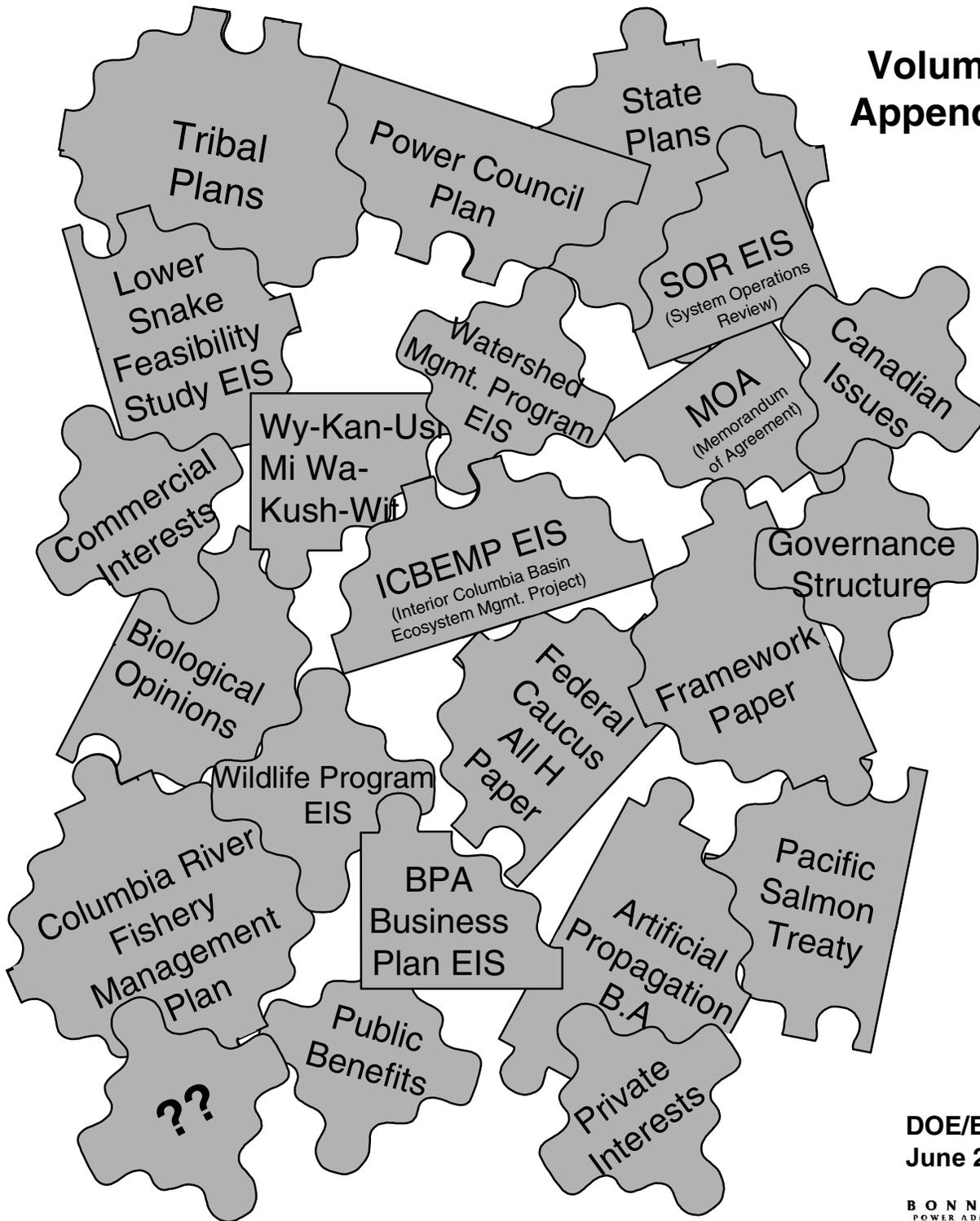


Bonneville Power Administration Fish & Wildlife Implementation Plan Draft EIS

"Piecing The Puzzle Together"

**Volume 2:
Appendices**



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Appendix A

FISH AND WILDLIFE FUNDING PRINCIPLES FOR BONNEVILLE POWER ADMINISTRATION RATES AND CONTRACTS

September 16, 1998

Preamble

The purpose of these principles is to conclude the fish and wildlife funding process in which Bonneville has been engaged with various interests in the Region, and provide a set of guidelines for structuring Bonneville's subscription and power rate processes. The principles are intended to "keep the options open" for future fish and wildlife decisions that are anticipated to be made in late 1999 on reconfiguration of the hydrosystem and in early 2000 on the Northwest Power Planning Council's Fish and Wildlife Program.

The agreement resulting from these principles is significantly different from the last Bonneville Fish and Wildlife Budget Memorandum of Agreement. Bonneville and the other participants are not establishing a budget for the 2002-2006 period, and Bonneville will not be picking a single number for the rate case.

These principles will ensure that Bonneville's rates and power contracts give a very high probability of meeting all post-2001 financial obligations, including the future fish and wildlife budget commitment, and that all these obligations can be met without creating a new contract and rate "cliff" at the end of the next 5-year rate period in 2006. Bonneville anticipates that after 1999 its fish and wildlife budget commitment for the post-2001 period will be set out in a budget agreement that, among other things, addresses accountability and provides that funds carried forward under the agreement will remain available for expenditure for the benefit of fish and wildlife.

Bonneville's contracts and rates historically have been set in a manner that assumes there is a low, but not zero probability that it will be unable to cover its costs. Continuing this approach, in such circumstances (e.g. low markets, low water, etc.) all of Bonneville's costs will be reviewed, recognizing that fish and wildlife obligations are one of its highest priorities. Guided by the principles below, Bonneville's goal is to reduce the chances of its being unable to cover its costs to an acceptably low level. Bonneville commits to use these principles and financial mechanisms to achieve this goal. These principles have been reviewed by the Office of Management and Budget and are consistent with the Administration's principles and priorities.

Principles

Bonneville will proceed with its power rate case and contracts for its subscription products for the period 2002-2006 using the following principles:

1. Bonneville will meet all of its fish and wildlife obligations once they have been established, including its trust and treaty responsibilities.
2. Bonneville will take into account the full range of potential fish and wildlife costs.
 - Bonneville will use the full range of potential fish and wildlife costs and financial impacts during the 2002-2006 rate period (currently estimated at \$438 million to \$721 million) for planning purposes. This range is based upon the current calculation of the 5 year average financial impact on Bonneville of thirteen long-term alternatives being evaluated in the Region for configuration of the Federal Columbia River Power System and an estimated range of costs for implementing the Northwest Power Planning Council's Fish and Wildlife Program to protect, mitigate, and enhance fish and wildlife on the Columbia River and its tributaries.
 - In setting its rates Bonneville will incorporate the range of \$438 million to \$721 million in its revenue requirement using a method that calculates probabilities across a range of costs in the same manner as Bonneville treats other cost and revenue uncertainties in its rate setting. Because of the uncertainties of the decisions on fish and wildlife at this time, Bonneville will conduct an analysis that assumes that all 13 system configuration alternatives are equally likely to occur. For the direct program, Bonneville will assume that costs have an equal probability of falling anywhere within the current range of \$100M - \$179M.
3. Bonneville will demonstrate a high probability of Treasury payment in full and on time over the 5-year rate period.
 - A 100 percent probability of Treasury payment is not achievable, but BPA's new rates must be designed to maintain or improve Treasury payment probability, even in view of the range of fish costs.
 - Bonneville will demonstrate a probability of Treasury payment in full and on time over the 5-year rate period at least equal to the 80 percent level established in the last rate case and will seek to achieve an 88 percent level.
4. Given the range of potential fish and wildlife costs, Bonneville will design rates and contracts which will position Bonneville to achieve similarly high Treasury payment probability for the post-2006 period by building financial reserve levels and through other mechanisms.

