

**WRITTEN STATEMENT FROM  
JANET COIT  
ASSISTANT ADMINISTRATOR  
NATIONAL MARINE FISHERIES SERVICE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
U.S. DEPARTMENT OF COMMERCE**

**ON THE  
OVERSIGHT HEARING ON OPERATIONS OF THE COLUMBIA RIVER SYSTEM**

**BEFORE THE  
SUBCOMMITTEE ON ENERGY, CLIMATE, AND GRID SECURITY  
COMMITTEE ON ENERGY AND COMMERCE  
U.S. HOUSE OF REPRESENTATIVES**

**JANUARY 30, 2024**

Chairman Duncan, Ranking Member DeGette, and members of the Subcommittee, thank you for the opportunity to testify. The National Oceanic and Atmospheric Administration (NOAA) is responsible for the stewardship of the nation’s living marine resources and their habitat. NOAA Fisheries provides vital services for the nation: sustainable and productive fisheries, the recovery and conservation of protected species, and healthy ecosystems—backed by sound science and an ecosystem-based approach to management—all in support of a thriving, sustainable ocean economy. The resilience of our marine ecosystems and coastal communities, including inland communities connected by large river systems like the Columbia, depends on healthy marine species, including protected species such as whales, sea turtles, salmon, and corals.

We appreciate the Committee’s interest in this important, complex, and long-standing matter. NOAA Fisheries recognizes the numerous and diverse interests at stake, and we are committed to working with our state and Tribal fishery co-managers, other Federal agencies, and a broad range of industry and environmental stakeholders on a long-term durable solution that takes into account the important interests across the Columbia River Basin.

NOAA’s collaborative fishery conservation and management work in the Columbia Basin is guided by multiple Congressional authorizations, including the Mitchell Act. The Mitchell Act not only authorizes the establishment, operation, and maintenance of hatchery facilities and scientific investigations to facilitate the conservation of the fishery resource, it also authorizes “all other activities necessary for the conservation of fish in the Columbia River Basin in accordance with law.” More broadly, but explicitly applicable to Pacific salmon and steelhead fisheries, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), enacted in 1976 and amended in 1996 and 2007, authorizes NOAA Fisheries to rebuild fish stocks, manage them at sustainable levels, and further the conservation and enhancement of essential fish habitat in support of realizing the full potential of the Nation’s fishery resources.

NOAA Fisheries, along with the U.S. Fish & Wildlife Service, also administers the Endangered Species Act (ESA). Since the early 1990s, NOAA Fisheries has listed 13 stocks of salmon and steelhead in the Columbia River Basin as either threatened or endangered under the ESA.

Despite substantial investments over the last 30 years, none of these ESA listed stocks have been recovered to the point that they can be delisted. However, these efforts have prevented these listed stocks from going extinct, and yielded improvements for some stocks. It is important to note that prior to the early 1990s ESA listings, many stocks of salmon and steelhead had already been extirpated throughout the Columbia Basin,<sup>1</sup> and impassable dams have blocked anadromous fish access to more than 40 percent of the historically available habitat.<sup>2</sup> The current returns of naturally produced salmon and steelhead in the Columbia Basin are less than 10 percent of the historical run sizes.

In addition to NOAA's duties under Federal statutes, the United States Government has long-standing commitments to Tribal Nations. NOAA must work to fulfill its obligations under these treaty and trust responsibilities to Columbia River Tribes. Certain Tribes not only have reserved treaty rights to fish, but an expectation that there would always be fish to harvest and courts have recognized their rights to a fair share of the harvest. In the face of a changing climate, the urgency to act is greater than ever. The science tells us that it is possible to recover these iconic animals that so many in the region rely upon, and the stakeholders in the region tell us that action must address the relevant social, cultural, economic, and ecological considerations when doing so.

In July 2020, NOAA Fisheries issued its latest biological opinion under the ESA addressing the ongoing operation and maintenance of the Federally-operated Columbia River System of dams. NOAA Fisheries concluded that the proposed action—the operation and maintenance of the 14 federal Columbia River System dams, together with non-operational fish conservation measures, for a timeframe of fifteen years—was not likely to jeopardize the continued existence of listed salmon and steelhead or result in the destruction or adverse modification of their designated critical habitat.

