

EO-13-2 - EA - Yakima River Basin  
Passage Facilities 1983-84

# A G E N D A

## NEPA COMPLIANCE DISCUSSION

### YAKIMA RIVER BASIN FISH PASSAGE AND PROTECTIVE FACILITY PROGRAM

Portland, Oregon  
October 25, 1983

- I. Programmatic Environmental Assessment (EA) on Yakima Basin Fish Passage Facilities
  - \*A. Content and coverage
  - B. Lead Agency - USBR
  - C. Cooperating Agencies - BPA and ?
    - 1. Agencies to be involved and extent of involvement
    - 2. Mailing list for Notice of EA and EA distribution
- \*II. Schedule Review
  - A. Agency Commitment Response
    - 1. Extent of involvement - Cooperating Agencies
    - 2. Concurrence in proposed procedures
    - 3. Questions and concerns
    - 4. Mailing list additions
  - B. Notice of Intent to Prepare EA
  - C. EA process and preparation
- III. NEPA Process for Specific Activities that May Require "Fast Track" to Design and Construction
  - A. Limitation - Activity or activities that require fiscal year 84 funding action and that are consistent with programmatic EA
  - B. USBR - Proposed: Categorical Exclusion
    - 1. EA in progress
    - 2. Bumping Lake EIS inclusion by reference
    - 3. Separate utility of actions
    - 4. No significant impact
  - C. BPA - Brief Memorandum acknowledging Bureau action and its consistency with programmatic EA
- IV. Other Related Issues?

\*Additional handout

PROPOSED OUTLINE  
PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

YAKIMA RIVER BASIN FISH PASSAGE  
AND PROTECTIVE FACILITY PROGRAM

- I. Proposal and Background
  - A. Purpose and Need
    - 1. Historical Perspective - Anadromous Fisheries - Existing Facilities and Flows
    - 2. Northwest Power Planning Council Fish and Wildlife Program
    - 3. Bureau of Reclamation Role
      - a. Studies
      - b. Implementation
    - 4. Bonneville Power Funding
    - 5. Other Agency Involvement
  - B. Proposed Action
    - 1. Description
    - 2. Location
  - C. Related Action and Activities
- II. Alternative Means to Meet Need
  - A. Fish Ladders
  - B. Fish Screens
  - C. Channel Modification
  - D. Others
  - E. No Action
- III. Affected Environment and Environmental Consequences
- IV. Other Issues and Concerns
- V. Consultation and Coordination
- VI. Conclusions

APPENDIX

Individual Fish Passage Activities Being Considered

- |                                     |  |
|-------------------------------------|--|
| 1. Easton Diversion Dam             | 11. Sunnyside Diversion Dam              |
| 2. Westside Canal Diversion         | 12. Snipes/Allen Diversion               |
| 3. Thorp Mill Diversion             | 13. Toppenish Creek Diversion            |
| 4. Town Diversion Dam               | 14. Marion Drain Diversion               |
| 5. Roza Diversion Dam               | 15. Toppenish Creek/Satus Unit Diversion |
| 6. Stevens Ditch Diversion          | 16. Satus Creek Diversion Dam            |
| 7. Naches/Cowiche Diversion         | 17. Prosser Diversion Dam                |
| 8. Roza Powerplant Wasteway         | 18. Horn Rapids Diversion Dam            |
| 9. Wapato Diversion Dam             | 19. Wapatox Diversion Dam                |
| 10. Old Reservation Canal Diversion | 20. Taneum Diversion Dam                 |

10/25/83

Tentative Schedule  
for  
Processing Environmental Assessment  
Concerning  
Yakima River Basin Fish Passage  
and Protective Facility Program

1983

- October 25 - - - - - Orientation Session
- November 10- - - - - Responses from involved agencies due Bureau of Reclamation providing nature and level of involvement, concurrence on approach, and mailing list additions
- November 18- - - - - General distribution of Notice of Intention to Prepare Programmatic EA invitation to comment on environmental issues

1984

- January 6- - - - - Complete EA scoping process/begin writing process
- April 1- - - - - Preliminary draft EA to cooperating agencies for review
- May 1- - - - - Cooperating agency comments due/begin finalizing EA
- July 1 - - - - - EA complete/distribute for public review
- August 15- - - - - Public comments due/begin agency evaluation of comments
- September 1- - - - - NEPA decision - FONSI or EIS?
- October 1- - - - - If FONSI - NEPA compliance complete  
If EIS - completion in fiscal year 86

October 25, 1983, Meeting

Yakima River Fish Passage FY 1984 Predesign Work

### Meeting Objectives

1. Provide general overview of predesign work
2. Discuss coordination
3. Establish technical work group, initial meeting

Facilities - FY 1984

<u>1st Priority</u>	<u>Existing</u>	<u>Proposed Improvements</u>	<u>Owner</u>
Toppenish Creek/Satus Unit Diversion	-- --	ladder screen	BIA
Sunnyside Diversion Dam	2 ladders screen	replace existing, add 1 ladder replace to current standards	BR
Old Reservation Canal	--	add screen	BIA
Wapato Diversion Dam	2 ladders screen	replace existing, add 1 ladder replace to current standards	BIA
 <u>2nd Priority</u>			
Prosser Diversion Dam	2 ladders screen	add 1 midstream replace to current standards	BR
Roza Powerplant Wasteway	--	add screen ( <i>adult barrier</i> )	BR
Roza Diversion Dam	ladder screen	replace existing ladder replace to current standards	BR
Easton Diversion Dam	ladder bar screen	replace existing replace to current standards	BR

## Pre-Design Work

### Initial Activities

1. General review (this meeting)
2. Field review, work scoping meeting (technical work group)

### Engineering Activities

1. Research available data, determine data gaps
2. Conceptual plan  
ladder configuration, flows, attraction water screen velocities, approach angles
3. Hydrologic and hydraulic studies  
flood frequency analysis, tailwater and backwater curves, diversion requirements
4. Unit prices
5. Layout, estimate quantities and costs
6. Construction schedule
7. O&M costs and arrangements
8. Permit requirements  
what required, data needs, time for approval
9. Design data requirements

### NEPA Compliance Activities

### Report

## Design Data Requirements

1. Approved plan
2. Approved criteria (flows, max velocities, approach angles, etc.)
3. As-built drawings of existing works
4. Locations of borrow sources
5. Locations of disposal sites for waste materials
6. Limits of existing ROW
7. Location of existing access roads
8. Availability of utilities
9. Survey control
10. Site topography
11. Foundation data
12. Local corrosion potentials
13. Operating data for proposed facilities
14. Flood frequency analysis (up to 100-year discharge)
15. Tailwater curves
16. Backwater curves
17. Summary of reservoir and diversion(s) operating criteria
18. Requirements for maintaining streamflows or diversions during construction season.

## REPORT OUTLINE

### Yakima River Basin Fish Passage and Protective Facilities

- I. Summary
- II. Basin Map (showing all locations of proposed improvement sites with those of current importance highlighted)
- III. Introduction
  - A. Study Purpose
  - B. Study Scope
  - C. Relationship to Future Action (strategy and timing for implementation; i.e., predesign, design, and construction)
  - D. Basic Criteria and Assumptions (any special items that have a bearing on study results)
  - E. Coordination with Others
- IV.            Diversion Dam (Sunnyside, Wapato, Old Reservation Canal, Toppenish Creek/Satus Unit)
  - A. Location (includes photographs and map)
  - B. Present Ownership and Responsibility
  - C. Purpose and Function of Existing Structure
  - D. Present Fishery Problem
  - E. Proposed Improvement Measures
    1. General overview of how fish will be aided
    2. Structural facilities (includes drawing, photo with new work indicated, description, and design criteria)
    3. Operating plan (water supply requirements, operation and maintenance scheduling, and responsibilities)
    4. Costs (construction and operation and maintenance)
    5. Construction Aspects (design data collection needs, construction schedule, and funds)
    6. Funding Arrangements (construction and operation)

7. Permits and clearances (what is required to initiate construction, time required to secure, and who is responsible for obtaining the permits and clearances)

V. Environmental Considerations and National Environmental Policy Act Compliance

VI. Appended Items

Location Map for each facility, photo of facility showing problem, photo marked to show improvements, design drawings, Project Cost Estimate Sheets, etc.

Key Dates

<u>Date</u>	<u>To</u>	<u>From</u>	
12/1/83	BPA	BR	Detailed budget and schedule of pre-design work
2/1/84	BPA	BR	Interim report on 1st priority facilities
3/1/84	BPA	BR	NEPA compliance document on 1st priority items
8/15/84	BPA	BR	Draft final report on FY '84 facilities
10/15/84	BPA	BR	Final report

Coordination

Federal

BPA  
NMFS  
FWS  
BIA  
BR

State

DOE  
WDF  
WDG  
Power Council

Other

YIN  
Districts  
CRITFC

Technical Work Group

BR

Dennis Hudson--Overall coordination and engineering  
Dan Tomich--Engineering  
Lee Doty--Designs and specifications  
Fred Crase--Environmental  
Doug James--NEPA compliance  
Parry Harrison--Hydrology  
George Cawthon--Report

J. Pyrch

Yakima River Basin Fish Passage and Protective Measures

Facilities to be Constructed

1. Tabulation of selected data
2. Map
3. Facilities in place at BR works and when constructed
4. January 1980 report of Yakima River Rehabilitation Committee

Operation and Maintenance

5. O&M responsibility for present dam/canal
6. O&M responsibility for ladders and screens at BR facilities

# SELECTED DATA ON PROPOSED YAKIMA RIVER FISH PASSAGE AND PROTECTIVE FACILITY IMPROVEMENTS

Feature	Proposed Improvements	Present Facilities	Problem	Owner	Estimated Cost dollars
① Horn Rapids Diversion Dam	2 ladders 2 screen sets	None 2 screen sets	Upstream passage blocked in low water years Screens do not meet current criteria	Columbia I.D.	239,000 414,000
② *Prosser Diversion Dam	1 ladder 1 screen set	2 ladders 1 screen set	Upstream passage delayed Screens do not meet current criteria	Reclamation	777,000 2,163,000
Satus Creek Diversion	1 ladder 1 screen set	None None	Upstream passage blocked in low water years Smolts are diverted into Satus Main Canal and lost	RIA	52,000 309,000
*Toppenish Creek/Satus Unit Diversion	1 ladder 1 screen set	None None	Upstream passage blocked in low water years Smolts are diverted into Satus Main Canal and lost	RIA	300,000 1,072,000
Toppenish Creek Diversion	1 ladder 1 screen set	None None	Upstream passage blocked in low water years Smolts are diverted into irrigation canal and lost	RIA	161,000 200,000
Marion Drain Diversion	1 ladder	None	Upstream passage blocked or delayed	RIA	145,000
Snipes/Allen Canal	1 bypass 1 screen set	1 bypass 1 screen set	Bypass does not operate effectively at high flows Screens do not meet current criteria	Ruena Ditch Co.	8,000 37,000
③ *Sunnyside Diversion Dam	3 ladders 1 screen set	2 ladders 1 screen set	1 ladder inoperative; other is ineffective at low flows Screens do not meet current criteria	Reclamation	1,804,000 2,033,000
*Old Reservation Canal	1 screen set	None	Smolts are diverted into irrigation canal and lost	RIA	114,000
④ *Wapato Diversion Dam	3 ladders 1 screen set	2 ladders 1 screen set	Ladders are ineffective; 1 dam has no ladder Screens do not meet current criteria	BIA	1,875,000 2,380,000
⑤ *Roza Powerplant Wasteway	1 bar-screen	None	Upstream migrants become trapped in wasteway	Reclamation	287,000
Naches-Cowiche Diversion Dam	1 ladder 1 screen set	None None	Upstream migration blocked in low water years Smolts are diverted into Yakima's diversion canal and lost	City of Yakima	287,000 42,000
	1 fish counting facility	None	A fish counting facility is needed on the Naches River		20,000
Wapatox Diversion Dam	1 screen set	1 screen set	Screens do not meet current criteria	Pacific Power & Light	952,000
Stevens Ditch	1 screen set	1 screen set	Screens recently reconstructed but not to current criteria	Stevens	38,000
⑥ *Roza Diversion Dam	1 ladder 2 screen sets	1 ladder 1 screen set	Ladder inoperative part of the time Need fishway screens; other screens are ineffective	Reclamation	742,000 2,402,000
Town Diversion Dam	1 ladder 1 screen set	None 1 screen set	Upstream passage blocked in low water years Screens are old and operation and maintenance is expensive	Ellensburg Water Co.	50,000 190,000
Thorpe Mill Ditch	1 screen set	None	Smolts are diverted into irrigation canal and lost	Thorpe	54,000
Westside Ditch	1 screen set	1 screen set	Screens do not meet current criteria	West Side Irrigating Co.	77,000
Taneum Diversion Dam	1 ladder 1 screen set	None None	Upstream passage blocked in low water years Smolts are diverted into irrigation canal and lost	Taneum Ditch Co.	161,000 200,000
⑥ *Easton Diversion Dam	1 ladder 1 screen set	1 ladder None	Ladder is inoperative Smolts would be diverted into KRD canal and lost	Reclamation	1,246,000 2,000,000
Total					22,831,000

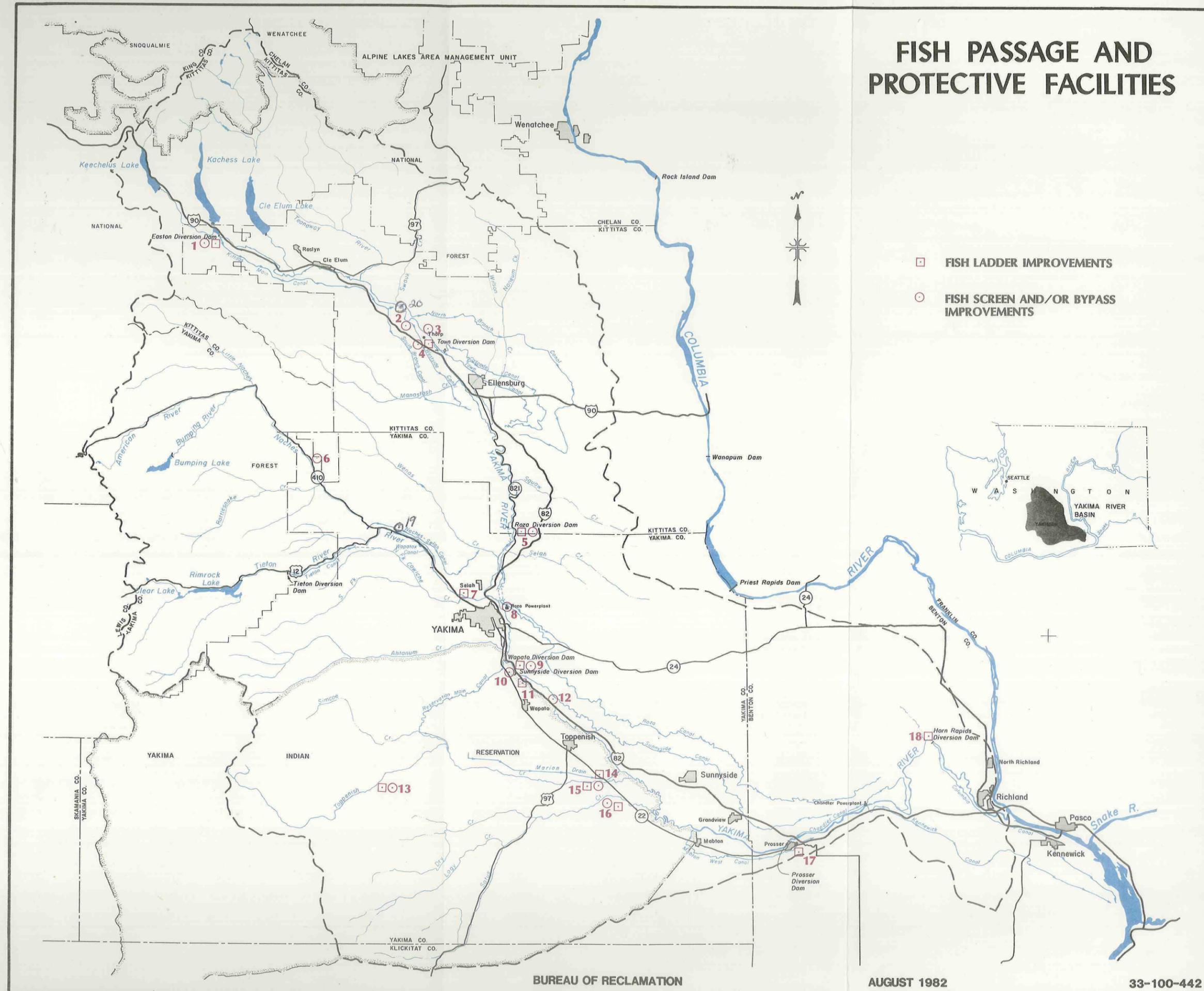
\* Proposed for predesign work in fiscal year 1984

# FISH PASSAGE AND PROTECTIVE FACILITIES

## LEGEND

- 1 - Easton Diversion Dam
- 2 - Westside Canal Diversion
- 3 - Thorp Mill Diversion
- 4 - Town Diversion Dam
- 5 - Roza Diversion Dam
- 6 - Stevens Ditch Diversion
- 7 - Naches/Cowiche Diversion
- 8 - Roza Powerplant Wasteway
- 9 - Wapato Diversion Dam
- 10 - Old Reservation Canal Diversion
- 11 - Sunnyside Diversion Dam
- 12 - Snipes/Allen Diversion
- 13 - Toppenish Creek Diversion
- 14 - Marion Drain Diversion
- 15 - Toppenish Creek/Satus Unit Diversion
- 16 - Satus Creek Diversion Dam
- 17 - Prosser Diversion Dam
- 18 - Horn Rapids Diversion Dam
- 19 - WAPATOX DIVERSION DAM
- 20 - TANEUM DIVERSION DAM

- FISH LADDER IMPROVEMENTS
- FISH SCREEN AND/OR BYPASS IMPROVEMENTS



<u>Diversion Dam</u>	<u>Facility</u>	<u>Year</u>	<u>By Who</u>
Easton	Fish ladder	1929	BR (in original specs)
	Bar screen	1935	BR (using FWS money)
Roza	Fish ladder	1938	BR (in original specs)
	Screens	1938	BR (in original specs)
Sunnyside	Fish ladder (left bank)	1906	BR (in original specs)
	Fish ladder (right bank)	1922	WDF (agreement with BR)
	Fish ladder (center)	1929	BR (using FWS money)
	Screens	1934	BR (using FWS money)
Prosser	Two fish ladders	1956	BR (in original specs)
	Screens	1956	BR (in original specs)

# YAKIMA RIVER ANADROMOUS FISH RESTORATION

## Phase I: Fish Passage and Protection Facility Improvements

by the

Yakima River Rehabilitation Committee

January, 1980

## PREFACE

This proposal is compiled mainly from information drawn from three publications. Descriptions of most of the diversion projects and proposed fish facility improvements are from: 1) A Report of Fish Facilities Required to Aid in the Development of the Potential Fishery Resources of the Yakima River Basin, 1956, prepared by the Washington State Departments of Fisheries and Game; 2) Bumping Lake Enlargement, Joint Feasibility Report, 1976, published by the U.S. Department of the Interior; and 3) An Outline of Proposed Construction for Fish Passage and Protective Facilities on the Yakima River, 1977, prepared by the Yakima Tribe. Information concerning the fish facility needs at the Snipes and Allen, West Side, and Stevens ditches was provided by Washington Department of Fisheries, Fish Screen Shop personnel. The 1979 cost estimates for the improvements are derived from the 1975 cost figures in the Bumping Lake Report and are adjusted for construction cost inflation.

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## INTRODUCTION

On May 22, 1979, U.S. District Judge Robert Belloni granted a preliminary injunction prohibiting Yakima Tribal members from participating in a subsistence dip-net fishery for Yakima River spring chinook salmon. The injunction was requested by the Washington State Department of Fisheries based on data indicating that the run was extremely poor and that a conservation closure was necessary to assure the continued existence of the spring chinook run. This incident marked the first time that this subsistence fishery had ever been closed to Indian fishermen. The Tribe, realizing that anadromous fish runs had declined to a critical level, responded by calling for the formation of a Yakima River Rehabilitation Committee whose goal would be to restore anadromous fish runs to levels capable of supporting a harvest by all user groups, including commercial, sport, and Indian fisheries. State, Federal and private agencies responding to the Tribe's request were the Washington State Departments of Fisheries, Game, and Ecology, U.S. Department of Interior, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Bureau of Reclamation, Bureau of Indian Affairs, and the Columbia River Inter-Tribal Fish Commission. Meeting in July, the newly-formed committee determined that the priority objective of the body would be the improvement of fish passage and protection facilities at mainstem Yakima River diversion projects. Phase I describes the status of Yakima River fish passage facilities and presents the Committee's plan for solution of passage problems. Phase II will address the need for flow augmentation.

## HISTORICAL BACKGROUND

The decline of Yakima River salmon and steelhead runs over the years can be largely attributed to: 1) inadequate flows for transportation, spawning, incubation, and rearing, 2) the loss of upstream and downstream migrants due to the inadequacy or lack of fish passage and protective facilities, and 3) harvest rates in the various historical fisheries. Since 1974, chinook and coho salmon and steelhead trout escapements have declined from an estimated 11,000 fish to a present estimated escapement of 2,000 fish.

The Bumping Lake Enlargement Feasibility Report addressed the problems of low flow and fish passage in the Yakima River basin and was one of the main documents used in developing the Committee's proposal. Bumping Lake enlargement authorization has not yet proceeded. The Committee believes that the improvements in fish passage and protection facilities are too important and necessary for the successful restoration of fish runs from the Yakima River system to await authorization of the Bumping Lake project. However, Phase I and the Bumping Lake enlargement project could proceed simultaneously if both were authorized.

It should be stressed that maximum production of fish can only be realized if instream flows are augmented. Phase II encompasses this need for flow augmentation. Water allocated for fisheries is a long-term objective of the Yakima River Rehabilitation Committee, but significant benefits and

relief for the fishery resources can be achieved in the near future if passage and protection facilities are improved.

### FISH PASSAGE AND PROTECTION FACILITIES

#### Horn Rapids Diversion Dam

Horn Rapids Dam is a timber crib structure on the Yakima River, at R.M. 18. The dam was built near the turn of the century by the Lower Yakima Irrigation Company.

A right bank diversion to the Columbia Canal has a maximum capacity of 320 cfs, and a left bank diversion to the Richland Canal has a maximum capacity of about 300 cfs. Both canal companies share in operation of the dam.

Presently, there are no passage facilities for upstream migrants. A hydraulic height of four feet permits fish to swim over the dam at high flows, but during low to moderate flows fish passage is difficult to impossible. Two concrete, vertical-slot fishways should be constructed to provide fish passage over a wide range of flows.

Both diversion canals have adequate rotary fish screens with migrant bypass facilities. The screening facilities are considered functional, but are not constructed to present screening standards.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$206,000
Planning, Design and Inspection	<u>31,000</u>
Total	\$237,000

### Prosser Diversion Dam

Prosser Diversion Dam is a concrete, gravity type structure on the Yakima River at R.M. 47 opposite the town of Prosser in Benton County. It originally was built to serve a flour mill on the right bank. In 1930 the Bureau of Reclamation purchased the dam and made alterations for the diversion from the left bank of 1,000 to 1,100 cfs of water to Prosser power plant constructed approximately two miles downstream. In 1955 the Bureau of Reclamation abandoned its Prosser power plant and started modification of the dam and diversion to deliver 1,500 cfs of water to its newly constructed Chandler Plant, located ten miles below the dam, where the water is used for irrigation and power generation.

