Appendix C

Scoping Meeting Transcripts and Oral and/or Written Comments Submitted at Scoping Meetings

Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

D Street Neighborhood Center – 1301 D Street, Arcata

January 12, 2017 (5:00 p.m. – 7:00 p.m.)

Sign-In Sheet

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

Location: D Street Neighborhood Center - 1301 D Street, ARCATA

Date and Time: January 12, 2017 5:00 p.m. to 7:00 p.m.

Name	Organization	Contact Information
Annelia Hillman	Yurok Tribe	ahillman@yuroktribe.nsn.us
Dely Inglesia	Yurok Tribe	(707) 502-7533
Ysabel Diaz	Local Citizen/Resident	ysadiaz@gmail.com
Graham Uemura	N/A	Maguro4u@gmail.com
Jeff Blaeke	HSU Wildlife	Jeff.Blaeke@humboldt.edu
Sylvia DeRosa	—	ofxthepoint@att.net
Jennifer Kalt	Humboldt Baykeeper	jkalt@humboldtbaykeeper.org
Craig Tucker	Karuk Tribe	ctucker@karuk.us
COURTNEY BROWN	HSU STUDENT	CMB1068@HUMBOLDT.EDU
RYAN KAPLAN	CITIZEN	RYAN.J.KAPLAN@GMAIL.COM
FRED KRISSMAN	HSU ANTH DEPT	fredkrissman@humboldt.edu

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Name	Organization	Contact Information
WALT PANIAK	—	WPANIAK@GMAIL.COM
Dustin Brooks	—	
Paul Kinsey		paulkinsey395@gmail.com
Jamie Bettaso	—	jamiebettaso@gmail.com
RICHARD ITRÉIS	SCNC/NEC	rgitreis@gmail.com
Sydney Stewart		SMS226@humboldt.edu
Becky Dutra		becky_dutra@hotmail.com
Trevor Lucas	BUFC	Trevor[illegible]@yahoo.com
Robert Shearer	—	rls511@humboldt.edu
Michelle Krall	—	michelle.krall4@gmail.com
DAVID BITTS	PCFFA	dbitts@suddenlink.net
Peter Carlson	—	pccarlson@gmail.com
JANICE KINNEY	YUROK TRIBE	jkinney@yuroktribe.nsn.us
Dave Hillemeier	Yurok Tribe	Dave@YurokTribe.nsn.us
Josh Strange	[illegible]	joshua@sweetriversciences.com
Onna Joseph	Yurok Tribe	

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	Name	Organization	Contact Information
	Mahlija Florendo	yurok tribe	(541) 232-6850
	Melinda Groom	—	(707) 668-4275
	Emily Scott		eesi76@humboldt.edu
	Cena Marino	Citizen	(707) 445-3603 (ID w/ yourself pam Removal)
	Rosada Martin	citizen	(707) 223-3969
	Emily Mahoney	citizen	530-514-8714
	BILL BURTON	TRINITY COUNTY	Bburton@trinitycounty.org
	Scott Greacen	Friends of the Eel River	scott@eelriver.org
	Mirely Watt	yurok tribe	mwatt@yurok tribe.nsn.us
	Nancy Ihara	citizen	nancyihara@gmail.com

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Name	Organization	Contact Information
Lauren McClure	Stillwater Sciences	lauren@stillwatersci.com
Clayton Creager	NCRWQCB	clayton.creager@waterboards.ca.gov
Bob Gearhart	Retired HSU	rag2@humboldt.edu
Katie Terhaar		Kbt38@humboldt.edu
Kay Schulz		khopschulz@hotmail.com
John Driscoll	Rep. Jared Huffman	john.driscoll@mail.house.gov
John Schaefer		jcschaef@igc.org
Konrad Fisher	Klamath Riverkeeper	Konrad@klamathriver.org
Richard Hanzis		rah14@humboldt.edu
Bob Brown	Streamline Planning	bob@streamlineplanning.net
Kate Selway	NA	Selwaykate@gmail.com
Brianna Walsh		brianna.r.walsh@gmail.com
TINA GARSON	—	tna626962@sbcglobal.net
Andreas Krause	Yurok Tribe	akrause@yuroktribe.nsn.us
Aaron Cervantes	NIA	aac378@humboldt.edu
Terry Torgerson		torgomail@gmail.com
Nat Pennington	Klamath Riverkeeper	nathaniepennington@hotmail.com
Jacque + Bob Camm	Trinidad Rancheria	jhosther@trinidadrancheria.com

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Name	Organization	Contact Information
Parker Thaler	State Water Resources Control Board	parker.thaler@waterboards.ca.gov
Maia Singer	Stillwater Sciences	maia@stillwatersci.com
NICK CUSICK	Regional WB 1	nicholas.cusick@waterboards.ca.gov
Callie Grant	Regional WB 1	callie.grant@waterboards.ca.gov
Dennis Halligan	Stillwater Sciences	dennis@stillwatersci.com
Mary Ann Murphy		maryann.murphy@gmail.com
Paul K Schulz	—	pkuner@live.com
Abel Brumo	Stillwater Sciences	abel@stillwatersci.com
Diane Ryerson		dryerson7@gmail.com
Tom Weseloh	Senator McGuire	tom.weseloh@sen.ca.gov
Tim Bailey	HCN	tim.bailey@humboldt.edu
Mark Mette	-	Nikkimatte@icloud.com
Raymond Mette	-	/
Diane Anderson	neighbor	[illegible]
Jason Hold		jah2584@gmail.com
John Stokes	Not much	gadumma@MSN.com
HEATHER SEARS	PRINCESS SEAFOOD LLC	Princessoftheboatsales@gmail.com
Evan Mahony-Moyer		emahonymoyer@gmail.com

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Name	Organization	Contact Information
Josh Fishbein		fishbein@gm.slc.edu
Erin Rowe		hibeonblades@gmail
Larry Glass	NorthCoast Environmental Center	larryglass71@gmail.com
Adam Wagschal	ICF	adam.wagschal@icf.com
Kalin Sini		KSS463@humboldt.edu
Nancy Stevens	Stillwater Sciences	Nancy@stillwatersci.com
Joe James	Yurok Tribe	
Amy Cordalis	Yurok Tribe	acordalis@yuroktribe.nsn.us
Louisa McCovey	Yurok Tribe	lomccovey@ " "
Mary Ann Madej	Self	soilsaver@hotmail.com
Shane Quinn	Yurok Tribe	squinn@yuroktribe.nsn.us
Brandon Boutros	Self	bcboutros@humboldt.edu
James Dunlap	SELF	YurokJames@SBCGLOBAL.NET
Guru Lashlee	me & nature	emerald@pacific.net
Yvonne Everett	HSU	everett@humboldt.edu
Cutcha Risling Baldy	HSU	crislingbaldy@humboldt.edu
Anya Mettier		aryabary7@gmail.com
Grant Gilkison	Karuk Tribe	ggilkison@karuk.us

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Name	Organization	Contact Information
Carol Osborn	none	smartgrammie@gmail.com
Jenna Bader	Citizen	Jenna.bader@yahoo.com
Matt Lavis	Yurok Tribe	mlavis@yuroktribe.nsn.us
Angela Rex	none	westermaid@hotmail.com
Ian Osipowitsch	citizen	ian.osipowitsch@yahoo.com
SUSAN RHODES	SAVE THE HUMANS	bigfatsue@yahoo.com
Lee Dedini		dedinilee@gmail.com
D. BARACONI	CITIZEN	dbaraconi@gmail.com
JamesAdamTaylor	↑	JamesAdamTaylor@gmail.com
Verbena Lea	Peoples' Action for Rights + Community	peoplesarc@gmail.com
BAYLEY B. BROWN	KHUM	BAYLEY@KHUM.COM
Christopher Mettier	Resident	christophermettier@gmail.com
TRACY KATELMAN	resident	tracy@foreverglenfoods.com
Aaron David		aarontdavid@yahoo.com
SUSAN NOLAN	—	BOX 115 BAYSIDE CA 95524
Lisa Sundberg	Trinidad Rancheria Member	Sundberg.Lisa888@gmail.com
Judith Mayer	citizen	jmayer@sonic.net
Nancy Kuykendall	citizen	nancelot9@gmail.com

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Date and Time: January 12, 2017 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
Zane Schoettgen		zts4@humboldt.edu
Colin Kerosky	Rogue Climate	colin@rogueclimate.org
Chris Attias		chrisattias@yahoo.com
Jay Stallman	Stillwater Sciences	jay@stillwatersci.com
Oshun Drourke	Yurok Tribe	Odrourke@yuroktribe.nsn.us
Marisa Parish	Smith River Alliance	mmparish@gmail.com
Bob Borch	Humb Fishermens Marketing	rhbfishld@aol.com
Deja Malone-Perrha		Deja.malone@gmail.com
Jenny Curtis	U.S. Geological Survey	jcurtis@usgs.gov
Charlie Holthaus	Fisherman	clwhwts@suddenlink mail.com
Mark Lovelace	Citizen	marklovelace01@gmail.com
Lana M McCovey	Yurok	lamccovey@yuroktribe.nsn.us
Beau Quinta	Forest Service SRRC	Beaq747@icloud.com
Mary Ellen Anderson	NC	cstrep1@gmail.com
Maria Diaz	citizen	mdl53@humboldt.edu
Richard nelson	Yurok Tribe	Richard@Yuroktribe.nsn.us
Nate Harris	Yurok Tribe	njharris30@gmail.com
NED FORSYTH	SIERRA CLUB REDWOOD CHAPTER	[illegible]

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Name	Organization	Contact Information
LAVINA BROOKS	Yurok Tribal Member	lbrooks@yuroktribe.nsn.us
Ryan Arseneault		arsen747@gmail.com
Linda Evans		lindylou@suddenlink.net
Tim Hayden	YUROK TRIBE	thayden@yuroktribe.nsn.us
Genell Fitch		
Joanne McGarry		joannemmcgarry@yahoo.com

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Name	Organization	Contact Information
Bessie Shorty	Yurok Tribe	bshorty@yuroktribe.msn.us
Keenan Hilton		keenan.a.hilton@gmail.com
Josh Koepke	Samara Restoration	josh@samararestoration.com

Speaker Cards and Written Comments

(1)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

John Driscoll

Rep. Jared Huffman -
Supportive of water quality cert

ARCATA **SACRAMENTO** **YREKA**

(2)

SPEAKER CARD
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SCOPING MEETING

January 2017

(Please Print Clearly)

PAUL KINSEY

paulkinsey395@gmail.com

AS A STATE WATER RESOURCES LICENCEE (License Holder) I support the K.R. Licensee SURRENDER and the undaming of THE KLAMATH RIVER.

ARCATA **SACRAMENTO** **YREKA**

~~Good evening madam chair and members of the board.~~ I am John Driscoll, district representative for Congressman Jared Huffman. Thank you for taking the time to come to ~~Eureka~~ Arcata to hear the concerns of the congressman's constituents about the Klamath River.

The permit you are considering is of great interest to the congressman and to tribes, fishermen and communities up and down the West Coast. It's a key piece in the effort to remove the four dams on the Klamath to rebuild salmon runs and make the river healthy.

We have known for a long time that the reservoirs behind the four dams severely compromise water quality by heating up water and causing algae blooms. This has had disastrous effects on the Klamath River's important fisheries, to recreational uses of the river, and to ceremonial uses by the tribes that hold the river sacred.

As you know, the 2012 state and federal environmental study on this issue detailed these impacts. Studies since then have added more scientific weight to the joint EIR/EIS conclusions. Congressman Huffman asks that the findings of that joint study be rolled into the new state environmental study under consideration. He also asks that the expected long-term benefits of removing the Klamath's four dams be weighed carefully and thoroughly along with the possibility of short-term effects. It is especially important to take the long view, in which a restored river can rebuild itself.

Congressman Huffman asks that your board issue a water quality certification for dam removal that so many have worked to achieve for so long. The timely issuance of the certificate is imperative to allow the Federal Energy Regulatory Commission to authorize dam removal this year. Please give the water quality certification your full and fair consideration.

Congressman Huffman thanks your board for its long participation in Klamath River issues. Congressman Huffman asks you to take one more step, to help tear down these dams.

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SCOPING MEETING

January 2017

(Please Print Clearly)

JAVIER KINNEY

j.kinney@yuroktribe.nsn.us

YUROK TRIBE SUPPORTS REMOVAL OF ALL DAMS & FOR THE CONTINUOUS OF THE CULTURAL WAY OF LIFE FOR GENERATIONS TO COME.

ARCATA **SACRAMENTO** **YREKA**

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(Please Print Clearly)

Amy Cordalis

Yurok Tribe

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(Please Print Clearly)

Larry Glass

larryglass71@gmail.com

Northcoast Environmental Center

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(Please Print Clearly)

Nathaniel Pennington

nathanielpennington@hotmail.com

Klamath River Keeper Salmon River Restoration Council nature Rights council

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January 2017
(Please Print Clearly)

Mahlija Florendo
mahlija.florendo@yahoo.com
Yurok tribe
How us as a native tribe, and surrounding tribes are affected by the dams on the Klamath River

~~ARCATA~~ SACRAMENTO YREKA

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January 2017
(Please Print Clearly)

Annelia Hillman
ahillman@yuroktribe.nsn.us

Dam removal is needed for the health of our communities, our cultural restoration, and for our economies. Dam removal is the first step to restoration for the Klamath River. It is long over due.

~~ARCATA~~ SACRAMENTO YREKA

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DAVID BITTS

dbitts@suddenlink.net

PCFFA

VALUE OF DAM REMOVAL TO
OCEAN SALMON FISHERIES

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(Please Print Clearly)

Mark Lovelace

markelovelace01@gmail.com

I urge the State Water Board to approve the 401 permit to allow KRRC to go forward with decommissioning of these dams.

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January 2017
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Raymond Matz

Commercial fisherman on klamath
Dam Removal

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January 2017
(Please Print Clearly)

Craig Tucker

Karuk Tribe

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James Durkan

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(Please Print Clearly)

Dave Hillemeier

Dave@Yurok.nsn.us

Yurok Tribe

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(Please Print Clearly)

Ian Osipovitsch

ian.osipovitsch@yahoo.com

Please remove the Dams.
Thanks.

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(Please Print Clearly)

Dr. Joshua Strange

joshua@sweetriversciences.com

comments re WQ & fish disease
benefits of removal/surrender

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Clayton Creager

North Coast Regional Water Quality Control Board

provided

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Regina Chichizola

PCFFA

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Good evening. My name is Clayton Creager and I am an Environmental Program Manager for the North Coast Regional Water Quality Control Board. I am here today to speak on behalf of our agency on the State Water Board's *Notice of Preparation of an Environmental Impact Report for the Lower Klamath Project* and to express our support for the Facilities Removal alternative that will lead to the decommissioning of the four lower-Klamath dams.

- The North Coast Water Board is employing a comprehensive basin-wide (above and below the Klamath dams) recovery strategy to restore water quality throughout the Klamath Basin. We are working collaboratively with many organizations, Tribes, and private landowners. We consider the entire Klamath River Basin to be one single, integrated watershed ecosystem composed of many diverse sub-basins. To facilitate this strategy we have developed the Klamath Basin Monitoring Program and the Klamath Tracking and Accounting Program to coordinate recovery actions and monitoring across the basin.

- The ongoing restoration actions and TMDL implementation efforts to restore the Klamath River cannot reach their full potential without also addressing the water quality limiting factors created by the four dams identified in the *Lower Klamath Project*. This understanding is widely accepted in the scientific community, as noted in Interior Secretary Jewell's summary of the Klamath Secretarial Determination Findings[1], which makes the selection of the Facilities Removal alternative a clearly preferred choice.

- The North Coast Water Board accepts that the Facilities Removal scenario is undoubtedly going to result in temporary downstream impacts that may be unavoidable. The procedures for evaluating and authorizing these temporary impacts from restoration projects, which at times can degrade water quality and cause temporary exceedances of water quality objectives, are detailed in the Regional Water Board's *Policy in Support of Restoration in the North Coast Region* (Restoration Policy) which was approved by the SWRCB and the Office of Administrative Law.

- The North Coast Water Board stands solidly behind the Facilities Removal alternative and believes that it is necessary to *restore* and maintain the chemical, physical, and biological integrity of the Klamath River.

[1]Letter from Interior Secretary Sally Jewell to Kimberly D. Bose (Secretary) Federal Energy Regulatory Commission (October 17, 2016) summarizing the findings of the Secretarial Determination supporting the applications submitted by PacifiCorp and the Klamath River Renewal Corporation on September 23, 2016, urging the Federal Energy Regulatory Commission (Commission) to approve these applications for dam removal as a critical step toward resolving the significant water-related issues in the Klamath Basin.

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SCOTT GREACEN

Friends of the Eel River

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Aaron David

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Zane Schoettgen

If necessary

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(Please Print Clearly)

TRACY KATZMAN

Please issue a permit for the dam removal

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(Please Print Clearly)

NAME: LANA M McCOVEY

EMAIL (if desired): lamccovey@yurok tribe.nsn.us

ORGANIZATION (if applicable): YUROK TRIBE

REMARKS: ALL 4 DAMS Should be removed.
THE YUROK TRIBE HAS BEEN A PART OF THE REMOVAL PROCESS FROM THE BEGINNING. OUR ORGANIZATION HAS PROVIDED SCIENTIFIC INFORMATION AND CULTURAL INFORMATION AS TO HOW DAM REMOVAL IS THE BEST OPTION TO RESTORING THE WATER QUALITY OF THE KLAMATH RIVER.

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

POOR WATER QUALITY HAS HAD DETRIMENTAL AFFECTS TO THE FISHERY OF THE KLAMATH RIVER.

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(Please Print Clearly)

NAME: Dr. Cutcha Risling Baldy

EMAIL (if desired): Crislingbaldy@humboldt.edu

ORGANIZATION (if applicable): Humboldt State Dept. of Native American Studies

REMARKS:

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

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NAME: Lisa Sundberg

EMAIL (if desired):

→ Host of Sumeg Village Brush Dam.

ORGANIZATION (if applicable): Tribal Member Trinidad Rancheria

REMARKS: Other Yurok communities are also affected by the dams & as a member who was raised in Trinidad & Klamath River am in support of Dam Removal. The Yurok people are River and Costal Indians and Trinidad is a coast Yurok community → who use the fish resources for Ceremonies & traditional Subsistence

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

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(Please Print Clearly)

NAME: Andrew Orehoske

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

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(Please Print Clearly)

NAME: Jenna Bader

EMAIL (if desired): jenna.bader@yahoo.com

ORGANIZATION (if applicable): Citizen, Energy & Climate Scientist

REMARKS: I support un-damming the Klamath. Dams were created in a narrow framework to create energy, without considering the fact that we need water for other resources. These dams are choking the river of nutrients & minerals, and threaten the water quality, Salmon, and all local Tribes that rely on the River for survival.

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(Please Print Clearly)

Sammy Gensaw III

Sammygsaw232@Gmail.com

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(Please Print Clearly)

Colin William Kerosky

colin@rogueclimate.org

Rogue Climate

- If [illegible] there is time, I

[illegible] will speak. [illegible]

(ARCATA) SACRAMENTO YREKA

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(Please Print Clearly)

Jon-Luke Gensaw

Gensaw22471@gmail.com

Ancestral Guard

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Joe James

Yurok Tribal Council

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(Please Print Clearly)

Lena Mann (~~do not need to speak~~)

cdmag1@sbcglobal.net

With the new administration it will be VERY important to show solidarity in all environmental concerns - getting out the word through whatever means you can - computer, newspaper, JPR + Democracy Now on radio, the Journal, etc., contacting all local + county + state + ~~federal~~ (Federal) people, completing petitions on line or at various group meetings, demonstrations, etc. Besides fish man and many other species (animal + plant) depend on clean water!

ARCATA SACRAMENTO YREKA

1/12/17

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Lena Belle GenSaw

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(Please Print Clearly)

Dara Alexander

Please take down all dams so a core source of life life can be rejuvinated, revived, so that life can flourish and thrive once again endlessly.

ARCATA **SACRAMENTO** **YREKA**

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Thomas Joseph

Hoopa Tribe

ARCATA **SACRAMENTO** **YREKA**

DID NOT SPEAK

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(Please Print Clearly)

NAME: Kristin Richter

EMAIL (if desired): kannichja@gmail.com

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

Do Not wish to speak

~~SPEAKER CARD~~

LOWER KLAMATH PROJECT LICENSE SURRENDER SCOPING MEETING

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(Please Print Clearly)

NAME: Mary Ann Murphy

EMAIL (if desired): maryann.murphy@gmail.com

ORGANIZATION (if applicable):

REMARKS: From everything I've read + heard the dams should be removed from the Klamath River

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Rob Gearheart

EMAIL (if desired): rg8@humboldt.edu

ORGANIZATION (if applicable):

REMARKS: Written remarks provided

LOCATION (circle one): ARCATA SACRAMENTO YREKA

My name is Bob Gearheart, Emeritus Humboldt State University Professor of Environmental Resource Engineering I have lived Arcata for 41 years and have been involved in water quality and wetland research for 48 years. I have support the removal of the dams on the Klamath River based on the science that shows the role it will play in improving water quality and fisheries populations. I have worked on various water quality and wetland projects on the upper Klamath Basin for 24 years. I was a member of the Upper Klamath Basin Science Team, contributed and reviewed the Undepleted Natural Flow report , and more recently was a member the Klamath Hydroelectric Settlement Agreement IM 10 technical review team. Dam removal will allow the lower Klamath River to process water, nutrients, gravels, and sediments which will promote and sustain fish population and reduce human impacts from blue green algae metabolites.

- Water temperature-reduce heat build in reservoir supporting BF algae
- Allow springs to discharge to rivers with cooler termperature without dilution into a reservoir
- Allow natural flows to synchronize with salomonid fish behavoir
- Allow winter and spring floodplain riparian development from sediments and nutrients (nitrogen and phosphorus)
- Allow for low flow natural wetlands to develop to produce habitat and to process and storge nutrients.
- Natural distribution of gravels and production of pools and riffles to support habitats for aquatic insects and fish species
- Minimize still and quiesent water that supports filamentous attached algae and planktonic bluegreen algae
- others

Removing the dams will allow the river to perfom its natural process for improving and maintaining water quality and supporting fisheries population. Dam removal is necessary but not sufficient from watershed standpoint to insure full recovery of the river.

Thank You
Robert Gearheart
613 Park Ave
Arcata, California 95521

no Speaking

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Dan Ehresman

EMAIL (if desired): dan.ehresman@gmail.com

ORGANIZATION (if applicable):

REMARKS: As a long-time resident of the Humboldt Bay area & in standing with Tribes & other North Coast communities who depend on a healthy Klamath River, I am here to urge my strong support for moving forward with water quality certification →

LOCATION (circle one): (ARCATA) SACRAMENTO YREKA

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...towards removal of all four Klamath dams.
For those who came before us & for those who follow - it is past time to Un-dam the Klamath River.

Thank you.

Court Reporter Transcript

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

LOWER KLAMATH PROJECT LICENSE SURRENDER

* * *

REPORTER'S TRANSCRIPT OF PROCEEDING

Thursday, January 12, 2017

5:09 P.M.

* * *

D Street Neighborhood Center

1301 D Street

Arcata, California 95521

Jennifer L. Yang, CSR 12367

A P P E A R A N C E S

FOR THE STATE WATER RESOURCES CONTROL BOARD:

Parker Thaler, Environmental Scientist
1001 I Street, 14th Floor
Sacramento, CA 95814
parker.thaler@waterboards.ca.gov

Erin Ragazzi, Environmental Program Manager I
1001 I Street, 14th Floor
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I N D E X

* * *

OPENING PRESENTATION

PUBLIC COMMENTS

I N D E X

* * *

PUBLIC COMMENTS - CONTINUED

WRITTEN COMMENTS

Written Comment by John Driscoll, district representative for Congressman Jared Huffman - one page.

Written Comment by Clayton Creager - one page.

ARCATA, CALIFORNIA MONDAY, JANUARY 25, 2016

5:09 P.M.

* * *

MS. RAGAZZI: Good evening and welcome.

This is the first of three scoping meetings that the State Water Resources Control Board is going to be having on the Lower Klamath Project. I'm Erin Ragazzi with the State Water Resources Control Board and I'm here today with a couple of my colleagues. Parker Thaler and Christine Diego, in the back of the room, they're both with the Water Quality Certification Program with the State Water Board, and Marianna Aue is with our Office of Chief Counsel.

We're also joined today by our environmental consultants, Stillwater Sciences. We have Maia Singer and Barbara Clark, and then they subcontracted. The tribal lead for the project is William Rich.

So I'm going to do a little bit of logistics and ground rules here today and then I'm going to turn it over to Parker for a presentation.

First thing I want to do is just provide an update. So we were scheduled originally to have a scoping meeting in Yreka on June 6, but there was a lot of weather recently, pretty wet, and, unfortunately, we had to cancel that meeting. We were very fortunate that we could

reschedule that for Thursday, January 26, to the same location, the Miner's Inn, and same time, 5:00 to 7:00 p.m., as this meeting.

I did want to let folks know that should you leave here today and talk with other folks and they have an interest in hearing about this project, hearing about our process, they can either attend one of the future scoping meetings in Sacramento or Yreka, or the Sacramento meeting is actually being webcast, so you can always have them listen in and be at that webcast.

So the purpose of today's meeting is really for us to provide information, but, more importantly, for us to hear comments from folks about the Lower Klamath Project and specifically the State Water Board's process related to the water quality certification application that's before us.

So after I go through the logistics and ground rules, Parker's going to provide that presentation, a very brief presentation, and then we'll up open it up for comments. This meeting is scheduled to go up until 7:00 p.m. this evening and we'll see how many commenters we have.

The back of the room there's a sign-in sheet. Please be sure to sign in. There's also a one-page information sheet. Be sure to pick one of these up. It

provides the web page for the Lower Klamath Project. It also has information on signing up for the Lower Klamath Project email subscription list, so that you can receive future updates about the project, and on the back there's a map of the Lower Klamath Project which will help out.

If you want to speak tonight, please be sure to fill out one of these speaker cards and then hand it off to a State Water Board staffperson in the back of the room.

If you are not sure if you want to speak or not, please fill out a card and just write "if necessary," so that provides with us the opportunity to know how many people might want to speak so that we can figure out how much time we can allocate to each speaker.

Please note that we have Jennifer Yang over there. She's transcribing this meeting for us, and it's important that you state your first and last name and you spell it so that she can accurately transcribe that information for us.

Are we good on sound and everything? Great.

Little bit on ground rules. Typical ground rules: Please silence any electronic devices you have. Take a moment to do that. Please be sure to respect all speakers and all points of view this evening, and we want to make sure there's only one person speaking at a time

and that you do use the microphone so that everybody can hear the comments and, more importantly, so that we can get them accurately transcribed.

We ask that you hold any questions or comments until the end of the presentation. So we're really here tonight to listen to the comments that folks have, but there will be an opportunity at the end of the presentation for any procedural questions that you may have.

We do recognize there's a short time frame for us to receive all comments tonight, so please respect the time limits. If at the end of the oral comment period we have additional time, I'm more than happy to have people come up and provide additional oral comments or for other folks to come forward at that time and provide additional comments.

If you don't want to speak tonight, you can take one of these speaker cards, write on it whatever comments you want and put you don't want to speak tonight. We'll take those written comments and consider them equally to what we would consider as part of the oral comments, and if you aren't able to make all of your oral comments tonight, please feel free to submit written comments. The comment deadline is February 1st.

With that, I'm going to turn it over to Parker

to provide a presentation on why we're here and a little bit about the Lower Klamath Project.

MR. THALER: Hello. Thank you all for coming.

As Erin said, my name is Parker Thaler and I'm the lead technical staff assigned to the Lower Klamath Project, and as for why we are here, the Klamath River Renewal Corporation, otherwise known as the KRRC, submitted a water quality certification application to the State Water Board to decommission sufficient portions of the Lower Klamath Project for it to provide a free-flowing Klamath River and for volitional fish passage.

The State Water Board conditions hydroelectric projects via water quality certifications to ensure the protection of State's waters, and the California Environmental Quality Act requires an environmental impact report to inform the State Water Board and the public about the project's significant environmental affects and ways to reduce those impacts.

Now today I'll be providing an overview of the Lower Klamath Project dam developments; background on the Lower Klamath Project Federal Energy Regulatory Commission, or FERC, process, as well as the Lower Klamath Project's link to the Klamath Hydroelectric Project; an overview of the CEQA process, otherwise known as the California Environmental Quality Act; and a discussion of

our notice of preparation, and in advance, I apologize for all the abbreviations.

So shown in this slide is a map illustrating the general locations of Lower Klamath Project's dam developments. This is the same figure located on the cover of your notice of preparation that was sent out December 22, 2016, and is also located on the back page of the fact sheet at the back of the room.

For the purposes of easy viewing on the slide on the screen, I've added blue dots to generally locate the Lower Klamath Project's dam developments and a red line to delineate the State of California and Oregon's border.

The Lower Klamath Project is located along the Klamath River in Siskiyou County, California and in Klamath County, Oregon. The California portion includes Copco No. 1, Copco No. 2, and Iron Gate Dam developments.

J.C. Boyle is located in Oregon, approximately 16 miles north of the state line, and is subject to the State of Oregon's water quality certification process which is a separate action than what we are discussing today.

The Lower Klamath Project dam developments are currently part of the Klamath Hydroelectric Project which is owned and operated by PacifiCorp. For reference, the slide lists all Klamath Hydroelectric Project facilities

and from upstream to downstream include East Side and West Side, which are located adjacent to Link River Dam at Upper Klamath Lake, Keno and J.C. Boyle, which are both Oregon facilities; Copco No. 2, Copco No. 1, and Iron Gate, which are all located on the main stem Klamath River in California, and Fall Creek, which is located on Fall Creek that is a tributary to the Klamath River.

You can see on the slide in bold and underlined I've delineated the Lower Klamath Project dam developments from the Klamath Hydroelectric Project facilities, and off to the right of each name there is an abbreviation for which state that facility is located at.

Now that I've provided information on the Lower Klamath Project dam developments, I will briefly provide background information on the Lower Klamath Project's progress through the Federal Energy Regulatory Commission process. For context, FERC is the federal agency that issues orders for the construction, operations, and decommissioning of hydroelectric projects. FERC orders are often issued with conditions or measures that project operators must comply with to protect public and environmental resources.

So beginning in 1956, FERC issued the original license order for the construction and operation of the Klamath Hydroelectric Project, and in February of 2000,

the 1956 license for the Klamath Hydroelectric Project was issued on a 50-year term that expired in 2006.

Because the FERC license expired, the Klamath Hydroelectric Project is required to obtain a new license to operate from FERC, which requires a water quality certification as well as other authorizations from various state and federal agencies.

So in 2004, PacifiCorp, the owner of the Klamath Hydroelectric Project, and currently associated Lower Klamath Project dam developments applied to FERC to relicense the Klamath Hydroelectric Project, and shortly thereafter, in 2006, applied to the State Water Board for water quality certification.

In 2007, FERC completed its National Environmental Policy Act compliance by issuance of a final environmental impact statement analyzing PacifiCorps proposals for continued operations of the Klamath Hydroelectric Project as well as various alternatives.

Following that, in 2008, the State Water Board began CEQA process of evaluating the Klamath Hydroelectric Project for release of a notice of preparation and hosting of scoping meetings.

Following FERC's issuance of its final environmental impact statement, some Klamath Hydroelectric Project-affected parties began discussions for a

settlement agreement that resulted in the formation of the Klamath Hydroelectric Settlement Agreement in February 2010.

The Klamath Hydroelectric Settlement Agreement created a pathway for dam removal of J.C. Boyle, Copco No. 2, Copco No. 1, and Iron Gate Dam developments via federal authorization that would have removed these developments from the FERC process, and in September of 2012, the Klamath Hydroelectric Settlement Agreement, along with its companion agreement known as the Klamath Basin Restoration Agreement, resulted in the final Klamath Facilities Removal environmental impact statement and environmental impact report, and before I go any further, I would like to note here that the State Water Board is not a signatory to any of the settlement agreements and that the State Water Board maintains its independent authority to condition the Klamath Hydroelectric Project and the Lower Klamath Project for the protection of water quality standards, and in light of the substantial new information developed since the 2008 notice of preparation, in 2015 the State Water Board reinitiated the CEQA process by release of an updated notice of preparation and hosting the public scoping meetings.

Shortly thereafter, on April 6 of 2016, the Klamath Hydroelectric Settlement Agreement was amended to

remove provisions requiring federal authorization to proceed with dam removal and instead pursue dam removal through the FERC process.

Following the amendment of the Klamath Hydroelectric Settlement Agreement and at the request of PacifiCorp, on June 16, 2016, FERC placed the Klamath Hydroelectric Project relicensing process on hold for an abeyance and on June 24, 2016, PacifiCorp withdrew its water quality certification application from the State Water Board thereby ending the water quality certification and CEQA process associated with the Klamath Hydroelectric Project.

Following PacifiCorps' withdrawal of its water quality certification application, several events happened on September 23, 2016. A new entity, a 501(c)(3) non-profit known as the Klamath River Renewal Corporation, jointly filed with PacifiCorp an application to transfer a portion of the Klamath Hydroelectric Project to the Klamath River Renewal Corporation thereby dividing the Klamath Hydroelectric Project into two separate projects, the first being East Side and West Side, Keno, and Fall Creek, which would maintain the name Klamath Hydroelectric Project as well as FERC project number 2082.

The second would go to the Klamath River Renewal Corporation and would consist of J.C. Boyle, Copco No. 2,

Copco No. 1, and Iron Gate dam developments, otherwise known as the Lower Klamath Project. FERC has designated this project as project number 14803. I'd like to note that this transfer application is currently pending before FERC.

In addition to the transfer application, the Klamath River Renewal Corporation also, on September 23, 2016, filed with FERC a license surrender application seeking to decommission sufficient portions of the Lower Klamath Project to provide for a free-flowing Klamath River in the project-affected area as well as volitional fish passage, and also on September 23, 2016, the Klamath River Renewal Corporation submitted a water quality certification application to the State Water Board.

Now that we've covered the background, the State Water Board is proceeding with processing the Klamath River Renewal Corporation's water quality certification application, but before the State Water Board can take an action on the Lower Klamath Project's water quality certification application, it must first comply with CEQA as CEQA is a requirement of state law. Information developed in the CEQA process will be used to inform the State Water Board's future actions.

Today's scoping meeting is part of the notice of preparation public comment period that began on

December 22, 2016, and will end on February 1st of 2017.

Shown in the slide is an overview of the typical CEQA process in which the State Water Board has determined an environmental impact report is necessary. You can see following that determination the State Water Board will issue a notice of preparation and conduct public scoping meetings, which is currently where we are at.

You can see on the slide in bold and underlined I have noted this a formal public comment period under CEQA, and the dates for the comment period are listed. December 22 is when it began, and it will close on February 1 at 5:00 p.m.

Following the close of the comment period, the State Water Board will collect all the comments and take them into consideration as well as consider the existing environmental information that is available and use those to develop a draft environmental impact report.

The draft environmental impact report will then be released for a minimum 30-day public comment period, and again you can see that there's a formal public comment period associated with the environmental impact report.

The draft environmental impact report will include items like a detailed description of the project and project alternatives, mitigation measures to reduce impacts to resource areas and a description of

environmental baseline conditions.

Now, similar to the notice of preparation portion of the CEQA process, the State Water Board will consider all comments received and issue a final environmental impact report.

Following or concurrent with the issuance of the final environmental impact report, the State Water Board will take an action on the KRRC or Klamath River Renewal Corporation's water quality certification application.

Now, our CEQA approach is to focus on the California portion of the Lower Klamath Project because that is the portion of the project subject to the State Water Board's authority.

We plan to use FERC's environmental impact statement and the Klamath facilities removal environmental impact statement and environmental impact report in development of our CEQA document. We also plan to use information gathered by CEQA commenters, the scientific community, settlement agreement, tribes and other sources.

Our notice of preparation identified two project alternatives that we plan to include, and those were the Klamath River Renewal Corporation's proposed project to decommission sufficient portions of the Lower Klamath Project to provide for volitional fish passage and a free-flowing Klamath River and the known project

alternatives, and we recognize there is a range between these two alternatives and part of this public scoping period is to receive input on additional alternatives or specific alternatives that the public feels should be considered.

So to jump back to today's meeting, all public comments submitted by February 1st of 2017 will be considered. I consider all comments to be helpful, but there are a few key pieces of information that would be most helpful to us in development of our CEQA document, and those are the adequacy of FERC's environmental impact statement and the planned facilities removal joint CEQA-NEPA document.

In other words, do these documents address your concerns or is additional time needed; the range of alternatives or specific alternatives that should be considered, as well as potential impacts or mitigation measures, and, of course, any other items.

Now, there has been previous analysis done on alternatives, impacts, and mitigation measures, and those have been described today such as FERC's environmental impact statement and the Klamath Facilities Removal CEQA-NEPA document. To the extent that those documents address your concerns or comments, it would be beneficial for us to know of them, and we do understand there are

environmental impacts associated with the Klamath River Renewal Corporation's proposed project and potential other alternatives, including the release of large sediments from behind Copco and Iron Gate reservoirs, changes in ground water table and potential impacts to tribal cultural resources.

If you're planning on commenting on potential impacts, I encourage everyone to refer to attachment one in the notice of preparation for a list of impacts that we've identified which was developed using previous environmental information that we cited.

So with that, again, please submit your comments by 5:00 p.m. on February 1st of 2017. You can send them to the physical or email address shown up here, and there's a link also on the slide to our Lower Klamath Project web page where we post updated water quality certification information, and another slide here is how to stay informed, and on the front of our NLP there's instructions on how to subscribe to our Lower Klamath Project License Surrender email subscription system, and when we have updates such as release of a notice of preparation or draft CEQA document, we will be sending them out via that system, and if you're signed in, you'll automatically receive those updates, and we've also posted those instructions on the slide.

With that, I will turn it over to Erin to take over the questions relating to processes described today and then public comments. Thank you.

MS. RAGAZZI: So there's a bunch of folks standing over here. There are plenty of seats out here. Anyone with a seat next to them that's open, raise your hand and let folks know where they might want to come in and sit down, so if you'd like to, there's plenty of seats up front, and we are here until 7:00, potentially.

So second of all I want to find out does anybody have any comment cards out there. Anybody else that wants to comment today? If so, you can hand your comments to Christian. That would be great.

And then, are there any procedural questions? So not a comment, just where you have a question about how to submit a comment or something like that.

Okay, so we're going to dive right in to hear what you guys came here to tell us tonight, so first speaker -- I'm going to call out a couple names so folks know -- John Driscoll with representative Jared Huffman followed by Paul Kinsey and Javier Kinney.

And just so folks know, I'm going to give folks three minutes, so plan accordingly. If we have extra time at the end, I'm happy to give people an opportunity to come back and provide additional comments.

If you could state your name, first and last name, and spell it, that would be great.

JOHN DRISCOLL: My name is John Driscoll, J-o-h-n D-r-i-s-c-o-l-l. I'm the district representative for Congressman Jared Huffman. Do I need to spell that as well?

Thank you for coming to Arcata tonight and being here to listen to what all these folks have to say, and I think it's pretty clear that most people feel the same way about these dams.

The part that you're considering is of great interest to the Congressman and to tribes, fishermen, communities up and down the West Coast. It's a key piece in the effort to remove the four dams on the Klamath, to rebuild salmon runs and make the river healthy.

We've known for a long time that the reservoirs behind the four dams severely compromise water quality by heating up water and causing algae blooms. This has had disastrous effects on the Klamath River's important fisheries, recreational uses of the river, and the ceremony uses by the tribes that hold the river sacred.

As you know, the 2012 state and federal environmental study on this issue detailed those impacts, and the studies that have come since then have added more scientific weight to joint EIR/EIS conclusions.

Congressman Huffman asks that the findings of that joint study be rolled into the new state environmental study for consideration.

I also ask that the expected long-term benefits of removing the Klamath's four dams be weighed carefully and thoroughly along with any possibility of short-term impacts. It's especially important to take that long view in which a restored river can rebuild itself.

Congressman Huffman asks that your board issue a water quality certification for dam removal as so many, including many of the people in this room, have worked to achieve for so long. The timely issuance of the certificate is imperative to allow the Federal Energy Regulatory Commission to authorize dam removal this year.

Please give the water quality certification your full and fair consideration. Congress Huffman thanks you for your long participation in the Klamath River issues and Congressman Huffman also asks you take one more step to help tear down these dams.

MS. RAGAZZI: Thank you.

If you feel comfortable with leaving your written comments with Jenni, she'd probably really appreciate it.

So next speaker, Paul Kinsey.

If I mispronounce anyone's name, please don't

take offense and please correct me when you come up, so first name, last name, and please spell it.

PAUL KINSEY: You did a very good job.

My name is Paul Kinsey, P-a-u-l K-i-n-s-e-y, and I am in fact a water license holder in the State of California, one of the very few less than 7,000 license holders in California and I am one of those license holders, and I am here today to say that I support the unlicensing of the Klamath dams and encourage the State Water Resources Board to revoke the license and discontinue it. Thank you.

MS. RAGAZZI: Javier Kinney followed by Amy Cordalis followed by Larry Glass.

JAVIER KINNEY: Good evening. Javier Kinney, J-a-v-i-e-r K-i-n-n-e-y, and Yurok tribal member, director of the Office of Self Governance, Yurok Tribe.

So the Yurok Tribe formally and strongly supports the issuance of the 401 certification for the removal of all four dams for three reasons. The first, restoration, respect and recognition.

First, the removal of all four dams will assist not only the Yurok Tribe, indigenous people of the Klamath River, to restore and balance our ecosystem and our traditional ways of life, not only our economic, political, social, legal, and cultural ways of being.

Secondly, the removal of all four dams will respect the balance, the indigenous knowledge, as well as the contemporary way of life. The Yurok Tribe not only manages, but implements direct action to protect the waterways, the water quality, and the scientific foundation in order to continue the positive, as well as economic, foundation for generations to come.

Lastly, the removal of all four dams will rightly recognize the way of life of the Yurok Tribe, and its communities, the cultural ceremonies, the prayers, as well as traditional food types and sources, will continue to provide both sustenance for our communities, our children, our elders, as well as the rest of the region and the peoples along the Klamath River.

So in recap, the restoration, respect, and recognition of Yurok Tribe's tribal comments -- more will be coming this evening as well -- to remove all four dams and the approval, as well as strong support for the issuance of the 401 certification. Thank you.

MS. RAGAZZI: Thank you.

So Amy followed by Larry Glass followed by Nathaniel Pennington.

AMY CORDALIS: Aiy yu kwee. Nek now Amy Cordalis. My name is Amy Cordalis. I'm general counsel for the Yurok tribe. My family is from Requa. We've been

in Requa since the beginning of time, which for folks that don't know, that's right at the mouth of the Klamath River on the north side.

The Yurok Tribe has always resided on the Klamath River. Our current reservation straddles the lower 44 miles of the Klamath River a mile on either side of the river.

The river is the core of who we are as a people. Everything we do, from our economic livelihood to our culture, to our religion, to recreation depends on a clean, healthy river.

Ever since the dams have been in place since the 1950s, we have seen the gradual destruction of our fishery and our river. We have spent a considerable amount of our time and resources building a fisheries department that has studied the poor -- well, the effects of dams on our fisheries, and all of our reports, all of our work which has informed the 2012 EIS indicates that the dams have incredibly negative water quality impacts -- there's just no other way around it -- and so we strongly support removal of the dams.

We strongly support that this board move forward with the certification process. We hope that you can do that by at least 2019 so that we can stay on track for dam removal by 2020. We encourage you to inform your

environmental impact report with the 2012 EIS update, that by taking out the components that were related to the KBRA, because that's no longer valid; account for the last five years of drought; and then also consider the new fisheries or fisheries disease issues that we've had on the Klamath River. Those are in 2014 and 2015 the Endangered Species Act was violated because the incidental take permit was exceeded.

We had a disease, C. shasta, that killed what I call our baby fish. Eighty to 90 percent of our baby fish in 2014 and 2015 were killed as a result of the C. shasta disease, and so since then, our fisheries team has looked at the cause of that, those mortalities, and again it goes back to the poor water quality conditions caused by the dams, so I encourage you to incorporate the reports that we will submit later outlining those disease into your EIR. Thank you.

MS. RAGAZZI: Thank you.

Next speaker, Larry Glass followed by Nathaniel Pennington followed by Medilia Cordeno.

LARRY GLASS: Hi. Larry Glass, L-a-r-r-y G-l-a-s-s, representing the North Coast Environmental Center. The Environmental Center would like to restate its long-held position of all dams being removed from the Klamath River.

For our input for the Water Board, we'd like you to be sure to move expeditiously so that the permit certificate can be granted in a timely enough fashion so that the FERC can do their job in 2020. Those of us that deal with government all the time know how critical that timing issue can be. We may have missed our window of opportunity.

I want to encourage you to encompass the 2012 EIR/EIS, the State and the Fed's, in your document, and oh, yes, do not forget to thoroughly analyze the long-term benefits that will be accorded to the fish and the people who live along the Klamath River system by these dam removals.

NATHANIEL PENNINGTON: Hello. My name is Nathaniel Pennington, N-a-t-h-a-n-i-e-l P-e-n-n-i-n-g-t-o-n. I'm here representing the Salmon River Restoration Council. I'm also on the board of directors of Klamath Riverkeeper, Nature Rights Council. I've worked for the Department of Fish & Wildlife.

I'd like to encourage you guys -- I echo some of the earlier speakers -- to act with expedience and also, please, in development of the document, as you've heard, take into account the long-term benefits of dams out in the river and, of course, you know, also take into account the fact that there is absolutely no way to have a healthy

Klamath River with these four lower-most large dams in place, and so eventually they will be removed.

At the Salmon River Restoration Council, we have an imperilled run of salmon that once was predominant in the Klamath Basin and provided economy and traditional food sources for tribes, that is the Klamath River spring Chinook run, and with the dams in place, there is really no way that these fish are going to continue to exist in the Klamath.

As of now, there's, you know, anywhere between 90 and 1,600 wild fish that return on the Klamath side, and once numbering in the hundreds of thousands before the dams were put in place, so to wrap it up, just there's absolutely no way that the river will survive or the salmon will survive with the dams.

So please take into account the overall benefit and try to buffer your document against people that, for whatever reason, may be trying to doom it all, the good work that has happened. Thank you.

MS. RAGAZZI: So I'm going to -- I know I'm not getting this name right, so I can't -- Medilia. Sorry. I'll let you say it properly -- followed by Annelia Hillman followed by David Bitts.

MAHLIJA FLORENDO: Hello. My name is Mahlija Florendo, M-a-h-l-i-j-a F-l-o-r-e-n-d-o. I am part of the

Yurok, Selek, Hoopa, and Wasco tribes. I live in Orleans, California and my people are from the Rek-woy and the Hop-ew villages on the Klamath River and we have always depended on this river for years, for thousands and thousands of years of what we know.

This river is our food source, you know, it is our water source. It is everything to us. It's our lifeline, and the dams have a great affect on how we live and how we depend on this river. We have never been able to use it the way that our ancestors did before this dam was here, and I want in my future, I want my kids to be able to see what this river is like when it's natural and beautiful because it's -- it's our lifeline and it is everything, and I just want to say, regarding my future as well as everyone around it and who depends on it, undam the Klamath.

MS. RAGAZZI: Thank you.

ANNELIA HILLMAN: Aiy yu kwee. Nek now Annelia Hillman, A-n-n-e-l-i-a H-i-l-l-m-a-n. Here we are again. Hopefully, we won't have to do this too many more times, but I'm here, of course, today to support the certification to remove the four dams on the Klamath River. Again, dam removal is the most necessary and first step to restoration for our river that we, the Yurok people and the Karuk people, depend on so deeply for our

lifeways and our future.

I'd like you to consider, you know, we talk a lot about the environmental impacts. Well, our people are part of that environment. We are a species that depends on this river, and so I'd like you to consider our mental health and well-being that will be affected and renewed. Once our river is renewed and restored, our mental health and the well-being of our people will also be restored, so please consider that, and I thank you for coming and listening to us today.

MS. RAGAZZI: Thank you.

So David, I believe it's Fitts, followed by Christian Richard, Mark Lovelace.

DAVID BITTS: Thank you. My name is Dave Bitts, that's bravo, india, tango, tango, sierra, and I'm a ocean salmon fisherman and crab fisherman based in Eureka for the last 40 years. I'm also president of the Pacific Coast Federation of Fishermen's Associations, which we have been involved in the settlement talks that led to the agreement in 2010 since before those talks began, and I want to speak briefly on behalf of ocean salmon trollers because we are constrained by the abundance of Klamath fall Chinook from Point Sur, California to Cape Falcon in Oregon.

In good years we have not really a wonderful

opportunity, but many years of adequate opportunity to fish and do okay at that, but years like last year and this year, we don't. We were lucky to get a few days on the water and lucky to have a few fish to catch.

The parasite C. shasta has been mentioned. I believe that parasite is the primary cause of the situation we have on the Klamath River in years like last year and this year. As far as I can tell, some very smart people have been studying that parasite for at least 15 years, and as far as I know, the solution seems to be scouring the bottom of the river by high flows with lots of gravel, and one of the things the dams do is trap all that gravel so it can't scour the bottom of the river, and that allows the algae to flourish.

There's a worm that lives in the algae. The parasite lives in the worm when it's not out looking for salmon to kill. If the algae can be scoured by a free-flowing river, gravel rolling down in the wintertime flows, we should have better fishing in many more years than we currently do, so we would like to see these dams removed.

It's kind of funny that a project that, by every measure I know of, should vastly increase water quality has to get certified based on water quality standards compared to what it is now, but that's the way it is, so

thank you.

MS. RAGAZZI: Thank you.

Christian Richter, Mark Lovelace and Raymond Matz. Christian?

I'll move it to the back and we'll go with Mark.

MARK LOVELACE: Thank you. I'm Mark Lovelace. Until very recently, I was the Third District Supervisor for Humboldt County. I've worked on the Klamath River issue since 2006. Oh. L-o-v-e-l-a-c-e.

I've worked on the Klamath River issue since 2006, including eight years on behalf of County of Humboldt. While I no longer speak on behalf of the County, Humboldt is the signatory to the revised KHSA and to the regional KHSA and KVRA.

I urge you to approve the 401 permit and move forward with decommissioning in 2020 as proposed. The existing EIR/EIS addresses the full range of the issues, alternatives, and mitigations for this project and forms a sound basis for your own analysis. I wish I had forethought to bring the administrative record for that document here. It would stand about this tall, and that found conclusively that dam decommission and removal is by far the best path forward with the health of the river.

As with the previous speaker, David Bitts, I have to comment on the irony of having to do EIR,

environmental study, for removal of the dams when none was done for construction of the these dams over the 60-year period of their development. Had there been any kind of analysis of constructing these dams prior to that, I don't think there's any doubt these dams never would have been built in the first place.

We've seen over the 100 years that some of these dams have stood the impacts that they've created to water quality, to fish, to the river itself, to the fisherman, the tribes, downstream communities, the industries that depend upon this river. Clearly, that impact is very present. You've heard that and you will hear that for the rest of this evening from so many people.

I urge you to move forward on 401 certification to allow these dams to come down by 2020. Thank you.

MS. RAGAZZI: Thank you.

Raymond followed by Craig Tucker followed by James Dunlap. Raymond, you're next. You're up right now.

RAYMOND MATZ: Hello. Raymond Matz. I'm a Yurok Indian and I live down at the mouth of the river and, you know, I just heard the commercial fisherman get up here say about the algae. How about taking those four dams out and you won't have to scrub the bottom. They'd be clean in a year. It's the craziest thing I've heard in a long time, but that's important. You know, I'm a

commercial fisherman, so I know how they act.

Years ago I was fishing, swimming on the Klamath River -- folks had a place up the river -- and some boat pulled up and a bunch of guys got out and they had cameras in the boat and they asked us, "What you think of all of the bark coming down the river? Is it killing salmon?" And I spoke up, "Yeah, you see dead salmon, but you always see them in the summertime," and the friend where I was swimming, there was a plumb full of water and they say, "Where is that coming from," and I said, "The rafts coming down the river hit the bottom and knocking the bark off." No. She didn't know why she was even there. Just some people talking, you know?

The biggest thing I seen with hurt the Klamath River is the salmon kill. I cried on that. I went up four times with fishing people, showing up, and I said, "I can't go back." It's just a killing zone the way I felt about it, and I knew it was happening. I knew as soon as I heard they were dying up there what was happening.

I said, when they took the Trinity and put a dam on it, something's going to happen. The water, so much of it came out of the Klamath, out of the Trinity and just started -- the whole river started falling apart, and you know we don't get them dams out, the Klamath River's going

to die. You can see it. It's happening right now. It's happening. Okay. Thank you.

MS. RAGAZZI: Thank you.

CRAIG TUCKER: My name is Craig Tucker. I'm the net resources policy advocate for the Karuk Tribe. I've been working on this professionally for over 12 years, and there's a lot of people in this room that have spent a lot more years than that, they're whole lives, working on this issue.

I want to let you know the Karuk Tribe supports the issuance of the 401 water quality permit for the decommission of the lower four dams unequivocally. We think that you need to incorporate the bulk of the scientific analysis that went into the 2012 EIR/EIS. This is what's already been done. There's 3,000 pages of peer-reviewed, technical analysis that can be drawn on. The result of that analysis was a recommendation to remove these dam. We want you to do this in a timely manner. We want to remove these dams by 2020, so we hope your permitting process will be consistent with that time line.

We think that new information that should be included has to do with what we have learned in recent years about the fish diseases you've been hearing about, and the Karuk Tribe will be providing you guys, in coordination with Karuk, Yurok, and Hoopa tribes, a

technical report on these fish diseases.

I just want to say I appreciate you guys making the drive out here. I really appreciate -- seems like a little bit of a family reunion when we have these meetings now, and I really appreciate the people in this community. It makes me proud to live here where we can have these very similar meetings where we come out time and time again to make the exact same points about restoring our river.

We have kids out playing basketball right now, we have things going on at home, but people are in here. It makes really proud to live this in area and see all these familiar faces keep coming out and committed to this river. I really appreciate it. Thank you very much.

MS. RAGAZZI: Thank you.

James Dunlap followed by Dave Hilleman followed by Ian Ospowochi. Start with James.

JAMES DUNLAP: James Dunlap, D-u-n-l-a-p. I'd like to say I'm a Yurok tribal member, a father, grandfather and fisherman, and I would implore you to expediate the process.

I was sitting back there going over the mission statement of water quality of the resource board, and just follow through with the mission statement, that's to preserve and restore California water.

When kids and grandkids can't swim in the river because of the toxic green algae, because the quality of water that's coming out from behind those dams, it's a very deep and saddening affect on everyone, and, you know, I want to tell you to do your job, you know, and of course one of the things I'd like to see is that the newest dam -- I'd like to thank you for giving us this opportunity to give you the impact it's going to have on us, and it's about the quality of water that -- you guys are the water quality people.

How it's gotten to this point, how it's progressed to where we are today is a tragedy within itself, and I would hope that you take all the necessary steps to rectify this problem. Thank you.

MS. RAGAZZI: Thank you.

David, it could be Hillman. Hillemeier. Thank you. I apologize.

DAVID HILLEMEIER: Good evening. My name is David Hillemeier and I'm the fisheries director for the Yurok Tribe.

MS. RAGAZZI: Can you spell it for Jenni, please.

DAVID HILLEMEIER: H-i-l-l-e-m-e-i-e-r. It's hard to pronounce.

Yeah, so I'm the fisheries director for the

Yurok Tribe, and I want to reiterate what some of the Yurok residents have said previously, that we fully support the certification of the removal of the four Klamath dams.

It's a pretty exciting time for me. I've been working for the tribe for over 20 years, and we do a lot of stuff to try to improve fisheries habitat in the Klamath and Trinity Basins, and I think it's all really good stuff, but it's all pretty much work, from my perspective, relative to the prospect of getting the four dams out of the Klamath River. That's the one that would make a major difference in regards to restoring the fishery.

