

**WA Dept. of Ecology's Public Hearing on
Multiple Revisions to WAC 173-201A
Water Quality Standards for Surface Waters of the State of Washington**

**Oral Testimony from Liz Hamilton,
Northwest Sportfishing Industry Association
Received 9-16-2019 in Vancouver, WA**

Transcription was provided by PostCAP LLC in Olympia, WA.

Okay. It looks like we have Liz Hamilton.

Hi, welcome.

>> Hi. I'm going to try to talk fast because I prepared five minutes, not three.

>> Okay.

>> So on behalf of the Northwest Sportfishing Industry Association, I want to thank you for the opportunity to comment on the proposed rule, thank the staff for the great amount of work they put together.

We are in support of the proposed rule change to raise the total dissolved gas cap to 125 in order to help outmigrating juvenile salmon and steelhead avoid powerhouse encounters. NSIA is a trade organization consisting of hundreds of businesses and thousands of family wage jobs that are dependent on healthy fishery resources and for these businesses the Columbia River is critical.

And like the orca, our industry is suffering the consequences of greatly declining Columbia River salmon and steelhead. The 2019 spring chinook returns were only 60% of last year's depressed run and less than 40% of the ten-year average. Sockeye and B-run steelhead returns are even more abysmal. These fish need bold action, as do the orca and our industry. This is why we testified here in February, at our disappointment in only going to 120 TDG for 2019. It was a small and long overdue correction to match Oregon's gas standard but only for 16 out of every 24 hours.

Again, the orca are dying, our businesses are dying. And we were asked to be bold by Governor Inslee in a tweak that likely did not keep more baby fish out of the powerhouses was the best we could muster. But it was progress toward the appropriate levels.

Decades of empirical data compiled and analyzed by the Comparative Survival Study demonstrate the small to adult rates are increased when spillage utilizes to help smolts avoid powerhouses. CSS modeling shows that absent breaching the four lower Snake River dams only spill at 125 TDG 24 hours per day even approaches the 4% average SARs needed for long-term recovery.

Although we were disappointed in a spill test that does not better meet the needs of fish we understand the region has agreed to a spill test to use the 125 TDG at least 16 hours per day

during outmigration. So therefore, we strongly object to the language in the proposed rule that constrains it to two hours average. We feel like for decades the State of Washington held spill levels below what the State of Oregon and the collaborative science and the CSS indicated was needed for outmigrants and we fear that requiring the two highest hourly measures in a calendar day will constrain spill again and have a similar effect.

Furthermore, because this varies from the 12-hour average that you have heard earlier and used as a study design for the spill test, we believe this language constrains spill, harms the spill test, and will put even more baby salmon and steelhead through powerhouses and we trust this can be corrected for the benefits of fish and the integrity of the test.

As we discussed with Ecology earlier this year, we remain concerned with the language that matches with the legally valid -- I've got the quotes here of what it says.

But we're hopeful that Ecology is going to work with the other -- with the State of Oregon and others to find language that covers the intent of the sentence that is less problematic.

Finally, we think that the biological monitoring of the resident species is expensive and unneeded as there is really no evidence available that suggests spills at or above this level have been problematic for resident species so again thank you for the opportunity to comment. We appreciate the work the staff has done on this. We look forward to both increased spill and a regional conversation Governor Inslee is convening to discuss the full recovery of this amazing salmon-producing river.