreements among the appropriate parties providing for the administration and funding of such additional measures. [Northwest Power Act, §4(h)(9)(C), 94 Stat. 2710.]
- 8396(h)(9)(D). Newbury costs and electric power losses resulting from the implementation of the program shall be allocated by the Administrator consistent with individual project impacts and system wide objectives of this subsection. [Northwest Power Act, §4(h)(9)(D), 94 Stat. 2710.]
- 8396(h)(9). The Council shall adopt such program or amendments thereto within one year after the time provided for receipt of the recommendations. Such program shall also be included in the plan adopted by the Council under subsection (d) of this section. [Northwest Power Act, §4(h)(9), 94 Stat. 2710.]
- 8396(h)(10)(A). The Administrator shall use the Bonneville Power Administration fund and the amounts available to the Administrator under this chapter and other laws administered by the Administrator to protect, mitigate, and enhance fish and wildlife to the extent affected by the development and operation of any hydroelectric project of the Columbia River and its tributaries in a manner consistent with this plan. If in substance, the program selected by the Council under this subsection, and the purposes of this chapter. Expenditures of the Administrator pursuant to this paragraph shall be in addition to, not in lieu of, other expenditures authorized or required from other entities under other agreements or provisions of law. [Northwest Power Act, §4(h)(10)(A), 94 Stat. 2710.]

Northwest Power Planning Council

- Developed the current BPA-funded fish & wildlife program that is organized in three levels
 - 1) a basin-wide level that articulates objectives, principles and coordination elements that apply generally to all fish and wildlife projects, or to a class of projects, that are implemented throughout the basin;
 - 2) an ecological-province level that addresses 11 unique ecological areas of the Columbia River Basin, each representing a particular type of terrain and corresponding biological community; and
 - 3) a level that addresses the more than 50 subbasins, each containing a specific waterway and the surrounding uplands.



Provincial Review Process

- Provinces Undergo a Three-year Rolling Provincial Review where 1/3 of the Provinces Undergo the Following Steps Each Year
 - Council prepares a Subbasin Assessment, which identifies the biological potential of each subbasin and the opportunities for restoration
 - Council prepares Subbasin Plans, which identify goals, objectives, strategies, and proposed actions
 - Subbasin Summaries have been used instead of Subbasin Assessments and Plans over the past two years during the transition into subbasin planning
 - BPA and the Council issue a Solicitation for Proposals based on the needs identified through subbasin planning
 - ISRP and CBFWA review proposals for the Council
 - The Council provides recommendations to BPA
 - BPA makes final funding decisions

Columbia Basin Fish & Wildlife Authority (CBFWA)

- Members include legally-recognized managers of the fish and wildlife resources
 - four states and two federal fish and wildlife management entities
 - thirteen Indian tribes of the Columbia River Basin
- The members established the Authority by charter in 1987 to:
 - Coordinate the efforts of its members to protect and enhance fish and wildlife resources of the Basin through joint planning and action
 - Provide an open forum for its members to exchange information on matters affecting anadromous and resident fish, wildlife resources, and habitat concerns in the Basin and develop unified positions
 - Assure comprehensive planning and implementation of the Council's Fish and Wildlife Program
 - Improve the quality of fish and wildlife decision making
 - Influence other regional decision makers
- The members identified three general objectives or areas of involvement:
 - Coordinate the fish and wildlife activities of interagency and tribal concern
 - Facilitate interagency and tribal involvement in the implementation of the Northwest Power Planning Council's Fish and Wildlife Program
 - Interact with the water and land planning and management authorities of the Columbia River Basin

Independent Scientific Review Panel (ISRP)

- Required by the 1980 Power Act
- Comprised of eleven members, to review projects proposed to be funded through that portion of BPA's annual fish and wildlife budget that implements the Council's fish and wildlife program.
- Members shall be appointed from a list of no fewer than 20 scientists submitted by the National Academy of Sciences, provided that Pacific Northwest scientists with expertise in Columbia River anadromous and non-anadromous fish and wildlife and ocean experts shall be among those represented on the Panel.

Independent Scientific Advisory Board (ISAB)

- Evaluate the program's scientific principles to ensure they are consistent with the best available science
- Evaluate the fish and wildlife program on its scientific merits in time to inform recommendations to the fish and wildlife program and before the Council request recommendations from the region
- Evaluate National Marine Fisheries Service recovery plans for Columbia River Basin stocks and aspects of the recovery process when requested
- Review the scientific and technical issues associated with efforts to improve anadromous fish recovery through all life stages, based on adaptive management approaches
- Review and provide advice on priorities for conservation and recovery efforts, including research, monitoring and evaluation
- Provide specific scientific advice on topics and questions requested from the region and approved by the oversight panel. Topics, fish and wildlife agencies and others may submit questions to the Independent Scientific Advisory Board through the oversight panel. The Independent Scientific Advisory Board may also identify questions and propose reviews. The oversight panel and the Independent Scientific Advisory Board reviews these questions in a timely manner and decides which are amenable to scientific analysis, are relevant to the Council's and National Marine Fisheries Service's program, and fit within the Independent Scientific Advisory Board's work plan

Independent Economic Analysis Board (IEAB)

- The Independent Economic Analysis Board was established in November 1996 by the Council to assist with difficult economic issues associated with the Council's fish and wildlife program. The Board is a panel of eight economists whose expertise helps improve the cost-effectiveness analysis of fish and wildlife recovery measures. The panel also provides economic advice on analysis of other fish, wildlife and energy issues at the Council's request. IEAB members represent a variety of natural resource economics specialists and are required to be independent and free of conflicts of interest. Members are paid an hourly rate for work on Council approved tasks

Other Types of Project Solicitations within the BPA-funded Fish & Wildlife Program

- **Innovative Program**
 - Started in 1999 to encourage innovative ideas
 - Projects are considered to be innovative if they rely primarily on a method or technology that has not previously been used in a fish and wildlife project in the Pacific Northwest
 - Solicitation for 2002 projects is underway
- **Targeted Solicitations**
 - 2001 High Priority solicitation for projects warranting expedited consideration and funding to address imminent risks to the survival of ESA-listed species

FW BPA funding and Willamette Consultation.txt

From: Wellschlager, John D - PGF-6 [jdwellschlager@bpa.gov]
Sent: Thursday, August 22, 2002 12:57 PM
To: 'Matthew Rea - Corps'
Subject: FW: BPA funding and willamette Consultation

Matt,
FYI
JDW

-----Original Message-----

From: Wellschlager, John D - PGF-6
Sent: Wednesday, August 21, 2002 3:54 PM
To: 'Chris_Allen@r1.fws.gov'; kafodrea@bpa.gov
Cc: Cat_Brown@r1.fws.gov
Subject: RE: BPA funding and willamette Consultation

Chris & Cat,

Since Kim is on AL this week and I'm on AL next week, I will attempt to answer your questions to the extent I can. I'm sure Kim will correct me if I misrepresent anything next week. While I am very knowledgeable on the O&M and Capital funding programs related to generation work at the projects, I am less so with the fish stuff. Having said that, here's my understanding. First, for any F&W project to qualify for BPA funding through the O&M program it must 1) already exist and 2) be part of the existing project. Asking for O&M funding on a project yet to be built or to build a new project would not be allowed. For example, you could not request O&M funding from BPA to build a fish ladder at Green Peter. This would essentially be asking to use maintenance money for a new capital project. Nor would BPA fund a restoration project not directly attached to a facility. For example, installation of some LWD a mile down stream from a project. Additionally to qualify for any BPA O&M money a project must have some generation. For example, Fall Creek Dam would not qualify since there is no generation at that project. The WV Generation projects are multi-purpose projects. As such, BPA only funds that percentage of a restoration project which matches that of the projects allocation for power. For example, Cougar is allocated for funding from BPA as follows for power; 20% for O&M and 23% for new Capital projects. This means that based on the original project purpose, BPA (using rate payer dollars) assumes 20% of the responsibility for all O&M work and 23% for any new capital investments. O&M is directly funded to the Corps since it is addressing maintenance work on existing facilities. The Capital side works differently. Any new Capital projects must be appropriated by the Corp thru DC without any BPA involvement. After the project is complete, BPA then repays the treasury the percentage due for that particular project using rate payer dollars. The Water Temp Control Tower at Cougar is a good example of this. BPA did not and would not pay any funding up front for this kind of project. The Corps had to seek project approval through Congressional action. After this project is complete, BPA will then be back billed for our 23% share of whatever the final cost is and pay this amount to the treasury. The only exception to the above rules are some special programs administered by the BPA F&W group. Since I don't understand those well enough to attempt an explanation, I'll let Kim handle that one. Hopefully my explanation above makes sense. If you have any questions, please let me know.

