

State, Federal and Tribal Fishery Agencies Joint Technical Staff

*Columbia River Inter-Tribal Fish Commission
Idaho Department of Fish and Game
Nez Perce Tribe
Oregon Department of Fish and Wildlife
Shoshone-Bannock Tribes
US Fish and Wildlife Service
Washington Department of Fish and Wildlife*

February 8, 2005

John Kranda
US Army Corps of Engineers
PO Box 2870
Portland, OR 97208-2870

Dana Knudtson
US Army Corps of Engineers
201 N. 3rd Ave.
Walla Walla, WA 99362

Dear Mr. Kranda and Ms. Knudtson:

This letter is to reiterate our desire to maintain the Removable Spillway Weir (RSW) installation schedule agreed upon by the System Configuration Team (SCT) last summer, and to ask for an explanation of the Corps of Engineers' (COE's) rationale for recommending changing the agreed upon schedule. The agreed upon schedule was supported by all SCT representatives except for the COE's, and the COE's representatives stated that they only needed time to internally deliberate on whether this schedule was both feasible and cost effective. This schedule already represents a considerable compromise on the part of the Salmon Manager members of SCT. As previously discussed, we believe that installing a RSW at Little Goose Dam (LGO) would provide greater biological benefits, and was (and still is) our preference for the next RSW installation. However, in order to reach a consensus agreement, the Salmon Managers agreed to allow the COE to decide whether to install the next RSW at LGO or Lower Monumental Dam (LMO), **as long as there was consensus agreement to complete RSW installation at all lower Snake River Projects as soon as reasonably possible.**

The Salmon Managers compromised on this issue to demonstrate, per your request, regional support for accelerated RSW installation to COE management and other policy makers. The COE's SCT representatives also requested that the Salmon Managers document our rationale and this agreement in a letter (sent August 13, 2004) to communicate SCT's position to the COE's upper management. We never received a response from the COE to our August 13, 2004 letter. However, in subsequent SCT meetings, the COE's representatives stated that only

one RSW could be built per year, and the remaining Snake River RSW installation schedule would be LMO in 2007 and LGO in 2008. This schedule was also outlined in the National Oceanic and Atmospheric Administration's 2004 Federal Columbia River Power System Biological Opinion (BiOp) and the Action Agencies Updated Proposed Action (UPA). We therefore assumed that the COE was in agreement with the rest of SCT to finish RSW installation in the Snake River as soon as reasonably possible, and concurrently conduct the necessary feasibility and design work to seamlessly begin installation in the lower Columbia River Projects immediately following completion of the Snake River system. However, recent actions and statements by the COE's SCT representative gives us concern that the regional SCT agreement on the RSW installation schedule may no longer exist.

To reiterate critical points from our August 13, 2004 letter, we stated our desire to move beyond the issue of whether the next RSW should be installed at LGO or LMO by agreeing to install RSWs at both projects as soon as reasonably practical, hopefully by April 1, 2007. This schedule reflected both technical and policy input. We stated that our overall goal was (and still is) to more effectively provide spillway passage when information indicates this passage route could improve juvenile in-river survival and/or adult return rates. We stated that our desire for an expedited installation schedule for RSWs in the lower Snake River should not be interpreted as indicating a lower priority in the lower Columbia River. Rather, because of the size and complexity of lower Columbia projects, it will likely take several years to determine how to best configure RSWs, training spill, and biological guidance systems to provide desired results. We specifically requested that feasibility studies for lower Columbia projects be initiated early so that installation could be phased in immediately after completion of all Snake River projects. We also included information providing more detailed supporting rationale and background for our position, which we request you review again for decision consideration. Please add to your decision consideration the new information indicating that wild Snake River chinook salmon that outmigrated via spillways in 2002 (including the RSW at Lower Granite Dam) returned at a significantly higher rate than their transported cohorts (Draft 2003 CSS Annual Report).

