

143 FERC ¶ 62,149
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Public Utility District No. 1 of
Douglas County, Washington

Project No. 2149-155

ORDER APPROVING WHITE STURGEON BROODSTOCK COLLECTION
AND BREEDING PLAN

(May 28, 2013)

1. On February 13, 2013, Public Utility District No. 1 of Douglas County, Washington (licensee) filed its White Sturgeon Broodstock Collection and Breeding Plan pursuant to article 401(a) of the license for the Wells Hydroelectric Project.¹ The Wells Project is located on the Columbia River in Douglas, Okanogan, and Chelan Counties, Washington. The project occupies lands administered by the U.S. Department of the Interior (Interior) and the U.S. Army Corps of Engineers.

BACKGROUND AND LICENSE REQUIREMENTS

2. Various conditions of the license for the Wells Project require the licensee to prepare plans in consultation with specified entities for approval by the Washington Department of Ecology (Washington DOE), Interior, and the National Marine Fisheries Service (NMFS) without Commission approval. Article 401(a) of the license identifies a series of these plans, and requires that the plans be filed with the Commission for approval, including the White Sturgeon Broodstock Collection and Breeding Plan (sturgeon plan) required by condition No. 6.5 of Washington DOE's February 27, 2012 Section 401 Water Quality Certification, which is attached to the license as Appendix A. The requirements for the sturgeon plan are contained in section 4.1.1 of the White Sturgeon Management Plan, which is one of a series of larger plans contained in a settlement agreement that the licensee filed with its May 27, 2010 license application.

3. The larger White Sturgeon Management Plan includes, as section 4.1.2, stocking of juvenile sturgeon to increase population in Wells Reservoir. The licensee's filed sturgeon plan is a key component of the larger plan for supplying suitable juvenile sturgeon. Under the settlement agreement and the White Sturgeon Management Plan, the

¹ Order Issuing New License, issued November 9, 2012 (141 FERC ¶ 62,104).

licensee is to prepare and implement the sturgeon plan in consultation with resource agencies and tribes that are members of the Aquatic Settlement Working Group (Aquatic SWG) established in the settlement agreement. The source of sturgeon broodstock is to be determined within the first year of issuance of the new license. Collection of broodstock is to then occur in years 1 to 4 of the new license, with additional collections during the next 6 years, as determined to be necessary by the Aquatic SWG.

4. Article 401(a) requires the licensee to include with its filed sturgeon plan documentation that the plan was developed in consultation with NMFS, the U.S. Fish and Wildlife Service, the U.S. Bureau of Land Management, the Washington Department of Fish and Wildlife, the Confederated Tribes of the Colville Reservation, and the Confederated Tribes and the Bands of the Yakama Nation, and has been approved by Washington DOE.

LICENSEE'S PLAN

5. Under the licensee's filed sturgeon plan, juvenile sturgeon for stocking under section 4.1.2 of the larger White Sturgeon Management Plan would be obtained through the collection of gametes from adult broodstock fish, and/or collection of wild larval, sub-yearling and/or yearling fish. Gametes and/or fish younger than yearlings would be grown out to yearlings in an artificial production environment prior to release. The licensee indicates that the broodstock contribution of six male and six female spawning sturgeon, equaling six maternal families, would be the target if broodstock collection is utilized to provide all juveniles for annual stocking at levels required under the White Sturgeon Management Plan. The licensee generally describes protocols that would be used to mate white sturgeon if wild broodstock fish in breeding condition are available, and protocols that would be used if such fish are not available, to maximize genetic diversity.

AGENCY CONSULTATION

6. The licensee included copies of finalized conference call minutes and copies of emails indicating that the sturgeon plan was developed in consultation with the agencies and tribes in the Aquatic SWG, which includes the agencies identified in Article 401(a). The licensee also included a copy of a February 11, 2013 email from Washington DOE indicating the agency's approval of the plan.

DISCUSSION AND CONCLUSIONS

7. The licensee's sturgeon plan, filed February 13, 2013, would ensure juvenile sturgeon are available for use in restoring white sturgeon populations at the Wells Project, and is consistent with the larger White Sturgeon Management Plan between the licensee and the Aquatic AWG resource agencies and tribes. The sturgeon plan meets the

requirements of Article 401(a) of the license for the Wells Project, and should be approved.

The Director orders:

(A) Public Utility District No. 1 of Douglas County, Washington's White Sturgeon Broodstock Collection and Breeding Plan, filed February 13, 2013, pursuant to Article 401(a) of the license for the Wells Hydroelectric Project, is approved.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2006), and the Commission's regulations at C.F.R. § 385.713 (2012). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Steve Hocking
Chief, Environmental Review Branch
Division of Hydropower Administration
and Compliance

Document Content(s)

P-2149-156.DOC.....1-3