



March 4, 2022

Brenda Mallory  
Chair, Council on Environmental Quality  
730 Jackson Place NW  
Washington, DC 20503  
*Delivered electronically to [salmon@ceq.eop.gov](mailto:salmon@ceq.eop.gov)*

Dear Chair Mallory:

Thank you for the opportunity of providing answers to the questions posed in your invitation letter to the CEQ Listening Session for Environmental and Recreation Groups. Wild Orca attended the session and we concur with the views expressed by our colleagues, specifically Save Our wild Salmon, Idaho Conservation League, Idaho Rivers United, Nimiipuu Protecting the Environment, and others. Our answers will focus specifically on actions needed to restore and recover the Southern Resident killer whales (SRKW) or orcas. Wild Orca respectfully submits the following comments for consideration:

As you noted in your invitation letter, we are at a critical juncture – we must work together quickly to identify lasting solutions that will make the Columbia River Basin, and all inhabitants (recent newcomers, indigenous peoples, Snake River salmon, SRKWs, and all flora and fauna) whole. Anything less will not prevent the salmon and the SRKWs from going extinct. As the keystone species, losing salmon will hasten the degradation of the habitat, imperiling all species living here. As the iconic species and the apex predator in the Salish Sea and the surrounding waters, losing the Southern Residents will be the signifier that life as we currently experience it will no longer be possible. We also must acknowledge that the Pacific Northwest (PNW) does not belong to us, but rather, we all share these lands and resources, and need to adopt the attitude of good stewards -- safeguarding a future for all.

Wild Orca's mission is to translate science into action to save the SRKWs from extinction. Dr. Deborah Giles, Science and Research Director, is one of the world's leading experts on these orcas and has studied this endangered population almost exclusively since 2005. Despite being one of the most studied

and well-known species on the planet, the decline of the SRKWs continues. Wild Orca works to redress this by filling knowledge gaps through high-impact, non-invasive field-based conservation research. In doing so, we arm policymakers with the latest available science—underpinned by the urgency for recovery—while engaging the public with accessible and digestible information, as well as initiating opportunities for direct engagement with key decision-makers to create accountability.

In February 2020, Dr. Giles co-authored, *Southern Resident Killer Whales & Columbia/Snake River Chinook: A Review of the Available Scientific Evidence* (Bain, Giles, Filardo, Schaller, & Willams. 2020). An extensive review determined that SRKWs are dependent upon Snake River Chinook salmon, especially the early spring Chinook. The report notes:

The best available science indicates that the whales are likely to be especially reliant on the Columbia/Snake River watershed's early spring, nutrient-rich Chinook salmon runs. Indeed, the mouth of the Columbia Basin is one of the Southern Resident orcas' favorite places to fish. Data compiled from tagged whales, dedicated surveys, and passive acoustic monitoring indicates the Southern Residents spend significant time in the winter and spring off the mouth of the Columbia and have been present there thirty-five times more often than would be expected by chance. Analysis of fish scale and Southern Resident fecal samples collected on the outer coast indicate that, as is the case in inland waters of the Salish Sea/Puget Sound, Chinook are the primary species consumed on the outer coast and that over half the Chinook consumed by the Southern Residents are from the Columbia River Basin. Elevated triiodothyronine values in early spring indicate that Southern Resident orcas particularly forage on the early spring Columbia River run.

- **What does a successful long-term strategy for the Columbia River Basin look like to you?**
  - Habitat restoration, including breaching of the four lower Snake River dams. Numerous studies, including a 2021 study by the Nez Perce Tribe (Johnson, Hesse, & Kinzer. 2021)<sup>1</sup> have determined that Snake River salmon are at the quasi-extinction threshold.
  - Tribal rights honored, especially those of the 1855 treaty.

---

<sup>1</sup> Snake Basin Chinook and Steelhead Quasi-Extinction Threshold Alarm and Call to Action Presented to Northwest Power and Conservation Council May 5, 2021 Nez Perce Tribe Department of Fisheries Resources Management

