



# Nez Perce Tribe

## Department of Fisheries Resources Management

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## Memorandum

Date: January 9, 2024

To: Doug Baus  
Cc: Dave Johnson  
From: Jay Hesse

Re: Nez Perce Tribe Review of the 2023 Water Management Plan Draft 3

### Context

Salmon, steelhead, and lamprey are cornerstones in Nez Perce Tribe culture. The status of these treaty-centric resources remains dire; the Nez Perce Tribe is working in multiple forums (including the Technical Management Team), and implementing on-the-ground actions, to prevent extirpation and restore healthy and harvestable populations of salmon, steelhead, and lamprey throughout the Snake Basin. Modifications hydro-system operations are contained in the December 14, 2023 Joint Motion to Stay Litigation Through 2028, NWF et al. v. NMFS et al. (3:01-cv-00640-SI). It is critical that that Water Management Plan (WMP), Fish Passage Plan, and Fish Operations Plan documents not only reflect these changes but also capture the USG commitment to adaptively manage in ways that “*Minimize degraded fish operations resulting from scheduled and unscheduled maintenance/outages*” and “*Equally consider fish operations relative to other authorized project purposes when making in-season adaptive management decisions.*”

### Detailed Comments

- Section 1, Last paragraph on page 1 - Add “Litigation Stays” to the description of documents with adaptive management provisions that the WMP will be consistent with.
- Section 6.8.1, Second paragraph – Change “resident” to “rearing and holding”.
- Section 6.8.1. page 36 “Ramp Up” bullet – Add “PM” after 7:00 to ensure increases in flows occur in evening hours.
- Section 6.10.2 - Description of power peaking operations in should be labeled as zero ‘flow’ rather than zero ‘generation’ to be inclusive of all authorized purposes. As written, zero generation terminology is power centric. The Nez Perce Tribe continues to request that implementation of zero flow operations be minimized to the greatest extent possible.