Existing fish facilities include two concrete, vertical slot fishways with auxiliary water supply systems. These facilities are functional, but a third ladder should be constructed at midstream. This fishway should be a double slot structure with entrances on each side with a dual auxiliary

water supply system. A cableway with a cable car is required for maintenance of the facilities. The fish screens in the Chandler diversion canal are considered functional, but are not constructed to present screening standards.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$643,000
Cableway and Cable Car	5,500
Planning, Design and Inspection	<u>96,500</u>
Total	\$745,000

#### Sunnyside Diversion Dam

Sunnyside Dam is a concrete gravity structure on the Yakima River at R.M. 104 about one mile east of Parker. The dam was built in 1907 by the Bureau of Reclamation. A left bank diversion to the Sunnyside Canal provides a maximum of 1,320 cfs to the Sunnyside Irrigation District. The dam is operated by the Sunnyside District. Several hundred feet upstream from the dam, a right bank diversion to the Old Reservation Canal provides a maximum of 200 cfs to the Wapato Irrigation Project.

Existing fish facilities include two pool and weir-type concrete ladders, one at midstream and one at the right bank, and a rotary screening installation with bypass provisions on the Sunnyside Diversion Canal. The

rotary screening facility on Sunnyside Canal is considered functional, but is not constructed to present screening standards. There are no fish screens on the Old Reservation Canal.

The existing fishways are inadequate for efficient fish passage at river flows occurring during migration. During low flows a wide, shallow channel below the dam also produces a fishway access problem.

Three new concrete, vertical-slot fishways are proposed. A single slot fishway should be located on each bank and a double slot structure with two entrances should be strategically located with respect to the low flow channel. All fishways should be designed to operate efficiently from minimum flow up to a river flow of 12,000 cfs. Auxiliary water systems should be provided for each facility, with a dual system for the double slot ladder.

A rotary screen should be installed on the Old Reservation Canal.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$1,505,000 <sup>1</sup>
Planning, Design and Inspection	<u>217,000</u>
Total	\$1,722,000

<sup>1/</sup> Includes \$60,000 for screening Old Reservation Canal

## Wapato Diversion Dam

Wapato Dam is a concrete, gravity structure located at R.M. 107 about one mile north of Parker. The dam was built in 1917 by the Indian Irrigation Service. The river divides into two branches (the east and west branch) immediately upstream from the dam and remains divided for two miles. A right bank diversion on the west branch to the Main Reservation Canal provides a maximum 2,000 cfs to the Wapato Irrigation Project, which operates the dam.

Existing fish facilities include two pool and weir-type concrete ladders, one at the right bank and one at midstream in the east branch and one rotary screening installation with bypass provisions on the Main Reservation Canal. The screening facility is considered functional, but is not constructed to present screening standards.

The existing fishways on the east branch are inadequately designed for efficient fish passage at the river flows occurring during migration. No fish passage facility exists on the west branch.

Both east branch fish ladders should be replaced with concrete vertical-slot installations. The midstream ladder, accessible from left bank via cableway, should be a double slot structure with fish entrances on each side. A single slot ladder should be provided on the left bank of the west branch. Auxiliary water systems should be provided at all three

fishways, with a dual system for the double pool midstream installation. All three fishways should be designed to operate efficiently in flows ranging from no spill to 13,500 cfs.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$1,499,000
Planning, Design and Inspection	<u>225,000</u>
Total	\$1,724,000

#### Roza Diversion Dam

Roza Dam is a concrete gravity structure located at R.M. 128 about 10 miles north of Yakima. The dam was built by the U.S. Bureau of Reclamation in 1939. The right bank diversion to Roza Canal provides a maximum of 2,200 cfs for irrigation and power.

The existing fish facilities consist of a left bank pool and notched weir fishway with an entrance from the right bank and rotary fish screens in Roza Canal. The fish screens were not constructed using present screening standards. The facilities require extensive improvements. These include: 1) providing a readily accessible gate on the auxiliary water supply air vent, 2) converting to a vertical-slot type fishway which will allow efficient operation at all flows, 3) repair overflow gate so desired

entrance velocity can be achieved, 4) extend protective screens covering fishway, 5) install counting board , and 6) rebuild the spare fish screen unit.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$613,000
Planning, Design and Inspection	<u>92,000</u>
Total	\$705,000

#### Ellensburg Town Diversion Dam

Town Dam is a timber-aproned, concrete gravity structure at R.M. 161 on the Yakima River near Ellensburg. The dam was built about 1929 by the Washington Department of Highways as part of a highway relocation project. A left bank diversion to the Town Canal provides a maximum of 100 cfs. The dam is operated by the Ellensburg Water Company.

Existing fish facilities consist of a rotary screen installation with bypass provisions on the Town Canal about a half-mile downstream from the headworks. This facility requires extensive annual maintenance because of the screen location and length of the bypass. There are no fishways, but during high flows fish can swim over the dam. Moderate to low flows make passage difficult.

A vertical-slot fishway is proposed for the right bank and fish screens and bypass should be relocated near the headworks.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$207,000
Planning, Design, Inspection	<u>31,000</u>
Total	\$238,000

#### Easton Diversion Dam

Easton Dam is a concrete gravity structure with a movable crest consisting of a single drum gate, on the Yakima River at R.M. 202 near Easton. The dam was built in 1929 by the Bureau of Reclamation. A right bank diversion to the Kittitas Main Canal provides a maximum of 1,300 cfs. The dam is operated by the Kittitas Reclamation District.

Existing fish facilities include a concrete pool and weir-type ladder on the left bank and a bar-screen installation on the Kittitas Main Canal. Problems with the fishway include: excessive drop between pools, undesirable high velocities and turbulence at the fishway exit, poor entrance location, and inadequate attraction flow. The bar-screen installation on the diversion is totally inadequate to protect downstream migrants.

The proposed facilities include a new pool and weir fishway with twice as many pools and a maximum drop between pools of one foot. The fishway should have two entrances to provide access at all flows with an auxiliary water supply to maintain desirable fishway entrance velocities and adequate transportation velocities through the inundated portions of the fishway at high tailwater elevations. The new structure should have two exits into the reservoir to operate under both raised and lowered spillway gate conditions.

The bar-screen installation in the Kittitas Canal should be replaced with a rotary-type structure with provision for a bypass.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$2,537,000
Planning, Design and Inspection	<u>381,000</u>
Total	\$2,918,000

Snipes and Allen Canal

The Snipes and Allen Canal diversion located on the Yakima River at R.M. 97 near Buena, currently has a rotary fish screen and bypass system. The bypass does not operate adequately at higher river flows. The existing bypass should be replaced with a system that will function efficiently at all river levels. This canal diverts a maximum flow of 40 cfs.

COSTS

1979 Dollars

Construction

\$4,000

✓ Roza Wasteway

The Roza Wasteway enters the Yakima River at R.M. 113 near the city of Yakima. Migrating anadromous fish are attracted by return flows being diverted at Roza Dam. The fish swim upstream to the Roza Power Station where they are vulnerable to injury. A bar screen with provisions for self-cleaning should be installed at the mouth of the wasteway to exclude fish.

COSTS

1979 Dollars

Construction

\$150,000

Thorp Mill Ditch

This is an earthen ditch with a wing dam which diverts up to 112 cfs from the Yakima River at R.M. 164 near the city of Thorp. Presently there are no juvenile protection facilities.

The ditch should be screened with a rotary-type structure.

COSTS

1979 Dollars

Construction

\$28,000

West Side Ditch

This is an earthen ditch which diverts 100 cfs from the Yakima River at R.M. 166 near the town of Thorp. The existing fish protection facilities include a two unit rotary screen with a bypass. The two unit screen is inadequate for the volume of water diverted. Installation of a three screen unit with a smaller mesh size will adequately protect downstream migrants.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$40,000

Naches-Cowiche Diversion Dam

This structure is located on the Naches River at R.M. 4 just upstream from the Highway 12 bridge. Currently, the canal is adequately screened, but there is no fishway and fish negotiate the dam only at high flows. A vertical-slot fishway and fish counting facility is needed.

<u>COSTS</u>	<u>1979 Dollars</u>
Construction	\$150,000
Planning, Design and Inspection	<u>22,000</u>
Total	\$172,000

Stevens Ditch

This is an earthen ditch which diverts approximately 6 cfs from the Naches River at R.M. 27. The existing fish screen and bypass is inadequate. A headgate control, dikework and new rotary fish screen with bypass is needed.

<u>COSTS</u>	<u>1979 Dollars</u>
Planning and Construction	\$20,000

Operation and Maintenance

Operation and maintenance (O & M) is estimated to be 10% of the capital costs, or approximately \$870,000 per year. The Committee has reviewed the need for O & M and recommends that O & M be provided from non-reimbursable funds. The increased harvest produced by these improvements will be realized by sport, commercial, and treaty fishermen from California to Alaska. The Committee further recommends that one of the federal fisheries agencies' budget be increased to fund the annual O & M.

Table 1. Estimated Spawning Escapement, Harvest and Annual Benefits with Improved Fish Facilities.

<u>Species</u>	<u>Present Spawning Escapement</u>	<u>Increased Spawning Escapement With (C) Improved Fish Facilities</u>	<u>Increase in Estimated Harvest</u> <sup>1/</sup>	<u>Estimated Annual Benefit</u> <sup>2/</sup>
Spring chinook	560	2,440	4,880	\$ 718,000
Fall chinook	180	820	4,920	179,000
Coho	180	820	5,740	164,000
Steelhead	<u>1,080</u>	<u>4,920</u>	<u>7,380</u>	<u>1,335,000</u>
Totals	2,000	9,000	22,920	\$2,396,000

<sup>1/</sup> Includes Indian, sport and commercial harvest.

<sup>2/</sup> See attached Table 2.

Table 2. Multipliers for Evaluating Escapement Using \$60 Per Angler-Day Value for Saltwater and \$51 Per Angler-Day Freshwater.

	Species				
	Multiply the Values Below by Escapement (1978 Dollars)				
	Spring Chinook	Fall Chinook	Coho	Winter Steelhead <sup>1/</sup>	Summer Steelhead <sup>1/</sup>
Commercial catch (A)	0.94	4.76	4.98	0.06	0.33
Commercial pounds	13.16	66.70	29.86	0.62	3.30
Commercial value	\$23.03	\$114.80	\$32.25	\$0.51	\$2.74
Sport catch (B)	1.06	1.24	2.02	0.54	1.17
Sport angler-days	5.30	1.73	2.83	2.42	5.27
Sport value	\$271.20	\$103.75	\$167.73	\$123.52	\$268.52
Combined sport and commercial value(D)	\$294.23	\$218.55	\$199.98	\$124.03	\$271.26

<sup>1/</sup> Steelhead below Bonneville Dam maybe either summer or winter steelhead. Those upstream from Bonneville Dam are summer steelhead.

Based on: Report "Partial Net Economic Values for Salmon and Steelhead for the Columbia River System," Tuttle, Richards, and Wahle, January 1975.

$$\text{Increased Harvest} = (A+B) \times C$$

$$\text{Annual Benefits} = C \times D$$

(C = increased spawning escapement from Table 1)

Table 3. 1979 Capital Costs for Improved Fish Facilities at Yakima River Diversion Structures.

<u>Diversion Structure</u>	<u>Constructions Costs</u>	<u>Planning, Design &amp; Inspection Costs</u>	<u>Total</u>
Horn Rapids Dam	\$ 206,000	\$ 31,000	\$ 237,000
Prosser Dam ✓	648,500	96,500	745,000
<i>WRS</i> Sunnyside Dam ✓	1,445,000	217,000	1,662,000
Old Reservation Canal	60,000	-	60,000
<i>ZIA</i> Wapato Dam	1,499,000	225,000	1,724,000
Koza Dam ✓	613,000	92,000	705,000
Ellensburg Town Dam	207,000	31,000	238,000
<i>PRS</i> Easton Dam ✓	2,537,000	381,000	2,918,000
✓ Snipes & Allen Canal	4,000	-	4,000
<i>VPR</i> Roza Wasteway ✓	150,000	-	150,000
Thorp Mill Ditch	28,000	-	28,000
✓ Westside Ditch	40,000	-	40,000
✓ Naches-Cowiche Dam	150,000	22,000	172,000
✓ Stevens Ditch	<u>20,000</u>	<u>-</u>	<u>20,000</u>
TOTALS	\$7,607,500	\$1,095,500	\$8,703,000



MAR 17 1980

UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Office of the Regional Director F/NWR  
1700 Westlake Avenue North, Seattle, WA 98109

Mr. Harry Stivers  
Acting Regional Director  
Water and Power Resources Service  
Federal Building and U.S. Courthouse  
Box 043-550 West Fort Street  
Boise, Idaho 83724

Dear Mr. Stivers:

WATER AND POWER RESOURCES SERVICE F/NWR		DATE
MAR 19 1980		BY
700	W	
720	GK	3/28
730	PK	3/28
150		

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The Yakima River Rehabilitation Committee is finalizing a proposal entitled, "Yakima River Anadromous Fish Restoration, Phase I: Fish Passage and Protection Facility Improvements."

The project objective is to reverse the declining trend in spawning escapement from a present level of 2,000 anadromous fish to 11,000, which was the escapement level at the time the Bumping Lake project benefits were computed. Benefits from the proposed project are directly related to the benefits of the Bumping Lake project. The proposed project will enhance benefits of the Bumping Lake project by removing cost for improvement of fish passage facilities without impacting benefits in returning fish. In addition, cost would be saved by improving facilities now and avoiding escalating costs of construction in the future. The Bumping Lake project would enhance the benefits from the proposed project by providing additional necessary water for fish passage.

Improved fishery management by the Yakima Indian Nation, over past management and improved ability to manage will also increase benefits from the proposed project. Depressed runs, such as those in the Yakima, must be managed judiciously, particularly in regard to escapement goals.

In our review of the proposal we have suggested that inclusion of funding and procedures for operation and maintenance of these facilities would aid the success of the proposal. Specifically, O&M should be included at the time the initial budget request is made. We concur with the committee that the fish facility improvements proposed in this project are critical to the reversal of the declining trend in escapement. This along with fisheries management and efforts to improve habitat will begin to regain anadromous fish production in the Yakima River.

Sincerely yours,

Thomas E. Kruse  
Acting Regional Director



February 22, 1980

COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

8383 N.E. Sandy Blvd  
Suite 320  
Portland, Oregon 97220  
Telephone (503)  
257-0181

Mr. Johnson Meninick, Chairman  
Yakima Tribal Council  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, WA 98948

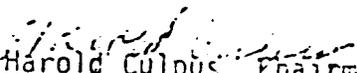
Dear Mr. Meninick:

The Columbia River Inter-Tribal Fish Commission appreciates the opportunity to serve on the Yakima River Rehabilitation Committee.

We fully support the Yakima River Anadromous Fish Restoration-Phase I: Fish Passage and Protection Facilities Improvements Proposal. We believe the proposal is an excellent first step toward rehabilitation of the Yakima River's anadromous fisheries resource. It is very gratifying that the Yakima Indian Nation has become the leader in this important endeavor.

We will continue to support and assist in all phases of authorization and implementation of the proposal.

Sincerely,

  
Harold Culpus, Chairman  
Columbia River Inter-Tribal  
Fish Commission

JM:vm



STATE OF  
WASHINGTON

Duy Lee Ray  
Governor

DEPARTMENT OF GAME

610 North Capitol Way GJ 11 Olympia, Washington 206.753.5710

Ralph W. Larson, Director

February 19, 1980

Mr. Johnson Meninick, Chairman  
Yakima Indian Nation  
Post Office Box 151  
Toppenish, WA 98948

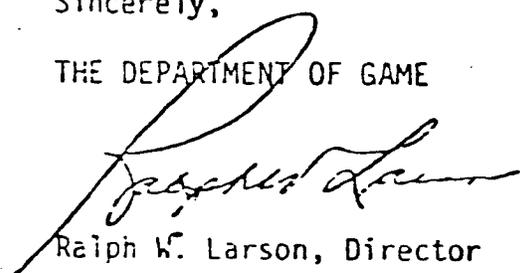
Dear Mr. Meninick:

The Yakima River Rehabilitation Committee has done a fine job in identifying features which contribute to low levels of Yakima River fish runs. We agree that improvement of fish passage and protection facilities is an important first step toward improvement of fisheries in the Yakima system.

You may be assured that we will continue to cooperate with you and other members of the Committee. Further, we are pleased to endorse the Committee's proposal and look forward to further positive action.

Sincerely,

THE DEPARTMENT OF GAME



Ralph W. Larson, Director

RWL:meg

cc: Jack Ayerst  
Gene Dziejic  
Lloyd Walker

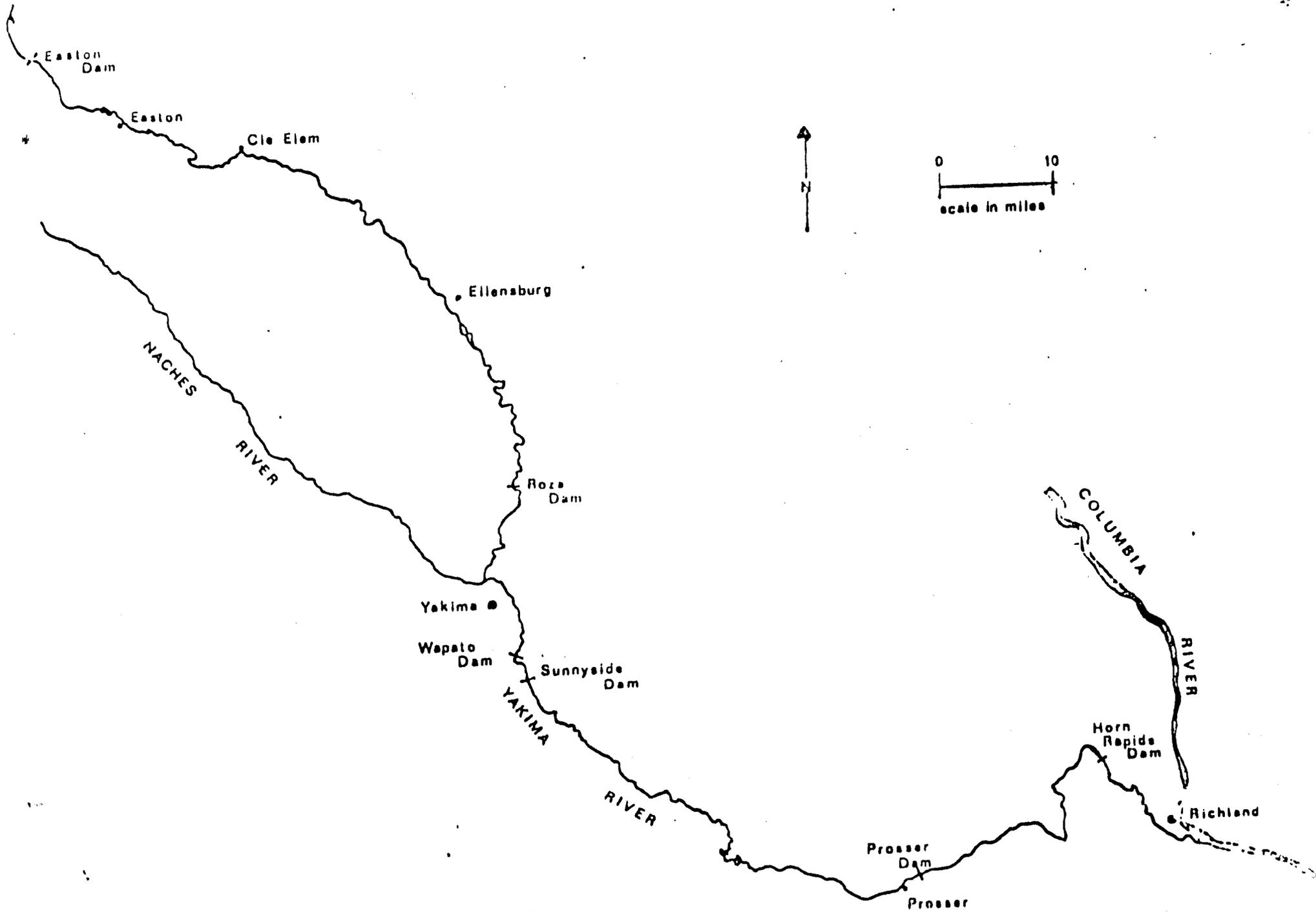


Figure 1. Major diversion projects on the Yakima River

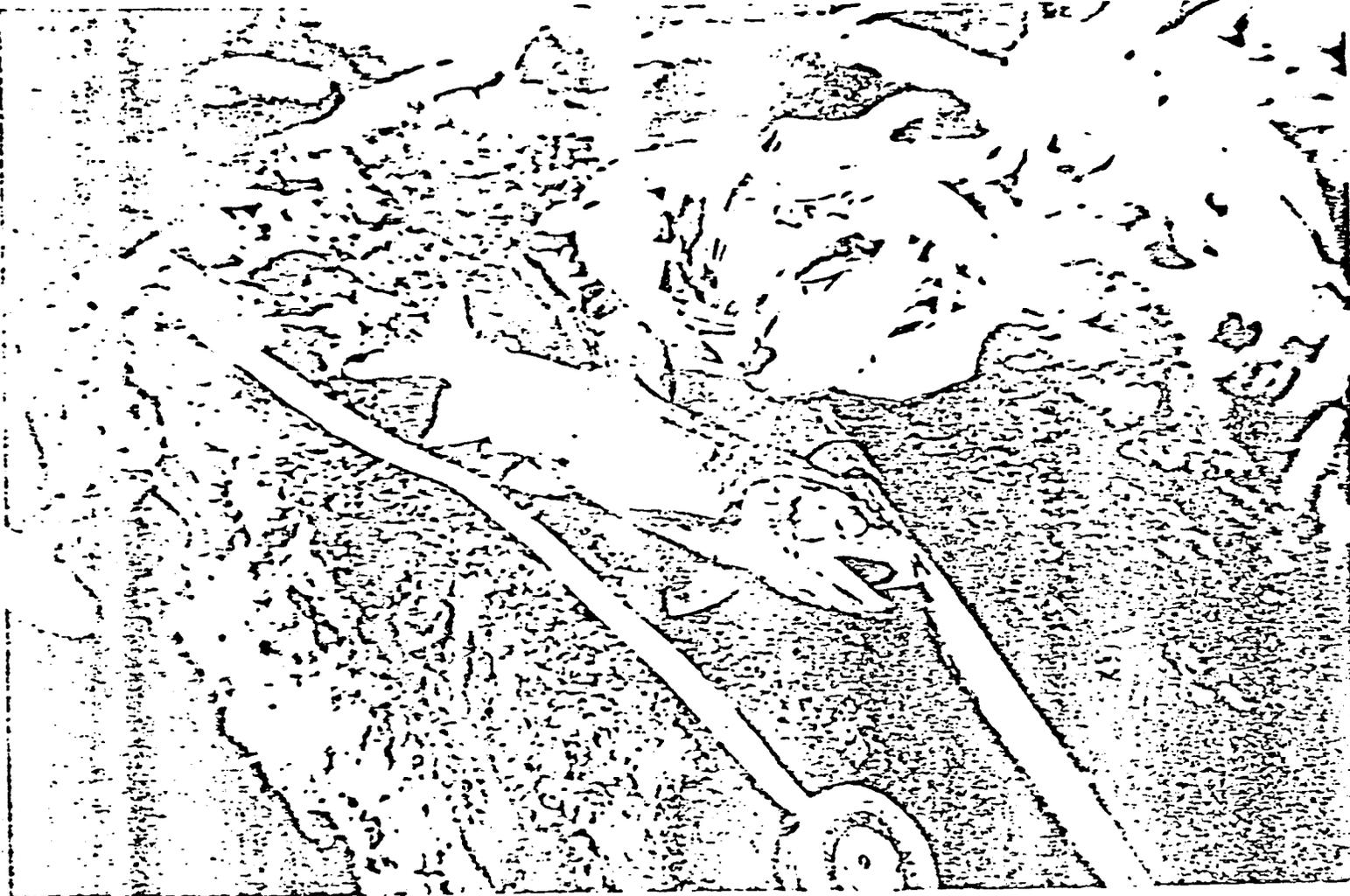


FIGURE 2.

