

Congress of the United States
Washington, DC 20515

March 15, 2022

The Honorable Brian Nichols
Assistant Secretary of State for the Bureau of Western Hemisphere Affairs
2201 C St NW
Washington, DC 20220

Dear Assistant Secretary Nichols,

We write to ask for further clarification on the State Department's role in a process the administration may be undertaking regarding the Columbia River system. Specifically, we understand the White House Council on Environmental Quality (CEQ) is engaging various involved domestic agencies with respect to an effort focused on recovering Columbia Basin threatened and endangered fish species including the consideration of dam breaching. We appreciate the extensive efforts by the State Department to conclude a new Columbia River Treaty that upholds the broad range of important national interests in the careful management of the Columbia River system. However, we would like to raise our concerns and gain further clarification from State as to how any system review is being balanced with the delicate and complex negotiations to achieve an updated Columbia River Treaty.

The Federal Columbia River Power System comprises 31 hydroelectric projects in the Columbia River Basin and provides approximately one third of the electricity used in the Pacific Northwest, as well as critical flood risk management, irrigation, and navigation benefits.

On September 28, 2020, the U.S. Army Corps of Engineers (USACE), Bureau of Reclamation (BoR), and Bonneville Power Administration (BPA) issued a joint Record of Decision (ROD) on the Columbia River System Operations Environmental Impact Statement (CRSO EIS). The CRSO EIS was developed in accordance with the National Environmental Policy Act and is the product of a years-long public process aimed at reviewing and updating management of the 14 federal dams on the Columbia River system. The ROD was agreed upon and signed by each cooperating agency.

The Columbia River Basin is home to 61 different fish species. As indicated in the 2020 National Oceanic and Atmospheric Administration (NOAA) Fisheries Columbia River System Biological Opinion¹ (BiOp), 13 species of Columbia River Basin salmon and steelhead are impacted by the river power system and listed for protection under the Endangered Species Act. Of these 13 species, four travel the length of the Columbia River and through the lower Snake River dams to

¹ <https://www.fisheries.noaa.gov/resource/document/biological-opinion-operation-and-maintenance-fourteen-multiple-use-dam-and>

spawn²: Snake River steelhead, Snake River spring/summer Chinook, Snake River fall Chinook, and Snake River sockeye.

Of these species, according to Washington State's 2020 State of Salmon Report³, Snake River fall run Chinook are approaching their goal and Snake River Basin steelhead are making progress, while Snake River spring/summer Chinook remain in crisis. It is also important to note that while Puget Sound salmon are not impacted by the Columbia River Power System, they are in crisis⁴. The National Oceanic and Atmospheric Administration has found Puget Sound salmon populations to be the priority food source for the Southern Resident killer whale⁵.

In October 2021, U.S. District Judge Michael Simon issued a stay in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* [01-640], litigation challenging the CRSO EIS and ROD. Shortly after this ruling, CEQ announced a public engagement effort focused on recovering Columbia Basin salmon, bull trout, and other listed and vulnerable species. In briefings for congressional staff, CEQ has indicated it is focused on the possibility of breaching the lower Snake River dams, but not to the exclusion of alternative solutions for recovering threatened and endangered species in the basin.

The lower Snake River dams provide BPA with capacity to meet peak energy demand loads⁶. The four dams generate approximately 1,000 megawatts of power on average annually, with the capacity for generating over 3,000 megawatts of power.

The need for this capacity was demonstrated during severe cold and heat events last year. In 2021, BPA issued assessments indicating the lower Snake River dams prevented rolling blackouts during the deep freeze and severe heat events in the Pacific Northwest. In January and February of 2021, the four dams each generated more than 400 megawatts of energy, with some providing more than 500 megawatts⁷. Additionally, during the 5-day heatwave in June, the lower Snake River dams held 15 percent of BPA's total required reserves. At their highest, the dams provided 1,118 megawatts of combined energy⁸.

The lower Snake River dams are not only critical to grid reliability in the Pacific Northwest. Through fish passage adaptations, the dams have also achieved 96 to 99 percent passage survival for juvenile yearling Chinook salmon and steelhead smolts⁹.

We share the goal of recovering threatened and endangered fish species in the Columbia River Basin, and we should be encouraged by recent returns on the lower Snake River. Snake River spring Chinook returns have increased since 2019, with 2020 returns up 55 percent and 2021

² https://media.fisheries.noaa.gov/dam-migration/killerwhales_snakeriverdams.pdf

³ <https://stateofsalmon.wa.gov/statewide-data/salmon/>

⁴ <https://stateofsalmon.wa.gov/statewide-data/salmon/>

⁵ <https://media.fisheries.noaa.gov/dam-migration/srkw-salmon-sources-factsheet.pdf>

⁶ <https://www.bpa.gov/news/pubs/FactSheets/fs200901-Power%20benefits%20of%20the%20lower%20Snake%20River%20dams.pdf>

⁷ <https://www.bpa.gov/about/newsroom/news-articles/20210616-lower-snake-river-dams-provided-crucial-energy-and-reserves-in-winter-20>

⁸ <https://www.hydroreview.com/environmental/bpa-report-lower-snake-river-dams-helped-region-power-through-recent-heatwave/>

⁹ <https://www.bpa.gov/-/media/Aep/about/publications/fact-sheets/fs-201603-A-Northwest-energy-solution-Regional-power-benefits-of-the-lower-Snake-River-dams.pdf>


returns up 27 percent. Fisheries managers also predict a 40 percent increase in spring/summer Chinook on the Snake River in 2022¹⁰.

Given the critical role the entire Federal Columbia River Power System plays in powering the Pacific Northwest, providing flood risk management, irrigation, and navigation benefits, as well as CEQ's focus on how breaching the lower Snake River dams may aid in fish recovery, we request answers to the following questions in writing no later than May 1, 2022:


- Has the State Department been included or consulted in the stakeholder engagement process led by CEQ examining species recovery strategies in the Columbia River Basin, including potential breaching of the four dams on the lower Snake River?
- Has CEQ consulted the State Department on how the stakeholder engagement process and conversations surrounding the removal of hydropower from the system may impact Columbia River Treaty negotiations?

Thank you for your attention to this matter.

Sincerely,



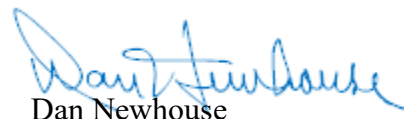
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Mike Crapo
United States Senator



Dan Newhouse
Member of Congress



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United States Senator



Russ Fulcher
Member of Congress



Jaime Herrera Beutler
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Cliff Bentz
Member of Congress

¹⁰ <https://www.columbian.com/news/2021/dec/15/columbia-river-spring-chinook-projections-are-up-for-2022/#:~:text=This%20year's%20projection%20is%20for,last%20year's%20return%20of%201%2C800.>