

## **UNDERMINING PROTECTIONS FOR IMPERILED SALMON AND ENDANGERED ORCAS**

Passed: 225-189

### **SUMMARY:**

The House passed a bill that would have overridden a federal court decision, accepted an inadequate Biological Opinion that fails to protect imperiled salmon and trout on the Columbia and Snake Rivers and salmon-dependent endangered southern resident orcas, and prohibited relevant agencies from studying measures to help Columbia River basin salmon. (*April 25, 2018, Roll Call No. 153*)

### **BACKGROUND:**

In 2016, a federal judge for the District of Oregon determined that a 2014 Biological Opinion for threatened and endangered salmon on the Columbia and Snake rivers and southern resident orca that depend on salmon runs for food violated the requirements of the Endangered Species Act. The court ordered the government to conduct a fair and comprehensive environmental review that adequately analyzes the cost and benefits associated with removal of dams on the Snake River and other potential measures to protect fish throughout the Columbia River basin. The court also ordered increased “spill” – i.e. water releases – over the dams to help out-migrating juvenile salmon navigate the river. Young salmon rely on river currents to take them out to the ocean, where they carry out their adult lives before returning to their natal rivers to spawn and restart the cycle. The presence of dams creates warm, slack water, which slows down the journey to sea and makes salmon more susceptible to predation. Increased spill helps move more juvenile salmon over the dams and out of the river more efficiently.

As the district court judge found, the 2014 Biological Opinion is deeply flawed. Snake River sockeye salmon runs are less than one percent of peak historical abundance; just 45 fish survived to reach their spawning gravels in the Stanley Basin of central Idaho in 2015. In 2017, wild adult chinook counts at Lower Granite Dam were only a third of the ten-year average; wild steelhead returns were less than ten percent of the ten-year average. The four lower Snake River dams increasingly threaten the survival of imperiled salmon and steelhead that migrate upstream to spawn in mountain wilderness habitat in central Idaho. Diminishing chinook salmon returns in the Columbia Basin have also pushed endangered southern resident orcas, which rely on chinook salmon runs for food, towards extinction.

Representative Cathy McMorris Rodgers (R-Wash.) introduced a bill (H.R. 3144) that would have overturned the 2016 court decision, revert back to the inadequate 2014 Biological Opinion and blocked court-ordered water releases to help salmon. The bill would have also effectively prohibited the relevant federal agencies from studying increased spill or dam breaching. H.R. 3144 would have robbed Columbia River basin salmon and the orca that depend on them of reasonable solutions to stave off extinction, undermined core access to justice principles and further threatened the precarious status of wild salmon and steelhead.

### **OUTCOME:**

On April 25, 2018, the House passed H.R. 3144 with a vote of 225 to 189. “No” was the pro-conservation vote. The bill did not become law in the 115<sup>th</sup> Congress.