

Congress of the United States
House of Representatives
Washington, DC 20515-3705

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November 15, 2023

Chief United States (U.S.) District Judge Marco A. Hernández
Mark O. Hatfield United States Courthouse
Room 1507
1000 Southwest Third Avenue
Portland, Oregon 97204-2944

Dear Chief U.S. District Judge Hernandez,

Recently, I heard concerns from my constituents over the negative consequences that have occurred due to your court injunction issued at the Willamette Valley Dams System. Specifically, the operation changes at Green Peter dam near Sweet Home, Oregon.

As you know, in September 2021, your court issued an interim injunction that required the Army Corps of Engineers to take specific actions to improve fish passage and water quality at these dams. The purpose of the action is to improve fish recovery of the Upper Willamette River Spring Chinook and Winter Steelhead that are listed as threatened under the Endangered Species Act (ESA). One of the requirements was for the Army Corps of Engineers to draw down the water levels at selected dams (e.g. Green Peter) to improve the survival for juvenile spring chinook and steelhead. The drawdown began this past summer, and the water level will be at its lowest point from November 15-December 15.

Four of the thirteen operating dams in the Willamette Valley reside in my district, including the Green Peter dam. Since the deep drawdown of Green Peter, my communities in Linn County have been negatively impacted. First, we have seen greater losses of Kokanee salmon who are unable to survive in this new environment. This fish is not listed under the ESA. There has also been a larger loss of freshwater clams due to draw down.

Next, there have been landslides, and vegetation changes around the dam leaving major soil and sediment deposits in the Willamette River. This has increased the turbidity levels in the drinking water operations of Sweet Home and surrounding areas. While the water supply is drinkable, there are concerns about the maintenance of potable water and it has been challenging to treat their water supply. They believe this is not sustainable at this level of turbidity to ensure safe drinking water for their communities. They further believe the higher levels of sediment are destroying the habitat of Pacific Lambrey and Copes Giant Salamander.

Finally, the local economy will be negatively impacted by the water drawdown. Businesses in the region are reporting economic losses with outdoor recreation and tourism compared to last year's sales.

This news is troublesome. I will continue to work with the Army Corps of Engineers to ensure my communities are getting the information they need as well as be a resource to them as they continue to work tirelessly to ensure safe drinking water for Linn County residents.

Further, I request the federal court to revisit the court injunction, and develop a better alternative at Green Peter dam to improve fish passage. While I am supportive of efforts to improve salmon and steelhead recovery, this court injunction is causing more harm than good. I stand ready to work with you and all stakeholders on viable solutions in the Willamette Basin.

I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Lori Chavez-DeRemer". The signature is written in a cursive, flowing style.

Lori Chavez-DeRemer
Member of Congress