

APPENDIX A

Reconsultation Related Correspondence and SEI Panel Vitae

Appendix A contains an assortment of letters that are important to the reconsultation process and the issues discussed in Section 1 of the BA. These letters have been organized according to the order in which they are referenced within the document. Accordingly, they appear in the following order within this appendix:

- The first letter is a November 26, 1999 open letter from NMFS notifying the public of the transfer of jurisdiction of coastal cutthroat trout to USFWS.
- The second letter is the August 25, 2000 withdrawal of the original BO by NMFS.
- The third inclusion is an October 26, 1998 letter from USFWS expressing concern about potential effects from contaminated sediments on peregrine falcons and an April 22, 1999 response from the Corps.
- The fourth letter is the December 7, 2000 recommendation by USFWS for re-initiation of consultation for coastal cutthroat and initiation of consultation for bull trout with a responding letter from the Corps dated January 6, 2001.
- The fifth inclusion in this appendix is a series of six letters documenting the designation of the six co-sponsoring ports as non-Federal representatives in the ESA § 7 process pursuant to 50 CRF § 402.08. Letters are included from May 21, 2001 and July 11, 2001 (2); October 27, 2000 (2); and October 16, 2000.



November 26, 1999

Final Jurisdiction of Coastal Cutthroat Trout Under the U.S. Endangered Species Act

Dear Interested Parties:

This letter is to inform you that, except as indicated below, the U.S. Fish and Wildlife Service (USFWS) will from this date be the agency with sole regulatory jurisdiction over all life forms of coastal cutthroat trout (*Oncorhynchus clarki clarki*) under the U.S. Endangered Species Act (ESA).

In the past, ESA jurisdiction over the coastal cutthroat trout has been shared by the USFWS and National Marine Fisheries Service (NMFS). However, in a *Federal Register* notice published on April 5, 1999, the two agencies announced that they would decide which agency would have sole jurisdiction over the species. Sole jurisdiction is expected to provide a more expeditious means for dealing with ESA issues involving both resident and migratory forms of the species. Regardless, both agencies will continue to coordinate activities such as ESA Section 7 consultations and Habitat Conservation Plans involving watersheds shared by coastal cutthroat trout and salmonid species under NMFS jurisdiction (e.g., steelhead and chinook salmon).

There are presently two pending ESA determinations involving coastal cutthroat trout. The first is a proposed de-listing of Umpqua River cutthroat trout published on April 5, 1999. Because the original status review and listing decisions for this cutthroat population were conducted by NMFS, the final de-listing determination and associated regulatory responsibilities will be handled by NMFS, with FWS concurrence on any final de-listing determination. The second determination involves cutthroat trout populations in southwest Washington and the lower Columbia River currently proposed for listing under the ESA as threatened. The USFWS will assume sole responsibility over the final listing determination for these populations. This determination is expected by April 2000.

If you have any questions regarding this matter, please contact Barry Mulder at the USFWS, (503) 231-6179, or by calling Garth Griffin at NMFS at (503) 231-2005.

With regards,

William Stelle, Jr.
Regional Administrator
Northwest Region
National Marine Fisheries Service

Anne Badgley
Regional Director
Region One
U. S. Fish and Wildlife Service

Department of Commerce
National Marine Fisheries Service
Northwest Region

Department of Interior
U.S. Fish and Wildlife Service
Pacific Region



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Northwest Region
7600 Sand Point Way NE
Bin C15700, Bldg. 1
Seattle, Washington 98115-0070

Refer to:
OSB99-0270-RI

August 25, 2000

Colonel Randall J. Butler
Department of the Army
Corps of Engineers, Portland District
P.O. Box 2946
Portland, OR 97208-2946

Dear Colonel Butler:

RE: Withdrawal of the Biological Opinion for the Columbia River Federal Navigation Channel Deepening Project and Request to Reinitiate Consultation

On December 16, 1999, National Marine Fisheries Service (NMFS) issued a biological opinion for the Columbia River Federal Navigation Channel Deepening Project (Project). The objective of the biological opinion was to determine whether proposed deepening of the Federal Navigation Channel jeopardized the continued existence of the 13 salmonid species listed or proposed for listing under the Endangered Species Act (ESA), or resulted in the destruction or adverse modification of their designated or proposed critical habitat.