5. Bonneville will minimize rate impacts on Pacific Northwest power and transmission customers.
 - Bonneville’s goal is to avoid a wholesale rate increase for requirements customers (including small farm and residential customers of investor owned utilities) by seeking an additional cost reduction of \$130 million in internally manageable costs that are not fish and wildlife costs.
6. Bonneville will adopt rates and contract strategies that are easy to implement and administer.
7. Bonneville will adopt an approach that is flexible in order to respond to a variety of different fish and wildlife cost scenarios.
 - To create financial flexibility and to avoid another contract “cliff” in 2006, Bonneville's goal will be to have 35% to 45% of its total post-2001 power sales, including secondary sales, in contract terms of 3 years or less, in short-term surplus sales, and/or in cost-based indexed sales.
 - All sales to requirements customers will be renewable at cost-based rates which will reflect changes in Bonneville's costs subsequent to those reflected in the initial subscription rate.
8. Bonneville will use a combination of the following mechanisms to achieve principles 1-7. The specific mix and design of these mechanisms will be determined in the rate case and subscription process, but the mix chosen will meet the above principles:
 - Implementing prudent additional cost-reduction efforts to reduce internally manageable costs before exercising any contingent stranded cost recovery mechanism.
 - Use of Bonneville’s existing authorities if needed to implement stranded costs recovery on the transmission system, while simultaneously seeking more robust authorities legislatively.
 - Selling subscription products on staggered contract terms - some shorter than 5 years (see Principle 6) and some for longer than 5 years.
 - A cost recovery adjustment clause (CRAC) in power contracts for subscription customers.
 - An option fee from some customers in return for increased price predictability after the initial contract period.
 - Cost-based indexed pricing for some of its products.

- Using reserve balances carried into the 2002-2006 rate period from the prior period.

Administration Commitments

- The Administration will extend the availability of section 4(h)(10)(C) credits for Bonneville's costs related to its fish and wildlife programs for the period 2002-2006 on the same terms as established for the 1995-2001 period.
- The Administration will confirm continued access through 2006 to any funds remaining in the Fish Cost Contingency Fund on September 30, 2001 on the same terms as those established for the period 1995-2001.
- The Administration commits to support Bonneville in its Cost Review and revenue enhancement objectives.

Appendix B

MISSION STATEMENTS AND STATUTORY TABLES

This appendix is supplied to help understand the numerous different missions and legal requirements that guide the many entities involved in the region's fish and wildlife mitigation and recovery effort. Appendix B has two sections:

- Section A - The Major Stakeholders and Fish and Wildlife Policy Forums
- Section B - Relevant Federal Statutes, Regulations and Executive Orders.

Section A

The Major Stakeholders and Fish And Wildlife Policy Forums in the BPA Service Area

Numerous stakeholders influence fish and wildlife policies and program implementation within the BPA Service Area. They include multiple sovereignties and levels of government, as well as interagency forums and independent commissions. Their activities in the fish and wildlife arena are linked by varying degrees of coordination, and their missions reflect their geographic locations and constituents. The following table provides the reader with a sense of the breadth and diversity of the major interest groups concerned with BPA's Fish and Wildlife Implementation Program.

Canada	
Fisheries and Oceans Canada	Responsible for policies and programs to support Canada's interests in the oceans and freshwater habitat, and to conserve and sustain Canada's fisheries resources in marine and inland waters.
United States—Federal Agencies	
U.S. Department of Agriculture	
U.S. Forest Service	Manages national forests and grasslands in all eight states in BPA service area for sustainable multiple use, including fish and wildlife.
Natural Resources Conservation Service	Provides assistance about soil and water conservation to private landowners. Has a conservation office in every county.
U.S. Department of Commerce	
National Marine Fisheries Service	Responsible for managing and sustaining most marine resources and their habitats in U.S. waters. Provides services to support domestic and international fisheries management.
U.S. Army Corps of Engineers	
Army Corps of Engineers	Operates federal dams in the Columbia River basin for multiple uses, including fish and wildlife. Salmon migrate through fishways and bypass systems at most dams.

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U.S. Department of Energy	
Bonneville Power Administration	Responsibilities include improvement of Northwest fish and wildlife resources affected by hydropower plants in the Columbia River Basin.
Environmental Protection Agency	Responsible for safeguarding the nation's natural environment - air, water, and land.
U.S. Department of the Interior	
Bureau of Land Management	Manages public lands, including fish and wildlife habitat.
Bureau of Reclamation	Manages, develops, and protects water and related resources
National Park Service	Responsible for preserving natural resources in national parks.
Fish and Wildlife Service	Responsible for conserving, protecting, and enhancing fish and wildlife, and their habitats. Specifically includes migratory birds, endangered species, certain marine mammals, and freshwater and anadromous fish.
United States— State Governments	
California Dept. of Fish and Game	Responsible for managing California's fish, wildlife, and plant resources, and the habitat upon which they depend.
Idaho Dept. of Fish and Game	Responsible for preserving, protecting, and perpetuating all fish and wildlife resources in Idaho.
Montana Fish, Wildlife & Parks	Responsible for maintaining and enhancing the health of Montana's natural environment and the vitality of its fish and wildlife resources.
Oregon Dept. of Fish and Wildlife	Responsible for protecting and enhancing Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.
Nevada Dept. of Conservation and Natural Resources	Responsible for protecting, preserving, managing, and restoring wildlife and its habitat.
Utah Dept. of Natural Resources	Responsible for coordinated and balanced stewardship of Utah's natural resources.
Washington Dept. of Fish and Wildlife	Responsible for providing sound stewardship of fish and wildlife. Serves as an advocate for fish and wildlife species.
Wyoming Game and Fish Dept.	Responsible for providing adequate and flexible system to control, propagate, manage, protect, and regulate all Wyoming wildlife.
Tribes	
Blackfoot Tribe	Reservation, 3,000 square miles Northwestern Montana 8,488 tribal members

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Burns-Paiute Tribe	Reservation, 1,240 acres plus 11,000 acres in trust for individual Indians Eastern Oregon 286 tribal members
Cedarville Rancheria	Reservation, 20 acres Northwestern California Population: 22
Confederated Tribes of the Chehalis Indian Reservation	Reservation, 4,224 acres Western Washington Number of Chehalis Indians in 1984: 382.
Chinook Indian Tribe	No reservation or tribal lands Western Washington 2,000 tribal members
Coeur d'Alene Tribe	Reservation, 69,299 acres Northern Idaho 1,216 tribal members
Confederated Tribes of the Colville Reservation	Reservation, 1.3 million acres Northeastern Washington 7,900 tribal members
Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians	Reservation, 6.1 acres South-central Oregon coast 600 tribal members
Coquille Indian Tribe	No reservation 6,400 acres of tribal lands South-central Oregon coast 695 tribal members
Cowlitz Indian Tribe	No reservation Western Washington 1,400 tribal members
Crow Indian Nation	Reservation, 3,521 square miles South-central Montana 9,024 tribal members
Fort Bidwell Reservation	Reservation, 3,335 acres Northwestern California Population: 200