I encourage you to work as expeditiously as possible, try to rely upon some of the record that exists from previous EIS efforts because there's a lot of good information that was gathered at that time.

In regards to the timing of it, just this past year, Yurok Tribe received the lowest fall Chinook allocation that they've received since the early 1990s.

The river needs help. The river is very sick, and there are several reasons for that. One of the primary reasons is the dams.

In 2014 and 2015, we had over 80-90 percent of the juvenile fish that were sampled for disease were

infected with a parasite known as Ceratonova shasta, and high or low flows are a large component of that, but also the dams, they make it a very good polychaete habitat, which is a worm that is part of the life cycle of this of disease, and because the dams have interrupted the sediment budget in the Klamath River, the river has become very armored and stable, so these polychaetes stay in place rather than having sediments move them around, which is how the natural river would function each year, and also the algae in the reservoirs, every year they deposit that algae downstream. It's prime food for these polychaetes and it's really disrupted the balances of the Klamath Basin and it was a major contributor to the fact that there was almost no fish for the Yurok Tribe to harvest this past year.

MS. RAGAZZI: Ian.

IAN OSIPOWITSCH: My name is I-a-n O-s-i-p-o-w-i-t-s-c-h. Thank you.

I just want to say that I support the dam removal. I think it would behoove the local people and the ecology a lot and hopefully lead the way for more river restoration throughout the state and the country because it's a very large river. You can tell by the size of the watershed. And thank you.

MS. RAGAZZI: Thank you.

Dr. Joshua Strange followed by Clayton Creger followed by Regina Chichizola followed by Scott Greacen.

DR. JOSHUA STRANGE: Hello. Good evening. Appreciate the opportunity to speak here, yeah. So I also appreciate the Water Board's efforts here and the team that's invoked to help keep this on pace for 2020.

I do want to speak just a few brief comments about the effects analysis. As many speakers have already alluded to, it's going to be really important to add that we discussed the disease impacts, and that is relating --

MS. RAGAZZI: I think there's some reverb.

DR. JOSHUA STRANGE: Yeah, so many people have already spoken to the Myxosporidium disease and it's important to include the Parvicapsulum minibicornis, as well as the C. shasta, and there are some recent documents, as you know, that will be helpful on all that as well.

Also, I conducted research for the Yurok Tribe on the rivers of Washington related to the adult salmon migration in the lower Klamath River, and one of the conclusions of that research is that the dams are likely contributing to the disease risk to the adults as well through the Ick, and that's related to how it impacts their migration behavior, so I'd be happy to provide that publication reference. That is an important part.

In terms of mitigation, I would suggest that there are some additional mitigations that could work for the dam, in particular for allowing continuation of the East Side and West Side project on the Fall side, and I would suggest looking at the possibility of fish passage at Jenny Creek Falls and also opportunities to improve water quality in the Klamath River and the Link River through the East Side and West Side in filtration galleries, other approaches that could be tested and then scaled up if they showed promise as part of the mitigation for water quality.

In particular, as many of you are aware, Keno Reservoir is going to be a key water quality issue moving forward, and so as part of this process, whatever additional mitigation that could be done related to East Side and West Side as part of this transfer of those projects would be helpful, and that can include potentially transferring or ejecting clean water into the river or thereabouts. Thank you.

MS. RAGAZZI: Thank you.

Clayton, Regina, Scott.

CLAYTON CREAGER: Good evening. My name is Clayton Creager, C-r-e-a-g-e-r, and I'm an environmental program manager for the North Coast Regional Water Quality Control Board. I'm here tonight to speak on behalf of our

agency relative to this Lower Klamath Project and express our full support for the alternative of the four Lower Klamath Dams.

The North Coast Regional Water Board has been working on a comprehensive step throughout the basin, both above and below the dams to improve and restore water quality throughout the basin.

MS. RAGAZZI: We turned it up.

CLAYTON CREAGER: Through that strategy, we've been working with many organizations, many of the people in the room, the tribes, private landowners, environmental groups, and we consider the Klamath Basin in its entirety a single ecosystem, and towards that end, to support that adaptive management approach, we've developed the Klamath Basin Long-term Program, which could provide essential information on both current status and trends and future effects of dam removal, and the Klamath Tracking and Hunting Program, which provides information on restoration actions throughout the basin.

So the ongoing restoration action of -- the ongoing restoration actions of the TMVL implementation is not adequate to restore water quality to the Klamath River. It cannot restore the Klamath to its full potential without also addressing the water quality factors created by the four dams identified in the Lower

Klamath Project. This understanding is widely accepted in the scientific community as noted in Interior Secretary Jewell's summary of the Klamath Secondary Determination Findings which makes the selection of the facility removal alternative a clear choice.

The North Coast Board accepts that this facility removal scenario is undoubtedly going to result in temporary downstream impacts that may be unavoidable. The procedures for evaluating and authorizing these temporary impacts from restoration projects, which at times can degrade water quality and cause temporary exceeding of water quality objectives, are detailed in the Regional Board's policy in support of restoration in the North Coast Region Restoration Policy which when it's approved by the State Board and the Office of Administrative Law.

In short, we just want to express again our full support for the alternatives to decommission the dams. Thank you.

MS. RAGAZZI: Thank you.

REGINA CHICHIZOLA: Hello. My name is Regina Chichizola. This is my son, Malcom Fisher Chichizola. C-h-i, c-h-i again, z-o-l-a.

I have been working on this process, the 401 certification process, for 12 years and have been kind of a pain in the butt sometimes, so sorry for that, but it's

really nice to see you moving forward with the 401 certification to remove these dams.

I know that removing the dams are going to have this great impact. I have studied dam removal as to how it relates to water quality in other watersheds, and what we've seen is even in cases where there are major pollutants such as PCBs and lead and things like that, actually, dam removal has been beneficial and it has not released, in areas where there's been so many sediments way beyond the Klamath, those sediments have flushed out fast and they've actually created new beaches, new opportunities for fishermen, and so I think you should look at some of those dam removals in this process because they will show that the benefits far outweigh anything else that is possible.

That said, I'd also like to say that the Klamath River right now is so extremely important and the restoration is so extremely important because most of the other rivers on the West Coast have declining fish populations. A lot of the species are at risk of immediate extinction in the Sacramento and Columbia River, and this is the best chance we have to bring back a fishery in the West Coast, so I fully support this plan.

I'd like to bring up I hope that California engages in the Oregon process and makes sure that Keno

Reservoir is not a problem for fisheries and that water quality issues there are dealt with, and also, I would like to support what Josh said about the East Side and West Side power houses.

Other than that, I would also like to say that any of the claims that these dams help nutrient dynamics or temperatures are false. All they do is change nutrient dynamics and they greatly increase temperatures, and all of that is negative for salmon, on and on.

Just so you know who I represent, I work the Pacific Coast Federation Fishermen's Association and also work with a group called Save the Klamath Trinity Salmon, and I have been doing comments, also, for the California Sportfishing Protection Association. Thank you very much, and I'm going to see if Malcom wants to say anything.

Oh, yeah. The last thing is please have this process move as quickly as possible because everyone who depend on these fisheries need the dam removal to occur fairly soon so that everyone can be eating and communities can be restored upon the river.

And Malcom, do you want to say anything?

MALCOM CHICHIZOLA: I don't know.

REGINA CHICHIZOLA: You don't?

Well, he usually likes to say that he really likes orca whales and sharks and he thinks you should save

the salmon for the orca whales and the sharks.

This meeting's a little bigger than the one before, but thank you again so much and please move this process along quickly and take down these dams. Thank you.

MS. RAGAZZI: Scott Greacen, Friends of the Eel, Aaron David and Zane Schoettgen.

SCOTT GREACEN: Scott Greacen, Friends of the Eel River. G-r-e-a-c-e-n.

The Eel River has two dams on its outer main stem which should also be decommissioned and removed, which is part of the reason I'm here tonight.

We got a little too comfortable rebuilding the plumbing of a lot of westerns watersheds, and I see this process as a important step in getting more comfortable with the idea that many of these dams are going to need to come out during the lifetimes of people in this room. We do need to get started with these four Klamath dams, the removal of which, as you heard, is necessary to secure the restoration and protection of clean water and functioning ecosystem.

As others have said, I would encourage you to move as expeditiously as possible to issue this clean water permit, because this is going to help protect clean water; to use the analysis in the 2012 EIR/EIS because,

hey, it would be foolish not to use it, we paid for it; and to look again at the long-term benefits of dam removal, because they are very substantial and we really need to think about that stuff as we make these important decisions. Thank you very much.

MS. RAGAZZI: Thank you. Aaron David.

AARON DAVID: Aaron David. A-a-r-o-n D-a-v-i-d.

Thank you for the opportunity to speak, primarily an echo what other folks have already said tonight, that in regards to this process, please, I urge you to certify the water quality certification for removal of the dams, and as other folks have said, there's this tremendous scientific and regulatory literature, and all these reports have been published and I'm sure you don't want to start from scratch with this process and write a phone book-sized report, so use that literature out there, use the scientific and regulatory literatures as others have said.

The Department of Interior report, 2012 EIS/EIR said taking down the dams is the best thing we can possibly do for restoring the fisheries along the Klamath River also water quality and the communities along the Klamath River, so take that information into account. It is solid science.

Also echo what Regina had to say. Take a look

at the dam removals that have occurred in other places, the Elwha in particular and some other dam removals, where they have seen some short-term water quality impacts it's true, but they abate pretty quickly and that we have seen very rapidly a huge number of benefits from the removal of the dam. I encourage you, as you go through this process, to take a look at some of those results. Thank you.

MS. RAGAZZI: Thank you.

Zane followed by Tracy Katelman.

ZANE SCHOETTGEN: Zane Schoettgen, S-c-h-o-e-t-t-g-e-n. Most of what I had to say has been said tonight and in far better terms than I could have and far more versed in literature and scientific findings than I could have said; however, what I want to say is I want to see this dam removal happen as quickly as it can. Use the scientific findings and bureaucratic standards, but as expeditiously as possible I think would be best and make an impact. In an area where dam removal will get you a dirty look at the very least, it's refreshing to see this.

Thank you for your time.

MS. RAGAZZI: Thank you. Tracy Katelman.

TRACY KATELMAN: My name is Tracy Katelman, T-r-a-c-y K-a-t-e-l-m-a-n. I know a little about the impact. I've been gone for ten years out of the country. I'm back to Humboldt, glad to be back, and really

heartened that an idea that we talked about back then as a dream really is happening, so that's so exciting for me to see that.

In perspective, I want to share a couple of things with you. One is that the world is watching this process. I've been living in Southern Chile and we've been looking there at how to stop dams coming in, and it's been interesting to see the news about what's happening up here and the dam removal process down there and people looking at the environment to stop more dams coming in, so I wanted you to understand that international perspective happening.

And I'm looking down what the mission is the of the Water Board, which is to ensure the highest reasonable quality for waters of the State while allocating these waters to achieve the optimal balance of beneficial uses, and I think, from what I've heard today, people who have been working on this issue for the last ten or twenty years, there's a lot of really good science that's already happened that's clearly demonstrating that this is, without a doubt, the best thing for water quality.

Certainly we're going to see short-term impacts with the flushing of the dams, but the long-term impact, which is what I think this issue says, is that we're going to see an absolute increase in water quality, so I

encourage you to approve the permit as expeditiously as possible and thanks for providing this.

MS. RAGAZZI: Thank you.

LANA MCCOVEY: Hi. My name is Lana McCovey, L-a-n-a M-c-C-o-v, as in Victor, e-y. I'm a Yurok tribal member. I'm also a council member for the Yurok Tribe, and a lot has been said already about the science and you have received documentation on that, and I just want to reiterate that the Yurok Tribe supports the full removal of the four Upper Klamath River dams, but I did want to reflect, on a personal note, some of the things regarding the water quality of the Klamath.

I remember the first time that I was told, as a teenager, that I shouldn't swim in the river because it wasn't healthy, and I couldn't understand then, and being a council member, I'm slowly learning everything that has contributed to this, and the one thing I have learned is that the dams are in fact the contributing factor to the poor health of the river, and so that's sad to me that I have to put out notices -- and I put out several throughout this last year -- to the tribal membership that the river wasn't healthy to touch, you know, that elders and children and animals should not go into the water, and with the Yurok Tribe, that reservation is on both sides of the river going for 35 miles, you know, up from the mouth,

that that is a really sad thing to have happen, that you can't even touch the water that's in your backyard because you can get sick from it, and so it's just that, you know, if we're going to be -- if you're going to focus, you know, you really need to focus on the water quality and how it affects all species, not just the salmon, but the people that live on the river, the species that live on the river, and how just a simple contact with water that should be clean and pure you can't have. Thank you.

MS. RAGAZZI: Thank you.

Dr. Cutcha Risling Baldy.

CUTCHA RISLING BALDY: Hi. I'm Cutcha Risling Baldy, C-u-t-c-h-a R-i-s-l-i-n-g B-a-l-d-y. I'm a professor of Native American Studies at Humboldt State -- just started -- and I am here today specifically because I wanted to speak a little bit about the work that I do when talking about the work that you all do with the environment and water quality as not just being about the science, but about the way that it affects our people and our communities as a whole and the way that, when you look at studies coming out saying that the people who are most affected by the water issues there are happening when it comes to the Klamath dams are native people and that our native people have very high rates of suicide and very high rates of violence, and some of that comes out of the

things happening in our environment and the things we have to contend with as people on a regular basis.

So in 2002, there was a massive fish kill on the Klamath River, and I went to speak to my grandfather and talk to him about what that was like to see thousands upon thousands of dead fish, and he said to me, "What does this mean for our future and for our people? What does this mean for who we are as a people today?" and he was looking at it as what does it mean that this can be allowed to happen in our society, that we can be allowed to be faced with the dead carcasses of fish and the sort of sadness that comes with that and what will we carry with us now that we've had to live through that.

So what I have started to do as a researcher is to look at the way the environment impacts who we are as a people, and that's something that I want you to consider. The taking down of the dams is not just about the fact that the science supports it and it's not just about the fact that it is actually more economically beneficial for everyone in the state if we do it, it's that it is actually going to help us on a social level to be healthier individuals in our society.

I think a lot about a scholar who said one of the things about the society that we live in today is that we are taught that we live in a world with rights, not

responsibilities, and we start to think that things are our right -- we have a right to this water. We have a right to have dams -- rather than what is our responsibility to the world that we live in.

Native people have always looked at our responsibilities. Who are we responsible for and to? We do not fish just because it is our right. We fish because it is part of our responsibility to this earth. It's the things that we take care of.

So as we move forward, I urge you to think about what your responsibilities are for our future. It's not just now, but seven generations into the future. Think about the fact that there is no other alternative but dam removal for our children and our children's children and our great, great grandchildren. It's the only way that we're going to be able to start to heal all of the things that we see that are affecting us today. Thank you.

MS. RAGAZZI: Thank you.

Lisa Sundberry followed by Andrew Bocarowski followed by Christian Richer.

LISA SUNDBERG: Hi. My name is Lisa Sundberg.

MS. RAGAZZI: Spell your name.

LISA SUNDBERG: S-u-n-d-b-e-r-g.

I am a tribal member of the Trinidad Rancheria and I was raised on the Trinidad Rancheria. I'm Yurok.

I'm no other type of Indian, I'm just Yurok, and I was raised on the Yurok reservation and the Rancheria -- I spent my life growing up in both places -- and so I'm a descendant of villages Churey, which is Trinidad, as well as Big Lagoon and villages up and down the Klamath River as well. Yurok people are river and coastal Indians, and my rancheria is a coastal Yurok community predominantly and/or organized under the Hoopa, the 1906 Rancheria Act.

Our family -- I wanted to say also, you don't stop becoming a Yurok because you're from a different tribal organization, so we continue to practice our ceremonies, and so before the Yurok Tribe was organized, under the Hoopa/Yurok Settlement Act, which I won't get into all that, but anyway, before the Yurok Tribe was organized, my mom was a chairman of the Trinidad Rancheria for 28 years, and as a community activist, even when I was young, we stood in the gap where we could to support Yurok rights, even though there was no tribal government there at that time, and so some of the things that we worked on was protecting the salmon and the water wherever we could, because we're a government and it's always that government-to-government relationship that's so important, that gives people voices, but I'm glad to be here as an individual today talking to you about this and that we have a voice as individuals to be heard.

So I also worked on things like protecting traditional ways of the Yurok practices when it was tribe-based at that time, and we hosted some of the first discussions between the Native Americans and the commercial and sport fishermen to come together as a common body of people who are interested in the fisheries just in general and not continue to fight, because we didn't have anything to fight over if there's no fish, and so we do host the ceremonies at Sumig and so our ceremonies are being affected by these low runs as well.

Last year salmon festival and our ceremonies were affected by the fact there was no -- a low salmon run, and I echo the comments made earlier by the Yurok tribal councilman about the fact that, you know, you can't swim in the river and, you know, the social impacts.

There's other things that contributed to the low salmon runs besides, and it's the timber practices. The incremental things that happened to our land from the gold rush to the timber rush, the dams, all these things to undo.

I can only remember the stories of hearing that the salmon were so thick in the runs that you could walk across their backs. That's how plentiful they were when they came up the river. In my lifetime, I have not seen that because of these practices that have gone along.

They have affected that.

I hope that my grandchildren will be able to see those backs so plentiful again that they'll be able to walk across them, and I support the removal of the dams and to do it timely.

MS. RAGAZZI: Andrew, Christian, Jenna Bader.

ANDREW ORAHOSKE: Good evening. My name is Andrew Orahoske, O-r-a-h-o-s-k-e. Thank you for coming up to the North Coast to listen to everyone this evening, and I hope you come back, perhaps next time, to the Klamath River, the mouth of the Klamath, for some future meetings.

I've been living in the region for about 15 years and worked as a biologist, a conservationist, and more recently, in outdoor recreation as a river guide, and it's in that capacity I'm really excited about prospects on the Klamath River. Soon I'll be able to float from Oregon to the ocean on the Klamath. I'm really excited by that. I'd like to thank everyone for giving me that opportunity and to believe able to share it with others.

I've got four things to share specifically with you about this project. The first thing, the project area, I notice that the Trinity River, the South Fork Klamath River, is looks like it's outside of the project area, and I think in basically every decision on the Klamath River, the Trinity River and it's vantagement,

because a lot of that water is taken out of basin, as you know, to meet water quality standards on the Sacramento River, I think as this project moves forward, it's going to be really important for the State of California to better manage the Trinity River so that the Klamath River is not left short, as it has been.

The second thing is the duties of the State Water Board 401 certification on the Clean Water Act, and many view that as a very narrow responsibility, so narrow that it's been delayed for over a decade. It's primarily a federal process that we're understanding this entire dam removal process to be, and it may get more complicated, which relates to the second.

We've been very fortunate over the last eight years to have a relatively non-hostile federal agency administration that has helped the river out to a certain extent, and we haven't faced a hostile administration on the Klamath River, openly hostile. The last time that happened, tens of thousands of fish perished in one event, so that's something to look at going forward as well, because regardless of what these federal agencies may be doing in the next several years, the State of California has a duty under The Clean Water Act and 401 certification, but also under the Public Trust Doctrine, to rescue the Klamath River, to rescue the people that

depend on the Klamath River.

So please remember that regardless of what we may see ahead at a federal level that California needs to step up, and California can be in the driver's seat and see this process through and it can be successful. Thank you.

MS. RAGAZZI: Thank you.

So Christian Richer. Okay, that's the second time.

Jenna Bader, Sammy Genshaw III followed by Colin William Kerosky.

JENNA BADER: My name is Jenna Bader, J-e-n-n-a B-a-d-e-r. I'm just here as a citizen in support of undamming the Klamath River. I'm also an environmental science energy and climate graduate from HSU and I work as a certified energy analyst.

I have a few points to say. I'm really just echoing what people have said very well tonight. One is that dams are kind of a old creation. We're born into this system, but we don't necessarily have to abide by it. Dams were created with a very narrow framework that doesn't take into account the fact that we need water for other purposes, like our survival. With our climate being threatened, drought, all these things just mean we need to act quickly with the Klamath River.

The Klamath River is a life source for local tribes who rely on the river for clean water, rely on it for healthy salmon, for cultural purposes. The river also carries critical nutrients and minerals downstream. Dams are basically halting that stream. Dams completely interrupt the health of the entire watershed, and it's said best by Dr. Amana Shiva in a documentary called "Blue Gold". She explains it the rivers are like our veins distributing vital nutrients through our system. The dams are liked clogged arteries. They're choking us and choking our planet.

I want to mention not to forget about the devastating fish die-off that happened in 2002. Just reminding you we need to act quickly. And the Klamath also faces terrifying consequences with companies trying to build pipelines below it. Just worth a mention that there are many threats to the Klamath River, mainly caused by humans, so we need to act quickly to let the Klamath flow freely and get it back to its natural cycle. Thank you.

MS. RAGAZZI: Thank you.

SAMMY GENSAW III: Aiy yu kwee. Nek now Sammy Gensaw. I come from the village of Requa and have grown up in these type of meetings. I now understand the words of Chief Seattle from Washington and Rocks Baugh of Requa.

Creator may have brought your ancestors across this ocean so we could teach you, but the original American settlers did not have the patience for our knowledge. The original American settlers only had one thing on their mind, and they were willing to do anything to get it, including abandoning the base of their own religion, twisting the words of peace from their prophets, using the Bible as a weapon of genocide in this position. May you be the leaders of your generations to listen to the scientists of modern man who study the earth, as my people once did years ago.

Eighty percent of original indigenous California has been exterminated. They are still with us. They will always be my people. As an American, I feel the pain of your ancestors. Sorry. As an American, I feel the pain of your ancestors because they are now my ancestors as well. We may differ in many ways, but the shames and benefits of a colonized America are shared. Fortunately, my surviving ancestors had the patience to not only learn the American way of life, but build up the foundation indigenous societies stand on today. Fortunately, my people left the banks of the river to learn English language so your ancestors will no longer treat us as savage beasts, but instead listen to us as fellow Americans.

Living on the reservation, I see the stress of historical trauma on a daily basis. Although I strive to live a good life, every day is a struggle. My whole existence has been among these rivers as a fisherman, but now there are not enough salmon, not even for each of my people to have one fish.

My first boat had been burned and carved from the ancient wood of my peoples, but I cannot do the same for my nephews because most of our forests I cannot go. My favorite memories were formed deep within the Redwood forests or at the mouth of the Klamath River where my parents raised me. These are the same places I will spend the rest of my life.

I was brought up in a world of tradition values surrounded by the love and pain that come with being indigenous. Many people in this room have guided every step of my growth and support the work I do now.

Family lore states as a man of the river, when the river is sick, I am also sick. When a family member is sick, we do not leave them. We help them get better, and that's what I'm asking you to do is to help us be able to help our family make themselves better, because we have people coming back to our homeland, but we cannot support them without a healthy, thriving river, so I ask you guys, please, help make our rivers great again. Thank you.

MS. RAGAZZI: Colin William -- I think it's Kerosky followed by Jon-Luke Gensaw and Joe James.

COLIN WILLIAM KEROSKY: Colin William Kerosky, C-o-l-i-n W-i-l-l-i-a-m K-e-r-o-s-k-y.

I'd like to thank you all for bringing everybody together once again. I am a resident of Phoenix, Oregon. I've been watching this process very closely, and it's very inspirational to see such a large community support something that seems so obviously scientifically beneficial. We appreciate all the work you've been doing for these water quality committees, and I'd like to recommend that you expedite them and really be part of this process in Oregon.

On a final note, the last time I was down here, I was a young man and my mother had been working with the conservation movement. Sneaking off from their cricket game, I found an old man along the river. He was watching the salmon run which was the first one I had seen in my life. I didn't notice until I almost left that he was crying, and part of it was because he had seen me watching it and this was something he thought future generations would not be able to enjoy to the level the tribes had.

Even though it's not directly related to this permitting process, I'd like to urge you to expedite the removal of these dams so people have the right to enjoy

the salmon as well as I did for a short period. Thank you.

MS. RAGAZZI: Thank you.

JON-LUKE GENSAW: Aiy yu kwee. Nek now Jon Gensaw. I come from Requa, my village at the mouth of the Klamath. I personally know that the river is important -- let me start from the top.

I come tonight from Klamath. My ancestors lived along the banks since the world was created. I speak for them when I say the river is my mother, just as important as my biological. Although I never had too much, the river had moments in life. That's all I have every had. I come from a big family with six relatives -- two brothers, two sisters, and the river.

I may not be the most educated on the science of the river, but I do know that the river is very sick. I hear stories of the quality and the death of quantity, purity. My traditions are carried word-of-mouth, and when the river dies, so does my traditions and my religion and my spirit. I know that the knowledge is deep as my roots for this land.

I may not be the best public speaker, but I feel like this is very important. I personally know that the river is important to everybody, not just indigenous. Water is life, life is energy and currents and is what you

make it, and at the end of the day, being indigenous is a mind-set. Thank you.

MS. RAGAZZI: Joe James, followed by Mary Ann Murphy followed by Cena M-a-m, I think.

JOE JAMES: Good evening. My name is Joe James, J-o-e J-a-m-e-s. I'm a Yurok tribal member, Yurok tribal council member. I'm from the village of Srey-gon up there on the Klamath River, just upriver from the stream of Pek-won.

I wanted to comment that, from the tribal leadership, we fully support the removal of the dams, but also, too, I wanted to talk on the record, talk to the importance of the impacts on our culture it has for us.

As a couple of my young brothers have mentioned, lack of salmon this last year, there was more tribal members than we had fish to give out. That was a real huge impact on us. We rely on our salmon for our way of life. We are traditional people. We are hunters, we are gatherers, we are fisherman. We are strong Indian people that rely directly on the salmon that provides for us, and at the same time -- we mentioned respectfulness -- we respect the river and Mother Earth that has provided for us. But getting back to that culture component of it, this year it was really disheartening to provide not just our elders -- we were taught to give the fish to our

elders, our community members, during our ceremonies, and when we don't have that, that makes it really tough on the challenge. It doesn't stop the way we are, but it makes things more difficult, and it's a huge, huge red flag, not just this year, but has been for the last four, five-plus years, so I wanted to comment on that, on the cultural side of it.

And just a little bit, too, on the economic side of it, too, we have felt the impacts from an economic side that the lack of salmon, the lack of sports fishermen, the lack of business to our enterprises that have impacted to our business there in Klamath.

I also wanted to let the people know that Yurok Tribe has been on point and has been a lead, but at the same time, we couldn't have done it by ourselves, and we thank everybody that we continue to work with, our partners, our tribes, our local fisherman, people here on the North Coast, and again, we want to look forward to partnering, collaborating, and working with people in removing the dams and strongly consider using the existing resources to expedite. The Yurok would say "heemerks'ers", hurry up. Like I said, please utilize the existing resources so we break the dams down. Thank you for your time.

MS. RAGAZZI: Thank you. Mary Ann Murphy,

followed by Cena, followed by Lena Belle Gensaw.

CENA MARINO: My name is Cena Marino C-e-n-a M-a-r-i-n-o, and what I'd like to say tonight is the Indian people are awaiting us, as they have on the Dakota Access Project. They're closer to Mother Nature and closer to Mother Earth and we need to listen to them, but for all of us who are concerned with our environmental health, we have to stand together. We have to come out again and again, no matter whether it's the main focus of our concern or not. We have to get together because we have an administration and a cabinet that is not going to support us at all, so we have to work from the grassroots. We have to write letters. We have to make calls. We have to sign petitions whenever we can to get behind each other and to show support for the things we need, to save our planet, to save our earth.

It's getting close to the tipping point in a lot of areas, and we see it in the fish, we see it in other species, and we are a species that are at the top and can go down with the rest of them, and that's about all I wanted to say is we really need to stick together. Thank you guys for listening to us.

MS. RAGAZZI: Thank you.

Lena Belle Crenshaw followed by Dara Alexander.

At this point I'm going to -- Dara's the last

one I have here, so if there's any other speaker cards out there and you haven't heard your name called, let Christian know.

LENA BELLE GENSAW: Aiy yu kwee. Nek now Lena Belle Gensaw. I come here tonight to represent my people from the Yurok Tribe and the people from our lands. I have two young sons and I come here tonight to be able to ask you guys to further the dam removal so that they may have a plentiful future, so they can grow and learn our culture and be part of the land we live upon.

A Creator blessed us so we were able to live on the Earth, to live and not to damage the Earth and doing such things that put us in harm's way. I ask that you guys keep an open mind to be able to do what you can to represent the dam removal. Thank you.

MS. RAGAZZI: Thank you. Dara Alexander.

DARA ALEXANDER: Hello. I'm very nervous. I don't usually speak in front of people.

I just want to say I started coming to the Klamath River just on accident 10 or 15 years ago, and it's just an amazing river and I love the people that live on the river, even though I don't know them personally, and I can just -- I can't imagine how beautiful it once was because before it was dirty, became dirty.

I just want to say that I believe there are four

forces of unification that unify people. There may be more than four, but the ones I know of are the water, the forest, the fire, and the vibration, the rhythm, and the water helps, and the moons, all that help with the river.

I believe there's a rhythm to life and the rivers help, and I just believe that a part of the reason why there's war, in part, is because when the water is dirty and people cannot play in the water and they cannot unite in the water and cleanse and heal in the water, where once in summertime the water is like a main magnet and focus to cool off in, you know, that unify people and cleanse people and heal people so that they can be ready and cleaned out and ready to start the winter, and now we cannot go through this cycle. There is no cycle for this, and the native people cannot go through this so they can help heal the Earth, and to me, the indigenous people are like the old growths of the world and so we need to help them. We need to help them. They're trying to help the Earth, and we need to help them. We need to take down these dams and let the river flourish and flow and clean out and -- and so that we can all have more healing and there will be less distraction toward doing other things that are negative, that cause harm and war and violence and competition and just more unity.

So I hope we can help to -- to support the

people that are the keepers of -- the Earth keepers and that keep the rivers and to keep the sacred ceremonies and healing places and places for playing and flourishing in eternal life of planet Earth. Thank you.

MS. RAGAZZI: Thank you. And Thomas Joseph.

THOMAS JOSEPH: Good evening. I was late and so I apologize. Are you guys board members or representatives of the board?

MS. RAGAZZI: So we're staff.

THOMAS JOSEPH: Staff.

MS. RAGAZZI: Staff of the Board.

THOMAS JOSEPH: Okay, so you're taking this message to the board then.

I think most important message that I heard tonight, you know, there's a lot of science, and we all know that the science is correct and right for the removal of the dams. It is going to benefit the waters of California. When you go to Yreka, you'll have some scientists up there, but we have real scientists that have dedicated their lives, have worked hard, have proven this, that dam removal will be beneficial for not only the Klamath Basin, but for the waters of all California.

I want you guys to know that's here, that's going to take this message, that the most valuable message to take to the Board is the responsibility to protect and

honor indigenous rights and the tribes that have been living in this basin for thousands and thousands of years, and if you don't really, truly feel that or understand that, then you're not really able to take our message to that board.

You really have to believe the stories that these people have told are deeply rooted in the blood and the DNA that flows through them for thousands of years, and as representatives of the board that are supposed to look after the best interests of California water, it is your obligation and duty to deliver that message in a powerful way and so you may have to excuse yourself sometime in your personal life to really contemplate and understand what that means, to really dig deep and find the connection that you have with your Creator, that you have with your higher power or whatever you may look to spiritually to understand that the importance of this dam removal is in your hands quite a bit and that you really need to persuade those decision-makers to let them know with all your might, with your all your ability, with all the moves that you may carry that these dams need to come down, not because scientists say that it's correct and right, but because you dug deep within yourselves and found out and know that that's what's best for the State of California, that's what is best for California water.

And you're going to receive the same message and the same answers that we all receive, that all these scientists have done for a long time, for decades. You're going to receive a message we all say as indigenous people that have grown up here for thousands of years, that these dams need to come down, but how are you going to be able to deliver that message in a way that is going to move them emotionally for them to do their job in a respectful, honorable manner to protect the waters of California? That's a tricky task, and I applaud you if you do take these words seriously and dig deep and real that you may be able to deliver the message of these people here in a powerful way for the decision-makers for them to make the right decision. I mean, jeez, how many hearings have we been to? Your faces actually look familiar some of you.

So continue, continue, but really this is the responsibility of all of us living in this basin and it's the responsibility of your guys' job and task to deliver our message in a powerful way, in a spiritual way, in a meaningful way, that these dams can come down, that you are standing on the right side of history and that you are doing your obligation to protect all California water. Thank you.

MS. RAGAZZI: Thank you.

Okay, so if you weren't counting, that was 35

commenters that we got to hear from tonight, but I do want to say if there's anyone who felt like they didn't get enough time to make a comment, they can come up now, and if there's anyone who didn't put in a speaker card but would like to make a comment, now would be a good time as well.

Okay, I want to thank everyone for coming tonight. Again, written comments are due by 5:00 p.m. on February 1st. Thank you all for coming in tonight.

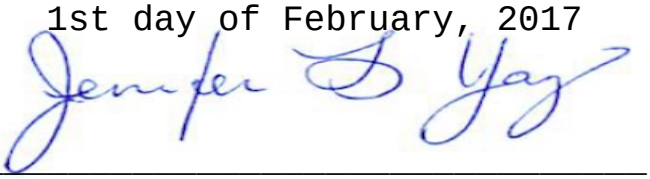
(Whereupon, the hearing concluded at 7:01 p.m.)

STATE OF CALIFORNIA)
COUNTY OF HUMBOLDT)

I, the undersigned, hereby certify that the foregoing hearing was taken in shorthand by me, a Certified Shorthand Reporter, at the time and place therein stated and that the testimony was thereafter reduced, by computer, to typewriting under my direction and supervision.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing hearing and caption named, nor in any way interested in the event or outcome of this cause and that I am not related to any of the parties thereto.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of February, 2017



Jennifer L. Yang, CSR No. 12367

Good evening. My name is Clayton Creager and I am an Environmental Program Manager for the North Coast Regional Water Quality Control Board. I am here today to speak on behalf of our agency on the State Water Board's *Notice of Preparation of an Environmental Impact Report for the Lower Klamath Project* and to express our support for the Facilities Removal alternative that will lead to the decommissioning of the four lower-Klamath dams.

- The North Coast Water Board is employing a comprehensive basin-wide (above and below the Klamath dams) recovery strategy to restore water quality throughout the Klamath Basin. We are working collaboratively with many organizations, Tribes, and private landowners. We consider the entire Klamath River Basin to be one single, integrated watershed ecosystem composed of many diverse sub-basins. To facilitate this strategy we have developed the Klamath Basin Monitoring Program and the Klamath Tracking and Accounting Program to coordinate recovery actions and monitoring across the basin.

- The ongoing restoration actions and TMDL implementation efforts to restore the Klamath River cannot reach their full potential without also addressing the water quality limiting factors created by the four dams identified in the *Lower Klamath Project*. This understanding is widely accepted in the scientific community, as noted in Interior Secretary Jewell's summary of the Klamath Secretarial Determination Findings[1], which makes the selection of the Facilities Removal alternative a clearly preferred choice.

- The North Coast Water Board accepts that the Facilities Removal scenario is undoubtedly going to result in temporary downstream impacts that may be unavoidable. The procedures for evaluating and authorizing these temporary impacts from restoration projects, which at times can degrade water quality and cause temporary exceedances of water quality objectives, are detailed in the Regional Water Board's *Policy in Support of Restoration in the North Coast Region* (Restoration Policy) which was approved by the SWRCB and the Office of Administrative Law.

- The North Coast Water Board stands solidly behind the Facilities Removal alternative and believes that it is necessary to *restore* and maintain the chemical, physical, and biological integrity of the Klamath River.

[1]Letter from Interior Secretary Sally Jewell to Kimberly D. Bose (Secretary) Federal Energy Regulatory Commission (October 17, 2016) summarizing the findings of the Secretarial Determination supporting the applications submitted by PacifiCorp and the Klamath River Renewal Corporation on September 23, 2016, urging the Federal Energy Regulatory Commission (Commission) to approve these applications for dam removal as a critical step toward resolving the significant water-related issues in the Klamath Basin.

~~Good evening madam chair and members of the board.~~ I am John Driscoll, district representative for Congressman Jared Huffman. Thank you for taking the time to come to ~~Eureka~~ Arcata to hear the concerns of the congressman's constituents about the Klamath River.

The permit you are considering is of great interest to the congressman and to tribes, fishermen and communities up and down the West Coast. It's a key piece in the effort to remove the four dams on the Klamath to rebuild salmon runs and make the river healthy.

We have known for a long time that the reservoirs behind the four dams severely compromise water quality by heating up water and causing algae blooms. This has had disastrous effects on the Klamath River's important fisheries, to recreational uses of the river, and to ceremonial uses by the tribes that hold the river sacred.

As you know, the 2012 state and federal environmental study on this issue detailed these impacts. Studies since then have added more scientific weight to the joint EIR/EIS conclusions. Congressman Huffman asks that the findings of that joint study be rolled into the new state environmental study under consideration. He also asks that the expected long-term benefits of removing the Klamath's four dams be weighed carefully and thoroughly along with the possibility of short-term effects. It is especially important to take the long view, in which a restored river can rebuild itself.

Congressman Huffman asks that your board issue a water quality certification for dam removal that so many have worked to achieve for so long. The timely issuance of the certificate is imperative to allow the Federal Energy Regulatory Commission to authorize dam removal this year. Please give the water quality certification your full and fair consideration.

Congressman Huffman thanks your board for its long participation in Klamath River issues. Congressman Huffman asks you to take one more step, to help tear down these dams.

Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

CalEPA Building, Byron Sheet Auditorium – 1001 I Street, Sacramento, CA

January 20, 2017 (10:00 am – 12:00 pm)

Sign-In Sheet

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

Location: Cal/EPA Building, Byron Sher Auditorium - 1001 I Street, SACRAMENTO		
Date and Time: January 20, 2017 10:00 a.m. to 12:00 p.m.		
Name	**Organization**	**Contact Information**
Parker Thaler	State Water Resources Control Board	parker.thaler@waterboards.ca.gov
Jonathan McClelland	KRK	jonsonario@comcast.net
Timothy Ryan	US National Wildlife Research Center	tryanlve alumni.nd.edu
BRIAN MOSS	CNRA	—
Peter Olaurowski	KPLC	Peter@klamathrenewal.org
James Frolich	Hallmark Group	james.frolich@gmail.com
Steve Edmondson	NOAA	steve

Speaker Cards and Written Comments

(1)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Ed Nute

EMAIL (if desired): e.nute@nute-engr.com

ORGANIZATION (if applicable): N/A

REMARKS: Would like to speak

LOCATION (circle one): ARCATA SACRAMENTO YREKA

(2)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Jonathan McClelland

EMAIL (if desired): jonsonario@comcast.net

ORGANIZATION (if applicable): Klamath River Keeper, Mid Klamath Watershed Council

REMARKS: I volunteer with both these orgs. I do not officially represent them

LOCATION (circle one): ARCATA (SACRAMENTO) YREKA

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SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Brian Johnson

EMAIL (if desired):

ORGANIZATION (if applicable): Trout Unlimited

REMARKS: Use the existing CEQA doc.

LOCATION (circle one): ARCATA SACRAMENTO YREKA

4

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: W. Glover

EMAIL (if desired): william.d.glover@gmail.com

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA (SACRAMENTO) YREKA

5

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Allie Hostler

EMAIL (if desired): allie.riseup@gmail.com

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA (SACRAMENTO) YREKA

ATTEN: Federal Energy Regulatory Commission

Subject: Jan.20th scooping meeting in Sacramento comments
From: Alan <alan@andersenjewelry.com>
Date: 1/20/2017 12:28 PM
To: wr401program@waterboards.ca.gov, parker.thaler@waterboards.ca.gov., Robert Davis <viking3135@hotmail.com>

I went to the webanar @ HTTP://video.calepa.ca.gov/ and watched it until you closed down the meeting unexpectedly at 10:42 after just a few comments were heard. I spent the time to be able to comment myself but could not since you did not provide me with a phone number so I could of call live and made my comments and you could of put me on speaker phone for the few people that showed up and the board to hear. You did not provide me with that oppertunity. All I have is this e-mail letter that I send with an attachment of the letter I have sent so it will be placed on the public record for today at that meeting.

I was surprised that you also at the very end changed the date for public comment about saving the dams in the upper and lower Klamath river Basin from Feb. 5th 2017 to Feb.1st . You didn't have enough people there to be able to vote that in. You canceled the Yreka meeting where most of the areas voters voted 78% to keep the dams in and not to remove Hydro Electric- clean energy Dam at Copco lake or Iron gate Dam. That meeting was the most important meeting since you would of had standing room only turn out against Dam removal. What is your hidden agenda to have a meeting in Sacramento where most are not even affected by what goes on in the Klamath river basin?? You need to hold a meeting In Yreka, CA and allow enough time on a agreed to time that way people who are affected by your proposed actions and attemp to go forward with Dam removal will have a chance to further comment . Not in a middle of a work day. You need to contact everyone who will be affected to come to the meeting and not just running a tiny ad in a newspaper. A well informed letter and contact for a front page news article - emails and other announcements to give fair chance for the residents to partisapate and come to the meeting. Again I am requesting you record this e-mail letter I am sending you as if I was at your meeting but not allowed to comment or talk since you did not have that available or post a phone number for all to see who watched the webenar; except what I have done by writing you this letter and read and post on record the attached 3 page letter from Alan R. Andersen and Rebecca Davis - property owners at Copco lake.

P.S. The only way I even heard about the canceled meeting up in Yreka or the webanar that started today Jan.20th , 2017 (right in the middle of the new President oath of office.) was from a relative who also lives at the Copco Lake.

-------- Forwarded Message --------
Subject: About the Copco Lake Dam Removal Oct. 2016
Date:

3 page letter Enclosed

Talking Waters

Siskiyou County Water Users Association

"SAVE THE DAMS SAVE THE SALMON"

347 North Main Street, Yreka CA 96097

Issue 7 ***Bob Rice Man of the Year 2016*** **Winter 2016**

MAJOR ISSUES

I. **FERC**—Recently the States of Oregon and California entered into an Agreement in Principle to destroy the Klamath Facilities. The above referred to agreement in principle was also signed by two federal agencies, Sally Jewell, Secretary of the Interior and Kathy Sullivan, Secretary of Commerce for NOAA. This despite the fact that the Congress over the past many years made it clear that they weren't in favor of removing the dams. The agreement spells out that despite the adverse impacts of dam removal they want to proceed by pursuing the transfer of the Hydro-facilities to a Dam Removal Entity located in New York City. This requires the approval of the Federal Energy Resource Commission (FERC).

The spotlight has shifted to the FERC process whose commissioners are appointed by the President. PacifiCorp filed a Petition with the commission to simultaneously transfer the dams and license to the Klamath River Renewal Corp (KRRC) and also filed with the CPUC (Public Utilities Commission) to transfer the trust assets (surcharge) funds of approx. $200 Million plus another $250 Million from the California Prop 1 (water bond funds) to the KRRC a newly formed non profit 501 c3 California Corporation instituted for the express purpose of taking over and destroying the four hydro electric facilities, thereby removing carbon free, clean energy production facilities, flood control, and water storage, and fish hatchery facility, to presumably raise the production of Salmon for the Pacific Coast Fisherman.

The PacifiCorp organization has no regard for the ratepayers or the County of Siskiyou or Klamath County or others who have all indicated in local voting that they are adamantly opposed to the removal of these dams. Warren Buffet owner of the PacifiCorp facilities has substantial financial interests in Mid West energy which will benefit by the removal of the Klamath Dams. The potential damage that could occur would **result in the**

agencies and NGO groups, tribes etc of liability for what could be an ecological disaster of enormous consequences.

The County Board of Supervisors on behalf of the County have also filed objections with the FERC on the dam removal process. This has been filed by the law firm of Nossaman et al a nationwide legal firm with offices in Washington DC.

A recent conversation with officials at FERC indicate that PacifiCorp may have been caught off guard by opponents by their filing incomplete documents. They have asked for additional time suggesting to the FERC that they will refile next year and asking that comments be held in abeyance until after March 2017. They still have before the CPUC a request to approve the process and agree to release the Trust Funds to KRRC.

II. **CPUC** — As mentioned earlier the CPUC has been Petitioned by PacifiCorp to accept the amended KHSA agreement which authorizes the formation of the KRRC and allows the transfer of the facilities and the Trust Funds to KRRC. They have been joined by the DOI and the Secretary of Commerce and California Dept. of Natural Resources in pushing the CPUC to accept the Petition. Meanwhile both the Siskiyou Water Users and the County of Siskiyou County Counsel have independently submitted challenges to the CPUC requesting a full hearing and analysis of the proposed transfer. PacifiCorp has suggested that the CPUC approve their request out of hand suggesting that in fact this was "only a ministerial action" and didn't deserve a full hearing process. At this time the Administrative Law Judge, an employee of the

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MR. PARKER T13

Talking Waters, Siskiyou County Water Users Assoc.

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river not to mention the amount of debris left in the river as a result. The Elwha was many hundreds of times smaller in size and the concomitant release of sediments and debris into the water.

The destruction of the Klamath Dams will be the largest dam removal project in the history of the United States yet the project has not yet received the proper EIR study of the seven reaches of the River. Because of this evident effort to not look at the full amount of damage that will result, we at SCWUA remind everyone that this is not about the fish or the water; ***this is about politics and money***.

IV. **COPCO** — Siskiyou County Citizens living in and around the COPCO Lake area have been affected by the proposed removal of Klamath Dams for some time but recently this came to a head with the letter sent to many of them by KRRC regarding the taking of a portion of their property rights namely their view and resultant substantial loss of property value. Many of these citizens have a substantial part of their retirement funds tied up in the properties. SCWUA conducted a meeting in COPCO with the support of the community association to review the letter from KRRC and share information regarding the inappropriate if not unlawful letter from KRRC. KRRC has no status at this point as the FERC has not reviewed and or agreed to put KRRC in the position of taking over from PacifiCorp who remains to this date the party in the chain of title of the dams and who is liable for any and all damages resulting from the removal of the hydro facilities.

It was recommended that the association on behalf of the group retain the services of a qualified attorney to file an inverse condemnation and damage suit against KRRC and PacifiCorp for their part in damaging the property values of the COPCO citizens without compensation being offered.

Many of those present also signed the class action Petition regarding the collusion of PacifiCorp and CPUC to deprive them of their property without compensation and charge them a surcharge for dam removal which is against their will.

Court Reporter Transcript

STATE WATER RESOURCES CONTROL BOARD

LOWER KLAMATH PROJECT LICENSE SURRENDER

CERTIFIED COPY

PUBLIC HEARING

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

BYRON SHER AUDITORIUM

1001 I STREET

SACRAMENTO, CALIFORNIA

FRIDAY, JANUARY 20, 2017

10:05 A.M.

KATHRYN S. SWANK, CSR, RPR, NO. 13061

APPEARANCES

CAL/EPA STAFF:

Parker Thaler

Erin Ragazzi

PUBLIC SPEAKERS:

William Glover

Allie Hostler

Brian Johnson

Jonathan McClellan

Edward Nute

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PROCEEDINGS

MS. REGAZZI: Good morning. And welcome to the second of three scoping meetings that the State Water Board is holding for the Lower Klamath Project in order to form the development of an environmental document for the application the State Water Board has before it for water quality certification.

I'm Erin Regazzi with the State Water Resources Control Board. I work in the Division of Water Rights, and I'm joined here today by some other state water board folks -- Parker Thayer works in the Water Quality Certification Program. He's going to be providing a presentation a little bit later today.

I'm also joined today by Alan Luca. He's going to be manning the computer because this is being broadcast today, so folks are able to listen in and hear the presentation, and if folks want to, they can also e-mail us their comments or questions. We'll be taking some procedural questions.

And then Marianna Aue is also with the State Water Board. She's in the Office of Chief Counsel.

And everyone should have signed in downstairs. If you didn't sign in downstairs, please be sure to sign, and in the back of the room, just so we know how many folks came today.

We're also joined today by our consultant, Maia Singer and Lauren McClure. They are both with Stillwater Sciences.

And our court reporter today is Kathy Swank. So Kathy is going to be transcribing the meeting so that we have a record of it. So that transcript will be posted to the Web once we get it back, following the meeting.

A little bit about general logistics here at the Cal/EPA building. So should there be an emergency -- alarms start flashing, that type of thing -- that means that we should gather our items and leave out the nearest exit door, go down the stairs, and we'll reconvene at Cesar Chavez Park. Hopefully it won't be raining at that time, if that were to occur. If you hang out with us, then you'll know when we get the "all clear" sign and we can all come back in and proceed with the meeting. Again, hopefully that does not happen.

If you need to use the facilities, restroom, out the door and to your left and then to your right; you can get to restroom facilities.

And everyone should be -- have a handout. There's a scoping meeting information sheet in the back of the room for folks that want to grab one. It has

some very general information. The key things I want to point out on it is, it has the Web page for the Lower Klamath Project. So if you want additional information after you leave here today, you can get that on the Lower Klamath Web page. The presentation is posted there.

Additionally, it says how to sign up for our e-mail subscription list. So if you want to receive e-mails, notifying you about things related to the Lower Klamath Project, follow the instructions there.

And then on the back, there's a nice map of the Lower Klamath Project area.

So this meeting is being broadcast today. So it is important to make sure everybody speaks into the microphones so that folks that are online can hear us. A little procedurally, we're going to have folks step up to that microphone right over there if they want to make any public comments later today.

And the purpose of today's meeting is really to provide information, but, more importantly, to solicit input and comments from folks about the water quality -- the environmental document we're preparing for the water quality certification related to the Lower Klamath Project.

And with that, I'm going to get into a couple

quick updates. So originally, the Yreka scoping meeting was scheduled to take place on January 10th. Unfortunately, we had to cancel it due to bad weather. But we were fortunate to be able to reschedule it for January 26th. So if you know folks in that area, and they are interested in the project, please be sure to pass on the information that we're having: The Yreka scoping meeting next Thursday, January 26th, at the Miner's Inn from 5:00 to 7:00 p.m. We did update the Notice of Preparation with that location change and date change, and that's also posted on the Lower Klamath Project Web page.

So a little bit about what we're going to be doing here today. Going to go through a little bit of the logistics and ground rules. Parker is going to provide a presentation that provides some background about the Lower Klamath Project. Then we'll have an opportunity for any procedural questions, but, like I said, we're really here to solicit comments, so we're going to open it up for public comments at that point in time. And then the meeting is scheduled to conclude by noon.

So hopefully folks have signed in, in the back of the room. If you wish to speak, please fill out a speaker card. That lets us know how many folks do want

to speak today. At any point in time you decide you want to speak, go grab a speaker card, fill it out, and then you can hand it to Lauren or any of us up here.

And so that Kathy can accurately get your name, please, when you come up, state your name, first and last name, and spell your first and last name for her, so she can get it in the record properly.

I will do my best to pronounce folks' names properly as well.

So at this time, I'm going to ask that everybody silence their electronic devices. So if you have got those, take them out, do a quick scan, make sure they are in the off position.

Some other general ground rules: We want to make sure that we respect all speakers and all points of views. Only one person speaks at a time. That's really important in any meeting, but especially important in this meeting because it's being broadcast, and we want to make sure that folks that are listening online get to hear what folks have to say.

I'm going to ask that folks hold any questions or comments until the end of the presentation. And again, we'll have that brief opportunity for any procedural questions, and then we'll really be getting into the comment period.

I think we'll have plenty of time for commenters today, given the number of folks we have here today, but when we have a lot of folks, we do have to limit comment time. So I anticipate we won't have to do that in this case today.

Written comments are an alternative to providing oral comments, so if you want to provide additional comments after you leave here today, or if folks didn't get enough time to provide their comments today, they are welcome to send them in.

And with that, I'm going to turn it over to Parker so that he can provide a presentation and more context to why we're here today.

MR. THAYER: Thanks, Erin.

So as Erin said, my name is Parker Thayer, and I'm the lead technical staff assigned to the Lower Klamath Project Water Quality Certification Application.

We're here today because the Klamath River Renewal Corporation, or KRRC, submitted a water quality certification application for the Lower Klamath Project. The State Water Board conditions hydroelectric projects via water quality certifications to ensure their protection of state waters.

The California Environmental Quality Act, or CEQA, requires an Environmental Impact Report to inform

the State Water Board and the public about the project's significant environmental effects and ways to reduce those impacts.

So today, I will be providing an overview of the Lower Klamath Project Dam Development; background on the Lower Klamath Project progress through the Federal Energy Regulatory Commission, or FERC, relicensing process; and a description about the link from the Lower Klamath Project to the Klamath Hydroelectric Project; as well as an overview of the CEQA process; and a discussion of our Notice of Preparation that was filed on December 22nd of 2016.

So shown in this slide is a map illustrating the general locations of the Lower Klamath Project dam development. For the purpose of easy viewing, I've put blue dots on top of the Lower Klamath Project dam development and a red line to delineate the border between California and Oregon. Other than that, this is the same figure that's located on the front page of the Notice of Preparation, and on the back page of the fact sheet, which is located at the back of the room.

The Lower Klamath Project is located along the Klamath River in Siskiyou County, California, and in Klamath County, Oregon. The Lower Klamath Project facilities include J.C. Boyle, Copco Number 1, Copco

Number 2, and Iron Gate Dam developments. J.C. Boyle is located approximately 16 miles north of the California/Oregon border and a subject of the state of Oregon's water quality certification process, which is a separate action than what we are discussing today.

The Lower Klamath Project Dam development are currently part of PacifiCorp's Klamath hydroelectric project, and those facilities are also included on this figure, and, from upstream to downstream, include East Side and West Side, which are located adjacent to Link River Dam on upper Klamath Lake; Keno and J.C. Boyle, which are both Oregon-based facilities; Copco Number 1, Copco Number 2, and Iron Gate, which are California-based facilities along the main stem of Klamath River; and Fall Creek, which is located on Fall Creek Tributary to the Klamath River. You can see them bold and underlined. I depicted the Lower Klamath Dam developments in relation to the Klamath Hydroelectric Project facilities. And off to the right of each name there is an abbreviation for the state that that facility is located in.

So now that I've provided a general description of the project's locations, I wanted to provide some background information on the Lower Klamath Project and its link to the Klamath Hydroelectric Project.

And that begins in 1956, when the Federal Energy Regulatory Commission, or FERC, issued the original license for the construction and operation of the Lower Klamath Project. And for context, FERC is the federal agency that issues orders to hydroelectric projects for the construction, operation, and decommissioning of those facilities. FERC's orders are often issued with conditions or measures that project operators must implement in order to protect public and environmental resources.

The 1956 FERC license order was issued on a 50-year term that expired in 2006. And because the FERC license expired, the Klamath Hydroelectric Project is required to obtain a new license from FERC, and that license requires a water quality certification, as well as other various state and federal authorizations.

So in 2004, the then and current owner of the Klamath Hydroelectric Project, PacifiCorp, and associated Lower Klamath Dam developments applied to renew the FERC license, and shortly after, in 2006, submitted a water quality certification application for continued operations of the Klamath Hydroelectric Project.

In 2007, FERC completed its National Environmental Policy Act compliance by issuance of a

Final Environmental Impact Statement that analyzed PacifiCorp's proposed project and continued operations as well as various alternatives.

So following FERC's issuance of its Final Environmental Impact Statement, some Klamath Hydroelectric parties began discussions for a settlement agreement that resulted in the formation of the Klamath Hydroelectric Settlement Agreement in February of 2010. The Klamath Hydroelectric Settlement Agreement created a pathway for dam removal of J.C. Boyle, Copco Number 2, Copco Number 1, and Iron Gate, via federal authorization that would have removed these facilities from the FERC process.

And in September of 2012, the Klamath Hydroelectric Settlement agreement and its companion agreement, known as the Klamath Basin Restoration Agreement, resulted in the final Klamath facilities removal, Environmental Impact Statement, and Environmental Impact Report.

Now, before I go any further, I would like to note here that the State Water Board is not a signatory to any of the settlement agreements and that the State Water Board maintains its independent authority to condition the Klamath Hydroelectric Project and the Lower Klamath Project for the protection of water

quality.

