



FEDS' SALMON BIOP FIVE-YEAR CHECK-IN: MOST ESA-LISTED FISH INCREASED IN ABUNDANCE SINCE 1990S

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Federal “action” agencies this week gave themselves, and their partners, good marks in implementing the first five years of a 10-year plan aimed at countering impacts of Columbia-Snake River dams on salmon and steelhead stocks listed under the Endangered Species Act.

The U.S. Army Corps of Engineers, the Bureau of Reclamation and the Bonneville Power Administration – collectively known as the Federal Action Agencies – on Thursday released the 2013 draft “Comprehensive Evaluation,” which assesses progress achieved toward biological targets during the first five years of the 2008/2010 Biological Opinion developed by NOAA Fisheries. The Corps and Bureau operate dams in the system; Bonneville markets power generated at the hydro projects.

Highlights of the new documents – a citizens guide – can be found at:

http://www.salmonrecovery.gov/Images/Comprehensive%20Evaluation/FINALCitizensGuide7_10_13.pdf

Representatives of the three agencies on Wednesday previewed the new report for the Northwest Power and Conservation Council during this week’s Council meeting in downtown Seattle.

“It’s a large, soup-to-nuts look back” at achievements, gaps and/or shortfalls and scientific lessons learned, BPA’s Sarah McNary told the Council. Next up, scheduled for next month, is completion of an implementation plan for the last five years of the 10-year BiOp.

The agencies say that work under the Federal Columbia River Power System BiOp – a 10-year strategy -- is the largest effort of its kind ever undertaken in the Columbia River basin.

There is still much work to do, especially to help such listed stocks as the Upper Columbia spring chinook salmon and Snake River sockeye salmon. The Upper Columbia chinook have not yet shown a significant upward trend in abundance over time, as have most of the 13 listed stocks. The Snake River stock has long been maintained through the use of a long-running captive broodstock program, though recent years have seen an increasing number of wild returns.

But overall, “we’re actually very, very pleased considering the massive scope of this project,” McNary said of the BiOp progress to-date. Considerable habitat restoration progress has been made, though large challenges remain in extremely damaged areas.

The comprehensive evaluation is required under the BiOp, with a second such report due in 2016. The action agencies also prepare for NOAA Fisheries annual reports on implementation of the BiOp.

Meanwhile, NOAA Fisheries is at work to produce a new BiOp under order from U.S. District Court Judge James A. Redden, who in an August 2011 order said the 2008/2010 BiOp was

illegal. The Comprehensive Evaluation and the implementation plan are being used to help shape the new BiOp. A draft BiOp is also scheduled for an August release.

“Federal Defendants have failed, however, to identify specific mitigation plans to be implemented beyond 2013,” the judge said. “Because the 2008/2010 BiOp’s no jeopardy conclusion is based on unidentified habitat mitigation measures, NOAA Fisheries’ opinion that the FCRPS operations after 2013 will not jeopardize listed species is arbitrary and capricious.”

“The ESA prohibits NOAA Fisheries from relying on the effects of uncertain and speculative actions that are not ‘reasonably certain to occur,’” Redden wrote.

The judge ordered a court-monitored remand with a Jan. 1, 2014 due date for production of “a new biological opinion that reevaluates the efficacy of the RPAs in avoiding jeopardy, identifies reasonably specific mitigation plans for the life of the biological opinion, and considers whether more aggressive action, such as dam removal and/or additional flow augmentation and reservoir modifications are necessary to avoid jeopardy.”

He ordered continued implementation of the existing BiOp’s “reasonable and prudent alternative” through the end of 2013.

(See, CBB, Aug. 3, 2011, “Redden Orders New Salmon BiOp By 2014; Says Post-2013 Mitigation, Benefits Unidentified” <http://www.cbulletin.com/411237.aspx>)

The BiOp itself was created and then supplemented by NOAA Fisheries Service, which is responsible for assuring that federal actions, such as the operation of Columbia and Snake River federal dams, do not jeopardize the survival of listed anadromous fish stocks. In building the strategy NOAA Fisheries considered a biological assessment produced by the action agencies that included a suite of actions aimed at protecting listed salmon and steelhead stocks.

NOAA incorporated many of the action agencies’ suggestions and added a few mitigation requirements of its own in what is the BiOp’s “reasonable and prudent alternative.” The prescribed actions include what are believed to be improvements to dam operations and infrastructure, restoration of habitat off-site in tributaries and the Columbia estuary and more wild fish-friendly hatchery and harvest strategies, as well as increased predator management.

