



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Western Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, Washington 98503

SEP 24 2008

In Reply Refer to:
1-3-05-F-0059
1-3-02-F-0839

Randy Landolt, Managing Director
Hydro Resources
PacifiCorp Energy
825 Multnomah Street, Suite 1500
Portland, Oregon 97232

Subject: Section 7 Consultation Concerning Condit Dam Removal and Dam Operation
(FERC No. 2342)

Dear Mr. Landolt:

This letter is in response to your letter dated August 13, 2008 proposing a delay of one year in the timeline of dam removal due to unanticipated delays in the permitting process. You requested concurrence with your assessment that a) the analysis contained in the 2005 Biological Opinion (Opinion) remains accurate despite the delay in the timing of dam removal, and b) that take contemplated in the 2005 Opinion remains authorized. Based on our review of the 2002 and 2005 Opinions for this project and re-evaluating the effect on bull trout of an additional year's delay, we concur with your assessment that the analysis in the Opinion remains accurate. The take authorized in the 2005 Opinion remains authorized. It is the U.S. Fish & Wildlife Service's Opinion that the one year delay in project implementation will not jeopardize the continued existence of bull trout in the Lower Columbia River.

In our 2002 Opinion, we analyzed effects on bull trout from the project as described in the final supplemental environmental impact statement issued in 2002. The Federal Energy Regulatory Commission requested reinitiation of formal consultation based on 1) an anticipated two-year delay in implementation of the project, 2) new information about the effects of sedimentation on bull trout in the Lower Columbia River, and 3) effects of the project on bull trout critical habitat, which was designated in 2004.

Reinitiation is required under section 7 of the Endangered Species Act, when 1) the amount or extent of incidental take is exceeded; 2) new information reveals effects of the agency action on listed species or designated critical habitat in a manner or to an extent not considered in the Opinion; 3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this Opinion; or 4) a new species is listed or critical habitat designated that may be affected by the action.

Our 2005 Opinion reinitiating consultation analyzed effects on bull trout of the two-year delay in project implementation, effects of sediments on bull trout in the Lower Columbia River, and project effects on designated critical habitat. The project description, which starts on page one of the 2005 Opinion, has not changed except that timing of dam removal will now be postponed until 2009. The Status of the Species and Status of Bull Trout Critical Habitat which start on page 5 and page 21, respectively, have not significantly changed. The Effects of the Proposed Action, on page 35, have not changed except that the duration of effect of dam operations will be increased by one year.

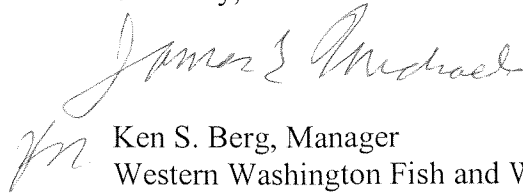
The amount or extent of incidental take, on page 58, section 2), describes the effects of a two-year delay in dam removal: "Take of all adult and sub-adult migratory bull trout in the 3.3 mile length of the White Salmon River from Condit Dam to the mouth in the form of harass for two years, due to two additional years of operation of the hydroelectric project. This form of take is related to habitat degradation from elevated water temperatures, flow fluctuations, blockage of gravel and LWD transport, and migration blockage. We do not believe that take due to entrainment over the dam (covered in our 2002 Opinion) will occur because the likelihood of current bull trout presence above the dam is very low." The amount of take described above would increase in duration by one year.

No reasonable and prudent measures or terms and conditions were required in the 2005 Opinion. The presence of the dam and its operations have affected bull trout since 1913, when the dam was first constructed. Dam removal is intended to restore a migratory corridor for bull trout and restore ecological functioning to the White Salmon River. No additional terms and conditions beyond the removal of the dam and conservation measures described as part of the project, are indicated.

In re-examining our jeopardy Opinion, it is the U.S. Fish & Wildlife Service's Opinion that the delay in project implementation by one year, as proposed, is not likely to jeopardize the continued existence of bull trout in the Lower Columbia River. We have reached these conclusions based on the same reasoning stated on page 56 of the 2005 Opinion.

If you have any questions, please contact Jim Michaels at 360-753-7767 or Lou Ellyn Jones at 360-753-5822,

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken S. Berg".

Ken S. Berg, Manager
Western Washington Fish and Wildlife Office

cc: FERC, Portland OR (J. Hastreiter)