

**FCRPS BiOp Hatchery Program Funding Criteria
Version 3
12/1/08**

RPA action 39 of the NOAA Fisheries 2008 FCRPS Biological Opinion calls on the Action Agencies to continue funding hatcheries in accordance with existing programs and to develop criteria for funding ongoing or new hatchery programs within the Columbia River Basin. The criteria are intended to ensure that hatchery programs that receive FCRPS funding do not impede, and where possible assist, in recovery of ESA-listed salmon and steelhead. The Action Agencies recognize that the hatchery programs they fund have a range of impacts on listed salmon from positive to negative. Some hatchery programs may be required to implement changes or corrective actions in order to receive continued funding. The Action Agencies intend to work with hatchery operators in applying the criteria.

I. Funding Criteria:

A. A hatchery program must operate in accordance with ESA requirements.

1. A hatchery program must either have the required regulatory approvals for its operation or be implementing a plan to obtain the required regulatory approvals within the ESA consultation schedule set out in RPA 39¹ of the 2008 FCRPS Biological Opinion.
2. To the maximum extent practicable, a hatchery program should be operated in accordance with Best Management Practices applicable to the individual program defined in program-specific ESA consultations.²

II. Steps to implement these criteria:

A. Hatchery program operators will list the relevant authorities, agreements and/or mandates related to the particular hatchery program (e.g., Congressional or court mandate, MOA with AAs, Columbia Basin Fish and Wildlife Program, etc.) and explain how the program will address mitigation or conservation requirements, and if necessary, obtain the ESA/NEPA coverage described in #2 below.

B. Hatchery program operators will provide documentation to the Action Agencies that the hatchery program has received appropriate ESA and NEPA coverage, or describe the process that will produce the necessary coverage, as well as a date when coverage is anticipated.

¹ NOAA Fisheries may modify this schedule..

² The application of BMPs was discussed in the Action Agencies' August 2007 Biological Assessment of the effects of the FCRPS, and BMPs were generally defined as the Hatchery Scientific Review Group's (HSRG) 2004 guidelines for hatchery operation and the guidelines published in several other peer-reviewed publications. Recently, the HSRG and the USFWS Hatchery Review Team have also provided draft and final recommendations for changes in operation of hatchery programs, i.e., "hatchery reforms," that may contribute to reducing negative impacts on listed populations. This new information will be considered during RPA 39 consultations.

*Revised following RIOG discussion of
October 29, 2008*

3. Hatchery program operators will provide annual reports to NOAA Fisheries and the Action Agencies regarding all aspects of the hatchery program, including production numbers, any reform actions implemented, and any associated research, monitoring and evaluation, according to standard reporting guidelines developed as part of the HGMP or ESA consultation process.
4. In addition to the annual report described in item 3 above, operators of hatchery programs without required ESA/NEPA coverage but that are implementing a plan to obtain this coverage, will report their progress on the plan to Action Agencies by July 1 of each year (tentative due date) to enable reporting in the Action Agencies' Annual Progress Report.
5. The Action Agencies will work with the hatchery operators to achieve compliance with the funding criteria. In the event that the criteria are not met, the Action Agency will reassess the program with hatchery operator and the relevant regional entities to achieve agreement on a modification to the program that would bring it into compliance.