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Fort McDermitt Paiute and Shoshone Tribe	Reservation, 16,654 acres in northern Nevada; 18,828 acres in southeastern Oregon
Confederated Tribes of the Grand Ronde	Reservation, 10,300 acres Western Oregon 4,104 tribal members
Hoh Tribal Business Community	Reservation, 443 acres Northern Washington coast 212 tribal members
Hoopa Valley Reservation	Reservation, 85,446 acres Northwestern California Population: 2,200
Jamestown S'Kallam Tribal Council	No reservation Northwestern Washington 486 tribal members
Kalispel Tribe	Reservation, 4,600 acres Northeastern Washington 250 tribal members
Klamath Tribes	No reservation or tribal lands South-central Oregon 3,175 tribal members
Kootenai Tribe of Idaho	Reservation, 2,695 acres Northern Idaho 165 tribal members
Lower Elwha	Reservation, 373 acres Northwestern Washington 638 tribal members
Lummi Indian Tribe	Reservation, 12,000 acres Northwestern Washington 3,670 tribal members
Makah Tribe	Reservation, 27,200 acres Northwestern Washington 2,195 tribal members
Muckleshoot Tribe	Reservation, 1,201 acres of trust land Western Washington 1,170 tribal members

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Nez Perce Tribe	Reservation, 88,000 acres North-central Idaho 3,000 tribal members
Nisqually Indian Tribe	No reservation or tribal lands Western Washington 500 tribal members
Nooksack Indian Tribe	Reservation, 2,500 acres including 65 acres of tribally owned trust land Western Washington 1,341 tribal members
Ozette/LaPush Tribes	Reservation, 709 acres Northern Washington coast (Held in trust for the Makah Tribe)
Pit River Indians	Several reservations, Northeastern California 1,350 tribal members
Port Gamble S'Klallam	Reservation, 1,341 acres Northern Washington coast 935 tribal members
Puyallup Indian Tribe	Reservation, a few square miles Western Washington 2,219 tribal members
Quileute Tribe	Reservation, 594 acres Northern Washington coast 706 tribal members
Quinault Indian Nation	Reservation, 189,621 acres Northwestern Washington 2,453 tribal members
Confederation Tribes of the Salish and Kootenai Tribes of the Flathead	Reservation, 1.2 million acres Western Montana 6,800 tribal members
Samish Tribe	No reservation or tribal lands Western Washington 750 tribal members

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Sauk-Suiattle Tribe	Reservation, 23 acres Northwestern Washington 183 tribal members
Shoalwater Bay Tribe	Reservation, 1,035 acres Northwestern Washington 204 tribal members
Northwestern Band of Shoshoni Nation	Reservation, 187 acres Northwestern Utah 411 tribal members
Shoshone-Bannock Tribes of Fort Hall	Reservation, 540,764 acres Idaho 3,951 tribal members
Shoshone-Paiute Tribes of the Duck Valley Reservation	Reservation, 144,274 acres in Nevada Reservation, 145,545 acres in Idaho
Confederated Tribes of the Siletz Indian Reservation	Reservation, 3,669 acres Western Oregon 3,022 tribal members
Skokomish Tribe	No reservation or tribal lands Northwest Washington 796 tribal members
Spokane Tribe	Reservation, 154,000 acres Eastern Washington 2,100 tribal members
Squaxin Island Tribe	Reservation, a small island Western Washington 650 tribal members
Stillaguamish Tribe	No reservation or tribal lands Western Washington 237 tribal members
Summit Lake Paiute Tribe	Reservation, 10,098 acres Nevada
Suquamish Tribe	Reservation, 2,500 acres Northwestern Washington 665 tribal members

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Swinomish Indian Tribe	Reservation, 10 square miles Western Washington 778 tribal members
Tulalip Indian Tribe	Reservation, 8,878 acres Northwestern Washington 2,800 tribal members
Confederated Tribes of the Umatilla Indian Reservation	Reservation, 157,982 acres Eastern Oregon Approximately 2,000 tribal members
Upper Skagit Tribe	Reservation, 99 acres Western Washington 504 tribal members
Confederated Tribes of Warm Springs	Reservation, 641,000 acres Central Oregon 3,755 tribal members
Confederated Tribes and Bands of the Yakama Indian Nation	Reservation, 1.4 million acres South-central Washington 8,870 tribal members
Tribal Coalitions	
Affiliated Tribes of Northwest Indians	Nonprofit organization dedicated to tribal sovereignty and self-determination. Represents 54 Northwest tribal governments.
Columbia River Inter-Tribal Fish Commission	Provides technical support and coordination for the four Columbia River treaty tribes. Members are fish and wildlife management representatives from the tribes.
Northwest Indian Fisheries Commission	Assists tribes in conducting coordinated, biologically sound fisheries management and provides a unified voice about fisheries issues. Members represent 19 western Washington tribes.
Upper Columbia United Tribes	Composed of four tribes. Provides ecological training and studies about fisheries issues.
Other Entities	
Columbia Basin Fish and Wildlife Authority	Represents Oregon, Washington, Idaho, and Montana, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and 13 tribes of the Columbia River Basin. Members are responsible for coordinating interagency and tribal fish and wildlife efforts.
Dissolved Gas Team	Researches and develops measures to abate gas bubble disease (in fish) associated with spill at Columbia River dams. Members represent federal agencies, state agencies, utilities, fisheries interest groups, and tribes.

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Executive Committee	Coordinates implementation of the Endangered Species Act, Northwest Power Act, and other statutory programs for anadromous fish in the Columbia River basin. Members represent federal, state, and tribal entities.
Fish Passage Center	Provides current and historical data about salmon and steelhead passage through the Snake and Columbia river basins.
Implementation Team	Provides a mechanism for coordinating and implementing biological opinions from the National Marine Fisheries Service concerning the federal dams in the Columbia River basin. Members represent federal agencies, states, tribes, and utilities.
Independent Scientific Advisory Board	Provides scientific advice and recommendations about fish and wildlife issues in the Columbia River basin.
International Pacific Halibut Commission	Reviews all U.S. and Canadian regulatory proposals concerning the halibut fishery in the North Pacific Ocean and Bering Sea, and submits recommendations to Canadian and U.S. governments.
Northwest Power Planning Council	Represents Idaho, Oregon, Montana, and Washington to oversee the federal power system planning, and fish and wildlife recovery in the Columbia River basin.
Pacific Fisheries Management Council	Develops fishery management plans for salmon, groundfish, and coastal pelagic species off the coasts of Washington, Oregon, and California. A cooperative effort among states, federal agencies, and tribes.
Pacific Salmon Commission	Formed by the governments of Canada and the United States to implement the Pacific Salmon Treaty. Provides a forum for both countries to resolve salmon management issues.
Pacific States Marine Fisheries Commission	Serves as a forum for discussion about fisheries issues and works for consensus among state and federal agencies. Represents California, Oregon, Washington, Idaho, and Alaska.
Plan for Analyzing and Testing Planning Group	Coordinates regional fish passage and life cycle models and tests the hypotheses about the models to address fish management issues. Members represent federal and state agencies, universities, consultants, and tribes.
Snake River Compact	An agreement between Wyoming and Idaho to allocate waters of the Snake River.
System Configuration Team	Develops proposals, plans, and budget priorities for physical improvements to dams and dam-related structures. Members include the Northwest Power Planning Council, federal and state fish and wildlife agencies, and Columbia River basin tribes.
Technical Management Team	Makes recommendations to operating agencies about dam and reservoir operations to optimize fish passage conditions. An inter-agency team chaired by U.S. Army Corps of Engineers.
Western Systems Coordinating Council	Regional forum to promote electric service reliability in western U.S., Canada, and Mexico.