- Establishing a principle for net ecological gain to ensure we quit making the same mistakes regarding habitat. If society determines to alter the habitat for the benefit of humans, we need to ensure that we restore the environment to a state that is demonstrably better than the pre-development state, thereby providing the natural habitat an accelerated timeline for restoration.
  - A holistic economy that is restorative versus extractive. Any long-term strategy needs to also consider the current climate crisis. Building back in the same manner as before will only lead to the same result – twin crises of climate change and biodiversity loss.
- **What steps would you like the Federal agencies to take in the short-term as we work towards a long-term vision for the Columbia River Basin?**
    - Ensure Snake River salmon and Southern Resident orcas do not go extinct by breaching the lower Snake River dams ASAP.
    - Halt salmon fishing and subsidize fishers. In 1949, the Washington Department of Fisheries noted in their annual report<sup>2</sup> the dire consequences to the fishing community if the proposed lower Snake River dams were built. At that time, it was noted that the building of these dams would provide “slackwater navigation,” removing part of the expense from the shippers to the taxpayers, in effect forcing taxpayers to sponsor shipping. The annual savings to those utilizing this method of shipping was \$2,000,000. The loss to the fishing community at that time was estimated to be \$9,000,000. This wrong has never been addressed. Halting the fishing of salmon would give the stocks time to recover. Subsidizing the fishing industry until salmon are able to be delisted is the just action, and is long overdue.
    - If the above is not possible, then force the National Marine Fisheries Service to secure a *catch* for the SRKWs. Currently when quotas for fishing are determined each year, the Southern Residents are never included. If NOAA is serious about recovering this Distinct Population Segment (DPS), which NOAA determined after their most recent 5-year review that the DPS cannot be delisted and one of the main reasons for this is lack of prey, then NOAA needs to ensure enough Chinook salmon for this DPS.
    - Evaluate who currently benefits from federal subsidies now and determine appropriateness. For example, can the barging subsidies be repurposed toward supporting the fishing community. What other subsidies are currently in use by businesses in the Columbia Basin – is the administration of these monies fair? Who benefits? Who is left behind?

---

<sup>2</sup> State of Washington Department of Fisheries Annual Report for 1949

- Consider temporary shade in tributaries (especially the headwaters) that feed into the Snake River (salmon need cold water if they are to survive) until true riparian corridors can be established. This solution is used in some EU countries and has also been studied on the East Coast (Fink, 2008).
- Promote proforestation and reforestation in the Columbia Basin. The building of the lower Snake River dams decimated the existing natural vegetation. Restoring the habitat will sequester carbon and mitigate ocean acidification and ocean extreme heat normalization. Both salmon and orcas are dependent on a healthy ocean.
- **What principles should we have in mind as we develop short- and long-term strategies?**
  - Time is of the essence. Snake River salmon are at the quasi-extinction threshold. Southern Resident orcas are nutritionally stressed due to the status of the salmon, which leads to difficulty in becoming pregnant and delivering full term healthy calves. The Center for Whale Research reported on March 2, 2022 the birth of a new SRKW orca calf. Unfortunately, at this same time, they reported that two other pregnancies did not result in live births.
  - Currently, there are several processes in place (the Murray/Inslee study and the Columbia Basin Collaborative). The Columbia River Partnership Task Force completed its Phase I report in May 2019 and its Phase 2 report in in October 2020. Representative Mike Simpson completed his stakeholder process in February 2021, speaking with over 300 individuals and organizations that would be affected by dam breaching of the Snake River. Utilize this information.
- **What type of stakeholder coordination is necessary to implement successful short- and long-term strategies for the Columbia River Basin?**
  - We do not need more studies – the science is clear – the dams need to be breached.
  - Therefore, we need bold, immediate action from the Biden-Harris administration to start the process now, especially since 2022 elections are right around the corner. The data is there to support this action.
  - Since 1949, when the dams were proposed, the PNW and the Columbia River Basin have been embroiled with controversy. True consensus does not seem to be possible. The most recent lawsuit (the 6<sup>th</sup>) is on pause in the hopes that the Biden-Harris administration will make good on its promises of social and

environmental justice. Please step forward boldly and lead the PNW out of this quagmire.

- Use the data from the aforementioned studies to help all move forward. As President Biden stated in his State of the Union address:
  - Because I see the future that's within our grasp.
  - Because I know there is simply nothing beyond our capacity.
  - We are the only nation on earth that has always turned every crisis we face into an opportunity.
  - The only nation that can be defined by a single word: possibilities.
- We can move forward, but change is hard and sometimes decisions need to be made and implemented for the good of all.
- Tribal nations and their vast knowledge of the area – from being the original good stewards here for thousands of years – need to be recognized and heard. As sovereign nations, they need an equal seat at the table. For too long they have been invited as a courtesy instead of as the true nations they are. In all discussions and decisions regarding the regions we share, tribes should be accorded co-management.

- **How would you like to be engaged and involved in future discussions?**

- We would like to be informed of future opportunities to provide input and would welcome the opportunity to be part of the process leading to the long-term solution in the Columbia River Basin, ensuring the recovery and delisting of Snake River salmon and steelhead species and Southern Resident killer whales.

Sincerely,

Teri Wright  
Legislation and Policy Organizer  
Wild Orca

## References

- Bain, D., Giles, D., Filardo, M., Schaller, H., & Williams, R. (2020). *Southern Resident Killer Whales & Columbia/Snake River Chinook: A Review of the Available Scientific Evidence.*
- Fink, B. (2008). *Artificial Shading and Stream Temperature Modeling for Watershed Restoration and Brook Trout (*Salvenius fontinalis*) Management.*
- Johnson, D., Hesse, J., & Kinzer, R. (2021). *Snake River Basin spring/summer Chinook and steelhead population extinction risk.*