John Wellschlager
BPA Project Representative
Willamette, Rogue & Yakima Basins
503-230-5944

PS: O&M and Capital percentages paid by BPA generally run between a low of
Page 1

FW BPA funding and willamette Consultation.txt
20% for Cougar to a high of 51% for Detroit within the WV. These percentages are generally much higher for the main stem Columbia River Plants, running between 70% and 100%.

-----Original Message-----

From: Chris_Allen@r1.fws.gov [mailto:Chris_Allen@r1.fws.gov]
Sent: Wednesday, August 21, 2002 2:07 PM
To: jdwellshlager@bpa.gov; kafodrea@bpa.gov
Cc: Cat_Brown@r1.fws.gov
Subject: BPA funding and willamette Consultation

Hi John and Kim,

Would it be possible for you to forward information to help us understand BPA funding mechanisms as they may relate to the willamette ESA consultation. I think this is a task BPA accepted during a consultation meeting this past year. At this point Cat and I are unclear as to whether potential RPA components of the willamette Opinion would be funded from O & M funds for each Corps project or through BPA's Fish and Wildlife Program, or some combination thereof. How does funding shake out for the FCRPS BO implementation? Is BPA's contribution to implementation funded through O & M, the F & W Program or both and what is the process for funding implementation?

In addition, though Cat and I have recently increased our understanding of the NWPPC and the role of subbasin summaries, any information you could provide on these efforts, and their potential role in the willamette consultation would be appreciated as well.

Thanks in advance and I hope all is well over at BPA (well, at least better than the paper portrays).

-Chris

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Portland, OR 97266
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FW Willamette Policy Bullets_another item per Maslen

From: Anderson, G Witt NWD
Sent: Tuesday, July 23, 2002 4:46 PM
To: Rea, Matt T NWP
Subject: FW: Willamette Policy Bullets

another item from BPA -

-----Original Message-----

From: Athearn, Jim B NWD
Sent: Tuesday, July 23, 2002 3:13 PM
To: Anderson, G Witt NWD
Subject: FW: Willamette Policy Bullets

-----Original Message-----

From: Maslen, Bill - KEWR-4 [mailto:wcmaslen@bpa.gov]
Sent: Tuesday, July 23, 2002 2:30 PM
To: 'Athearn, Jim - CENWD'; 'Ponganis, Dave - CENWD'
Subject: FW: Willamette Policy Bullets

FYI. Per discussion (with Jim).

Also, note one issue not included in bullets that also deserves consideration. Unmarked salmonids are released above Willamette projects by ODFW as a food base for bull trout, for nutrient enhancement, and for reservoir fisheries. However, these releases have contributed to adult returns. NMFS current approach to analysis of stock status makes assumptions about the effectiveness of hatchery fish spawning in the wild which diminishes the benefit of such returns. Additionally, outplanting and supplementation is not consistent with NMFS' staff interpretation of VSP. This outplanting has significant potential repercussions on the AA's for avoiding jeopardy under the pending BO.

Please flag this issue for Witt.

Thanks, Bill

> -----Original Message-----

> From: Maslen, Bill - KEWR-4
> Sent: Tuesday, July 23, 2002 1:21 PM
> To: 'Anderson, Witt - CENWD'
> Cc: Fox, Roy B - PGF-6; Wellschlagler, John D - PGF-6; Daley, Dan -
> KEWR-4; Fodrea, Kimberly - KEWR-4; 'Rea, Matt T NWP'; 'Johnson, Gary -
> CENWP'; 'Peters, Rock - CENWP'
> Subject: Willamette Policy Bullets

> Witt:

> Per your discussion with Roy Fox.

> * How much implied commitment to future (but uncertain) decisions is
> "reasonable and prudent?"
> Information is limited on salmonids and bull trout in the Willamette River
> Basin. The validity of the so-called "presumptive path" contained in the
> draft BO will depend on detailed scientific studies, yet a presumptive
> path may entail future decisions that are currently unknown. While we are
> currently uncertain how the draft BO addresses potential future decisions
> (we do not have a draft BO for review), NMFS/USFWS may anticipate
> pre-acceptance of future decisions necessary to make the presumptive path
> viable.

FW Willamette Policy Bullets_another item per Maslen

- >
- > * Is passage a viable RPA (i.e., "reasonable and prudent"); is it a viable RPA if the Corps would require authorization in order to provide passage?
- > Is passage supported by empirical information and analysis, or intuition (or what is believed to be "best")? HB531 is very general re. authorization for passage. There have been mixed results from past efforts to provide passage at willamette projects; success of potential future passage alternatives is uncertain. Passage, if successful, may provide benefit to relatively few fish at high cost. Programs currently do not exist (or are limited) for implementing major actions such as this at willamette projects.
- >
- > * Are actions requiring cost-sharing by non-Federal parties a viable alternative?
- > Action Agencies cannot necessarily ensure implementation of those actions for which we do not have control (e.g., where Corps relies on cost-sharing). Lack of willing partners could compromise the implementation of some actions.
- >
- > * How will Columbia Basin FCRPS mitigation actions be prioritized?
- > The Willamette projects are part of the FCRPS. Resources must be prioritized to ensure the greatest benefit to fish and wildlife resources. Expenditures in one geographic area or to benefit a particularly ESU diminish opportunities for investments in other areas/ESU's. The Willamette needs to be integrated into systemwide planning.
- >
- > * Is a performance-based RPA preferred over a measure-based RPA?
- > Avoidance of jeopardy depends on actions that improve survival, but it is easier to track implementation of measures. A performance-based RPA requires a BO of longer duration (preferably a minimum of 15-20 years).
- > The concept of least cost planning depends on a performance-based approach.
- >
- > * Does the consultation schedule adequately consider NMFS' revised hatchery policy and updated status review?
- > NMFS is in the process of revising its hatchery policy, including its effect on the status of listed wild populations; reviews are anticipated by the end of the year (fiscal or calendar?). The Willamette Basin is heavily influenced by hatchery production; changes in hatchery policy and population status have a potential for moderate to high likelihood of effect for willamette stocks. Current consultation schedule calls for a draft BO in the same time frame.
- >
- > * Do we agree with a determination of jeopardy with RPA for bull trout in the Willamette FCRPS BO?
- > The Forest Service BO concluded no-jeopardy. Are the Action Agencies prepared for the full burden of jeopardy in the Willamette Basin?
- >

**Willamette Basin Project ESA Consultation
BPA Policy Issues (per 7/22/02 memo from Bill Maslen to Witt Anderson)**

[Portland District Responses]

* How much implied commitment to future (but uncertain) decisions is "reasonable and prudent?"

Information is limited on salmonids and bull trout in the Willamette River Basin. The validity of the so-called "presumptive path" contained in the draft BO will depend on detailed scientific studies, yet a presumptive path may entail future decisions that are currently unknown. While we are currently uncertain how the draft BO addresses potential future decisions (we do not have a draft BO for review), NMFS/USFWS may anticipate pre-acceptance of future decisions necessary to make the presumptive path viable.

- Concur with BPA point that draft BiOp/RPA represents a strong presumption by NMFS / USFWS that action agencies will undertake steps to move toward significant measures required to prevent jeopardy (including fish passage and temperature control). These actions are based on highly uncertain decisions.
- The "presumptive path" described in the draft BiOp describes a 10-15 year performance period with periodic check-in milestones designed to assure the action agencies are making progress toward implementing that path. If we are unable to make progress along that path then Services will request reopening consultation with a new RPA.
- We concur with the Services that a "presumptive path" is unavoidable given the high degree of uncertainty regarding the plausible solutions to protect listed species and ability of action agencies to implement conservation measures.
- Service's are required to produce a BiOp and RPA that shows what the action agencies can do to avoid jeopardy. The alternative to following a "presumptive path" would be for the BiOp to mandate a "prescriptive path, which we do not agree is a good idea.

* Is passage a viable RPA (i.e., "reasonable and prudent"); is it a viable RPA if the Corps would require authorization in order to provide passage?

Is passage supported by empirical information and analysis, or intuition (or what is believed to be "best)? HB531 is very general re: authorization for passage. There have been mixed results from past efforts to provide passage at Willamette projects; success of potential future passage alternatives is uncertain. Passage, if successful, may provide benefit to relatively few fish at high cost. Programs currently do not exist (or are limited) for implementing major actions such as this at Willamette projects.

