DAM STUPID

When it comes to the "new" Columbia/Snake salmon plan, the courts have had it with federal arrogance.

By Ted Williams

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At least in the United States, the age of big dams is over. But the age of removing obsolete, resource- and money-draining dams is barely underway; and progress has been all but halted by an administration that defends obsolete dams as if they were religious monuments.

Economics and politics protect almost all big dams for our life spans, and perhaps the life spans of the dams as well. For example, not even the most radical elements of the environmental community are talking about breaching the four big dams on the Columbia River, once the world's mightiest salmon and steelhead river. These dams came at enormous cost in fish, and with the closing of the Grand Coulee Dam in 1941 all salmonid stocks of the Columbia wing were instantly extinguished.

But we still had the free-flowing Snake River, which once produced an estimated eight million salmonids, including almost half the chinook spawned in the Columbia system. Counting hatchery fish, which now comprise about 90 percent of all salmonid returns, the average spring chinook run at the fourth (farthest upstream) Snake River dam over the past decade has been just 51,737 while the average summer chinook run has been 9,688. In 2007, there were 31,987 spring chinooks, (including 9,085 jacks) and 7,312 summer chinooks. And while there were 157,214 steelhead (up from the 10-year average of 146,214), only 32,998 of these were wild fish.

Today, 13 Columbia/Snake stocks in 78 populations are listed as threatened or endangered, Snake River coho are extinct and sockeyes functionally extinct (four returned in 2007, nowhere near enough to maintain genetic integrity).

According to most fisheries scientists, the four lower Snake River dams pretty much guarantee extinction of all remaining stocks within the next 20 years (with the possible exception of a few steelhead). This is hardly breaking news.

Nine years ago, 206 fisheries scientists wrote President Clinton as follows: "The weight of scientific evidence clearly shows that wild Snake River salmon and steelhead runs cannot be recovered under existing river conditions. Enough time remains to restore them, but only if the failed practices of the past are abandoned and we move quickly to restore the normative river conditions under which these fish evolved."

Among the signers were the University of Idaho's Dr. Richard Williams, chair of the independent scientific study group hired by the National Marine Fisheries Service (NMFS) and Oregon, Washington, Idaho and Montana to advise on salmonid management, and Dr. Robert Behnke, the world's leading salmonid authority.

The four lower Snake River dams, completed between 1961 and 1975, are vestigial appendages from the age of pork-barrel river manipulation and cold-war trepidation. Built mainly for navigation, they were

hawked to Congress as a means of barging wheat to the tiny community of Lewiston, Idaho (current population 31,293). An additional justification was their extremely modest power generating capacity (less than 5 percent of the Northwest's current power grid), which was collected by Hanford, Washington (now a radioactive ghost town), the better to fashion plutonium H-bomb triggers for excision of the Soviet Union -- which went extinct without our help in 1991, three years after the Snake River coho.

None of the dams provide flood control, and only one provides irrigation, which could be pumped from a free-flowing reach merely by extending intake pipes. Railways and highways, by which wheat could more efficiently be transported, parallel the 130-mile-long navigation channel aptly defined by novelist, essayist and fly-fisher David James Duncan as "an insanely misplaced Panama Canal" and "a flaccid, desert-heated, predator-filled slackwater."

These four artifact dams are a major drain on U.S. taxpayers and the economy of the Northwest. Their creator and most ardent defender, the Army Corps of Engineers, proclaims that breaching them would cost $1 billion. Even if one accepts this grossly inflated figure and even if one doesn't care about fish, breaching is a no-brainer.

According to the draft Columbia/Snake salmon and steelhead plan released October 31, 2007, the same old useless and occasionally counterproductive measures previously ruled illegal by the courts (barging, and the like) will cost $800 million a year. And current effusions of NMFS notwithstanding, the agency previously admitted that this kind of alleged "mitigation" will only slow the fish-extinction process.

Maintaining the navigation system costs taxpayers about $43 million a year yet saves Idaho farmers only about $6 million. And each time a lock passes a barge, water that could have produced electricity is lost.