Section B

Relevant Federal Statutes, Regulations, and Executive Orders

<p>BPA - Bonneville Power Administration BLM - Bureau of Land Management BOR - US Bureau of Reclamation CEQ - President's Council of Environmental Quality COE - US Army Corps of Engineers DOC - US Department of Commerce DOI - US Department of Interior</p>	<p>NMFS - National Marine Fisheries Service NPS - National Park Service EPA - US Environmental Protection Agency USDA - US Department of Agriculture USFS - US Forest Service USFWS - US Fish and Wildlife Service</p>
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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
American Indian Religious Freedom Act of 1978, 42 U.S.C.S. 1996 (1999)	Same as complying agencies	All federal agencies with statutory or administrative responsibilities for management of federal lands	To protect and preserve the American Indians' inherent right to believe, express, and exercise their traditional religion, including access to sites, use and possession of sacred objects, worship through ceremonials, traditional rites.
Archeological and Historic Preservation Act of 1960 and 1974 16 U.S.C.S. 469 <i>et seq.</i> (1999)	DOI	Any agency constructing a dam or other Federal construction project	Provides for preservation of historic sites, buildings, objects, etc. by providing for preservation of historical and archeological data which might otherwise be irreparably lost or destroyed as the result of flooding, relocation of roads, alterations of terrain, or other acts cause by the construction of a dam by any agency of U.S. or by any private entity holding license issued by such agency or by any alteration of the terrain caused as a result of any Federal construction project or federally licensed activity or program.
Archeological Resources Protection Act, 16 U.S.C.S. 470aa <i>et seq.</i> (1999)	Agency with primary management authority of public lands or DOI	All	Agencies must obtain permits before excavating or otherwise disturbing archaeological resources on public lands and Indian lands.
Bald Eagle Protection Act 16 U.S.C.S. 668 (1999)	USFWS, DOI, Attorney General	All	No one is allowed to take, possess, sell, purchase bald eagle or golden eagle, dead or alive, or any part, nest or egg thereof.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Clean Air Act, as amended, 42 U.S.C.A. 7401 <i>et seq.</i> (1999)	EPA	All	Agencies must comply with state implementation plans, and follow new source performance standards as required by EPA. Must comply with all federal, state, interstate, and local air pollution requirements.
Clean Water Act, as amended, 33 U.S.C.S. 1251 <i>et seq.</i> (1999). (Federal Water Pollution Control Act of 1972 and its successors, the Clean Water Act of 1977, and the Water Quality Act of 1987)	EPA	All	Regulates discharge of pollutants into the navigable waters of the U.S. through a permit system. Non-point source requirements control pesticide runoff, agricultural runoff, forestry operations, and parking lots/motor pools. Non-point sources require individual or group permits and must be monitored at the point they enter public waters, storm sewers, or natural waterways.
Coastal Zone Management Act of 1972, as amended, 16 U.S.C.S. 1451 (1999)	USDC	All	Requires that federal actions are consistent, to the maximum extent practicable, with approved state Coastal Zone Management programs.
Columbia River Gorge National Scenic Area Act, as amended, 16 U.S.C.S. § 544 <i>et seq.</i> (1999)	Columbia River Gorge Commission	All	A violation occurs if there is a willful violation of management plans, land use ordinances or implementation measures made by the Columbia Gorge Commission.
Comprehensive Environmental Response, Compensation & Liability Act of 1980 (CERCLA), as amended, 42 U.S.C.S. 9601 <i>et seq.</i> (1999)	EPA	All	Requires restoration of sites with hazardous materials.
Endangered Species Act (ESA), as amended, 16 U.S.C.S. 1531 <i>et seq.</i> (1999)	NMFS, USFWS	Virtually all	Federal agencies must ensure that proposed actions do not jeopardize the continued existence of any endangered or threatened species, or cause the destruction or adverse modification of their habitat.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Environmental Quality Improvement Act of 1970, as amended, 42 U.S.C.S. 4371 <i>et seq.</i>	CEQ and Office of Environmental Quality	All federal agencies conducting or supporting public works projects	Federal agencies must comply with environmental statutes.
Executive Order 11514 Protection and Enhancement of Environmental Quality, Mar. 5, 1970, 3 C.F.R. 902 (1966-1970), 35 Fed. Reg. 30,959 (Amended by Executive Order 11991, May 24, 1977, 3 C.F.R. 123 (1977), 42 Fed. Reg. 26,967)	CEQ	All	Directs Federal agencies to initiate measures needed to direct their policies, plans, and programs to meet national environmental goals. Federal agencies are responsible for developing procedures (e.g., public hearings, information on alternative courses of action) to ensure the public can review, understand, and comment on Federal plans and programs with environmental impacts in a timely manner. The Council on Environmental Quality (CEQ) developed regulations requiring EISs to be more concise, clear, and to the point (and therefore more useful to the decisionmakers) in response to this executive order.
Executive Order 11644 Use of Off-Road Vehicles on Public Lands, Feb. 8, 1972, 37 Fed. Reg. 2877, as amended by Executive Order 11989, May 24, 1977, 42 Fed. Reg. 26,959	DOI, USDA	BLM, USFS	Establishes policies and procedures for use of off-road vehicles on public land to protect resources of those lands. Includes any vehicle whose use is authorized by respective agency head under permit, license, lease or contract.
Executive Order 11988 Floodplain Management, May 24, 1977, 3 C.F.R. 117 (1977) 42 Fed. Reg. 26961. Amended by Executive Order 12148, July 12, 1975, 3 C.F.R. 412 (1979), 44 Fed. Reg. 43,239	Water Resources Council	BLM, USFS	Federal agencies are required to avoid or minimize adverse impacts associated with short-term or long-term modification and occupancy of flood plains. If activities are going to occur within the 100-year floodplain or within wetlands the agency must first prepare a floodplain/wetlands assessment (similar to NEPA requirements).
Executive Order 11990 Protection of Wetlands, May 24, 1977, 3 C.F.R. 121 (1977), 42 Fed. Reg. 26,961	Each agency	All	Federal agencies are required to issue or amend existing procedures to minimize the destruction, loss, or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Executive Order 12088 Federal Compliance with Pollution Control Standards, Oct 13, 1978, 3 C.F.R. 243 (1978), 43 Fed. Reg. 47,707, (amended by Executive Order 12580, Jan. 12, 1987, 3 C.F.R. 103 (1987), 52 Fed. Reg. 2423, amended by Executive Order 13016, Aug. 28, 1996, 61 Fed. Reg. 45871)	EPA	All	This executive order delegates responsibility to the head of each executive agency for ensuring that all necessary actions are taken for the prevention, control, and abatement of environmental pollution. This order gives the EPA authority to conduct reviews and inspections to monitor Federal facility compliance with pollution control standards.
Executive Order 12898 Environmental Justice, Feb. 11, 1994, 59 Fed. Reg. 7629, amended by Executive Order 12948, Jan. 30, 1995, 60 Fed. Reg. 6381.	Interagency Working Group on Environmental Justice convened by EPA	All	Directs all federal agencies to ensure that their actions do not result in disproportionately adverse environmental or human health effects on minority and/or low-income populations. In addition, federal agencies must analyze the environmental effects of the actions, including human health, economic, and social effects, and effects on minority and low-income communities.
Executive Order 12962 Recreational Fisheries, June 7, 1995, 60 Fed. Reg. 30769	USFWS, NMFS	All	Requires federal agencies to implement laws in manner that will conserve, restore, and enhance aquatic systems that support recreational fisheries; to evaluate the effects of federal funded, permitted, or authorized actions on aquatic systems and recreational fisheries; documents those effects.
Farmland Protection Policy Act 7, as amended, U.S.C.S. 4201 <i>et seq.</i> (1999)	USDA	All	Directs federal agencies to identify and quantify adverse impacts of federal programs on farmlands. The Act's purpose is to minimize the number of federal programs that contribute to the unnecessary and irreversible conversion of agricultural land to non-agricultural uses.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Federal Insecticide, Fungicide, and Rodenticide Act, as amended 7 U.S.C.S. 136 <i>et seq.</i> (1999) (amended by the Federal Environmental Pesticide Control Act of 1972)	EPA	All	Registers and regulates the manufacture and use of pesticides, including herbicides.
Federal Land Policy and Management Act 43, U.S.C.S. 1701 <i>et seq.</i> (1999)	BLM, USFS	Agencies with federal land management responsibilities	Establishes public land policy and guidelines for its administration and provides for the management, protection, development, and enhancement of the public lands. Requires permits for right-of-way access for activities not in accord with the primary objective of the management of public or Indian lands under the Act.
Fish and Wildlife Act of 1965 PL 85-624, 16 U.S.C.S. 742 <i>et seq.</i> (1999).	USFWS, NMFS (if appropriate), state agencies with jurisdiction over wildlife resources	Any federal agency that proposes to control or modify any body of water	Authorizes the Secretary of the Interior to take steps required for the development, management, advancement, conservation, and protection of fisheries and wildlife resources through research, acquisition of refuge lands, development of existing facilities, and other means. Designed to protect the aquatic environment as it affects fish and wildlife resources. Wildlife conservation should receive equal consideration and be coordinated with other aspects of water resources development.
Fish and Wildlife Conservation Act of 1980, 16 U.S.C.S. 2901 <i>et seq.</i> (1999)	DOI	All	Encourages federal agencies to conserve and promote conservation of non-game fish and wildlife species and their habitats
Fish and Wildlife Coordination Act, as amended, 16 U.S.C.S. 661 <i>et seq.</i> (1999)	USFWS, NMFS, (if appropriate), DOI, state agencies with jurisdiction over wildlife resources	Any federal agency that proposes to control or modify any body of water	Designed to protect the aquatic environment as it affects fish and wildlife resources. Wildlife conservation should receive equal consideration and be coordinated with other aspects of water resources development.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Forest and Rangeland Renewable Resources Planning Act of 1974, as amended, 16 U.S.C.S. sec. 1600 <i>et seq.</i> (1999) (National Forest Management Act of 1976, 16 U.S.C.S. 1600 <i>et seq.</i> (1999))	USDA	BLM, USFS	Requires Federal agencies to develop resource management plans on land affected by their actions. Includes Forest Management Plans.
Magnuson-Stevens Fishery Conservation and Management (Sustainable Fisheries Act of 1996), Act. 16 U.S.C.S. 1801 <i>et seq.</i> (1999)	NMFS	All	Development of regional fishery management plans for off-shore fisheries, anadromous species and Continental Shelf fisheries. Promote protection of essential fish habitat in review of projects conducted under federal permits, licenses, or other authorities that affect or have the potential to affect such habitat.
Marine Mammal Protection Act, 16 U.S.C.S. 1361 <i>et seq.</i> (1972)	NMFS	All	Established moratorium, with exemptions, on the taking of marine mammals in U.S. waters and by U.S. citizens on the high seas.
Migratory Bird Treaty Act of 1918, 16 U.S.C.S. 703 <i>et seq.</i> (1999).	USFWS	All	An activity violates the Act if the action can kill or take a migratory bird. If the action is unavoidable, a permit can be obtained from the Fish and Wildlife Service.
National Environmental Policy Act (NEPA), as amended, 42 U.S.C.S.4321 <i>et seq.</i>	EPA	Applies to all federal projects or projects that require federal involvement.	Requires Federal agencies to assess the impacts that their proposed actions may have on the environment.
National Historic Preservation Act of 1966, as amended, 16 U.S.C.S. 470 <i>et seq.</i> (1999)	DOI, NPS, states	All	Requires the agency official consider the effects an undertaking may have on historic properties and provide an opportunity for the State Historic Preservation Officer (SHPO) and/or the Advisory Council (AC) to comment on such effects.
National Trail System Act , 16 U.S.C.S. 1241 <i>et seq.</i> (1999)	DOI, USDA	BLM, USFS, BPA	Establishes and protects trails in urban areas and in scenic areas and along historic travel routes. Designates the Oregon National Historic Trail. Provides for additional national scenic or

