

July 31, 2001

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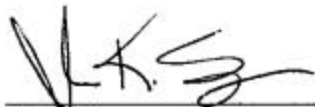
RE: Comments on Recommendations on Developing a Mainstem Plan for the 2000 Fish and Wildlife Program

Dear Mr. Walker:

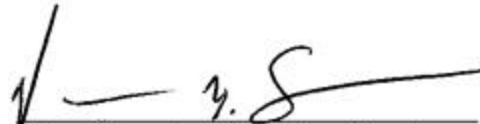
We appreciate this opportunity to provide comments on recommendations submitted by various parties with respect to developing a mainstem plan for the Columbia River Basin Fish and Wildlife Program.

After reviewing the recommendations, the polarization among the various groups advocating salmon recovery measures is once again evident. We reiterate our suggestion to the Council to use the development of the mainstem plan as an opportunity to provide a greater balance between the biological and economic needs of the Columbia River Basin and to incorporate new scientific information into the Program. In particular, recommendations to continue or increase flow augmentation from southern Idaho should be rejected by the Council because it is a management measure having high social and economic cost but no significant biological benefit.

Respectfully submitted by,



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**IDAHO WATER USER COMMENTS
ON RECOMMENDATIONS FOR THE
MAINSTEM PLAN**

**COLUMBIA RIVER BASIN
FISH AND WILDLIFE PROGRAM**

SUBMITTED ON BEHALF OF

THE COMMITTEE OF NINE

AND

THE IDAHO WATER USERS ASSOCIATION

JULY 31, 2001

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IDAHO WATER USER COMMENTS ON RECOMMENDATIONS FOR THE MAINSTEM PLAN

These comments are submitted on behalf of the Committee of Nine and the Idaho Water Users Association (hereinafter “Idaho Water Users”).¹

Overview

The development of a mainstem plan for the Northwest Power Planning Council’s Columbia River Fish and Wildlife Program (“Program”) is an opportunity to make substantial improvements to the 1995 Program. As reflected in the recommendations submitted by the Idaho Water Users, the upcoming revisions should reflect new scientific information as well as the physical, economic, legal, and political realities in the region (IWU 2001b).

In summary, the Idaho Water Users’ principal recommendations on the mainstem plan are:

- The scope of the mainstem plan should be confined to the portions of the mainstem Snake and Columbia Rivers affected by major hydroelectric facilities. As a practical matter, that means the primary focus should be the Federal

¹ The Committee of Nine is the official advisory committee for Water District 1, the largest water district in the State of Idaho. Water District 1 is responsible for the distribution of water among appropriators within the water district from the natural flow of the Snake River and storage from U.S. Bureau of Reclamation reservoirs on the Snake River above Milner Dam. The Committee of Nine is also a designated rental pool committee that has facilitated the rental of stored water to the Bureau of Reclamation to provide water for flow augmentation since 1995. The Idaho Water Users Association was formed in 1938 and represents about 300 canal companies, irrigation districts, water districts, agri-business and professional organizations, municipal and public water suppliers, and others. These recommendations have been prepared with the assistance of the scientists, biologists, and engineers who have been retained by the Idaho water users to address Snake River ESA issues. Contributors include: Dr. James J. Anderson, School of Fisheries, University of Washington; Craig L. Sommers and David B. Shaw, ERO Resources Corporation; Dr. Richard A. Hinrichsen, Hinrichsen Environmental Services; Dr. William J. McNeil, retired professor of fisheries, Oregon State University.

Columbian River Power System. Furthermore, although Upper Snake² flow augmentation should be eliminated because it is a costly and ineffective measure, consideration of this issue should be deferred until plans for subbasins are developed.

