

Congress of the United States
Washington, DC 20515

March 15, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden,

As you know, 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 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

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

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

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

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, the White House Council on Environmental Quality (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 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 returns up 27 percent. Fisheries managers also predict a 40 percent increase in spring/summer Chinook on the Snake River in 2022¹⁰.

We understand that CEQ has been engaging regional stakeholders and other industries in an effort to recover Columbia Basin threatened and endangered fish species. Given the critical role

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>

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.>

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:

- Is CEQ formally re-entering consultation on the 2020 ROD?
- If so, what was the mechanism for determining to re-enter consultation? Was there public notice of this decision?
- If not, under what authority is CEQ convening agencies?
- Other than bringing the agencies together for discussions on species recovery, what actions is the Council directly taking and in what activities is it participating?
- How has CEQ determined which stakeholders it will engage? How is CEQ engaging these stakeholders?
- Is CEQ engaging tribal governments in these discussions? If so, where does CEQ derive authority to participate in government-to-government meetings?
- What is CEQ's timeline of action, and how was it determined?
- What information is this stakeholder engagement process expected to uncover that was not made available from the BiOp or ROD?

Thank you for your attention to this matter.

Sincerely,



James E. Risch
United States Senator



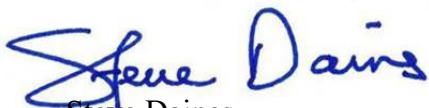
Cathy McMorris Rodgers
Member of Congress



Mike Crapo
United States Senator



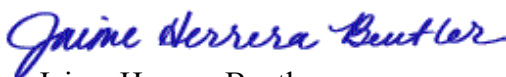
Dan Newhouse
Member of Congress



Steve Daines
United States Senator



Russ Fulcher
Member of Congress



Jaime Herrera Beutler
Member of Congress



Cliff Bentz
Member of Congress

CC: Brenda Mallory, Chair, Council on Environmental Quality (CEQ)