As most recently documented in our 2022 ESA 5-year reviews,<sup>3</sup> NOAA remains concerned about the potential future prospects of ESA-listed salmon and steelhead in the Basin due to continued low abundances and impacts from habitat degradation, hydropower, predation, and other threats. While we may have been able to conclude that the continued operations of the Columbia River System dams are likely to avoid jeopardizing the species under the ESA when paired with non-operational conservation measures like habitat restoration and predator control over the next fifteen years, listed salmon and steelhead generally remain at a high risk of extinction across the Columbia River Basin, particularly considering the potential effects of a changing climate.

Despite considerable efforts region-wide to mitigate the risk of extinction, salmon and steelhead in the Columbia River Basin are currently at abundance levels far below those necessary for fully supporting Tribal, commercial, and recreational harvest. Delisting endangered and threatened species is the ultimate goal under the ESA, but these delisting targets, established in Recovery Plans, are not necessarily the only desired endpoint. Regional recovery goals seek salmon and

---

<sup>1</sup> Allen, Cain. 2003. Columbia River Indian Fishing Rights and the Geography of Fisheries Mitigation. Oregon Historical Quarterly. Vol. 104, Issue 2.

<sup>2</sup> Northwest Power and Conservation Council, Fish passage at dams <https://www.nwccouncil.org/reports/columbia-river-history/damsimpacts/>

<sup>3</sup> [NOAA 2022 5-year reviews](#)

steelhead numbers that contribute fully to the culture, environment, Tribal treaties, and economy of the region, exceeding the lower levels established for delisting.

In 2017, NOAA Fisheries' Marine Fisheries Advisory Committee convened the Columbia Basin Partnership Task Force (Partnership), bringing together diverse representatives from across the Columbia Basin to establish a common vision and goals for the Basin and its salmon and steelhead. The diverse group of parties in the Partnership included Columbia Basin Tribes, fishing, agriculture, conservation, river transportation, port, and hydropower interests, as well as the states of Idaho, Montana, Washington, and Oregon. These parties share overlapping and sometimes conflicting values and views about the Columbia River and its salmon and steelhead. The Partnership brought these representatives together at one table to find common ground and foster a collaborative approach to ensure the long-term persistence of our salmon and steelhead.

The Phase 2 October 2020 Report,<sup>4</sup> released at the conclusion of the Partnership's work, documents the consensus of all these parties is to ensure that healthy runs of salmon and steelhead thrive into the future, and to do so, the report sets forth goals beyond ESA delisting that focus on rebuilding healthy and harvestable stocks of salmon and steelhead throughout the Basin.

In the subsequent 2022 Rebuilding Interior Columbia Basin Salmon and Steelhead Report (Report), NOAA Fisheries and the U.S. Fish and Wildlife Service (USFWS) looked towards the sovereign- and stakeholder-endorsed goals adopted by the Partnership and provided an assessment of the actions with the highest potential to achieve the Partnership's midrange abundance goals. These goals exceed the abundances required to achieve delisting of ESA-listed salmon and steelhead and represent substantial progress toward healthy and harvestable fish stocks, toward achieving the mandates set forth in the MSA and Tribal treaties. To that end, the Report identifies a comprehensive suite of actions that, based on existing science and our experience and expertise, would have the greatest likelihood of making considerable progress towards restoring stocks of salmon and steelhead to healthy and harvestable levels. The Report acknowledges scientific uncertainties, and did not include new studies or modeling to precisely quantify the expected benefits of the actions. It concluded that the existing body of science "robustly supports riverscape-scale process-based stream habitat restoration, dam removal (breaching), and ecosystem-based management, and overwhelmingly supports acting, and acting now" if we are to achieve the higher abundance goals.<sup>5</sup>

The Report does not assess the social and economic impacts of implementing any salmon or steelhead rebuilding measures nor suggest funding sources, needed authorizations, or regulatory compliance measures required for implementation. NOAA Fisheries recognizes that the critically important social and economic services the lower Snake River dams provide would need to be replaced or otherwise offset before breaching could occur, and we defer to other experts and ongoing regional efforts on how to address these pivotal issues. The US Army Corps of

