



STATE OF WASHINGTON

Department of Fish and Wildlife

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November 26, 2008

Mr. Bill Booth, Chairman
Northwest Power and Conservation Council
851 SW Sixth Avenue, Suite 1100
Portland, Oregon 97204-1348

Dear Mr. Booth:

Thank you for the opportunity to provide comments to the Northwest Power and Conservation Council's (Council's) Draft Fish and Wildlife Program. With the recent release of the 2008 Federal Columbia River Power System (FCRPS) Biological Opinion, the Columbia Basin Fish Accords, the 2008 *US v OR* Agreement, the re-negotiated Pacific Salmon Treaty, and the development and completion of numerous salmon recovery plans, along with important wildlife planning documents such as each state's Comprehensive Wildlife Conservation Strategy, the Council is in a position to adopt a new Fish and Wildlife Program that could tie these important policy initiatives together to provide a comprehensive, robust mitigation plan for fish and wildlife resources affected by the FCRPS.

We support the consensus comment letter submitted to the Council by the members of the Columbia Basin Fish and Wildlife Authority (CBFWA). In addition to those comments, the Washington Department of Fish and Wildlife (WDFW) submits the following comments on the Draft Fish and Wildlife Program.

Measures

The Draft Program appears to have adopted numerous measures into the Program without specifying the details of those measures—making it unclear to a reader as to what measures are adopted within the Program. While we are glad the measures are referenced in the Draft, it is important to have the measures clearly described within the Program to ensure Bonneville is using its fund consistent with those measures. We recommend that the Council review the fish and wildlife managers' recommendations and comments, the FCRPS Biological Opinion, subbasin plans, the mainstem amendment, and the Columbia Basin Fish Accords, and include all of the measures that are adopted in the Program into one place. Therefore, the entire scope of the Program, and those elements from other plans that are to be funded by Bonneville, would be described in a single document. Instead of conducting a massive effort to re-write the Draft Program, the Council could adopt and place the measures in an Appendix. The Appendix will help the Council, and the Region, identify gaps and would help the



Council in the future to meaningfully participate in the development of Bonneville's Rate Cases.

Biological Objectives

The Draft Fish and Wildlife Program significantly changes the basinwide biological objectives for anadromous fish from the text in the 2000 Program (pg 18, lines 1-17). We recommend that the Council maintain the biological objective in the 2000 Program to "Increase total adult salmon and steelhead runs above Bonneville Dam by 2025 to an average of 5 million annually in a manner that supports tribal and non-tribal harvest." This overall objective helps track the losses attributed to the FCRPS, and therefore defines the mitigation obligation for anadromous salmonids. It also provides a measurable goal that is consistent with the goal of the Washington Statewide Strategy to Recover Salmon: "Restore salmon, steelhead and trout populations to healthy and harvestable levels and improve habitats on which fish rely"¹. Also, the Draft Program continues to employ out-of-kind and out-of-place mitigation strategies (such as resident fish substitution) and without the Council keeping track of the anadromous losses, it will be difficult, if not impossible, to account for the type and amount of out-of-kind, out-of-place mitigation the Council would need within the Program to mitigate for the FCRPS impacts to anadromous fish.

We support the Council reviewing the biological objectives of each anadromous salmon population and comparing with the basinwide goal. This effort could also track the difference between hatchery and wild fish objectives and clarify objectives for populations below Bonneville. However, we encourage the Council to not conduct the review over a two-year time-period and instead review the goal simultaneous to creating subbasin management plan summary tables since biological objectives are a key element of the summary tables.

Subbasin Management Plan Summary Tables and Multi-Year Work Plan

As part of the CBFWA recommendations that we submitted to the Council in April, the fish and wildlife managers and Tribes developed subbasin management plan summary tables for anadromous and resident fish. These tables summarized the most current information for objectives, limiting factors, and threats available from subbasin plans and recovery plans in a consistent manner that would have served as an extremely useful tool for the Region. The Council stated in the Draft Program that they support the development of the subbasin plan summary tables (pg 103). While the Council may initiate a more intensive update to the subbasin plans in the future, we encourage the

¹ Governors Salmon Recovery Office. 1999. Statewide Strategy to Recover Salmon. Summary. Page III.35.

