

110TH CONGRESS  
1ST SESSION

# H. R. 1507

To ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2007

Mr. McDERMOTT (for himself, Mr. PETRI, Mr. BLUMENAUER, Mr. SHAYS, Mr. GEORGE MILLER of California, Mr. WALSH of New York, Mr. PALLONE, Mr. RAMSTAD, Mr. HINCHEY, Mr. GILCHREST, Mr. MORAN of Virginia, Mrs. MCCARTHY of New York, Mr. WEINER, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. STARK, Mr. GONZALEZ, Mrs. TAUSCHER, Mr. HASTINGS of Florida, Mr. SCHIFF, Mr. BERMAN, Mr. KENNEDY, Mr. LEVIN, Mr. HONDA, Mr. BISHOP of New York, Mr. COSTELLO, Mr. TOWNS, Mr. DOGGETT, Ms. LORETTA SANCHEZ of California, Mr. COOPER, Ms. SCHAKOWSKY, and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To ensure that proper information gathering and planning are undertaken to secure the preservation and recovery of the salmon and steelhead of the Columbia River Basin in a manner that protects and enhances local communities, ensures effective expenditure of Federal resources, and maintains reasonably priced, reliable power, to direct the Secretary of Commerce to seek scientific analysis

of Federal efforts to restore salmon and steelhead listed under the Endangered Species Act of 1973, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Salmon Economic  
5 Analysis and Planning Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7        (a) FINDINGS.—Congress finds and declares the fol-  
8 lowing:

9            (1) Certain species of salmon and steelhead in  
10        the Columbia and Snake River Basin are on the  
11        brink of extinction as a consequence of various fac-  
12        tors, including hydroelectric projects, harvest man-  
13        agement practices, habitat degradation, altered in-  
14        stream flow, and unsound hatchery practices.

15            (2) These salmon and steelhead have major eco-  
16        nomic, ecological, educational, recreational, sci-  
17        entific, cultural, and spiritual significance to the Na-  
18        tion and its people.

19            (3) The Federal Government and ratepayers in  
20        the Pacific Northwest have spent more than  
21        \$6,000,000,000 on salmon recovery efforts.

22            (4) Thirteen salmon and steelhead species in  
23        the Columbia and Snake River Basin are listed for

1       protections under the Endangered Species Act of  
2       1973 (6 U.S.C. 1531 et seq.).

3               (5) Salmon and steelhead extinction could cost  
4       taxpayers billions of dollars.

5               (6) Salmon and steelhead are symbols of the  
6       Pacific Northwest, support thousands of jobs in  
7       coastal and inland communities, and serve as an in-  
8       dicator of the health of Northern California and Pa-  
9       cific Northwest river ecosystems.

10              (7) Salmon and steelhead of the Snake River  
11       are a vital economic resource to communities in  
12       Alaska, Washington, Oregon, Idaho, and California.  
13       Restoring Snake River salmon to healthy, self-sus-  
14       taining, harvestable levels will have significant eco-  
15       nomic benefits for these communities. Under-  
16       standing these benefits is imperative to setting pub-  
17       lic policy on salmon restoration efforts in the North-  
18       west.

19              (8) The original range of Snake River salmon  
20       included not only their existing habitat in central  
21       Idaho, northeast Oregon, southeast Washington, the  
22       lower Columbia River, and the coastal waters of  
23       Alaska, California, Oregon, and Washington, but  
24       also currently inaccessible habitat in the upper

1 Snake River Basin, including southern Idaho, south-  
2 east Oregon, and northern Nevada.

3 (9) The United States Government has signed  
4 treaties with Indian tribes in Oregon, Washington,  
5 Montana, and Idaho and with the Government of  
6 Canada creating a legally enforceable trust responsi-  
7 bility to restore salmon populations to sustainable,  
8 harvestable levels.

9 (10) Since the construction of 4 Federal dams  
10 on the lower Snake River in Washington, salmon  
11 and steelhead populations in the Snake River have  
12 significantly declined, and all salmon and steelhead  
13 in the Snake River are extinct or listed as endan-  
14 gered or threatened under the Endangered Species  
15 Act of 1973 (16 U.S.C. 1531 et seq.).

