



## Public Power Council

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July 25, 2014

Bill Bradbury, Chair  
Northwest Power and Conservation Council  
851 SW Sixth Ave., Suite 1100  
Portland, OR 97204

RE: Comments on the Draft Fish and Wildlife Program

Dear Chair Bradbury,

Thank you for the opportunity to comment on the Northwest Power and Conservation Council's (Council or NWPCC) Draft Fish and Wildlife Program. Over the course of the last year, the NWPCC has heard from the Public Power Council (PPC) and its members many times on the range of considerations in the Draft Fish and Wildlife Program. As you have heard from PPC and several of the more than 100 utilities it represents, the public power ratepayers who fund the Council's Fish and Wildlife Program are committed to ensuring that it is as effective and efficient as possible.

This draft recognizes the Council's statutory responsibility to offer a program that protects, mitigates and enhances fish and wildlife affected by the federal hydrosystem while also assuring the Pacific Northwest an adequate, efficient, economical and reliable power supply. Because the Council's program drives cost increases to BPA ratepayers this recognition and understanding is critical. As part of a fish and wildlife effort that has nearly doubled in less than a decade, the Council's program should focus on the highest priority measures and find efficiencies in the existing program to offset new projects.

In its draft program, the NWPCC has done a great deal of good work. That said, the NWPCC should reconsider some elements and implement the changes suggested in these comments. In addition, PPC fully supports the comments submitted by Northwest RiverPartners. Please let us know if you have questions regarding the suggestions contained below.

## **Federal Nexus and Program Efficiencies**

The program must maintain a proper scope: mitigation of the effects of the Federal Columbia River Power System (FCRPS). The program's authority under the Northwest Power Act relates directly to "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." The program needs to remain focused on the mandates in the Act in order to achieve what have become increasingly significant mitigation goals. The regional fish and wildlife mitigation effort is unprecedented in its costs. As such, we support the Council's recognition of this fact, which states in the draft program that new fish and wildlife obligations should be funded by finding savings in the existing program. We note as well that the Northwest Power Act instructs the Council to pursue its goals "while assuring the Pacific Northwest an adequate, efficient, economical, and reliable power supply."

We disagree with the NWPCC draft, however, when it also says that BPA should increase expenditures to fund new projects when savings in the existing program cannot be found. The BPA program is mature and should be managed at its current budget. In order to aid in this management, the Council has an opportunity to lead by prioritizing projects, by eliminating redundancies, and by creating efficiencies as it moves ahead.

Creating this management and prioritization will not be easy. That is why we support the NWPCC convening a group of its staff and BPA staff to evaluate and prioritize all projects within the program. This collaboration would provide the Council and BPA with an audit of the program that offers clear prioritization rankings for projects so that policy makers may more readily understand and assess the necessity of each project.

## **Spill Test Proposal and Changes in River Operations**

PPC supports the NWPCC's position in the draft that appears to recognize that a suite of amendments proposed earlier that would change river operations were underdeveloped, would not offer benefit to fish, and would come at incredibly high cost. We are also appreciative that the Council reiterates that, for consideration, future proposals for similar river operations experiments must be based on the best available science, have appropriate study designs, be subject to review by the independent science panels, and address issues raised by independent scientific review and peer review. We further agree

with the need to have any experiments meet the necessary regulatory approvals consistent with all federal and state laws.

In the future, the Council should also take into account the compatibility of potential experiments with other research taking place and future fish passage improvements at projects in the basin as well as the effect on the adequacy, efficiency, economics, and reliability of the power system.

Moving forward, we urge the NWPCC to apply these standards not only to proposed changes in river operations but also to research, monitoring, and evaluation projects. Any action recommended by the NWPCC should take care to consider the effect on compliance with the Endangered Species Act, the Clean Water Act, and all other appropriate federal law. Further, supported actions should not pose unnecessary risk to either salmonids or other aquatic life in the Columbia River Basin.