Pursuant to the consultation regulations (50 CFR 402.16) reinitiation of formal consultation is required if: 1) New information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in the consultation; 2) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in the consultation; or 3) a new species is listed or critical habitat is designated that may be affected by the action. As described below, NMFS believes there are circumstances relative to these criteria that warrant reinitiation of formal consultation. Accordingly, NMFS hereby withdraws its December 16, 1999, biological opinion for the Project and requests reinitiation with the Corps.

As described in the biological opinion, the no-jeopardy conclusion and terms and conditions to support that conclusion were based in part on a letter dated December 3, 1999, from Colonel Randall J. Butler, District Engineer, Portland District Corps of Engineers (Corps) to Mr. Rick Applegate, Assistant Regional Administrator of NMFS Northwest Region, amending the Corps' April 5, 1999 biological assessment. The letter described a number of measures proposed by the Corps designed to: 1) Take early action to restore critical shallow water habitat in the estuary; 2) perform a series of studies, analyses, and monitoring to verify the project's impacts and gauge the effectiveness of fish protection and habitat restoration



activities; and 3) prepare a multi-year plan for estuary restoration that is closely coordinated with other parties, including the Lower Columbia River Estuary Program.

From the issuance of the biological opinion until the present time, NMFS and Corps staff have engaged in a series of meetings to reach consensus on the appropriate studies, analyses, and monitoring requirements to implement the measures described in the amended biological assessment and biological opinion. To date, our agencies have not been able to reach consensus on the specific details of some of these studies, which calls into question the conclusions in the biological opinion. As a result, we have missed the opportunity to collect baseline information during this field season. It is essential that we reach agreement and begin the studies described in the biological assessment and biological opinion so that we may better understand the project's impacts and verify that the conservation measures, including the proposed habitat restoration program, are adequate prior to commencing the Project.

Since NMFS issued its biological opinion on the Project, our Northwest Fisheries Science Center has completed further studies on the effects of bathymetry (configuration of the estuary bottom) on ecological conditions in the estuary. A report is expected later this month which addresses issues relevant to the Project, such as the effects of flow and bathymetry on shallow-water habitat at the estuary's periphery. Because these shallow-water habitats play a key role in the estuary's ability to support fish, this new information underscores the need to be sure that we understand the probable effects of the Project, and to ensure that the conservation measures provided in the biological opinion are appropriate.

NMFS is also evaluating new information which suggests that salmon may be susceptible to a wider range of sub-lethal impacts from certain contaminants, and at lower ranges of exposure, than was previously believed to be true. Some toxic chemicals can have sub-lethal effects on outmigrant juvenile salmon, including reduced growth and impaired disease resistance. The biological opinion addressed the potential for toxic chemicals to be released or redistributed to low velocity, shallow water habitats during dredging activities. Consequently, there is a need to ensure that the conservation measures provided in the biological opinion take this new information into account.

NMFS is also concerned over issues that have arisen regarding the Corps' ability to restore estuary habitat identified in the biological opinion.

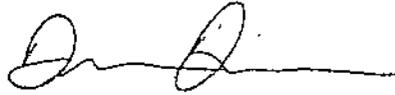
In light of the need to reach agreement on required studies, to consider the new information described above, and to assess effects to newly designated critical habitat, NMFS hereby withdraws its biological opinion on the Project and requests reinitiation of formal consultation with the Corps. By reinitiating consultation NMFS expects to work closely with the Corps to:

- 1) Thoroughly assess the implications of any relevant new information;
- 2) reach agreement on the specific details of required studies and monitoring, and a schedule for conducting this work;
- 3) clarify expectations for the completion of restoration work; and
- 4) make any necessary refinements in the conservation measures, including terms and conditions, that are provided in the biological opinion to protect listed species and their designated critical

habitat. These tasks must be completed before NMFS' can re-issue a biological opinion for the Project.

We look forward to continuing our work on this project. My staff will be calling your office to arrange a meeting to scope the issues to be addressed and to develop a schedule for the reinitiation process. In the meantime, if you have any questions, please call me at (206) 526-6150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donna Darm', with a long horizontal flourish extending to the right.

