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Mr. James Dalton  
Director of Civil Works  
Army Corp of Engineers  
Washington, D.C. USA

July 25, 2018

Dear Sir,

June 2018 went out with a whimper. Less than a thousand B-run steelhead trout had returned to spawn in Idaho, Congress promised \$200 million to communities hurt by poor ocean harvests and NOAA Fisheries continued to ignore the fact that Idaho's steelhead population were in steep decline, a fact which trips their Early Warning Indicator.

"Last year, American Fishing communities across the Gulf and Caribbean were devastated by some of the most destructive hurricanes in recent memory, while Pacific fisheries have suffered from years of hardship," said Commerce Secretary Ross. "This Administration stands shoulder to shoulder with these communities as they prove their strength and resilience in the face of adversity."

-- June 20, 2018 [NOAA Press Release](#)

In late February, at a Columbia Basin Partnership meeting in Boise, I spoke with NOAA West Coast Region's Administrator Barry Thom. I made him fully aware that Idaho's steelhead were in steep decline and had tripped an alarm indicator of their Adaptive Management Implementation Plan (AMIP) contained in their 2014 Supplemental Biological Opinion (BiOp) governing the Lower Snake River dams.

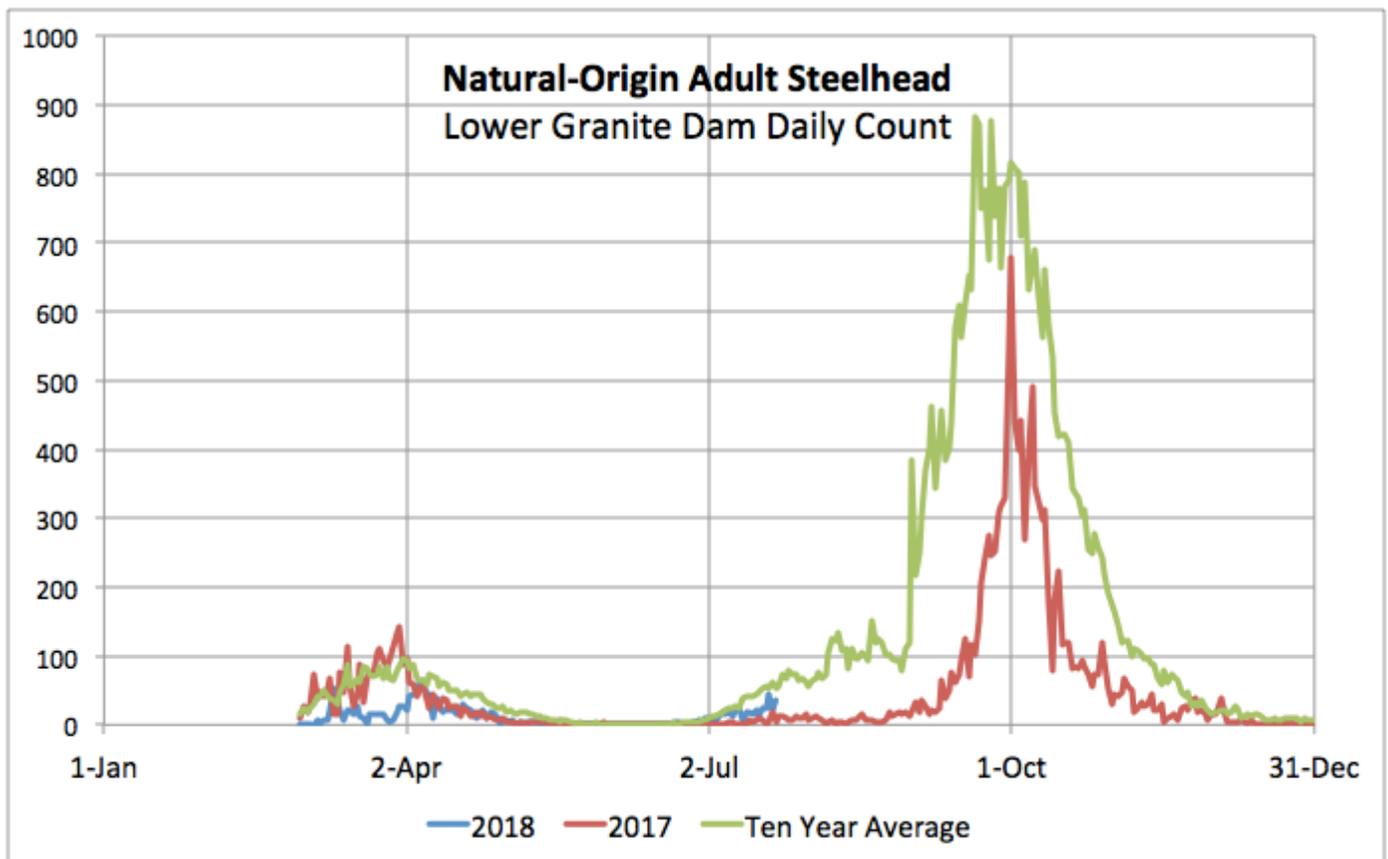
Hours after telling Mr. Thom that I had been having difficulty reaching NOAA Columbia Hydropower Manager Ritchie Graves, my call was graciously received. I had previously met with Mr. Graves along with