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
			historical trails. Violations are designated by the agency that manages the area. Includes such regulations as requiring permits when burning or making unreasonable disturbances, or requiring special-use authorization for construction and maintenance in the area.
National Wildlife Refuge Administration Act, as amended, 16 U.S.C.S. 668dd (1999)	DOI (BLM, USFWS)	All	Protects designated wildlife refuges areas. Several are listed in Oregon and Washington.
Native American Graves Protection and Repatriation Act (ARPA) of 1990, 25 U.S.C.S. 3001 <i>et seq.</i> (1999)	DOI	All	Prior to intentional removal of Native American grave remains, obtain an ARPA permit and consult with tribes. When gravesites unintentionally disturbed, halt work immediately, consult land management entity, and consult with tribes. Activity may resume 30 days after confirmation of notification to tribes.
Noise Control Act of 1972, as amended, 42 U.S.C.S. 4901 <i>et seq.</i> (1999)	EPA	All	Requires that federal entities comply with state and local requirements regarding noise. Requires all federal agencies to correct and abate any environmental noise in violation of EPA standards.
Noise Pollution and Abatement Act of 1970, 42 U.S.C.S. 7642 (1999)	EPA	All	Federal agency carrying out or sponsoring activity resulting in noise that is determined to be public nuisance shall abate such noise.
Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act) 16 U.S.C.S. 839 <i>et seq.</i> (1999)	Pacific Northwest Power and Conservation Planning Council, DOE	BPA, FERC, BOR, COE, NMFS, USFWS	Contains provisions to protect, mitigate, and enhance the fish and wildlife, including their spawning grounds and habitat, of the Columbia River and its tributaries.
Pollution Prevention Act of 1990, 42 U.S.C.S. 13101 <i>et seq.</i> (1999)	EPA	All	Prevent pollution through source reduction practices.

