Upper Columbia UPDATE

THE NEWSLETTER OF THE UPPER COLUMBIA ALTERNATIVE FLOOD CONTROL AND FISH OPERATIONS ENVIRONMENTAL IMPACT STATEMENT (EIS)

ISSUE #4

NOVEMBER 2003

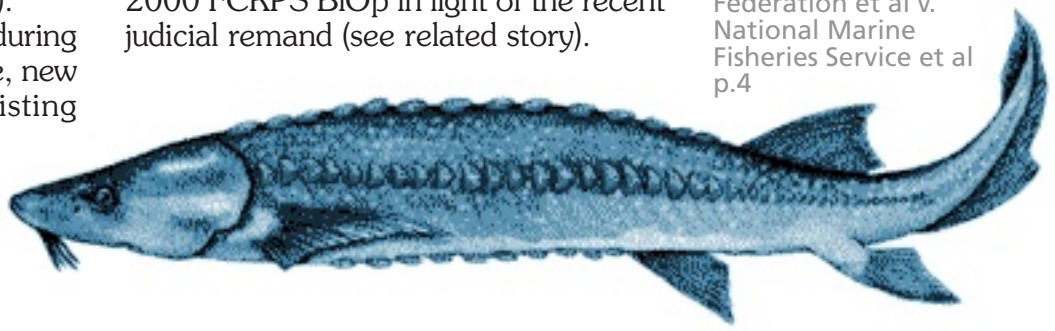
Corps and BPA re-initiate consultation with USFWS

On July 8, 2003, the Corps and the Bonneville Power Administration (BPA) requested re-initiation of Endangered Species Act consultation with the U.S. Fish and Wildlife Service (USFWS) on the operation of Libby Dam as part of the Federal Columbia River Power System (FCRPS). The new consultation is intended to address the sturgeon critical habitat designation that occurred on September 6, 2001. As the new consultation proceeds, the Corps and BPA will continue to implement the USFWS 2000 FCRPS Biological Opinion (BiOp).

Other issues will be addressed during the new consultation. For example, new information relating to the existing survival rates of the white sturgeon as well as different Libby operations and other actions that could benefit white sturgeon will likely be evaluated and considered. The Corps and BPA also would like to review and clarify several of the actions recommended for sturgeon recovery in the USFWS 2000 FCRPS BiOp.

The Corps, BPA, and USFWS will coordinate any new actions being considered in the new consultation with NOAA Fisheries, which is revising their 2000 FCRPS BiOp in light of the recent judicial remand (see related story).

INSIDE



Schedule for Upper Columbia EIS extended

In order to accommodate more detailed modeling of different flood control and fish flow operations at Libby and Hungry Horse dams, the Corps and Reclamation have revised the Upper Columbia Environmental Impact Statement (EIS) schedule to extend the completion date for the EIS process until the spring of 2005. The original schedule planned to complete the EIS process in late 2004, which would allow for implementation of the selected operational alternative in time for the 2005 flood control and fish flow season. Under the revised schedule, interim implementation of VARQ flood control would continue in 2005, with the selected long-term operational alternative being implemented at both dams for the 2006 flood control season.

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The additional time will allow work on the daily hydro-regulation modeling of both Libby and Hungry Horse operations. At Libby, the Corps will analyze a continuous series of years for various fish flow scenarios. The Corps work will also involve a sensitivity analysis that will help provide an estimate of how uncertainty related to water supply forecasts, timing of fish flows, or other factors could affect reservoir operations and stage-discharge relationships in the river downstream (particularly at Bonners Ferry). At Hungry Horse, Reclamation will model dam operations based on an improved representation of minimum flow requirements, water supply forecasts, reservoir rule curves, and other model components.

The output from the hydro-regulation modeling will form the basis for a wide variety of follow-on analyses on potential effects of alternative dam operations on resident fish populations, hydropower production, local flood control, economics, water quality, cultural resources, and other factors. Under the new schedule, the draft EIS will be available for public comment in the latter half of 2004, at which time public meetings will be held throughout the region.

