



SPOKANE
RIVERKEEPER®

It's Your River ♦ We Protect It

Representative Mike Simpson (2nd District, ID)
2084 Rayburn HOB
Washington, DC 20515

March 19, 2021

RE: Snake River Salmon Recovery Concept

Dear Representative Simpson:

The Spokane Riverkeeper is an advocate for the Spokane River and the tributaries in our watershed below Lake Coeur d'Alene. We work on pollution and water-quality issues, both of which strengthen fisheries habitats. We recognize that healthy fisheries are a barometer for the wellbeing of communities and the aquatic ecosystems that we work to protect. We also recognize that salmon are a way of life for many communities throughout the Columbia Basin, the Spokane River watershed being no exception. Salmon have been the mainstay for communities in this region for millennia, and their future restoration promises numerous economic, cultural, and social benefits.

We appreciate the concept that your office recently proposed to recover salmon in the Snake River Basin by following the established science and returning the lower Snake River to a more ecologically functional and economically powerful system. The Spokane Riverkeeper finds this intention encouraging. Recovering wild salmon and taking real and bold steps to do so should be a priority for all. We do however, oppose the concept, *as proposed* and ask for its modification.

We would like to highlight that inside this concept is a proposal to spend \$700 million to return salmon into the Upper Columbia and Upper Snake Rivers. The Spokane Riverkeeper strongly supports this aspect of the larger proposal as an important step to return salmon to the Columbia River above Grand Coulee Dam and the Spokane River. These areas have been devoid of salmon runs for more than 80 years. No effort to address the issue of salmon in the Columbia Basin can succeed without addressing restoration in these areas. However, the Riverkeeper questions whether dividing \$700 million between two basins is adequate or realistic to meet the goal of salmon reintroduction. The Riverkeeper requests that the Upper Columbia United Tribes (UCUT) be consulted for a realistic proposal for restoration in the Upper Columbia that includes adequate funding and specific authorization for the Army Corps and Bureau of Reclamation to implement reintroduction efforts. Most citizens of the upper Columbia recognize our salmon will bring back culture, economic health, and ecological recovery to our rivers. The Spokane City Council [passed a resolution](#) (2014-0070 - attached) expressing support for the Northwest Power and Conservation Council's Fish and Wildlife Program's inclusion of anadromous fish passage above Grand Coulee Dam.

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The Spokane Riverkeeper is extremely concerned that your concept, as it now stands, contains regulatory exemptions that are too extensive and could adversely impact salmon, other native species, and water quality for years to come. These provisions must be stripped before the concept is written into legislation. Specifically, we are deeply concerned with the following:

- **The extension of Federal Energy Regulatory Commission (FERC) licenses is overbroad.** Many private dams and hydroelectric operations themselves pose significant pollution and passage problems with regards to salmon recovery in the Columbia Basin. If your proposal were to come to fruition as conceptualized, the terms of operations on all other qualifying public and private dams over five megawatts in the Basin would be extended for an additional 35 years. Dams in the Spokane River Basin that are licensed by the FERC have clauses in their terms to reopen if salmon can pass over the federal projects of Chief Joseph and Grand Coulee Dam on the Columbia River. These clauses are critical if we are to create salmon passage over projects in the Spokane River Basin. The language in the concept, as proposed, jeopardizes this vision for fish recovery in the Upper Columbia and the Spokane River Basin. Further, the concept as proposed could damage or stall the UCUT planning to recover fish above Grand Coulee and other Upper Columbia habitats. Legislation must ensure that existing licensing terms, including license reopeners, remain enforceable.
- **Federal Environmental Laws at Columbia River Basin Dams (federal and private dams that generate over 5 MW) must not be waived.** The suspension of fundamental environmental laws at dams in the Columbia Basin is unacceptable given the massive environmental impact these projects continue to have on the aquatic ecosystems in and beyond the Columbia Basin. In the concept as proposed, laws such as the Endangered Species Act (ESA), Clean Water Act (CWA), and National Environmental Policy Act (NEPA) would no longer work as designed to give habitats, fisheries, and water quality the fundamental protections they were designed to provide for a period of 35 years. Additionally, the concept of suspending environmental litigation for that period could end concrete progress in reforming the hydro system to recover anadromous fish. Numerous efforts across the Columbia Basin would be stalled, even as our anadromous fish stocks continue to decline to critical levels.
- **Regulatory laws that apply to agriculture and water quality must not be waived:** The concept foresees the creation of “voluntary” agricultural watershed partnerships run by the State Departments of Agriculture. This piece of the concept would cost three billion dollars – an unacceptable arrangement as it would 1) exempt “agricultural interests” from the CWA and ESA through “partnerships” that place agricultural and industry interests in charge of managing waterways critical to salmon recovery and water quality and 2) would jeopardize the efforts of state agencies that

administer State Water Quality Standards, regulations, remediation, and recovery. To do so would expose the vast majority of streams to pollution and degradation from agricultural land use with little hope for water quality and habitat improvement.

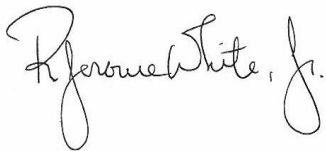
The Spokane Riverkeeper is neutral on infrastructure spending. Those pieces of the concept are outside of our core mission and therefore we will offer no opinion on them.

The Spokane Riverkeeper appreciates the need to follow the science in salmon recovery. We also appreciate the need to face the fact that it is time to remove the four lower Snake River Dams to recover and protect the critical legacy salmonid genetics in the Columbia Basin. We are in complete agreement that this is a critical step in Columbia Basin salmon recovery.

However, the concept needs to be critically modified to create a holistic, equitable salmon recovery package that respects the very mechanisms that will bring us full recovery in the future. Upper Columbia salmon recovery efforts need to be maintained alongside these lower basin efforts. Regulatory frameworks that support habitat recovery cannot be bargained into a situation where those efforts lose their momentum and viability. These regulatory frameworks and environmental laws serve to protect our natural world, our quality of life, and economic wellbeing. Their compromise could create a precedent and usher in a new era of backslide, confusion, and instability with regards to environmental recovery in other parts of the nation.

We will urge our Washington legislative leaders to get involved in this conversation. We will affirm the need to remove the four lower Snake River dams, implement measures to recover salmon and ensure that in so doing, environmental laws and protections are never weakened nor exposed to compromise that would prevent us from protecting and creating a better world for future generations. Thanks for your efforts and your attention to our perspectives. Please contact us at your convenience if you have questions or thoughts.

Respectfully,

A handwritten signature in black ink that reads "Jerry White, Jr." The signature is written in a cursive, flowing style.

Jerry White, Jr.
Spokane Riverkeeper