

Comments to the Governor's Orca Task Force

By Todd Myers, Director, Center for the Environment

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This year, Governor Inslee convened a task force to examine ways to help the struggling southern-resident killer whales. At the end of that process, task force members requested public input on recommendations in a range of areas. Here are the comments we submitted:

The Task Force has done a good job of focusing on some key values that will help orca recover.

First, the Task Force should continue to focus on "swift near-term actions." Salmon and orca recovery will take a long time, but there are positive steps we can take in the near term.

Second, the Task Force should place emphasis on "estimated cost to implement." As salmon-recovery advocates know, there is a much longer list of projects than available funding. With the recent decision on culverts and the demands of the Southern Resident orca, these demands on resources are increasing. The Task Force should be rigorous in focusing on where we get the most environmental benefit for every dollar.

Here are our thoughts on the recommendations and approaches we think hold promise for orca and salmon recovery.

Communication campaigns

The Task Force report mentions "funding communication campaigns" (p. 6), that are designed to "inform the public about Southern Resident orcas." Given the extreme funding deficiencies, I strongly discourage spending resources on these efforts. While targeted efforts to specific audiences, like whale watching operators or boat owners, can have benefit, general communications efforts are extremely ineffective, and the results have been consistently poor.

As Communications Director at the Department of Natural Resources, I supported several public outreach efforts and now feel

they were largely a waste of money. Since underfunding for projects is a consistent worry, it would be better to spend resources where we know they can have a direct impact, not on ad campaigns that provide little benefit.

Habitat

There are several excellent proposals in the habitat recommendations. Some, however, are duplicative or needlessly divisive.

Potential Habitat Recommendation 1:

This recommendation is excellent and necessary. The existing ranked lists have been thoughtfully prioritized and should be followed. Revisions would create conflict and undermine the good work that has been done to create them.

Potential Habitat Recommendation 2:

This recommendation is not needed. Creating a new capital program would be wasteful and is unnecessary. There are already capital funds available for salmon recovery and our goal should be to consolidate efforts. Further, while dedicated capital funds sound useful, they are often raided by the legislature for other purposes. For example, the Public Works Assistance Account was raided during the 2015-17 budget, with once-dedicated funding being put into the General Fund.¹

Potential Habitat Recommendation 3:

The phrase "to implement a precautionary approach," provides virtually no guidance, especially for something as complex as cumulative impacts. Without specific metrics, using a precautionary approach is extremely subjective and requires a weighing of risks

1 Engrossed Substitute Senate Bill 6052, § 959, 2015, <http://leap.leg.wa.gov/leap/Budget/Detail/2015/6052-S.PL.pdf>

that will be inconsistent. This phrase should be removed in favor of clear guidance.

Potential Habitat Recommendation 5:

This recommendation is extremely controversial and has been tried many times, with no success. There are more effective and achievable alternatives, including programs that provide support for bulkhead repairs. This recommendation should be rejected.

Potential Habitat Recommendation 7:

Again, creating new programs should be avoided where existing efforts and expertise are already in place. The Washington State Conservation Commission has a request for \$1.9 million for Agriculture Conservation Science that would support orca recovery efforts. State Conservation Commission decision package S8 should be funded.²

Hatcheries

The draft report's discussion of the value of hatcheries is spot on and I can't improve on it, except to change "could," to "will": "Hatchery production could play an important role in increasing prey abundance for Southern Residents, especially in the intermediate term (three to 10 years), as increasing natural Chinook stocks will take more time." (p. 8)

Hatchery recommendation 1C is the best option, both to increase prey availability in the near term and gain useful scientific information designed to improve the productivity of hatcheries and reduce risk from hatchery production. Experience shows that increased hatchery production can be done in a way that complements wild stocks, while providing more food for orcas.

Hydropower

There has been a great deal of opportunistic attention to the Snake River Dams as part of this process. Jim Wilcox, a

member of the Puget Sound Partnership Leadership Council, and I submitted a letter previously that addresses our belief that spending time and resources on the destruction of the Snake River Dams would not only harm the economy of Eastern Washington, but would also do almost nothing to help Southern Resident orca. The science is clear and consistent on this issue.

- NOAA Fisheries notes that destroying the dams would be of "marginal" benefit to the orca since the Snake is relatively less important than other regional watersheds.
- NOAA Fisheries and others also note that given the very low mortality rate of salmon that pass the dams, the benefits of removal would be small to none, especially in the near term. The experience with the Elwha dam, where there was no salmon passage, confirms this. In 2017, five years after dam removal, 96 percent of the fish in the Elwha river were still hatchery fish and populations were still at about their 20-year average.
- Snake River dam removal would be extremely expensive and take time and resources away from proven opportunities in the area where orca most rely on fish – in Puget Sound.
- The economic costs would be significant. The Northwest Power and Conservation Council recently testified before the Washington state legislature, noting that beginning in 2021, Washington would have a shortage of generating capacity and the risk of a loss of power would increase. That would get worse in 2023. They confirm that losing the electricity from the Snake River Dams would make that problem worse. Additionally, 10 percent of U.S. wheat travels down the Snake, and removal of the dams would make transportation more difficult and costly.