Donna Darm
Acting Regional Administrator



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon State Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 8330.4324 (98)
File Name: credPEFA.wpd

October 26, 1998

Howard B. Jones
Portland District, Corps of Engineers
P.O. Box 2946
Portland, OR 97208-2946

Subject: Informal consultation on Columbia River Channel Deepening and its effects on Peregrine falcons (1-7-98-I-432)

Dear Mr. Jones:

We are writing to express our concerns regarding impacts of the referenced project on the Federally threatened Peregrine falcon (*Falco peregrinus*). Our comments are provided in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). These comments are provided in response to your letter dated September 24, 1998, received in this office September 25, 1998.

The proposed project consists of dredging the Columbia and Willamette Rivers to a depth of 43 feet and disposal of dredged material at approved sites. It is our understanding that the proposed project includes the possibility of dredging contaminated sediments from the Willamette River. The dredging of these materials could cause contaminated sediments to be reintroduced to the water column. The dredging and resuspension of contaminated sediments may augment toxins already affecting the resident Peregrine falcons in the Willamette and Columbia Rivers downstream of the proposed project.

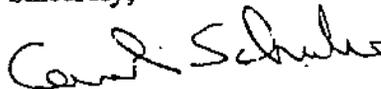
The biological assessment indicated that the Corps determined the proposed project would not be likely to adversely affect Peregrine falcons. However, the Service believes that the resuspension of contaminated sediment is likely to result in adverse effects that constitute harm and harassment of Peregrine falcons, and therefore, formal consultation and receipt of an incidental take permit are necessary.

In order to complete formal consultation, the Service will need the following information:

1. The location of contaminated sediments that may be dredged;
2. The proposed method of dredging these materials;
3. The location of contaminated dredged material disposed sites; and
4. The proposed method of disposal of contaminated dredged materials.

If you have any questions or need more information, please contact Laura Todd or Rollie White at (503) 231-6179. Thank you for your cooperation in the effort to protect endangered and threatened species.

Sincerely,



Russell D. Peterson
Acting State Supervisor

APR 22 1999

Engineering and Construction Division (1165-2-26a)

Russell D. Peterson, State Supervisor
U.S. Fish and Wildlife Service, Oregon State Office
2600 SE 98th Avenue, Suite 100
Portland OR 97266
Attn: Laura Todd

Dear Mr. Peterson:

The issue of contaminated sediments in the lower Willamette River is presently a high profile issue with strong federal, state, city and local interest. The Service expressed their concerns in October 26, 1998 letter regarding potential adverse impacts to peregrine falcons that might arise from dredging contaminated sediments in the Willamette River upon implementation of the Columbia River Channel Improvement Project (CRCIP; reference 1-7-98-I-432). Your letter stated the Service's belief that, "the resuspension of contaminated sediment is likely to result in adverse effects that constitute harm and harassment of peregrine falcons, and therefore, formal consultation and receipt of an incidental take permit are necessary.

We propose to seek authorization for CRCIP construction but delay implementation of the Willamette River portion of the channel improvement efforts until the contaminated sediments issue is resolved. This would allow for all interested parties to address contaminated sediment concerns, including the Service's concern over Willamette River sediments. The Service's four specific information requests, in order to complete the formal consultation for peregrine falcons, are anticipated to be answered during future efforts by all interested parties. They were:

1. The location of contaminated sediments that may be dredged;
2. The proposed method of dredging these materials;
3. The location of contaminated dredged material disposal sites; and,
4. The proposed method of disposal of contaminated materials.

Once a resolution of the contaminated sediment issue in the Willamette River has been attained, the Corps would seek to implement deepening of the Willamette River navigation channel. Consultation with the Service for peregrine falcons and other listed species would be reinitiated at that time for the Willamette River segment of the overall project. The issue of take and whether an incidental take permit would be necessary would be addressed during that consultation.

Your letter of October 26, 1998 did not indicate any concerns for other listed species relative to the Corps biological assessment for CRCIP. Our determination(s) for each listed species are listed by action in the attached table (Enclosure 1). We request a letter of concurrence on listed species for the CRCIP, including peregrine falcons, given the aforementioned proposal and our existing determinations. Please provide a concurrence letter by May 15, 1998 for inclusion with the final Environmental Impact Statement for the project.