And in light of the substantial new information developed since the 2008 Notice of Preparation that the State Water had released to begin its CEQA process, in 2015, the State Water board reinitiated the CEQA process to analyze PacifiCorp's planned hydroelectric project by releasing a Notice of Preparation and hosting public scoping meetings.

Shortly thereafter, on April 6th of 2016, the Klamath Hydroelectric Settlement Agreement was amended to remove provisions requiring federal authorization and, instead, pursue dam removal through the FERC process.

Following the amendment of the KHSA, and at the request of PacifiCorp, on June 16th of 2016, the Federal Energy Regulatory Commission placed the Klamath Hydroelectric Project relicensing process on hold, or in abeyance.

And shortly after, PacifiCorp withdrew its water quality certification application from the State Water Board, thereby ending its water quality certification process for CEQA process for relicensing of the Klamath Hydroelectric Project.

Following the withdrawal of PacifiCorp's application, several things happened on

September 23rd of 2016: The first being, the new entity, a 501(c)(3) known as the Klamath River Renewal Corporation, or KRRC, jointly filed, with PacifiCorp, the license transfer application seeking to divide the Klamath Hydroelectric Project into two separate projects: The first being the Klamath Hydroelectric Project, which would be owned by PacifiCorp and consisted of East Side and West Side, Keno, and Fall Creek; while the second would be the Lower Klamath Project that would be owned by the Klamath River Renewal Corporation, and consisted of J.C. Boyle, Copco Number 1, Copco Number 2, and Iron Gate Dam developments.

The Klamath Hydroelectric Project will maintain its FERC project number of 2082 while the Lower Klamath Project has received a new FERC number of 14803.

I would like to note that the transfer application is pending before FERC.

So in addition to the transfer application, also on September 23rd, 2016, the Klamath River Renewal Corporation filed with FERC a license surrender application seeking to decommission sufficient portions of the Lower Klamath Project to provide for additional fish passage and a free flowing Klamath River.

And also, on September 23rd of 2016, the Klamath River Renewal Corporation submitted a water

quality certification application to the State Water Board for its proposed project of decommissioning.

So the State Water Board is proceeding with processing the KRRC's water quality certification application. Before the State Water Board can issue a water quality certification or take an additional action on the project, it must first comply with CEQA, as CEQA is a requirement of state law.

Information developed in the CEQA process will be used to inform future actions of the State Water Board on this project. And today's scoping meeting is part of the Notice of Preparation public comment period that began on December 22nd of 2016 and will end at 5:00 p.m. on February 1st, 2017.

So shown in the slide is an overview of the typical CEQA process in which the State Water Board is the leading agency and has determined an Environmental Impact Report is necessary.

Following that determination, the State Water Board issues a Notice of Preparation and conducts public scoping meetings. You can see on the slide, in cap locked and in underlined, I've noted this is a formal public comment period, and that comment period, again, began on November 22nd and will end on February 1st.

Following the close of that comment period, the

State Water Board will consider all comments received as well as existing environmental information and use that to prepare a Draft Environmental Impact Report.

The Draft Environmental Impact Report will include items like a detailed project description, as well as description of other alternatives, mitigation measures to reduce project impacts, and a discussion of environmental baseline.

After preparing the Draft Environmental Impact Report, the State Water Board will issue it for another formal public comment as shown on the slide -- sorry. There you go -- for a minimum of 30 days.

Similar to the Notice of Preparation public comment period, all comments received during the comment period will be considered and used to inform the development of the Final Environmental Impact Report. And following or concurrent with issuance of the Final Environmental Impact Report, the State Water Board will take an action on the KRRC's water quality certification application.

So our CEQA approach is to focus on the California portion of the Lower Klamath Project. We would like to use the FERC Environmental Impact Statement and Klamath Facilities Removal Environmental Impact Statement and Environmental Impact Report in

development of our CEQA document. And we would like -- we also plan to use information gathered by CEQA commenters, the scientific community, settlement agreements, tribes, and other sources.

Our Notice of Preparation identified two project alternatives, those being the Klamath River Renewal Corporation's proposed project to decommission sufficient portions of the Lower Klamath project, to provide for additional fish passage and a free flowing Klamath River, as well as a no-project alternative. And we recognize that there's a range of actions and alternatives in between both of those. And part of this comment period is to hear from the public on which alternatives you believe should be considered.

So jumping to today's meeting, as said earlier, all public comments received by February 1st of 2017 will be considered, and I consider all comments to be helpful. But there are a few key pieces of information that would be most helpful to us in our process, and I've listed those up here:

The first being the range of alternatives or specific alternatives the public feels should be included and analyzed in our CEQA document; any potential impacts that should be evaluated or mitigation measures; and of course any other items.

I would like to note that there was previous analysis done for the Klamath Hydroelectric Project, as discussed by FERC and the Klamath Facilities Removal CEQA document, and to the extent that that information exists, and if the public agrees or disagrees, it is beneficial for us to hear that.

We do understand that there will be environmental impacts associated with the KRRC's proposed project and other alternatives that we will be analyzing, including, but not limited to, items such as the large release of sediments from behind Copco and Iron Gate, groundwater table changes, and impacts to tribal cultural resources.

And if you are planning on commenting on any of those items, in our Notice of Preparation, there's an Attachment 1 that lists a summary of impacts that we anticipate, and I encourage everyone to look at that and let us know if there's any feedback that needs to be done.

So with that, please submit your comments by 5:00 p.m. on February 1st of 2017 to the physical or e-mail address shown there. Also on the slide is a link to our Lower Klamath Project Web page, where we post updated information, like this PowerPoint, the Notice of Preparation, the water quality certification

application. So it's a good source to check out.

And I will be turning it over to Erin to take any questions related to processes and then move into public comments.

Thank you.

MS. REGAZZI: Are there any procedural questions about the Water Board's CEQA process?

Great.

We'll move directly into public comment. That's what we're here for.

Given, I have four comment cards, I'm just going to put a five-minute timer over there so folks are aware of how much time they are using. And I'm going to have folks walk up to that podium over there and speak into the microphone.

When you walk up there, be sure to push the button. It will turn green. That means that it's on and folks should be able to hear you if you get close enough.

So I'm going to read off a couple names, just so folks know what order they are in.

So I have Ed Nute, Jonathan McClellan, Brian Johnson, and W. Glover.

Is there -- if anybody else wants to provide any comments, speaker comments, please fill out a

speaker card and you can hand it off, up here.

So Ed, if you want to take the podium. And just to help folks out, there's a little thing up there that says please remember, state your name, first and last, and spell it for Kathy, because I'm sure she would really appreciate it.

MR. NUTE: Thank you. I'm Edward Nute. I live in Marin County. I'm a civil engineer and an interested citizen.

And I encourage the state board to move forward with the certification to remove the Iron Gate, Copco 1 and 2, and J.C. Boyle Dams on the Klamath River, known as the Lower Klamath Project. And I strongly encourage the state board to move forward with the water quality certification.

For many years, I've been involved in restoration projects in Marin on the Lagunitas Creek, including removal of Roy's Dam and San Geronimo Valley. Lagunitas Creek is critically important to the passage of spawning endangered coho salmon on the Central California coast. It now has one of the largest coho runs on the Central California coast, although these rains are probably washing it all out.

I'm also aware, and have visited the highly successful dam removal up on the Elwha River in

Washington State; they now have restored the salmon runs far up into the Olympic Park.

The Klamath River is a major river in California on the West Coast. The four dams in the Lower Klamath Project are aging infrastructure. Their continued existence is untenable because of the adverse effects on downstream water quality and fisheries. They are anachronisms, and sooner or later, they will have to be removed. Otherwise, they will just continue to silt in and kill and weaken the downstream fishery. Further delay will just add silt that will have to be dealt with, when, eventually, they come down. And this should be quantified in the EIR.

Some scoping recommendations I have is, how much silt is being trapped each year behind these dams, and what's the impact of a delay on their removal?

What is the -- what improvement to the downstream fishery would result in the dam removal?

If the dams are gone, there could be a fly fishing potential for recreation use of that part of the river. There could also be some rafting recreation activities that ought to be quantified.

And in terms of power generation, it would be nice to quantify the amount of land that would be needed to replace the power that's generated with solar panels

or windmills.

Finally, as a personal note, my grandparents lived in Mount Shasta. My grandfather, Edward H. Kaupp, served on the board of supervisors for 12 years as well as on the Mount Shasta City Council, and he served on the Board of Trustees of Siskiyou Joint Union High School District for 21 years. He was a strong force in bringing high schools to rural communities of the county, including Happy Camp and Tulelake.

Edward Kaupp was a progressive thinker and took a keen interest in public works, particularly road improvements, which were sorely needed at the time, as well as public agent -- education.

I would hope that if he were alive today, he would have seen the benefits of dam removal; would greatly help the people of the Klamath by restoring the free flowing river and resulting in a healthy fishery and increased recreation opportunities. I would hate to think that 50 or a hundred years from now, these dams would still be in place as aging infrastructure, and still sickening and killing fish, degrading the downstream water quality. At some point, the dams will have to come out, and sooner better than later.

So thank you very much.

MS. REGAZZI: Thank you. If you want to leave

your written comment, I'm sure Kathy would appreciate them.

If you could state and spell your name, that would be great.

MR. McCLELLAND: My name is Jonathan McClelland, J-O-N-A-T-H-A-N, M-C-C-L-E-L-L-A-N-D.

And I'm a private citizen. I've been involved in what's going on in the Klamath since 2001, which was a couple of years before the FERC licensing process started, but it was apparent at that time, to pretty much anybody with any scientific information, that there was no feasible economic way to bring these four dams in the Lower Klamath Project into compliance for water quality and for fish passage.

There were numerous public groups that are frequently on opposite sides of the fence on anything that has to do with environmental concerns, that came together on this project, and worked out the Klamath Hydropower Settlement Agreement, and the Klamath -- the KBR, through a lot of years of work and just spreading the information to the affected communities as to how much of a benefit it would be if these dams came down.

The Klamath River was once the third largest salmon spawning river in the Western United States south of Alaska. And now all of the fish that spawn up the

Klamath River, aside from the ones that go into the Trinity, have -- are either endangered or threatened. So it's of utmost importance that the State Water Resources Control Board act as expediently as possible to move this process forward.

There was a good agreement in place, and it ran into a roadblock with the federal Congress. And I am thrilled that the Water Resources Control Board has provided another opportunity to move this process forward.

So thank you.

And I look forward to seeing those dams come down. I want to be able to fish for salmon in that river and eat them with my grandchildren. Time is running out.

MS. REGAZZI: Thank you.

So Brian Johnson and then W. Glover.

And then -- is there anybody else that wants to fill out a speaker card here today?

MR. JOHNSON: Hello. My name is Brian Johnson and I'm a California and Klamath director for Tribes Unlimited. We're a signatory to the KHSA and helping negotiate the original agreement and the amendments to the agreement. I will keep my remarks short.

We participated in the original scoping for the

relicensing project with FERC and the water quality certification, and through that process, and also through the NEPA and CEQA document, and we believe that the Water Board can and should use the CEQA document for this proceeding.

Our only other recommendation at this point, although we will submit written comments, is to continue to keep in mind the historic nature of this and the high priority that the State of California has put on this for close to 20 years now. And it's a priority in the State Water Action Plan. The Legislature has specifically called it out as something to move forward, and we would like to see a good timeline and being able to stick to it so that we can keep the project on track.

Thanks.

MS. REGAZZI: Thank you.

MR. GLOVER: Hi. My name is William Glover, G-L-O-V-E-R.

I want to remind you to include Native American stakeholders in whatever comes next. And there needs to be a viable alternative energy replacement for the lost hydro. It seems like it presents a good opportunity to expand salmon restoration, which is a good thing. And to remove these dams makes it possible for a possible -- to maybe in the future, have a possible state law in

scenic river declared out of the Klamath -- Klamath Watershed area.

Thank you.

MS. REGAZZI: Thank you.

Allie Hostler. I apologize if I mispronounced your name.

MS. HOSTLER: Hi. My name is Allie Hostler. My name is spelled A-L-L-I-E H-O-S-T-L-E-R.

I am a member of the Hoopa Tribe, and I've been in front of the Water Board several times over the past several years. Most of the time, it had been to beg you guys not to continue to grant abeyances for PacifiCorp to continue to operate their polluting dams.

But today, I'm happy to say, I encourage the Water Board to move forward with water quality permit -- with a water quality permit to decommission the four dams in question.

I believe you have done it before, in, like, 2011. It was the right decision then and it's the right decision now. All the science, up until this point and even since 2011, has only proven that decommissioning the dams is of great benefit. And as the gentleman stated earlier, there's a lot of movement and support for that. It's the right thing to do.

So back when I've been in front of the board

before, I advocated for the process to revert away from the settlement process and to the FERC process. So now that that's finally an option, I would say, move forward and -- on a tight timeline so that FERC can do what they need to do in the time frame that we have.

So I wasn't quite prepared for this hearing, but I'm glad I was able to be here, and I definitely support the Water Board moving forward with the process.

Thanks.

MS. REGAZZI: Thank you.

Anybody else interested in making a public comment today?

Anything online?

Okay. We all get an extra hour and 20 minutes in our day. That's always a nice thing to have happen.

So again, the public comment period ends on February 1st, at 5:00 p.m. So I encourage everyone to provide written comments, if they have any additional comments they would like to, before then.

Thank you.

(Proceedings concluded at 10:41 a.m.)

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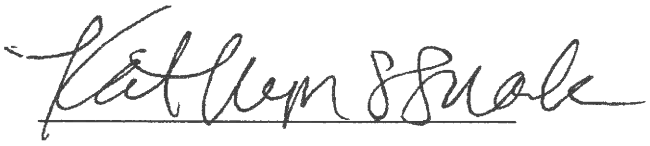
CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing public hearing was reported in shorthand by me, Kathryn S. Swank, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said public hearing nor in any way interested in the outcome of said public hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of February 2017.



KATHRYN S. SWANK, CSR, RPR
Certified Shorthand Reporter
License No. 13061

Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

Best Western Miner's Inn – Convention Center Auditorium
122 E. Miner Street,
Yreka, CA 96097

January 26, 2017 (5:00 pm – 7:00 pm)

Sign-In Sheet

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

Location: Best Wetern Miner's Inn, Convention Center - 122 East Miner Street, YREKA		
Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
Mark Coats	CCA	
Sami Jo Difuntorum	Shasta Indian Nation	samijodif@yahoo.com
Kathy Varnell	Etna Band of Indians	Konomihushasta@gmail.com
Linda Wallace	Cones Ashes Res	lwallacem5@gmail.com
Jack Mattz	Yurok Tribe	jmattz@yuroktribe.nsn.us
Bruce Ross	ASM Brian Dahle	Bruce.Ross@ASM.CA.Gov
Tom Menne	GWAC	HAYDuDE@sisqtel.net
Larry Bell	None	spud@finestplanet.com
Margo Perryman	Tea Party	(530) 974-4408
Ann & Bob Noel	None	bobbnoel@yahoo.com
Don Wallace	—	Luke4@4fast.NET
Susan Wallace	—	" "
Jeanne Welch	—	chipmunkcourt@aol.com
Lisa L. Nixon	Siskiyou County Dist 4 Supervisor	lnixon@co.siskiyou.ca.us
Nikas Attill		
Kathy Tyler		
Dave Tyler		
Dusty Veale		

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

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Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
Sheila Davis	Copco Lake. Res	530-905-2068
KEITH MOLINE	"	541-761-2404
Richard Marchock	Siskiyou Water	530 468 4204
John Menke	Rancher	530-468-5341
Jenny O'Gorman	Resident	530-598-1961
Dr. Richard Gierak	Resident	530-475-3212
HERBERT DUERR	Concerned Citizen	530-467-3264
CAROLYN DUERR	Concerned Citizen	530-467-3264
Kiley Munoz	Concerned Citizen	
PHIL PORTER	" "	530-842-1534
Mark Fischer	Copco Lake Res	530 459 5988
Joe James	Yurok Tribe	707-482-1350
Thomas Mello	Big Spring	530 459-5069
Brandon Cross	Siskiyou County	530 859-3548
Ken Kuhl	Siskiyou Count	530-905-2076
Susan M. Roden	Siskiyou County/Big Spr	714 322 0028
Justin B. Holmes	Rancher	414-801-1668
David White		davidwhite2015@protonmail.com

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Location: Best Wetern Miner's Inn, Convention Center - 122 East Miner Street, YREKA		
Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
example: Parker Thaler	State Water Resources Control Board	parker.thaler@waterboards.ca.gov
Cindy Callen		Montague Ca
George Webb	State of Jefferson Rep.	
Susan B. Caswell		Montague, CA
Javier I. Kinney	Director Yurok Tribe	jkinney@yuroktribe.nsn.us
Yvette Adams		jygadams@ootdrs.net
James Adams		" "
Kaylee Starman		kmstarman@outlook.com
Bob Rice		Consultant Water Rights
Anna Murveit	KRRC	
Jerry Bacigalupi	P.E.	SCWUA
Mary L. O'Kerman	R.E. R.E.	
Dean Harris	Citizen Siskiyou Co.	twinedel@att.net
Judy Mackintosh		
Don Mackintosh		
Jim-Kim Harkless	Land owner	Ld bigblue@aol.com
Stanley Swenson		
John Foster	Land ower	

State Water Resources Control Board

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

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Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
JOHN BERMEL	KLAMATH RIVERKEEPER	PILOTROCK@COPPER.NET (530) 475-3447
Sherrie Peery		530-842-6389
Leonard Ferguson		530-842-4731
CHRIS STINE	OREGON DEER	541-686-7810
Rex Corzolio		
ROBERT DAVIS	STAKE HOLDER	459 5042
Glen Briggs	STAKEHolder	530-496-3343
Demian Ebert	Pacific Power	
Elizabeth Nielsen	Siskiyou County	
DIETMAR KADLE		459-3084
Steve RADFORD	SOS1	598-0378
Carl and Linda Ebert	residents of Copcolake	26834 Copco Road Montague Calif 96064 530-459-5318
Jess Hemphill	Rancher	JRHemphill2000@yahoo.com
John Livingston	Sierra Club	Livingstonjohn@att.net
JOE SISK	PACIFIC POWER HYDRO	
Linda & Ken Oliver	Copco Lake Fire Protection Dist	Klamathbbq@aol.com
Annie [illegible]	KID	
Candace Carter	BSID	

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

Location: Best Wetern Miner's Inn, Convention Center - 122 East Miner Street, YREKA

Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.

Name	Organization	Contact Information
Myra Wilson	Home Owner	530-475-3304
Dave Wilson	Home Owner	" " "
BOB LINDWOOD	HOME OWNER	530-475-3314
DAVE RAUMAKER	HOMEOWNER	475-0634
Roy Hall	Shasta Motors	643-2339
Betty Hall	Shasta Motors	488-2287
Mike Mallory	Siskiyou County Assessor	842-8036
Liz Casson	City of Yreka	841-2324
[illegible]		530 966 4693
GRACE WARNER	RURAL ORGANIZING PROJECT	541 799 4314
GEORGE JENNINGS	ORE-CAL RC & D	530-643-6574
Margo Robbins	True North	(707) 502-8654
[illegible]	Montague Water Conservation	530-459-3036
Steve Baker	City of Yreka	530-841-2321
Faye Weekley	None	
Dave Mauser	None	
LORENZO CASTRO	NONE	530-925-1544
TOM O'GORMAN	N/A	530 842-4028

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

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Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
Ryan Nowakowski	Family of property owner on Copco Lake	415-706-0464
Doreen Reed	Citizen Taxpayer	
Kimberly Harkless	family Property owner	530-465-2033
CHRISSIE REYNOLDS	PROPERTY OWNER	530-459-1137
Danny Fontella	Property owner	530-459-3513
Jim Halpeany	property owner	530-524-1203
Nancy & Larry Duff	property owner	530 905-5604
Carrie Rivers	UCE LIVESTOCK & NR adviser	530 842 2711
Celeste Fowler		
Lynne Hadsall	Property owner	604-5347
Josh Smith Freeman	City of Yreka	jfreeman@ci.yreka.ca.us
Jack Rogenbuck	Property owner	jrhvr@me.com

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Name	**Organization**	**Contact Information**
[illegible]	Critterville Alpaca	[illegible]@aol.com
Pat [illegible]		
Michael Harris	CDFW	Michael.r.harris@wildlife.ca.gov
Pat Lunde	Klamath Irrigator	larry.pat09@yahoo.com
Dorothy Gourley		dggourl@msn.com
JON E. LOPEY	SHERIFF	jon.e.lopey@SISKIYOUSHERIFF.ORG

Sign-in Sheet for Scoping Meeting for an Environmental Impact Report for the Lower Klamath Project License Surrender

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Date and Time: January 26, 2017 from 5:00 p.m. to 7:00 p.m.		
Name	**Organization**	**Contact Information**
Jan Jackson	N/A	
Kenny Jackson	N/A	
DAVE MEURER	SENATOR TED GAINES	dave.meurer@sen.ca.gov
[illegible]	1036 So Phelan [illegible]	
JANAE SCRUGGS	CDFW	
Grace Bennett	People of Siskiyou	
DENNIS L CAMPBELL		
Kristen Sellmer	SQRC	
Will Johnson	Ashland Fly Shop	will.flyshop@gmail.com
Sarah Rockwell	Klamath Bird Observatory	smr@klamathbird.org
KEITH POMEROY		
ALEXANDER KHARITONOV	N/A	alkhartz@yahoo.com
Carol Dyer		Karol DYER @gmail.com
Clifford Berry		
Carol Crebbin		
Colleen Alvarez		
JIM MORRIS	SISKIYOU COUNTY FARM BUREAU	jim@brown-morrisranch.com
CAROLINE BRASK	WOMEN IN BUS NETWORK	meme_brask@yahoo

State Water Resources Control Board

Sign-up Sheet for Hard Copy Information Mailings

Name	Organization	Mailing Address
example: Parker Thaler	State Water Resources Control Board	1001 I Street Sacramento, California 95814
Carl and Linda Ebert	residents of Copco Lake	26834 Copco Road Montague, Calif. 96064
		Yreka

Speaker Cards and Written Comments

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

(1)

NAME: John Bermel

EMAIL (if desired): pilotrock@copper.net

ORGANIZATION (if applicable): Klamath Riverkeeper

REMARKS: Looking for worthy steward(s) to restore Klamath Hot Springs. Property is currently owned by Pacific Corp (Pacific Power)

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

(2)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Richard MARSHALL

EMAIL (if desired):

ORGANIZATION (if applicable): President Siskiyou Water Users

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

Richard Marshall
Yreka
1/26/17

(2)

Siskiyou County Water Users

January 26, 2017

State Water Resources Control Board
Mr. Parker Thaler
PO Box 2000
Sacramento, CA 95812-2000

RE: California Water Board
KRRC/ Scoping Hearing
Klamath Dams

Dear Mr. Thaler,

My name is Richard Marshall and I am President of the Siskiyou County Water Users Association representing our organization of some 200 members as well as thousands of Siskiyou County citizens who indicated by voting nearly 80% their desire to keep the Klamath Dams in place. I would hasten to add that a recent vote in Klamath County, Oregon produced approximately the same result. In addition I am also a rancher in the Scott Valley.

Mr. Thaler, nearly exactly one year ago on January 26, 2016 we met in the same room on practically the same subject that is a scoping session regarding water quality and the Klamath Dams. There was a large crowd in attendance that evening again on short notice. At that time we registered the same concern regarding the seeming inability of the Water Board to properly notice the public regarding this most important meeting. Certainly it is important to us, if not to you and your associates that we participate in the process. It seems we are constantly finding out about these "public scoping" meetings at the last minute. Even though I am registered on two of the notice lists i.e. yours and the FERC. I never received notice from your organization and surprisingly did get notice until just prior to the proposed meeting of the 20th from the FERC. I don't know the rules that you follow but when I used to conduct public hearings it was required generally speaking to give 90 days' notice of an EIR scoping meeting so that the public could fully participate. I therefore question for the record the authenticity and legality of this meeting because of lack of proper public notice.

At that meeting of Jan. 26, 2016 we were asked to submit our concerns in writing which we did, thinking that our questions and opinions deserved some sort of response from your organization who is willing to take our tax dollars and spend without reserve. However, no such luck as a thank you letter for our thoughts or a response to our considered opinions.

CEQA vs NEPA

Our first issue with the project proposal is that this proposed project requiring an environmental study is not properly done by using CEQA. The Klamath River is a federally designated Wild and Scenic River and also qualifies under the navigable river federal waterway. The project as proposed impacts two states, Oregon and California. This alone demands that an environmental analysis concerning the destruction of the hydroelectric and associated storage facilities; the destruction of environmental protected fish species not the least of which includes the Coho Salmon and the Green Sturgeon; as well as the short and long nosed suckerfish; and much of the aquatic life in the river system; together with the pollution of the riverine system by toxic sediment demands that the EIR/ EIS be done under NEPA rules and prepared by the US Commerce Department and the Department of Interior.

Furthermore, one can't study just part of the Klamath River system in California especially when it comes to sediments and pollution. One must look to the headwater source of the Klamath in Oregon. The production of nitrogen and microcystin which is wrongly attributed to the presence of the hydroelectric facilities occurs naturally and by way of the byproduct of farming operations and particularly the bird life in the Oregon side of the River system. The studies done previously by the Bureau of Reclamation make this point very clear. Among others they concluded that the pollution problems could be substantially reduced or even eliminated by the installation at Keno Dam of a water quality treatment facility. Within this same study the removal of the hydro facilities and storage capability will dramatically impact the ability to modulate the river flow especially in low water times. The BOR estimates that replacing this flow capability may cost upwards of Eighteen Billion dollars.

Therefore we object strenuously to the proposed actions which absent a thorough analysis of the Pacific Decadal Oscillation as well as all seven reaches of the Klamath cannot determine the full impact of the effort to remove the hydroelectric facilities. The study should further include an examination of the impact of the destruction of the facilities will have on the economic well-being of the counties which are impacted. For example there will be an immediate destruction of property values particularly at Copco Lake where owners have already experienced a loss in value.

Finally in this section we raise an objection to the State of California spending tax payer dollars to benefit a private 501 (3) c non- profit corporation the KRRC which although recently filed as a California Corporation came out of New York. It is bad enough that we have been forced to pay an electric surcharge to remove the hydro facilities for many years now against our will and best interest for Siskiyou County. Either KRRC or PacifiCorp should be paying for the studies to be submitted to the State for review, analysis and potential approval. The KRRC has not been recognized by either the FERC or the CPUC to carry out the proposed activity. In fact the FERC

raised an objection to the KRRC both filing simultaneously the license transfer from PacifiCorp to KRRC and filing to terminate the license and remove the hydro power facilities.

Amended KHSA

On April 6, 2016 after the resounding failure of the previous KBRA and KHSA agreements, which had been pursued for many years by the Department of Interior, State of California, State of Oregon and numerous agencies and NGO'S, and rejection by Congress, despite numerous attempts by the environmental arms of California and Oregon reconstructed the previously failed KHSA calling it the amended KHSA. This is the underpinning of your organizations efforts to legitimatize the effort to destroy the hydroelectric facilities. It is our opinion that this document is illegal as the Governor of California had no legislative authority to bind the State in a potentially disastrous project without the benefit of appropriate studies and deliberations by the State Legislature. In short Governor Brown had no authority to enter into an abortive attempt to create a Federal Interstate Compact.

Klamath Bi State Compact

The Klamath Basin is governed by the 1957 Compact between the States of California, Oregon and the Federal Government. This governing doctrine is referred to as "the law of the River". It is a Federal Statute enacted by both legislatures of Oregon and California and codified by the US Congress by Statute enacted on August 30, 1957 (71 Stat. 497). This document arrived after many years of negotiation between the States and their representatives set forth the process for prioritization of beneficial uses of the Klamath River including the hydropower element which was negotiated at the time by COPCO the predecessor to PacifiCorp. The negotiating team included officials from both Oregon and California and the Federal government. The Compact is still in effect and is still the "law of the River". This magnificently versatile agreement arrived at by earnest and artful negotiations included a right to 60,000 acre feet of water to be taken from behind Iron Gate Dam and 200,000 acre feet from behind Keno Dam for the Butte Valley area. Amongst those at the table were members of the Siskiyou County Board of Supervisors under the guidance of Senator Collier. It also resulted in the development of the very successful fish hatchery at Iron Gate which draws cold water to stimulate the development of SIX MILLION FINGERLINGS (6,000,000) per year to keep the Salmon population well stocked. This process if the dams were destroyed would go with them. There will be no way to make up the difference.

Siskiyou County Flood Control and Water Conservation District

A unique piece of legislation flowed from the adoption of the Compact to the benefit of Siskiyou County. Through the legislative process in California Assemblywoman Pauline Davis authored a AB 1592 which was further codified under the California Water Code as Section 89-

1. This unique piece of legislation blessed the County of Siskiyou with special water rights to govern all waters of Siskiyou County including subterranean and surface water excluding the water controlled by the upper basin federal project. This was intended to insure that Siskiyou County would be the master of its own fate to provide for development of hydropower and water usage to benefit industry, agriculture and domestic. Again we would postulate that this unique water right conferred on the County of Siskiyou by the State of California trumps the efforts of the Water Board. These were "quid pro quo" for the County's spearheading the effort to develop the Federal Interstate Klamath Compact.

Conclusion

We reiterate our concerns over the legitimacy of the scoping session by the Water Board first because the notice period was exceedingly short and begs the question of the intent of the board in giving such short notice to the group most impacted by the potential destruction of the hydro facilities i.e. Siskiyou County in which three of the four facilities to be destroyed are located and which has the greatest river frontage to be impacted by the release of sediment and opening up the prospect of flooding and resultant damage. Secondly, we object to the use of state funding to conduct the EIR/EIS for the benefit of a private company, the KRRC, which is not even recognized by either the FERC or by the CPUC. The KRRC has no demonstrated capability to manage such a huge undertaking and they have no significant funding. Thirdly, we believe that the Governor of the State of California had no authority to enter into the Amended KHSA as it had never been reviewed or approved by the Legislature and by signing the agreement he has put the State of California and the citizens of Siskiyou County at great risk and peril. Fourthly, the Water Board planned action violates at least three Federal laws (NEPA, Federal Interstate Compact, Article 1 Sec. 10 US Constitution, and Endangered Species Act) and two State laws (Quo Warranto, and Water Code Sec. 5900-5901). Fifth, the proposed objectives of the project under the KRRC are physically and scientifically unattainable. Sixth, most importantly the existing Interstate Federal Compact has not been dealt with by Congress and therefore remains the law of the river.

Finally, we respectively demand that the Water Board respond in writing to the issues we have raised on or before February 15, 2017.

Sincerely yours

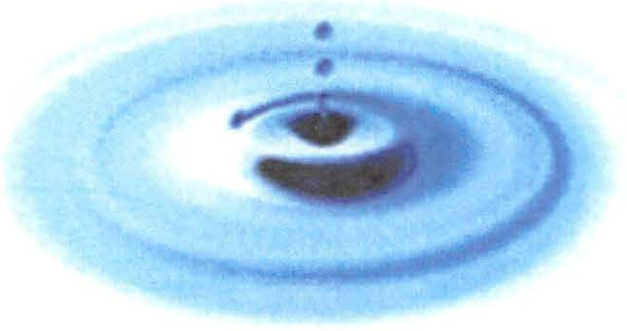
Siskiyou County Water Users

Richard Marshall
Richard Marshall
President

Richard Marshal Yreka 1/20/17

(2)

Siskiyou County Alternatives To Dam Removals



Submitted By S.C.W.U.A

SISKIYOU COUNTY WATER USERS ASSOCIATION

UPDATE 8/4/16

In late 2015 the KBRA came apart at the seams as it was unable to get Congress to agree to fund the destruction of the Klamath Hydro facilities. Although there were some in Congress who were allies of the environmentalists they were held in check by those who felt that it was an outrageous use of funds and subjected the government to potential monumental costs in restoring the Klamath after the dams were gone. They also felt that removing the water storage capability made no sense given the drought and the search for ways to conserve water.

In early 2016 the two governors of Oregon and California both "Browns" together with PacifiCorp and a number of Indian Tribes and representatives of the Federal agencies of the Dept. of Interior and the Dept. of Commerce met with other representatives of the environmental organizations that comprised parties to the KHSA agreement signing an Agreement in Principal to amend the KHSA agreement and circumvent Congress for the sole purpose of destroying the Klamath Hydro Dams. This would accomplish their stated goal of destruction of the dams.

In reviewing the revised KHSA it was clear that the strategy now would entail circumventing Congress by putting the process in the hands of the Federal Energy Regulatory Commission or FERC as it is commonly known. Hand in hand with this effort was to pass off the potential legal liability for damages to the newly created Dam Removal Entity (DRE). This would relieve the States, PacifiCorp and the agencies of any responsibility for the ecological damages that would inevitably result from the massive destruction (the largest dam removal project in the US). If a biological disaster ensued the burden would fall to the ratepayers and taxpayers ultimately. In addition the ratepayer surcharges in amount of $200 MM together with the tax payers $250 MM would be transferred with the dams to the DRE. Interesting to note is that those surcharges were actually supposed to be held in trust by PacifiCorp, meaning that the funds are those of the ratepayers. Also, interesting to recognize that the DRE is a hastily formed California 501 3c but the offices are on the 42nd floor of a building in New York City in the offices of an attorney. Now we find out weeks later that the board of this group which is just being formed is being composed of some KBRA members with others not yet named.

SCWUA is in the process of trying to establish a civil lawsuit to represent the public who have been disenfranchised in this process. The effort will be aimed at bringing an injunction against the FERC to move the matter to the EPA who has so far evaded its responsibilities with regard to the destruction of listed endangered species and the issue of the Clean Water Act which comes under both the State and Federal Water Boards. You can help by becoming a member of SCWUA or making a donation. Thanks for your help.

SCWUA Board of Directors

TABLE OF CONTENTS: Alternatives to Dam Removals

SCWUA

Siskiyou County Water Users Association

Making a Difference

Siskiyou County is faced with multifaceted attacks by the Federal Department of Interior and the State of California.

The SCWUA objectives are to provide substantial long term benefits to all of Siskiyou County by:

- **Protection of existing water and property rights.**
- **Retaining our Clean Hydro-Electric Reservoirs on the Klamath River.**
- **Preventing sky rocketing electricity cost and increase to our carbon foot print with replacement power.**
- **Increasing and sustaining property values.**
- **Adding irrigation waters to the Shasta Valley.**
- **Reducing the irrigation demands on Lake Shastina.**
- **Increasing instream flows in the Shasta and Klamath Rivers.**
- **Provide for additional anadromous fish habitat.**
- **Coordinate and Cooperate with Federal, State and County Agencies on projects that are beneficial to Siskiyou Co.**

The (SCWUA) began taking shape in Jan. 2008 when several community leaders in the Yreka area reviewed the Klamath Basin Restoration Agreement (KBRA). The KBRA settlement group represents 2 farming units, 3 tribes, 3 Federal Cabinet Secretaries, 3 Oregon State Depts., 1 CA State Dept., 2 of the 9 Basin counties, 8 environmental groups and 2 fishing associations. **(Siskiyou County is not represented)**

During the past 2 years the KBRA settlement group (in closed **secret** sessions) negotiated agreements contrary to the benefit of most citizens of Siskiyou County.

When the Siskiyou County Board of Supervisors first learned publicly that 3 of the 4 dams slated for removal were in Siskiyou County, they held public hearings which reflected an overwhelming majority of Siskiyou County's citizens' are opposed to the

Settlement Groups' agreement. The County passed a 4 page resolution supporting the County's citizen's feelings, and to obtain a more detailed look at the citizen's concerns. The County Board of Supervisors held 2 more Public Sessions that pointed out the adverse effects of the proposed actions, the lack of supporting scientific evidence, misrepresented use of historical records, and that sustaining the minimum mandatory flow of 1300 cfs for salmon cannot be met without the storage capacities of the dams. Soon afterward, countywide conversations and feelings exploded and several informal roundtable discussions were held amongst knowledgeable residents: scientists, engineers, educators, the Shasta Nation, property owners and pioneers of the river. Their collective understandings of KBRA impacts to the Klamath River's flows, flood potential, water quality issues, fish populations, habitat use, Tribal impacts, property values, clean hydro- power and understanding of the "Law of the River" (1957 Klamath River Compact) demanded a stand. The **SCWUA** took the position that whatever is done to the River **must be done right**, to the Klamath River Basin as a hole; as it will **forever** totally affect the livelihood of the residents of Siskiyou County, the largest county with the most River miles in the 10 million acre Klamath Basin.

In 2009 work began by the 10 volunteer organizers of the SCWUA to review authentic data and begin an organized effort to challenge the Klamath Settlement groups' (KBRA) provisions. (Frank Tallerico, Robert Rice, Leo Bergeron, Anthony Intiso, Betty Hall, Roy Hall sr, Roy Hall jr, Harry Lake, John Menke, Jerry Bacigalupi and Rex Cozzalio)

The volunteers (River Patriots) selected an organizational name of **Siskiyou County Water Users Association (SCWUA)** and Articles of Incorporation were filed as a tax-exempt status corporation as defined in the Internal Revenue Code 501 (c) (7).

Mission

Support and defend county-wide property rights, water rights, and water use priorities as they are identified in the "Law of the River" (1957 Klamath River Bi-State Compact and Appendixes A, B & C).

Objectives

Currently the **SCWUA** is pursuing 6 goals:

1. Protecting Our Water Rights; obtaining legal services when necessary to protect property and water rights held by Siskiyou County residents.

2. Pursue the Shasta Nation (anadromous fish by-pass) alternatives to dam removal within Siskiyou County and preserve the clean sustainable hydroelectric power to 70,000 homes, property values, warm water fisheries, recreation, flood protection, etc. provided by the dams.

3. Pursue the transfer of the annual 60,000 acre feet Klamath River storage adjudicated water right from the State of California Dept of Finance to Siskiyou County Flood Control & Water Conservation District for irrigation and in stream

enhancements in the Shasta Valley, as provided for in Appendix B of the Klamath Basin Compact.

4. Pursue grants and funding opportunities to engineer and develop the Shasta Nation Anadromous Fish By-Pass Alternatives to Dam Removals and the Klamath-Shasta River Canal System for water use within Siskiyou County and the Montague Irrigation District.

5. Pursue opportunities to examine and make repairs to Dwinnell Dam to increase its effective storage capacity to 50,000 acre feet.

6. Explore the possibilities of expanding Siskiyou County's current power supply at Box Canyon Dam to Irongate, Copco I, and Copco II hydro-electric facilities.

Membership in SCWUA

All citizens, property owners, ranchers, farmers, timber lands owners, irrigation districts, businesses, industries, organizations and anyone else using water within the county are membership candidates. Any one that turns on a faucet or flushes a toilet is a water user.

Application Fees & Dues

Annual Membership Dues:

Water user	$25.00
Property Owner	$50.00
Farm, Ranch, Timber Owner:	
Less than 100 acres	$100.00
Greater than 100 acres	$300.00
Commercial Businesses and industries	$500.00
Cities, Water agencies and Irr. Districts	

Siskiyou County Water Users Association, Inc

347 N. Main Street; Yreka, Ca. 96097

This instrument is a correct copy of the original on file in this office.
ATTEST:
COLLEEN SETZER
County Clerk
of the State of California
in and for the County of Siskiyou.
By _____ Deputy

RESOLUTION NO. 11-256

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU SUPPORTING THE SISKIYOU COUNTY WATER USERS ASSOCIATION EIR/EIS COMMENTS

WHEREAS, the United States of America, Department of the Interior, has currently issued an EIR/EIS with respect to the removal of the Klamath hydroelectric facilities; and,

WHEREAS, three of the dams that are part of the Klamath hydroelectric facilities project are located in Siskiyou County; and,

WHEREAS, the Siskiyou County Water Users Association has prepared an alternative to removal of the dams; and,

WHEREAS, the Siskiyou County Water Users Association's support of the County effort in looking at alternatives to dam removal has constituted a meaningful voice of the people of the County of Siskiyou; and,

WHEREAS, the Siskiyou County Water Users Association was a major proponent for the placement of Measure G on the ballot which resulted in the citizens of Siskiyou County voting overwhelmingly to oppose dam removal; and,

WHEREAS, the Siskiyou County Water Users Association has prepared an in-depth and comprehensive study of the Shasta Nation Tunnel Unassisted Anadromous Fish Passage alternative to dam removal; and,

WHEREAS, the Siskiyou County Water Users Association's document entitled "Siskiyou County Alternatives to Dam Removals" constitutes an unprecedented effort by a private citizens group for the residents of this County that demonstrates the flaws in the United State's intention to remove the dams on the Klamath River,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Siskiyou County supports the Siskiyou County Water Users Association efforts and the filing of the "Siskiyou County Alternatives to Dam Removals" as comments to the EIR/EIS being circulated by the Department of the Interior.

SISKIYOU COUNTY
RESOLUTION
No. 11-256

PASSED AND ADOPTED by the Siskiyou County Board of Supervisors at a regular meeting of said Board, held on the 13th day of December, 2011, by the following vote:

AYES: Supervisors Cook, Bennett, Armstrong, Kobseff and Valenzuela
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Jim Cook, Chair
Board of Supervisors

ATTEST:
COLLEEN SETZER,
County Clerk

By _____
Deputy

G:\Share\FERC_Draft EIR_EIS September 2011\Resolution Supporting SCWUA EIR_EIS Comments 12_13_11.wpd

RESOLUTION FOR THE PRESERVATION OF THE KLAMATH RIVER AND THE PRESERVATION OF THE KLAMATH RIVER BASIN WITH RESPECT TO THE HYDRO-ELECTRIC FACILITIES

Whereas: this document exposes the impacts that the Klamath Basin Restoration Agreement **(KBRA)** and the Klamath Hydro Settlement Agreement **(KHSA)** would have on the region **by removing four perfectly sound hydro-electric dams on the Klamath River and taking control of all Klamath Basin water through the creation of a Charter that would give control of the entire Klamath Basin Watershed to a select group of the signatories' of the KBRA & KHSA. And,**

Whereas: the **KLAMATH BASIN COMPACT** between the states of California and Oregon signed by both Governors, Congress, and the President in 1957 was enacted to control waters and water disputes in the Klamath River Basin has been ignored by the KBRA. The KBRA will exclude the public from participation in any decisions that impacts the Klamath Basin for 50 years. And,

Whereas: these agreements falsely propose to create an additional 420 miles of additional anadromous habitat above the dams for the benefits of the questionable ESA listing of the Coho salmon, the short nose and lost river suckers, and to resolve government and state sponsored water wars between Farmers, Ranchers and Indian Tribes, And,

Whereas: KRRA agreements, if implemented, would destroy the Klamath Basin, costing all citizens, communities, farmers, ranchers, ratepayers and taxpayers billions of dollars that will neither improve nor create additional anadromous fish habitat above the dams proposed for removals. The Department of Interior (DOI) National Scientific Review Officer stated in his findings that the KBRA & KHSA would be better termed an experiment rather than a restoration agreement that was doomed for failure. And,

Whereas: this document proposes to create additional water storage and ground water enhancement projects for the benefits of **all** the Klamath River Basin including the questionable ESA listings of the Coho salmon, the short nose sucker, and to resolve government sponsored water wars between Farmers, Ranchers, and Indian Tribes. And,

Whereas: this document presents the following impacts and proposals to address the problems created with the approvals of the KBRA and KHSA.

Resolved: **the Yreka Greenhorn Grange and the Siskiyou County Water Users Association, and the majority of Siskiyou and Klamath Counties Residents OPPOSE DAM REMOVALS (as resolved by MEASURE G where 80% of Siskiyou County voters oppose the removals of the Klamath River Hydro-Electric Facilities proposed for removal under the KBRA and KHSA), and presents the following ISSUES, OBJECTIVES, and PROPOSALS to address the position taken for this resolution.**

ISSUES and OBJECTIVES in THE KLAMATH RIVER BASIN:

1. **To Stop the Federal Department of Interior (DOI) and State Agencies' Scams, Conspiracies, Bribes, Grants and Blackmails** to gain support **to remove four perfectly sound hydro-electric dams** on the Klamath River and **take control of all Klamath Basin water** by over regulating, spinning, and promoting the following events: Over reaching FERC hydro-electric relicensing requirements; Endangered Species Act (EPA) questionable listings; North Coast Regional Water Control Board (TMDL) over reaching Klamath R. water quality regulations; DOI Klamath Project Irrigators electricity rate increases, water cutoffs and irresponsible regulated river flows; Upper Klamath Basin Tribal Water Right Wars against Farmers and Ranchers; Grants and Bribes to tribes, NGO's, Farmers and Ranchers to bring **Stakeholders** together to sign the KBRA. All signatories having to agree to one primary objective (**Dam Removals**). Note: the dams are downstream of Upper Basin Tribal water wars and the DOI Klamath Project and have no effect on either, except they were Federally approved to provide cheap power to the Project Irrigators.

2. **To Save Taxpayers and Ratepayers over one billion dollars in initial cost** associated with the Klamath River **GREEN** Hydro-electric Dams and facilities scheduled for removals ***(down played by the DOI to be less than the $450 million cap in the KBRA & KHSA)***, plus their replacement cost with **NON GREEN POWER.** This cost does not include **the additional long term billions of dollars** in cost associated with future Klamath R. sediment release restorations and secret undisclosed KBRA and KHSA agreements.

3. **To Save Iron Gate Fish Hatchery and the complete destruction of the Klamath River** aquatic and fishery habitat below **Iron Gate Dam and Fish Hatchery** by **PROHIBITING the DOI & CDFG irresponsibly washing 20+/- million cubic yards of contaminated sediments (equivalent to 3 feet deep by 150 feet wide by 190 miles long) retained behind the dams down river during dam removals.** ***(An intentional violation of the State and Federal clean water act to reduce dam removal cost below the $450 million KBRA & KHSA cap).*** Note, dredging the sediments prior to dam removal was considered by the DOI and would be the most environmental preferred alternative, however, it was cost prohibited under the $450 million cap.

4. **To Challenge the DOI claim that dam removals would create an additional 420 miles of anadromous fish habitat above the dams.** Whereas several historical reefs and falls existed on the Klamath River which prohibited anadromous fish to reach the Upper Klamath Basin above dams proposed for removals.

5. **To Achieve the overriding environmental objectives** set forth by the Federal Energy Regulatory Commission (FERC) and the North Coast Regional Water Control Board (NCRWCB) to restudy and negotiate **unreasonable** mitigation recommendations for relicensing the four hydro-electric dams on the Klamath River in Oregon and California

6. **To Restore Historic Water Rights** back to the Upper Basin Off Project Water Users prior to the ESA listings and the KBRA.

7. **To Restore Historic Water Diversions** back to the On Project Water Users prior to the ESA listings and the KBRA.

8. **To Introduce Other Water Development Proposals** to provide the Upper and Lower Klamath Basins with **MORE WATER STORAGE** (with beneficial controlled releases).

PROPOSED PROJECTS:

1. **Implement a trap and haul study** around the dams scheduled for removals to determine that anadromous fish habitat does or does not exists above the dams. If anadromous fish habitat exists, Implement the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway around Iron Gate, COPCO 1 and COPCO 2 Reservoirs at a cost of $50million (1/6th the $300million cost estimated for installing fish ladders & 5% the $1billion cost of dam removals).

2. **Establish additional reliable storage facilities within the Upper Klamath Basin** to augment the Upper Klamath Basin farmer's and rancher's water rights, Klamath Project Water User's demands, instream flows, and to improve water quality in the Upper Klamath River. This will preclude another 2001 Yr. Episode of Federal Agencies' **inappropriate** allocation of water for raising Upper Klamath Lake levels for endangered species, depriving 1400 project irrigators their water and negatively affecting the short nose sucker. In 2013, another episode involving Tribes and Federal & State Agencies allocation of water for endangered species deprived Off Project Irrigators their water resulting in water cutoffs to over 100,000 acres of Upper Basin family farms and ranches.

3. **Establish additional reliable storage facilities within the Scott and Quartz Valleys,** including increasing storage capacities of high-elevation lakes as recommended in the October 1991 Department of Water Resources Study entitled: *SCOTT RIVER FLOW AUGMENTATION STUDY.* These storage facilities will augment late summer and fall instream flows, improve Klamath River water quality and supplement agricultural irrigation water.

4. **Implement the 60,000 ac.ft. (Klamath River, IronGate Reservoir, Shasta Valley) Reserved Water Right (A0169580), and storage facilities** to supplement Montague Irrigation District's irrigation water with Klamath River water at a cost of $500million (1/2th the $1billion cost of dam removals). This project augments current irrigation supplies, allows for additional irrigable lands, and replaces naturally impaired Upper Klamath River water with higher quality water. A portion of the reduced water demands (good water quality) can be released by the Montague Irrigation District from Lake Shastina or from their wells into the Shasta River, improving the

water quality in both the Shasta River and in the Klamath River below Iron Gate Reservoir per FERC recommended requirements for relicensing.

5. **Support and introduce Coho Salmon Restoration Programs on Klamath River tributaries below Iron Gate Fish Hatchery. Note: Coho are cold water fish with their most desirable habit within 30 to 40 miles of the coast.**

6. **Implement a US Forest Service supported Grant Program and a Juniper Removal Program** for wood energy and wood products markets, sustainable forest and wildfire management. These programs will provide local economy, wildfire protection, improved ground water infiltration, instream flow accretion, surface water runoff, and improved grass land production. These programs have the potential to provide several hundred thousand acre feet of surface, ground water, and instream flow to the entire Klamath Basin.

7. **California Establishment of a Joint Powers Authority (JPA)**, Public Utility District (PUD), or the Siskiyou County Flood Control and Water Conservation District's acquisition of Iron Gate, COPCO 1, and COPCO 2 Hydro-Electric Facilities. PaciCorp is a signatory to the KHSA agreement to decommission the Hydro-electric Dams. A **negative one billion dollar** 2020 yr. worth value has been established for the Klamath River Hydro-electric Dams scheduled for removals. The sale of this 65 MW green energy to the PP&L grid would generate an estimated $50 Million per year to a JPA, PUD, or Siskiyou County which could be used for project financing and to **reduce electricity rates to farming and ranching operations and to <u>all ratepayers</u> within the district.**
8. **Oregon Establishment of a Joint Powers Authority (JPA)** or Public Utility District (PUD) acquisition of J.C.Boyle Hydro-Electric Facilities. The sale of this 98 MW green energy to the PP&L grid would generate an estimated $75 Million per year to a JPA or PUD which could be used for project financing and to **reduce electricity rates to farming and ranching operations and to <u>all ratepayers</u> within the District**. Also, a Bi-State Joint Power Authority (JPA) or Public Utility District (PUD) could be formed to acquire all four hydro-electric facilities.

<u>These Proposals Will:</u>

- **Save farmers, ranchers, the public, and tax payers <u>billions</u> of dollars**
- **Save the Klamath River from complete destruction** by eliminating the release of 20 millon cubic yards of sediments.
- **Save the Hydro-electric Dams** which generate **<u>clean, green power</u>** to 70,000 homes, protect the lake habitat and homes values around the reservoirs and provide **<u>flood protection</u>** with a 25% reduction and a 9 hr.delay in peak flows. Given the condition of a complete Klamath River cutoff by the DOI or a severe drought **the dams can also easily protect the Upper and Lower Klamath Basin water demands by providing CDFG's 700 cfs minimum instream river flows for a three month period** with adequate storage retained for lake habitat..

- **Save IronGate Fish Hatchery,** which is dependent on cool low level water releases from Iron Gate Reservoir and releases over **six million salmon and steelhead fingerlings per year** into the Klamath River. **Note:** ***(It is impossible for the Klamath River Habitat above IronGate Dam to duplicate the production of IronGate Hatchery).***
- **Save relocating the City of Yreka's Fall Creek water supply system across Iron Gate Reservoir and prevent future demands on Fall Creek Water Rights under the KBRA.**
- **Save Klamath River water demands** by State and Federal Agencies from the **Upper and Lower Klamath Basins, the Rogue Valley,** and **the Scott and Shasta Rivers** to satisfy requirements proposed in the KBRA for **environmental waters**.
- **Save our forest from future catastrophic fires by proposing needed thinning projects and control present and future invasion of the evasive Juniper population in the entire Klamath River Basin.** This can provide hundreds of thousands acre feet of additional Klamath Basin ground water, surface waters, and instream flows.
- **Preserves the sacred Shasta Nation Villages and Burial Sites** beneath the waters of Iron Gate and COPCO Reservoirs.
- **Provide substantial additional water storage facilities within the Klamath Basin** which will benefit **all water users in the basin** including benefits to instream flows, ground water, fisheries, Tribes, NGO's and fishing interest.
- **Provide reduced electricity rates for On and Off Project irrigators and all rate payers.**
- **Provide Governmental Agencies with public supported alternatives** to maintain the economic and environmental sustainability of the Klamath River Basin.