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
<p>Reservoir Salvage Act of 1960. 16 U.S.C.S 469 <i>et seq.</i> (amended by the Archeological and Historic Preservation Act, see above) to extend the provisions of the 1960 Act to all Federal construction activities and all federally licensed/assisted activities that cause loss of scientific, prehistoric, or archeological data</p>	<p>DOI</p>	<p>All</p>	<p>The act requires Federal agencies building or permitting the building of reservoirs to notify the Secretary of the Interior when such activities might destroy important archaeological, historic, or scientific data. That Secretary is authorized to conduct appropriate investigations to protect those data. The act also authorizes agencies to spend up to 1 percent of their construction funds on the protection of historic and archaeological resources. In 1974, the Reservoir Salvage Act was amended by the Archeological and Historic Preservation Act to extend the provisions of the 1960 Act to all Federal construction activities and all federally licensed or assisted activities that cause loss of scientific, prehistoric, or archeological data.</p>
<p>Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C.S. 6910 <i>et seq.</i> (1999) (Solid Waste Disposal Act)</p>	<p>EPA</p>	<p>All</p>	<p>Regulates the storage, use and disposal of solid and hazardous wastes. Imposes requirements on generators and transporters of this waste, and on owners and operators of treatment, storage, and disposal (TSD) facilities.</p>
<p>Rivers and Harbors Act of 1938, as amended, 33 U.S.C.S. 540 <i>et seq.</i> (1999)</p>	<p>COE</p>	<p>Any agency involved in waterway improvements</p>	<p>If a proposed action includes a structure or work in, under, or over a navigable water of the US; Structure or work affecting a navigable water of the US; or the deposit of fill material or an excavation that in any manner alters or modifies the course, location, or capacity of any navigable water of the US, a permit is required from the Corps. Activities shall include a due regard for wildlife conservation.</p>

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
Rivers and Harbors Appropriations Act of 1899, as amended, 33 U.S.C.S. 401 <i>et seq.</i> (1999)	COE	All	Requires consent of Congress and approval from the Corps for construction of bridge, causeway, dam or dike over or in port, navigable river or other navigable waters.
Safe Drinking Water Act as amended, 42 U.S.C.S. 300f <i>et seq.</i> (1999)	EPA	All	Applies to public water systems. Act specifies contaminants that may have adverse health effects, and contains criteria and procedures to assure a supply of drinking water that complies with established maximum permissible contamination levels.
Soil and Water Resources Conservation Act of 1977, as amended, 16 U.S.C.S. 2001 <i>et seq.</i> (1999)	USDA	BLM, USFS, all USDA programs	Provides for program to conserve, protect and enhance soil, water and related resources (within scope of Department of Agriculture programs).
Surface Mining Control and Reclamation Act of 1977, 30 U.S.C.S. 1201 <i>et seq.</i> (1999)	DOI: Office of Surface Mining Reclamation and Enforcement		Focus mostly on coal but seems to include surface mining of other minerals. Provides for reclamation of mined areas that prevent or damage beneficial use of land or water resources or endanger health or safety of the public.
Taylor Grazing Act, as amended, 43 U.S.C.S. 315 <i>et seq.</i> (1999)	DOI	BLM, USFS	To preserve grazing land and its resources from destruction or unnecessary injury; defines grazing rights and protects them by regulation.
Toxic Substances Control Act, as amended, 15 U.S.C.S. 2601 <i>et seq.</i> (1999)	EPA	All	Intended to protect human health and the environment from toxic chemicals. Regulation of toxic chemicals including methods of use and disposal and protection of employees.
Water Bank Act as amended, 16 U.S.C.S. 1301 <i>et seq.</i> (1999)	USDA in coordination with DOI	Implementing agencies	Establishes program to prevent serious loss of wetlands and the preserve, restore and improve such lands through conservation agreements with property owners.
Watershed Protection and Flood Prevention Act as amended, 16 U.S.C.S. 1001 <i>et seq.</i>	USDA	All	Prevention of erosion, floodwater, and sediment damages in watersheds of rivers of U.S.; furthering the

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Statute or Order	Administering Agencies	Complying Agencies	Statutory Requirements
(1999)			conservation, development, use, and disposal of water, and the conservation and use of land and thereby preserving, protecting, and improving the nation's land and water resources and the quality of the environment. Federal agencies cooperate with and assist states and local governments.
Wild and Scenic Rivers Act PL90-542, 16 U.S.C.S. 1270 <i>et seq.</i> (1999)	DOI, USDA	BLM, USFS, COE, BPA	Provides for preservation of designated rivers. Rivers are managed to preserve their natural qualities, with recreational opportunities reduced to prevent deterioration of the environment. Incompatible development in the river corridor or in areas directly affecting the river is prohibited. Listed rivers or river segments in Idaho, Oregon and Washington.
Wilderness Act, as amended, 16 U.S.C.S. 1131 <i>et seq.</i> (1999)	USDA, USFS	All	There can be no settlement, mechanized activities or commercial development within designated wilderness areas.

Appendix C

THREATENED AND ENDANGERED FISH AND WILDLIFE SPECIES IN THE BPA SERVICE AREA: LISTING AND LEGAL PROTECTIONS

The following tables provide information on those plant and animal species in the BPA Service Territory that are listed as endangered and threatened under the federal Endangered Species Act. Table A lists the types of species and provides information regarding their listing status and region. Table B identifies the legal documentation that provides the listed species with protection.

Table A: Federally-Listed Threatened and Endangered Species in the BPA Service Area (As of April 2001).

SPECIES TYPE	COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS ¹	STATE IN WHICH LISTED
BIRDS	Bald Eagle	<i>Haliaeetus leucocephalus</i>	T	ID, MT, NV, OR, UT, WA, WY
	Brown Pelican	<i>Pelecanus occidentalis</i>	E	OR, WA
	Marbled Murrelet	<i>Brachyramphus marmoratus marmoratus</i>	T	OR, WA
	Mountain Plover	<i>Charadrius montanus</i>	PT	MT, NV, UT, WY
	Northern Spotted Owl	<i>Strix occidentalis caurina</i>	T	OR, WA
	Piping Plover	<i>Charadrius melodus</i>	T	MT
	Short-tailed Albatross	<i>Phoebastria albatrus</i>	E	OR, WA
	Western Snowy Plover	<i>Charadrius alexandrinus nivosus</i>	T	OR, WA
	Whooping Crane	<i>Grus americana</i>	EXPN	ID, UT, WY
Whooping Crane	<i>Grus americana</i>	E	MT	
INSECTS	Oregon Silverspot Butterfly	<i>Speyeria zerene hippolyta</i>	T	OR, WA
	Fender's Blue Butterfly	<i>Icaricia icarioides fenderi</i>	E	OR
FISH	Borax Lake Chub	<i>Gila boraxobius</i>	E	OR
	Bull Trout	<i>Salvelinus confluentus</i>	T	ID, MT, NV, OR, WA
	Chinook Salmon (Snake R., Tucannon R., Grande Ronde R., Imnaha R., Salmon R., and Clearwater R. [All Fall Only])	<i>Oncorhynchus tshawytscha</i>	T	ID, OR, WA
	Chinook Salmon (Snake R., Tucannon R., Grande Ronde R., Imnaha R., and Salmon R. [All Spring/Summer])	<i>Oncorhynchus tshawytscha</i>	T	ID, OR, WA
	Chinook Salmon (Puget Sound, Upper Columbia R., Upper White Salmon R., Upper Clackamas R. [Fall/Summer], and Upper Willamette R.)	<i>Oncorhynchus tshawytscha</i>	T	OR, WA
	Chinook Salmon (Lower Columbia R.)	<i>Oncorhynchus tshawytscha</i>	E	OR, WA
	Chum Salmon (Columbia R. [Year-Round], Olympic Peninsula Rivers [Summer], Hood Canal [Summer], and Dungeness Bay [Summer])	<i>Oncorhynchus keta</i>	T	OR, WA
	Coastal Cutthroat Trout (Columbia R. and Tributaries, Lower	<i>Oncorhynchus clarki clarki</i>	PT	OR, WA

