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KEEPING THE COLUMBIA/SNAKE A WORKING RIVER SYSTEM

OVERSIGHT FIELD HEARING

BEFORE THE

SUBCOMMITTEE ON WATER AND POWER

OF THE

COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

Monday, June 6, 2005, in Clarkston, Washington

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OVERSIGHT FIELD HEARING ON "KEEPING THE COLUMBIA/SNAKE A WORKING RIVER SYSTEM"

Monday, June 6, 2005
U.S. House of Representatives
Subcommittee on Water and Power
Committee on Resources
Clarkston, Washington

The Subcommittee met, pursuant to call, at 9:30 a.m., at the Quality Inn and Suites Conference Center, 700 Port Drive, Clarkston, Washington, Hon. George Radanovich [Chairman of the Subcommittee] presiding.

Present: Representatives Radanovich, McMorris, Hastings, and Otter.

Mr. RADANOVICH. Good morning and welcome to the Subcommittee on Water and Power hearing in Clarkston, Washington, regarding the Snake River. My name is George Radanovich. I represent a part of Central California near Yosemite, Fresno and Modesto in the 19th Congressional District. And I've got to tell you that it's a pleasure to be in your community. Thanks for causing the rain to stop and allowing me to enjoy a beautiful sunrise this morning. You have a beautiful neck of the woods, and I'm just thrilled to be here.

Before we get into the hearing, I would like to yield to my able Subcommittee colleague who represents this area, Congresswoman Cathy McMorris, and also to the hardworking Congressman who represents nearby in Lewiston, Butch Otter, for some important announcements before we begin the hearing.

Cathy.

Ms. MCMORRIS. Thank you, Mr. Chairman. We have a number of citizens that are going to be providing some important duties this morning. And we'd like to start by recognizing Gary Joiner who's staffed with the Washington State Farm Bureau who's going to lead us in the invocation. Gary.

[Invocation given.]

Ms. MCMORRIS. If you would remain standing, I'd like to recognize the Junior ROTC from Clarkston High School to Present the Colors.

[Colors presented.]

Ms. MCMORRIS. And now I'd like to recognize Boy Scout Troop 262 to lead us in the Pledge of Allegiance.

[Pledge of Allegiance recited.]

Ms. MCMORRIS. Thank you.

Now I'm going to yield to my good neighbor to the east, Butch Otter from Idaho.

Mr. OTTER. Thank you, Cathy. Thank you, Mr. Chairman. Thank you for calling this meeting.

Prior to introducing my guest who will sing a patriotic song on behalf of this nation, I want to remind us all that this is the 61st Anniversary of the invasion of Europe to end Word War II. And part of the liberties which we enjoy which allow us to come together peacefully and meet here today is because of those efforts.

And in honor of that, I'd like to introduce to you from Grangeville, Idaho, Melissa Casteel who will sing God Bless America.

[God Bless America sung.]

STATEMENT OF THE HON. GEORGE RADANOVICH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. RADANOVICH. Thank you very much. Just a beautiful voice. Thank you for that beautiful song.

Right now I'm going to give a brief opening statement. And I just want to say—again, I came in last night and had the opportunity to wake up and see the sunrise on the beautiful Snake River and do a little exercise and get ready. And little did I know that America was at work with the demonstrations out front. And I hear that they were very active. And I think that's fantastic because everybody—we live in a land of free speech, and it was very good.

However, the rules are always a little bit different in a hearing like this. And I do want to just take a minute to kind of describe what this is and what it's not.

We have taken, I think, very good care to make sure that every view in this room is represented by the people in this panel. And I think we're having one or two panels? One.

One panel. So everybody here represents this. This is an official Congressional hearing. And the purpose of the hearing is to take input on an issue. And the input comes from the folks up here. This isn't a public rally here. We need to be real careful that there's order maintained. And I wish everybody would respect that.

But what I want to make sure that you know is that your views are represented on this panel. And we will hold the hearing record open for at least 30 days so that if you feel like something has not been said, you'll have the opportunity to create some written remarks and send them in.

So if you would respect that, I would really appreciate it. And I do believe that the more order there is here, the better everything is heard and the more of an opportunity that we can get a decision on this issue that's fair and balanced.

So with that I am going to do my opening statement and then invite other members on the dais to do the same. And then we'll get into the testimony of the witnesses.

Again, thank you for being here, this beautiful part of the state. We gather here today along the Snake River to discuss ways to protect both endangered fish and the economy and the rural way

of life in northern Washington. The central part of our discussion will be the Endangered Species Act, a well-intended law but one that has serious consequences on rural communities.

As I indicated earlier, I'm from the Central Valley of California. And my region has felt the firsthand impacts of the Endangered Species Act as well. In the 1990s, California levees could not be maintained because it was the habitat of the endangered elderberry bark beetle. The water agencies were not allowed to maintain levees. And when the floods of 1997 hit, the levees were wiped out and two or three people lost their lives. Most recently, environmental extremists have used fund-raising and endless litigation in an attempt to undo decades of family farming in the San Joaquin Valley rivershed.

Zealous environmental legislation has been used to rewrite history at the expense of the Pacific Northwest. Despite increased salmon runs, billions of Bonneville ratepayer dollars and unprecedented Federal attention to solving the salmon dilemma, the environmental community continues to focus on dam removal at any cost.

I don't think Franklin Roosevelt or Warren Magnuson envisioned removing the very dams that they championed for multiple-use rivers in the Northwest. When the Endangered Species Act was created in 1973, I also don't think that anyone had in mind that our government would be spending $4 million per salmon like the Bonneville Power Administration was forced to do last summer because of litigation.

Lawsuit abuse continues to exploit the Endangered Species Act to the point where many rural families are beginning to feel that the only thing endangered is their community and their way of life. It's time to make the Endangered Species Act work for species and all people who are affected firsthand; not the movie star activists, the environmental attorneys and judges who don't live with the everyday impacts of their decisions.

Today's hearing is an important step in bringing common sense to the Endangered Species Act. And I want to commend my colleagues, Cathy McMorris, Butch Otter and, of course, Doc Hastings, for their leadership in asking for this hearing. And Mike Simpson as well.

I also want to thank everybody for taking the time to attend this hearing. I know it's important, and you took time out of your Monday to be here. And it's very much appreciated. I encourage you to submit your comments for the record. And we look forward to hearing from my colleagues and from these witnesses.

So I now recognize Ms. McMorris for her opening statement. Cathy.

[The prepared statement of Mr. Radanovich follows:]

Statement of The Honorable George Radanovich, a Representative in Congress from the State of California

Today, we gather here along the Snake River to discuss ways to protect both endangered fish and the rural way of life. The central part of our discussion will be the Endangered Species Act, a well-intended law but one that has serious consequences on rural communities.

As I indicated earlier, I'm from the Central Valley of California. My region has felt the firsthand impacts of the Endangered Species Act. In the 1990's, California levees couldn't be maintained because of an endangered beetle. When massive floods

came, the levees were wiped out and people perished. Most recently, environmental extremists have used fundraising and endless litigation in an attempt to undo decades of family farming in the San Joaquin rivershed. Just like in this area, we in the Central Valley have an activist Federal judge who wants to be a river-master.

Zealous environmental litigation has been used to re-write history at the expense of the Pacific Northwest. Despite increased salmon runs, billions of Bonneville ratepayer dollars and unprecedented federal attention to solving the salmon puzzle, the environmental community continues to focus on dam removal whatever the expense. I don't think Franklin Delano Roosevelt, Harry Truman, Lyndon Baines Johnson and Warren Magnuson had dam removal in mind when they envisioned multiple-use dams in the Northwest. When the ESA was created in 1973, I also don't think anyone had in mind that our government would spend $4 million per salmon like the Bonneville Power Administration was forced to do last summer because of litigation.

Lawsuit abuse continues to the turn the Endangered Species Act upside down to the point where many rural families are beginning to feel that the only thing "endangered" is their community. It's simply time to make the Endangered Species Act work for the species and the people, and not the movie stars, environmental attorneys and judges who don't have to live with the impacts of their irresponsible agenda.

Today's hearing is an important step in bringing "common sense" to the ESA. I want to commend my colleagues, Cathy McMorris, Butch Otter, Doc Hastings and Mike Simpson for their leadership in asking for this hearing. I also want to thank everyone for taking the time to attend this hearing and encourage you to submit your comments for the record. I look forward to hearing from my colleagues and the witnesses.

STATEMENT OF THE HON. CATHY McMORRIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Ms. MCMORRIS. Thank you, Mr. Chairman. We're really pleased to have you in Clarkston this morning and welcome Congressman Hastings and Congressman Otter to the 5th Congressional District. We're pleased to see everyone here and thank you everyone for coming.

As everyone in this region recognizes, the river is very important to our economy. I think the manager of the Port of Clarkston, Rick Davis, said it well when he compared the Columbia/Snake River System to Interstate 5. No one would consider shutting down Interstate 5. Yet we live in fear of shutting down many of the uses of the Columbia/Snake River System. That would destroy our way of life that is dependent upon the river.

I grew up in northeastern Washington state in Kettle Falls. We had an orchard and a fruit stand that overlooked the Columbia River. The river was both a landmark and a part of our livelihood. Our family was not different from many of the 11 million people who are living and working in the Pacific Northwest. The Columbia and Snake Rivers affect our daily lives in very different ways.

We all share a desire and recognize the importance of protecting our salmon populations. This region has invested billions of dollars, much of it coming from the pocket of ratepayers. It's interesting to note that over 20 percent of BPA's electric rates go for fish costs. And we've recently seen an increase in salmon populations throughout the rivers, and we need to maintain that momentum.

While we use the river system in different ways, we share a common goal to solve our decade's old problem of protecting endangered species while maintaining the value of the river system. Whether it is agriculture lands that have been developed because of irrigation or our region's economy which was largely built on in-

expensive hydropower—where in the Pacific Northwest, 70 percent of our electricity is generated from hydroelectricity—or the importance of the river as a transportation system and providing recreational opportunities, the Columbia River System ties our region together.

The existence of barge transportation on the lower Snake River not only benefits the residents and farmers of eastern Washington, eastern Oregon, Idaho and Montana, but also creates over 40,000 jobs in Portland that generates millions of dollars in economic activity and tax revenue.

I think it's interesting to note, the Columbia/Snake River barge shipper saves $38 million annually over the cost of transporting their cargos either by rail or truck. For example, one ton of cargo can be transported 514 miles by barge on just one gallon of fuel. While one ton of cargo can be moved only 59 miles on one gallon of fuel by truck. 43 percent of U.S. Wheat exports and 23 percent of all U.S.

Grain exports go through the Columbia/Snake River Systems. Over 60 percent of Washington wheat travels by barge through the Columbia/Snake River Systems.

Water from the Columbia and Snake Rivers provide important irrigation for the hundreds of crops grown throughout this region. It helps with flood and erosion control.

This morning we're going to hear a lot about the need to protect our endangered salmon while not closing the river.

Any solution must take into account salmon protection and recovery, but we must not sacrifice the other important uses of the river. The river systems throughout the Northwest are a critical part of our region's economy and should be used for transportation, irrigation and recreation.

The purpose of today's hearing is to get outside of Washington, D.C., and to the real Washington to hear from those most affected by the issue. I'm so pleased that everyone is here this morning. And I look forward to finding solutions that will protect our salmon, our endangered species, and our way of life.

Thank you very much.

Mr. RADANOVICH. Thank you, Cathy.

I want to recognize now my friend and colleague from Washington with whom I was elected, at the same time, more than ten years ago. Doc.

STATEMENT OF THE HON. DOC HASTINGS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. HASTINGS. George, thank you very much. And I want to welcome you up here to the great Northwest. And, actually, it's been 11 years. It doesn't seem like it's been that long.

Mr. Chairman and members, I want to thank you for holding this important hearing today. And I want to join my fellow Washingtonians once again in welcoming you to the Pacific Northwest. I'm sure we will find great benefit in hearing firsthand from the local residents here today as we discuss the importance of our multiple-purpose dams on the Columbia and Snake River Systems.

These individuals are on the front lines of helping to maintain one of the most productive agricultural regions in the world, as

Cathy enumerated moment ago. An important transportation link to the Pacific Rim in clean renewable source of energy, not only for the Pacific Northwest but several other western states as well.

I'd like to also note that two of the panelists who have come here to testify are from my district; Jean Ryckman from Pasco is the General Manager of the Franklin PUD, and Virgil Lewis is the Vice Chairman of the Yakama Nation. And I want to welcome both of them here, and I look forward to hearing your perspective.

Today's hearing, Mr. Chairman, is especially timely given the recent Court ruling that essentially invalidates the 2004 biological opinion for the operation of the Federal Columbia River System. Unfortunately, this same Court may be on the brink of ordering drastic changes to the operation of this system being requested by certain special interest groups and others. Much of what the plaintiffs have asked involves flushing more water out of the Columbia, regardless of the impact such actions would have on power generation, navigation, recreation, irrigation and even other fish and wildlife.

So let's be real clear about this. The real goal of these groups is dam removal. Starting with the four lower Snake River dams. And I can assure you that as long as I am in Congress, I will work as hard as I can to see that these dams are not breached.

Last week I joined several of my colleagues from the Northwest to ask the Administration to appeal this recent Federal court ruling that I mentioned that would invalidate the 2004 Biological Opinion. In the meantime, I know the Administration is working to reach an agreement with the Northwest Governors on alternative actions that might spare the region the economic disruptions that would be caused by changes to the operation of the hydrosystem this summer.

I hope these efforts are successful. Particularly since over the years a bipartisan group of Northwest Governors has already agreed on more than one occasion that we can save salmon without tearing down the dams. Ultimately we need to return decision-making to the agencies with expertise, make the salmon recovery more efficient and focused, and no longer allow litigants to drive the process.

Farmers, barge owners and Northwest electricity users alone are not responsible for the plight of salmon. In fact, they've contributed greatly over the years—is it still on? And so it's simply not fair or scientifically credible to put 100 percent of the burden of salmon recovery on these people.

So, Mr. Chairman, I thank you very much once again for having this hearing. I look forward to hearing from our witnesses, because what they have to say is very important as the decision process goes.

Thank you very much.

Mr. RADANOVICH. Thank you, Doc.

I now recognize the Gentleman from Idaho, Mr. Otter. Butch.

STATEMENT OF THE HON. C.L. "BUTCH" OTTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Mr. OTTER. Thank you, Mr. Chairman. And before I begin my opening statement today, I want to remind everybody of the great

rally that we had earlier. And I think a lot of good speeches, a lot of good points were made. I want to thank all the farmers and ranchers and laborers and everybody that labors within this economy for coming up. And beginning today with a rally like that reminding us of the importance of these kinds of open meetings and the importance of our economy. And in particular I want to thank Jerry Clinton from Lewiston, Idaho, and many others for helping put that together.

I also want to congratulate the many independent truckers who brought their rigs here today to show their support for the dams. And Arthur Lyons (phonetic) with the Lewis Clark Terminal Association and Ken Blakeman with the Primeland Cooperatives helped with that effort and that organization.

As I said, Mr. Chairman, many important things I think were said out there this morning. And so I would ask unanimous consent that to the extent that we have a record of those speeches that were made out there this morning that those be entered as part of the official record of this hearing.

Mr. RADANOVICH. Without objection they will be admitted.

Mr. OTTER. I would also, Mr. Chairman, and members of the Committee, ask unanimous consent that because we are limited in our time, there's a lot of people that are going to want to submit at least some perhaps rebuttal to what is heard here today but at least have the opportunity to voice their opinion in this public hearing. And so I would ask that this record be kept open for 30 days allowing anyone who's here or anyone who could not make it an opportunity to submit written testimony for their particular position on this committee. I'd ask that unanimous consent.

Mr. RADANOVICH. Without objection so ordered.

Mr. OTTER. Mr. Chairman, let me, along with my colleagues from the State of Washington, thank you. It always seems like two people from Washington have to show up in order to account for one person from Idaho. And I think that that's——

[Laughter.]

Mr. OTTER. But I was actually thinking of the other Washington.

[Laughter.]

Mr. OTTER. I was thinking of the other Washington. I think when you throw in two people from Washington and a member from California, that's——

Actually, Mr. Chairman, I appreciate your willingness to come out and have a public hearing. This has been a very important issue for the 14 years that I was the lieutenant Governor for the State of Idaho and the five years—four-and-a-half years that I have been a Member of Congress. This has always been an important issue for the State of Idaho and for water management, for river management, for transportation and for the economy.

Salmon are an important part of the heritage and the economy, and maintaining the Salmon and the Snake River is a very high priority. However, Federal salmon restorations decisions cannot occur in a vacuum. We must do a better job of taking into account how the management decisions impact people, jobs, and the economy of the Pacific Northwest.

This hearing took on an additional importance, Mr. Chairman, when Judge Redden ruled on the biological opinion for the oper-

ation of the Federal Columbia and Snake River hydropower system last week. I am concerned that the ruling sets the stage for the river to be run by court order rather than by sound science.

Even though the region has been blessed with a very wet spring, we're still facing a low water year. And management of this scarce resource will be key for the survival of the salmon and the Northwest economy. The recent Federal court's decision focusing on river operations to the exclusion of all other factors influencing salmon runs, from harvest to predation, to conditions that they face in the ocean. That kind of narrow view reinforces the pressing need for Congress to once again revisit and then overhaul the Endangered Species Act. And it threatens this administration's consistent commitment to balance the salmon recovery with economic vitality of our region.

I also am concerned with the seeming impossibility of dredging the lower Snake River. Five years ago, interventionists managed to manipulate existing law and tied the hands of the U.S. Army Corps of Engineers with a lawsuit that blocked them from dredging the important navigational channels of the Snake River. Their success has had devastating consequences on the economy of Idaho.

The Snake River feeds the lower Columbia River International Gateway, and at one point moves about 6 million tons of grain, paper products, petroleum products, and general container cargos produced by Idahoans every year amounting to about a billion 600 million dollars.

Barging products not only is the cheapest way to get the goods from Idaho to the world marketplace, but it also keeps the trucks off our already overloaded highways, improving transportation safety and air quality in the Pacific Northwest. However, without the ability to dredge the lower Snake River for the past three years, the navigational channel is becoming more and more restricted each year. And the conditions will continue to deteriorate. We will hear from the witnesses on the real impact on their businesses due to the delay in this dredging.

Mr. Chairman, in closing, this hearing is a welcome opportunity for the folks who live—whose lives and livelihoods are most influenced by this great river system we have in the Pacific Northwest. And to have their voices heard is an important part of this hearing.

I am grateful to you for coming to the region and for recognition that the Columbia and Snake Rivers truly are working rivers, and they require reasonable balanced management. I am hopeful that this hearing will put Judge Redden's ruling, as well as such critical issues as meeting the needs of power generation, population growth, irrigation and transportation, in the context for the people of our region.

I look forward to hearing the testimony of our witnesses. And I thank you, Mr. Chairman.

[The prepared statement of Mr. Otter follows:]

Statement of The Honorable C.L. "Butch" Otter, a Representative in Congress from the State of Idaho

Thank you Mr. Chairman for coming to the Pacific Northwest and holding this hearing today to look at how federal management decisions impact the Columbia and Snake river system.

Salmon are an important part of our heritage and economy, and maintaining the salmon in the Snake River is a very high priority. However, federal salmon restoration decisions cannot occur in a vacuum. We must do a better job of taking into account how the management decisions impact people, jobs, and the economy of the Pacific Northwest.

This hearing took on additional importance when Judge Redden ruled on the biological opinion for operation of the federal Columbia and Snake river hydropower system. I am concerned that the ruling sets the stage for the river to be run by court order rather than sound science. Even though the region has been blessed with a very wet spring, we still are facing a low water year and management of this scarce resource will be key for the survival of salmon and the Northwest's economy. The recent federal court's decision focuses on river operations to the exclusion of all the other factors influencing salmon runs, from harvest to predation to conditions they face in the ocean. That kind of narrow view reinforces the pressing need for Congress to overhaul the Endangered Species Act, and it threatens this administration's consistent commitment to balancing salmon recovery with the economic vitality of our region.

I also remain concerned with the seeming impossibility of dredging the lower Snake River. Five years ago environmentalists managed to manipulate existing law and tie the hands of the U.S. Army Corps of Engineers with a lawsuit that blocked them from dredging the important navigational channels of the Snake River. Their success had devastating consequences for the economy of Idaho. Then Snake River feeds the lower Columbia River international gateway, and at one point moved about six million tons of grain, paper products, petroleum products, and general container cargo produced by Idahoans a year—amounting to almost $1.6 billion. Barging products not only is the cheapest way to get goods from Idaho to the world marketplace, but it also keeps trucks off our already overloaded highways, improving transportation safety and air quality in the Pacific Northwest.

However, without the ability to dredge the lower Snake River for the past three years, the navigational channel is becoming more and more restricted each year, and the conditions will continue to deteriorate. We will hear from the witnesses on the real impact to their business due to the delay in dredging.

Mr. Chairman, this hearing is a welcome opportunity for the folks whose lives and livelihoods are most influenced by the river systems to have their voices heard. I am grateful to you for coming to the region, and for recognizing that the Columbia and Snake truly are working rivers that require reasonable, balanced management. I am hopeful that this hearing will put Judge Redden's ruling—as well as such critical issues as meeting the needs of power generation, population growth, irrigation and transportation—in context for the people of our region. I look forward to hearing the testimony.

Thank you.

Mr. RADANOVICH. Thank you very much, Butch.

Now we will get down to the point where I will introduce our ladies and gentlemen who are giving testimony. And each one will be given five minutes to deliver testimony. And then after that we'll open it up for questions from the dais up here to the members of the panel and we'll proceed.

We have a great list of witnesses here today. It's Mr. Curt Koegen, Business Manager of the International Union of Operating Engineers from Spokane, Washington. Mr. Steve Appel, President of Washington State Farm Bureau, in Endicott, Washington. Mr. Virgil Lewis, Vice Chairman of the Yakama Tribal Council, in Toppenish, Washington. Ms. Rebecca Miles, the Chairperson of the Nez Perce Tribal Executive Committee, in Lapwai, Idaho.

It's kind of like La Jolla. Nobody gets that one. The Honorable Merrill Ott, Commissioner of Stevens County, Colville, Washington. Mr. Dale Alldredge, President of the Commission of Port of Lewiston, Idaho. Liz Hamilton is the Executive Director of the Northwest Sportfishing Industry Association, Oregon City, Oregon. Mr. Mark Benson, Potlatch Corporation, Lewiston, Idaho. Ms. Jean Ryckman, General Manager of the Franklin County PUD in Pasco, Wash-

ington. Norm Semanko, Executive Director and General Counsel of the Idaho Water Users Association in Boise, Idaho.

And before we begin the testimony, I want to yield just a second to my friend from Idaho. Butch.

Mr. OTTER. Thank you very much.

Ladies and gentlemen, I'd like you to join with me. I want to make a presentation to Melissa Casteel for that beautiful song that she played. It is an American flag that has been flown over the Nation's Capitol. And thank you very much for opening our——

[Applause.]

Ms. MCMORRIS. Thank you, Mr. Chairman. We have flags for the Boy Scouts and for the ROTC from Clarkston High School. If anyone is here representing those groups any longer, we'll present you with a flag too. Thank you.

Mr. RADANOVICH. Thank you very much.

Now we'll begin the testimony. I'm going to work from my left to the right. You'll notice we have little boxes here. Those are timekeepers. We like to limit the testimony to five minutes. Again, every person giving testimony here has already submitted their complete testimony for the record. It's in the written part of the testimony.

Feel free to be extemporaneous on your remarks, if you would like to. We'd like to hold the witnesses to five minutes because we do have a lot of people and not a lot of time. I do want to say, too, that I have been away from home about six days now. And I want to catch a plane to go back home. And I may be leaving at about 11:30 or quarter to 12:00. But we will keep the hearing open as long as needed in order to get all of the testimony into the record.

The lights work like a traffic light. Green means go; yellow means speed up; and red means stop. So use those as you go through.

Mr. Appel from the Washington State Farm Bureau.

Welcome to the hearing. You may begin.

STATEMENT OF STEVE APPEL, VICE PRESIDENT, AMERICAN FARM BUREAU FEDERATION, PRESIDENT, WASHINGTON FARM BUREAU

Mr. APPEL. Mr. Chairman and members of the Subcommittee, I want to thank you for the opportunity to testify on an issue that is very personal to me. I'm here today as President of the American Farm Bureau—or Vice President of the Farm Bureau Federation and as President of the Washington State Farm Bureau.

Perhaps even more importantly than that, I'm here as a farmer who grows wheat just 50 miles away from here. The wheat I grow is loaded onto barges at Almota in Central Ferry and it's towed to Portland where it's put on ocean-bound ships.

I know how important the Snake/Columbia River corridor is to agriculture. And I know how important a working river is for my neighbors, my community that I grew up in, and the communities throughout the Northwest. We need the river system. We depend on the water from the rivers for irrigation, to transport the barges with our crops to market. And we depend on those same barges to bring our fuel and fertilizer up river to us. We also depend on

clean, renewable, low-cost hydroelectric power to keep our farming affordable.

The Snake/Columbia River system is the third largest grain corridor in the world. It's the largest transportation corridor for wheat in the United States. Nearly 10 million tons of wheat is shipped down the river annually. Almost 5 million tons of that is put into the barges on the Snake River portion of the system.

Eliminating the Snake River dams would devastate the agriculture in eastern Washington and hurt farmers as far away as North Dakota. And it would force many farmers off their land and turn agricultural communities into ghost towns.

Those people who say that we can easily replace barges with trucks and rail cars simply haven't looked at the facts. A single barge carries as much as 35 railroad cars or as much as 134 semi-trucks. And we would need to have the equivalent of 120,000 rail cars annually or 700,000 semi-trucks to replace the barges on the waterway. That's thousands of trucks crowding the interstate on the way down to Portland.

Higher costs, more pollution. Doesn't make sense to me.

And even if enough rail cars or trucks existed, the Corps of Engineers has determined that if you drop the river levels, those lines would probably collapse into the river gorge in more than 60 different places.

We believe, supported by sound science and years of study by the National Marine Fisheries Service, that we can protect the salmon without destroying the infrastructure that is the centerpiece of eastern Washington's economy.

As you know, between salmon and the spotted owl, the Northwest has been in the crosshairs of the ESA for more than a decade. And the most important thing that we've learned during this time is the ESA is not about saving species. Instead, the ESA is about litigation, continual and costly litigation. Well-funded special interest groups that sue again and again until they get the answer they want from the courts.

It's been well publicized that the ESA has not been particularly effective at recovering threatened or endangered species. Only 15 of the 1300 species listed have ever been, quote, recovered. In fact, more species, 16, have been delisted because of original errors in the listing data. However, the ESA has been very effective at disrupting the lives of ordinary Americans.

For example, for the past two years, farmers in Washington, Oregon and parts of California have been unable to use perfectly legal, extensively tested, and EPA-approved agricultural chemicals within a football field of the river. Not because there's evidence that those chemicals are hurting salmon but because a Federal judge in Seattle found fault with the way that EPA consulted with U.S. Fish and Wildlife.

The farmers have done nothing wrong. Nobody has accused them of doing anything wrong, but they're the ones who are being punished. And when Farm Bureau filed an appeal, the same judge ruled that the economic hardship his order would have on farmers was, and I quote, Not relevant.

Not relevant. Well, if it's not relevant then something is badly out of whack with the law. There has to be a better balance

between saving species and protecting the livelihoods of innocent people.

Two weeks ago, for the third time in 12 years, a Federal judge in Oregon ruled against the government over what's known as a biological opinion for the operation of the Columbia/Snake River dams. The administrative record in this case already fills more than 56 boxes, if you look over here, with more than a ton of paperwork. And we still don't know what to expect or what is expected of us. And now that one judge is set up to micromanage the entire river system.

The judge in this case will decide next week how much water will be spilled over the dams this summer to flush juvenile fish down river. And ultimately, this case will affect the management of more than 70 million acres of Columbia River basin, private and public. It will affect more than 219,000 square miles in seven western states.

And at this point, it looks like it will be decided by a judicial system that places the ESA ahead of people and the rights of fish ahead of the rights of farmers and ranchers, whatever the cost. That's just wrong.

Let me just wrap up by saying that farmers and ranchers care about the environment. We care about the land and how we make our living and where we raise our families. But the ESA punishes the innocent.

The most effective conservation programs are ones that reward people for doing a little bit extra. The ESA, on the other hand, is a sledge hammer that too often leaves innocent property owners battered and bloodied. That's not the way the laws in this country are supposed to work. And after 32 years of little or no success, it's time to fix what's wrong with the ESA.

Again, I want to thank the Committee for the opportunity to talk with you here today and will be happy to answer any questions that you want to ask.

[The prepared statement of Mr. Appel follows:]

Statement of Steve Appel, Vice President, American Farm Bureau Federation, and President, Washington Farm Bureau

Mr. Chairman and members of the subcommittee:

I want to thank you for the opportunity to testify on an issue that is very personal to me.

I am here today as vice president of the American Farm Bureau Federation, the largest general agricultural organization in the world, and as president of the Washington Farm Bureau, the largest general agricultural organization in Washington state, representing more than 35,000 member families.

