

# HOUSE BILL REPORT

## ESHJM 4010

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### As Passed House:

March 17, 1999

**Brief Description:** Requesting the federal government not to breach dams on the Columbia or Snake rivers.

**Sponsors:** By House Committee on Agriculture & Ecology (Originally sponsored by Representatives G. Chandler, Grant, Mastin, Linville, Clements, Lisk, Delvin, B. Chandler, Cox, Schoesler, Sump, Mitchell, Huff, McDonald, Mulliken, McMorris, Kessler, Buck, Reardon, Hatfield, Radcliff, D. Sommers, Edwards, Thomas, Ogden, Bush, Hankins, Skinner, Koster and Dunn).

### Brief History:

#### Committee Activity:

Agriculture & Ecology: 2/16/99, 3/2/99 [DPS].

#### Floor Activity:

Passed House: 3/17/99, 88-8.

### Brief Summary of Engrossed Substitute Bill

- Requests the federal government not to consider breaching dams on the main stem of the Columbia or Snake rivers as a productive option for enhancing anadromous fish stocks.

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## HOUSE COMMITTEE ON AGRICULTURE & ECOLOGY

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives G. Chandler, Republican Co-Chair; Linville, Democratic Co-Chair; Koster, Republican Vice Chair; B. Chandler; Delvin; Fortunato; Grant; Reardon; Schoesler; Sump and Wood.

**Minority Report:** Without recommendation. Signed by 3 members: Representatives Cooper, Democratic Vice Chair; Anderson and Stensen.

**Staff:** Kenneth Hirst (786-7105).

**Background:**

With certain exceptions, if a species has been listed as threatened or endangered under the federal Endangered Species Act (ESA), each federal agency must ensure that its actions will not likely jeopardize the continued existence of the species or will not result in the destruction or adverse modification of its habitat. Such an agency action is authorized, funded, or carried out by the agency. It includes an action granting a permit or license. With certain exceptions, no person may take an endangered species of fish or wildlife or violate certain rules of the Secretary of the Interior or Secretary of Commerce regarding them. However, a person may incidentally take such a species if an incidental take permit has been issued. The latter requires the approval of a habitat conservation plan.

Steelhead have been listed as threatened or endangered, and bull trout have been listed as threatened for various portions of the Columbia River. Sockeye have been listed as endangered and spring/summer chinook, fall chinook, steelhead and bull trout have been listed as threatened for the Snake River. The status of several stocks of salmonids is being reviewed for potential additional listings under the ESA.

In 1995, the U.S. Army Corps of Engineers published a final environmental impact statement (EIS) containing the results of a five-year system operation review for the operation of the Columbia and Snake river systems. As part of that review, the corps examined the environmental impacts and benefits of various operational strategies and examined at a reconnaissance level the estimated costs of a number of operational configurations for the lower Snake River. One, called the "Permanent Natural River Operation" option, would involve lowering the reservoirs on the four lower Snake River dams to nearly original riverbed levels year-round and lowering the reservoir at the John Day Dam on the main stem of the Columbia River. Economic reviews of alternatives have continued since the publication of the EIS.

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**Summary of Bill:** The importance of federally owned and federally licensed dams on the Snake and Columbia rivers is described. Certain findings of the 1995 study by the U.S. Army Corps of Engineers regarding a natural river option for the lower Snake River are listed, including costs of the option.

