

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

April 12, 2011

OFFICE OF ENERGY PROJECTS

Project No. 2149-152--Washington
Wells Hydroelectric Project
Public Utility District No. 1 of Douglas County

Keith Kirkendall, Branch Chief
National Marine Fisheries Service
1201 N.E. Lloyd Boulevard, Suite 1100
Portland, OR 97232

Subject: Request for concurrence with endangered species determinations

Dear Mr. Kirkendall:

The Wells Hydroelectric Project (project) is located on the Columbia River in Douglas, Okanogan, and Chelan counties, Washington. We address the project's effects on threatened or endangered species and/or critical habitat in the enclosed draft Environmental Impact Statement (draft EIS). The location of the endangered species information is provided in the attachment. A draft biological assessment prepared by the Public Utility District No. 1 of Douglas County and filed on May 27, 2010, as Appendix E-7 of Exhibit E of its final license application, is available as supplemental information.

We conclude that relicensing the project with staff-recommended measures and agency mandatory conditions would not likely adversely affect the Upper Columbia River (UCR) spring-run Chinook salmon Evolutionary Significant Unit (ESU) and UCR steelhead trout Distinct Population Segment (DPS) and would not likely adversely affect any designated critical habitat for the UCR spring-run Chinook salmon ESU or UCR steelhead trout DPS.

The applicant has proposed and we are recommending continued implementation of the Wells Habitat Conservation Plan (Wells HCP). Consultation for the effects of the Wells HCP on the UCR spring-run Chinook salmon ESU and UCR steelhead trout DPS was completed on September 25, 2003.¹ In the Biological Opinion, you indicated that

¹ *Biological Opinion, Unlisted Species Analysis and Magnuson-Stevens Fishery Conservation and Management Act Consultation for Proposed Issuance of a Section 10 Incidental Take Permit to Public Utility District No. 1 of Douglas County for the Wells*

reinitiation of consultation would be required if: 1) any action is modified in a way that causes an adverse effect on the species that is new or significantly different from those analyzed in connection with the Wells HCP; 2) new information or project monitoring reveals adverse effects of the action in a way not previously considered or that involves additional take not analyzed in connection with the original Wells HCP; or 3) a new species is listed or critical habitat is designated that may be affected by the action.

Our analysis, presented in the draft EIS, did not identify any adverse effects of continued implementation of the Wells HCP on listed salmon and steelhead that would be new or significantly different from those already analyzed in connection with the license amendment authorizing the Wells HCP.² Additionally, we are not aware of any new information or project monitoring that reveals adverse effects of the Wells HCP not previously considered. We, therefore, conclude that there is no need to reinitiate consultation on the effects of the Wells HCP implementation on the UCR spring-run Chinook salmon ESU or UCR steelhead trout DPS.

In regard to the non-HCP measures included in the staff alternative with mandatory conditions, implementation of the Aquatic Settlement Agreement resource management plans would include protection and enhancement measures for Pacific lamprey, bull trout, white sturgeon, and other non-anadromous fish species. The Aquatic Settlement also provides for measures to enhance water quality and protect aquatic habitat from invasive aquatic nuisance species. The measures contained in the Aquatic Settlement Agreement resource management plans would generally enhance fish populations and aquatic habitat throughout the project area, and therefore, would likely cause minor beneficial effects to listed aquatic species. No other non-HCP measures associated with relicensing would adversely affect UCR spring-run Chinook salmon or UCR steelhead occurring within the project area. Based on this information, we conclude that the non-HCP measures included in the staff alternative with mandatory conditions would not likely adversely affect the UCR spring-run Chinook salmon ESU or UCR steelhead trout DPS.

Finally, while no new species have been listed subsequent to completion of consultation on the Wells HCP, new critical habitat in the project area for both the UCR spring-run Chinook salmon ESU and UCR steelhead trout DPS was designated on September 2, 2005.³ Thus, the effects of Wells HCP implementation on designated critical habitat for these species were not previously considered. Designated critical habitat for UCR spring-run Chinook salmon that could be affected by relicensing the project includes the mainstem Columbia River in the project area upstream to the

Hydroelectric Project (FERC No. 2149) Anadromous Fish Agreement and Habitat Conservation Plan.

² 107 FERC ¶ 61,280

³ 70 CFR (52630–52858)

confluence with the Methow River, and the lower 1.5 miles of the Methow River. Designated critical habitat for UCR steelhead that could be affected by relicensing the project includes the mainstem Columbia River in the project area upstream to the mouth of the Okanogan River, the lower 1.5 miles of the Methow River, and the lower 15.5 miles of the Okanogan River. The primary constituent element of these designated critical habitats is to serve as a freshwater migration corridor.