Perhaps even more importantly, I am here as a farmer who grows wheat not more than 50 miles from where we are today.

The wheat I grow is loaded onto barges at Almota or Central Ferry—downriver from here—and towed to Portland, where it is loaded on ocean-bound ships for export.

I personally know how important the Snake/Columbia River corridor is for agriculture. And I know how important a working river is to my friends, my neighbors...to the community I grew up in, and to communities throughout Eastern Washington, Oregon and Idaho.

Let me put this as bluntly as I can.

We need the Snake/Columbia River system. We depend on water from the rivers for irrigation. We depend on barges to get our crops to market economically. We depend on barges to get the oil and fertilizer we need up river. And we depend on clean, renewable low-cost hydroelectric power to help keep farming affordable.

The Snake/Columbia River system is the third-largest grain corridor in the world, and the largest transportation corridor for wheat in the United States.

Nearly 10 million tons of wheat are shipped down the river to Portland every year...with almost 5 million tons loaded onto barges from facilities along the Snake River. Those barges also haul tons of potatoes, peas, beans, sweet corn, lentils, onions and other agricultural crops.

Eliminating the Snake River dams—physically or operationally—would devastate the agricultural economy of Eastern Washington and hurt farmers as far away as North Dakota. It would force many farmers off the land and turn agricultural communities into ghost towns.

And those people who say we could easily replace the barges with trucks or rail cars haven't looked at the facts.

A single barge carries as much as 35 railway hopper cars, or as much as 134 semi-trucks. We would need the equivalent of 120,000 rail cars annually, or 700,000 semi-trucks, to replace barges on the Snake/Columbia waterway.

That's thousands of trucks crowding onto the interstate through the Columbia Gorge all the way into Portland, more air pollution, higher costs for farmers—doesn't make sense to me.

And even if enough rail cars and trucks existed—and they don't—the Corps of Engineers determined that the roads and railways along the river would probably collapse and tumble into the river gorge in more than 60 places if the dams were breached and the reservoirs drawn down.

Let's get real here. We continue to believe—supported by sound science and years of study by the National Marine Fisheries Service—that we can protect salmon without destroying the infrastructure that is the centerpiece of Eastern Washington's economy.

Now, with the time I have remaining, I'd like to comment on enforcement of the Endangered Species Act in general.

As you know, between salmon and the spotted owl, the Northwest has been in the crosshairs of the ESA for more than a decade. And the most important thing we have learned during this time is that the ESA is NOT about saving species.

Instead, the ESA is about litigation...continual and costly litigation...by well-funded special interest groups that sue again and again until they get the answer they want from the courts. And it's about control of our land and water

It's been well publicized that the ESA has not been particularly effective in recovering threatened or endangered species.

Only 15 of the 1,300 species listed as threatened or endangered have ever been (quote) recovered. In fact, more species—16—have been delisted because of original errors in the listing data than because of any efforts at recovery.

However, the ESA has been very effective at disrupting the lives of ordinary Americans.

For example, for the past two years, farmers in Washington, Oregon and parts of California have been unable to use perfectly legal, extensively tested and EPA-approved agricultural chemicals within a football field of any river or creek NOT because there is evidence those chemicals are hurting salmon, but because a federal judge in Seattle found fault with the way the EPA consulted with U.S. Fish and Wildlife.

These farmers have done nothing wrong. Nobody has accused them of doing anything wrong.

But they are the ones who are being punished—in the name of the ESA.

And when Farm Bureau filed an appeal, the same judge ruled that the economic hardship his order would have on farmers was, and I quote, "not relevant."

Not relevant? The law is punishing hard-working Americans who have done nothing wrong and that's not relevant?

If that's "not relevant," then something is badly out of whack with the law.

There has to be better balance between saving species and protecting the livelihoods of innocent people.

I know I'm almost out of time, but I want to make just one more point.

Two weeks ago, for the third time in 12 years, a federal judge in Oregon ruled against the government over what is known as a biological opinion for the operation of Columbia/Snake River dams.

The administrative record in this case already fills more than 56 boxes—more than a ton of paperwork.

And we still don't know what to expect...or what is expected of us. And now, one judge is set up to micromanage the entire Snake/Columbia River hydroelectric system.

Already, the judge in this case will decide next week how much water will be spilled over the dams this summer to flush juvenile fish down the river—reducing

water for irrigation, lowering river levels for barging, and further driving up electrical costs for the Northwest.

And ultimately, this case will affect the management of more than 70 million acres of land in the Columbia/Snake River Basin—private and public.

It will affect more than 219,000 square miles in seven Western states.

And at this point, it looks like it will be decided by a judicial system that places the ESA ahead of people...and the rights of fish ahead of the rights of farmers and ranchers...whatever the cost.

That's just wrong.

Let me just wrap up by saying that farmers and ranchers care about the environment. We care about the land—it's how we make our living and where we raise our families—and we care about the wildlife.

But the ESA punishes the innocent. It punishes the very people who have taken care of the land. It punishes the people who provide the habitat for the species it is supposed to protect.

The most effective conservation programs are the ones that reward people for doing that little extra. The ESA, on the other hand, is a sledgehammer that too often leaves innocent property owners battered and bloodied.

That's not the way the laws in this country are supposed to work, and after 32 years of little or no success...after 32 years of trampling on individual rights...it's time to fix what's wrong with the ESA.

Again, I want to thank the committee for this opportunity, and I would be happy to answer any questions I can.

NOTE: An attachment to Mr. Appel's statement has been retained in the Committee's official files.

Mr. RADANOVICH. Thank you very much, Mr. Appel. I appreciate your testimony.

Next is Mr. Dale Alldredge with the Port of Lewiston. Welcome.

STATEMENT OF DALE ALLDREDGE, PRESIDENT, COMMISSION, PORT OF LEWISTON, IDAHO

Mr. ALLDREDGE. Thank you, Mr. Chairman. It's a pleasure to be here today. And I don't know if I'm more nervous today than I was ten years ago when I got married in this very room. So if I stammer a little bit, now you know why.

Mr. RADANOVICH. You were stammering ten years ago?

Mr. ALLDREDGE. Yes, I was. Thank you again.

My name is Dale Alldredge. And I am very proud to serve as the President of the Port of Lewiston Commission. The Port of Lewiston is actually Butch's port. Idaho's only seaport and here at the head of the navigation of the Columbia/Snake River system.

We are just one of 25 public port districts on the Columbia/Snake River navigation system. This system is the number one export gateway of the United States for wheat and barley. And number one on the West Coast for forest and paper products. In all, about 12 million tons of cargo move each year on this system valued at approximately $2 billion.

According to a recent economic study, maritime commerce along the Columbia/Snake River system is estimated to sustain 40,000 family wage jobs.

Everyone knows that barging is the lowest cost and most environmentally responsible form of transportation.

According to the U.S. Maritime Administration—and excuse me for repeating some of your quotes, Congresswoman—one gallon of fuel on a barge will move one ton of cargo 514 miles compared to 202 miles by rail or only 59 miles by truck.

Air pollution comparisons yield similar results, with barging being far cleaner for the environment than rail or trucking.

A typical grain ship departing the Columbia River to foreign markets carries 60,000 tons of wheat. To move that amount of grain from Lewiston to Portland takes only 4-and-a-half barge tows. But it would take six 100-car unit trains or a total of 2400 semi-trucks to move that same amount of grain.

Annually, barging keeps 700,000 trucks off the interstate which in turn it helps protect the sensitive air-shed in the Columbia River Gorge.

In Idaho—the Idaho and national economy is stronger because the Columbia/Snake River system provides economic benefits to the other states we serve, including Washington, Montana, Wyoming and the Dakotas. The producers in these states rely on our Columbia/Snake River system to reach highly competitive foreign markets.

All these benefits depend on the maintenance of the multi-purpose Federal projects on the Columbia/Snake River system. Which brings us to why we're here today.

Some groups are using the ESA Act as a vehicle to call for the removal of the Snake River dams. Either option of removal or drawdown would end navigation and eliminate or significantly reduce hydropower production.

Studies by the Northwest Power and Conservation Council, a Corps of Engineers System Operation Review, a Federal agency Environmental Impact Study, three independent Salmon Recovery Teams, and three biological opinions have all rejected dam breaching.

If advocates of dam breaching are successful, Ports of Lewiston, Clarkston and Whitman County will cease to operate for maritime cargo. Locally, this will mean the loss of over 1600 jobs and $36 million a year in direct payroll. We will lose millions of tons of cargo, hundreds of millions of dollars of commerce and the opportunity to move products to market from Washington, Idaho, Montana, Wyoming and the Dakotas at rates that allow us to compete in national markets.

And navigation means more to this region than just moving cargo. Each year more than 15,000 tourists visit our area here on cruise boats that rely upon the Columbia/Snake River system of locks and dams to reach eastern Washington and northern Idaho.

Dam breach advocates claim that fish are going extinct. But the fact is there are more fish in the river today than at any time since the first dam was built at Bonneville in 1938. Since 2000 we have experienced——

[Brief interruption.]

Mr. RADANOVICH. Again, if we could have order so that we can hear the testimony, it would be appreciated.

Mr. ALLDREDGE. Since 2000 we have experienced the four highest years of fish returning to the river. In fact, from 2000 to 2003, returns of Snake River steelhead are up 57 percent, Snake River summer chinook are up 91 percent, and Snake River Fall chinook are up 217 percent.

Dam breach advocates claim that the dams are killing all the fish. But, in fact, according to NOAA Fisheries, survival through the river system is higher today than it was before the Snake River dams were built.

Dam breach advocates claim that taking out Snake River dams is the only way to save salmon. What they don't say is there are 26 runs of fish listed as threatened or endangered from northern California to the Canadian border. And only four of these listed runs pass by these four Snake River dams.

Changing ocean conditions has been cited as one of the principal reasons for recent record salmon runs. Salmon spend approximately 10 percent of their life in the river and 90 percent in the ocean. It simply is not credible to claim that breaching dams is the only answer for salmon.

Dam breach advocates claim that we can simply shift cargo from barge to truck or rail. That's not true. The costs are significantly higher and few containers of high value commodities can afford the higher rates. And the vast majority of our cargo is grain.

Farmers can't get truck drivers to meet their needs today and aren't likely to find enough drivers for an additional 700,000 two-day trips to Portland or Vancouver. And if they could, the farmers couldn't afford them. The price of grain is set on the world market, and farmers can't simply increase their price to cover the increased cost. And rail is not a better alternative.

Railroads have a poor history of offering reliable service to our grain shippers. Cars are not often available when they're needed, they are not delivered on time, and fewer cars are delivered than ordered. Lack of reliable service would cause our grain shippers to default on the delivery terms of their contracts.

Mr. Chairman, we believe that a multi-purpose river system and healthy fish runs are compatible. In 2002 the Corps of Engineers completed the lower Snake River EIS, a five-year, $25 million study. The Corps concluded that we can have healthy fish runs and a multi-purpose river system. Recent record fish runs verify the Corps' finding.

Mr. Chairman, we are seeking your support and the support of your Committee to ensure that fish runs and family wage jobs are both available for future generations.

Thank you.

[The prepared statement of Mr. Alldredge follows:]

Statement of Dale Alldredge, President,
Port of Lewiston Commission

Thank you for inviting me to testify today on this important matter.

My name is Dale Alldredge.

I am proud to serve as the President of the three-member Port of Lewiston Commission, elected by the citizens of our Port District.

The voters of Nez Perce County established the Port of Lewiston in 1958 with a resounding 80% approving the development of Idaho's only seaport. The mission of the Port is to create living wage jobs by facilitating trade and economic development for the benefit of the citizens of Idaho.

We worked for 20 years to bring navigation to Lewiston, and the State of Idaho and our nation have benefited ever since.

The Port of Lewiston serves a wide range of Idaho farmers, food processors and forest products manufacturers, including wheat growers in Grangeville, pea and lentil producers in Moscow, and the 2,000 employees of Potlatch Corporation, manufacturing paper products just a mile up the road in Lewiston.

We are just one of the 25 public port districts on the Columbia Snake River navigation system.

- This system is the number one export gateway in the United States for wheat, number one in the nation for barley exports, and number one on the West Coast for forest products and paper products exports.

- In all, about 12 million tons of cargo move each year on this system, valued at $1.5 - 2 billion annually.
- According to a recent economic impact study, maritime commerce along the Columbia-Snake River system is estimated to sustain 40,000 family wage jobs.

Everyone knows that barging is the lowest cost, least polluting form of transportation.

- According to the U.S. Maritime Administration, one gallon of fuel moves each ton of cargo 514 miles by barge compared to 202 miles by rail and only 59 miles by truck.
- The air pollution comparison yields similar results, with barging being far cleaner for the environment then rail or trucking.
- A typical grain ship departing the Columbia River to foreign markets carries 60,000 tons of wheat.
- To move that amount of grain from Lewiston to Portland or Vancouver takes 4 1/2 barge tows.
- But it would take six 100-car unit trains or a total of 2,400 semi-trucks to move the same amount of grain.
- Annually, barging keeps 700,000 trucks off the interstate, helping to protect the sensitive airshed of the Columbia River Gorge.

The Idaho economy is stronger and more stable because of our ability to provide the lowest cost, and cleanest form of transportation for Idaho products to reach international markets.

And our national economy is stronger, because the Columbia Snake River navigation system provides economic benefits to the other states we serve across the northern tier of the country, including Washington, Montana, Wyoming, and the Dakotas.

The producers in these states rely on our Columbia Snake River navigation system to reach highly competitive foreign markets.

All of these benefits depend on the maintenance of the multiple-purpose federal projects on the Columbia Snake River System.

Which brings us to why we are here today.

Some groups are using the Endangered Species Act as a vehicle to call for the removal of the Snake River dams, or drawing down reservoirs far below their engineered design range.

Either option would end navigation and eliminate or significantly reduce hydropower production.

Studies by the Northwest Power and Conservation Council, a Corps of Engineers System Operation Review, a federal agency Environmental Impact Study (EIS), three independent Salmon Recovery Teams, and three biological opinions have all rejected dam breaching.

But dam breaching and drawdown continues to remain on the table.

In fact, the U.S. District Court in Oregon will hear oral arguments this coming Friday, June 10th, from plaintiffs who are seeking a preliminary injunction to change river operations and draw down the Lower Granite Reservoir to 10 feet BELOW the design range of the dam and reservoir.

That is the river that you see just outside the window of this hotel. And that river is the lifeblood of the regions economy. 90% of the agricultural production (wheat and pulses) grown within our region is exported.

If advocates of dam breaching are successful, the Ports of Lewiston, Clarkston and Whitman County will cease to operate for maritime cargo.

Locally, this will mean the loss of over 1600 jobs and $36 million in earnings in this Valley.

We will loose millions of tons of cargo, hundreds of millions of dollars of commerce and the opportunity to move products to market from Washington, Idaho, Montana, Wyoming, and the Dakotas—at rates that allow us to compete with foreign producers.

And navigation means more to this region than just moving cargo.

Each year on the Lower Granite Pool, more than 15,000 tourists visit our area on cruise boats that rely on the locks, dams and reservoirs.

- These boats bring much needed economic activity to our region.

Dam breach advocates claim that fish are going extinct.

- But the fact is there are more fish in the river than at any time since the first dam was built at Bonneville in 1938.
- The four highest years of fish returning to the river are the last four years.
  - From 2000 to 2003, returns of Snake River Steelhead are up 57%; Snake River Spring/Summer Chinook are up 91% and Snake River Fall Chinook are up 217%.
- This year's early returns are off from last year. Fish biologist's cannot explain why but, that doesn't seem to slow down the claims that dams are to blame.

Dam breach advocates claim that the dams are killing all the fish.

- In fact, according to NOAA Fisheries, survival through the river system is higher today than it was before the Snake River dams were built.

Dam breach advocates claim that taking out the Snake River dams is the only way to save the salmon.

- What they don't say is that there are 26 runs of fish listed as threatened or endangered from Northern California to the Canadian border...and only four of those listed runs pass these Snake River dams.
- Changing ocean conditions has been cited as one of the principle reasons for recent record salmon runs. Salmon spend approx. 10% of their life in-river and 90% in the ocean. It is simply not credible to claim that breaching dams is the only answer for salmon.

Dam breach advocates claim that we can simply shift cargo from barge to truck or rail.

- That is not true...the costs are significantly higher.
- Few containers of high value commodities could afford the higher rates.
- However, the vast majority of our cargo is grain.
- Farmers can't get truck drivers to meet their needs today, and aren't likely to find enough drivers for an additional 700,000 two-day trips to Portland or Vancouver.
- And if they could, the farmers couldn't afford them.
- The price for grain is set on the world market.
- The farmers can't simply increase their price to cover the increased cost.
- This additional cost of doing business would come directly out of the pockets of farmers, and would likely result in the departure of many families from farming.

Rail is no better as an alternative.

- Railroads have a poor history of offering reliable service to our grain shippers.
- Cars are often not available when needed, they are not delivered on time, and fewer cars are delivered than ordered.
- Lack of reliable service would cause our grain shippers to default on the delivery terms of their sales contracts.

We believe that a multipurpose river system and healthy fish runs are not mutually exclusive.

In 2002, the Corps of Engineers completed the Lower Snake River EIS, a 5-year, $25 million study. The Corps EIS concluded that we can have healthy fish runs and a multi-purpose river system. Record fish runs over the past four years, verify the Corps findings.

Chairman Radanovich, we are seeking your support and the support of your committee to ensure that fish runs and family wage jobs are both available for future generations.

ESA reform is necessary to balance conflicting federal restrictions. For example, it is difficult to restore endangered fish runs when sea lions and terns are consuming Snake River salmon by the thousands. However, federal restrictions prevent government agencies from even trying to relocate terns and seals.

By making reasonable reforms to ESA, we are confident that we can have harvestable fish runs on the Snake and Columbia Rivers while maintaining infrastructure, and the tremendous economic benefits of the multiple-purpose river system.

Mr. RADANOVICH. Thank you, Mr. Alldredge. As you can see, we're having a little problem with our clocks. We'll get that ready, but I want to introduce Mr. Curt Koegen for the International Union of Operating Engineers.

And, Curt, if you could limit your testimony to five minutes, that would be great. Please begin.

STATEMENT OF CURT KOEGEN, BUSINESS MANAGER, INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 370

Mr. KOEGEN. I'll probably be a little shorter than that. I'm glad I'm not the only one that's nervous here.

I'd like to thank you for letting me take part in this hearing. I'm here to speak against the breaching of the dams. Although——

Mr. RADANOVICH. Can you hold just a second and get that mic fixed.

[Brief pause.]

Mr. KOEGEN. I'm opposed to breaching of the dams. Although breaching would create a lot of work, temporary construction work, I think it would be devastating to the economics of the region, not only for the Lewiston-Clarkston area but the Pacific Northwest as a whole.

Just the maintenance dredging on the Columbia/Snake River employed 30 to 50 people yearly. Not including the work that's done up here that hasn't been done for a few years, run about ten operators for that. Besides the jobs created by the dredging, there's maintenance people at each dam. There are people employed at the ports to handle the commodities.

I believe if we lost the dams, those jobs would disappear. These are family wage jobs with benefits. I think they would be replaced with minimum wage jobs, service jobs. And it would be economically devastating. I think we'd lose our tax base. I just see no positives with it at all.

As everybody has already stated, barging is a very efficient method of moving commodities down the river. I won't go back over the same figures they went through. But our infrastructure in our area cannot handle the truck traffic to move the commodities by truck. The rail system's also inadequate.

We don't have the financial resources right now to improve the infrastructure—to maintain the infrastructure, really, we have right now, let alone improve it for the increased truck traffic, for the 700,000-plus trucks a year that would have to be done just to handle the grain alone. We don't have the money for it.

The dams on the Snake River currently—the Snake River system currently give about 60 percent of the power for the Pacific Northwest as a region. This is pollution-free energy. And how is it going to be replaced if we stop it.

At what cost to the consumers and businesses? How long will our businesses stay here without the cheap power? If the power skyrockets, our businesses will go away.

One of the contractors I dealt with that bids this type of work typically made the statement that's one of the reasons we stay here in Washington is cheap power. If that's gone, what reasons do we have to maintain or bring businesses into our region.

As I stated earlier, breaching the dams would be great work. And, in my opinion, it would probably be great work to go back and fix them when we realize what we did wrong on them. But it's temporary work. The jobs that are here now are full-time, permanent jobs, family wage jobs that support the region.

Thank you very much.

[The prepared statement of Mr. Koegen follows:]

Statement of Curt Koegen, Business Manager,
International Union of Operating Engineers Local 370

Thank you for allowing me to take part in this hearing.

I am opposed to breaching the dams on the Snake River for many important reasons. Although breaching the dams would generate temporary work for construction workers, I believe that to do so would be economically devastating to not only the Lewiston/Clarkston area but also to the Pacific Northwest as a whole.

Maintenance dredging on the Columbia/Snake River system employed approximately 30 to 50 Operating Engineers yearly until the dredging was stopped. Besides the jobs created by the dredging, all of the dams have maintenance personnel, each Port District employs workers to handle the commodities that are barged down river. These are family wage jobs with benefits. I believe that if the dams were breached most of these jobs would be lost or replaced with minimum wage jobs.

Barging is a very efficient method of moving commodities to the coast. One barge can handle as much grain as 134 semi-trucks and a tow as much as 538 trucks (see attachment A). Fuel and emissions are considerable less per ton-mile compared to trucks or rail. Our regions infrastructure will not safely handle the increase in truck traffic. We currently do not have the financial resources to fix the roads we have, let alone the fund the major reconstruction that would be needed for the increased truck traffic.

The dams on the Columbia/Snake river system supply approximately 60% of the electricity for the region. How is this pollution free energy going to be replaced and at what cost to the consumers and businesses that rely on this power? How long will business stay in our region if their power costs skyrocket?

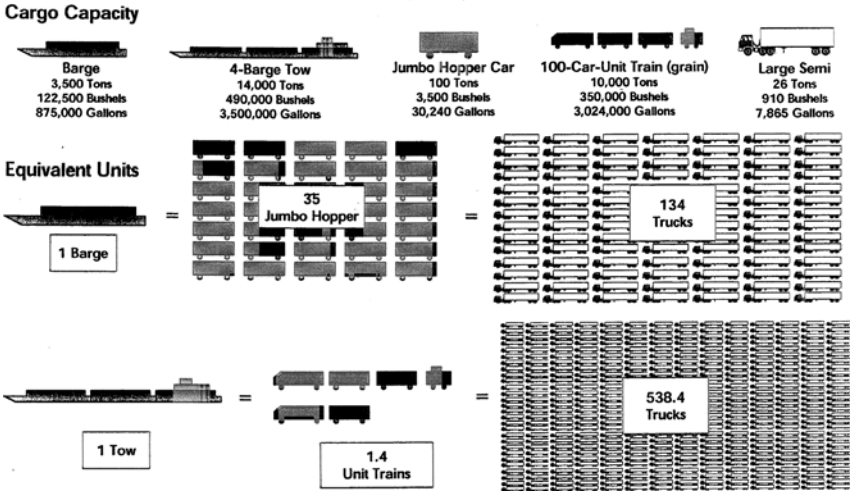
As I stated earlier, the breaching of the dams would be great work for the Operating Engineers, and in my opinion, it would be great work to rebuild the dams when it was realized that breaching them was a mistake.

Thank you.

ATTACHMENT A

US Army Corps of Engineers
Walla Walla District

Compare Cargo Capacities



Mr. RADANOVICH. Thank you, Mr. Koegen. I appreciate your testimony.

Next is Ms. Rebecca Miles, Chairman of the Nez Perce Tribal Executive Committee. Ms. Miles, welcome to the Subcommittee. And you may begin your testimony.

STATEMENT OF REBECCA MILES, CHAIRMAN, NEZ PERCE TRIBAL EXECUTIVE COMMITTEE

Ms. MILES. Thank you.

Respectfully, Mr. Chairman and members. Ta'c meeywei. Good morning. My name is Rebecca Miles, and I am the Chairman of the Nez Perce Tribe. And we welcome you to our homelands and our rivers.

We, the Nimiipuu, have lived and fished here since time immemorial. We have always lived here, and we have always been connected with this place and all of its creatures. Our leaders have always been strong, courageous and determined to leave this world a better place. We speak from our hearts and minds to honor those that have come before us and to preserve our culture and our way of life for our children's children and their children's children.

This month marks the 150th anniversary of our 1855 Treaty with the United States government. At this ceremony there were not enough spring chinook for the ceremonial sustenance needs of not only the Nez Perce but the other Stevens Treaty Tribes, including Umatilla, Yakama and Warm Springs.

Our treaty reflects our status as a sovereign. Our treaty reserves to our people the rights that have always been exercised; the right to take fish, more specifically native fish, at all our usual and accustomed places and to hunt, gather and pasture on open and unclaimed lands. Our treaty, the United States Constitution acknowledges, is the supreme law of the land. Our treaty imposes trust obligations on the United States. And our treaty is a contract with the citizens of this nation. ''Great nations, like great men, keep their word.''

As our ancestors demanded, we ask you speak straight to us. We request that you honor this nation's treaty and trust obligations. And as elected officials, we ask that you fulfill your duties by carefully considering all points of view.

The Nez Perce Tribe appreciates this opportunity to testify before you, even though we were only invited at the very last minute. In 1855 at the treaty council, Lookingglass was nearly excluded because he and others were in buffalo country. And he made it to the Walla Walla Treaty Council in a day and a half. And his presence and his words made a difference in securing our treaty rights. We hope that our words today at this hearing, ''Keeping the Columbia/Snake A Working River System,'' will make a difference in restoring salmon runs of the Snake and Columbia Rivers and in restoring our communities.

I want to make three points today.

First, the Snake River is not a working river for salmon. This is not just the view of the Nez Perce; its fisherman or our biologists. This is the view of the best available science. Biological Review Team, convened by NOAA Fisheries, recently concluded that all the Snake River salmon runs are in dire status. Specifically, they found the status of the species already listed as threatened—Snake River spring/summer chinook, Snake River fall chinook, and Snake River steelhead—are headed downward and are likely to be listed as endangered with the foreseeable future. Snake River sockeye are, of course, already endangered. Salmon cannot withstand the status quo. We must face this reality and acknowledge that this is occurring on our watch.

Second, we all share responsibility for ensuring the salmon in our local communities are sustainable for the long-term. The future

of this region and our homeland must be founded on our natural resources and our geography. The economic benefits of healthy, harvestable salmon runs are enormous. Again, this is not just our view. It is the view of independent experts.

The report entitled, ''The Economic Impact of the 2001 Salmon Season in Idaho,'' found that the economic benefit of the salmon season was nearly $90 million. Just this year, the report titled, ''The Potential Economic Impact of Restored Salmon and Steelhead Fishing in Idaho,'' concluded that restored salmon and steelhead fisheries could produce $544 million a year in economic activity in Idaho. The Clearwater and Salmon Basins would be the biggest beneficiaries, to the tune of $331 million.

Our economy in this region is diversifying. In fact, the Nez Perce Tribe is the second largest employer in this area. Geographically, Lewiston and Clarkston will always be a center for getting goods to market. Rail and truck transport provide viable and reliable alternatives to the heavily subsidized barge system. Again, this is not just our view; it is shared by those who have carefully studied this.

We, as Indian people, have withstood a number of transitions. We look forward to working with our neighbors and making the transition to a river that works for salmon and for our local communities.

The final comment I guess, the third option—all options for salmon and our local communities must be on the table. The Nez Perce Tribe is doing everything we can to rebuild salmon to healthy, harvestable levels. We have received national awards for our habitat rehabilitation work in collaboration with the U.S. Forest Service. We operate the Nez Perce Tribal Hatchery, a facility that uses the state-of-art techniques to mimic nature and that is designed to assist in rebuilding the natural runs. And consistent with our traditional idea of conservation we have practiced since time immemorial, we have voluntarily restricted our harvests for decades.

Yet these actions alone are not enough. The Federal Columbia/Snake River dams do the most harm to salmon, and these dams need to make the largest contribution to rebuilding these runs. Judge Redden's recent ruling comes as no surprise. It is simply a reminder that the law does not allow the impacts of the Columbia/Snake River dams and the imperiled status of the fish to be ignored by the Federal Government.

We need to consider the best scientific and economic options, not just the most politically expedient ones. The Nez Perce Tribe continues to support breaching the four lower Snake River dams and investing in the local communities affected by that decision. Again, this is not just our position; the best science and the best economics support breaching these dams.

The Nez Perce Tribe is committed to working with our neighbors in making this transition and protecting our Northwest way of life.

In closing, the only way that we will all win is to ensure that the Columbia and Snake Rivers work for salmon and our communities. We trust that you will take our words to heart. Qe'ciyew'yew.

[The prepared statement of Ms. Miles follows:]

Statement of Rebecca A. Miles, Chairman,
Nez Perce Tribal Executive Committee, Lapwai, Idaho

Ta'c meeywei. Good morning. My name is Rebecca Miles. I am Chairman of the Nez Perce Tribe.

The Nez Perce Tribe welcomes you to our homelands and our rivers. We, the Nimiipuu, have lived and fished here since time immemorial. We have always lived here, and we have always been connected with this place and all of its creatures.

