

2022 Issue Paper: Rivers

Position Statement

The League of Women Voters of Washington holds the following positions on rivers and on Native American tribes in the [LWVWA Program in Action 2019-2021](#):

- In order to meet present and future water needs within the Columbia River Basin, comprehensive basin-wide planning must occur for optimum utilization, conservation, development and management of water resources. ... Procedures should be established to provide information and citizen participation in policy decisions affecting water resource development. (CR-1)
- Wise planning for the use of water in the Columbia River Basin requires an inventory of basin water resources. This inventory should include water-related information such as ground and surface water sources, viable water rights, current use and projected future needs. (CR-2)
- Minimum stream flows should be established as a public right and maintained on all streams in the Columbia River Basin and all other river basins in the state. (CR-3)
- A special relationship exists between the United States government and Native American tribes. This relationship recognizes the dependent sovereignty of the latter and the constitutional recognition of treaties made between the U.S. and tribal governments. (IT-1)
- It is the state's responsibility to enhance the salmon resource by protecting and improving fish habitat and to establish a procedure for retrocession of jurisdiction to the tribes as authorized by federal civil rights legislation. (IT-2)

Background on Washington Rivers

Climate change is impacting our rivers, especially on the eastside of the state, resulting in increased temperatures, drought, low stream flows and warmer river temperatures. Wildfires destroy riparian areas and add sediment to the rivers, and all of this impacts struggling fish and wildlife populations. Years 2014, 2015, 2020 and 2021 have been drought years, the later had all of eastern Washington at severe, extreme or exceptional drought. This was accompanied by widespread wildfires. Washington in June of 2021 also had a heat-dome that resulted in unprecedented temperatures up to 108F in Seattle and 109F in Yakima. The west side of the state is seeing increased winter storms, precipitation, and river flooding, resulting in power outages and road closures.

2021 Legislative Session

A bill passed prohibiting motorized or gravity siphon aquatic mining and their discharges from waters of the state protecting water quality and critical habitat for endangered salmon, steelhead and bull trout. Funding for removing culverts passed in the Transportation budget, and funding for the Yakima River Basin Integrated Plan and the Chehalis River Basin Integrated Plan both passed.

2022 Legislative Session Anticipated Bills

Bills we supported that failed to pass in the 2021 session and may be reintroduced:

- **HB 1478** Concerning fish habitat enhancement projects authorized pursuant to RCW 77.55.181. Projects approved and sponsored by a federally recognized tribe qualify for streamlined hydraulic project review.

- **HB 1172 /SB 5199** Repeals Initiative 456 passed in 1984 during Washington state and tribes fishing wars in which Billy Frank Jr. went to jail 50 times for treaty protected fishing in the Nisqually River. Recognizes judicially affirmed and treaty-reserved fishing rights and promoting state-tribal cooperative agreements in the management of salmon, trout, and steelhead resources. Sponsored by Rep. Lekanoff at request of Attorney General Ferguson. LWVWA strongly opposed Initiative 456.
- **State Salmon Strategy Bill** sponsored by Governor Inslee with Tribes to protect our remaining EPA listed salmon focusing on riparian and river habitat restoration.
- **Saving Salmon, Saving Orcas Bill** focuses on the Puget Sound's chinook salmon, prey forage fish and southern resident orca whale survival, by emphasizing the protection and recovery of near shore habitat. (Salmon bills may be combined.)

Ongoing River projects we work on that will be in the budget.

- The **Yakima River Basin Integrated Plan (YBIP)** initiated in 2012 to solve the problems of current and anticipated climate change and drought impacting irrigated agriculture, salmon and steelhead runs, and municipal water supplies. To avoid anticipated expensive litigation the Yakama Nation and irrigated agricultural interests came together forming a workgroup comprised of the tribe, federal and state natural resource agencies, irrigation districts and environmental groups. The plan consists of fish passage and surface water storage projects at the six original Yakima River dams/reservoirs constructed in the 1905 Yakima Project, as well as habitat acquisition and restoration projects. The LWVWA supports the plan except for the new Bumping River dam, which would inundate and destroy about 1,000-acre old growth forest, which now seems to be on hold. The project receives both federal and state funding.
- The **Chehalis River Basin Strategy's** challenge is to solve the problems of widespread flooding in the basin (inundating I-5 and towns of Centralia and Chehalis in 2007 and 2009), as well as protect the Basin's aquatic species including currently unlisted salmon and steelhead, which sustain both tribal and non-tribal fisheries. Following the YBIP model of bringing disputing sides together, in 2016 an Office of Chehalis Basin and Chehalis Basin Board were formed. In most dispute is a Chehalis River Basin Flood Authority's proposal for a retractable retention dam and reservoir at Pe El to prevent periodic flooding. The Chehalis Confederated tribes (non-treaty) and Quinault Nation (has treaty rights in the Basin), strongly oppose a dam solution because of its impact on salmon and steelhead runs, as it would inundate a large spawning area. The other proposal is the Aquatic Species Restoration Plan. The Chehalis Alliance (including LWVWA), comprised of environmental groups and Governor Inslee, also oppose the dam option. They urge a non-dam solution to flooding, including longer logging rotations, flood damage reduction measures and a flood plain by design program. A National Environmental Impact Statement (NEPA) on the Proposed Chehalis River Basin Flood Damage Reduction Project was completed on November 17, 2020, by the Army Corp of Engineers and the Washington State Department of Ecology. The budget for the Chehalis will be addressed in the session.
- **Snake River Dam Removal**
Idaho Representative Mike Simpson's Initiative to work out a solution to the long stalemate over removal of the four lower Snake River dams has spurred action on this important issue to help our imperiled salmon and steelhead. Dam removal would cool the salmon-killing hot water in reservoirs, re-vegetate river riparian areas and vastly increase salmon habitat in central Idaho, southeast Washington and northeast Oregon. Dam removal would be the best solution for our struggling salmon. Governor Inslee and Senator Murray are working on a plan that would allow dam removal, but also work on solutions for other major stakeholders including barge owners, wheat growers needing other transportation and hydropower energy replacement.

- **Columbia River Treaty (CRT) with Canada Renewal**

Negotiations with Canada for a modernization of the 1964 CRT began in 2018. The CRT NGO Caucus, that we belong to, is urging the adoption of a third Treaty goal, ecosystem function, (along with power generation and flood risk control,) and a third entity to oversee the implementation of that goal. The current problem is the Biden administration has not restarted negotiations with Canada on the Treaty and the 2024 deadline for a new agreement on flood risk management is approaching. The areas near Vancouver, WA, and Portland, OR, contain the main transportation systems all near the Columbia River and are at risk for flooding without the cooperation from Canada to use their dams for flood control. Without an agreement the US would have to utilize its dams for water retention to prevent flooding. Also, utilities have long complained we are paying Canada too much for the Canadian entitlement and threaten to urge termination of the treaty, though this would be detrimental to the cooperative management we have now. The recently passed federal Infrastructure bill contains funds for the CRT. The CRT NGO Caucus has written letters to the Biden administration urging them to restart negotiations, add the third goal to the treaty and to expand public engagement at the town halls. When the town halls resume, we will encourage your attendance and comments.

Issue Chair: Raelene Gold, 206-303-7218, rgold@lwvwa.org