Coho salmon and other fish lost in the  
Yakima River. October, 1979.

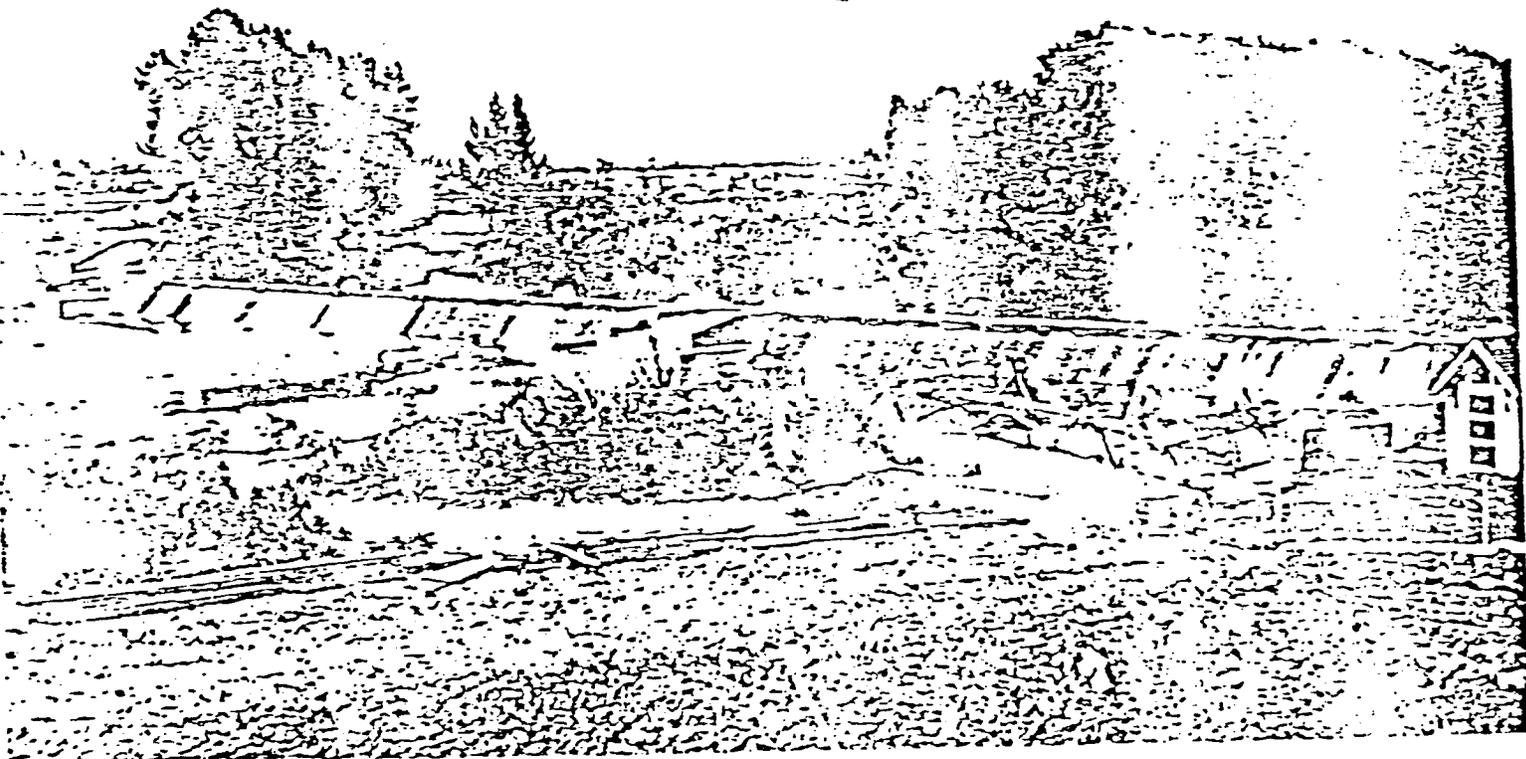


FIGURE 3.

Sunnyside Diversion Dam, May, 1979. Spring chinook encounter serious problems when attempting to pass this project.

## SELECTED DATA ON PROPOSED YAKIMA RIVER FISH PASSAGE AND PROTECTIVE FACILITY IMPROVEMENTS

Feature	NMFS Yakima Implementation Committee Recommendations	Location		Owner <sup>1/</sup>	Operation and Maintenance Responsibility	Estimated Cost <i>dollars</i>
		River-mile	Map No.			
Horn Rapids Diversion Dam	Ladders and screens	18.0	18	Columbia I.D.(?)	Columbia I.D.	653,000
Prosser Diversion Dam	Ladder and screens	47.0	17	Bureau	Bureau	2,940,000
Satus Creek Diversion	Ladder and screens	69.6 <sup>2/</sup>	16	BIA	BIA	361,000
Toppenish Creek/ Satus Unit Diversion	Ladder and screens	80.4 <sup>2/</sup>	15	BIA	BIA	1,372,000
Toppenish Creek Diversion	Ladder and screens	80.4 <sup>2/</sup>	13	BIA	BIA	361,000
Marion Drain Diversion	Ladder	82.6 <sup>2/</sup>	14	BIA	BIA	145,000
Snipes/Allen Canal	Screens and bypass	97.0	12	Buena Ditch Co.	Buena Ditch Co.	45,000
Sunnyside Diversion Dam	Ladders and screens	103.8	11	Bureau	Sunnyside I.D.	3,837,000
Old Reservation Canal	Screens	104.0	10	BIA	BIA	114,000
Wapato Diversion Dam	Ladders and screens	106.7	9	BIA	BIA	4,255,000
Roza Powerplant Wasteway	Screen	113.3	8	Bureau	Bureau	287,000
Naches-Cowich Diversion Dam	Ladder, screens, and fish counting facility	3.6 (Naches)	7	City of Yakima (?)	City of Yakima	349,000
Wapato Diversion Dam	Screens	17.1 (Naches)	--	PP&L	PP&L	952,000
Stevens Ditch	Screens	26.6 (Naches)	6	Stevens	Stevens	38,000
Roza Diversion Dam	Ladders and screens	127.9	5	Bureau	Bureau	3,144,000
Town Diversion Dam	Ladder and screens	161.3	4	Ellensburg Water Co.	Ellensburg Water Co.	240,000
Thorpe Mill Ditch	Screens	163.7	3	Thorpe (?)	Thorpe	54,000
Westside Ditch	Screens	165.8	2	West Side Irrigating Co.	West Side Irrigating Co.	77,000
Taneum Diversion Dam	Ladder and screens	166.1	--	Taneum Ditch Co.	Kittitas Reclamation Dis	361,000
Easton Diversion Dam	Ladder and Screens	202.5	1	Bureau	Kittitas Reclamation Dis	3,246,000

<sup>1/</sup> Question mark indicates possible dual ownership  
<sup>2/</sup> Yakima River mile where the creek or drain enters the river

To \$22,831,000

Project	Operation and Maintenance Responsibility <sup>1/</sup>	Operation and Maintenance Cost	How Operation and Maintenance Handled
Prosser	Ladders--BR	\$6,000+	BR O&M budget
	Screens and and bypass--FWS	See <u>2/</u>	FWS budget
-----			
Tieton <sup>3/</sup>	Screens--FWS	See <u>2/</u>	FWS budget
-----			
Sunnyside	Ladders--SVID/BR <sup>1/</sup>	<\$500	SVID budget/ BR budget
	Screens--FWS	See <u>2/</u>	FWS budget
-----			
Easton	Ladders--BR	KRD does some debris removal <sup>4/</sup>	BR O&M budget
	Screens--FWS	<\$500 See <u>2/</u>	FWS budget
-----			
Roza	Ladders--BR Screens--FWS	\$1,000+ See <u>2/</u>	BR O&M budget FWS budget

1/ BR/FWS contract 9-07-10-W0236, 8/6/79 sets operation and maintenance responsibilities for ladders and screens on Prosser, Tieton, and Roza and for screens on Sunnyside and Easton. BR contract with KRD (14-06-100-1892, 4/5/60) says KRD not responsible for Easton ladder; no other agreements made on ladder so BR has primary responsibility. KRD can do ladder repairs with BR reimbursement with advance notice. BR contract with SVID says SVID responsible for debris removal and minor work at Sunnyside but BR responsible for any structural repairs.

2/ FWS does not separate operation and maintenance by screen but budgets a total of \$75,000 annually for screen operation and maintenance on the screens listed here.

3/ Not included in present improvement project

4/ KRD damtender and secretary-manager conversations 7/28 and 7/29/83

Flows. not addressed



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Notes of October 25, 1983, Meeting on  
Yakima River Fish Passage and Protective Facilities

Background

The Bonneville Power Administration (BPA) has advised the Northwest Power Planning Council that it has requested the Bureau of Reclamation (BR) to conduct predesign investigations at eight federally owned facilities in the Yakima River basin which require improvements to existing or new fish passage and protective facilities. This predesign work is to be accomplished during fiscal year 1984.

Meeting Purpose

The purpose of the meeting was to (1) provide a general overview of the proposed predesign work to agencies and entities who have an interest in the fish passage and protective facilities, (2) discuss coordination among these groups, and (3) establish a technical work group and schedule an initial meeting.

Meeting Notice

A copy of the October 13, 1983, letter advising the agencies and entities of the meeting is enclosed (Enclosure 1).

Participants

A list of the meeting participants is enclosed (Enclosure 2).

The following information was provided at the meeting.

Enclosure 3--Meeting agenda

Enclosure 4--Facilities on which predesign work will be accomplished in  
fiscal year 1984

Enclosure 5--Predesign work

Enclosure 6--Report outline

Enclosure 7--Key dates

Enclosure 8--Possible design data requirements

Discussion

Facilities (Enclosure 4)--There was some discussion as to what fish passage and protective work needs to be done at the various facilities. It was stated that one of the functions of the technical work group is to determine what the problem is at each facility and the recommended solution to remedy the problem.

Proposed rehabilitation work at Wapato, Sunnyside, and Horn Rapids Diversion Dams was discussed. These matters will be further pursued by the technical work group. Representatives of the Sunnyside Valley Irrigation District expressed their desire to incorporate the fish passage and protective measures in a proposed rehabilitation program to their canal headworks on which they would like to initiate construction in the fall of 1984.

Pre-design Work--The pre-design work activities were discussed (see Enclosure 5). The primary objectives of the pre-design work are to define the fish passage and protective problems at each structure, determine the most feasible way of alleviating these problems, estimate construction and operation and maintenance costs, define operation and maintenance responsibility, complete NEPA requirements, and determine data requirements for preparation of final designs and specifications (Enclosure 8). The magnitude of the design data needs will influence the time required to prepare the final design and specifications.

Final Designs and Specifications--It was indicated that once the pre-design work is completed on the facilities, preparation of final designs and specifications could commence if funding is available and any required legislation has been enacted. Initiation of final designs and specifications need not wait until all pre-design work is completed--selected facilities could be pulled out; pre-design work completed; and if other prerequisites met, preparation of final designs and specifications initiated. It was indicated that consideration would be given to utilizing consultants in preparing the final designs and specifications.

Construction Funding--There were questions raised as to why the Toppenish Creek/Satus Unit Diversion was included in the fiscal year 1984 pre-design work since work at this facility was of lower priority than the "main-stem facilities." Sections 4(h)(10)(A) and (B) of the Northwest Power Act states:

(10)(A) The Administrator shall use the Bonneville Power Administration fund and the authorities available to the Administrator under this Act and other laws administered by the Administrator to protect, mitigate, and enhance fish and wildlife to the extent affected by the development and operation of any hydroelectric project of the Columbia River and its tributaries in a manner consistent with the plan, if in existence, the program adopted by the Council under this subsection, and the purposes of this Act. Expenditures of the Administrator pursuant to this paragraph shall be in addition to, not in lieu of, other expenditures authorized or required from other entities under other agreements or provisions of law.

(B) The Administrator may make expenditures from such fund which shall be included in the annual or supplementary budgets submitted to the Congress pursuant to the Federal Columbia River Transmission System Act. Any amounts included in such budget for the construction of capital facilities with an estimated life of greater than 15 years and an estimated cost of at least \$1,000,000 shall be funded in the same manner and in accordance with the same procedures as major transmission facilities under the Federal Columbia River Transmission System Act.

Pursuant to Section 4(h)(10)(B), the administrator is required to secure specific approval from the Congress for capital expenditures for fish facilities which are in excess of \$1 million and have an expected life of more than 15 years.

BPA has requested that pre-design work for Toppenish Creek/Satus Unit, Sunnyside, Old Reservation Canal, and Wapato be completed by February 1, 1984. These facilities, except for Old Reservation Canal, are estimated to

cost in excess of \$1 million and, therefore, must be approved by the appropriate congressional committee. This would enable BPA to secure congressional approval for expenditure of construction funds during congressional consideration of the fiscal year 1985 budget. This would satisfy the statutory requirement for congressional approval and provide BPA with the necessary authority to fund construction.

The question was raised to BR as to what construction funds were in BR's proposed fiscal year 1985 budget. The response was none. It was stated that BR did not have authorization to do work for fish passage at Easton, Roza, and Roza Powerplant wasteway; the passage of legislation proposed by the Northwest Power Planning Council is a prerequisite for seeking such appropriations. The question was then raised as to the possibility of seeking fiscal year 1985 construction funds for Prosser Diversion Dam. It was indicated that it is very late to now attempt to include funds in the fiscal year 1985 budget. However, this matter will be pursued by the BR.

BPA, BIA, and BR need to meet and discuss construction funding to be assured that there is general agreement on this matter.

#### Technical Work Group

It was proposed that a technical work group with engineering and design expertise, as well as expertise in fishery resources be established to conduct the predesign work. It was suggested that this should be a small workable group and that coordination with all interested entities and agencies would be maintained so they would be aware of ongoing activities. The following names were provided for the technical work group.

#### Initial Technical Work Group

National Marine Fisheries Service	Bob Pearce Steve Rainey	(503) 230-5418
Washington Department of Fisheries	John Easterbrooks Ken Bates	(206) 753-3632
Districts	Walt Larrick	(509) 837-8335
Yakima Indian Nation	Bill Yallup Bob Tuck	(509) 865-5121
BPA	Tom Clune	(FTS) 429-5496
Power Council	Kathryn Boeckman	(503) 222-5161
Fish and Wildlife Service	Gary Malm	(FTS) 446-5886
Bureau of Reclamation	Dennis Hudson	(FTS) 554-1386

We believe that the technical work group is too large and that a smaller group comprising the necessary technical expertise will have to be

determined as the work proceeds. It was emphasized that this group should not be involved with policy and legislative matters.

The first meeting of the technical work group was scheduled for November 2 and 3 in Yakima, Washington. The BR will advise the members of the time and meeting place.

### Coordination

Coordination will be maintained by the BR with all interested agencies and entities. This coordination will be providing periodic information of the status of the predesign work, etc. Contacts in the various agencies and entities were to be as follows:

#### Coordination

##### Federal

BPA Herb Oetken  
NMFS Merritt Tuttle  
FWS Wallace Steucke  
BIA August Mueller

##### State

DOE George Krill  
WDF John Easterbrooks  
WDG ?  
Power Council Jan Chrisman

##### Other

YIN Bill Yallup  
Districts Walt Larrick  
CRITFC Tim Wapato

Funding of Technical Work Group--BR indicated that funds could be provided for expenses incurred by members of the technical work group. Once the final technical work group is determined, funding arrangements will be pursued. The contact for this should be Larry Vinsonhaler, BR, telephone (208) 334-1773, FTS 8-554-1773.

National Environmental Policy Act (NEPA) Compliance--The proposed process and schedule for completing NEPA compliance were presented by Douglas James of the Bureau of Reclamation and John Pynch of the Bonneville Power Administration. An outline of the planned programmatic environmental assessment (EA) covering the proposed Yakima River Basin Fish Passage and Protective Facility Program and a tentative schedule are enclosed for reference (Enclosures 10 and 11).

The programmatic EA is planned to cover all of the proposed fish passage activities in the basin. Those program elements which may be selected for expedited ("fast-track") movement through the design and construction phases are expected to qualify for categorical exclusion from extensive NEPA coverage. They involve construction of a minor nature, and the broader environmental issues related to them have already been covered in the Bumping Lake EIS.

A letter notice of intent to prepare the environmental assessment will be distributed on November 18, 1983. The EA will be distributed for public

review in July 1984. If the assessment and subsequent review present no major impacts resulting from the proposal, a Finding of No Significant Impact (FONSI) will be completed by October 1, 1984.

The Federal agencies present were requested to notify the Bureau of Reclamation (Douglas James, Code 150, PN Regional Office, Boise - phone (FTS) 554-1208 by November 10, 1983, if they wish to be a cooperating agency in the NEPA process. In addition, all participants were invited to send their questions, suggestions, and addresses to be included in the notice of intent mailing list to the Bureau, also by November 10, 1983.

OCT 13 1983

PN 700

123.-

The Bonneville Power Administration has asked the Bureau of Reclamation to accomplish predesign work for several fish passage and protective facility improvements in the Yakima River basin during fiscal year 1984. These improvements are included in the Northwest Power Planning Council's Fish and Wildlife Program. Specifically, those improvements scheduled for predesign work this fiscal year are Wapato Diversion Dam, Toppenish Creek/Satus Unit Diversion, Sunnyside Diversion Dam, Old Reservation Canal, Easton Diversion Dam, Roza Diversion Dam, Roza Powerplant waste-way, and Prosser Diversion Dam. Predesign work on the first four listed facilities must be completed by February 1984. The other four are scheduled for completion by October 1984.

As an initial step in implementing the predesign work, we would like to meet with an appropriate representative of your agency to review necessary activities and to agree on arrangements for coordination and the extent of participation among the various Federal, State, tribal, and other groups with specific responsibility for or direct interest in the Yakima basin fishery. We visualize this initial discussion as a general overview of the work ahead and a clear determination of roles and responsibilities of others in assisting the Bureau of Reclamation in this effort. Hopefully, one or two individuals from each agency with technical expertise in the design and operation of fish ladders and screens could then be assigned to work with our technical people in accomplishment of the predesign activities. At this time we will be concentrating our efforts on the predesign work for the four facilities which are to be completed by February 1984.

We have scheduled the initial meeting to be held in Portland on October 25 at 1 p.m. The meeting will be held in room 10A at the Lloyd Center Tower, 825 NE. Multnomah, Portland, Oregon and should not last more than 2 hours. Following this initial meeting, we propose that the designated participants meet in Yakima around the end of October to make a field inspection of the facilities and to scope out specific work activities.

This program is critically important to the initiation of long-awaited fish facility improvements in the Yakima basin. We would appreciate your cooperation in the predesign effort. Would you please confirm attendance of a representative of your office at the October 25 meeting with Larry Vinsonhaler, telephone number (208) 334-1773 (FTS 554-1773) at your earliest convenience.

Sincerely yours,

(S) L. W. Lloyd

Regional Director

Identical letters to: See attached list.

bc: See attached list.

L Vinsonhaler/R Riley:vi 10-12-83

Robert Gerke, Assistant Chief  
Habitat Management Division  
Washington Department of Fisheries  
115 General Administration Bldg.  
Olympia, Washington 98504

William Yallup, Chairman  
Fish, Wildlife, and Law and Order Committee  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, Washington 98948

Tim Wapato, Executive Director  
Columbia River Inter-Tribal Fish Commission  
2705 E. Burnside Street, Suite 114  
Portland, Oregon 97214

Walter Larrick, Fish Biologist  
Roza Irrigation District  
P.O. Box 810  
Sunnyside, Washington 98944

Janet Chrisman, Fish & Wildlife Director  
Northwest Power Planning Council  
700 NW. Taylor Street, Suite 200  
Portland, Oregon 97205

Dale Evans, Chief  
Environmental and Technical Services Branch  
National Marine Fisheries Service  
347 NE. 19th Avenue, Suite 350  
Portland, Oregon 97732

Charles Dunn, Field Supervisor  
U.S. Fish and Wildlife Service  
2625 Parkmont Lane SW., Bldg. B-3  
Olympia, Washington 98502

James Trull, Secretary-Manager  
Sunnyside Valley Irrigation District  
P.O. Box 239  
Sunnyside, Washington 98944

August Mueller, Area General Engineer  
Branch of Land Services  
Bureau of Indian Affairs  
P.O. Box 3785  
Portland, Oregon 97208

Jim Cummins  
Regional Fish Biologist  
Washington Department of Game  
2802 Fruitvale Blvd.  
Yakima, Washington 98902

Herb Oetken  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Lou Hildebrand  
Wapato Irrigation Project  
Box 220  
Wapato, Washington 98951

Glen Fiedler  
Washington Department of Ecology  
Mail Stop PV-11  
Olympia, Washington 98504

bc: Project Superintendent,  
Yakima, Washington  
RO 100, 105, 150, 200, 720,  
730, 760, 780, 140

PN 700

123.

OCT 13 1983

Paul Chasco  
Kennewick Irrigation District  
P.O. Box 6900  
Kennewick, Washington 99336

Dear Mr. Chasco:

Enclosed is a copy of a letter we sent to various Federal, State, tribal, and other groups regarding a meeting to initiate predesign work on Yakima basin fish passage improvements. As indicated in the letter, it is our intent to concentrate our initial efforts on the four facilities for which predesign reports must be completed by February 1984 (Wapato Diversion Dam, Toppenish Creek/Satus Unit Diversion, Sunnyside Diversion Dam, and Old Reservation Canal).

You are welcome to attend this initial meeting if you desire. However, there will be an opportunity for a similar meeting at a later date when predesign work is initiated on other facilities for which you may have a more specific interest. We have asked for Walt Larrick's participation on all aspects of the program and we have been advised that he will participate on the technical work group.

We will keep you advised as the predesign work on the first four facilities proceeds.

Sincerely yours

(Sgd) L. W. Lloyd

Regional Director

Enclosure

Identical letter to:

Stan R. Powers  
Kittitas Reclamation District  
P.O. Box 276  
Ellensburg, Washington 98926

bc: RO 100, 105, 150, 200, 720, 730, 760, 780, 140  
Project Superintendent, Yakima, Washington  
Glen Fiedler, Washington Department of Ecology, Olympia, Washington  
L. Vinsonhaler/R Riley:vi 10-14-83

123.

PN 700

OCT 13 1983

Ron Van Gundy  
Roza Irrigation District  
P.O. Box 810  
Sunnyside, Washington 98944

Dear Mr. Van Gundy:

Enclosed is a copy of a letter we sent to various Federal, State, tribal, and other groups regarding a meeting to initiate predesign work on Yakima basin fish passage improvements. As indicated in the letter, it is our intent to concentrate our initial efforts on the four facilities for which predesign reports must be completed by February 1984 (Wapato Diversion Dam, Toppenish Creek/Satus Unit Diversion, Sunnyside Diversion Dam, and Old Reservation Canal).