Our leaders have always been strong, courageous, and determined to leave this world a better place. We speak from our hearts and minds to honor those that have come before us, and to preserve our culture and our way of life for our children's children.

This month marks the 150th anniversary of our 1855 Treaty with the United States government. Our treaty reflects our status as a sovereign. Our treaty reserves to our people the rights they have always exercised: the right to take fish at all our usual and accustomed places, and to hunt, gather, and pasture on open and unclaimed lands. Our treaty, the U.S. Constitution acknowledges, is "the supreme law of the land." Our treaty imposes trust obligations on the United States. And, our treaty is a contract with the citizens of this Nation. "Great nations, like great men, keep their word."

As our ancestors demanded, we ask you that you speak straight to us. We request that you honor this Nation's treaty and trust obligations. And, as elected officials, we ask that you fulfill your duties by carefully considering all points of view.

The Nez Perce Tribe appreciates this opportunity to testify before you at this hearing, even though we were invited only at the very last minute. In 1855, at the treaty council, Chief Lookingglass was nearly excluded because he and others were returning from buffalo country. His presence, and his words, made a difference in securing our treaty rights. We hope that our words today at this hearing on "Keeping the Columbia / Snake A Working River System" will make a difference in restoring the salmon runs of the Snake and Columbia rivers, and in restoring our communities.

I want to make three points.

First, the Snake River is not "A Working River" for salmon. This is not just the view of the Nez Perce Tribe, its fishermen, or its biologists. This is the view of the best available science. The Biological Review Team, convened by NOAA Fisheries, recently concluded that all of the Snake River salmon runs are in dire status. Specifically, they found that the status of the species already listed as "threatened"—Snake River spring/summer Chinook, Snake River fall chinook, and Snake river steelhead—are headed downward and are likely to be listed as "endangered" "within the foreseeable future." Snake River sockeye are, of course, already endangered. Salmon cannot withstand the status quo. We must face this reality, and acknowledge that this is occurring on our watch.

Second, we all share responsibility for ensuring that salmon and our local communities are sustainable for the long term. The future of this region and our homeland must be founded on our natural resources and our geography. The economic benefits of healthy, harvestable salmon runs are enormous. Again, this is not just the Nez Perce Tribe's view. It is the view of independent experts.

The report titled, "The Economic Impact of the 2001 Salmon Season In Idaho," found that the economic benefit of the salmon season was nearly $90 million dollars. Just this year, the report titled "The Potential Economic Impact of Restored Salmon and Steelhead Fishing in Idaho" concluded that restored salmon and steelhead fisheries could produce $544 million dollars a year in economic activity in Idaho. The Clearwater and Salmon Basins would be the biggest beneficiaries, to the tune of $331 million dollars.

Our economy in this region is diversifying. In fact, the Nez Perce Tribe is the second largest employer in this area. Geographically, Lewiston and Clarkston will always be a center for getting goods to market: rail and truck transport provide viable and reliable alternatives to the heavily-subsidized barge system. Again, this is not just the Nez Perce Tribe's view; it is shared by those who have carefully studied this.

We, as Indian people, have withstood a number of transitions. We look forward to working with our neighbors in making the transition to a river that works for salmon and for our local communities.

Third, all options for salmon and our local communities must be on the table. The Nez Perce Tribe is doing everything it can to rebuild salmon to healthy, harvestable levels. We have received national awards for our habitat rehabilitation work in collaboration with the U.S. Forest Service. We operate the Nez Perce Tribal Hatchery, a facility that uses state-of-the art techniques to mimic nature and that is designed

to assist in rebuilding the natural runs. And, consistent with our tradition of conservation, which we have practiced since time immemorial, we have voluntarily restricted our harvests for decades.

Yet, these actions alone are not enough. The federal Columbia/Snake River dams do the most harm to salmon, and these dams need to make the largest contribution to rebuilding the runs. Judge Redden's recent ruling comes as no surprise. It is simply a reminder that the law does not allow the impacts of the Columbia/Snake River dams and the imperiled status of the fish to be ignored by the federal government.

We need to consider the best scientific and economic options, not just the most politically expedient ones. The Nez Perce Tribe continues to support breaching the four lower Snake River dams and investing in the local communities affected by that decision. Again, this is not just the Nez Perce Tribe's position; the best science and the best economics support breaching these dams.

The Nez Perce Tribe is committed to working with our neighbors in making this transition and protecting our Northwest way of life.

In closing, the only way that we will all win is to ensure that the Columbia and Snake rivers work for salmon and our communities. We trust that you will take our words to heart. Thank you. Qe'ciyew'yew.

Mr. RADANOVICH. Thank you very much.

Next is Mr. Virgil Lewis of the Yakama Tribal Council. Mr. Lewis, welcome to the Subcommittee.

STATEMENT OF VIRGIL LEWIS, SR.,
VICE CHAIRMAN OF THE YAKAMA NATION

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, thank you for the opportunity to speak before you today. My name is Virgil Lewis, Sr. I am the Vice Chairman of the Yakama Nation Tribal Council.

I think it is important for you and the members of the Committee to hear how the tribes feel about the Endangered Species Act, the Snake River dams, and the recent Federal court ruling regarding the 2004 BiOp.

I have heard much discussion about how important the Snake River dams are to the economy in certain areas and how recent decision by Judge Redden intended to protect salmon should be reversed because of its potential impact on the economy. I am not here to dispute those feelings, but I am somewhat saddened by these statements because they infer that the salmon are not important, or certainly that they are not as important, as other resources.

In 1905 in the famous Winans case, the United States Supreme Court stated quite clearly how important salmon were to us. The Supreme Court said for the Yakama people, "Salmon were not much less necessary to the existence of the Indians than the atmosphere they breathe." Let me repeat this simply: Salmon are as important as the air we need to breathe.

Mr. Chairman, no people on the face of this earth have been more negatively affected by the destruction of the salmon runs than have the Indian people of the Columbia River. Salmon are a critical part of our religion. They are a critical part of our culture. They are a staple in our diet and have been the basis of our economy.

For thousands of years the Columbia provided everything that Indian people needed to make a living. So important was fishing to our livelihood and culture that our elders made sure to reserve the rights to fish for future generations in a treaty with the

Federal Government that was negotiated not far from here exactly 150 years ago today. The resulting Treaty of June 9th, 1855, was not a granting of rights to the Indians, but rather a reservation of rights already held by them, which included the right to continue making a living from the river.

Today, few tribal families can earn their livelihoods from fishing. And that solemn promise made by the United States 150 years ago to preserve our way of life stands unfulfilled.

We hope you will take this into account in your deliberations on this matter and particularly when you talk about keeping the Columbia and Snake working rivers. Our summer chinook fishery closed totally in 1964, and our spring chinook fishery closed in '77. They remained totally closed for nearly 30 and 20 years respectively. This had the equivalent economic and cultural impact on the Indian people of no barges to Lewiston or crops in southern Idaho for that same period; yet we have seen no Congressional hearings, no disaster declarations or relief in any form.

For the last 40 years, the Columbia has been a working river for only some, with little consideration for those left out. Today we ask only for it to be a working river for all. We have sought relief in the only forum where our voices seem to be heard, the Federal courts. Perhaps this committee can change that fact and demand that those who make decisions on the use of this river fairly include and listen to all those who are impacted by the decisions. Without such a commitment there can be no working river for all.

Having said that, our decision to keep Snake River dam breaching an available option was based upon culture, science and economy. We recommend staying open to the possibility of breaching because of the weight of scientific evidence and because we believe it can be properly planned, engineered and mitigated for. However, we realize that none of the dams on the mainstem Columbia are likely to be breached, nor would we necessarily call for such action.

My tribal constituents are diverse and widely vested in the eastern Washington economy. We are taxpayers and utility ratepayers. Our tribal economy is heavily dependent upon the health of the broader economy.

Nevertheless, our traditional economy, our salmon economy, has collapsed, and aggressive actions are needed to restore it. This is why the tribes made a practical decision to take on our share of the responsibilities to implement the aggressive non-breach strategies of the 2000 Biological Opinion. That plan was, in our estimation, able to succeed only if all of the actions needed to compensate for the lower Snake River dams were implemented in full and on schedule.

We worked to rebuild the Snake River fall chinook by supplementing the naturally spawning populations with suitable hatchery adults. We also developed recommendations in our River Operations plan that addressed specific issues of flows, spill, fish transportation, adult passage and fish facility operations.

Our analysis of the performance record found overwhelming failure on the part of the Federal Government to adequately fund and implement the 2000 Salmon Plan over the course of four years. The analysis concluded that from 2001 to 2004, the Federal Government failed to complete an average of 70 percent of the measures

called for in the Federal Salmon Plan and only funded roughly 50 percent of the money needed.

The forthcoming rate case provides a perfect opportunity for the Bonneville Power Administration to step up to the plate and implement the sub-basin by sub-basin restoration plans by the Northwest Power and Conservation Council. The Columbia Basin Fish and Wildlife Authority and the Yakama Nation, among others, have endorsed it. It can be done in a fashion that will have nominal impact.

Mr. Chairman, before I became a member of the Council, I was the foreman at the Cle Elum Hatchery, a facility on the innovative cutting edge of hatchery reform. Hatcheries must play a role in salmon recovery and tribes can provide the leadership in that regard.

Mr. Chairman and members of the committee, on behalf of the Yakama Nation I thank you again for this opportunity to speak with you today. And I'll be happy to answer any questions you might have.

[The prepared statement of Mr. Lewis follows:]

Statement of Virgil Lewis, Vice-Chairman, Yakama Nation

Mr. Chairman and members of the Committee, thank you for the opportunity to speak before you today. My name is Virgil Lewis and I am Vice-Chairman of the Yakama Nation Tribal Council. Thank you for providing me with the opportunity to testify before you today. I think it is important for you and the members of the Committee to hear how the tribes feel about the Endangered Species Act, the Snake River Dams and the recent federal court ruling regarding the 2004 Federal Columbia River Power System (FCRPS) Biological Opinion, commonly known as "the BiOp." I look forward to sharing with the committee the challenges of rebuilding long-depressed stocks of Columbia River salmon to sustainable and harvestable levels and our commitment to pragmatic and effective actions to do just that. And finally, I will share with this committee, in the form of recommendations, our sincere and seasoned belief that the long-term realization of a truly "balanced" and working river lies within coordinated and effective sovereigns implementing coordinated and effective measures. I will occasionally refer to "tribes" in plural. In those instances I'm referring to the tribes of the Columbia River Inter-Tribal Fish Commission of which the Yakama Nation is a member and shares unified goals with the Nez Perce, Umatilla and Warm Springs Tribes.

I have heard much discussion about how important the Snake River Dams are to the economy in certain areas and how the recent decision by Judge Redden intended to protect salmon should be reversed because of its potential impact on the economy. I am not here to dispute those feelings but I am somewhat saddened by these statements because they infer that the salmon are not important—or certainly that they are not as important—as other resources. In 1905 in the famous Winans[1] case, the United States Supreme Court stated quite clearly how important salmon were to us. The Supreme Court said for the Yakama people that salmon "were not much less necessary to the existence of the Indians that the atmosphere they breathed." Let me repeat it simply: Salmon are as important as the air we need to breath.

Mr. Chairman, no people on the face of this earth have been more negatively affected by the destruction of the salmon runs than have the Indian people of the Columbia River. Salmon are a critical part of our religion, they are a critical part of our culture, they are a staple in our diet and they have been the basis of our economy. Fishing is how many of our members earn their livelihood. To us, salmon fishing is not recreation; it is a major aspect of our lives. The federal government committed to us, in no uncertain terms, to protect our treaty fishing rights when the Executive Branch negotiated and the Senate of the United States ratified our Treaty. So important was fishing to our livelihood and culture that our elders made sure to reserve the right to fish for future generations in a treaty with the federal government that was negotiated not far from here exactly 150 years ago today. The

[1] United States v. Winans, 198 U.S. 371, 381 (1905)

resulting Treaty of June 9, 1855 was not a granting of rights to the Indians, but rather a reservation of rights already held by them, which included the right to continue making a living from the river. Today, few tribal families can earn their livelihoods from fishing, and that solemn promise made by the United States 150 years ago to preserve our way of life stands unfulfilled.

We hope you will take this into account in your deliberations on this matter and particularly when you talk about keeping the Columbia and Snake "working rivers." Our summer chinook fishery closed totally in 1964 and our spring Chinook fishery closed in 1977. They remained totally closed for nearly 30 and 20 years, respectively. This had the equivalent economic and cultural impact on the Indian people of no barges to Lewiston or crops in southern Idaho for that same period, yet we have seen no Congressional hearings, no disaster declarations or relief in any form. For the last 40 years the Columbia has been a "working river" only for some, with little consideration for those left out. Today we ask only for it to be a working river for all. We have sought relief in the only forum where our voices seem to be heard, the federal courts. Perhaps this committee can change that fact and demand that those who make decisions on the uses of this river fairly include and listen to all those who are impacted by those decisions. Without such a commitment there can be no working river for all.

Having said that, we reached the decision to keep Snake River dam breaching an available option based upon culture, science and economy. We recommend staying open to the possibility of breaching because of the weight of scientific evidence and because we believe it can be properly planned, engineered and mitigated for. However, we realize that none of the dams on the mainstem Columbia are likely to be breached, nor would we necessarily call for such action. My tribal constituents are diverse and widely vested in the Eastern Washington economy. We are fishermen, farmers, ranchers, small business owners. We are taxpayers and utility rate payers. Our tribal economy is heavily dependent upon the health of the broader economy.

Nevertheless, our traditional economy—our salmon economy—has collapsed, and aggressive actions are needed to restore it. Wide-scale displacement of our people to make way for dams has been compounded by steady declines in fishing opportunity. Our fisheries are a mere fraction of their historic levels, with tribal fishing in the Lower Columbia at approximately 10% of its historic level. Above Lower Granite dam the tribal fishery is 1/10th of one-percent of its historic level. This spring has been a particular disappointment as one of the lowest returns on record of spring Chinook over Bonneville Dam. Treaty ceremonial fishing was closed prematurely for the first time in a decade as the expected abundance of fish failed to arrive. Several tribal longhouses did not have adequate fish for the traditional first salmon and first foods ceremonies. The Celilo longhouse had to resort to the remnants of last year's catch and to accept fish donated by other fishing groups. These are cultural and religious practices we have been undertaking for thousands of years. I cannot overstate the frustration and anger of my people at this turn of events. The Yakama Nation has hundreds of families that rely on commercial fishing, in whole or in part, as their primary occupation and source of income. Regrettably, our people will not have a single day of commercial fishing this year. The people of the Yakama Nation have sacrificed and paid a heavy price for the good of the region, in the form of hydroelectric power development. If other stakeholders were willing to sacrifice a fraction of what we have, the salmon runs could be significantly restored.

Aggressive non-breach and the pragmatic approach

This is why the tribes made a practical decision to take on our share of the responsibilities to implement the "aggressive non-breach" strategies of the 2000 Biological Opinion. That plan was, in our estimation, able to succeed only if all of the reasonable and prudent actions were implemented in full, and on schedule. We worked to rebuild Snake River Fall Chinook by supplementing the naturally spawning population with Lyon's Ferry hatchery adults. We also developed recommendations in our River Operations plans that addressed the need for the Columbia and Snake Rivers to operate more like a dynamic river and less like a slackwater channel. Every year since 1999, the tribes have sent to the federal operators a river operations plan with specific recommendations for flows, spill, fish transportation, adult passage and fish facility operations. These plans are based upon the best available science and developed through prior collaborative biological opinion processes. Unfortunately, the federal operators rarely responded to tribal input and failed to provide good river conditions. Our analysis of the performance record found overwhelming failure on the part of the federal government to adequately fund and implement the 2000 Salmon Plan over the course of 4 years. The analysis concluded that from 2001-2004, the federal government failed to complete, on average, over

70% of the measures called for in the federal Salmon Plan and only funded roughly 50% of the money needed. With that, our tribes had no choice but to join litigation on the 2000 Biological Opinion. Had our recommendations—which were compatible with recommendations of many other experts—been implemented between 2000 and 2004, Judge Redden's ruling of two week ago would not have been necessary.

The 2004 BiOp

Judge Redden's opinion, delivered on May 26, reflects the views expressed by the tribes through our active participation in this case. Like Judge Redden, the tribes were dissatisfied with the lack of collaboration and remediation for the basic infirmities in the 2000 FCRPS BiOp and the wholesale change in the biological framework in the 2004 FCRPS BiOp. The judge's well-grounded, comprehensive and unambiguous opinion offers a renewed opportunity for the federal government to address the tribes' proposals for salmon restoration, including the tribes' 2005 River Operations Plan and future plans. We look forward to a real dialogue with the federal government about achieving the complementary mandates of the ESA and other federal laws, particularly treaty fishing rights.

Injunctive relief

You're aware that a federal judge will consider a request for injunctive relief this Friday that is designed to increase survival of migrating juvenile Snake River Fall Chinook, an ESA listed stock and one that severely constrains the tribes' fall fisheries. The actions in the relief request are a blend of increased flows, spills and reservoir drawdowns designed to increase water velocities by only 10%. However, by doing this we can achieve a 300% survival increase in this stock. These measures will have only minor impact to residential ratepayers, raising their average monthly rate by 11 cents.

Mr. Chairman, I understand your concerns about ESA litigation and want you to know that the Yakama Nation works first and foremost to collaborate and negotiate agreements. In that spirit I would like to offer this committee some recommendations, some of which you would have an active role and others which I hope you will consider supporting in principle.

Recommendations

1) Mitchell Act

Mr. Chairman, before I became a member of the Yakama Nation Tribal Council I was the manager of the Cle Elum Hatchery, a facility on the innovative cutting edge in of hatchery reform. Hatcheries should play a role in salmon recovery and the tribes can provide leadership. We have proposed a biologically credible integrated plan to modify hatchery management practices throughout the basin in order to supplement rather than supplant natural spawning salmon populations.

Similarly, restoring Pacific salmon and providing for sustainable fisheries requires using at least some of the Columbia River (Mitchell Act) hatchery program to supplement naturally spawning stocks and populations. To accomplish this goal Congress should allocate $36 million for the tribes and states, as co-managers, to jointly reform the Mitchell Act hatchery program. Of this amount, $9 million, or 25% of enacted funding, should be contracted to the tribes for new or expanded supplementation projects. In addition, to carry out activities identified as necessary in the Federal Caucus All-H Paper and the BiOp, provide $20.6 million for the Columbia River facilities program area for screens and fish passage programs.

2) Linking authorities and processes

A key focus between the tribes and federal executives, state and federal fishery agencies, the Pacific Salmon Commission (PSC) members and the Northwest Power and Conservation Council (NPCC) must be the linkage between the authorities/processes that guide salmon recovery, restoration and management. These key authorities/processes include:

1855 Treaties: These agreements between our tribes and the United States are the supreme law of the land under the U.S. Constitution (covered by the Supremacy Clause). Under the treaties—as the Supreme Court has stated on numerous occasions—the United States has a clear obligation to protect salmon runs so that our treaty fishing rights can be implemented.

U.S. vs. Oregon: This, the oldest continuing case in the federal district courts was primarily aimed at defining the treaty fishing right particularly in terms of allocation of harvest among the parties and necessary escapement.

Northwest Power Act: Passed in 1980 by the Congress and shortly thereafter adopted by the states of Oregon, Washington, Idaho and Montana, this Act was interpreted by the Ninth Circuit Court of Appeals as an interstate compact conferring

authority upon the governor-appointed NPCC, to direct the use of the Bonneville Fund for protection, mitigation and enhancement of Columbia River fish affected by any hydroelectric project in the basin. Various federal statutes including this one discuss giving equal consideration to power production and fishery and fishery habitat protection. This has not happened. The Northwest Power and Conservation Council—using Bonneville Power Administration dollars—oversaw a comprehensive subbasin by subbasin analysis of each of the subbasins with the Columbia River. A comprehensive plan for habitat restoration of each subbasin is on the books and ready to be implemented. This plan will also create significant employment, particularly in the eastern side of the Columbia Basin. The Columbia Basin Fish and Wildlife Authority (CBFWA) has also examined what is needed and the Yakama Nation and CBFWA are in agreement on a comprehensive plan. It has to be implemented and paid for by the BPA who are showing little willingness to do so and simply acting as if there is no problem the same business as usual approach we have seen in recent years. The costs to the ratepayers would be minimal. At the most, one dollar per month for customers of utilities that buy all their power from BPA and less for customers of utilities that don't buy all their power from BPA. If the Congress is serious about addressing this situation, using your influence with BPA on the forthcoming "Rate Case" *would greatly assist the restoration of these salmon runs and would do so without additional federal appropriations.

Pacific Salmon Treaty: Canada and the United States adopted the Pacific Salmon Treaty in 1985 to provide for the conservation of Pacific salmon stocks, including those originating from the Columbia River.

The processes listed above are authoritative in that they are derived from treaties, federal statutes, and federal judicial interpretation. Except for U.S. v. Oregon, each process is linked to funding sources including the Bonneville Fund, appropriations such as the PCSRF and PST budgets. Each process, however, is developing a series of goals and objectives that are not necessarily linked to those arising from the other processes. The task of linking the processes is a task of leadership. In the absence of leadership that recognizes the linkages, the processes default to the organizational staff leading them and piecemeal planning results at a high cost without the likelihood of implementation.

An important step toward making linkages is to consolidate the technical work under each process and provide a means to address common data and analysis for each process in a unified manner. The tribes are focusing major attention on this issue but without leadership from the executives of both federal and state agencies, we are unlikely to be successful.

Conclusion

In closing I'd first like to reaffirm the testimony provided to this committee on May 6th by Olney Patt, Jr., executive director of the Columbia River Inter-Tribal Fish Commission. I would also like to say that while I have not had time to run this testimony by the other members of the Commission, that I fairly confidant that the Warm Spring Tribe and the Umatilla Tribe of Oregon and the Nez Perce of Idaho, would share the perspective I have shared with you today.

Mr. Chairman and members of the Committee, when I visit our tribal families along the Columbia River it is the most uplifting but difficult tasks of being a tribal leader. Tribal fishers are proud people, hardworking, a strong community. It does my heart good to know that the Columbia River's original working class is strong and vital. I'm honored to represent them. But they're wise to false hopes and promises, and they've seen a lot of them. They deserve assurances. We all do.

Salmon will not recover without a river that acts like a river. While recent ocean conditions have been favorable for hatchery returns, the wild stocks are still doing very poorly and are in danger of extinction because of poor river conditions. The federal operators must not shirk their duty to provide good river conditions that support salmon survival rates that are necessary to meet recovery of Columbia River stocks to sustainable, harvestable levels. The Yakama Nation is committed to working with Congress, the Administration, the States and other Tribal governments to realize an equitable, affordable and effective salmon restoration plan.

Mr. Chairman and members of the committee, on behalf of the Yakama Nation I thank you again for this opportunity to speak with you today and would be happy to answer any questions you might have.

Mr. RADANOVICH. Thank you, Mr. Lewis. I appreciate your testimony.

Next is Commissioner Merrill Ott from Stevens County. Commissioner, welcome to the Subcommittee. You may begin your testimony.

STATEMENT OF MERRILL OTT, COMMISSIONER, STEVENS COUNTY, WASHINGTON

Mr. OTT. Thank you, Mr. Chairman.

Chairman Radanovich and members of the Subcommittee, thank you for inviting me to testify on this important topic.

As Chairman of the Stevens County Board of County Commissioners, I represent over 40,000 citizens in the rural northeastern part of Washington state. I am also speaking on behalf of the Eastern Washington Council of Governments, comprised of commissioners from the six counties surrounding Lake Roosevelt on the main-stem of the Columbia River. I'm also a farmer who relies on the margin capacity of the Snake River to ship my wheat to port.

In addition to the daily business of running our respective counties, commissioners from the Council of Governments are leaders in regional planning efforts such as watershed planning, sub-basin planning, salmon recovery planning and growth management, which require balancing economic development and the protection of critical areas for fish and wildlife habitat. And I am personally involved in many of these efforts.

It is with this experience that I express the following concerns, concerns that I hear constantly from county commissioners throughout the Northwestern United States, about maintaining a reasonable balance between economic, social and environmental interests. Collectively, we commissioners are deeply concerned about transparent efforts by non-local organizations to re-engineer the very fabric of our entire region without local representation. The proposal to remove the dams on the lower Snake River is an obvious example of this.

Enormous economic sacrifices have already been made by the people of this region in an effort to implement environmental protections. Entire sectors of our economy have all but disappeared, while the hoped-for environmental benefits are still unproven.

Because of our extensive planning experience, local government is well equipped to evaluate the effectiveness of proposed environmental protections and the economic tradeoffs that are required to implement those protections. Yet our voice is seldom heard in this debate.

Determined local resistance to extreme proposals such as the removal of major dams from our river system is based on firsthand experience with the impact of mandated environmental policies on the continuing economic vitality of our region. The dams of the lower Snake River are integral elements of the larger regional system. Their removal would have broad economic implications. In addition, the proposal lacks credibility because there is little or no evidence to demonstrate that removal will significantly improve salmon populations.

We believe strongly in supporting the multiple uses we currently enjoy on the Columbia and Snake River systems, including the environmental health of our home. But we never lose sight of the fact

that this huge river system is the critical economic driver of our region. We depend upon its stability to make our region viable.

The region's county commissioners are charged with the protection of the health, welfare and safety of the citizens they represent. In eastern Washington, the trend toward regional, state and Federal management of local issues has threatened our very existence. Appointed officials and our courts continue to issue directives without adequate thought to their effect on our region's citizens, and without adequate funding to implement those programs.

We understand that decisions must be based upon consistent policies that provide protection and certainty to agricultural, tribal, municipal, industrial and environmental interests. However, the decisionmaking process must include and consider input from the region's locally elected officials.

We do not want to see this important agricultural region continue to degenerate into a litigious battlefield where Federal judges run the rivers and local voices continue to go unheard. We need to keep the Columbia and Snake River system as viable working rivers for all the region's residents, while using local expertise and the best scientific information to provide a balance between economic and natural resources. We understand that this balance must provide protection for fish and clean, low-cost hydropower, transportation and irrigation for our region. We must not forget that our region's citizens have a vital interest in the management of their own resources, and that county governments are a key to implementing effective solutions.

Thank you very much.

[The prepared statement of Mr. Ott follows:]

Statement of The Honorable Merrill Ott, Commissioner, Stevens County, Colville, Washington

Chairman Radanovich and Members of the Subcommittee, Thank you for inviting me to testify on this issue.

As Chairman of the Stevens County Board of County Commissioners, I represent over 40,000 citizens in the rural northeastern part of Washington. I am also speaking on behalf of the Eastern Washington Council of Governments comprised of commissioners from the 6 counties surrounding Lake Roosevelt on the mainstem of the Columbia River.

This region's over 400,000 residents rely on the clean, renewable and low-cost energy that the Columbia and Snake Rivers provide. In addition, our rivers provide water reservoirs for irrigation, flood control measures, barge transportation, fisheries, recreation, and more. These are all part of an interdependent system.

Our region has long understood the delicate relationships between environmental factors, economic factors, and social factors that make up the fabric of our entire local ecosystem.

As County commissioners, my colleagues and I are particularly sensitive to the interplay between environmental and economic issues on the ground where it most impacts people's lives. In addition to the daily business of running our respective counties, Commissioners from the Council of Governments are in the lead on regional planning efforts such as Watershed planning, Growth Management, which requires balancing economic development and the protection of Critical Areas for fish and wildlife habitat. Other examples include Subbasin planning; and salmon recovery efforts.

I am personally and deeply involved in many of these ongoing efforts, often on a daily basis. It is from that perspective that I express the same concerns I've heard from County commissioners throughout the Northwestern United States have about maintaining a reasonable balance between economic, social and environmental interests. Collectively, we are deeply concerned that others (who will not be directly affected by proposed changes) are determined to re-engineer the very fabric of an

entire region more to their liking, whether or not the people most affected agree with those proposed changes.

We believe strongly in the viability of the multiple uses we currently enjoy with the Columbia and Snake River systems.

This huge river system is the key to the economic production capacity of the region. We depend upon its stability to make our region viable.

The region's county commissioners are charged with the protection of the health and welfare of the citizens they represent. In northeastern Washington, the trend towards regional, state, and federal judicial management of local issues has threatened our very existence. For example, despite the attention and effort of local government, state agencies exercise dominant control over growth management and watershed management. As a result, counties are faced with dramatically increased cost of government, and dramatically reduced available services for our citizens. The cost of continual environmental litigation, is over-loading our county governments. Appointed officials and our courts continue to issue directives, codes, and laws, without adequate thought to their effect on our region's citizens, and without funding to adequately implement these programs at the local level.

We understand that any decisions about water use must be based upon consistent policies which provide adequate protection and certainty to agricultural, tribal, municipal, industrial and environmental interests. However, the best decision-making must include and consider input from the ground level—in this case, from the region's state and locally elected officials.

We do not want to see this important agricultural region become a litigious battlefield where federal judges run the rivers and the local voice is unheard.

We need to keep the Columbia and Snake River system as viable working rivers for all the region's residents, while using our best local expertise and scientific evidence to provide a balance between human economic needs and our natural resources. We understand that this balance must occur in order to provide protection for fish and clean, low-cost hydropower, transportation and irrigation for our region. But, we must not forget that our region's citizens have a vital role in management of these resources, and that our county governments are key to implementing and achieving the desired outcome.

