

BONNEVILLE POWER ADMINISTRATION

Northeast Oregon Hatchery Program Grande Ronde – Imnaha Spring Chinook Hatchery Project

RECORD OF DECISION Regarding Final Design and Property Acquisition

Summary. As Administrator of the Bonneville Power Administration (BPA), I have decided to fund the final design and property acquisition portions of the Proposed Action of the Grande Ronde – Imnaha Spring Chinook Hatchery Project in Northeast Oregon, as well as additional valuation studies recommended by the Northwest Power and Conservation Council (Council). I am not, at this time, making a decision to fund the construction of the project itself, nor to fund post-construction operations, facilities maintenance, or monitoring and evaluation of the project. Those decisions will follow after the design and additional cost evaluation. Nevertheless, I did consider the environmental impacts of construction of the project in detail before deciding to proceed with these initial steps.

The purpose of the project is to aid the conservation and recovery of the Snake River spring/summer Chinook native to the Grande Ronde and Imnaha subbasins of Northeast Oregon (Blue Mountain Province), which are listed as threatened and are protected by the Endangered Species Act (ESA). Adequate, contemporary hatchery facilities are needed to mitigate for and recover these fish stocks.

Currently, Lookingglass Hatchery in the Grande Ronde subbasin and the Imnaha Satellite Facility in the Imnaha subbasin are the only two existing permanent hatchery facilities for spring Chinook in Northeast Oregon. Both facilities were built in the early 1980s. These facilities do not provide adequate space, the best available technical and scientific advancements, nor suitable rearing conditions to provide for the conservation and recovery of ESA-listed species. The National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries), U.S. Fish and Wildlife Service (USFWS), and local fishery and hatchery managers recognize that modernization and augmentation of hatchery facilities is needed to increase the success of mitigation efforts and to halt the decline of spring/summer Chinook runs.

BPA will fund the final design of and property acquisition for the Proposed Action pursuant to its authority under the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act) to protect, mitigate, and enhance fish affected by the Federal Columbia River Power System (FCRPS) in the Columbia River Basin. The Proposed Action will also help BPA respond to the 2000 Biological Opinion of the FCRPS, and help implement mitigation under the Lower Snake River Compensation Plan (LSRCP). This project responds directly to a need to mitigate for effects to Snake River spring/summer Chinook native to the Grande Ronde and Imnaha rivers of Northeast Oregon.

Proposed Action. The Proposed Action is to modify and modernize two existing hatchery facilities (Lookingglass Hatchery and Imnaha Satellite Facility) and construct two auxiliary hatchery facilities (Lostine Adult Collection Facility and Lostine River Hatchery) to aid spring/summer Chinook conservation and recovery. The hatchery facilities will be designed and constructed to meet certain criteria of the Natural Rearing and Enhancement System (NATURES) (Draft Grande Ronde – Imnaha Spring Chinook Hatchery Project Environmental Impact Statement (EIS), July 2004, DOE/EIS-0340), such as low-density rearing, volitional release, natural lighting, and other more “natural” features.

At Lookingglass Hatchery, located 8 miles north of the town of Elgin on Lookingglass Creek, the proposed modifications are additions to existing facilities or internal changes to existing structures within the bounds of the site already dedicated to the hatchery. No instream work would occur.

The new Lostine Adult Collection Facility, about 1 mile upstream (south) of the town of Lostine on the Lostine River, would collect adult spring/summer Chinook. This site is located downstream of primary spring/summer Chinook spawning areas. A new fish ladder, weir, and trap would be constructed, as would new access and parking and bank protection. Private land or an easement would be purchased. An existing bridge across the Imnaha River would be removed and relocated for use at the Lostine Adult Collection Facility.

The proposed Lostine River Hatchery, located about 5 miles upstream (south) of the town of Lostine, would be a full-scale, multi-function facility with permanent staff and on-site housing (private land purchases or easements required). The hatchery would hold Chinook during spawning and incubation through final rearing and release into the wild. Major components include a water intake structure, weir, and pipeline to bring water to the hatchery; hatchery buildings such as a garage/shop, housing, and an incubation and early rearing room; and ancillary structures such as pump houses at existing wells, raceways for rearing smolts, adult fish holding ponds, and a cleaning waste basin and hatchery water outfall back to the Lostine River.

The existing Imnaha Satellite Facility is about 29 miles up the Imnaha River (south) from the town of Imnaha on land administered by the US Forest Service (USFS) in the Hells Canyon National Recreation Area. The facility, a satellite of Lookingglass Hatchery, is operated seasonally under a special use permit from the USFS. The USFWS owns the facility and holds the special use permit. The Oregon Department of Fish and Wildlife (ODFW) operates the facility as an adult Chinook holding and smolt release facility. The proposed facility improvements would be within the existing hatchery compound, and would include replacing the weir with a modern, more fish-friendly and efficient design, building a larger water intake, expanding the hatchery building features, reconfiguring the fish ladder, and enlarging the juvenile fish acclimation pond.