Council to initiate a process to develop and adopt the subbasin management plan summary tables within six months of adopting a final Program.

As part of this review, the Council should also develop a multi-year work plan to prioritize and sequence the mitigation work needed to implement the Final Fish and Wildlife Program for the next several years, and align this with the timeline of the 2008 FCRPS Biological Opinion and Columbia River Basin Fish Accords. The multi-year work plan would identify work for each subbasin and for the mainstem and system-wide portion of the Program for the next several years. This was originally envisioned as part of the 2000 Program, but was never implemented. With many existing Fish and Wildlife Program project contracts completing at the end of FY 2009, the timing is excellent to develop this work plan and guide funding decisions for 2010 and beyond.

This fall, we were requested by Council staff to submit the information we had provided to BPA as part of the FY2010-2011 Rate Case to aid in the Council's effort to construct an appendix of measures and to develop a multi-year work plan. Attached is our table of measures that describe projects for WDFW to aid in the development of those efforts. We are available to Council and staff to describe the relationship between this project list and the CBFWA consensus measures submitted last April.

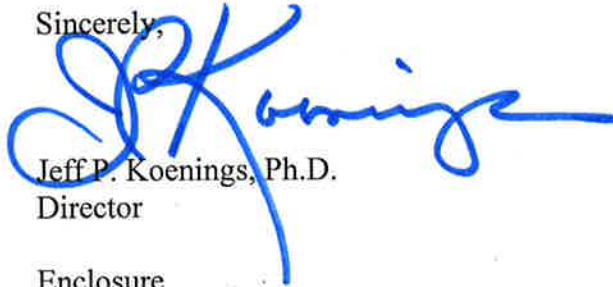
Wildlife Crediting

The wildlife section of the Draft Program is significantly different from the material submitted by fish and wildlife managers' and Tribes in our consensus recommendations. We encourage the Council to revisit our recommendations and include them with the Program. The Draft Program fails to resolve the acknowledged controversy concerning crediting. The Council should define the wildlife mitigation obligation as twice the loss assessments (2:1 mitigation ratio), except where there are settlement agreements (i.e., Dworshak and State of Montana). This guidance would offer a compromise for a variety of complex issues and years of debate, including: Bonneville's argument for a 1:1 ratio because they fund operations and maintenance on parcels that they acquired; that Bonneville has taken 100% of existing habitat value on parcels they acquired as credit; that the annualization of losses has not been assessed; and there is additional habitat loss as a result of the conversion of native habitat to irrigated agriculture that was not defined in the original loss assessments and that the FCRPS brought about. Land values continue to increase and the Region cannot afford to delay mitigation, both in terms of the quality of land available and in terms of the future financial burden to the rate payers. The Final Fish and Wildlife Program should provide clear mitigation guidance on this issue and set the Region on a course to complete the mitigation of construction and inundation impacts to wildlife.

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The Council has identified a number of processes to be completed within the Program, including a review of biological objectives, subbasin management plan summary tables, multi-year work plans, and wildlife crediting. The Council is now in a position to offer leadership on these issues, and in six months from adoption of the Final Program, the Council could move the Program from a planning phase to an implementation phase—a transition that WDFW strongly supports. The Council would then have the tools within an adopted Program to prioritize and sequence mitigation for the FCRPS, conduct adaptive management, provide accountability to the Region, and offer targeted solicitations to fill identified gaps. If you have any questions about our comments, please contact me at (360) 902-2225 or Bill Tweit, Columbia River/Distant Waters Policy Lead, at (360) 902-2723.