The draft Comprehensive Evaluation, which is required under the existing BiOp and now open to a 30-day public comment period, shows wild, or natural origin, salmon and steelhead returned to the Columbia and Snake rivers and tributaries and spawned in greater numbers since the first Endangered Species Act listings in the early 1990s.

“The draft Comprehensive Evaluation shows the strides we’ve made to bring more fish back to the river,” said Lorri Bodi, vice president for BPA’s Environment, Fish and Wildlife.

The action agencies say they have met or exceeded the tributary habitat goals for more than half (31 of 56) the salmon and steelhead populations. Those goals involve measurements of habitat quality improvements.

“This work has been accomplished over a broad landscape, including areas with significant legacy impacts from mining, agriculture, or other human endeavors,” the report’s introduction says.

Even in the most challenging areas, the necessary planning, relationship-building, infrastructure and scientific approaches are now in place to implement projects to meet BiOp targets, the plan says.

Monitoring is showing that fish have quickly returned to re-opened habitat and are spawning in greater numbers in restored reaches to help increase in abundance.

Testing of juvenile fish passage at the mainstem dams along the lower Columbia and Snake rivers indicate that all projects are on track to meet the BiOp performance standards of 96 percent survival for spring migrating juvenile fish and 93 percent survival for summer migrants.

The agencies attribute much of that success to the fact that surface passages systems, such as spillway weirs, have been installed at all eight Columbia-Snake mainstem dams. The devices enable more efficient spill (more fish passed per bucket of water than traditional spillway passage) and allows fish to move more quickly past the dams, and nearer the water's surface where they naturally migrate.

"We are moving forward under the biological opinion," said Rock Peters, senior fishery program manager for the Corps of Engineers. "This draft Comprehensive Evaluation offers a great opportunity to update the region on our progress."

The draft Comprehensive Evaluation also shows the extensive coordination of efforts among federal, state and local agencies and non-government organizations to achieve gains for fish.

"The success of this program is built on unprecedented partnerships and collaboration with tribes, states, landowners, irrigators and watershed councils throughout the region," said Lorri Lee, regional director for Reclamation's Pacific Northwest Region. "Together, we have forged a strong commitment to increase the survival of salmon and steelhead in the Pacific Northwest."

Some of the highlights from the report include the following:

- Most ESA-listed fish populations that spawn in the basin have increased in abundance since their listing in the 1990s. An important measure of progress is the increase in wild salmon and steelhead returning to their spawning grounds.
- Some 177,227 acre-feet of water have been secured by the Action Agencies for in-stream uses, increasing flow to important salmon habitat. That's more than enough water to serve a city the size of Seattle.
- Projects geared toward fish access have opened 2,053 miles of spawning and rearing habitat to salmon – nearly twice the length of the Columbia River.
- Action Agencies have protected and restored 3,791 acres of estuary habitat. Fish can spend months feeding in the estuary, where they grow quickly, better positioning them to for survival in the ocean.
- Surface passage systems are now operational at all federal dams on the lower Columbia and lower Snake rivers, allowing fish to pass dams more quickly. Combined with refined spill operations, these systems provide some of the highest survival rates of all passage routes.
- A spill wall at The Dalles Dam significantly boosted survival rates in the tailrace by guiding fish into the main river channel, away from predators. Tests following the completion of the spill wall showed increased numbers of yearling and subyearling chinook passing the dam safely.

Copies of the draft Comprehensive Evaluation are available at www.salmonrecovery.gov. The document will be open for public comment from July 15 to Aug. 16. Public comments can be submitted online at www.bpa.gov/comment or by mailing comments to: BPA Public Involvement, P.O. Box 14428, Portland, OR 97293.

Fishing and conservation groups that are challenging the BiOp in court say the new federal "Comprehensive Evaluation" presents "a one-sided view of the agencies' performance and progress over the past five years and fails to address the measures necessary to move salmon recovery forward."

"A close look at the Evaluation reveals that threatened and endangered wild salmon and steelhead populations remain far from recovery," according to a press release issued Thursday by Save Our Wild Salmon.

"Despite its considerable expense -- more than \$600 million annually -- the 2008/2010 BiOp is failing to adequately protect or restore stocks that remain at risk of extinction.

Notwithstanding the federal agencies' positive packaging, their restoration efforts are failing to meet the life-cycle needs of the Northwest's most iconic species," the press release says.

"Most wild populations are at best treading water or at worse declining, despite being listed under the Endangered Species Act between 14 and 22 years ago."

"The Obama Administration's new biological opinion due at the end of this year must be significantly strengthened and supported by the science if it is to have any hope of passing legal muster and meeting the needs of salmon," according to the press release.