The federal government is asked to acknowledge that, despite substantial analysis by the scientific community to determine the biological benefit of breaching dams, there continue to be conflicting scientific views. It is asked not consider breaching dams on the main stem of the Columbia or Snake River because of those conflicting views and the adverse economic and transportation effects of the action on the region.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Original Bill) (1) If the dams were breached, the \$14 billion in commodities and products transported on the river system could not be moved to market without huge expenditures to reconstruct our state and local highway systems. (2) Over 40 percent of the wheat exports for the entire Midwest is carried on our river system. Without the barges, an additional 700,000 trucks would be on our highways. It takes nine barges to move 1 million bushels of wheat; it takes over 900 trucks to move the same amount of wheat, and the barges are far more fuel efficient. (3) Water rights and water tables would be adversely affected. Employment in the communities that depend on the shipping would be lost. (4) The dams provide low cost lighting and heat for the entire state and support approximately 125,000 acres of irrigated farming. (5) Rural electric co-ops provide power to about half of the irrigators in the state; if the dams are breached, the costs of the co-ops' BPA power will go up. (6) There is no room for errors in estimating; if BPA power becomes too expensive, it won't be able to sell it. (7) The PATH process used by the federal government for assessing the effects of breaching the dams has not been open to public scrutiny and has not been successful in predicting survival rates. It is time to judge this process before it creates the same misjudgements as the spotted owl process. (8) The dams should not be singled out as the way to improve fish survival. The effects of other alternatives, such as fish friendly turbines and predation control, need to be examined. (9) The Snake River dams are not the only federal dams being considered for breaching; the John Day and McNary dams are under consideration as well. (10) The county associations of both Washington and Idaho have passed resolutions opposing breaching these dams. (11) Dams can dampen the high flows and low flows that are damaging to fish habitat; they can help recovery. Off-stream water storage needs to be examined.

**Testimony Against:** (Original Bill) (1) The resolution ignores peer reviewed biological and economic science, and it prejudices the outcome of an EIS that will be released this summer. The 1995 information cited in the resolution was preliminary reconnaissance level data. (2) So far, science indicates that barging cannot provide the same recovery numbers for fish as modifying the dams. Do not ask Congress to do something that is rebutted by the facts. (3) Removing the dams is about more than fish passage, it is about fish habitat flooded by the reservoirs. The resolution would prohibit the recovery of Snake River fish stocks. (4) Something has to change, billions of dollars have been spent on solutions, such as barging, that only make matters worse. The cost of doing nothing is hundreds of millions of dollars per year. (5) Many coastal communities have already suffered the impact of drastically reduced fish runs; others upstream have precluded the recovery of these runs. (6) Only four of the many dams on the Columbia and Snake Rivers are being looked at for removal. They provide only 5 percent of the hydro power and only one-half of 1 percent of the irrigation, and the latter can be maintained with pumps. The real reason for these four dams is transportation, and that

can be replaced by trucks and rail. (7) The U.S. Treasury would bear the burden of paying the costs of Canadian and tribal treaty losses caused by extinctions, and that burden could threaten federal support for the entire BPA power system. (8) These dams do not provide low cost power or shipping; the low cost is provided by the federal laws that authorized the projects and the rest of the nation will not continue to support that policy if we fail to support the fish. (9) We have already paid more for less; the cost of the WPPSS nuclear power fiasco has been more expensive for ratepayers than removing these dams would be. The power lost can be economically replaced by gas powered turbines or conservation. (10) The fish do well at the Hanford Reach and in tributaries to the McNary and John Day reservoirs, so the problems for the Snake River fish runs must be the Snake River dams. (11) Not all dams have to be a problem, two dams have been endorsed as being fish friendly, and others can qualify.

**Testified:** (In favor) Representative Grant; Tom Flint, Save Our Dams; Max Benitz, Benton County Commissioner; Rick Wickman, Columbia River Steamship Operators; Paul Parker, Washington State Association of Counties; Ray Shindler, Washington Wheat Commission and Washington Wheat Growers; Jerry Harper, Columbia/Snake River Irrigators Association; Cliff Webster; Karla Fullerton, Washington Cattlemen's Association; Mike Paulson, Washington State Farm Bureau; and Aaron Jones, Washington Rural Electric Cooperatives Association.

(Opposed) Glen Spain, Pacific Coast Federation of Fishermen Associations; Jeff Shields and Sarah Patton, Northwest Energy Coalition; Eric Espenhorst, Friends of the Earth; Tim Stearns, Save Our Wild Salmon; Rodney Woodin, Department of Fish and Wildlife; Dawn Vyvyan, Yakama Indian Nation; Lanny Carpenter, Puget Sound Gillnetters; Jeremy Brown, Washington Trollers Association; Jim Baker, Sierra Club; and Fran Troje, The Mountaineers.