ACOE Northwestern Division Director David Ponganis, at a meeting regarding the Early Warning Indicator that you had requested I arrange.

Shortly thereafter, I again spoke with Mr. Thom, together with NOAA's Interior Columbia Region's Assistant Administrator Michael Tehan, and repeated what Mr. Graves had to say.

I had been told that it would not be until July 2019 before NOAA would be informing the Regional Integration Oversight Group (RIOG) that the AMIP Early Warning Indicator had been tripped by this year's dismal run of Snake River steelhead. Did he say, **NEXT** July? It is already abundantly clear that this ESA-listed population is in steep decline.

Why on earth would it be necessary to wait a year and a half after the calendar year's end, (when the steelhead run is over 90% complete, see graphic) to tell everyone about the tripping of an important trigger titled the Early Warning Indicator? An "Early Warning" should not need a year and a half of delay to confirm its absoluteness. This is preposterous.



Mr. Thom listened and politely nodded. He thanked me for bringing this matter to his attention and then delved into discussion with Mr. Tehan.

Then just two weeks ago, following our brief phone conversation, Mr. Graves directed NOAA's public relations staff Michael Milstein to send me their newest [sheet](#) on the AMIP triggers. I noticed right away that it was dated March 2018 and was quite surprised this had not been brought to my attention months ago.

After quickly reading the two-page document, now the wiser by the runaround I had been receiving, it seemed Mr. Thom's approach might be to change the parameters of the Early Warning Indicator. This seemed especially likely now with NOAA insisting upon submitting a new BiOp, a new AMIP trigger may be half the reason for this uncalled for effort.

The triggers laid out in the March 2018 document did not match the parameters of the 2014 BiOp. March 2018's revision of the AMIP triggers would use adult population "data from 1908 through 2007 or 2008 depending on the AMIP indicator species." In sharp contrast, the triggers established in 2014 BiOp were to be "based on the most recent 20 or 30 years of adult return data, depending on the species." Instead of using thirty years ending the most recent previous year, the March 2018 revision would use all available data up through the 2008 runs and no years afterward.

Remarkably, no explanation whatsoever was given for this sudden and unaccountable change. These parameters were established by NOAA Fisheries and accepted in 2014 by ACOE, Bureau of Reclamation, and Bonneville Power Administration to specifically raise red flags and sound the alarm so that emergency mitigation can be initiated to prevent further unexpected decline of the ESA-listed species. Changing those parameters now to meet a change in one agency's agenda is an egregious act of monumental proportions.

I got a parking citation earlier this year and it would be nice to change the time limit to add another hour to the meter that expired before I was able to add more money. Changing rules, laws or parameters retroactively defeats the purpose of the original decision, decree or action.

The fact of the matter remains unchanged: Idaho's steelhead population is in steep decline. Either dataset assuredly trips the AMIP's Early Warning Indicator. Only a well-crafted dataset, (one centered primarily on the very poor years of the 1990s) would have the run count miss the mark. Mr. Graves' spreadsheet starts with 1986, thereby justifying his belief that the AMIP had yet to trip.