Mr. RADANOVICH. Thank you, Mr. Ott. I appreciate your testimony.

Next is Mr. Mark Benson from Potlatch Corporation. Mr. Benson, welcome to the Subcommittee. You may begin your testimony.

STATEMENT OF MARK BENSON, DIRECTOR, PUBLIC AFFAIRS, POTLATCH CORPORATION

Mr. BENSON. Thank you and good morning.

I'm Mark Benson, the Director of Public Affairs for Potlatch Corporation. Potlatch is a mid-sized forest products company with forest lands and manufacturing operations in several states. We operate a large manufacturing complex right next-door in Lewiston, Idaho, where operations include the manufacture of pulp and paperboard, consumer tissue and lumber. We employ just under 2,000 people here in the Lewis-Clark Valley and have an annual payroll of just over $100 million.

During the past century, Potlatch has made considerable investment at our site located along the banks of the Clearwater River. The lumber mill was built in the 1920s, followed by the pulp and paper operation in the 1950s, which was followed by our tissue operation in the 1960s. All these facilities have been substantially modernized over the decades.

We have always relied on the working rivers of the region, most notably the Clearwater and the Snake. In the early days of sawmilling, our log supply was floated down the Clearwater River from the forests of the upper river basins. Much of the log supply

needed to run the mill was delivered by way of the river during a few-week period each spring.

When lower Granite Dam and the locks were put in place in the 1970s, we began using the Snake River to transport our paperboard products outbound to destinations in the Pacific Rim. This transportation alternative allowed us to compete internationally in a very competitive global market. During the past couple of years, we have begun to ship limited quantities of wood chips and sawdust upstream to help supply the raw material needs of our pulp mill and paperboard operation.

Unfortunately, in the aftermath of the West Coast longshoreman work stoppage of a couple of years ago, we were forced to ship much of our Asian-bound products by truck and rail to the Puget Sound ports to reach our Pacific Rim customers. It was simply a matter of not being able to meet the needs of our customers through the bottlenecked Port of Portland that necessitated that operational change. Since that time, service through Portland has worsened, and we have redirected most of our Asian-bound shipments through the Puget Sound ports.

I would like to point out to you that this is not the first time that we have shifted our shipping from the Snake/ Columbia system to the Puget Sound ports. West coast shipping has been and will always be somewhat dynamic. Business will move back and forth between competing ports over time. Let me make it absolutely clear that our current shipping patterns through Puget Sound do not cause us to view the Snake/Columbia system as any less important to our long-term economic viability. We are an inland producer with substantial Pacific Rim markets. We need economical and efficient transportation alternatives to meet the demands of our customer base.

As evidenced by our recent increase in the Snake/Columbia system, when we can effectively access our Asian customers through the Port of Portland, we will utilize the Snake/Columbia system. We would like to increase our use not decrease our use of the Snake/Columbia system. This river is an important element of our long-term shipping strategies.

In addition to the facilities we operate at Lewiston, as mentioned thus far in my comments, we also operate a 17,000-acre hybrid poplar farm near Boardman, Oregon. This very high-tech operation uses irrigation from the Columbia River's John Day Reservoir. Without the water from the Columbia, this operation would cease to exist.

There's no question that the ongoing debate about the Snake/Columbia system is centered on fish. It is our hope that the fish of this region will continue to increase in numbers and in population viability. We don't view this as an either-or proposition. We believe that our working river can provide the habitat for fish and at the same time can provide the other services we in the region depend on.

Being located on a working river where endangered species exist definitely adds to the complexity of doing business. It doesn't mean that operations or the use of resources need to stop.

After working for several years with multiple Federal and state agencies, we have just been granted a new NPDES permit, the

permit that governs our effluent discharge into the river. With the newly granted permit, Potlatch is now the most stringently regulated pulp mill located on the Columbia River system. The requirements of this permit provide assurances that our effluent discharge does not harm the endangered fish in the river.

While the permitting process was painstakingly slow and quite costly, it does demonstrate that the needs of fish and the needs of an industrial operation can be met simultaneously. Let me add here that there are many examples here in the Pacific Northwest where resource-based industries are demonstrating that we can have viable businesses and also provide for the needs of endangered species.

I believe that the many interests and government agencies in this region can work together to maintain viable fish populations and viable businesses while keeping the Snake/Columbia system a working river with the dams in place.

In closing, let me thank you for your interest in this matter and ask you to stay the course to keep our river a working river.

Thank you for the opportunity to comment. And I will be available for questions.

[The prepared statement of Mr. Benson follows:]

Statement of Mark J. Benson, Director of Public Affairs, Potlatch Corporation

I am Mark Benson, Director of Public Affairs for Potlatch Corporation. Potlatch is a mid-sized forest products company with forest lands and manufacturing operations in several states. We operate a large manufacturing complex next door in Lewiston, Idaho where operations include the manufacture of pulp and paperboard, consumer tissue and lumber. We employ just under 2,000 people here in the Lewis Clark valley and have an annual payroll of just over $100 million dollars.

During the past century, Potlatch has made considerable investment at our site located along the banks of the Clearwater River. The lumber mill was built in the 1920s followed by the pulp and paperboard operation in the 1950s and the tissue operation in the 1960s. All facilities have been substantially modernized over the decades.

We have always relied on the "working rivers" of the region, most notably the Clearwater and the Snake. In the early days of sawmilling, our log supply was floated down the Clearwater River from the forests of the upper river basins. Much of the log supply needed to run the mill, was delivered by way of the river during a few week period each spring.

When Lower Granite dam and locks were put in place in the 1970s we began using the Snake River to transport our paperboard products outbound to destinations in the Pacific Rim. This transportation alternative allowed us to compete internationally in this very competitive global market. During the past couple of years we have begun to ship limited quantities of wood chips and sawdust upriver to help supply the raw materials needs of our pulp and paperboard operation.

Unfortunately, in the aftermath of the west coast longshoreman work stoppage of a couple of years ago, we were forced to ship much of our Asian bound products by truck and rail to the Puget Sound ports to reach our Pacific Rim customers. It was simply a matter of not being able to meet the needs of our customers through the bottlenecked Port of Portland that necessitated that operational change. Since that time, service through Portland has worsened and we have re-directed most of our Asian bound shipments through the Puget Sound ports.

I would like to point out that this is not the first time we have shifted our shipping from the Snake—Columbia system to the Puget Sound ports. West coast shipping has been and will always be somewhat dynamic. Business will move back and forth between competing ports over time. Let me make it absolutely clear that our current shipping patterns through the Puget Sound Ports do not cause us to view the Snake—Columbia system as any less important to our long-term economic viability. We are an inland producer with substantial Pacific Rim markets. We need economical and efficient transportation alternatives to meet the demands of our customer base. As evidenced by our recent increase in the use of the Snake—Columbia

system, when we can effectively access our Asian customers through the Port of Portland, we will utilize the Snake—Columbia system. We would like to increase our use not decrease it. This river system is an important element of our long term shipping strategy.

There is no question that the ongoing debate about the Snake—Columbia system is centered on fish. It is our hope that the fish of this region will continue to increase in numbers and in population viability. We don't view this as an "either/or" proposition. We believe our "working river" can provide habitat for fish and at the same time can provide the other services we in the region depend on.

Being located on a "working river" where endangered species exist adds to the complexity of doing business. It doesn't mean that operations or the use of resources need to stop.

After working for several years with multiple federal and state agencies we have just been granted a new NPDES permit, the permit that governs our effluent discharge into the river. With the newly granted permit, Potlatch is the most stringently regulated pulp mill located on the Columbia River System. The requirements of this permit provide assurances that our effluent discharge does not harm the endangered fish in the river. While the permitting process was painstakingly slow and quite costly, it does demonstrate that the needs of fish and the needs of an industrial operation can be met simultaneously. Let me add here that there are many examples here in the Pacific Northwest, where resource based industries are demonstrating that we can have viable businesses and also provide for the needs of endangered species.

I believe that the many interests and government agencies in this region can work together to maintain viable fish populations and viable businesses while keeping the Snake—Columbia system a "working river" with the dams in place.

In closing, let me thank you for your interest in this matter and ask you to stay the course to keep our river a "working river".

Thank you for the opportunity to comment today. I will be happy to answer any questions.

Mr. RADANOVICH. Thank you, Mr. Benson.

I want to make sure that everybody can hear. If I could ask the folks in the far back of the room, if you do have a problem hearing, please just raise your hand and I'll make sure that we make the adjustments here to make sure everybody can hear. So please do that if you're having problems.

Next is Ms. Liz Hamilton who's representing the Northwest Sportfishing Industry Association. Ms. Hamilton, welcome to the Subcommittee. You may begin your testimony.

STATEMENT OF LIZ HAMILTON, EXECUTIVE DIRECTOR, NORTHWEST SPORTFISHING INDUSTRY ASSOCIATION

Ms. HAMILTON. Thank you. I'm nervous. I'll do my best.

Mr. Chairman and distinguished members of the committee, I'm really honored to be able to be before you today representing the Northwest Sportfishing Industry Association.

We're a trade group of over 300 businesses spread throughout the region, including some of the larger businesses you might recognize like G.I. Joes and Fred Meyer, to smaller businesses, mom and pops, people who work out of their boat and that sort of thing, as well as most of the larger sportfishing clubs are members of our organization.

Our industry employs over 36,500 and supplies this region with over $3-and-a-half billion in economic blessings to the region.

We are here to plead the future help of salmon and our businesses because they're bound together in the operation of the Federal hydrosystem.

Of course the Snake and Columbia River are working rivers. But to sustain our families they need to be rivers to work for us too.

The wealth of our salmon populations must be integral with other things that Northwesterners rightfully depend on, like fishing, irrigation, power, recreation and navigation. But instead we often feel like the jobs provided by these rivers are downplayed and undervalued. And the focus is often on maximizing other uses at the expense of salmon.

To the 36,500 family wage jobs in the Northwest, rivers that work have to have healthy, abundant fishable populations. These fish are a little like a gold nugget swimming through the river. You've all heard about the Idaho study already demonstrating that restoring Snake River salmon and steelhead to levels that were seen in our lifetime would generate over half a billion annually for the state, the lion's share of this money going to small river-based communities.

In 2001, the spring chinook season brought the town of Riggins, Idaho, a nearly quarter of its annual income. When Brewster, Washington, the town of 2,000, has salmon season, one fishery provides $1.2 million to about 15 miles of river. So salmon are big business. It's just hard to recognize that.

From Riggins to Lynnwood to Hood River to Roseburg, this river that works conjures up for us images of abundant salmon populations and an economic boost. This boost would double the economics generated by our industry. I'll tell you why later.

We approach the Endangered Species Act protections from the perspective that salmon mean business. For fishing businesses to grow, we need to improve salmon passage and habitat so that more fish return. To make these rivers work, we need to maximize our investments to make sure that the negative impacts of the dams on the Columbia Basin are reduced.

Many people speak of balance. I love that word. It's fair. We should all remember it. However, the fishing community has lost 90 percent of our ability to harvest since 1974. So the balance, in our opinion, needs to look in our direction a little more, please.

There is no question that the ESA has been a good thing for sportfishing businesses. But this has to include a Federal salmon plan that actually pencils out for recovery instead of slowing the rate of extinction.

Our failure to recover salmon and steelhead in the past is not a reason to give up. And this is the wrong reaction to our nation's failure to nurture this law up to its true promise. Otherwise our salmon economy is in danger. And it's a little like refusing to go to the emergency room after having a heart attack.

Thus we seek a Federal salmon plan that works. This hydrosystem is the major factor for decline. A to Z, the scientists agree on this. And it needs to be accountable to the salmon communities as well. Avoidance leads not only to salmon declines and extinction, it forces us into court where we don't want to be and shouldn't have to be, causing nasty political fights and constraining economies in rural Northwest communities from the mountains of central Idaho, but especially on the Oregon and Washington costs.

Many industries, including ours, and those sitting at the table have already made tremendous sacrifices to save salmon. Logging and agriculture. But management of the dams can virtually erase these sacrifices.

We prefer a vision of the future which allows for salmon recovery with over 3 billion a year in new fishing economics. But we also have to figure out a way to protect the existing things that are important to this region as well, like irrigators and grain shippers.

We merely ask for Northwest ratepayers and other industries to make minor changes during this low water year in order to more equitably distribute the burden among all user groups that share in the benefits of these rivers.

Since 2001, juvenile Snake River salmon are frequently migrating through an unhealthy, hot, slow-flowing river that is one of the cause of this year's poor spring salmon returns. And not surprisingly, since 2001 spring salmon have been on a dramatic decline.

The impact of river changes for other rivers is real, but we think it's fair, given decreasing fish numbers.

Because surely it is not too much for this great region in this great nation to help an industry that is bleeding out jobs and fears that the continuing losses will continue with the status quo.

Surely it's not too much for our gift of the sea, those salmon and steelhead that travel over 900 miles, to die and nurture this region. And surely it's not too much for our family fishing culture that keeps us bonded, family and friends, in outdoor activities away from computer screens, drugs and other distractions.

The failure to make the river working is costing our jobs. The second largest employer in Hood River County lost nearly half a million from salmon closures this year and is laying people off. Surely you care, along with us, about a river that works for all.

It is our conclusion that our nation and our salmon and our jobs need an Endangered Species Act that works. We merely need leaders to see that it is applied honestly and fairly by the Federal agencies to ensure that the hydrosystem allows the river to work for a variety of interests rather than a few.

This for fishing industry in this region needs leadership with vision, leadership with problem solving, not fear mongering. We are counting on you to provide this leadership. And, again, I thank you for the honor of being here today.

[The prepared statement of Ms. Hamilton follows:]

Statement of Liz Hamilton, Executive Director, Northwest Sportfishing Industry Association

Mr. Chairman and distinguished members of the Committee, thank you for the opportunity to testify today. My name is Liz Hamilton, and I am executive director of the Northwest Sportfishing Industry Association (NSIA). NSIA is a group of over 300 fishing businesses with representatives throughout the region. My members include both larger businesses such as G.I. Joes and Fred Meyer, as well as smaller, family-owned businesses. In addition most of the larger sportfishing clubs are members of NSIA, as are many individuals who share our goals and vision. (Membership listing attached) But in all cases, NSIA members participate in a multi-billion dollar industry in the Northwest and we are acutely aware that the future health of salmon and steelhead and our businesses is tied to the management of the Columbia and Snake rivers and the federal hydrosystem.

I submit the following testimony in order to share with you the importance of restoring healthy salmon and steelhead populations in the Snake and Columbia rivers to the members of the NSIA, the Northwest economy in general, and the quality of life in this part of the country.

The Snake and Columbia are working rivers, but need to work a lot better. Northwesterners rightfully depend on the Columbia and Snake for fishing, irrigation, power, recreation, and navigation. Unfortunately, the fish, recreation, and associated jobs provided by these rivers are downplayed and undervalued. Instead the

focus is often on maximizing energy revenue at the expense of salmon—even when the economic benefits associated with healthy salmon populations are too big to ignore. I urge subcommittee members to keep in mind that to the 36,000 family wage jobs in Northwest sportfishing, working Northwest rivers must have healthy, fishable populations of salmon and steelhead. That is why the Northwest Sportfishing Industry Association is part of a broad coalition of sport fishing, commercial fishing, and conservation organizations working to improve conditions for salmon in the mainstem Snake and Columbia rivers. We do this work because we must to survive.

When I say that salmon are part of working river, I mean that in terms of jobs. Looking at Idaho in particular, a 2005 study by Ben Johnson Associates (submitted along with this testimony) found that restoring Snake River salmon and steelhead just to the levels seen during the 1950s (still less than 10% of historic populations for Snake River spring/summer chinook) would generate $544 million annually for the state, $330 million of which would go directly to rural river-based communities—that's about 270 percent better than was generated during 2001, when Idaho had a salmon fishing season for the first time in years. That year, Snake River spring/chinook season brought the town of Riggins, Idaho nearly one quarter of its annual income from 2001. To Riggins, the term "working river" conjures up images of abundant salmon runs and an economic boost.

The businesses of NSIA are convinced that the Idaho numbers would pale compared to Oregon and Washington economics if a similar study were conducted for those portions of the Columbia. Restoring Columbia and Snake to the levels examined by the Idaho study would allow the region-wide economic benefits of recreational salmon and steelhead fishing to double.

NSIA approaches Endangered Species Act protections for Snake and Columbia salmon and steelhead from the perspective that salmon mean business, and if we want the fishing business to grow, we need to improve salmon habitat so that more fish return. If we want to make these rivers work for fishermen and fishing businesses, we need to do more, not less, to make sure that negative impacts of federal and non-federal dams throughout the Columbia Basin are reduced. That's why 1,100 businesses, tied to sportfishing, recently signed a letter (submitted with this testimony) in support of H.R. 1615, the Salmon Planning Act, a bill that would ask the federal government to fully consider how best to remove the lower Snake River dams and replace their benefits.

There is no question that the ESA is a good thing for salmon and salmon fishing businesses. To reap the full benefits of this law, it needs to be implemented and enforced, not ignored. We need a federal salmon plan that results in the recovery and delisting of salmon, not just a plan that lets these fish limp along the edge of extinction. The longer that they hover near the edge, the more likely it is they'll fall into extinction.

It is preposterous to use our failure to adequately recover salmon and steelhead to date as a reason to weaken the law itself. This is the wrong reaction to our nation's failure to nurture this law live up to its promise. Instead, we must admit that our salmon—and our salmon economy—are in danger. Ignoring the problem would be like refusing to go to the emergency room after having a heart attack because you don't want to face the fact that you either need to change how you live or die.

Because our businesses depend on restoring healthy salmon populations, NSIA has long advocated for a stronger federal salmon plan. That's why we were forced to join the plaintiffs that two weeks ago convinced a federal court to invalidate the 2004 salmon plan, also known as the BiOp.

Everyone who cares about maximizing the potential of the Columbia and Snake rivers for the economic well-being of the Pacific Northwest—including the inland Northwest—is joyous that Judge Redden struck down the administration's convoluted disingenuous salmon plan. While there has never been a biological opinion in place on the Columbia and Snake that would, if implemented, have restored Columbia Basin salmon and steelhead to self-sustaining, harvestable levels, the 2004 federal salmon plan was a step backward to the plans of the early nineties that "cried out for a major overhaul."

The plan would have allowed federal dam managers to leave unaddressed 96 to 100 percent of the mortality that the federal hydrosystem imposes on juvenile Snake River salmon and steelhead as they migrate toward the ocean. In other words, the best we could hope for from the plan is that 10 years and $6 billion from now, Snake River fish hardly be better off during their migration than they are now. The hydrosystem would still been allowed to kill between 49 and 86 percent of the Snake River salmon and steelhead migrating downstream.

Legal questions aside, our fears about the scientific inadequacy of the 2004 Salmon Plan's approach were recently confirmed through an independent scientific review conducted by the American Fisheries Society at the request of the Northwest

native tribes. Among other things, that review concluded that the Salmon Plan's failure to address the impact of the dams and reliance on things like trucking and barging fish downstream instead is quite simply scientifically inadequate to put salmon on track for recovery.

It would be hard to argue that it's in the best interest of Northwesterners to leave the hydrosystem off the hook for the salmon declines it causes. We've tried that strategy for decades, and it leads not only to salmon declines and extinction, but to litigation, nasty political fights, and stagnant economies in rural Northwest communities from the mountains of central Idaho to the Oregon and Washington coasts. And those communities, including my businesses, have already made sacrifices to recover salmon, but the dams simply exact too large a toll to leave them off the hook any longer.

It's time for an alternative to this sluggish status quo, and even more than in the late 1990s it's clear that the centerpiece of such an alternative should be removing the four lower Snake River dams and investing in fully replacing their benefits. This can be accomplished for approximately the same taxpayer and electric ratepayer investment as is required by the existing salmon plan, and still leave sufficient funding for habitat restoration in the Columbia River and its non-Snake River tributaries. Some in this crowd may believe otherwise, but I guarantee you that no serious salmon advocates—I repeat, none—are talking about removing the higher value dams along the Columbia—just the four obsolete dams on the lower Snake River.

Federal agencies themselves have concluded that removing the lower Snake dams is the most scientifically certain way to recover Snake River salmon. This conclusion has since been buttressed by others, including the aforementioned American Fisheries Society, which determined in their independent Salmon Plan review that Snake River salmon survival and recovery would "be assured" with lower Snake River dam removal.

On the other side of this equation is the status quo, which is guaranteed to present no new economic opportunities for fishing businesses or anyone else. Instead, we'll keep fighting over a diminishing resource until the potential for restoring it is eventually gone. I prefer my vision of the future, which allows for salmon recovery, over $3 billion per year in new fishing and recreational opportunities, and protection for existing businesses like irrigators and grain shippers.

But we're not yet to the point where the federal agencies in charge of salmon recovery, share this vision, despite all the evidence. Which leads me to this summer and our modest request for help in turning things around for salmon migrants and our future.

This proposal is important to keep these rivers working for fishermen, even at low current levels. Absent the improved flow and dam operations we are requesting, fewer Snake River fall chinook are likely to return in three to five years. These steps are particularly important in light of what would otherwise be poor river conditions this summer and the fact that ocean conditions may be taking a turn for the worse.

No one doubts that ocean conditions play a large role in the fate of salmon populations—they have for thousands of years. In the past, our rivers have been in good enough shape to ensure the survival of salmon runs during bad ocean conditions. Now we fear that the Snake River outmigrants cannot endure another of the ocean's endless cycles.

Our river proposal request merely asks that salmon migrating through the Snake and Columbia rivers this summer are given the semblance of a fair shake during this low water year. Scientists tell us this modest proposal will likely double the survival rates of juvenile Snake River fall chinook, and flow targets and water temperatures will still be well below what biologists (and our laws in the case of water temperatures) say we should be shooting for if we are to recover the salmon and steelhead of the Columbia and Snake.

Unfortunately, what's been typical of salmon migration conditions under the river management decisions that have been made since 2001 is that salmon and salmon dependent businesses are repeatedly sacrificed for the sake of maintaining status quo river operations. We are asking for Northwest electric ratepayers, shippers, and irrigators to make minor changes during this low water year in order to more equitably distribute the burden among all the groups that share in the benefits of these great rivers.

The science strongly suggests that improving river conditions and decreasing reliance on juvenile fish transportation would help improve Snake River fall chinook survival, and a strategy that "spreads the risk" between transported and non-

transported fish is warranted.[1] While ocean conditions were largely responsible for the rebound in salmon runs earlier this decade, another contributor was the fact that in the late nineties, the Bureau of Reclamation actually delivered the amount of Idaho water that has been promised since the 1995 BiOp. Since 2001, the percentage of juvenile Snake River salmon migrating through an unhealthy, hot, slowly flowing river has increased considerably, and that is likely one cause of this year's poor spring chinook returns.

And this year's fish returns are not just a little bit lower, they're much lower. Revised projections have made it appear that Snake River spring/summer chinook will return at their lowest levels since the bad old days of the mid-1990s, with returns as low as they were when these fish were first listed under the ESA in 1992.

The impact of these changes for other river users is real, but equitable given decreasing fish numbers, a less favorable ocean, and current river conditions. Northwest electric ratepayers would likely pay an additional 11 to 54 cents per month on their residential power bills next year—I haven't met anyone who would not be willing to pay a little more on their electric bills if it meant having a better chance to recover these legendary fish and give their families more chances to fish for them.

Idaho irrigators would still be providing less than the 427,000 acre feet of water they promised under the recently ratified Snake River Water Rights agreement with the Nez Perce, the State of Idaho, and the Bureau of Reclamation, so impacts to upper Snake River water users would be less than they would normally anticipate if the agreement were enforced.

For about 2 months shippers shipping from the Port of Lewiston may need to ship either by barge about 30 miles downstream from Lewiston or move their goods by rail or truck, as the Potlatch Corp. has already been doing.

These are not insignificant sacrifices, but they are not out of proportion to those that will be made this year, and have been made for years, by communities that depend on salmon and steelhead fishing for their income and well-being. Due to decreasing spring chinook since 2001 and their precipitous declines over the last two years, our industry is in the process of layoffs.

Again, thank you for the opportunity to testify today. It is NSIA's conclusion that our Nation, our salmon and our jobs need the Endangered Species Act. The Act is right for the fish and right for our businesses—it just needs to be applied honestly and fairly by the federal agencies to ensure that the federal hydrosystem allows the Snake and Columbia rivers to work for a variety of interests, not just a few.

[The Northwest Sportfishing Industry Association 2005 Membership List submitted for the record by Ms. Hamilton follows:]

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[1] See, "Effects of Federal Columbia River Power System on Salmonid Populations," NOAA Technical Memorandum NFMS-NWFSC-63, February 2005, p. xvi. Available at http://www.nwfsc.noaa.gov/assets/25/6061—04142005—152601—effectstechmemo63final.pdf

NORTHWEST SPORTFISHING INDUSTRY ASSOCIATION

2005 Membership

Dedicated to the preservation, restoration and enhancement of sportfisheries and the businesses dependent upon them.

Corporate Platinum:

(Have given $5000 or more)

Buzz Ramsey Promotions
Fisherman's Marine & Outdoor
Luhr Jensen & Sons
Maurice Sporting Goods
O'Loughlin Trade Shows
Okuma
Pure Fishing (Abu Garcia / Fenwick / Berkley)
Snohomish Sportsmen's Assoc.
Everett Steelhead & Salmon Club
Stevens Marine/Alumaweld

Corporate Gold:

(Have given $2000 or more)

All Sports
Columbia Sportswear
Danielson Co.
The Duffle Bag-Jerry's Surplus
Farwest Sports / Sportco
Frank Amato Publications
Fred Meyer, Inc.
Frabill, Inc.
G I Joe's Inc
Lamiglas Inc
Leisure Sales, Inc.
Mike Myers & Assoc.
Plano
Rapala/Normark
Shimano American Corp.
Sportsman's Warehouse
SW Washington Angler's
Tim Bailey & Assoc.
Three Rivers Marine
Willie Boats

Acme Tackle
Active Marketing NW
Advanced Composites
Al's Landing
Allen Marine Center
Alten Sakai
Anchor Rite
Anderson's OR Outdoor Adven.
Atlas Mike's
B.A.S.S. Of Oregon
Bailey, Duskin & Duffle
Bass Menu Pro Tackle Dist.
Bates & Company
BC Angling Post
Bentlley's Boat Tops
Big Al's Tackle Company
Big Wally's
Blackbird Shopping Center
Bob's Merchandise, Inc.
Bob Rees Fishing Guide
Bob Singleys Guide Service
Bogg's MFG
Brink & Sadler CPA's
Brown-Forman Corporation
Browning Fishing
Browns Landing
Burnside Capital Mgmt, LLC
Catcher Co.
Coldwater Packs Company
Coleman Co.
Coulee Playland Resort
David Johnson Guide Service
Deets Guide Service
Dick Nite Spoons, Inc.
D&G Bait
Eagle Cap Fishing Guides
Englund Marine Supply
Fin Reaper Guide Service
Finsport-Johns Jigs
Fish Hawk Adventures
Fishing Guides Northwest
Fishing & Hunting News
Fishing Oregon
Five C's Guide Service
Flambeau Products
Flying Pencil Publications
Folbe Products
Formfit Print Management
Four Rivers Press
GBS Distributing
G. Loomis, Inc.
Gamakatsu USA
Garabaldi Marina
Geralds Guide Service
Gilbert Company, The
Grutbo, Steve & Emma
Hadlock Building Supply
Harry Bresnahan Guide Service
Heidi's Inn
Hell's Anglers Guide Service
Holiday Market
Holdzit Products Inc.
Holthe Walls Associates
Hook Up Guide Service
IFISH.NET
Innovative Textiles
Iron Wood Pacific, Inc
J & L Electric
John B. Merifield Co., Inc.
Johnson Guide Service (Norrie)
K.T. Morris & Associates, Inc.
Kain's Fishing Adventures, Inc.
Kurt's Steelheade Specialists
Kyle Hall Outdoors
L.H. French Co.
Lanahan Sales
LNJ Associates
Lowrance
Mack's Lure Mfg Co
Mackburg Rod & Gun Club
Mah-Hah Outfitters
MMW Representatives LLC
Marshall's Guide Services
Maschmedt & Associates
Master Fishing Tackle
Maxima
McDaniels Do it Center
Mercury Marine
Mepp's/Mister Twister
Merifield Co., The
Mid-Willamette Valley Angling
Morton & Associates
M Y Products Inc.
Narrows Tackle & Marine
Nature Vision Inc.
Newport Marina Store
Norrie Johnson Guide Service
North Marion Charters LLC
Northwest Angling Experience
NW Steelheaders, Assn of
O. Mustad & Sons (USA) Inc.
Ollie Damon's
Oregon Guides & Packers
Oregon Outfitters & Guide Serv.
OR Wildlife Heritage Foundation
Outdoor Media Group
Pacific Boat Land
Pautzke Bait Co.
Penn Fishing Tackle Mfg
Poulsen-Cascade Corp.
Powder River B & B/Guide Serv.
Pro Cure
Pro-Troll, Inc
Rainbow Tackle
Ranger Products
Redwood Cabins
S.H. Smith Fisheries Consulting
Saltchucker Charters
Schaefers Guide Service
Shakespeare Co.
Silver Horde Fishing Supplies
Smith, Phillips & Dipietro
Smith, Ldt, Diana
Smoker Craft
South River Marine
SPA Group
Sport Services
Sports Sales, Inc.
Steve Neverick River Guide
Strelecki & Assoc.
Sundin Realty
Sunrise Guide Service
T. C'c Guide Service
TTI Companies
Tall Tails Guide Service
Teeny Nymph Co.
Ted's Sport Center
Tempress, Inc.
The Last Word
The Matthews Company
The Reel News
Thomas Spinning Lures
Titeline Fishing Products
Tillamook Guides Association
Tom Posey Company
Toms Tackle Box
Triangle Shell Food Mart
Tru Turn/T.T.I. Enterprise
Uncle Walt's Tackle
V. F. Grace, Inc.
VMC, Inc.
Westcoast Sales
Western Fishing Advertures
Willipa Fishing Gang
Willapa Marine Products
Wilson Marine Service
Wright & McGill Co
W W Grigg Co
Yakima Bait Co.
Zak Tackle Mfg Co

Mr. RADANOVICH. Thank you, Ms. Hamilton.