There are more and bigger costs. The most ruinous expense may turn out to be legal liability. Facilitating the ongoing extinction of Columbia/Snake river salmonids (and even the current reduction to non-harvestable levels) violates the Stevens Indian Treaties of 1855 and could cost U.S. taxpayers as much as $12 billion in damages.

What's more, the courts are fed up with federal flouting of the Endangered Species Act in five illegal Columbia/Snake River salmon plans since 1993. U.S. District Court Judge James Redden, who declared the previous plan illegal in 2005 and its amended version illegal in 2006, was so incensed by the Bush administration's third (October 2007) draft that he threatened to vacate it if it isn't adequately rewritten (rather than remanding the final draft back to the feds as he has done in the past). Because the 1,291-page document is mostly Styrofoam peanuts and bubble wrap, there's not much to "fix," and it's hard to imagine that NMFS can come up with anything that can satisfy Redden by his imposed deadline (at this writing late March 2008), even if he grants the two-month extension the service has asked for.

If Redden follows through on his threat to vacate the final plan, it will leave the Corps, the Bureau of Reclamation and the Bonneville Power Administration without an Endangered Species Act take permit for the listed salmonids they kill with eight main-stem Columbia and Snake river dams. This would plunge the whole Northwest into economic chaos. Every environmental group and fish-advocacy outfit would be suing these agencies. They'd win, of course; and U.S. taxpayers would have to cover billions of dollars more in fines, damages, settlements and legal expenses.

"This administration is bent on preserving the Snake River dams at all costs," comments Bert Bowler,

who recently left Idaho Rivers United to run a private advocacy group called Snake River Salmon Solutions and who worked 29 years as a fisheries biologist with the Oregon Department of Fish and Wildlife. "It has said right along that dam breaching is off the table, that we're just not going to look at it. In this salmon game all the administration has done is badmouth the federal judge -- It's our way or the highway,' the old, arrogant Bush gamesmanship. Right now we have only one state defending the fish and that's Oregon. And the Columbia River Inter-Tribal Fish Commission has made some very critical comments even though the Bonneville Power Administration has been trying to buy them off. Idaho, Washington and Montana are all in with the feds."

"The Bush boys went backwards," says Bowler. "Standards were better in 1995 than they are now."

Inadequate as they were, at least the Clinton administration's plans in the 1990s admitted that the dams jeopardized the existence of salmonids, that recovery should be the goal and that if the plans failed, dam breaching should be considered. The current administration denied all these realities in its 2004 document. In fact, the NMFS had the gall to proclaim that paperwork rather than saving wild fish is its mission. "The Endangered Species Act does not mandate recovery; it mandates a recovery plan," it asserted.

"Little more than an analytical sleight of hand" is how Judge Sidney Thomas of the 9th Circuit Court defined the 2004 plan after the Bush administration unsuccessfully appealed Redden's ruling. Under this approach, added Thomas, "a listed species could be gradually destroyed, so long as each step on the path to destruction is sufficiently modest. This type of slow slide into oblivion is one of the very ills the Endangered Species Act seeks to prevent."

A perfect example of the "sleight of hand" that so angered Thomas and appalled the scientific community, including NMFS' own biologists, was the proclamation that there's no difference between wild fish and hatchery fish and that, henceforth, the latter would count equally in determining whether or not a stock requires listing and protection (See "Salmon Shell Game," FR&R November 2004).

No less outrageous was the NMFS directive that because the dams were in place before the fish were listed, they were natural features like waterfalls (See "Removing Dams from Consideration," FR&R March 2005).

Under court orders, NMFS now admits that the dams jeopardize salmonids and that the structures aren't part of the natural environment after all. But it proclaims that "reasonable and prudent alternatives" mandated by the Endangered Species Act "will not only prevent harm to threatened and endangered salmon, but will ultimately move the species towards recovery."