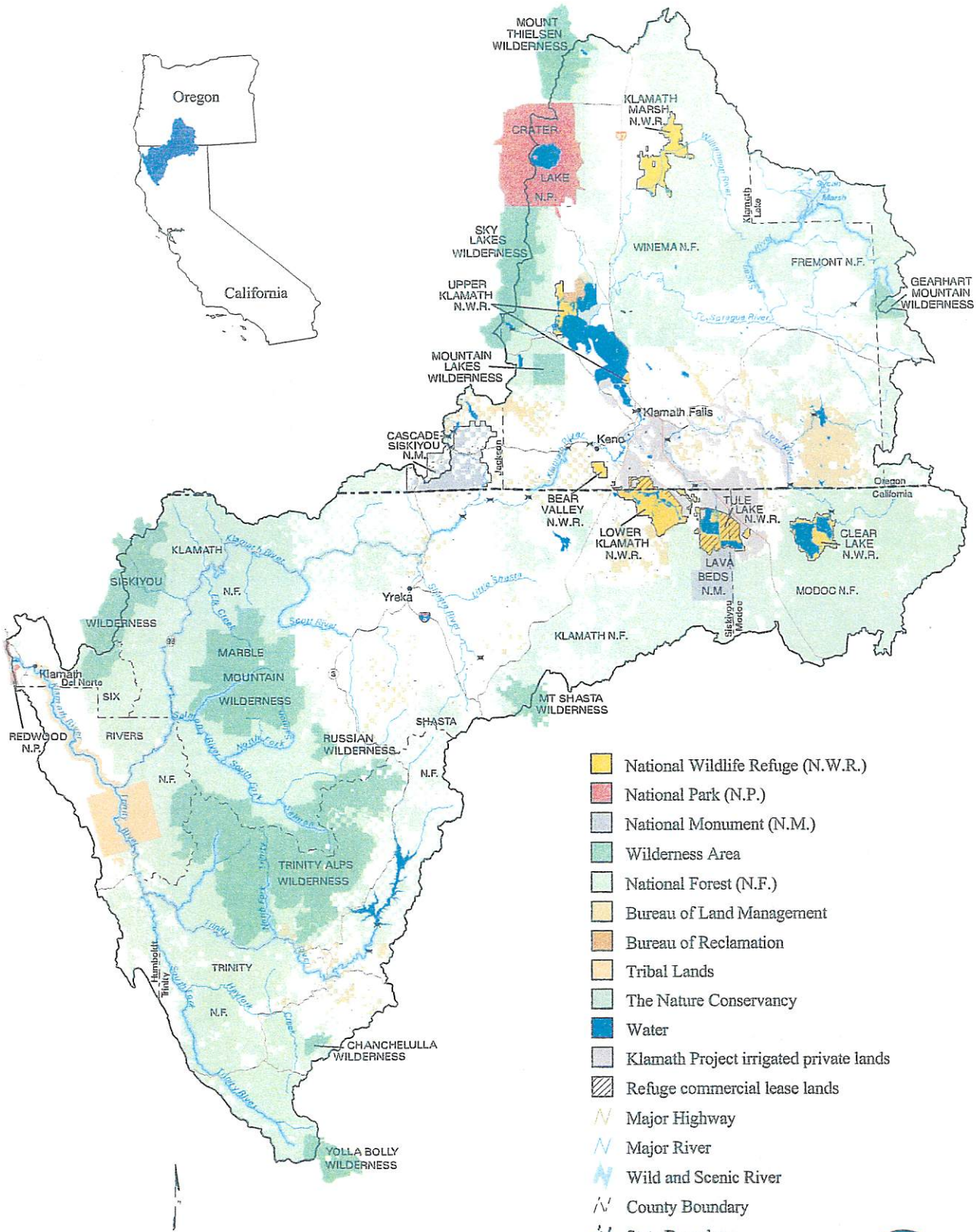
Anthony Intiso
Yreka Greenhorn Grange

Date 2, 2016

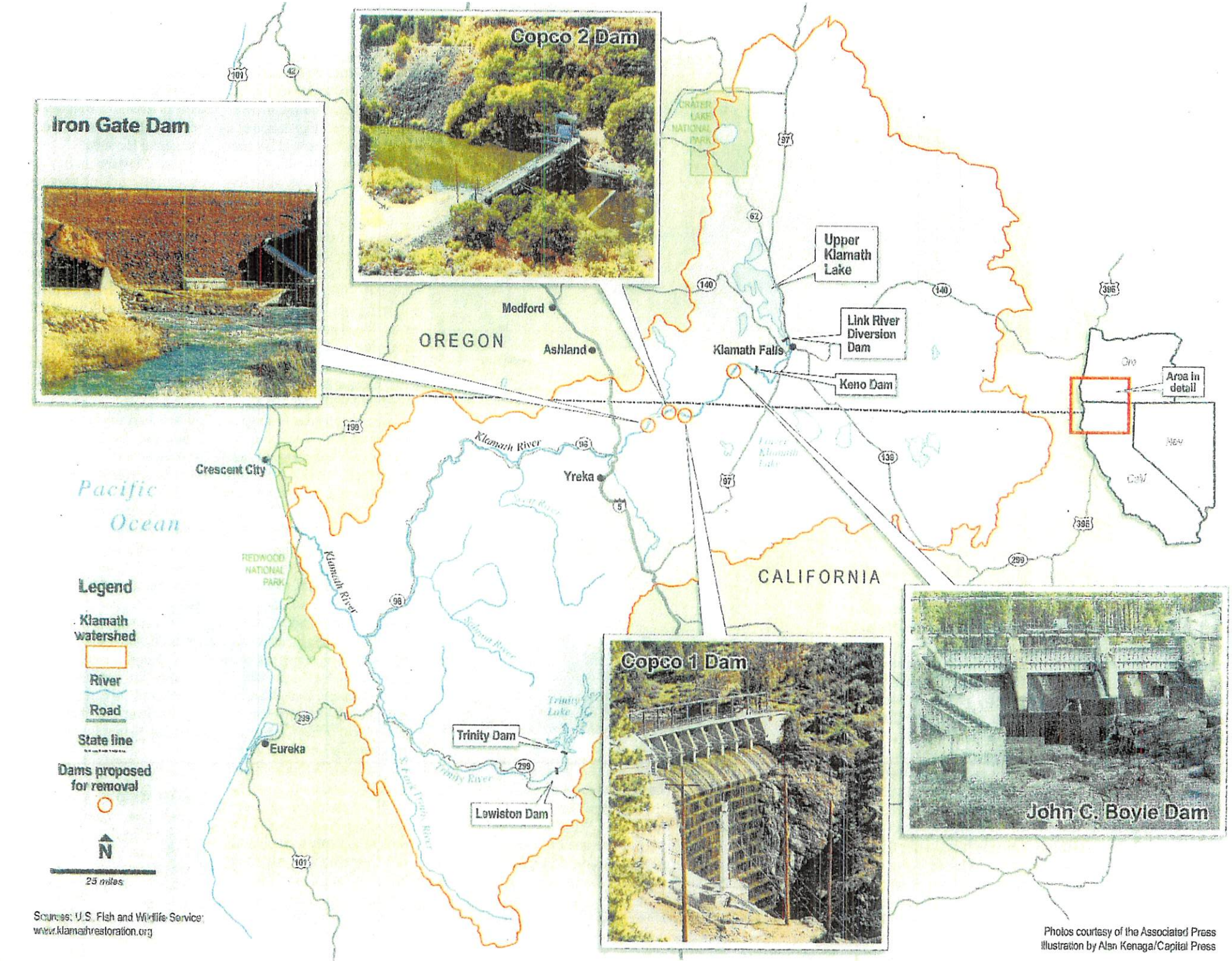
Richard Marshall
Siskiyou County Water Users Assoc.

Date 2-2-16

Klamath River Basin



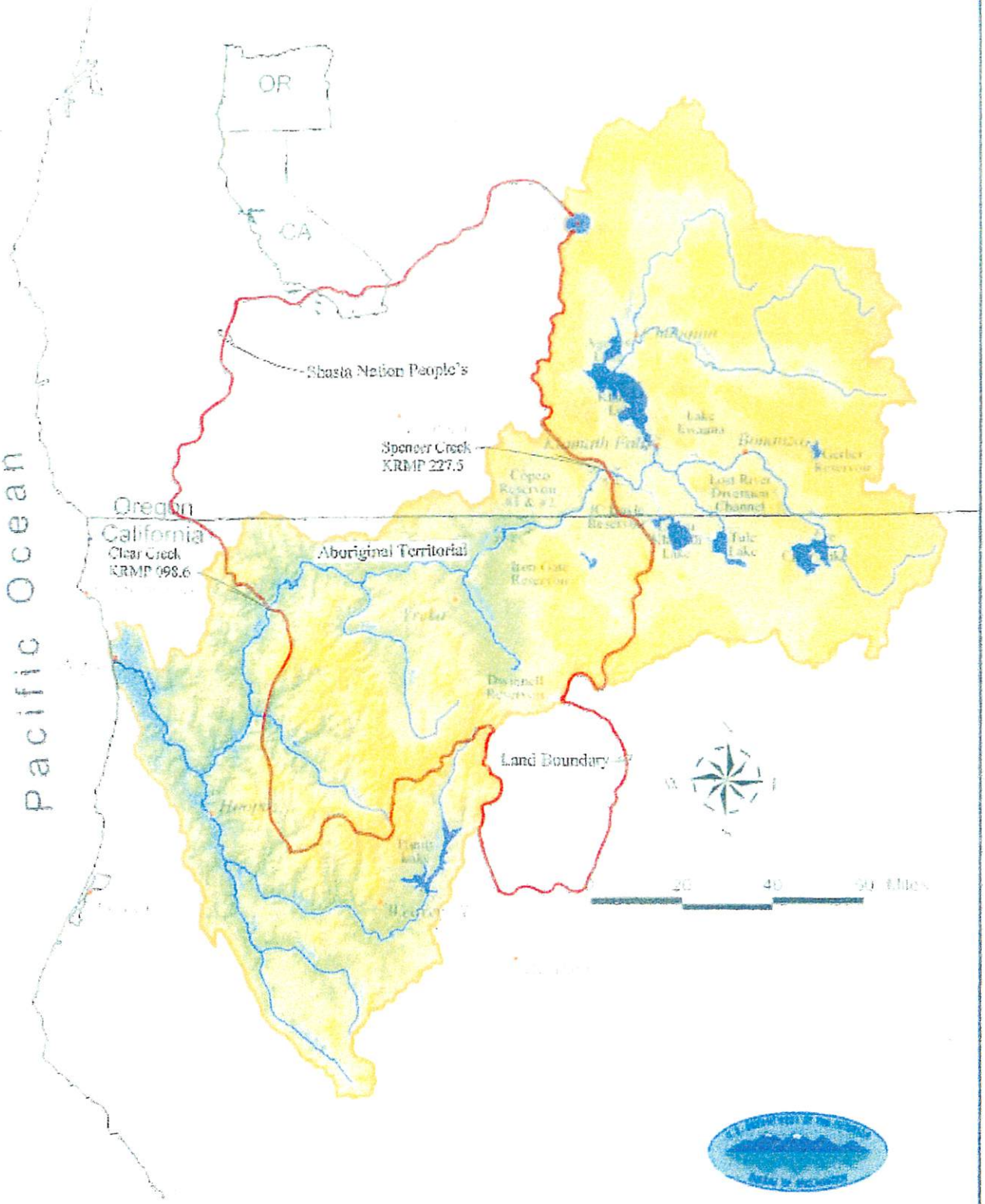
The Wilderness Society
Center for Landscape Analysis



Sources: U.S. Fish and Wildlife Service; www.klamathrestoration.org

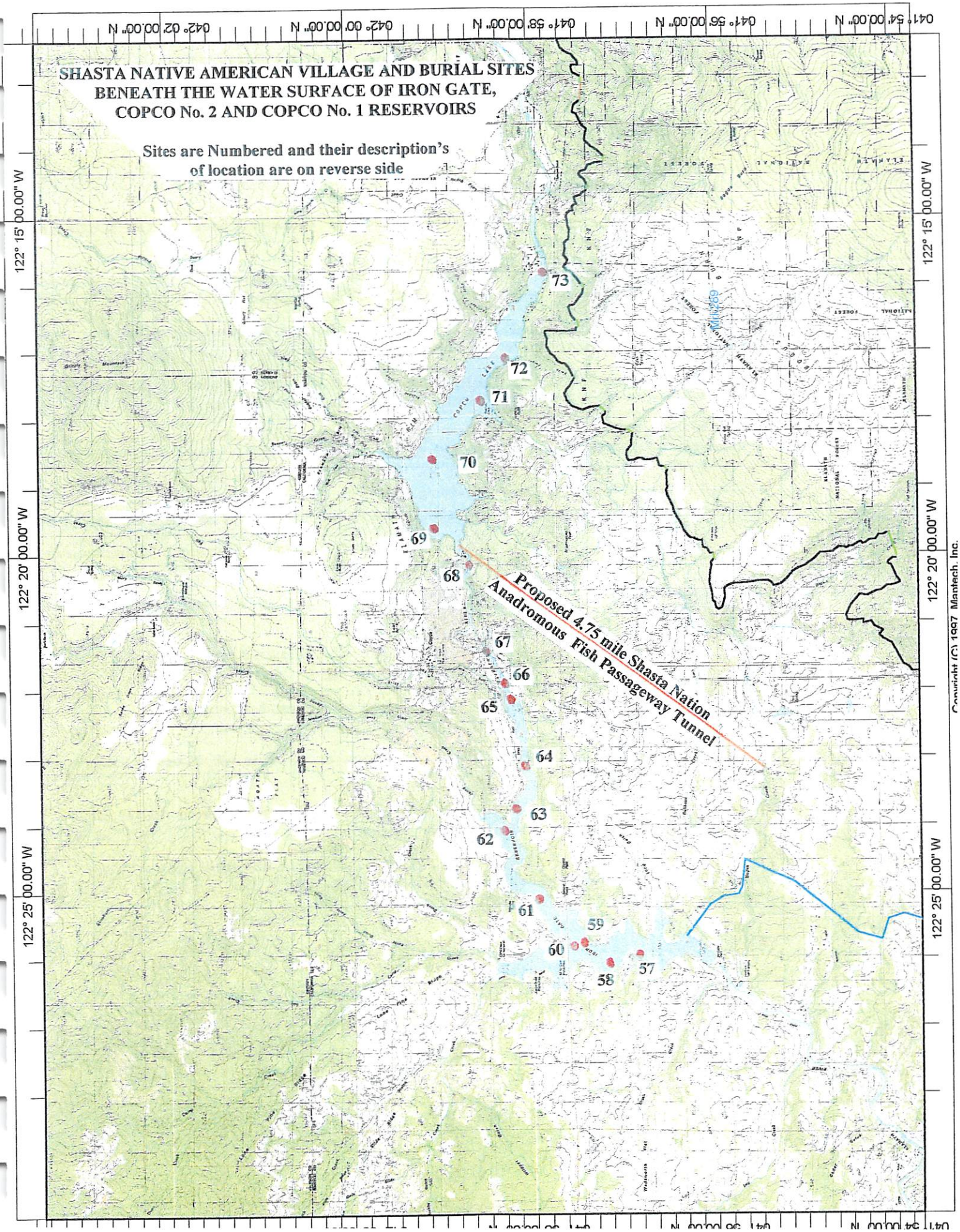
Photos courtesy of the Associated Press
Illustration by Alan Kenaga/Capital Press

Klamath River Basin



SHASTA NATIVE AMERICAN VILLAGE AND BURIAL SITES BENEATH THE WATER SURFACE OF IRON GATE, COPCO No. 2 AND COPCO No. 1 RESERVOIRS

Sites are Numbered and their description's of location are on reverse side



57. Kwer'-re-bak'-kik'stok. Village on N. side of Klamath River about half a mile below Okwer'-ker-ram'-mah (Merriam, ms.).

58. O-kwer'-ker-ram'-mah. Village on N. side of Klamath River, half a mile below Camp Creek (Merriam, ms.).

59. Wahp'-pre-wa'-o. On S. side of Klamath River, nearly opposite the mouth of Camp Creek.

60. Id-doo'-kwi. A Shasta village on N. side of Klamath River on E. side of mouth of Camp Creek (Merriam, ms.).

61. Kwah'-tah-kah-pahk'. Village on N. side of Klamath River 1 mile below Koo-kwah-re'-kah (Merriam, ms.).

62. Koo-kwah-re'-kah. Village on N. side of Klamath River at the mouth of Jenny Creek (Merriam, ms.).

63. Enta'warahowa'xa. On N. side of Klamath River and west side of a creek, at its mouth (possibly Jenny Creek; Holt, 1946: map).

64. At-tik'-kah-ha-tat-so. Village on N. side of Klamath River at the old railroad crossing near mouth of Jenny Creek (Merriam, ms.).

65. Ah-soon-nah-ko-witch'-e-rah. Located on a pine flat on S. side of Klamath River a short distance below Copco Dam (Merriam, ms.).

66. Kutsastsus. Dixon (1907: map) and Kroeber (1925:286) refer to it as a Kammatwa settlement on N. side of Klamath River. Holt (1946: map) refers to it as Gu'jas Jas, and places it on the N. side of the Klamath above the village of Enta'warahowa'xa. Merriam (ms.) notes the village as Koo-ches'-ches, and locates it on the N. side of the Klamath at the mouth of Fall Creek.

67. Wah'-ah-ye. Village on Fall Creek (at location of present powerhouse) and on N. side of Klamath River (Merriam, ms.).

68. Ko-soo'-rah. Small Shasta village on N. side of Klamath River, close to Copco Dam and a round hill (Merriam, ms.).

69. Choo-pah'ch-took. Village on N. side of Klamath River below Ik'-kweek and now under water from Copco Dam (Merriam, ms.).

70. Ik'-kweek. Shasta village on N. side of Klamath River below Ho'-a'te-took', and also now under water.

71. Tah-her'-ruk-kwe. Small Shasta village on S. side of Klamath River at mouth of Deer Creek.

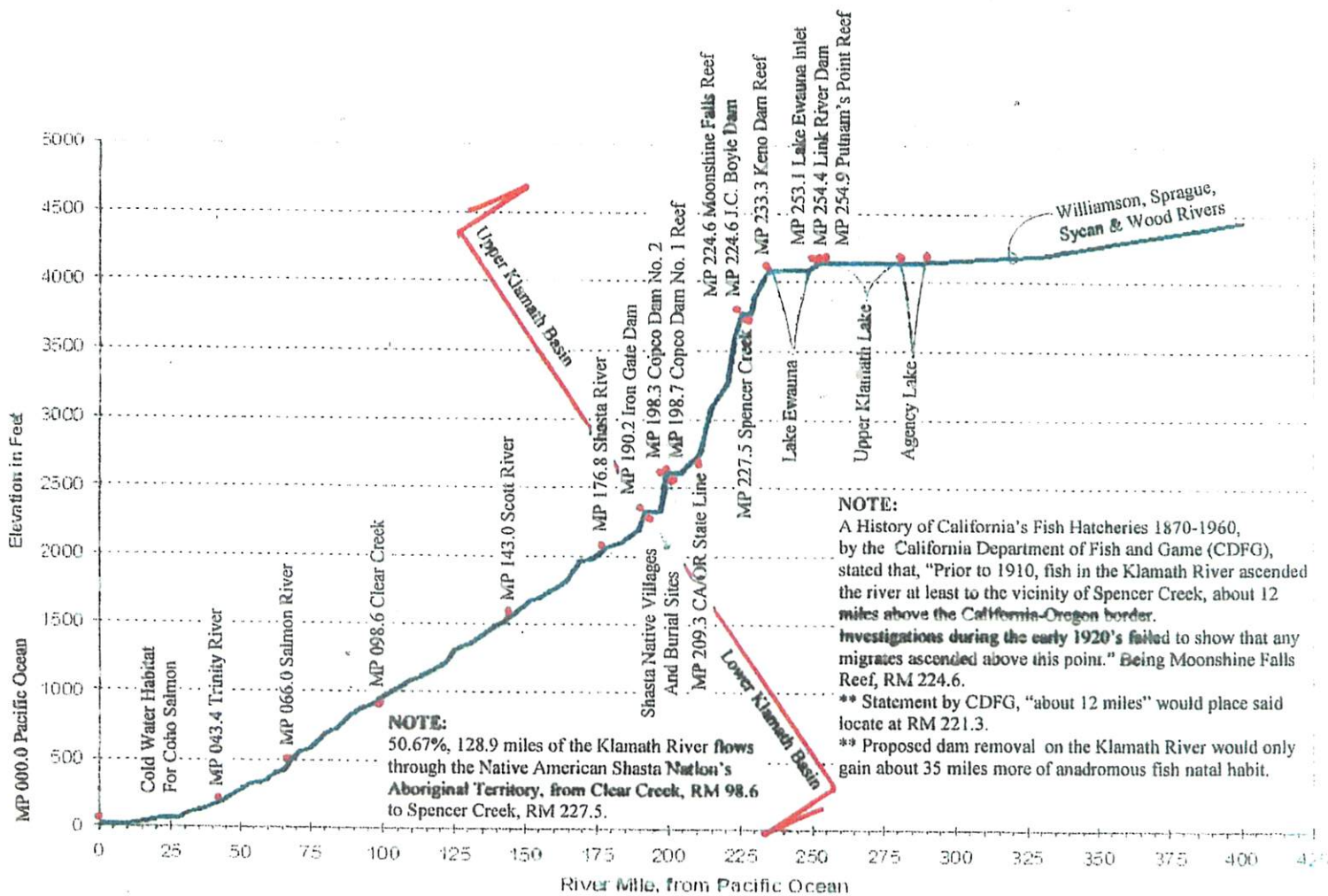
72. Ko-kwan'-nut. Small Shasta village on S. side of Klamath River about half a mile above mouth of Deer Creek (Merriam, ms.).

73. Ho'-a-te-took'. Village on N. side of Klamath River 6 miles below Beswick and 3 miles below wagon bridge (Merriam, ms.).

KLAMATH RIVER PROFILE

Water Surface Profile & Appurtenances Of The Klamath River
Profile excerpted from Technical Report No. SHR-2011-02, USDOI-BOR

Prepared By:
Siskiyou County Water Users Association
Yreka, Siskiyou County, California



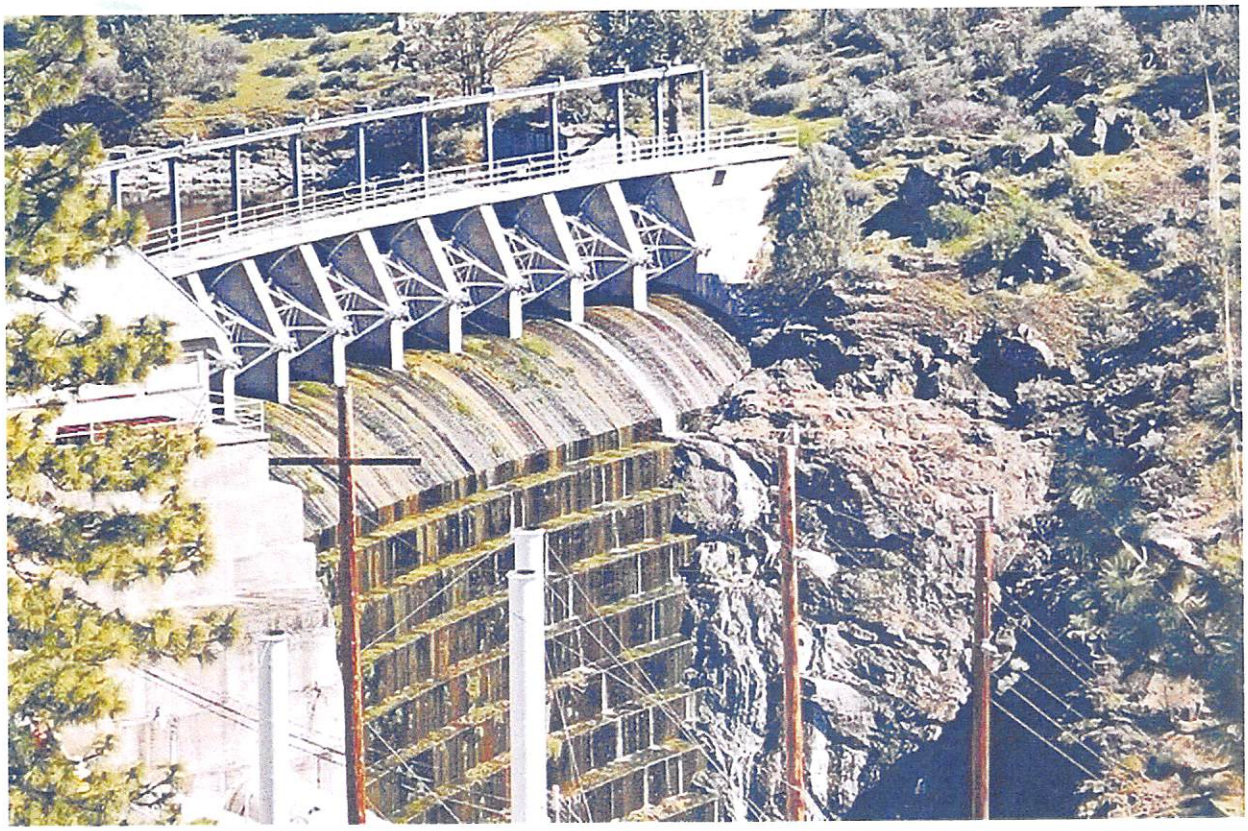
COPOC DAM No. 1 (1918) at an ANCIENT REEF

RM 198.7

The Klamath River Electrical Development Project, written in 1913 by John C. Boyle

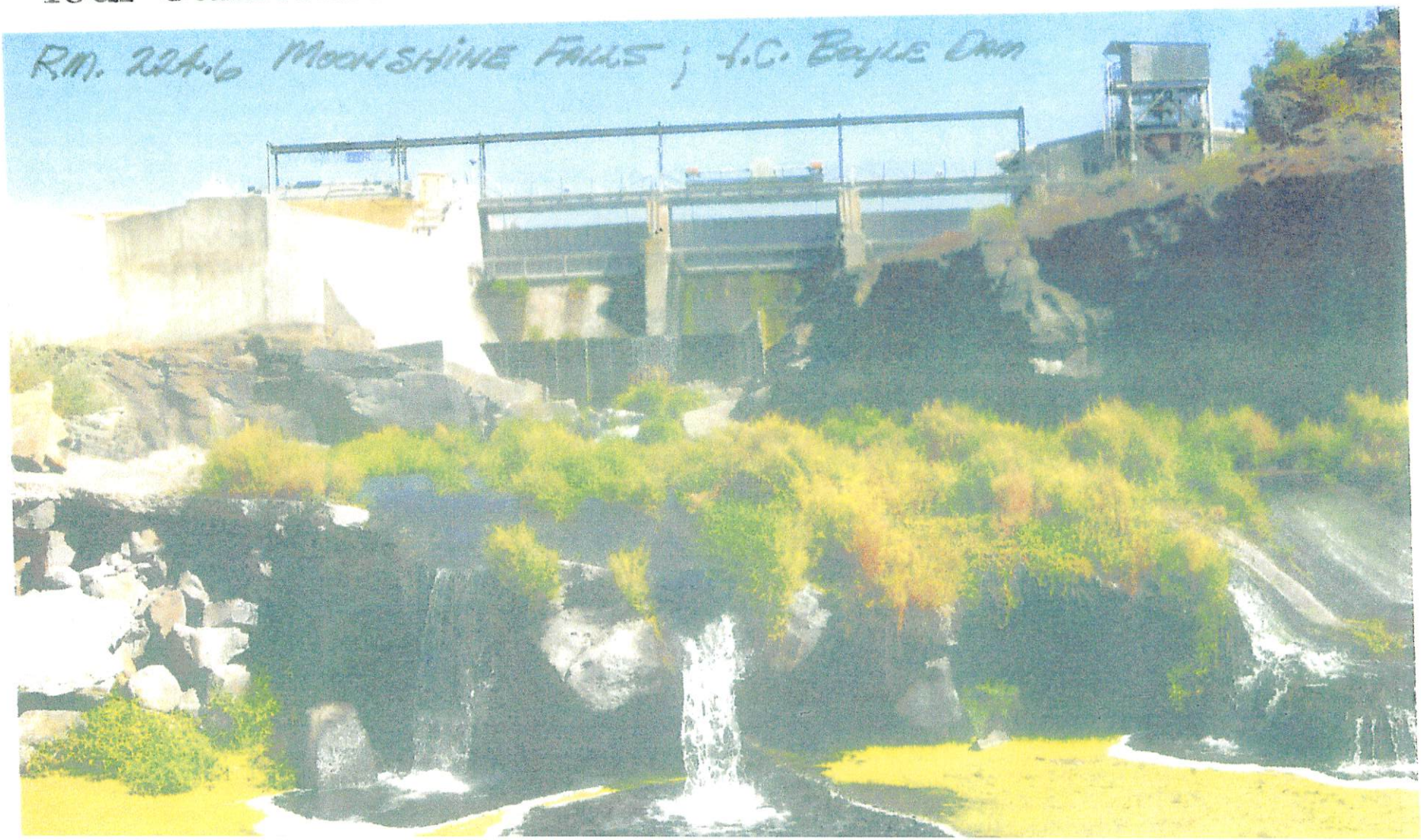
"The engineering structures--the dam, power plant, fore bay, and lake, are combined under the name of the Klamath River Dam No. One. They are located principally as a unit beginning at the head of a canyon formed by the Klamath River eroding five distinct lava flows. Although the surrounding country is principally lava formation, and the walls of the canyon, rising up to 250 feet high is lava rock, the river in its erosion has exposed at the site of the dam an ancient shelf, which was at one time approximately 130 feet high across the canyon, this reef is andesite, apparently continuous for a considerable distance on both sides of the canyon, and it is believed to be the oldest exposed formation in the country.

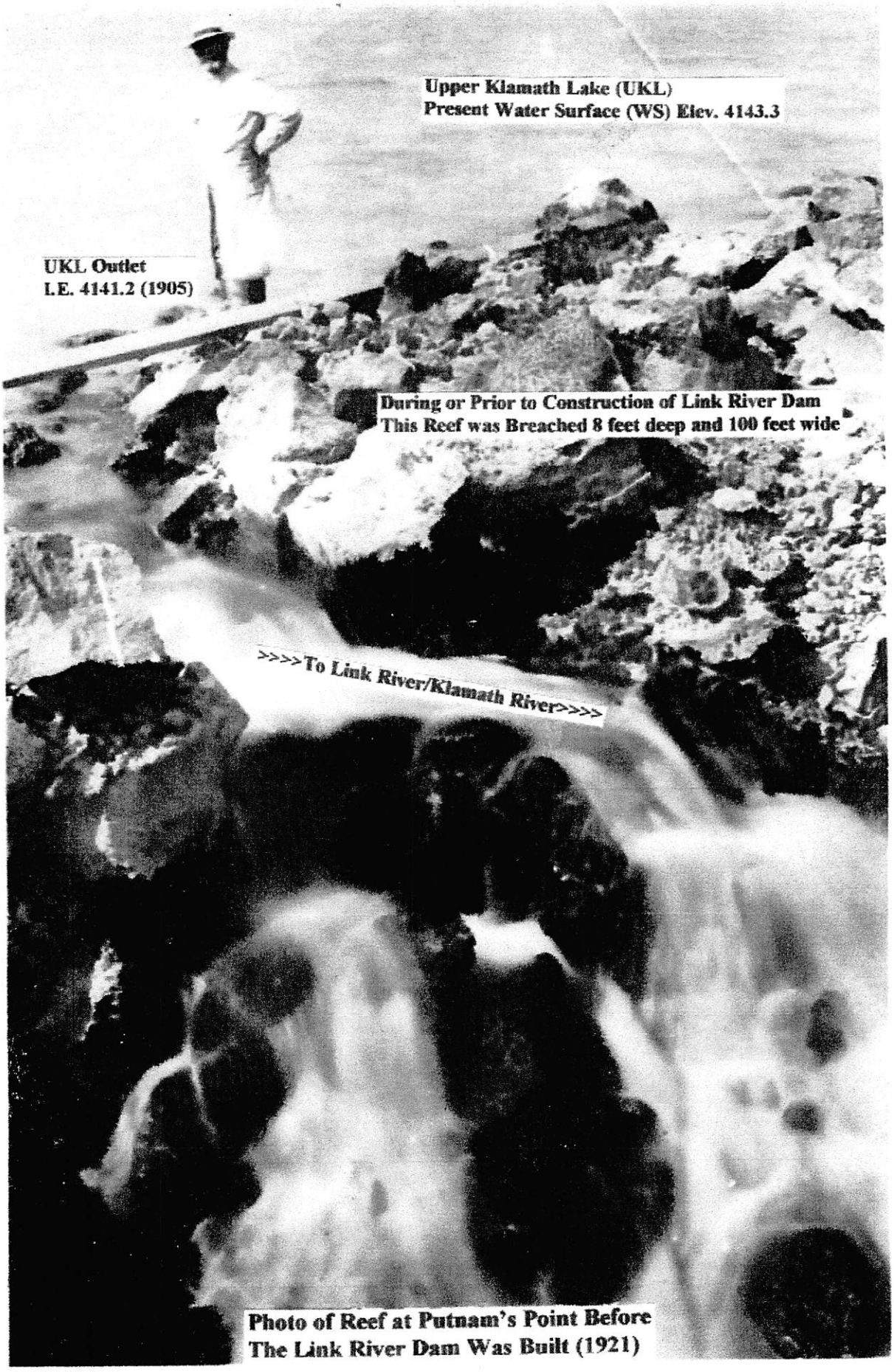
Geological conditions upstream from the site indicate that at one time the river ran over this reef 130 feet above its present bed, and at that period the waters were backed up about 5 miles and formed a lake about one mile in extent at its widest part."



Fish Win

It's Fish 1, People 0 in the fight to remove four California dams. When will the insanity stop? p. 16




Upper Klamath Lake (UKL)
Present Water Surface (WS) Elev. 4143.3
UKL Outlet
I.E. 4141.2 (1905)
During or Prior to Construction of Link River Dam
This Reef was Breached 8 feet deep and 100 feet wide
>>>>To Link River/Klamath River>>>>
Photo of Reef at Putnam's Point Before
The Link River Dam Was Built (1921)

Hydropower Program

Reclamation is the second largest producer of hydropower in the United States with 58 powerplants and an installed capacity of over 14 million Kilowatts.

These 58 powerplants generate more than 44 billion Kilowatt-hours annually. That is enough electricity to meet the annual needs of more than 9 million people and the energy equivalent of replacing more than 80 million barrels of crude oil or about 48.4 billion pounds of coal.

In 2006, Reclamation hydropower plants resulted in avoiding the release of over 31 million tons of carbon dioxide emissions.

When compared to all electric utilities on the basis of nameplate capacity, Reclamation ranks as the tenth largest "utility" in the United States.

Reclamation powerplants range in size from 350 kilowatts at Lewiston Powerplant to 6.8 million kilowatts at Grand Coulee Dam, the nations largest.

Revenues from the sale of Reclamation's power average over $700 million annually. Since 1909, power revenues have contributed over $10 billion in project repayment to the federal treasury.

Since Reclamation began installing hydroelectric powerplants at its dams in the early 1900's, the technology of the generators has evolved and improved. Reclamation has worked to maximize the generating capacity of its generators, increasing the generating capacity at one-third of the generators, increasing the capacity of those generators by an average of 48 percent.

Hydropower is Renewable

It is the primary generator of renewable energy in the United States. Hydropower generating units capture the power of the water as it falls through the penstocks. It does this all and does not generate atmospheric emissions.

The generation of hydropower is also the most efficient way to produce energy with each kilowatt-hour of hydroelectricity being produced at an efficiency of more than twice that of any other energy resource.

Hydropower is also extremely flexible and reliable compared to other energy resources. Hydropower can rapidly change its output to match needs, going from no power generation to maximum power output quickly and as expected. This flexibility makes hydropower a critical energy source to stabilize the electrical grid.

CHRONOLOGY
AND
HISTORY OF DEVELOPMENT ALONG THE KLAMATH RIVER

Pre-1850 Native American tribes lived along and deepened upon the Klamath River and it tributaries

1850 Gold is discovered in the Klamath River Basin

1850 Farms and ranches are established in Scott and Shasta Valleys

1851 Treaties are signed with the various tribes along the Klamath River

1855 November 16, Klamath River Reservation is established. This reservation was abandoned in 1861 after a disastrous flood and terminated in1864

1864 April 8, the president set aside land for four tribes in California, one of them being the Hoopa

1864 Klamath Tribes cede land to the U.S. government and a reservation is created

1868 Two farmers dig first irrigation ditch in the Upper Klamath Basin

1876 June 23, President Grant formally defines the boundaries of the Hoopa Valley Reservation

1878 February 6, The Yreka Journal, Siskiyou County, had 98 mining ditches of 600 miles in length and 20 irrigation ditches supplying 10,000 acres

1888 California court rules lower Klamath Reservation abandoned, opening the lower river to non-Indian commercial fishing and management by the State of California

1888 A large saw mill and a wooden splash dam were built on the Klamath River at Klamathon. The dam was destroyed by fire in 1902

1891 October 16, President Harrison enlarged the Hoopa Valley Reservation.

1895 Introduction of Coho Salmon to the Klamath River, a plant made on Supply Creek, a tributary to the Trinity R. Several out of basin import plantings were made since 1895

1905 Klamath Project is authorized

1907 First deliveries of water through the Klamath Project "A" Canal

1908 President Theodore Roosevelt creates the nation's first wildlife refuge, Klamath Lake Refuge—now called Lower Klamath National Wildlife Refuge

1910 The US Bureau of Sports Fisheries installed the Klamathon Racks as a salmon egg-taking station at the site of the old logging dam, blocking passage for Chinook and Coho salmon

1917 First Klamath Project lands are opened to homesteaders.

1918 COPCO 1 dam hydroelectric facilities become operational

1919 Salmon canning industry on the Klamath and in California were abolished by an act of the California Legislature.

1921 Link River Dam completed allowing control of water releases from Upper Klamath Lake

1922 COPCO 1 second generator becomes operational.

1925 COPCO 2 hydroelectric plant was put into commercial use

1927 Dwinell Dam (Lake Shastina) constructed on the Shasta River

1928 Tule Lake Bird Refuge (Now Tule Lake National Wildlife Refuge) is created

1932 Shasta River and tributaries adjudicated and Water Mastering established

1933/1934 Commercial fishing on Klamath River banned, tribal gillnet fishing prohibited

1954 Congress votes to terminate the Klamath Tribe's reservation

1956 Klamath Project farmers' electricity rate contract set for 0.6 cents per kilowatt-hour for 50 years. The Mid and Upper Basin Klamath farmers did not receive the rate break.

1957 Congress ratifies the Klamath Basin Compact between the states of California and Oregon

1958 J.C. Boyle or "The Bend" dam and power plant were built upstream from COPCO 1 dam in Oregon

1962 Iron Gate Dam is completed

1963 Lewiston dam on the Trinity River is completed diverting a majority of the Trinity River water to the Sacramento River

1964 Large flood on the Klamath River destroys several bridges, roads, and structures. All dams targeted for removal were in place, reducing and delaying peak flows

1964 Kuchel Act precludes homesteading on refuge land; provides for continued leasing of refuge land for farming

1966 Iron Gate hatchery which is dependent on Iron Gate Dam completed and operational

1966 Keno Dam (Lake Ewana) constructed to replace Needle Dam on the Klamath River

1971 Lost River shortnose suckers identified as a species of concern under California law

1972 California Wild and Scenic Rivers Act designates the Klamath River from 100 yards below Iron Gate to the ocean to the list

1973 U.S. Supreme Court rules that stretches of the Trinity and Klamath River flowing through the Hoopa and Yurok reservations is "Indian Country," effectively restoring tribal salmon fishing rights

1976 Oregon Water Resources Department begins the Klamath water rights adjudication process

1977-78 Tribal salmon fishing resumes on Lower Klamath River, but was quickly stopped by the Federal Government on conservation grounds

1980 Scott River Adjudication decree and partial Water Master service enacted

1981 Lower Klamath River federally designated as "wild and scenic" between its mouth and 3,600 feet below Iron Gate Dam

1983 *United States v. Adair* decision upholds Klamath Tribes' right to enough in-stream water to support fishing and hunting, but does not establish how much water is needed to support those activities

1985 California state court confirms limited tribal fishing rights for the Karuk at Ishi Pishi Falls

1986 Klamath River Basin Fishery Resource Restoration Act is passed. Funded at 1 million dollars per year

1986 Klamath Tribes reservation restored

1986 Klamath Tribes close sucker fishery on Upper Klamath Lake and its tributaries

1987 Indian salmon harvest on Klamath River reopened for five years

1988 The Hoopa Yurok Settlement Act; Public Law 100-580 102 Stat. 2924, partitioned certain reservation lands between the Hoopa Valley Tribe and the Yurok Indians

1988 Shortnose and Lost River Sucker listed as endangered under the Endangered Species Act

1988 Oregon State Scenic Waterways Act designated the Klamath Scenic Waterway from J.C. Boyle downstream to the California Oregon border

1990-1992 Severe declines in salmon runs close ocean salmon fishing

1993 Federal government sets Klamath tribal salmon fishing limit at 50 percent of the total available harvest

1994 The Klamath River from J.C. Boyle to the Oregon border is federally designated under the Wild and Scenic Rivers Act

1996-1998 Lost, Klamath, Salmon, Scott, and Shasta Rivers declared impaired under Federal Clean Water Act

1997 Federal EPA listing of the Southern Oregon, Northern California Coastal Coho as a "threatened" species

1997 Minor flood event below Iron Gate Reservoir

1997-2004 DFG killing of all unmarked (wild reared) Coho salmon returning to Iron Gate Fish Hatchery

1998 First of several unsuccessful negotiations undertaken among some Klamath Basin water interest

1999 Final submission of water rights claims (730) and contested (5,664) in Upper Klamath Basin adjudication

2000 PacifiCorp begins (FERC) federal relicensing process for the Klamath Hydroelectric Project dams

2001 In a drought year water deliveries to the Klamath Project were cut off in mid-irrigation season to preserve water for fish in Upper Klamath Lake and the Lower Klamath River, sparking protests and drawing national news media to Klamath Falls. This resulted in foreclosures and distress sales of 1200 family farms and homes.

2002 Klamath Project farmers receive full irrigation allocation while downstream water is cut back. An estimated 33,000 salmon die near the mouth of the Klamath River from undetermined causes, (disease, poisoning, and Trinity River ceremonial ramping), and worsened by the low flow and high temperature conditions

2004 California lists the Coho from San Francisco to the Oregon border as a "threatened" species

2004 Federal Agencies requested that 40 returning (wild reared) unmarked Coho Salmon be implanted with radio transmitters and returned to the river at Iron Gate Hatchery. 23 were accounted for and traveled down river as far as 50 miles and then up tributaries (3 up the Scott River)

2005 Private negotiations between Tribes, Non-Governmental Organizations, State & Federal Agencies, and Klamath Project farmers began KBRA negotiations.

2006 Projected weak runs of Klamath River Chinook Salmon force closure to ocean harvest

2006 PacifiCorp's license for the Klamath Hydroelectric Project expires. The relicensing process continues; the company faces major costs to meet new environmental standards demanded by state and federal regulators

2006, 2008, 2009 Draft Klamath Basin Restoration Agreement (KBRA) released; transfer of public forest to Klamath tribe; alternative sources of energy and some water certainty for the Klamath Project irrigators; idling of off-project farmlands; temporary assignment of salmon fishing rights for the Klamath tribes from the Shasta Indian territory; major fisheries restoration effort; **demands for dam removals.**

2008 PacificCorp agrees to dam removal, in exchange for a waiver of liability, most services costs, and ability to pass most costs to rate payers

2008 In January, Draft Klamath Restoration Agreement (KBRA) is released

2009 Draft Klamath Hydroelectric Agreement (KHSA) Settlement is released

2009 Siskiyou County passes Title 10, Chapter 13 of County Codes – regarding "Demolition, Decommissioning, Removal and Reclamation (applies to dam removals)

2010 Siskiyou County voters **vote NO! to dam removals** Measure G, (an advisory measure,) by an overwhelming 79.04%

2010 February 18 Final Klamath Restoration Agreement (KBRA) and Klamath Settlement Agreement (KHSA) **(demands for dam removals)** signed by several parties, pending funding allocations and review by the Secretary of the Interior

2011 Oct. 22 Defend Rural America Rally and 8 county Constitutional Sheriffs' Town Hall meeting held in Siskiyou County. Excess of 1,000 people in attendance protesting dam removal

2011 Dec. Siskiyou County submits comments on the EIR/EIS on dam removals being circulated by the Department of the Interior (DOI)

2012 March 30 Following a review by the Secretary of the Interior, **and in consideration of all viable alternatives**, a Secretarial Determination will be made whether the removal of the Klamath Hydroelectric Project Dams will help restore anadromous fisheries and is in the public interest

2012 Expected date for Oregon Water Resources Department's final determination on the Upper Klamath Basin water rights adjudication. The determination may be appealed in court

2015 Dec.31 KBRA/KHSA Agreements expire

2016 Dam Removals referred back to the FERC process

2016 DOI, States of California & Oregon in process of reviving the Klamath Hydro Settlement Agreement (KHSA) and forming a Dam Removal Entity (DRE) with little or no assets which will take liability away from Pacific Corp and the Governments

2020 Earliest year in which dam removal could begin under the KHSA

I

MEASURE "G" (November Ballot Measure) (No! to Dam Removals)

- SCWUA LETTER: to the BOS to place Measure G on the ballot
- SCWUA LETTER: to voters and mailers
- SISKIYOU COUNTY BOS RESOLUTION: to place Measure G on the ballot
- RESULTS: (including maps of County and Precinct Districts)

8/3/10 AF from Frank Tallerico

August 2, 2010

To: Members, Siskiyou County Board of Supervisors

From: Frank Tallerico, President
Siskiyou County Water Users Association

Subject: Advisory Measure regarding dam removal on Nov. 2, 2010 ballot

The proposed advisory ballot measure supports every public comment the Siskiyou County Board of Supervisors has made to date. Off the record, we all have heard that the majority of voters in Siskiyou County oppose dam removal. Now is the time to call upon those voters and let's set the record straight.

Whatever letter of the alphabet is assigned to this measure by our County Clerk, this measure is a **proactive approach** to this very serious problem facing our county, and yet has all of ingredients that Board of Supervisors has supported since this dam removal issue reared it's ugly head almost three years ago.

1. In 2008, the Siskiyou County Board of Supervisors passed a resolution opposing dam removal.
2. This ballot measure supports the scoping feedback you have obtained from the many people who attended the three sessions held by the Board and the Department of Interior in the last five months.
3. This ballot measure supports the proposed Shasta Nation/Siskiyou County Water Users Association's Alternative, and which the Board Supervisors has supported, with a logical bypass around Irongate and the two Copco dams.
4. This ballot measure builds upon initiative that there are projects in both the Shasta and the Scott River Basin's that can enhance habitat for migrating salmon and to expand the salmon's use of these two rivers.
5. This ballot measure will generate a county-wide position that can be included in grant applications for funds from bonds that already have been passed and future bonds.
6. The advisory ballot will give the voters of Siskiyou County a **VOICE** in something that will have a direct impact upon their lives and future generations.

MEASURE "W" SAVE OUR DAMS

PURPOSE: To place on the November Election Ballot a measure that will give the citizens of Siskiyou County the opportunity to express their opinion as to whether to retain or to remove the four dams on the Klamath River scheduled for removal by the KBRA and the KHSA.

CONCERN: With respect to the proposed removal of four dams on the Klamath River: Iron Gate, Copco No. 1, Copco No. 2, and the J C Boyle Dam, the Residents and Property Owners within the Klamath River Drainage Basin and all of Siskiyou County Residents have the following concerns related to their rights as Citizens and as Property Owners.

Siskiyou County Government has the Responsibility and Duty under the State Government Code to protect Private Property Rights and to protect the well being of its citizens from floodwaters, water quality, economic and other social and environmental concerns. Siskiyou County Government is our Lead Agency for any proposed changes in land use and for any proposed private property projects within the county such as the removal these dams.

DECLARATION: The removal of these dams will affect **all** of the County's Citizens and Property Owners.

Following list of some concerns that are directed to the Board of Supervisors with the request that they stand by and support the position of the citizens of Siskiyou County as to whether the Dams are to be Retained or Removed.

PARTIAL LIST OF CONCERNS:

- ☐ **Irresponsible expenditures during a national economic crisis**
- ☐ **Unnecessary loss of green hydro-electric power for 70,000 homes**
- ☐ **Cost to replace hydro-power**
- ☐ **Substantial increase in electricity cost**
- ☐ **Replacement of clean hydro- power with fossil fueled power**
- ☐ **Loss of wildlife habitat**
- ☐ **Loss of lake fisheries**
- ☐ **Loss of Iron Gate fish hatchery**
- ☐ **Loss of recreation**
- ☐ **Loss of esthetics**
- ☐ **Loss of property values**
- ☐ **Loss of roads and bridges from flooding**
- ☐ **Loss of emergency services during flooding (public safety)**
- ☐ **Loss of fire protection**
- ☐ **Loss of filtering down river flows**
- ☐ **Loss of sustained minimum river flows**
- ☐ **Irresponsible release of dam sediments down river**
- ☐ **Promised? power cost and water benefits to upper basin landowners**
- ☐ **Lack of any direct physical factual benefits to upper basin land owners**
- ☐ **Lack of factual evidence that dam removals will restore salmon runs**

Should our dams be removed? ☐ **Yes** ☐ **No**

on Measure G Committee
47 N. Main Street
eka, CA 96097

SAVE THE DAMS, SAVE SISKIYOU COUNTY

VOTE ☑ NO ON MEASURE G

DON'T BE FOOLED BY THE LIES!

This is your only chance to be heard

DAM REMOVALS WILL NOT:

- Guarantee Yreka's water supply
- Give us long-term local jobs
- Improve coho habitat or water quality
- Provide enough river flow for fish without taking our water

DAM REMOVALS WILL:

- Increase everybody's electric and water bills
- Cause major flooding damage: roads, bridges, structures
- Decrease everybody's property values
- Eliminate **millions of tax dollars** from the County
- Make our farmers and ranchers **lose** water to a few favored special interests

VOTE ☑ NO ON MEASURE G

RESOLUTION NO. 10-185

RESOLUTION OF THE
SISKIYOU COUNTY BOARD OF SUPERVISORS
CALLING FOR AN ADVISORY ELECTION
WITH RESPECT TO THE
REMOVAL OF DAMS ON THE KLAMATH RIVER
TO BE HELD NOVEMBER 2, 2010

WHEREAS, the Siskiyou County Board of Supervisors wishes to provide the voters of this County with the opportunity to voice their opinion with respect to whether or not they support the removal of the Klamath River dams (Iron Gate, Copco 1, and Copco 2) and associated hydroelectric facilities;

NOW, THEREFORE, BE IT RESOLVED that the Siskiyou County Board of Supervisors hereby call an advisory election to be held on the same date and time as the next statewide regular election, Tuesday, November 2, 2010. At such election the issue to be presented to the voters of the County of Siskiyou shall be:

"SHOULD THE KLAMATH RIVER DAMS (IRON GATE, COPCO 1, AND COPCO 2) AND ASSOCIATED HYDROELECTRIC FACILITIES BE REMOVED?

YES _____ NO_____"

BE IT FURTHER RESOLVED that the Siskiyou County Board of Supervisors hereby authorizes and directs the County Clerk to provide all necessary election services and to canvas the results of the election and conduct such election as required by law as hereinabove requested.

SISKIYOU COUNTY
RESOLUTION
No. 10-185

BE IT FURTHER RESOLVED that the County Clerk is authorized and directed to include notice of the advisory election in any Notice of Election published pursuant to California Elections Code Section 10417 and 10418 as authorized or otherwise required by law respecting statewide elections to be held on the date set forth.

PASSED AND ADOPTED at a regularly scheduled meeting of the Siskiyou County Board of Supervisors, this 6th day of August, 2010, by the following vote:

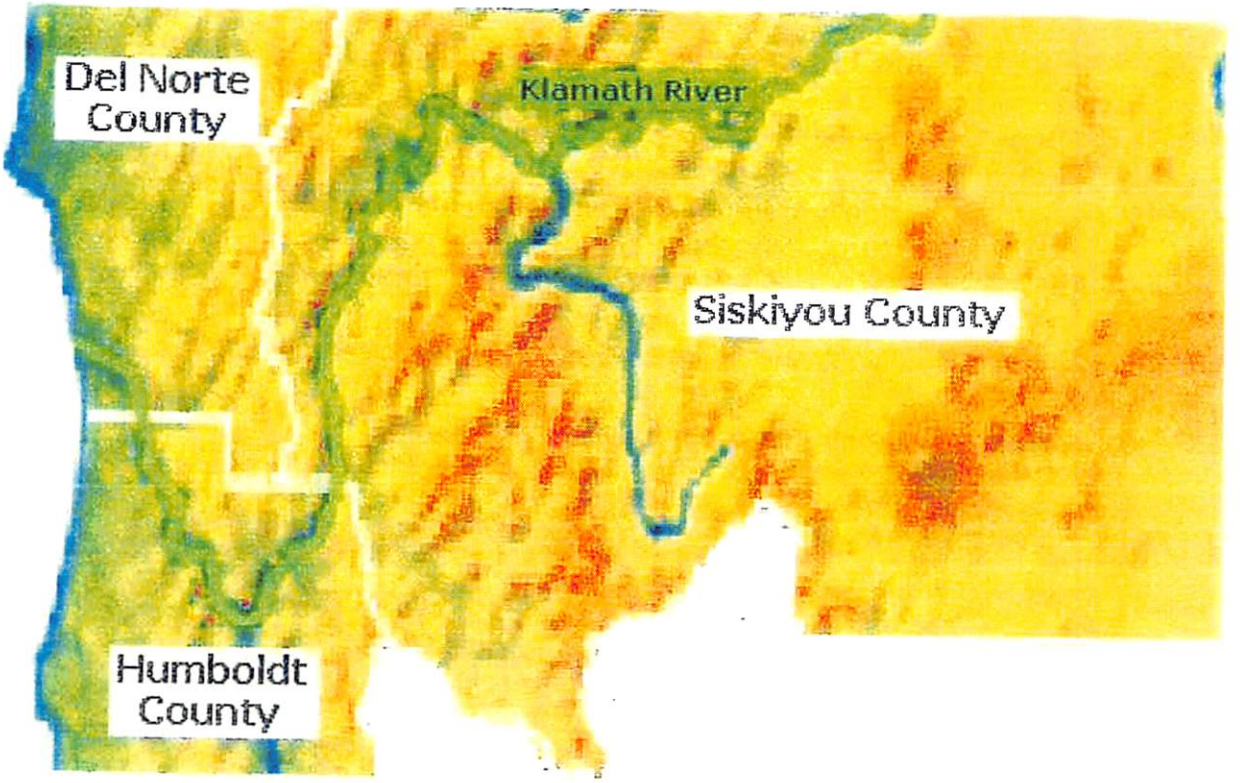
AYES: Supervisors Armstrong, Kobseff, Cook and Bennett
NOES: Supervisor Valenzuela
ABSENT: NONE
ABSTAIN: NONE

Márcia H. Armstrong
Chair, Board of Supervisors

ATTEST:
COLLEEN SETZER, Clerk
Board of Supervisors

By _____
Deputy

Course of Klamath River in California
Voter preference on retention of Dams



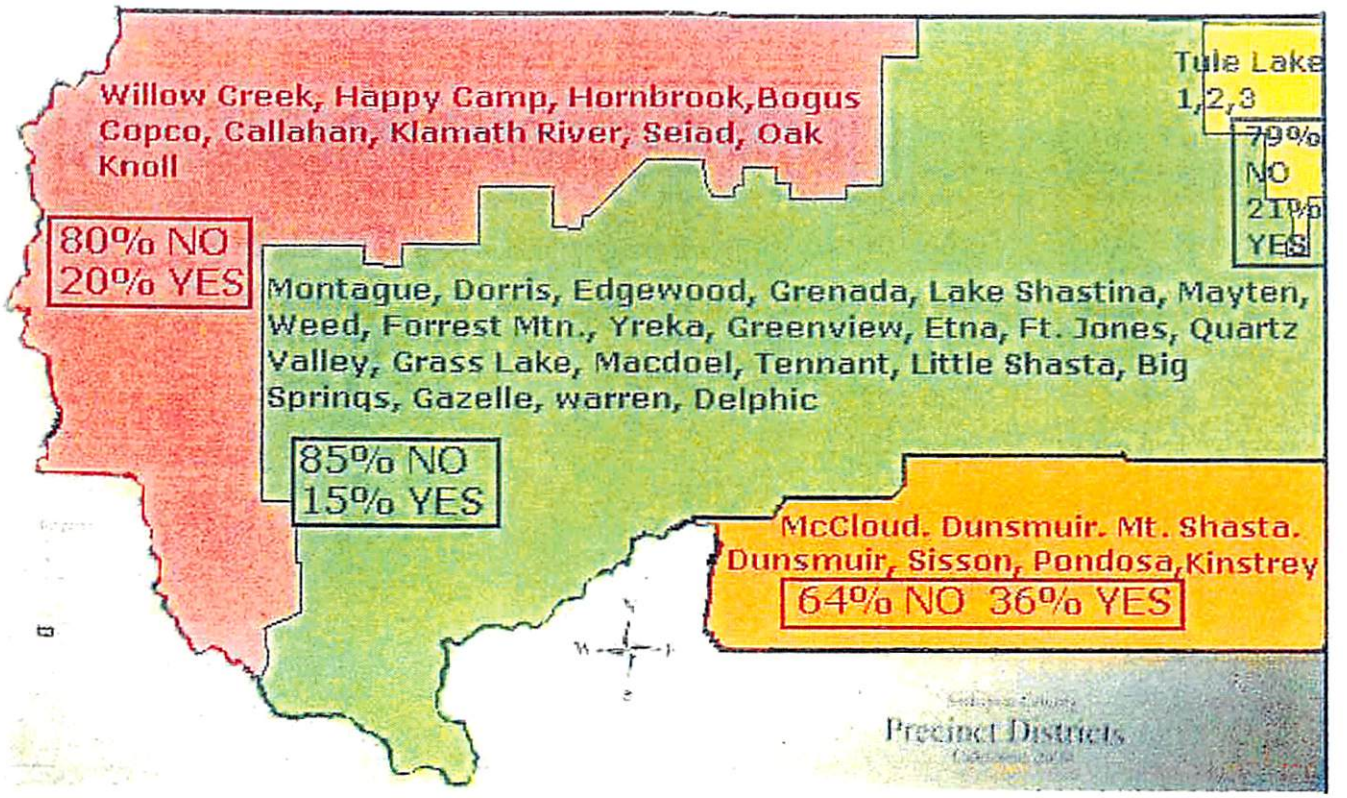
California hosts 195.5 miles of the Klamath River

Siskiyou County hosts 133 miles of the Klamath or 68%
Humboldt County hosts 51.5 miles of the Klamath or 26.4%
Del Norte County hosts 11 miles of the Klamath or 5.6%
There is also mileage in Klamath County, Oregon

79% of Siskiyou County Voters wish to retain the Dams

Sisikiyou County voting record on Dam Removal

Measure G Nov. 2010



There are 25,922 registered voters in Siskiyou County of which 59.73% of the voters cast ballots on this measure.

