



United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

333 SW First Avenue (97204)
PO Box 3623
Portland, OR 97208-3623
503-808-2468

File Code: 2350

Date: July 7, 2003

Ms. Therese B. Lamb
Acting Vice-President for Environment, Fish, Wildlife
Bonneville Power Administration
P.O. Box 3612
Portland, OR 97208-3621

Dear Ms. Lamb:

Thank you for the opportunity for my staff to discuss Forest Service participation in the Grande Ronde – Imnaha Spring Chinook Hatchery Project with Bonneville Power Administration (BPA) Fish and Wildlife staff, Nancy Weintraub, Mickey Carter and Kenneth Kirkman (June 26). As a result of this meeting, the Forest Service agreed to:

- Respond to the *Northeast Oregon Hatchery Program, Grande Ronde – Imnaha Spring Chinook Hatchery Project, Draft Environmental Impact Statement (May 2003)* (NEOH DEIS) within the public comment period.
- Prepare a determination under Section 7(a) of the Wild and Scenic Rivers Act (WSRA) by August 11 for three affected wild and scenic rivers (WSR) -- Grande Ronde, Imnaha, and Lostine.

BPA agreed to:

- Make staff readily available to facilitate development of my determination.
- Address concerns identified by the Forest Service in response to the NEOH DEIS and through subsequent WSRA Section 7(a) determination in the Final Environmental Impact Statement and Record of Decision.

Although our request for funding for Forest Service participation is unresolved, resource specialists in my office have done sufficient review of the NEOH DEIS to more fully detail our principal concerns. These concerns were identified early in the planning process and have been consistently noted in informal and formal coordination between our agencies. As the federal river administrator for portions of the Grande Ronde, Lostine, and Imnaha WSRs I am responsible to protect and enhance their values, and to evaluate and determine the potential harmful effects of proposed water resources projects.

I describe my concerns in two parts, reflecting the applicable standard of Section 7(a):

- Direct and adverse effects to the values of the Imnaha WSR and,
- Invade or unreasonably diminish scenery, recreation, fish or wildlife values of the Grande Ronde and Lostine WSRs.

012-01



Direct and Adverse Effects Standard (Imnaha WSR)

The WSRA prohibits any federal agency from assisting in the construction of any water resources project located within a designated river corridor determined by the river-administering agency to have a direct and adverse effect on the values for which the river was added to the National System. These values are the river's free-flowing condition, water quality and its outstandingly remarkable values (ORVs).

012-01
(con't.)

Free-flowing is defined in Section 16(b) of the WSRA as "existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway." At the existing Satellite facility, proposed construction within the riverbed and its banks includes an additional water intake structure, new fish ladder, and modification of the existing weir, and riprap associated with each. At the new Final Rearing facility, in-channel construction includes intake and outfall structures and associated riprap, and relocation of an existing bridge.

012-02

In addition to potential effects to the river's free-flowing condition, I also have concerns relative to two of the river's ORVs -- scenery and fish. It appears that with proposed mitigation, and subsequent review by the Wallowa-Whitman National Forest Landscape Architect, the facilities can be designed to maintain the scenic integrity of the two sites. Relative to fish, my concerns are threefold: passage, habitat effects, and genetic/competitive interaction.

012-03

Fish Passage --- Information in the NEOH DEIS is inadequate to ascertain the extent of delay and handling of non-target fish and non-selected wild spring Chinook when the weir/trap is in operation. It is also unclear whether volitional passage is assured for all species at all life stages when the trap is not in operation. Flow diversion, particularly at the Imnaha Final Rearing facility, appears to create conditions impeding migration of adult bull trout, summer steelhead and other species/life stages under some flow conditions. Additional information is needed relative to monitoring of passage in the diversion reach and how flows will be augmented, if necessary. Therefore, the extent of impact on these at-risk populations cannot be determined.

012-04

Habitat Effects -- Riparian, floodplain and in-stream habitat features at several locations on both project areas will be altered by construction and subsequent channel adjustments due to created/removed structures and fill. The total extent of change to channel conditions is difficult to determine with the information provided. There appear to be opportunities to mitigate the localized impacts of aquatic and riparian habitat disturbance, simplification or loss on the project sites, but any additional habitat improvements integrated into project design are not apparent.