- Corps has clear authorization to provide fish passage at those dams with existing passage facilities (Foster, Green Peter and Fall Creek). This should not be an issue at all for those projects
 - We may have authorization under H.D. 531 for fish passage at all Willamette projects. NWP-OC has previously indicated that the authorizing document makes it clear that hatchery production was intended to mitigate for impacts of the projects only until such time as positive fish passage was determined to be feasible [obviously, this requires some further review by OC].
 - Corps has stressed throughout the consultation our need to obtain both authorization and appropriation to implement any significant RPA measures, including passage.
 - We have agreed in concept from early stages of consultation that it is reasonable and prudent for Services to ask us to “seek authority and appropriation” to implement various RPA measures that may be required to avoid jeopardy.
 - For the Willamette, “seeking authority...” requires following normal Corps planning and programming procedures for various sources of GI, O&M and CG funding.
 - In the case of fish passage, short term milestones in the draft RPA call for the action agencies to first perform a “comprehensive fish passage review” of the Willamette system to be followed by more detailed project specific evaluations of passage issues at individual projects with highest priority being those with existing passage facilities that either do not function or are not functioning as designed. Additional study is required to address the kinds of technical issues raised by BPA.
 - Draft RPA is not written in a way to require fish passage as a prescriptive measure, however, it is fair to say that long-term milestones (8-15 years out) include presumption (presumptive path) by Services that passage improvements will be implemented.
- * Are actions requiring cost-sharing by non-Federal parties a viable alternative?

Action Agencies cannot necessarily ensure implementation of those actions for which we do not have control (e.g., where Corps relies on cost-sharing). Lack of willing partners could compromise the implementation of some actions.

- This issue pertains to comments above regarding our need for authorization and appropriation to implement RPA measures.

- Unlike the Columbia CRFM, the Corps has no direct source of funding for implementing RPA measures. Cost-shared studies/projects under CAP or GI represent vehicles (tools in our toolbox) for possible implementation.
- BPA has the opportunity to fund projects, either as a direct fund action or to provide funds to local sponsors (precedent exists for using BPA rate-payer funds as local cost—share against Corps funds)
- An important strategy may be to use BPA funds to “kick start” early stages of study until Corps funds can be programmed and allocated for later stages, including implementation.

* How will Columbia Basin FCRPS mitigation actions be prioritized?

The Willamette projects are part of the FCRPS. Resources must be prioritized to ensure the greatest benefit to fish and wildlife resources. Expenditures in one geographic area or to benefit a particularly ESU diminish opportunities for investments in other areas/ESU's. The Willamette needs to be integrated into systemwide planning.

- We concur that the Willamette needs to be integrated into the regional planning process at some level. Portland District currently has no mechanism for establishing F&W priorities across all our action areas (Columbia, Willamette, Rogue, etc.)
- We disagree with BPA's perspective that the Willamette Project is part of the Columbia River FCRPS.
- We are unable to use CRFM funds for implementation of RPA measures (at least under current policy) and have no source of direct funding for with the exception of very limited Willamette Project O&M funding. Under current policy and authority, any funding for implementation (by the corps) will need to be specifically appropriated to the Willamette Projects.
- This issue was previously raised by BPA with the Federal caucus (see Dave Ponganis memo to Bill Maslen dated February 2002). Dave listed several strong reasons why the Willamette should remain independent of the FCRPS for implementation planning purposes, including:
 - ✓ Division of labor. When we started the last round of consultation, the action agencies concluded that we would leave out the Willamette, upper Snake, Yakima and Deschutes of the larger consultation and handle these separately. For the Corps, it was because the Willamette fell entirely within Portland District and we needed to keep the workload distributed. We still believe this is working well.
 - ✓ Different Basins, Different check-ins, Different Needs. Willamette is a different system than Columbia, and with different players. While we want to make sure

there is consistency across the basins, that in itself doesn't mean they have to show up in one document. There can be two.

- ✓ Mediation - The Corps does not want to tie the Willamette to the Columbia/Snake FCRPS process since we don't know what lies ahead in mediation.
- ✓ Priority Setting. The Corps has limited funds to address all endangered species and for NWD this also includes Pudget Sound and Missouri. Having the IP address Willamette and Columbia may help BPA, but it does not help NWD since we have a larger program to look at.

* Is a performance-based RPA preferred over a measure-based RPA?

Avoidance of jeopardy depends on actions that improve survival, but it is easier to track implementation of measures. A performance-based RPA requires a BO of longer duration (preferably a minimum of 15-20 years). The concept of least cost planning depends on a performance-based approach.

- A performance-based RPA would be preferable if the science were there to support it. However, we concur with the Services that the science does not exist to specify detailed performance measures.
- BPA has been insistent that the Willamette BiOp include performance-based measures consistent with FCRPS. We concur with a basic approach of keeping the Willamette BiOps as consistent as possible with FCRPS, but we are simply not at the same place and time in terms of our degree of knowledge regarding the biological effects of the projects.
- This has been a basic assumption of the consultation that leads to an RPA framework in which there is a heavy emphasis on early milestones related to an extensive RM&E program with relatively few prescriptive measures.
- The alternative would seem to be for the services to include prescriptive and potentially arbitrary performance measures in the RPA. We do not consider that acceptable.
- This may be a moot point. The Services have indicated that the RPAs will include some performance-based measures. We expect the "performance" will be initially measures as implementation of measures.

* Does the consultation schedule adequately consider NMFS' revised hatchery policy and updated status review?

NMFS is in the process of revising its hatchery policy, including its effect on the status of listed wild populations; reviews are anticipated by the end of the year (fiscal or calendar?). The Willamette Basin is heavily influenced by hatchery production; changes

in hatchery policy and population status have a potential for moderate to high likelihood of effect for Willamette stocks. Current consultation schedule calls for a draft BO in the same time frame.

- Portland District strongly concurs that NMFS revised hatchery policy and updated ESU status review have very important implications for the Willamette Consultation. We concur that the Willamette consultation should not be completed prior to completion of those actions by NMFS.
- Under the current schedule, NMFS will complete their revised hatchery policy at approximately the same time (end of the FY) as the draft BiOp. This should provide adequate time for action agencies and the Service's staff to review both and determine any changes that should be incorporated into the final BiOps in response.
- We have discussed this issue with NMFS. Notwithstanding the Alsea decision and NMFS' commitment to both develop a revised hatchery policy and to reassess the status of coastwide salmon ESUs, UWR chinook and steelhead, and all other ESUs listed by NMFS (including the ESU specifically affected by the decision), remain listed at this time and subject to the protective provisions afforded listed species under the ESA. Accordingly, the Willamette Project action agencies currently have ESA section 7(a)(2) responsibilities to avoid jeopardizing UWR chinook salmon and/or UWR steelhead.
- Further, NMFS has stated that NMFS review of hatchery listing policy will affect only decisions on whether to list, or delist in future status reviews. The default is that a species is listed unless a status review determines that the listing is no longer warranted. For this reason, and because there is ongoing take of listed salmon and steelhead by the Willamette Project, NMFS would not support a deferral of the biological opinion until their hatchery policy and status reviews are complete. If a species were delisted subsequent to completion of consultation, provisions of the biological opinion would no longer be enforceable under ESA.

* Do we agree with a determination of jeopardy with RPA for bull trout in the Willamette FCRPS BO?

The Forest Service BO concluded no-jeopardy. Are the Action Agencies prepared for the full burden of jeopardy in the Willamette Basin?

- Yes we agree with the bull trout jeopardy determination. Our BA concluded that continued operation of the projects was "likely to significantly effect" bull trout. Recommend BPA staff closely review the BA as it is the basis for our consultation. We are not certain what difference it would make even if we disagreed.

- CENWP staff will review the referenced FS BO to determine implications for our consultation.

* Also, note one issue not included in bullets that also deserves consideration. Unmarked salmonids are released above Willamette projects by ODFW as a food base for bull trout, for nutrient enhancement, and for reservoir fisheries. However, these releases have contributed to adult returns. NMFS current approach to analysis of stock status makes assumptions about the effectiveness of hatchery fish spawning in the wild which diminishes the benefit of such returns. Additionally, outplanting and supplementation is not consistent with NMFS' staff interpretation of VSP. This outplanting has significant potential repercussions on the AA's for avoiding jeopardy under the pending BO.

- Concur with BPA that this is a critical concern. NWP staff is working closely with ODFW, NMFS and USFWS staff to address the associated concerns.



"Rea, Matt T NWP"
<Matt.T.Rea@nwp01.usace.army.mil>

06/21/2002 07:47 AM

To "Fodrea, Kimberly - KEWR-4" <kafodrea@bpa.gov>, "Rea, Matt T NWP" <Matt.T.Rea@nwp01.usace.army.mil>, "Cat_Brown@r1.fws.gov" <Cat_Brown@r1.fws.gov>, cc "Chris Allen (E-mail)" <chris_allen@fws.gov>, "Willis, Chuck NWP" <Chuck.Willis@nwp01.usace.army.mil>, "Ponganis, David J NWD" <David.J.Ponganis@nwd01.usace.army.mil>

bcc

Subject

All,

Concur with the proposed action to revise the schedule. However, I believe the July 15 brief agenda is packed full enough. I'd like to leave the two hours we have scheduled for that meeting for presentation of the RPA/ITS and discussion of substantive issues associated with it. I am certain that there will be enough follow-up action to justify another meeting shortly thereafter amongst the consultation team. We can revise the schedule at that time and route it for individual agency approvals.