There were 14,206 votes for measure G
11,229 voted NO on removal of dams or 79.04%
2,977 voted YES on removal of dams or 20.96%

This is a clear mandate by the citizens of Siskiyou County on the issue of dam removal on the Klamath River.

II

RESOLUTION BY SISKIYOU COUNTY BOARD OF SUPERVISORS (BOS):

- RESOLUTION to not be party to or sign the KBRA (Klamath Basin Restoration Agreement)or the KHSA (Klamath Hydro- Electric Settlement Agreement)
  .
- LETTER TO SISKIYOU COUNTY BOS: advising them not to sign the KBRA, recent legislation passed for flood control, including an Inflow Outflow Hydrograph for the flood protection provided by the dams proposed for removals, and responses to and from the DOI

RESOLUTION OF THE
BOARD OF SUPERVISORS
OF THE COUNTY OF SISKIYOU
OPPOSING DAM REMOVAL AND THE CURRENT
"KLAMATH RIVER BASIN RESTORATION AGREEMENT"
AND EXPRESSING ITS WILLINGNESS TO PURSUE
ALL APPROPRIATE AVENUES TO PROTECT
THE INTERESTS OF ITS CITIZENS

WHEREAS, the County of Siskiyou is the area where three of the four dams slated for removal are situated and which will be most affected by dam removal; and,

WHEREAS, the County of Siskiyou wishes to insure that the public health and safety of its residents are fully protected; and,

WHEREAS, Siskiyou County, in order to accomplish the foregoing, has participated in good faith in the Klamath Settlement Group, a group which was ongoing at the time that Siskiyou County was allowed to participate and which had as its mission at the time that Siskiyou County was allowed to participate the exploration of dam removal as opposed to other potential options for fish health, fish restoration, and river health; and,

WHEREAS, the County of Siskiyou, as part of its ongoing efforts to insure that all is done to identify and protect against potential impacts, sought to have neutral, independent, peer-reviewed studies done to seek to articulate the potential impacts which might result and to attempt to identify potential alternate courses of action, which proposal was declined by the Settlement Group; and,

WHEREAS, the County of Siskiyou still seeks to explore options that would maximize fish recovery and river health without dam removal; and,

WHEREAS, the current draft proposal still continues to envision removal of all four PacifiCorp dams on the Klamath River, including three of which are located in Siskiyou County; and,

WHEREAS, the residents of Siskiyou County will suffer economically from lost tax revenues resulting from dam removal, including lost revenues from reduction of property values, which revenues provide a number of governmental services, including law enforcement and other health and safety services. In addition, Siskiyou County will suffer the loss of world class whitewater rafting, the loss of lake recreational and fishing opportunities, the loss of carbon neutral, inexpensive hydropower, the possible unleashing of large amounts of sediment of unknown properties currently lodged at the base of the

SISKIYOU COUNTY
RESOLUTION
No. 08-68

dams, and other possible degradation in the quality of the life of those residing in Siskiyou County; and,

WHEREAS, the County of Siskiyou and its citizens have displayed a strong commitment to river and fish health, as evidenced by the role they have and continue to play in promoting Coho salmon recovery, in concert with the California Department of Fish and Game; and,

WHEREAS, the County of Siskiyou has consistently maintained that the dam owners, PacifiCorp, should be required to undertake all reasonable measures which would promote Coho salmon recovery; and,

WHEREAS, there have been no neutral, independent, peer-reviewed studies conducted that have concretely demonstrated that dam removal would promote significantly greater fish recovery than fish ladders and other measures that PacifiCorp has agreed to install and implement; and,

WHEREAS, dam removal poses a significant threat to water quality in light of the release of many tons of potentially toxic sediment that has accumulated behind the dams; and,

WHEREAS, it does not appear that sufficient studies have been done to support dam removal prior to a commitment to such a course of action; and,

WHEREAS, the proposed restoration agreement would exclude representation from Siskiyou County and the Scott and Shasta Resource Conservation Districts from the group of "Fish Managers" designated to write a new Restoration Plan; and

WHEREAS, the proposed Restoration Agreement would exclude representation from the Scott and Shasta RCDs, farming and ranching communities, Upper Mid-Klamath Watershed Council and Copco landowners from the Klamath Basin Coordinating Council and from setting policies and making decisions regarding the allocation of restoration funding; and

WHEREAS, it appears that the dam owner, PacifiCorp, is hesitant to assume any legal liability for the consequences of dam removal and would desire protection against or limitation of liability for the consequences of dam removal; and,

WHEREAS, it does not appear that any entity, including the state and federal governments, is willing to come forth and assume liability for any consequences of dam removal if PacifiCorp is able to obtain a limitation or waiver of liability for the consequences of dam removal; and,

WHEREAS, the current proposal under review does not mitigate the adverse impacts of dam removal for the citizens of Siskiyou County; and,

WHEREAS, it continues to be indicated that any such mitigation would be part of any settlement agreement with the dam owner, PacifiCorp; and,

WHEREAS, there is presently no such agreement in place with PacifiCorp; and,

WHEREAS, there is no clear policy determination made by the participating states or the federal government regarding dam removal, nor does it appear from the proposed Agreement that all of these entities would be signatories to the Agreement; and,

WHEREAS, there currently is no agreement with the owner of the dams, which would allay the fears of an apprehensive citizenry in Siskiyou County that the reasonable risks and potential consequences of dam removal will be reasonably addressed; and,

WHEREAS, the preliminary review of the adverse consequences of dam removal gives Siskiyou County concerns about this potential course of action without in-depth, sound, scientific studies supporting such a decision to remove; and,

WHEREAS, there is no clear candidate who has emerged to assume the risk of the consequences of dam removal; and,

WHEREAS, while the federal government does possess the legal power to assume the responsibility for acquiring ownership of the dams and therefore the responsibility for removal if it wishes to do so, it has not chosen to do so; and,

WHEREAS, the Klamath River Basin Compact and the Siskiyou County Flood Control and Water Conservation District have powers and duties directly pertinent to ongoing disputes in the Klamath Basin and should be included in any process seeking solutions to those disputes; and

WHEREAS, these unaddressed concerns, including, but not limited to, the failure to satisfactorily address economic losses, loss of economic opportunity, loss of carbon neutral replacement power, the failure to clearly articulate a rehabilitation and restoration commitment, the unwillingness to address and reasonably restore infrastructure stress and serious damage which could occur from dam removal activity (including potential damage to the City of Yreka's water supply lines), lack of full due diligence and thorough economic environmental review and the commitment to not proceed in the face of identified impacts by use of the CEQA override process, the failure to make provision for reimbursement for property owners who can prove that they have been damaged from dam removal or dam removal activity, and because of the potential for yet unknown and unarticulated impacts

which might result from dam removal and dam removal activity, require the Board of Supervisors of the County of Siskiyou, at this time, to conclude and resolve that:

BE IT RESOLVED that the Board of Supervisors of the County of Siskiyou renews and restates its opposition to dam removal.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Siskiyou is opposed to the present draft of the Klamath River Basin Restoration Agreement and Siskiyou County, although not willing to sign the agreement, will seek to open discussions in pursuit of actions to improve fisheries, water quality, and Upper Basin water surety, and will continue to work with and pursue all avenues other than dam removal to protect the interests of its citizens.

BE IT FURTHER RESOLVED that any resolution or potential settlement of the pending FERC application should involve license extensions for a period of time reasonably sufficient to allow all the due diligence efforts and public interest determinations required to fully illuminate and inform a possible decision to relicense dams in the longer term, including full exploration and evaluation of the following:

(1) The positive impacts of the Irongate Fisheries Hatchery upon salmonid populations;

(2) The viability of trap and haul methodology as a means of sustaining salmonid survivability above dams;

(3) All fish diseases, including the *C. Shasta* parasite, which currently decrease salmonid survival in the Klamath Basin, and the possible means to alleviate or eradicate these diseases;

(4) Algae ecology related to the dams, and the potential means by which algal concerns in the Klamath Hydro-project area can be alleviated;

(5) The negative impacts on salmonid survival related to conditions in the ocean habitat which can be reasonably influenced, and the potential ways in which these impacts can be alleviated or eradicated;

(6) Impacts of commercial ocean, Tribal, and in-river fishing and natural predators upon anadromous fish; and,

(7) Should dam removal be entertained as an option by any settlement process, a full comprehensive scientific exploration and evaluation of the impacts of sediment release on the physical and biological

environment, and human communities below the dams must be included with such consideration.

BE IT FURTHER RESOLVED that this Resolution be sent to:

(1) The Governor of the State of California.

(2) The Governor of the State of Oregon.

(3) The U.S. Department of the Interior.

(4) The U.S. Department of Agriculture.

(5) The Federal Energy Commission.

(6) The Bureau of Indian Affairs.

(7) The California Department of Water Resources.

(8) The Oregon Department of Water Resources.

(9) The State Water Resources Control Board.

(10) Senator Diane Feinstein.

(11) Senator Barbara Boxer.

(12) Congressman Wally Herger.

(13) Congressman Mike Thompson.

(14) Senator Sam Aanestad.

(15) Assemblyman Doug LaMalfa.

(16) Klamath County, Oregon.

(17) Trinity County, California.

(18) Humboldt County, California.

(19) Del Norte County, California.

(20) All newspapers of general circulation in this County.

(21) All newspapers of general circulation in Klamath County, Oregon.

(22) The Sacramento Bee.

PASSED AND ADOPTED this 15th day of April, 2008, by the following vote:

AYES: Supervisors Overman, Armstrong, Kobseff and Cook
NOES: NONE
ABSENT: Supervisor Erickson
ABSTAIN: NONE

W. R. Overman, Chair,
District 4

LaVada Erickson, Vice Chair,
District 2

Jim Cook, Supervisor, District 1

Marcia Armstrong, Supervisor, District 5

Michael Kobseff, Supervisor, District 3

ATTEST:
COLLEEN SETZER, Clerk
Board of Supervisors
By: _____
Deputy

G:\Share\FERC_KRB Restoration Agreement Resolution 2008\Resolution by Board Opposing Dam Removal and Current KRB Settlement Agreement 04_15_08 FINAL DOC.wpd

4/15/0

Additions to proposed Klamath Basin Restoration Agreement Resolution

Page 4 - 3rd paragraph down insert in second to last line between "and pursue all appropriate avenues" and "to protect the" - the phrase "other than dam removal" full section of sentence would read "and will continue to work with and pursue all appropriate avenues other than dam removal to protect the interests of its citizens."

Under the enumerated BE IT FURTHER RESOLVEDS add:

(6) Impacts of commercial ocean, tribal and in-river fishing and natural predators upon anadromous fish; and

(7) Should dam removal be entertained as an option by any settlement process, a full comprehensive scientific exploration and evaluation of the impacts of sediment release on the physical environment and human communities below the dams must be included with such consideration.

and biological add-

APRIL 1, 2010

Jerry L. Bacigalupi, P.E.
P.O. Box 309
Montague, Ca. 96064
530 459 5546
916 768 5015

Siskiyou County Board of Supervisors (B.O.S.)
C/O County Clerk Office
510 North Main Street
Yreka, Ca. 96097

Subject: Written testimony for Proposed Klamath Basin Restoration Agreement (K.B.R.A.) Hearings at the Convention Center on April 1, 2010

As I stated in my letter to the B.O.S. on Nov. 12, 2009, it is time to give serious consideration to the proposed Klamath Basin Restoration Agreement **(DO NOT SIGN).** It is also time that the **B.O.S.** stand to the position that they were sworn to: to protect the property rights and the rights of the public, and to voice the will of the people of Siskiyou, County.

I am a Registered Professional Engineer with extensive experience in water resources engineering, FEMA Base Flood Elevation studies, bridge hydrology and hydraulic studies, bridge and highway design and construction. I am also a Siskiyou County property owner with over 4,800 acres of land in the County.

If this proposal is implemented, it is my opinion and fear that the consequences will be dire and harm many. The proposal is shortsighted with not all the stakeholders at the table. I cannot see one aspect of this proposal that would have a direct benefit to any property owner in our County. The proposed Agreement is a can of worms with no factual benefits to the public, and if allowed to go further, will decrease property values and only produce future problems for the majority of Siskiyou Co. property owners and citizens, with the County **B.O.S.** faced with **major law suits.**

Accordingly, it is imperative that County B.O.S. takes their Legal Position as the Lead Agency at this time.

Please take notice to my following observations and comments:

1. **Applicable Existing Laws and Regulations Need to be Followed.** Federal and State Agencies are proposing to erode (washing) 84% of the estimated 20.4 million cubic yards of the sediment deposits in the lakes down river as the reservoirs are drained. The State Water Quality Control Board and Department of Fish and Game, and the U.S. Corps of Engineers regulate all private construction

projects involving disturbed soil, within a drainage watercourse. How could anyone even consider such an irresponsible recommendation by public agencies? Moreover, the planning and zoning laws of the State of California, starting with Section 65000 of the Government Code, require that all lands be zoned appropriately with regard to their highest and best uses. All dams on the Klamath River subject to dam removal were constructed prior to the enactment of the California Planning and Zoning laws. The Siskiyou County Planning and Zoning Laws and the Land Use Element of the General Plan is required to designate the location and permitted uses of the land within and adjacent to these dam and reservoir areas, and identify **lands down stream which are subject to flooding.** The Conservation Element of the General Plan provides for the conservation, development, and utilization of natural resources including water and it's **hydraulic forces, flood management, water conservation, and the prevention, control and correction of soil erosion.**

The intent and purpose of the State Planning and Zoning Laws is to protect resources and property rights. Property owners adjacent to and downstream from the proposed dam removals expect their **property rights to be protected and upheld by State and Local Governments.**

Further, recent legislation passed in 2007, AB 70 (Ch. 367) and AB 162 (Ch. 369) expands the requirement for Cities and Counties to incorporate **flood control and management** and **provides that a city or county may be required to contribute its fair and reasonable share of the property damage caused by flooding,** & I might add, flooding caused by dam removal.

2. **Where are the Studies and Supporting Data related to Dam Removal?**
   a. Down Stream Flood Studies (FEMA Base Flood Elevation data)
   b. What to do with the bath rings around the dams? They will never be mitigated.
   c. Reducing river temperatures without low-level dam releases?
   d. Sustaining minimum flows with-out sustained dam releases.
   e. Washing dam sediment deposits down river.
   f. Replacing clean hydro-electric power.
   g. Rate increases to PP&L customers.
   h. Etc.

3. **Where are the Studies Supporting Coho Salmon Recovery if the dams are removed?** This appears to be a very controversial subject and one area that is not Supported by fact. **Can or will Coho Salmon migrate above Spencer Falls? Is the big picture being considered? Offshore foreign cannery factories, Protected Sea Lyons, Gill Netting, The killing of thousands of returning Coho Salmon at Iron Gate fish hatchery, etc.**

4. **Dams Provide Clean Energy.** At the present time California and the Nation is faced with three critical issues: a fiscal crisis, a water crisis and an energy crisis. Our state (and nation) should be trying to preserve and improve upon these dams and clean hydroelectric power generation facilities instead of removing them. The dams generate a substantial amount of clean renewable hydroelectric power. The

conditions and constraints being placed on Pacific Corp by Federal and State agencies are so extensive and costly and too "Dams Out" oriented. This is like raising rent so high the tenants are forced to move out.

5. **Dams Provide Critical Flood Protection.** The flood protection currently provided by the dams in place is notable. Without the dams much of the private property adjacent to the Lower Klamath River would be subject to severe flooding and erosion. Highway 96 may have to be relocated in several locations and many bridges replaced to provide the same level of service and protection that we currently enjoy.

   The 1964 flood destroyed many bridges on the Lower Klamath and washed out much of Highway 96. All of the dams that are proposed for removal were in place during the 1964 flooding. All roadways and bridges were re-located above the calculated Base Flood Elevation considering all existing dams in place. For public agencies to even consider removal of these dams without an in-depth study of the flood protection that they provide is very irresponsible.

   Attached is an Inflow / Outflow computer model of the Klamath River at Iron Gate using the 1964 Recorded Flood Data, which shows that there is a 22% reduction in peak flows and a peak delay of nine hours.

   The Board of Supervisors has the duty and is liable for any action, that they take or do not take to control flooding downstream of the Iron Gate Reservoir with the removal of these dams.

6. **Mother Nature Will Hit Hard.** Without the dams the Lower Klamath River peak flows and velocities will increase significantly during flood conditions, well in excess of these conditions experienced with dams in place. The increased velocity of the river will increase the bed load carrying capacity (boulders, rocks, gravel, sand, and silt) and increase the size of the rocks and boulders carried down stream. . With dams in, the tributaries have deposited their bed loads into the river, some of which were carried down stream and some of which (larger rocks and boulders) remain in the river because of reduced historic peak flows caused by the dams being in place and the river's inability to carry the larger bed loads. Most of these recent deposits will be carried down river during future flooding conditions without the dams in place, inevitably changing the river's course at several locations.

7. **The Dams Provide Controlled Necessary Cool Water.** Dams allow a controlled release of water on the Lower Klamath River, which maintains minimum flows and also contributes to filtering and cooling. This benefits fish and wildlife and allows fishing, rafting and other river recreation activities without the danger of sudden rises in river levels.

8. **The Dams Created Iron Gate Fish Hatchery.** The CDF Fish Hatchery at the base of Iron Gate Reservoir receives its water supply from low-level releases from

Iron Gate Reservoir. Without this cold filtered controlled water supply from Iron Gate, the fish hatchery's future operations will be dismal or non-existent.

9. **The K.B.R.A."Dams Out" Public Hearings have Ignored Well Established Science.** At one of the "Dams Out" meetings I pointed out that dams with deep water releases do provide cooling of the river below the dams. The U.S. Fish and Wild Life Service argued against this point stating that the dams are like a bathtub and have little or no effect on river temperatures below the dams. This is contrary to scientific fact.

At a later meeting the same point was raised; this time the U.S. Fish and Wild Life Service argued that the dams cause the river to be too cold at times for spawning fish and fry in the spring and fall.

When asked about the flood protection dams provide, their response was that the dams are like a wide spot in the river and provide little or no flood protection **(wrong! all dams provide some flood protection)**.

At a recent presentation by the State Water Resource Control Board a graph was presented to the public showing that the low-level releases from Iron Gate Reservoir were 10 degrees C or 20 degrees F above their estimated river temperatures with the dams removed **(this is an impossibility)**. I questioned this data and they responded that they did also. I then asked them why is this data being used? Their response was that this is the only data in this area that we have.

In short, the public has been presented with biased data that supports "Dams Out", much of which is contrary to well established and undisputed science in this area.

These are only some of the reasons why it is imperative that the B.O.S. take their sworn duty to Siskiou Co. property owners and citizens as LEAD AGENCY on this proposal at this time.

10. **FACTUAL AND HYPOTHETICAL DATA:**
    a. It is **FACTUAL** that the dams do provide clean electrical power to 70,000 homes; provide flood protection for down stream properties; provide cooler sustaining river flow releases; provide lake recreation; provide a safe pleasing natural looking front yard for several private property owners along the river and around the dams proposed for removal; provide for fish and wildlife habitat; maintains the Iron Gate Fish Hatchery; and much more.

    It is **HYPOTHETICAL** that the removal of 4 dams will provide any benefits what so ever to restore or improve coho salmon runs or provide any direct factual benefits to the Klamath River Basin.

Recommendations:

My recommendations to the Siskiyou County Board of Supervisors, the **PERMIT ISSUING AGENCY** for any proposed private land projects of Siskiyou County, is to:

1, **Demand and Take the Lead Position** on this proposed change in private land use.

2. **Require and Direct an unbiased study** addressing: flood protection, environmental impacts, recreation, costs, benefits, and a study addressing the replacement of clean renewable hydroelectric power, etc.

Removal of these dams without proper studies, environmental documents, and the involvement of the public will set the Federal, State and County Governments up for a **multitude of law suits.**

3. **Do not become signature to the K.B.R.A..**

Thank you for considering my opinions.

Respectfully submitted,

Jerry L. Bacigalupi P.E. (RCE 18063)

Attachment: Inflow/outflow K.R. Hydrograph at Iron Gate

J.L.B. Construction and
Engineering
3097 Sierra Blv.
Sacramento, Ca. 95864
916-484-7807, 916-768-5015

KLAMATH RIVER

INFLOW OUTFLOW COMPUTER MODEL FOR COPCO NO.1 & IRON GATE DAMS

USING 1964 FLOOD OUTFLOW DATA RECORDED 12/22/1964 @ GAGE 11516530 BELOW IRON GATE

OUTFLOW: IRON GATE DAM OF 29,400 cfs

CALCULATED INFLOW: Tc =24hr.; Q100 =35,700cfs

TIME hr.	INFLOW c.f.s.	OUT FL. c.f.s.	"Q"net ave c.f.s.	VOL. net Q(0.25) ac.ft.	AREA ac. (combined)	VOLUMN ac.ft. (V/7.407)*.5 combined	SURFACE EL. 2189.0ft.+ (V/7.407)*.5= 2,328.0+H	HEIGTH "H" (ft.) outflow	OUTFLOW Q=585(H)*1.5 +1000 c.f.s.
PEEK	35,700								
0	1000	1000	0	0	2000	135,000	2328.00	0.00	1000
3	4463	1000	1731	433	2003	135433	2328.22	0.22	1060
6	8925	1060	5633	1408	2014	136841	2328.92	0.92	1517
9	13388	1517	9639	2410	2031	139251	2330.11	2.11	2797
12	17850	2797	12822	3206	2055	142456	2331.68	3.68	5133
15	22313	5133	14948	3737	2081	146194	2333.49	5.49	8523
18	26775	8523	16020	4005	2110	150199	2335.40	7.40	12778
21	31238	12778	16229	4057	2138	154256	2337.31	9.31	17621
24	35700	17621	15848	3962	2165	158218	2339.15	11.15	22788
27	33469	22788	11796	2949	2185	161167	2340.51	12.51	26880
30	31238	26880	5474	1368	2195	162535	2341.13	13.13	28843
33	29006	28843	1279	320	2197	162855	2341.28	13.28	29307
36	26775	29307	-1417	-354	2194	162501	2341.12	13.12	28793
39	24544	28793	-3134	-783	2189	161717	2340.76	12.76	27665
42	22313	27665	-4237	-1059	2182	160658	2340.28	12.28	26160
45	20081	26160	-4963	-1241	2173	159417	2339.71	11.71	24429
48	17850	24429	-5463	-1366	2164	158052	2339.08	11.08	22564
51	15619	22564	-5829	-1457	2154	156594	2338.40	10.40	20623
54	13388	20623	-6120	-1530	2144	155064	2337.69	9.69	18643
57	11156	18643	-6371	-1593	2133	153472	2336.94	8.94	16647
60	8925	16647	-6607	-1652	2121	151820	2336.17	8.17	14654
63	6694	14654	-6845	-1711	2109	150109	2335.36	7.36	12676
66	4463	12676	-7098	-1775	2097	148334	2334.51	6.51	10726
69	2231	10726	-7379	-1845	2083	146490	2333.63	5.63	8818
72	1000	8818	-7202	-1801	2071	144689	2332.76	4.76	7084

INCREASE IN FLOW WITHOUT DAMS : 35,700-29,307= 6,400 c.f.s. OR 22% @ IRON GATE
DELAY OF PEAK FLOW: (33-24) = 9HR
NOTE:above quantities include 1,000 cfs sustained flows through power facilities

DATA:

1964 FLOOD OUTFLOW DATA RECORDED 12/22/1964 @ GAGE 11516530 BELOW IRON GATE DAM OF 29,400 cfs. & DEPARTMENT OF WATER RESOURCES BULLETIN 17-93

DAM	SURFACE AREA	VOLUMN	SPILLWAY ELEV.	FREEBOARD
COPCO NO.1	1,000 ac.	77,000 ac.ft.	2,464 ft.	20 ft.
IRON GATE	1,000 ac.	58,000 ac.ft.	2.328 ft.	15 ft.
COMBINED	2,000 ac.	135,000 ac.ft.		

To: Ms. Elizabeth Vasquez
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

June 13, 2013

Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501

From: Jerry L. Bacigalupi
Professional Engineer (P.E.)
P.O. Box 309
Montague, CA. 96064 (530) 459-5546 (916) 768-5015c

Dear Ms. Vasquez and Mr. Leppig:

Following are my comments to the **Klamath Facilities Removal Final EIS/EIR** (dated December 2012, but not mailed to respondents until 04/05/13)

1) As a citizen and Professional Engineer I am disappointed at the professional integrity within the DOI and CDFG. In reviewing several of the EIS/EIR comments submitted to the DOI and the DOI responses, I am disturbed at the DOI's lack of professional knowledge, goal oriented responses, and spin **supporting dam removals**.

2) After reviewing my comments and the DOI responses, I feel that my comments were not addressed. **I would make the same comments again.** The point being that the EIR/EIS has not been properly completed because the **EIS/EIR process is flawed** with responses that lack professional and scientific integrity, and with probable misconduct, all supporting the KBRA / KHSA (Dam Removals). In addition viable alternatives with dams in place were not studied, and the facts that the Upper Basin Water Wars and the Klamath Hydro-Electric Facilities are not physically related. The KBRA & KHSA improperly mandate stakeholders agreeing to Hydro- Electric Dam Facility removals.

3) In particular I would like to address my highlighted comment #5 and DOI response **(Comment 6 Hydrology).** To quote my comment:
"In Chapter 3 - 3.6 Flood Hydrology of the EIR/EIS, data provided does not accurately represent current independent scientific or historical data. The data and conclusions presented was data that supports the Lead Agencies' desired outcomes and not supported by recognized engineering practices.

   a) Table 3.6-5 shows the 100-yr flows at Keno at 11,800cfs and Iron Gate at 31,460cfs. **A statistical analysis using data from Calif. Division of Dam Safety shows 100-yr. flows for Keno at 12,000cfs and Iron Gate at 30,600cfs. This is a close check, however;**
   Table 3.6-9 shows a 6.9% reduction in the flood attenuation of Iron Gate and COPCO Reservoirs combined.

This is in substantial disagreement with an engineered independent evaluation. Using the 1964 flood data for Gage 11516530 (29,400cfs peak flow at Iron Gate) an inflow out flow hydrograph combining both reservoirs shows a 22% reduction in peak flow and a 9 hour delay in peak discharge.

b) Table 3.6-9, the 100 yr. flood plain below Iron Gate Reservoir, and the write up needs to be recalculated and re-evaluated using properly engineered procedures for inflow/outflow analysis **based on historic hydrographs** to **show that the Dams Provide Critical Flood Protection."**

The DOI Response to my comment :

GP_LT_1230_1220-6 Master Response HYDG-1 Flood Protection. The comment author refers to an analysis of the 1964 flood documented in a memo delivered to Siskiyou County (Bacigalupi, 2010). In this analysis, it was concluded that Iron Gate Dam and Copco Dam reduce the 100-yr flood by 22 percent. However, a time step of 3 hours was used in Bacigalupi (2010), which is too large and this caused **errors** in the results. If the same analysis was performed with a time step of 15 minutes or smaller, the flood attenuation effects would be very similar to Reclamation (2D12b) and find that the attenuation of the 100-yr is near 7 percent as stated in the Draft EIS/EIR.

My comment to the DOI response:
The same analysis was performed using the same computerized program, same data, and varying the time steps of the inflow outflow hydrograph as suggested by the DOI. The results are as follows:

Time Step Hr.	Inflow cfs	Outflow cfs	Peak Flow Delay Hr.	Increase In Flow With Out Dams %	Remarks
3	35,700	29,400	9	22	Original
1	36,800	29,400	10	25	1Hr. Steps
.25(15min.)	37,250	29,400	10.25	26.7	15min. Steps

The above results show that the DOI makes rudimentary conclusion and statements that are in **error** and that have definite impacts on the decision of dam removals.
The Dams do provide substantial (26.7%) flood protection. Table 3.6-9, the 100yr. flood plain and write up needs to be revised.
The EIR/EIS process has not been completed. The EIS/EIR is flawed with responses that are in error, and lack professional and scientific integrity, all supporting the KBRA / KHSA (Dam Removals).

Respectfully submitted:

Jerry L. Bacigalupi 06/13/13
Jerry L. Bacigalupi

III

SHASTA NATION ANADROMOUS FISH PASSAGEWAY ALTERNATIVES TO DAM REMOVALS:

WITH A BRIEF HISTORY REVIEW OF THE KLAMATH RIVER, KLAMATH RIVER BASIN, AND THE CURRENT SITUATION

SHASTA NATION UNASSISTED VOLITIONAL ANADROMOUS FISH PASSAGEWAY ALTERNATIVES TO DAM REMOVALS

WITH A BRIEF HISTORICAL REVIEW OF THE KLAMATH RIVER, KLAMATH RIVER BASIN AND THE CURRENT SITUATION

The following data is presented to give a brief introduction to current conditions on the Klamath River, which will lead into the development of the Shasta Nation Unassisted Volitional Anadromous Tunnel Fish Passageway proposal as viable alternatives to the placement of fish ladders on three of the four dams targeted for removals, or the removals of the four dams: **J.C.Boyle, COPCO 1, COPCO 2, and Iron Gate.**

SHASTA NATION TRIBAL HISTORY

The Shasta Nation's First People occupied their aboriginal territorial lands in and around the four Klamath River Dams targeted for removal for centuries before their native way of life was disastrously disrupted by the intrusion of the Euro- American's lust for gold during the 1850's. The Shasta Nation's Aboriginal Territory is now known to be a portion of Southern Oregon and Northern California. The Shasta People were a forceful nation of six groups of Native Indians known as the Shastan Group, with each group speaking a variation associated with the Hokan Family Group language. The Shastan Group Indians were comprised of the Shasta, New River Shasta, Konomihu, Okwanuchu, Achomawi, and the Atsugewi Indians. The post Euro-American Shasta Nation is comprised of the Shasta Valley, Scott Valley, Okwanuchu, New River Shasta, Konomihu and Upper Klamath River Indians who lived downriver from Keno, Oregon.

The Shasta Nation's aboriginal territory, cultural heritage, and burial sites lie under and around the waters behind the dams proposed for removal.

Refer to Table of Contents: "MAPS" showing sites beneath these waters.

KLAMATH RIVER HISTORICAL REVIEW

The river has been the subject of much conversation and study going back to the 1800's. One story relates to General Freemont's expedition down the river. The report states that they tried to camp on its banks but could not because of the amount of dying fish caused by the lack of adequate water which created low flows and warm water temperatures. The conditions created a huge stench. It was so bad that the expedition's horses would not drink the water.
One of the first studies on the river was done in 1897 by Dr. Warren Barton Everman, a Federal Biologist. Some of the noteworthy comments in the report described the water as very warm and cloudy with difficulty seeing the fish occupants. They reported the cause being natural volcanic vents in the Upper Basin Lake (Upper Klamath Lake) emitting natural phosphorous and nitrate into the water. As the Everman team traveled west down River they noted that there were **no anadromous ocean going fish** in the River until they reached a point about where the present Iron Gate Reservoir is now located. They did observe a "species of land-locked salmon," then known as sockeye salmon. In their contacts with the Upper Klamath Lake Tribe, which inhabited the Upper Basin, they were told that the Upper Klamath Lake Indians traveled downriver to Shasta Tribe villages to trade for better quality fish. Evermam and his team were able to observe this trading.

KLAMATH BASIN OVERVIEW

The Klamath Watershed is a large geographical area with a land base of 11.4 million acres: 56% in California, 44% in Oregon, in a total of 9 counties, 5 in California and 4 in Oregon.
The local land use county authorities are:

California	Siskiyou	3,270,000 Acres
	Trinity	1,635,600 Acres
	Modoc	752,600 Acres
	Humboldt	600,000 Acres
	Del Norte	141,000 Acres
		6,399,200 Acres

Oregon	Klamath	3,113,100 Acres
	Jackson	1,600,000 Acres
	Lake	322,700 Acres
	Josephine	3,600 Acres
		5,039,400 Acres

The predominate feature of this watershed is the **Klamath River which originates in the lower one third of the Upper Klamath Basin at Link River Dam (base of Upper Klamath Lake in Klamath Falls, Oregon)** and flows west to the Pacific Ocean, a distance of 254 miles.
The Klamath River is physically located in 3 of the 9 watershed counties in which Siskiyou County has 56% of the River mileage.
The watershed is unique among all the major aquatic systems in the Western United States because of its upside down climatic and topographic conditions. Annual precipitation (snow and rain) amounts to approximately 90 inches in the coastal 1/3 of the river mileage, 15-30 inches in the central 1/3 of the river mileage, and less than 15 inches in the 1/3 that lies in the arid Upper Klamath Basin.
This low rainfall combined with the volcanic soils and shallow topography of the basin creates poor water quality conditions entering the Klamath River at Link Dam (River Mile 254). Water quality does improve moving towards the ocean starting at Iron Gate Dam (River Mile190).

THE KLAMATH PROJECT

In the 1850's, the discovery of gold in the Klamath River and its tributaries brought many people to select areas in the watershed seeking riches and to settle. The Upper Klamath Basin was found to be a hostile location and as a consequence was slow to develop.

The large, warm and shallow marshes of the Upper Klamath Basin were generally considered contaminated and toxic. These waters which were in contact with highly mineralized volcanic soils and geothermal conditions supported algae and disease carrying mosquito infestations. Between evaporation and infiltration in the upper basin marshes, the Klamath River waters between Keno and the Shasta River were frequently known by the locals to retreat subsurface in summer.

In the early 1900's, in cooperation with local landowners, the Bureau of Reclamation (BOR)proposed and engineered **The Klamath Project** for the Upper Basin (Klamath Falls-Tule Lake area) to consolidate a large portion of the marshes minimizing evaporation, infiltration, and mineral contamination. It would also expose rich bottomland for agricultural use, allow habitat and increase food availability for migratory waterfowl, minimize disease potential, and incorporate excess water from the normally landlocked Lost River to supplement Klamath River summer flows for the fisheries and irrigation.

Using an intricate system of canals, storage and diversion dams, and tunnels, electricity would be required to support the necessary pumping for the project. Research was performed and an agreement made for the locally formed Siskiyou Power and Electric Company (later to become COPCO – California Oregon Power Company, Pacific Power, and currently PacifiCorp) to finance a dam and provide power at cost for Project operation in exchange for augmented Klamath flows and Federal licensing. The lower dam (COPCO 1 at river mile 198) location was chosen in part due to consensus that salmon were never known in numbers above Spencer Creek due to impassability of the falls near Keno (river mile 230), generally depleted salmon physical conditions, and poor intermediate upper basin water quality.

Mitigation for the few blocked creeks normally accessible to salmon was accomplished by construction of the Fall Creek Hatchery.

Three dams were built prior to 1930 to satisfy the needs of the Klamath Project. **COPCO 1** in 1918, **Link River Dam** in 1921, and **COPCO 2** in 1925. Over the next forty years additional storage and stream flow maintenance structures were built to augment beneficial use of River and tributary waters for domestic, irrigation, flood protection, sediment control, fish and wildlife enhancement, recreational resources, industrial purposes, and hydro-electric power production. These improvements proved to be successful and concurrent with many of the largest salmon runs on record.

KLAMATH – SHASTA VALLEY RECLAMATION PROJECT

In 1923 the United States Reclamation Service (Horner J. Gault and Foster Towle) in cooperation with the State of California and the Klamath-Shasta Irrigation District investigated the feasibility of diverted water from the Klamath River one mile downstream from Keno, Oregon (at or near the present location of

Keno Dam) to the Shasta Valley via a gravity flow canal and tunnels flowing at 420 to 1100 cfs which would irrigate 25,000 to 65,000 acres. Several similar studies have been made since the 1923 investigation which are reported in this report.

KLAMATH BASIN BI-STATE COMPACT

Prior to 1955, after experiencing some major wet and dry years, representatives from Oregon and California began negotiations related to the water resources of the Klamath River Basin. Their interest was to facilitate and promote the orderly integrated and comprehensive development, use, conservation and control of water for various purposes. Five commissioners were selected representing two counties in Oregon (Klamath and Jackson) and four commissioners were selected representing California, (Modoc, Trinity, Humboldt, and Siskiyou) a 5th Commissioner (Director of Water Resources, State of California) became the 10th member. They developed a Bi-State Federal agreement called the **"Klamath Basin Compact".**

This document contains articles addressing controversial issues, equitable distribution and use between the two states and federal agencies, and for preferential rights for the use of water after 1957 for irrigation purposes in the Upper Klamath Basin in Oregon and California (The Klamath Project). The Compact was ratified by the Legislatures of both States and the U.S. Congress, and **signed into Law by the Governors of each State and the President of the United States on August 30, 1957.** This Act (Law), in conjunction with three appendixes that become a part of the Compact, was consented to by Congress.

Appendix B formed the **Siskiyou County Flood Control and Water Conservation District** (which is Appendix 89 to the California Water Code). The Siskiyou County Flood and Water Conservation District is a district in politic with twenty-three powers. When Iron Gate Dam was completed in 1962, a provision in the aforementioned Appendix B not only set aside the District's **60,000 acre feet of reserved storage rights to be held for Shasta Valley water use,** it also gave latitude to carry out all works and improvements to make uses of water for any of the purposes authorized by the Bi-State Compact Act. (Articles: e, i, k, m, p, & q),

Including flood control.

MAJOR DAMS IN THE KLAMATH BASIN WATERSHED:

Within the River and its tributaries there are **twelve major water storage structures** from Upper Klamath Lake to the mouth.

Five are on tributaries:

Located in California: Dwinnell on the Shasta River, Trinity and Lewiston on the Trinity River which has a diversion to the Sacramento River.

Located in Oregon: Howard Prairie and Hyatt Prairie on Jenney Creek and Fourmile Lake on Fourmile Creek, all which have diversions to the Rogue Valley.

Seven structures are on the Klamath River main stem:

In addition to providing irrigation water and hydro-electric power, these dams collectively **provide flood control and maintain minimum prescribed water flows** in the River for fish, especially during drought conditions as the River has historically gone dry in the upper reaches during the late summer and early fall.

Located in Oregon:

Link River Dam (Upper Klamath Lake) (Head Waters of the Klamath River) (16'high) (Upper Klamath and Agency Lakes) (River Mile 254), **the largest natural lakes & storage structure,** a 66,000 ac., 400,000+ ac.ft., 30+ mile long shallow lake at the **head waters of the Klamath River,** constructed in 1921 by the Bureau of Reclamation. It has a fish ladder and provides storage for downstream flow maintenance, irrigation waters for the Klamath Project, and hydro-electric diversions for the East and West Side Developments (4 MW@1450 cfs) for PacifiCorp's power grid and the Klamath Project.

Keno Dam (25' high) (Lake Ewana) (River Mile 233), a 20 mile long narrow reservoir which backs up to the city of Klamath Falls, one mile downriver from Link River Dam, with construction completed in 1967. It is owned by PacifiCorp and operated under contract with B.O.R. It has a fish ladder and a storage reservoir. Its primary responsibility is to regulate down river flows on the Klamath River, based on the volume of water released to the River from Link River Dam and the Klamath Project canals.

J.C. Boyle Dam (68' high) (River mile 224), a 420 acre, 3,500 ac.ft., 3.6 mile long reservoir which backs up to 5 miles downriver from Keno Dam near the California/Oregon border, construction was completed in 1958. It is owned and operated by PacifiCorp. It has a fish ladder and conveys water to a penstock and

powerhouse through a two mile concrete canal parallel to the Klamath River. Its only purpose is to generate power (98 MW @1425 cfs).

Located in California:

COPCO #1 (126' high) (River Mile 198), a 1,000 acre, 77,000 ac.ft., 4.8 mile long reservoir which backs up to 21 miles downriver from the J.C. Boyle Dam, owned and operated by PacifiCorp, construction was completed in 1918. The purpose of COPCO #1 was to generate hydro-power (20 MW @1180 cfs, with provisions for additional generation) and sedimentation control for the Klamath Project. It also provides downstream flood protection and many recreational fishing and water sport opportunities for visitors from Oregon and California. There has been considerable land development around the reservoir with permanent and seasonal homes.

COPCO #2 (33' high) (River Mile 198), a small 5 acre, 55 ac.ft., 0.3 mile long reservoir which is directly downriver from COPCO #1 Dam. It is owned and operated by PacifiCorp. and was constructed in 1925. The dam was constructed for a hydro-electric diversion to a nearby penstock and powerhouse (27 MW @1338cfs) for the Klamath Project.

Iron Gate Dam (188' high) (River Mile 190), a 1,000 acre, 58,000 ac.ft., 6.5 mile long reservoir which backs up to one mile downriver from COPCO #2 Dam, owned and operated by PacifiCorp, constructed in 1962. It was designed to provide storage water for in-stream flow maintenance to support minimum flows for fall migration of salmon, down-river flood and surge control at the request of downstream residents, power generation (18 MW @1735 cfs), and cool summer water for Iron Gate Hatchery. It also provides many recreational fishing and water sport opportunities for visitors from Oregon and California.

Iron Gate Hatchery is directly down river and dependent on Iron Gate Dam. Constructed by Pacific Power in 1966 as an alternative mitigation measure to providing fish passage around the Dams to 25 miles of native river and to a few minor creeks which historically provided anadromous fish habitat. The hatchery is currently 80% financially supported by PacifiCorp. and receives its cool 59 degree summer water from two low level releases (20' & 70') from Iron Gate Reservoir, which allows blending to create desired water temperatures and dissolved oxygen. The Hatchery releases over six million fingerlings into the Klamath River a year: five million Chinook (King) Salmon released in the spring and one million released in the fall, 200,000 Steelhead, and 75,000 Coho Salmon.

Reserved Water Rights: Within the reservoir are several reserved water rights for storage and beneficial uses; the **Klamath-Shasta Valley Transfer** will utilize one. The Reservoir reserves a 60,000 acre feet water right that can be diverted to the Shasta Valley for various consumptive uses including irrigation, industrial, domestic, municipal, recreation, and fish and wildlife.

A 1964 study: The California Department of Water Resources (Bulletin No. 87) completed a study consisting of a pumping plant at Iron Gate Reservoir and a delivery system consisting of piping and canals to Northern Shasta Valley. The transfer plan proposed pumping 350 cfs to provide 122,000 ac.ft. of water to serve the Ager and Shasta Valley area. The 1964 estimated annual water cost for this proposal was $16+ per ac.ft.

A 2007 study: "Klamath-Shasta Water Substitution Preliminary Engineering Study", financed by the California Department of Fish and Game (CDFG) in cooperation with the Shasta Valley Resource Conservation District (SVRCD), was performed to consider the 60,000 ac.ft. water right transfer to the Shasta Valley to be used by the Montague Irrigation District's irrigators in exchange for in-stream flow releases from Lake Shastina to the Shasta River. This project proposed diverting Klamath River water from Keno Dam in Oregon to Lake Shastina via canals, tunnels and siphons, and another alternative pumping from Iron Gate Dam to Lake Shastina via piping and canals. There has been no follow up on this study by CDFG, DOI, or the SVRCD to SCWUA knowledge, probably because it does not support the KBRA or KHSA agreements (dam removals).

MID-UPPER KLAMATH RIVER WATER QUALITY

Because of the volcanic origin of the Upper Klamath Basin, the water quality of this basin is high in phosphates and nitrates creating impaired water conditions in the Klamath River. The water quality at the headwaters of the Klamath River (Link River Dam, at the outlet to Upper Klamath Lake) is impaired by having a low dissolved oxygen content and high nutrient loading. This is a naturally occurring phenomenon and is incurable. Early explorers of the River cited the water as being turbid, stinky and not fit to drink. Further, PacifiCorp completed a water quality study in Nov, 2006 for their Federal Energy Regulatory Commission (FERC) relicensing application No. 2082 showing that the nutrients traveling through the dams, proposed for removal, undergo an overall annual net reduction compared to inflow conditions. This study shows that the dams and reservoirs targeted for removal actually **improve** water quality contrary to commonly stated opinions.

COHO SALMON IN THE KLAMATH RIVER

Coho are not considered native to the inland River; CA. Department of Fish and Game (CDFG) records list the earliest record of Coho Salmon being stocked in the Klamath River Basin was of a plant made in 1895 in Supply Cr., a tributary to the Trinity River. Several out of basin import plantings have been made in the Klamath River and tributaries since 1895. Inland Klamath Coho stocks were never considered effective until after conditions improved as a result of Iron Gate Dam and Fish Hatchery. Only then was the planted Cascadia Coho return determined marginally successful.

U.S. Fish & Wildlife and Washington Fish & Game indicates that most Coho Salmon spawn in streams close to the Ocean. Distance from the Coast varies from 15 to 25 miles.

California Fish & Game "Finfish and Shellfish Identification Book" published in December 2006 does NOT list Coho Salmon as being present in California waters.

Karuk Tribal Council Meeting (12,27,2001) It was reported that not one member of the Council believed that Coho salmon were native to the Klamath River.

Current Historical Cyclic Ocean warming has caused the long term migration of the cold water anadromous fish (Coho Salmon) northerly along the California, Oregon, and Washington coast to Canada and Alaska. NOAA data shows that the salmon landings (catches) on the west coast are almost three times greater today than it was in 1970, with 97% of the landings in Alaska (refer to graph in section V). The ocean impacts on Coho Salmon have not been analyzed by Federal and State Agencies.

Trawlers and Ocean Cannery Impacts on Coho Salmon numbers have not been analyzed by Federal and State Agencies.

Predation by Pinnipeds and the Protected Sea Lions Impacts to Coho Salmon numbers have not been analyzed by Federal and State Agencies.

Gill Netting by Indian Tribes on the Klamath and Trinity Rivers has been permitted by agreement with DFG setting limits on the number of salmon takes. The tribes are allowed to monitor their own take. CDFG does not Police or monitor the takings. The gill netting impact on Coho Salmon numbers has not been analyzed by Federal and State Agencies.

1997 to 2003 killing of native Coho Salmon by DFG. During this period CDFG's practice was to kill all returning unmarked (wild reared) Coho Salmon returning to the Iron Gate Hatchery (IGH), which included those used for hatchery spawning purposes (1,791 Coho killings, 22% of all returning Coho Salmon). In 2004, at the request of Federal Agencies, 40 returning (wild reared) unmarked Coho Salmon

were implanted with radio transmitters and returned to the river at (IGH). 23 of the 40 were accounted for and traveled down river as far as 50 miles and up tributaries (3 up the Scott R.)

2002 September killing of 33,000 adult Salmon on the Lower Klamath River. NMFS and FWS attributed the fish killings to an epizootic disease with contributing factors being: 1. above average numbers of Ocean Chinook Salmon entering the Klamath River. 2. River flow in the fish-kill area was atypically low. 3. Water temperatures were very warm.

A Center For Disease Control study initiated in 2009 revealed that the waters released from Iron Gate Reservoirs had no toxic effects.

The Fish & Game report published in 2003 indicated the following: "The CDFG concludes that low flows and other flow related factors (eg, fish passage and fish density) caused of the 2002 fish kill on the Lower Klamath River. Furthermore, of the conditions that can cause or exacerbate a fish kill, flow is the only factor that can be controlled to any degree. Flow is regulated by upstream reservoirs controlled by the USBR on both the Klamath and Trinity Rivers."

The National Marine Science Academy found the Klamath River Iron Gate Dam flow releases not to be the cause of the kill. The most supported cause of the killings is a dumping of methamphetamines in the River upstream within the affected area, the Trinity River Ceremonial Ramping of flows which triggered early salmon runs, and seasonal hot temperatures, contrary to NMFS and FWS determinations.

Similar mysterious virus killings of huge numbers of Fraser River salmon off the west coast of Canada were studied and reported by Dr. Kristi Miller.

In spite of the kill, the healthy salmon return up river was one of the largest.

Iron Gate Hatchery (IGH) reared returning Coho Salmon were not included in the ESA Coho listing by DFG. Wild Reared Coho Salmon Returns to the IGH averaged 22% of all returning Coho during the period 1997 to 2004, 78% were not considered for the listing.

Recent Coho Studies (informed by CDFG personnel) Shasta River Wild Coho Salmon Studies revealed that there are no biological differences between Shasta River Wild Coho Salmon and Iron Gate Hatchery reared Coho Salmon. CDFG was negligent for not including I.G. Hatchery Coho Salmon Returns and the possible impacts of the 1791 native Coho killings before listing Coho as an Endangered Species.

There is little or no record of any of the above Coho information being considered before the listing of Klamath River Coho (a planted species) as an Endangered or Threatened Species.

Klamath Basin Restoration Agreement (KBRA)
and
Klamath Hydro-Electric Settlement Agreement (KHSA)

Nearly ten years ago (2001) a decision by **federal agencies** to allocate most of the useable water from the Upper Klamath Lake to in-stream flows for endangered sucker fish created a dire situation for hundreds of farming operations, resulting in the loss of over 1200 family homes and futures. Locals at the time said the devastating action to increase lake levels would prove counter to sucker fish due to their adapted advantage in low level conditions. Subsequent results revealed years later determined the **experiment** a complete failure. No just compensation was offered or considered for those who suffered.

After the DFG listing of the Coho Salmon as an endangered species and because PacifiCorp was in the process of relicensing their Hydro-electric facilities on the Klamath River, a group of nearly 30 **self described stakeholders** comprised of Federal, State, County, Tribal, Environmentalist, Fishing Organizations, and a minority of Irrigation interests who were **assured guaranteed water deliveries** to participate, organized in **secret** to create the **Klamath Basin Restoration Agreement** (KBRA). The majority of the group formed has no regional vested interest and little but beneficial individual consequence for failed determinations. They ostensibly assumed among themselves oversight and allocation of all regional water resources and of **required acceptance to dam removals** as a condition to sit at the table. Agreements were then made **allocating benefits** and position between and to participating members. Once in place, with the KBRA seated and the Department of Interior in the lead, the **Federal Klamath Working Group** was again formed in **secret** with governmental authority compelling PacifiCorp to negotiate compliance with KBRA provisions and implementation through the Agreement in Principle (later called **Klamath Hydroelectric Settlement Agreement** (KHSA). Key provisions of the KHSA **significantly impact** the assets and resources of many that were unrepresented, including Pacific Corp ratepayers.

The limited hydro-electric relicensing options given PacifiCorp under the **closed** Federal Energy Regulatory Commission Report were heavily influenced by **mitigation requirement recommendations** from many of the later seated KBRA members. PacifiCorp was further limited by the subsequent altered California Regional Water Quality Control Board 401 water quality permit **requirements** imposed after closing of the report, making relicensing too costly and essentially

unfeasible. These changed conditions effectively eliminated the only economically viable options for relicensing. FERC refused to reopen the report to consider newly available studies and alternatives which would have contradicted previous FERC opinions and offered additional far less costly and more effective options.

It is the opinion of the SCWUA that options unjustifiably dismissed under the FERC relicensing requirements, such as preliminary salmon truck and haul studies to ascertain their historically contradicted upper basin survival capabilities, were intentionally dismissed to develop a predetermined objective (removal of dams). Though PacifiCorp has now found it most expedient to secure **economic beneficial agreements** of compliance **at ratepayer and taxpayer expense,** the included implementation of the KBRA and potential removal of the dams greatly impacts the lives, resources, and assets of the unrepresented vested majority in opposition throughout the entire **closed agreement process.** Agencies and entities responsible for the creation of the KBRA and KHSA agreements regarding dam removals have failed to consider local public comments related to potential social and economic impacts on affected local communities; this defies credibility. **Siskiyou County, which will be impacted the most, was not a signing party to either agreement.**

SCWUA believes in the light of the above described proceedings and recent studies providing critical corrective information, that FERC should reopen its Relicensing Report to reconsider previously dismissed and newly advanced options **(Including the Shasta Nation Unassisted Anadromus Fish Passageway Alternatives).** Barring reconsideration of prior dismissed options demonstrating present success, the following alternatives to dam removals are presented outside the previously considered FERC options.

SISKIYOU COUNTY'S PROPOSALS:

It is within this historic and legal framework that we, the **Siskiyou County Water Users Association,** as a task force to the Board of Directors of the **Siskiyou County Flood Control and Water Conservation District,** submit the following studies and report for a proposed anadromous fish by-pass around Iron Gate and the COPCO dams as alternatives to fish ladders or dam removals. In addition, to expose potential spawning and rearing habitat for an additional 25 river miles of the native portion in the Upper 64 miles of Klamath River and adjacent tributaries below Keno Dam.

ALTERNATIVES TO DAM REMOVALS:

I

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY

This study and option is introduced by the Shasta Nation, S.C.W.U.A. and others to offer an alternative to dam removals and to introduce salmon to an additional 25 river miles of native Upper Klamath River. The study was conducted by the Klamath River Advisory Council, a sub-committee of the Siskiyou County Water Users Association. The council consisted of people with backgrounds in Academics, Hydrology, Aquatic Biology, Geology, Surveying, Engineering, and members of the Shasta Nation. This report has several objectives:

1. To provide fish passage around Iron Gate and COPCO Dams. (All dams above the proposed Tunnel Passageway have fish ladders.)
2. To test and increase the use of 25 river miles of native Upper Klamath River habitat.
3. To prevent the destruction of the Shasta Nation's aboriginal cultural, heritage and burial sites under the waters behind the dams
4. Maintain sustained downstream 1,300 cfs. flow from Iron Gate Dam to the Klamath River.
5. Maintain clean Hydro-Electric Power for 70,000 homes.
6. Maintain flood protection for downriver cities, roads, bridges, and private property.
7. Protect property owners and property values adjacent to the river and reservoirs.
8. To redirect funding proposed for dam removals to this project, which will have positive economic and environmental benefits for Northern California and Southern Oregon and the Nation.

The following criterion has been considered:
Cost Benefit Ratio, Environmental Impact, Genetic Imprinting, Thermal Refugia Gradient of Route, Water Quantity, Water Temperature, Water Quality, Length of By-Pass, Tunnel Lighting, and Other Alternatives.

Cost Benefit Ratio: In the past, there have been other proposals offered to get salmon around the dams and up the remaining 64 miles (25 miles natural river) of the total river length of 254 miles. During the construction of the dams, fish ladders were studied and rejected and Iron Gate Fish Hatchery was built to mitigate the loss of the 25 river miles of natural habitat. Recently, under the FERC relicensing requirements, fish passage around 3 dams was required and fish ladders are again being considered with an estimated cost in excess of 300 million dollars. A study of trucking and release of the salmon around the dams was also proposed but rejected by state and federal agencies. Dam removal cost estimates are in excess of one (1) Billion dollars, not including the cost of replacing existing power facilities or mitigating the dams 20+ million cu. yds. of contaminated sediments behind the dams.
The cost of the Tunnel Passageway proposal is estimated to be 50 +/- million, or 1/6 (17%) the cost of fish ladders and 1/20 (5%) the cost of dam removals.

Environmental Impact: One of the most important considerations of these alternatives is the impacts to the existing environment in the Klamath River Watershed. The Tunnel Passageway will have significantly less environmental impact on the total watershed, being that a portion of the proposed Passageway on Bogus Creek is already being used by anadromous salmon and steelhead to migrate and spawn, and the tunnel portion will be below the ground surface. There will be very minimal impacts at the tunnel entrances; versus long term impacts associated with dam removals.
Dam removals will destroy an established 100 year old aquatic and waterfowl habitat in the river and reservoirs, not to mention the irresponsible long term sediment impacts being proposed by Federal and State Agencies **(allowing the 20+ million cubic Yards of contaminated sediments to naturally erode down the river).**

Thermal Refugia: Establishment of resting places ie: thermal refugia for spawning salmon is essential. By the time they get up the Klamath River to the Iron Gate Dam Hatchery they will have traveled nearly 200 miles from the ocean in an environment of water with many changes in the water quality and river conditions. Rest areas (refugia) enlarged areas off to one side of the tunnel) are needed and will be placed at 250' spacing throughout the tunnel.