012-05

If valid State water rights are established for flow diversion to both projects, there remains a concern with the impacts of flow reduction on fish habitat. Seasonal removal of between 12-50 percent of flow along 1200 feet at the Final Rearing site and doubling of the existing flow diversion at the Satellite facility will reduce the quantity and quality of aquatic habitat in these reaches. The NEOH DEIS does not quantify impact or identify mitigative measures.

Genetic/Competitive Interactions -- Hatchery/supplementation programs pose risk to wild populations from both interbreeding and competitive interactions. These risks, plus

012-06

recommendations for addressing these risks, are thoroughly discussed in the Independent Scientific Advisory Board (ISAB) Review of Salmon and Steelhead Supplementation, June 2003. The report recommends "explicit experimental design" for supplementation projects, coupled with monitoring and assessment program. Details for risk management for the NEOH project as a whole, or specifically for the Imnaha, are not included in the DEIS. Clarification is needed on how all risks of supplementation identified by ISAB (Independent Science Advisory Board), ISRP (Independent Science Review Panel), NWPPC (Northwest Power Planning Council), and others, are addressed. Monitoring measures designed to ensure protection of wild populations needs to be more explicit.

012-06
(cont.)

Invalidate or Unreasonably Diminish Standard (Grande Ronde and Lostine WSRs)

Modifications are proposed to the existing Lookingglass Hatchery, located approximately two miles from the upper terminus of the Grande Ronde WSR. Two new facilities are proposed on the Lostine WSR -- a hatchery and adult collection facility, approximately one and five miles, respectively, below the lower terminus of the designated portion of the river. At neither of these sites are any project-related facilities proposed within the designated river corridors; therefore, they do not invade the designated river areas.

This standard also requires the Forest Service to consider whether there is any diminution to the scenery, recreation, fish or wildlife values within the designated rivers. I have not identified any effect from the Lookingglass facility and Lostine facilities to the scenery, recreation or wildlife within the designated rivers. These facilities have the potential to affect the fish resource in the designated portions of the rivers as described with my detailed concerns about the Imnaha facilities.

012-07

With additional information relative to my concerns, it may be possible for the Forest Service to recommend measures to eliminate adverse effects. The WSRA does not, however, allow for me to balance the perceived benefits of a water resources project with adverse effects. Congress has reserved that authority:

"No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention to do so at least 60 days in advance, and without specifically reporting to the Congress in writing of its intention so to do at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of the Act and would affect the component and the values to be protected by it under this Act."

To expedite a meaningful sharing of information, I encourage you to organize and facilitate an on-site meeting of key technical staff to discuss these concerns. An on-site meeting will clarify my interpretation of existing information and also identify additional information necessary for me to make my finding under Section 7(a), and for the Forest Supervisor to make her decision

012-08

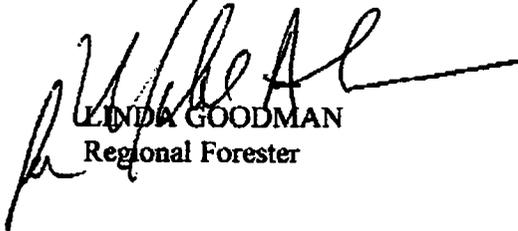
Ms. Therese B. Lamb

4 JUL 14 2003

relative to issuance of a new special-use permit for the modified Imnaha Satellite facility. I also intend to coordinate my review with other fish managing agencies and the tribes to more fully understand the project proposals. My agency's contacts continue to be Susan Sater (Regional Office, 503-808-2449) and Tom Glassford (Wallowa-Whitman National Forest, Eagle Cap Ranger District, 541-426-5537). Bob Rock is the contact regarding specific fisheries information (Wallowa-Whitman National Forest, 541-523-1242). I appreciate your interest in working together to best meet our mutual interests and protect the values of these WSRs.

012-08
(con't.)

