



BPA Statement:

Fish Passage Center ruling by the Ninth Circuit Court (Jan. 25, 2007)

We continue to believe the case made by the Bonneville Power Administration was a sound case. We're disappointed the Ninth Circuit Court didn't accept BPA's multi-faceted rationale for its decision to transfer functions critical to salmon and steelhead survival from the Fish Passage Center to the Pacific States Marine Fisheries Commission and the Battelle Pacific Northwest National Laboratory. We asserted that BPA's decision to transfer these functions was consistent with Northwest Power and Conservation Council guidance. BPA is currently reviewing the court's ruling and evaluating our options.

We want to be clear that this issue has never been about whether these particular fish mitigation efforts are important. They are. What became an issue in this case was how these functions could best be carried out for the region.

Over the long term, we will continue working with the Council and other regional stakeholders on our commitment to improve habitat and fish survival in the region.

BPA is a not-for-profit federal agency that markets about 40 percent of the electricity consumed in the Pacific Northwest. The power is produced at 31 federal dams in the Northwest and one nuclear plant and is sold to more than 140 Northwest utilities. BPA operates a high-voltage transmission grid, comprising more than 15,000 miles of lines and associated substations in Washington, Oregon, Idaho and Montana.