

RiverSpeak

October 2013

Progress Made In the Past Two Years to Keep the Skykomish River Free Flowing

We have a number of ways to fight SnoPUD's planned hydro-electric project at Sunset Falls in Index, WA. They are via:

1. FERC (Federal Energy Regulatory Commission)
2. SnoPUD (Snohomish County Public Utility District) Commissioners
3. NPCC (Northwest Power and Conservation Council)
4. Preserving Initiative 937
5. Obtaining Federal Wild and Scenic designation.

Following is a summary what has been done to help protect the river to date, and what we can all do in the future.

1. FERC (Federal Energy Regulatory Commission)

What FERC can do:

FERC can deny, or grant, a license to SnoPUD for this project. SnoPUD cannot build without FERC giving the license.

When it will happen:

FERC's decision will come in 2017, after all the studies have been done to assess the site for the project. The same people will be on the FERC team throughout the entire process.

Things to know:

If FERC eventually denies SnoPUD the license, it does not protect against future proposals. Another utility or a private company can come in and apply FERC to put in their own dam, which would start this entire process all over again. This process may be long and laborious, but if we don't do our best to present a good case to FERC it is much more likely that SnoPUD will win. **The current project cannot proceed unless FERC grants a license.**

Progress so far:

- Attendance at the June meeting at the Index Fire Station was almost unprecedented. Officially, 124 people signed in, but many more were there. Many people spoke eloquently and movingly about their opposition to the project. Our

advisors, who have been through the FERC process before on other projects, said that usually only a handful of locals show up and they aren't nearly as well prepared with thoughtful statements against a project.

- Many people afterwards successfully negotiated FERC's web page to submit written comments. It's easy enough to talk and complain about something, but writing about it demonstrates a higher level of commitment. Even though those comments alone won't win the battle, they had to have had an effect on the FERC folks.
- On Oct 2nd there was an almost all-day meeting at SnoPUD during which each of the 16 proposed studies were discussed. At least 10 of us opposition representatives showed up to give input into the planned studies.

Topics FERC cares about:

- Threatened bird and fish species.
- Impacts to traffic. (How can SnoPUD get about one billion pounds of rock hauled away from the site without adversely impacting traffic on Route 2?)
- The potential for compromised water quality.
- Noise produced by the project after it is in place that will affect surrounding property owners.
- The potential for mineral contamination, such as copper (detrimental to returning salmon) and arsenic (poisonous to humans), when the blasting is done.

One of the FERC guys had very detailed assignments for SnoPUD with regard to a traffic study. **FERC seems to be taking the traffic considerations (initially brought up by us opponents) very seriously** and has obviously done independent research on Route 2 and its importance in Washington State.

How to participate:

- **Submit comments to FERC about SnoPUD's planned studies by December 1, 2013,** at <https://ferconline.ferc.gov/QuickComment.aspx> and refer to docket number P-14295-001. SnoPUD's planned studies are in 'Schedule C' at this page: <http://www.snopud.com/PowerSupply/hydro/sfpep/sfdocs/studyplans.ashx?p=2292>.

2. SnoPUD (Snohomish County Public Utility District) Commissioners

What SnoPud can do:

SnoPUD Commissioners could shut this plan down but say they are only “studying” it.

Progress so far:

Last year quite a few people went to offer public comments at their Commission meetings, and it had to have had an impact.

How to participate:

- **Go directly to the Commissioners.** If you think you might be able to go to one of their meetings to tell them what you think about this project (usually on a Tuesday after lunch) and are OK with public speaking, please let Lynne Kelly know; she coordinates the speaker schedule. Her e-mail is blynnekelly@msn.com.
- **Submit a letter to the Editor of the Everett Herald.** If the Commissioners don't read the Herald, at least some of their employees do. Letters to the Editor can help SnoPUD Commissioners keep their fingers on the pulse of public opinion because they are elected to their positions by the voters of Snohomish County. Writing to the editor spreads the word about the problems with the project to other rate payers.
- **Challenge Commissioners who are up for re-election.** They are elected for 6 year terms, and the FERC process will be on-going during the next two re-election campaigns.

In 2014 Commissioner David Aldrich is up for re-election. He represents the most northern part of Snohomish County: Marysville, Granite Falls, Camano Island, Arlington, Darrington. If you live in northern Snohomish County, ask him some hard questions about this project when he's running his campaign next year.

