



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Washington Fish and Wildlife Office
 Central Washington Field Office
 215 Melody Lane, Suite 103
 Wenatchee, WA 98801-8122

IN REPLY REFER TO:

June 27, 2013

USFWS Reference: 13410-2013-CPA-0006

Hydrologic Unit Code: 17-02-00-08-05

Re: Off-Project Hatchery Collection Facilities Adult Bull Trout Upstream Passage
 Assessment (Wells Hydroelectric Project – FERC Project No. 2149)

Honorable Kimberly D. Bose, Secretary
 Federal Energy Regulatory Commission
 888 First St., NE
 Washington, DC 20426

Dear Secretary Bose:

The Federal Energy Regulatory Commission (Commission) issued a new license for the Wells Hydroelectric Project (FERC No. 2149) on November 11, 2012. As part of this effort, the U.S. Fish and Wildlife Service (Service) filed its Prescription for Fishways with the Commission in July 2010, which included provisions for the safe and timely passage of bull trout at the Project's facilities. On March 16, 2012, the Service also issued its *Biological Opinion for the Proposed Relicensing of the Wells Hydroelectric Project* to the Commission. This biological opinion stipulates that the Commission shall require the Public Utility District No. 1 of Douglas County (Douglas PUD) to implement an adult bull trout passage evaluation at off-project hatchery collection facilities such as Douglas PUD's Twisp River Weir in year one of the new license. This requirement is found in Term and Condition No. 11 of the Service's biological opinion, and item 4.7 in the Service's Prescription for Fishways. This mandated study requirement is also consistent with the Bull Trout Management Plan (section 4.2.2) found within the *Wells Aquatic Settlement Agreement* filed with the Commission on May 27, 2010, and within the Washington State Department of Ecology (Ecology) Chelan Water Act section 401 water quality certification (401 Certification) for the Project.

The Service has determined, in collaboration with all signatories to the Wells Aquatic Settlement Agreement, to defer the mandated year one passage study in favor of a study in year five of the new Wells license, when an 'at project evaluation' is scheduled to take place. The rationale for this deferral rests on the premise that combining these evaluations will provide a more comprehensive analysis of project impacts and will also require the use of fewer study fish than two independent evaluations, thus reducing handling impacts on bull trout which are listed under the Endangered Species Act.

This deferral has been discussed extensively within the confines of the Wells Aquatic Settlement Work Group. As such, all signatories approve of the Service's deferral of this evaluation. In light of these considerations, it is the Service's position that the year one bull trout passage study at hatchery brood collection traps (i.e., Twisp Weir) be deferred to year five of the license rather

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than conducted during year one of the license.If you have any questions, please do not hesitate to contact me at (509) 665-3508 ext. 2002.

Sincerely,

A handwritten signature in cursive script that reads "Jessica L. Gonzales for".

Ken S. Berg, Manager
Washington Fish and Wildlife Office

CC:

Patrick Verhey - Washington Department of Fish and Wildlife

Pat Irlle - Washington Department of Ecology

Bob Rose - Yakama Nations

Jason McLellan- Colville Confederated Tribes

Chris Sheridan - Bureau of Land Management

Shane Bickford- Douglas County PUD

Brad Hawkins - Douglas County PUD

Scott Kreiter- Douglas County PUD

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