You are welcome to attend this initial meeting if you desire. However, there will be an opportunity for a similar meeting at a later date when predesign work is initiated on other facilities for which you may have a more specific interest. We appreciate your making Walt Larrick available to participate on the technical work group.

We will keep you advised as the predesign work on the first four facilities proceeds.

Sincerely yours,

(S) L. W. Lloyd

Regional Director

Enclosure

bc: RO 100, 105, 150, 200, 720, 730, 760, 780, 140  
Project Superintendent, Yakima, Washington  
Glen Fiedler, Washington Department of Ecology, Olympia, Washington

L. Vinsonhaler/R Riley:vi 10-14-83

<u>Name</u>	<u>Organization/Title</u>	<u>Phone</u>
Herb Oetken	BPA, Yakima Basin Coordinator	(503) 230-5708
Larry Vinsonhaler	BR, Regional Planning Officer	FTS 554-1773
Douglas James	BR, Environmental Office	FTS 554-1208
R. Dennis Hudson	BR, Chief, Planning Engineering Branch	FTS 554-1386
Tom Clune	BPA, Division of Fish and Wildlife	FTS 429-5496
Ken Bates	Washington Fish/Habitat Mgmt. Eng.	(206) 753-3632
Steve Rainey	NMFS	(503) 230-5418
Charles Bennett	NMFS	(503) 230-5428
Bob Tuck	Yakima Indian Nation	(509) 865-5121
Levi George	Yakima Indian Nation	(509) 865-5121
Louis B. Hilderbrand	Wapato Irrigation Project	(509) 877-3155
Steve Wade	Bureau of Reclamation	FTS 554-1937
George Krill	Washington State Department of Ecology	(206) 459-6119
Jim Normandean	BPA - Intergovernment Relations	(503) 230-4175
Mark Schneider	Northwest Power Planning Council	(503) 222-5161
Kathryn Boeckman	Northwest Power Planning Council	(503) 222-5161
Walter Larrick	Roza Irrigation District	(509) 837-8335
Paul Cross	Sunnyside Valley Irrigation District	(509) 837-6980
Anne Wager	Hosey and Associates Eng. Company	(206) 827-8661
Doug Dunpier	CRITFC	(503) 238-0667
Rob Lothrop	CRITFC	(503) 238-0667
John Miller	U.S. Fish and Wildlife, Division I Manager	(206) 230-5972
Thomas C. McKinney	BPA/Senior Environmental Specialist	(503) 230-4721
Marcia Knapp	BPA/Environmental Specialist/ Division of Fish and Wildlife	(503) 230-5213
Randy Seiffert	BPA/Env. Engineer/Office of Power and Resources Management	(503) 230-4238
John Pynch	BPA/Environmental Coordinator	FTS 429-4234

AGENDA

October 25, 1983, Meeting Yakima River Fish Passage  
FY 1984 Predesign Work

1. Introductions
2. Meeting objectives
3. Facilities included in FY 1984 program
4. Slide presentation of facilities
5. Discussion of predesign activities

Engineering  
NEPA Compliance  
Report

6. Key dates
7. Coordination
8. Technical Work Group  
Bureau of Reclamation  
Others
9. Other items
10. Conclusions

Facilities - FY 1984

<u>1st Priority</u>	<u>Existing</u>	<u>Proposed Improvements</u>	<u>Owner</u>
Toppenish Creek/Satus Unit Diversion	-- --	ladder screen	BIA
Sunnyside Diversion Dam	2 ladders screen	replace existing, add 1 ladder replace to current standards	BR
Old Reservation Canal	--	add screen	BIA
Wapato Diversion Dam	2 ladders screen	replace existing, add 1 ladder replace to current standards	BIA
 <u>2nd Priority</u>			
Prosser Diversion Dam	2 ladders screen	add 1 midstream replace to current standards	BR
Roza Powerplant Wasteway	--	add screen	BR
Roza Diversion Dam	ladder screen	replace existing ladder replace to current standards	BR
Easton Diversion Dam	ladder bar screen	replace existing replace to current standards	BR

Pre-Design Work

Initial Activities

1. General review (this meeting)
2. Field review, work scoping meeting (technical work group)

Engineering Activities

1. Research available data, determine data gaps
2. Conceptual plan  
ladder configuration, flows, attraction water screen velocities,  
approach angles
3. Hydrologic and hydraulic studies  
flood frequency analysis, tailwater and backwater curves,  
diversion requirements
4. Unit prices
5. Layout, estimate quantities and costs
6. Construction schedule
7. O&M costs and arrangements
8. Permit requirements  
what required, data needs, time for approval
9. Design data requirements

NEPA Compliance Activities

Report

REPORT OUTLINE

Yakima River Basin Fish Passage and Protective Facilities

- I. Summary
- II. Basin Map (showing all locations of proposed improvement sites with those of current importance highlighted)
- III. Introduction
  - A. Study Purpose
  - B. Study Scope
  - C. Relationship to Future Action (strategy and timing for implementation; i.e., predesign, design, and construction)
  - D. Basic Criteria and Assumptions (any special items that have a bearing on study results)
  - E. Coordination with Others
- IV.            Diversion Dam (Sunnyside, Wapato, Old Reservation Canal, Toppenish Creek/Satus Unit)
  - A. Location (includes photographs and map)
  - B. Present Ownership and Responsibility
  - C. Purpose and Function of Existing Structure
  - D. Present Fishery Problem
  - E. Proposed Improvement Measures
    - 1. General overview of how fish will be aided
    - 2. Structural facilities (includes drawing, photo with new work indicated, description, and design criteria)
    - 3. Operating plan (water supply requirements, operation and maintenance scheduling, and responsibilities)
    - 4. Costs (construction and operation and maintenance)
    - 5. Construction Aspects (design data collection needs, construction schedule, and funds)
    - 6. Funding Arrangements (construction and operation)

7. Permits and clearances (what is required to initiate construction, time required to secure, and who is responsible for obtaining the permits and clearances)

V. Environmental Considerations and National Environmental Policy Act Compliance

VI. Appended Items

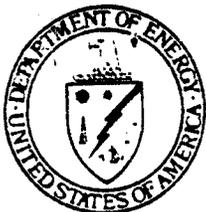
Location Map for each facility, photo of facility showing problem, photo marked to show improvements, design drawings, Project Cost Estimate Sheets, etc.

Key Dates

<u>Date</u>	<u>To</u>	<u>From</u>	
12/1/83	BPA	BR	Detailed budget and schedule of predesign work
2/1/84	BPA	BR	Interim report on 1st priority facilities
3/1/84	BPA	BR	NEPA compliance document on 1st priority items
8/15/84	BPA	BR	Draft final report on FY '84 facilities
10/15/84	BPA	BR	Final report

Design Data Requirements

1. Approved plan
2. Approved criteria (flows, max velocities, approach angles, etc.)
3. As-built drawings of existing works
4. Locations of borrow sources
5. Locations of disposal sites for waste materials
6. Limits of existing ROW
7. Location of existing access roads
8. Availability of utilities
9. Survey control
10. Site topography
11. Foundation data
12. Local corrosion potentials
13. Operating data for proposed facilities
14. Flood frequency analysis (up to 100-year discharge)
15. Tailwater curves
16. Backwater curves
17. Summary of reservoir and diversion(s) operating criteria
18. Requirements for maintaining streamflows or diversions during construction season.



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Enclosure 9



In reply refer to: PG

SEP 29 1983

Mr. Keith Colbo, Chairman  
Fish and Wildlife Committee  
Northwest Power Planning Council  
Capitol Station  
Helena, Montana 59620

Dear Keith:

Wednesday of last week I received from Mr. Curt Marshall the August 30 schedule mentioned at your Seattle meeting, September 7, 1983. We note that reference was not made in the schedule to the letter and prospective timetable provided Ms. Boeckman of your staff by L.W. Lloyd, Regional Director of the Bureau of Reclamation (a copy of which is attached). We believe this schedule provides additional insight respecting the time required to complete the Yakima fishery enhancement projects.

In response to your concerns expressed in Washington, D.C., and in Boise, let me comment briefly respecting the "critical path" elements which I believe will govern the point at which BPA may "decide" to fund design and fund initiation of construction under sound business principles and other applicable law.

As a Federal agency, BPA cannot make "decisions" prior to satisfaction of the National Environmental Policy Act (NEPA) by production of the appropriate document, either a Finding of No Significant Impact (FONSI), or an Environmental Impact Statement. Prior to that time we are at the stage of considering a "proposal." In order to make decisions respecting BPA participation in funding the Yakima Basin fish and wildlife enhancement projects, BPA has commissioned the Bureau of Reclamation (Bureau) to prepare an appropriate NEPA document. We hope this will be a FONSI, based upon an environmental assessment respecting all the fish and wildlife projects that might require Federal funding or other involvement in the Yakima Basin. Mr. Lloyd's letter indicates that the Bureau can complete such work for Sunnyside, Wapato, Toppenish/Satus and Old Reservation Canal in about 5 months.

Most of the facilities to which fish passage improvements will be made in the Yakima Basin are federally owned, and several of them require improvements which will cost more than a million dollars and will have a useful life of more than 15 years. Congressional sanction of one kind or another will be required as outlined below. Congressional committees reviewing such proposals will likely want definitive cost estimates for those improvements, and may

want to know that there is agreement among all the affected parties on the improvement to be undertaken. BPA is most concerned that this information be available for Sunnyside, Wapato and Toppenish/Satus facility improvements by the time we seek approval at our budget hearings in late February to make expenditures from the BPA fund for this purpose. Accordingly, BPA has also asked the Bureau to undertake additional predesign work and prepare a report on the proposals which will include reasonably detailed cost estimates and the endorsement of all affected parties.

In the case of facilities not owned by the Bureau, not only will the consent of the owner be required before the improvement can be undertaken, but sound business principles dictate that the improvement be properly operated and maintained. To provide BPA this assurance, the Bureau will in its report outline potential arrangements for continuing operation and maintenance. Moreover, the proposed legislative amendments you presented in Washington would give the Bureau authority to meet this responsibility, either by agreements with third parties, or with its own staff and appropriated funds. In the latter instance, Congress could make the determination that such appropriations were to be reimbursed by BPA.

BPA funding of the individual enhancement proposals would be subject to the availability of funds and dependent upon satisfaction of the following requisites:

Wapato and Toppenish/Satus (BIA)

Design: BPA may fund when NEPA is satisfied, and will consider the question of whether funding should be provided consistent with sound business principles prior to approval either of the expenditure of funds for the initiation of such construction by Act of Congress pursuant to procedures specified in Section 4(h)(10)(B) of the Regional Act, or of the special Yakima Basin fish passage enhancement legislation you have presented. By carbon of this letter, we request the Regional Soliciter to determine whether the Bureau of Indian Affairs concurs that design may proceed prior to congressional action.

Initiation of Construction: BPA may fund when approved by Congress as specified in Section 4(h)(10)(B), and arrangements are in place for continued operation and maintenance.

Satus, Toppenish, Marion, Old Reservation (BIA)

Design: BPA may fund when NEPA is satisfied, and will consider whether funding should be provided consistent with sound business principles prior to enactment of the special fish passage enhancement legislation if the project modifications are approved by the Bureau of Indian Affairs.

Initiation of Construction: BPA may fund after completion of design, and arrangements are in place for continued operation and maintenance.

### Sunnyside Diversion (Bureau)

Design: BPA may fund when NEPA is satisfied, and will consider the question of whether funding should be provided consistent with sound business principles prior to approval by Congress either as specified in Section 4(h)(10)(B), or in the special fish passage enhancement legislation.

Initiation of Construction: BPA may fund after completion of design and when approved by Congress as specified in Section 4(h)(10)(B). The Bureau has the responsibility presently for operation and maintenance of the Diversion Dam, and with the enactment of the proposed legislation will have specific authority to operate and maintain the proposed fish passage and protective measures.

### Easton (Bureau)

Design: BPA may fund when NEPA is satisfied, and when approved by Congress as specified in Section 4(h)(10)(B), or in the special fish passage legislation. However, unless improvement of this facility is included in the Bureau's 1985 budget, it is unlikely to warrant early expenditure of design money. Easton was not included in BPA's FY 1985 funding proposal because it was of lower priority than Sunnyside and BPA expected that the Bureau might be appropriated funds for this improvement.

Initiation of Construction: BPA may make expenditures from the BPA fund for this purpose after approval by Congress as specified in Section 4 (h)(10)(B). The Bureau has the responsibility for operation and maintenance of the Diversion Dam, and with the enactment of the proposed legislation will have specific authority to operate and maintain the proposed fish passage and protective measures.

### Prosser Diversion (FCRPS: Bureau)

Pre-design: the Bureau has refused BPA's offer of funding, and will use their own available funds, because Congress has already recognized a fishery purpose at Prosser. This fact makes any planning for fish enhancement purposes a Bureau responsibility "authorized or required" by law as provided in Section 4(h)(10)(A) of the Regional Act.

Design and Construction: the Bureau will be dependent upon congressional authorization and appropriation. Authorization might come as a result of the special fish passage enhancement legislation. Appropriation would likely be made in the Bureau's budget. BPA's participation would be in the form of repayment of the power benefit share unless Congress determines otherwise. The Bureau would have responsibility for operation and maintenance, and a portion of expenditures for those purposes would be reimbursed by BPA to the Treasury.

Roza Diversion and Roza Powerplant (FCRPS: Bureau)

Pre-design: BPA is funding in order that NEPA work and other necessary information gathering can be completed prior to the Bureau's FY 1985 budget hearings in the spring of 1984.

Design and Construction: the Bureau will be dependent upon congressional authorization and appropriation. Authorization might come as a result of the special fish passage enhancement legislation. Appropriation would likely be made in the Bureau's budget. BPA's participation would be in the form of repayment of the power benefit share unless Congress determines otherwise. The Bureau would have responsibility for operation and maintenance and a portion of expenditures for those purposes would be reimbursed by BPA to the Treasury.

Snipes/Allen, Town, Thorpe, Westside, Taneum, Stevens  
(non-federal irrigation districts)

Design: BPA may fund upon satisfaction of NEPA, agreement of owners, and after arrangements are in place to assure continuing operation and maintenance, provided construction and operation and maintenance are not otherwise authorized or required to be undertaken by the district.

Initiation of Construction: BPA may fund upon completion of design.

Horn Rapids (non-federal irrigation district)

Design and Construction: BPA understands ladders are being funded by the State of Washington Department of Ecology with bond proceeds available for fish passage improvements undertaken in conjunction with agricultural water supply improvements. DOE is working with Columbia Irrigation District and the Bureau on other details of the improvement.

Naches/Cowiche (City of Yakima)

Design: Has been completed by the City of Yakima.

Initiation of Construction: BPA may fund upon satisfaction of NEPA and after arrangements are in place for continuing operation and maintenance, provided Yakima is not otherwise authorized or required to fund the project, and money is not available from the State of Washington Department of Social and Health Services from bond proceeds available for fish passage improvements undertaken in conjunction with municipal water supply improvements.

Wapatox (PP&L)

Design and Construction: BPA understands that PP&L will fund.

BPA intends, by contracting with the Bureau for predesign work to obtain all information needed to hasten the project. We will begin this month the development of a detailed master plan and network analysis to identify the necessary activities, tasks, and appropriate roles of all the individuals and agencies involved. We hope by this means to foster understanding of all aspects of the effort, and a commitment by each to perform the tasks assigned. To the extent funds are available and necessary requisites are satisfied we anticipate funding design in 1984 of some priority projects.

Sincerely,



Janet W. McLennan  
Assistant Power Manager for Natural  
Resources and Public Services

CC:

Larry Vinsonhaler - Bureau of Reclamation  
John Spencer - Washington DOE  
Honorable Dan Evans - Senator  
Jan Chrisman - Northwest Power Planning Council  
Stanley Speaks - Bureau of Indian Affairs  
Tim Weaver - Yakima Indian Nation  
Gina Guy - Regional Solicitor, USDI  
Larry Hittle - PNUCC Representative

PROPOSED OUTLINE  
PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

YAKIMA RIVER BASIN FISH PASSAGE  
AND PROTECTIVE FACILITY PROGRAM

I. Proposal and Background

A. Purpose and Need

1. Historical Perspective - Anadromous Fisheries - Existing Facilities and Flows
2. Northwest Power Planning Council Fish and Wildlife Program
3. Bureau of Reclamation Role
  - a. Studies
  - b. Implementation
4. Bonneville Power Funding
5. Other Agency Involvement

B. Proposed Action

1. Description
2. Location

C. Related Action and Activities

II. Alternative Means to Meet Need

- A. Fish Ladders
- B. Fish Screens
- C. Channel Modification
- D. Others
- E. No Action

III. Affected Environment and Environmental Consequences

IV. Other Issues and Concerns

V. Consultation and Coordination

VI. Conclusions

APPENDIX

Individual Fish Passage Activities Being Considered

- |                                     |  |
|-------------------------------------|--|
| 1. Easton Diversion Dam             | 11. Sunnyside Diversion Dam              |
| 2. Westside Canal Diversion         | 12. Snipes/Allen Diversion               |
| 3. Thorp Mill Diversion             | 13. Toppenish Creek Diversion            |
| 4. Town Diversion Dam               | 14. Marion Drain Diversion               |
| 5. Roza Diversion Dam               | 15. Toppenish Creek/Satus Unit Diversion |
| 6. Stevens Ditch Diversion          | 16. Satus Creek Diversion Dam            |
| 7. Naches/Cowiche Diversion         | 17. Prosser Diversion Dam                |
| 8. Roza Powerplant Wasteway         | 18. Horn Rapids Diversion Dam            |
| 9. Wapato Diversion Dam             | 19. Wapatox Diversion Dam                |
| 10. Old Reservation Canal Diversion | 20. Taneum Diversion Dam                 |

Tentative Schedule  
for  
Processing Environmental Assessment  
Concerning  
Yakima River Basin Fish Passage  
and Protective Facility Program

1983

- October 25 - - - - - Orientation session
- November 10 - - - - - Responses from involved agencies due Bureau  
of Reclamation providing nature and level of  
involvement, concurrence on approach, and  
mailing list additions
- November 18 - - - - - General distribution of Notice of Intention  
to Prepare Programmatic EA invitation to  
comment on environmental issues

1984

- January 6 - - - - - Complete EA scoping process/begin writing  
process
- March 1 - - - - - Complete Categorical Exclusion and Brief  
Memorandum for "fast track" activities
- April 1 - - - - - Preliminary draft EA to cooperating agencies  
for review
- May 1 - - - - - Cooperating agency comments due/begin finali-  
zing EA
- July 1 - - - - - EA complete/distribute for public review
- August 15 - - - - - Public comments due/begin agency evaluation  
of comments
- September 1 - - - - - NEPA decision - FONSI or EIS?
- October 1 - - - - - If FONSI - NEPA compliance complete  
If EIS - completion in fiscal year 86

Council Meeting Notes  
Seattle, Washington  
January 11-12, 1984

Prepared by the Assistant to the Administrator--Planning Council Liaison

Yakima Basin Status Report

Ed Sheets, Executive Director of the Council, described BPA's schedule for implementation of the Yakima Basin fish passage facilities. Sheets also presented an accelerated schedule which the Council staff developed to speed up the schedule on 4 of the 18 designated fish passage projects.

Sheets read from a memorandum based on a January 5, 1984, meeting between Council Chairman Keith Colbo, Council member Larry Mills, and Ed Sheets, on the one hand, and Peter Johnson, Mike Katz, Janet McLennan, and Herb Oetken of BPA, on the other hand, as follows:

"The schedule for design and construction developed by the Bureau and BPA was based on the assumption that Congressional appropriation(s) would not be available until October 1984, and that some of the Bureau's projects would be funded in later fiscal years. Bonneville has agreed to re-evaluate this schedule if Congressional authorization and appropriations for the projects takes place this spring. As part of an expedited effort, BPA is currently exploring an earlier schedule for the screens at Wapato Dam and will explore the possibility of accelerating the ladders at Wapato.

"Peter Johnson has said that he is committed to pursuing the earliest reliable track for installing the fish passage facilities at the Yakima Basin.

"The Council Chairman reiterated the Council's commitment to support Congressional passage of the authorization and appropriations legislation."

Colbo and Mills, the two Council members present at the meeting with the Administrator, were supportive of BPA's efforts. Colbo said the Council should be realistic and not raise people's expectations inappropriately.

Council member Chuck Collins asked if Colbo and Mills were personally confident that Peter Johnson would do the best he could to implement Yakima fish facilities expeditiously. Mills answered, "Yes, but neither BPA nor the Bureau of Reclamation can do more than the law allows." Colbo added that he was "very satisfied" even though the Council's role is to "push unmercifully and never be satisfied that BPA and the Bureau of Reclamation are moving fast enough."

United States Senator Dan Evans testified that he believed there was a good chance to get legislation through the Congress, including something in a supplemental appropriations bill, to facilitate the Yakima workplan. In the

meantime, Evans feels that BPA "should take as much risk as possible to accelerate predesign and design" of all Yakima Basin fish passage facilities and that he will try to get a letter to BPA and the Bureau from the Northwest congressional delegation urging a maximum fast-track push.

In ensuing discussion, Collins observed that the most decisive way of dealing with the "risk" issue is to pass legislation as soon as possible. Evans and the Council all agreed.

In the public comment period, Bob Tuck, a fish biologist representing the Yakima Nation, said he believes progress has not been satisfactory; that there has been too much dawdling by BPA. He expressed "frustration and anguish." (In private conversation with Tuck after the meeting, it became clear that he has only a vague notion of what the legal requirements are upon BPA and the Bureau of Reclamation with respect to Yakima fish passage projects).

During Tuck's testimony, Council member Chuck Collins said there is no question that fish are at the bottom of BPA's list of priorities and suggested there was less than a good-faith effort. (In reaction to that preposterous observation, Mike Katz turned to Bob Lewis and said, "Baloney!" The remark appeared the next day in the Seattle P-I.)

Collins stated that the Council has been told that the cost-sharing arrangements proposed for funding the Yakima fish passage facilities will not damage the project schedules. The Council is now being told that the Bureau must space out its appropriation requests over several fiscal years, that the agency is unlikely to get a large lump sum in any 1 year. This led Collins to complain that project schedules are being damaged by the cost-sharing approach.

Council member Al Hampson was equally critical of BPA's efforts on the Yakima project. Again, Colbo and Mills were steadfast in explaining the difficulties confronting Federal agencies.

Shirley Doty, a member of the Yakima City Council, and Dennis Covell, Director of Engineering for the City, testified on the city-owned Naches/Cowiche project in the Yakima Basin. City Council member Doty said she understands BPA's inability to fund those fish facilities which the City already has an obligation to fund, but she hoped that some BPA funding for the Naches/Cowiche (for other than "in lieu" facilities) could be arranged. She indicated that BPA has been very cooperative.

Mike Katz and Herb Oetken, representing BPA, described the BPA efforts. Katz categorically denied any footdragging by BPA and indicated that BPA is "fully committed" to pushing forward "as fast as possible" with Yakima Basin fish passage projects. That assertion was reaffirmed by Oetken.

Oetken indicated that by March 1, BPA would be able to respond to the Council's request that BPA explore for additional ways in which the Yakima workplan can be accelerated.



# United States Department of the Interior

BUREAU OF RECLAMATION  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043-550 WEST FORT STREET  
BOISE, IDAHO 83724

IN REPLY  
REFER TO: PN 150  
510.