Sincerely,



LINDA GOODMAN
Regional Forester

cc:

Dave Johnson, NezPerce Tribal Fisheries POB #365, Lapwai, ID 83540
Becky Ashe, NPT Project Leader NezPerce Tribe, POB #365, Lapwai, ID 83540
Dan Herrig, LSCRCP Coordinator, USFWS, LSRCP Office, 1387 South Vinnell Way, Suite 343,
Boise ID 83709
Deb Martin, NMFS Fishery Biologist, Hatchery, Snake River Office, 10215 West Emerald
Street, Boise, ID 83709
Gary Miller, USFWS, La Grande Field Office, 3502 Highway 20, La Grande, WA 97805
Randy Tweton, USFWS, La Grande Field Office, 3502 Highway 20, La Grande, WA 97805
RLM - Susan Sater
NR - Jeff Uebel, Alan G Christensen
W-W NF/Eagle Cap RD - Tom Glassford
W-W NF - Robert W Rock

012-01

Comment acknowledged. BPA and the Forest Service will work to address Wild and Scenic River Act (WSRA) issues as the Forest Service reviews this EIS and prepares a WSRA Section 7(a) determination. Once BPA receives the WSRA Section 7 (a) determination, BPA will issue a Record of Decision documenting whether to proceed with final design and project implementation.

012-02

A new fish ladder is no longer proposed at the Imnaha Satellite Facility (see Section 1.6 in the Final EIS). After further study, co-managers developed a way to improve existing fish ladder function (by using additional attraction water), thereby reducing the amount of in-water work proposed at this facility.

The Imnaha Final Rearing Facility is no longer proposed for construction (see Section 1.5 in the Final EIS). After further study, the project co-managers devised a way to use the other proposed facilities to accommodate the functions intended for the Imnaha Final Rearing Facility. The activity proposed at this site is limited to removal of an existing Acrow (steel panel) bridge and concrete bridge abutments and restoration of areas affected by this activity. The bridge panels would be reinstalled at the Lostine Adult Collection Facility and the bridge abutments would be hauled off-site for disposal.

012-03

Since the Imnaha Final Rearing Facility is no longer proposed for construction, the activity proposed at this site is limited to removal of an existing Acrow panel bridge and concrete bridge abutments, and restoration of areas affected by this activity to a less developed and more natural appearing scenic condition.

Through its authority under the WSRA and its discretion to re-authorize the existing Special Use Permit for the Imnaha Satellite Facility, the Forest Service would decide if proposed changes would be congruent with the existing visual character of the site. A preliminary assessment provided in Forest Service comment 020-15 seems to suggest that proposed modifications would not be noticeable to most visitors.

Refer to responses 12-04, -05, and -06 relative to Forest Service concerns regarding fish passage, habitat effects, and genetic/competitive interaction.

012-04

As discussed in the Draft EIS Section 3.2.3.2 (as amended in the Final EIS Section 2.3) and Biological Assessment Section 4.2 (previously provided to the Forest Service), the proposed Imnaha Satellite Facility weir replacement would be designed to efficiently and safely accommodate migrating fish. The replacement weir would have a clear bar spacing of 1-1/4 inches, which would allow juvenile fish to pass directly through the weir when the weir is in operation (Grassel 2003). Also, when in operation, replacement weir panels could be lowered individually to allow downstream passage of steelhead kelts and bull trout (not possible with the existing weir at the site). When not in operation, the replacement weir would lie flat under the water to allow for easier downstream fish passage.

Replacement weir angle and the proposed increased attraction flow would lead migrating fish to the ladder (existing structure) entrance with minimal delay and would likely benefit target spring/summer chinook and other species through improved attraction to the fish ladder. Improved attraction would result in less migratory delay and a decreased likelihood of downstream spawning than under current conditions (due to insufficient attraction flow from the existing fish ladder, some chinook that would normally spawn farther upstream have spawned downstream of the existing facility). The final design of the replacement weir would be coordinated with NOAA Fisheries and U.S. Fish and Wildlife Service using published criteria.

As under current conditions, future operations would include daily monitoring and maintenance of the weir during the time the weir is being used to collect fish. During fish collection periods, staff would be stationed at the site 24 hours a day, 7 days a week. Non-target fish would be held on-site for no more than 24 hours. All non-target fish would be observed without anesthesia and allowed to pass above the weir.

The Imnaha Final Rearing Facility is no longer proposed for construction. See response 012-02.

