

# SLAKE RIVER DREDGING

## A History of Litigation

Unlike annual maintenance needs on many rivers and harbors, dredging is needed fairly infrequently on the Lower Snake River and the quantities removed are a fraction of what is dredged in other river systems across the nation. Despite how little dredging is required, groups regularly sue the U.S. Army Corps of Engineers to impede this basic maintenance effort on the Lower Snake. The Inland Ports & Navigation Group (IPNG), a subset of PNWA's membership, has been an intervener in each of these cases.



## Dredging Success in 2015

In late 2014, groups once again sued the Corps to thwart basic maintenance dredging, which had not occurred on the Snake since 2006. In January 2015, Judge James Robart of the U.S. District Court's Western District of Washington denied the plaintiffs' request for injunction, allowing the Corps to perform routine dredging in the Lower Granite pool near Lewiston, ID and Clarkston, WA. The dredging, which concluded in February 2015, allowed the U.S. Army Corps of Engineers to restore the navigation channel to its authorized depth. This project was good for both the economy and the environment, as the Corps used the material removed from the channel to create shallow water "resting and rearing" habitat for migrating juvenile salmon downstream near Knoxway Canyon.

## Definitive Court Ruling Delivered in 2016

Despite the completion of the dredging, the plaintiffs pushed ahead with the merits portion of their lawsuit and both sides argued again before Judge Robart on February 2, 2016. On February 9, 2016, Judge Robart ruled overwhelmingly in favor of the federal government and dismissed the merits portion of the case as well. This ruling was welcomed by those who value a balanced approach to maintaining this vital trade corridor in an environmentally responsible manner. In his ruling, the Judge noted that the plaintiffs' arguments were moot, nor were they ripe. The Judge then proceeded to rule on the merits as well. The Judge ruled unanimously for the Corps of Engineers.

## The Lower Snake River Delivers Value to the Nation

In 2020, 4.2 million tons of cargo moved on the Snake River, and it would have taken 42,160 rail cars or 162,153 semi-trucks if barging was not available. In most years, nearly 10% of all U.S. wheat exports moved through the locks on the Snake River. The Snake River also supports a thriving recreation and tourism industry. Over 25,000 passengers cruised the Snake in 2018, contributing over \$15 million to communities on the river system.

## Dredging Needs - Winter 2022-2023

Increased debris from more frequent and catastrophic wildfires combined with annual sedimentation has led to shoaling in the Snake River. The federal channel is not currently being maintained to its authorized depth leading to light loading of barges and increased safety risks for barges and passenger vessels. \$6.176 million was secured in the Infrastructure Investment and Jobs Act for Snake River dredging, and an additional \$3 million was included in the FY2023 appropriations for access channel and advanced maintenance dredging. It also included work on a tiered NEPA analysis to define the channel and look holistically at future options for channel maintenance. No litigation was filed, and dredging was completed over winter 2022/2023.

In addition, upon completion of the tiered NEPA process, PNWA will seek a clear definition in a future Water Resources Development Act of the Snake River Channel between the ports of Lewiston, Idaho and Clarkston, Washington to include the Federal channel, turning basins, access channels and other features to ensure the Corps can properly budget, plan, and routinely maintain the channel in the future.