Next is Ms. Jean Ryckman of the Franklin County Public Utilities District. Ms. Ryckman, welcome to the Subcommittee.

STATEMENT OF JEAN RYCKMAN, MANAGER, FRANKLIN COUNTY PUD

Ms. RYCKMAN. Thank you, Mr. Chairman.

In addition to representing Franklin County PUD ratepayers, I am also the Chair of the Coalition for Smart Salmon Recovery. It

is a group of irrigators, businesses, electric ratepayers, both public and private, throughout the region, the four-state region.

And as you have heard today, the Columbia/Snake River system is the lifeblood of this region. One of the primary river system benefits that seems to be glossed over whenever the issue of salmon within the Endangered Species Act comes up is its impact on hydropower.

Hydropower is the world's leading renewable resource for generating electricity. This clean and affordable source of power continues to be the backbone of a strong Northwest economy. It supplies over half of our electricity. It helps improve the air we breathe and reduces global warming because it does not pollute the air. Hydropower enables the development of the region's wind energy because it has the ability to respond immediately to fluctuating energy demands and the intermittent nature of wind. Hydropower is reliable. It provides both environmental and societal benefits.

Dams are just one piece of the recovery puzzle. Dam operators have made, and continue to make, enormous efforts and contributions—by changing river operations and improving facilities—to make improvements to the river system for the salmon. As a result, in 2000 NOAA Science Center confirmed that survival of juvenile salmon passing through the river is as strong as it was before the four lower Snake River dams were built. Salmon survival at dams has improved significantly.

You know, as you've heard today, the salmon are a treasured symbol for all of us here in the Northwest, and the good news is they are not going extinct. NOAA Fisheries latest report shows that all ESA listed salmon stocks have improved significantly since 2000, resulting in longer fishing seasons and more fish throughout the basin in that four-year period. Even this year's mysterious run of spring chinook is significantly improved from what we saw throughout much of the 1990s.

In our efforts to save salmon, we're largely missing the point. Most of the attention continues to be focused on dams, when the evidence shows that they are not the limiting factor. In this year's strange spring chinook run, it tells us that the ocean is having a huge impact. Out in the ocean things are happening that we can't see and that we cannot control.

Salmon recovery requires a close look at all of the H's; hatcheries, harvest, habit and, yes, hydropower. But a myopic focus on the dams distracts us from the real things that we can do to help the fish.

The salmon recovery effort is out of balance. Rather than relying on the best available science, it often seems to be guided by rhetoric and personally held beliefs, not evidence.

Electricity ratepayers are taxed to fund the bulk of the effort, and we have a right to demand results. We must balance the needs of fish with the equally compelling needs of people. Pasco School District in my community serves approximately 10,000 students. Last year that school district paid through its electricity rates $155,000 for salmon recovery. That's enough money to buy a brand new textbook for one-half of those 10,000 students every single year.

It's ironic, you know, that it has fallen to the electricity consumers to demand biological justification for the expensive programs promoted by the salmon interests. There's no accountability from those who are asking for Bonneville money. And further, there's the assumption that our electric customers will fund every project that might help fish, whether it has anything to do with power production or not. BPA estimates that fish and wildlife costs will make up to 28 percent of the Agency's revenues in the '07-'09 rate period. School children, farmers, senior citizens and every electric customer in the Northwest will bear these costs.

The ESA, as it exists, exposes conflicting goals in Federal policies. NOAA Fisheries, as part of the Department of Commerce, is responsible for promoting and allocating the salmon fishery for commercial purposes. That same agency is responsible for protecting those ESA listed salmon. And also the ESA encourages endless litigation and allows our energy and money to be diverted rather than focusing on credible, science-based salmon protection efforts. It takes the operational decisions away from those who have expertise and hands it to the litigants.

Mr. Chairman, Bonneville customers and the people who pay through their power bills are committed to salmon recovery. And since we fund the bulk of the effort, we believe it is appropriate for us to demand results.

Please help us bring common sense back to the ESA. Thank you.

[The prepared statement of Ms. Ryckman follows:]

Statement of Jean Ryckman, Manager, Public Utility District No. 1 of Franklin County, Chairperson, Coalition for Smart Salmon Recovery

Introduction:

Jean Ryckman has 28 years of electric utility experience. She has worked for Franklin PUD for 25 years and began serving in her current capacity of Manager of the utility in January, 2004. Jean is currently Chairperson of the Coalition for Smart Salmon Recovery and president of the Board of Conservation and Renewable Energy Systems. She is also a participant in the BPA Power Function Review, Public Power Council, Pacific Northwest Utility Conference Committee, and Washington PUD Association. She serves on the Boards of United Way, Tri-Cities Visitor and Convention Bureau, and Pasco Chamber of Commerce. Ms. Ryckman is past-president of the Pasco School Board, past-chair of Columbia Basin College Advisory Committee, and past-chair of the WPUDA System Design and Evaluation Committee.

Testimony:

Before commenting on the impact of the Endangered Species Act here on the Columbia and Snake River Hydrosystem, it is important to reiterate how crucial this multi-purpose river system is to all of us in the Northwest. It is no exaggeration to say it is the lifeblood of this region. One of the primary river system benefits that seems to be glossed over whenever the issue of salmon within the Endangered Species Act comes up is the impact on hydropower.

Hydropower is the world's leading renewable resource for generating electricity.

This clean and affordable source of power continues to be the backbone of a strong Northwest economy, supplying half of our electricity. Hydropower helps improve the air we breathe, and reduces global warming because it does not pollute the air. Hydropower enables the development of the region's wind energy resource, because it can respond immediately to fluctuating energy demand and the intermittent nature of wind. Hydropower is reliable. Maintaining the flexibility of our hydrosystem is the surest way to maximize it as one of the region's greatest natural resources. It provides both environmental and societal benefits.

Dams are just one piece of the salmon recovery puzzle. Dam operators have made, and continue to make, enormous efforts and contributions—by changing river operations and improving facilities—to make improvements to the river system for salmon. As a result, in 2000, NOAA Science Center confirmed that survival of juvenile salmon passing through the river is as strong as it was before the four lower Snake

River Dams were built. Salmon survival at dams has improved significantly. At most projects, well over 90% of the juvenile salmon safely pass the dams.

The salmon are a treasured symbol to all of us in the Northwest, and the good news is—they are not going extinct. Despite the gloom and doom messages you have been hearing about the health of our Northwest fish, NOAA Fisheries latest report shows that all ESA-listed salmon stocks have improved significantly since 2000. Snake River Fall Chinook increased by over 300% during that four year period resulting in longer fishing seasons and more fish throughout the Basin. Even this year's mysterious run of Spring Chinook is significantly improved from what we saw throughout much of the 1990's.

In our efforts to save salmon, we're largely missing the point. Most of the attention continues to be focused on dams, when the evidence shows that they are not the limiting factor. In fact, this year's strange Spring Chinook run tells us that there is a lot going on with these fish, and most of it happens out in the ocean where we can't see it, let alone control it. Juvenile salmon that migrate to the ocean any given year do not all return to the Columbia River at the same time. Some stay out in the ocean for 1 or 2 or 3 years. Last year, a huge number of jacks—or early returns—returned to the river. Typically this corresponds to a strong run the following year. The strong forecast for this year's return was based on the large number of jacks that returned last year. The fact that the number of fish we've seen is lower than we would expect tells us that something happened to them between last year and this year "something in the ocean, when they were far removed from the Columbia River.

Salmon recovery will require a close look at all of the "H's: Hatcheries, Harvest, Habitat, and yes, Hydropower and the dams. But a myopic focus on the dams and the costs some feel they should bear distracts us from the real things we can do to help the fish.

The salmon recovery effort is out of balance. Rather than relying on the Best Available Science it often seems to be guided by rhetoric and personally held beliefs—not evidence.

Electricity ratepayers fund the bulk of the effort and have a right to demand results. We must balance the needs of fish with the equally compelling needs of people. Pasco School District, in Franklin County, Washington, serves approximately 10,000 students. The school district paid, through its electric rates, $155,000 toward salmon recovery efforts in 2004 and indications are that cost will be higher next year. The amount Pasco School Districts pays for salmon each year would provide new textbooks for one half of the students in that year.

Northwest power consumers, through Bonneville Power have invested over $6.5 billion since 1978 in salmon recovery. It is ironic that it has fallen to the electricity consumers to demand biological justification for the expensive programs promoted by the salmon interests. There is no accountability from those asking for Bonneville money. Further, there is the assumption that our electric customers will fund every project that might help fish, whether it has anything to do with Bonneville's power production or not. BPA estimates that fish and wildlife costs will make up 28% of the Agency's revenue requirement in the next rate case ("07 to "09). School children, farmers, senior citizens, and every electric customer in the Northwest will bear these costs.

The ESA, as it exists, exposes conflicting goals in federal policy. An example: NOAA Fisheries, as part of the Dept. of Commerce, is responsible for promoting and allocating the salmon fishery for commercial purposes. That same agency is also responsible for protecting those ESA listed salmon. There continue to be expectations that the federal hydrosystem will make up for deficiencies in salmon returns or past policy decisions no matter where the responsibility should rightfully rest.

The ESA, as it exists, encourages endless litigation and allows our energy and money to be diverted to determining who is "right" rather than focusing on credible, science-based salmon protection efforts. Litigation consumes enormous amounts of time and money. Litigation can take operational decisions away from those who have the expertise, and hand it to litigants, as currently demonstrated in the case before Judge Redden. Litigants pursue political agendas rather than a balanced approach that recognizes the many uses and benefits of the river system

Conclusion:

BPA's customers and the people who pay through their power bills are committed to salmon recovery. Since we fund the bulk of the effort we believe it is appropriate for us to demand results.

Electricity rates in the Northwest are almost 50% higher than they were in 2001. BPA's commitments to fish and wildlife make up about a quarter of their total power costs and these costs are expected to grow.

We are frustrated because the context under which salmon decisions are made has not provided enough accountability or tools to measure success. As a consequence, electricity ratepayers end up with ever increasing costs, without corresponding clarity as to what their significant contributions to the effort are achieving.

BPA's customers will spend nearly $700 million this year alone on salmon recovery, and at the end of the year, we will be unsure if we are any closer to reaching the region's mitigation goals.

Now more than ever we need to listen to the science, keep doing the things that are working, and look for other opportunities to make smart decisions that will enhance these beautiful, multi-use rivers, the inhabitants of the rivers, and the health of our region.

Supporting Information for Testimony

KEEPING THE COLUMBIA/SNAKE A WORKING RIVER SYSTEM
JUNE 6, 2005

1. Northwest Energy Supply

This chart shows the Northwest's dependence on clean, renewable hydropower. There is over 33,000 MW of hydropower capacity in the Northwest. This equates to almost 30 nuclear plants the size of the Columbia Generating Station, or 75 coal plants the size of the Boardman facility, or over 130—249 MW capacity combustion turbine plants.

2. Fish Counts at Bonneville Dam 1938—2004

Adult salmon have been passing Bonneville Dam in record numbers for the past four years. This is a product of good ocean conditions and effective investments in the hydropower system.

3. 2005 Spring Chinook at Bonneville Dam

The 2005 adult return to Bonneville Dam is much less than the 10 year average, yet it is still significantly more than the returns of the early "90s.

4. Salmon Return Increases

From NOAA Fisheries, a look at improvements in fish returns by species. This again demonstrates that fish returns have improved significantly in the past few years.

5. Total Fish and Wildlife Spending 1978-2004

Bonneville Power Administration is spending more than $600 million per year on fish and wildlife mitigation. This includes the cost of the Northwest Power & Conservation Council's Fish and Wildlife Program and the cost of operating the river for fish.

6. BPA's Total Fish & Wildlife Program: Total Annual Average Cost

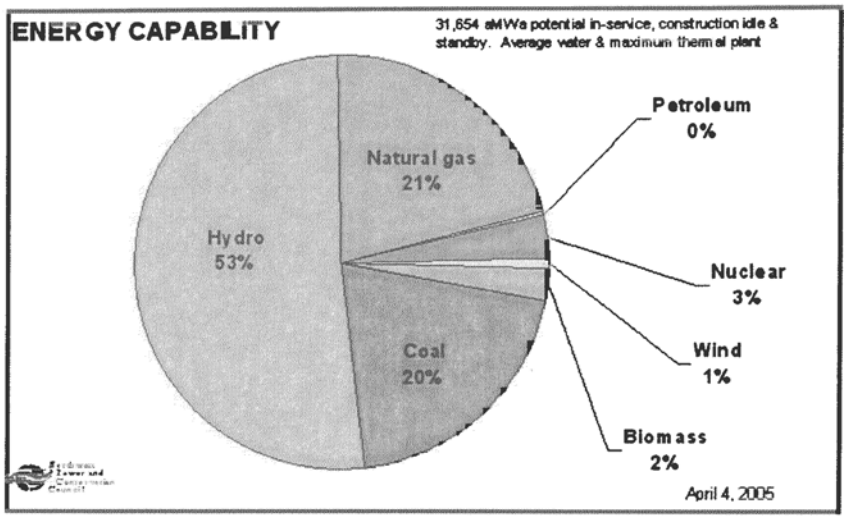
This chart of BPA's estimate for fish and wildlife costs for the 2007-2009 rate period demonstrates that fish mitigation costs are projected to continue to climb.

7. Regional Impacts of Plaintiff's Proposal 5/19/05

This 2-page summary was provided by the Federal Caucus www.salmon recovery.gov. This is a summary of the potential impacts of the Plaintiff's proposal for a preliminary injunction regarding the 2004 Biological Opinion.

Exhibit 1

How much Northwest energy comes from hydropower?



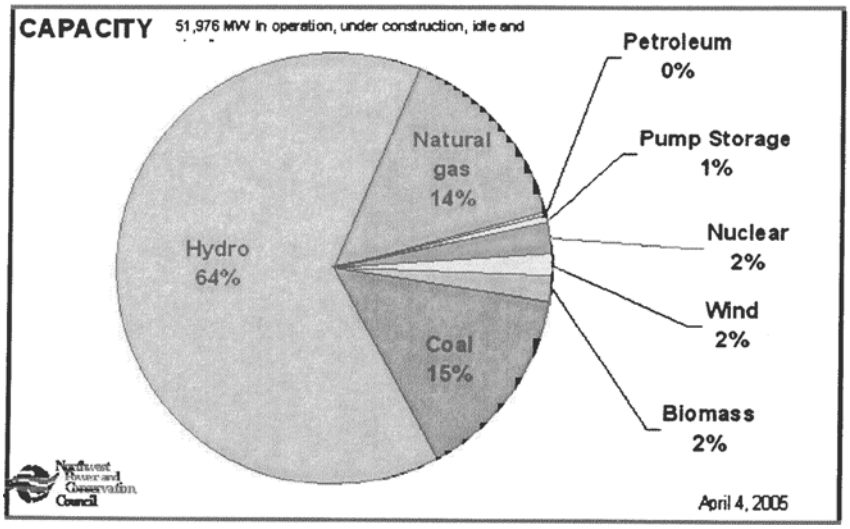
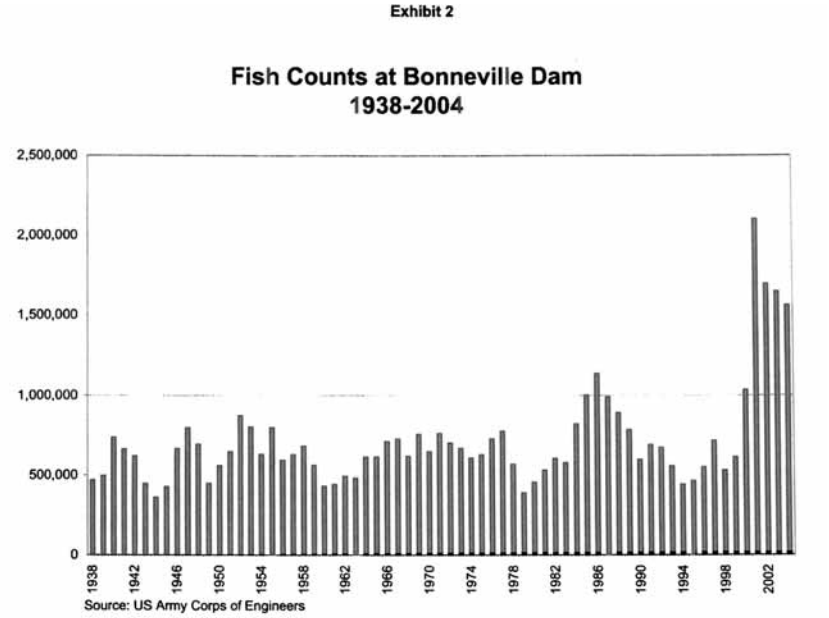
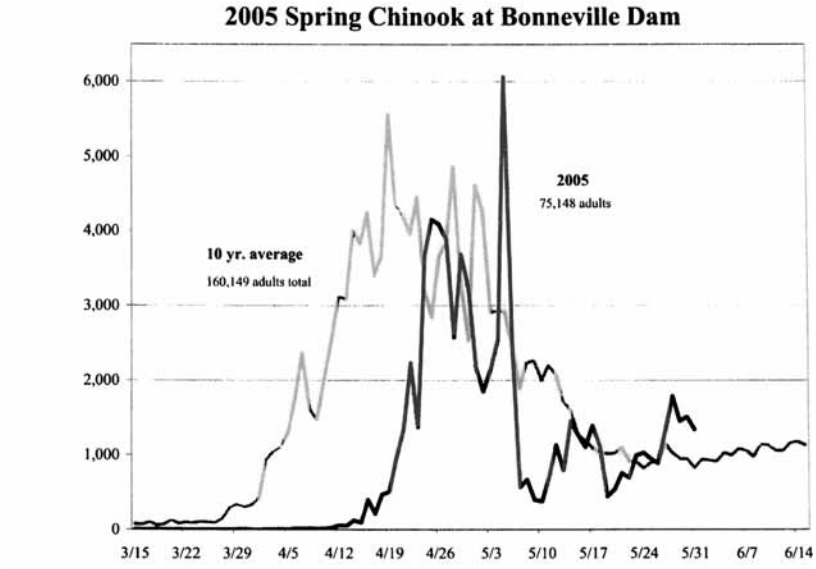


Exhibit 2



PNUCC January 20, 2005

Exhibit 3



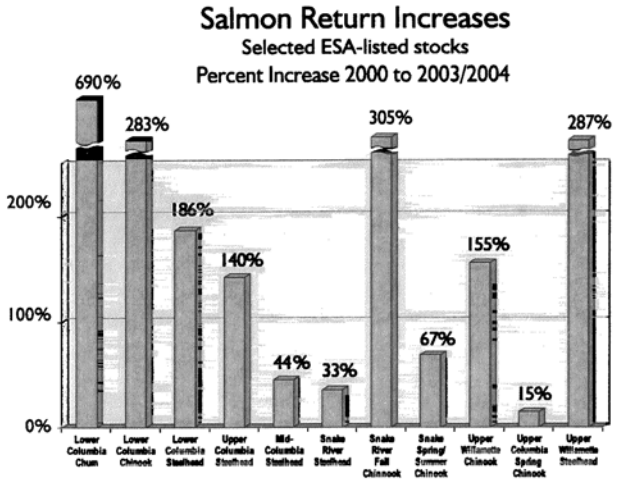
Data Source: Columbia River DART 6-1-05

Exhibit 4

May 2005

Federal Caucus

Status of Columbia Basin Fish Runs



Source: NOAA Fisheries

Current Status of Select Pacific Northwest ESA-Listed Salmon Stocks

Stock	% of Wild/ Hatchery stocks	2000 Returns	2001 Returns	2002 Returns	2003 Returns	2004 Returns	% Change 2000 to 2003/2004
Lower Columbia Chum	100% wild	2,500	2,000	4,000	20,000	*	+ 690%
Lower Columbia Chinook	50% wild 50% hatchery	18,908	37,569	72,468	*	*	+ 283%
Lower Columbia Steelhead	70% wild 30% hatchery	4,200	5,000	9,626	12,002	*	+ 186%
Upper Columbia Steelhead	20% wild 80% hatchery	7,796	20,837	15,867	17,652	18,727	+ 140%
Mid Columbia Steelhead	70% wild 30% hatchery	23,418	28,138	33,765	*	*	+ 44%
Snake River Steelhead	15% wild 85% hatchery	115,161	259,115	218,718	180,672	153,415	+ 33%
Snake River Fall Chinook	40% wild 60% hatchery	3,696	8,915	12,351	11,732	14953	+ 305%
Snake Spring/ Summer Chinook	20% wild 80% hatchery	51,835	192,632	101,226	98,763	86,501	+ 67%
Upper Willamette Chinook	20% wild 80% hatchery	37,594	52,685	83,136	117,600	95,969	+ 155%
Upper Columbia Spring Chinook	50% wild 50% hatchery	1,580	14,958	3,022	1,824	*	+ 15%
Upper Willamette Steelhead	75% wild 25% hatchery	3,200	10,100	16,500	9,472	12,381	+ 287%

Source: NOAA Fisheries

** Data not available for 2003. Percent of change from 2000 is calculated from 2002. Snake River sockeye, not included in chart, is currently in the experimental stage, supported almost exclusively by safety-net hatchery group.*

Frequently Asked Questions about Columbia Basin Salmon Returns

What is the status of the runs?

- For the fifth year in a row (2000-2004), near record salmon returns in most areas of the Columbia and Snake basins indicate that, with help from improved ocean conditions, our approach to improving hydrosystem passage and survival, salmon habitat and hatchery practices is having a positive impact on listed fish. Returns for nearly all stocks far surpassed ten-year averages.
- Historically, year-by-year salmon returns show a great deal of volatility.

What about the reports of a low return of spring Chinook this year?

- As of May 17, 2005, approximately 60,000 spring Chinook have passed Bonneville Dam. This number is indeed lower than the predicted returns. Sometimes run size predictions differ substantially from actual returns.
- The number of 2005 spring Chinook still represents a significant number of spring Chinook when compared to runs less than ten years ago. In 1996, only 12,000 spring Chinook were counted at Bonneville.
- This year's spring Chinook run is made up of juveniles that migrated out of the Columbia River in 2002 and 2003. In 2003, survival through the Columbia River hydrosystem for the out-migrating juveniles was one of the highest ever observed.
- The return of jacks—precocious salmon that return a year ahead of the rest of its age group—was strong in 2004. Jacks are often considered an indicator of the following runs.
- These facts demonstrate that river conditions are only one factor affecting salmon survival and may be overshadowed by other influence that scientists only partially understand, such as ocean conditions.
- The federal agencies are continuing to monitor the spring Chinook returns and will conduct a targeted scientific review of in-river conditions.

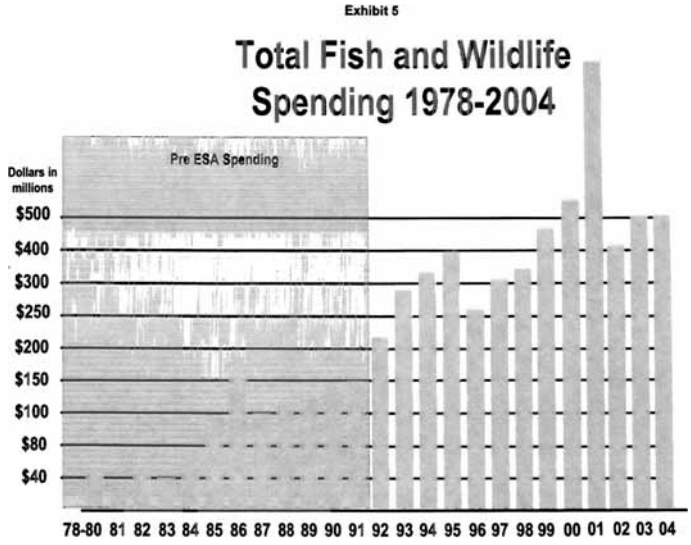
What about sea lions eating the fish?

- The U.S. Army Corps of Engineers (which owns and operates Bonneville Dam) has estimated that, over the last few years, between 0.5 and 2.0 percent of the total adult spring Chinook run has been eaten by pinnipeds (seals and sea lions) in the Bonneville tailrace alone.
- To discourage sea lion incursions, engineers and biologists have been using escalating harassment techniques agreed upon by the U.S. Army Corps of Engineers, National Marine Fisheries Service and Oregon and Washington departments of fish and wildlife, aimed at keeping the pinnipeds out of the fishways. These techniques are consistent with the Marine Mammal Protection Act.

What will it take to recover these fish?

- Recovery of these fish to sustainable population is a common goal among all parties working on salmon issues. Every citizen in the Pacific Northwest has a stake in this work. Salmon are a cultural icon and provide important economic benefits to the region. If we are to be successful we must work together to support our dual goals of a healthy environment and a strong economy.

Exhibit 5



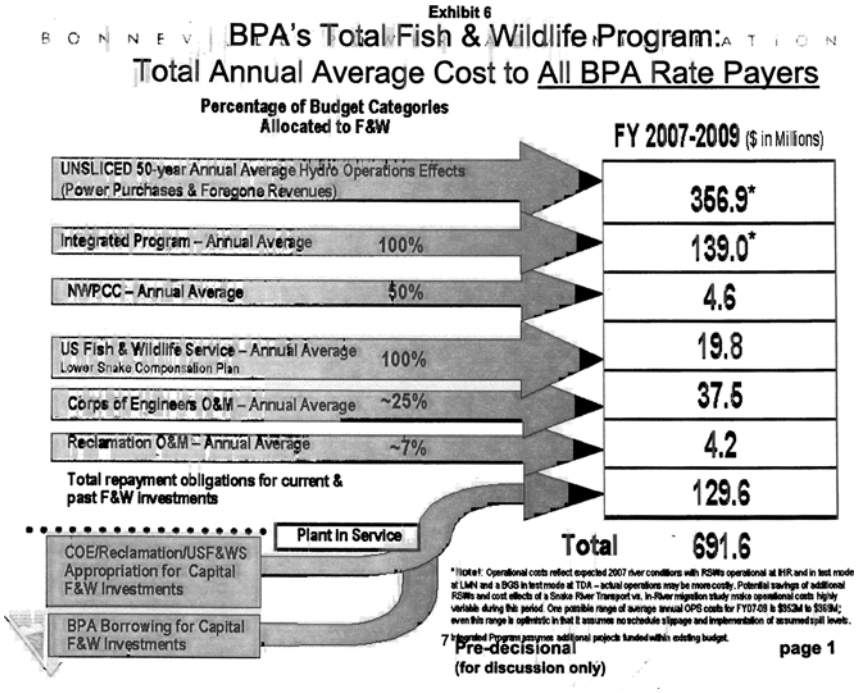


Exhibit 7

REGIONAL IMPACTS OF PLAINTIFF'S PROPOSAL
5/19/05

The following are highlights of the federal agencies' response brief regarding potential impacts of plaintiff's proposal, National Wildlife Federation et al v. National Marine Fisheries Service and U.S. Army Corps of Engineers, filed April 22, 2005, U.S. District Court, District of Oregon.

Biological Impacts

The Federal action agencies' Updated Proposed Action follows the most prudent course of staying with the strategy under which the runs have increased, while committing to fund research to better understand the biological phenomenon of yearling life history strategy of fall Chinook.

To choose an untried operation in such a critically low water year would be to experiment with this threatened species running the risk that any speculative increases in survival through in river migration do not materialize. A prudent salmon manager should not gamble with species at risk. While the plaintiffs have not described with specificity the particular operations of the hydro system they would undertake to achieve their goal, based on my knowledge and experience it appears that the operations necessary to achieve the water particle travel time goal this summer would case greater mortality to listed fish than those in the current biological opinion.

Declarations of D. Robert Lohn, Regional Administrator, National Marine Fisheries Service

In addition to failing to provide quantitative survival data on their recommended spill operations at the lower Snake River projects, the [plaintiff's] also fail to discuss the biological risks to different salmonids stocks associated with their suggested action.

