

FOR IMMEDIATE RELEASE

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## **Fishing, Conservation Groups Take Step to Renew Legal Challenge to Columbia-Snake Hydropower Operations**

*The long legal battle continues after latest federal plan fails to restore endangered salmon*

Portland, OR – Today, Earthjustice on behalf of a coalition of fishing and conservation groups sent a [60-day notice of their intent](#) to return to court to challenge the latest federal plan for hydropower operations on the Snake and Columbia Rivers. This would be the sixth incarnation of a long legal fight focused on restoring endangered salmon and steelhead. The groups sending the notice have won the previous five challenges but the Trump administration continues to pursue essentially the same strategy courts have consistently rejected.

Earthjustice represents American Rivers, Idaho Rivers United, Institute for Fisheries Resources, NW Energy Coalition, Northwest Sportfishing Industry Association, Natural Resources Defense Council, Pacific Coast Federation of Fishermen's Associations, Sierra Club, National Wildlife Federation, Columbia Riverkeeper, and Idaho Conservation League.

In the notice, the fishing and conservation groups will also challenge recent Trump administration rollbacks to the Endangered Species Act regulations, changes that a coalition of states and conservation organizations have also [challenged](#) in separate cases. The latest federal plan for dam operations relies on these new weakened regulations to support its conclusions.

*The following are statements from the lawyers and plaintiff groups:*

“Hundreds of thousands of people in the region—including tribes, scientists, energy experts, and fishing businesses—told the agencies to remove the four dams that are causing the most harm to the fish and to our communities. But the Trump administration did not listen and rubber-stamped a plan that yet again fails to take the legally-required actions necessary to protect salmon and steelhead. So we have no choice but to begin the process of going back to court again. What we need more urgently than ever is for our senators and members of Congress to step forward and develop a comprehensive solution that will secure a future with abundant salmon, clean energy and prosperous communities.” —**Todd True, Earthjustice attorney representing the groups.**

“The oversight of the federal courts has been critical to ensure that our agencies and political leaders commit to salmon recovery in the Columbia Basin. Restoring the magnificent runs of

salmon in the Columbia and Snake Rivers remains one of the National Wildlife Federation's highest priorities."—**Tom France, Regional Executive Director, National Wildlife Federation**

"Covid has proven that people in this region harbor a deep need to get outdoors and feel safe while doing so. We've seen more families out on the rivers sportfishing than ever before. When we go out and fish, we're expressing hope. If we lose the salmon, then we lose that hope. The federal plan is dangerous and does a grave disservice to the people who love to fish these rivers, and we could not let it go unchallenged." —**Liz Hamilton, Executive Director, Northwest Sportfishing Industry Association.**

"The once great, but now damaged, salmon runs of the Columbia Basin, originally the largest in the world, still support valuable ocean commercial salmon fisheries from central California to Southeast Alaska. Studies have shown that about 25,000 family wage jobs, and more than \$500 million/year in economic benefits, could be restored to the west coast economy by recovering the Columbia's damaged salmon runs. In short, restoring salmon means restoring jobs and dollars to our economy. The illegal Trump administration salmon plan, however, blatantly ignores those restoration benefits."—**Glen Spain, Northwest Regional Director, Pacific Coast Federation of Fishermen's Associations (PCFFA)**

"The latest federal plan for dams on the Snake and Columbia Rivers completely fails Idaho. It isn't good enough for the many guides, outfitters, river businesses, and communities in Idaho that depend on healthy runs of fish. We want to restore wild salmon and steelhead in ecological and economically significant numbers. We want abundant, healthy and harvestable runs, meaningful populations that allow people to harvest wild fish and for wild fish to fulfill their role supporting wildlife and the ecology of Idaho."—**Justin Hayes, Executive Director, Idaho Conservation League**

"We are returning to court because the Trump administration has failed Northwest salmon, tribes, fishing business, and orcas. Like past plans, this one will not recover abundant salmon runs or comply with the Endangered Species Act. While legal action is necessary to protect our iconic species from extinction, we desperately need Members of Congress from Oregon, Washington, and Idaho to get off the bench and secure an inclusive, regional solution." —**Brett VandenHeuvel, Executive Director, Columbia Riverkeeper**

"The failure of this federal plan to adequately address the rapid extirpation of salmon and steelhead in Idaho and the Snake River Basin cannot be overstated. Instead of proposing solutions that get us to an abundance of wild fish, this continues down the decades long path of failed recovery efforts. This plan fails Idaho, the angling and guiding communities, the Tribal treaty rights, and the ecological integrity of this system that depend upon healthy and increasing populations of what was once one of the greatest Chinook fisheries in the world." —**Nic Nelson, Executive Director, Idaho Rivers United**

[Online version of this press release.](#)

## **BACKGROUND:**

The Columbia River Basin was once among the greatest salmon-producing river systems in the world. But all remaining salmon on its largest tributary, the Snake River, are facing extinction. Four aging dams in Washington—Ice Harbor, Little Goose, Lower Monumental, Lower Granite—block passage along the lower Snake River, a major migration corridor linking pristine cold-water streams in central Idaho to the mighty Columbia River and out to the Pacific Ocean. Scientists say restoring the lower Snake River by taking out the dams is the single best thing we can do to save the salmon.

Migrating through the dams is difficult for the fish, but [rising water temperatures](#) caused by the slackwater reservoirs make the passage increasingly deadly. In 2015, some of the earliest and hottest weather on record produced warm river temperatures that [killed more than 90% of all adult sockeye salmon](#) returning to the Columbia Basin. In years since, state agencies have had to limit or cancel entire fishing seasons to protect the dwindling fish.

The district court in 2016 found the operations of the hydropower systems in violation of the Endangered Species Act and the National Environmental Policy Act and ordered the federal agencies to prepare a new biological opinion and environmental impact statement. The federal action agencies—the Army Corps of Engineers, the Bureau of Reclamation, and the Bonneville Power Administration—issued their Final Environmental Impact Statement for dam operations in July 2020, and the National Oceanic and Atmospheric Administration issued a companion Biological Opinion that found the proposed plan would not jeopardize salmon, steelhead, or orcas.

On September 28, 2020, the action agencies issued a joint Record of Decision, opting to continue a course of action the court has previously found inadequate to comply with the Endangered Species Act.

Independent researchers who have studied the [economics](#) of restoring a free-flowing lower Snake River and [renewable power replacement options](#) favor dam removal.

## **REPORTER RESOURCES:**

[Fact Sheet](#): Why the Restoration of the Lower Snake River is Necessary to Save Wild Salmon

[ECONorthwest Study](#) on Economics of Removing the Lower Snake River Dams

[NW Energy Coalition Study](#) on Replacing the Power of the four Lower Snake River Dams

[60 Notice of Intent to Sue Letter](#)