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December 22, 2025

Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

RE: Columbia & Snake River Temperature TMDL Implementation Plan

To Whom It May Concern,

Thank you for the opportunity to provide comments on the Columbia & Snake River Temperature Total Maximum Daily Load (TMDL) Implementation Plan.

My name is Chelsea Martin, and I submit these comments on behalf of Modern Electric Water Company, a consumer-owned electric and water utility serving Spokane Valley with just under 11,000 electric meters. Modern Electric Water Company purchases 100 percent of its power from the Bonneville Power Administration, nearly all of which is carbon-free. As a community-owned utility, we care deeply about the long-term health of the Columbia-Snake River system and the salmon populations that depend on it. We also believe that environmental policy must be grounded in sound science, realistic system modeling and a clear understanding of the primary drivers affecting fish survival.

Washington's implementation of the temperature TMDL must address several fundamental shortcomings in the existing framework to avoid misdirected regulation, inequitable outcomes and limited biological benefit.

A critical flaw in the existing TMDL is its failure to meaningfully account for water temperatures entering Washington from upstream sources. Rivers flowing into the state from Canada, Idaho and other upstream tributaries routinely exceed Washington's temperature criteria before crossing the state border.

The U.S. Environmental Protection Agency's 2021 TMDL analysis explicitly acknowledges that where rivers cross into the TMDL study area, water temperatures exceed Washington's water quality standards by a substantial margin from June through September. These upstream conditions alone present a significant challenge to achieving downstream temperature targets within Washington and Oregon.

Absent a realistic accounting of incoming thermal conditions, the Department of Ecology's implementation framework risks assigning responsibility to in-state sources for temperature exceedances that originate well beyond Washington's regulatory control. Any enforcement regime that fails to reflect these upstream realities risks being ineffective, inequitable and disconnected from the physical behavior of the river system.

The temperature standard underpinning the TMDL also fails to reflect the historic and observed thermal behavior of the Columbia–Snake River system. Multiple peer-reviewed and agency studies demonstrate that the federal hydropower system has functioned as a thermal buffer, moderating peak summer temperatures and reducing temperature variability, rather than exacerbating warming.

Historical data show that prior to the construction of the lower Snake River dams, water temperatures at the mouth of the Snake River regularly reached levels comparable to, and in some cases higher than, those observed today. Continuous temperature records following dam construction indicate that summer peak temperatures did not increase and, in many cases, became less volatile.

Since the early 1990s, coordinated cold-water releases from Dworshak Reservoir, implemented at the request of fisheries managers and sovereign tribes, have been used specifically to reduce temperatures during critical fish migration periods. These actions reflect an adaptive system actively mitigating temperature stress, particularly in response to rising regional air temperatures. They are not the actions of a system making conditions worse.

Long-term modeling and field observations further demonstrate that unimpounded river conditions warm more rapidly and experience higher midsummer temperatures than impounded reaches. Reservoirs reduce thermal volatility, dampen extreme temperature spikes and help maintain temperatures closer to biologically tolerable ranges during key migration windows.

Importantly, multiple studies have found little evidence that water temperatures at the mouth of the Snake River have increased over time following dam construction. Where warming trends are observed, they correlate most strongly with rising regional air temperatures, particularly in late summer and early fall, consistent with broader climate trends rather than hydropower operations.

While freshwater conditions matter, it is also essential to recognize that the majority of salmon mortality now occurs in the marine environment. Elevated ocean temperatures, marine heat waves, shifts in prey availability and changing predator dynamics are widely recognized as dominant drivers of salmon survival. Policies that focus disproportionately on marginal in-river temperature adjustments risk diverting attention and resources away from the primary constraints on recovery.

Moreover, further operational mandates, such as increased spill, carry real risks of unintended biological and system-wide consequences. Excessive spill can elevate dissolved gas levels, disorient migrating fish, increase predation risk and reduce hydropower flexibility during critical reliability events. These impacts must be weighed carefully against any claimed benefits and evaluated through peer-reviewed, system-wide analysis rather than assumption.

For more than four decades, public power ratepayers in the Pacific Northwest have borne a disproportionate share of the financial responsibility for fish and wildlife mitigation. Through Bonneville Power Administration power purchases, consumer-owned utilities and their customers have contributed tens of billions of dollars in direct expenditures and foregone power revenues to support habitat restoration, hatcheries, spill operations, monitoring and adaptive management. Any additional regulatory requirements must consider not only biological outcomes, but fairness, proportionality and the cumulative burden placed on local communities.

Modern Electric Water Company supports balanced, science-based approaches to salmon recovery and river stewardship. I urge the Department of Ecology to ensure that implementation of the Columbia & Snake

River Temperature TMDL reflects upstream realities, acknowledges the demonstrated moderating role of the hydropower system, accounts for climate-driven and ocean-based survival constraints, and aligns regulatory expectations with the best available science.

Thank you for the opportunity to provide comments on this important issue.

Sincerely,

Chelsea Martin
Director of Government Relations & Communications
Modern Electric Water Company