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SPECIES TYPE	COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS ¹	STATE IN WHICH LISTED
	Willamette R., and Coastal Drainages between Columbia River and Grays Harbor)			
	Clover Valley Speckled Dace	<i>Rhinichthys osculus oligoporus</i>	E	NV
	Coho Salmon (OR Coastal Areas)	<i>Oncorhynchus kisutch</i>	PT	OR
	Coho Salmon (OR SW River Basins)	<i>Oncorhynchus kisutch</i>	T	OR
	Desert Dace	<i>Eremichthys acros</i>	T	NV
	Foskett Speckled Dace	<i>Rhinichthys osculus ssp.</i>	T	OR
	Hutton Tui Chub	<i>Gila bicolor ssp.</i>	T	OR
	Independence Valley Speckled Dace	<i>Rhinichthys osculus lethoporus</i>	E	NV
	Kendall Warm Springs Dace	<i>Rhinichthys osculus thermalis</i>	E	WY
	Lahontan Cutthroat Trout	<i>Oncorhynchus clarki henshawi</i>	T	OR, NV, UT
	Lost River Sucker	<i>Deltistes luxatus</i>	E	OR
	Oregon Chub	<i>Oreonichthys crameri</i>	E	OR
	Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E	MT
	Shortnose Sucker	<i>Chasmistes brevirostris</i>	E	OR
	Sockeye Salmon (Snake R. and Wherever Found in ID)	<i>Oncorhynchus nerka</i>	E	ID, OR, WA
	Sockeye Salmon (Ozette Lake and Tributary Streams)	<i>Onchorynchus nerka</i>	T	WA
	Steelhead Trout (Lower and Middle Columbia R., Hood R., Upper Willamette R., and Lower Willamette R. [Winter Only])	<i>Oncorhynchus mykiss</i>	T	OR, WA
	Steelhead Trout (Snake River Basin)	<i>Oncorhynchus mykiss</i>	T	ID, OR, WA
	Steelhead Trout (Upper Columbia River)	<i>Oncorhynchus mykiss</i>	E	WA, OR
	Steelhead Trout (Coastal River Basins South of Elk R. in Curry County, OR)	<i>Oncorhynchus mykiss</i>	PT	OR
	Warner Sucker	<i>Catostomus warnerensis</i>	T	OR
	White Sturgeon (Kootenai R.)	<i>Acipenser transmontanus</i>	E	ID, MT
MAMMALS	Canada Lynx	<i>Lynx canadensis</i>	T	ID, MT, OR, UT, WA, WY
	Columbian White-tailed Deer	<i>Odocoileus virginianus leucurus</i>	E	OR, WA
	Gray Wolf	<i>Canis lupus</i>	E	ID, MT, WA
	Gray Wolf	<i>Canis lupus</i>	EXPN	WY, ID, MT
	Gray Wolf	<i>Canis lupus</i>	PT	ID, MT, OR, UT, WA, WY
	Grizzly Bear	<i>Urus arctos horribilis</i>	T	MT, WA, ID, WY
	Grizzly Bear	<i>Urus arctos horribilis</i>	EXPN	ID, MT
	Northern Idaho Ground Squirrel	<i>Spermophilus burnneus brunneus</i>	T	ID
	Preble's Meadow Jumping Mouse	<i>Zapus hudsonius preblei</i>	T	WY
	Woodland Caribou	<i>Rangifer tarandus caribou</i>	E	WA, ID
PLANTS	Applegate's Milk-vetch	<i>Astragalus applegatei</i>	E	OR
	Bradshaw's Desert Parsley (Lomatium)	<i>Lomatium bradshawii</i>	E	OR, WA
	Colorado Butterfly Plant	<i>Gaura neomexicana coloradensis</i>	T	WY
	Cook's Lomatium	<i>Lomatium cookii</i>	PE	OR
	Desert Milk-vetch	<i>Astragalus desereticus</i>	T	UT
	Desert Yellowhead	<i>Yermo xanthocephalus</i>	PT	WY
	Gentner's Fritillary	<i>Fritillaria gentneri</i>	E	OR
	Golden paintbrush	<i>Castilleja levisecta</i>	T	OR, WA
	Holmgren Milk-vetch	<i>Astragalus homgreniorum</i>	PE	UT
	Howell's Spectacular Thelypody	<i>Thelypodium howellii spectabilis</i>	T	OR
	Kincaid's Lupine	<i>Lupinus sulphureus kincaidii</i>	T	OR, WA
	Large-flowered Woolly Meadowfoam	<i>Limnanthes floccosa grandiflora</i>	PE	OR
	MacFarlane's Four-O'Clock	<i>Mirabilis macfarlanei</i>	T	OR, ID
	Malheur Wire-lettuce	<i>Stephanomeria malheurensis</i>	E	OR
	Marsh Sandwort	<i>Arenaria paludicola</i>	E	OR, WA
	Nelson's Checker-mallow	<i>Sidalcea nelsoniana</i>	T	OR, WA

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SPECIES TYPE	COMMON NAME	SCIENTIFIC NAME	FEDERAL STATUS ¹	STATE IN WHICH LISTED
	Rough Popcornflower	<i>Plagiobothrys hirtus</i>	E	OR
	Shivwitz Milk-vetch	<i>Astragalus ampullarioides</i>	PE	UT
	Showy Stickseed	<i>Hackelia venusta</i>	PE	WA
	Ute ladies'-tresses	<i>Spiranthes diluvialis</i>	T	ID, MT, UT, WA, WY
	Water Howellia	<i>Howellia aquatilis</i>	T	MT, OR, WA, ID
	Wenatchee Checker-mallow	<i>Sidalcea oregona calva</i>	E	WA
	Western Lily	<i>Lilium occidentale</i>	E	OR
	Willamette Daisy	<i>Erigeron decumbens decumbens</i>	E	OR
	Winkler Cactus	<i>Pediocactus winkleri</i>	T	UT
AQUATIC INVERTEBRATES	Banbury Springs Limpet	<i>Lanx sp.</i>	E	ID
	Bliss Rapids Snail	<i>Taylorconcha serpenticola</i>	T	ID
	Bruneau Hot Springsnail	<i>Pyrgulopsis bruneauensis</i>	E	ID
	Idaho Springsnail	<i>Fontelicella idahoensis</i>	E	ID
	Snake River Physa Snail	<i>Physa natricina</i>	E	ID
	Utah Valvata Snail	<i>Valvata utahensis</i>	E	ID, UT
	Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	T	OR
¹ Status Definitions: E = Endangered EXPN = Experimental Population, Non-Essential PE = Proposed Endangered PT = Proposed Threatened T = Threatened				

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Table B: Legal Documentation Supporting the Federal Listing of Threatened and Endangered Species in the BPA Service Area (as of April 2001).