Sincerely,

H. Robert Miller

Howard B. Jones, P.E.

Chief, Engineering and Construction Division



*U.S. Fish and Wildlife Service
 Ecological Services
 Oregon State Office
 2600 SE 98th Avenue, Suite 100
 Portland, OR 97266*

Office phone: (503) 231-6179
 FAX Number: (503) 231-6195

Date: December 8, 2000
 Time: 1:34pm

FAX Transmittal

To: Colonel Randall J. Butler, Portland District Corps; cc: Kim Larson
 FAX Number: (503) 808-4505

From: Rollie White, Supervisory Fish and Wildlife Biologist

Distribution

- Urgent - Hand Carry
- Call Recipient at # _____
- Usual Routing

Subject: Columbia River Channel Improvement Project; Consultation

Number of pages (including transmittal sheet): 4

Comments:

Dear Colonel Butler,

At the request of State Supervisor Kemper McMaster I am faxing this letter to you today. Kemper and our Regional Director, Ms. Anne Badgley, are meeting with Mike Thorn of the Port of Portland this afternoon, and may share this letter with him if appropriate. We wanted to make certain, however, that you had received a copy before we shared it with the Port, and since it was only signed yesterday we felt that normal mail delivery was unlikely to have reached you yet. Please do not hesitate to call if you have questions.

Sincerely,

Rollie White, Endangered Species Division Manager



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Oregon Fish and Wildlife Office
2600 S.E. 98th Avenue, Suite 100
Portland, Oregon 97266
(503) 231-6179 FAX: (503) 231-6195

Reply To: 8339.0563 (01)
File Name: CDF.notification1.wpd

December 7, 2000

Colonel Randall J. Butler
Department of the Army
Corps of Engineers, Portland District
P.O. Box 2946
Portland, OR 97208-2946

Re: Recommendations for Conferencing and Consultation on the Columbia River Channel
Improvement Project

Dear Colonel Butler:

On November 29, 2000, U.S. Army Corps of Engineers (Corps) biologists initiated dialog with the U.S. Fish and Wildlife Service (Service) about a conferencing and consultation process for the Columbia River Channel Improvement Project (Project). Of particular concern to the Service are effects of the Project on Southwestern Washington/Columbia River coastal cutthroat trout and bull trout.

The Southwestern Washington/Columbia River population of coastal cutthroat trout (coastal cutthroat trout) was proposed for listing under the Endangered Species Act (Act) as a threatened species on April 5, 1999 (64 FR 16397). On April 21, 2000, the Service assumed all jurisdiction under the Act for coastal cutthroat trout (65 FR 20123). The Columbia River and estuary are utilized by coastal cutthroat trout. The Service listed the Columbia River Distinct Population Segment of bull trout as a threatened species on June 10, 1998 (63 FR 31647). We have recently become aware of historic and recent records of bull trout in the Columbia River estuary.

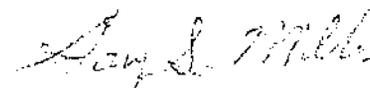
The National Marine Fisheries Service (NMFS) transmitted a final biological/conference opinion on the Project to the Corps on December 16, 1999. Potential effects to coastal cutthroat trout from the Project were addressed by NMFS in that opinion. On December 6, 1999, the Service transmitted a biological opinion (log number 1-7-99-F-280) on the Project's effects to bald eagle and Columbian white-tailed deer.

Since the aforementioned listing and consultation/conferencing actions, a number of issues associated with the Project have arisen. The following is a brief list of concerns and Service recommendations:

- On August 25, 2000, NMFS withdrew its biological opinion, removing any coverage under the Act for Project effects to coastal cutthroat trout. Due to the change in jurisdiction for coastal cutthroat trout, and withdrawal of NMFS' biological opinion for this project, we recommend that the Corps continue informal conferencing with the Service to address effects of the Project on coastal cutthroat trout. Additionally, for the purpose of formal conferencing on Project effects to coastal cutthroat trout, we recommend the Corps develop a biological assessment for the Project.
- We have recently become aware of historic records of bull trout in the Columbia River estuary. The Corps has not requested initiation of consultation for Project effects on this species, but we recommend that you do so.
- NMFS and the Corps have recently established a "reconsultation process", wherein the baseline conditions, and physical, chemical, and biological effects of the proposed action will be robustly re-analyzed. For instance, a week-long workshop is tentatively scheduled to begin addressing these biological, physical, and chemical issues. Because the Service believes the Project effects for species under NMFS' authority will be similar to those for coastal cutthroat trout, and the three agencies have a strong history of cooperatively addressing complex consultation issues jointly, it will be advantageous for the Service to fully join into the "reconsultation process" with NMFS and the Corps. It will be more difficult to comprehensively and completely address all issues involving listed and proposed aquatic species without the Service's full involvement in the ongoing cooperative approach.
- Currently, we have received no information regarding the Corps' intent to implement the Bald Eagle Term and Condition #4 listed in the Service's December 6, 1999, opinion. We recommend the Corps begin implementation of Term and Condition #4, or provide us a strategy and timeline for implementation of this Term and Condition, before the Project actions begin. Without implementing the Terms and Conditions from this opinion, the Corps may not have incidental take coverage for the bald eagle. In addition, if any changes to the Project's action or effects are expected, that weren't previously described or disclosed in the Corps' 1999 biological assessment, you also may need to reinstate consultation on the December 6, 1999, opinion for bald eagle and/or Columbian white-tailed deer.
- If any non-Federal entities will be involved with the Corps in the conferencing/consultation process for coastal cutthroat trout and bull trout or reinstitution of our previous consultation, the Service requires the Corps to transmit a letter to us designating non-Federal representatives.

We believe that full participation by the Service in all ongoing data review, analysis, and Project effects discussions, as outlined in the NMFS/Corps "reconsultation process" briefing documents, will benefit all agencies involved in this Project. Please contact Rollie White, Endangered Species Division Chief, or Doug Young, Fish and Wildlife Biologist, if you have any questions regarding the conferencing and consultation process.

Sincerely,



Kemper M. McMaster
State Supervisor

cc: NMFS (Torteric)



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

Reply to
Attention of:

JAN 6 2001

Planning, Programs and Project Management Division

Mr. Kemper McMaster
Field Supervisor
U.S. Fish and Wildlife Service
2600 SE 98th, Suite 100
Portland, OR 97266

Dear Mr. McMaster:

This letter is to formally respond to your recommendations for conferencing and consultation on the Columbia River Channel Improvement Project contained in your letter of December 7, 2000. This addresses the constructive discussions we held on December 21, 2000 on this matter.

The primary issue we discussed was the participation by your agency in the formalized reconsultation process we have underway with National Marine Fisheries Service. It was agreed that you would attend the meeting that is to be held on January 5, 2001, to determine the value of this process to consultations or conferencing relevant to your agency. The level of participation of your and my technical staff will be determined as this process develops. Future technical discussions may be relevant to issues pertaining to coastal cutthroat trout and bull trout.

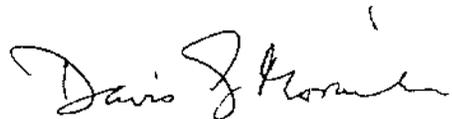
You have stated in your letter that, "Currently, we have received no information regarding the Corps' intent to implement the Bald Eagle Term and Condition #4 listed in the Service's December 6, 1999, opinion. We recommend the Corps begin implementation of Term and Condition #4, or provide us a strategy and timeline for implementation of this Term and Condition, before the Project actions begin." As we discussed at our meeting, the timeframe for the Channel Deepening project is dependent upon the satisfactory conclusion of the consultation process currently underway. Once the direction of this project is determined, a strategy and timeline for this term and condition will be provided. Currently, an implementation timeline for the Channel Deepening project has not been established and thus it is premature to fully scope such monitoring actions. We will implement the monitoring plan concurrent with project dredging and disposal operations.