### **Reintroduction of Anadromous Fish Above Grand Coulee and Chief Joseph**

We believe the Council's direction to BPA to fund studies of the reintroduction of salmon above Chief Joseph and Grand Coulee Dams is premature and has potential to undermine the U.S. Entity Regional Recommendation for the Future of the Columbia River Treaty. The program's direction to BPA to unilaterally take action investigating the merits of passage above Grand Coulee may exhibit to the U.S. State Department that the region is not coordinated in its opinions on the direction of the future of the Columbia River Treaty. The State Department has emphasized the importance of regional coordination. BPA is not the only agency that would be involved with reintroducing anadromous fish above Grand Coulee Dam, but this draft proposal suggests BPA should not work with other regional parties. Any such determination would require the cooperation of the U.S. Army Corps of Engineers and the Bureau of Reclamation as well as Congressional authorization and appropriations. In addition, any such determination would need to be jointly discussed between U.S. entities and Canada.

PPC recommends that the NWPCC ensure that its program is consistent with the Regional Recommendation on this issue. Instead of existing language in the draft program, we recommend that the amended program include the following statement from the Regional Recommendation on the Treaty:

The United States should pursue a joint program with Canada, with shared costs, to investigate and, if warranted, implement restored fish passage and

reintroduction of anadromous fish on the main stem Columbia River to Canadian spawning rounds. This joint program would proceed on an incremental basis, beginning with a reconnaissance-level investigation, and continue with implementation actions. All such federal actions at the Chief Joseph and Grand Coulee projects are subject to congressional authorization and appropriation.

Following adoption of this principle, the Council should work with other regional parties as the United States, through the State Department.

### **Smolt to Adult Return Goals**

Smolt to Adult (SAR) lifecycle goals should be eliminated from the program, as they are not practical management metrics. SAR do not accurately measure hydropower system performance. These goals encompass the entire fish lifecycle and include all sources of mortality including the majority of the salmonid lifecycle spent in the ocean.

It would be more appropriate for the NWPC to adopt habitat based goals or the juvenile and adult reach survival standards developed in the Federal Columbia River Power System BiOp. In determining how to measure success of the program, the Council should consider the ISAB recommendations.

### **Predation**

Predatory populations of fish and wildlife take significant numbers of salmon, steelhead and lamprey throughout the Columbia River Basin. We strongly support the language in the draft program on this topic and we recommend further expansion by the Council in encouraging more aggressive management of these predatory populations. The NWPC should work with the federal action agencies to better determine the effectiveness of current predator control actions and increase the measures that provide a major return on investment in reducing salmon mortality.

### **Toxics**

PC supports the draft recognizing that there are toxic contamination problems in the Columbia River Basin, but that these are beyond the responsibilities and funding capabilities of BPA.

## **Hatchery Management**

BPA customers fund significant hatchery fish production in the Columbia River Basin and are also financially responsible for mitigating the adverse effects of the FCRPS on fish and wildlife. BPA funded supplementation, harvest, and habitat restoration programs must be well integrated to support, not hinder, recovery of ESA-listed fish stocks. Hatchery strategies should be revised to incorporate conclusions from the Hatchery Science Review Group where practicable. While the program should not be overly prescriptive, it should go to great lengths to ensure best science is being applied.

## **Sturgeon Measures**

BPA customers support actions that improve the abundance and survival of green and white sturgeon in the Columbia River Basin while appropriately balancing other uses of the Federal Columbia River Power System. The NWPPC's draft program prescribes an overly large suite of research, monitoring, and evaluation actions and specific dam and river operations that are intended to improve conditions for sturgeon. We do not support these recommendations but instead recommend removal of the detailed recommendations for dam and river operations until there is a better scientific foundation for such actions.

To appropriately address any future management actions for sturgeon, NOAA Fisheries must be consulted to ensure that any dam or river operations are not in conflict with those needed by ESA-listed salmon and steelhead.

## **Harvest Considerations**

PPC understands that the NWPPC does not play a management roll in harvest issues. However, various harvest practices adversely affect the recovery of ESA-listed and other important fish stocks. Recent research indicates a significant loss of adult fish between Bonneville and McNary Dams. The Council should support ongoing analysis to assess the source of these losses and implementation of corrective actions.

The Council should also continue to advocate for selective fishery methods to reduce incidental harvest of ESA-listed fish.

PPC appreciates the Council's work on the Draft Fish and Wildlife Program. The region has undertaken work that has positively impacted fish and wildlife affected by the Federal Columbia River Power System. Looking ahead, with proper prioritization and

effective management, there will no doubt be additional gains made for fish and wildlife in the Columbia River Basin. PPC is eager to continued work with the NWPCC and BPA on the direction of the fish and wildlife program as it is further developed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bo Downen', with a long horizontal flourish extending to the right.

Bo Downen  
Policy Analyst