Gradient Route: This route was selected in order to keep the average gradient at 1% or less. The Hart By-Pass, a previous conceptual proposal, would have had several, gradients that exceed 6% and required several fish ladders.

Water Quality: The water passing through the Tunnel Passageway will be Klamath River water from COPCO #1 Lake at 10 cfs. or greater and will be blended with Bogus Creek water from outlet of the Tunnel Passageway to the Klamath River (3.3 miles). Imprinting (Olfactory) will be accomplished because all waters will have a majority of Klamath River water.

Water Temperature: Water temperatures running through the tunnel should approach 50 to 60 degrees F. at the outlet irrespective of the surface temperatures at COPCO 1 Lake. This should be within the range of water temperatures on Bogus Creek, depending on weather conditions, and be well within range for good salmon habitat conditions

.

Length of Passageway: The entire length of the Passageway from the confluence of Bogus Creek (Iron Gate Fish Hatchery) and the main stem of the Klamath River to Copco 1 Lake is eight miles, 3.3 miles up Bogus Creek and 4.75 through the tunnel, **2 miles shorter** than the travel up the Klamath River to the tunnel inlet structure. Note: as compared to fish ladders, the Tunnel Passageway would also eliminate the predation across Iron Gate and COPCO 2 reservoirs.

Lighting: The Tunnel will be equipped with a programmable- automated lighting system throughout its entire length with a backup system. The entrances will be equipped with a unique designed system intended to attract by brightening and help camouflage the entrances as seen from the water.

Note: This proposal is estimated at about 1/6 (17%) the cost of fish ladders or 1/20 (5%) the cost of dam removals. It will have very little, if any, negative environmental short or long term impacts compared to dam removals. It will have several benefits to Siskiyou County and the Klamath River:

II

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY INCLUDING THE GRAVITY FLOW: KLAMATH - SHASTA IMPORT PROJECT (JOHN C. BOYLE RESERVOIR TO THE SHASTA VALLEY)

SIMILAR TO THOSE STUDIES PERFORMED FOR THE SHASTA VALLEY R.C.D. & CDFG JUNE 2007 (CDFG PROJECT NO. P0310329)

This proposal incorporates the previously discussed Shasta Nation Unassisted Anadromous Tunnel Passageway with the import of the 60,000 ac.ft. Siskiyou County State Reserved Storage Water Right (A016958) from the Klamath River to the Shasta Valley. This alternative would consist of a diversion structure at J.C. Boyle reservoir and a 45 mile gravity flow canal, incorporating several environmentally friendly tunnels and inverted siphons, to a 50,000 ac.ft.+/- storage reservoir or reservoirs on or near Willow Creek. From Willow Creek a 7.6 mile canal would be constructed to the Montague Irrigation District (MID) main canal below the City of Montague diversion.

This proposal would divert water from the Klamath River during high flow periods or by direct diversion during irrigation season at up to 200 cfs, which can provide 400 ac.ft. a day or 12,000 ac.ft. a month. It would take five months, at this rate, to provide 60,000 ac. ft.

The tunnel and siphon entrances will be equipped with special designed gates which would allow water passage, but block the entrance of debris and preclude the entrance by humans and animals. The canal will be widened and the slopes flattened to provide animal friendly crossings at all game trails and at tunnel and siphon entrances.

This proposal will allow the City of Montague to continue receiving its water from Lake Shastina without blending with Klamath River water.

The benefits of this proposal: would provide irrigation water to the Ager area; allow MID to supply the majority of their irrigators with Klamath River water; reduce the demands on Lake Shastina, thereby allowing MID to dedicate a portion of the reduced demands to in-stream flow in the Shasta River, improve water quality and fish habitat in both the Shasta and Klamath Rivers, save the dams, and have minor environmental impacts compared to dam removals.

The cost of this proposal is estimated at $500,000,000 including the Tunnel Passageway, or 67% higher than installing fish ladders and 50% the estimated cost for dam removals.

III

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY INCLUDING THE PRESSURIZED FLOW: KLAMATH - SHASTA IMPORT PROJECT (IRONGATE RESERVOIR TO THE SHASTA VALLEY)

SIMILAR TO THOSE STUDIES PERFORMED FOR THE SHASTA VALLEY R.C.D. & CDFG JUNE 2007 (CDFG PROJECT NO. P0310329)

This proposal is similar to the previous gravity flow import project transfer from J.C. Boyle Reservoir to the Shasta Valley; **however it requires pumping** with the point of diversion out of Iron Gate Reservoir instead of J.C.Boyle. It incorporates the previously discussed Unassisted Anadromous Tunnel Passageway with the transfer of the 60,000 ac.ft. Siskiyou County Reserved Storage Water Right from Iron Gate Reservoir to the Shasta Valley. It would consist of two 12,000 H.P. pumping plants, one at Iron Gate Reservoir (El. 2,343) and one at EL. 2680+/- ; a 6.2 mile 6' diameter pressurized pipeline; and a 5.1 mile gravity flow canal to a 50,000 ac.ft.+/- storage reservoir or reservoirs on or near Willow Creek. From Willow Creek a 7.6 mile canal would be constructed to the Montague Irrigation District (M.I.D.) main canal below the City of Montague diversion. This will allow the City of Montague to continue receiving its water from Lake Shastina without blending with Klamath River water.

The benefits of this proposal: It would provide irrigation water to the Ager area and allow MID to supply the majority of their irrigators with Klamath River water, thus reducing the demands on Lake Shastina, thereby allowing MID to dedicate a portion of the reduced demands to in-stream flow in the Shasta River, improve water quality and fish habitat in both the Shasta and Klamath Rivers, save the dams, and have minor environmental impacts compared to dam removals.

The cost of this proposal is estimated at $300,000,000 including the Tunnel Passageway, or equal cost to installing fish ladders, and 30% the estimated cost for dam removals.

Note: This proposal is estimated at the same cost of installing fish ladders or 30% the cost of dam removals. The estimated cost of this proposal does not consider power cost, which could be considerable ($60.00/ac.ft. at current electrical cost). It will have very little, if any, negative environmental short or long term impacts compared to dam removals. It will provide several benefits to Siskiyou County and the Klamath River; pumping cost may make this alternative prohibitive.

Other Unassisted Anadromous Passageway Alternatives Studied:

1. **Shasta Nation's Alternative to Dam Removals "PROPOSED SHASTA ANADROMOUS FISH PASSAGEWAY (Hart By-Pass)** a previous studied alternative to dam removals utilizing Bogus, Cold, and Deer Creeks, a total travel of 12miles with an elevation rise of over 1,000 feet to the pass between Cold and Deer Creeks and from there over 600 feet decline to Keaton Cove on COPCO 1 Reservoir. This alternative required a 1,500 H.P. pumping station on COPCO 1 Reservoir with a delivery pipe to the divide between the two drainages plus several regulating structures and several fish ladders, and for those reasons, this alternative was determined to be not environmentally or cost beneficial to the Tunnel Alternative. (Refer to original "PROPOSED SHASTA ANADROMOUS FISH BY PASS ROUTE").

2. **The Bogus Creek to J.C. Boles / Shasta Valley Transfer Canal Passageway** This conceptual alternative involved utilizing Bogus Creek up to its intersection with the 60,000 ac. ft. Klamath R.-Shasta Valley Transfer Canal. It would require a water transfer structure at Bogus Cr. to the canal and several flume structures to replace the proposed canal siphons. This alternative was also determined to be not environmentally or cost beneficial to the Tunnel Alternative.

SEE SECTION IV: **FOR PRELIMNARY DRAWINGS, DETAILS, AND ESTIMATES**

REASONS FOR THESE PROPOSALS AND KEEPING THE KLAMATH RIVER DAMS:

- ☐ **Irresponsible expenditures during a national economic crisis**
- ☐ **Unnecessary loss of green hydro-electric power for 70,000 homes**
- ☐ **Cost to replace hydro-with fossil fuel power falls on us, the rate payers**
- ☐ **Carbon foot print created to replace hydro-with fossil fuel**
- ☐ **Substantial increase in electricity cost**
- ☐ **Loss of lake fisheries and wildlife habitat**
- ☐ **Loss of Iron Gate fish hatchery**
- ☐ **Loss of recreation**
- ☐ **Substantial loss of property values**
- ☐ **Substantial loss of down river flood protection- FEMA flood insurance - move to high ground**
- ☐ **Loss of infrastructure during flooding such as loss of roads and bridges**
- ☐ **Loss of sustained 1300 cfs minimum river flows- will be replaced by the Upper Klamath, Scott and Shasta Valley irrigators**
- ☐ **Irresponsible release of dam sediments down river by State & Federal Agencies**
- ☐ **Promised??? power costs and water benefits to upper basin landowners without any direct factual benefits**
- ☐ **Impacts on Shasta Nation Burial Grounds and Yreka water supply are unknown and unstudied**
- ☐ **KRBA requirements will replace all water rights in the Klamath Basin Watershed with a Federal Charter in lieu of Constitutional guarantees**
- ☐ **The Klamath Lake Tribe and Karuk Tribes will exterminate the Shasta Nation within the KBRA requirements upon dam removals**
- ☐ **Lack of factual evidence that removing dams will restore salmon runs**

Respectively submitted by:

Siskiyou County Water Users Association

Board of Directors:

Frank Tallerico
President

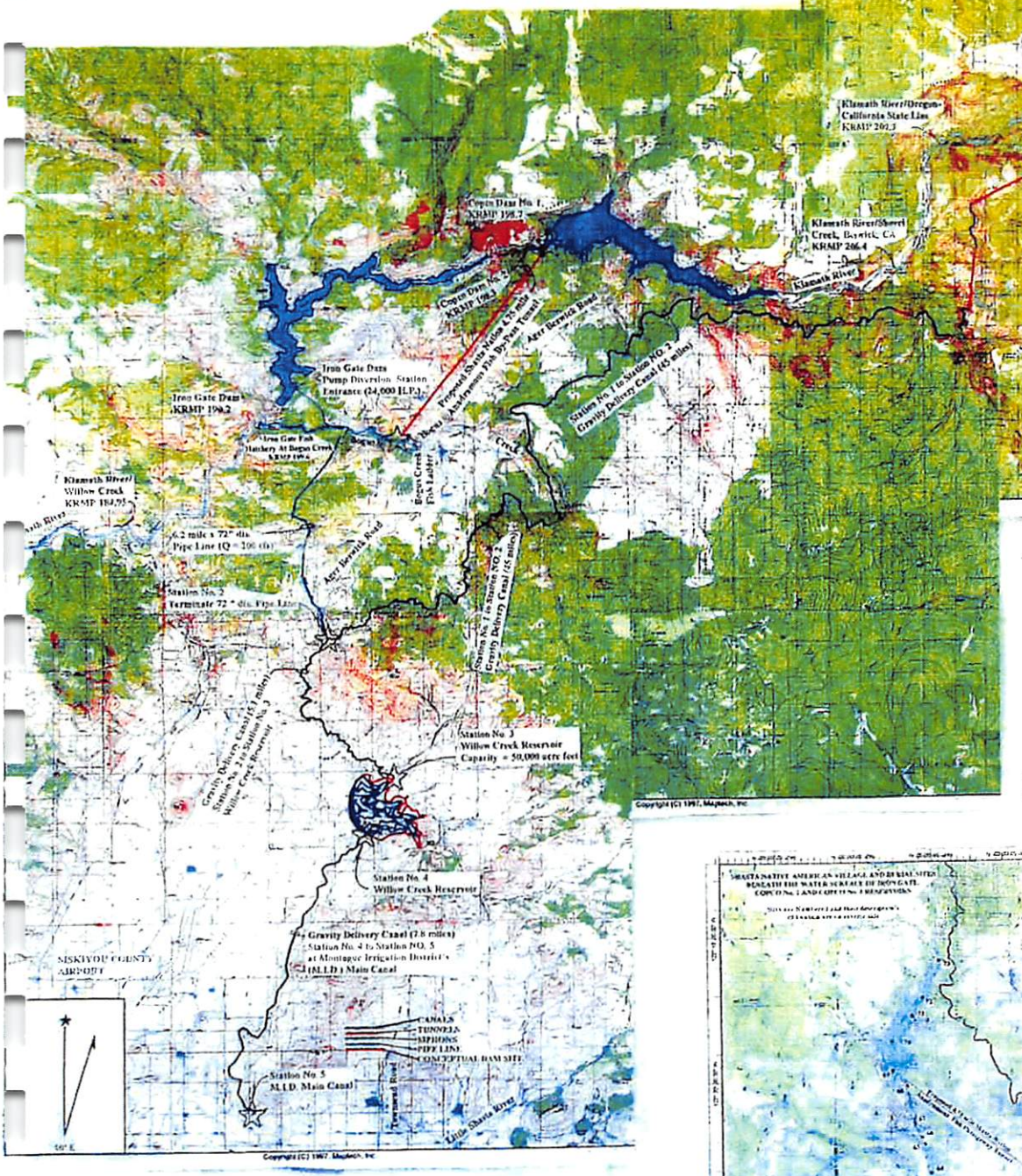
IV

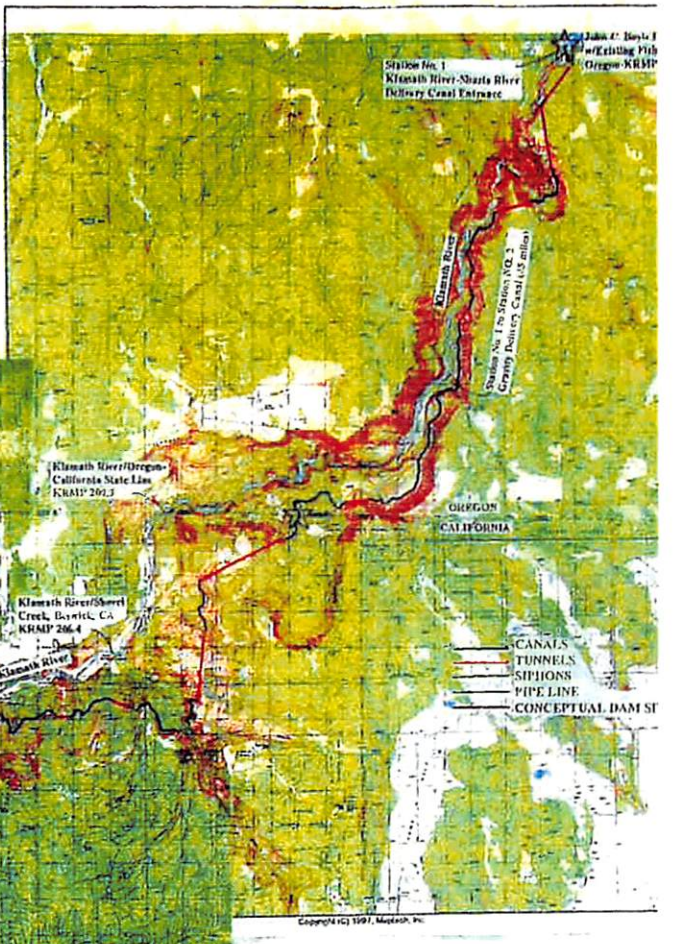
SHASTA NATION ANADROMOUS FISH PASSAGEWAY ALTERNATIVES TO DAM REMOVALS:

PRELIMINARY ENGINEERING DRAWINGS AND COST ESTIMATES

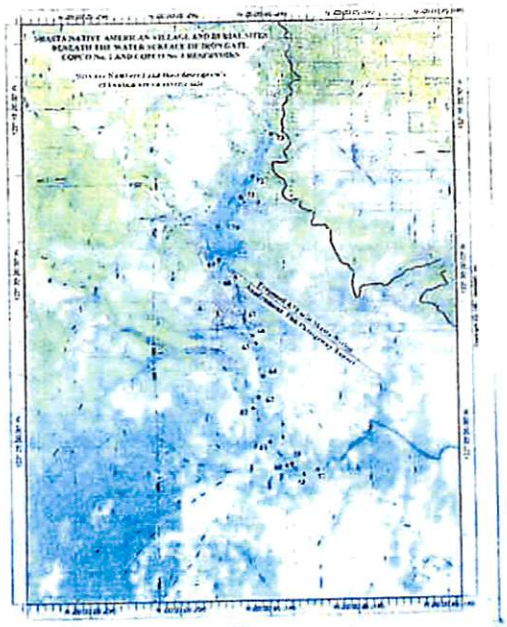
- MEMO T0 SCWUA: in reference to a meeting with the State Water Resources Control Board addressing Alternatives to Dam Removals.
- DOI analyze of Alternative I (TUNNEL BYPASS) THE BEST ALTERNATIVE FOR SISKIYOU COUNTY
- 2007: KLAMATH-SHASTA WATER SUBSTITUTION STUDIES by CDFG and SVRCD

S.C.W.U.A. Alternatives to Dam Removals





Shasta Nation Villages and Burial Sites beneath — Copco no.1, Copco no.2 and Iron Gate Reservoirs.



ALTERNATIVE I

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY

Via Bogus Creek/and a Proposed Tunnel to COPCO Lake No.1

By Jerry Bacigalupi, P.E. and Harry L. Lake, P.L.S.

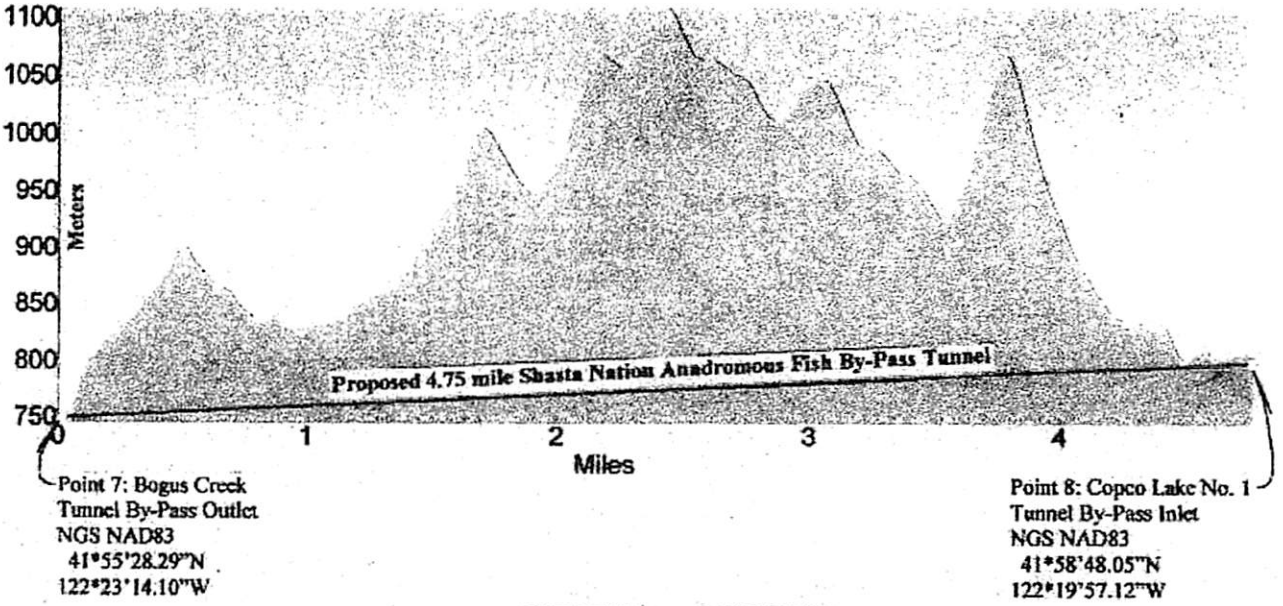
A viable preferred alternative to the previously proposed "Shasta Nation Anadromous Fish By-Pass" utilizing Bogus, Cold and Deer Creeks, is a tunnel passageway commencing 3.3 miles upstream from the Klamath River on Bogus Creek, below the existing falls and fish ladder, and terminating at the narrow portion of the lake just upstream from the dam on COPCO Lake No. 1 Reservoir.

This alternative would require a 4.75 mile lighted tunnel 16 ft. wide by 12 ft. high with a 4 ft. wide by 2 ft. deep concrete lined fish channel off to one side. Fish refugias (rest areas) will be placed at approximately 250 ft. intervals. The entrance structure to the tunnel will be constructed to float and take water from near the surface and allow for lake level fluctuations. The gradient of the tunnel will be less than 1% and the flow will be over 10 cfs.

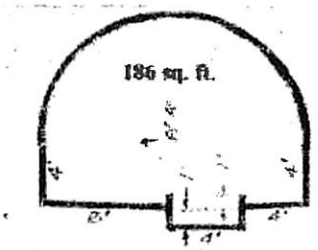
A computer mapping program, California Terrain Navigator by Maptech, Inc., was used as a cursory technical aid to review pertinent geographic features to ascertain horizontal and vertical control, to recommend an unassisted anadromous fish passageway from the Klamath River, around the Iron Gate Dam, COPCO Dam No. 2 and COPCO Dam No. 1 to COPCO Lake.
A final on site survey of said proposed fish passageway is recommended to ascertain pertinent ground feature information on the said proposed route, subject to acceptable design criteria for said project.

Point	Station	Elev. Feet	Lineal Feet	% Gradient	Remarks:
0	0+00	2165			Confluence Klamath River & Bogus Creek
			2833	+1.518	
1	28+33	2208			Bogus Creek (BC)
			3278	+1.403	
2	61+11	2254			BC
			2789	+0.717	
3	89+00	2274			BC
			2743	+2.370	
4	116+43	2339			BC
			2944	+2.345	
5	145+87	2408			BC
			1153	+1.127	
6	157+40	2421			BC
			1703	+1.585	
7	174+43	2448			BC/Tunnel Outlet
			25099	+0.606	
8	425+42	2600			Tunnel Inlet/COPCO Lake No.1/w.s. Elev. 2606'

The estimated cost of this alternative is approximately $50,000,000 or about 17% of the cost of installing fish ladders and about 5% of the estimated cost of dam removals.



TYPICAL TUNNEL PROFILE



TYPICAL TUNNEL DESIGN

INPUT VARIABLES

Depth

n = 0.025

Base Width = 4.0
Slope = 0.0055

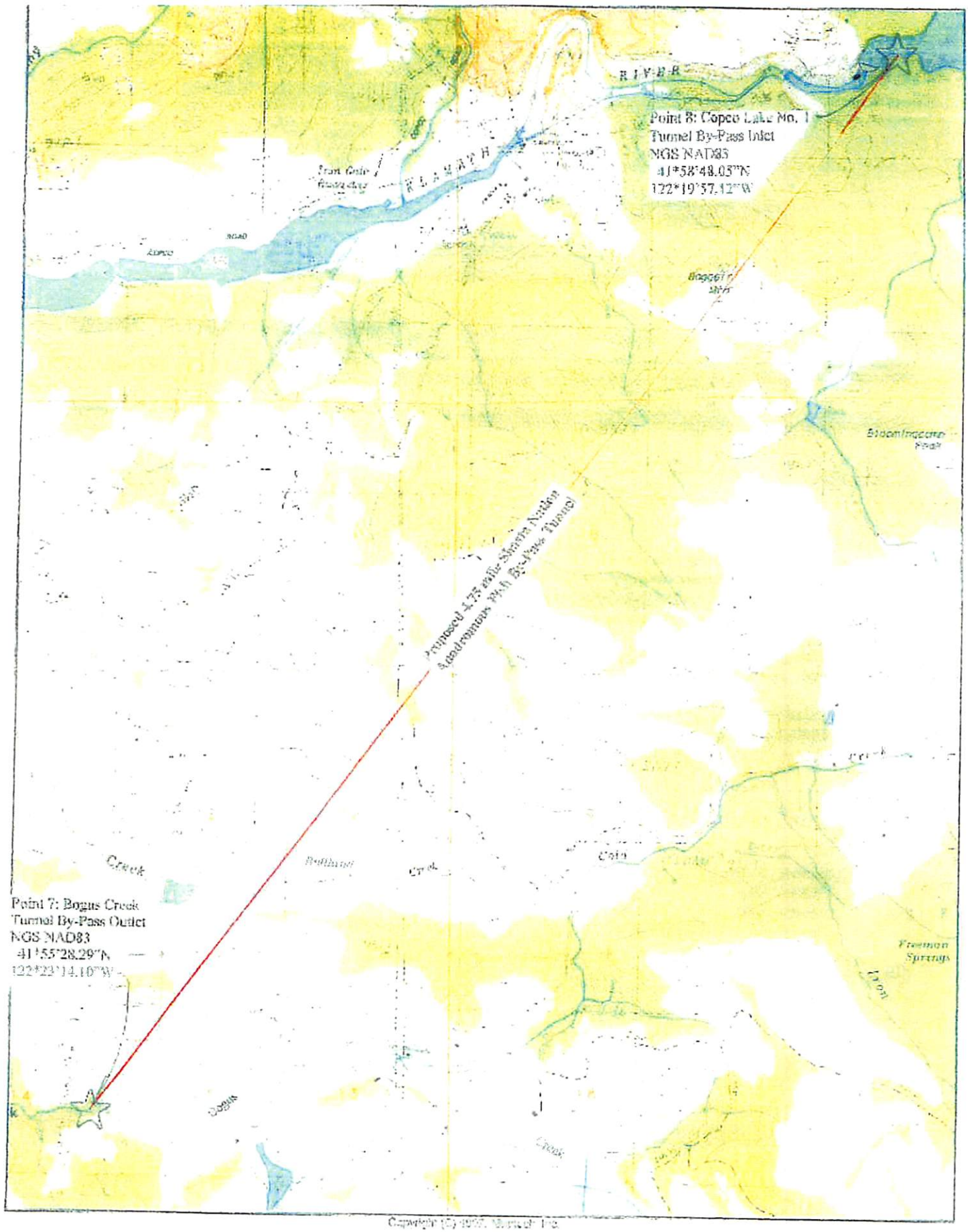
OUTPUT VARIABLES

Depth (ft)	1.00
Discharge (cfs)	13.5
Velocity (ft/s)	3.36
Top Width (ft)	4.0
Froude No.	0.59
Flow Type:	SUBCRITICAL

JLB Construction and Engineering
3097 Sierra Boulevard
Sacramento, CA 95864
916-768-5015, 916-484-7807

ALTERNATIVE I
SHASTA NATION TUNNEL ANADROMOUS FISH PASSAGEWAY
Planning Study
Engineering and Construction Cost Estimate

No.	Item	Quantity	Unit	Unit Price	Amount
	IMPROVEMENTS				
	ENGINEERING DESIGN &CONSTRUCTION ADMINISTRATION	1	LS	$4,000,000.00	$4,000,000
					$4,000,000
	MOBILIZATION	1	LS	$1,000,000.00	$1,000,000
					$1,000,000
	TUNNEL STRUCTURE				
3	Excavation (6.9cy/ft.)	25,000	LF	$ 1,400.00	$35,000,000
4	Refugia (Rest Area)(12'x12'x12')	100	EA	$ 10,000.00	$1,000,000
5	Linning (4" wire reinforced gunnite) (0.4 cy/ft)	25,000	LF	$ 400.00	$10,000,000
					$46,000,000
	INLET STRUCTURE				
1	FLOATING STRUCTURE (with intake control weir).	1	LS	$ 300,000.00	$300,000
2	RAMP STRUCTURE	1	LS.	$ 200,000.00	$200,000
					$500,000
	OUTLET STRUCTURE				
1	Outlet Structure	1	LS	$ 100,000.00	$100,000
2	Outlet Structure Refugia (Rest Area)	1	LS	$ 20,000.00	$20,000
					$120,000
	PLACEMENT OF EXCAVATED MATERIAL OFF SITE	180,000	CY	$ 10.00	$1,800,000
					$1,800,000
	CONSTRUCTION ACCESS				
1	Staging Areas	1	LS	$ 100,000.00	$100,000
2	Access Roads	1	LS	$ 150,000.00	$150,000
3	Erosion Control & Revegetation	1	LS	$ 50,000.00	$50,000
					$300,000
	ELECTRICAL				
1	Tunnel Lighting	1	LS	$ 375,000.00	$375,000
2	Inlet & Outlet Tunnel Lighting	1	LS	$ 50,000.00	$50,000
					$425,000
	R/W COST	1	LS	$ 25,000.00	$25,000
					$25,000
	TOTAL ESTIMATED CONSTRUCTION COST:				$54,170,000


Point 8: Copco Lake No. 1
Tunnel By-Pass Inlet
NGS NAD83
41°58'48.03"N
122°19'57.12"W
Proposed 4.75 mile Siphon Number
Supplemental With By-Pass Tunnel
Point 7: Bogus Creek
Tunnel By-Pass Outlet
NGS NAD83
41°55'28.29"N
122°23'14.10"W

ALTERNATIVE II

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY INCLUDING THE GRAVITY FLOW KLAMATH - SHASTA IMPORT PROJECT (JOHN C. BOYLE RESERVOIR TO THE SHASTA VALLEY)

SIMILAR TO THOSE STUDIES PERFORMED FOR THE SHASTA VALLEY R.C.D. & CDFG JUNE 2007 (CDFG PROJECT NO. P0310329)

60,000 acre feet Siskiyou County Klamath River–Shasta Valley Import Project (John C. Boyle Reservoir to the Shasta Valley) Incorporating the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway.

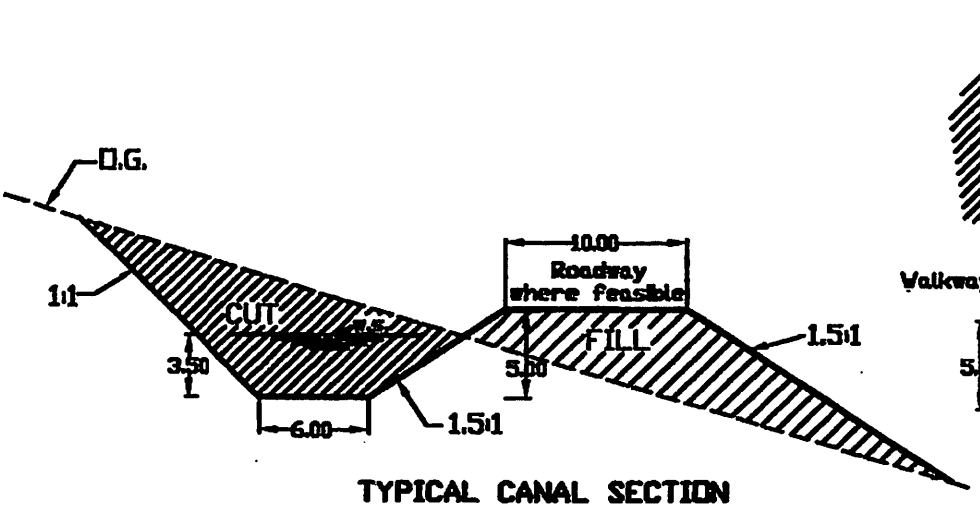
This viable alternative to dam removal proposes to import the 60,000 acre feet Siskiyou County **State Reserved Water Right A016958** from the Klamath River (John C. Boyle Reservoir to the Shasta Valley) via a 45 mile gravity flow canal with a -0.2% grade, flowing at 200 cfs. during the proposed months of December, January, February, March, and April depending on winter rainfall conditions to storage facilities at or near Willow Creek, or by direct application without storage during the irrigation season. A request will be required to move the point of diversion for this water right from Irongate Reservoir to J.C. Boyles Reservoir, and to request for off stream storage facilities.

This alternative proposes 50,000 to 60,000 acre feet storages facilities at or near Willow Creek and a 7.8 mile distribution canal from Willow Creek to the Montague Irrigation District's main canal. The Shasta Nation Tunnel Unassisted Anadromous Fish Passageway will be incorporated in this alternative.

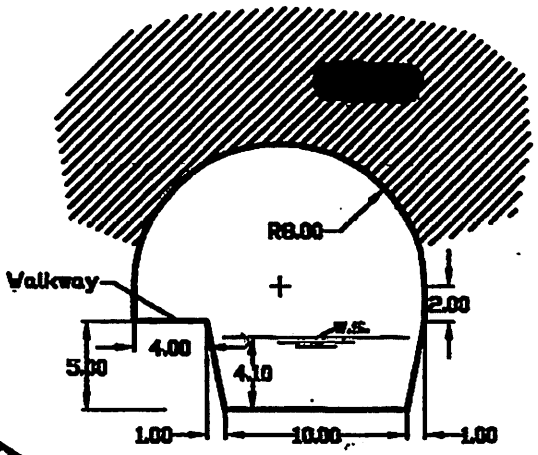
The transfer conduit would consist of a concrete grouted trapezoidal canal with a 6 foot bottom width for its major length and incorporate several 16 foot wide tunnels and 6 foot diameter inverted siphons to satisfy environmental concerns and provide for stream crossings.

The estimated construction costs is approximately $500,000,000 or 67% higher than the estimated cost of installing fish ladders and about 50% of the estimated cost of dam removal.

TYPICAL SECTIONS AND CHANNEL HYDRAULICS



TYPICAL CANAL SECTION

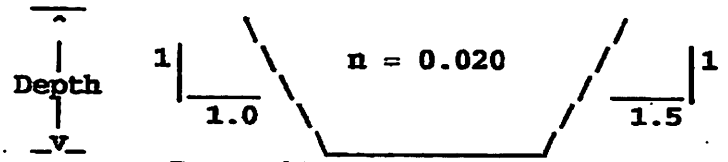


TYPICAL TUNNEL SECTION

CANAL HYDRAULICS:

QUICK - 2
CHANNEL CAPACITY
Trapezoidal Channel

INPUT VARIABLES



Base Width = 6.0
Slope = 0.0020

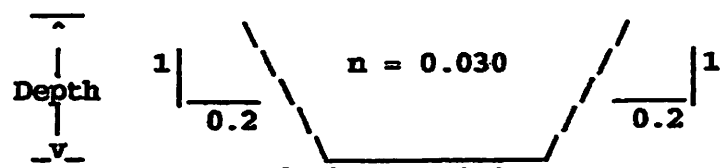
OUTPUT VARIABLES

Depth (ft)	3.50
Discharge (cfs)	198.2
Velocity (ft/s)	5.46
Top Width (ft)	14.8
Froude No.	0.61
Flow Type:	SUBCRITICAL

TUNNEL HYDRAULICS:

QUICK - 2
CHANNEL CAPACITY
Trapezoidal Channel

INPUT VARIABLES



Base Width = 10.0
Slope = 0.0025

OUTPUT VARIABLES

Depth (ft)	4.10
Discharge (cfs)	197.9
Velocity (ft/s)	4.46
Top Width (ft)	11.6
Froude No.	0.40
Flow Type:	SUBCRITICAL

JLB Construction and Engineering
3097 Sierra Boulevard
Sacramento, CA 95864
916-768-5015, 916-484-7807

ALTERNATIVE II
60,000 AC.FT. SHASTA VALLEY WATER RIGHT IMPORT
J.C.BOYLES RESERVOIR to M. I. D. MAIN CANAL
INCLUDING THE SHASTA NATION TUNNEL ANADROMOUS FISH PASSAGEWAY
Planning Study
Engineering and Construction Cost Estimate

IMPROVEMENTS No.	Item	Quantity	Unit	Unit Price	Amount
ENGINEERING DESIGN & CONSTRUCTION ADMINISTRATION		1	LS	$ 35,000,000.00	$35,000,000
					$35,000,000
MOBILIZATION		1	LS	$ 1,500,000.00	$1,500,000
					$1,500,000
TUNNEL STRUCTURES					
1	Inlet Outlet Structures (including grated gates)	22	EA	$ 30,000.00	$660,000
2	Excavation (6.9cy/ft.)	33,800	LF	$ 1,400.00	$47,320,000
3	Linning (4" wire reinforced gunnite) (0.4 cy/ft)	33,800	LF	$ 400.00	$13,520,000
4	Placement of tunnel excavation. materal	233,000	CY	$ 10.00	$2,330,000
					$63,830,000
SYPON STRUCTURES					
1	72 in. Dia. Welded Steel Pipeline	11,400	LF	$ 900.00	$10,260,000
2	Inlet Outlet Structures (incl. grated gates & thrust control)	48	EA	$ 20,000.00	$960,000
					$11,220,000
TRAPAZOIDAL CANAL					
1	6' Depth X 6' Bot. with 1:1 & 1.5:1 side slopes (exc.& emb.)	236,600	LF	$ 600.00	$141,960,000
2	Linning (4" wire reinforced gunnite) (0.4 cy/ft)	236,600	LF	$ 350.00	$82,810,000
3	J.C. Boyles Inlet Structure (including fish screen)	1	LS	$ 400,000.00	$400,000
					$225,170,000
STORAGE FACILITIES (RESERVOIRS 50,000+/- AC.FT COMBINED)					
1	Excavation / Embankment	1	LS	$ 96,000,000.00	$96,000,000
2	Outlet Structures	1	LS	$ 4,000,000.00	$4,000,000
					$100,000,000
CONSTRUCTION ACCESS					
1	Staging Areas	1	LS	$ 200,000.00	$200,000
2	Access Roads	1	LS	$ 500,000.00	$500,000
3	Erosion Control & Revegetation (All Const. Sites)	1	LS	$ 1,000,000.00	$1,000,000
					$1,700,000
R/W Cost					
1	Tunnels	6.4	Mi.	$ 5,000.00	$32,000
2	Sypons	2.15	Mi.	$ 10,000.00	$21,500
3	Canals	44.87	Mi.	$ 10,000.00	$448,700
4	Reservoirs	1,000	Ac.	$ 5,000.00	$5,000,000
					$5,502,200
SHASTA NATION TUNNEL ANADROMOUS FISH PASSAGEWAY					
1	Total cost from previous sheet	1	LS	$ 54,170,000.00	$54,170,000
					$54,170,000
TOTAL ESTIMATED CONSTRUCTION COST:					$498,092,200

ALTERNATIVE III

SHASTA NATION TUNNEL UNASSISTED ANADROMOUS FISH PASSAGEWAY INCLUDING THE PRESSURIZED FLOW KLAMATH - SHASTA IMPORT PROJECT (IRONGATE RESERVOIR TO THE SHASTA VALLEY)

SIMILAR TO THOSE STUDIES PERFORMED FOR THE SHASTA VALLEY
R.C.D. & CDFG JUNE 2007 (CDFG PROJECT NO. P0310329)

60,000 acre feet Siskiyou County Klamath River Import Project **State Reserved Water Right A016958** (Irongate Reservoir to the Shasta Valley) Incorporating the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway. This proposal is similar to **Alternative II** but requires pumping from Irongate Reservoir. A request for off stream storage facilities will be required. This viable alternative to dam removal would import the 60,000 acre feet Siskiyou County Reserved Water Right from Iron Gate Reservoir to the Shasta Valley via a 24,000 H.P. pumping system, a 6.2 mile, 72" diameter pipeline and a 5.1 mile gravity flow canal to the proposed 50,000 to 60,000 acre feet storage facilities near or on Willow Creek, and a 7.6 mile canal from Willow Creek to the Montague Irrigation District's main canal. The Shasta Nation Tunnel Unassisted Anadromous Fish Passageway will be incorporated in this alternative.

The estimated construction costs of this proposal is $300,000,000 plus pumping cost, or approximately the estimated cost of installing fish ladders and about 30% of the cost of dam removal.

CONCLUSION:

Either **Alternative II** ,the John C. Boyle or **III** ,the Iron Gate 60,000 acre feet import projects to the Shasta Valley under a Siskiyou County Reserved Water Right, including the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway, has the potential of providing a win-win solution for all including the fish.

By allowing a portion of the Klamath River 60,000 acre feet diversion to storage (or by direct diversion during the irrigation season) to be released from Lake Shastina directly into the Shasta River, the in stream flows conditions and water quality will be improved in both the Shasta River and the Klamath River below Iron Gate Reservoir.

Note: The KBRA does not appear to show direct positive benefits to the Upper Klamath Basin farmers and ranchers except promises or agreements which will likely not be attainable or be broken in the future.

It is recommended that winter water storage facilities be studied and incorporated in the Upper Klamath Basin which can provide additional waters to the Klamath River for increased in stream flows, which will benefit on project and off project water users and benefit fish habitat.

By combining any one of these viable alternatives with new Upper Klamath Basin storage facilities, the money projected towards dam removals could be directed to projects that would have a direct positive benefit to the entire Klamath River Basin, including the fish, verses the hypothetical benefits projected in the KBRA. This Nation does not need to waste the taxpayer's and power ratepayers money on hydro-dam removal projects that 80% of the public does not support.

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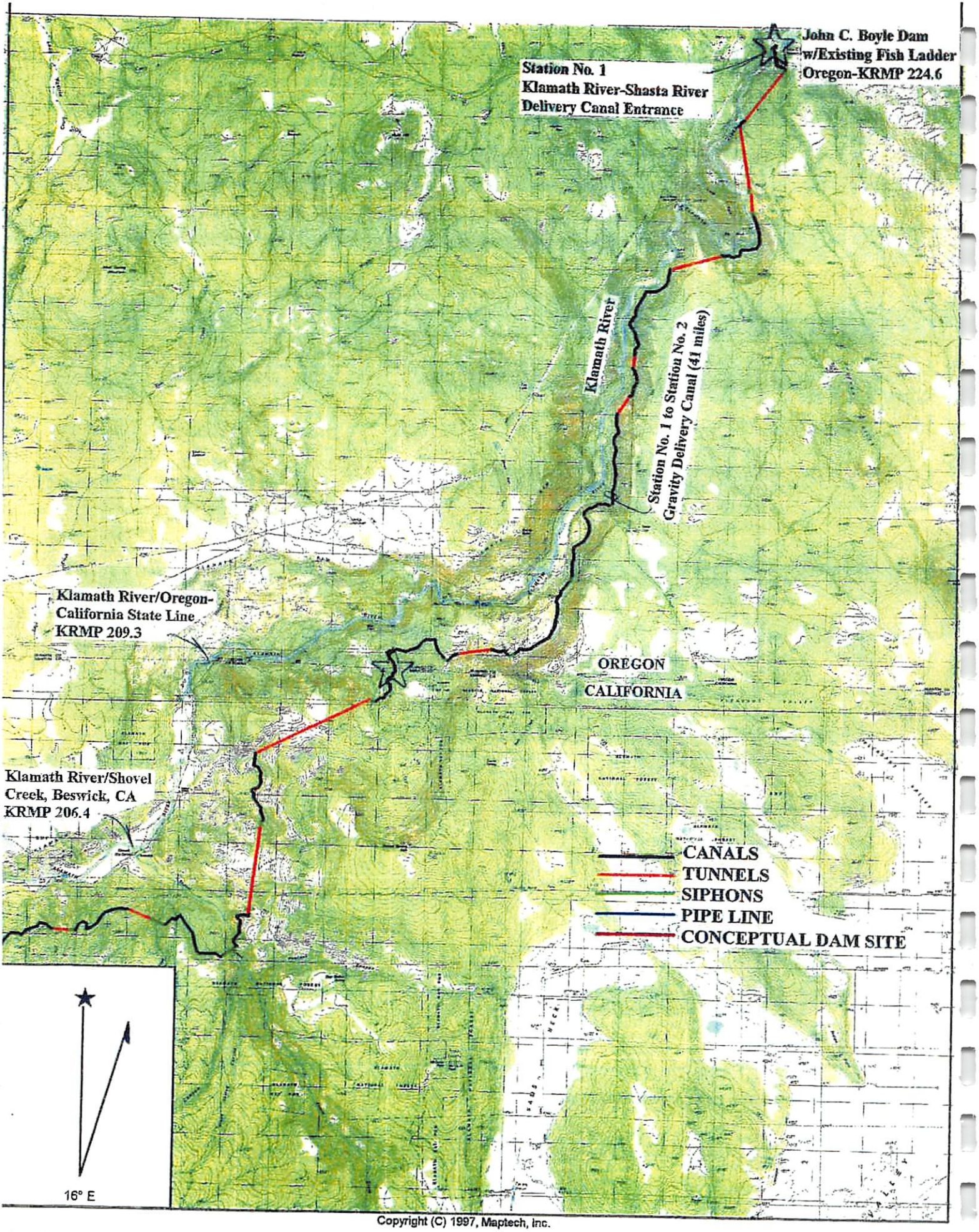
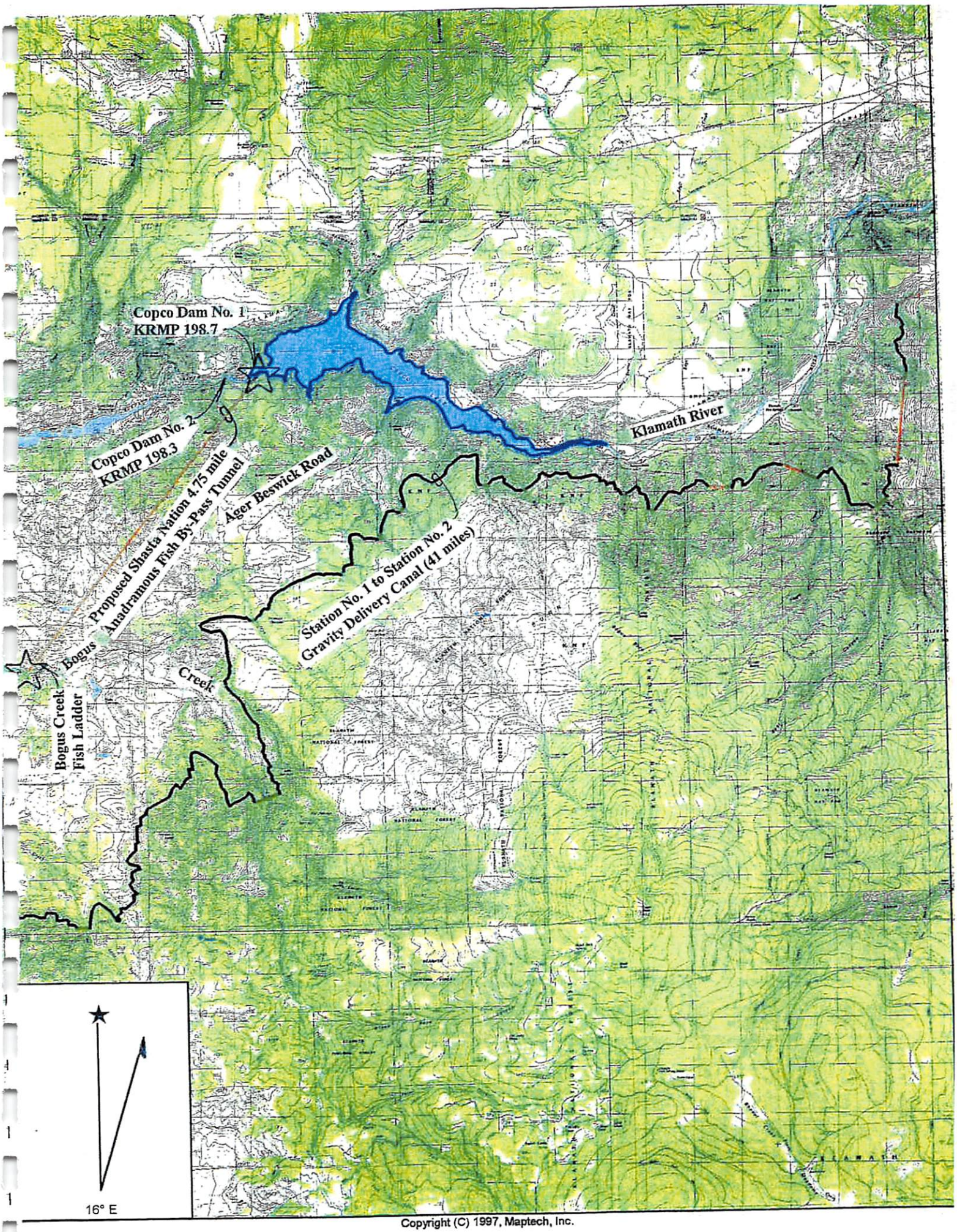
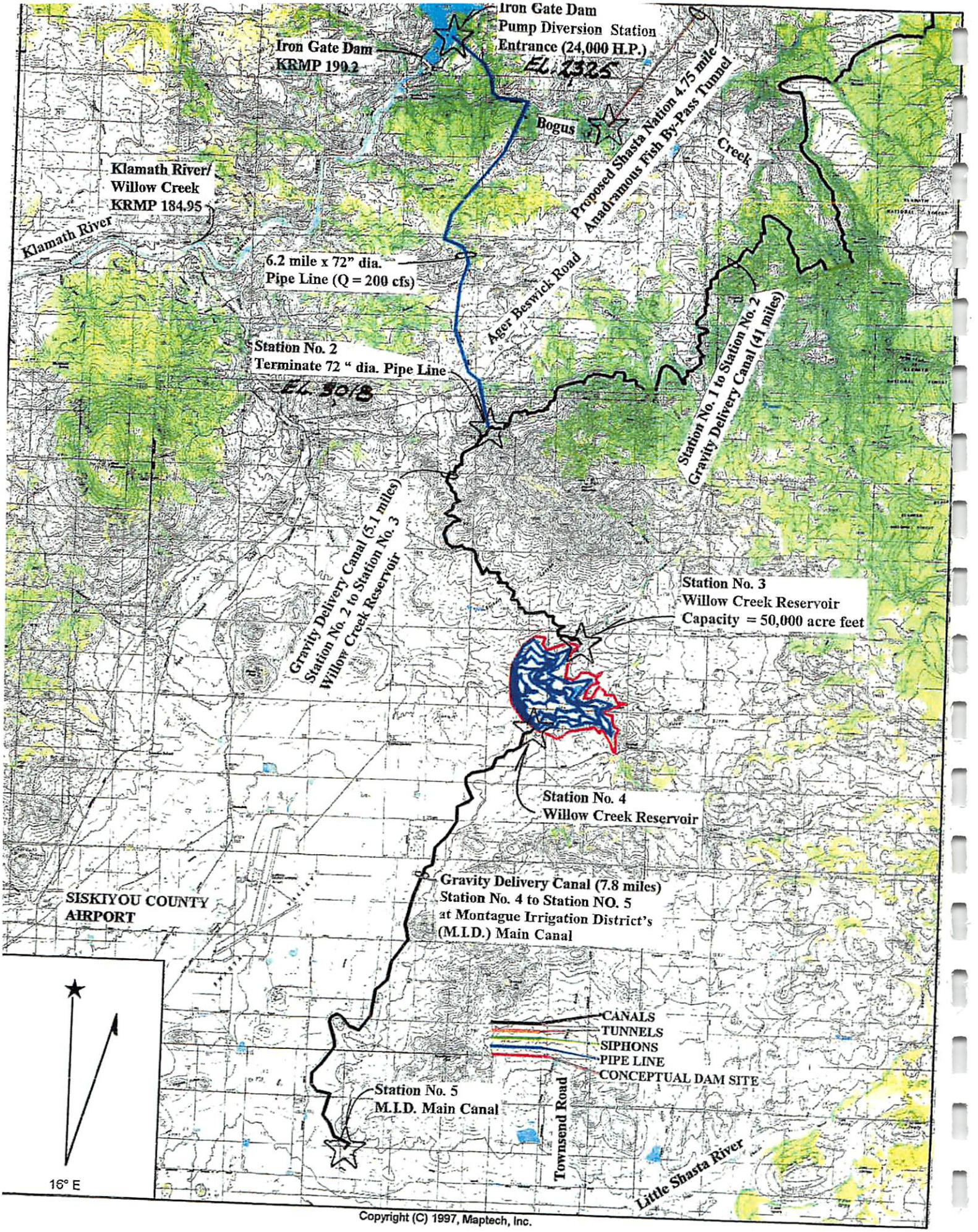
916-768-5015, 916-484-7807

ALTERNATIVE III
60,000 AC. FT. SHASTA VALLEY WATER RIGHT IMPORT
IRON GATE RESERVOIR to M. I. D. MAIN CANAL
INCLUDING THE SHASTA NATION TUNNEL ANADROMOUS FISH PASSAGEWAY
Planning Study
Engineering and Construction Cost Estimate

IMPROVEMENTS No.	Item	Quantity	Unit	Unit Price	Amount
ENGINEERING DESIGN & CONSTRUCTION ADMINISTRATION		1	LS	$ 20,000,000.00	$20,000,000
					$20,000,000
MOBILIZATION		1	LS	$ 1,000,000.00	$1,000,000
					$1,000,000
PUMPING PLANTS (1@ I.G.Res. El.2,343 & 1@ El.2,680'+/-)					
1	Floating Inlet Structure (incl. grated gate and fish screen)	1	LS	$ 850,000.00	$850,000
2	2- 12,000 H.P. Pumping Plants.	2	LS	$ 2,400,000.00	$4,800,000
3	Pumping Plant Facilities	2	LS	$ 750,000.00	$1,500,000
					$7,150,000
PRESSURIZED STEEL PIPELINE					
1	72 in. Dia. Welded Steel Pipeline	32,800	LF	$ 900.00	$29,520,000
2	Thrust Control	250	EA	$ 6,000.00	$1,500,000
					$31,020,000
TRAPAZOIDAL CANAL					
1	6' Depth X 6' Bot. with 1:1 & 1.5:1 side slopes (exc.& emb.)	67,000	LF	$ 600.00	$40,200,000
2	Linning (4" wire reinforced gunnite) (0.4 cy/ft)	67,000	LF	$ 350.00	$23,450,000
3	Inlet Structure (including grate & gate)	1	LS	$ 50,000.00	$50,000
					$63,700,000
STORAGE FACILITIES (RESERVOIRS 50,000+/- AC.FT COMBINED)					
1	Excavation / Embankment	1	LS	$ 96,000,000.00	$96,000,000
2	Outlet Structures	1	LS	$ 4,000,000.00	$4,000,000
					$100,000,000
CONSTRUCTION ACCESS & EROSION CONTROL					
1	Staging Areas	1	LS	$ 50,000.00	$50,000
2	Access Roads	1	LS	$ 100,000.00	$100,000
3	Erosion Control & Revegetation	1	LS	$ 500,000.00	$500,000
					$650,000
R/W Cost					
1	Pipeline	6.2	Mi.	$ 5,000.00	$31,000
2	Canals	12.7	Mi.	$ 10,000.00	$127,000
3	Reservoirs	1,000	Ac.	$ 5,000.00	$5,000,000
					$5,158,000
SHASTA NATION TUNNEL ANADROMOUS FISH PASSAGEWAY					
1	Total cost from Tunnel Passageway Estimate	1	LS	$ 54,170,000.00	$54,170,000
					$54,170,000
TOTAL ESTIMATED CONSTRUCTION COST:					$282,848,000







Memo to: Siskiyou County Water Users Association (S.C.W.U.A.).
347 N. Main St.; Yreka, Ca. 96067

Subject: Meeting with the State Water Resources Control Board (S.W.R.C.B.)
1/20/11 1001 I St, P.O. Box 100 Sacramento, Ca. 95812

Present: Katherine Mrowka, P.E.; Charles Rich, P.E.; Mark Stretars, P.E., all with the (S.W.R.C.B.), and Jerry Bacigalupi, P.E. (J.L.B.), (S.C.W.U.A.)

Subjects:

1. Shasta Nation Fish Bypass Tunnel and the 60,000 Ac. Ft. Shasta Valley Water Right Transfer as a viable alternative to dam removal.
2. Transfer of the state 60,000 Ac. Ft. Klamath River – Shasta Valley storage reserved rights from the State of California to Siskiyou County Flood Control and Water Conservation District.

Subject 1: J.L.B. furnished the S.W.R.C.B. staff with copies of the following, for an open discussion session:

1. SCWUA's preliminary engineering maps and cost estimate for the tunnel bypass and 60,000 ac. ft. transfer to Shasta Valley.
2. Shasta Valley Resource Conservation District, Siskiyou County, California "Klamath-Shasta Water Substitution Preliminary Engineering Study", June 2007 Project No. 205013, California Department of Fish and Game Project No. P0310329.(similar to the S.C.W.U.A. proposal with the point of diversion at Keno Dam, Oregon)
3. March 31, 2004 report on legal issues Klamath-Shasta Water Transfer Study by Law Offices of Donald B. Mooney and Law Office of Marsha A. Burch.
4. Average Klamath River monthly flows for the years 1987 through 2006 (Appendix 30, Page 3 of 18); Measure "G" data; and an Article by Tom Mallams, from the Klamath Falls Herald and News, related to U.S. Rep's. Doc Hasting and Tom McClintok opposition to dam removals.