Additionally, the NOAA Science Center spreadsheet draws a best-fit line through the logarithm of the population counts. This approach is useful when seeking signs of exponential growth, but here we are looking at decline. Looking for exponential decay would only make sense if the data were of how many fish were dying, not a dataset of those that survived.

Notably, the NOAA Science Center spreadsheet errs here. Matching the BiOp language, the March 2018 defines the trend in abundance "as the slope of the last 5 years of annual abundance estimates."

Federal Judge Redden was persuaded by past ruling precedence, that the court is to rely upon agency expertise. NOAA Science Center's spreadsheet most certainly does not conform to the 2014 BiOp. Most striking is that this spreadsheet would not spark an AMIP trigger even if the last two years run count were ZERO! Who looks over this?

Please excuse my droll storytelling here, but I wish to convey the style of delay that is occurring. Where would we be if it were not for bluefish.org efforts? Has all of this delay been necessary? Absolutely not. Do we need to wait until next July to confirm it's triggering? Emphatically No.

Next July, the United States vs. Oregon Technical Advisory Committee will **republish** an official count of last year's run. The "run reconstruction" is based on genetic analysis and fin clip sampling of returning adults and reported several months earlier by Idaho Fish & Game. How many were unmarked hatchery fish, and how old were the various ones sampled?

Mr. Graves tells me that we must wait for this official accounting, which he estimates to be complete in July 2019. But regardless of how many of this year's window counts were unmarked hatchery fish, even if zero were such, the Early Warning Indicator has been tripped.

The 2017/2018-steelhead run was largely complete by October 24 when you and I met, and ninety percent complete by the end of 2017. That is all the data needed; it is that bad and an AMIP trigger alert is now long overdue. Is further delay a strategy? You have heard my story, so you be the judge but a skeptic would suspect that someone fears the trigger.

Mr. Graves has insisted that the spring portion of the steelhead run, which comprises less than ten percent of the count (and completed June 30, 2018), will take another year to sufficiently analyze. With this result, harvest managers will estimate the run size four and five years out.

I asked why we would not just use the calendar year (January 1 to December 31) where the previous spawners are included in place of this year's spawners. A twenty percent difference in a count that is only ten percent of the run would amount to two percent difference (20% of 10%). Is this precision necessary this year? Using all "available data" as prescribed, rather than selectively chosen data, the Early Warning Indicator has been tripped. This is true if you chose spawner year data (July 1 to June 30) or calendar year data. It makes no difference.

Regardless of the genetic analysis of this year's run, regardless if we use the March 2018 parameters instead of legitimate 2014 BiOp parameters, the outcome is the same; an AMIP trigger has most certainly tripped.

All of this hair-splitting makes no difference whatsoever. None. Delay is completely unwarranted, yet the agency to which our Federal Judges have sought to defer for expertise, is intentionally dragging their feet.

A year ago, I reminded ACOE Chief of Engineers of the seriousness of criminal violation of the Endangered Species Act. This obligation to work toward "the conservation of" listed species certainly weighs on his mind. Importantly, NOAA's willful delay does not relieve the Corps of its responsibility and so I once again bring this trigger to your attention.