- The mainstem plan must be consistent with the Northwest Power Act. The duty of the Council is to “protect, mitigate and enhance fish and wildlife” affected by the hydrosystem, “while assuring the Pacific Northwest an adequate, efficient, economical and reliable power supply.” The Council has a duty and a unique opportunity to bring reason and balance to the mainstem debate. In addition to optimizing power production, the Council should develop and refine tools for evaluating the cost-effectiveness of fish and wildlife management measures.
- In the mainstem plan, juvenile passage measures should be based on actions that are the most biologically effective and cost-effective, not on a strategy to provide conditions that most closely approximate natural conditions. Research on improved transportation should be a focus of the plan.
- The Council needs to implement Scientific Principle 7 (ecological management is adaptive and experimental) by abolishing flow targets at LGR. Flow targets at LGR are inconsistent with the Program because the hydrograph is already “natural” — Snake River flow above LGR remains virtually unchanged from the conditions that salmon have adapted to over thousands of years. The Council should ask the ISAB to re-evaluate its Review of Lower Snake Flow Augmentation Studies.
- To the extent that the Council expands the scope of its mainstem plan to areas upstream of LGR, the legal constraints and negative effects on power supply should be a basis for rejection of the use of powerhead space in USBR irrigation storage projects to supplement Upper Snake flow augmentation in dry years.
- One of the Council’s high priority long-term objectives should be development of additional off-stream storage facilities, especially if the Council persists in pursuit of Upper Snake flow augmentation as off-site mitigation for hydroelectric impacts (IWU 2001b).

Our prior recommendations and comments on the Council’s 2000 Program contain additional ideas and concerns relevant to the mainstem plan and are incorporated by this reference as though set forth in full herein (IWU 2000a, 2000b, and 2001b).

²Throughout these comments, the Upper Snake River means the portion of the basin above Brownlee Reservoir. Upper Snake flow augmentation involves additional releases or reshaping of water from Brownlee Reservoir. A portion of the additional releases is provided from water obtained above Brownlee.

Summary of Comments

As set forth in our recommendations on the mainstem plan, Idaho Water Users support salmon recovery. However, the Water Users have become increasingly frustrated by the lack of response to legitimate scientific concerns raised in their numerous comments on documents involving salmon recovery, NEPA compliance, and ESA issues. Agencies and tribes continue to demand release of water from the Upper Snake River for flow augmentation in the name of salmon recovery, yet the purported benefit of Upper Snake flow augmentation has never been documented. The concerns of the Idaho Water Users, the same water users who provide much of the storage water to the Bureau of Reclamation for flow augmentation, are not even acknowledged in most cases.

The following comments focus on the recommendations of Idaho Fish and Game (IDFG) but we briefly note that they apply equally to recommendations from other entities and tribes. We also indicate where we particularly support recommendations that were submitted to the Council.

Comments on IDFG Recommendations (#14)

IDFG has reiterated its view that additional Upper Snake flow augmentation should be provided in the spring. As part of those recommendations, IDFG attached its supplemental comments on the FCRPS BiOp supporting that position (which has led to an exchange of documents between the Water Users and IDFG as discussed below).

Before presenting our comments on this most recent proposal to release more water from the Upper Snake, some background is useful. In our supplemental comments on the BiOp, we described the history of flow augmentation from southern Idaho:

“Originally, flow augmentation from the Upper Snake River basin was implemented to benefit multiple salmon runs. Water was released at various times during the late spring and summer. In 1995, the focus of flow augmentation shifted to fall chinook, which migrate later in the season than spring and summer chinook and steelhead. Not only was this shift evident in terms of releases of augmentation water from the Upper Snake later in the season, but it also was evident in terms of flow/survival research. Moreover, this change in timing reflected the belief by the National Marine Fisheries Service (NMFS) and other fishery agencies that Upper Snake flow augmentation had potential to provide greater benefit to fall chinook than to the early migrating spring/summer chinook and steelhead. Recent analysis of flow and survival data has raised many

doubts about the purported benefits of Upper Snake flow augmentation for fall chinook. In response to those doubts, Idaho Fish and Game (IDFG) suggests that Upper Snake flow augmentation be shifted once again to benefit spring/summer chinook and steelhead ('spring migrants')" (IWU 2001a, citations and footnotes omitted).

A thorough analysis of the IDFG proposal is contained in Attachment 1 and Attachment 2, which are the Idaho Water Users responses to the documents that IDFG has prepared in support of that recommendation. In summary, the Water Users find:

- There is no competent scientific evidence or scientific foundation that Upper Snake flow augmentation will provide any biological or physical benefit to spring migrants or any other listed species, whether used in the spring or in any other part of the migration season
- In fact, the best available science indicates that flow augmentation from the Upper Snake is NOT related to the survival of the listed species.
- The IDFG or NMFS Upper Snake flow policies rely on speculation rather than scientific evidence.
- The specific, measurable costs of flow augmentation to water users in southern Idaho clearly outweigh any potential biological benefits.