Sincerely,



Jeff P. Koenings, Ph.D.
Director

Enclosure

cc: Tom Karier, NPCC
Dick Wallace, NPCC
Bill Tweit
Nate Pamplin

Attachment: WDFW Comments to NPCC Draft Fish and Wildlife Program
November 26, 2008

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
WDFW: Project Group #1 - Anadromous RM&E					
Anadromous Adult and Juvenile Abundance Monitoring Region 1	Expanded	RM&E	WDFW	Expand Walla Walla Basin salmonid monitoring project; Expand Asotin Cr. Steelhead monitoring project to include George Creek; Steelhead stock status and genetic monitoring for Snake and Grande Ronde River tributaries including Crooked Creek (Wenaha River);	RPA 50
Assess Salmonids Asotin Cr	Existing	RM&E	WDFW	Existing project receiving partial BPA funding. The Asotin Watershed is managed by WDFW as a wild steelhead refugia (not stocked with hatchery fish). This project has begun to develop a data base (4 + years) for long term trend analysis as a reference stream in the Snake River basin.	RPA 50, 64
Adult and Juvenile Abundance Monitoring-Region 2	Existing	RM&E	WDFW	Integrated and effectiveness monitoring	RPA 56, 63
Adult and Juvenile Abundance Monitoring-Region 2	New	RM&E	WDFW	The PRD steelhead stock assessment program is a critical element to assessing the abundance of the UCR steelhead ESU.	RPA 50, 63, 64
Adult and Juvenile Abundance Monitoring-Region 2	New	RM&E	WDFW	Data collected will provide information regarding abundance and distribution of hatchery and wild steelhead in the UCR.	RPA 50, 63, 64
Adult and Juvenile Abundance Monitoring – Region 5	Expanded	RM&E	WDFW	Continuation of existing Wind River Project to monitor adult and juvenile steelhead production from the Wind River and the effectiveness of Hemlock Dam Removal. Increased adult monitoring for Chinook - to develop more accurate and precise escapement estimates. Rotating design to address juvenile monitoring in key watersheds.	RPA 50, 56, 63, 64
All LCR Chum Salmon Juvenile and Adult sampling; includes supplementation – Region 5	New	RM&E/ Artificial Production	WDFW	1) Continuation of existing projects - Reintroduction of chum into Duncan Creek and Below the Dams -to evaluate supplementation strategies and estimate chum escapement between I-205 and Bonneville Dam. 2) Monitoring of Grays River adult chum population. 3) Increased monitoring for chum populations between Grays and I-205. 4) Supplementation strategies for areas between Grays and I-205.	RPA 41, 50, 63, Hatchery Action B.2.3.3.1
Adult Coho Salmon Monitoring Proposal for the Lower Columbia Province - Region 5	Existing/ New	RM&E	WDFW	Adult monitoring of key (primary) coho populations in the LCR to develop estimates of escapement and address the LCFRB Recovery Plan.	RPA 50, 42
Smolt Monitoring Program-Rock Island Dam and Gas Bubble Monitoring Program	Existing	RM&E	FPC/CPUD/WDFW	Rock Island Dam smolt and Gas Bubble Monitoring Program. BPA funds via FPC/CPUD	RPA 52, 53
Smolt Monitoring Program-WDFW Portion	Existing	RM&E	WDFW		RPA 52, 53
Genetic Analysis of Anadromous salmonid populations	New	RM&E	WDFW	Includes four steelhead populations in Yakima Basin.	RPA 50
Monitor Repro In Wenat/Tuc/Kal	Existing	RM&E	NOAA and WDFW	Spring Chinook Repo. Study Wenatchee Basin. FY 10-17 includes approximately \$ 100,000 in genetic sampling evaluation, if not provided by NOAA Fisheries as is currently the case.	RPA 63
Yakima Klickitat Fisheries Project - Monitoring and Evaluation	Existing	RM&E	YN and WDFW	WDFW Portion Only	RPA 50
YKFP Policy/Plan/Technical	Existing	Coordination	WDFW		RPA 51, 63
StreamNet-WDFW Portion	Existing	RM&E	WDFW		RPA 51
Streamnet Enhanced Eastside	Expanded	RM&E	WDFW		RPA 51
WDFW Participation in a Columbia Basin Monitoring & Evaluation Project	Existing	RM&E	WDFW	Funding for RM&E Coordination in CSMEP, PNAMP, or other forums	RPA 51