Facility design and construction under the Proposed Action would comply with applicable regulatory requirements, permits, and guidance for protection of the environment and human well-being and safety, and would incorporate Best Management Practices such as erosion and dust control, waste management, weed management, fire prevention, and work-hour and noise restrictions. The Proposed Action incorporates special measures such as retaining sensitive

riparian vegetation, landscaping with native plants, erecting buildings reflective of local character, and shielding of facility lighting. Instream structures would meet applicable NOAA Fisheries and USFWS fish passage design requirements, and construction would be managed to accommodate and reduce impacts on existing fish production at each facility and fish use of the affected streams. Instream work would comply with applicable regulations and permits and would occur behind temporary cofferdams or other appropriate water diversions.

Background and Scope of the Decision. The Nez Perce Tribe, Confederated Tribes of the Umatilla Indian Reservation, ODFW, NOAA Fisheries Hatchery/Inland Fisheries Branch, USFWS – LSRCP Office, and BPA proposed the project to the Northwest Power and Conservation Council. The Council recommended the project to BPA for funding in 2000 (the project was recommended for initial funding in 1988). Since 2000, project proponents, BPA, and others have completed a preliminary design of the proposed project. In addition, they have prepared all the documents required for Steps 1 and 2 of the Council’s project review process¹.

In October 2004, the Council approved the project’s Step 2 submittal with conditions. The Council recommended that additional studies be completed before final approval of the project in Step 3 of their process. The Council recommended that the co-managers of the project have the proposed costs of the project reviewed by the Independent Economic Analysis Board, and that a value analysis of the current proposed design be completed by an independent party to determine if costs do not exceed the current preliminary estimate. These additional studies, plus further clarification of requirements for water, wetland delineations, permits, etc., will ensure costs and performance are optimized before final funding is approved.

BPA will fund these valuation studies, the final design, and the land acquisition proposed for the Proposed Action. After the project completes Step 3 of the Council’s review process, another Record of Decision (ROD) will be prepared to determine if construction will proceed. A final decision reflected in that ROD will be made after these further studies are in hand and a better estimate of the cost of construction, operation, facilities maintenance, a monitoring and evaluation program, and mitigation are known. This later ROD will describe the mitigation and monitoring adopted for the project if constructed, and whether all practicable means identified in the EIS will be taken to avoid or minimize environmental harm.

The Council made recommendations for the Monitoring and Evaluation (M&E) Plan in its Step 2 review. Funding for the M&E Plan is not part of this ROD.

In addition, this ROD does not consider issues or elements of the existing hatchery production program. The Proposed Action continues pre-established programmatic goals of Chinook recovery programs, which were determined in other forums.

¹ The Council has a three-step process for hatchery project recommendations to provide an orderly way to develop projects. Linking environmental review (i.e., National Environmental Policy Act (NEPA)) and funding commitments to specific phases has allowed the project sponsor and the Council to move from the conceptual to final design in steps, avoiding over commitment of resources at the early stages. Generally, the steps for these projects will be based on the phase of the step process as follows: Step 1 -- conceptual planning, represented under the program primarily by master plan development and approval; Step 2 -- preliminary design and cost estimation, and environmental (NEPA and ESA) review; and Step 3 -- final design review prior to construction and operation. (Three-Step Review Process as approved by Northwest Power Planning Council on October 18, 2001. Available at: <http://www.nwcouncil.org/library/2001/2001-29.pdf>. Accessed February 23, 2005.)

Authority. BPA has prepared the Grande Ronde – Imnaha Spring Chinook Hatchery Project EIS and this ROD pursuant to the process specified in the National Environmental Policy Act (NEPA), regulations of the Council on Environmental Quality (40 CFR Part 1505), Implementing Procedures of the Department of Energy (DOE) (57 FR15122; April 24, 1992), and under the authorities of the Northwest Power Act, 16 U.S.C. § 839 et seq. The Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, and the ODFW are co-managers of the spring/summer Chinook conservation and recovery program in Northeast Oregon. Although not federal agencies, they are the primary cooperating agencies for the EIS. The USFWS, NOAA Fisheries, and the USFS are also cooperating federal agencies. The USFWS, NOAA Fisheries, USFS, and other managers of habitat, fisheries, and hatcheries in Northeast Oregon were consulted during the development of the EIS. BPA is issuing this ROD for its own actions only.