November 18, 1983

Ladies and Gentlemen:

The Fish and Wildlife Program prepared and approved by the Pacific Northwest Power Planning Council included measures to improve the passage of anadromous fish within the Yakima River basin in Washington. The Bureau of Reclamation, in cooperation with the Bonneville Power Administration, National Marine Fisheries Service, and Bureau of Indian Affairs, is preparing to write an environmental assessment (EA) concerning the proposed measures. This letter is to provide you with basic information concerning the proposals and the environmental process we intend to pursue and to invite your comments on any environmental issues you feel ought to be evaluated. Your comments should be received by January 6, 1984, to assure that they will be considered in determining the scope of environmental issues to be covered in the EA.

We have provided as attachments a brief description of the proposed activities, a location map, and some information on the environmental process and the EA. The EA is scheduled to be available for public review no later than July of 1984. If you wish to be included on the mailing list to receive a copy of the EA for review, please complete the preaddressed mailer enclosed and return it to this office. Note that there is a small amount of space for comments on the mailer. You may provide comments there, under separate cover, or both.

The address to which comments should be sent is:

Regional Director, Attention: 150  
Pacific Northwest Region  
Bureau of Reclamation  
Box 043 - 550 West Fort Street  
Boise, Idaho 83724

Thank you for your assistance.

Sincerely yours,

*John R. Woodworth*  
Regional Environmental Officer

Enclosures

## YAKIMA RIVER BASIN FISH PASSAGE AND PROTECTIVE FACILITIES PROGRAM

### The Power Planning Council

The Pacific Northwest Electric Power Planning and Conservation Act (Public Law 96-501) was passed by Congress and signed by the President in 1980 to assist the consumers of the Pacific Northwest achieve cost-effective energy conservation, development of renewable energy resources, a representative regional power planning process, an efficient and adequate power supply, and for other purposes. The Act provided for the establishment of the Northwest Power Planning Council which is charged with responsibility to develop plans for carrying out the Act's provisions. One of the major elements of the Council's charge was to develop a program to protect, mitigate, and enhance fish and wildlife resources affected by hydroelectric development in the Columbia River basin.

### Fish and Wildlife Program

The Power Planning Council adopted its Fish and Wildlife Program on November 15, 1982. It contains a number of measures to benefit upstream and downstream migration of anadromous fish and to assist in their propagation. Actions were included in the program to improve fish passage in the Yakima River basin. The Bonneville Power Administration (BPA) was given the role of administering the overall implementation of these measures.

A number of studies involving various Federal and State agencies have resulted in a list of 20 recommended passage improvement projects in the Yakima River basin. BPA has requested the Bureau of Reclamation to conduct predesign investigation of these proposals.

### NEPA Compliance

Concurrent with the predesign studies, the Bureau of Reclamation will be the lead agency in the preparation of an environmental assessment which will examine the environmental issues related to the 20 proposals. The Bonneville Power Administration, National Marine Fisheries Service, and Bureau of Indian Affairs will be cooperating agencies in that effort. A letter giving notice of intent to prepare the EA is being distributed to a broad list of interested agencies, organizations, and individuals in the basin and throughout the Pacific Northwest. The letter includes a request for comments and identification of environmental issues to assist in determining the scope of the EA. This scoping period will conclude on January 6, 1984.

The Bureau of Reclamation plans to have the EA distributed for public review and comment no later than July 1984.

### Enclosures

The following documents are enclosed for reference and assistance in considering possible comments on the proposals and related environmental issues.

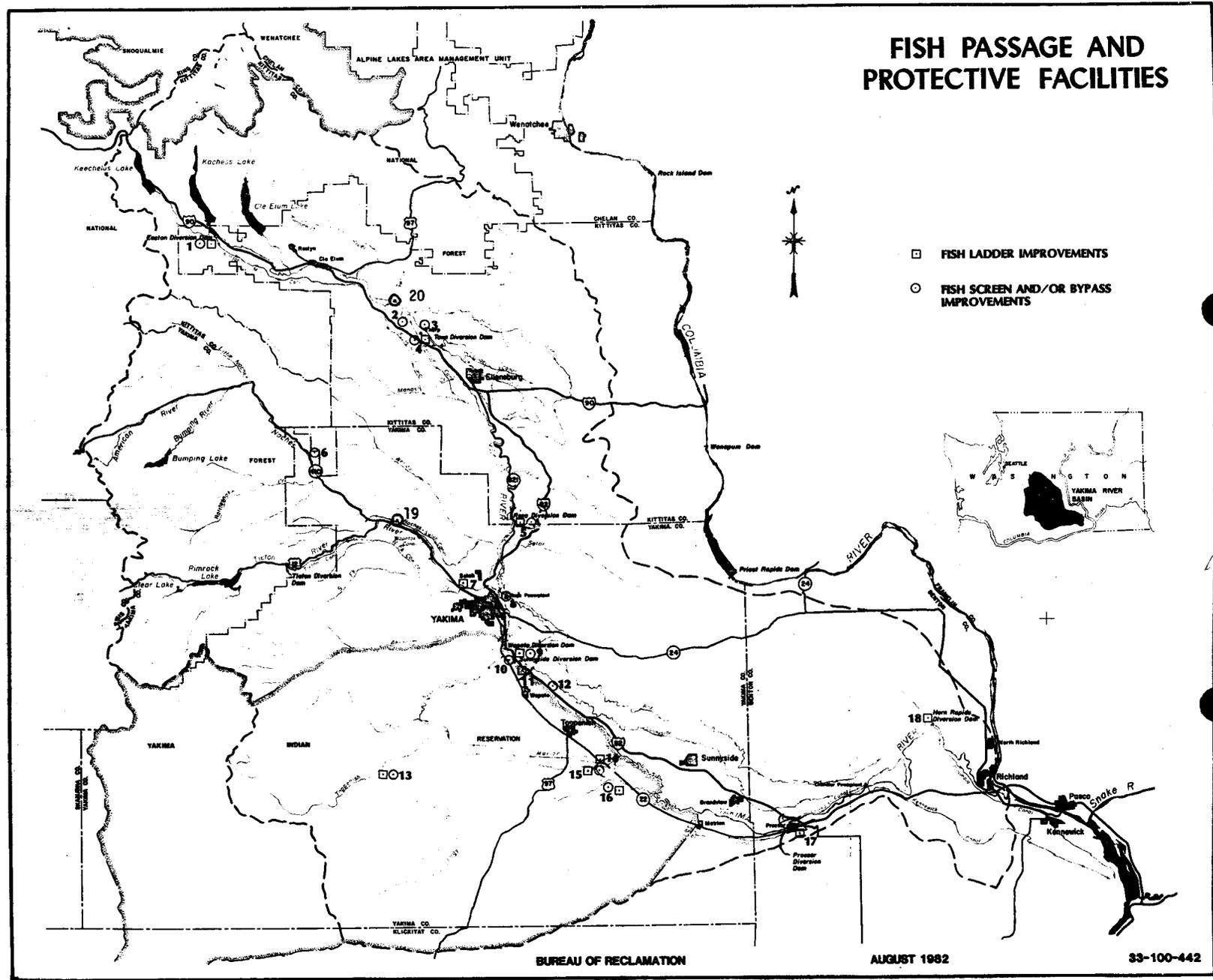
1. Yakima Basin Map (showing location of proposed facilities)
2. List of proposed facilities and recommended action at each
3. Proposed outline for the environmental assessment
4. Preadressed return mailer to have name(s) included on mailing list from which EA will be distributed

# FISH PASSAGE AND PROTECTIVE FACILITIES

## LEGEND

- 1 - Easton Diversion Dam
- 2 - Westside Canal Diversion
- 3 - Thorp Mill Diversion
- 4 - Town Diversion Dam
- 5 - Roza Diversion Dam
- 6 - Stevens Ditch Diversion
- 7 - Naches/Cowiche Diversion
- 8 - Roza Powerplant Wasteway
- 9 - Wapato Diversion Dam
- 10 - Old Reservation Canal Diversion
- 11 - Sunnyside Diversion Dam
- 12 - Salpes/Allen Diversion
- 13 - Toppenish Creek Diversion
- 14 - Marion Drain Diversion
- 15 - Toppenish Creek/Satus Unit Diversion
- 16 - Satus Creek Diversion Dam
- 17 - Prosser Diversion Dam
- 18 - Horn Rapids Diversion Dam
- 19 - Wapatox Diversion Dam
- 20 - Taneum Diversion Dam

- FISH LADDER IMPROVEMENTS
- FISH SCREEN AND/OR BYPASS IMPROVEMENTS



PROPOSED YAKIMA RIVER FISH PASSAGE  
AND PROTECTIVE FACILITY IMPROVEMENTS

Existing Feature to be Modified	Current Recommendation for Modification	Location	
		River-mile	Map No.
Horn Rapids Diversion Dam	Ladders and screens	18.0	18
Prosser Diversion Dam	Ladder and screens	47.0	17
Satus Creek Diversion	Ladder and screens	69.6*	16
Toppenish Creek/Satus Unit Diversion	Ladder and screens	80.4*	15
Toppenish Creek Diversion	Ladder and screens	80.4*	13
Marion Drain Diversion	Ladder	82.6*	14
Snipes/Allen Canal	Screens and bypass	97.0	12
Sunnyside Diversion Dam	Ladders and screens	103.8	11
Old Reservation Canal	Screens	104.0	10
Wapato Diversion Dam	Ladders and screens	106.7	9
Roza Powerplant Wasteway	Screen	113.3	8
Naches-Cowich Diversion Dam	Ladder, screens, and fish counting facility	3.6 (Naches)	7
Wapatox Diversion Dam	Screens	17.1 (Naches)	19
Stevens Ditch	Screens	26.6 (Naches)	6
Roza Diversion Dam	Ladders and screens	127.9	5
Town Diversion Dam	Ladder and screens	161.3	4
Thorpe Mill Ditch	Screens	163.7	3
Westside Ditch	Screens	165.8	2
Taneum Diversion Dam	Ladder and screens	166.1	20
Easton Diversion Dam	Ladder and screens	202.5	1

\*Yakima River mile where the creek or drain enters the river

PROPOSED OUTLINE  
PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

YAKIMA RIVER BASIN FISH PASSAGE  
AND PROTECTIVE FACILITY PROGRAM

- I. Proposal and Background
  - A. Purpose and Need
    - 1. Historical Perspective - Anadromous Fisheries - Existing Facilities and Flows
    - 2. Northwest Power Planning Council Fish and Wildlife Program
    - 3. Bureau of Reclamation Role
      - a. Studies
      - b. Implementation
    - 4. Bonneville Power Funding
    - 5. Other Agency Involvement
  - B. Proposed Action
    - 1. Description
    - 2. Location
  - C. Related Action and Activities
- II. Alternative Means to Meet Need
  - A. Fish Ladders
  - B. Fish Screens
  - C. Channel Modification
  - D. Others
  - E. No Action
- III. Affected Environment and Environmental Consequences
- IV. Other Issues and Concerns
- V. Consultation and Coordination
- VI. Conclusions

APPENDIX

Individual Fish Passage Activities Being Considered

- |                                     |  |
|-------------------------------------|--|
| 1. Easton Diversion Dam             | 11. Sunnyside Diversion Dam              |
| 2. Westside Canal Diversion         | 12. Snipes/Allen Diversion               |
| 3. Thorp Mill Diversion             | 13. Toppenish Creek Diversion            |
| 4. Town Diversion Dam               | 14. Marion Drain Diversion               |
| 5. Roza Diversion Dam               | 15. Toppenish Creek/Satus Unit Diversion |
| 6. Stevens Ditch Diversion          | 16. Satus Creek Diversion Dam            |
| 7. Naches/Cowiche Diversion         | 17. Prosser Diversion Dam                |
| 8. Roza Powerplant Wasteway         | 18. Horn Rapids Diversion Dam            |
| 9. Wapato Diversion Dam             | 19. Wapatox Diversion Dam                |
| 10. Old Reservation Canal Diversion | 20. Taneum Diversion Dam                 |

WOULD YOU LIKE TO RECEIVE  
THE ENVIRONMENTAL ASSESSMENT  
WHEN IT HAS BEEN PREPARED?

IF SO - PLEASE COMPLETE THE FOLLOWING AND FOLD THIS PAGE WITH THE BUREAU  
MAILING ADDRESS SHOWING, TAPE EDGE, AND MAIL.

Please send a copy of the Environmental Assessment on the proposed Yakima  
River Basin Fish Passage and Protective Facilities Program to:

Name \_\_\_\_\_  
Street Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

---

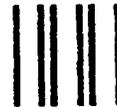
REMARKS

If you wish, you may use the remaining spaces below to provide any  
comments or present any environmental issues you feel should be  
considered.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
Pacific Northwest Regional Office  
Federal Building & U. S. Courthouse  
Box 043 - 550 West Fort Street  
Boise, Idaho 83724

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300



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INT 420

Regional Director, Attn: 150  
Pacific Northwest Region  
Bureau of Reclamation  
Box 043 - 550 West Fort Street  
Boise, ID 83724



Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

In reply refer to: SJ

November 8, 1983

Mr. Douglas J. James  
Acting Regional Environmental Officer, PN 150  
Bureau of Reclamation  
P.O. Box 043  
Boise, Idaho 82724

Dear Doug:

Consequent to your meeting of October 25, 1983, concerning the proposed Yakima River Basin Fish Passage and Protective Facility Program, we request that Bonneville Power Administration (BPA), U.S. Department of Energy, be designated a cooperating agency for the environmental assessment (EA) the Bureau of Reclamation is preparing on this program.

Because BPA has jurisdiction by law with respect to the proposed program, our interest is for the EA to satisfy BPA's independent obligation to comply with the National Environmental Policy Act and the implementing regulations as well as other Federal environmental review laws. To this result we pledge BPA assistance in preparing the EA.

Mr. John B. Pynch, Environmental Coordinator for BPA's Office of Power and Resources Management, will serve as the focal point for BPA participation in this EA. In the near future he will provide you with BPA's contribution to the mailing list for the notice of intent to prepare the EA. We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony R. Morrell".

Anthony R. Morrell  
Environmental Manager

TMcKinney (WP-SJ-25660)

cc:

H. Oetken - EV  
J. Normandeau - OD  
J. McLennan - PG  
J. Pynch - PGC  
T. Clune - PJ  
J. Palensky - PJ  
M. Knapp - PJS  
Official File - SJ



# United States Department of the Interior

BUREAU OF RECLAMATION  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043 - 550 WEST FORT STREET  
BOISE, IDAHO 83724 - 0430

IN REPLY  
REFER TO: PN 730  
123.

Pyrch  
McLennan  
Luce  
Normandeau  
Clune

OCT 19 1983

## Memorandum

To: Area Director, Bureau of Indian Affairs, Portland, Oregon

From: Regional Director, Boise, Idaho

Subject: Request for Approval to Accomplish Predesign Work for Fishway Improvements on Facilities Administered by the Bureau of Indian Affairs (Wapato Indian Project)

The improvement of fish passage and protective works in the Yakima River basin is a priority project in the Northwest Power Planning Council's Fish and Wildlife Program. Representatives of the Yakima Indian Nation and Bureau of Indian Affairs have had a direct interest in the development of the improvement program.

The Bonneville Power Administration has asked the Bureau of Reclamation to accomplish predesign work for several fish passage and protective facility improvements during fiscal year 1984. Six of the facilities at which fishway improvements are planned are within jurisdiction of the Bureau of Indian Affairs. These include Wapato Diversion Dam, Toppenish Creek/Satus Unit Diversion, Old Reservation Canal, Satus Creek Diversion, Toppenish Creek Diversion, and Marion Drain Diversion.

The predesign work that we have been requested to accomplish includes preliminary engineering design and cost estimating for proposed fish ladders, screens, and other fishway needs; analysis and preparation of appropriate documents to satisfy the requirements of the National Environmental Policy Act; identification of potential arrangements for continuing operation and maintenance of the improvements; identification of Federal, state, or local governmental permits which will be required before construction can proceed; and endorsement of the planned facilities by the affected parties.

We are requesting your approval to proceed with the described predesign work on the six facilities under your agency's jurisdiction. With your approval, we will discuss specific work items with the appropriate regional and field representatives of your staff so that they will be fully aware of our activities and be able to participate to the extent they feel necessary. In this regard, we would appreciate it if you would designate the appropriate contacts for your agency. We have briefly discussed our request with August Mueller.

We have an extremely short time frame within which to accomplish predesign work and would appreciate receiving your approval by November 1, 1983. If you would like to discuss our request further or if you have questions, please call Larry Vinsonhaler, Regional Planning Officer, in Boise, FTS 554-1773.

Sincerely yours,



Regional Director

- cc: August Mueller, Area General Engineer, Bureau of Indian Affairs,  
P.O. Box 3785, Portland, Oregon  
William Yallup; Chairman; Fish, Wildlife, and Law and Order Committee;  
Yakima Indian Nation; P.O. Box 151; Toppenish, Washington  
Janet Chrisman, Fish and Wildlife Director, Northwest Power Planning  
Council, 700 NW Taylor Street, Suite 200, Portland, Oregon  
Lou Hildebrand, Wapato Irrigation Project, Box 220, Wapato, Washington
- bc: Herb Oetken, Bonneville Power Administration, P.O. Box 3621,  
Portland, Oregon  

---

Glen Fiedler, Washington Department of Ecology, Mail Stop PV-11,  
Olympia, Washington  
Project Superintendent, Yakima, Washington  
RO 100, 105, 140, 200, 700, 701, 720, 730, 760, 780,

DATE : October 13, 1983

In reply  
refer to : PJS

UNITED STATES GOVERNMENT

# Memorandum

TO : John Palensky, Director  
Division of Fish and Wildlife - PJ

FROM : Greg Drais, Chief *skog*  
Biological Studies Branch - PJS

SUBJECT: Designation of Division's Yakima Basin Project Manager

On September 28, 1983, the Administrator announced the detail of Herb Oetken, Assistant Director of the Division of Land Resources, to serve as Special Yakima Basin Project Coordinator (memo attached). In the September 28 memo, it was indicated that Mr. Oetken, while reporting to the Assistant Power Manager for Natural Resources and Public Services, would work closely with the Division of Fish and Wildlife. In order to facilitate the interchange of information between Mr. Oetken and the Division, I am designating Tom Clune, Program Analyst for the Biological Studies Branch, project manager for Division Yakima Basin activity.

Mr. Clune brings substantial contract and procurement skills to the Yakima Basin activity. He is familiar with the Basin as a result of his involvement in developing an agreement for transferring funds to the Bureau of Reclamation for predesign activities. Mr. Clune has also been in contact with the City of Yakima regarding their Naches-Cowiche project, which may be one of the first Yakima Basin projects to be constructed. Mr. Clune also brings his experience as Contract Officer's Technical Representative, on numerous Division of Fish and Wildlife funding activities, to the Yakima Basin activity.

As a first step in his role as project manager, I have requested Mr. Clune meet with Mr. Oetken to begin coordination of their efforts. In the future I would envision all Division contacts with Mr. Oetken and all information requests from Mr. Oetken to be channeled through Mr. Clune. The centralizing of responsibility for Yakima Basin projects, first with Mr. Oetken, and now with Mr. Clune, should do much to facilitate the orderly development of a Yakima Basin funding program and the ultimate transfer of ratepayer's funds to accomplish this program.

Attachment

GEDrais:nu (WP-PJS-2284N)

cc:

J. Luce - APP

M. Katz - AR

J. Normandeau - OD

J. McLennan - PG

H. Oetken - PG

J. Pyrch - PGC

~~T. Clune - PJS~~

M. Knapp/T. Vogel - PJS

Official file - PJS

DATE : PG

UNITED STATES GOVERNMENT

In reply  
refer to : September 28, 1983

# Memorandum

TO : Assistant Administrators - D, E, K, O, P, S  
Assistants to the Administrator - AC, AD, AG, AH, AK, AL, AP, AR,

FROM : Peter Johnson, Administrator - A

SUBJECT: Establishment of the Yakima Basin Projects Coordinator

I am happy to announce the detail of Herb Oetken, Assistant Director of the Division of Land Resources, in the Office of Engineering and Conservation, to Power and Resources Management for the purpose of serving from October 1, 1983 until February 1, 1984 as BPA's Special Yakima Basin Projects Coordinator.

As Coordinator, Mr. Oetken will report to the Assistant Power Manager for Natural Resources and Public Services, and will work closely with the Fish and Wildlife Division and the Office of General Counsel on all aspects of the Yakima Basin Fish and Wildlife Enhancement effort.

The Fish Passage Enhancement effort in the Yakima Basin is a cornerstone of the Regional Council's Fish and Wildlife Program. Perhaps no where else in the region does a better opportunity exist to improve dramatically the returning runs of anadromous fish. But in almost no other situation are the institutional arrangements as complex, the number of players as numerous, the historical relationships more important.

Affected interests include the Yakima Indian Nation, the State of Washington Departments of Ecology and Fisheries, the City of Yakima, thirty or more state irrigation districts, the United States Bureaus of Reclamation and Indian Affairs, the National Marine Fisheries Service and many individuals owning land in the area.

After several month's work with all interests, it has become apparent that appointment of a BPA Projects Coordinator would expedite implementation by sharing with all participants a growing amount of complex information; analyzing the tasks to be done; and assuring agreement and timely performance by all parties.

As coordinator it will be Mr. Oetken's duty to define the scope of the effort, the roles of all affected individuals and institutions, and the component actions to be undertaken by each, including BPA. He will also identify the level of detailed analysis required to track speedy and sequential completion of all necessary actions. In this effort he will acquaint himself with all participating entities in order that he may produce a comprehensive and detailed plan to which all parties may subscribe to assure prompt design and construction of the facility improvements.

The Yakima Basin Enhancement Project provides an opportunity for BPA to provide leadership through utilization of its special organizational competences. BPA has demonstrated abilities to coordinate complex and multifaceted engineering and construction efforts such as the Yakima Enhancement Project, to describe activities and tasks, and to develop and track the optimum schedule which is critical to the overall success of any venture. Through the talents of Mr. Oetken and others at BPA he may call upon, BPA intends to add unique value to the many activities now underway or soon to be initiated by all entities involved in this important project.

cc:

J. Frick - EH

H. Oetken - EV

J. Luce - APP

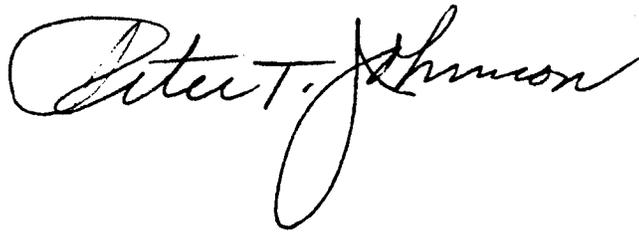
M. Katz - AR

J. Palensky - PJ

G. Drais - PK

Admin. Chron. File - A

JMcLennan:bp (WP-PG-1631F)

A handwritten signature in black ink, reading "Peter T. Johnson". The signature is written in a cursive style with a large, looping initial "P".



# United States Department of the Interior

BUREAU OF RECLAMATION  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043 - 550 WEST FORT STREET  
BOISE, IDAHO 83724 - 0430

IN REPLY  
REFER TO: PN 700  
123.-

OCT 13 1983

The Bonneville Power Administration has asked the Bureau of Reclamation to accomplish predesign work for several fish passage and protective facility improvements in the Yakima River basin during fiscal year 1984. These improvements are included in the Northwest Power Planning Council's Fish and Wildlife Program. Specifically, those improvements scheduled for predesign work this fiscal year are Wapato Diversion Dam, Toppenish Creek/Satus Unit Diversion, Sunnyside Diversion Dam, Old Reservation Canal, Easton Diversion Dam, Roza Diversion Dam, Roza Powerplant wastewater, and Prosser Diversion Dam. Predesign work on the first four listed facilities must be completed by February 1984. The other four are scheduled for completion by October 1984.