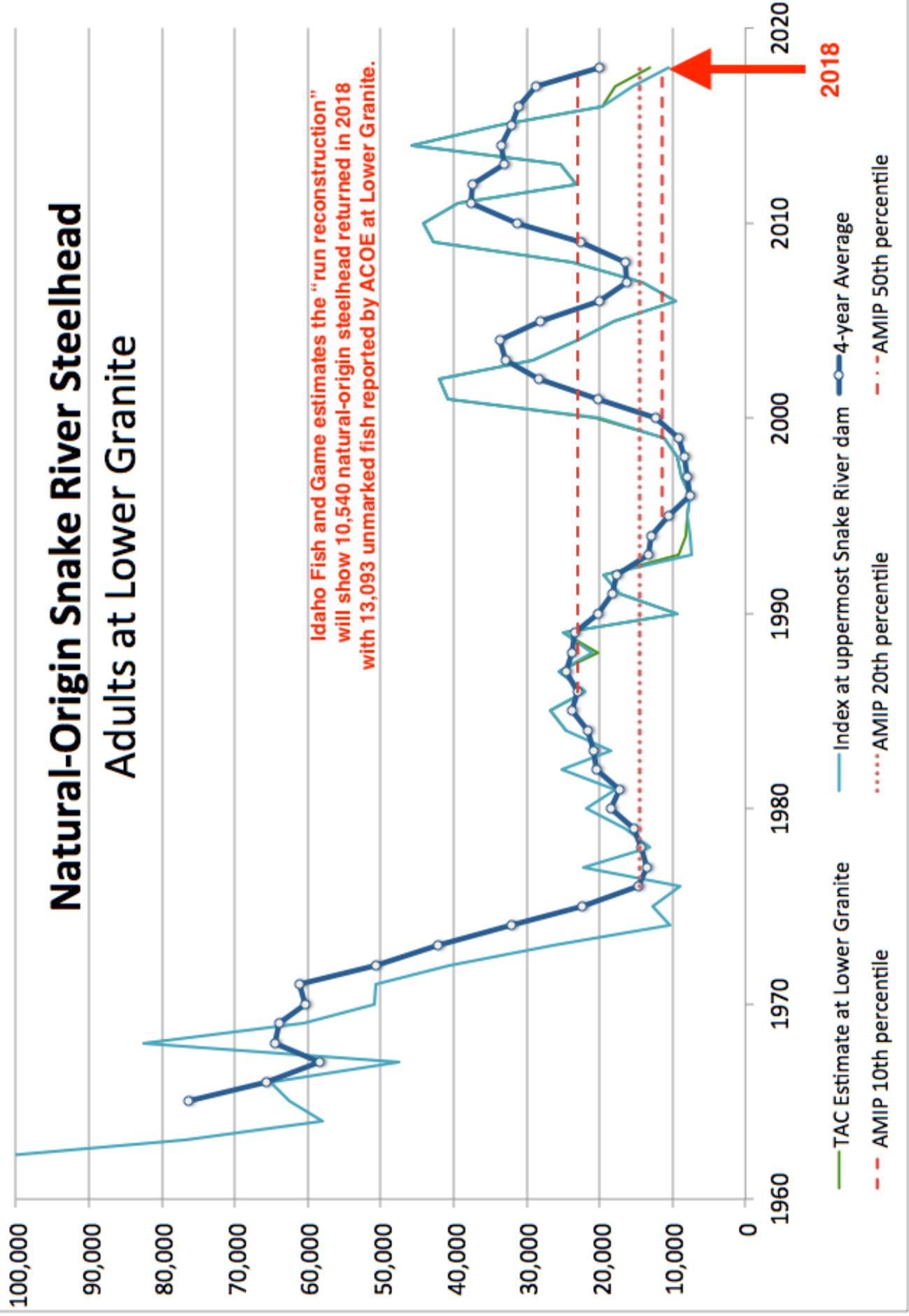
Sincerely,

Scott Levy

[bluefish.org](http://bluefish.org)

promoting an open and honest dialogue concerning the plight of Idaho's wild Salmon and Steelhead.

# Natural-Origin Snake River Steelhead Adults at Lower Granite



Spawn Year	Index at uppermost Snake River dam	4-year Average	5-year Trend	Trend Rank	TAC Estimate at Lower Granite
1962	108,186				
1963	76,788				
1964	58,028				
1965	62,566	76,392			
1966	64,987	65,592	-10,062	3	
1967	47,536	58,279	-5,155		
1968	82,529	64,405	3,397		
1969	60,584	63,909	1,358		
1970	50,927	60,394	-1,507		
1971	50,670	61,178	-2,533		
1972	40,523	50,676	-9,393	4	
1973	26,426	42,137	-7,872		
1974	10,360	31,995	-10,538	2	
1975	12,652	22,490	-10,620	1	
1976	8,987	14,606	-7,685		
1977	22,245	13,561	-974		
1978	13,184	14,267	1,524		
1979	16,424	15,210	1,174		
1980	21,814	18,417	1,983		
1981	17,932	17,339	0		
1982	25,231	20,350	2,560		
1983	18,378	20,839	733		
1984	24,497	21,510	581		24,500
1985	26,708	23,704	1,682		26,700
1986	21,991	22,894	185		22,076
1987	25,470	24,667	1,168		25,511
1988	21,085	23,814	-806		20,314
1989	24,968	23,379	-439		24,979
1990	9,286	20,202	-2,591		9,289
1991	17,321	18,165	-2,810		17,317
1992	19,346	17,730	-1,113		19,394

