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Via Email: [comments@nwppc.org](mailto:comments@nwppc.org)

**RE: Comments on Draft Mainstem Amendments – Document 2002-16**

The Northwest Food Processors Association (NWFFPA) appreciates this opportunity to comment on the Northwest Power Planning Council's Mainstem Amendment proposal. NWFFPA represents the food processing industry in Idaho, Washington and Oregon. Food processing is the second largest manufacturing employment sector in the region and a critical part of the economy.

Food processors have a vital interest in the Council's amendment process. Our members utilize power generated by the Bonneville system, depend on crops irrigated from water storage facilities within the FCRPS and utilize the river to transport finished product to the Port of Portland for shipment throughout the world.

The decisions that the Council makes on the Mainstem Amendment proposal will affect the vitality and economic vigor of the region for many years to come. NWFFPA believes that the Council has an opportunity, within the parameters of the Council's mandate, to begin the process of restoring some degree of certainty and stability to the region's water and power supply.

We are tired and disgusted with the same, worn out political arguments that center on who is going to exert control over the Columbia River. It is time to stop using endangered salmon and steelhead as a lever to extort money and political control out of the federal system.

The Council has an opportunity to do the right thing and begin the process of restoring the region's faith in the system. You also have the opportunity to continue down the same treadmill we have been on for the past fifteen years. We urge you to take a leadership position and adopt amendments that will lead us to solutions, not to a continuation of the status quo.

Our comments on the specific issues raised in the request for proposals follows.

**1. NWPPC's Legal Requirements and Constraints**

The Northwest Power Act clearly outlines the Council's mandate. Section 4 (h)5 states:

The program shall consist of measures to protect, mitigate, and enhance fish and wildlife affected by the development, operation, and management of such facilities while assuring the Pacific Northwest an adequate, efficient, economical, and reliable power supply.

The Council is not constrained or precluded from making recommendations that are inconsistent with the desires of the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, state fisheries agencies or tribal fisheries agencies. The Council's responsibility is to weigh the alternatives, evaluate the science and devise measures that *...are also reasonable and will not result in unreasonable power shortages or loss of power revenues...Such losses, however, should not be a burden on the consumers of the region. (Rep. John Dingle, Congressional Record, Nov.17, 1980*

The Council has received a comprehensive review of the law in this area from the Columbia-Snake Irrigators Association and the Eastern Oregon Irrigators Association. The Council has the legal authority and, in fact an obligation, to weigh costs and benefits when determining the correct measures to adopt.

You are not constrained by the biological opinions of the services or the recommendations and desires of the fisheries agencies. Your legal obligation is to clearly document the reasons for your decisions and to be sure that the science supports your recommendations.

## **2. Flow Augmentation**

April 10 fill target for Libby, Dworshak, Hungry Horse and Grand Coulee: We strongly support this change. The science is becoming clear on much of the flow regime in the system and it is very clear on spring flow. There is no correlation between survival and flow for spring migrants. This is a change in operation that creates large benefits for the region and clearly is supported by the science.

However, we believe that the Council is still being too timid in its approach to flow augmentation. The flow targets which NMFS set in the biological opinion have no validity in the real world. The science is not supporting those targets and in low water years, such as the one we are experiencing, those targets cannot be met. We urge the Council to continue to challenge the assumption that flow augmentation is good for fish. The science does not support that conclusion.

## **3. Spill Regime**

We are very disappointed with the lack of vision the Council is exhibiting in the proposed spill program. The "Share the Risk" philosophy, which is at the heart of the spill regime, is a political solution to a political problem. It has nothing to do with good science or common sense.

The Council has strong science indicating that a serious change in the spill program should be considered. In particular, your draft document contains the following statements that mitigate against the position your are proposing to take. The draft states:

- (1) Spilling to gas caps of 120% at some dams may be increasing mortality (indeed, we would add that this policy requiring waiver of state water law is creating more harm than good)
- (2) Spillway passage is the most costly, especially during high markets (as in 2001).
- (3) Difference in survival between spillway passage and other passage methods may in some instances be minimal.
- (4) Maximum level of fish survival at each project does not necessarily correlate to spill.
- (5) Spill may have negative effects on returning adults.

Spill is a poor political choice. It is not supported by the science and makes no sense in light of documented survival and return rates of barged smolt. We are also very opposed to spilling at Bonneville dam to support the Spring Creek tule fall chinook. This make no sense whatsoever.

We urge the Council to modify its spill proposal and to limit spill where other methods, such as barging, have been proven to be as effective and far less costly.

#### 4. Juvenile Transportation (Barging)

Barging juveniles has proven to be the most effective and least cost method of moving smolt through the mainstem system. If it weren't for the politics of this issue, the transport program would be hailed as one of the most effective species protection and restoration effort in the history of the ESA. Yet, because of the political climate, we are still debating the effectiveness of this measure.

It is time for the Council to come out and strongly state what the science clearly shows. Transporting juvenile salmon is the best way to protect and enhance the species. In this second serious year of drought, the Council needs to seriously consider what NMFS and the federal action agencies had to say about survival in the river in 2001. They stated:

- In-river survival was well below average
- Less than 10% of Snake River Juveniles migrated in-river
- Because direct survival on barges is very high, total system survival was above average during this low flow year (NMFS Findings letter pp.18-19)

If half of the smolt had migrated in the river this past year, we would likely have lost an entire class. Yet, because of the effectiveness of the transportation program, we were able to save that class. This is a phenomenal statement and a testimony to the effectiveness of the transportation program.

In addition, studies show no significant difference in return rates for barged smolt when compared to in river migrants. The conclusion: not only did we save an outbound class, but they will return in numbers as high as if they had migrated in the river. We should be celebrating this instead of arguing over whether it is the right thing to do.

#### Conclusion

The Northwest Power Planning Council has an opportunity to begin a regional dialogue about how to make substantive, meaningful changes in the operation of the Columbia-Snake system. The science, the economics and region's residents are crying out for leadership and common sense.

We urge you to adopt mainstem amendments that do the right thing, not amendments that appease the loudest voices. Find the courage of your convictions, stand up to the fisheries agencies and tell them that enough is enough.

Adopt mainstem amendments that are good for fish and will provide the start of a process that will bring some sanity back into the operation of the Columbia-Snake system.

Thank you for this opportunity to comment and for your consideration of our recommendations.

Sincerely,



Craig Smith  
Environmental Consultant