



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
525 NE Oregon Street  
PORTLAND, OREGON 97232-2737

F/NWR5

February 12, 2003

Mr. Doug Marker  
Director of Fish and Wildlife  
Northwest Power and Conservation Council  
851 SW Sixth Avenue, Suite 1100  
Portland, OR 97204-1348

Dear Mr. Marker:

This letter transmits a comprehensive list of projects (Enclosure 1) that represents the Bonneville Power Administration (BPA) and National Marine Fisheries Service (NOAA Fisheries) coordinated effort to respond to the Northwest Power and Conservation Council (Council) request that we inform ongoing reprioritization discussions with our view of projects necessary to implement the 2000 NOAA Fisheries FCRPS Biological Opinion (BiOp). This list represents the professional judgment of BPA and NOAA Fisheries. The list also contains BPA's identification of projects critical to meeting the 2000 U. S. Fish and Wildlife Service FCRPS Biological Opinion and BPA's technical support on which NOAA Fisheries does not opine. By nature of the fact that most of the projects identified on the list existed under the Council's Fish and Wildlife Program (Program) prior to the 2000 BiOps, this list of projects also represents the centerpiece of an integrated fish and wildlife program, advancing objectives of both the Council's Program and the BiOps.

Enclosure 1 updates the list provided to the Council by BPA on January 23, 2003, in two important ways. First, the revised list benefits from the combined judgment of both BPA and NOAA Fisheries. Second, it represents a more refined interpretation of the intent of Reasonable and Prudent Alternative (RPA) Actions and the contributions of projects toward those actions (i.e., the rationale for assigning a project to an RPA). The complexity of these two issues should not be underestimated; in fact, there remain legitimate differences of opinion on the applicability and/or importance of an individual project to a RPA Action. While such differences in opinion might indicate areas where further discussion may be beneficial, it would be inappropriate to assume that such differences should be the basis for inaction on subject proposals.

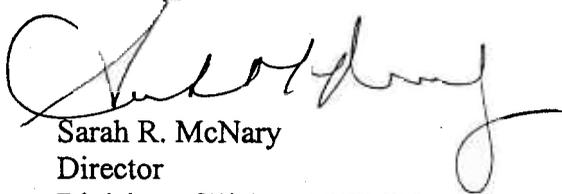
On this list NOAA Fisheries has identified some projects as "non-discretionary" and "strongly advised." Additional projects will be necessary to meet 2003 check-in criteria and long-term performance standards, but NOAA Fisheries has determined that the specific suite of additional projects is at the discretion of BPA and the other FCRPS Action Agencies. BPA has included a partial list of those additional projects and intends to work with the Council to define a final suite of projects. Enclosure 2 describes the



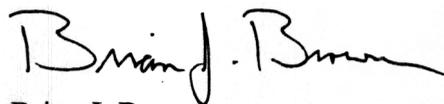
process used by NOAA Fisheries in its review and explains the basis for assigning projects to each category.

BPA and NOAA Fisheries trust that this attempt to provide upfront guidance meets the Council's need to inform efforts to reprioritize the Program to meet the funding levels available from BPA. If you have further questions regarding the content of the attached documents, please contact Dr. Chris Toole (503) 230-5410 of NOAA Fisheries or Mr. Bill Maslen of BPA (503) 230-5549.

Sincerely,



Sarah R. McNary  
Director  
Division of Fish and Wildlife  
Bonneville Power Administration



Brian J. Brown  
Assistant Regional Administrator  
Hydropower Division  
NOAA Fisheries

Enclosures

cc: Council Members  
Mr Jim Fodrea, Reclamation  
Mr. Rod Sando, CBFWA  
Mr. Witt Anderson, COE

**NOAA Fisheries' Process for Reviewing BiOp Projects  
February 12, 2003**

The following describes the recent review of BiOp-related projects conducted by NOAA Fisheries. The purpose of the review was to advise both the Council and BPA more clearly on the importance of current and proposed projects relative to the 2000 Federal Columbia River Power System BiOp. NOAA Fisheries staff reviewed not only the BPA list of critical projects but all of the projects and proposals it commented on through the provincial review process. NOAA Fisheries did not review U.S. Fish and Wildlife Service projects or BPA's technical support and did not conduct a detailed review of contracts to determine whether specific tasks within a project did or did not pertain to the Reasonable and Prudent Alternative (RPA).

On February 4 and 5, 2003, NOAA Fisheries hosted a working meeting with BPA, Council, and CBFWA participation to discuss and clarify the importance of each of the projects to meeting the 2003 check-in and future performance standards. Based on NOAA Fisheries' internal review of projects and information provided at the meeting, NOAA Fisheries developed its list of BiOp projects aligned with specific RPA Action Items. NOAA Fisheries' initial draft list was provided to BPA on February 10, 2003. NOAA Fisheries did not scrutinize accruals but adopted those established by BPA. Each BiOp project was assigned to one of three categories. Category 1 identifies those "non-discretionary" projects that are specifically called for in the BiOp and are critical to meeting the 2003 check-in called for in the BiOp. There are a relatively small number of Category 1 projects.

Category 2 consists of those projects which NOAA Fisheries "strongly advises" BPA to implement. Category 2 projects are largely of two types. One type includes projects not specifically called for in the RPA but that directly support or provide infrastructure necessary to successfully implement the RPA. The second type includes projects that have become critical by virtue of the fact that their absence (de-funding or not funding them now) would create a gap that, if not filled, would lead to a failure at the 2003 check in.

The third category, "discretionary but performance-related," contains projects that NOAA Fisheries views as individually discretionary to BPA, although, for some RPA actions, a group of these projects must achieve a non-discretionary performance standard by the 2003 or subsequent check in. These are projects that have been designated by NOAA Fisheries as BiOp-related projects that potentially contribute to meeting the performance standards established in the BiOp for the 2003, 2005, or 2008 check-ins. While any individual project may not be critical to success, the BiOp considered that BPA and the Action Agencies would need to implement a substantial number of such projects throughout the basin to achieve the performance standards. The more that are implemented, the greater the chance of meeting the performance standards. Conversely,

**fewer projects equates to a greater risk of not meeting the standards. For this reason, BPA has identified a number of these category 3 projects as critical to its success.**

**Another category considered but not displayed in Enclosure 1 includes “Base” projects. These are projects that were ongoing and that affected the survival of broods of salmon and steelhead returning as adults during the base period considered in the BiOp and which will continue to influence survival at the same rate in the proposed project. The project therefore comprises part of the environmental baseline presumed in the BiOp. Because they were not required in the BiOp, they have not been assigned to one of the three categories above. However, maintenance**

**of the baseline will ensure that additional activities are contributing to the achievement of performance standards and not merely mitigating for unanticipated reductions in survival.**

**BPA has discretion to continue or discontinue these activities; however, NOAA Fisheries strongly urges BPA and/or the Council to carefully consider the ramifications of discontinuing any of these actions.**

**Finally, BPA and the Council should be advised that when NOAA Fisheries identifies a specific project as being critical to meeting the 2003 check-in test, we are referring to the specific activity in the proposal rather than referencing the project sponsor. For example, NOAA Fisheries does not require the Action Agencies to fund our agency in order to meet requirements of the 2003 check-in test. However, when the only listed proposal that implements a particular RPA Action is a NOAA Fisheries project, we do identify it as being critical. Obviously, another project from an alternative sponsor could substitute if it was likely to produce similar results in the same time frame.**