As "reasonable and prudent alternatives" it has trotted out all the bells, whistles and hydro-system tweaks that have failed to reverse the crash of wild fish and in some cases facilitated it: increasing hatchery production, spilling water over the dams (less water, in fact, than called for in the 2004 plan), killing and moving predators, barging smolts, screening smolts from turbines and restoring terrestrial habitat (pretty much intact in the Snake watershed anyway).

Predator control is just one of the extremes to which the federal government goes in its profligate, obsessive-compulsive quest to make the world safe for obsolete dams. To a state fisheries biologist working to boost next year's run, knocking off a few salmonid-eaters might seem "reasonable and prudent," but it is not, as the Bush administration states, an "alternative" to jeopardizing the existence

of 13 threatened and endangered salmonid stocks with four obsolete dams.

Consider the attempted control of squawfish (renamed "pikeminnow" by the PC fish police, a moniker rejected by curmudgeonly fish advocates over 50). These are not the Colorado squawfish endangered by dams and other river manipulations, but the northern squawfish that have exploded in tepid, dam-made dead water. Don't consider solving the problem by breaching the dams; try to fool the public and the courts by declaring war on squawfish with an old-fashioned bounty system funded by the Bonneville Power Administration and administered by the Pacific States Marine Fisheries Commission and the fish-and-wildlife departments of Washington and Oregon.

The bounty may have marginally increased runs of summer Chinook (whose smolts migrate in summer when squawfish are active), but Dr. Behnke tells me this: "Effectiveness was likely overrated because most of the salmonids consumed were impaired after passing through turbines -- wounded minnow effect -- and probably would have had low survival if not taken by predators."

And such 1920s-style manipulation teaches politicians and the public bad lessons while distracting them from biological realities.

"The pitch is that the bounty is really important for recovering fish, which isn't true at all," says Bert Bowler. "It's another ruse from the federal side in its effort to protect the status quo of the hydro system."

The amount of money pumped out annually to squawfish bounty hunters is obscene, particularly when one considers all the other ways it could be spent. For your first 100 squawfish you get $4 each; then $5 each; after 400, you get $8 each. Catch a tagged squawfish and you collect $500. In 2006 (the most recent year for which I could obtain data), squawfish bounty hunters raked in $1,568,722. High rod, David Vasilchuk of Vancouver, killed 5,714, including eight that were tagged, thereby earning $48,348.

"How can YOU save a salmon? Go fishing!" proclaims the Washington Department of Fish and Wildlife on its squawfish-bounty Website, calling to mind the equally brainless and incorrect bumper-stickers one encounters in the Rocky Mountain West: "Save a Deer Kill a Wolf."

Despite the biggest bounty program in history, the squawfish "resource," as participants might call it, appears healthy and eminently sustainable: In 2000 bounties were paid on 187,596 squawfish; six years later the figure was 231,842.

But then there are those pesky Caspian terns that proliferate in the manipulated lower Columbia, snatching wild and domestic smolts. Drawn to the basin by giant bird feeders in the form of hatcheries, they took up residence on a Corps of Engineers dredge-spoil dump called Rice Island. By 1998 there were 18,000 birds, the world's biggest nesting colony. The Corps might have applied to the Fish and Wildlife Service for a permit to kill some of them, but there was no way the National Audubon Society would have let that happen.

So, assisted by biologists from the Columbia River Inter-Tribal Fish Commission, biologists and students from Oregon State University and even the U.S. Marines, the U.S. Fish and Wildlife Service, NMFS and the Corps set about moving the colony. The expeditionary force (armed with tractors and grain drills) conducted simultaneous landings on Rice Island and another spoil dump closer to the Pacific called East Sand Island. On the former, workers removed eggs and destroyed tern habitat by planting winter wheat

and building fences; on the latter, they lured birds with electronic calls and decoys and created habitat by removing vegetation. At enormous expense, they eventually succeeded in relocating the colony to East Sand Island.

Lo, the birds continued to proliferate and continued to eat smolts, including wild Snake River fish. So now the feds plan to eliminate about 75 percent of the habitat on East Sand Island and move the terns yet again, this time to six new locations, including an island the Corps will build for them on an inland reservoir. Projected cost for the first year: $2,422,093.