012-05

Section 3.2.3.2 of the Draft EIS summarizes the consequences of the Proposed Action on riparian, floodplain, and instream habitat features and flow diversion. Potential project impacts on the river channel are discussed in detail in the project Biological Assessment for all project facilities (Biological Assessment, Section 4.2.2, Channel Alterations subsections, previously provided to the Forest Service). At the Imnaha Satellite Facility, erosion control methods such as rock placement and/or revegetation would be used to protect the river banks. The proposed project would maintain, as much as possible, the existing natural riparian zone of trees and shrubs along the bank of the Imnaha River, by containing construction and staging activities within identified work areas. Proposed instream structures would include an expanded surface water intake (with upgraded intake screens to meet NOAA Fisheries criteria) and a diffuser chamber and auxiliary water supply line to supplement attraction flow in the existing fish ladder. All instream work (including weir replacement) would require the use of a cofferdam and would be conducted during Oregon Department of Fish and Wildlife (ODFW) instream work windows. Prior to any project work, project proponents would consult with NOAA Fisheries and U.S. Fish and Wildlife Service, and these agencies must render a Biological Opinion on the likely impacts to ESA-listed species and their habitats which would include any reasonable and prudent measures necessary or appropriate to mitigate such impacts to their satisfaction.

Intake structure improvements would affect an area of river bed and bank about 30 feet long by 30 feet wide and require placement of about 100 cy of rock for bank stabilization. The auxiliary water supply line would be installed behind an existing concrete wall and require the placement of a small amount of rock to stabilize the pipeline entrance similar to the existing intake situation. Habitat disturbance would be minor, and suitable habitat for spawning and rearing occurs and would remain available in areas surrounding both of these sites.

As described in the project Biological Assessment (Section 4.2.2, pages 94-96), the habitat available for salmonids would be limited during periods of low river flow regardless of facility requirements. Even during periods of historic low flow, it appears that remaining instream habitat is adequate to support migration and chinook have been observed spawning successfully in 30 cfs and bull trout and steelhead can successfully migrate through 0.6 feet of water – conditions that would easily be maintained within the diversion reach, even during periods of extreme low flow (Zollman and Sankovich as cited in FishPro/HDR 2004a).

The Imnaha Final Rearing Facility is no longer proposed for construction. See response 012-02. After removal of the Acrow panel bridge, river banks would be revegetated where the bridge abutments were located and where any construction-related disturbance was evident.

012-06

The current chinook production program in the Imnaha River is authorized by NOAA Fisheries under Endangered Species Act (ESA) Section 10 Permit No. 1128. Details for risk management are not included in the scope of this EIS because this chinook production program is not a new undertaking. This EIS appropriately considers the anticipated effects associated with the modification of existing and proposed fish production facilities.

During the ESA Section 10 permit process, and prior to receiving Permit No. 1128, the production program received scientific scrutiny through NOAA Fisheries' peer and public review process. NOAA Fisheries determined that the direct take of these listed fish for hatchery broodstock, and the release of their progeny, would be beneficial to the Imnaha population (Delarm, NOAA Fisheries, personal communication, as cited in Ashe et al. 2000). Project performance standards were developed by hatchery co-managers and reviewed by the Northwest Power Planning and Conservation Council's Independent Scientific Review Panel and finalized as the Monitoring and Evaluation Plan for Northeast Oregon Hatchery Imnaha and Grande Ronde Subbasin Spring Chinook Salmon (Hesse and Harbeck 2004). Monitoring and evaluation elements of this plan would be applied to the production program and some may occur at the proposed facilities, and so they are incorporated by reference as supporting documentation for this EIS and Biological Assessment.

012-07

Comment acknowledged; as of the writing of this letter, the Forest Service believes that proposed facilities would not invade the areas of the Lostine or Grande Ronde Rivers designated under the Wild and Scenic Rivers Act and the Forest Service has not identified any effects to the scenery, recreation, or wildlife within the designated river reaches, but the Forest Service believes that potential effects to fisheries may remain. See Forest Service letter 020 and comments and responses 020-33 to 020-50 for further discussion on the topic of invade or unreasonably diminish standard of analysis for actions outside designated Wild and Scenic River corridors.

