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Judge goes too far in trying to manage dams

It is particularly concerning because Judge James Redden seems to be fixated on breaching the Snake River dams.

By the Editorial Board of the Union-Bulletin

Perhaps James Redden should have sought employment at the U.S. Army Corps of Engineers or the Bonneville Power Administration.

After all, the U.S. District Court judge seems obsessed with managing the dams on the Columbia and Snake rivers.

Redden appears ready to step out of his role as judge. He told federal dam operators last week that their latest efforts to save salmon do not appear to be any better than two previous failed plans. He indicated he would take over the process this spring if their efforts don't meet his standard.

That's going too far. Then again, that's not surprising for Redden. He's gone over-the-top in the past.

In 2004, Redden overstepped his authority when he established policy on how much water should be spilled over dams on the Columbia and Snake rivers. Redden ruled that the federal government could not reduce the amount of water it spills over the dams.

BPA had planned on running more water through the dams' turbines to generate needed electricity. The goal was to save ratepayers between \$18 million to \$28 million. The Corps, which operates the dams, and the National Marine Fisheries Service signed off on the plan because it was concluded that reducing the spill would not harm efforts to protect endangered chinook salmon.

Redden was substituting his judgment for the judgment of Bonneville, Corps of Engineers and Marine Fisheries officials.

It was a mistake then, and it is a mistake now.

The plan that Redden dismisses as unfit was approved by NOAA Fisheries, the federal agency in charge of salmon recovery. The agency has used experts to reach this conclusion.

Redden's conclusions seem to be based only on his gut feelings.

But even more concerning is Redden's fixation with breaching the four dams on the lower Snake River. The judge reminded the parties to the lawsuit that he wants to see an analysis of removing the four dams.

The issue has been looked at by experts, including those at the Corps, and the conclusion was that dam breaching would do more harm than good.

The Corps' report in 2002 said dam breaching would increase the chances of salmon restoration only slightly - if at all - while taking a huge toll on the economy of the region surrounding the dams.

Judge Redden should stick to interpreting the law and leave managing the dams and salmon restoration to the experts.