Declaration of Rock Peters, Senior Program Manager, Northwest Division, United States Army Corps of Engineers

Resident Fish Impacts

Grand Coulee lower lake levels will also adversely affect resident fish interests. Lower lake levels increase entertainment of resident fish through the dam; block resident fish from spawning sites; reduce nutrients for resident fish due to decreased water retention time, and impact net pen operations which require a water surface elevation of 1283 feet or higher.

Declaration of D. James Fodrea, Jr., Columbia/Snake Salmon Recovery Office, United States Bureau of Reclamation

Navigation Impacts

Drawdown of Lower Granite reservoir below Minimum Operating Pool would shut down the lock operation to commercial vessels because there is insufficient draft over the upstream sill of the lock and in the channel above the lock. This eliminates commercial traffic above Lower Granite Dam, which includes the ports of Lewiston, Clarkston, and Wilma...total economic losses over a 2-1/2 month drawdown period yields an average loss of $2.5 million. This assumes there is capacity to handle changes in transportation modes, which is the short-term may not be adequate unless much higher costs are paid.

Declaration of Gregory S. Graham, United States Army Corps of Engineers

Irrigation Impacts

The proposals for injunctive relief made by plaintiffs could have significant, long-term negative impacts on virtually all of Reclamation's projects in the Columbia and Snake River Basins; these impacts include harm to other species listed under the ESA, potential violations of clean water standards, violations of state water laws, failure to meet authorized project water deliveries, economic impacts and an increased likelihood that Reclamation reservoirs would not refill sufficiently to meet salmon flow augmentation obligation and other authorized project purposes in future years.

Declaration of Kenneth R. Pedde, Deputy Regional Directory, Pacific

Recreational Impacts

The additional draft would have potential adverse economic impacts to the tribal and other recreational concessions for 2005 due to the effects of reduced [Grand Coulee] lake levels on recreational activity. We estimate that half of the boat ramps on the lake would be inaccessible with the additional draft.

Declaration of D. James Fodrea, Jr., Columbia/Snake Recovery Office, United States Bureau of Reclamation

Drafting Dworshak from elevation 1520 feet to elevation 1470 feet would "reduce access to available recreational boat rams (see Graham's declaration).

Declaration of David J. Ponganis, United Stated Army Corps of Engineers Northwest Region, United States Bureau of Reclamation, Boise, Idaho

Economic Impacts

Simply put, the effects of the proposed 2005 operations carried over into 2006 (assuming an average water year and average market conditions and resumption of UPA operations) would result in an expected loss of revenues over the two years, FY2005 and FY2006 of $102 million.

Declaration of Roger Schiewe, Fishery Impact Technical Expert and Principal Hydro Power Systems Operations Engineer, Bonneville Power Administration

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Mr. RADANOVICH. Thank you, Ms. Ryckman. I appreciate your testimony.

Mr. Norm Semanko, Idaho Water Users Association. Norm, welcome to the Subcommittee. You may begin.

STATEMENT OF NORM SEMANKO, EXECUTIVE DIRECTOR AND GENERAL COUNSEL, IDAHO WATER USERS ASSOCIATION

Mr. SEMANKO. Mr. Chairman and members of the committee, thank you very much for this invitation.

My name is Norm Semanko. I'm the Executive Director and General Counsel for the Idaho Water Users Association. I'm pleased to be joined here today by Tom Miram (phonetic) who's the Executive Director for our sister agency the Washington State

Water Resources Association. Together with those two groups, the Oregon Water Resource Congress, all three of us represent millions of acres of irrigated grounds in the Pacific Northwest.

The Water Users Association is affiliated with the National Water Resources Association. We certainly appreciate the positive working relationship we have with the Subcommittee and look forward to the important work that we do with the Subcommittee in the future.

I'm also here today representing the Coalition for Idaho Water. And the Coalition is a broad-based collection of agricultural groups, businesses and local governments in Idaho, formed in 1993, unfortunately, for the specific purpose of defending Idaho's water from legal threats under the Endangered Species Act, so serious that they had come.

We are pleased to count among our members in this area, Lewiston Orchards Irrigation District, the Lewiston-Clarkston Chamber and the Port of Lewiston.

Mr. Chairman, the vast system of dams, reservoirs and canals built by the Bureau of Reclamation since the passage of the Reclamation Act in 1902 has truly made the desert bloom throughout the Pacific Northwest. In our three Pacific Northwest states, vast tracts of irrigated agriculture have contributed to our nation's economy, provided a steady and dependable supply of food and fiber, and helped create a way of life that defines who we are as a people. As originally expressed by an optimistic farmer who posted a sign on a desert ranch in the Boise Project before the first water delivered in the area, "We still have faith in God and U.S. Reclamation."

These water projects provide many other benefits to our region. The livestock industry benefits from the water provided by Reclamation. Significant power is generated from its facilities, helping fuel our regional economy. Flood damage is prevented by Reclamation as well. And recreational opportunities are provided in the reservoirs and on our rivers because of Reclamation projects.

I have provided the Subcommittee members with just a representative sample, brochures of six different Reclamation projects in the Pacific Northwest. Just these six projects in the three states provide over $5 billion in direct benefits to the Pacific Northwest. And this is not to speak of the agriculture and other sectors of our economy that are directly supported by the Reclamation projects.

Mr. Chairman, as we sit here today, make no mistake about it. Our dams and our reservoirs, our managed river systems, and our entire way of life are under direct assault in the courts by extremist environmental groups. Most recently, a coalition of environmental groups has asked the Federal district court of Oregon to draw down reservoirs and drain others through flow augmentation in order to increase the velocity of the lower Snake and Columbia Rivers by 10 percent this summer.

As a former staff member for Senator Craig, I sat in Lewiston and saw the test drawdown in 1992. It was an unmitigated disaster, wreaked havoc on the area, and did nothing for the salmon. We do not need to repeat that experiment.

This motion threatens to wreak havoc on our region by crippling our river transportation system, our power system, taking badly

needed water supplies away from farmers and ranchers, and even stealing water from our municipalities, resident fisheries, and local recreation by asking for an additional 10 percent on top of the projected flows for the summer.

I might add here, Mr. Chairman, that Mother Nature has already outdone the environmental groups. Since the original motion was filed, the projections for summer flows have increased by 50 percent. It is time to withdraw the motion. It is pointless. All it will do is cause pain and suffering to the region.

It is no secret that the environmental groups do not covet our water so much as they seek to impose pain upon every sector of this region until we all support the ultimate goal of these groups, which is removal of the dams. But as the Ninth Circuit Court of Appeals recognized recently, such a drastic step cannot be taken by the Federal agencies. It cannot be taken by any Federal judge. Only Congress can deauthorize the Federal dams and order their removal. But the environmental groups continue and will continue to do all they can to create a political constituency for their cause with their out-of-state grants and other monies.

We are very proud of our Congressional delegation in Idaho standing strong against dam removal. And, frankly, if I have anything to do with it, I don't see this changing any time soon.

Mr. Chairman, Senator Crapo a few months ago offered these folks a table, a table to negotiate and discuss these issues. But they chose the courtroom. And so there we are.

Mr. Chairman, any solution to this set of problems needs to include a strong dose of common sense. And a good place to start is with the numbers of fish in the river system. Unfortunately, Judge Redden in issuing his decision did not look at the recent salmon numbers, instead choosing to rely on more questionable analyses.

If you were to believe the environmental groups, the salmon are supposed to be extinct by 2017. Remember the extinction vortex? That doesn't look like a very good prediction right now.

Mr. Chairman, I appreciate the opportunity to testify and look forward to answering your questions.

[The prepared statement of Mr. Semanko follows:]

Statement of Norm Semanko, Executive Director and General Counsel, Idaho Water Users Association

Mr. Chairman and members of the Subcommittee, my name is Norm Semanko. I am the Executive Director and General Counsel for the Idaho Water Users Association (IWUA). I appreciate the invitation to testify before you today.

Originally formed in 1938 as the Idaho Reclamation Association, IWUA is a nonprofit corporation representing more than 300 irrigation districts, canal companies, water districts, ground water districts, public and municipal water providers, hydroelectric companies, aquaculture facilities, agribusinesses, professional firms and individuals, all dedicated to the wise and efficient use of our water resources. Our members deliver irrigation water to more than two-and-a-half million acres in Idaho. Many of our members also rely upon the power and transportation benefits provided by the current river system.

IWUA is affiliated with the National Water Resources Association, which I currently serve as President. I am also a member of the Western States Water Council, which advises the Western Governors' Association on water-related matters, and a member of the Advisory Committee for the Family Farm Alliance, a grass-roots organization representing farmers and ranchers that receive water from Bureau of Reclamation projects in the West. Finally, I represent the Coalition for Idaho Water, a broad-based collection of agricultural groups, businesses, local governments and

others, formed to defend Idaho's water from legal threats posed by the Endangered Species Act (ESA).

You have asked that I address my views on the value of the multiple-use Columbia/Snake River system, potential threats to it, and ways to balance economic needs and environmental protection within the region that depends on the system. I am pleased to do that.

The Value of the Multiple-Use Columbia/Snake River System

The vast system of dams, reservoirs and canals built by the Bureau of Reclamation since the passage of the Reclamation Act in 1902 has truly made the desert bloom throughout the Pacific Northwest. In Idaho, Washington and Oregon, vast tracts of irrigated agriculture have contributed to our nation's economy, provided a steady and dependable supply of food and fiber, and helped create a way of life that helps define who we are as a people. As originally expressed by an optimistic farmer's sign posted on a desert ranch in the Boise Project before the first water deliveries were made to the area, we still "have faith in God and U.S. Reclamation".

These water projects provide many other benefits to our region. The livestock industry benefits from the water provided by Reclamation. Significant power is generated by these facilities, helping fuel our regional economy. Flood damage is prevented by Reclamation projects, as well. Recreational opportunities are provided in the reservoirs and on our rivers because of Reclamation projects.

For the benefit of the Subcommittee, I have provided copies of the "Story of" several Reclamation projects on the Columbia/Snake River System, summarizing the project-by-project benefits in several areas of the region. The overall value of the Bureau projects to the region is overwhelming.

Here are just some of the numbers.

The annual value of the irrigated crops in the Minidoka, Palisades, and Boise Projects in Idaho is nearly $1.2 billion dollars. For the Columbia Basin Project in Washington, the annual crop value is $630 million. It is $700 million in the Yakima Project in Washington and almost $100 million in the Owyhee Project in Oregon and Idaho. That's more than $2.5 billion per year of crop value in the region, in just those six Reclamation projects in Idaho, Washington and Oregon. There is another $1 billion annually in benefits from the livestock industry derived from these same projects.

And the hydroelectric power benefits? Almost $1 billion per year; again, just for these six Reclamation projects. These aren't the U.S. Army Corps of Engineers dams on the Lower Snake and Columbia Rivers; just the Reclamation projects.

The benefits to the public provided through flood control are likewise immense. Again, just for these six Reclamation projects, there is nearly $100 million per year prevented in flood damage in the region.

Some would argue that these dams have crippled our ecosystems and decimated our fish runs. The facts just don't bear this out.

The amount of water arriving at Lower Granite Dam each year from Idaho has remained virtually unchanged over the last century. Summer flows have actually increased because of regulated flows released from behind the dams.

So what impacts do the dams have on fishing? It's no secret that flows in dam-controlled rivers are more stable and more predictable, providing superior fishing opportunities with long, sustained releases through the summer. As the outdoor reporter for the Idaho Statesman recently observed, "Dam-controlled rivers are more predictable because dam operators can control the flows. If you plan to fish a river, those are a better bet than free-flowing rivers." "Anglers: High water is everywhere", Idaho Statesman, May 26, 2005.

There is also more dependable water for rafting and other recreational pursuits because of the reservoirs and steady releases into the river during the summer period. For the six projects that I previously mentioned, there are more than six million recreation visits annually to the reservoirs and rivers that are regulated by Reclamation. The annual economic benefit is about $170 million.

Potential Threats to the System

Make no mistake about it. As we sit here today, our dams and reservoirs, our managed river systems, and our entire way of life are under direct assault by extremist environmental groups.

These groups have suggested that Reclamation reservoirs should be drained in a vain and pointless attempt to "save" the salmon. Most recently, a coalition of environmental groups has asked the federal district court in Oregon to draw down reservoirs and drain others through flow augmentation, in order to increase the velocity of the lower Snake and Columbia Rivers by ten percent this summer. A hearing on this request is scheduled for this Friday, June 10 in Portland, in the aftermath

of the judge's May 26 decision striking down the biological opinion for the Federal Columbia River Power System (FCRPS) dams.

This motion threatens to wreak havoc on our region by crippling our river transportation and power systems, taking badly needed water supplies away from farmers and ranchers, and even stealing water from our municipalities, resident fisheries, and local recreation. As a State and as a region, we cannot tolerate these kinds of devastating impacts this summer or ever.

From a hydrologic standpoint, the motion is without merit and should be withdrawn immediately. At the time the motion was made in March, the summer flow projections at Lower Granite on the lower Snake River were at 46% of normal. Today, the updated summer flow projections are at 70% of normal. The bottom line: the flow at Lower Granite is projected to be at least 50% higher than it was at the time the motion was made. In short, the dire, low water conditions that led to the filing of the motion have improved. Mother Nature has more than granted the requested relief of 10% already.

It is no secret that the environmental groups do not covet our water so much as they seek to impose pain upon every sector of the region until we all support the ultimate goal of these radical groups removal of the dams. As the Ninth Circuit Court of Appeals recognized recently, such a drastic step cannot be taken by the federal agencies, nor can it be ordered by any federal judge. Only Congress can deauthorize the federal dams and order their removal. The environmental groups continue to do all they can to create a political constituency for their cause.

In a separate lawsuit, several of the same environmental groups have directly challenged the continued operation of the Bureau of Reclamation projects in the Upper Snake River Basin, above Hells Canyon. This includes the Minidoka, Palisades and Boise Projects in Idaho, the Owyhee Project in Oregon and Idaho, and several others, with a total active storage capacity of more than seven million acre-feet of water. If recognized by the court, the environmentalists' misguided claims could have resulted in the denial of water for Idaho citizens, for the purpose of meeting in-river flow objectives for the salmon that cannot possibly be justified. Since the action was filed, a new biological opinion has been issued for the projects, rendering the motions of the environmental groups moot. Nonetheless, the threat continues to hang over Idaho and Oregon farmers, ranchers, businesses and communities.

As if that is not enough, environmental groups have also targeted the three hydroelectric dams in Hells Canyon, owned and operated by Idaho Power Company and licensed by the Federal Energy Regulatory Commission (FERC). As part of the current relicensing process, they have asked FERC to order Idaho Power to study decommissioning, or removal, of the dams in order to "Restore the Canyon". These dams supply over 75% of the hydroelectric power generated by Idaho Power, upon which Idaho businesses, irrigators and the general public rely for a firm supply of power. Obviously, it is ludicrous to talk about removing these dams. Yet, we expect a full-blown battle in front of FERC on this question.

The same groups have also proposed passage and reintroduction of salmon protected under the Endangered Species Act, into the Snake River and its tributaries above Hells Canyon. Comparable estimates of the impacts that this would cause to farmers and ranchers in the Upper Snake River Basin, in order to comply with the ESA and other federal laws, are in the $600 per acre range. The actual costs are likely to be much higher. These impacts would also be felt by businesses and municipalities. There would be direct and substantial impacts on the continued operation of the Reclamation projects in Idaho and Oregon. The existing biological opinion for our projects would likely be thrown out in order to evaluate the impacts of the projects on the listed fish transplanted into our area. We cannot withstand this kind of hit. Again, this argument is likely to play itself out in front of FERC.

In addition to the water projects in southern and eastern Idaho, the FCRPS litigation likewise threatens water levels in locally important waters such as Dworshak Reservoir, Cascade Lake, and Lake Pend Oreille.

Balancing Economic Needs and Environmental Protection

Any solution to the current set of problems in the Columbia/Snake River system needs to include a strong dose of common sense. A good place to start is with the actual number of fish in the river system.

Over the past several years, salmon and steelhead numbers are up—significantly. You would think that this would be good news to the environmental community. Instead, they refuse to acknowledge the increased runs, choosing to characterize them as some kind of short-term spike that will soon return to the "extinction vortex" that they once so boldly predicted would end with the salmon's demise by 2017. Needless to say, that prediction is not looking too good these days.

The federal government has refused to include healthy, returning populations of hatchery fish in their counts of salmon abundance. Despite a successful lawsuit in federal district court, recognizing that genetically identical salmon that swim side-by-side must be treated the same under the ESA, the shell game continues. On the one hand, the federal government says that the fish are threatened and endangered, even when considering hatchery populations. On the other hand, they say that there is a "surplus" of fish and that it is permissible to harvest them.

As a result of these failures, another lawsuit is likely to be filed in the near future, challenging the federal government's continued failure to comply with the law. IWUA and the Coalition for Idaho Water will both be parties to that lawsuit; I will proudly carry the banner as co-counsel with the Pacific Legal Foundation, the non-profit public interest law firm that successfully prosecuted the previous hatchery lawsuit.

By counting the hatchery fish, as well as the non-ocean going fish that are also genetically identical to the anadromous fish, we should be able to distinguish between those stocks that are actually in trouble and those that have suffered from an impermissibly artificial distinction between so-called "natural" and "unnatural" fish.

Recognition of the increased fish runs and inclusion of hatchery fish should eventually result in delisting of at least some of these stocks, and an increased ability to harvest them. It should also serve to remove some of the restrictions that exist in many sectors of our region under the ESA.

This can be done without removing the dams and without draining Idaho and other areas of our region.

Another needed and long overdue step is to improve and modernize the ESA. Many good ideas exist for making the Act better and are under active consideration, not just by Congress, but by many stakeholders and other interested groups. I applaud the House Resources Committee for the leadership that it has provided on this issue and look forward to favorable consideration of legislation by Congress to amend the ESA in the near future so that it can work better for the benefit of all Idahoans.

By taking some common sense steps, and looking at all of the facts, we can preserve the tremendous benefits of the Columbia/Snake River system, as a working river, while also enjoying continued salmon and steelhead returns for generations to come.

Mr. Chairman and members of the Subcommittee, thank you once again for the opportunity to testify.

NOTE: The following brochures submitted for the record by Mr. Semanko have been retained in the Committee's official files:n

- The Story of the Minidoka Project, Idaho-Wyoming;
- Palisades Project, Idaho-Wyoming;
- Boise Project, Idaho-Oregon;
- Owyhee Project, Oregon-Idaho;
- Columbia Basin Project, Washington; and
- Yakima Project, Washington

Mr. RADANOVICH. Thank you, Mr. Semanko. For the record, too, I——

[applause.]

I need to remind folks in the audience that this isn't a—this isn't that type of public hearing. And, again, what we're trying to do is take into the public record all of the information so that we can get a good solution to this problem; the applause in the audience doesn't help. So if you can work with us to try to get through this, we'll make sure that we can get the best results out of this hearing.

For the record, it was Mr. Bruce Babbitt from Latham and Miller was invited but is not here today, just for the record.

I would like to now recognize for questioning. At this point we are opening up to the dais up here questions for the people who are testifying. And I'm going to defer to Ms. McMorris to begin that questioning.

Ms. MCMORRIS. Thank you, Mr. Chairman.

Excellent testimony. I wanted to start by asking each one of you—just briefly, if you would like to comment—but to specifically comment on the most recent decision made by Judge Redden and how you see it impacting the river. Whether it comes—you know, the barging, the potential (inaudible) just from what you know related to that decision.

Mr. OTT. Thank you, Cathy.

From the County Commissioners' viewpoint, an interesting concept has been surfacing. And that's the concept of uncertainty for people involved in production activity when a—a significant decision like this is brought out. Many people who are trying to capitalize.

Their—either their production or capitalize some investment in equipment are finding it difficult to obtain loans of long-term significance because the lending institutions themselves do not have certainty of what's going to happen to this river system.

And so we're beginning to see some economic impacts of that based on instead of a 10- or 15-year loan, we'll give you a two-year loan or a three-year loan, until we see what happens on these rivers. So we're going to see four, five and ten years from now the effects from this, lost production, perhaps people losing jobs. Perhaps we're going to see other businesses going elsewhere to find a more stable economy or more stable certainty of being able to capitalize a business.

Mr. LEWIS. Thank you, Ms. McMorris.

My name is Virgil Lewis. And there was a segment in my testimony that I did not—was not able to read due to time constraints. It's in regard to the BiOp that Judge Redden ruled on. And in our opinion, if there were a 10-percent increase in velocity, then by doing this we can achieve a 300-percent survival increase in this stock. And a 300-percent increase in salmon production and also survival of the juveniles outflowing out into the ocean, once they return, the economic benefit would be very large indeed.

In regards to the barging industry itself, I have not had the opportunity to actually take a look at what the barging impacts would be. I'm looking at it strictly from a Tribal Council standpoint. And from our point of view, working together with the hatcheries, specifically working with the wild hatcheries, working with the wild salmon to supplement—supplement the wild runs by taking wild fish into the hatchery and raising that fish and releasing it and hoping that those fish will come back, not specifically to the hatchery but to different parts of the region.

The Cle Elum Hatchery is very similar to the Nez Perce Tribal Hatchery in that we take wild salmon every year into our facility. And we raise those salmon to a certain age, and we release them at different locations on the Yakima River system. This has proven to be very successful. It has worked tremendously. We have a spring chinook salmon fishing season on the Yakima River system. There has not been one for 30 years. It has proven very successful for us.

Thank you.

Ms. MILES. Thank you, Ms. McMorris. Mr. Chairman, thank you.

I strongly agree with Mr. Lewis's comments. I also, I guess, want to make two points, when you specifically asked regarding Judge

Redden's ruling. For the Nez Perce Tribe, there are two overall general things that helped validate the Nez Perce Tribes, not just our—it's not just a personal belief, I guess I wanted to state. But it requires requirements in ESA, the recovery of wild salmon—wild salmon and steelhead, not just preventing. And that's validated what we've been stating and our science has been stating all along.

Also, the impacts of Columbia and Snake River dams can't be ignored. These dams kill more than 80 percent of Idaho's migrating salmon and steelhead.

And I just wanted to make those two points because for a long time—and I'm seven generations from Old Lookingglass. The one I mentioned in my testimony. And it's often viewed that we forget many times over these generations that the new generation will forget. And I just want to reassure and in this testimony that we have not forgotten what our leader stood for. And that those—that ruling validated finally our belief what—which even was labeled here as almost like a personal belief.

Thank you.

Mr. ALLDREDGE. The only comment that I would like to make—and thank you for bringing this up—is that Judge Redden's decision provided the opportunity for the plaintiffs to ask for another hearing. And on Friday of this week there will actually be another hearing regarding the—a preliminary injunction proposed by the plaintiffs to change immediately the operations of the river, and including the river that you can see just outside of this hotel.

And part of that—the proposal is to lower the lower Granite pool 10 feet below minimum operating pool.

Which effectively immediately eliminates all commercial navigation upon the—in the lower Granite pool. It eliminates the movement of grain. It eliminates the movement of containers. It eliminates the arrival of cruise ships bringing those 15,000 tourists to our area every year.

We are very, very concerned about this. And we hope that Judge Redden does not allow the actions proposed by the plaintiffs.

Mr. APPEL. Thank you, Congresswoman, for the question.

I would like to just add my support to what Commissioner Ott had to say. The uncertainty that rulings like this create, really causes me a great deal of concern.

You know, we've spent a lot of years, a lot of time talking about the issue, talking about what it takes to recover the salmon. We start making plans down that road, and then suddenly you throw everything out, and we start all over again with the arguments and the issues.

In terms of a judge making these kinds of decisions, that concerns me also. You know, after all, we've had a lot of—a lot of science that has been looked at. We've had the Corps of Engineers and National Marine Fisheries studying this issue all this time. They came out with their recommendation, and the judge on his own decided to throw that out.

I would urge you to take the look at the declaration that is attached to my written testimony. It's a declaration by Dr. James Anderson, Research Associate Professor in the School of Aquatic and Fishery Sciences at the University of Washington. This was made

in support of the BiOp. And I would urge you to take a look at that.

Mr. BENSON. Mr. Chairman and Representative McMorris, it concerns me a lot, frankly, that we're in a place where a judge is making these kinds of decisions and over the work that's been done by the agencies that we have in place to make the decisions that agencies I believe should make.

That said, though, I would like to call your attention to the pictures on the wall behind you, which are pictures of the 1992 drawdown. And you can see those, either from where you are or later when you get up, that that particular experiment wreaked havoc up and down the reservoir system.

And I hope that that's not where we're headed again.

As you know, on the 10th of this month, the judge will hear additional comments about the possibility of drawdown. And I would ask that you would take great consideration and be as concerned as I am about what might be coming in the way of drawdowns because of the judge's decision.

Ms. RYCKMAN. I think it's important to note that Judge Redden did not question the science behind the BiOp in his decision or the proposed actions. His ruling was focused on legal technicalities, on whether it met legal requirements.

One example is that he found the government had improperly segregated the operation of the dams from the existence of the dams in the analysis on—I think he also segregated the fishing impact. So this is not a scientific decision this time by Judge Redden.

And as of Friday, I understand the Federal Government had not decided whether or not it would appeal. And so I expect that the seven programs that are underway will continue as planned right now.

Having said that, as you heard that on Friday, Judge Redden will hear oral arguments on a request from the plaintiffs. And they are—it must be my magnetic personality; do you think?

[Laughter.]

Ms. RYCKMAN. The plaintiffs are asking for more spill, less transport and additional drafts. The expected cost of that would be a $102 million tax imposed on Bonneville ratepayers.

Mr. SEMANKO. Ms. McMorris, there were two different motions that were filed early this spring in Judge Redden's court by the environmental groups. And I should say that Judge Redden is (unintelligible) senior activist judge—or I'm sorry—senior active judge, and he has a sympathetic ear for the environmental groups. He famously now, a year or so ago, said he didn't want to preside over the last salmon being caught in the river. I think we're quite a ways away from that. But I think it indicates kind of where he's headed.

Two motions. One was a motion for summary judgment as to whether the Biological Opinion's any good or not. And that's what he ruled on on May 26. He said I don't think this opinion is very good. And for reasons that we don't have time to get into today, I think the chances of that being reversed on appeal are very good.

He did not—I think he went out of his way to instead of looking at whether it's an adequate Biological Opinion, good enough. He's looking for the best possible Biological Opinion from his

perspective. And that is not the standard by which a Court should be looking at these issues on the Administrative Procedures Act.

The second motion, of course, is the motion that's going to be heard on Friday. And that's a motion for injunctive relief. And usually a motion for injunctive relief is reserved for when something's got to change right now, and you can't wait for a final decision by a Court.

And again, when that motion was filed, the river flows were substantially low. They are still low as Representative Otter has mentioned. But there has been already a 50-percent increase in the projection. Now, this projection is for the period from June 21st to August 31st. That's the summer flow period. Back in March the projection for that period was 46 percent of normal.

Right now as we sit here today, the projection is 70 percent of normal. Still low but certainly not meriting the kind of relief that the environmental groups are requesting. So, again, that's why we would hope that that motion would be filed. Mother Nature has, in essence, mooted that injunction motion in our view.

Ms. HAMILTON. May I make a brief comment?

Mr. RADANOVICH. Oh, I'm sorry. Yes.

Ms. HAMILTON. Congresswoman and Chairman, I appreciate the opportunity to answer this question as well.

Not being a lawyer, I can't get my arms around all the technical terms like segmentation and that sort of thing.

The thing that the judge said that we rejoiced over was our agreement that the plan did not model out for recovery. The plan slowed the rate of extinction, which wasn't acceptable to the people in the jobs that I represent.

So all the rest of the legal technicalities were over my head. But that point was clear to us that the judge said that the plan had to be leading in the right direction, not leading in the wrong direction for fish.

And folks here are right. We've had some rain. But unfortunately we prefer not to be the ''pray for rain'' industry. And that's the place we've been with the current management of the system. If God or Mother Nature gives us plenty of rain, then the fish do better. And you can look at the historical records on this. When we have the flows and spills, we get fabulous adult returns.

When you look at '01, the year that everyone said mission accomplished on these fish, they went out on great flows with spill. When you look at '05, it's almost the reverse conditions, that those fish went to the ocean and the ones that are not coming back today.

I appreciate the comments about certainty as well. I work for an industry that has all the sectors other industries have. We manufacture, we wholesale, we distribute, we retail, plus the hospitality part of our industry. And we need to plan as well.

And a hot river hurts us triple, not just single. So we have harm done to the babies in the river when it's hot. We have harm done to the adults that are in the river. And the other thing is that you can have a river full of fish, and if it's hot they don't bite because they're so stressed. So they'd jump in the boat before they'd fish. So we lose our industry when we don't have a river that's working for fish.

Ms. MCMORRIS. Thank you.

Mr. HASTINGS. I have to say that I thought the testimony that I heard from everybody was very good testimony. And I have had—I guess it's a privilege to attend several of these type of hearings or rallies, you know, the rallies that are outside the hearings, regarding this issue many times.

And it is interesting, from what I heard today, is what I had not heard or I—what I didn't hear today is what I had heard in the past, which I think is significant and perhaps it means that we are making progress on this. And let me just point out one area in that regard.

