



Staff photo by E.J. Harris

The McNary Dam in Umatilla.

‘Flexible spill’ aims to keep salmon swimming

By **TONY SCHICK, CASSANDRA PROFITA AND DAVID STEVES**

Oregon Public Broadcasting

A new agreement aims to help more young salmon make their way past dams along the Columbia and Snake rivers.

The agreement, released Tuesday, spells out new strategies for spilling more water over the dams — and sending less water through power-generating turbines — each spring. It signals a reprieve to the yearslong legal skirmishes that have been playing out in federal courts over how best to save salmon and steelhead from extinction.

The fish face a number of challenges because of the hydroelectric dams built on the two rivers throughout the 20th century. Those threats include miles of slackwater behind dams, forcing juvenile fish to swim down rivers where currents previously carried them along. Dams also have created more opportunities for predators like sea lions and cormorants to prey on young salmon. And getting past the dams and their turbine blades presents dangers of its own.

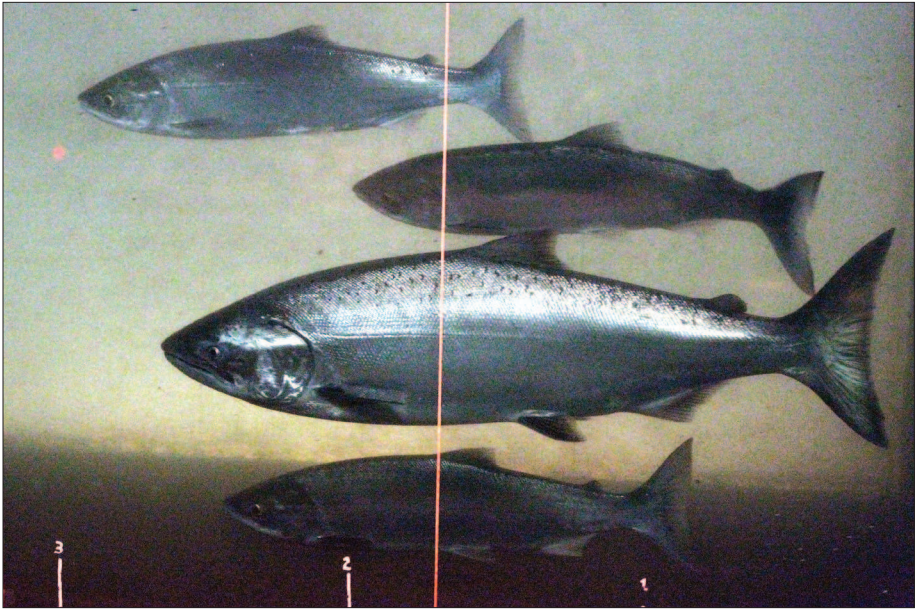
Government and tribal leaders announced the new agreement, describing it as a way to strike a balance between fish survival and continued hydropower generation from eight dams on the lower Columbia and Snake rivers.

Spilling water has been ordered by the courts in the past, as recently as last spring.

But those orders have created friction between salmon recovery advocates and groups that say curbing the flow of water means less electricity — and that means higher rates for customers.

This latest approach calls for “flexible spill,” according to a joint statement released by the agreement’s parties. In other words, dam operators would control the volume of water that gets released to help move fish downriver; more water when electricity demand is lower, less water when there’s high demand for electricity. During those high-demand periods, more water would be sent through power-generating turbines.

These new strategies for spilling water past the dams would be in place for three years on eight dams on the lower Columbia and Snake rivers. The agreement



AP Photo/Rick Bowmer

Two sockeye salmon swim in the Columbia River with a Chinook salmon, middle, at the Bonneville Dam fish-counting window near North Bonneville.



EO file photo

Teams fish for walleye below the McNary Dam on the Columbia River during Smoker Craft-Sylvan Spring Walleye Classic near Umatilla in March 2007.

“avoids litigation” during that three-year period.