16 (11) Recent studies indicate that the time re-  
17 maining to protect remaining Snake River salmon  
18 and steelhead is short, with scientists estimating  
19 that, if changes do not occur, many if not all of the  
20 remaining Snake River salmon and steelhead popu-  
21 lations will be extinct in our lifetime.

22 (12) A federally funded group of State, tribal,  
23 Federal, and independent scientists found that par-  
24 tially removing the 4 lower Snake River dams in

1 Washington is the surest way to protect and recover  
2 Snake River salmon and steelhead.

3 (13) Several communities that rely on the 4  
4 lower Snake River dams would be affected by partial  
5 dam removal.

6 (14) A Federal court has found that the 4  
7 lower Snake River dams violate water quality stand-  
8 ards under the Federal Water Pollution Control Act  
9 (33 U.S.C. 1251 et seq.).

10 (15) Energy production in the Northwest is  
11 heavily dependent upon hydropower and thus, the  
12 prospects for salmon recovery and hydropower man-  
13 agement are inextricably linked.

14 (b) PURPOSES.—The purposes of this Act are—

15 (1) to ensure the protection and recovery of Co-  
16 lumbia and Snake River salmon and steelhead to  
17 self-sustaining, harvestable levels, while providing for  
18 reliable, reasonably priced energy in the Northwest  
19 and an economically sustainable salmon recovery  
20 program, and to maximize the potential economic  
21 benefits from potential dam removal while mitigating  
22 for its impacts; and

23 (2) to ensure that the Northwest and the Na-  
24 tion have completed the necessary planning and eval-  
25 uation to efficiently manage salmon recovery, imple-



1 proposed in the most current Federal Co-  
2 lumbia River Power System biological  
3 opinion; and

4 (B) the timelines for, and feasibility of, im-  
5 plementing those recovery actions.

6 (2) COMPARISON OF EFFECTIVENESS.—In such  
7 review, the effectiveness of those actions—

8 (A) shall be compared to the effectiveness  
9 of a Federal salmon recovery strategy that in-  
10 cludes, but is not limited to, partial dam re-  
11 moval; and

12 (B) shall be evaluated and compared with  
13 respect to whether they are likely to achieve re-  
14 covery to self-sustaining, harvestable population  
15 levels of naturally spawning, wild salmon and  
16 steelhead populations listed under section 4(c)  
17 of the Endangered Species Act of 1973 (16  
18 U.S.C. 1533).

19 (3) IDENTIFICATION OF LIMITING FACTORS.—  
20 The analysis shall also identify limiting factors to  
21 salmon and steelhead recovery including the impacts  
22 of tributary habitat degradation, salmon harvest,  
23 hatcheries, and hydropower dams.

24 (4) GLOBAL CLIMATE CHANGE ANALYSIS.—The  
25 analysis shall also—

1 (A) identify the effect of global climate  
2 change on ocean conditions and on hydrological  
3 conditions in the Snake and Columbia Rivers  
4 and their salmon and steelhead-bearing tribu-  
5 taries; and

6 (B) examine how such global climate  
7 change effects might affect the Federal recovery  
8 actions necessary to achieve recovery of natu-  
9 rally spawning, wild salmon and steelhead pop-  
10 ulations to self-sustaining, harvestable levels.

11 (c) REPORT.—Not later than 8 months after the date  
12 of enactment of this Act, the National Academy of  
13 Sciences shall submit a final report on the results of the  
14 scientific analysis conducted under this section to the Sec-  
15 retary of Commerce and the Congress.

