



June 16, 2020

Honorable Gov. Jay Inslee
Office of the Governor
P.O. Box 40002
Olympia, WA 98504

Honorable Gov. Kate Brown
Office of the Governor
900 Court Street NE, Suite 254
Salem, OR 97301

Director Laura Watson
Washington Dept. of Ecology
PO Box 47600
Olympia, WA 98504

Director Richard Whitman
Oregon Dept. of Environmental Quality
700 NE Multnomah St., Ste. 600
Portland, OR 97232

RE: Clean Water Act 401 Certification for Columbia Basin Federal Dams

Dear Governor Inslee, Governor Brown, Director Watson, and Director Whitman:

The undersigned organizations thank the states of Washington and Oregon for taking bold action to protect struggling Southern Resident orcas and endangered salmon—and the communities that depend on them. Last month, the Washington Dept.

of Ecology and Oregon Dept. of Environmental Quality exercised state authority under Clean Water Act (CWA) Section 401 to help ensure the Columbia Basin's federal dam operators address rising water temperatures and oil pollution, protect salmon, and help save orcas from extinction. With your leadership, Washington and Oregon seized an historic opportunity and, despite the pandemic, took swift action to exercise state authority. We applaud your leadership.

Federal dam operators have long ignored the serious impacts of Columbia and Snake river dams on water quality. In particular, federal dams on the Columbia and Snake rivers have never obtained water quality certifications under CWA Section 401. Furthermore, the federal dam operators have made repeated attempts over the last two decades to avoid addressing the dams' impacts on water temperature. We remain concerned that the U.S. Environmental Protection Agency's (EPA) and the U.S. Army Corps of Engineers (Corps) will attempt to undermine the states' rights under Section 401. The EPA did just that in 2019 when, without explanation, the agency halted the National Pollution Discharge Elimination System (NPDES) permit processing and withdrew its requests for 401 certification. Last month, EPA issued a final rule that curtails the states' rights under Section 401. And last week the Corps appealed the Washington state's 401 certifications. We look to your leadership to continue to defend Washington and Oregon's rights to protect clean, cool water.

Our organizations and members value strong salmon runs, clean water, healthy marine ecosystems, and the people that depend on salmon recovery in the Northwest. We look forward to working with tribal nations and the states of Oregon and Washington to require that EPA and the Corps protect the Columbia and Snake rivers' water quality and fisheries from the impacts of federal dams.

We are also attaching over 600 thank you letters acknowledging public support for the states' actions under Section 401.

Sincerely,

Brett VandenHeuvel
Executive Director
Columbia Riverkeeper

Liz Hamilton
Executive Director

Northwest Sportfishing Industry Association

Bill Arthur

Chair, Columbia/Snake River Salmon Campaign
Washington State Chapter of the Sierra Club

Joseph Bogaard

Executive Director
Save Our Wild Salmon Coalition

Bob Rees

Executive Director
Northwest Guides and Anglers Association

Guilia Good Stefani

Senior Attorney
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Buck Ryan

Executive Director
Snake River Waterkeeper

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Colleen Weiler

Jessica Rekos Fellow for Orca Conservation
Whale and Dolphin Conservation

Whitney Neugebauer

Director
Whale Scout

Alyssa Barton

Policy Manager
Puget Soundkeeper Alliance

Howard Garrett

President
Orca Network

Wendy McDermott
Director
American Rivers

Chris Hager
Executive Director
Association of Northwest Steelheaders

Dr. Erin Meyer
Director of Conservation Programs and Partnerships
Seattle Aquarium

cc: David Postman, Office of the Governor, Washington
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