Matt

Rea, Matt T NWP] -----Original Message-----

From: Fodrea, Kimberly - KEWR-4 [mailto:kafodrea@bpa.gov]

Sent: Thursday, June 20, 2002 5:23 PM

To: 'Rea, Matt T NWP'; 'Cat_Brown@r1.fws.gov'; Lynne Krasnow (E-mail)

Cc: Chris Allen (E-mail); Willis, Chuck NWP; Ponganis, David J NWD; Brown, David O NWP; Moriuchi, Davis G NWP; Johnson, Gary A NWP; Taylor, Greg NWP; Anderson, G Witt NWD; Karen Blakeney (Business Fax); John Wellschlager (E-mail); Hudson, Martin L NWP; Michael Cobell (E-mail); Mindy Simmons (E-mail); Ron Eggers (E-mail); Willis, Robert E NWP; Murphy, Sarah E NWP; Stampe, Wade L NWP; Bill Maslen (E-mail)

Subject: RE: Willamette ESA; Briefing from NMFS/USFWS on draft RPA

Cat, Lynne, and Matt-

Following up on my phone call to each of you today, I want to confirm that you are open to extending the Action Agencies' review period of the upcoming draft opinions for the Willamette. This will be a revision to the consultation schedule that was formally distributed in the 15-Mar-02 letter from NMFS's Brian Brown. Given the significant issues raised in our consultation and the substantial amount of new writing that we expect to see in the new draft of the opinions, BPA will definitely need more than 30 days to review the documents. I request that we revise the consultation schedule to reflect a 60-day period for the Action Agencies' review of your next draft opinions. As suggested by Cat, we can firm up the schedule at our next meeting.

Thanks, Kim

-----Original Message-----

From: Cat_Brown@r1.fws.gov [mailto:Cat_Brown@r1.fws.gov]

Sent: Tuesday, June 18, 2002 4:33 PM

To: Wellschlager, John D - PGF-6

Cc: Chris Allen (E-mail); Willis, Chuck NWP; Ponganis, David J NWD;

Brown, David O NW P; Moriuchi, Davis G NW P; Johnson, Gary A NW P; Taylor, Greg NW P; Anderson, G W NW P; Karen Blakeney (Business Fax); John W ellschlager (E-mail); Kimberly Fodrea (E-mail); Lynne Krasnow (E-mail); Hudson, Martin L NW P; Rea, Matt NW P; Michael Cobelli (E-mail); Mandy Simmons (E-mail); Ron Eggers (E-mail); Willis, Robert E NW P; Murphy, Sarah E NW P; Stampe, Wade L NW P; Bill Masten (E-mail)
Subject: RE: Williamette ESA; Briefing from NMFS/USFWS on draft RPA

John,

Thanks for your thoughts about the July 15th briefing and the BO review schedule. The decision to schedule a briefing in July, rather than provide a written version of the RPA, may have been made at a meeting you missed. The rest of the "inner circle" agreed that it would be useful to provide an overview of the RPA for others in the action agencies before the draft BOs are released. We understand that we would not get your substantive comments on the overall RPA and all its components until you see the full BOs in September.

I'm sure we are all in agreement with your concerns about the schedule for BO review. It is much more important to produce scientifically sound, consistent, and implementable BOs than it is to stick to the schedule. Yet, we felt we had to set some deadlines to work to, or we would continue to slip. I think it would be useful to review the schedule at our July 15 briefing, and make any needed changes there.

Cat

Cat Brown
US Fish & Wildlife Service
Oregon State Office
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tel: 503 231 6179, fax: 503 231 6195
cat_brown@fw.gov

W ellschlager,

John D - To: "Rea, Matt NW P" <Matt.Rea@nwp01.usace.army.mil>, CENWP

Summit

PGF-6" Room <CENWP SummitRoom@ nwp01.usace.army.mil>, "W illis, Chuck
NW P"
<jwellschlager <ChuckW illis@ nwp01.usace.army.mil>, "W illis, RobertE NW P"
@ bpa.gov> <RobertE W illis@ nwp01.usace.army.mil>, "M onicchi, DavisG NW P"
<DavisG M onicchi@ nwp01.usace.army.mil>, "Hudson, Martin L. NW P"
06/17/2002 <Martin L. Hudson@ nwp01.usace.army.mil>, "Brown, David O NW P"
01:29 PM <David O Brown@ nwp01.usace.army.mil>, "Stampe, Wade L NW P"
<Wade L. Stampe@ nwp01.usace.army.mil>, "Taylor, Greg NW P"
<Greg Taylor@ nwp01.usace.army.mil>, "Johnson, Gary A NW P"
<Gary A. Johnson@ nwp01.usace.army.mil>, "Ponganis, David J NW D"
<David J Ponganis@ nwd01.usace.army.mil>, "Anderson, G W it NW D"
<G W it Anderson@ nwd01.usace.army.mil>, "Cat Brown (E-mail)"
<cat_brown@ fwsgov>, "Chris Allen (E-mail)" <chris_allen@ fwsgov>, "Lyne
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<mindy.simmons@ noaa.gov>, "Kimberly Fodrea (E-mail)"
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<mcobell@ pn.usbr.gov>, "Karen Blakeney (Business Fax)"
<MCEAFAX-Bureau+20of+20Reclamation+40+2B1+20+28503+29+20872-2797@ dm.s.usace.army.mil>, "John Wellschlager (E-mail)" <jwellschlager@ bpa.gov>, "Bill M asien
(E-mail)" <wcm asien@ bpa.gov>
cc: "Murphy, Sarah E NW P" <Sarah E Murphy@ nwp01.usace.army.mil>

Subject: RE:W illamette ESA ;Briefing from NM FS/USFWS on draft RPA

To all:

I feel compelled to comment on the proposed review schedule as well as the review /approval expectations.

First, I can appreciate that the agencies want to consolidate the review process and save time, but it does make me a bit uncomfortable that our review timeline has been compressed. While I want to be a team player and support the NM FS and FW S efforts, I also want to understand/clarify the objective of the July 15th meeting. As stated below, this is our opportunity to comment on the "reasonableness and prudence" of the RPA s. However, we may not be able to determine the reasonableness without seeing the other sections of the opinions, especially since many of our comments during this solicitation have related to seeing scientific justification for the significant actions required in the RPA .

Additionally, while we will make every effort to review the final drafts of the opinions within the 30 day period currently allotted, this timeline may not be realistic. We originally thought the review schedule was tight but do-able, even though we have not seen a draft Opinion for over 18 months. Add to that the fact that there will be two separate opinions to review, one from NM FS and one from the FW S, and the schedule seems a bit optimistic. Now that we will also be seeing the draft RPA for the first time in months, the 30-day review period looks much less do-able to me. We feel that getting this Opinion correct and workable is far more important than saving a few weeks or a month before making it public. We will do our best to move it through our review quickly, but don't be surprised if we insist on some additional time before we feel satisfied with our review. Actually, we may be better off extending our review period to 45/60 days right now. Thanks for reading.

John Wellschlager
BPA Project Representative
Williamette, Rogue & Yakima Basins
503-230-5944

-----Original Message-----

From: Rea, M att: T NW P [mailto:M att: T Rea@ nwp01.usace.arm y.m il]

Sent: Monday, June 10, 2002 8:58 AM

To: CENW P Summ itRoom ; Willis, Chuck NW P ; Willis, Robert E NW P ; Moriuchi, Davis G NW P ; Hudson, Martin L NW P ; Brown, David O NW P ; Stampe, Wade L NW P ; Taylor, Greg NW P ; Johnson, Gary A NW P ; Pongonis, David J NW D ; Anderson, G W it: NW D ; Cat Brown (E-mail) ; Chris A. Ilen (E-mail) ; Lynne Krasnow (E-mail) ; M indy Simmons (E-mail) ; Kimberly Fodrea (E-mail) ; Ron Eggers (E-mail) ; Michael Cobell (E-mail) ; Karen Blakeney (Business Fax) ; John W ellschlager (E-mail) ; Bill Maslen (E-mail)

Cc: Murphy, Sarah E NW P

Subject: Willamette ESA ; Briefing from NM FS/USFWS on draft RPA

When: Monday, July 15, 2002 1:30 PM - 4:30 PM (GMT-08:00) Pacific Time (US & Canada); Tijuana.

Where: Summ itRoom , 10th Floor Robert Duncan Plaza

~~*~*~*~*~*~*~*~*

Good Morning,

Representatives from USFWS and NMFS have requested a meeting to give them an opportunity to brief the action agencies regarding their revised draft Reasonable and Prudent Alternative for the Willamette Projects ESA Consultation. We've set a meeting time for July 15, 1:30 to 3:30, in the Summ itRoom , 10th floor of the Portland District office.