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
Stock Assessment for salmon, steelhead, and other fish species in Lower Crab Creek, Washington	New	RM&E	WDFW	Assess anadromous and resident fish production opportunities, in particular for listed steelhead.	RPA 50
Recolonization of Anadromous Salmonids after Condit Dam Removal	New	RM&E	WDFW/ USGS/ Yakama Tribe	This assessment work will lay the foundation for enhancement projects and is important to Tule chinook natural production and the recovery of the Lower Columbia ESU.	RPA 35, 41, 63, 50
PIT tag monitoring in Lower Columbia, including IMW streams	New	RM&E	WDFW		RPA 50, 63
WDFW Project Group # 2 - Watershed Projects	Expanded	RM&E			
Watershed Projects - Region 1	New	RM&E	WDFW	WDFW participation in the development and implementation of Watershed projects in the Mid-C and Snake R. (1 FTE watershed steward)	RPA 35, 56, 57
Watershed Projects - Region 2	New	RM&E	WDFW	WDFW participation in development and implementation of watershed projects in the UCR (1 FTE Watershed Steward)	RPA 35, 56, 57
Walla Walla Fish Habitat Assessment	Existing	RM&E	WDFW, CTUIR	Funding values represent the portion of the project that WDFW implements and administers within the the overall cooperative project with CTUIR.	RPA 35, 56, 57
WDFW Project Group # 3 - Habitat Projects	New	Artificial Production			
Yakima Phase II/Huntsville Screen Operation & Maintenance	Existing	Habitat	WDFW		RPA 34
Columbia Cascade Pump Screen Correction	Existing	Habitat	WDFW		RPA 34
Habitat Permitting and Compliance	New	Habitat	WDFW	Habitat Bio support for WDFW permitting habitat implementation programs (2 positions)	RPA 35
Lower Columbia IMW restoration projects, including LWD structures, riparian enhancements, fish passage barrier replacements, etc	New	Habitat	WDFW	This project funds the restoration actions needed to support the IMW restoration validation study (Abernathy, Germany, and Mill Cr.). Strong partnership with LCFRB, Ecology, and SRFB. Restoration should be complete by fy13.	RPA 35, 56
Technical support--Engineering	Expanded	Habitat	WDFW	Staff a project engineer to increase technical assistance to Regional Recovery Boards and increase effectiveness of restoration projects.	RPA 35, 56
Research Scientist, Region 2, to aid in BiOp and Accord project implementation	New	RM&E	WDFW	This position will focus on implementing the Accords and the BiOp including 1) linking projects funded under the Accords to biological benefits based on limiting factors to ESA listed fish. 2) Ensuring that projects funded under the Accords are consistent with recovery plans and subbasin plans and 3) modifying projects over time based on biological priorities, feasibility, science review comments, or accountability for results.	RPA 56, 63
WDFW-Yakima Tributary Access and Habitat Program	Expanded	Habitat	WDFW		RPA 35
Habitat Projects	New	Habitat	WDFW and Partners	Implement habitat enhancement/restoration projects. Priorities and funding could be directed through SRF Board.	RPA 35