As an initial step in implementing the predesign work, we would like to meet with an appropriate representative of your agency to review necessary activities and to agree on arrangements for coordination and the extent of participation among the various Federal, State, tribal, and other groups with specific responsibility for or direct interest in the Yakima basin fishery. We visualize this initial discussion as a general overview of the work ahead and a clear determination of roles and responsibilities of others in assisting the Bureau of Reclamation in this effort. Hopefully, one or two individuals from each agency with technical expertise in the design and operation of fish ladders and screens could then be assigned to work with our technical people in accomplishment of the predesign activities. At this time we will be concentrating our efforts on the predesign work for the four facilities which are to be completed by February 1984.

We have scheduled the initial meeting to be held in Portland on October 25 at 1 p.m. The meeting will be held in room 10A at the Lloyd Center Tower, 825 NE. Multnomah, Portland, Oregon and should not last more than 2 hours. Following this initial meeting, we propose that the designated participants meet in Yakima around the end of October to make a field inspection of the facilities and to scope out specific work activities.

This program is critically important to the initiation of long-awaited fish facility improvements in the Yakima basin. We would appreciate your cooperation in the predesign effort. Would you please confirm attendance of a representative of your office at the October 25 meeting with Larry Vinsonhaler, telephone number (208) 334-1773 (FTS 554-1773) at your earliest convenience.

Sincerely yours,

(CJD) L. W. Lloyd

Regional Director

Identical letters to: See attached list.

Robert Gerke, Assistant Chief  
Habitat Management Division  
Washington Department of Fisheries  
115 General Administration Bldg.  
Olympia, Washington 98504

William Yallup, Chairman  
Fish, Wildlife, and Law and Order Committee  
Yakima Indian Nation  
P.O. Box 151  
Toppenish, Washington 98948

Tim Wapato, Executive Director  
Columbia River Inter-Tribal Fish Commission  
2705 E. Burnside Street, Suite 114  
Portland, Oregon 97214

Walter Larrick, Fish Biologist  
Roza Irrigation District  
P.O. Box 810  
Sunnyside, Washington 98944

Janet Chrisman, Fish & Wildlife Director  
Northwest Power Planning Council  
700 NW. Taylor Street, Suite 200  
Portland, Oregon 97205

Dale Evans, Chief  
Environmental and Technical Services Branch  
National Marine Fisheries Service  
847 NE. 19th Avenue, Suite 350  
Portland, Oregon 97732

Charles Dunn, Field Supervisor  
U.S. Fish and Wildlife Service  
2625 Parkmont Lane SW., Bldg. B-3  
Olympia, Washington 98502

James Trull, Secretary-Manager  
Sunnyside Valley Irrigation District  
P.O. Box 239  
Sunnyside, Washington 98944

August Mueller, Area General Engineer  
Branch of Land Services  
Bureau of Indian Affairs  
P.O. Box 3785  
Portland, Oregon 97208

Jim Cummins  
Regional Fish Biologist  
Washington Department of Game  
2802 Fruitvale Blvd.  
Yakima, Washington 98902

Herb Oetken  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Lou Hildebrand  
Wapato Irrigation Project  
Box 220  
Wapato, Washington 98951

Glen Fiedler  
Washington Department of Ecology  
Mail Stop PV-11  
Olympia, Washington 98504

bc: Project Superintendent,  
Yakima, Washington  
RO 100, 105, 150, 200, 720,  
730, 760, 780, 140



# United States Department of the Interior

BUREAU OF RECLAMATION  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043 - 550 WEST FORT STREET  
BOISE, IDAHO 83724 - 0430

cc: J. Kelly  
T. Clune  
H. Oetken  
J. Luce  
J. Palensky

IN REPLY  
REFER TO: PN 734  
123.-

OCT 11 1983

Ms. Janet McLennan  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Dear Ms. McLennan:

This letter is to provide additional information on needed predesign activities for fish passage and protective facilities in the Yakima River basin, Washington.

The Columbia Irrigation District (Columbia I.D.) has been granted a Small Reclamation Projects Act (Public Law 84-984) loan through the Bureau of Reclamation to improve its conveyance and distribution system. Concurrent with this effort, the Washington Department of Ecology (WDOE) made a commitment to fund the needed fish passage and protective measures at Horn Rapids Diversion Dam using State Referendum 38 moneys.

It has recently come to our attention that WDOE will not be able to fund design and construction of all the fish facility improvements recommended for the Horn Rapids diversion structure. Fred Crase of my staff attended a meeting in Pasco on September 26, 1983, to discuss the proposed facility improvements at Horn Rapids. It was learned that WDOE would fund design and construction of the two fish ladders on the diversion dam and the screening facility improvements on the Columbia I.D. Canal. However, WDOE will not be funding the screen improvements recommended for the Richland Canal because these facilities are privately owned, and Referendum 38 funds cannot be used on privately owned facilities.

We believe that it is important to the overall success of the Yakima fish enhancement program that all of the recommended screen improvements be implemented. In the absence of WDOE funding, would you please consider Bonneville's capability to provide funding for the Richland Canal screen improvements. A firm cost estimate for the needed improvements is not yet available but we estimate that the investigation, design, and construction costs would not exceed \$100,000.

Implementation of the Richland Canal screen improvements should coincide with the schedule for implementation of the fish ladders on the diversion dam and Columbia I.D. canal screens. The tentative schedule presented at the Pasco meeting is:

1. WDOE contract with Columbia I.D., for design and construction of the two fish ladders and Columbia I.D. canal improvements by end of October 1983.
2. Complete design field work during fall of 1983.
3. Complete designs and specifications by summer of 1984.
4. Initiate construction in the fall of 1984.

We recognize that Federal procurement regulations and budgeting procedures may make it difficult to meet such a time frame, but we would appreciate your consideration of the concept. NEPA compliance and arrangements for operations and maintenance would be completed before construction begins.

We would appreciate your thoughts on possible Bonneville funding of the Richland Canal fish screen improvements. Please contact Larry Vinsonhaler, Regional Planning Officer at (FTS) 554-1773 if you have any questions.

Sincerely yours

**JOHN W. KEYS III**

**ACTING** Regional Director

cc: George Krill, WDOE  
John Easterbrook, WDF  
Steve Rainey, NMFS  
Lynn Hatcher, YIN  
Mike Stemple, FWS  
Janet McLennan, BPA  
Herb Oetken, BPA

I. J. Sunford, Secretary-Manager  
Columbia Irrigation District  
10 East Kennewick Avenue  
Kennewick, Washington 99336

# NORTHWEST POWER PLANNING COUNCIL

DANIEL J. EVANS  
Chairman  
Washington

Charles Collins  
Washington

Keith Colbo  
Montana

Ceroid Mueller  
Montana

SUITE 200 • 700 S.W. TAYLOR STREET  
PORTLAND, OREGON 97205 • (503) 222-5161

Toll free number for Idaho, Montana & Washington: 1-800-222-3355  
Toll free number for Oregon: 1-800-452-2324

Robert (Bob) Savvik  
Vice-Chairman  
Idaho

W. Larry Mills  
Idaho

Alfred A. Hampson  
Oregon

Roy Hemmingway  
Oregon

October 7, 1983

cc: J. Kelly  
G. Drais  
J. Luce

H. Oetken

*Pysch*

Senator James A. McClure  
Chairman, Committee on Energy  
and Natural Resources  
3121 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator McClure:

In a September 15 hearing of the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources, Keith Colbo of the Northwest Power Planning Council provided information on draft legislation related to construction of fish facilities in the Yakima River Basin. Mr. Colbo noted widespread interest in the legislation as the appropriate vehicle for removing potential impediments to restoration of fish runs in the Yakima Basin. He added that the Council planned a final round of discussions of the proposed bill with all interested parties and that it would report back on progress in those discussions.

The draft bill is designed to aid implementation of key measures in the Columbia River Basin Fish and Wildlife Program adopted by the Council pursuant to the Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839. It would do so by: 1) Authorizing the Secretary of the Interior to accept funds to implement fish passage measures throughout the Yakima Basin; 2) Authorizing the Bonneville Power Administration to transfer funds to the Secretary of the Interior to aid implementation of the passage measures; 3) Providing Bonneville and the ratepayers with credit against their repayment obligation to the Federal Treasury if they "over compensate" for hydropower-related fish and wildlife losses due to the Bonneville expenditure in the Yakima Basin; and 4) Providing the State of Washington and other contributors to funding of these measures with credit for their expenditures against any future obligations to share the costs of the proposed Yakima River Basin Water Enhancement Project.

After extensive discussion with representatives of all interested parties (including irrigation districts, utilities, fish and wildlife agencies, and the Yakima Indian Nation), I am pleased to report that there appears to be substantial agreement on nearly all provisions of the draft legislation. As a result, the Council has authorized me to transmit a copy of the draft bill for your consideration as an amendment to Senate Bill 1027 (related to the East Selah Reregulating Reservoir in the Yakima River Basin).

The attached draft includes three minor changes from the draft provided to the subcommittee on September 15. The words "at water projects" have been stricken from line 7 of section 2 because several parties were concerned that those words might appear to limit the range of fish facilities to be built. The construction aided by this legislation would include fish screens and passage facilities at a variety of projects, including irrigation canals and diversions. In section 3 at line 3, the words "for fiscal year 1984 and thereafter" have been deleted as superfluous. In section 6(a), the words "in the Yakima River Basin" have been inserted in the last line to make it clear that this legislation relates only to fish facilities in that basin.

Based on our consultations, it appears that the only part of the fish passage legislation which requires additional work is section 6, related to authorization of appropriations for the fish passage facilities. Brackets have been placed around section 6 in the draft to indicate that that section is still under discussion. The Council supports the balance of the draft bill as written and will work with concerned parties toward a prompt resolution of questions related to section 6. The Council previously has stated its expectations with respect to funding of the Yakima fish passage facilities, as noted at pages 7-9 of the background report (attached). The Council has not opposed authorization of appropriations to assist in the funding of the fish passage facilities. It has requested the Bonneville Power Administration to plan to fund fish passage measures in the Yakima River Basin unless appropriations or other funds are available for those measures.<sup>1</sup>

The attached background report is the same as the one which Mr. Colbo provided to the subcommittee on September 15. If we can provide you with further information or clarification of the intent of the draft bill, please let us know. We are confident that we will be able to advise you of resolution of section 6 issues in the near future.

Sincerely,



Edward Sheets  
Executive Director

Attachments

cc w/attachments: Committee Members  
Congressman Sid Morrison

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<sup>1</sup>Letter from Northwest Power Planning Council to the Bonneville Power Administration (July 29, 1983).

Similar letters have been sent to:

Senator James A. McClure  
Chairman, Committee on Energy  
and Natural Resources  
3121 Dirksen Senate Office Building  
Washington, D.C. 20510

Senator Donald L. Nickles  
Chairman, Subcommittee on Water and Power  
Committee on Energy and Natural Resources  
6321 Dirksen Senate Office Building  
Washington, D.C. 20510

Senator Daniel J. Evans  
Committee on Energy  
and Natural Resources  
711 Hart Senate Office Building  
Washington, D.C. 20501

Senator Mark O. Hatfield  
Chairman, Committee on Appropriations  
463 Russell Senate Office Building  
Washington, D.C. 20510

Senator John Melcher  
Committee on Energy and  
Natural Resources  
1123 Dirksen Senate Office Building  
Washington, D.C. 20510

Senator Slade Gorton  
3327 Dirksen Senate Office Building  
Washington, D.C. 20510

Mr. Chairman:

I move that the Executive Director of the Council transmit the draft Yakima Basin amendments to S 1027 to Congress as presented to us today by Jan Chrisman.

The Council notes substantial progress in discussions and that apparent agreement exists in the Region on all aspects of the bill with the exception of Section 6. The Council supports the balance of the bill and reaffirms the position taken by the Council during the recent BPA rate case as to the issues presented by Section 6. The Council will work with the concerned parties to achieve a final, timely regional agreement on Section 6.

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# PNUCC

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## PACIFIC NORTHWEST UTILITIES CONFERENCE COMMITTEE

October 7, 1983

cc: Luce

~~Oetken~~ Pyrch

Kelly

Drais

Keith Colbo, Chairman  
Northwest Power Planning Council  
700 S.W. Taylor Street, Suite 200  
Portland, Oregon 97205

Dear Keith:

On August 10, in Yakima, the Council expressed its concern that the Yakima Enhancement measures in the Fish & Wildlife Program would be unnecessarily delayed. PNUCC representatives responded, by offering to look at ways of accelerating the engineering and design phase of the Yakima proposals while legislative and cost-sharing efforts continue.

The PNUCC Fish & Wildlife Committee reviewed the status of the Yakima projects and proposed that PNUCC support acceleration of lower Yakima River projects. This would involve BPA funding in FY 84 and FY 85 of pre-engineering, environmental assessment, and engineering design costs for the Sunnyside, Wapato and Roza projects and BPA funding of the construction costs of the City of Yakima's Naches/Cowiche project. BPA expenditures for this phase would be approximately \$3 million. PNUCC also supports the Bureau of Reclamation's complementary funding of fisheries facilities at the Prosser project and the state of Washington's funding of fisheries facilities at the Horn Rapids project.

Acceleration of lower Yakima River projects makes sense from a biological standpoint and is consistent with the Council's express policy to solve lower river passage problems first. Consequently, the Easton project, although a priority 5 in the Council's schedule, was not recommended for acceleration because it is an upper river project. However, immediate funding of the Naches/Cowiche project was recommended because construction is ready to begin, and because the funding of engineering design by the City of Yakima reflects the type of cost-sharing approach that PNUCC supports.

The PNUCC Executive Committee approved this proposal for accelerated funding, and supports further funding for the completion of these projects using BPA funds, as appropriate, but only in accordance with the following principles:

1. BPA direct funding of an accelerated program for the lower Yakima will not be a substitute for the obligations of other parties as provided by the Northwest Power Act, in Section 4 (h) (10) (A).
2. To the extent practicable, BPA will utilize FY 84 and FY 85 Fish and Wildlife funds provided in the current rate case to assist in the accelerated Yakima funding program. This would shift funds to the Yakima program from present study programs, as appropriate. Shifting of funds and any other Yakima program financing by BPA would be accomplished pursuant to the provisions of the Federal Columbia River Transmission System Act and the Northwest Power Act.

Keith Colbo  
October 7, 1983  
Page 2

3. A written, joint policy statement or memorandum of understanding will be developed between BPA and the Power Planning Council and with the active participation of BPA customers. This statement must clearly define: (1) fish goals; (2) BPA and utility responsibility for mitigation of fish and wildlife impacts on the Columbia system due to hydroelectric development; and, (3) the mechanisms for crediting the use of BPA funds as off-site enhancement against these mitigation obligations.

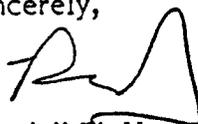
The PNUCC is particularly concerned that the fish goals, the assessment of BPA and utility responsibility for fish losses attributable to hydroelectric development in the Columbia River Basin, and a mechanism for crediting enhancement expenditures be in place before actual construction begins at these lower Yakima River projects. There is little chance of continued PNUCC support of accelerated funding for the construction of these projects if this is not accomplished.

We request that the Council and BPA set a deadline for development of a joint policy statement or memorandum of understanding to cover all projects in the Columbia Basin. This task could be achieved on a timely basis and would not be inconsistent with the provisions of the Fish and Wildlife Program or the Northwest Power Act. Studies to determine fish losses attributable to operation and development of the Columbia River hydroelectric system and studies to develop fish goals (Fish and Wildlife Program Section 200) will soon be underway. It is reasonable to expect that a mechanism for crediting off-site enhancement be in place prior to the construction of major projects on the Yakima or any other projects proposed for the Columbia River Basin.

The PNUCC will work with the Council, BPA, USBR, the state of Washington, the fisheries agencies, the Yakima tribe, and the irrigation districts to obtain necessary legislation, appropriations, and agreements to assure equitable cost sharing and participation by all affected parties.

We continue to support the Yakima Enhancement Program and believe that the Yakima presents a good "test case" for the enhancement provisions included in the Northwest Power Act.

Sincerely,



Randall W. Hardy  
Executive Director

PB:lp:142K

cc: Peter Johnson/BPA



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Yakima

In reply refer to: PG

SEP 29 1983

Mr. Keith Colbo, Chairman  
Fish and Wildlife Committee  
Northwest Power Planning Council  
Capitol Station  
Helena, Montana 59620

Dear Keith:

Wednesday of last week I received from Mr. Curt Marshall the August 30 schedule mentioned at your Seattle meeting, September 7, 1983. We note that reference was not made in the schedule to the letter and prospective timetable provided Ms. Boeckman of your staff by L.W. Lloyd, Regional Director of the Bureau of Reclamation (a copy of which is attached). We believe this schedule provides additional insight respecting the time required to complete the **Yakima fishery enhancement projects.**

In response to your concerns expressed in Washington, D.C., and in Boise, let me comment briefly respecting the "critical path" elements which I believe will govern the point at which BPA may "decide" to fund design and fund initiation of construction under sound business principles and other applicable law.

As a Federal agency, BPA cannot make "decisions" prior to satisfaction of the National Environmental Policy Act (NEPA) by production of the appropriate document, either a Finding of No Significant Impact (FONSI), or an Environmental Impact Statement. Prior to that time we are at the stage of considering a "proposal." In order to make decisions respecting BPA participation in funding the Yakima Basin fish and wildlife enhancement projects, BPA has commissioned the Bureau of Reclamation (Bureau) to prepare an appropriate NEPA document. We hope this will be a FONSI, based upon an environmental assessment respecting all the fish and wildlife projects that might require Federal funding or other involvement in the Yakima Basin. Mr. Lloyd's letter indicates that the Bureau can complete such work for Sunnyside, Wapato, Toppenish/Satus and Old Reservation Canal in about 5 months.

Most of the facilities to which fish passage improvements will be made in the Yakima Basin are federally owned, and several of them require improvements which will cost more than a million dollars and will have a useful life of more than 15 years. Congressional sanction of one kind or another will be required as outlined below. Congressional committees reviewing such proposals will likely want definitive cost estimates for those improvements, and may

want to know that there is agreement among all the affected parties on the improvement to be undertaken. BPA is most concerned that this information be available for Sunnyside, Wapato and Toppenish/Satus facility improvements by the time we seek approval at our budget hearings in late February to make expenditures from the BPA fund for this purpose. Accordingly, BPA has also asked the Bureau to undertake additional predesign work and prepare a report on the proposals which will include reasonably detailed cost estimates and the endorsement of all affected parties.

In the case of facilities not owned by the Bureau, not only will the consent of the owner be required before the improvement can be undertaken, but sound business principles dictate that the improvement be properly operated and maintained. To provide BPA this assurance, the Bureau will in its report outline potential arrangements for continuing operation and maintenance. Moreover, the proposed legislative amendments you presented in Washington would give the Bureau authority to meet this responsibility, either by agreements with third parties, or with its own staff and appropriated funds. In the latter instance, Congress could make the determination that such appropriations were to be reimbursed by BPA.

BPA funding of the individual enhancement proposals would be subject to the availability of funds and dependent upon satisfaction of the following requisites:

Wapato and Toppenish/Satus (BIA)

Design: BPA may fund when NEPA is satisfied, and will consider the question of whether funding should be provided consistent with sound business principles prior to approval either of the expenditure of funds for the initiation of such construction by Act of Congress pursuant to procedures specified in Section 4(h)(10)(B) of the Regional Act, or of the special Yakima Basin fish passage enhancement legislation you have presented. By carbon of this letter, we request the Regional Solicitor to determine whether the Bureau of Indian Affairs concurs that design may proceed prior to congressional action.

Initiation of Construction: BPA may fund when approved by Congress as specified in Section 4(h)(10)(B), and arrangements are in place for continued operation and maintenance.

Satus, Toppenish, Marion, Old Reservation (BIA)

Design: BPA may fund when NEPA is satisfied, and will consider whether funding should be provided consistent with sound business principles prior to enactment of the special fish passage enhancement legislation if the project modifications are approved by the Bureau of Indian Affairs.

Initiation of Construction: BPA may fund after completion of design, and arrangements are in place for continued operation and maintenance.

### Sunnyside Diversion (Bureau)

Design: BPA may fund when NEPA is satisfied, and will consider the question of whether funding should be provided consistent with sound business principles prior to approval by Congress either as specified in Section 4(h)(10)(B), or in the special fish passage enhancement legislation.

Initiation of Construction: BPA may fund after completion of design and when approved by Congress as specified in Section 4(h)(10)(B). The Bureau has the responsibility presently for operation and maintenance of the Diversion Dam, and with the enactment of the proposed legislation will have specific authority to operate and maintain the proposed fish passage and protective measures.

### Easton (Bureau)

Design: BPA may fund when NEPA is satisfied, and when approved by Congress as specified in Section 4(h)(10)(B), or in the special fish passage legislation. However, unless improvement of this facility is included in the Bureau's 1985 budget, it is unlikely to warrant early expenditure of design money. Easton was not included in BPA's FY 1985 funding proposal because it was of lower priority than Sunnyside and BPA expected that the Bureau might be appropriated funds for this improvement.

Initiation of Construction: BPA may make expenditures from the BPA fund for this purpose after approval by Congress as specified in Section 4 (h)(10)(B). The Bureau has the responsibility for operation and maintenance of the Diversion Dam, and with the enactment of the proposed legislation will have specific authority to operate and maintain the proposed fish passage and protective measures.

### Prosser Diversion (FCRPS: Bureau)

Pre-design: the Bureau has refused BPA's offer of funding, and will use their own available funds, because Congress has already recognized a fishery purpose at Prosser. This fact makes any planning for fish enhancement purposes a Bureau responsibility "authorized or required" by law as provided in Section 4(h)(10)(A) of the Regional Act.

Design and Construction: the Bureau will be dependent upon congressional authorization and appropriation. Authorization might come as a result of the special fish passage enhancement legislation. Appropriation would likely be made in the Bureau's budget. BPA's participation would be in the form of repayment of the power benefit share unless Congress determines otherwise. The Bureau would have responsibility for operation and maintenance, and a portion of expenditures for those purposes would be reimbursed by BPA to the Treasury.

Roza Diversion and Roza Powerplant (FCRPS: Bureau)

Pre-design: BPA is funding in order that NEPA work and other necessary information gathering can be completed prior to the Bureau's FY 1985 budget hearings in the spring of 1984.

Design and Construction: the Bureau will be dependent upon congressional authorization and appropriation. Authorization might come as a result of the special fish passage enhancement legislation. Appropriation would likely be made in the Bureau's budget. BPA's participation would be in the form of repayment of the power benefit share unless Congress determines otherwise. The Bureau would have responsibility for operation and maintenance and a portion of expenditures for those purposes would be reimbursed by BPA to the Treasury.

Snipes/Allen, Town, Thorpe, Westside, Taneum, Stevens  
(non-federal irrigation districts)

Design: BPA may fund upon satisfaction of NEPA, agreement of owners, and after arrangements are in place to assure continuing operation and maintenance, provided construction and operation and maintenance are not otherwise authorized or required to be undertaken by the district.

Initiation of Construction: BPA may fund upon completion of design.

Horn Rapids (non-federal irrigation district)

Design and Construction: BPA understands ladders are being funded by the State of Washington Department of Ecology with bond proceeds available for fish passage improvements undertaken in conjunction with agricultural water supply improvements. DOE is working with Columbia Irrigation District and the Bureau on other details of the improvement.

Naches/Cowiche (City of Yakima)

Design: Has been completed by the City of Yakima.