This briefing represents a slight deviation from the previous schedule for completion of the Willamette Biological Opinion. In that

schedule, the Services were to have provided the action agencies with a draft RPA for a two week review in July prior to completion of the full draft B iOp. However, the Services have determined that the RPA needs to be closely linked to the other sections of the B iOp, especially the effects section. Therefore, they would prefer not to provide a draft RPA independent of those other sections. The intent of this briefing will be to give the action agencies an opportunity to weigh in the "reasonableness and prudence" of the Services preliminary draft RPA prior to completion of the draft B iOp.

This meeting represents an important milestone in our consultation process. Therefore I request that you give it due priority. Please confirm your availability to attend.



Cat Brown/OSO/R1/FWS/DOI
06/18/2002 04:32 PM

To "Wellschlagel, John D - PGF-6" <jdwellschlagel@bpa.gov>
cc "Chris Allen (E-mail)" <chris_allen@fws.gov>, "Willis, Chuck NWP" <Chuck.Willis@nwp01.usace.army.mil>, "Ponganis, David J NWD" <David.J.Ponganis@nwd01.usace.army.mil>,
bcc
Subject RE: Willamette ESA; Briefing from NMFS/USFWS on draft RPA

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Cat

Cat Brown
US Fish & Wildlife Service
Oregon State Office
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Portland, Oregon 97266
tel: 503.231.6179, fax: 503.231.6195
cat_brown@fws.gov

"Wellschlagel, John D - PGF-6" <jdwellschlagel@bpa.gov>



"Wellschlagel, John D
- PGF-6"
<jdwellschlagel@bpa.gov>
ov>
06/17/2002 01:29 PM

To: "Rea, Matt T NWP" <Matt.T.Rea@nwp01.usace.army.mil>, CENWP Summit Room <CENWP.Summit.Room@nwp01.usace.army.mil>, "Willis, Chuck NWP" <Chuck.Willis@nwp01.usace.army.mil>, "Willis, Robert E NWP" <Robert.E.Willis@nwp01.usace.army.mil>, "Moriuchi, Davis G NWP" <Davis.G.Moriuchi@nwp01.usace.army.mil>, "Hudson, Martin L NWP" <Martin.L.Hudson@nwp01.usace.army.mil>, "Brown, David O NWP" <David.O.Brown@nwp01.usace.army.mil>, "Stampe, Wade L NWP" <Wade.L.Stampe@nwp01.usace.army.mil>, "Taylor, Greg NWP" <Greg.Taylor@nwp01.usace.army.mil>, "Johnson, Gary A NWP" <Gary.A.Johnson@nwp01.usace.army.mil>, "Ponganis, David J NWD" <David.J.Ponganis@nwd01.usace.army.mil>, "Anderson, G Witt NWD" <G.Witt.Anderson@nwd01.usace.army.mil>, "Cat Brown (E-mail)" <cat_brown@fws.gov>, "Chris Allen (E-mail)" <chris_allen@fws.gov>, "Lynne Krasnow (E-mail)" <Lynne.Krasnow@noaa.gov>, "Mindy Simmons (E-mail)" <mindy.simmons@noaa.gov>, "Kimberly Fodrea (E-mail)" <kafodrea@bpa.gov>, "Ron Eggers (E-mail)" <reggers@pn.usbr.gov>, "Michael Cobell (E-mail)" <mcobell@pn.usbr.gov>, "Karen Blakeney (Business Fax)" <IMCEAFAX-Bureau+20of+20Reclamation+40+2B1+20+28503+29+20872-2797@dms.usace.army.mil>, "John Wellschlagel (E-mail)" <jdwellschlagel@bpa.gov>, "Bill Maslen (E-mail)" <wcmaslen@bpa.gov>



cc: "Murphy, Sarah E NWP" <Sarah.E.Murphy@nwp01.usace.army.mil>
 Subject: RE: Willamette ESA; Briefing from NMFS/USFWS on draft RPA

To all:

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John Wellschlager
 BPA Project Representative
 Willamette, Rogue & Yacina Basins
 503-230-5944

-----Original Message-----

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Monday, June 10, 2002 8:58 AM
To: CENWP Summit Room; Willis, Chuck NWP; Willis, Robert E NWP; Moriuchi, Davis G NWP; Hudson, Martin L NWP; Brown, David O NWP; Stampe, Wade L NWP; Taylor, Greg NWP; Johnson, Gary A NWP; Ponganis, David J NWD; Anderson, G Witt NWD; Cat Brown (E-mail); Chris Allen (E-mail); Lynne Krasnow (E-mail); Mindy Simmons (E-mail); Kimberly Fodrea (E-mail); Ron Eggers (E-mail); Michael Cobell (E-mail); Karen Blakeney (Business Fax); John Wellschlager (E-mail); Bill Maslen (E-mail)
Cc: Murphy, Sarah E NWP
Subject: Willamette ESA; Briefing from NMFS/USFWS on draft RPA

When: Monday, July 15, 2002 1:30 PM -4:30 PM (GMT-08:00) Pacific Time (US & Canada);
 Tijuana.

Where: Summit Room, 10th Floor Robert Duncan Plaza

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Good Morning,

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This meeting represents an important milestone in our consultation process. Therefore I request that you give it due priority. Please confirm your availability to attend.

-----Original Message-----

From: Maslen, Bill - KEWR-4 [mailto:wcmaslen@bpa.gov]

Sent: Wednesday, October 03, 2001 2:57 PM

To: Arndt Doug - CENWD (E-mail); Anderson Witt - CENWD (E-mail); Peters Rock - CENWP (E-mail); Kalamasz Rebecca - CENWW (E-mail); Kranda John - NWP (E-mail)

Subject: One-Pager on Hydro

Here is the one-pager that I mentioned in our meeting on Tuesday as we talked about "what's different in hydro now compared to pre-2000 BO." While we need to talk about specific CRFM projects (as we did in arriving at our configuration proposal to NMFS during formal consultation), I believe we have broader more fundamental policy issues to address first. In a nutshell, I think we need to determine our sense of the balance among risk, timeliness, cost, etc. in determining focus and priorities of CRFM investments.

FW: One-Pager on Hydro

Page 3 of 3

I don't recall if we identified a specific time when we would continue this discussion, but I will not be available again until 10/15. In the meantime, any feedback to the usual suspects would be appreciated.

Thanks, Bill

<<aggressivehydro.doc>>

BPA concerns re draft agenda for 92701 technical briefing
Subject: RE: draft agenda for 9/27/01
technical briefing

Thank you for sharing the agenda with us. Unfortunately, this agenda does not completely ease our concerns. We fully support NMFS and FWS in the quest to obtain best available scientific and technical information to inform the ongoing consultation and to further development of the biological opinions. That is not, nor has it ever been, the basis for our concern.

Our concern is with briefing ODFW on this consultation. When we originally scheduled this meeting with ODFW, we thought that the RPA would be largely settled among the federal agencies and the consultation would be near completion. That is clearly not where we are at this point in time. This consultation is ongoing and far from complete. Therefore, it is inappropriate to brief ODFW on specifics of the consultation and potential actions in the RPA. There are a few reasons for this. First, the consulting agencies have not yet agreed to an RPA and still have significant issues with some of the potential actions. Second, the action agencies have not seen a revised version of the draft opinion(s) in several months, including important sections (baseline conditions, effects of the action, RPA, etc.) that are being rewritten. We have expressed concerns about some of the potential RPA actions but are not sure if or how the Services intend to address our concerns. Hopefully, when we see the next draft of the opinions and RPA, most of our concerns will be addressed. Until then, we need to be cautious in sharing details of the consultation outside of the federal family. Last, we do not want to build false expectations on a yet-to-be-completed consultation.

At next week's meeting with ODFW, I am agreeable to listing the types of actions that we are discussing in this formal consultation as long as we do not go into detail. The mere mention of some of the potential RPA actions will lead to false expectations. Therefore, we (the federal consulting agencies) need to emphasize that the final opinions/RPA may or may not include the long list of actions that we are considering. I expect to focus on requests for information from ODFW during most of the meeting on the 27th. Please confirm that you agree with this or let me know if we need to discuss the ODFW meeting early next week.

Thanks, -Kim

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

-----Original Message-----

From: lynne krasnow [mailto:lynne.krasnow@noaa.gov]
Sent: Thursday, September 20, 2001 2:07 PM
To: McNary, Sara; Fodrea, Kim; Rea, Matt; willis, Chuck
Cc: Brown, Cat; Allen, Chris; Richard Domingue
Subject: draft agenda for 9/27/01 technical briefing

BPA concerns re draft agenda for 92701 technical briefing

Cat, Chris, and I are providing the attached draft agenda for the technical briefing with ODFW/OWRD staff in Salem next Thursday afternoon as a courtesy, hoping that it will further communication with BPA about the status of the consultation and the Services' commitment to using the best available scientific and technical data. We understand that Matt Rea and Chuck Willis will attend the briefing and hope that Kim will be there, as well. Please send any comments on the agenda to me or to Cat Brown (to here email address as shown above or at 503 231-6930) at your earliest convenience.