In addition, please add to your decision the importance of conducting RSW passage studies for summer migrants in 2005 at Lower Granite and Ice Harbor. If RSWs do not work for summer migrants, current decisions to go forward with installation of RSWs at other dams may have to be modified.

The COE's SCT representatives are now proposing to delay RSW installation at LGO and begin installation at McNary Dam (MCN) in 2008. We are disappointed that apparently the COE has decided not to fulfill the consensus RSW installation schedule agreed to last summer. The only reasons given by the COE's SCT representatives for proposing this change have been the MCN reach survival estimates and the 2004 BiOp gap analysis. All SCT members representing Salmon Management Agencies are aware of and understand the MCN reach survival estimates and the BiOp gap analysis, and we still support the Snake River installation schedule agreed to last summer. We are also disappointed that we must spend additional time and resources rehashing this issue that we thought had been resolved last summer with a consensus agreement. To help us determine future action on this issue, we request that the COE provide written responses to our August 13, 2004 letter and the following questions:

- 1) Since we stated our unanimous desire for an accelerated RSW schedule in the summer of 2004, and the COE's SCT representatives have stated that only one RSW can be built per year, please provide detailed explanation on why the COE is not building an RSW now for installation in spring 2006.
- 2) The Salmon Manager SCT representatives unanimously stated our belief that installing the next RSW at LGO would provide the greatest biological benefits, and that the only additional information necessary for determining which bay to install a RSW in at LGO was forebay fish distribution and modeling of attraction spill patterns for suitable tailrace egress conditions. On what basis did the COE decide that the next RSW should be installed at LMO?
- 3) What information does the COE believe justifies reopening the debate on whether the next Snake River RSW should be at LGO or LMO relative to previous discussions that led to the consensus compromise reached last summer?
- 4) What level of assurance can the COE provide the Salmon Managers that using another year to determine the appropriate design and configuration for surface bypass technology at MCN would not be desirable or necessary?
- 5) Was the COE's SCT representatives' only concern last summer with the consensus schedule the feasibility and cost effectiveness of meeting our desired April 1, 2007 completion date?
- 6) Since the August 13, 2004 letter from the Salmon Managers stated our understanding that the COE was in support of the consensus RSW installation schedule, why did the COE not endeavor to correct this misconception if this was not the case?
- 7) Since this installation schedule is clearly identified as being followed in both the 2004 BiOp and UPA, does the COE believe this schedule can be changed without regional consensus?
- 8) If we cannot resolve this issue at the February 17, 2005 SCT meeting, are there any reasons why we should not elevate this issue to IT as soon as possible for resolution?

SCT representatives worked hard to achieve consensus on this issue. Our understanding was that the COE was in agreement with this consensus RSW installation schedule, and only needed to deliberate on feasibility and cost effectiveness relative to meeting the desired April, 2007 date for completion of all Snake River projects. The current COE proposal to move ahead with MCN RSW installation before completion in the lower Snake does not comport with prior deliberation parameters, which we thought the COE would use to support or modify the consensus agreement. These include the 2004 BiOp, and the 2004 UPA. Without a regional agreement to complete Snake River RSW installation as soon as reasonably possible, the COE does not currently have our support for RSW installation at LMO before LGO. To facilitate discussions at the February 17, 2005 SCT meeting, we request the COE provide an estimate of how much Columbia River Fish Mitigation funding would need to be reallocated in order to install a RSW at LGO by April 1, 2007. We anticipate that the COE's response to our questions and this letter will help facilitate getting back on track with a reasonable discussion about RSW installation. A COE response to the Salmon Managers by February 11, 2005 would be most helpful in focusing our discussion on February 17.

Sincerely,



Dave Statler, NPT



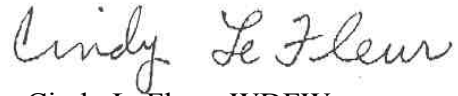
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