

Future of the four Lower Snake River dams

The Ag and Rural Caucus has worked on the issue of the Lower Snake dams for several years. We have held public meetings, written position papers for the membership and posted on the website, and published several pieces outlining our emerging position. Among a small group of observers, we have earned a reputation for solid research and reliable judgement. And until this last spring the broader debate appeared to lock into stasis.

The core of our position has been that if the dams were to be breached, the foreseeable consequences would need to be addressed and funded in advance. We termed this “ex ante mitigation.” The three primary areas requiring mitigation are loss of the electrical power generated by the dams, the loss of grain barging from Lewiston to Pasco, and the costs of re-engineering water out-takes for irrigation in Franklin and Walla Walla Counties.

The Main Issues

We judged that the developing markets in wind and solar energy and energy storage are strong enough eventually to replace the power loss of the Lower Snake dams. Washington’s phase out of coal and eventually natural gas in energy supply raises the bar for what is required from the renewable supply sources, as does the increased reliance on electricity to replace fossil fuels in transportation and building specifications. Still, there is impressive private engagement in finance and development of solar and wind energy and storage capacity. The trend line of renewable supply is solid.

Grain currently moves from Idaho’s Camas Prairie and the Palouse in Washington to Lewiston and other ports on the Lower Snake. The grain typically moves then to Portland or Kalama for export to the Pacific Rim markets. Taking out the Lower Snake dams removes barge traffic from Lewiston to Pasco. Once delivered to Pasco the grain can be barged or loaded on freight trains for ports downriver. Most grain from Walla Walla County is trucked to Wallula and grain grown in central Washington moves to market via rail, not on the river. Columbia and Garfield County grain can reach either the river or rail at Central Ferry.

This detail is important. The amount of grain that is moved down the Snake is significant but still is a minor part of Washington’s grain production. Grain producers in Creston or Ritzville do not use the Snake River’s navigation system to ship product to market.

Mitigation of the loss of barging transit from Lewiston to Pasco means using rail to replace the barges. Trucking is not acceptable for environmental reasons and for the safety of the communities through which the two-lane highways move. Trucks currently move grain from farm or country elevator to rail heads or the river. This will continue.

The mitigation of the loss of barging capacity is the most difficult of the problems resulting from any breaching of the dams. Even so, there are solutions. Washington State Department of Transportation bought up the short-lines operating in the Palouse (and elsewhere) some years ago. WSDOT also owns rolling stock. These lines need reinvesting as does the rolling stock. These lines need reinvesting as does the rolling stock. WSDOT has provided a modest dollar estimate that no one has troubled to fund because no one has asked. There is also a complementary private line, the Great Northwest Railroad owned by Watco, down the north side of the river from above Lewiston to Ayers Junction where it inter-connects with UP’s main-line.

The grain movement solution lies in public infrastructure investment in road beds and increased-capacity rolling stock, and public-private investment in capacity in storage and staging capacity to form the 110-car unit trains to qualify for favorable rates from the main-lines. A persistent concern of wheat growers is that the main-lines will use the elimination of competition from the barge companies to increase rates. Playing by the rules of unit trains and maximum capacity cars curbs the main-lines’ leverage but does not eliminate it.

Assuring water supply for irrigators is a cost issue. The abandoned assets of the irrigators need to be compensated as do the engineering costs and installation of alternate structures. The same holds for the riverside grain handling facilities owned by the ports of Lewiston and Wilma, Garfield County Grain Growers, and others. Walking away from these facilities is unfortunate but can be compensated.

A Disruption in the Stasis

Congressman Mike Simpson (R-ID) disrupted the stasis in the standoff between the advocates of dam breaching and supporters of the dams as they are. Simpson last spring issued a proposal that looks a lot like the ex ante mitigation ARC

has advocated. He assigns dollars – big dollars – to the mitigation of the negative effects I have mentioned above along with a long list of others. He proposes public spending on the mitigations with the understanding that the dams would be breached after everything is in place...power supply assured, grain transportation figured out and working, and irrigators operating with new systems. He estimates ten years for the mitigation to be in place.

