



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

May 14, 2003

Brigadier General David A. Fastabend
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US Army Corps of Engineers, Northwestern Division
PO Box 2870
Portland, OR 97208-2870

Steve Wright
Administrator & Chief Executive Officer
Bonneville Power Administration
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J. William McDonald
Regional Director
US Bureau of Reclamation
PN Regional Office
1150 N Curtis Road
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RE: National Marine Fisheries Service's Findings Regarding Adequacy of the Endangered Species Act 2003/2003-2007 Implementation Plan for the Federal Columbia River Power System.

Dear General Fastabend and Messrs. Wright and McDonald:

The National Marine Fisheries Service's (NOAA Fisheries) December 21, 2000, biological opinion addressing operation of the Federal Columbia River Power System (FCRPS) and 19 U.S. Bureau of Reclamation projects (hereafter, the Opinion) anticipated that many of the reasonable and prudent alternative (RPA) actions will need to be refined and adjusted as new study results and other relevant information become available. The FCRPS Action Agencies produce annual and five-year implementation plans that describe progress to date, lay out details of the short- and long-term plans for achieving performance standards, propose adjustments to the RPA Actions, and describe the rationale for those adjustments. NOAA Fisheries is required to review each year's annual implementation plan and issue a findings letter to the FCRPS Action Agencies regarding the adequacy of the plan (RPA Action 12).



NOAA Fisheries finds that the FCRPS Action Agencies' 2003/2003-2007 Implementation Plan, as modified in the April 22, 2003, addendum, is generally consistent with the Opinion. The 2003 component of the 2003/2003-2007 Implementation Plan is likely to meet the schedule and scope anticipated by the 2003 mid-point evaluation for the majority of RPA Actions. A report detailing the basis for this finding is enclosed.

Please note that, although the majority of RPA Actions are being implemented as expected, the enclosed report points out that 7 of the 199 RPA Actions are behind schedule or have been modified in a manner that presents challenges for meeting the Opinion's objectives. Schedule changes are particularly significant in two areas: development of subbasin assessments and plans for priority subbasins (Action 154) and effectiveness monitoring for offsite mitigation actions (Action 183 and RM&E database development identified in Action 198). The reasons for subbasin planning and effectiveness monitoring slippage are understandable because these actions are very complex. They require close, extensive coordination with regional and local interests and with related activities being carried out by these other entities. That process, relying on the Northwest Power and Conservation Council, has not progressed as NOAA Fisheries had anticipated. Nevertheless, NOAA Fisheries still believes that habitat improvements achieved through a collaborative regional process will result in more sustainable benefits for listed salmon and steelhead. NOAA Fisheries appreciates the difficulties, is a full participant in the process, and offers, in Appendix A, some recommendations to reduce the impacts of the schedule changes and to minimize the potential for further slippage. NOAA Fisheries also recognizes that habitat improvements continue to be made on schedule in several Columbia River subbasins.

Nonetheless, schedule slippage in subbasin planning and action effectiveness monitoring will likely impact the Action Agencies' ability to demonstrate "that proposed actions can increase life stage survivals," and that they are "being implemented at a scale sufficient to avoid jeopardy" (see Opinion section 9.5.3.2.4) – as called for as part of the 2005 and 2008 check-ins. NOAA Fisheries' ability to assess the effects of ongoing and future offsite improvements on fish population growth rates, abundance, distribution and resulting extinction risks for the check-ins in 2005 and 2008 (see Opinion section 9.5.3.3) will also be affected. As a result, unless we can quickly develop alternative means of assessment, at the 2003 check-in NOAA Fisheries will need to evaluate whether there will be greater uncertainty associated with the Opinion's reliance on offsite mitigation that will remain beyond the 2005 check-in and any significance for avoiding jeopardy.

If you have any questions, please contact Brian Brown, Assistant Regional Administrator for the Hydropower Division, at 503-230-5417.

Sincerely,



D. Robert Lohn
Regional Administrator

Enclosure