Initiation of Construction: BPA may fund upon satisfaction of NEPA and after arrangements are in place for continuing operation and maintenance, provided Yakima is not otherwise authorized or required to fund the project, and money is not available from the State of Washington Department of Social and Health Services from bond proceeds available for fish passage improvements undertaken in conjunction with municipal water supply improvements.

Wapatox (PP&L)

Design and Construction: BPA understands that PP&L will fund.

BPA intends, by contracting with the Bureau for predesign work to obtain all information needed to hasten the project. We will begin this month the development of a detailed master plan and network analysis to identify the necessary activities, tasks, and appropriate roles of all the individuals and agencies involved. We hope by this means to foster understanding of all aspects of the effort, and a commitment by each to perform the tasks assigned. To the extent funds are available and necessary requisites are satisfied we anticipate funding design in 1984 of some priority projects.

Sincerely,



Janet W. McLennan  
Assistant Power Manager for Natural  
Resources and Public Services

cc:

Larry Vinsonhaler - Bureau of Reclamation  
John Spencer - Washington DOE  
Honorable Dan Evans - Senator  
Jan Chrisman - Northwest Power Planning Council  
Stanley Speaks - Bureau of Indian Affairs  
Tim Weaver - Yakima Indian Nation  
Gina Guy - Regional Solicitor, USDI  
Larry Hittle - PNUCC Representative

APR

September 28, 1983

Mr. Robert W. Saxvik, Vice-Chairman  
Northwest Power Planning Council  
Statehouse Mail  
Towers Building  
Boise, Idaho 83720

Dear Bob:

Subject: Letter of September 12, 1983 and Accompanying Questions

Your September 12, 1983, letter highlighted some of the background regarding the joint efforts of the Bonneville Power Administration (BPA) and the Northwest Power Planning Council (Council) to rehabilitate the Yakima River Basin for anadromous fish. These efforts include taking appropriate administrative action and participating in efforts to prepare legislation to authorize BPA's transfer of funds to the Bureau of Reclamation (Bureau) for design and construction of fish passage facilities at key dams and irrigation facilities.

Your letter also enclosed 22 questions regarding BPA's interpretation of its fish and wildlife authorities under the Pacific Northwest Electric Power Planning and Conservation Act (the Regional Act). BPA's responses to these questions are enclosed.

Questions regarding BPA's fish and wildlife authorities are pertinent. This is particularly so given the Council's September 15, 1983, advocacy of amendments to S. 1027 during hearings before the Water and Power Resources Subcommittee of the Senate Energy and Natural Resources Committee. We are pleased to answer the questions you have raised and are also forwarding our answers to those Congressional members who indicated the greatest interest in the pending legislation: Congressman Morrison, Senator Nichols, Senator McClure, and Senator Evans.

BPA willingness to work constructively toward a solution which will permit the Yakima project to proceed promptly should not be questioned. As we advised Keith Colko and Larry Mills during our September 23, 1983, meeting and tour of the proposed Yakima facilities, we are about to announce the appointment of a Yakima Basin Projects Coordinator, particularly to design a detailed master plan and task analysis to which all parties may subscribe.

Together let us use our resources to smooth the complex institutional arrangements involved in the project and facilitate development of consensus among the many groups interested in the Yakima. Our success will demonstrate not only the ability to construct a critical anadromous fish passage project, but also reflect the practical workability of the Regional Act's fishery provisions.

Sincerely,

(SIC) Peter T. Johnson

Administrator

enclosures

JCLuce:sb:lc (WP-APP-POWER-1738)

cc:

Rebecca Ransom - C of E  
 Gina Guy - Dept. of Int.  
 Ben Brooks - Bur. of Reclama.  
 Larry Vinsonhaler - Bur. of Reclama.  
 Adm. Chron. File - A  
 P. Johnson - A  
 R. Ratcliffe - A  
 J. Jura - A  
 R. Eiguren - AD  
 J. Robertson - AL  
 H. Spigal - AP  
 J. Alexander - APP  
 J. Cameron - APR  
 B. Brainard - APR  
 M. Katz - AR  
 Asst. Admin. - D, E, K, O, P, S  
 N. Pizza - DL  
 D. Byrnes - DLP  
 H. Oetken - EV  
J. McLennan - PG  
 J. Palensky - PJ  
 G. Drais - PJS  
 J. Kiley - SS  
 Official File - APP

RESPONSES TO THE PLANNING COUNCIL'S QUESTIONS  
REGARDING BONNEVILLE'S INTERPRETATION OF ITS  
FISH AND WILDLIFE AUTHORITIES AS BEARS ON THE

YAKIMA FISH ENHANCEMENT PROGRAM

1. Council Question

The Council has characterized the Yakima Basin measures of its Fish and Wildlife Program as off-site enhancement measures. Such measures are meant to compensate for fish and wildlife losses arising from the development and operation of hydroelectric facilities elsewhere on the Columbia River system. Is it the position of Bonneville that the Northwest Power Act and other laws provide sufficient authority for Bonneville to fund off-site enhancement measures? If Bonneville does not believe it has sufficient authority, please explain?

BPA Response

Yes, Bonneville believes that the Northwest Power Act and other laws provide sufficient authority to fund off-site mitigation measures. Section 4(h)(8)(A) of the Pacific Northwest Electric Power Planning and Conservation Act (Regional Act) provides:

"Enhancement measures may be used, in appropriate circumstances, as a means of achieving off-site protection and mitigation with respect to compensation for losses arising from the development and operation of the hydroelectric facilities of the Columbia River and its tributaries as a system."

Response 20 discusses whether off-site enhancement is appropriate at facilities with power-related purposes.

2. Council Question

Has Bonneville previously funded off-site enhancement measures? If so, what measures have been funded?

BPA Response

Yes, BPA has funded measures in the Fish and Wildlife Program which constitute enhancement (section 4(h)(8)(A)). Examples of such activities are found in measure 704(d)(1) and Tables 2-4 of the Program.

### 3. Council Question

Is it the position of Bonneville that it may pay capital costs for the construction of fish passage facilities? Please explain.

#### BPA Response:

Yes, Section 4(h) (10) (A) of the Regional Act requires the Administrator to use the Bonneville Power Administration fund and the authorities available to him under the Act and other laws to protect, mitigate, and enhance fish and wildlife. The Administrator necessarily has the power to fund capital costs for the construction of fish passage facilities in order to carry out this mandate. Section 4(h) (10) (B) of the Regional Act clearly indicates that Congress anticipated that the Administrator had this power when it required him to obtain specific approval by Act of Congress for capital fish facilities with an estimated cost of \$1,000,000 or more and an expected life of more than 15 years. This does not mean, however, that the Administrator may fund any capital fish facility construction. His authority is controlled by other provisions of the Regional Act as well as constraints placed on other entities with which he must cooperate before he expends funds. These constraints are discussed in conjunction with questions 7, 12, 19 and 20.

### 4. Council Question

Has Bonneville previously funded capital costs for the construction of fish passage facilities? If so, what facilities have been funded?

#### BPA Response

BPA has not directly funded capital costs for fish passage facilities. BPA repays costs associated with these facilities as part of its annual repayment to the Treasury for the power share of the investment at Federally-constructed hydroelectric facilities. Examples of such facilities are the juvenile salmon and steelhead bypass/collection facilities at Lower Granite, Little Goose, and McNary Dams; hatcheries built in conjunction with the Lower Snake River Compensation Plan; flip lids at lower Columbia dams to prevent nitrogen supersaturation; and recently constructed facilities at the second Bonneville powerhouse.

### 5. Council Question

Is it the position of Bonneville that it may pay for the pre-engineering work on the capital facilities for fish passage prior to congressional authorization and appropriation for those facilities? Please explain.

BPA Response

Yes, BPA may pay for pre-engineering work on capital fish facilities prior to congressional authorization and appropriation.

6. Council Question

If the answer to question 5 is yes, please describe the specific activities encompassed by the term "pre-engineering activities." Would pre-engineering activities include the survey and design work necessary to proceed with material acquisitions immediately following congressional approval?

BPA Response

The scope of "pre-engineering activities" ("pre-design" is a term which could be used interchangeably with "pre-engineering") depends on the issues raised by a specific project and the information needs regarding the project. In the case of the Yakima Basin projects on which the Bureau will be initiating work in FY 1984, the specific activities encompassed by the term "pre-engineering activities" comprise (1) preliminary engineering including what will be constructed and where, determination of general flow requirements, general configuration and layout, how it will be operated, the estimated construction and operation and maintenance costs, and data needs to prepare final designs and specifications; (2) the analysis and preparation of the appropriate NEPA document(s); (3) identification of potential arrangements for operation and maintenance of the improvements; (4) identification of all Federal, State and local government permits which may be required before construction and the analysis necessary to obtain such permits; and (5) a final report(s) on the proposed modifications which would include reasonably detailed cost estimates and the endorsement of the planned modifications by all the affected parties. [Sept. 2, 1983 letter to L. W. Lloyd, Bureau of Reclamation from Robert Ratcliffe, Acting Administrator (Lloyd letter) (attachment 1).] Survey and design work beyond the scope of the work necessary to make an informed go - no go decision is not included within the term "pre-engineering activities."

Council Question

7. Is it the position of Bonneville that it may not pay for any costs of capital facilities for fish passage beyond the pre-engineering stage without congressional authorization and appropriation for those facilities? Please explain.

BPA Response

No. Under certain circumstances, as explained below, BPA may pay the design costs for capital fish facilities without congressional authorization.

When congressional approval is required, there is a question of when it must be obtained. Breaking the process into four general steps is helpful in analyzing this problem. These steps are:

1. Idea
2. Pre-engineering (Preliminary engineering - NEPA)
3. Design
4. Construction

Congress can approve a measure early in the decision-making process. For example, Congress could approve the Yakima fish enhancement project prior to the initiation of pre-engineering work. Based on this authority BPA could proceed. This could occur with the passage of the proposed amendments to S. 1027. Additionally, Congress has already authorized capital fish facilities (provided they do not fall into the 15 year - \$1,000,000 category) allowing BPA to proceed through the entire process from idea through construction without further Congressional approval, presuming, of course, consent of the land or affected facility owner.

However, the present issue is not how early in the process Congress may approve a project, but how far the work may proceed before congressional approval must be obtained. Pre-engineering (which as a general rule includes preliminary engineering done in conjunction with NEPA work) provides the information necessary to make an informed decision. There is no question that this work may be done before congressional approval since it provides information useful to Congress in making its decision, and necessary for the agency to reaffirm its decision to propose the project.

Whether additional design work may also be undertaken before congressional approval is a separate question. The applicable statutes speak in terms of commencement of construction. Neither the Federal Columbia River Transmission System Act (FCRTSA) nor the Regional Act specifically require congressional approval before design work may be initiated. Section 4(h)(10)(B) of the Regional Act states:

[A]ny amounts ... for the construction of capital facilities ... shall be funded ... in accordance with the same procedures as major transmission facilities ....  
(emphasis added.)

FCRTSA sec. 4(d) states:

[n]or shall [the Administrator] commence construction of any transmission facility ... unless the expenditure of the funds for the initiation of such construction is specifically approved by Act of Congress. (emphasis added.)

While the statutes emphasize congressional approval of construction rather than actions which precede construction, common sense and sound business practices tend to define the circumstances when the Administrator will carry project development into the design phase without congressional action. BPA's policy is to keep Congress informed of its actions. Seeking congressional approval, when required, at an early stage of project development is one means of accomplishing this goal. The "sound and business-like manner" directive of the Regional Act may suggest no more expenditures prior to congressional action than are needed to permit Congress to make an informed decision. 16 U.S.C. 839f(b). On the other hand there may be circumstances where sound business practice permits design work to continue while awaiting approval as, for example, when the need is urgent and the risk of congressional rejection is low. Additionally, a capital fish facility with either an estimated life of 15 years or less or a cost of less than \$1,000,000 does not require congressional approval. 16 U.S.C. 839b(h) (10) (A).

In passing the Regional Act, Congress emphasized the urgent need to protect, mitigate and enhance fish and wildlife in the Columbia River Basin. The priority of the Fish and Wildlife Program was such that its adoption and implementation might precede the Regional Conservation and Power Plan of which it was to be a part. The Regional Act provides that:

the Council shall promptly develop and adopt . . . a program to protect, mitigate, and enhance fish and wildlife . . . . Section 4(h) (1) (A). (emphasis added.)

the Council shall adopt [the Fish and Wildlife Program] . . . within one year after the time provided for receipt of the recommendations. . . . Sec. 4(h) (9). (emphasis added.)

The House Report emphasizes the urgency in developing the fish and wildlife program.

Section 4(h) (1) (C) (vii) sets a time limit for the adoption of the program by the Council . . . . The intent is that the program may exist independently of the regional plan . . . . H. Rep. 976, Part 2, 96th Cong. 45 (1980). (emphasis added.) (Section 4(h) (1) (C) (viii) was enacted as section 4(h) (9) with changes not relevant to this discussion.)

[B]PA and others should not delay their implementation pending adoption of the plan . . . . H. Rep. 976, Part 1, 96th Cong. 57 (1980). (emphasis added.)

Thus, it may be argued that Congress' desire to mitigate previous damage to the fishery by power resources permits greater latitude in proceeding to design with capital fish facilities which exceed the 15 year - \$1,000,000

minimum. Each case will be evaluated on its merits. Section 9(b) of the Regional Act, which requires "timely implementation of [the] Act in a sound and business-like manner," also guides the Administrator in funding Fish and Wildlife Program measures including whether to conduct design work prior to congressional approval.

#### 8. Council Question

Do the answers to questions 5 through 7 change if the facility in question is a transmission facility, a power generation facility, or other capital facility not designed for fish passage? Please explain.

#### BPA Response

Major transmission facilities and 15 year - \$1,000,000 capital fish and wildlife facilities require congressional approval as described in Responses 3 and 7 above. Other projects, within BPA's authority, are included in the annual budget submitted to Congress but do not require specific congressional approval. 16 U.S.C. 838i(b). Design and construction of these other projects may proceed once the BPA budget has been reviewed by Congress pursuant to the process specified in Section 11(b) of the FCRTSA. 16 U.S.C. 838(i) (b).

#### 9. Council Question

Please describe the steps Bonneville must take prior to funding pre-engineering work on capital facilities. Which of those steps has Bonneville taken with respect to fish passage facilities for projects in the Yakima River Basin?

#### BPA Response

As a general proposition, using the contracting authority of section 4(g) (3) of the Regional Act and the Economy in Government Act (31 U.S.C. 1535), BPA must execute an agreement with the agency or other entity that would perform or oversee the work. In the case of the Yakima Basin projects, BPA will contract with the Bureau of Reclamation (Bureau) to complete the pre-engineering work for BPA. See, Lloyd letter.

#### 10. Council Question

Is it the position of Bonneville that it has authority to pay for operation and maintenance of capital facilities for fish passage? Please explain. If the answer to this question would be different for capital facilities not designed for fish passage, please explain the reason for the difference.

BPA Response

Yes, BPA has authority to pay for operation and maintenance costs for fish passage facilities. Payment could either be direct by using Regional Act 4(h) (10) (A) authority or indirect as reimbursement for the power share of operation and maintenance costs at FCRPS facilities. As with capital costs BPA funding must be consistent with sections 4(h) (8) (B), 4(h) (10) (A) and 4(h) (10) (C) of the Regional Act. Where another entity is responsible for a portion of the expenditures on a particular project, operation and maintenance may be a convenient dividing point for cost sharing.

However, BPA and the other agencies involved believe that it is more appropriate for the Department of the Interior (Bureau of Reclamation, Bureau of Indian Affairs, and/or U.S. Fish and Wildlife Service) to secure both authorization and annual appropriations for operation and maintenance of the fish passage and protective facilities. BPA believes that the owner/operator should assume some fiscal responsibility.

11. Council Question

Representatives of Bonneville have stated that there is a need for clear responsibility for operation and maintenance of fish passage facilities in the Yakima River Basin. Please explain, giving particular attention to whether Bonneville anticipates any problems in this area.

BPA Response

Clear obligations and authorities to carry out the operation and maintenance are important. Where the entity owning or operating the project is not responsible for operation and maintenance there must be an agreement or an easement which authorizes the operating and maintaining entity to enter the facility and perform its duties. At present part of the problem with the facilities in the Yakima Basin results from the lack of a clearly defined centralized authority to assure that the facilities are properly operated and maintained. Reliable long-term operation and maintenance must be assured. Without reasonable assurances that this work will be performed properly in the future, BPA might not satisfy its obligations under the Regional Act to protect, mitigate and enhance fish and wildlife, to assure an economical power supply to the Pacific Northwest, and to administer its responsibilities in a sound and business-like manner.

## 12. Council Question

With regard to off-site enhancement measures, capital costs for the construction of fish passage facilities, and operation and maintenance costs for fish passage facilities, is (sic) any of the following factors significant? If so, please explain.

- (a) Federal or non-Federal ownership;
- (b) Relationship of the project to the Federal Columbia River Power System; or
- (c) presence of pre-existing fish facilities.

### BPA Response

(a) Arrangements for fish facilities at Federal projects must be made with the owner agency. If fish facilities are authorized at the project, BPA funding without congressional approval raises an augmentation question. Under those circumstances the owner agency, the Bureau or the Corps, would not be permitted to accept the BPA funds. See, 31 U.S.C. 1301, 1347 and March 29, 1983, letter from Rebecca Ransom, Army COE to Janis Chrisman, Regional Council, (attachment 2). It is for this reason that the Bureau has declined BPA funding at Prosser, a FCRPS project. See September 22, 1983, letter from William Lloyd to Peter Johnson (attachment 3). Where fish facilities are not authorized at the project or otherwise required by law, if the owner agency agreed to accept BPA funds, and subject to any necessary congressional approval, BPA could proceed with funding. See also response 19 and attachment 4.

In the case of a non-Federal facility, agreement must be reached with the owner both for permission to construct the facility and to arrange for future operation and maintenance. In addition Regional Act section 4(h)(10)(A) limits BPA funding when the owner is "authorized or required" to construct the fish facility. In the State of Washington, water project operators are not required to replace fish facilities which were adequate at the time of installation. State Department of Fisheries v. Public Utility District No. 1 of Chelan County, 588 P.2d 1146 (Wa. S. Ct. 1979). There is, however, a question whether or not water projects with no fish facilities must install such facilities. RCW 75.20.040 and 75.20.060. If it is the project operator's obligation to install a fish facility, then without further authority BPA can not do so. Washington statutes raise similar questions about operation and maintenance. RCW 75.20.040, 75.20.060 and 75.20.061. While BPA would prefer not to issue a legal opinion on the status of Washington Law, it cannot ignore what appear to be the clear obligation of certain water project operators. Possible solutions to this dilemma include: a request for an opinion from the Washington Attorney General on this issue; specific congressional approval for projects which may conflict with the requirements of section 4(h)(10)(A); or funding these projects through another source, such as the State of Washington.

(b) For a discussion of the applicability of off-site enhancement measures to FCRPS facilities, see the Response to question 20. Otherwise, see subsection (a) this Response.

(c) See subsection (a) this response.

### 13. Council Question

Is it the position of Bonneville that Bonneville funding of all program measures in section 904(d) (1)-(4) of the Fish and Wildlife Program would exceed the amount of compensation necessary to mitigate fish and wildlife losses caused by development and operation of the Columbia River Basin hydropower system? If the answer to this question is no, what considerations will affect Bonneville's willingness to provide funds for up to the full cost of those measures?

#### BPA Response

BPA does not believe that measures in section 904(d)(1-4) of the fish and wildlife program exceed compensation necessary to mitigate losses of Columbia River Basin power dams. Considerations that affect BPA's ability to provide for up to the full cost of measures 904(d) (1)-(4) include: whether congressional approval, when required, has been or will be granted; whether the project being modified is a FCRPS facility which is managed under the authority of another federal entity; whether an already existing obligation requires the provision of fish passage facilities; and anti-augmentation statutes as they affect transfer of funds from one Federal agency to another. Another consideration implicit in this question is the need to establish program goals and an enhancement accounting procedure. While it is not likely that Yakima Basin enhancement measures will exceed the level of mitigation necessary to compensate for damage caused by hydro development, the law and sound business practice requires that specific enhancement actions be accounted for against other protection and mitigation obligations of the hydroelectric system. BPA will be initiating, in consultation with all parties, investigation of this issue in the near future. These considerations are more fully discussed in responses 7, 8, 12 and 20.

### 14. Council Question

What has Bonneville identified as the most appropriate method to fund the passage measures listed in section 904(d) (1)-(4) of the Fish and Wildlife Program? Please explain, including an explanation of the other methods available and why such method is the most appropriate.

BPA Response

BPA and the Bureau have agreed that the Bureau will provide management and coordination on BPA-funded Yakima Basin fish passage improvements. BPA has taken this approach because the Bureau is willing and capable of taking the lead in implementing the Yakima Basin improvements, and because the Bureau manages and operates several of the facilities slated for passage improvements. The Bureau has a long history of involvement in the basin, is knowledgeable of local conditions, and works closely with irrigation facility owners. Alternatives such as BPA or another entity taking the lead role are less desirable because of the Bureau's experience and capability in this area.

15. Council Question

Is the method described in response to question 14 also the fastest method to fund such passage measures? If it is not, why has a slower method been selected?

BPA Response

As a result of the Bureau's experience and capability, discussed in Response 14, an important advantage of the Bureau taking the lead in project management and coordination is more rapid implementation of the Yakima Basin improvements.

16. Council Question

Has Bonneville paid, or budgeted or otherwise provided, any funds to date for implementation of passage measures listed in section 904(d) (1)-(4)?

BPA Response

Yes, BPA has budgeted funds for several measures listed in section 904(d) (1)-(4). Activities for which pre-design work is budgeted in FY 1984 are identified in the Lloyd letter (attachment 1).

17. Council Question

It has been estimated that approximately \$3 million is needed to fund design activities for the Yakima Basin measures through FY 1984. Assuming Bonneville can make the \$3 million available, are there any limitations on Bonneville's ability to use these funds to finance design activities for the Yakima Basin measures? If such limitations exist, are they the result of statutory provisions or financial limitations imposed by the U.S. Government? If such limitations stem from another source, please explain. (Note: The word "design" was substituted for the word "pre-engineering" in a clarification of the original questions 17 and 18. Sept. 21, 1983 letter from Jim Fell to Jim Luce.)

BPA Response

Three million dollars is the total, estimated cost of pre-engineering and design of the eight highest priority fish passage projects in the Yakima River Basin: Prosser Diversion Dam, Roza Diversion Dam, Roza Power Plant Wasteway, Wapato Diversion Dam, Sunnyside Diversion Dam, Old Reservation Canal, Easton Diversion Dam, and Horn Rapids Diversion Dam. The Prosser, Roza Diversion Dam, Wapato, Sunnyside, and Easton project facilities each exceed the \$1,000,000 - 15 year requirement of section 4(h) (10) (B) of the Regional Act. Thus the requirements of 4(h) (10) (B) and section 9(b) of the Regional Act, as discussed in Response 7, apply. With the exception of the Horn Rapids Diversion Dam, the affected facilities are owned by either the Bureau of Reclamation or Bureau of Indian Affairs. Consequently, to those projects, the augmentation limitations discussed in Response 19 also apply. Satisfaction of NEPA must precede design for all fish passage improvements requiring BPA funds.