Lynne



Cat Brown/OSO/R1/FWS/DOI
09/25/2001 12:44 PM

To "Fodrea, Kimberly - KEWP-4" <kafodrea@bpa.gov>
cc "Allen, Chris" <chris_allen@fws.gov>, "Willis, Chuck" <chuck.willis@nwp01.usace.army.mil>, "Daley, Dan - KEWR-4" <dmdaley@bpa.gov>, "Wellschlagel, John D - bcc

Subject RE: draft agenda for 9/27/01 technical briefing

Kim,

Thanks for letting us know about your concerns regarding Thursday's meeting with ODFW. We feel strongly that briefing ODFW at this point will be a useful and productive step. It is our responsibility to coordinate with the State to make sure we have taken advantage of their data and expertise with the complex issues involved here. The meeting will also serve to give ODFW biologists a heads up about potential elements in the draft RPA; their feedback on the overall RPA and individual elements within it will be essential to crafting an implementable and effective alternative project. Be assured that we will present the opinion and RPA as drafts, and we will stress that there is much yet to be resolved among the Services and action agencies.

Cat

Cat Brown
US Fish & Wildlife Service
Oregon State Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
tel: 503.231.6179, fax: 503.231.6195
cat_brown@fws.gov

"Fodrea, Kimberly - KEWP-4" <kafodrea@bpa.gov>



"Fodrea, Kimberly -
KEWP-4"
<kafodrea@bpa.gov>
09/21/2001 05:03 PM

To: "lynne krasnow" <lynne.krasnow@noaa.gov>, "Brown, Cat" <cat_brown@fws.gov>, "Allen, Chris" <chris_allen@fws.gov>
cc: Richard Domingue <Richard.Domingue@noaa.gov>, "McNary, Sara" <srnmcnary@bpa.gov>, "Willis, Chuck" <chuck.willis@nwp01.usace.army.mil>, "Rea, Matt" <matt.t.rea@nwp01.usace.army.mil>, "Daley, Dan - KEWR-4" <dmdaley@bpa.gov>, "Maslen, Bill - KEWR-4" <wcmaslen@bpa.gov>, "Wellschlagel, John D - PGF-6" <jdwellschlagel@bpa.gov>, "Gleason, John M - LC-7" <jmgleason@bpa.gov>
Subject: RE: draft agenda for 9/27/01 technical briefing

Thank you for sharing the agenda with us. Unfortunately, this agenda does not completely ease our concerns. We fully support NMFS and FWS in the quest to obtain best available scientific and technical information to inform the ongoing consultation and to further development of the biological opinions. That is not, nor has it ever been, the basis for our concern.

Our concern is with briefing ODFW on this consultation. When we originally scheduled this meeting with ODFW, we thought that the RPA would be largely settled among the federal agencies and the consultation would be near completion. That is clearly not where we are at this point in time. This consultation is ongoing and far from complete. Therefore, it is inappropriate to brief ODFW on specifics of the consultation and potential actions in the RPA. There are a few reasons for this. First, the consulting agencies have not yet agreed to an RPA and still have significant

issues with some of the potential actions. Second, the action agencies have not seen a revised version of the draft opinion(s) in several months, including important sections (baseline conditions, effects of the action, RPA, etc.) that are being rewritten. We have expressed concerns about some of the potential RPA actions but are not sure if or how the Services intend to address our concerns. Hopefully, when we see the next draft of the opinions and RPA, most of our concerns will be addressed. Until then, we need to be cautious in sharing details of the consultation outside of the federal family. Last, we do not want to build false expectations on a yet-to-be-completed consultation.

At next week's meeting with ODFW, I am agreeable to listing the types of actions that we are discussing in this formal consultation as long as we do not go into detail. The mere mention of some of the potential RPA actions will lead to false expectations. Therefore, we (the federal consulting agencies) need to emphasize that the final opinions/RPA may or may not include the long list of actions that we are considering. I expect to focus on requests for information from ODFW during most of the meeting on the 27th. Please confirm that you agree with this or let me know if we need to discuss the ODFW meeting early next week.

Thanks, -Kim

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

-----Original Message-----

From: lynne krasnow [mailto:lynne.krasnow@noaa.gov]
Sent: Thursday, September 20, 2001 2:07 PM
To: McNary, Sara; Fodrea, Kim; Rea, Matt; Willis, Chuck
Cc: Brown, Cat; Allen, Chris; Richard Domingue
Subject: draft agenda for 9/27/01 technical briefing

Cat, Chris, and I are providing the attached draft agenda for the technical briefing with ODFW/OWRD staff in Salem next Thursday afternoon as a courtesy, hoping that it will further communication with BPA about the status of the consultation and the Services' commitment to using the best available scientific and technical data. We understand that Matt Rea and Chuck Willis will attend the briefing and hope that Kim will be there, as well. Please send any comments on the agenda to me or to Cat Brown (to here email address as shown above or at 503 231-6930) at your earliest convenience.

Lynne

BPA concerns re draft agenda for 92701 technical briefing

From: Cat_Brown@r1.fws.gov

Sent: Tuesday, September 25, 2001 12:44 PM

To: Fodrea, Kimberly - KEWP-4

Cc: Allen, Chris; Willis, Chuck; Daley, Dan - KEWR-4; Wellschlager, John

D - PGF-6; Gleason, John M - LC-7; 'lyne krasnow'; Rea, Matt; Richard

Domingue; McNary, Sara; Maslen, Bill - KEWR-4

Subject: RE: draft agenda for 9/27/01 technical briefing

Kim,

Thanks for letting us know about your concerns regarding Thursday's meeting with ODFW. We feel strongly that briefing ODFW at this point will be a useful and productive step. It is our responsibility to coordinate with the State to make sure we have taken advantage of their data and expertise with the complex issues involved here. The meeting will also serve to give ODFW biologists a heads up about potential elements in the draft RPA; their feedback on the overall RPA and individual elements within it will be essential to crafting an implementable and effective alternative project. Be assured that we will present the opinion and RPA as drafts, and we will stress that there is much yet to be resolved among the Services and action agencies.

Cat

Cat Brown
US Fish & wildlife Service
Oregon State Office
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266
tel: 503.231.6179, fax: 503.231.6195
cat_brown@fws.gov

"Fodrea,
Kimberly -
<lyne.krasnow@noaa.gov>,
KEWP-4"
Chris"
<kafodrea@bpa.gov>
09/21/2001
05:03 PM
Matt"
Dan -
KEWR-4"
PGF-6"
- LC-7"

To: "'lyne krasnow"
"Brown, Cat" <cat_brown@fws.gov>, "Allen,
<chris_allen@fws.gov>
cc: Richard Domingue
<Richard.Domingue@noaa.gov>, "McNary, Sara"
<srmcnary@bpa.gov>, "Willis, Chuck"
<chuck.willis@nwp01.usace.army.mil>, "Rea,
<matt.t.rea@nwp01.usace.army.mil>, "Daley,
KEWR-4" <dmdaley@bpa.gov>, "Maslen, Bill -
<wcmaslen@bpa.gov>, "Wellschlager, John D -
<jdwellschlager@bpa.gov>, "Gleason, John M
<jmgleason@bpa.gov>

"Fodrea,
Kimberly -
<lynne.krasnow@noaa.gov>,
Chris" KEWP-4"
<kafodrea@bpa.gov>

09/21/2001

05:03 PM

Matt"
Dan -
KEWR-4"
PGF-6"
- LC-7"

To: "'lynne krasnow'"
"Brown, Cat" <cat_brown@fws.gov>, "Allen,
<chris_allen@fws.gov>
cc: Richard Domingue
<Richard.Domingue@noaa.gov>, "McNary, Sara"
<srmcnary@bpa.gov>, "Willis, Chuck"
<chuck.willis@nwp01.usace.army.mil>, "Rea,
<matt.t.rea@nwp01.usace.army.mil>, "Daley,
KEWR-4" <dmdaley@bpa.gov>, "Maslen, Bill -
<wcmaslen@bpa.gov>, "Wellschlager, John D -
<jdwellschlager@bpa.gov>, "Gleason, John M
<jmggleason@bpa.gov>

Page 1

BPA concerns re draft agenda for 92701 technical briefing.txt
Subject: RE: draft agenda for 9/27/01
technical briefing

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Thanks, -Kim

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

RE Willamette Draft Supplemental BA Comments 5-14-07.txt
From: Oliver, Stephen R - PG-5 [sroliver@bpa.gov]
Sent: Wednesday, May 16, 2007 7:57 AM
To: Anderson, G Witt NWD; Spear, Daniel J - PGB-5; Rea, Matt T NWP
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Witt;

The change is in the last para. Your text doesn't allow me to bold or change font size, so I bracketed [[]] the correct language and placed parentheses (()) around the language that someone had inserted and should be deleted.