1993	7,354	13,327	-2,517		9,122
1994	7,516	12,884	-1,351		8,104
1995	7,991	10,552	-3,049		8,055
1996	7,623	7,621	-2,281		7,625
1997	8,738	7,967	288		8,749
1998	9,386	8,435	449		9,375
1999	11,038	9,196	786		11,098
2000	19,978	12,285	2,701		20,575
2001	40,719	20,280	7,455		<b>40,719</b>
2002	41,931	28,417	9,477		<b>41,931</b>
2003	29,146	32,944	5,817		<b>29,146</b>
2004	23,071	33,717	-539		<b>23,071</b>
2005	18,130	28,070	-6,404		<b>18,130</b>
2006	9,510	19,964	-7,586		<b>9,510</b>
2007	14,166	16,219	-4,352		<b>14,166</b>
2008	23,876	16,421	-235		<b>23,876</b>
2009	42,739	22,573	6,358		<b>42,739</b>
2010	44,133	31,229	9,782		<b>44,133</b>
2011	39,438	37,547	7,080		<b>39,438</b>
2012	23,143	37,363	-477		<b>23,143</b>
2013	25,355	33,017	-5,576		<b>25,355</b>
2014	45,789	33,431	-1,077		<b>45,789</b>
2015	33,936	32,056	1,164		<b>33,936</b>
2016	19,651	31,183	160		<b>19,651</b>
2017	15,576	28,738	-4,570		17,781
2018	10,541	19,926	-8,886	5	13,093
Median 4-year average abundance					22,733 steelhead
Henry Yuen & Rishi Sharma, "Declines in Productivity Make Rebuilding Difficult"					
Estimates from US v Oregon TAC Joint Status Reports					
Idaho Fish & Game Snake River Fall Chinook Run Reconstruction Group.					
Preliminary estimate by Idaho Fish & Game reported to NW Power Council.					
Lower Granite window count reported by USACE to Fish Passage Center.					
Trips Early Warning Indicator of Adaptive Management Implementation Plan					

# Lyons Ferry Stock - Hatchery Program Review 1982-2012

Joseph D. Bumgarner Mark L. Schuck

A precipitous decline in numbers of Snake River steelhead and other anadromous salmonids between 1962 and the mid 1970s **alarmed management agencies** such as WDFW. The rapid decline in steelhead and a commensurate loss of recreational opportunity for Washington's residents spurred Washington to partner with other State and Federal management agencies. They negotiated with federal agencies such as the Corps of Engineers to mitigate for adult fish losses to anadromous populations and lost fishing opportunity caused by construction and operations of the four lower Snake River power dams.

...

Factors critical to the future success of our program include: 1) Establishment of consistent goals among all managers, 2) wild population characterization (VSP parameters), **3) Identifying the causes of decline or factors that continue to suppress population productivity, 4) correcting the limiting factors where possible**, and 5) retaining flexible hatchery programs. We may need to redefine success for the LSRCP program and for anadromous salmonids in the Snake River basin. We believe that success must include both recovery of depressed wild stocks, and opportunity for Washington's residents to partake of that resource which was lost to them as a result of the construction and operation of the four lower Snake Power Dams. The steelhead fishery currently provided by LSRCP has a significant social and economic impact in the area, and forsaking opportunity solely for recovery will likely cause serious erosion of public support for recovery. Hatchery production has not been the answer to the problem; wild fish populations remain depressed. **Correction of survival problems within the basin must occur.**