JLB pointed out that in addition to providing fish passage, this proposal would allow Montague Irrigation District to supply additional irrigation water to the Ager area and a majority of their water users with stored Klamath River winter water. Also, this proposal would allow dedication of a portion of this water to additional in-stream flow releases from Lake Shastina, which would improve water quality in the Shasta and Klamath Rivers. This proposal is supported by a majority in Siskiyou County to be a viable alternative to dam removals.

The S.W.R.C.B. staff had concerns over the spawning salmon and the returning smolt accessing the tunnel and the predatory take across Copco 1 Lake. After discussion, J.L.B. pointed out the following:

1. The Tunnel Bypass access for spawning salmon is located immediately below the Bogus Creek Falls and the CDFG Fish Ladder, and that the 10 CFS flow through

the bypass would be Klamath River water, and would normally be greater than the flow in Bogus Creek.

2. The tunnel would have dusk to dawn lighting with resting pools at 250' intervals.
3. The floating intake structure would be located at a shaded, very narrow portion of Copco #1 Lake, just upstream from the dam, and would provide the first moving surface water discharge on the lake and more than likely the only moving surface water discharge because the hydro-intake structures are located several feet below the surface.

Their initial responses were that the S.W.R.C.B. staff could not take a position on this proposal at this time; however, this alternative might very well be considered as an alternative to dam removals. They were also concerned that the tunnel bypass concept has not been tested to their knowledge.

They suggested that if local proponents wish to pursue this proposal they should see if the U.S. Bureau of Reclamation or the State Department of Water Resources would be willing to further evaluate the project and come up with a more detailed and defendable proposal; however, these agencies will generally not work with a citizens group. Therefore, the S.W.R.C.B. staff recommended that the County Board of Supervisors consider taking the lead to pursue obtaining the involvement of these agencies in defining the project.

The following possible actions were also discussed without the S.W.R.C.B. staff taking a position.

1. Introduce the Tunnel Bypass and 60,000 ac. ft. Klamath River Transfer with provisions to provide additional in-stream Lake Shastina releases into the Shasta and Klamath Rivers, as Siskiyou County's solution to coho salmon restoration, retaining Klamath River Dams for flood control and providing clean hydroelectric power for 70,000 homes.
2 Contact U.S. Rep's Tom McClintok and Doc Hastings to obtain their support along with Rep's Greg Walden and Wally Herger.
3 Contact Assemblyman Jim Nielson and Senator Doug LaMalfa to get their support and introduce a bill to remove the $250,000.000 California contribution for dam removal from the Water Bond. Governor Brown is looking for ways to reduce spending and also to get more support for the passage of the water bond.
4 Request an in-depth study of this alternative to dam removals by the California Dept. of Water Resources or the Bureau of Reclamation through our State and Federal Representatives.

Subject 2: J.L.B. furnished the S.W.R.C.B. staff copies of the following documents:

1. Klamath River Basin Compact
2. Appendix B: Siskiyou County Flood Control and Water Conservation District Act.
3. October 11, 1960, Board of Supervisors Resolution enacting the Siskiyou County Flood Control and Water Conservation District.
4. March 31, 2004 report on legal issues Klamath-Shasta Water Transfer Study by Law Offices of Donald B. Mooney and Law Office of Marsha A. Burch.

5. Average Klamath River Monthly Flows 1987-2006, Appendix 3D.

S.W.R.C.B. staff's response to the data furnished them was that they were familiar with most of the data, but not that the Siskiyou County Flood Control and Water Conservation District had been established. However, they felt that such an entity could be a good choice for the project proponent as a governmental agency that can enter into Joint Power Agreements and qualify for loans or grants as well as petition for assignment of a Status Filing for the transfer of the 60,000 ac. ft. Reserved Water Right.

Initially, because the proposed point of diversion is located in Oregon, they recommended that the State of Oregon be approached to determine if acquisition of a water right from Oregon would not be a problem.

J.L.B. brought up the fact that the 2007 R.C.D./CDFG Study proposed diverting water from Keno Dam, from which Oregon has irrigated land down river between that diversion and J.C. Boyles Dam. The S.C.W.U.A. alternative proposes to divert water from J.C. Boyles Dam, which is at the head of the Klamath River Canyon, and would have little to no impact on water use in the State of Oregon.

J.L.B. requested that the S.W.R.C.B. staff look at and respond to the S.C.W.U.A. alternative of pumping the 60,000 ac.ft. Shasta Valley Water Transfer from Iron Gate Reservoir and not involve the State of Oregon at this time. If no major problems are uncovered with the transfer in California, and because of high pumping cost, they could recommend that the gravity flow alternative from J. C. Boyles be explored through the State of Oregon at a later date.

The S.W.R.C.B. staff informed J.L.B. that the cost to file a petition for assignment of a State Filing for 60,000 ac.ft. water right from the Klamath River in California is $460,673 (including the $850 fee to the DF&G). Additional cost of processing such a petition could include cost for the preparation of a CEQA document, a water availability study, public trust evaluation, and technical/legal support.

J.L.B. was furnished with an informational document pertaining to "State Filing" and a "Petition for Assignment Form.

The Scott Valley Ground Water situation was also briefly discussed with a general consensus that streams and diverters in the valley might benefit if a Ground Water Recharge Program were to be initiated by the Siskiyou County Flood Control and Water Conservation District or some other local entity (ie: Off Stream Secondary Winter Storage Facilities which would recharge the ground water aquifer by infiltration and releasing flows in late spring to early fall, thus providing a higher water table and adding cooler water to the streams).

Jerry Bacigalupi
P.O. Box 309
Montague, Ca. 96064

THE BEST ALTERNATIVES
for the Community and the Environment

Klamath Settlement BEST alternatives for the community and environment, currently not being considered but reported in the Final Environmental Impact Statement/Environmental Impact Report in the Klamath Facilities Removal FINAL Alternatives Report

3.11 Alternative 11 – Fish Bypass: Alternative Tunnel Route

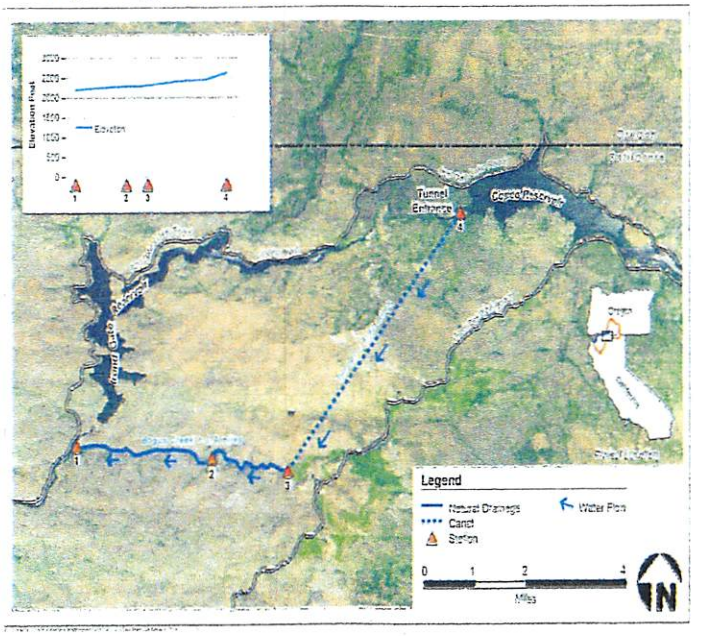
This alternative would use a combination of natural drainages and a constructed tunnel to provide a migratory passage for anadromous species around Copco 1, Copco 2, and Iron Gate Dams while leaving the dams in place. This alternative also includes improvements to fish passage facilities at J.C. Boyle Dam to allow upstream and downstream passage. This alternative would allow continued power generation at the Four Facilities, but the Hydropower Licensee would need to obtain a new FERC license to continue operations.

This alternative bypass would route upmigrating fish into Bogus Creek into an approximately five-mile tunnel that would connect Bogus Creek to Copco 1 Reservoir. The tunnel would connect to Bogus Creek at stream mile 2.9, well downstream of the existing fish ladder on the creek and the confluence with Cold Creek (Bacigalupi and Lake 2010) (Figure 3-8).

The proposed tunnel would be 16 feet wide by 12 feet high and would contain a 4 foot wide by 2 foot deep fish channel on one side. Larger —rest areas‖ for the migrating fish would be placed every 250 feet, and vertical shafts would be installed at regular intervals to provide natural light to the channel (Bacigalupi and Lake 2010). The proposed gradient of the channel would be less than one percent, and flow would be above 10 cfs. The proposed gradient of the channel would be less than one percent, and flow would be above 10 cfs.

A floating entrance structure at Copco 1 Reservoir would provide water and fish access to the tunnel. The structure would float with the level of the lake to provide a year round water supply regardless of the level of the reservoir, as well as serve as the access to the tunnel for anadromous species.

The proposal addresses some of the issues associated with Alternative 10, the Bogus Creek Bypass route: the tunnel would allow migrating salmonids to swim in a consistently upstream direction, as the tunnel would be drilled to connect the reservoir with the downstream tributary. In addition, it would not require a new water supply or negotiations, as would the bypass in the fully appropriated Cold Creek (in Alternative 10), because water for Alternative 11 would be supplied from Copco 1 Reservoir. Finally, the tunnel might provide more capacity for more capacity for the large numbers of migrating salmonids than the smaller drainages of Clear and Deer Creeks.



ES.7.3 Environmentally Preferable/Superior Alternative

NEPA requires the Lead Agency to identify the alternative or alternatives that are environmentally preferable in the Record of Decision (ROD) (40 CFR Part 1505.2(b)). The environmentally preferable alternative generally refers to the alternative that would result in the fewest adverse effects to the biological and physical environment. It is also the alternative that would best protect, preserve, and enhance historic, cultural, and natural resources. Although this alternative must be identified in the ROD, it need not be selected for implementation.

Section 15126.6(e)(2) of the CEQA Guidelines requires agencies to identify the environmentally superior alternative in a draft EIR. If the No Project Alternative is the environmentally superior alternative, an additional environmentally superior alternative must be identified among the other alternatives.

CDFG has identified Alternative 3 (Partial Facilities Removal of Four Dams) as the environmentally superior alternative. All of the alternatives evaluated in the EIS/EIR, including for the No Action/No Project Alternative, have significant unavoidable environmental impacts as identified in Section 5.5. Alternative 2 (Full Facilities Removal of Four Dams, the Proposed Action), Alternative 3, and Alternative 5 (Fish Passage at J.C. Boyle and Copco 2, Remove Copco 1 and Iron Gate) would have the most short-term significant and unavoidable impacts among the alternatives. These impacts would largely be limited to the time frame of direct dam deconstruction actions and sediment release. After dam deconstruction, impacts would include the loss of reservoir recreation and local economic impacts. Alternatives 2, 3, and 5 would significantly improve water temperature, dissolved oxygen, and algal toxins for aquatic resources and reduce the incidence of fish disease in juvenile salmon by removing the two largest reservoirs—Copco I and Iron Gate. Alternatives 4 and 5 would maintain some power production and recreational benefits thereby reducing local economic impacts.

Although the No Action/No Project Alternative will have no change from existing conditions resulting from construction, this alternative is not the environmentally superior alternative when compared to the Proposed Action, which is intended to improve environmental conditions. Alternative 3 is the environmentally superior alternative when compared with the Proposed Action because it would:

Reduce the air quality impacts from emissions of volatile organic compounds (VOCs), nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter < 10 microns (PM_{10}), and particulate matter < 2.5 microns ($PM_{2.5}$) from reduced construction activities;

Reduce the contribution to greenhouse gas emissions from reduced construction activities;

Reduce noise and vibration from reduced construction activities;

Reduce impacts to terrestrial plants and wildlife from fewer truck trips;

Reduce disturbance to archaeological and historic sites from fewer truck trips;

Retain structures for roosting bats; and

Retain historically significant structures at Copco 1.

Alternative 3 would provide similar long-term benefits when compared with Alternative 2, but would reduce short-term impacts because it involves less construction. Alternative 3 would result in superior long-term beneficial environmental effects. In summary, Alternative 3 is considered the environmentally superior alternative among all the alternatives because it provides long-term beneficial environmental effects, while reducing some of the short-term significant effects of the Proposed Action (Alternative 2).

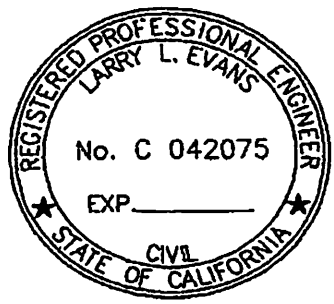
ES.6.3 Alternative 3 - Partial Facilities Removal of Four Dams

The Partial Facilities Removal of Four Dams Alternative would include removal of enough of each dam to allow free-flowing river conditions and volitional fish passage for all Klamath River anadromous species at all times. Under this alternative, portions of each dam facility would remain in place, including ancillary buildings and structures such as powerhouses, foundations, tunnels, and pipes (Figure ES-9). Some of these remaining features would require perpetual maintenance and security measures to prevent unauthorized entry and safety hazards. All tunnel openings would be sealed and all potentially hazardous materials found in powerhouses and machinery would be removed prior to final decommissioning and securing of buildings.

The schedule for Partial Facilities Removal of Four Dams would be the same as for the Proposed Action (the Full Facilities Removal of Four Dams Alternative). The Partial Facilities Removal of Four Dams Alternative also includes the transfer of Keno Dam to DOI and implementation of the KBRA (as in the Proposed Action).

SHASTA VALLEY RESOURCE CONSERVATION DISTRICT SISKIYOU COUNTY, CALIFORNIA

Klamath – Shasta Water Substitution Preliminary Engineering Study



June 2007

Project No. 205013
CDFG Project no. P0310329

FORSGREN ASSOCIATES / INC.

Boise, Idaho

Shasta Valley Resource Conservation District

TABLES

FIGURES

APPENDICES

1.0 INTRODUCTION

1.1 General

The Shasta River, located in Syskiyou County, California is a major tributary to the Klamath River. The demand on water resources in the Klamath River Basin has long been a challenging issue. The Shasta River in particular is a primary water supply resourse for agriculture, fisheries, and recreation in Siskiyou County.

In past years a variety of work has been done to investigate development of water resources in the Shasta Valley. These efforts were primarily focused on water resource development to stimulate the local economy and meet local agricultural, municipal, and industrial needs. In recent years the importance of the Shasta River for fisheries habitat has been more clearly recognized and documented. The Shasta River is recognized as one of the most important spawning tributaries in the Klamath Basin.

A concept investigated as early as 1923 to meet water resource demands in the Shasta Valley has been to import water from the Klamath River to the Shasta River Basin. In the past, the driver for considering such a concept has been development of water resources for agricultural, municipal, and industrial use. This study has been prepared to investigate a Klamath-Shasta water import concept within the current context of fisheries habitat restoration for anadromous fish. This study investigates the feasibility of transporting water from the Klamath River to the Shasta River basin to meet irrigation demands. If this were done, water currently being diverted from the Shasta River for irrigation could remain in the river resulting in improved fisheries habitat.

1.2 Project Objectives

The following objectives have been outlined for this particular investigation.

1. Review the feasibility of past-proposed import projects based on current engineering standards and economics.
2. Use information and data from these past studies to develop a minimum of two Klamath-Shasta water substitution alternatives and evaluate these based on current engineering standards. The alternatives will be evaluated from the prospective of salmon habitat restoration instead of water resources for development.
3. Develop preliminary opinions of probable project costs and estimates of annual operation and maintenance costs for each alternative. These costs will be for comparison purposes based on existing survey data, USGS topographic maps, and existing cost data for similar infrastructure.
4. Identify critical legal and environmental issues related to implementing a project of this scale. Issues will include, NEPA and CEQA compliance, easements, and right-of-way issues.
5. Present the findings and recommendations of this effort in a document that can be used to make an informed decision on the current feasibility of the concept and determine whether further investigation is warranted.

1.3 Authorization

Forsgren Associates has been authorized to prepare this report through an agreement with the Shasta Valley Resource Conservation District. Funding for this report has been provided by the California Department of Fish and Game.

1.4 Background

The Shasta River Valley is located in the central region of Siskiyou County in Northern California. A location map is provided in Figure 1. The Shasta Valley is formed by the Cascade Mountain Range to the east and the Klamath Mountain Range to the west. The Shasta River originates near the southern boundary of the valley on the northeastern slopes of Mount Eddy. Runoff from the northern slopes of Mount Shasta also contributes significantly to Shasta River flows. In addition several tributaries feed the river as it flows northwest to intersect the Klamath River west of Iron Gate Dam. A vicinity map of the Shasta River is provided in Figure 2.

A major feature along the Shasta River is Dwinnell Dam and reservoir (See Figure 2). Dwinnell is the largest impoundment along the Shasta River having a total storage capacity of approximately 72,000 acre-ft. However, due to seepage problems and structural stability, actual reservoir capacity is limited to approximately 34,000 acre-ft.

There are also several smaller irrigation diversions along the river diverting water ranging from 1 to 2 cubic feet per second (cfs) to as much as 40 plus cfs.

1.5 Current Water Delivery Requirements

Water delivery requirements for six current users in the Shasta Valley will be considered in this study. Water for these users come from ground water, the Shasta River and the Little Shasta River which is a tributary to the Shasta River. A summary of these users is provided in Table 1.

The Shasta-Klamath import concept being considered in this investigation would provide the water requirements for these users. The water currently being consumed by these users would be left in the Shasta River basin and result in overall higher flows in the Shasta River.

Table 1 Water User Flow Requirements

Irrigation District	Flow[1] (cfs)
Little Shasta Irrigation District	25
Big Springs Users	20
Shasta Water Association	35
Big Spring Irrigation District	20
Grenada Irrigation District (includes Hussman – 8cfs)	25
Montague Irrigation District	80
Total	205

Note:
[1]Flows shown are those anticipated following implementation of water conservation measures

Two water import scenarios have been considered in this study. The first scenario would import water to meet the needs of all the users listed in Table 1 except the Montague Irrigation District. This scenario would require importing 125 cfs from the Klamath River. The second scenario would import enough water to supply the Montague Irrigation district as well and would require a total flow of 205 cfs.

2.0 PREVIOUS INVESTIGATIONS

2.1 General

Two previous water resource studies of the Shasta River Basin that have investigated the concept of a Klamath-Shasta import project are reviewed in this report. These studies include:

1. Klamath-Shasta Valley Reclamation Project (1923) – Bureau of Reclamation
2. Bulletin No. 87 Shasta Valley Investigation (1964) – California Department of Water Resources

These studies present Klamath-Shasta import alternatives and evaluate the feasibility of the concept. When these studies were prepared, the focus of the investigations were on development of water resources for agricultural, municipal, and industrial use. A summary of the Klamath-Shasta import alternatives presented in these investigations are presented below.

2.2 Klamath-Shasta Valley Reclamation Project (1923)

In 1923, Homer J Gault and Forster Towle of the United States Reclamation Service, in cooperation with the State of California and the Klamath-Shasta Irrigation District, investigated the feasibility of reclamation of certain lands in the Shasta Valley by diverting waters from the Klamath River. This investigation considered not only the transmission of water from the Klamath River to the Shasta Valley, but also the distribution of water to individual irrigation districts. The concept consisted of a main conduit, several tunnels, a large siphon, branch canals and laterals supplying individual irrigation districts. Generation of hydroelectric power through the construction of a series of dams was also considered. The study assessed four different plans to provide irrigation for varying acreages and different arrangements of hydroelectric power generation. The four plans are summarized below.

2.2.1 Plan I

Plan I consisted of construction of a low diversion dam in the Klamath River approximately one mile downstream of Keno, Oregon. Under the proposed plan, the diversion dam fed a gravity delivery channel at a flow rate of 1,100 cubic feet per second (cfs). The diverted water would be transferred to the Shasta Valley utilizing lined and unlined canal sections, a concrete bench flume, a lined tunnel, and a steel pipe siphon.

The conduit for this plan included approximately 46 miles of canal and approximately 11 miles of tunnel. The siphon included in the plan was approximately 3,900 feet. At mile 46 the delivery system branched into approximately 68 miles of smaller canals and laterals serving the northern and southern portions of the Shasta valley. The plan included construction of six additional tunnels within the 68 miles of smaller canals and laterals. Under this plan approximately 65,000

acres of land would be irrigated. The construction of six power plants was also included in this plan. A cost of $29,674,465 was estimated for this plan in 1923.

2.2.2 Plan II

Plan II was essentially the same as Plan I except the power plants were not included. The 1923 cost for this plan was estimated at $21,392,640.

2.2.3 Plan III

Under Plan III only the northern portion of the Shasta Valley would be irrigated (approximately 32,000 acres). The diversion dam was located at the same point on the Klamath River. The cross section of the delivery channel was adjusted to reflect the lower water supply demand (approximately 550 cfs). Plan III included the 46 miles of canal and 11 miles of tunnel to reach the northern portion of the Shasta Valley and the smaller canals and laterals associated with the northern portion of the Valley. Plan III included construction of five power plants and had a 1923 estimated cost of $11,014,198.

2.2.4 Plan IV

Under Plan IV the location of the diversion point was changed in order to reduce the length of transmission canal to approximately 38 miles. The diversion point for Plan IV would have been located seven miles above Shovel Creek. This plan would have supplied 420 cfs of irrigation water to approximately 25,000 acres of the northern portion of the Shasta River Valley. The 1923 estimated project cost was $5,019,771.

2.3 Bulletin No. 87 Shasta Valley Investigation (1964)

In 1964 the California Department of Water Resources completed Bulletin No. 87 Shasta Valley Investigation to examine potential development of water resources in the Shasta Valley. The primary objective of the investigation was to examine possibilities for conserving waters of the Shasta River and its tributaries and to investigate the possibility of importing water to the Shasta River Valley from the Klamath River.

This investigation describes a Klamath-Shasta import concept sited in earlier Department of Water Resources Bulletins. The concept included Iron Gate dam and reservoir, an Iron Gate Pumping Plant, an Ager Pumping Plant, Red School Dam and Reservoir, and a Bogus Conduit. The project would have provided approximately 122,000 acre-feet of water to serve the Ager area and Shasta Valley. An estimated capital cost of $19,960,000 with annual operating costs of approximately $1,415,000 was cited from a 1959 Department of Water Resources Bulletin No.83. It was estimated that pumping costs would be approximately $522,000 per year for a total annual cost of $1,937,000. The project did not include costs for a local distribution system.

Since this investigation, Iron Gate Dam has been constructed and is in operation by the California Oregon Power Company (COPCO). The import portion of the project was not constructed at that time because initial reconnaissance studies suggested it would not be feasible.

Specific reasons as to why the import portion of the project was considered unfeasible are not given. Bulletin No. 87 suggests that local interests in the Northern Shasta Valley were unprepared economically. The project would have required approximately 23 miles of canal and a pumping plant capable of lifting nearly 350 cfs approximately 635 feet. Implementation of this

project would have required development of an agreement with COPCO for access to Iron Gate Dam and due compensation.

3.0 DEVELOPMENT AND EVALUATION OF POTENTIAL SHASTA-KLAMATH IMPORT PROJECTS

This section provides a summary of the Klamath – Shasta Import project alternatives investigated in this study. The potential projects investigated utilize information available from previous investigations and expand on the concept of a gravity flow conduit as presented in the 1923 Klamath-Shasta Valley Reclamation Project prepared by the Bureau of Reclamation. The concept of a pressurized transmission line originating from Iron Gate Reservoir as described in Bulletin No. 87 Shasta Valley Investigation prepared in 1964 has also been expanded.

These concepts have been adapted and geared toward meeting the specific need of providing water for the specific users summarized in Table 1. No attempt has been made to investigate the potential for water delivery beyond these specific users.

The following primary conceptual alternatives have been developed during this investigation:

1. Alternative 1: Gravity Flow Conduit, Keno to Dwinnell Reservoir
2. Alternative 2: Gravity Flow Conduit, Keno to below Dwinnell Reservoir
3. Alternative 3 : Pressure / Gravity Combination, Iron Gate Reservoir to Below Dwinnell Reservoir

Alternatives one and two above have been developed with two options. One option maximizes the use of tunnels through the alignment. The other option minimizes the use of tunnels. A detailed description of each alternative and option is presented in Sections 3.1 to 3.4. Alignment details and topographic information for each of the alternatives is provided in Appendix A.

3.1 Basic Design Criteria

Limited field reconnaissance was performed for this investigation. No field surveys were performed. Topography information was obtained from digital topographic maps. The alignments developed were reviewed in the field where access was possible. Data from previous investigations was used as appropriate to develop the alternatives.

For the purposes of this investigation, transmission canals were assumed to be trapezoidal open channel lined shotcrete. Use of a circular section pipeline was considered but did not compete economically with an open channel section.

The alignments investigated required a variation in slope at various locations. Slopes ranged from a minimum of 0.0003 ft/ft to a maximum of 0.0035 ft/ft. The overall average slope of the conduit for the alignments has a value of approximately 0.001ft/ft. This translates to a drop of approximately 5.30 feet per mile of conduit. The dimensions and parameters used in analysis of the open channel conduit are summarized in Table 2. A summary of the open channel flow calculations are provided in Appendix B.

Table 2 Open Channel Dimensions and Parameters

Parameter / Dimension	Flow Rate (Q) = 125 cfs	Flow Rate (Q) = 205 cfs
Manning's n (n)	0.016	0.016
Bottom Width (b)	4.5 ft	6.0 ft
Depth of Water (d)	3.5 ft	4.0 ft
Freeboard (f)	2.0 ft	2.5 ft
Side Slope (z)	1.0	1.0

3.2 Alternative 1 – Gravity Flow Conduit / Keno to Dwinnell Reservoir

Under this alternative, a gravity flow conduit would be constructed originating just below Keno, Oregon and terminating at Dwinnell Reservoir. The alignment for this alternative is similar to the one developed by the Bureau of Reclamation in 1923. An overall view of this alignment is provided in Appendix A on Figure 3. Figures 4, 5 and 6 in Appendix A show details of this alignment as well as the details of each of the alignments considered in this study.

This alternative will require an inlet structure at the Keno Reservoir. The inlet structure could be gravity fed or use low head pumps to lift water into the open channel canal. This alternative allows import water to be delivered to Dwinnell Reservoir. This is accomplished by maintaining elevation along the east side of the Shasta Valley along the foothills of the Cascade Mountains. (See Appendix A)

Two options for this alternative have been developed; one maximizing the use of tunnels and one minimizing the use of tunnels.

3.2.1 Option No.1 – Maximize Use of Tunnels

For this option the transmission conduit includes approximately 52 miles of trapezoidal open channel canal, eighteen lined tunnel sections totaling approximately 20.6 miles, and one siphon approximately 1.2 miles long. The location of the tunnels and siphon are shown in Figures 4, 5 and6. The use of tunnels has the advantage of greater safety in terms of potential obstruction from falling debris and lower ongoing maintenance cost due to in-channel vegetation. In some cases the use of tunnels will prove to be more cost effective due to the reduction in overall conduit length. Tunnels will be required at some sections of the conduit where construction of an open channel along steep or very rocky side slopes will be impractical.

The siphon is included in this Option to traverse a large canyon so a reasonable slope can be maintained and a final elevation above Dwinnell Reservoir be reached. Overall this Option traverses 74 miles from the Keno Reservoir through the eastern region of the Shasta River Valley to Dwinnell Reservoir (See Appendix A).

3.2.2 Option No.2 – Minimize Use of Tunnels

For this Option, the conduit includes approximately 90.3 miles of trapezoidal open channel canal, one 1.3 mile tunnel section, and two large siphons totaling 1.4 miles long. (see Appendix

A). The tunnel included in this Option is necessary to maintain gravity flow throughout the alignment. The two siphons are necessary to traverse two large canyons in order to maintain a reasonable slope to the final elevation at Dwinnell Reservoir. The overall length of this Option is 93 miles from the Keno Reservoir to Dwinnell Reservoir (See Figures Appendix A).

3.2.3 Alternative 1 Constructability Issues

Construction of the canals and tunnels described in this Alternative will present several challenges. These challenges will primarily include severe topography, excess rock excavation, and very limited site access. Other challenges will include hauling and disposal of excavated material, disposal of clearing and grubbing debris, and slope stabilization. Significant challenges will also be encountered during construction of the siphons. These challenges will also include site access, severe topography, and excessive anchoring and thrust control. These challenges have been considered when developing the opinions of probable project cost described in Section 4.0.

3.3 Alternative 2 – Gravity Flow Conduit / Keno to below Dwinnell Reservoir

Under this alternative a gravity flow conduit would be constructed originating at Keno Reservoir and terminating below Dwinnell Reservoir. The alignment for this alternative is similar to the one developed by the Bureau of Reclamation in 1923 for the first approximately 40 miles. The alignment then follows a course lower in the valley. This alignment is closer to potential users and would require less lateral canals to deliver water for service (see Figures Appendix A).

As with Alternative 1, Alternative 2 would require an inlet structure be constructed at Keno Reservoir. This alternative also has two options; one maximizing the use of tunnels and one minimizing use of tunnels.

3.3.1 Option 1 - Maximize Use of Tunnels

This option would consist of approximately 54 miles of trapezoidal open channel canal, fifteen tunnel sections totaling approximately 17 miles, and two large siphons totaling approximately 2.1 miles. The total length of the conduit would be approximately 73 miles from the Keno Reservoir to a region of the Shasta Valley just below Dwinnell Reservoir (see Figures Appendix A).

3.3.2 Option 2 – Minimize use of Tunnels

Under this option approximately 82.1 miles of trapezoidal open channel canal would be constructed. No tunnel would be constructed. Two siphons totaling approximately 1.9 miles would be required. The total length of conduit for this option would be approximately 84 miles (see Figures Appendix A).

3.3.3 Alternative 2 Constructability Issues

Construction of the canals, tunnels, and siphons described in this alternative will have construction challenges similar to those of Alternative 1. These challenges have been considered during the development of opinions of probable project costs as well.

3.4 Alternative 3 – Pressure / Gravity Combination, Iron Gate Reservoir to Below Dwinnell Reservoir

This alternative is similar to the concept discussed in Bulletin No.87 Shasta Valley Investigation prepared by the California Department of Water Resources in 1964. This alternative consists of the following major elements:

1. Iron gate pumping plant;
2. Pressurized transmission line from Iron Gate reservoir to Bogus Mtn.
3. Tie in to Alternative 2 alignment below Bogus Mtn.

Under this alternative a pumping plant would be constructed on the south shores of Iron Gate Reservoir near the Iron Gate Dam. An approximate location is shown in Appendix A on Figure 5. The pumping plant would require approximately 22,800 horsepower and consist of multiple pumps connected in parallel.

Water would be pumped south toward Bogus Mountain via a single 96-inch diameter spiral welded steel pipeline. The pipeline would be approximately seven miles long. A preliminary hydraulic and economic analysis of a series of pipeline sizes and configurations indicate that a single 96-inch conduit will be most economical. Spiral welded steel was the only material considered due to the need for durability at high pressures. The alignment of this pressure transmission pipeline is shown on Figure 5 in Appendix A.

At a location near Bogus Mountain, the pressure pipeline would discharge into the gravity alignment described in Alternative 2 above. An outlet structure would be constructed for control of discharge from the pressure pipeline and outlet into the gravity canal.

3.4.1 Alternative 3 Constructability Issues

Construction of the canals in this alternative will have construction challenges similar to those of Alternative 1. This alternative will also have challenges associated with installation of a large diameter pipeline over very rugged topography. Thrust control as well as anchoring will be critical components of planning and design for the pipeline. These challenges have been considered during the development of opinions of probable project costs as well.

It is important to note that power requirements for Alternative 3 will be significant. The most practical source of power would be from the Iron Gate Power Plant. However, it is likely that additional power generation capacity will need to be constructed to supply power for the pumping plant for Alternative 3. The feasibility of expanding power generation at Iron Gate was not investigated in the study. However, determining power supply expansion capacity and feasibility will be critical to further defining any proposed import project.

4.0 OPINION OF PROBABLE COST

In this section opinions of probable project cost for the alternatives described above have been developed. The opinions presented in this section are based on the preliminary data reviewed in this report as well as current (2006) cost information obtained from various material suppliers and vendors. These cost opinions provide a basis for comparison of the alternatives presented and will need to be updated with current cost information as they are referred to in future investigations and studies.

Cost opinions have been developed based on the basic design criteria presented in Section 3.1. A 25% contingency and a 25% legal, administrative, and engineering cost is included in each cost opinion. In Addition, a 10% environmental permitting cost has been included. Detail regarding development of the opinions of probable cost is provide in Appendix C.

A net present value for each alternative has also been provided. The net present value was determined by estimated annual operation and maintenance cost as well as power costs where applicable. The net present value for O&M and power costs were estimated using an inflation rate of 4.0% over fifty years. The net present value of the O&M and power costs were added to the estimated construction cost to develop an estimate of the total net present value for each alternative.

The opinions of probable project cost are provided in Tables 3 through 9. Assumptions and calculation details are provided in Appendix C.

5.0 ENVIRONMENTAL COMPLIANCE

5.1 National Environmental Policy Act (NEPA)

Implementation of a Klamath-Shasta import project will require compliance with both State and Federal environmental policies. A project of this magnitude will certainly involve federal funding and will required compliance with the National Environmental Policy Act (NEPA). The State of California has a similar policy with the California Environmental Quality Act.

NEPA establishes the Federal government's environmental policy. Its primary goal is to help public officials make decisions based on an understanding of the environmental consequences of their actions. In order to accomplish this, NEPA requires Federal agencies to prepare written assessments that describe:

1. The affected environment and environmental consequences of a proposed project;
2. Reasonable or practicable alternatives to the proposed project; and
3. Any mitigation measures necessary to avoid or minimize adverse environmental effects.

In accordance with NEPA, three levels of environmental review are established. These include the following listed in order of project complexity:

1. Categorical Exclusions,
2. Environmental Assessments, and
3. Environmental Impact Statements.

The magnitude and complexity of a Klamath-Shasta Import project will certainly require preparation of an Environmental Impact Statement.

Table 3 Alternative No. 1 / Option 1 for 205 cfs (Gravity Flow Conduit / Keno to Dwinnell Reservoir, Maximize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	274,300	$ 1,500	$ 411,450,000
	Lining	LF	274,300	$ 400	$ 109,720,000
2.0	Tunnel Sections (12-ft Diameter)				
	Excavation	LF	109,000	$ 1,920	$ 209,280,000
	Lining	LF	109,000	$ 720	$ 78,480,000
3.0	Siphon				
	Inlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Outlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Excavation / Backfill	LF	6,200	$ 1,100	$ 6,820,000
	Appurtenances / Thrust Control	LS	1	$ 5,000,000	$ 5,000,000
	Spiral Welded Steel Pipe (96-inch)	LF	6,200	$ 900	$ 5,580,000
4.0	Control Structures				
	Transfer Structures	EA	20	$ 100,000	$ 2,000,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
5.0	Construction Access				
	Staging Areas	EA	10	$ 50,000	$ 500,000
	Access Roads	LF	120,000	$ 150	$ 18,000,000
6.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 150,000	$ 150,000

Construction Subtotal	$	850,640,000
Contingency (25%)	$	212,660,000
Legal, Administrative, Engineering (25%)	$	265,825,000
Environmental Permitting (10%)	$	106,330,000
Total Estimated Project Budget	$	1,435,455,000
Estimated Annual O&M	$	1,276,000
O&M Net Present Value	$	27,411,000
Total Net Present Value	**$**	**1,462,866,000**

Table 4 Alternative No. 1 / Option 1 for 125 cfs (Gravity flow Conduit / Keno to Dwinnell Reservoir, Maximize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	274,300	$ 1,000	$ 274,300,000
	Lining	LF	274,300	$ 320	$ 87,776,000
2.0	Tunnel Sections (12-ft Diameter)				
	Excavation	LF	109,000	$ 1,920	$ 209,280,000
	Lining	LF	109,000	$ 720	$ 78,480,000
3.0	Siphon				
	Inlet Structure	EA	1	$ 1,250,000	$ 1,250,000
	Outlet Structure	EA	1	$ 1,250,000	$ 1,250,000
	Excavation / Backfill	LF	6,200	$ 650	$ 4,030,000
	Appurtenances / Thrust Control	LS	1	$ 3,000,000	$ 3,000,000
	Spiral Welded Steel Pipe (72-inch)	LF	6,200	$ 650	$ 4,030,000
4.0	Control Structures				
	Transfer Structures	EA	20	$ 100,000	$ 2,000,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
5.0	Construction Access				
	Staging Areas	EA	10	$ 50,000	$ 500,000
	Access Roads	LF	120,000	$ 150	$ 18,000,000
6.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 150,000	$ 150,000
				Construction Subtotal	$ 684,706,000
				Contingency (25%)	$ 171,177,000
				Legal, Administrative, Engineering (25%)	$ 213,971,000
				Environmental Permitting (10%)	$ 85,588,000
				Total Estimated Project Budget	$ 1,155,442,000
				Estimated Annual O&M	$ 1,027,000
				O&M Net Present Value	$ 22,062,000
				Total Net Present Value	**$ 1,177,504,000**

Table 5 Alternative No. 1 / Option 2 for 205 cfs (Gravity Flow Conduit / Keno to Below Dwinnell Reservoir, Minimize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	477,000	$ 1,500	$ 715,500,000
	Lining	LF	477,000	$ 400	$ 190,800,000
2.0	Tunnel Sections (12-ft Diameter)				
	Excavation	LF	6,800	$ 1,920	$ 13,056,000
	Lining	LF	6,800	$ 720	$ 4,896,000
3.0	Siphon				
	Inlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Outlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Excavation / Backfill	LF	7,500	$ 1,100	$ 8,250,000
	Appurtenances / Thrust Control	LS	1	$ 5,000,000	$ 5,000,000
	Spiral Welded Steel Pipe (96-inch)	LF	7,500	$ 900	$ 6,750,000
4.0	Control Structures				
	Transfer Structures	EA	4	$ 100,000	$ 400,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
5.0	Construction Access				
	Staging Areas	EA	15	$ 50,000	$ 750,000
	Access Roads	LF	156,000	$ 150	$ 23,400,000
6.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 150,000	$ 150,000
				Construction Subtotal	$ 972,612,000
				Contingency (25%)	$ 243,153,000
				Legal, Administrative, Engineering (25%)	$ 303,941,000
				Environmental Permitting (10%)	$ 121,577,000
				Total Estimated Project Budget	$ 1,641,283,000
				Estimated Annual O&M	$ 1,459,000
				O&M Net Present Value	$ 31,342,000
				Total Net Present Value	$ 1,672,625,000

Table 6 Alternative No. 1 / Option 2 for 125 cfs (Gravity Flow Conduit / Keno to Dwinnell Reservoir, Minimize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	477,000	$ 1,000	$ 477,000,000
	Lining	LF	477,000	$ 320	$ 152,640,000
2.0	Tunnel Sections (12-ft Diameter)				
	Excavation	LF	6,800	$ 1,920	$ 13,056,000
	Lining	LF	6,800	$ 720	$ 4,896,000
3.0	Siphon				
	Inlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Outlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Excavation / Backfill	LF	7,500	$ 650	$ 4,875,000
	Appurtenances / Thrust Control	LS	1	$ 3,000,000	$ 3,000,000
	Spiral Welded Steel Pipe (96-inch)	LF	7,500	$ 650	$ 4,875,000
4.0	Control Structures				
	Transfer Structures	EA	4	$ 100,000	$ 400,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
5.0	Construction Access				
	Staging Areas	EA	15	$ 50,000	$ 750,000
	Access Roads	LF	156,000	$ 150	$ 23,400,000
6.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 50,000	$ 50,000
				Construction Subtotal	$ 688,602,000
				Contingency (25%)	$ 172,151,000
				Legal, Administrative, Engineering (25%)	$ 215,188,000
				Environmental Permitting (10%)	$ 86,075,000
				Total Estimated Project Budget	$ 1,162,016,000
				Estimated Annual O&M	$ 1,033,000
				O&M Net Present Value	$ 22,191,000
				Total Net Present Value	**$ 1,184,207,000**

Table 7 Alternative No. 2 / Option 1 (Gravity Flow Conduit / Keno to Below Dwinnell Reservoir, Maximize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	284,400	$ 1,000	$ 284,400,000
	Lining	LF	284,400	$ 320	$ 91,008,000
2.0	Tunnel Sections (12-ft Diameter)				
	Excavation	LF	89,700	$ 1,920	$ 172,224,000
	Lining	LF	89,700	$ 720	$ 64,584,000
3.0	Siphon				
	Inlet Structure	EA	2	$ 1,500,000	$ 3,000,000
	Outlet Structure	EA	2	$ 1,500,000	$ 3,000,000
	Excavation / Backfill	LF	11,300	$ 650	$ 7,345,000
	Appurtenances / Thrust Control	LS	1	$ 6,000,000	$ 6,000,000
	Spiral Welded Steel Pipe (72-inch)	LF	11,300	$ 650	$ 7,345,000
4.0	Control Structures				
	Transfer Structures	EA	30	$ 100,000	$ 3,000,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
5.0	Construction Access				
	Staging Areas	EA	20	$ 50,000	$ 1,000,000
	Access Roads	LF	156,000	$ 150	$ 23,400,000
6.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 50,000	$ 50,000
				Construction Subtotal	$ 667,016,000
				Contingency (25%)	$ 166,754,000
				Legal, Administrative, Engineering (25%)	$ 208,442,500
				Environmental Permitting (10%)	$ 83,377,000
				Total Estimated Project Budget	$ 1,125,589,500
				Estimated Annual O&M	$ 1,001,000
				O&M Net Present Value	$ 21,503,000
				Total Net Present Value	$ 1,147,092,500

Table 8 Alternative No. 2 / Option 2 (Gravity Flow Conduit / Keno to Below Dwinnell Reservoir, Minimize Use of Tunnels)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	433,700	$ 1,000	$ 433,700,000
	Lining	LF	433,700	$ 320	$ 138,784,000
2.0	Siphons				
	Inlet Structure	EA	2	$ 1,500,000	$ 3,000,000
	Outlet Structure	EA	2	$ 1,500,000	$ 3,000,000
	Excavation / Backfill	LF	9,900	$ 650	$ 6,435,000
	Appurtenances / Thrust Control	LS	1	$ 6,000,000	$ 6,000,000
	Spiral Welded Steel Pipe (72-inch)	LF	9,900	$ 650	$ 6,435,000
3.0	Control Structures				
	Transfer Structures	EA	2	$ 100,000	$ 200,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
4.0	Construction Access				
	Staging Areas	EA	15	$ 50,000	$ 750,000
	Access Roads	LF	156,000	$ 150	$ 23,400,000
5.0	Diversion Structure				
	Concrete	CY	150	$ 500	$ 75,000
	Mechanical	LS	1	$ 100,000	$ 100,000
	Earthwork	CY	400	$ 75	$ 30,000
	Site Work	LS	1	$ 50,000	$ 50,000
				Construction Subtotal	$ 622,414,000
				Contingency (25%)	$ 155,603,500
				Legal, Administrative, Engineering (25%)	$ 194,504,375
				Environmental Permitting (10%)	$ 77,802,000
				Total Estimated Project Budget	$ 1,050,323,875
				Estimated Annual O&M	$ 934,000
				O&M Net Present Value	$ 20,064,188
				Total Net Present Value	**$ 1,070,388,063**

Table 9 Alternative No. 3 (Pressure / Gravity Combination, Iron Gate Reservoir to Below Dwinnell Reservoir)

Item	Description	Units	Quantity	Unit Price	Total
1.0	Trapazoidal Open Channel Conduit				
	Excavation/Fill	LF	185,000	$ 1,000	$ 185,000,000
	Lining	LF	185,000	$ 320	$ 59,200,000
2.0	Iron Gate Pumping Plant / Force Main				
	Inlet Structure / Pumping Plant	LS	1	$ 7,500,000	$ 7,500,000
	Outlet Structure	EA	1	$ 1,500,000	$ 1,500,000
	Excavation / Backfill	LF	37,000	$ 650	$ 24,050,000
	Appurtenances / Thrust Control	LS	1	$ 15,000,000	$ 15,000,000
	Spiral Welded Steel Pipe (72-inch)	LF	37,000	$ 650	$ 24,050,000
3.0	Control Structures				
	Transfer Structures	EA	2	$ 100,000	$ 200,000
	Water Measurement	EA	7	$ 65,000	$ 455,000
				Construction Subtotal	$ 316,955,000
				Contingency (20%)	$ 63,391,000
				Legal, Administrative, Engineering (25%)	$ 95,087,000
				Environmental Permitting (10%)	$ 38,035,000
				Total Estimated Project Budget	$ 513,468,000
				Estimated Annual O&M	$ 15,848,000
				Estimated Annual Power Cost	$ 5,875,000
				O&M Net Present Value	$ 466,653,000
				Total Net Present Value	$ 980,121,000

5.2 Environmental Impact Statement (EIS)

Preparation of an EIS will require collection of relevant data on environmental resources that may be affected by the proposed project, a review of the project alternatives that have been evaluated, a description of any proposed mitigation measures, and a summary of correspondence and consultation with various concerned agencies.

The general format for an Environmental Impact Statement will include the following:

1. Purpose and Need of Project
2. Alternatives to the Project Action
3. Affected Environment/Environmental Consequences
4. Summary of Mitigation

5. Correspondence
6. Exhibits

A Klamath-Shasta Import project will affect multiple resources and require consultation with multiple agencies. When this is the case, the various agencies involved will agree upon who will be the Lead Agency in directing preparation of the EIS. Actual preparation of the EIS will be done in accordance with guidelines and requirements set forth by the Lead Agency.

Summarized below are the environmental resources that typically are addressed in preparation of an EIS. The level of effort required to address each of the resources affected and develop mitigation plans will be determined during consultation with the appropriate agency.

- Land Use
- General Land Use
- Important Farmland, Prime Range Land and Forest Land
- Formally Classified Lands
- Floodplains
- Wetlands
- Cultural Resources
- Biological Resources
- Water Quality
- Coastal Resources
- Socio-Economic/Environmental Justice
- Miscellaneous Issues
- Air Quality
- Transportation
- Noise

6.0 LEGAL ISSUES

A major legal issue will be addressing water rights associated with diverting water from the Klamath River to the Shasta Valley. In Bulletin No. 87 Shasta Valley Investigation it indicates that prior to construction of the Iron Gate Project by the California Oregon Power Company (COPCO) irrigation in the Shasta Valley and Ager area were considered higher uses than power production. Stipulations to diversion of water from the Klamath river for irrigation purposes in the Shasta Valley have existed up until March 1, 2006. Since this date has passed there would be more flexibility to implementation of an import project. The agreement between California Fish and Game and COPCO requires due compensation be provided to COPCO if water is diverted from the Iron Gate project for use in the Shasta Valley.

Other legal issues will include obtaining easements through private property and obtaining various permits associated with construction of the project. A more detailed review of legal issues and requirements will need to be performed before a Klamath-Shasta Import project is pursued further.

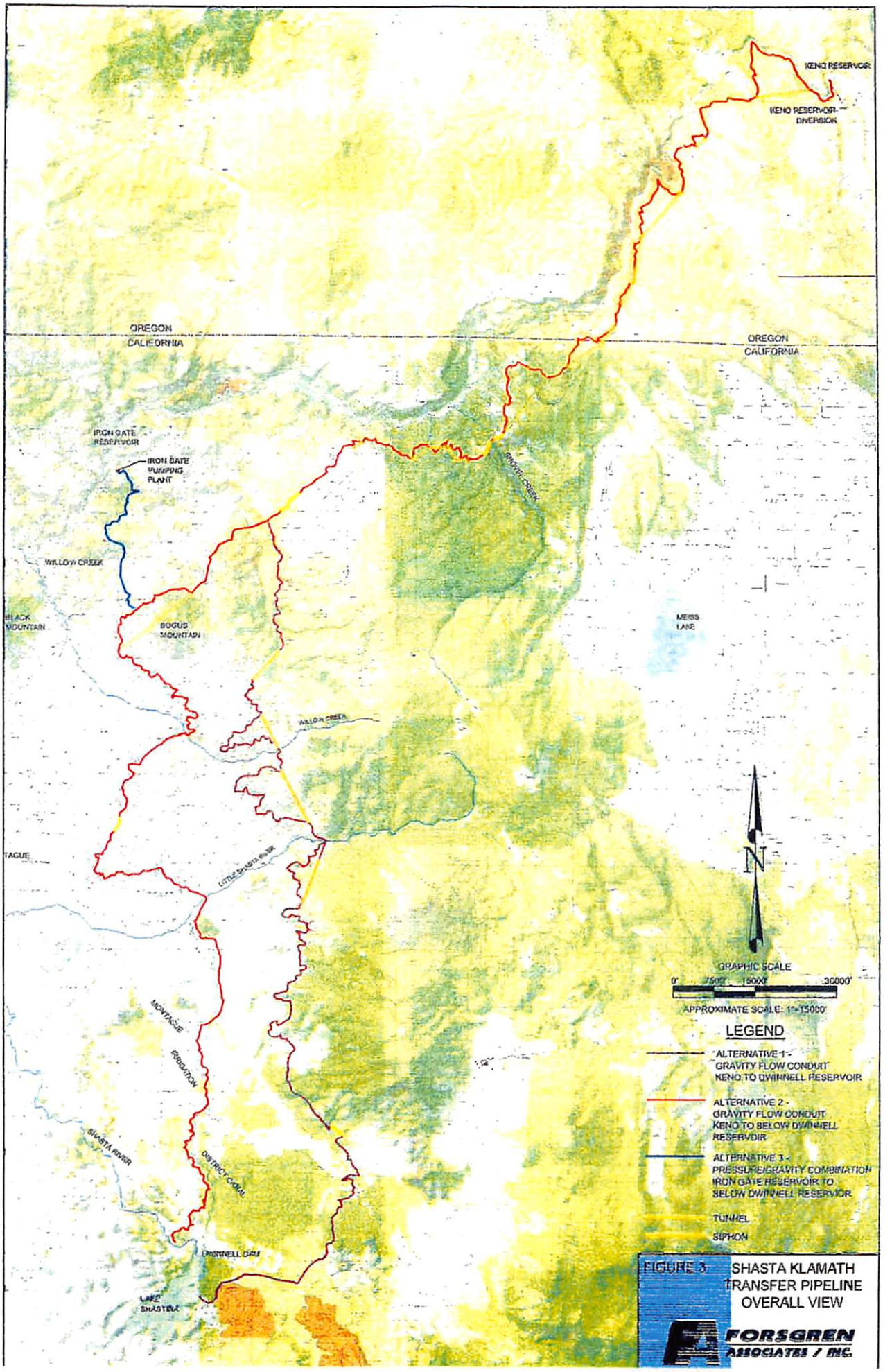


FIGURE 3 SHASTA KLAMATH TRANSFER PIPELINE OVERALL VIEW

FORSGREN ASSOCIATES / INC.

V

SISKIYOU COUNTY SCOPING COMMENTS ON ENVIRONMENTAL IMPACT STATEMENT (EIS)

RELATED TO KBRA, KHSA, and DAM REMOVALS

DAM REMOVAL

ENVIRONMENTAL IMPACT STATEMENT (EIS)

DEVELOPMENT

Federal Register Notice June 14, 2010

?ublic comments on the environmental impact study associated with the Klamath Basin estoration Agreement and the Klamath Hydroelectric Settlement Agreement must be submitted y July 21.

- Go online to www.KlamathRestoration.gov/contact-us/feedback and fill out an online form.
- Send comments by mail to the U.S. Bureau of Reclamation office, Tanya Sommer, 2800 Cottage Way MP-152, Sacramento, CA, 95825; via e-mail to klamathsd@usbr.gov ; or by fax to 916-978-5055.
- Send comments to the California Department of Fish and Game office to Caitlin Bean, 601 Locust Street, Redding, CA, 96001; via e-mail to KSDcomments@dfg.ca.gov or by fax to 530-225-2343.

Official website http://klamathrestoration.gov/

COUNTY TASK FORCE

COMMENTS/PROPOSALS

- May 4, 2010, **Klamath Dams Removal,** Dr. John W. Menke, (retired professor Department of Agronomy and Range Science, University of California, Davis)
- Shasta Nation's Alternative to Dam Removal and **Suggested Anadromous Fish By-Pass proposal; Map of bypass** and proposed diversion rotes for the County's 60,000 acre feet storage water use right;
  - **Proposed Alternate Tunnel Route** Shasta Nation Anadromous Fish Bypass
  - See **Deschutes Passage** - a successful dam bypass project
- Jerry Bacigalupi, (PE-Engineer) - **Flood Control capacity of the dam complex**

- Please do not Restore My Klamath River - Glen Briggs, Civil Engineer, retired, Dept. of Interior, Bureau of Reclamation, 1960 to 1987
- Concerns regarding downstream release of warm water fish from the reservoirs
  - Gierak letter to the editor
- Concerns U.C. Farm Advisor on spread of noxious weeds (paper on yellow starthistle)
- A-Red - an initiative of the Siskiyou County Board of Supervisors to increase salmon production; County to move forward with salmon propagation plans; This option has been dropped due to lack of cooperation and budgetary considerations
- Ocean conditions are driving salmon north to Alaskan waters where they are thriving
- Infrastructure (Roads and Bridges) that would likeley be affected by the impacts of dam removal
- Socio-economic (Cumulative Effects) Cover Letter
  - Demographics - Aging trends
  - Siskiyou County Business Characteristics and Growth 1998-2007
  - Major Employers in Siskiyou County (EDD)
  - Unemployment history 1990 - 2009
  - History of Income in Siskiyou County 1987-2008
  - Poverty in Siskiyou County 1989-2008
  - Number of Farm/nonfarm proprietors in Siskiyou County 1987-2008
  - Agricultural Profit 1987-2008
  - Trends in AG Census Data
  - Timber jobs 1988-2009
  - Timber Harvest Levels in the National Forests of Siskiyou Co.
  - Harvest levels to jobs
  - County Share of CA Timber Harvest and Value -Public and Private Lands
  - Timber Appeals 1998-2008
  - Economic impacts of suction dredge mining

COUNTY TASK FORCE

Citations/Studies of Particular Interest:

- **Final Eligibility and Suitability Report for the Upper Klamath Wild and Scenic River Study** (large file)

- **Klamath Project Operations Biological Assessment 2007** - The Effects of the Proposed Action to Operate the Klamath Project from April 1, 2008 to March 31, 2018 On Federally-Listed Threatened and Endangered Species Mid-Pacific Region; **Appendices**

- **Upper Klamath Lake Basin Nutrient-Loading Study—Assessment of Historic Flows in the Williamson and Sprague Rivers** Risley and Laenen;

- **Recent Water Temperature Trends in the Lower Klamath River, California,** Bartholow

- Committee on Hydrology, Ecology, and Fishes of the Klamath River, National Research Council (National Academy of Sciences) - **Hydrology, Ecology, and Fishes** of the Klamath River Basin - in the last portion of the report, the critiques the utility of the Natural Flow and Instream Flow studies, in conclusion stating: "... the study makes the implicit assumption that the primary limiting factor for the recovery of salmon is physical habitat, directly related to instream flows, but the study does not demonstrate when or even if physical habitat is a limiting factor in any of the life stages of the fishes of concern. The precise nature of any flow-related hydraulic-habitat "bottlenecks" in the population dynamics of the salmon is not demonstrated, so it is possible that temperature, dissolved oxygen, water quality, connectivity, disease, competition, or other factors are more critical to fish persistence than the hydraulic aspects of habitat are. In other words, suitable hydraulic-habitat conditions may be necessary but are not by themselves sufficient for fish persistence."

  "...the two studies do not allow for a detailed and practical analysis of trade-offs among various flow-management regimes with respect to benefits and costs to the anadromous fishes in the river and to the agricultural and other interests in the basin."