History. BPA issued a Draft Grande Ronde – Imnaha Spring Chinook Hatchery Project EIS in May 2003 (DOE/EIS-0340). BPA issued the Final EIS in July 2004 (DOE/EIS-0340). Chapter 3 of the Final EIS contains all comments made on the Draft EIS and includes responses to them. As the Administrator of BPA, I have reviewed this information to make my decision.

My decision to provide funding for valuation studies, facility design, and property acquisition is consistent with BPA’s Fish and Wildlife Implementation Plan Final EIS (DOE/EIS-0312, April 2003) and ROD (October 31, 2003). In that ROD, BPA decided to adopt a comprehensive and consistent policy to guide the implementation and funding of the agency’s fish and wildlife mitigation and recovery efforts. The policy focuses on enhancing fish and wildlife habitat, modifying hydro operations and structures, and reforming hatcheries to both increase populations of listed fish stocks and provide long-term harvest opportunities such as the Proposed Action. My decision is also consistent with the fish and wildlife component of BPA’s earlier Business Plan decision to use a market-driven approach for participation in the electric utility market because this decision acknowledges the relationship between BPA’s responsibility to implement mandated fish and wildlife responsibilities; BPA’s financial position and its ability to predict and stabilize its fish and wildlife costs; and the administrative mechanisms for distributing fish and wildlife dollars as does the Business Plan ROD (Business Plan EIS, DOE/EIS-0183, June 1995, and Business Plan Record of Decision, August 15, 1995).

Alternatives Considered. In addition to the Proposed Action, the No Action Alternative was considered in reaching this decision. This alternative is evaluated in detail in the EIS. In the No Action Alternative, BPA would not fund the Proposed Action, current activities would continue, and existing facilities would deteriorate over time due to age and use.

Chapter 1 of the Final EIS describes each alternative, as well as alternatives eliminated from further consideration.

Decision Factors. The factors considered in making the decision on whether to fund the land acquisition, final design, and additional valuation studies for the Proposed Action are as follows:

- The ability of the alternative to meet the need.

- The alternative's consistency with the Council's Columbia River Basin Fish and Wildlife Program;
- The environmental impacts of the alternative on the following resources: fisheries, wildlife, plants and wetlands, geology, hydrology (water quality and quantity), Wild and Scenic Rivers, cultural resources, aesthetics, land use, recreation, transportation, socioeconomics, air quality, noise, and public health and safety. Chapter 1 of the Final EIS summarizes the impacts of the alternatives on these resources.

Decision. I have decided to proceed with the funding for the final design, property acquisition, and additional valuation studies for the Proposed Action. These are important components of the Proposed Action that can proceed now, but they do not in and of themselves create any environmental impacts, nor do they commit BPA to funding construction. Nonetheless, in making my decision, I considered the impacts of the Proposed Action in its entirety, including construction.

The Proposed Action best meets the need and purposes stated in the Final EIS because it would provide the contemporary hatchery facilities needed for the mitigation and recovery of these stocks. In addition, the alternative is consistent with the Council's Program and the Council recommends funding additional studies before a final decision on the Proposed Action is made.

Having considered the environmental impacts described in detail in the Draft and Final EISs and the responses to comments in Chapter 3 of the Final EIS, I find the benefits of the Proposed Action outweigh the potential adverse environmental impacts.

- The greatest potential impact (favorable and adverse) from the Proposed Action would be to fish. Implementation would provide facilities adequate to support conservation and recovery of Grande Ronde and Imnaha spring/summer Chinook. Though there would be minor temporary disturbances, no substantial adverse impacts to populations of fish are expected. The USFWS has determined that the actions as proposed are not likely to jeopardize the continued existence of the federally listed Columbia River bull trout population segment nor destroy or modify designated critical habitat (USFWS letter to Mickey Carter, November 23, 2004). NOAA Fisheries concluded that the proposed actions are not likely to jeopardize Snake River spring/summer Chinook salmon (*Oncorhynchus tshawytscha*), Snake River fall Chinook salmon (*O. tshawytscha*), or Snake River steelhead (*O. mykiss*) (NOAA letter to Mickey Carter, October 7, 2004). NOAA Fisheries also concluded that the Proposed Action will not adversely modify designated critical habitat for Snake River spring/summer Chinook salmon or Snake River fall Chinook salmon. NOAA Fisheries concluded that the Proposed Action may adversely affect designated Essential Fish Habitat for Chinook salmon and coho salmon (*O. kisutch*). Project proponents will comply with the reasonable and prudent measures and conservation recommendations that NOAA Fisheries believes will avoid, minimize, mitigate, or otherwise offset adverse effects resulting from the Proposed Action.

