

UNITED STATES OF AMERICA 115 FERC ¶62,041
FEDERAL ENERGY REGULATORY COMMISSION

Tacoma Power

Project No. 2016 - 130

ORDER MODIFYING AND APPROVING TRAP
AND HAUL PLAN, ARTICLE 413

(Issued April 11, 2006)

On February 8, 2006, Tacoma Power (licensee) filed its Trap and Haul Plan pursuant to Article 413 of the Order Amending New License issued July 9, 2004¹ for the Cowlitz River Project. The project consists of the Mayfield and Mossyrock developments and is located on the Cowlitz River in Lewis County, in southwestern Washington.

BACKGROUND AND LICENSE REQUIREMENTS

License Article 413 requires the licensee, in consultation with the Fisheries Technical Committee (FTC)² and the National Marine Fisheries Service (NMFS), to develop and file for Commission approval a trap and haul plan to address and minimize harm to anadromous fish during any trap and haul operation. The plan is required to adhere to the most updated criteria at the time of the plan regarding trapping and hauling of anadromous fish as outlined in the document “Draft Anadromous Salmonid Passage Facility Guidelines and Criteria.”³ Additionally, the Article requires that as the number of adult fish returning to the applicable traps increases, the licensee must increase the trap and haul capabilities before existing capabilities are exceeded.

LICENSEE'S PLAN

The objectives of the licensee’s plan are to: 1) provide a description of the anadromous trap and haul facilities; 2) provide a description of the operation of the trap

¹ 108 FERC ¶ 61,031 (2004)

² The FTC is comprised of the licensee and representatives from the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service, the Washington Department of Fish and Wildlife, the Washington Department of Ecology, Yakama Nation, and American Rivers/Trout Unlimited.

³ http://www.nwr.noaa.gov/1hydrop/hydroweb/docs/release_draft.pdf

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and haul system; and 3) describe the adherence of, or proposed changes to, the licensee's facilities and the trap and haul operation to meet the latest criteria for anadromous fish passage as determined by NMFS. The licensee's plan included detailed descriptions of the plans objective and included five appendices regarding: 1) emergency protocols; 2) Mayfield downstream migrant facility improvements list; 3) Cowlitz Salmon Hatchery fish ladder improvements list; 4) NMFS's fish passage guidelines criteria and their application to the project; and 5) a fish truck worksheet form.

AGENCY CONSULTATION

License Article 413 requires the licensee to prepare their plan in consultation with the FTC and NMFS prior to filing the plan with the Commission. The licensee's filed plan included their record of consultation on the plan with the FTC, which includes NMFS. By letters dated January 9, 2006, NMFS and American Rivers/Trout Unlimited provided comments on the licensee's plan, which the licensee incorporated into their plan or provided further explanation.

In their January 9, 2006 letter, NMFS recommended that if water temperatures at the release site exceed 18 degrees Celsius, fish should be released at an alternate site. If water temperatures at the Cowlitz and Cispus River release sites exceeds 18 degrees Celsius and no release sites with cooler water temperatures are available, the fish should be returned to the trapping/holding site and transported at a later time (noting that night time temperatures are cooler). Additionally, NMFS recommended that no more than a 3 degree Celsius change (warmer or colder) from the water the fish originated from, including truck water, to release. The licensee states that NMFS's comment is contrary to their desire to have fish transported within 24 hours of being handled at the separator at the Cowlitz River Salmon Hatchery. American Rivers and Trout Unlimited state their support in reducing delay of migrating fish to less than 24 hours. The licensee states that their operational and transport procedures contained in the plan represent a significant improvement from previous practices and that data collected over the next few years will help determine if further changes are necessary. Further, the licensee states that daily water temperature fluctuations in transport and release waters used in the upstream fish transportation program are negligible and that transporting and releasing fish at night poses safety concerns.

DISCUSSION AND CONCLUSIONS

The licensee's plan includes temperature monitoring protocols, which requires altering release sites when the seven day average of maximum temperature exceeds 18

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degrees Celsius or the weekly mean temperature exceeds 16 degrees Celsius at a particular release site. If the above temperature criteria is not exceeded, but there is a greater than 7 degree Fahrenheit difference between the receiving water and the tank water, the water would be tempered in the tank to less than a 5 degree Fahrenheit difference at less than 1 degree Fahrenheit per six minute rise. Imposing additional such temperature restrictions as recommended by NMFS (and returning the fish to the transport site to transport at a later time), could further delay upstream fish migration and transporting and releasing fish at night could pose safety concerns. As stated by the licensee, data currently being collected and reported on individual truck hauls will help determine if further changes to their procedures and protocols are necessary. The individual data sheets and/or data summaries will be included in the licensee's Annual Upstream Passage Report under Article 3. Any changes should be coordinated with the FTC in accordance with the provisions of the Settlement Agreement.

The licensee's Trap and Haul Plan should provide appropriate fish collection and transport procedures and protocols while adhering to NMFS's trapping and hauling criteria. Additionally, continued coordination with the FTC should assist in determining if any changes or modifications of the procedures and protocols are necessary in the future.

The licensee's plan satisfies the requirements of license Article 413 of the July 9, 2004 Order Amending New License for the Cowlitz River Project. The licensee's plan should be approved.

The Director orders:

(A) The Trap and Haul Plan, filed February 8, 2006, under license Article 413 of the July 9, 2004 Order Amending New License for the Cowlitz River Project, is approved.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days from the date of issuance of this order, pursuant to 18 CFR § 385.713.

George H. Taylor
Chief, Biological Resources Branch
Division of Hydropower Administration
and Compliance

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