*Two questions that come to mind are, “**How much do the studies cost?**” and, “**What is a realistic estimate of the total cost of this project and how does that jive with the \$170 million estimate from 2012?**” If he has no answers to either/both of those questions, the next question would be “**What?...Why not???**” Since rate payers will pick up the tab for this project, they should know how much it costs.*

In 2016 Commissioner Toni Olson will be up for re-election. She represents the Route 2 corridor area....our area, the river's area. FERC will be in the middle of evaluating studies then. If you know anyone who would be a good opponent for her, now is the time to start thinking about that possibility. **All of us must make an effort to let her know that we want the Commissioners to abandon this project.**

3. NPCC (Northwest Power and Conservation Council)

What NPCC can do:

NPCC can deny SnoPUD permission to transmit power over Bonneville Power Administration (BPA) transmission lines, even if the project is approved by FERC. *This would be a financial disincentive for SnoPUD because it needs those lines in order to sell renewable energy credits to California.* So far, however, **FERC has never granted a license on a NPCC Protected River.**

What NPCC cares about:

Washington State's salmon populations.

Things to know:

NPCC has designated the Skykomish as a Protected River, meaning that it is protected from hydro power development. NPCC reviews their Protected Rivers every five years, and 2013 is the year. **The Skykomish needs to stay a Protected River in order to dissuade FERC from granting a license, and for NPCC to have the authority to deny SnoPUD the right to transmit power over BPA lines in the event SnoPUD does get the FERC license. NPCC makes its final decision next September. If the river remains Protected, it should be protected for at least 5 years, until 2019, two full years after the FERC deadline for a decision.**

Progress so far:

In September, NPCC took public recommendations on that process. Over 400 people wrote to NPCC asking that they keep Protected River status for the rivers currently Protected; most of those recommendations specifically mentioned the Skykomish River.

How to participate:

- **Comment on the recommendations to NPCC.** NPCC is taking comments on the already-submitted recommendations until mid-November. *Keeping Protected River status for the Skykomish River would hit SnoPUD in the wallet.* The list of recommendations available to comment on is here: <http://www.nwcouncil.org/fw/program/2013amend/recs>

4. Preserving Initiative 937

What Initiative 937 does:

Initiative 937 was passed by Washington voters in 2006 to provide financial incentives for companies and utilities to develop alternative (renewable) sources of power, such as wind and solar. **New hydro on rivers is specifically excluded from being considered “renewable” in Washington State under I-937.**

Things to know:

For the past two legislative sessions SnoPUD has tried to have I-937 changed so that new hydro on rivers would be considered renewable. There is every reason to believe that SnoPUD will try again. **SnoPUD confidently refers to new hydro power as renewable, even though it is not considered renewable in WA state.** This SnoPUD web page, <http://www.snopud.com/?p=1685>, states that Youngs Creek is renewable. In fact, SnoPUD's Youngs Creek hydro has received certification from California as renewable, but it doesn't meet the legal definition of renewable in Washington State.

Progress so far:

During the last legislative session, some of us went to Olympia to offer public comments on a bill that SnoPUD was behind that would have specifically allowed the Sunset Falls project to be considered "renewable". Luckily, the committee ran out of time to consider the bill and it died.

How to participate:

- **Stay tuned for updates from me.** I am on an e-mail alert chain to be notified when there is a threat to I-937, and will sound the alarm when I get that notification.

5. Obtaining Federal Wild and Scenic Designation

What Wild and Scenic Designation would do:

Provide final and absolute protection against all hydro power plants.

Things to know:

- While it is unlikely that a bill to protect the Skykomish River would be considered when a proposed project is being considered by FERC, achieving Wild and Scenic status is a goal which is always in the back of everyone's mind. This is the 6th time in the past 100 years that a dam has been proposed at this site.
- This is not a partisan issue. There are both Democrats and Republicans who are against the project. We are very fortunate to have the support of State Senator Kirk Pearson (R) who has written to both the PUD Commissioners and to FERC detailing his opposition to the project. The 32nd Democratic legislative district and multiple non-governmental organizations are also on record as opposing the project.

Progress so far:

In August some of us met with the staff from Senator Patty Murray's office and Congresswoman Suzan Del Bene's office and introduced the idea of the river becoming Wild and Scenic. It was a successful meeting and the staffers left with notebooks which

detailed many of the different aspects of the proposed project. We will continue to meet with elected officials as the opportunities present themselves.

How to participate:

- **Write to your local and federal elected officials.** Let them know your thoughts on this idea. SnoPUD has already made the rounds to many of the officials, and it is crucial that we state our opinions and rebuff SnoPUD's assertions.

On behalf of the river, please accept an enthusiastic "Thank You" for helping in the effort to defeat this plan. **Because this process is on-going and will take a few more years, expect to get occasional appeals to write a comment or attend an event. It is all important and worthwhile.** We respect everyone's time and resources and only send out an appeal when it is important. If you feel inspired to more actively join the effort, your time and expertise will be valuable and appreciated.

Until next time,
Lora Cox