Comments on Recommendations by ODFW (#5), CBFWA (#9), CRITFC (#1), SOS (#3), and NRIC (#18)

The Water Users oppose the recommendations of the Oregon Department of Fish and Wildlife (ODFW), Columbia River Fish and Wildlife Authority (CBFWA), Columbia River Inter-Tribal Fish Commission (CRITFC), Save Our Salmon (SOS), and the Northwest Resource Information Center (NRIC) to the extent that their requests for higher target flows and more spill would affect the Upper Snake. For example, CRITFC and ODFW call for an additional 0.5 to 1.0 MAF from the Upper Snake to meet higher flow objectives than currently exist. However, CRITFC and ODFW do not provide specific scientific support for those recommendations. As summarized above, as well as in Attachments 1 and 2 and in the other references to these comments, there is no

scientific evidence that Upper Snake flow augmentation provides survival benefits to listed species.³

Comments on Recommendations by PNGC (#15), PPC (#2), VS Hydro (#16), and CSRIA et al. (#17)

Except as set forth below, the Water Users support the recommendations of PNGC Power (PNGC), Public Power Council (PPC), Voith Siemens Hydro Power Generation (VS Hydro), and the Columbia-Snake River Irrigators Association et al. (CSRIA et al.), which provide rationale suggestions including:

- The Council has an opportunity to provide leadership in management of the Federal Columbia River Power System and provide balance between power supply considerations and fish and wildlife protection, mitigation and enhancement.
- Spill and flow measures should be scrutinized carefully, especially for cost-effectiveness, and should be eliminated from inclusion in the mainstem plan where biological benefits cannot be demonstrated.
- Technological improvements, such as Minimum Gap Runner turbines, should be pursued and incorporated into the mainstem strategy to the maximum extent possible.

While the Idaho Water Users agree with many of the recommendations offered by CSRIA et al., we do NOT agree that up to 500,000 acre-feet of water needs to continue to be provided from the Upper Snake and Brownlee in low and average runoff years.

Conclusion

Development of water resources in the Upper Snake River basin did not cause the decline of fish populations and has not resulted in the degradation of habitat. Reducing Upper Snake River water uses to provide flow augmentation will not reverse the fish population decline, recover the populations, or mitigate the adverse modification of critical habitat caused by activities in the lower Snake and Columbia Rivers. Continued calls for ever-increasing amounts of water from southern Idaho ignore the fact that there

³ As discussed in Attachment 2, although there is some evidence of a weak flow/survival relationship from flows that naturally vary between years (ignoring that other variables are related to flow), this evidence does not translate to a flow/survival relationship from artificial flow augmentation within a given year.

is no significant biological benefit from an action that has enormous economic and social costs.

Upper Snake River flow augmentation to meet flow targets at Lower Granite, McNary or Bonneville, or to purportedly benefit the estuary or ocean plume, is not a necessary or viable component of the Program because it fails to help satisfy the goals and objectives established by the Council and does not reflect or balance the realities of the region (IWU 2001b). Upper Snake flow augmentation does not provide significant biological or physical benefits; has high economic cost and impact; and is subject to huge political and legal hurdles.

In summary, LGR flow targets and the associated Upper Snake River flow augmentation should be eliminated from consideration as part of the Program. Idaho Water Users conceded to a trial period during which any benefit of Upper Snake River flow augmentation could be demonstrated. No fish or wildlife benefit from Upper Snake flow augmentation has been demonstrated from these experiments so the trial period should be ended.

References

- IWU (Idaho Water Users). 2000a. Recommendations on Amendments to the Columbia River Basin Fish and Wildlife Program, submitted to the Northwest Power Planning Council on May 12, 2000.
- IWU. 2000b. Comments On the Draft 2000 Columbia River Basin Fish and Wildlife Program, submitted to the Northwest Power Planning Council on September 22, 2000.
- IWU. 2001a. Idaho Water User Supplemental Comments: Upper Snake Flow Augmentation for Spring/Summer Chinook and Steelhead. February 27, 2001.
- IWU. 2001b. Idaho Water User Recommendations on the Mainstem Plan, Columbia River Basin Fish and Wildlife Program, submitted to the Northwest Power Planning Council on June 15, 2001. <http://www.nwcouncil.org/recommend/19.htm>.