Combining this issue with the fact that DOJ uses "wordPerfect", it is amazing that we have the ability to communicate at all.

I would like to express my appreciation for the meeting yesterday, and the positive approach that Matt and Doug suggested.

Stephen R. Oliver
Vice President, Generation Asset Management Bonneville Power Administration
Ph: (503) 230-7503 or (503) 230-4090
FAX: (503) 230-3986

-----Original Message-----

From: Anderson, G Witt NWD [mailto:G.Witt.Anderson@nwd01.usace.army.mil]

Sent: Wednesday, May 16, 2007 7:18 AM
To: Oliver, Stephen R - PG-5; Spear, Daniel J - PGB-5; Rea, Matt T NWP
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Steve/Dan - security on our email does not allow us to see the red or green. Could you show in caps or brackets?

Witt

-----Original Message-----

From: Oliver, Stephen R - PG-5 [mailto:sroliver@bpa.gov]
Sent: Tuesday, May 15, 2007 5:33 PM
To: Spear, Daniel J - PGB-5; Rea, Matt T NWP; Anderson, G Witt NWD
Cc: Delwiche, Gregory K - KE-4; Lorri Bodi; Gleason, John M - LC-7; Diffely, Robert J - PGPL-5; Daley, Dan - KEWR-4; Cooper, Suzanne B - PF-6
Subject: RE: Willamette Draft Supplemental BA Comments 5-14-07

Please note that some edits were made to my "background" e-mail section before it was forwarded to you today with comments on the Supplemental BA. One of those edits substantively modified the nature of the intended statement. So please note that the language in green was the original statement, and the language in red should be deleted.

From: Oliver, Stephen R - PG-5
Sent: Tuesday, May 15, 2007 1:51 PM
To: Spear, Daniel J - PGB-5; Delwiche, Gregory K - KE-4; Bodi, Lorri - A-SEATTLE; Gleason, John M - LC-7
Cc: Oliver, Stephen R - PG-5
Subject: Willamette Draft Supplemental BA Comments 5-14-07sro
Importance: High

Background

At a May 8, 2007 Willamette BiOp Manager's meeting, there was significant discussion of re-introducing endangered species above the Willamette system dams. Chuck Willis (USACE) stated that an informal team of biologists called the Steelhead and Chinook Above Barriers (or SCAB) and the Lower Columbia TRT had decided that re-introduction

RE Willamette Draft Supplemental BA Comments 5-14-07.txt
to spawning and rearing habitat above the USACE dams was a critical centerpiece to that effort. to recover willamette endangered anadromous species the

In preparation for the May 8th meeting I had asked for a balanced presentation of the biological pros and cons of re-introduction, and for examples of where such re-introduction had been successful above high head dams elsewhere in the United States. This balance was not achieved at the meeting. Presentations were oriented to advocating for re-introduction.

while there were presentations on the success/failure of passage at high head projects there was no discussion of where a reintroduction of salmonid species into an environment from which they had been extirpated had been successful.

USACE representatives summarized the draft supplemental BA's proposed actions as defining a "presumptive path" toward re-introduction of endangered species above the willamette dams. NOAA representatives reinforced this "presumptive path" notion, and stated that BPA simply needs to "pony up" money to support the re-introduction and associated fish passage/collection structures.

BPA's perspective is that we are willing to participate in all necessary investments that have a demonstrated high probability of mitigating the dams' operational impacts on the endangered species. The May 8th meeting raised several issues in this regard:

* Essentially every party presenting data stated it was preliminary.

* The proposal is to re-introduce hatchery stocks above the dams.

It is not clear at this time that this proposal is feasible or will provide biological benefits.

* The Round Butte/ Pelton fish passage/collection device was discussed

as a model of what might need to be considered on willamette projects, but it was pointed out that the Round Butte reservoir elevation only fluctuates 20 ', whereas the major willamette projects elevation fluctuates 90-125'.

* Preliminary radio tagged re-introduction of "spawners" above willamette dams had results where two out of three years stock nearly completely died before spawning. No one knows why the fish mostly died in two years and mostly lived in one year.

* It is unclear how juvenile fish will be able to survive and direct

themselves through the relatively large willamette reservoirs.

* It was clear that there seems to be a lack of ability (legal

hooks or willingness) to recover and restore downstream habitat, and therefore the focus has turned to accessing habitat above the dams. This seems to ignore the potential remaining problems with downstream habitat that could undermine upstream investments.

It is my perspective that the federal Action Agencies had agreed on a deliberate and staged approach to the willamette supplemental BA. This approach centered on the development of a System Configuration Study (SCS)

that would systematically assess the technical, biological, and economic feasibility of changing operations and constructing fish passage, and temperature control infrastructure on the willamette dams. Although USACE has generally stated they will not take actions inconsistent with the authorized purposes of a project, we agreed to study infrastructure/configuration changes at dams with and without authorization for such structures. We agreed that the biological feasibility would consider whether upstream investments would be undermined by vast downstream ecological damage sustained in the lower willamette and estuary due to massive and long standing industrial, municipal and agricultural impingement on the willamette River.

RE Willamette Draft Supplemental BA Comments 5-14-07.txt

The completion of the SCS should be a prerequisite to any 15-year commitment add[[to reintroduce listed species above the Willamette dams]] delete((reconfigure the USACE projects, or to build traps above the dams,)) because the SCS will demonstrate the feasibility of sustaining listed species in those habitats.

Comments

I have edited the draft supplemental BA to reflect our concerns. I have tried to keep the changes as minimal as possible.

<< File: Willamette Supp'l BA sro5-14-07.doc >> Stephen R. Oliver Vice
President, Generation Asset Management Bonneville Power Administration
Ph: (503) 230-7503 or (503) 230-4090
FAX: (503) 230-3986

Willamette- Performance Measures.txt
From: Fodrea, Kimberly - KEWP-4 [kafodrea@bpa.gov]
Sent: Tuesday, May 08, 2001 04:12 PM
To: 'lance smith'; 'Chuck Willis'; 'Cat_Brown@r1.fws.gov'; 'Matt Rea'
Cc: Maslen, Bill - KEWR-4
Subject: Willamette- Performance Measures

Hi Folks,

I have pulled text from other related documents, like the All-H Paper and the other FCRPS BiOps, and have started to edit them to fit the willamette. I am making terribly slow progress on the performance measure language. So, before I spend more time on it, I want to share this with you to see if you agree that I'm on the right track. Basically, I am just trying to describe the types of performance measures that need to be developed as soon as possible for the willamette and need to be consistent/coordinated with the rest of the FCRPS through the Implementation Plans.

Please send me your comments. Thanks, -Kim

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

RE Willamette BiOp Federal Caucus Meeting
From: Fodrea, Kimberly - KEWP-4 [kafodrea@bpa.gov]
Sent: Thursday, April 19, 2001 08:50 AM
To: 'Cat_Brown@r1.fws.gov'; 'Chuck Willis'; 'Bob Willis'; 'Matt Rea';
'lance smith'; 'Chuck Korson'; 'Mike Cobell'; 'Larry Parsons'
Subject: RE: Willamette BiOp / Federal Caucus Meeting

Hi, folks. More information regarding the willamette BiOp discussion at the
Caucus meeting...

Sarah McNary (Manager of Fish & wildlife at BPA) has graciously agreed to
place this subject on the Federal Caucus Agenda for their May 3rd meeting.
Please update your agencies' Caucus representative and appropriate
management of the issues to be discussed: primarily, consistency with the
All-H Paper. More specifically, we want to confirm our understanding that
the All-H Paper called for a unified approach for the FCRPS; the use of
performance measures; prioritization of actions; etc. These concerns will
be described further in the Action Agencies' comments that are due (past
due) to the Services this Friday.

Please let me know if you have any questions. Thanks, -Kim

-----Original Message-----

From: Fodrea, Kimberly - KEWP-4
Sent: Tuesday, April 17, 2001 4:36 PM
To: 'Cat_Brown@r1.fws.gov'; 'Chuck Willis'; 'Bob Willis'; 'Matt Rea'
Cc: 'lance smith'
Subject: willamette BiOp / Federal Caucus

Good afternoon,

During this morning's conference call, the participants agreed that there
are some issues within the willamette BiOp worthy of discussion by the
Federal Caucus. Brian Brown requested and we (BPA) agreed that the Action
Agencies' written comments should specifically indicate which issues need to
be discussed by the Caucus.