And then there are those pesky sea lions. Salmon and steelhead are not their natural prey because sea lions have trouble chasing them down in the open ocean. But sea lions are intelligent, adaptable and quick to take advantage of unnatural situations such as manmade impediments to fish migration. So they've learned to swim 140 miles up the Columbia and chow down on adult salmon and steelhead as they mill around the base of the Bonneville dam.

Boat crews, working seven days a week, haze the animals with firecrackers and rubber bullets, but the sea lions understand they're in no danger. By the time you read this, NMFS will probably have granted a permit to Oregon, Washington and Idaho to kill 30 a year. On January 17, 2008, it announced that this sounded like a good idea but that it wouldn't issue a decision until it had considered public testimony. Meanwhile, Rep. Brian Baird (D-WA) and Rep. Doc Hastings (R-WA) have introduced legislation to legalize lethal control.

Let's assume, for the sake of argument, that we significantly reduce squawfish and sea lions, and we trick terns into eating fish other than salmonids. Are we then going to control the cormorants, which are proliferating faster and eating more smolts than the terns? What about the orcas of Puget Sound that, unlike sea lions, are obligate salmonid predators? Do we kill them off, too? (Probably not, because the dams are doing it for us. "Restoring Columbia River Chinook salmon is the single most important thing we can do to ensure the future survival of the Southern Resident Community of killer whales," declares Dr. Rich Osborne, research associate with The Whale Museum in Friday Harbor, Washington.)

Are coastal cutthroats next? Do we then move on to smallmouth bass and walleyes? One gets the impression that if erosion threatened the integrity of a dam, our federal government would try to stop the wind and the rain.

What are the real chances that we will breach the four lower Snake River dams in time to save the fishery's vanishing salmon and steelhead? Not great, given the reluctance of Congress to even discuss the subject; but it's far from hopeless.

For one thing, the best friend obsolete dams ever had is about to vacate the White House. For another, the best friend the Snake River dams has ever had, Sen. Larry Craig (R-ID), got himself politically emasculated with his men's-room game of footsy with an undercover cop. In June 2007, the Senate Appropriations Committee approved a Craig stealth rider to negate Redden's 2006 ruling that the Snake River salmon and steelhead plan was illegal.

Thanks to Craig's power outage, and hard work by sport and commercial fishing groups, the environmental community, and Sen. Maria Cantwell (D-WA), the amendment got stripped. And Sam Mace of the Save Our Wild Salmon Coalition is sounding more sanguine than when I interviewed her three years ago.

"The conservation community, fishermen and others have made a lot of progress in conversing with our opponents -- shippers, farmers, eastern Washington communities," she says. "The question has shifted from 'Will dam removal work?' to 'Yes, we know dam removal will save the Snake River salmon, but how do we replace the benefits those dams provide?' That's a really big shift. We've been sitting down with individual farmers to talk about what an alternative transportation system would look like under a free-flowing river.

"And we're making inroads with leaders in the Spokane business community, who are beginning to realize that there is a huge opportunity to trade an outdated, silted-in barge corridor for a modernized rail system and highway upgrades that will provide a competitive economic edge for our region in the future," she continues. "With the feds proposing to pay $8 billion for a 10-year plan they admit won't restore the fish, eastern Washington and north Idaho could get a nice chunk of transportation pork for a fraction of that."

To use Judge Redden's words, the federal government has created a "train wreck." Even if he doesn't vacate the final plan, it's conceivable that he or one of his successors will issue an order to breach the dams. In one of its "information sheets" the Corps disgorges a bunch of alleged "myths" that it attempts to counter with alleged "facts." Mostly, it gets them reversed. For example: "Myth: On the lower Snake River, the choice is fish or dams."

But this is precisely the choice. Judge Redden seems to be joining the scientific community in this realization.

Ted Williams lives in central Massachusetts. His column appears in each issue of FR&R. To post a comment about this article, click here to go to Ted's Conservation Blog.