

Aberdeen-Springfield Canal Company

MAR 22 2000

144 South Main

PO Box 857

Aberdeen, Idaho 83210

Fax (208) 397-4510

Tel (208) 397-4192

Email: ascc@ida.net

Re: 'All-H' paper public comments

March 9, 2000

About 30 years ago, in a paroxysm of outrage and guilt, the people of the United States decided that protection of native species that are threatened or endangered by the activities of humans deserve protection, even if it means that some citizens will lose their livelihood. We are now beginning to see the true impact of this law that essentially confers inalienable rights on all life in our country (i.e. "...all species are created equal..."). And, in the noble tradition of our country, we established laws to protect the rights of all, especially those unable to defend themselves.

Now we face our first real test of that decision. How much do we really value threatened species with respect to the human population? In a nation dedicated to the rights of individuals, we must weigh the rights of threatened and endangered species with the rights of the human population that would be most adversely affected by recovery efforts.

As happens with most large issues in our society, the salmon recovery efforts (and on a higher level the Endangered Species Act itself) present both emotional/moral/ethical quandaries as well as much more mundane legal and economic questions. In the current debate of how to recover the salmon, the emotional/moral/ethical point is moot. We took care of that when the Endangered Species Act was passed. Consequently the only real debate here is how do we bring back the fish with a minimum impact on the economy and lives of the people in the Columbia basin? Still, the emotional component is driving the debate. Instead of a spirit of compromise and community aimed at preserving a natural heritage, we are faced with a fervor to bring back the run at any cost, without regard to the economic impacts, and to do it now.

The legal questions that arise from the actions of the federal government with respect to the Endangered Species Act, private property rights, the Clean Water Act, and economic responsibilities will be worked out in the courts and legislatures. Further, these issues won't find their way into the system until some action is taken (e.g. final NMFS decision on the All-H alternatives). Many of these legal questions can and should be settled a priori with mediation and compromise and to this end the water users of the state of Idaho have entered into negotiations in good faith.

Addressing the economic issues is an essential part of the process. The economic considerations are considerable and far-reaching. The citizens faced with the biggest sacrifice are not being asked, they are being told. What we require from our government is some certainty, some guarantee that our sacrifices will be in some way matched, or at the very least mitigated, by the rest of the people of this nation, all of whom will benefit from recovery of a natural heritage. At the very least we should be able to be confident that our government will remember to live up to their responsibility to protect us with the same conviction that they give the fish.

The emotional/moral/ethical debate has at its heart the idea of preserving a natural heritage, and for some of the participants in this debate, a religious significance. Unfortunately, the people that this decision will affect most adversely have no compelling counter-emotional

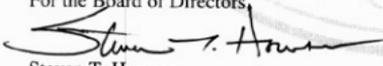
argument to use in defense of their life-styles and livelihood. One common proclamation made amongst the strongest proponents of de-constructionism is that they are trying to preserve a wonderful natural heritage for their grandchildren. While we agree that this is a noble cause, this cry seems to drown out the rebuttal of the farmers; i.e. we are trying to make sure that everybody's grandchildren have something to eat. This leaves the people that will be most greatly affected by any of the options presented in the All-H paper to argue with facts (sound science or the lack thereof) against emotion and conjecture. Since no one has ever tried to recover a salmon run *any* recovery plan can be essentially only conjecture.

Over 100 years ago, the United States government made an historical decision to cede federal lands in the west to the states if the states would put water, people, and farms on it. This decision, the Carey Act, began a program of development that brought more than just agriculture to the arid west. The construction of dams and irrigation works were viewed as noble. We were going to feed the world. Now the descendants of the people that worked so diligently to feed the world are being demonized. While this portrayal is most likely not intentional, by virtue of not readily accepting the emotional arguments of the de-constructionists, i.e. recovery now at any cost, we appear to be opposed to recovery of the salmon. This is simply not true.

If options 1, 3 or 4 in the All-H paper are adopted, there is not only the potential of large amount of cropland going without irrigation (600,000 to 1,400,000 acres in the upper Snake river alone), but power costs to irrigate and operate what acreage is left will increase. We believe that prudence should be exercised. Both Option 1 and Option 2 of the All-H paper seem both reasonable and prudent. It seems obvious that the first step should be to increase the potential for adult salmon return by decreasing the number of adult salmon that end up on the grocery shelves. It seems clear that even with the most drastic of options, Option 4, recovery efforts would not occur soon enough to really do much for re-population of the run by native fish. Surely our efforts will be directed at hatcheries to recover the run. Since we will have to use hatcheries to repopulate this threatened run it seems logical that we have some time to gather more evidence on the habitat where most of this animal's life is spent, namely the ocean. Further, five years is likely insufficient time to determine if flow augmentation efforts (which if continued **must** remain on a willing buyer - willing seller basis) can have any beneficial effects on juvenile and adult survival. In the interim we should proceed with the least economically devastating options first.

We who will be most affected by these decisions can only hope that our system of government works as designed and that our concerns be given equal credence with concerns which tug at our heartstrings. Perhaps the most ironic note of the entire situation is that much of the effort being expended to force recovery of the salmon is towards the eventual goal of catching and eating them.

For the Board of Directors,



Steven T. Howser,
General Manager
Aberdeen-Springfield Canal Company