



July 18, 2025

Low Impact Hydropower Institute
 Attn: Maryalice Fischer, Certification Program Director
 68 Harrison Ave Ste 605, PMB 113938
 Boston, Massachusetts 02111-1929

Sent via email to: comments@lowimpacthydro.org

Re: LIHI certifications in the Pacific Northwest, including Wells Dam.

Dear Ms. Fischer:

The fifteen undersigned conservation and social justice organizations write to express our deep concern, confusion, and frustration with the Low Impact Hydropower's (LIHI) proposal to certify Wells Dam as "low impact" hydropower. The process and substance of this proceeding calls into question LIHI staff's understanding of the politics and science of salmon recovery in the Pacific Northwest, as well as LIHI staff's grasp of and respect for Tribal sovereignty, treaty rights, and co-management authorities. Certifying Wells Dam would significantly diminish the credibility and value of LIHI's brand and certifications, as well as undermine Oregon's [Renewable Portfolio Standards](#). Furthermore, this process could set a precedent for certifying many other old mainstem dams that have, individually and collectively, devastated salmon, steelhead, lamprey, sturgeon and other economically and culturally significant fisheries. **LIHI should deny certification to Wells Dam and, going forward, not certify *any* legacy hydroelectric dams in Northwest watersheds where native, migratory fish have failed to recover in healthy abundance.**

We should not need to explain that salmon and other migratory native fish carry substantial economic and cultural significance in the Pacific Northwest, especially but not

exclusively for Tribal Nations, and that legacy hydropower continues to significantly degrade Northwest fisheries. We are including a non-exhaustive list of resources that LIHI staff should become familiar with before proceeding with this, or any, certification in salmon country:

- The U.S. Dept. of Interior’s 2024 [Tribal Circumstances Analysis](#) detailing the historic and ongoing harms to Tribal cultures and people caused by dams in the Columbia River watershed;
- [Tribal Perspectives](#) on the Columbia River Hydrosystem (Appendix P to the 2020 Columbia River System Operations EIS);
- Columbia River Inter-Tribal Fish Commission’s [Salmon People](#) and [Tribal Salmon Culture](#) webpages;
- Columbia River Inter-Tribal Fish Commission’s [Energy Vision](#);
- [Columbia Basin Restoration Initiative](#);
- [Spirit of the Salmon](#) Tribal Restoration Plan.

LIHI’s staff failure to engage relevant State and Tribal fisheries management agencies from the outset of this certification process suggests that LIHI staff currently lack the scientific, cultural, and political competence to pass judgment on the “impact” of dams in the Pacific Northwest.

Wells Dam has serious, unmitigated negative impacts on salmon, steelhead, and other native migratory fish. Comments submitted by [Washington Department of Fish and Wildlife \(WDFW\)](#), [Yakama Nation](#), and [Columbia River Inter-Tribal Fish Commission](#) explain how Wells Dam harms imperiled lamprey, endangered wild spring Chinook salmon, and endangered wild steelhead. Specifically, we call your attention to Wells Dam’s ongoing illegal killing (in violation of section 9 of the Endangered Species Act) of Mid-Columbia and Snake River endangered wild steelhead that “overshoot” their spawning tributaries to find cold water refugia above Wells Dam but cannot successfully migrate back downstream. We also remind you that Wells Dam inundated and destroyed roughly 25 miles of mainstem Columbia River habitat, as well as similar habitat in the lower Okanogan River. This area was likely productive spawning habitat for fall Chinook, similar to the free-flowing Hanford Reach downstream. We will not even speculate about what cultural and economic significance the area inundated by Wells Dam held, and holds, for indigenous people who have called this area home since time immemorial. In no meaningful sense can Wells Dam be called “low impact” hydropower.

Certification is also inappropriate because it would not decrease or mitigate the existing negative impacts of Wells Dam. One of LIHI’s professed goals is to incentivise dam owners to go beyond the minimum (and often insufficient) legal requirements imposed by state or federal rules for protecting fisheries and other resources. If that is true, LIHI should not certify Wells Dams because Douglas PUD is not proposing any substantial new or additional safeguards for fish beyond those already captured in the dam’s FERC license and Habitat Conservation Plan.

