



## Federal Agencies' Proposed Action: A 2-H Salmon Plan



Northwest RiverPartners greeted the federal action agencies' draft proposed action (PA) on behalf of the ESA-listed Columbia River Basin salmon and steelhead with mixed emotion. The PA, prepared by the Bonneville Power Administration (BPA), Army Corps of Engineers and the Bureau of Reclamation, was filed May 21 in federal court. It details a proposal for two Hs needed to recover listed salmon and steelhead - *hydro* system operations over the next 10 years, as well as significant mitigation measures for *habitat* improvements. Unfortunately, it leaves the other two Hs, *hatchery* reform and *harvest* of the endangered fish virtually untouched.

When final, the PA will be combined with a biological analysis of its effects on listed fish. This information will be a key piece of the documentation National Oceanic and Atmospheric Administration (NOAA) Fisheries will analyze to prepare a new Biological Opinion (BiOp) for the Federal Columbia River Power System. Many parties in the litigation believe this BiOp can meet with the court's approval where past plans have failed.

In developing the PA, the agencies wisely drew heavily from the 18-month collaborative Sovereigns' process mandated by Judge James Redden. Federal agencies, states, tribes, and BPA customers have come together in hundreds of meetings and workgroup sessions and prepared thousands of documents over the past two years to address issues that affect the listed fish. The PA reflects that effort and demonstrates that the process is bearing fruit, as attested to in court filings by several of the parties.

RiverPartners views much of the PA positively and filed court comments jointly with Sovereigns, including Washington, Montana, the Colville Tribes and Kootenai Tribe of Idaho, that express general support for the draft PA. In particular, we believe the federal agencies' comprehensive science analysis – one that looks across all four Hs at each listed salmon or steelhead stock (or evolutionarily significant unit [ESU]) and the limiting factors affecting its recovery – is a major improvement. And it responds to the Judge's admonition to “put the fish first.”

There also are significant new BPA funding obligations for habitat improvements in the draft PA. In the first two years, the agencies propose to spend an additional \$11.5 million on habitat, and from 2010-2017 funding increases to \$45 million a year totaling over \$325 million, paid for by BPA customers. Although costly, this means there is much greater assurance the measures contemplated in the PA will be implemented. Judge Redden ruled that a major shortcoming of the 2004 Biological Opinion was a lack of certainty about whether such measures would actually occur.

With regard to the hydro system, the federal agencies propose to institutionalize significant operational changes and capital improvements. Federal dam operators would continue summer spill, which was ordered by the court in 2006, for the 10-year period of the BiOp. They do propose to tailor the spill program to allow it to be shut off if fish presence falls below 1,000 fish over three consecutive days. This modification is based on available science showing that there are not substantial numbers of fish migrating out of the system late in the summer, and it moves toward a more efficient use of spill as a tool to aid listed fish. The draft PA also lays out major powerhouse and spillway modifications to boost fish survival, and incorporates the long-promised operations at Montana's storage reservoirs to aid resident fish species.

But despite some positive developments, the PA still falls short.

It continues to emphasize the *hydro* system and *habitat* measures, and fails to adequately address *hatcheries* and *harvest*. The PA recognizes the need to enact hatchery reforms, but speaks in general terms of "programmatic reviews" and "best management practices," not specific actions. This is a particularly troubling omission because the large numbers of hatchery fish produced in federally funded hatcheries are having serious effects on the survival of natural stocks. The results include increased competition for spawning habitat and genetic interference. Even more damaging, mass production of hatchery fish promotes even higher harvest rates; and, as fishing interests take hatchery fish, they catch and kill listed salmon and steelhead at rates that prohibit their recovery.

Harvest, specifically, continues to get short shrift in the PA. While the agencies have limited jurisdiction in this area, only FIVE of the over 850 pages in the PA even speak to harvest. As mentioned, tucked into the attachments is compelling ESU-by-ESU analysis that demonstrates the serious effect of harvest and the significant survival gains that could be achieved through selective harvest. The federal agencies have an obligation to highlight this information so the true effects of fishing can be understood and addressed. In fact, NOAA Fisheries, the ultimate author of the BiOp for federal hydrosystem operations, is also the regulator of sport, commercial and tribal fisheries and must ensure these fisheries comport with Endangered Species Act requirements!



It is obvious that in order to succeed, recovery must be built on a foundation with four solid planks: *hydro*, *habitat*, *hatcheries* and *harvest*. The hydro system has shouldered responsibility for its effects on listed salmon and steelhead and will continue to do so in this PA. And, habitat measures and funding are included in the PA. So far, the effects of hatcheries and harvest have been only meagerly addressed. We must see a much stronger effort in these two Hs when the agencies deliver their final PA. To do otherwise would only address half of the problem faced by listed salmon and steelhead, and will not put the fish on a path towards recovery.

Northwest RiverPartners is a partnership of farmers, electric utilities and large and small businesses in the Pacific Northwest, joined together to ensure that the Columbia and Snake rivers remain living, working rivers. It was founded on the belief that these rivers are the Northwest's greatest natural resource providing residents with clean and affordable electricity, flood control, irrigation for our farm lands, healthy fish and wildlife, maritime trade, and a multitude of recreational opportunities. For more information, please visit [www.nwrivernpartners.org](http://www.nwrivernpartners.org).