While every effort will be made to expeditiously initiate construction of the fish passage and protective measures, we do not want to convey the impression that final designs and specifications will be completed in fiscal year 1984. Preliminary information provided by the Bureau of Reclamation indicates that predesign activities could take about five months with preparation of final designs and specifications and award of a construction contract possibly requiring an additional eight months. We have requested the Bureau to expedite its predesign activities on Sunnyside, Old Reclamation Canal, Wapato and the Toppenish Creek/Satus Unit improvements so we can have information available by February 1984 for use at congressional hearings on our Fiscal Year 1985 budget. Hopefully, it will be possible to then begin the preparation of the final designs and specifications for some of these improvements while proceeding with predesign activities on the Easton and Roza Diversion Dams and the Roza Powerplant wasteway. \*

An early item of the predesign activities will be a scoping meeting with representatives of the various entities involved and the preparation of a detailed work schedule. X

Because fish passage is an authorized purpose of the Prosser Diversion Dam, the Bureau will be conducting similar pre-design work with its own resources. The Columbia Irrigation District, which is the owner/operator of Horn Rapids Diversion Dam, is pursuing improvements to its distribution system under the Small Reclamation Projects Act load program administered by the Bureau. As a part of this effort, the Washington Department of Ecology has tentatively agreed to fund the fish passage improvements at Horn Rapids Diversion Dam. This matter is currently being pursued by the Department of Ecology, the Columbia Irrigation District, and the Bureau. BPA has not programmed funds for Horn Rapids Diversion Dam.

### 18. Council Question

Do the Bonneville rate case proposal and the FY-84 budget include sufficient funds to provide the \$3 million estimated for design work on Yakima Basin measures through FY 1984? If such funds are not specifically provided for, are there general funds available that can be allocated to such purposes? If such general funds were reallocated to Yakima Basin measures, what other Bonneville programs might be affected, and how?

#### BPA Response

BPA has forecasted approximately \$21 million for fish and wildlife contracts in FY 1984. BPA possesses the flexibility to allocate these funds among program measures, subject to the limitations referred to in Response 17. Expenditures in the Yakima River Basin will affect other fish and wildlife programs in the manner described in attachment 4, entitled "Summary Overview of BPA's Budgeting and Funding Process for the Fish and Wildlife Program." BPA's budget does not include general, unallocated funds.

### 19. Council Question

The Economy in Government Act (31 USC 1535) authorizes federal agencies to contract with other federal agencies for necessary goods and services. Does this statute allow Bonneville to contract with other federal agencies for design of passage facilities? Has Bonneville used this authority to obtain similar services? How does this authority relate to the limitation on augmentation of appropriations?

#### BPA Response

Yes, Bonneville can use the Economy in Government Act (31 USC 1535) to contract with other Federal agencies for the design of fish passage facilities. This authority to contract is reaffirmed in section 4(g)(3) of the Regional Act. However that section also states the Administrator's authority to contract must be "in accordance with applicable law." Thus the Administrator may not make expenditures for work "authorized or required from other entities." Regional Act section 4(h)(10)(A). See also 16 Comp. Gen. 333 (1956). In addition, other Federal agencies may not have appropriations for their projects augmented by BPA. (See Ransom letter). For example, BPA could contract with the Bureau for fish facilities at a non-Federal dam or a Federal irrigation dam like Easton without authorized fish facilities, but could not do so at a Bureau dam like Prosser where fish facilities are authorized. See also Response 12. Where the Bureau has no responsibility for fish facilities it is merely contracting with BPA so that BPA may carry out its obligations. At Prosser, BPA would be providing funds which the Bureau can only obtain from Congress. A congressional appropriation or approval of the augmentation is necessary. Accordingly the Bureau is presently funding the preliminary work at Prosser out of available funds. See, Bureau of Reclamation letter of September 22, 1983 (attachment 3). See, also, however, attachment 4 explaining the limited circumstances where BPA would consider tempering this general rule.

BPA has used the Economy Act authority to contract for fish and wildlife services. BPA has funded the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to conduct fish and wildlife research. As another example, BPA is negotiating with Army Corps of Engineers to undertake channel modifications in the Umatilla River. BPA will use the Economy Act in the Yakima project to contract with the Bureau for predesign work as described in the Lloyd letter. (See, attachment 1).

#### 20. Council Question

Is it the position of Bonneville that it is prohibited by law from funding a greater share of off-site mitigation measure than the share of the original costs allocated to hydropower? If Bonneville has regarded this as an obstacle in the past, does the Northwest Power Act (e.g., sections 4(h) (8) (A) and 4(h) (10) (C) overcome this problem.

#### BPA Response

Bonneville's position regarding "off-site enhancement" is that (1) in the case of Federal Columbia River Power system (FCRPS) projects, the appropriate allocation of benefits, between power and other project purposes (irrigation, recreation, navigation, flood control, etc.) have been allocated in accordance with statutory directives and (2) this allocation directive is reaffirmed in the Regional Act. This places a ceiling on BPA contributions for FCRPS projects.

Within this context, it should be realized that the term "off-site" enhancement is not appropriate when discussing FCRPS projects. However, BPA has the authority to assist other Federal agencies responsible for the construction, operation, and maintenance of hydro projects to assure timely funding and completion of those fish improvements for which they are responsible, but has no authority without specific direction of Congress to replace these agencies' obligations to budget and request appropriations. See also Response 12 and attachment 4.

#### 21. Council Question

The Council has received a proposal from the City of Yakima for construction of fish passage facilities at the Naches-Cowiche Project (see attachment A). That proposal requests that Bonneville fund construction of this enhancement facility as part of the Fish and Wildlife Program. The City of Yakima has recently informed the Council that it will ask Bonneville to provide \$118,000 for the project. Does Bonneville have authority to provide such funds? If so, what steps must be taken before such funds may be made available? Of those steps, which ones have been taken, and which steps are under way? What considerations will affect Bonneville's decision on this request?

BPA Response

The question of whether BPA has authority to fund construction of fish passage facilities at the City of Yakima's Naches-Cowiche Dam is under consideration. BPA has initiated action to become more informed on the City of Yakima proposal. We recently requested copies of all information available on the project from appropriate city officials. In order to speed our review process we have asked the City of Yakima to identify contact points for questions on environmental review, permitting and budgeting information. One statutory question that needs to be addressed before the authority question can be answered stems from the Regional Act section 4(h) (10) (A) directive that BPA expenditures are not to be "in lieu of other expenditures ... authorized or required from other entities ...." See, Response 12(a).

For BPA to fund the proposal, an environmental analysis suitable for compliance with the NEPA will be required. At this time, we are uncertain if such an analysis has been undertaken. BPA will also have to determine if all Federal, State, and local permits have been secured; if fish passage designs have been reviewed and approved by the appropriate Federal or State fishery management agencies; and that requested funding levels are adequately supported and justifiable. No funding decisions regarding this proposal can be made until these statutory requirements have been adequately addressed.

22. Council Question

Are the authorities granted in the draft proposed fish passage amendments to the reregulation dam legislation (H.R. 653 and S. 1027) (see attachment B) necessary to allow Bonneville to transfer funds to other federal agencies for enhancement projects in the Yakima River Basin? If so, does the bill provide Bonneville with all authorities Bonneville needs to fund such measures?

BPA Response

Generally speaking and with the addition of the specific comments enumerated below, the authorities as proposed in the draft fish passage amendments (8/2/83) to the reregulation legislation (S. 1027 and H.R. 653) are believed by BPA General Counsel to allow BPA to transfer funds to other Federal agencies for the enhancement projects. However, these comments are offered informally and are subject to revision because the National administration has not been asked for or taken a position on these fish amendments. As a general observation, the opportunity for a regional consensus with respect to the legislation would be advanced by an additional meeting of the legislative drafting group. This group, formed under the auspices of the Washington State Department of Ecology, has worked closely with the Regional Council's Office of General Counsel in preparing the amendments. Further cooperation will be beneficial.

The legislation would be improved by the following additions and deletions:

1. Section 2. The proposed insertion of the words "at water projects" serves to limit rather than expand the authority of the Secretary of the Interior. Many of the improvements in the Yakima are to be made at irrigation canals, and there is at least a significant question as to whether these can be defined as "water projects." This language was added after the drafting committee had completed its work. The origin of these additional words is unknown.

2. Section 3. Several changes are proposed to the drafting group's proposed amendments. Again, the reason for and origin of these changes is unclear and should be discussed with the entire drafting committee. The following comments are offered with respect to specific changes, but do not correlate to amendment subsections because there are none.

a. Authority to transfer funds is provided but limited "for fiscal year 1984 and thereafter." Such language is unnecessary surplusage. The transfer will be made at the earliest possible date.

b. The addition of the words "operate and maintain" would authorize but not require BPA to pay operation and maintenance costs. BPA continues to believe that such costs should be borne by the Bureau of Reclamation, but is willing to discuss this issue further. Certainly operation and maintenance costs must be addressed, and if Congress directs BPA to fund such costs BPA would do so.

c. The addition of the words "and without regard to the percentage of power benefits, if any, provided by the water projects" is intended to address the FCRPS issue where BPA has advised the Council that its enhancement authority is limited to the percentage of power benefits attributable to the specific projects, Prosser and Roza. BPA does not oppose dealing constructively with this issue in the authorizing legislation, subject to administration concurrence, but believes that this language should be examined by the full drafting group.

d. The reason for the substitution of the words "protection, mitigation, and enhancement provided in compensation" in lieu of "off-site enhancement" is not clear and should be discussed by the drafting group.

3. Section 5 changes pertain specifically to concerns of the Bureau of Reclamation, which should be consulted regarding the appropriateness of this language.

4. Section 6 changes remove the dollar ceiling and ratchet for total expenses on the Yakima, and leave the amount of funds to be committed to the project undetermined. BPA's understanding is that this open-ended approach to funding is not consistent with Congress' general approach to authorizing expenditures for similar projects. BPA also has concerns regarding this open-ended funding level, particularly where the cost of the projects has been agreed upon by all affected parties and a provision for contingency is included.

1696-POWER

SEP 29 1983



# United States Department of the Interior

BUREAU OF RECLAMATION  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 043 - 550 WEST FORT STREET  
BOISE, IDAHO 83724 - 0430

IN REPLY REFER TO: PN 700  
123.

Reviewed: OCT 4 1983
Copies: [initials]
NO. 114 RUBY!

SEP 22 1983

Peter Johnson, Administrator  
Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208

Assigned to: Sienkiewicz  
Copies to: Johnson, Ratcliffe,  
Jura, Eiguren,  
Spigal, Ailshie,  
Schausten, Katz

Dear Mr. Johnson:

This is in response to Mr. Robert Ratcliffe's September 2, 1983, letter which requested Bureau of Reclamation assistance during fiscal year 1984 in completing predesign activities on fish passage and protective measures in the Yakima River basin. We will be pleased to undertake these activities for the Bonneville Power Administration (BPA).

It would be our intent to at least have interim reports completed for Wapato, Toppenish Creek/Satus Unit Diversion, Sunnyside Diversion Dam, and Old Reservation Canal by February 1984 as you requested. After this, we would proceed with Easton Diversion Dam, Roza Diversion Dam, and Roza Powerplant wasteway. As time permits during fiscal year 1984, we will give consideration to Satus Creek Diversion, Toppenish Creek Diversion, and Marion Drain Diversion. These are, however, a lesser priority as you noted.

You included works at the Prosser Diversion Dam in your listing. Fish facilities at this diversion dam were covered in the authorizing legislation for the Kennewick Division of the Yakima Federal Reclamation Project (Act of June 12, 1948). As such, it would not be appropriate for the United States to utilize funds from BPA to accomplish work which the Bureau of Reclamation is authorized to perform without specific approval of Congress. Consequently, it is our intent to accomplish the predesign work at Prosser Diversion Dam with funds which have been appropriated for our ongoing Yakima River Basin Water Enhancement Project.

You indicated that activities at Bureau of Indian Affairs works would be with their concurrence. Would you please advise us if such concurrence has been obtained and, if not, your suggestions for obtaining this concurrence.

We suggest an initial fund transfer in the amount of \$100,000 to implement the requested predesign work. An SF-1081 would be prepared by our office and forwarded to BPA for processing. We will maintain a separate accounting of expenditures and provide a cost report monthly or as you desire. Harry Menzel, Regional Program Coordination Officer (FTS 554-1133), should be contacted to finalize funding. If additional funds are required as the work proceeds, we will advise you in advance so arrangements can be made for further fund transfers.

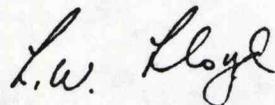
*Prosser to be done by BPA*

*\**

*Clive* →

We will establish a team of Bureau of Reclamation technical specialists to work on this program. An early activity will be to arrange a scoping meeting with representatives of other agencies, other appropriate Federal and state agencies, irrigation districts, and the Yakima Indian Nation. We will advise you further as we initiate activities.

Sincerely yours,

A handwritten signature in cursive script that reads "L.W. Lloyd". The letters are fluid and connected, with a prominent loop at the end of the last name.

Regional Director

SEP 2 1983

PG

Mr. L.W. Lloyd  
Regional Director  
Bureau of Reclamation  
P.O. Box 043  
Boise, Idaho 82724

Dear Bill:

I want to confirm with you conversations between our staff members relative to the Yakima River Basin Fish Passage Enhancement Project.

It is generally agreed that improving fish passage at irrigation facilities in the Yakima Basin is of utmost importance to the goal of increased production of anadromous fish in the Columbia River Basin. Accordingly, I propose to use funds and authorities presently available to me in the following manner in lieu of some of the fish and wildlife programs we had earlier indicated as would most likely be undertaken in FY 1984. In this way, while we await the enactment of necessary legislation, we will accomplish essential preliminary work and obtain information useful in congressional deliberations.

The Bonneville Power Administration (BPA) would contract with the Bureau of Reclamation (Bureau) to complete for BPA all predesign work on fish passage improvements for the following Federal projects: Roza Diversion Dam, Roza Powerplant, Prosser Diversion Dam, Sunnyside Diversion Dam, Easton Diversion Dam, and (with the concurrence of the Bureau of Indian Affairs) Wapato Diversion Dam, Toppenish Creek Diversion Dam/Satus Unit and Old Reservation Canal. If it is more economical to complete work on all Federal projects simultaneously, we would also ask you to do all predesign work on the lower priority BIA facility amendments: Satus Creek Diversion, Toppenish Creek Diversion, and Marion Drain Diversion.

By predesign work we mean preliminary engineering; analysis and the preparation of an appropriate document or documents to satisfy the requirements of the National Environmental Policy Act (in which effort the Bureau would act as lead agency and BPA as one of the cooperating agencies); identification of potential arrangements for continuing operation and maintenance of the improvements; identification of all Federal, State or local government permits which might be required before construction could go forward, and the information gathering and analysis necessary to obtain such

permits; and a final report(s) on the proposed modifications which would include reasonably detailed cost estimates and the endorsement of the planned modifications by all the affected parties. Affected parties would include the State Department of Fisheries and the National Marine Fisheries Service, and on any particular project would also include those with proprietary or regulatory interest such as the Yakima Indian Nation, other property owners, irrigation district officials, and the State of Washington Department of Ecology.

It would be most useful to me to have such reports in hand for the Wapato, Toppenish Creek/Satus Unit and Sunnyside projects when I present my proposed FY 1985 budget to Congress in the last week in February 1984, and seek approval for expenditure from the Bonneville Fund for construction of those improvements. However, I appreciate that it may not be possible to complete final reports within that limited timeframe. I would therefore request at least an interim report on those three projects by mid-February.

Upon completion of final reports on predesign work for each high priority BIA facility amendment, or Sunnyside Diversion Dam, BPA would contract with the Bureau for design in FY 1984 to the extent BPA has funds available, and necessary authorities are in place.

BPA appreciates the high level of cooperation from you and your staff on this endeavor. We are committed to working with you toward the completion of mitigation and enhancement efforts in the Yakima Basin.

Sincerely,

(Sgd) ROBERT E. RATCLIFFE

ACTING Administrator

JMcLennan:bp (WP-PG-1619F)

cc:

M. Katz - AR  
J. Luce - APP  
J. Fama - APP  
F. Rettemund - OWL  
J. Palensky - PJ  
G. Drais - PJS  
J. Kelly - PJ  
Official Files - PG

YAKIMA BASIN FISH ENCHANCEMENT  
Federal Facilities

BPA FUNDING PARTICIPATION  
(000)

	<u>TOTAL COST (000)</u>	<u>COUNCIL PRIORITY</u>	<u>OTHER FUNDING</u>	<u>FY/84 REVENUE FINANCING CONTRACT WITH BR(1)</u>	<u>SUBSEQUENT BPA REVENUE FINANCING(2)</u>	<u>BPA FY/85 BUDGET APPROVAL AND PROPOSED BORROWING(5)</u>	<u>FCRPS REPAYMENT POST 1986</u>	<u>ORIGINAL BPA PROPOSAL</u>
<u>FCRPS PROJECTS OWNED AND OPERATED BY BR</u>								
Prosser Diversion Dam	\$ 2,940	3	73% Treasury	(6)	-	-	27% BPA	Same
Rosa Diversion Dam	3,144	4	73% Treasury	P/E/ENV	-	-	27% BPA	Excluding
Roza Power Plant Wasteway	287	4	73% Treasury	P/E/ENV	-	-	27% BPA	P/E/ENV
<u>BIA FACILITIES</u>								
Wapato Diversion Dam	4,255	1		P/E/ENV	-	X	-	Same
Toppenish Cr./Satus Unit Div.	1,372	8		P/E/ENV	-	X	-	Same
Satus Creek Diversion	361	10			X		-	Same
Toppenish Cr. Diversion	361	11			X		-	Same
Marion Drain Diversion	145	12			X		-	Same
Old Reservation Canal	114	1		P/E/ENV	X		-	Same
<u>BR OWNED - IRRIGATION DISTRICT OPERATED</u>								
Sunnyside Diversion Dam								
Ladders	1,804	1	WA DOE may fund	P/E/ENV	-	X	-	Not in
Screens	2,033	1		P/E/ENV	-	X	-	Original
								Rate Case;
								Now in for
								Revenue
								Financing
Easton Diversion Dam	3,246	5	100% Treasury DES & Const.	P/E/ENV	-	-	-	100% Federal Only
<b>FEDERAL SUBTOTAL</b>	<b>\$20,062.</b>		<b>\$7,757.</b>	<b>\$346.(3)</b>	<b>\$981.(4)</b>	<b>\$9,292.(5)</b>	<b>\$1,688.</b>	

YAKIMA BASIN FISH ENHANCEMENT  
Non-Federal Facilities

<u>IRRIGATION DISTRICT FACILITIES</u>	<u>TOTAL COST (000)</u>	<u>COUNCIL PRIORITY</u>	<u>CURRENT PROPOSED FUNDING</u>	<u>ORIGINAL BPA PROPOSAL</u>
Horn Rapids Diversion Dam	\$ 653	2	WA DOE	Same
Wapatox Diversion Dam	952	7	PP&L	Same
Snipes/Allen Canal	45	13	?	100% BPA
Naches/Cowiche Div. Dam	349	6	City of Yakima (?)	Same
Town Diversion Dam	240	17	?	100% BPA
Thorpe Mill Ditch	54	15	?	100% BPA
Westside Ditch	77	14	?	100% BPA
Taneum Diversion Dam	361	9	?	100% BPA
Stevens Ditch	38	16	?	100% BPA
<hr/>				
NONFEDERAL SUBTOTAL	<u>\$ 2,769.</u>	Likely BPA Financing	<u>\$10,501. - 13,469.</u>	
FEDERAL SUBTOTAL	<u>\$20,062.</u>	Likely Other Financing	<u>\$ 9,362. - 12,330.</u>	
GRAND TOTAL	<u>\$22,831.</u>	GRAND TOTAL	<u>\$22,831.</u>	

(1) P/E/ENV means preliminary engineering and environmental analysis. BPA will contract with the BR to do all necessary predesign work, including environmental work and a final report indicating the concurrence of all affected parties, to support these proposals in Congress and satisfy the requisites of NEPA. This does not include project design.

(2) BPA would contract with BR for design in FY 1984 if: (1) BPA has Funds available; (2) Congress has authorized funding transfers to BR; and (3) BR has completed predesign work.

(3) Rate case provides \$149,000 Revenue financing.

(4) Rate case provides \$1,194,000 FY 1985.

(5) \$7,521,000 if Washington DOE funds ladders.

(6) Bureau will undertake expenditures for P/E/ENV on Prosser Diversion Dam.

PN 700  
624.

AUG 29 1983

Ms. Catherine Boeckman  
Northwest Power Planning Council  
Suite 200, 700 SW. Taylor Street  
Portland, Oregon 97205

Dear Ms. Boeckman:

This is in response to your telephone request of August 22, 1983, concerning our present best estimate of the time required to move fish passage and protective measures proposed in the Yakima River basin from a conceptualized basis to being operable.

The attachment provides a schedule of events as we perceive them which would bring us to the point of awarding a contract for actual construction. Due to the nature of the proposed action and the varied interests involved, we see the need to adequately document the proposed action and to reach full accord with all parties before proceeding. Consequently, we propose to prepare a brief report on each measure or combination of measures which would include conceptualized plans, cost estimates (both construction and annual operation and maintenance) and an environmental assessment of the proposed action. This report would be used to secure and document what is to be accomplished and the manner in which it would be operated. This process is shown as items 2, 3, and 4 on the attachment.

At this point, we have two options as to the preparation of designs and specifications: accomplish the work with our staff or, as necessary, secure the services of an engineering firm. For illustration purposes we have projected use of an engineering firm to show the time requirements, items 5, 6, and 7. If the design work was to be accomplished by our forces, item 5 would be deleted from the schedule and perhaps item 8 could be shortened and the time from start of design to award of contract reduced by approximately 3 months. As you can see, we estimate a maximum of about 17 months to bring us to the point of initiating construction.

The actual construction period, of course, will depend upon the complexity of the work and the time available for construction considering flow conditions in the river, irrigation water needs, and weather conditions. In the Yakima River basin we believe that construction on the ladders and

screens could be initiated in the fall as soon as irrigation service is terminated, and work on the screens could probably continue until the spring when irrigation commenced; work on the ladders, however, would be impacted by runoff conditions and river flows. Consequently, while we anticipate installation of the screens within a 5 to 6 month period extending from the fall of one year to the spring of the next year, the ladders may require 2 years to complete. We anticipate that the fabrication of the screens would be handled separately from the installation contract. It would be more economical to have the construction work at each facility performed by the same contractor.

As a way of illustration, assuming that the first part of the work was to begin by October 1983 and the maximum period of 17 months were required, the contract award could not be made until March 1985. On this basis, actual infield construction would not commence until October/November of that year.

We hope that this is responsive to your needs.

Sincerely yours,

(Sgd) L. M. Lloyd

Regional Director

Enclosure

cc: Janet McLennan, Bonneville Power Administration, Portland, Oregon  
John Spencer, Department of Ecology, Olympia, Washington  
(w/copy of enclosure to each)

bc: RO 100, 200, 730, 780

L. Vinsonhale:vi 8-24-83

Fish Passage Improvement and Protective Measures

<u>Work Item</u>	<u>Months<sup>1/</sup></u>	
	<u>Increment</u>	<u>Elapsed</u>
1. Authorization/Appropriations	---	---
2. Visit site, reach agreement on needed improvements (owner participates)	1	1
3. Prepare report describing problem, needed improvements, plan, costs, environmental assessment	3	4
4. Secure mutual concurrence in report	1	5
5. Prepare, issue, and secure contractor for preparation of designs and specifications	3	8
6. Contractor gather design data	2	10
7. Contractor prepares designs and specifications	4	14
8. Agencies review of design and specifications and revision as necessary	1	15
9. Issue specifications and receive bids	1	16
10. NEPA compliance complete	---	---
11. Award contract for construction	1	17

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1/ Anticipate handling combination of two to four facilities depending upon complexity.