Despite requests by WDFW, Yakama Nation, and CRITFC, Douglas PUD [refused to accept](#) any substantive conditions on a LIHI certificate that would decrease the impact of Wells Dam on fisheries resources. If LIHI is sincere about incentivizing better outcomes for fish, wildlife, and communities, there is no point in certifying Wells Dam. The existing operations and configurations of Wells Dam, and similar legacy dams, should be reconsidered and significantly improved—not reinforced and rewarded through LIHI certification.

Certifying Wells Dam as “low impact” hydropower would contravene the intent of Oregon’s Renewable Portfolio Standards (RPS) and set a precedent that could undermine the RPS’ goal of incentivising investments in new low-carbon energy generation. As LIHI is [aware](#), Oregon law allows hydropower from certified low-impact projects to help satisfy energy portfolio standards designed to reduce the carbon footprint of Oregon’s electric grid.¹ However, **legacy hydropower from mainstem Columbia and Snake dams has been widely understood as NOT qualifying for Oregon’s RPS.**² As explained by the [Oregon Department of Energy](#), in general: “hydropower — from dams built decades ago — is not eligible for credit toward the state’s Renewable Portfolio Standard, which was created to encourage the development of *new* renewable electricity resources.” (emphasis in original). Climate Solutions’ [recent testimony](#) opposing Oregon SB 634 details why the eligibility of legacy hydropower, like Wells Dam, would severely limit the RPS statute’s ability to “accelerate installation of **new** forms of renewable electricity,” (emphasis in original) or necessitate substantial revisions to the RPS’ clean energy quotas. As such, **certification of Wells Dam would make it unlikely for Columbia Riverkeeper and others to [continue defending](#) LIHI’s inclusion in Oregon’s RPS rules.**

The process through which LIHI arrived at this juncture was deeply flawed. We nevertheless appreciate LIHI re-opening a comment period and hope that that step signals LIHI’s awareness of these flaws. In the future, LIHI should involve relevant State and Tribal fish and wildlife managers early in certification processes, and not rely on a general comment period as the sole conduit for communications with States and Tribes. We hope that this experience also encourages LIHI staff to stop taking representations by dam owners about a dams’ impacts or stakeholders at face value. Hopefully, these lessons will improve this and other LIHI certification review processes in the Pacific Northwest.

In conclusion, we reiterate our deep concern and confusion about LIHI’s proposal to certify Wells Dam, which is not “low impact” hydropower in any meaningful sense. Certifying

¹ ORS 469A.020(4)(a); ORS 469A.025(5)(a), (b).

² Climate Solutions, [Testimony in Opposition to Oregon SB 634](#), p.1 (March 18, 2025) (“In virtually every legislative session since 2007, bills have been introduced to add legacy hydro facilities as a qualifying resource under the RPS. The Legislature has rejected all of those efforts for good reason.”)

Wells Dam would set a precedent that would erode both the value of Oregon's RPS, as well as (in our eyes) the value of LIHI certification. Accordingly, LIHI should deny certification to Wells Dam and, going forward, not certify *any* legacy hydroelectric dams in Northwest watersheds where native, migratory fish have failed to recover in healthy abundance.

Sincerely,

A handwritten signature in black ink, appearing to be 'Miles Johnson', with a stylized, cursive script.

Miles Johnson
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On behalf of:

Columbia Riverkeeper
Earthjustice
Washington Conservation Action
Washington Chapter Sierra Club
Idaho Conservation League
Oregon Wild
Native Fish Society
Spokane Riverkeeper
Tualatin Riverkeepers
Khimstonik
Northwest Environmental Defence Center
Snake River Waterkeeper
Center for Environmental Law and Policy
Endangered Species Coalition
Save Our wild Salmon Coalition

cc:
LIHI Board Technical Committee Members