As discussed in the draft EIS, continued implementation of the Wells HCP and implementation of other measures included in the staff alternative with mandatory conditions would increase adult and juvenile survival of UCR spring-run Chinook salmon and UCR steelhead trout during upstream and downstream migrations through the project area. Specifically, survival would be improved through a combination of juvenile bypass operations, fish ladder operation and maintenance activities, water quality monitoring, and aquatic nuisance species and predator control measures. Overall, these measures would improve the ability of the designated critical habitat within the project area to serve as a freshwater migratory corridor. No other measures associated with relicensing would significantly affect designated critical habitat within the project area. Based on this information, we conclude that relicensing the project under the staff alternative with mandatory conditions would not likely adversely affect any designated critical habitat for UCR spring-run Chinook salmon or UCR steelhead.

Based on these determinations, we do not believe there is a need to initiate formal consultation for the UCR spring-run Chinook salmon ESU or UCR steelhead trout DPS or their designated critical habitat. Please tell us, in writing, within 30 days from the date of receipt if you do or do not concur with our assessment.

Should you need to informally discuss concerns before making your determination or wish to initiate teleconference with all parties on this issue, please contact Matt Cutlip at (503) 552-2762. Please file your response electronically via the Internet. See 18 C.F.R. 385.2001(a)(1)(iii) and the instructions on the Commission's website (<http://www.ferc.gov/docs-filing/efiling.asp>). For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, your response may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426. Please put the docket number, P-2149-152 on the first page of your response.

If you have any questions, please contact me at (202) 502-6797.

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Sincerely,

Jennifer Hill, Chief
Northwest Branch
Division of Hydropower Licensing

Attachment: Location of endangered species information

Enclosure: Draft EIS

cc: Public Files
Service List

ATTACHMENT

Location of endangered species information in the enclosed draft EIS and final license application needed to complete consultation on the Wells Project (FERC No. 2149)

Description of the Action	<p>Information describing the general project location is found in the license application Exhibit A, section 1.0 (pages A-2 through A-3), a description of the federal lands affected by the project is provided in section 8.0 (page A-28), and project boundary maps are provided in Exhibit G of the license application.</p> <p>The proposed action, described in <i>Proposed Action and Alternative</i>, section 2.0 of the draft EIS, consists of the applicant's proposal, section 2.2 (pages 31-36) as modified by staff, section 2.3 (pages 37-40), and with additional modifications specified in NMFS' and Interior's section 18 fishway prescriptions, section 2.2.4 (page 40).</p>
Description of the Listed Species, Critical Habitat, and Essential Fish Habitat	<p>In the Affected Environment, section 3.3.1.1, <i>Anadromous Salmonids</i>, (pages 64-71) and section 3.3.3.1, <i>Threatened and Endangered Species</i>, (pages 157-161) of the draft EIS, we summarize available background information on species biology, habitat requirements, abundance, and distribution within the project area and surrounding areas; and summarize the results of surveys conducted by the applicant. We identify the location of essential fish habitat for Chinook and coho salmon in the project area in section 1.3.7, <i>Magnuson-Stevens Fishery Conservation and Management Act</i> (page 12) of the draft EIS.</p> <p>Essential fish habitat is also addressed in appendix A of Douglas PUD's draft biological assessment filed as appendix E-7 of Exhibit E of the license application.</p>
Description of affected area and Description of the effects of the project, including cumulative effects	<p>In the Aquatic Resources Environmental Effects, section 3.3.1.2 (pages 82-119) and Threatened and Endangered Species Environmental Effects, section 3.3.3.2 (pages 161-169) of the draft EIS we provide a description of the geographic area that may be affected by the proposed action; an evaluation of the potential direct and indirect effects on species and critical habitat of the proposed action and alternatives; and evaluation of measures proposed by the applicant and recommended by staff to reduce, avoid, minimize, or enhance endangered species.</p> <p>Cumulative effects are specifically addressed in section 3.3.1.3 of the draft EIS (pages 119-123).</p>

	<p>We make our determination of effects on federally listed species in section 1.3.3, <i>Endangered Species Act</i> (pages 9-10), and on essential fish habitat in section 1.3.7, <i>Magnuson-Stevens Fishery Conservation and Management Act</i> (page 12) of the draft EIS.</p>
Relevant Reports	<p>A list of relevant reports and other relevant information on the action, listed species, or critical habitat that form the basis of our assessment of effects to threatened or endangered species are included in the license application, Exhibit E, Section 7.0, <i>References</i>, (pages 260 through 288) and section 7.0 of the draft EIS, <i>Literature Cited</i> (pages 255-271). Copies of the reports prepared by the applicant, including pre-application studies and survey results have already been filed with your office.</p>

Document Content(s)

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