



STATE OF WASHINGTON

ENERGY FACILITY SITE EVALUATION COUNCIL

PO Box 43172 • Olympia, Washington 98504-3172

WASHINGTON STATE ENERGY FACILITY SITE EVALUATION COUNCIL

RESOLUTION NO. 347

ENERGY NORTHWEST COLUMBIA GENERATING STATION

Authorizing Fish Collection for Radiological Environmental Monitoring Program, Subject to Conditions

Nature of Action

Energy Facility Site Evaluation Council (EFSEC) Resolution No. 157 (issued September 24, 1979; amended September 9, 1985) determined that “Scientific Collector Permits,” normally required by the Departments of Fisheries and Game in the conduct of environmental research projects, were not required for the Washington Public Power Supply System or its contractors when collecting fish for tissue sampling as required by the site certification agreements covering WNP 2, WNP 1/4, and WNP 3/5. This action closes Resolution No. 157 and authorizes Energy Northwest to collect fish as required by the Radiological Environmental Monitoring Program for the Columbia Generating Station, subject to the conditions set forth in this resolution in lieu of a Scientific Collection Permit from the Washington Department of Fish and Wildlife.

Background

The Site Certification Agreement (SCA) issued to Energy Northwest (formerly Washington Public Power Supply System) to construct and operate the Columbia Generating Station (formerly WNP-2) required that various environmental monitoring programs contained in Attachment I to the SCA be initiated and maintained. SCA Condition IV.B.1.

The SCA states that the environmental monitoring programs “shall be developed and implemented in close consultation with the Council, and reasonable modifications shall be made, with concurrence of the Council, when these are necessary to achieve the purposes of the programs.” *Id.*

The non-radiological, water quality-related elements of the environmental monitoring programs were closed out in 1995 because they were superseded by the National Pollutant Discharge Elimination System (NPDES) permit that was reissued that year. *See* Resolution No. 310.

The non-radiological, terrestrial ecological monitoring elements of the environmental monitoring programs were closed out in 2004 by Resolution No. 310 (issued April 19, 2004).

Radiological monitoring elements of the environmental monitoring programs required by the SCA have come to be addressed under a Radiological Environmental Monitoring Program (REMP) that is also a requirement of Energy Northwest's operating license from the Nuclear Regulatory Commission. *See* Resolution Nos. 132, 260, 332; Appendix A to 10 C.F.R. Part 50.

The purpose of the REMP is to ensure that any radionuclides released into the environment as a result of station operations remain below the levels listed in Table 2 of Appendix B to 10 C.F.R. Part 20 and determined by the NRC to be protective of public health and safety and the environment. Aquatic monitoring activities associated with the REMP include the collection of water, sediment, and fish tissue samples.

The REMP includes specific requirements for the collection of recreationally important fish species for tissue gamma isotopes sampling.

Under RCW 77.32.240, WAC 220-200-150, and WAC 220-450-030, it is unlawful to collect fish for the purpose of research without first obtaining a Washington state Scientific Collection Permit from the Washington Department of Fish and Wildlife (WDFW). However, RCW 80.50.120(3) provides that issuance of a site certification agreement shall be in lieu of any permit or similar document required by any agency of the state.

In EFSEC Resolution No. 157 (issued September 24, 1979; amended September 9, 1985) the Council responded to a request from the Washington Public Power Supply System for EFSEC's concurrence that "Scientific Collector Permits, normally required by the Departments of Fisheries and Game in the conduct of environmental research projects, are not deemed necessary by virtue of RCW 80.50.120(3)" in connection with the fish collection required for environmental monitoring under the SCAs for WNP-2, WNP-1/4, and WNP 3/5. Based on the specific fish collection requirements then in effect for the environmental monitoring programs under the three SCAs, the Council resolved that "Scientific Collector Permits only for the conduct of studies pursuant to [the respective SCAs' environmental monitoring programs] are not required of the Supply System or its scientific contractors" (EFSEC Resolution 157 Pg. 1).

On March 4, 2019, Energy Northwest requested closure of Resolution 157.

Resolution 157 should be closed for the following reasons:

- Construction at sites WNP-1/4 and WNP-3/5 was not completed.
- WNP-2 is currently known as the Columbia Generating Station (CGS).
- Fish collection is only required at CGS.
- Energy Northwest replaced the Washington Public Power Supply System.
- The CGS Radiological Environmental Monitoring Program (REMP), has as its objective the determination of the significant radiological effects of CGS operations on the environment and requires annual fish collection.

