The Klamath Tribes

June 27, 2012

Mr. Charlie Hoppin, Chair
State Water Resources Control Board
Box 100
Sacramento, CA 95812

Re: Continued abeyance of the Clean Water Act Section 401 application for the
       Klamath Hydroelectric Project, FERC Project No. 2082

Dear Chairman Hoppin:

The Klamath Tribes request that the Board approve a resolution granting extension of the above-described abeyance for an additional year without condition or qualification.

The Klamath Tribes are among the numerous parties who successfully put aside long-festering antagonisms to reach the Klamath Basin Restoration Agreement and the Klamath Hydroelectric Settlement Agreement. It remains that case that these Agreements hold the best opportunity for all parties, and for the Klamath Basin as a whole, to resolve issues that have for too long divided our communities and prevented the kind of large-scale action needed to address basin water quality issues. The abeyance is necessary to avoid re-igniting those flames. If the parties are forced back into what will undoubtedly be highly contentious water quality proceedings, the likelihood of the Agreements surviving is slim.

In the meantime, we are making progress toward the necessary legislation in Congress, both the California and Oregon Public Utility Commissions have taken favorable actions, and there is serious water quality monitoring and improvement work under way.

The reasons for continuing the abeyance far outweigh the costs of that decision. Perhaps most significantly to the Board, the magnitude and the spatial and temporal extent of improvements to water quality attained under the Agreements will surely dwarf what may be possible to achieve through the 401 proceedings. The Klamath Tribes urge the Board to continue the abeyance.

Thank you very much for your work and consideration.

Very truly yours,

Jeff C. Mitchell, Lead Negotiator
Tribal Council Member