Simpson gained pivotal support from the tribes for his proposal, and support from Representative Blumenauer of Oregon and Oregon's governor, Kate Brown. The environmental community opposed Simpson because Simpson proposed a litigation moratorium on the Columbia and the Snake. Simpson's Republican colleagues in Washington and Oregon called him names, and not nice ones. Washington's Democratic leaders stayed quiet. They knew that any engagement would move the dial.

Senator Murray and Governor Inslee have now engaged. They are moving the dial. On October 22 Murray and Inslee announced "a joint federal-state process to determine whether there are reasonable means for replacing the benefits provided by the Lower Snake River Dams...the time has come to identify specific details for how the impacts of breach can, or cannot, be mitigated."

Murray and Inslee are using mitigation language that we welcome. The "ex ante" part – having the mitigation in place before irreversible breaching of the dams – is not yet in their message.

Part of their process is "robust outreach to communities across the Pacific Northwest...we intend to consult...a wide range of views on the question of dam breaching to ensure the needs of the entire region are addressed." Missing from this statement is "stakeholders". There is not the usual paean to consulting stakeholders to determine the interests of the established lobbies. Inslee in 2019 convened a "stakeholders" task force which gave advocates and opponents of dam removal each a platform to expand on their entrenched positions. Stakeholders, as conventionally understood, no longer have center stage.

The same message of a political shift is underlined by calling for "robust outreach to communities across the Pacific Northwest...to ensure the needs of the entire region are addressed" (emphasis added). No longer are eastern and central Washington lobbies left to imagine that they alone determine what happens to the dams.

The implications of the political shift are important. This is because the arguments for breaching the dams are not compelling. The best that can be said in favor of breaching the Lower Snake River dams is that it is the last remaining hope to restore the salmon runs. Congressman Simpson concedes that dam breaching may not restore the runs but that return of the salmon probably will not happen without breaching the dams. Dam breaching is a necessary but not sufficient condition for restoring the salmon and meeting our treaty obligations with the tribes.

It is no longer enough to argue that the physical dams impede downstream movement of smolts and upstream passage of adults. Smolt survival through the Lower Snake system exceeds the regulatory targets and upstream passage through the fish ladders is routine. Criticism has now turned to the simple disruption of the free-running river into a series of pools that slow the downstream smolt travel and allow water temperatures to rise to injurious levels. The result is not just mortality of smolt within the river system but weakening the smolt as they emerge to the Pacific. At this point there is a convergence of advocates and opponents of dam breaching. Each side correctly judges that ocean conditions explain much of annual salmon run variations in the interior Northwest. There is just not much that either side can do about conditions in the Pacific Ocean. And the sides diverge again when critics point to better survival for salmon on river runs that do not use the Lower Snake and its dams.

Challenges Politically and Legally

The case for the Lower Snake River dams being responsible for interrupting salmon passage is plausible enough to challenge the dams both politically and legally. The Lower Snake River dams are exposed to both a political risk and a litigation risk.

The political risk comes from opening the case for and against the dams to "the entire region." Repeated opinion polling shows state-wide support for removing the dams, especially from the Puget Sound region that links the dams to the orca's survival struggle. The Inslee-Murray statement is the clearest manifestation of the political risk to the dams. While the statement is cautious, it demonstrates how quickly political sentiment far from eastern Washington can change the terms

governing the Lower Snake River. The political risk lies in the political discourse in the state escaping the bounds set by Murray and Inslee. If they lose control, the danger is that this loss of control results in abrupt action breaching the dams. This action may not even be dramatic. It may be as simple as neglecting the “ex ante” part of mitigation; failing to assure that back up mitigations are in place and working.

The litigation risk is familiar. The most significant challenges to the dams’ status quo have come from the courts. Judge Boldt’s decision in 1974 reaffirming Native American Treaty Rights is a useful starting point to mark the litigation risk. More recently, the courts rejected the Columbia River System EIS and sent it back to the Corps, Bureau of Reclamation and BPA to redo, to explicitly evaluate the effects of breaching the Lower Snake River dams on meeting the agencies’ responsibilities under the Endangered Species Act. The EIS was revised and re-submitted. The court accepted the revision, and the revision was promptly challenged again. (For example, several months later EarthJustice, on behalf of ten other organizations, filed a 60-day intent to sue the Corps of Engineers, Bonneville Power Administration, and the Bureau of Reclamation for violation of the Endangered Species Act in the preparation of the Columbia River System EIS.)