---

<sup>4</sup> Columbia Basin Partnership Task Force, [\*A Vision for Salmon and Steelhead, Goals to Restore Thriving Salmon and Steelhead to the Columbia River Basin, Phase 2 Report of the Columbia Basin Partnership Task Force of the Marine Fisheries Advisory Committee\*](#) (October 2020)

<sup>5</sup> NMFS (National Marine Fisheries Service), [\*Rebuilding Interior Columbia Basin Salmon and Steelhead\*](#) (Sep. 30, 2022)

Engineers, which owns and operates the lower Snake River dams, has indicated that breaching the dams would require Congressional authorization.

The regional and national conversations on this subject continue. NOAA Fisheries and other participants have been working towards a durable long-term strategy to restore salmon and other native fish populations to healthy and abundant levels, while also honoring Federal commitments to Tribal Nations, delivering affordable and reliable clean power, and meeting the resilience needs of stakeholders across the region.

On December 14, 2023, the Biden-Harris Administration announced an historic agreement to work in partnership with Tribes and states from the Pacific Northwest to restore salmon populations, expand tribally-sponsored clean energy production, and provide stability for communities that depend on the Columbia River System for agriculture, energy, recreation, and transportation. This agreement builds on a previous September 2023 mediated agreement to support Tribally-led efforts to bring back salmon populations in the Upper Columbia River Basin. Together, these agreements will bring an unprecedented level of new Federal investments to wild fish restoration over the next decade and enable a 10-year break from decades-long litigation, opening an important window of opportunity for collaborative progress on salmon and steelhead recovery.

The planned actions supported by multiple Federal departments and agencies will protect and improve the environment and economy of the Columbia Basin and its resources. The agreement includes specific NOAA commitments, such as continuing to seek opportunities to include Columbia Basin fish recovery needs within our competitive grant programs; supporting efforts to restore fish passage into the Upper Columbia River Basin, following the provision of \$2.3 million in FY 2023 for Enloe Dam removal analysis; coordinating with the appropriate United States Government agencies and departments, as well as the relevant regional Sovereigns to develop steps to restore mid-Columbia salmon and steelhead over the next 10 years; prioritizing ongoing work to develop tools to track ocean productivity and develop indicators that can be used for restoration planning and prioritization; working with the USFWS and Sovereigns to consider management reforms to regional mitigation efforts; and addressing priority Mitchell Act hatchery infrastructure needs, including with funds provided in the Inflation Reduction Act.

NOAA Fisheries has remained deeply committed to working collaboratively with state and Tribal fishery co-managers, other Federal agencies, and a broad range of stakeholders in conservation and recovery efforts in the Columbia River Basin. These collaborations are needed not only to improve the abundance and productivity of salmon and steelhead, but also to deliver the many cultural, economic, and ecological benefits that salmon and steelhead provide.

We hope to work with the Subcommittee to shape a future that gets us closer to the regional Partnership's vision of "[a] healthy Columbia Basin ecosystem with thriving salmon and steelhead that are indicators of clean and abundant water, reliable and clean energy, a robust regional economy, and vibrant cultural and spiritual traditions, all interdependent and existing in harmony."<sup>6</sup>

---

<sup>6</sup> Columbia Basin Partnership Task Force, [\*A Vision for Salmon and Steelhead, Goals to Restore Thriving Salmon and Steelhead to the Columbia River Basin, Phase 2 Report of the Columbia Basin Partnership Task Force of the Marine Fisheries Advisory Committee\*](#) (October 2020)

**Conclusion**

NOAA Fisheries is proud to continue to lead the world in conducting ocean and fisheries science, serving the nation's coastal communities and industries, honoring Tribal treaty and trust responsibilities, and ensuring responsible stewardship of coastal and living marine resources. We value the opportunity to continue working with this Subcommittee on these important issues. Thank you, Members of the Subcommittee and your staff, for your work to support NOAA Fisheries' mission. I am pleased to take your questions.