Put simply, there is no justification – scientific or economic – for focusing on destroying the Four Lower Snake River dams. Too often, mundane, but practical science-based actions are shunted aside by trendy

² <https://abr.ofm.wa.gov/budget/decision-packages/v1?budgetSession=2019-21:R&agencyCode=471&versionCode=SCC1921&decisionPackageCode=S8&budgetLevel=PL>

environmental efforts based on emotion, not logic. This is a classic case of that sad reality.

Additionally, the Task Force should reject both of the options on the Snake River. With the orca facing serious threats, the Task Force should not leave the fate of hundreds of millions, or billions, of dollars that could go to help salmon and orca in the hands of one judge.

If the judge rules the dams must be removed, huge sums of federal money that might otherwise be available will be lost and Puget Sound orca and salmon will pay part of the price. The belief that there is money for everything is obviously inaccurate and we should not pretend that such a ruling would not affect other recovery efforts.

Pinnipeds and predation

As the Task Force Report notes, recent research indicates “the increase in abundance of harbor seals may also adversely affect Chinook, and consequently, Southern Residents (Chasco, et al., 2017).” (p. 12)

Potential Predation Combination Recommendation 1B:

Predation Recommendation 1B calls for a science panel to examine science related to predation by pinnipeds. This is very similar to the Puget Sound Partnership’s Near-Term Action 573, which would, “Help report on current science regarding pinniped predation on salmon & factors that may exacerbate predation,” and “Review science, policy & management ramifications.”³ This is a worthwhile effort given the lack of information. WDFW and PSP should work with Long Live the Kings to make this happen quickly.

Additionally, the Task Force should set a deadline for this effort and for NOAA’s assessment on the “optimal sustainable populations of the harbor seal stocks of Puget Sound.” For a variety of reasons, NOAA’s

assessments are often delayed, and the Task Force should set a useful time frame for this information.

Potential Predation Combination Recommendation 2A:

Amending the MMPA to manage pinniped predation at the mouth of the Columbia River has strong bipartisan and scientific support. Reducing predation has the potential to provide near-term benefits for salmon populations and orca. The alternative recommendation would simply delay benefits to orca and salmon runs with further study. Amending the MMPA should be an obvious step.

Potential predation recommendation 3:

This is an excellent approach and has been tried, most recently in Lake Sammamish, where a derby to catch invasive perch was instituted to help the local Kokanee species.⁴

Forage fish

Both of these recommendations are worth supporting.

Potential forage fish recommendation 1:

PSAR projects are ranked and analyzed for scientific basis and effectiveness. Funding them would be a good step for medium to long term recovery of salmon.

Potential forage fish recommendation 2:

The Puget Sound Partnership Near Term Action 242 addresses sand lance habitat and would provide a good starting point for this

3 <http://www.psp.wa.gov/gis/NTATool/NTADetails?NTAID=2018-0573>

4 <http://nwssportsmanmag.com/catch-perch-help-save-imperiled-sammamish-kokanee-at-derby/>

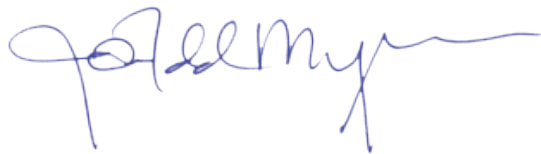
effort. It was ranked in the top tier of projects.⁵
It should be funded.

Climate change

Climate change has the potential to increase stream temperatures and exacerbate existing habitat problems for salmon. It is important, however, to use current science to assess the risk accurately and to assist in prioritizing risks. The study included in the Orca Task Force, by Abdul-Aziz, et al., 2011, is outdated and uses temperature-increase estimates that are significantly above current science.

That study uses an outdated scenario known as A1B from the U.N. IPCC's AR4 report and estimates 2.8 degrees C of temperature increase by 2100. The IPCC's latest report, known as AR5, has significantly reduced the temperature-increase estimates. The two median estimates in scenarios RCP 6 and RCP 4.5 project either 2.2 degrees C or 1.8 degrees C. The Task Force draft report uses temperature estimates that are either 21 percent or 36 percent too high.

Thank you for the opportunity to comment. Please feel free to contact me with any questions.



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*Todd Myers is the director of
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⁵ <http://www.psp.wa.gov/gis/NTATool/NTADetails?NTAID=2018-0242>