Northwest Power and Conservation Council's Mainstem Amendments

The Northwest Power and Conservation Council (NPCC; named the Northwest Power Planning Council by statute), an interstate organization formed under the Pacific Northwest Electric Power Planning and Conservation Act of 1980, is tasked with development of a program to balance fish and wildlife needs with power operations and keeping the public involved in the decision-making process. The Columbia River Basin Fish and Wildlife Program was adopted in 1982 to meet that requirement. The 2003 Mainstem Amendments are one of several periodic revisions to the program. Though consistent with 2000 U.S. Fish and Wildlife Service (USFWS) Biological Opinion (BiOp) for the Federal Columbia River Power System (FCRPS), the 2003 amendments differ in some areas from the 2000 NOAA Fisheries FCRPS BiOp.

For Libby and Hungry Horse, the 2003 amendments aim to reduce the frequency of refill failure, implement seasonal flow windows and flow ramping rates in the Flathead and Kootenai rivers downstream of the dams, and maintain minimum flows in the Flathead and Kootenai rivers as described by the USFWS 2000 Biological Opinion and by Montana Fish, Wildlife & Parks. For summer flow augmentation for anadromous fish, the 2003 amendments call for summer reservoir drafting limits at Hungry Horse and Libby of 10 feet from full pool by the end of September in all but drought years when the draft could be increased to 20 feet from full pool. In contrast, the 2000 NOAA Fisheries BiOp calls for a draft of 20 feet from full pool by the end of August in most years.

In July, the State of Montana asked that portions of the NPCC's plan be implemented this year, but their request *(http://www.nwd-wc.usace.army.mil/tmt/sor/2003/2003-MT-1.pdf)* was deferred to next year by a team of federal executives. Instead, the NPCC recommended formation of a team to design an appropriate evaluation process and additional studies to evaluate the effects of amendment implementation on both resident and anadromous fish. The objective of the design process is to have a regionally-approved study plan prior to implementing the amendment recommendations, and for these studies to commence in 2004.

DEFINITIONS IN THIS ISSUE

Larvae *(plural; singular is larva):* the early life stage of a fish between the time of hatching and transformation to a juvenile stage that more closely resembles an adult.

Recruitment: survival of young sturgeon until they are old enough to successfully spawn.

Year-class: all individuals of a fish population spawned and hatched in a given year.

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2003 Libby Dam operations for Kootenai River white sturgeon

The endangered Kootenai River white sturgeon occur in the river downstream of Kootenai Falls. Sturgeon evolved under river conditions that included a spring/early summer high flow period or freshet. Libby Dam regulates freshet flows for flood control and reservoir refill purposes. Concurrently, successful natural recruitment of sturgeon has not been observed or recorded since the dam began operation in 1974.

Since the early 1990's, Libby Dam flows in the spring have been managed to benefit sturgeon by releasing water to more closely approximate the natural freshet. The water releases for sturgeon have been timed to correspond with events such as upstream movement of radio-tagged sturgeon, increases in local run-off, or increasing river temperatures. Spring releases of water have also been used to aid in survival of hatchery-reared sturgeon larvae in the river. Similar to the natural freshet, high sturgeon flows sort gravels, clean substrates, flush out dead and dying aquatic vegetation and algae, and inundate more habitat for fish and aquatic insects. VARQ flood control was designed, in part, to reduce the amount of winter reservoir drawdown required in years with average to below-average runoff forecasts, making more water available for spring/early summer sturgeon operations. The amount of water available for sturgeon in a given year is based on the May water supply forecast. This year, 800,000 acre-feet of water was available for sturgeon.