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
WDFW Project Group # 4 - HSRG/Hatchery Reform Recommendation Implementation	New	Artificial Production			
HSRG Recommendation Implementation - Region 1	New	Artificial Production	WDFW	New Tucannon weir and adult steelhead trap; New Tucannon smolt trap (upper drainage); Improve weir / rack at Dayton Dam to allow better accounting of adults (Touchet R.); expand PIT tagging of Tucannon steelhead and spring Chinook costs not yet estimated.	RPA 40, 42
HSRG Recommendation Implementation - Region 1	New	Artificial Production	WDFW / LSRCF	Expand fall chinook adult sorting and holding at Lyons Ferry Hatchery; increase marking rate (CWT or PIT) of fall Chinook for improved Broodstock mgmt. and run reconstruction; expand water availability and increase raceway capacity at LFH for endemic steelhead groups. Placeholder - costs not yet estimated.	RPA 63, 42, 65
Ongoing Mitchell Act Regional Evaluation	New	Artificial Production / RM&E	WDFW	The Regional Evaluation budget is essential for monitoring anadromous salmonid stock status throughout Region 5 river systems, and evaluating the effects of Hatchery and Harvest reform relative to recovery of ESA-listed stocks.	RPA 50, 63
Ongoing Mitchell Act Hatchery Operations and Evaluation Oversight	New	Artificial Production / RM&E	WDFW	Activities conducted under this funding include: 1) Development of regional hatchery-harvest workplans and performance standards; 2) Regional analysis and interpretation of agency policies relative to hatchery and harvest reform; 3) Development of fishing regulation proposals and emergency sport and tributary commercial regulations – relative to harvest reform; 4) Interpretation of complex fishing regulations for the public and other agency staff; and 5) Coordination of ESA species recovery at the regional level – within the context of hatchery and harvest reform.	RPA 42, 62, 63
Fish hatchery barrier repair	New	Habitat	WDFW	Mitigation hatcheries constructed in the 60's and 70' did not always consider passage of wild fish in some constructions applications. This proposal begins to correct those barriers at intakes, diversions, road crossings, etc.	RPA 35, 42
WDFW Project Group #5 Selective Fishery monitoring, evaluation and enforcement projects					
5. a. Fishery Conservation Effectiveness Program Monitoring					
Selective Harvest Evaluation and Sampling (recreational)/ Fishery Conservation Effectiveness Program Monitoring, Region 1	New	RM&E	WDFW	Includes biological staff & 6 mos Scientific Tech. (ANS support)	RPA 62
Selective Harvest Evaluation and Sampling (recreational)/ Fishery Conservation Effectiveness Program Monitoring, Region 2.	New	RM&E	WDFW	Biological and creel staff for monitoring and evaluation of selective fisheries in the UCR.	RPA 62
Selective Harvest Evaluation and Sampling (recreational)/ Fishery Conservation Effectiveness Program Monitoring, Region 3.	New	RM&E	WDFW		RPA 62

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
Fishery Conservation Effectiveness Program Monitoring (Field sampling - recovery of PIT Tag, take non-lethal fish samples for SNPS analysis)	New	RM&E	WDFW + PSMFC	Estimates for Passive Integrated Transponders (PIT) Tag sampling and DNA collections to profile salmonids caught in mainstem Columbia commercial and sport fisheries. Also includes sampling the mainstem salmonid sport fishery from Bonneville to McNary Dams.	RPA 50, 62-Harv. Strat. 1
Fishery Conservation Effectiveness Program Monitoring - Genetic SNPS Lab Analysis	New	RM&E	WDFW	Estimates to analyze DNA samples collected to profile salmonids caught in mainstem sport and commercial fisheries.	RPA 50, 62-Harv. Strat. 1
Coded Wire Tag-WDFW	Existing	RM&E	WDFW		RPA 50, 62-Harv. Strat. 1
CWT Missing Production Groups (MPG) - WDFW	Existing	RM&E	WDFW	This project provides funds to apply index group CWT at select WDFW lower Columbia River hatcheries and also funds to recover CWT in the WDFW tag lab.	RPA 50, 62-Harv. Strat. 1
5. b. New Selective Fishery and Fishery Evaluation Projects -- (Methods and Enforcement)					
Live Capture Commercial Fishing Gears and Methods - Region 5	New	RM&E	WDFW	Work to evaluate the feasibility of various salmonid live capture methods and demonstrate the effectiveness of best candidates -- for future implementation of selective fisheries in mainstem Columbia and its tributaries.	RPA 62, harv. Strat. 3
Enforcement--Selective Fishery, HPA, Aquatic Nuisance, etc.	New	Enforcement	WDFW	Enhanced fisheries law enforcement is essential for the successful implementation of selective harvest and need HPA and aquatic nuisance enforcement.	RPA 62, 35, Harv. Strat. 1
Select Area Fisheries (SAFE) - Region 5	Existing	RM&E / Terminal Fisheries	WDFW/ ODFW	This project funds operation of the Grays River Hatchery to produce coho and spring chinook for the Deep River Select Area commercial fishery. It also provides sampling of the fishery and administrative support for the program.	RPA 40, harv. Strat. 2
WDFW Project Group #6 Riparian Acquisitions					
Riparian Acquisitions and Subsequent O&M -- ESA Salmon habitat	New	Habitat	WDFW and Partners	Land acquisition is essential to provide protection to vulnerable riparian habitat for salmon populations.	RPA 35
WDFW Project Group #7 Anadromous Fish--Other					
Avian and Pinniped Predation	Expanded	RM&E	WDFW and ODFW	Reduction of avian and pinniped predation is essential for the recovery of ESA-listed salmonid species, and rebuilding of smelt and sturgeon in the lower Columbia River -- from the estuary to Bonneville Dam.	RPA 45, 49
Pacific Lamprey Status Assessment in Washington	New	RM&E	WDFW	Assess status and habitat conditions of Pacific lamprey in Washington.	
WDFW Project Group #8 Resident Fish					
Resident Fish Stock Status (Joint Stock Assessment) above Grand Coulee	Existing	RM&E	WDFW, CCT, STOI, KTOI		
Sherman Creek Hatchery - O&M	Existing	Artificial Production	WDFW		
Ford Hatchery Operations & Maintenance	Existing	Artificial Production	WDFW		

