

118TH CONGRESS
2D SESSION

H. RES. 1176

Expressing disapproval of the Columbia Basin Restoration Initiative entered into by the Biden administration.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2024

Mr. NEWHOUSE (for himself, Mrs. RODGERS of Washington, Mr. FULCHER, Mr. BENTZ, Mr. ROSENDALE, and Mr. ZINKE) submitted the following resolution; which was referred to the Committee on Natural Resources

RESOLUTION

Expressing disapproval of the Columbia Basin Restoration Initiative entered into by the Biden administration.

Whereas about 95 to 98 percent of juvenile fish survive after passing through each of the 8 Federal dams within the Columbia-Snake River System;

Whereas 90 percent of the renewable energy generated in the Pacific Northwest region of the United States is provided by the Columbia-Snake River System;

Whereas roughly 1,800,000 homes receive clean energy generated by the Ice Harbor, Lower Monumental, Little Goose, and Lower Granite Dams, collectively known as the 4 Lower Snake River dams;

Whereas the 4 Lower Snake River dams generate more than 1,000 megawatts of carbon-free hydroelectric energy and have the capability to generate over 3,000 megawatts;

Whereas between 50,000,000 and 60,000,000 tons of cargo worth approximately \$3,000,000,000 are barged annually through the Columbia-Snake River System, including through the 4 Lower Snake River dams;

Whereas between 40 to 60 percent of all United States wheat exports are shipped through the Columbia-Snake River System, mostly on the Lower Columbia River through deep-water draft ports;

Whereas an environmental impact statement published on October 8, 2020, by the Army Corps of Engineers, the Bureau of Reclamation, and the Bonneville Power Administration found that the 4 Lower Snake River dams should not be breached and that Federal restoration efforts should instead be focused on improving and maintaining hydroelectric power assets while working to improve salmon passage;

Whereas on October 15, 2021, the State of Washington announced plans to assess whether to breach the 4 Lower Snake River dams;

Whereas on October 21, 2021, the Department of Justice announced a settlement reached between the parties of National Wildlife Federation, et al. v. National Marine Fisheries Service, et al. (Case No. 3:01-cv-00640-SI) (in this resolution referred to as “NWF v. NMFS”), which included a stay on the case until July 2022 and led to mediated discussions to resolve the litigation;

Whereas on September 13, 2023, members of Congress sent a letter to the Council on Environmental Quality express-

ing concerns with the mediation discussions resulting from *NWF v. NMFS* and urging the Council to utilize the remainder of the stay on the litigation to productively engage with all the parties in the mediation process;

Whereas on September 27, 2023, the Biden administration released a memorandum titled “Restoring Health and Abundant Salmon, Steelhead, and Other Native Fish Populations in the Columbia River Basin” (88 Fed. Reg. 67617), outlining a plan for fish migration in the Columbia River Basin;

Whereas on December 14, 2023, as a product the mediation discussions resulting from *NWF v. NMFS*, the Biden administration entered into a memorandum of understanding with Washington, Oregon, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Nez Perce Tribe, the Pacific Coast Federation of Fishermen’s Associations, the Institute for Fisheries Resources, the Sierra Club, Idaho Rivers United, the Northwest Sport Fishing Industry Association, the NW Energy Coalition, the National Wildlife Federation, Columbia Riverkeeper, the Idaho Conservation League, and Fly Fishers International to implement the Columbia Basin Restoration Initiative;

Whereas throughout the mediation discussions resulting from *NWF v. NMFS*, key stakeholders and community members directly impacted by the litigation were left in the dark as negotiations proceeded behind closed doors;

Whereas the Biden administration and dam-breaching advocates are intent on achieving a de facto breach of the 4 Lower Snake River dams by opening the gates to reduce

the water below the minimum operating levels for hydroelectric power generation;

Whereas the decision to breach the 4 Lower Snake River dams ultimately lies with Congress, which must authorize the matter, not the Biden administration;

Whereas the Biden Administration has irresponsibly made commitments regarding the Columbia River Basin, which are dependent on congressional appropriations that have not been promised, negotiated, secured, or allocated: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes that the 4 Lower Snake River
3 dams are the lifeblood of the Pacific Northwest re-
4 gion of the United States and are vital to a strong
5 all-of-the-above energy strategy; and

6 (2) disapproves of the Columbia Basin Restora-
7 tion Initiative, as proposed in the memorandum of
8 understanding filed on December 14, 2023, in the
9 District Court for the District of Oregon in *NWF v.*
10 *NMFS*.

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