



Oregon

Theodore R. Kulongoski, Governor

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State of Oregon Comments Regional Executives Meeting on Federal Spill Reduction Proposal June 14, 2004

Thank you for the opportunity to comment on the Bonneville Power Administration and U.S. Army Corps of Engineers proposal to reduce spill at Columbia and Snake River dams this summer. Governor Kulongoski appreciates the ongoing federal effort to develop a proposal that is sensitive to the economic, social and ecological concerns of the region. The current proposal indicates movement towards addressing these concerns.

Oregon's participation throughout the process has focused on four areas:

- 1) helping develop clear and consistent direction from the four Northwest states via the *Four Governors Letter* dated March 29, 2004;
- 2) striving to gain analytical agreement among NOAA Fisheries, states and tribes on the level of impacts and the ability of offsets to fully mitigate for impacts;
- 3) encouraging BPA to engage the public and stakeholders in an open public forum; and
- 4) providing leadership to expedite implementing long-term solutions, such as Removable Spillway Weirs (RSWs) (ODFW Testimony to Oregon Legislative Committee on April 29, 2004).

The State of Oregon continues to support the policy objectives regarding alternative summer spill operations as outlined in the *Four Governors' Letter* and Governor Kulongoski's letter of March 30, 2004. The letters emphasize an interest in finding ways to improve the economy without lowering standards to protect the environment. Oregon supports exploring cost-effective ways to operate the Federal Columbia River Power System without sacrificing salmon and steelhead populations. Additional policy objectives in the letters focus on the following areas:

- Ensuring no net-loss of listed and non-listed salmon and steelhead;
- Providing adequate monitoring and evaluation to assess impacts;
- Ensuring increased power revenues translate into economic benefits for ratepayers; and
- Moving toward long-term solutions (e.g., expedite tests and construction of RSWs and evaluate effectiveness of smolt transportation).

Adequacy of the current spill-reduction proposal should be assessed within the context of the aforementioned policy objectives.



Governor Kulongoski stresses the importance that any alternative spill operation needs to include sufficient offsets and funding to mitigate for impacts to ESA-listed and non-listed salmon and steelhead populations. Establishing offset measures that provide safe juvenile fish passage at the dams is Oregon's highest priority. Oregon believes it is important to focus remedies on the primary factors hurting the fish.

The State of Oregon has not had time to fully evaluate the new proposal relative to the level of impacts to listed and non-listed salmon and steelhead, and the adequacy of proposed offsets to fully mitigate for these impacts. The state, federal and tribal salmon managers have completed an initial technical assessment, and are providing joint comments. We offer the following observations and questions:

1. For listed Snake River fall chinook, the only proposed offset is additional flow augmentation from Brownlee Reservoir. This can help offset the impacts of spill reduction, however, the benefits of this offset can be better understood if the following questions are addressed:
 - a. What assurance is there that this additional flow will not occur anyway, given that Brownlee has been drafted at similar levels for power during July each of the past three years?
 - b. Also, what assurance is there that a July draft will not result in less draft in August or even refill, thereby restricting flows that would benefit juvenile fish?
2. For non-listed fish, offsets include:
 - *Predatory fish removal.* Oregon does not have concerns with the characterization of the northern pikeminnow offset.
 - *Stabilizing flows in the Hanford Reach.* The stabilization of flows in the Hanford Reach is an important fish conservation measure, but largely mandated through the pre-existing ten-year operational agreement. Offset credit should only be claimed for actions above and beyond those associated with the pre-existing agreement.
 - What assurance is there that 2004 flow stabilization operations proposed to be credited were beyond those operations contemplated in the agreement, particularly given the lack of flow stabilization in April 2004 that was inconsistent with the agreement?
 - *Delaying release of some Lyons Ferry Hatchery fish until spring 2005.*
 - What assurance does BPA have that *United States v. Oregon* parties will support this modification to existing hatchery production plans?
 - What is the analytical basis for assuming the holdover of pre-smolts will provide the level of benefits contemplated in the proposal?

3. What is the basis for shutting off spill at The Dalles and Bonneville dams first, when they are the lowest in the hydrosystem and fish reach them last, and a relatively higher percentage of fish go through the turbines at these dams?
4. The federal proposal does not address adequate monitoring and evaluation to assess system-wide impacts and effectiveness of offset measures. This does not appear to be consistent with the Northwest Power and Conservation Council Mainstem Amendment requirement to evaluate the summer spill program.

Ultimately, the decision whether to reduce summer spill rests with the responsible federal agencies. Oregon encourages the federal executives to address the points made in the *Four Governors' Letter* and these comments before making a final decision.

For future discussions regarding summer spill reduction, we continue to support broad stakeholder involvement and input in the decision-making process. We also encourage the federal agencies to expedite RSWs as a long-term solution to dam passage, with particular emphasis on lower Columbia River dams. This is an important step toward cost-effective and biologically defensible fish recovery. Testing RSWs for fall chinook should begin at Lower Granite Dam this summer. Evaluation of fall chinook transportation under optimal river conditions should begin in 2007.