- Quarterly reports on the data collection results from the sampling work performed are not necessary for the fish collection program that is conducted annually unless an impact is indicated, then semiannually.
- Under the REMP, not more than 6 game fish of each species may be sacrificed (killed) per year.
- Samples of sensitive species, which consist of one anadromous salmonid species (*Oncorhynchus sp.*), are collected at Washington Department of Fish and Wildlife Columbia River Ringold Fish Hatchery or from the Snake River Lyons Ferry Fish Hatchery and not directly from the Columbia or Snake Rivers.

EFSEC staff prepared this resolution in consultation with WDFW staff for the purpose of closing out Resolution No. 157 and authorizing Energy Northwest to collect fish for environmental monitoring purposes consistent with the terms currently required by the Columbia Generating Station SCA and the REMP, and subject to the conditions set forth below in lieu of a Scientific Collection Permit issued by WDFW under RCW 77.32.240.

Resolution

It is hereby resolved by the Energy Facility Site Evaluation Council that the collection of fish for research/scientific investigation in accordance with the biological monitoring required by the REMP at CGS is subject to the following conditions in lieu of a Scientific Collection Permit issued by WDFW under RCW 77.32.240:

- 1) This resolution allows collection of fish for research/scientific investigation in accordance with the biological monitoring required by the REMP at CGS.
- 2) Collection and handling of fish may include the threatened Upper Columbia River (UCR) Steelhead (*Oncorhynchus mykiss*) and the endangered UCR spring-run Chinook salmon (*Oncorhynchus tshawytscha*) and the maximum number of non-lethal take or salvage is limited to 2 Chinook salmon and 10 steelhead. CGS must notify EFSEC and WDFW (see Attachment A for contact information) immediately if any state or federally listed threatened or endangered species are encountered or salvaged.
- 3) Handling requirements for state threatened, endangered, or sensitive species, and federal threatened or endangered species (per the Endangered Species Act (ESA) of 1973) must be in accordance to the following conditions:
 - a) ESA listed fish must not be handled if water temperatures exceed 21°C (69.8°F).
 - b) Each ESA listed fish that must be handled out-of-water for the purpose of recording biological information must be anesthetized. Anesthetized fish must be allowed to recover (e.g., in a recovery tank) before being released. Fish that are simply counted must remain in water but do not need to be anesthetized.
 - c) When using methods that capture a mix of species, ESA-listed fish must be processed first.
 - d) Permit holder shall apply measures that minimize risk of harm to listed and unlisted fish. These measures include but are not limited to: limitations on the duration (hourly, daily,

weekly) of trapping, limits on trap holding duration of listed fish prior to release; application of procedures to allow safe holding and careful handling and release of listed fish; and allowance for free passage of listed fish when trapping facilities are not being actively operated.

- 4) The location for fish collection and handling is in the Columbia River, river mile 351 – 354 in Benton and Franklin Counties.
- 5) The fish collected will be used for laboratory tissue sampling in accordance with the REMP.
- 6) The specific type of animal to be collected or handled under this permit are freshwater fishes as indicated in the table below with the maximum number of lethal take annually (July 1 – June 30 of the next year), live permanent removal, non-lethal take, and salvage.

Fish Name	Max # of Lethal Take or Live Permanent Removal annually	Max # of Non-lethal Take or Salvage annually
Smallmouth bass (<i>Micropterus dolomieu</i>)	6	
Walleye (<i>Sander vitreus</i>)	6	
Yellow perch (<i>Perca flavescens</i>)	6	
Common carp (<i>Cyprinus carpio</i>)	6	
Channel catfish (<i>Ictalurus punctatus</i>)	6	
Brown bullhead (<i>Ameiurus nebulosus</i>)	6	
Yellow bullhead (<i>Ameiurus natalis</i>)	6	
Black bullhead (<i>Ameiurus melas</i>)	6	
Largescale sucker (<i>Catostomus macrocheilus</i>)	6	
Chinook salmon (<i>Oncorhynchus tshawytscha</i>)		2
Steelhead (<i>Oncorhynchus mykiss</i>)		10

- 7) Fish collection is by hook and line fishing with the following exception:
 - a) Fish collection by electrofishing may be conducted if hook and line fishing is not successful. Electrofishing must be conducted from small boats with the following restrictions:
 - i) Water depth must be less than 10 feet.
 - ii) Electrofishing operations must be conducted at least 300 feet from any active redds.
 - iii) Electrofishing operations are not permitted when listed adult salmon or steelhead are observed at an active redd.
 - iv) Electrofishing may only take place in September – December.
 - v) Electrofishing may only be conducted if the water temperature at the capture site is less than 18°C.
- 8) CGS must submit an annual report to EFSEC and WDFW by February 28th each year. The report must include the following freshwater fish collection data:
 - a) Date of collection.
 - b) Species name.