012-08

Since the Draft EIS was published in May 2003, numerous exchanges have occurred in writing, by e-mail, and on the telephone between the Forest Service, BPA, and hatchery co-managers (the Nez Perce Tribe particularly). In August 2003, BPA, the Nez Perce Tribe, and other agencies met with Forest Service representatives to tour the project sites and discuss Wild and Scenic River values. The Forest Service then compiled letter 020 which includes a preliminary WSRA report as further comment on the Draft EIS. An expanded group met at the Forest Service offices in Enterprise, Oregon, on November 17, 2003, for a more detailed exchange of information intended to address the perceived issues, uncertainties, and additional analysis needs identified in the preliminary WSRA report. The Forest Service is expected to issue a final WSRA Section 7(a) determination on this project upon review of this Final EIS, the Biological Assessment, and all other supplemental information made available prior to BPA issuing a Record of Decision whether to proceed with project final design and implementation.

Kuehn, Ginny - DM-7

From: june davis [grassjune@hotmail.com]
Sent: Monday, July 07, 2003 11:50 PM
To: Carter, Mickey A - KEC-4
Subject: proposed lostine facilities

Good evening: I am commenting on the DEIS for the fish hatchery programs on the grande ronde.

My name is June Colony, owner operator of Cool Waters, a Native Plant Nursery which specializes in restoring damaged landscapes and designing riparian restoration plantings. My nursery and home is located less than 1 mile below the Lostine Trout Farm.

My irrigation ditch for the nursery, has a head-gate located just below the private bridge that your plan indicated would be replaced with a steel bridge with footings out of the river.

For 20 years, I have taken my kids swimming in the old lostine city water/ fish ladders which your adult capture facilities would be located.

I had helped two families secure land through the planning commission and build thier dream homes on that property which is located emmediately aabove the 6-mile bridge where you plan to locate a water intake setup[for the fish hatchery.

I have lived in Lostine for 30 years, and have seen some horrendous flooding and equally horrendous channelizing of the lostine river..I am a local ciatizen who would be directly affected by your plans.

I have the following comments:

1. The 6 mile bridge has one of the nicests views upstreams for enjoying the natural and inspiring wild and scenic rivers for any local, or tourist passing by. The land owners adjacent to that section of this river love that wild river as it is. I strongly protest the siting of the water capturing facilities to the upstream side of that bridge because it will drastically change the character of that viewshed, and I suggest that these intake structures should be placed further upstream....perhaps on usfs lands, and away form the vistas or homes.

2. The old Lostine City water and fish ladder facilities lie in a very visable area to the road. The idea that there would be 300 feet of riprap and retaining wall is offensive. I have spent much of my past 10 years using a method called "Bioengineering" to place plant materials as integral components of "rip rap" and I suggest that the plant materials needed for bioengineering be incorporated at the time of wall contraction. All lighting shall be down directed and subdued and motors shall be muted.

3. Special consideration to the Thalwag or main flow of the river below the new fish dam shall be a potential change for the usage of our irrigation ditch headgate. Because during low flow, we often have to build a pushup dam to redirect our water into the headgate,I hope that we can figure a way to keep water flowing into our ditch..perhaps with an upstream bar that would deflect low flows over to my side of the river and into our headgate.

All facilites for hatcheries can be cold and sterile...it is my hope that there will be a lovely and green facility at the lostine...Bring the salmon home!

June Colony

013-01

013-02

013-03

013-04

013-05

013-06

013-07

013-01

Comment acknowledged; as a long-time resident very familiar with the proposed Lostine River sites, your interest in and efforts to comment on the proposed project is appreciated.

013-02

Section 3.9.3.3 of the Draft EIS discusses the expected consequences of the Proposed Action on visual quality near the Lostine River Hatchery, including the intake structure upstream of the Lostine River Road bridge. The intake structure would be visible to northbound travelers on the Lostine River Road for a few seconds at the river crossing. Southbound travelers may catch a glimpse of the intake structure, but for the most part, it would be screened by existing vegetation. These proposed structures are located approximately 1 mile below (downstream of) the portion of the Lostine River designated as a Wild and Scenic River.

