



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
525 NE Oregon Street
PORTLAND, OREGON 97232-2737

November 10, 2003

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

RE: Endangered Species Act Consultation related to the Anadromous Fish Agreement and Habitat Conservation Plans for the Wells, Rocky Reach, and Rock Island Hydroelectric Projects (FERC Nos. 2149, 2145, and 943).

Dear Secretary Salas:

The National Marine Fisheries Service (NOAA Fisheries) is pleased to join in the submission of the Anadromous Fish Agreements and Habitat Conservation Plans for the Wells, Rocky Reach and Rock Island Hydroelectric Projects (the HCPs) to the Federal Energy Regulatory Commission (FERC). These HCPs are the result of over nine years of planning and negotiations between NOAA Fisheries, Public Utility District No. 1 of Douglas County (Douglas PUD), Public Utility District No. 1 of Chelan County (Chelan PUD), and other participants in the HCP process.

NOAA Fisheries takes this opportunity to suggest a process for expediting the Section 7(a)(2) of the Endangered Species Act (ESA) consultations that we expect will occur as part of your review of the HCPs. An expedited consultation for endangered Upper Columbia River spring-run chinook salmon (*Oncorhynchus tshawytscha*) and endangered Upper Columbia River steelhead (*O. mykiss*) is possible as a result of NOAA Fisheries' analysis of issues in connection with the issuance of separate incidental take permits for the operation of three hydroelectric projects pursuant to the HCPs. In performing this analysis, NOAA Fisheries issued an Environmental Impact Statement, three separate Biological Opinions, and a Record of Decision. In addition, NOAA Fisheries prepared Environmental Assessments/Finding of No Significant Impacts, and Biological Opinions for each of the separate Incidental Take Permits for the operation of hatcheries pursuant to the HCPs.

If FERC proposes to approve the HCPs and adopt license amendments as proposed in the applications, at FERC's direction NOAA Fisheries will consider the Incidental Take Permits, National Environmental Policy Act documents, Biological Opinions, and Records of Decisions as a sufficient biological assessment related to the effects of these licenses incorporating the HCPs on ESA-listed spring-run chinook salmon and steelhead. NOAA Fisheries anticipates that



the analyses supporting the issuance of the Incidental Take Permits for the Projects would also apply to FERC's approval of the HCPs and incorporation of HCP terms in the Project licenses.

NOAA Fisheries expects to apply its analyses of its incidental take permitting actions to FERC's proposed actions by letters issued shortly after FERC initiates the appropriate consultations. However, as stated in the Request for Expedited Review of the HCP applications, NOAA Fisheries' analysis may become stale over time as new information is gathered and other Federal, State, and private actions are added to the environmental baseline. It is therefore important that FERC initiate the appropriate consultations as soon as possible to preserve NOAA Fisheries' ability to consult expeditiously.

NOAA Fisheries looks forward to working with FERC to approve the HCPs and complete formal consultation. Questions should be directed to Ritchie Graves of my staff at 503-231-6891 or at Ritchie.Graves@noaa.gov.

Sincerely,

A handwritten signature in black ink that reads "Brian J. Brown". The signature is written in a cursive style with a large, stylized "B" at the beginning and a long horizontal stroke at the end.

Brian J. Brown
Assistant Regional Administrator
Hydropower Division