Finally, your letter asked us to designate any non-Federal representatives that would be involved in the conferencing/consultation process. We declare that Port of Portland representatives may be involved in the conferencing/consultation process. However, the Port has only been formally designated as a non-Federal representative in the consultation with National Marine Fisheries Service. If the Port is formally designated as a non-Federal representative for species under your jurisdiction, we will notify your agency. For

purposes of our conferencing and consultation, the Corps remains the primary point of contact.

If you have any questions, or need further information concerning this matter, please feel free to contact Bob Willis, Chief of my Environmental Resources Branch at 503-808-4760.

Sincerely,



Davis G. Moriuchi
Deputy District Engineer
For Project Management

Copies Furnished:

CENWP-OC (Janice)

National Marine Fisheries Service
525 NE Oregon St., Suite 500
Portland, OR 97232-5435

Port of Portland
P.O. Box 3529
Portland, OR 97208

Interstate Columbia River Improvement Project
121 N.W. Everett Street
Portland, OR 97208
(503) 944-7226/FAX (503) 944-7250

COPY

May 21, 2001

Randall J. Butler
Colonel, Corps of Engineers
District Engineer
P.O. Box 2946
Portland, OR 97208-2946

Dear Colonel Butler:

The port co-sponsors of the Columbia River Channel Improvement Project hereby request the Corps of Engineers designate us non-Federal representatives for the Endangered Species Act consultation with the United States Fish and Wildlife Services (USFWS) to prepare a biological assessment on the project. The authority for this request is contained in 50 CFR Section 402.08.

Because of the timeline for the consultation, we would appreciate a determination as early as practicable. Thank you for your consideration.

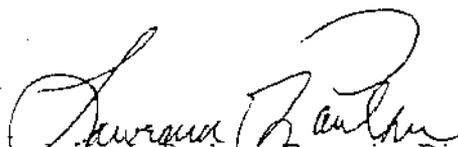
Very truly yours,

*Smart Shelly, FINANCE MGR.
FOR Lanny Cawley, EX. DIR.*

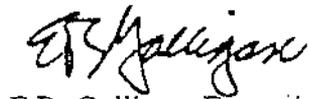
Lanny H. Cawley, Executive Director
Port of Kalama



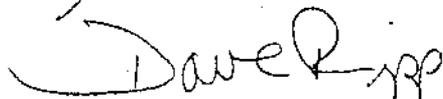
Ken B. O'Hollaren, Executive Director
Port of Longview



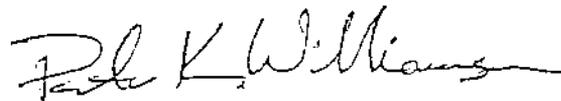
Larry L. Paulson, Executive Director
Port of Vancouver



E.B. Galligan, Executive Director
Port of Portland



David Ripp, Manager
Port of Woodland



Peter Williamson, Executive Director
Port of St. Helens



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

JUL 11 2001

Reply to
Attention of:

Planning, Programs and Project
Management Division

Ken O'Hollaren, Executive Director
The Interstate Columbia River Improvement Project
P.O. Box 1258
Longview, Washington 98632

Dear Mr. O'Hollaren:

Thank you for your letter, dated May 21, 2001, requesting designation as the non-Federal representative for the ongoing Endangered Species Act (ESA) consultation with the USFWS, for the Columbia River Channel Improvement Project. This request was pursuant to 50 CFR 402.08.

The U.S. Army Corps of Engineers has considered your request and hereby designates the six co-sponsoring ports for the project, as the non-Federal representative for ESA consultation with USFWS.

Please call Laura Hicks, Project Manager, at (503) 808-4705 with further questions.

Sincerely,

Randall J. Butler
Colonel, Corps of Engineers
District Engineer

Copy Furnished:

Dianne Perry, Project Manager
121 NW Everett Street
Portland, Oregon 97208



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

JUL 11 2001

Reply to
Attention of:

Planning, Programs and Project
Management Division

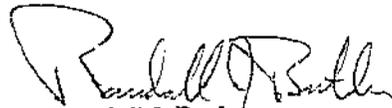
Kemper McMaster, State Supervisor
U.S. Fish and Wildlife
2600 SE 98th Avenue, Suite 100
Portland, Oregon 97266

Dear Mr. McMaster:

The purpose of this letter is to notify you that the U.S. Army Corps of Engineers has designated the six lower Columbia River ports for the Columbia River Channel Improvement Project, as the non-Federal representative with your agency, for the Endangered Species Act consultation. This action is pursuant to 50 CFR 402.08.

