

## New attack on Endangered Species Act threatens PNW salmon recovery

by Bend\_Weekly\_News\_Sources

### Proposed Changes to ESA Regulations Would Undermine Recent Federal Court Decisions Protecting Endangered Salmon

Representatives of a broad-based coalition of fishing businesses and conservation groups this week warned that sweeping changes proposed by the Bush administration to regulations under the Endangered Species Act would pose a direct threat to salmon recovery efforts in the Pacific Northwest.

Several of the proposed changes, made public earlier this week, appear to take direct aim at efforts to protect and restore endangered salmon in the Columbia and Snake River basin, as well as recent federal court rulings that favor protecting these fish.

Specifically, one proposed change would allow projects by federal agencies, such as the Army Corps. of Engineers or Bonneville Power Administration, to go forward as long as they do not make the "environmental baseline" any worse. In the Columbia basin, this change would include in the baseline the existing federal dams and the harm they have already caused to salmon, effectively making the dams a part of the environment.

This would conflict directly with court rulings in 2005 rejecting both this approach and a dam management plan based on it. Federal district court judge James Redden has sharply rejected previous agency claims that, under the terms of the Endangered Species Act, the existing dams are an "immutable" part of the environmental landscape. The working draft also gives agencies like the BPA the unilateral right to decide what aspects of dam operations, if any, it would consult with fish and wildlife experts about.

"This is a straight-ahead effort by the Bush administration to end-run an adverse court ruling. It confirms that they are not interested in making an honest effort to restore Pacific Northwest salmon," said Todd True, attorney with Earthjustice. "While the states and tribes have been working hard in the remand process to develop a legitimate salmon plan that meets the law and is based on sound science, it looks like the federal agencies have been working hard behind the scenes to make those efforts irrelevant so they can do what they want to. And what they seem to want to do is to protect the federal hydrosystem, regardless of the harm it is causing to salmon and the communities that depend on them."

"This latest attack by the administration makes recovery all but impossible for salmon and steelhead in the Pacific Northwest," said Zeke Grader, executive director of the Pacific Coast Federation of Fishermen's Associations (PCFFA), the largest fishermen's organization on the U.S. west coast. "These changes, if implemented, could well be the last straw that sends salmon over the brink to extinction, and the West Coast fishing industry along with it. That can only result in further huge economic losses for all of the Pacific salmon states, at a time when communities up and down the coast are already being hard hit."

Coalition members are united in their opposition to the proposed changes, and urge members of Congress to vigorously oppose any weakening of the Endangered Species Act, said Nicole Cordan, policy and legal director for Save Our Wild Salmon. "We applaud Rep. Norm Dicks' strong words to U.S. Fish & Wildlife Director Hall and we hope to see similar leadership from the rest of our Northwest delegation in the House and Senate to ensure we turn back this threat to our Northwest way of life, which includes good fishing and abundant salmon populations," she said. "This is just another attempt by this administration to ignore a law and a court order it doesn't like and the Northwest delegation needs to stand-up for our communities and simply say 'No way, Mr. President.'"

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