Most of the testimony here—I think all of the testimony here is pretty much that, you know, because of the development here, we have the dams. And with the exception, in fact, in Ms. Hamilton's testimony that she didn't say orally, she says that those serious people are in favor of removing any of the dams except the Snake River dams.

But what was not mentioned—and I mentioned this in my opening remark and others here had mentioned this—that it's not an either-or situation. And I point out to you this. In my district, which is through central Washington, I have 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 dams that are—starting with Grand Coulee Dam on down through the big Columbia and through the Dalles Dam that are in my district or part of my district.

Part of those dams came to an agreement, if you will, that I thought was very significant. And that is the mid-Columbia dams—or three of the mid-Columbia dams in central Washington came to a habitat conservation plan that called for no net loss through those dams. Now, that was a very significant achievement. Took about seven or eight years to do that. I just want to point out that there is a way we get through this if we work at it.

And I want to—also want to compliment Mr. Lewis for his coming back the second time and talking about the hatchery program. Because there are advocates—and I will put them, frankly, on the extreme side—that say that it has to be wild fish only. And we shouldn't even consider the idea of anything having to do with hatchery. I've been to the Cle Elum Hatchery, and I think that, from some of the other hatcheries I've seen, is certainly more of the state of art, I think, to the credit of the Yakamas. And so if we can look at that and get rid of—get outside of this idea that it only has to be wild and let's put in everything together, I think we can find common ground.

But I—I would also make this observation. Because I remember the great debate in 2000, specifically, in the 2000 Presidential election, talking about removing the dams on the Snake River. And I recall—somebody told me because I don't subscribe to this newspaper that I'm talking about.

But I understand that the New York Times for four or five days ran full-page ads on removing the dams on the Snake River. To which I wonder, how many people out here subscribe to the New York Times and would be impacted by their advertising of taking out the dams?

I just think that's a lot of the—there are some. I don't think you're the audience that you're being reached, though, in my view.

It just tells me that—which was said, I think, by several of the people who gave testimony today, that a lot of this is outside—I would say outside agitation, and maybe the "agitation" is too far. But they certainly have a different agenda than those of us that live here.

So I—I just wanted to make those points. And there is just one question that I would like to pose, I guess, if anybody would want to answer it, in the very brief time that I have. Is that if the idea is to return fish and particularly try to recover endangered fish, then why do we harvest those fish that are in danger.

I think it's a very legitimate question that needs to be responded to. If anybody on the panel would like to respond to that, I would like to hear it.

Ms. HAMILTON. I'm going to defer to him first.

Mr. LEWIS. Mr. Chairman, members of the committee, my name is Virgil Lewis, Sr.

The justification for the Yakama Nation in regards to harvest goes back centuries, I guess you could say. Our attempt at the Cle Elum Hatchery is an attempt to rebuild the wild stocks. We take wild salmon into our hatchery, and we raise those juveniles. And it takes us about, oh, a year and a half before they're actually released back into the mainstem Yakima River and then out into the Columbia River.

Now, those fish, when they come back, they're not wild fish, but they come back to an area where they spawn naturally. And our attempt is to get those hatchery fish that we reared as wild fish. Their parents were wild. So our attempt is to get those fish back into the system so that their—their progeny will go out into the system and come back and return as wild fish. That is our attempt. Supplementation, if you will. And that's the term that we use.

Every year—we continually use wild fish. We don't take hatchery fish into our hatchery. We take wild fish.

The reason that the Yakama Nation members harvest salmon—it's not specifically targeting wild fish. The Yakama Nation will harvest whatever is available. Our harvest—our harvesting has been constrained, as I mentioned, 30 years, 20 years. Recently because the Yakama Nation has rebuilt—helped rebuild the spring chinook salmon, we have just recently started harvesting spring chinook salmon in Zone 6.

Now, the fishermen below the Bonneville Dam, they are able to harvest salmon before they get—before we do, before they pass Bonneville Dam. But the reason that we—we want to harvest fish, any fish, so that we can provide for our families.

Mr. Hastings, as you may be aware, Yakama Nation is comprised of almost 10,000 members. And of that, I would say 75 to 80 percent of those individuals are fishermen. The other 20 percent, because there hasn't been that many fish to harvest, they're—the children are growing up to be adults now. And they're seeking jobs doing other things. But we still have that tradition on the Columbia River that we honor the first fish that comes back. And many politicians, elected officials, have been to Celilo to the first salmon ceremony that we hold every year.

If we can have any way of rebuilding the wild fish in any fashion, that is our ultimate goal is to rebuild those fish, wherever they may be.

Mr. HASTINGS. I would just like to make an observation to follow up. Because while I—I applaud you for your work on the hatchery fish—I think that's exactly where we ought to be going on this. But we probably are splitting hairs. Because the question is: What is a hatchery fish.

Do you take wild—I mean, by definition—at least the definition that others have talked to me about, wild fish are left wholly within the rivers and are not touched by outside support in order to spawn. You by definition say you take outside—you take wild fish and put them in a hatchery.

Now, this—I'm not going to—we're probably arguing a small point here. But I think it is, in fact, very, very significant.

Second, I would just concede your point. Because of the treaties, you may have a larger call on the harvesting, whether they're endangered or not. I would concede that. You'd probably have a better case on that than somebody—somebody else. Even though we are—all live under the laws of the United States.

Do you want to say something?

Ms. MILES. Thank you, Mr. Chairman.

And I mean no disrespect, but I feel very frustrated after many, many years having to justify our right to harvest fish. On behalf of the Nez Perce Tribe, I'd like to, first and foremost, point out that we are not an interest group.

We are a sovereign nation that has a legal right.

And I can't imagine and I can't get into the minds of my leaders that we would be down here seven generations now having to justify the millions and millions and millions of acres they gave up and the lives that were lost for our very right to harvest fish. And it is the Nez Perce Tribe and other treaty tribes that are the lead in restoring what was our own right. What was reserved for us. It wasn't given to us by anybody.

And that validity in Judge Redden's ruling, in my personal belief, finally said that the tribes—the tribes have sustained this way of life for thousands of years. And we truly believe that that was by no mistake. It's not a mistake to our people. But I guess I feel a little on the defensive after all these years and as somebody as young as myself, the frustration the tribes go through all the time of having to justify our harvest. That—our harvest and our way of life has sustained us for thousands of years.

By not having our traditional foods, Mr. Hastings, it has severely damaged our health, health disparities in our nations. Our economies—our very freedom that we talk about in this country was never given to our people. That freedom that we use very loosely in this country, that freedom is not given to everybody. And I just want to make that point.

I can't be more passionate about how much I am going to fight for that freedom to choose our way of life. The freedom that our leaders—that our leaders when they gave up millions of acres they said that we would have.

Thank you.

Mr. HASTINGS. Yes, I appreciate that. I wasn't going to infer you shouldn't have the right to harvest at all. I don't want you to take that inference away.

My question was specifically on endangered—fish that are listed as endangered species. That's—that was my point. And perhaps you have a—you know, I think you have an observation whether others should be able to harvest endangered fish, given the concession that you feel so strongly about the right to harvest. What about others harvesting endangered fish?

Ms. MILES. I guess just more specifically to answer your question. The tribes have governed themselves. We govern our own fishermen. We put on our own regulations. Higher demands than anybody outside of the tribe. When—and those hurt our fisheries. When we don't have enough fish, we—we have govern ourselves and say so. And we do so. We are not asked to do so. We govern ourselves the way we have—the way we always have.

So I guess more specifically to answer your question, we watch those runs as closes as anybody.

Thank you.

Mr. LEWIS. Mr. Hastings, I just want to make one more comment.

Rebecca brings out something that is very important. Once the tribes reach a certain point and impact on the wild fish, then we have to stop fishing. And we do that. We do that voluntarily.

We make sure that our fishermen are accounted—everything that they catch is accounted for. So that once we reach a certain impact, say, for instance, on the Snake River steelhead—yes, they're listed steelhead. Once we reach that impact, then we stop fishing. Regardless if there's fish still in the river.

Ms. HAMILTON. I appreciate the opportunity to answer this question. Sport fisheries in particular. And I'm just going to use nontreaty and lump it together. That's all the fisheries that are below Bonneville. And I'll send you the data on this. But we'll pick two fisheries that are very, very big to us; steelhead and spring salmon.

And in those two fisheries, the—all the sport and commercial harvest in the river pass 98 out of every 100 to spawning bed the wild fish. Those fisheries are managed to stay under 2 percent.

Now, if you take a step back from there, every single listed stock that heads for the Snake, if you add up ocean sport, commercial, tribal and in river sport, commercial, tribal fisheries, none of that harvest for every single listed fish, with the exception of one, matches the harvest of hydro.

So our—we—we feel like we're the constrained. We're the ones that are constrained. Our fisheries are deeply, deeply constrained. And they're managed so carefully that this year when the—when the spring chinook fishery crashed and came in in a third of what we expected, we still met that 1 percent the sportfishing community gets on wild fish.

Now, we don't keep them. The 1 percent is calculated on catch and release.

Mr. SEMANKO. Mr. Chairman, a great question.

The way I intend to look at it, Representative Hastings, is if the listing petitions were filed today instead of 15 years ago and the government looked at the genetically identical hatchery fish and

the genetically identical non-oceangoing fish, would the government list the fish today.

I think that's a legitimate question asked. Because legally they have not done it correctly. We've had at least one Federal district court and the Ninth Circuit uphold that saying they haven't been counted correctly.

But unfortunately the government still hasn't got it quite right. They're going to finalize their new decision and their new policy here later this spring. And there will be a new lawsuit. The government will be made to count the fish correctly. And when they do, when they count the fish correctly, I'm going to be proud to be a co-counsel with Pacific Legal Foundation when we bring that case on behalf of citizens in four different states.

We will find out which stocks are really in trouble and need to be protected and those that have been merely impermissibly, artificially distinctioned out between so-called natural fish and unnatural fish.

If we recognize the increased fish runs by including the hatchery fish and also the non-oceangoing fish—which, last I checked they were real fish—there should be an increased ability to harvest those fish. And we all are in favor of fishing. It should also serve to restructure our region ESA.

It is absolutely ridiculous that a farmer in central Idaho who might impact the salmon or bull trout some day made not to be able to divert his water and has to buy hay for the last four years because it might impact some fish that might be endangered while we continue to harvest them. That makes no sense.

I'm not pointing fingers; just showing how ridiculous the situation is now. And this can be done without removing the dams and without draining Idaho and other areas of our region. Unfortunately it's going to require additional litigation. And you're going to see it this summer, I believe.

Mr. HASTINGS. Thank you.

Mr. OTT. Thank you, Representative Hastings.

Something that's missing on this I think that we need to get into the record is the fact that we're looking at a very tightly focused area. And the salmon throughout the Pacific Arch are harvested, not only by the issues that we're talking about here today—and I was just speaking with Mr. Lewis here.

What's the effect of the worldwide take on the salmon population?

Here we have listed endangered species, but what do we know about Japan or Russia and the amount of take they have had? Are they abiding by the international treaties.

And I believe we only need to look to the eastern side of the country where they have the cod fishing restraints placed on for a period of five years due to overfishing.

Second, we haven't even addressed the fact that we've got a huge take by natural predation out of the mouth of the Columbia. Not even being addressed, and that's a huge effect upon the salmon populations. Where we have other species being protected who are predating upon the other protected species. And so we have consequently stuck ourselves in the middle of a natural balance, and I think we've probably done more damage than good on that.

So if we want to recover the salmon, I would suggest perhaps we send those (unintelligible) elsewhere and send those sea lions elsewhere and see what happens to those populations then and give them a chance to recover.

Mr. RADANOVICH. Thank you. I have a couple of questions.

It was mentioned—the economic benefit of—if the dams were removed, the economic increase or the viability of the salmon industry—the fishing industry as a result of that.

And if I get, Ms. Hamilton, the number I heard—either a half billion or 3 billion would be the potential economic benefit to a restored fishery—if I could say it that way. Am I correct on that? Or which number is correct.

Ms. HAMILTON. A half a billion was a figure that would benefit the State of Idaho. 3 billion as a region.

Mr. RADANOVICH. Can I get a sense of what would be lost by the dam removals to the economy? Is there a—I'm trying to assess——

Ms. HAMILTON. You know, I think that's a great question and an important question. But the problem is that we really have never had the chance to look at it because that option has not been on the table for study.

Our folks are not about dam breaching. We're about salmon recovery and we're about what works and what's cheapest. Now, I'm going to tell you that the folks that I work for that have looked at this issue actually think the dam removal is the cheapest way.

But if we—if we're going to have an honest——

Mr. RADANOVICH. If I can—what I'd like to do is get a sense of what would the economic loss be to try to balance out that number if the dams were removed.

And if you could answer it, that would be fine.

Otherwise if somebody else can answer that, I would appreciate it.

Ms. HAMILTON. Well, two points, quickly. And one is that I—I do think that we need to look at this. This is exactly the sort of question that this region needs to ask is what would it cost. And second, I guarantee you it will be cheaper than doing the wrong thing.

Mr. RADANOVICH. Thank you.

Can someone answer that question for me? Has there been a study that said what would be the economic benefit if the dams were removed to the non-fishing economy of the area?

Ms. HAMILTON. Are you talking construction jobs and tourism and that sort of thing?

Mr. RADANOVICH. You mean nobody has studied the economic impact to this area if the dams were removed? Is that the answer to that?

Ms. HAMILTON. We need to get you those numbers.

Mr. SEMANKO. Mr. Chairman, I think everyone is hesitating because no one has a—up here probably has a comprehensive, absolute number for you.

I can tell you that the trade—and our friends from the ports might elaborate on this—$15 billion trade industry that we have right now out of the ports in the Pacific Northwest. That would be obviously jeopardized.

On the power side, you lose 5 percent of the power grid, enough to fuel Montana or the city of Seattle. Some say that's insignificant

and it can be replaced. The last I heard, it was a coal train a mile or two miles long every day, in terms of coal fire power plant generation to replace that.

So there are costs besides economic costs. Environmental costs, et cetera.

In terms of irrigated agriculture, I don't think anyone knows for sure what the impacts would be. My favorite line from my friends in the environmental community is that if we remove those four dams—that only 4 of the 26 species go through, by the way—we won't need Idaho water anymore.

Well, there's still a flow target in (unintelligible). There's still 18 other species. So the demands for Idaho water will continue no doubt in the future as well. And that has a direct impact on 7 million acres—or a 7-million acre feed of active storage capacity above Hells Canyon and the millions of acres of irrigated land up there.

But others on the panel may have specific numbers in their sectors.

Ms. RYCKMAN. Mr. Chairman, we'll be happy to get those numbers to you. I don't have those at my fingertips.

There has been a study done just specifically on impacts to the irrigation community and different of those aspects.

So we'll get that information to you.

Mr. RADANOVICH. And I just got to think that having that number would be really valuable to the debate here.

Ms. RYCKMAN. We'll make sure you get it.

Mr. BENSON. Mr. Chairman, I believe that the Corps or EIS does include a lengthy study and that that study uses a number of around $300 million as the net benefit to leaving the dams in place. Annually.

Mr. RADANOVICH. Annually.

We're done then. The other question that I have—and maybe Ms. Ryckman can answer it for me. What is the—I heard—Mr. Semanko mentioned a loss of 5 percent electricity to the grid. How does that—where is it thought that the replacement might be to that energy loss?

Ms. RYCKMAN. Well, it's kind of interesting. It depends on who you ask.

There are people who will tell you that we can gain that much through conservation efforts. We're talking about 1200 megawatts, approximately, of electricity. Franklin PUD has been aggressively pursuing conservation for 20 years. We have managed to achieve one average megawatt in that 20 years. We're not stopping. We're continuing to be aggressive and we're finding new ways. But you can see what a huge, huge obstacle that would be.

Also, I mentioned that hydro helps to firm our wind. We do have wind energy that is being installed because it's a great clean, renewable resource. But the reason that it is so viable in our region is because we have the hydropower to back it up. So our wind projects would not be nearly so viable without hydro.

Mr. RADANOVICH. Do you have a sense of the area that might be affected by that 5 percent loss and how that might translate into rate increases for those users?

Ms. RYCKMAN. The entire region would be affected because it——

Mr. RADANOVICH. The region meaning——

Ms. RYCKMAN. The four-state area; Washington, Idaho, Oregon, Montana.

Mr. RADANOVICH. OK. All right. Thank you.

Ms. RYCKMAN. Because, you know, those are operated by the Corps (unintelligible) Bonneville Power Administration, and most of us buy our power from them.

To replace it—right now, Franklin PUD has recently built a combustion turbine plant. And the market has to be at about $75 per megawatt in order for that to be viable. So you're talking about a resource that's about 31 mills compared to one that would be about 75 mills. That would have a huge impact on rates. And our rates have already increased about 50 percent in the last few years.

Mr. RADANOVICH. Thank you.

Mr. SEMANKO. And, Mr. Chairman, before we get too excited, I was placing 5 percent of BPA's grid. American Rivers and Idaho Rivers United are among the groups that are involved in the dam removal at the lower Snake have filed petitions with the Federal Energy Regulatory Commission asking them to study decommissioning or removal of the three dams in Hells Canyon that provide 75 percent of Idaho power companies' power for Idaho and southern—northern Nevada.

Mr. RADANOVICH. Thank you. Anybody else?

Ms. RYCKMAN. There are also the dams of the mid-Columbia. Chelan, Grant and Douglas PUDs operate dams also that are not included in that 5 percent.

Mr. RADANOVICH. All right. Thank you very much.

Mr. Otter.

I21Mr. OTTER. Thank you, Mr. Chairman. I know you're going to have to leave in order to catch that flight out of town. But I appreciate very much your leadership, and I appreciate you being here. Thank you.

Mr. RADANOVICH. Sorry to have to leave, but thank you very much.

Mr. OTTER. [presiding.] You know, this has been a very interesting testimony for me this morning because so many times, as I mentioned in my introductory remarks, in the 14 years between 1987 and 2000, when I was the lieutenant Governor of Idaho, we always had competing—obviously competing interest that seemed to bear absolutely no sympathy for the other side.

And, you know, I believe that Mr. Lewis and Ms. Miles are both very much concerned about your jobs. I believe that you are concerned about their traditions. And so that's a big step forward. And the demeanor in which everybody in this room has presented themselves with this morning, with a couple of passionate exceptions, I think is—has brought us to a new front and perhaps a new time when we're going to be able to consider this in thoughtful process rather than impassioned pleas. And that's an important hurdle for us to arrive at. Because I think perhaps maybe we finally recognize that we're all in this together. And that one doesn't necessitate the loss of another. So perhaps it can be win-win.

I was interested in Doc Hastings'—in Congressman Hastings' comments and questions. And one of the reasons I was interested in his comments is because under the ESA reform, which has been one of the issues that I have worked on for the four-and-a-half

years that I've been in Congress, is we do, in fact, have some advocates, some of our colleagues from mostly the northeast, who would actually present in reform of the Endangered Species Act that no, no take would be allowed of any species until such species had been removed from either the endangered or threatened list.

And so, you know, I don't want to—a long dissertation from anybody. But I would like to go down and find out how many of you would be willing to support that kind of reform on the endangered species list with a simple yes or no, please.

Mr. ALLDREDGE. No.

Mr. KOEGEN. Yes.

Mr. OTTER. Ms. Miles.

Ms. MILES. No.

Mr. OTTER. Mr. Lewis.

Mr. LEWIS. No.

Mr. OTT. No.

Mr. BENSON. No.

Ms. HAMILTON. No take would be no hydro.

Mr. OTTER. Pardon me.

Ms. HAMILTON. I said no take would be no hydro.

Mr. OTTER. Now, see. You already broke the rules.

Ms. HAMILTON. No.

Ms. RYCKMAN. Yes.

Mr. SEMANKO. No.

Mr. OTTER. Well, you see what we're up against. And we're supposed to delivered in body in the U.S. Congress.

And here, I—as I said in my opening remarks, I fully think you appreciate the judge's position. And I think you're sensitive to each other's position. And in some cases, at least in the folks setting here at this table, I truly believe you're looking for balance.

And so if you folks can get together and decide this, I'm telling you, the last place in the world that you want to turn over everything to is us. And so——

[Laughter.]

Mr. OTTER. I want to—you know, I want to encourage—I want to encourage you. I want to encourage you to use this day as a beginning and a new beginning. And one that understands each other. And one that has equal enthusiasm for the other person's end result. And I think then and only then are we really going to wind up to where we need to be.

Because, you know, if it's going to be the Reddens in the world versus the Doc Hastings and the Cathy McMorrises and the Butch Otters of the world—he can say whatever he wants. But until we fund it, he's not going to get a damn thing.

He can manage that river if he wants. But if we don't fund it, because we don't see the balance in it, he's not going to get anything done. But he's going to spend a lot of time out there with a shovel trying to herd 30 inches of water. You know. And I'm a farmer, so I've had to do that.

But I just—I really am—I'm really encouraged because I think this is the first one of these in all these years that I have attended that has ever been met, I think, with the appreciation that it has.

I know that we'll have many more of these hearings. And it is my hope, maybe even a prayer, a desperate prayer at this point,

that it's met with an equal table of reasonableness. Because we are looking for balance.

Do I know balance? Now, I'm listening. I don't know what the balance is. But I do know that there are folks like yourselves that do know what the balance is. And so I haven't got a series of questions to hopefully pick and choose—or to pick and choose sides on this. But I do have a hope. And I hope that you recognize, as I think I do, that this was really the time.

Do I want to put farmers out of business? No. Do I want to put the shipping and the transportation business—do I want to disenfranchise Idaho in the Taipei, Taiwan, market?

I sold 168,000 tons of soft white wheat there in the late '80s as the lieutenant Governor of Idaho. And we shipped it. And we were proud of it. And I'll tell you what. The only reason we got that business and nobody else did is because the cheapest transportation known to man, other than throwing it—and we can't throw it all the way to Taipei—was that water system.

And so that kept us competitive. And that made us competitive. And I just happened to notice, by the way, in the chart—Doc, would you—what did you do with that chart? Well, I've since lost the chart, I guess.

But I just happened to notice in that year—in those years over a million fish returned—totals, all the totals. I'm not speaking specific because I—I did see that certain fish didn't return in the previous numbers that they had.

And I think the sockeye salmon was one of them, the pink was another, and the chum was another. But I did see that in those years, when we were shipping 168,000 tons of soft white wheat to the world's plight, to the food market—thank you—in 1987, 995,370 fish returned, in 1987. 1988, it dropped off a little bit. Came back the next year.

But my point is—my point is that I'm grateful. First off, I'm grateful for you being here today and recognizing that you do have a position and you have a position that needs to be protected and that needs to be considered. Now, but you also recognize that the other person does.

And I would tell you from my four-and-a-half years experience at Congress, you've got a whole lot more legitimacy in your deliberations then we would have in ours, should it be our decision.

So my thanks for you being here. Are you going to have a second round?

Ms. MCMORRIS. No.

Mr. OTTER. Thank you very much.

Ms. MCMORRIS. I think on that note we're going to thank the witnesses for their valuable testimony, for everyone for being here, for the members of the Subcommittee.

We may—the members of the Subcommittee may have additional questions for you. And we would ask you to respond in writing. The hearing record well be held open for 30 days for those responses.

If there's no further business before the Subcommittee, I again thank the Subcommittee. And our witnesses and the Subcommittee stand adjourned. Thank you.

[Whereupon, at 12:00 noon, the Subcommittee was adjourned.]

Additional material submitted for the record follows:

- Columbia Basin Development League, Statement submitted for the record
- Davis, Rick, Manager, Port of Clarkston, Pictures and video submitted for the record (NOTE: Video has been retained in the Committee's official files)
- Ducharme, Dick, Board Member, Snake River Salmon Recovery Board, Statement submitted for the record
- Givens, James W., Lawyer, Lewiston, Idaho, Letter submitted for the record
- Hemsley, Robert, Association of Western Pulp and Paper Workers, Statement submitted for the record
- Johns, Ron, Spokane, Washington, Letter submitted for the record
- Priestley, Frank, President, Idaho Farm Bureau, Boise Idaho, Letter submitted for the record

Statement of the Columbia Basin Development League

Mr. Chairman, the Columbia Basin Development League appreciates the opportunity to submit this statement in the record that expresses our position on the need to recognize the many important uses of water from the Columbia/Snake River system, and particularly the value that is derived from the Columbia Basin Project.

The League believes that the Columbia River contains adequate water to meet the needs of the multiple uses that draw upon it. We support a balanced approach to water management that recognizes all these uses and the benefits they provide to the region.

Specifically, benefits from the Columbia Basin Project come in the form of irrigated agriculture, hydropower, recreation and the environment, through enhanced fish and wildlife habitat. Communities and families particularly in eastern Washington, but also around the region and throughout the country, enjoy the economic benefits of the Project. The following statistics help quantify the multi-faceted value provided by the Project:

- Currently 670,000 acres are under irrigation. Congress originally authorized 1,095,000 acres.
- Approximately 2,050 farms are supported by the Project.
- Over 60 different crops are grown on Project lands—many of which are shipped throughout the U.S. as well as overseas.
- 405,000 acres are dedicated to fish and wildlife habitat and water-based recreation.
- Recreational land supports 3-million public visits per year.
- Seven hydroelectric facilities on Project canal systems, plus the Grand Coulee Dam, produce 6,700 megawatts of electricity—enough power for six cities the size of Seattle and eight times the power needed for Northwest agriculture.
- The annual economic contribution to the State of Washington includes:
  - State farm-gate value—over $630 million or 18-percent of state gross value
  - Cumulative crop value—$3 billion
  - Property tax revenues—$10 million
  - Average value per irrigated acre—$1,050
  - Annual income from ag processing facilities supported by the Project—$548 million

In its effort to support continued development of the Columbia Basin Project, the League has launched a major initiative to bring more water to the region—especially to those areas already in production in the Odessa Sub-Area. This 250,000-acre agricultural region is in serious jeopardy because of the depleting aquifer. Production from the Odessa Sub-Area constitutes a significant portion of the agricultural economy in eastern Washington. If the Odessa Sub-Area reverts to dry-land farming because of lack of water, the impact on the state will be devastating. Production will be lost. Processing, distribution and other farm service businesses will suffer. And the tax base will erode.

To this end, the League endorses an exchange project that will substitute surface water from the Columbia for ground water in the Odessa aquifer. The Columbia River is a renewable, sustainable resource. It contains plenty of water for everyone, but often it's not available at the right time. The agricultural community is doing

its part by implementing systems and practices that preserve water. The next step is to establish adequate off-river storage that will allow water to be released when it is needed—both for species protection and for agriculture. To advance this project, the League has launched the Columbia Basin Water Initiative with three major goals:

- Develop better public understanding of the Columbia Basin Project and its ability to address the declining water resources
- Develop cooperative partnerships with affected public agencies that would allow use of privately raised money to encourage and stimulate appropriate action
- Support legislative action to secure appropriate funding

The League is committed to bringing together government agencies, organizations and individuals who have a stake in developing our water resources. We are working closely with the U.S. Bureau of Reclamation and the Washington State Department of Ecology to advance a project that will bring much-needed water to the Columbia Basin Project. We envision that this project will:

- Reduce ground water pumping in the Odessa sub-area, thus providing more ground water for the region's cities and industries
- Lead to recharging the Odessa Aquifer—a valuable natural resource
- Provide farmers with the opportunity to diversify crop production
- Stimulate the economy through an important public works project
- Provide additional agriculture infrastructure, such as food processing, that will generate jobs
- Provide a safe, adequate domestic food supply—an integral component of our national security
- Establish additional fish and wildlife habitat

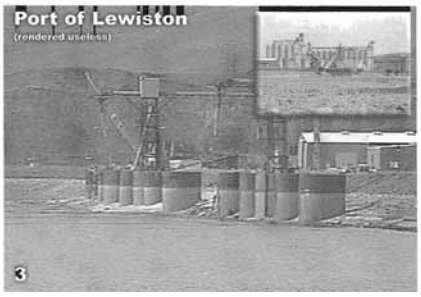
Mr. Chairman. Thank you for considering the position of the Columbia Basin Development League on this critical issue. We look forward to working with you and the committee, as well as with our Washington delegation—especially Representatives Hastings and McMorris, and Senators Murray and Cantwell—to find solutions that protect all the users of the Columbia River.

If you have questions, or would like further information, please contact League Executive Secretary Alice Parker, P.O. Box 1235, Royal City, WA 99357. Phone: 509-346-9442 or e-mail to mrsp@smwireless.net.