The litigation risk is ever present for the users of the Lower Snake River. The litigation risk cannot be negotiated, unlike the political risk. The legal process does not permit weighing of alternatives and evaluation of projected mitigations.

Our Proposed Operating Statement

The risks posed by politics and the legal system make a strong argument for the region to invest in an ex ante mitigation plan similar to that proposed by Congressman Simpson. Even if you agree with the Pacific Northwest Waterways statement “that the certain costs of breaching the lower Snake River dams significantly outweigh the highly speculative benefits to salmon and orcas”, you can also support funding a Plan B. Plan B is a back-up plan that manages those “certain costs” by investing in renewable energy and storage, upgrading existing rail service, and engineering water in-takes that work in a running river. Even if you know that successfully mitigating the known downsides to breaching dams means that the dams eventually will be breached, you might find the devil’s bargain to be acceptable. If billions of investment dollars flow into eastern Washington and ex ante mitigation works, you may find the economic stimulus to be good. You may welcome not having a surcharge on your power bill for fish restoration. You may appreciate the aesthetics of a faster running river. And if a few more salmon make it up the river, you can pat yourself on the back for responsible leadership that makes both environmental and economic sense.

Below is a statement that the ARC Policy Committee requests the Ag and Rural Caucus to approve. It is phrased as a resolution but it is not intended for the WSDCC. It is only for use by the Ag and Rural Caucus to authorize us to robustly participate in the on-going public discourse.

Resolution in Support of the Simpson Proposal for the Lower Snake River Dams

Whereas, the four Lower Snake River dams provide dispatchable, base load power to complement wind and solar energy sources.

Whereas, the locks of the LSR dams make it possible to transport grain from the interior of Washington as well as the upper Midwest at a least cost rate and minimum greenhouse gas emissions.

Whereas, the pools behind the LSR dams make it possible for Franklin County and Walla Walla County farmers to draw irrigation water for orchard, field crop, and row crop production.

Whereas, it is plausible that LSR dams impede recovery of endangered salmon and steelhead runs by slowing the natural flow of the river and by warming the pool temperatures.

Whereas, there is a risk that continued litigation of Columbia River System Operations EIS may require abrupt breaching of the dams.

Whereas, there is a risk that politics will cause the dams to be breached without regard for regional adjustment.

Whereas, the Simpson Proposal satisfies requirements of ex ante mitigation to address anticipated effect of dam breaching including electrical power security, economical and safe transportation of grain, and retrofitting of irrigation intakes.

Whereas, the Simpson Proposal calls for public infrastructure dollars to finance the ex ante mitigation and the time necessary to implement the mitigations.

Whereas, the Simpson Proposal protects the mainstem Columbia River dams and secures continued operation of the Columbia Basin Project.

Whereas, the Simpson Proposal honors the treaty rights of regional Tribes.

Therefore, be it resolved, that the Ag and Rural Caucus of the Washington State Democratic Party urges the Governor, US Senators, and Members of Congress to use the Simpson Proposal as the basis of a region-wide resolution of the LSR dams and recovery of salmon runs consistent with US-Tribal treaty obligations.

Unfinished business

Breaching the dams disrupts the economy that has developed specific to the dams. We talk about the lost asset values. We do not talk much about the lost jobs. Some of these jobs are operating engineers attached to the dams themselves; others are longshoremen and others servicing port operations. We need to provide for the human cost of any eventual breaching, just as we say that dollars can solve the problem. The dollars in this case must be committed to transition assistance and re-training. Community colleges deliver worker dislocation programs for loggers and forest workers. Let us use them again to help with human fallout of changes in the river economy.

This position statement takes for granted that mechanical and biological issues with breaching the dams are ex ante mitigated. What happens, for example, to the silt that has accumulated behind the dams when the pools are rapidly drawn down? These questions are on the agenda even if the answers are yet under research. The Executive Summary of the draft Columbia Rivers Systems Operation EIS (page 29) writes: "By breaching the four lower Snake River dams, major short-term adverse impacts to fish, riparian and wetland habitat in the Snake River and confluence of the Columbia River would occur. These impacts would be associated with the initial breaching of the dams, drawing down the reservoirs, and the time required for the river to move sediment and stabilize. These effects are expected to diminish over time."