NMFS, BPA, and Reclamation were the only agencies on the call, so I wanted
to let you all know the main outcome. We are not sure what happened to the
Corps and FWS reps (Doug Arndt and Fred Olney) who were expected on the
call. Dan Daley is following up with them. Thanks, -Kim

The participants in the call included:
NMFS - Brian Brown, Lance Smith
Reclamation - Eric Glover
BPA - Roy Fox, Dan Daley, Sarah McNary, Bill Maslen

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

Willamette BiOp Comments-Fodrea

From: Fodrea, Kimberly - KEWP-4 [kafodrea@bpa.gov]

Sent: Thursday, April 12, 2001 02:02 PM

To: 'Bob Willis'; 'Chuck Willis'; 'Matt Rea'; 'Larry Parsons'; 'Mike Cobell'

Cc: Maslen, Bill - KEWR-4; Wellschlagel, John D - PGF-6; Gleason, John M - LC-7; Daley, Dan - KEWR-4; Fox, Roy B. - PGF; Morse, Tom - KEWL-4

Subject: Willamette BiOp Comments

Greetings,

Here are our consolidated comments. I am attaching word and pdf documents, and both files include the same info.

Bob, I assume that you might change a few things, and we would like to see your changes before this is sent to the Services. I will be out tomorrow, so could you please email your revisions to John Gleason (jmggleason@bpa.gov) or call him at (503)230-7318. John has agreed to be available for this tomorrow. Also, Bob and/or John, could you be sure that on Friday this file is also sent to those participating in Tuesday's conference call (Brown, Olney, Arndt, Daley, Fox, Glover, etc.)

Also, I want to make one comment on the agenda for Monday's meeting. In the agenda that came out today, the All-H paper is placed under the category of "Relationship of willamette BiOp to previous Regional Approaches" and this phrase concerns me. My understanding of the All-H paper is that it is not just a previous approach that we might or might not want to use. Isn't the All-H paper an approach that the nine federal executives agreed to implement throughout the Columbia basin?

Thanks, and I'll see you Monday. -Kim

Kim Fodrea, F&W Project Manager
Bonneville Power Administration
kafodrea@bpa.gov (503)230-3702

BPA BiOp Supplemental comments_Morse .txt

From: Morse, Tom - KEWN-4 [temorse@bpa.gov]
Sent: Wednesday, December 27, 2000 10:57 AM
To: 'Matt.T.Rea@nwp01.usace.army.mil'
Cc: Wellschlager, John - PGF-6; Fodrea, Kimberly - KEWI-4
Subject: Comment on draft comments to NMFS and FWS re Willamette BO.

I much enjoyed reading your draft letter and enclosure #1. I particularly enjoyed it where you point out the fact that summer temperatures of the streams above the projects do not meet current TMDL standards (You may need to be careful on this one since someone could question the logic of increasing the temperature of the spring and summer time discharges via selective withdrawal structures. Some people may not appreciate the effects of colder water than historic (or without project) discharges on the aquatic biota).

I found it interesting that we have to justify the lack of nutrients in the system due to the dams while the Corps is required to mitigate via hatcheries. There seems to be a disconnect that the uninformed reader might not appreciate. Your call for more specificity is on point.

I think your opposition to LWD placement is too strongly worded. The literature is replete with the benefits to the aquatic ecosystem associated with LWD placement. While there is concern for the safety effects of dropping LWD into streams, there are ways in which this habitat technique can be implemented with a minimum of adverse effects. This is one of the few habitat improvement techniques that can be implemented by locals. I recommend you point out your concerns and follow it up with a recommended approach (e.g. your suggestion for using the FS approach).

Your draft letter is very well done. I only have one suggestion. That is to introduce the idea that the Environmental Coordination Task Force include members of the Willamette Task Force or members of Watershed Councils or Soil and Water Conservation Districts. One of the driving principles of the All H paper is a locally lead habitat improvement plan. Having local watershed or SWCD members on the ECTF has the potential of bring some common sense to the actions that are proposed.

Thanks for the opportunity to comment.

Thomas (Tom) E. Morse
Bonneville Power Administration KEWN-4
905 NE 11th Avenue
P.O. Box 3621
Portland, OR 97208-3621

503-230-3694
503-230-4564 (FAX)

temorse@bpa.gov (e-mail)

From: Fodrea, Kimberly - KEWI-4 [kafodrea@bpa.gov]
Sent: Friday, December 22, 2000 03:44 PM
To: 'Rea, Matt T NWP'
Subject: RE: Willamette BiOp; Preliminary Consolidated Review Comments

Hi Matt,

Thanks for allowing us to review your letter and all of the comments. John wellschlager and I both commend you for doing a great job of pulling together a lot of comments. While it seems a little silly to comment on comments, I do have a few comments for you:

1. In your cover letter, in the comments on Measure #10, I would suggest moving Measure #10 into a new section of recommended actions in the BiOp. While I agree that a Willamette task force will be needed for technical and political coordination, this is not a valid RPA. Our coordination efforts do not directly help the listed species.

2. On page 17 of the consolidated comments, where you comment on BiOp Page 382, Section 9.2.2.1, Measure #1... Your 4th paragraph suggests combining Measures 1, 2, 3, and 4 because they are closely related (I'm paraphrasing). I suggest adding another sentence or two to emphasize that combining these measures will also strengthen Measure #1's validity as a measure within the RPA. Measure #1 currently calls for a major study with no specific actions for the next several years. By combining measures 1 through 4, the hydrogeomorphic measure would consist of more action than study and become more justifiable (since research alone will not help the listed species).

3. On page 22 of your comments pertaining to BiOp page 388, Section 9.2.2.6, Measure #6, I would add a comment suggesting that other methods of fertilization should also be considered. I know that Lance Smith was adamantly opposed to unnatural fertilizers at our first meeting, but when it comes down to implementing programs and spending money, we need to consider all options and be open-minded. The Columbia Basin Bulletin dated 12/15/2000 included an interesting article on the development of new salmon-carcass pellets. These pellets are made from salmon carcasses and supposedly provide the same nutrient benefits without some of the negative effects. This would resolve the concerns associated with hatchery fish spawning upstream of dams. This might also be more acceptable to the downstream water users. I think the BiOp needs to leave the door open for us to evaluate options and implement the best method of nutrient enhancement, which could very well end up being carcass placement but we need to be sure.

I will be out of the office next week, but I've told others in my office to contact you directly next week if they have any comments. Have a great holiday weekend! -Kim

-----Original Message-----

From: Rea, Matt T NWP [mailto:Matt.T.Rea@nwp01.usace.army.mil]
Sent: Thursday, December 21, 2000 2:44 PM
To: Kimberly Fodrea (E-mail)
Cc: Willis, Chuck NWP
Subject: Willamette BiOp; Preliminary Consolidated Review Comments

Kim,

Per our conversation this morning, attached are the preliminary set of consolidated review comments on the willamette BiOp and our draft cover letter to NMFS/USFWS. We will attach BPA's comments verbatim as an attachment. Please provide any feedback you feel is appropriate. We

BPA BiOp Supplemental Comments_Fodrea.txt

would like to send the final comments to the colonel for his signature next Thursday--so an expedited review is appreciated. I'll be in tomorrow but out of the office next Monday and Tuesday. Call Chuck or Bob Willis if you have questions in my absence.

Have a great Christmas!

Matt

<<Draft BiOp Comments Transmittal Letter2.doc>> <<BiOp Comments ver 12_21_00.doc>> <<BPA Willamette BiOp Comments -Final.doc>>

FW Willamette BiOp Comments.txt

From: Fodrea, Kimberly - KEWI-4 [kafodrea@bpa.gov]
Sent: Monday, November 06, 2000 08:43 AM
To: 'Matt Rea'
Subject: FW: Willamette BiOp Comments

Hi Matt,

Hopefully this time it'll make it. (I had used Matthew in your email address last Friday.)
Thanks, -Kim

Also, please let me know if you have firmed up the location of our meeting on Thursday.

> -----Original Message-----

> From: Fodrea, Kimberly - KEWI-4
> Sent: Friday, November 03, 2000 5:05 PM
> To: 'Matt Rea'
> CC: DALEY, DANIEL; GLEASON, JOHN; Kinsey, Bill - LC; Lamb, Therese B -
> PGP; MASLEN, WILLIAM; MORSE, THOMAS; Rowan, John - KEWI-4; SMITH,
> PATRICIA; WELLSCHLAGER, JOHN
> Subject: Willamette BiOp Comments

> Hi Matt,

> As promised, I am sending you our comments on the draft willamette BiOp
> and our suggested revisions to the RPA section. As you requested, I did
> not actually rewrite the RPA measures, but my offer still stands. Please
> let me know if you have any questions. I look forward to our meeting with
> you, NMFS, and USFWS next Thursday. Thanks, -Kim

> <<willamette BiOp Comments -Final.doc>>

> Kimberly A. Fodrea
> Bonneville Power Administration
> (503) 230-3702