“I don’t think this piece would be the solution, but it might be the start of a move toward a solution, and that’s what I think we’re all hopeful for,” said Jim Litchfield, executive director of Northwest RiverPartners, a group that has opposed increased spill in the past.

“At the same time, we are concerned about the unprecedented and scientific

ally unproven levels of new spill being contemplated by the agreement,” said Litchfield, whose group represents utilities, ports, farms and other operations that support dams.

Fishing and environmental advocacy groups characterized the agreement an important incremental step in the right direction.

“The urgency for strong action remains, while Columbia Basin salmon

remain on life support,” said Glen Spain, Northwest regional director of the Pacific Coast Federation of Fishermen’s Associations.

Tom France, regional executive director of the National Wildlife Federation, called the plan a step to help both salmon and the endangered resident orcas of south Puget Sound. Their waning chance of survival has been directly linked to the historically declining population of Columbia and Snake river chinook salmon.

“Much more will be needed, however, to protect endangered salmon — and orca — from extinction,” he said in a statement.

The parties that agreed to the new spill strategy include Washington, Oregon and the Nez Perce Tribe in Idaho. Other parties include the U.S. Army Corps of Engineers and the Bureau of Reclamation, which operate the dams, and the Bonneville Power Administration, which markets hydropower to utilities and other customers.

Bonneville Power Administration spokesman Dave Wilson said the plan could keep everyone out of court for the next three years.

“The new approach is collaboration rather than litigation, working together the states, tribes, federal agencies,” he said. “We’re going to try to do it all.”

Some, including the federal judge who previously presided over the case, and more recently, Washington Gov. Jay Inslee, have called for research or consideration for the removal of dams on the lower Snake River. It’s an idea that’s been discussed as way to save salmon and ensure they are plentiful enough for orca survival in the Northwest — especially if more incremental steps don’t work.

Todd True is an EarthJustice lawyer, who has represented environmental groups in legal action over the dams and salmon. He said it would be great if, after the new agreement’s three-year period, the government can come up with a long-term solution to protect salmon and orcas.

“Scientists have been saying for decades that’s the single biggest step we can take to put salmon on the path to sustainable populations,” True said. “So that is front and center and it’s an issue we think we need to come to grips with and address.”

Missouri poacher ordered to repeatedly watch ‘Bambi’

OZARKS, Mo. (AP) — A Missouri poacher has been ordered to repeatedly watch the movie “Bambi” as part of his sentence in a scheme to illegally kill hundreds of deer.

David Berry Jr. was ordered to watch the Disney classic at least once a month during his year-long jail sentence in what conservation agents have called one of the largest

deer poaching cases in state history, the Springfield News-Leader reports.

“The deer were trophy bucks taken illegally, mostly at night, for their heads, leaving the bodies of the deer to waste,” said Don Trotter, the prosecuting attorney in Lawrence County.

Berry, his father, two



Berry

brothers and another man who helped them had their hunting, fishing and trapping privileges revoked temporarily or permanently. The men have paid a combined \$51,000 in fines and court costs — but the judge ordered a special addition to Berry’s sentence for illegally taking wildlife.

Court records show he was ordered by Lawrence County Judge Robert George to “view the Walt Disney movie Bambi, with the first viewing being on or before December 23, 2018, and at least one such viewing each month thereafter” while at the county jail.

Berry was also sentenced to 120 days in jail in nearby Barton County for a firearms probation violation.

His father, David Berry Sr., and his brother, Kyle Berry, were arrested in August after a nearly nine-month investigation that also involved cases in Kansas, Nebraska and Canada. The Missouri Department of Conservation said information from the investigation led to 14 Missouri residents facing more than 230 charges in 11 counties.

Investigators say David

Berry Sr.’s other son, Eric Berry, was later caught with another person spotlighting deer, where poachers use light at night to make deer pause and easier to hunt.

The investigation into the Berrys began in late 2015, when the conservation agency received an anonymous tip about deer poaching in Lawrence County.