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
Large Lakes (Banks Lake) Fishery Evaluation Project	Existing	RM&E	WDFW		
Resident Fish Loss Assessment	New	RM&E	WDFW	Assess losses of native resident focal fish species due to construction, inundation, and operation of FCRPS	
Resident Fish Mitigation based on Loss Assessment	New	Habitat	WDFW		
Lake Rufus Woods Enhancement Planner	New		WDFW		
Lake Roosevelt Evaluation	Existing	RM&E	WDFW		
White Sturgeon-Lower Columbia	Existing	RM&E	WDFW/ODFW/ CRITFC/PSMFC	Funding covers: 1) mitigation - population restoration based on harvest management comprised of setting annual sustainable exploitation/harvest levels and annual harvest monitoring (creel survey); 2) evaluating success of harvest management through periodic stock assessments and annual natural production monitoring; and 3) final year of white sturgeon maturation research. Assessment activities will also support evaluation of hatchery supplementation activity contained in 3-Treaty-Tribes MOA.	
White Sturgeon-Above McNary & Snake River	Expanded	RM&E	WDFW , IDFG, ODFW	1st year: Tri-state (ID, OR, WA) Mgmt. Plan development (\$234,399); Capital costs for boat and start-up costs for monitoring work (\$180,236). Out years - stock status monitoring for adults and juvs, & creel.	
Lake Roosevelt White Sturgeon Recovery Project and Hatchery Supplementation	Expanded	RM&E/ Hatchery	WDFW and STO		
Crab Creek Subbasin Plan	New	Sub-Basin Plans	WDFW		
WDFW Group #9 Wildlife					
Swanson Lake Wildlife Mitigation Project (Swanson Lakes Wildlife Area)	Existing	Wildlife	WDFW		
Enhance, protect and maintain shrub-steppe habitat on the Sagebrush Flat Wildlife Area (SEWA)	Existing	Wildlife	WDFW		
Scotch Creek Wildlife Area	Existing	Wildlife	WDFW		
Sunnyside Wildlife Mitigation	Existing	Wildlife	WDFW		
Shillapoo Wildlife Area	Existing	Wildlife	WDFW		

Proposal Title or General Description	Existing/ Expanded/ New	Category	Org.	Comments	BiOp RPAs
Desert Wildlife Area O&M (Wetland Enhancement)	Existing	Wildlife	WDFW		
Wenas Wildlife Area O&M	Existing	Wildlife	WDFW		
Asotin Creek Wildlife Area O&M (Schlee Acquisitions)	Existing	Wildlife	WDFW		
Western Pond Turtle Recovery - Columbia River Gorge - Washington	Existing	Wildlife	WDFW		
Wildlife Operational Loss Assessment	New	RM&E	WDFW		
Wildlife Operational Loss Mitigation	New	Habitat	WDFW		