Please call Laura Hicks, Project Manager at (503) 808-4705, with further questions.

Sincerely,


Randall J. Butler
Colonel, Corps of Engineers
District Engineer

Copy Furnished:

Ken O'Hollaren, Executive Director
The Interstate Columbia River Improvement Project
P.O. Box 1258
Longview, Washington 98632

Dianne Perry, Project Manager
121 NW Everett Street
Portland, Oregon 97208

RECEIVED NOV 02 2000



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

OCT 27 2000

Reply to
Attention of:

Planning, Programs and Project
Management Division

Ken O'Hollaren, Executive Director
The Interstate Columbia River Improvement Project
121 NW Everett Street
Portland, Oregon 97208

Dear Mr. O'Hollaren:

Thank you for your letter dated October 16, 2000 requesting designation as non-Federal representative for the Endangered Species Act (ESA) consultation for the Columbia River Channel Improvement Project (project), pursuant to Title 50, Code of Federal Regulations, Section 402.08 (50 CFR 402.08). The U.S. Army Corps of Engineers has considered your request and has decided to designate the six co-sponsoring ports for the project as the non-Federal representative for ESA consultation. We will provide written notification of the designation to the National Marine Fisheries Service.

Sincerely,

A handwritten signature in black ink that reads "Randall J. Butler".

Randall J. Butler
Colonel, Corps of Engineers
District Engineer



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

OCT 27 2000

Reply to
Attention of:

Planning, Programs and Project
Management Division

Donna Darm
Acting Regional Administrator, NW Region
7600 Sand Point Way, NE
BIN C15700, Building 1
Seattle, Washington 98115-0070

Dear Ms. Darm:

The purpose of this letter is to notify you that the U.S. Army Corps of Engineers has designated the six lower Columbia River ports for the Columbia River Channel Improvement Project as the non-Federal representative for the Endangered Species Act consultation, pursuant to Title 50, Code of Federal Regulations, Section 402.08 (50 CFR 402.08). The designation covers both consultation and preparation of a biological assessment.

Sincerely,

/Signed/

Randall J. Butler
Colonel, Corps of Engineers
District Engineer

Copy Furnished:

OC, Sorenson

Interstate Columbia River Improvement Project

Interstate Columbia River Improvement Project
121 N. W. Everett Street
Portland, OR 97208
(503) 944 7226 FAX (503) 944 7250

October 16, 2000

Randall J. Butler
Colonel, Corps of Engineers
District Engineer
P.O. Box 2946
Portland, OR 97208-2946

Dear Colonel Butler:

The port co-sponsors of the Columbia River Channel Improvement Project hereby request the Corps of Engineers designate us non-Federal representatives for the Endangered Species Act consultation with the National Marine Fisheries Service (NMFS) on the project. The authority for this request is contained in 50 CFR Section 402.08.

Because of the timeline for the consultation, we would appreciate a determination as early as practicable. Thank you for your consideration.

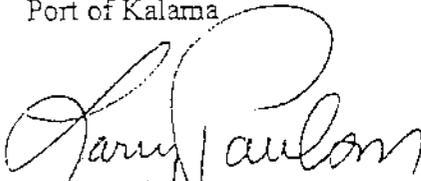
Very truly yours,



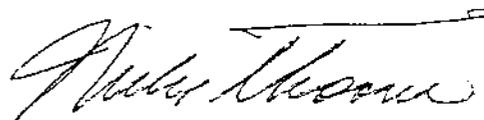
Lanny Cawley, Executive Director
Port of Kalama



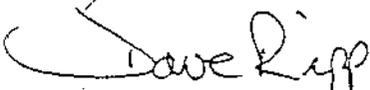
Ken O'Hollaren, Executive Director
Port of Longview



Larry Paulson, Executive Director
Port of Vancouver



Mike Thorne, Executive Director
Port of Portland



David Ripp, Manager
Port of Woodland



Peter Williamson, General Manager
Port of St. Helens *by cdp per attached*