COMMON NAME	DATE FIRST LISTED	FEDERAL REGISTER REFERENCE (Most Recent)	LEAD USFWS REGION	CRITICAL HABITAT	SPECIAL RULES
FISH					
Borax Lake Chub	28-May-80	47 FR 43964	1	50 CFR 17.95(e)	None
Bull Trout	10-Jun-98	64 FR 58909	1	None	50 CFR 17.44(w) and 50 CFR 17.44(x)
Chinook Salmon (Snake R., Tucannon R., Grande Ronde R., Imnaha R., Salmon R., and Clearwater R. [All Fall Only])	22-Apr-92	64 FR 14077	NMFS	50 CFR 226.205	None
Chinook Salmon (Snake R., Tucannon R., Grande Ronde R., Imnaha R., and Salmon R. [All Spring/Summer])	22-Apr-92	58 FR 49880	NMFS	50 CFR 226.205	None
Chinook Salmon (Puget Sound, Upper Columbia R., Upper White Salmon R., Upper Clackamas R. [Fall/Summer], and Upper Willamette R.)	2-Aug-99	64 FR 41839	NMFS	50 CFR 226.212	50 CFR 223.203
Chinook Salmon (Lower Columbia R.)	2-Aug-99	64 FR 41839	NMFS	50 CFR 226.212	None
Chum Salmon (Columbia R. [Year-Round], Olympic Peninsula Rivers [Summer], Hood Canal [Summer], and Dungeness Bay [Summer])	2-Aug-99	64 FR 41839	NMFS	50 CFR 226.212	50 CFR 223.203
Clover Valley Speckled Dace	10-Oct-89	54 FR 41453	1	None	None
Coho Salmon (OR SW River Basins)	18-Jun-97	64 FR 33039	NMFS	None	None
Desert Dace	11-Mar-67	50 FR 50309	1	50 CFR 17.95(e)	50 CFR 17.44(m)
Foskett Speckled Dace	28-Mar-85	50 FR 12305	1	None	50 CFR 17.44(j)
Hutton Tui Chub	28-Mar-85	50 FR 12305	1	None	50 CFR 17.44(j)
Independence Valley Speckled Dace	10-Oct-89	54 FR 41453	1	None	None
Kendall Warm Springs Dace	13-Oct-70	35 FR 16048	6	None	None
Lahontan Cutthroat Trout	13-Oct-70	40 FR 29864	1	None	50 CFR 17.44(a)
Lost River Sucker	18-Jul-88	53 FR 27134	1	None	None
Oregon Chub	18-Oct-93	58 FR 53804	1	None	None
Pallid Sturgeon	6-Sep-90	55 FR 36647	6	None	None
Shortnose Sucker	18-Jul-88	53 FR 27134	1	None	None
Sockeye Salmon (Snake R. and ID)	3-Jan-92	57 FR 212 213	NMFS	50 CFR 226.205	None
Sockeye Salmon (Ozette Lake and Tributary Streams)	25-Mar-99	64 FR 41839	NMFS	50 CFR 226.212	50 CFR 223.203
Steelhead Trout (Lower	17-Jun-98	63 FR 32998	NMFS	50 CFR 226.212	50 CFR 223.203

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COMMON NAME	DATE FIRST LISTED	FEDERAL REGISTER REFERENCE (Most Recent)	LEAD USFWS REGION	CRITICAL HABITAT	SPECIAL RULES
and Middle Columbia R., Hood R., Upper Willamette R., and Lower Willamette R. [Winter Only])					
Steelhead Trout (Snake River Basin)	17-Jun-98	63 FR 32998	NMFS	50 CFR 226.212	50 CFR 223.203
Steelhead Trout (Upper Columbia River)	17-Jun-98	63 FR 32998	NMFS	50 CFR 226.212	None
Warner Sucker	27-Sep-85	50 FR 39123	1	50 CFR 17.95(e)	50 CFR 17.44(i)
White Sturgeon (Kootenai R.)	6-Sep-94	59 FR 46002	1	None	None
BIRDS					
Bald Eagle	12-Jul-95	60 FR 36010	3	None	50 CFR 17.41(a)
Brown Pelican	2-Jun-70	35 FR 16048	1	None	None
Marbled Murrelet	1-Oct-92	57 FR 45337	1	50 CFR 17.95(b)	None
Northern Spotted Owl	26-Jun-90	55 FR 26194	1	50 CFR 17.95(b)	None
Piping Plover	11-Dec-85	50 FR 50734	3	None	None
Short-tailed Albatross	2-Jun-70	65 FR 46654	7	None	None
Western Snowy Plover	5-Mar-93	58 FR 12874	1	50 CFR 17.95(b)	None
Whooping Crane	11-Mar-67	35 FR 8498	2	50 CFR 17.95(b)	None
INSECTS					
Oregon Silverspot Butterfly	2-Jul-80	45 FR 44939	1	50 CFR 17.95(i)	None
Fender's Blue Butterfly	25-Jan-00	65 FR 3890	1	None	None
MAMMALS					
Canada Lynx	24-Mar-00	65 FR 16086	6	None	50 CFR 17.40(k)
Columbian White-tailed Deer	11-Mar-67	32 FR 4001	1	None	None
Gray Wolf	11-Mar-67	41 FR 24067	3	50 CFR 17.95(a)	None
Grizzly Bear	11-Mar-67	40 FR 31736	6	None	50 CFR 17.40(b)
Northern Idaho Ground Squirrel	5-Apr-00	65 FR 17786	1	None	None
Preble's Meadow Jumping Mouse	13-May-98	63 FR 26530	6	None	None
Woodland Caribou	14-Jan-83	48 FR 49249	1	None	None
SNAILS					
Banbury Springs Limpet	14-Dec-92	57 FR 59257	1	None	None
Bliss Rapids Snail	14-Dec-92	57 FR 59257	1	None	None
Bruneau Hot Springsnail	25-Jan-93	58 FR 5946	1	None	None
Idaho Springsnail	14-Dec-92	57 FR 59257	1	None	None
Snake River Physa Snail	14-Dec-92	57 FR 59257	1	None	None
Utah Valvata Snail	14-Dec-92	57 FR 59257	1	None	None
Vernal Pool Fairy Shrimp	19-Sep-94	59 FR 48153	1	None	None
PLANTS					
Applegate's Milk-vetch	28-Jul-93	58 FR 40551	1	None	None
Bradshaw's Desert Parsley (Lomatium)	30-Sep-88	53 FR 38451	1	None	None
Colorado Butterfly Plant	18-Oct-00	65 FR 62310	6	None	None
Desert Milk-vetch	20-Oct-99	64 FR 56596	6	None	None
Gentner's Fritillary	10-Dec-99	64 FR 69203	1	None	None
Golden Paintbrush	11-Jun-97	62 FR 31748	1	None	None
Howell's Spectacular Thelypody	26-May-99	64 FR 28403	1	None	None
Kincaid's Lupine	25-Jan-00	64 FR 3890	1	None	None
MacFarlane's Four-O'Clock	26-Oct-79	61 FR 10697	1	None	None
Malheur Wire-lettuce	10-Nov-82	47 FR 50885	1	50 CFR 17.96(a)	None
Marsh Sandwort	3-Aug-93	58 FR 41384	1	None	None
Nelson's Checker-	12-Feb-93	58 FR 8243	1	None	None

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COMMON NAME	DATE FIRST LISTED	FEDERAL REGISTER REFERENCE (Most Recent)	LEAD USFWS REGION	CRITICAL HABITAT	SPECIAL RULES
mallow					
Ute Ladies' Tresses	17-Jan-92	57 FR 2053	6	None	None
Rough Popcornflower	25-Jan-00	65 FR 3875	1	None	None
Ute Ladie's-tresses	17-Jan-92	57 FR 205	6	None	None
Water Howellia	14-Jul-94	59 FR 35864	6	None	None
Wenatchee Checker-mallow	22-Dec-99	64 FR 71687	1	None	None
Western Lily	17-Aug-94	59 FR 42176	1	None	None
Willamette Daisy	25-Jan-00	65 FR 3890	1	None	None
Winkler Cactus	20-Aug-98	63 FR 44595	6	None	None