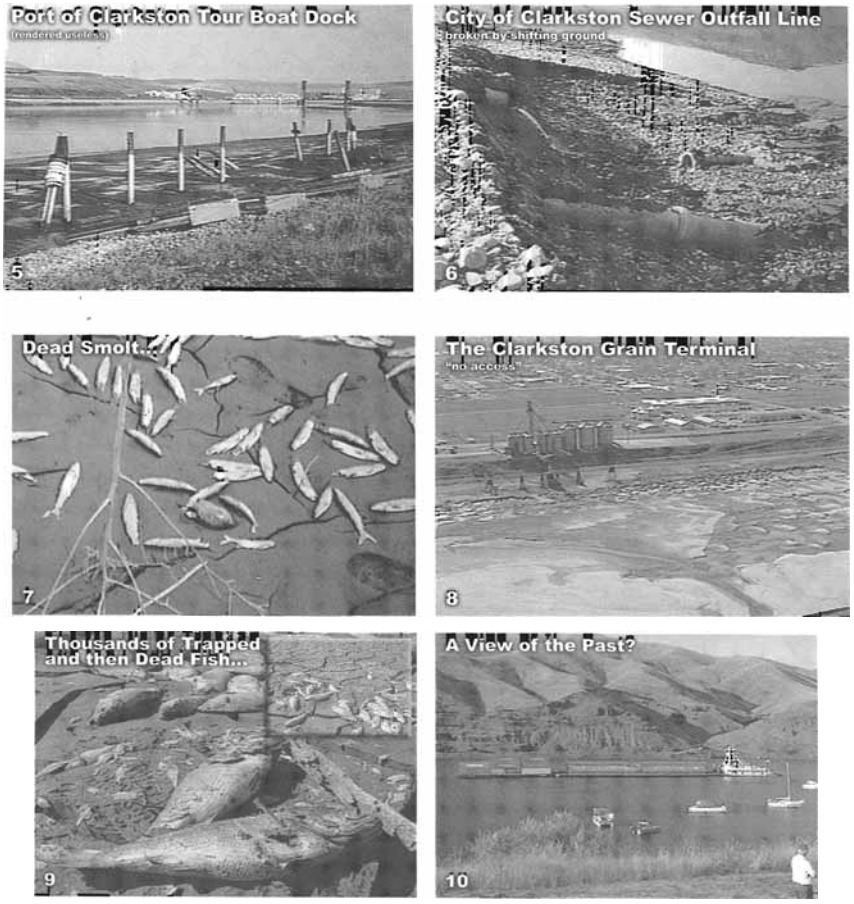
[Pictures submitted for the record by Rick Davis, Manager, Port of Clarkston, follow:]











Statement submitted for the record by Dick Ducharme,
Board Member, Snake River Salmon Recovery Board

My name is Dick Ducharme. I currently live on a ranch on the Tucannon River, a small tributary to the Snake River located in Southeastern Washington. I am a board member of the Snake River Salmon Recovery Board, a WRIA 32 (Walla Walla River Basin) planning unit member, a member of the WRIA 35 (Middle Snake River Area) planning unit, and a board member of the Walla Walla Watershed Alliance.

The WRIA 32 Planning Unit just completed the plan for the Walla Walla River basin, a four year process entailing over 200 meetings and 7200 volunteer and consultant hours. It was adopted unanimously by local governments, the Confederated Tribes of the Umatilla Indian Reservation and all of the individual members of the planning unit. The Snake River Salmon Recovery Board is in the final process of adopting its plan which is over 600 pages in length and has had technical input from the CTUIR, Washington Department of Fish and Wildlife, NOAA - Fisheries, U.S. Department of Fisheries and the Washington Dept. of Ecology.

I list my activities in these planning efforts as evidence of my familiarity of the issues involved before the sub-committee but do not make this presentation on behalf of any of these organizations. This presentation is solely on my own behalf as a citizen residing within the Snake River Basin.

There have been many reasons reiterated over and over for the removal of the four dams on the middle Snake River. The latest reiteration of these reasons was put forth by former Secretary of the Interior, Bruce Babbitt, in a round of editorial

board meetings he made in major metropolitan centers such as Los Angeles and New York. Most of the reasons put forth have been discredited as lacking any scientific justification but should be addressed point by point once again for the benefit of the subcommittee.

First, the dams have not made the "wild Snake" into a slack water barge channel. The dams are run of the river dams with significant current running between them at all times. This current can be seasonally increased to benefit fish passage by the operation of the many dams on the system above the dams in question. Recent studies indicate that distance from the ocean and not time of travel is the determining factor on mortality. Also the "hot pools of death" argument has been used by the environmentalists to justify removal when in fact it has been shown the dams can actually provide cooler summertime water temperatures than if they were removed.

Second, the near extinction of the Redfish Lake sockeye in Idaho claimed to be a result of the dams has been shown to be the result of the State of Idaho's decision at one time to enhance the Redfish Lake rainbow trout fisheries by poisoning the resident sockeye salmon. Poison is the reason why only one fish was left to spawn.

Third, Chinook salmon and steelhead runs for the past six years are at all time record levels. This includes both spring and fall Chinook and includes both hatchery and wild stock. The runs have been the largest since counts were started at Bonneville Dam. Bonneville was one of the first dams on the Columbia system so current fish counts are greater than before most of the dams above Bonneville were constructed.

An extremely important fact is that ninety five percent of all Snake River fall Chinook Salmon spawning historically took place above Hells Canyon Dam. This dam is on the Snake River immediately above the four Middle Snake River dams. Hells Canyon Dam has no fish passage facilities. Even if you removed the four Middle Snake River dams this upstream fall Chinook Salmon spawning habitat would remain inaccessible.

Fourth, the ability to move the wheat by rail that moves by barge at anywhere near the same cost, if at all, is a complete fabrication. Anyone at all knowledgeable about eastern Washington transportation knows that neither the Burlington Northern Santa Fe nor the Union Pacific have sufficient rail cars to meet the current rail demand for grain shipments. In fact, this rail duopoly ships grain when they want to and not when producers need to get it to the ports. There is no way they could physically ship additional grain as their mountain pass lines to the coast and its ports are currently at full capacity. The 3 to 7 cents per bushel savings from barge shipment Babbitt speaks of is only because of the barge shipping alternative. The real cost difference without barge competition would be somewhere between 20 and 30 cents per bushel and that was before the recent increases in the price of fuel. Washington and Oregon agricultural products shipped on the river are mostly commodities competing in a global economy. Increased costs will not be borne by the purchaser but will be at the expense of the producer.

Fifth, neither science nor logic—nor economic theory—supports those who would remove the dams. The statement that removing the four dams in and of itself would restore the fishery is a falsehood and to value the restored fishery at $1 billion annually is a fantasy. Compare that with the value of the entire Alaska salmon fishery.

Are the four dams beneficial to salmonid production? Probably not. Is the removal of the four dams in question critical to the recovery of salmonid production in the Columbia Basin? Absolutely not. It has been scientifically recognized that policies regarding hydro, habitat, hatcheries and harvest must be addressed to increase fish production. There are scores of dams on the Columbia and Snake River systems many of which have greater impact on fish production than the four on the Middle Snake River, hi fact there are dams in Representative McDermott's backyard on the Skagit River and the Cowlitz River that have no fish passage facilities that have done considerably more damage to their endangered fish populations that the four dams he seeks to remove. Perhaps it is because they are owned by the Cities of Seattle and Tacoma and are major producers of electricity for his constituents that they are not the subject of this hearing. The removal of the four dams is the current cause celeb of the professional environmental movement. What is tragic is they are able to champion this simplistic solution to a complicated problem in major urban media outlets without question. The professional environmental movement excels at propaganda. However, in the end, science and truth will be their undoing and bring us real solutions to complicated environmental problems.

[A letter submitted for the record by James W. Givens, Lawyer, Lewiston, Idaho, follows:]

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TELEPHONE 208/746-2374
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June 2, 2005

The House Resources Committee
1324 Longworth House Office Building
Washington, D.C. 20515

Re: Dam breaching and drawdowns

Gentlemen:

The Clarkston Golf & Country Club owns and operates an 18 hole golf course, together with tennis courts and swimming pool, adjacent to the Snake River immediately West of the City of Clarkston, Washington.

The water used to irrigate the golf course comes from the Snake River through a culvert immediately North of the golf course which goes from the reservoir to a chamber on the golf course, gravity feeding water into the chamber from which water is pumped into four lakes on the golf course from which water is drawn through the irrigation system, thus watering the golf course.

The intake in the impoundment is at 729 feet above sea level.

We are advised there is a proposal to draw the reservoir down to 723 feet above sea level which will make it impossible for the golf course to exercise the property rights it possesses under its water permit, the result of which will be the destruction of the golf course.

When the Lower Granite Dam was being built, the Corps of Engineers purchased a flowage easement from the Clarkston Golf & Country Club permitting the Corps to inundate the golf course. The Corps paid the golf club for the flowage easement and the monies received by the club were used to move 82 million cubic yards of material on the golf course, thus elevating the course above the reservoir.

The club has a water permit from the state of Washington which is the basis of their water use as above described.

Exercising its rights under the water permit is the only way the golf course can be irrigated, and if the reservoir is drawn down below 729 feet above sea level the golf club will cease to exist.

The House Resources Committee
June 2, 2005
Page 2

The Clarkston Golf & Country Club is sponsoring The Washington State Women's Golf Championship Tournament July 25-29, 2005, and without water to irrigate the course said tournament will have to be cancelled.

If the Snake River dams located below Clarkston are breached, it will result in the same effect on the golf course, and there is no practical means whereby the club's irrigation system can be modified to draw water from the Snake River, if the dams are breached. The result being that water stored in the four lakes percolates back into the river channel, if the pressure of the reservoir level is removed.

It is respectfully requested the committee initiate such legislation as is necessary to continue the existence of the Snake River dams and eliminate any drawdowns, thus preserving the club's right to exercise its rights under its water permit.

Very truly yours,

JAMES W. GIVENS
Attorney for Clarkston
Golf & Country Club

JWG:p
c:Debra Casey (faxed)
c:CG&CC

Statement submitted for the record by Robert Hemsley on behalf of the Association of Western Pulp and Paper Workers

The Association of Western Pulp and Paper Workers has more than 9,000 union members across the Western United States, often in small, rural communities such as Wallula, Washington. Our members have a special concern for their communities and for the environment. Our livelihoods depend upon natural resources: we live in communities where natural resources provide a major source of revenue for our children's schools; we live in a beautiful region of the world where water is an important renewable resource; and we consider ourselves guardians of the resources which surround us. We want our grandchildren to inherit our economic and environmental legacy.

Yet, we are discouraged by judicial rulings which restrict citizens and remove communities from environmental equations. And we are puzzled when some suggest that the destruction of dams would enhance the environment. How would the reduction of regional energy enrich our economy and enhance the environment? Perhaps we take for granted achievements which have transformed our world. One of the greatest monuments of the 20th century was the building of dams and the harnessing of power: making electricity accessible for everyone and connecting citizens and communities-both rural and urban.

In 1920—within the lifetime of the greatest generation—45 percent of residential homes in rural Washington State had no electricity. Across the country, the disparity was even greater: only seven percent of the six and half million farms in the United States had electricity. ("Rural" was defined in the 1920 Census as population centers with fewer than 2,500 people). Imagine, entire regions without electricity for homes, farms, and schools. Poverty was pervasive in rural America-even before the Great Depression, yet it was during the Great Depression that Americans began to escape poverty and to create prosperity for generations by generating hydroelectric power for homes, agriculture, and communities. As electricity connected regions, agriculture and manufacturing developed and families prospered in communities previously ignored by the outside world.

This connection of communities changed the social structure of our country. Communication enlivens democracy as more citizens are able to participate in the process. In 1930, before the creation of the Tennessee Valley Authority, fewer than one percent of African-American families living in several southern states owned a radio. The establishment of affordable electricity not only enhanced economic opportunity across the South, it also hindered oppression as citizens began to connect with the outside world.

And democracy always thrives when the child of a mill worker has the same opportunities as the child of a mill manager. In many of our union mills, three and four generations of a family have been employed at the same mill. Now, ironically, the children of our union members are hired as managers in the mills because of the opportunities generated by good, family jobs: opportunities enriched by the utilization of renewable water resources and the establishment of low-cost electricity, which, until recently, had been available and affordable to everyone.

However, communities are endangered and family farms and family jobs are jeopardized when government by judiciary ignores the input of common citizens.

The union members of the Association of Western Pulp and Paper Workers request that our elected officials remember working families and rural communities when recommending resource policy. Common citizens-not judicial viceroys-are the proper guardians of our resources and our future.

[A letter submitted for the record by Ron Johns, Spokane, Washington, follows:]



Columbia River, Vantage, Washington

M. Ronald Johns 700 W. 7th Ave. #308 Spokane, WA 99204 509.747.5572 509.435.6859(cell) r_sjohns@msn.com

U.S. House of Representatives
Subcommittee on Water and Power
Re Clarkston Washington Snake and Columbia River Hearing
Washington DC, 20515

June 6, 2005

Dear Committee Members,

Listed below are eight **"mini arguments"** Committee Members **need to understand.**

I. The Snake and Columbia Rivers and their major tributaries used to be **the largest salmon and steelhead spawning grounds in all of North America.** This total area cannot be restored to its former salmon rearing glory, but a significant portion of it can. This portion is the region of **the lower Snake River, and its major tributaries.**

II. Wild Chinook salmon and steelhead fish can and should be restored to **self-sustaining population levels on the Snake River.** Note, this says "wild" salmon, and not expensive and genetically inferior hatchery fish. Roughly **$1.7 billion dollars have been spent on "salmon restoration" the last 20 years.** This restoration has been a failure.

III. Rejuvenated fisheries in this area of Washington and Idaho will generate millions of dollars of net income from sport and commercial fishing. In other words **the small businesses destroyed by the construction of these four dams on the lower Snake in the 60's and 70's will be restored.** Farmers can ship their grain by redesigned and relocated railroads. If they are worried about increased transportation costs, some of the annual dam operating costs and barging subsidies can be applied to keep rates lower. Area farms earn $1.9 million dollars per year, and are **subsidized at the rate of $11.2 million per year.** Redirect some of this money from barging to a railroad transportation subsidy. For an analysis on the net economic benefits of a new fisheries economy in the region read the excellent studies done by **Oregon Natural Resources Council (1998), The Rand Corporation (2003), and Johnson & Associates (2005).**

IV. Wildlife and fishing interests, as well as many businesses, government and citizen representatives **fought the construction of these four dams**. They predicted wild salmon devastation, but were promised this would not happen. It did...in spades! Coho salmon are now extinct on the Snake River; Sockeye Salmon are down to less than two-dozen and **wild chinook are bordering on extinction.** If it weren't for the Endangered Species Act, these would be gone.

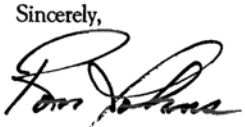
V. Since the time of Thomas Jefferson, 75,000 dams have been constructed in this country; **a build rate of 1 dam per day since Jefferson became President.** Over 200 of these dams are located in the Columbia River Basin. There is good rational for building dams; flood control, power, transportation and irrigation. However, **times change, priorities change, cultures change, nature changes and other values emerge** which are more important than when the dams were built. Breaching these four dams is removing only four out of the more than 200 major dams in the Columbia River drainage. It is not Grand Coulee that I am proposing to remove, only four out-dated, no flood-control and minimal power-producing dams. These four dams were built for only one reason, to make Lewiston, Idaho an inland seaport, now a relic of 60's cold war paranoia. In the meantime, Lewiston has dropped from 4th in the Idaho economy to 6th. The Port of Lewiston directly employs only six people. The five percent of the power these four dams produce for the region can be replaced by more environmentally friendly wind power. Check out Germany if you want to know how to do wind power.

VI. It is a no-brainer; **dams are very harmful, to salmon.** They create warm slack water reservoirs, which are lethal to cold-water salmon. The slow water in these reservoirs delays the critical down river migration of young salmon. Young salmon need to get down stream as quickly as possible avoiding predators and staying in the water long enough to efficiently imprint for their return five-seven years later. Barging and trucking the young salmon is not only expensive, but removes the fish from the river, breaking the natural imprinting process. **Who in their right mind would even suggest fish should be taken out of their natural environment and transported down river in trucks and barges.** Yes, I know this happens because we have created an unhealthy river for the salmon. **This can be undone, and we can make the river healthy for fish. It is only a matter of strong leadership, clear headed thinking coupled with political and moral courage.** Some politicians in this part of the country even run on simple-minded political statements like "save our dams". Come now, you mean all 75,000 dams in the U.S.? Even if they are outdated? Today, we have come to realize that in many cases a natural free flowing river is a far more rational choice. Get real, use your God-given intellect to figure out cost effective ways to restore wild salmon and create stronger local and state economies.

VII. Think and plan for a **nature-connected** future for our children. Create a future in the Pacific Northwest, much like the one we have been fortunate enough to live in. Go ahead, keep the Columbia River as a totally **"engineered river".** It is already destroyed as a real river. It's eleven U.S. mega dams and eleven slack water reservoirs should continue to provide power (maybe even hydrogen), water for irrigation, transportation, and recreational boating of one type. However, **it is no longer a freely running river with a soul.** It is an economic entity; an economic system. Wild salmon are no longer a significant part of that system. **Celilo Falls, a rapidly fading memory for the Salmon People.** Find the courage to transform the Snake River again into a real river with real fish. If you do this, you will **share a newfound joy with the Salmon People.** You won't be disappointed. You will be rewarded.

VIII. I've lived long enough to have fought virtuous and not so virtuous fights, studied human nature and participated in politics enough to know that this hearing is not really for fact finding. It is not to gain wisdom, a better understanding and shape a meaningful future for wild salmon connected spiritually and economically to people and their children. Highly paid lobbyists and powerful mindless thinking and self-serving political operatives will probably carry the day. Most minds are already made up. Yet, I still hold out hope we will occasionally experience a **"government of the people, by the people and for the people".** Not one of, by and for big money. Ever more hopeful, our elected representatives will occasionally find it in their hearts to **do what is virtuous,** and in this case once again **bring joy to the hearts of the Salmon People.**

Sincerely,



Ron Johns

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Statement submitted for the record by The Honorable Jim McDermott, a Representative in Congress from the State of Washington

Mr. Chairman, thank you for the opportunity to share my views on the importance of maintaining a healthy and robust Columbia/Snake River system. The Columbia River flows for 1,200 miles, from the Canadian Rockies, down through Washington, where it connects with its largest tributary, the Snake River, finally feeding into the Pacific Ocean along the Washington/Oregon border. In the more than 10,000 years since the Columbia River basin was first inhabited, the river and its tributaries have been essential to the culture, ecology, development and sustainability of the region, providing an abundant source of food and fresh water to the region's people.

More recently, since the construction of hydroelectric dams along the Columbia and its tributaries beginning in the early 1900's, the river has had a more diverse set of purposes. Construction of the dams made possible reliable and affordable power production and enhanced irrigation, flood control, and navigation. The Columbia River system today, with its hundreds of dams, is the most hydroelectrically developed river system in the world. However, one dramatic downside to the hydroelectric development of the river has been its detrimental effects on fish populations.

Salmon runs are now at 1-3% of the levels they were when Lewis and Clark journeyed through the area. More than a dozen species of salmon and steelhead are now so depleted that they have been listed under the Endangered Species Act. The dams are not the only reason for the declines in fish runs- pollution and habitat degradation have also been a factor- but few would dispute that the dams are a major contributor.

Unfortunately, for a number of reasons, the issue of salmon recovery has become an explosive topic in the Pacific Northwest. Too many leaders have chosen politics over policy, and the result has been a divided region, dwindling salmon runs, and a reliance on the judicial branch to make management decisions. I believe the economic, cultural, and ecological significance of salmon to the region are not things that should be discounted, or used to divide people. It is high time that we in the Northwest start making decisions based on sound public policy, not political expedience.

I was disheartened to see that a brochure being distributed by the Farm Bureau, announcing this hearing and the rally beforehand, characterized my intentions as wanting to "remove 4 dams, just for starters" and my bill, the Salmon Planning Act, as a bill "to destroy four dams." This is a gross mischaracterization of my position and my legislation, and it is precisely the kind of dialogue that has divided this region and served everyone poorly.

On the contrary, I do not take any joy in the thought of removing the four Lower Snake River dams, nor have I concluded that it is necessary. And I find the suggestion that I want to remove other dams in the region laughable. My bill does not propose that we remove the dams. It proposes that we find out what removing the dams would and would not do for salmon and for local communities.

The Salmon Planning Act, if one were to take the time to read it, authorizes a study to determine the effects that removal of those four dams could have on the region. The study includes the effects on communities near the dams, transportation along and on the river, irrigation, energy production, and salmon populations.

Many people point out that the Lower Snake River dams irrigate very few farms and provide only 4% of the region's electricity, and that the products that are currently barged from Lewiston can alternately be moved by trucks and rail. They point to the fact that in April of this year the Potlatch Company, the largest container-shipping client of the Port of Lewiston, shipped only 46 containers of paper products through Lewiston, down from 548 containers in April, 2004. Others would argue a different view. The Salmon Planning Act would require the Government Accountability Office, the non-partisan investigative arm of Congress, to study these issues and provide Members of Congress with the unbiased scientific and economic data they need in order to make balanced, informed decisions about the future of this region.

Spring Chinook run projections this year have been revised downward from 250,000 to 80,000. We can't count on ocean conditions to continue to save the day. Let's not fool ourselves, with the way things have been going the timeline on extinction is very short. If we continue heading on this course, the courts are going to have to force this decision on Congress without everyone knowing exactly what that would mean.

Lastly, Section 5 of my bill speaks to a legal loophole that has been identified by the U.S. Army Corps of Engineers. The Army Corps has testified that it lacks legal authority to remove the dams, even if directed to by Congress. My bill removes this

loophole, leaving the Corps able to carry out a potential Congressional mandate. The Salmon Planning Act does not pre-judge the question of dam removal- it just asks that Congress be provided with the highest quality information on this issue so that it can make decisions that are in the best interest of our region.

Opponents of the bill have tried to use this section to say that if the bill passes the dams will be removed. That is completely untrue. The Army Corps would still have to determine that removal was necessary, and Congress would still have to appropriate hundreds of millions of dollars to carry out the work. Section 5 does not tear down the dams, it merely removes legal uncertainty about whether the Army Corps can remove the dams if directed to do so.

We have a legal, moral, and economic responsibility to restore salmon runs to healthy, harvestable levels. Recent studies have shown that restored fisheries could bring $5.5 billion annually to the Northwest for the sport-fishing industry and the local communities and businesses that support it. That figure doesn't even take into consideration the economic benefit that restored runs would bring to tribal and commercial fisheries.

Recently, a letter was delivered to Members of Congress from more than 1,000 businesses supporting the Salmon Planning Act. If you look at the list of businesses on the letter, I think the economic benefit of restored salmon runs becomes apparent. Businesses signing the letter include fishing groups, outfitters, fishing equipment providers, sporting goods companies, rafting and fishing guides, hotels, restaurants, and boating companies, indicating the wide range of service industries that stand to gain from healthy fish runs. These companies are located in more than 35 states, highlighting the regional and national benefits of a restored fishery. The list includes major corporations, such as Patagonia and Helly Hansen, small family-owned businesses, and everything in between. People need to understand that this is not just an environmental issue- common-sense salmon recovery is also about protecting family-wage jobs and supporting rural communities.

I hope that my bill and the issue of salmon recovery in general are given serious consideration at this hearing. Last year 111 Members of Congress cosponsored the Salmon Planning Act, and already this year we have new cosponsors from both parties. The sooner we stop mischaracterizing each other's intentions and start committing ourselves to serious public policy discussions on this issue, the better off the region will be.

[A letter submitted for the record by Frank Priestley, President, Idaho Farm Bureau, Boise Idaho, follows:]

IDAHO FARM BUREAU FEDERATION
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June 1, 2005

Congressman Butch Otter
U.S. House of Representatives
1711 Longworth House Office Building
Washington, D.C. 20515

For the Record

RE: Columbia and Snake River Operations

Dear Congressman Otter:

On behalf of the Idaho Farm Bureau Federation's (IFBF) 62,500 member families, I would like to thank you for bringing the Columbia and Snake River systems operations hearing to Clarkston, Washington on Monday June 6, 2005.

Ensuring that the Columbia and Snake River systems in the Pacific Northwest remain working river systems is crucial to the agricultural community in the Inland Northwest. The continued operations of the four Lower Snake River dams over the last 30 years have allowed the communities of Lewiston, Idaho and Clarkston, Washington to serve as an inland seaport and a major economic and transportation hub in the Northwest. River transportation allows farmers and other industry stakeholders to ship their products downriver to market in a more efficient and cost-effective manner than by rail or trucking.

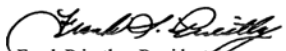
To maintain the Columbia and Snake River systems as working river systems, it is essential that channel maintenance, or dredging be carried out on stretches of the rivers that are in need of deepening. The Port of Lewiston, for example, is currently in need of dredging to meet the mandated depth of 14 feet to allow for the maximum efficiency of the barging system. Dredging is also needed on the stretch of the Columbia River from the Port of Portland to its mouth in order to provide a deep enough channel for larger ocean-going transport vessels.

Judge Redden's recent decision to throw out the Bush Administration's plan for salmon recovery may keep the issue of dam removal, or breaching on the Lower Snake River on the table. IFBF strongly opposes the breaching of the four Lower Snake River dams. Serious economic and environmental consequences would follow if such an arbitrary and capricious act were undertaken. We support using the best available science to improve fish passage through the dams to increase the survival of anadromous fish species. Supporters of dam removal need to consider other major factors related to salmon and steelhead survival such as predators and constantly fluctuating ocean conditions.

IFBF strongly supports keeping the Columbia and Snake Rivers as working river systems, as their operations are vital to the economy of the Inland Northwest. We believe that the river systems can be managed to allow for current operations to continue, while increasing efforts to improve the passage and the survivability of anadroumous fish species in the region.

Thank you for the opportunity to comment.

Sincerely,



Frank Priestley, President
Idaho Farm Bureau Federation

Information submitted by the following individuals has been retained in the Committee's official files:

- Alby, Ted, Ph.D., Paradox Northwest Associates, Inc., Vancouver, Washington
- Arnett, Jim, Clarkston, Washington
- Aschkenasy, Herbert
- Barnes, Barry M., President, Riverview Marina, Custom Boats, Barnes Inc.
- Bayley, Joseph
- Bolon, Robert N.
- Borck, Gretchen, Director of Issues, Washington Association of Wheat Growers, Ritzville, Washington
- Boyd, Will, Moscow, Idaho
- Brock, Frank, Chair, Board of County Commissioners, Franklin County
- Burch, Eddie W., Georgia Pacific, Crossett, Arkansas
- Burns, James, Milton-Freewater, Oregon
- Case, Dale, Cove, Oregon
- Clevenger, Garrett, Moscow, Idaho
- Crea, Bill, Fenn, Idaho
- Crews, Bob
- Cummings, Kenneth, Region Manager, Forest Capital Partners
- Cutsforth, Penelope T., Pendleton, Oregon
- Darland, Chuck, Central Point, Oregon
- Detering, Julia
- Dokken, David
- Ellsworth, Don
- Elskamp, Paula, Chair, Lewis Clark Chapter, Idaho Women in Timber
- Emtman, Jeff, State President, Washington Association of Wheat Growers
- Evett, Arlene, Elk City, Idaho
- Evett, Mike, Elk City, Idaho
- Fletcher, Douglas
- Gasser, Robert and Patsy, Merrill, Oregon
- Gifford, Jeff, Chairman of Pulp and Paperworkers' Resource Council
- Harris, Ron and Judy, Ione, Oregon
- Hathway, JoAnn, Corvallis, Oregon
- Hays, John V., Rancher, Unity, Oregon

- Helms, Deborah, Lewiston Idaho
- Heminger, Howard, Ontario, Oregon
- Hendricks, Frances, Aumsville, Oregon
- Hennings, Curtis R., Chairman, Washington Wheat Commission
- Hosken, Charles, General Manager, Public Utility District No. 1
- Johnson, Larry, Director of Corporate Development, Agency Relations, Southern Minnesota Municipal Power Agency
- Keifer, John, Boise, Idaho
- Klemm, Jerry, Chairman, Joint Lewiston, Idaho/Clarkston, Washington Chambers, Natural Resources Committee
- Kovash, Arlene, Oregon Women for Agriculture
- Loaiza, Mark, Troy, Idaho
- Mayhew, Gary, Arkansas
- Meeks, David, Donna, Leslie, and Jamison, Lewiston, Idaho
- Meyer, Bruno, Medford, Oregon
- Moll, Glenn F., President Pro-Tem, Village of Newberry, Michigan
- Nichols, Cynthia, Moscow, Idaho
- Penegor, Suzanne L., Eugene, Oregon
- Peterson, Margery and Farrell
- Reid, Charles, Student, University of Arizona
- Reynolds, Keith, Fort Spring, West Virginia
- Riddle, Lee, Brookings, Oregon
- Robison, Daryl C., Sixes, Oregon
- Rud, Paul, Lewiston Chamber Board, Lewiston, Idaho
- Ruddenklau, Helle, Amity, Oregon
- Schell, Pete, Schell Industrial Design, Elk, Washington
- Schott, David R., Executive Vice President, Southern Oregon Timber Industries Association, Medford, Oregon
- Stacey, Kathy E., Idabel, Oklahoma
- Stark, Wendell M., Orofino, Idaho
- Stewart, Wayne K., Otis Orchards, Washington
- Stout, Benjamin B., Ph.D., Albany, Oregon
- Tacke, Neal, CLD Pacific Grain, Lewiston, Idaho
- Thomas Jack E., III, Gladstone, Michigan
- Van Leuven, Rian
- Winowiecki, Leigh, Moscow, Idaho
- Wittman, R.L. "Dick", Wittman Farms, Culdesac, Idaho

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