

# Draft FCRPS BiOp Highlights

## September 9, 2004

### ***Where we are today:***

Adult returns of nearly all Columbia Basin stocks are up dramatically since 2000. Spring chinook fisheries have been opened for the first time since 1977 and summer chinook fisheries for the first time since 1973.

### ***Why the 2004 Draft BiOp is being released now:***

In May 2003, U.S. District Court Judge Redden invalidated the 2000 BiOp, finding that NOAA Fisheries had improperly relied on actions to be taken by entities other than the FCRPS Action Agencies, that had not undergone an Endangered Species Act consultation or were not “reasonably certain to occur.” The Judge ordered NOAA Fisheries to revise the document, and release a final document by November 30, 2004. The draft is being released to allow sufficient time for the Northwest states and tribes to comment and provide input on the draft before it is submitted to the court in final form.

### ***How the 2004 Revised BiOp Improves Upon Salmon Protection in the 2000 BiOp:***

1. **Listed Fish Protections.** The 2004 Draft BiOp responds to the Court’s order that salmon protection actions implemented by non-federal entities be “reasonably certain to occur.” Specifically, the document includes greater details about specific proposed actions of the FCRPS Action Agencies (the Army Corps of Engineers, Bureau of Reclamation and Bonneville Power Administration), many of which are implemented by contract with non-federal entities, to improve salmon habitat, expand use of predator control programs, and use of a safety net hatchery program during the period of the new Bi-Op. These actions are guided by updated scientific findings about the biological needs of individual salmon species, what will be most likely to address these needs, and how better to measure the progress of implementation of such actions.
2. **More “Performance-Based” and “Adaptive Management.”** The 2004 Draft BiOp proposes specific actions to benefit salmon and steelhead species with a focus on *results* and what can be done to *improve* results through adaptive management, more efficient investment in successful actions, and incorporation of new scientific research and data. The draft also includes numerous research and monitoring efforts to monitor the status of the listed species and the effectiveness of agency actions intended to improve survival.
3. **Enhances the existing comprehensive, aggressive program.** The 2000 BiOp included a prescriptive list of 199 “Reasonable and Prudent Alternative” (RPA) actions that NOAA Fisheries determined were needed for the operation of federal Columbia and Snake River dams to avoid jeopardy to the existence of listed salmon and steelhead. The 2004 Draft BiOp incorporates many of the successful actions in the 2000 BiOp, acknowledges that some have already been completed, and also that others must realistically be adjusted to account for new data and science. In addition, the draft BiOp adds to protections through surface bypass improvements such as Removable Spillway Weirs.

4. **Revised Application of ESA Legal Standard Used to Measure Impacts.** The 2000 BiOp applied the ESA standards using a method based upon expected, though not certain, future actions occurring within the entire range of the listed species, not exclusively the area affected by the action under consultation. The Court invalidation of that approach required that NOAA Fisheries focus its analysis on specific future actions occurring in the action area. In response, the updated method for applying these standards focuses upon the precise effects of the proposed action compared against the environmental baseline, the conditions in the action area without the proposed action.

***Specific Actions Proposed to Avoid Jeopardy of Listed Salmon and Steelhead:***

The 2004 Draft BiOp evaluates proposed hydrosystem, predator control, habitat and hatchery actions by BPA, the U.S. Army Corps of Engineers and the U.S. Bureau of Reclamation and builds on many of the actions underway since 2000. It finds that the Updated Proposed Action provides sufficient protection to listed salmon and steelhead ESUs to avoid jeopardizing the continued existence of the species.

- *New Improvements to Hydro Dams*—NOAA Fisheries expects that scheduled modifications of the federal Columbia and Snake River dams through 2014, will continue to improve juvenile fish passage and survival throughout the system. Specifically, the federal agencies propose an aggressive schedule to install surface oriented bypasses such as “removable spillway weirs” (RSWs) tailored to individual characteristics of the dams that will help boost salmon passage through the spillways using much more efficient water and power resources. An RSW is successfully operating has been tested at the Lower Granite Dam, and another is slated to be installed in 2005 at Ice Harbor Dam. Also, a corner collector was installed at Bonneville dam second powerhouse. Other RSWs and surface bypass devices are expected at the other dams.
- *Expanded Control of Fish-Eating Predators*.—The 2004 draft includes a more significantly expanded set of actions designed to control bird and fish predators that prey upon juvenile salmon throughout the system, including Caspian terns and Northern Pikeminnow.
- *Continued Implementation of Tributary and Estuarine Habitat Improvements*.— The 2004 draft BiOp includes continued implementation of actions that are improving salmon habitat, such as removal of fish passage barriers in key spawning and rearing areas, installation of screening diversions, use of flows to improve tributary migration and improve water quality; and other programs to emphasize habitat improvements to populations that will most benefit from them. In addition, the new draft BiOp includes greater focus on estuary habitat improvements particularly for Snake River fall Chinook, but which also benefit all fish migrating through the Columbia River estuary.
- *Continued Funding of Critical Hatchery Program*. —The draft also includes the Safety Net Artificial Production Program for Snake River Sockeye as a critical hedge against extinction and a conservation tool.

***What is the level of federal resources allocated for Northwest salmon recovery?***

The president's budget for FY 2005, calls for a total expenditure of approximately \$600 million for Columbia River Basin salmon funding. This amount includes appropriated funds from the departments of Defense, Interior, Commerce, Agriculture, and the Environmental Protection Agency in addition to ratepayer funding from the Bonneville Power Administration, bringing the total federal government commitment to Northwest salmon recovery to at least \$6 billion over the next 10 years.