16 **SEC. 4. STUDIES REGARDING REMOVAL OF LOWER SNAKE**  
17 **RIVER DAMS.**

18 (a) STUDY OF ASSESSMENTS OF EFFECTS AND  
19 COSTS OF DAM REMOVAL.—The Comptroller General of  
20 the United States shall conduct a study reviewing the var-  
21 ious assessments that have been conducted by Federal  
22 agencies and others regarding the potential effects and  
23 costs of partially and fully removing the 4 lower Snake  
24 River dams. The Comptroller General's review shall in-  
25 clude a comparison of the scope and methodologies used

1 in, findings of, and recommendations made in those stud-  
2 ies that have addressed any or all of the following:

3           (1) The economic effects of dam removal and  
4           recovered Snake River salmon and steelhead popu-  
5           lations for communities near the dams, for commu-  
6           nities upstream from the dams, and for downstream  
7           and coastal communities, including downstream and  
8           coastal communities located within the boundaries of  
9           Alaska, California, and Canada. This analysis should  
10          include the impacts on commercial fishing, sport  
11          fishing, and nonfishing recreation such as boating  
12          and camping, including employment gains or losses  
13          that would result from removing the lower Snake  
14          River dams and replacing their energy, navigation,  
15          and water supply benefits in the most cost-effective  
16          manner.

17          (2) The effects of dam removal on freight  
18          transportation, including—

19                 (A) the feasibility, costs, and sufficiency of  
20                 various alternative transportation configura-  
21                 tions utilizing existing or upgraded railroads,  
22                 highways, Columbia River barges, or other  
23                 means;

1 (B) the economic benefits and costs of var-  
2 ous alternatives for replacing the dams' freight  
3 transportation benefits;

4 (C) the environmental impact of shifting to  
5 such alternatives;

6 (D) the means for mitigating any environ-  
7 mental harm that might be caused by the use  
8 of such alternatives; and

9 (E) any development or expansion of such  
10 alternatives that would be required to continue  
11 transporting the same amount of cargo that is  
12 currently transported on the lower Snake River.

13 (3) The effects of dam removal on irrigation,  
14 including the availability of alternatives to replace ir-  
15 rigation water or to extend irrigation pumps.

16 (4) The effects of dam removal on energy pro-  
17 duction, including the regional effects of any  
18 changes in energy production, identification of alter-  
19 native renewable energy sources or energy efficiency  
20 measures that could replace any loss in energy pro-  
21 duction, and the benefits and costs of such energy  
22 alternatives.

23 (5) The economic effects of extinction of the  
24 salmon and steelhead populations in the Snake  
25 River.

1 (b) REVIEW OF DAM REMOVAL ENGINEERING COST  
2 DETERMINATIONS BY CORPS OF ENGINEERS.—The  
3 Comptroller General of the United States shall conduct  
4 a study reviewing and determining the accuracy of the en-  
5 gineering costs associated with dam removal as deter-  
6 mined by the February 2002 Army Corps of Engineers  
7 Lower Snake River Juvenile Salmon Migration Feasibility  
8 Report/Environmental Impact Statement.

9 (c) REPORTS.—Not later than 12 months after the  
10 date of enactment of this Act, the Comptroller General  
11 shall submit to the Congress final reports on both of the  
12 studies required under this section.

13 **SEC. 5. DEFINITIONS.**

14 In this Act, the following definitions apply:

15 (1) FEDERAL SALMON RECOVERY ACTIONS.—  
16 The term “Federal salmon recovery actions” means  
17 Federal actions required to protect, recover, and re-  
18 store salmon and steelhead in the Columbia and  
19 Snake River basin that are listed under section 4(c)  
20 of the Endangered Species Act of 1973 (16 U.S.C.  
21 1533(c)).

22 (2) LOWER SNAKE RIVER DAMS.—The term “4  
23 lower Snake River dams” means the following dams  
24 on the Snake River in Washington:

25 (A) The Ice Harbor dam.

1 (B) The Lower Monumental dam.

2 (C) The Little Goose dam.

3 (D) The Lower Granite dam.

4 (3) POPULATIONS.—The term “populations”  
5 means the 13 evolutionarily significant units of  
6 salmon and steelhead in the Columbia and Snake  
7 River Basin that are listed under section 4(c) of the  
8 Endangered Species Act of 1973 (16 U.S.C.  
9 1533(c)).

10 (4) PARTIAL REMOVAL.—The terms “partially  
11 removing” and “partial dam removal” mean remov-  
12 ing only the earthen portions of the lower Snake  
13 River dams and leaving the powerhouse and turbines  
14 in place.

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