

**Congress of the United States**  
**Washington, DC 20515**

May 2, 2017

Administrator Elliot Mainzer  
Bonneville Power Administration  
P.O. Box 3621  
Portland, OR 97208-3621

Dear Administrator Mainzer,

We are writing to express our deep concern regarding the management of the Federal Columbia River Power System (FCRPS) following Judge Michael Simon's March 27, 2017 court order on motions for injunctive relief in the FCRPS biological opinion. As you know, Judge Simon is ordering a significant increase in mandatory spill in the spring of 2018. Not only is additional spill a new policy affecting many congressionally-authorized projects in the Pacific Northwest, there will likely be unintended consequences that will hurt fish recovery while also greatly increasing power costs.

The three FCRPS Action Agencies are the U.S. Army Corps of Engineers, Bonneville Power Administration (BPA), and the U.S. Bureau of Reclamation, which have the knowledge and expertise to manage FCRPS. According to the Adaptive Management Implementation Plan, "the Obama Administration undertook an extensive effort to review the 2008 FCRPS Biological Opinion (BiOp)" and found "the 2008 BiOp is biologically and legally sound, is based on the best available scientific information, and satisfies the ESA jeopardy standard." This BiOp has been supported by states, tribal entities, utilities, ports, irrigation districts, and other Pacific Northwest water users. As such, the 9<sup>th</sup> Circuit Court continues to disagree with the best available science and continues to mandate new policies along the river system. Our constituents deserve to understand the proposed measures, as well as the expected impacts they will have on the region.

To provide more clarity regarding the current and ongoing efforts BPA has taken to mitigate damage to fish and wildlife and the cost to the ratepayers in the Pacific Northwest, we would like the following information from the BPA by June 2, 2017:

1. How much does BPA annually spend on fish and wildlife mitigation?
2. If these payments were reflective in a ratepayer's monthly bill, can you estimate this percentage in the statement?
3. Between the three Action Agencies referenced above, how much has the federal government spent on fish recovery and mitigation in the FCRPS?

4. What are fish survival percentages through each of the four lower Snake River Dams (Ice Harbor Dam, Lower Monumental Dam, Little Goose Dam, and Lower Granite Dam) and how do those compare to estimated survival of the fish before these dams were constructed?
5. What is the percentage of juvenile and adult fish lost to pinniped, predator fish, and bird predation?
6. What are the adverse consequences to increased spill?
7. By increasing spill, what would be the quantifiable benefit for fish recovery given the cost of increasing spill and all of the other current actions to increase fry passage?
8. How much are BPA, the Army Corps, and the Bureau of Reclamation budgeting for the National Environmental Policy Act review for the FCRPS in relation to the Court's 2016 order?

The Court ordered the plaintiffs and federal defendants "to consider an appropriate protocol and methodology for spill at each dam, incorporating the most beneficial spill patterns," and the Court "expects the parties, *amici*, and other regional experts to work together to reach consensus." We believe that the 2008 BiOp achieved consensus on a plan that has demonstrated for several years that it is working to improve salmon recovery while still allowing operation of the federal dams. We are concerned that plaintiffs' continued advocacy for additional spill or preventing needed maintenance of the dams (as requested in the injunctions) is not only unscientifically based, but is also likely to be counterproductive. Prior to any future status conferences or filings with the Court, we respectfully request that you inform us in advance of your discussions and any decisions regarding the appropriate protocol and methodology for spill at each dam. Thank you for your attention to this request and please do not hesitate to contact our congressional offices with any questions.


Sincerely,



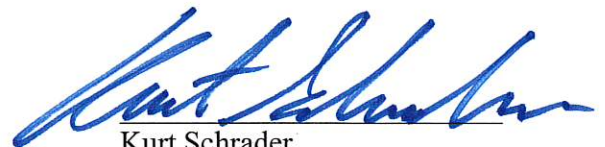
Cathy McMorris Rodgers  
Member of Congress



Peter DeFazio  
Member of Congress



Dan Newhouse  
Member of Congress



Kurt Schrader  
Member of Congress