- c) Numbers of each species encountered and/or retained.
- d) Location of each sample site, including county, water body, and latitude/longitude or GPS coordinates.
- e) Disposition of specimens.

The fish collection activities must be reported by individual sampling days. Sampling dates may not be combined on the report. The annual report must be submitted on the attached form included in Attachment A. See Attachment A for EFSEC and WDFW contacts.


- 9) CGS must comply with the conditions of the most current addition of the WDFW Protocols for Field Work for the handling requirements for Aquatic Invasive Species (AIS).
- 10) EFSEC may periodically review the conditions in this resolution in consultation with WDFW and amend, as necessary.
- 11) Resolution No. 157 is closed.

Dated and effective at Olympia, Washington this 16 day of June 2020.

WASHINGTON STATE ENERGY FACILITY SITE EVALUATION COUNCIL



Kathleen Drew, EFSEC Chair

Attested:


Sonia E. Bumpus, EFSEC Manager

- Attachments:
- A. Reporting Contacts and Reporting Requirements

Attachment A

Reporting Contacts and Reporting Requirements

Annual report submittal to:

EFSEC
PO Box 43172
Olympia, WA 98504-3172
amy.moon@utc.wa.gov
360-664-1362

WDFW
peggy.miller@dfw.wa.gov
Paul.Hoffarth@dfw.wa.gov
Bruce.Baker@dfw.wa.gov

Threatened and Endangered Species 24-hour reporting to:

EFSEC
Amy Moon at 360-664-1362

WDFW
Paul.Hoffarth@dfw.wa.gov
Bruce.Baker@dfw.wa.gov

**Energy Facility Site Evaluation and Washington Department of Fish & Wildlife
Resolution 347 Annual Report Form**

ENERGY FACILITY SITE EVALUATION and WASHINGTON DEPARTMENT OF FISH & WILDLIFE RESOLUTION 347 ANNUAL REPORT FORM											
Project Start Date			Please submit this report at the end of the permit period:								
Permittee Name			EFSEC					WDFW			
Agency/Institution			ATTN: AMY MOON					ATTN: LICENSING DIVISION			
email address			PO Box 43172					EMAIL: peggy.miller@dfw.wa.gov			
Permit No.			Olympia, WA 98504-3172					Paul.Hoffarth@dfw.wa.gov			
			EMAIL: amy.moon@utc.wa.gov					Bruce.Baker@dfw.wa.gov			
			PHONE: 360-664-1362					PHONE: 360-902-2464, option 4			
Please provide the WRIA (and stream name) or Marine Area and also provide the GPS coordinates. If sampling more than one location, report data by location.											
*Disposition codes - please select carefully; more than one code may be used											
1. Survey/observation/non-handling "take"			8. Release at capture site, dead								
2. Captive for research, live			9. Tag/mark and release								
3. Euthanize/mortality, hold for analysis			10. Move and release, live								
4. Euthanize/mortality, waste disposal			11. Sub-lethal tissue collection, release at site								
5. Display, live			12. Lethal tissue collection								
6. Display, dead			13. Other (describe)								
7. Release at capture site, live											
Life Stage (for salmonids only) = A (adult), J (Juvenile), F (Fry), E (Egg)											
Origin (for salmonids only) = W (wild), H (hatchery)											
Methods/Actions = collection method											
GPS Coordinates should be in WGS84 decimal degrees format											
For tissue sampling, please state the type of tissue collected											
Date of Collection	Species - Common and Scientific name	Life Stage	Origin	Number Encountered	Water Name	Specific Location (e.g., reach location, reservoir name, etc.)	GPS Coordinates (WGS84 decimal degrees format)	Disposition Code(s)*	Methods/Actions	Genetic Sampling Y/N	Comments