To locate the intake structure farther upstream (if a technically feasible site could be found), would involve obtaining the land or easements, rights-of-way, or other rights of access from all landowners along the pipeline route. As stated in the Draft EIS (Section 2.3), Section 1.8 of the Final EIS, and the NEOH Master Plan (Ashe et al. 2000), several other potential sites for hatchery facilities in both the Imnaha and Grande Ronde Subbasins were evaluated, but dropped from further consideration due to a variety of reasons, including inadequate water supply or quality, lack of available space, inadequate power supply, and/or unavailability for acquisition. One suitable site was identified on the Lostine River, downstream of the currently proposed Lostine River Hatchery site. This site, at the Strathearn Ranch (Grande Ronde Subbasin site 22, Draft EIS, Table 1-1), met the project requirements, but the owner ultimately decided not to make the property available. Sites on the west side of the Lostine River were also investigated, and one other feasible site was discovered. This west-side site was dropped from further consideration because it would require substantially more site development; have a potentially greater impact to adjacent landowners; and result in more disruption and potential impact to the natural environment (McMillen 2003, personal communication).

013-03

Figure 3.9-6 in the Draft EIS shows the existing view from Lostine River Road and a visual simulation of the proposed facilities in the same location. Section 3.9.3.2 of the Draft EIS explains that several of the new facilities would be screened from public view by the existing vegetation along the roadway and that passing motorists would only have a brief view when traveling northbound. Given the current facilities in the area, the proposed changes and additions are not expected to substantially alter the area's existing visual quality.

013-04

The current proposal includes using native plants to revegetate and enhance the visual appearance of all project sites (see Draft EIS Sections 3.4.3 and 3.9.3). Although incorporation of bioengineering into bank and flood protection measures may be structurally feasible (McMillen 2004, personal communication), final project design (including the levee and other bank and flood protection measures) would be subject to consultation and permitting requirements of several resource agencies. At a minimum, the levee would be designed, constructed and, where possible, vegetated to blend in with the existing environment.

013-05

Sections 3.2 through 3.17 of the Draft EIS describe the anticipated impacts to the natural and built environment as a result of the proposed project, including construction, operation, and cumulative effects of visual quality (Section 3.9) and noise (Section 3.13). All project lighting would be shielded and directed downward.

The proposed project includes use of best management practices, activities, and other measures to avoid prolonged incidents of loud or excessive noise during construction and operation. During construction, noise-generating activities at sites near residences would be controlled by limiting the hours of construction. Measures to avoid loud or excessive noise during facility operations would include muffling and/or enclosing pumps, generators, and other potentially noise equipment within buildings, and locating new facilities as far away as feasible from nearby residences.

013-06

The proposed spillway for the Lostine Adult Collection facility would function much like the existing sills, in that flow would back up behind the structure and spill evenly across the channel. Downstream flow would continue in the main river channel and would be unchanged at the irrigation ditch headgate (McMillen 2004, personal communication).

013-07

Comment acknowledged; the design of the Lostine River Hatchery, and other proposed facilities, include shielding facility lights, planting native vegetation, and using building materials of colors and types to blend with existing structures to minimize visual impacts, while serving to help the conservation and recovery of an important salmon species.

JUL 14 2003

Kuehn, Ginny - DM-7

From: Curt Mattson [cmattson@oregontrail.net]**Sent:** Monday, July 07, 2003 1:05 PM**To:** BPA Public Involvement**Subject:** Grande Ronde - Imnaha spring chinook hatchery program (DOE/EIS - 0340)

I would like to comment in support of the proposed hatchery program. It is currently imperative to pursue this program in order to meet the mandate to recover these endangered fish runs. The habitat recovery strategies have failed to recover the runs and have only succeeded in making some agencies and individuals feel good. There must be a strategy to actively increase the number of native fish returning to these streams. This program is really already in place and showing promising results. The fish are currently reared in several facilities, and must be transported from native waters to the facilities, then back. There is surely some rate of mortality with each move and these fish are much too valuable to be subjected to the risks associated with the current procedures. Placing the program into entirely native waters is the best alternative.

014-01

A hatchery program may not be the most desirable solution in the eyes of all involved, but until downstream survival is greatly enhanced these fish runs stand little chance of self-recovery. Without production assistance they will continue to dwindle, they do not have the luxury of time. There are volumes of data and countless dollars spent on habitat and land use restrictions with relatively little to show but pretty streams with no more returning salmon, it is time to try something that just might work.

The tribes should be commended on their leadership in pursuing this project, and their active strategies for recovering fish runs should be wholeheartedly supported and continued. They have perhaps made more progress in the short time they have been involved than agencies who had the lead in the past.

014-02

Curtis Mattson
Enterprise, OR