Sturgeon historically and currently spawn near Shorty's Island, downstream of Bonners Ferry, where the river bottom now consists of sand and silt. Since fertilized sturgeon eggs are adhesive, experts theorize that they likely suffocate and die when they come in contact with the sand bottom in the spawning reach. In 2003, the Idaho Department of Fish and Game (IDFG) and the Kootenai Tribe of Idaho (KTOI) cooperated to relocate sexually mature female and male sturgeon upstream to the Hemlock Bar reach of the river. Located near the mouth of the Moyie River, this area has gravel and cobbles on the bottom together with high flow velocities. Theoretically, sturgeon eggs spawned over gravel should settle into the spaces between the gravels and be protected from predators and sediment while the eggs develop. The 2003 experiment was designed to document if fertilized sturgeon eggs spawned over gravel would survive to hatch about 21 days later and become larvae.

In all, 3 female and 7 male sturgeon were relocated. IDFG documented the spawning of two relocated sturgeon near Hemlock Bar on June 5th. No other spawning events were documented after June 5th. Immediately, the Corps began sturgeon flows by increasing Libby Dam flows from 15,000 cubic feet per second (15 kcfs) on June 5th to 25 kcfs on June 6th. These flows were maintained until June 19th, when they were decreased to 19 kcfs in response to decreased reservoir inflow. Technically, sturgeon flows ended on June 26th, 21 days after the spawning event. Thereafter, dam releases remained above 15 kcfs until early July for flood control purposes.

IDFG personnel monitored the river for sturgeon larvae through August. The next opportunity for documentation of recruitment success will be two to three years from now when the juvenile fish get large enough to be caught by nets. Since it is important to have certainty that any 2003 year-class sturgeon are of natural origin, no larval fish were released this year from the KTOI hatchery. If large numbers of young sturgeon from the 2003 year-class are eventually captured, this would be the first recorded successful sturgeon recruitment since Libby Dam was completed.

NOW ON THE WEB

For the latest news and information on the UC project, go to

www.usbr.gov/pn/programs/VARQ/

Listed below are just a few of the informative articles and documents you'll find on the website:

- **Final Environmental Assessment for implementation of VARQ**
  An assessment of the effects of implementing VARQ while the EIS is underway, done by the Corps of Engineers for Libby Dam.
- **Frequently Asked Questions**
  Answers to a number of questions about the project covering technical issues, policy, background, & process.
- **Final Scoping Document**
  The results of the initial scoping process of public and agency meetings, letters, and consultations, setting the scope for the EIS.

Plus links to:

- Agency websites
- Articles and reports on Columbia and Kootenai River dam and flood control operations
- Information on endangered species
- Alternative perspectives and viewpoints

Any Missing Links?

If there are any links you think would add to the information on our site, please submit them to:

uceis@usace.army.mil

Thanks for your input!

National Wildlife Federation et al v. National Marine Fisheries Service et al

Judge James A. Redden of the Federal District Court of Oregon, on May 7, 2003, granted plaintiff's motion for summary judgment in National Wildlife Federation et al v. National Marine Fisheries Service et al. In this case, a coalition of environmental groups had challenged the National Marine Fisheries Service (now called NOAA Fisheries) 2000 Biological Opinion on operations of the Federal Columbia River Power System for salmon and steelhead.

The judge noted that the BiOp relied on range-wide off-site mitigation actions for the survival and recovery of eight listed salmon population units, but offered the adoption of periodic check-ins and monitoring as a remedy for the fact that there was not reasonable certainty that the off-site actions would occur. However, because the federal monitoring actions had not undergone Endangered Species Act consultation and the non-federal actions were not reasonably certain to occur, the judge ruled it was improper for NOAA Fisheries to rely on them.

In late spring 2003, the judge remanded (handed back) the BiOp to NOAA Fisheries to correct deficiencies within one year, with the 2000 BiOp remaining in effect during this process. Interim operations using VARQ will continue during the remand, as will development of a final Upper Columbia Alternative Flood Control and Fish Operations EIS.

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