- The anticipated benefits to Chinook populations would support the Nez Perce Tribe's goal to restore these fish populations and enhance the Tribe's opportunities to exercise treaty fishing rights and continue tribal customs and culture tied to salmon.
- For wildlife, some potential bald eagle roosting trees may be removed at the Lostine River Hatchery and the Lostine Adult Collection Facility. However, the USFWS concurs with BPA's determination that the project may affect, but is not likely to adversely affect, the bald eagle (USFWS letter to Mickey Carter, November 23, 2004). Other wildlife impacts would be temporary.
- Wetlands will be delineated as part of the studies proposed for funding with this ROD. More information will reduce the amount of wetlands potentially affected and better determine required mitigation. Regulatory agencies have and will be consulted. There will be no action in wetlands at this decision point; however, the Proposed Action includes fish production facilities using native surface waters and gravity flow and so facility construction would be necessary in wetlands. There is no practicable alternative. Harm to or within wetlands would be avoided or mitigated to the extent practicable and will be developed in the project final design.
- No listed plant species are known to occur at any project sites. The USFWS concurs with BPA's determination that the project may affect, but is not likely to adversely affect, the federally listed Macfarlane's four o'clock and Spalding's catchfly (USFWS letter to Mickey Carter, November 23, 2004). Some vegetation, including riparian habitat, would be lost. All sites will be replanted with native species.
- Short-term erosion could occur during construction, but Best Management Practices would be used to control erosion.
- Water regimes may be altered during extreme low flows at the Lostine Hatchery. If possible, well water would be pumped to the intake location during those times.
- Based on the current level of design information, facilities would be constructed within the floodplain at the Lostine Adult Collection Facility, Lostine River Hatchery, and Imnaha Satellite Facility. New facilities at the Lostine Adult Collection Facility and the Lostine River Hatchery would cause localized restriction and concentration of flow as well as some scouring during major storm events. A new weir at the Imnaha Satellite Facility would improve flows slightly compared to the current situation. Removing the bridge and its abutments on the Imnaha River would slightly improve flows there. There will be no action in floodplains at this decision point; however, the Proposed Action includes fish production facilities using native surface waters and gravity flow and so facility construction would be necessary in floodplains. There is no practicable alternative. Harm to or within floodplains would be avoided or mitigated to the extent practicable and will be developed in the project final design.
- The USFS has determined that there would be no impacts to the Wild and Scenic values of any of the rivers.

- There would be no effect to cultural resources. If cultural resource evidence is found later, work or activity would be halted until the site can be assessed.
- Aesthetic effects would be limited, though some nearby residents along the Lostine River would be affected by the new Lostine Hatchery. Removing the bridge on the Imnaha River would improve the visual resource in that area.
- Project facilities would be consistent with applicable zoning; on USFS land, the special use permit would need to be reissued.
- There would be no impact to recreation; a long-term benefit could occur if Chinook stocks recover sufficiently for viewing and fishing.
- Impacts to transportation would be temporary resulting from construction vehicles. Some roads would be paved or improved as part of the project.
- The Proposed Action would increase employment, especially during construction. If Chinook recover, there may be a benefit to the local community if fishing is eventually allowed.
- Impacts to air quality would be minor and short term during construction.
- Noise would be increased temporarily during construction.
- Any increased demand for public services (fire, hospital, etc.) would be minor and temporary.

The Proposed Action is considered the environmentally preferred alternative because it is the only alternative that will recover the fish and it addresses problems with stock management at outdated and over-used facilities that would otherwise continue to operate at undesirable risk.

The No Action Alternative would not have the environmental impacts associated with construction; however, I have not selected this alternative because it does not address the immediate need to mitigate for impacts to Snake River spring/summer Chinook.

Public Availability. This ROD will be available to all interested parties and affected persons and agencies. It is being sent to all stakeholders who requested a copy. Copies of the Grande Ronde – Imnaha Spring Chinook Hatchery Project EIS and additional copies of this ROD are available from BPA’s Public Information Center, P.O. Box 12999, Portland, Oregon, 97212. Copies of these documents may also be obtained by using BPA’s nationwide toll-free document request line: 1-800-622-4520, or by accessing BPA’s project website: http://www.efw.bpa.gov/environmental_services/Document_Library/Grand_Ronde/.

Conclusion. Providing funding for the final design, land acquisition, and further valuation studies associated with the Proposed Action is the best course of action to meet the need and

purposes of this project at this time. After conclusion of the studies and the Council's Step 3 review, I will make a decision whether to fund construction of the Proposed Action.

Issued in Portland, Oregon.

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| <u>/s/ Stephen J. Wright</u> | <u>March 11, 2005</u> |
| Stephen J. Wright | Date |
| Aministrator and | |
| Chief Executive Officer | |