Northwest Habitat Institute

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May 10, 2003

John Palensky
National Marine Fisheries Service
525 NE Oregon
Suite 500
Portland, OR 97232

RE: Mainstem/Systemwide Project 35010

Dear Mr. Palensky:

Based on our conversation on May 8, 2003, I now understand that even though the Northwest Habitat Institute was specifically asked to comment about RPA 181 as well as others, in the review done by the NMFS RME Group, the reality was that our response to comments was never considered. Another staff that is also familiar with project proposal reviews called on May 8, 2003 and confirmed our conversation. I am troubled by this for 2 reasons: a) this identifies a "flawed process" in that the rankings used by the Council to sort projects for funding are "initial rankings" though they are implied to be final, and b) by not closing the "fix-it-loop" NMFS has created a "competitive edge" in the consideration for funding because only initial rankings are used though projects that can clearly meet and address RPA check-ins and intent, like ours, are never re-ranked and therefore not considered to address the Biological Opinion, which has been a key criteria used to fund projects. Interesting enough, 7 out of 8 new projects sponsored solely by NMFS received a ranking. By creating a competitive edge and allowing a flawed process to go forward, in my opinion, NMFS has created a conflict-of-interest to obtain funding.

Since I do not know if or how the NMFS rankings will be applied, I am formally requesting that the National Marine Fisheries Service (NMFS) re-evaluate Project 35010, *An Interactive Biodiversity Information System* in respect to meeting the Reasonable and Prudent Alternatives (RPAs) listed in the proposal. I am making this a formal request because I previously made 4 informal contacts asking for this review (on April 24th after our meeting at the Council's Office in Portland, on April 29th via our phone conversation, on April 30th via e-mail, and on May 8th via our phone conversation), and I did not hear back from you on May 9 as stated I would. As you know, time is of the essence because of the pending decisions that need to be made on the Mainstem/Systemwide project proposals. Hence, I am requesting that this review be done no later than May 16th, 2003.

How you proceed with above information is certainly up to NMFS. I might suggest though that NMFS inform the Northwest Power Planning Council of the shortcomings of the ranking process and the ramifications that this creates. In turn, I am forwarding my concerns about the NMFS ranking process to the Council via this letter. I thank you for your time and consideration.

Cordially,

Thomas O'Neil
Director