- Committee on Hydrology, Ecology, and Fishes of the Klamath River, National Research Council (National Academy of Sciences) **Endangered and Threatened Fishes** in the Klamath River Basin: Causes of Decline and Strategies for Recovery: **Recommendations:** "Actions intended to improve environmental conditions for the threatened coho salmon to date primnarily have involved hydrological manipulation of the main stem at Iron Gate Dam. Continual focus on hydrologic conditions in the main stem is an excessively narrow basis for recovery actions or for a recovery plan..."

- **Scientific Evaluation of Biological Opinions** on Endangered and Threatened Fishes in the Klamath River Basin: Interim Report (2002)
- Predicting the Thermal Effects of Dam Removal on the Klamath River, Bartholow, Flug
- Modeling Klamath River System Operations for Water Quantity and Quality. ASCE Journal of Water Resources Planning and Management
- Klamath River Basin Fisheries Resource Plan (DOI) CH2M Hill
- Water Quality Modeling in the Systems Impact Assessment Model for the Klamath Basin: Keno, OR to Seiad Valley, CA USGS 99-113
- Long Range Plan for the Klamath River Basin Conservation Area 1991 (Klam. River Task Force)
- Life Stage Periodicities of Anadromous Salmonids in the Klamath River Basin 1984, Leidy
- Klamath River Hydrological Conditions Prior to the September 2002 Die-Off of Salmon and Steelhead. USGS Water-Resources Investgative Rpt. 03-4099
- Pacific Salmon at the Crossroads: stocks at risk from CA, OR, ID and WA Fisheries 16(2):4-21 Nehlsen, Lichatowich
- Upper Klamath Basin Nutrient Loading Study - assessment of historic flows in the Williamson and Sprague Rivers: Report 98-4198 Risley, Laenen 1999
- Modeling of Climate Change Effects On Stream Temperatures and Fish Habitats Below Dams and Near Groundwater Inputs, Sinokrot, stefan, McCormick, Eaton Climatic Change 30:181-200
- Northwest Forest Plan - the First Ten Years (1994-2003) Socio-economic monitoring of the Klamath National Forest and Three Local Communities (Cumulative effects)
- Estimated Water Vlaues in the Shasta River Basin
- California Department of Fish and Game Suction Dredge Permitting Program Chapter 4.6
- The Impact of Regulatory Costs on Small Firms (SBA)

The National Environmental Policy Act of 1969; CEQ - Regulations for Implementing NEPA ;

- **Request for Preliminary Injunction** - Central Valley ESA Water Cut-off: **Summary** NMFS and Reclamation, as the consulting and action agencies, must take the hard look under NEPA at the draconian consequences visited upon Plaintiffs, the water supply of California, the agricultural industry, and the residents and communities devastated by the water supply limitations imposed by the RPA Actions. NEPA analysis must include comprehensive analysis of impact to humans and the human environment. **The Consolidated Salmonid Cases**, case 1:09-cv-01053-OWW- DLB, Document 347, U.S. District Ct. for the Eastern District of CA, Judge Wanger: (**Excerpts on NEPA**)
  - **Delta fish rulings could affect endangered species law**

EPA website on **NEPA compliance**; ; **NEPA.net**; A **Citizen's Guide** to NEPA; **Collaboration** and NEPA; Considering **Cumulative Effects** Under the National Environmental Policy Act; **Recent Trends** in Cumulative Impact Case Law Council on Environmental Quality (CEQ) NEPA regulations issued in 1973 and substantially revised in 1978 clearly stated a requirement to consider cumulative impacts for all projects undergoing NEPA analysis (Thatcher 1990), and provided the following definition of cumulative impacts in Section 1508.7:

"The impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. "

CEQA website

Tulelake Irrigation District v. All Persons Having or Claiming to Have an Interest in the Validity of Agreements Entered Into by Tulelake Irrigation District Entitled "Klamath River Restoration Aghreement for the Sustainability for Public and Trust Resources and Affected Communities" and "Klamath Hydroelectric Settlement Agreement" Siskiyou County Superrior Court No. SC CV CV 10-0463. (Suit may perfect CEQA/NEPA and other flaws and quash any claims by parties whose interests are injured by the KBRA/KHSA.)

The Klamath Hydroelectric Settlement Agreement and Klamath Basin Restoration **Agreements**;

Hydro Relicensing ; Yreka USFWS site on Hydropower; USBR K-Falls **site**; USGS **site**; EPA

site; Siskiyou County site; FERC Relicensing **EIS documents**; Federal Energy Regulatory Commission. 2007. Final Environmental Impact statement for the Klamath Hydroelectric Project, Docket No. P-2082-027. 11/18/07. U.S. DOE, FERC, Washington D.C. **Download zipped document.** (22 separate files.); **National Marine Fisheries Service.** 2006. Comments, Recommended Terms and Conditions, and Preliminary Prescriptions for the Klamath Hydroelectric Project, FERC Project #2082. NMFS, SW Region, Long Beach, CA. 161 p.

CA Water Code 5900-5901; Klamath River Basin Compact;or here Appendix B - Siskiyou County Water Conservation and Flood Control District Boundaries: "All of that territory of the County of Siskiyou lying within the exterior boundaries thereof, exclusive of the area in Siskiyou County within the Upper Klamath River Basin, as delineated on the Official Map of the Upper Klamath River Basin approved September 6, 1956, and made a part of the Klamath River Basin compact between the States of Oregon and California, ratified by said states on April 17, 1957."

"(r) To control flood and storm waters within the district and the flood and storm waters or streams outside the district, which flow into the district; to conserve such waters by storage in surface reservoirs, to divert and transport such waters for beneficial uses within the district; to release such waters from surface reservoirs to replenish and augment the supply of water in natural underground reservoirs and otherwise to reduce the waste of water and to protect life and property from floods within the district; to commence, maintain, intervene in, defend or compromise, in the name of the district, on behalf of the landowners therein, or otherwise to assume the cost and expenses of any action or proceeding involving or affecting the ownership or use of waters or water rights within or without the district, used or useful for any purpose of the district or of the common benefit of any land situated therein, or involving the wasteful use of water therein; to commence, maintain, intervene in, defend and compromise and to assume the cost and expenses of any and all actions or proceedings now or hereafter begun; to prevent interference with or diminution of, or to declare the rights in natural flow of any stream or surface or subterranean supply of waters used or useful for any purpose of the district or of common benefit of the lands within the district or to its inhabitants; to prevent unlawful exportation of water from said district; to prevent contamination, pollution or otherwise rendering unfit for beneficial use the surface or subsurface water used or useful in said district, and to commence, maintain and defend actions and proceedings to prevent any such interference with the aforesaid waters as may endanger or damage the inhabitants, lands, or use of water in, or flowing into, the district provided, however, that said district shall not have power to intervene or take part in or to pay the costs or expenses of actions or controversies between the owners of lands or water rights which do not affect the interests of the district."

In addition, there is a reserved storage right of 60,000 acre feet per year in Iron Gate Reservoir to serve irrigation and other consumptive uses in the Shasta Valley.

Siskiyou County Code: **TITLE 10; Chapter 10** FLOOD DAMAGE PREVENTION; **TITLE 10: Chapter 12** COUNTY PARTICIPATION IN STATE AND FEDERAL AGENCIES LAND TRANSACTIONS; **TITLE 10: Chapter 13** DEMOLITION, DECONSTRUCTION, REMOVAL AND RECLAMATION

Siskiyou County Code: TITLE 10. PLANNING AND ZONING; CHAPTER 11. RIGHT TO FARM Section 10-11.01-.05 "No agricultural activity, operation or facility or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards and with all chapters of this code, as established and followed by similar agricultural operations, shall be or become a nuisance, public or private, pursuant to this code after the same has been in operation for more than three (3) years, if it was not a nuisance when it began."

Siskiyou County Resolution 93-284 Joint Environmental Planning

Correspondence (See also **County Coordination**)

Correspondence on KHSA/KBRA (dam removal):

- County March 17, 2009 letter to Secretary Chrisman and his March 10 response
- County letter 12/8/09 to Secretary Chrisman on unsatisfied CEQA requirements (similar letter to Governor Schwarzenegger
- County Letter of 12/14/09 to US Bureau of Reclamation regarding coordination requirements/PacificCorp's dams on the Klamath River. (2 MB PDF)
- County Letter of 2/17/09 to Secretary Salazar regarding coordination requirements and the Agreement In Principle for removal of PacificCorp's dams on the Klamath River. (73 KB PDF)
- 2/23/10 Letter from DOI regarding coordination
- County letter of 5/12/10 to John Bezdek (DOI, Mark Stopher (CA DFG) and Dennis Lynch (USGS) NEPA/CEQA and coordination
- County letter 6/8/10 to Secretary Salazar NEPA/CEQA process
- Letter from NOAA fisheries denying coordination
- Letter from US Department of the Interior
- DOI Secretary Salazar's **May 26, 2010 response** to Congressman Herger's letter of March 29, 2010
- 6/14 DFG letter (Stopher) "The Department does not have the resources or the capacity to commit to a separate coordination process with Siskiyou County in regard to the Comprehensive Land and Resource Management Plan, and as a matter of law this is not required."

ARTICLES

Technical Management Team briefing 5/6/10: Column **Part 1; Part 2**

Dr. Gierak - videos on dam removal at Savage Rapids Dam:

http://www.youtube.com/watch?v=rUeeHydjIs8

http://www.youtube.com/watch?v=cYAzsCUS8a4

http://www.youtube.com/watch?v=mK3lkqFt398&feature=related

Articles & Columns:

- The Klamath Basin Agreements: Who's Not at the Table?
- Delta fish rulings could affect endangered species law
- Help us fix the Klamath resource crisis
- Governor to try to push water bond vote to 2012
- Governor wants state water bond off Nov. ballot
- Governor pulls water bond off Nov. ballot; Wolk applauds move
- Public scoping, Web site announced for Klamath agreements
- Western Economists Question USGS Draft Klamath Recreational Study
- Study on Klamath Project recreation impact dead wrong
- County letter to Salazar alleges failure to meet dam settlement commitments
- Siskiyou County Board of Supes talk dam removal at meeting
- Judge lifts water pumping limits
- Fish Ruling in Fresno Sides with Farmers: Wanger found that the federal government "completely abdicated [its] responsibility" to consider other alternatives when it formulated the current biological opinion, decisions that should not only protect endangered salmon, but also "minimize the adverse impact on humans and the human environment."
- Judge sides with farmers in delta pumping lawsuit (Adequacy of NEPA analysis and action re impact to human environment)
- Board approves study of Shasta Nation fish bypass proposal
- Agencies, entities receive update on Klamath science review process
- Multiple studies underway on Klamath River dam removal question
- Jim Cook:Hart Bypass analysis 'insulting'
- County moves toward start of salmon restoration project
- Report identifies key Siskiyou County issues at Klamath science conference
- Science, engineering needs for dam removal decision discussed
- Science Conference looks at diverse perspectives in the Klamath Basin
- Science Conference Column
- Columns KBRA/KHSA: (1) ; (2); (3); (4); (5); (6); (7); (8); (9); (10); (11); (12)
- Deliberative Democracy -
    - **Environmental Dispute Settlement**

      Environmental Dispute Settlement, or Alternative Dispute Resolution, relies on a stakeholder model for organizing deliberation, rather than on open community meetings. A limited number of representatives from affected interests agrees upon rules that are conducive to mutual understanding of each other's interests and perspectives, and seeks common ground for action....The circle of deliberation can be extended considerably by communication of stakeholder representatives with their grassroots constituencies during the negotiations. This form of deliberative democracy has guided state legislatures in policy making and agency officials in rule making. It is often convened and facilitated by administrative officials in agencies such as EPA, the Army Corps of Engineers, and the U.S. Forest Service, leading some scholars to speak of "deliberative cultures" emerging within regulatory agencies. An increasing number of environmental officials, in fact, are aware not only of the practical techniques, but of the theoretical discussions of deliberative democracy. And policy analysts have begun to pay increasing attention to how policy designs can and should encourage citizen deliberation in confronting complex problems and tradeoffs. See the discussion of Environmental Dispute Settlement, and extensive references, in Civic Environmentalism, by

Carmen Sirianni and Lewis Friedland.

APPLICABLE REFERENCE & BACKGROUND

- Compilation of information to Inform USFWS Principals on the Potential Effects of the Proposed Klamath Basin Restoration Agreement (Draft 11) on Fish and Fish Habitat Conditions in the Klamath Basin, with Emphasis on Fall Chinook Salmon
- **Klamath Project Operations Biological Assessment 2007 - The Effects of the Proposed Action to Operate the Klamath Project from April 1, 2008 to March 31, 2018 On Federally-Listed Threatened and Endangered Species Mid-Pacific Region; Appendices**
- Fruit Growers (cumulative effects) **Draft Environmental Impact Statement** for Authorization for Incidental Take and Implementation of Fruit Growers Supply Company's Multi-Species Habitat Conservation Plan
- **Final eligibility and suitability report for the upper Klamath wild and scenic river study.** by United States. Bureau of Land Management. Klamath Falls Resource Area Office. Published in 1990, U.S. Dept. of the Interior, Bureau of Land Management, Klamath Falls Resource Area (Klamath Falls, Or) **Available at Yreka Public Library**
- **A Siskiyou County Perspective (Mid-River overview) Very large file**
- Committee on Hydrology, Ecology, and Fishes of the Klamath River, National Research Council (National Academy of Sciences) - **Hydrology, Ecology, and Fishes** of the Klamath River Basin; **Endangered and Threatened Fishes** in the Klamath River Basin: Causes of Decline and Strategies for Recovery ; **Scientific Evaluation of Biological Opinions** on Endangered and Threatened Fishes in the Klamath River Basin: Interim Report (2002); IFIM and PHABSIM
- **Hardy Phase II flows; NAS Review;** The Water Report - Klamath Basin Science **Dr. T. B. Hardy vs Dave Vogel, Wildlife Biologist; Klamath Watershed in Perspective** A review of historical hydrology of major features of the Klamath River Watershed and evaluation of Hardy Iron Gate Flow requirements. By Dr. K.A. Rykbost, Superintendent, Klamath Experiment Station, Oregon State University, and R. Todd, Klamath County Extension Office, Oregon State University. HERE for Power Point presentation
- **Lake Levels - River Flows**
- **Dam Removal and Klamath River Water Quality: A Synthesis of the Current Conceptual Understanding and an Assessment of Data Gaps (Stillwater)**
- **Long Range Plan For The Klamath River Basin** Conservation Area Fishery Restoration Program
- Ft. Collins USGS K-SIAM- **Quantifying the effect of dam removal on water temperatures** in the lower Klamath River, California, and implications for salmon recovery; **Predicting the thermal**

effects of dam removal on the Klamath River; **Drought allocation modeling** for the Klamath River; Evaluating water management strategies with the Systems Impact Assessment Model: **SIAM Version 4** (Revised October 2005); **SALMOD (1); SALMOD (2); SALMOD: Salmonid Young-of-Year Production Model for the Klamath**, Trinity, and Sacramento Rivers; **Application of the Systems Impact Assessment Model (SIAM) to fishery resource issues in the Klamath River**, California; **Reshaping the annual hydrograph at Iron Gate Dam** to benefit anadromous fish populations in the Klamath River, CA; SIAM - **Animation of Water Temperature Along the Klamath River ; SIAM v.4**

- **Klamath River Modeling Project** (Deas/Orlob)

- **Fish Health Monitoring Reports** (Arcata USFWS); **Ceratomyxa Shasta 2007** Study Summary Jerri Bartholomew ; FY2002 Investigational Report: **Ceratomyxosis resistance in juvenile Chinook Salmon and Steelhead Trout** from the Klamath River.; **Nichols, K. and J.S. Foott. 2005.** Health Monitoring of Juvenile Klamath River Chinook Salmon, FY 2004 Investigational Report. USFWS California-Nevada Fish Health Center, Red Bluff, CA. (77 Kb); **Nichols, K. and K. True. 2007.** Monitoring incidence and severity of Ceratomyxa shasta and Parvicapsula minibicornis infections in juvenile Chinook salmon (Oncorhynchus tshawytscha) and coho salmon (Oncorhynchus kisutch) in the Klamath River, 2006. USFWS California-Nevada Fish Health Center, Anderson, CA 23 p.; **Update on Juvenile Fish Mortalities** Observed in the Klamath River 2008

- **Sediment Management for Dam Removal** Jeffrey B. Bradley, P.E, Ph.D. President, WEST Consultants

- Watershed Condition, **Turbidity, and Implications for Anadromous Salmonids** in North Coastal California Streams

- **Salmon rearing habitats in the main stem Klamath River.** Natural Resource Scientists, Inc. Red Bluff, CA. 37 pp. [1.65Mb] Vogel 2003

- **CA DFG Hatchery EIR / EIS**

- Nutrient Loading: Power Point Presentation: **Nutrient loading in the Klamath Basin: Agriculture and Natural Sources.** Special Report 1023, , by K.A. Rykbost and B.A. Charlton, Oregon State University/Klamath Experiment Station. ; **Nutrient Loading of Surface Waters in the Upper Klamath Basin**: (paper) K.A. Rykbost and B.A. Charlton; **Historical information on Klamath Watershed Hydrology and water quality in the Upper Klamath Basin** Presented to the National Research Council Committee on Hydrology, Ecology and Fishes in the Klamath River Basin by Klamath Water Users Association, posted to KBC 10/13/06; **Farming practices and water quality in the Upper Klamath Basin,** by TID Manager Earl Donosky and UC Davis Agronomist Steven Kaffka, Final Report to the Ca. State Water Resources Control Board (4/16/02) posted to KBC 9/11/06; **Klamath River Nitrogen Loading and Retention Dynamics** 1996-2004 (Yurok Tribe); **Upper Klamath Lake Basin Nutrient-Loading Study—Assessment of Historic Flows in the Williamson and Sprague Rivers** Risley and Laenen; **Upper Klamath Basin Nutrient-Loading Study - Estimate of Wind-Induced Resuspension of Bed Sediment During Periods of Low Lake Elevation** (1996) Laenen, Letourneau and Eaton must be purchased; **Water Quality and Nutrient Loading in the Klamath River Between Keno, Oregon and Seiad Valley, California From 1996-1998** Open File Report 01-301;

- Information about the **Klamath Project**; A Selected Bibliography of Water-Related Research in the **Upper Klamath Basin**, Oregon, through 1994; **Ground-Water Hydrology of the Upper Klamath**

Basin ; Final Natural Flow study - upper Klamath River (Attachments)

- Klamath River Compact Commission: Investigation Into Methods to Control Algae in The Klamath River Basin, June 1962
- CDC Facts about Blue Green Algae; Results of 2007 study
- Distribution of Anadromous Fishes in the Upper Klamath River Watershed Prior to Hydropower Dams—A Synthesis of the Historical Evidence
- Water Allocation Alternatives for the Upper Klamath Basin (This costs out the economic value of water to ag. We need a similar report for comparison of the value of water for fish)
- Estimated Water Vlaues in the Shasta River Basin
- Peace on the River? Social-Ecological Restoration and Large Dam Removal in the Klamath Basin. USA - Gosnell , Kelly
- Northwestern California/Klamath Bioregion Environment Information Sources
- Klamath River Basin 2009 Report to Congress NOAA
- Klamath Basin Science Conference 2010; and Program
- American Rivers links to various studies
- Critique of Science by David Vogel: 8 peer-reviewed reasons for the decline in coho, according to the USFWS studies (VIDEO); Salmon Rearing Habitats in the Main Stem Klamath River.; Major Problems with the Department of Fish and Game (DFG) 'Fish Kill' Report.:. Document by fish-scientist David Vogel, directed to the Fish and Game's statements on the 2002 fish die-off. ; Assessment of Klamath River Water Temperatures Downstream of Iron Gate Dam During September and October 2002, by David Vogel.
- US DOI Modified Terms and Conditions and Prescriptions for Fishways FERC - Klamath River Hydro

SOCIAL and ECONOMIC CUMULATIVE EFFECTS

- Northwest Forest Plan - the First Ten Years (1994-2003) Socio-economic monitoring of the Klamath National Forest and Three Local Communities (Cumulative effects)
- Excerpts Fruit Growers EIS social and economic impacts Draft Environmental Impact Statement for Authorization for Incidental Take and Implementation of Fruit Growers Supply Company's Multi-Species Habitat Conservation Plan
- Assessing the Viability and Adaptability of Forest-Dependent Communities in the United States (USDA Haynes)
- Unemployment History Siskiyou County
- USDA Economic Research: 1990 and 2000 Census Poverty Data; County-Level Unemployment and Median Household Income;

- CAL EDD - Siskiyou County Profile; Enterprise Zone Application
- Siskiyou County Child Care Planning Council Needs Assessment 2010
- Siskiyou County: A Profile of Poverty, Hunger & Food Assistance
- 2007 Ag Census - Siskiyou County; Agriculture pages; Klamath Basin Crops, Products and Livestock
- Economic Impacts of 2001 Klamath Project Water Allocation - OSU
- Kruse, S., Scholz, A. (2006). "Prelminary Economic Assessment of Dam Removal: The Klamath River." Ecotrust. (Mar. 11, 2007)
- U.S. Bureau of Reclamation. (2006). "Economic Modeling of Relicensing and Decommissioning Options for the Klamath Basin Hydroelectric Project." California Energy Commission. (Mar. 20, 2007)
- Forest Management Impacts (Large file - power pt.)
- Forest Economics Research at the Pacific Northwest Research Station, to 2000
- Well-being Assement of Communities in the Klamath Region (Prep. for USFS)
- A business owner in Seiad in northern California discusses the local economic impact of the suction dredging ban
- Suction Dredge Economic Impact; 07/22/2009 Economic Impact of Suction Gold Dredging in California is Over $52 Million Per Year ; Excerpts DEIR
- PacifiCorp proposed rate increses - comment to PUC (Armstrong)

See also Social and Economic Information

VI

DATA, LETTERS AND REPORTS

RELATED TO DAM REMOVALS AND ANADROMOUS FISH

Record copies at Iron Gate Fish Hatchery office

Iron Gate Hatchery

Iron Gate Dam and the spawning facility were completed in 1962. The main hatchery area was completed in 1966. The hatchery and dam were built by Pacific Power & Light Company. The hatchery is operated by the California Department of Fish & Game and was built to handle salmon and steelhead that previously spawned above the dam.

Fish Runs:

Chinook (King) Salmon - Late September to early November
Coho (Silver) Salmon - Late October to early December
Steelhead - November to March

Production Goals:

Chinook Salmon -	5,100,000 smolts (released in May - June)
	900,000 yearlings (released in November)
Coho Salmon -	75,000 yearlings (released in April)
Steelhead -	200,000 yearlings (released April)

A few salmon come back as jacks or grilse (2 year olds), most Chinook come back as 3 or 4 year olds, a very few return as 5 year olds and most Coho return as 3 year olds.

A female Chinook Salmon at Iron Gate Hatchery usually averages about 3,100 eggs.

We give fillets from our adult salmon to various organizations (churches, senior groups, food banks, & etc.) after they are spawned and processed.

Usually we have yearling Steelhead in raceway A, yearling Coho in raceway B, and Chinook fry or yearlings in each raceway C-H.

Fish in the raceways are usually fed 4-8 times per day (depending on size and age). During peak periods we feed in excess of a ton of food per day.

During October adult salmon can be observed spawning in Bogus Creek (walk down the road behind houses to bridge). **THIS ROAD IS OPEN TO PUBLIC ONLY DURING OPEN HOUSE** (check with hatchery to view at other times).

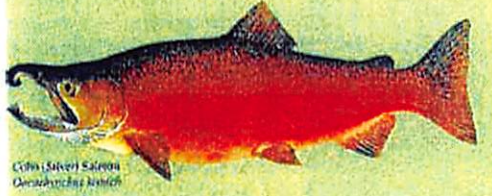
The hatchery water comes from 70 feet down in Iron Gate Reservoir and varies from 39 degrees F (winter) to 58 degrees F (late summer).

Most of the year, the river water comes through the powerhouse from the 20-foot level in Iron Gate Reservoir. The powerhouse can handle up to about 1,800 cfs. Any amount above that coming into the reservoir will cause the reservoir to fill and then spill.

If you have any questions about the hatchery call (530) 475-3420 (Monday - Friday: 7:00 AM to 3:30 PM).

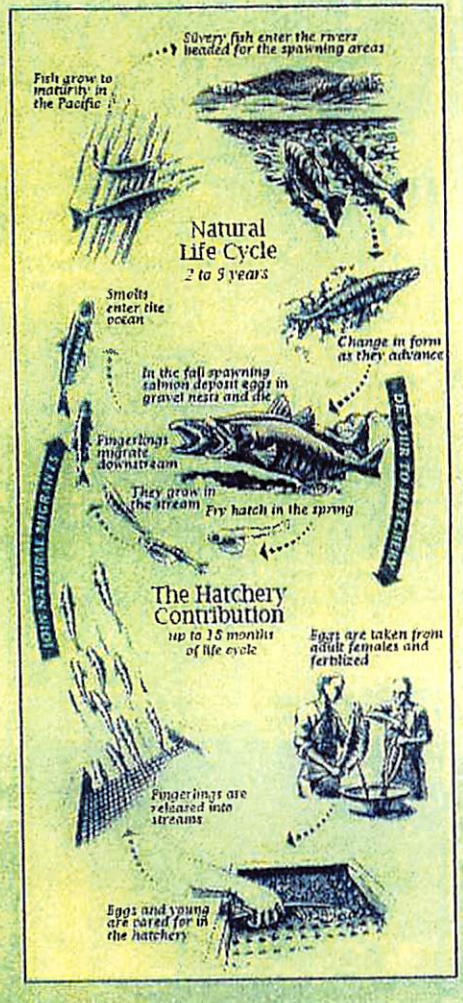
7/2010

Male steelhead and salmon change colors during spawning season, as depicted below.

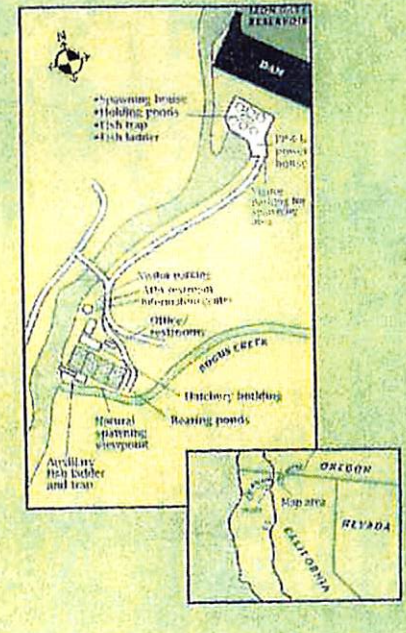


Coho (Silver) Salmon
Oncorhynchus kisutch

Chinook (King) Salmon
Oncorhynchus tshawytscha



Iron Gate Hatchery
8638 Lakeview Road
Hornbrook, California 96044

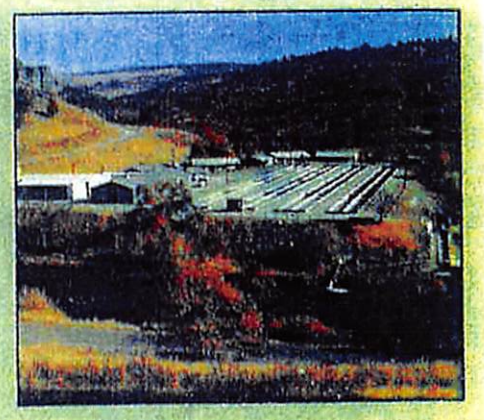


Iron Gate Hatchery is open to the public year-round. Visiting hours are 7 a.m. to dusk, seven days a week. October and early November are best for viewing.

Built by
Pacific Power and Light Company

Operated by
California Department of Fish and Game

Alternate communication methods are available upon request. If reasonable accommodation is needed, contact the Department of Fish and Game at (916) 653-6420 or the California Relay Service serving the deaf or hearing impaired from TDD phones at 1-800-735-2929.

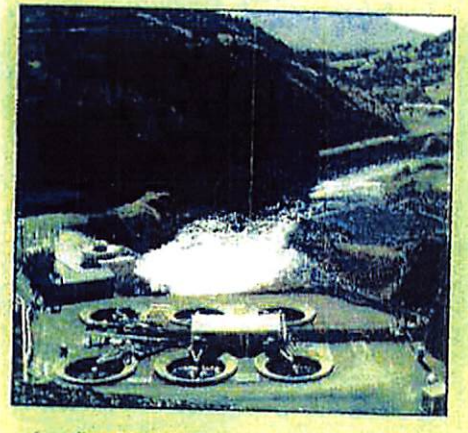


Iron Gate Hatchery

steelhead trout

coho salmon

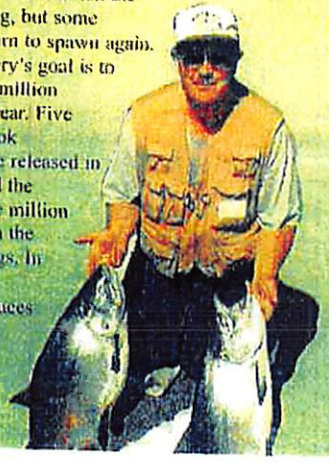
chinook salmon



Iron Gate Hatchery is located on the Klamath River near Hornbrook, California. The hatchery, just downstream of Iron Gate Dam, was built in 1966 by Pacific Power as fulfillment of federal license requirements. Pacific Power continues to fund 80 percent of the operations and maintenance of the hatchery.

Iron Gate Hatchery spawns and rears three kinds of fish: chinook (king) salmon, coho (silver) salmon, and steelhead trout. All three species are *anadromous*, meaning the fish spend most of their lifetime in the ocean and swim up fresh water streams to spawn. Salmon die after spawning, but some steelhead return to spawn again.

The hatchery's goal is to raise about 6 million chinook per year. Five million chinook fingerlings are released in the spring and the remaining one million are released in the fall as yearlings. In addition, the hatchery produces 200,000 steelhead and 75,000 coho yearlings.



When they reach the hatchery, fish swim up the fish ladders toward the spawning facility, providing a spectacular sight for visitors.

The returning adult salmon make a 190-mile trip from the ocean to the hatchery. When they reach the hatchery site, fish enter either the 300-foot long fish ladder at the spawning facility below the dam or the smaller ladder and trap at the hatchery. Adults are held in circular holding tanks below the dam until they are ready for spawning.

Some fish enter Bogus Creek, which borders the south end of the hatchery, and spawn naturally in the creek. A viewing site on the north bank of Bogus Creek allows visitors a glimpse of these naturally spawning fish.

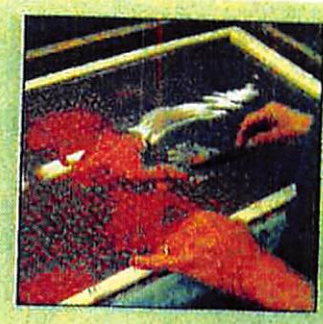
The hatchery contains eight standard concrete raceways, 400 feet long, for rearing fish; a hatchery building; an office; and four employee residences. The hatchery building houses 117 stacks of vertical, flow incubators with each stack having the ability to hold about 100,000 – 120,000 eggs. The eggs are collected in the fall and winter, and take approximately 40 to 60 days to incubate. The fry subsist on their own yolk sacs for about four weeks prior to feeding.

Fish are then placed in tanks or raceways and are fed various fish feeds until they are released into the Klamath River.

Iron Gate Hatchery contributes to commercial, sport and tribal fisheries in Northern California and Southern Oregon.

The Hatchery Cycle

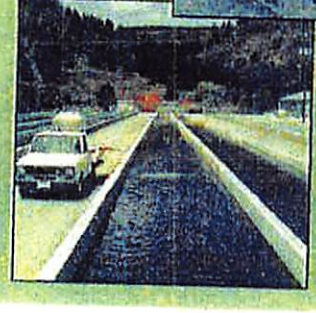
1. Eggs are removed from the females and fertilized.



2. Eggs are checked for size and placed into incubation trays.

3. During the 40-60 day incubation period, a continuous supply of fresh water flows through the hatchery building.

4. Small fish, called fry, are moved from the hatchery building to the outdoor raceways.



5. Fry are fed a variety of fish food until they are ready to be released into the Klamath River.

6. Once released, the fish grow to a catchable size to provide recreation and food for California anglers.

Frank Tallerico

From: rgierak2 [rgierak2@hughes.net]
Sent: Tuesday, July 19, 2011 5:22 PM
To: Frank Tallerico
Subject: Fw: Possible lawsuit against CA ESA, NMFS & USF&WS
Sent: Saturday, July 16, 2011 5:52 PM
Subject: Fw: Possible lawsuit against CA ESA, NMFS & USF&WS

PETITION TO DELIST
Coho Salmon (Oncorhynchus kisutch)
Nomination for Delisting of a Taxon of Flora or Fauna (Endangered Species Act 1973)

Presented By
Siskiyou County Water Users Association

347 N. Main St.

Yreka, Ca. 96097

530 842-4400

Prepared By

Dr. Richard A. Gierak

Bachelors Degrees in Biology & Chemistry, Doctorate in the Healing Arts, Director of Interactive Citizens United, Director of New Frontiers Institute, Inc. Prior Participant of FERC and FPAT (Fish passage advisory team) and HET (Hatchery evaluation team) Prior Vice President of Greenhorn Action Grange, Prior California State Grange Spokesman for the Water Committee, Prior National Whip of the Property Rights Congress of America, Representative of the Grange States of California, Oregon, Washington and Idaho regarding EFH regulations, Science consultant to Siskiyou County Water Users Association.

Statement identifying the taxon

Coho Salmon, Silver Salmon, Oncorhynchus kisutch...a salmonid which is a vertebrate fish

Reasons for nominating the taxon for delisting

This petition refers to the listing of Coho Salmon in the Klamath Basin including the Klamath River, Trinity River and associated waterways that empty into the Klamath River.

Known distribution of the taxon.

Occupies the entire Pacific Coastal region is herein challenged. This petition specifically refers to Northern California and the present listing of Coho Salmon as endangered under the California Endangered Species Act on the Klamath River and the proposed Federal ESA listing of Coho Salmon..

Known threats which may affect the taxa.

Nature--Estuarine destruction--predation--over fishing--by catch--Ocean temperature--Climatic

changes

Endangered Species Act of 1973

There is no provision for listing a species that is not indigenous to the ESU. To this date there is no historical evidence indicating that Coho Salmon were ever indigenous to the Klamath Basin.

In 2001, Not one person on the Karuk Tribal Council believed that Coho salmon were native to the Klamath River.

Within the Tribe's jurisdiction between Bluff Creek and Clear Creek on the California portion of the Klamath River, which is approximately between 91 and 140 miles below the lowest slated dam, Iron Gate, for removal this statement is reflected for example, in the **minutes of the Karuk Tribal Council Meeting of December 27, 2001:** Discussion was held by the Tribal Council and whether or not they [Coho] were ever present in the main streams and tributaries… …"Council states it may be **easier to prove the Coho were never present**", and also the comment was made that if they were never here, then **"they should not be encouraged to come back.**". The tribe named the river the Klamath, which translated means "Stinky River" and would not support salmon. http://www.savethedams.com/?page_id=350

Karuk tribal history dates back to 1700 when there were an estimated 2,700 members present and there is no mention of Coho or Silver Salmon prior to plantings in 1895 and 1899.

http://www.fourdir.com/karuk.htm

1913 California Fish and Game Commission Report

(CFGC 1913) , W. H. Shebley, Superintendent of Hatcheries, writes "Strange as it may appear, the presence of the silver [Coho] salmon in the waters of this State remained unnoticed until Dr. Gilbert, Prof. of Zoology at Stanford University, a few seasons ago called attention to them. Heretofore, all the salmon taken in our rivers have been commercially classed as Quinnat [chinook]". Any reported Coho were as a result of plantings in the Klamath River in 1895 and 1899. "Most of the salmon and steelhead eggs were taken at the [Redwood Creek] substation, as there was **no run of either kind of Salmon in the Trinity River".**
http://www.dfg.ca.gov/fish/documents/SAL_SH/SAL_Coho_StatusNorth_2002/SAL_Coho_StatusNorth_2002_D.pdf

Records from History as stated by CA Department of Fish &Game:

Quotes; "The earliest record of Coho salmon being stocked in the Klamath Basin was of a plant made in 1895. Further examination of the original records from the U.S. Commission on Fish and Fisheries (1895) revealed those fish were raised in the Ft. Gaston facility in Hoopa and were stocked in the Trinity River and in Supply Creek, a tributary to the Trinity River. Those fish were reared from eggs taken at a facility in **Redwood Creek**… and also from eggs shipped from another **facility not identified** in the report (but were likely from **out of the basin**)."

http://www.dfg.ca.gov/fish/documents/SAL_SH/SAL_Coho_StatusNorth_2002/SAL_Coho_StatusNorth_2002_D.pdf

Coho Salmon were not native

Dr. Ken Gobalet Professor of Biology Ph.D. California State University, Bakersfield

"The rarity of salmonids in archaeological materials suggests that the ethnographic record overstated the importance of salmonids to the Native Americans of California

No salmon remains of any kind were found south of San Francisco. Chinook salmon were the most abundant salmonid in the Sacramento River drainage. **No salmonids were found in the archaeological record in the San Joaquin River** drainage south of San Joaquin County."

http://www.informaworld.com/smpp/content~db=all~content=a932170617

Dr. Gobalet performed the research on the San Lorenzo River in Santa Cruz and his archeaological evidence (ie

excavation of middens at village sites) that proved that Coho were not native to the Lorenzo river. It has been ignored by the agencies....but it has not been used as evidence in a court case....yet The study only applies south of Pescadero Creek. He was hired to do more work down here and **found no Coho Salmon remains**.
http://www.naturalprocess.net/np_pages/coho.html

Historical Coho sightings in Californaia

"Coho were recorded in 1936 and 1981 from streams in northern San Francisco Bay (Marin County) (Brown and Moyle 1991)".(Peter Moyle is a warm water inland fish person, not an anadromous trained or studied person) This was most likely as a result of multiple plantings in California Rivers by Fish and Game with the earliest plantings in 1895 and 1899 followed by massive plantings in the 1960's and 1980's. "Historically, Coho were reported from streams as far south as the Santa Ynez River (Santa Barbara County) (Bryant 1994)", Once again these are most likely as a result of the massive plantings in the 1960's and 1980's in Northern California. "With respect to the San Francisco Bay, no Coho populations are known to spawn in streams emptying into the bay. Although there are no historical records indicating spawning populations on the bayside of San Mateo County, Coho were recorded in 1936 and 1981 from streams in northern San Francisco Bay (Marin County) (Brown and Moyle 1991)". Plantings of Coho in Northern California rivers in 1895, 1899 and the 1960's and 1980's are indicative of the source of these recorded sightings considering their genetic signature is that of Coho Salmon from Cascadia, Oregon.

http://www.cfses.org/salmonid/html/salmonid/population.htm

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http://www.dfg.ca.gov/fish/documents/SAL_SH/SAL_Coho_StatusNorth_2002/SAL_Coho_StatusNorth_2002_D.pdf

Genetic Analysis of Hatchery vs. Natural Salmon

The initial statement regarding the controversy between "natural" and "hatchery" fish was made in a report by Busack and Currens in 1995, wherein they stated, "Interbreeding with hatchery fish might reduce fitness and productivity of a natural population", and picked up by noted Ecologist Dr. Richard Primack and many Environmental Radicals and utilized in a listing petition for Cutthroat Trout in the Colorado River. Mr. Michael Rode of the California Department of Fish and Game at a Hatchery Evaluation meeting on September 19, 2002 at Iron Gate Hatchery disclosed that less than a 2% genetic survey has been taken to date and **no genetic differences have been noted between "hatchery" or "natural" Coho Salmon**. A 2011 report by the Expert Panel indicated that their genetic analysis indicated the Salmon in Northern California were from Cascadia, Oregon plantings.

California Fish & Game "Finfish and Shellfish Identification Book" published in December 2006 does NOT list Coho Salmon as being present in California waters.

Expert Science Panel 4-25-2011

"Weitkamp et al. (1995) suggested that natural origin Coho production in the SONCC ESU may not be currently sustainable. Further reduction in survival at sea in response to climate shifts has the potential to offset potential improvements in the freshwater environment, or it could cause further reductions or even extinction of natural origin Coho populations that are presently threatened with extinction."

It is also to be noted that upon genetic analysis of the Coho Salmon in the Klamath Basin appears to be from plantings from Cascadia, Oregon. This statement also verifies the statement that Coho Salmon were never indigenous to the Klamath Basin. "The final expert report on Coho and steelhead appears to indicate that the extinction of the Coho Salmon looks like it cannot be avoided. It does not appear that it is resource users (timber, farming, mining,) in the mid-Klamath is the reason, but is instead Ocean and climatic conditions."

FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

Quote from 2009 Water Quality Klamath TMDL scoping comment responses -
"The Regional Water Board can not establish life cycle-based water quality objectives for the mainstem Klamath River because the DO concentrations associated with salmonid life cycle requirements **can not be met even under natural**

conditions- conditions in which there are no anthropogenic influences. As such, the Regional Water Board staff has proposed water quality objectives that protect natural DO conditions from further degradation."

1800's Explorers comments

Explorers noted when first visiting the Upper Klamath Basin that water quality was so undesirable that even their riding horses and pack animals would not drink let alone support salmon populations.

Summation:

Based on evidence presented in this petition Coho Salmon were never indigenous to the Klamath River and the listing of Coho Salmon by California ESA and Federal ESA should be considered unlawful, arbitrary and capricious. Concluding that Coho Salmon were not indigenous there is no provision in the Endangered Species Act to list a non-native species.

Respectfully Submitted;

Leo Bergeron

SCWUA President

PETITION TO DELIST
Coho Salmon (Oncorhynchus kisutch)
Nomination for Delisting of a Taxon of Flora or Fauna (Endangered Species Act 1973)

Presented By
Siskiyou County Water Users Association

PRESS RELEASE

June 23, 2011

Siskiyou County Water Users Association has submitted a second Coho delisting petition to delist Coho Salmon in the Klamath Basin based on the following parameters.

1. There is no historical evidence that Coho Salmon were ever indigenous to the Klamath Basin.

http://www.dfg.ca.gov/fish/documents/SAL_SH/SAL_Coho_StatusNorth_2002/SAL_Coho_StatusNorth_2002_D.pdf

http://www.informaworld.com/smpp/content~db=all~content=a932170617

http://www.naturalprocess.net/np_pages/coho.html

http://www.cfses.org/salmonid/html/salmonid/population.htm

FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

2. The Karuk tribal Council meeting of Dec. 27, 2001 indicated that Coho Salmon were never in the Klamath River and they should not try to bring them back.

http://www.savethedams.com/?page_id=350

3. In a 1913 California Fish & Game Commission report indicated there were no run of either kind of Salmon in the Trinity River even after Coho were planted in 1895 and 1899.

4. There is no provision in the Federal Endangered Species Act for listing a non- indigenous species.

http://www.nmfs.noaa.gov/pr/laws/esa/text.htm

5. California ESA and NMFS are in violation of the Endangered Species Act by listing Coho Salmon which is unlawful, arbitrary and capricious.

6. U.S. Fish & Wildlife service are in violation of their mandates which are restricted to freshwater species only. By being involved in the KBRA and KHSA regarding a saltwater species, ie: Salmon, their actions are unlawful, arbitrary and capricious.

http://www.fws.gov/endangered/

7. Based on these historical records and the violation of the Federal Endangered Species Act Coho Salmon must be removed from the endangered list in California.

Respectfully submitted;

Leo Bergeron

SCWUA president

Frank Tallerico

From: rgierak2 [rgierak2@hughes.net]
Sent: Tuesday, July 19, 2011 5:30 PM
To: Frank Tallerico
Subject: Fw: ESA, Historical & Ocean

Subject: ESA, Historical & Ocean
Frank: These are the latest condensed version of the above topics with grepins.

Re: Coho Salmon in the Klamath Basin and Commercial Fisheries in the Pacific Northwest

1. There is no historical evidence that Coho Salmon were ever indigenous to the Klamath Basin.

http://www.dfg.ca.gov/fish/documents/SAL_SH/SAL_Coho_StatusNorth_2002/SAL_Coho_Stat

http://www.informaworld.com/smpp/content~db=all~content=a932170617

http://www.naturalprocess.net/np_pages/coho.html

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FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

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http://www.fws.gov/endangered/

7. Based on data from NOAA, NMFS, NASA, WEBECS, UK Pacific Ocean Temperatures have driven cold water Salmon North into Alaskan waters.

http://www.google.com/search?q=history+of+pacific+ocean+temperature&hl=en&prmd=ivns&sa=X&ei=sCYiTp6ZLIe2sAOx9Q9&ved=0CDwQpQI&tbm=&tbs=tl:1,tlul:1950,tluh:2010

http://earthobservatory.nasa.gov/Features/OceanCooling/page4.php

8. NMFS and NOAA data indicate that Commercial Salmon fisheries in the Pacific Northwest are 273% better today than it was in 1950 due to dams and hatcheries.

http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

9. Dams and hatcheries are not the cause of Salmon decline in California and Oregon waters. In 1950 the total catch of Salmon in the Pacific Northwest was 149,000 metric tons with 80 % caught in Alaskan waters and in 2007 the total catch was 403,000 metric tons with 97% caught in Alaskan waters.

http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

Based on these historical records and the violation of the Federal Endangered Species Act Coho Salmon must be removed from the endangered list in California.

Respectfully submitted;

Dr. Richard A. Gierak

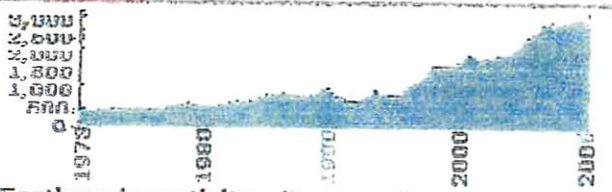
Planetary Changes Noted

Pacific Ocean Temperature

http://www.google.com/#q=history+of+pacific+ocean+temperature&hl=en&sa=X&tbo=p&tbs=tl:1,tll:1950,tlh:1999&ei=XQL7S-zVJcL68AaJkPXXCg&oi=timeline_histogram_main&ct=timeline-histogram&cd=10&ved=0CGwQyQEoCg&fp=244bc79c41741c3

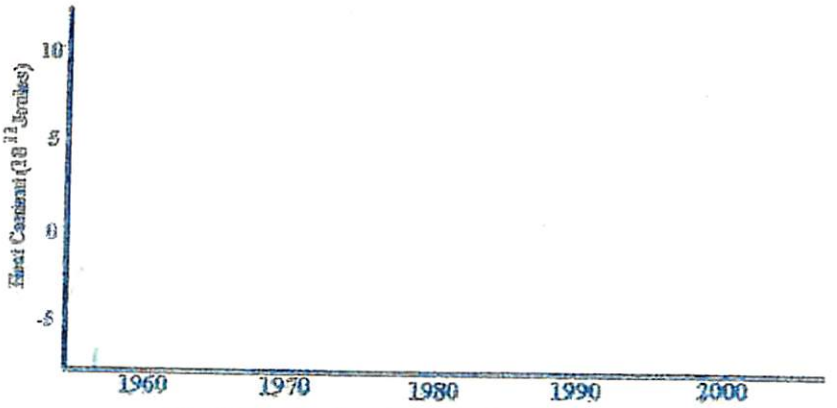
Volcanic activity in the Pacific Ring of Fire

http://www.google.com/search?q=volconic+history+of+eruptions+in+the+ring+of+fire&hl=en&sa=X&ei=K4PYTKWHHI7WtQPH4I8NCw&ved=0CGQQpQI&tbs=tl:1,tll:1700,tlh:2010



All Planetary Earthquake activity (Increased sensors add to increase)

http://www.earth.webecs.co.uk/



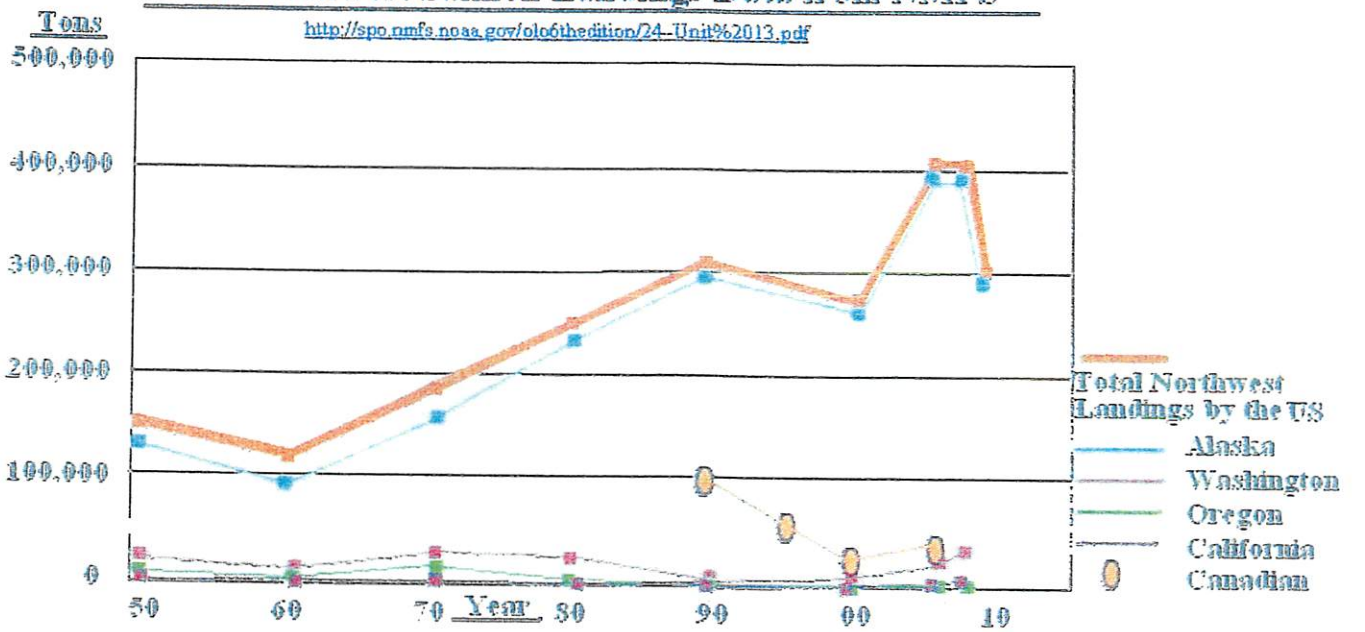
Heat Content of the Pacific Ocean

http://earthobservatory.nasa.gov/Features/OceanCooling/page4.php

Prepared by Dr. Richard Gierak 11-19-2010

U.S. Northwest Salmon Landings Data from NMFS

http://spo.nmfs.noaa.gov/olo6thedition/24-Unit%2013.pdf



NOTE: It is of interest to note that the largest landing of Salmon occurred in the year 2005 with over 400,000 tons. Compare that with the 1950 value of only 149,071 tons. That is an increase of a 273% increase in total Salmon catch. The decrease in 2008 to 300,000 tons is still a 201% increase over the 1950 value. We must assume from looking at the data that our Salmon fisheries are in great shape even though the landings in Oregon and California have dropped significantly. The overall Salmon landings are still healthy and would corroborate that Pacific Ocean warming has driven the Salmon North. It is apparent from NMFS data that landings in Oregon, California and Washington are but of small importance.

Of most importance is to note that increase in Pacific Ocean temperature has driven Salmon North as evidenced by the landing data.

Frank Tallerico

From: rgierak2 [rgierak2@hughes.net]
Sent: Tuesday, July 19, 2011 5:51 PM
To: Frank Tallerico
Subject: chinook halt listing

Frank;
This is the Halt Chinook Listing and associated press release. If you would like anything else feel free to ask.
Have fun.
Doc

Petition To Halt Listing Upper Klamath Chinook Salmon (Oncorhynchus Tshawytscha) As a Threatened Or Endangered Species

Prepared By
Siskiyou County Water Users Association

530 842-4400

May 18, 2011

Statement identifying the taxon

Chinook salmon, *O. tshawytscha* is an anadromous salmonid, the National Marine Fisheries Service has jurisdiction over this petition. Petitioner files this petition pursuant to § 553(e) of the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 551-559 and § 1533(b)(3) of the Endangered Species Act, and 50 C.F.R. part 424.14, which grant interested party the right to petition for removal of a rule. This petition sets in motion a specific administrative process as defined by § 1533(b)(3) and 50 C.F.R. § 424.14(b), placing mandatory response requirements on the National Marine Fisheries Service.

Petitioner also requests the removal of future critical habitat for Upper Klamath-Trinity Rivers The spring run component of the Upper Klamath-Trinity Rivers ESU has seen dramatic declines from historic levels and is in danger of becoming extinct in the foreseeable future should hatcheries and dams be removed. Most known spring run populations have been extirpated and the few runs that do still exist have undergone severe declines as a result of historic rise in the temperature of the Pacific Ocean driving these cold water fish North into Alaskan waters. In the past 25 years, wild fish have consistently returned at much lower numbers and only when hatchery fish are included do numbers approach historical estimates in some years. However, Salmon and steelhead hatcheries have historically had the twin goals of (1) helping to recover and conserve Natural spawning populations, and (2) supporting sustainable commercial, recreational, subsistence, and ceremonial fisheries. Most hatcheries in the Pacific Northwest and Alaska have been operating for many decades and have generally been very successful in producing fish for harvest and compensating for declines in wild salmon populations. Hatcheries are critical to maintaining future recreational and commercial fishing in the Pacific Ocean and in meeting Treaty harvest obligations. Like it or not, hatchery populations now comprise a major component of Pacific salmon/steelhead species gene pools. This year (2001) for example, 60-80% of salmon that will be harvested originated in state, federal, and Tribal hatcheries. Given the additional 20-40 million in human population growth predicted for the Pacific Northwest in coming decades, it is almost certain that the downward trend in purely wild salmon populations will continue. For example, the east coast of the US, Europe, China, Japan, and Korea formerly supported large populations of purely wild salmon. They no longer do so and it is unlikely they will ever do so again (Lackey, 2001). At the present time, hatchery runs are thriving and must not be destroyed.

Historical habitat for Fall Chinook Salmon

Native tribes and environmental NGO's have claimed that prior to the dams on the Klamath river there were millions of Salmon that spawned in the river. However, the reality based on Division of Fish & Game 1930 report, fish bulletin #34, the total number of Salmon on the Klamath totaled between 30,000 and 45,000 prior to the dams being installed. After the dams the numbers went up to between 45,000 and 90,000 fish. They seem to forget that in a dry summer the Klamath River turned into swamps and marshes and could not support any kind of Salmon run.

Historically Chinook Salmon on the Klamath River sported a Spring Run and in wet years a Fall Run. Before the dams were built, during a dry summer, there would be no water for a Fall Run of Salmon and with the building of the dams there is now a significant Fall Run due to the storage of water behind the dams. It is clear that since 1950 the actual tonnage of Salmon off the California Coast has been rather

level through 2000.

Genetic analysis of wild vs. hatchery salmon

Not only did today's hatchery salmon originate from the eggs and sperm of naturally reproducing salmon populations, hatchery produced fish have been thriving and returning to Pacific Northwest Rivers in unprecedented numbers. Unfortunately, these same hatchery fish are now being labeled genetically inferior, hunted down and clubbed, and their eggs sold as fish bait. There is a very real danger that present anti-hatchery policies will, if pursued, reduce salmon/steelhead populations to the point that there will be no significant recreational or commercial fishing for decades to come. In addition, the deliberate destruction of these hatchery populations by natural resource management agencies may actually be destroying genetic material needed for the continued health of salmon populations in general. Once genetic material is lost from a species gene pool, it can never be recovered. The populations of some remaining "wild" fish are now so small that their genetic diversity has been reduced to the point that they may be unable to grow sufficiently without an infusion of genetic material from hatchery fish.

In 2002 there was a serious fish kill of 33,000 salmon on the lower Klamath River. Environmentalists sounded the alarm that the toxic algae above the hydroelectric dams was responsible for the kill. Indian tribes raised the cry that warm water and lower flows were the primary cause of the kill. Fish & Game did not sample the waters until a week after the kill was complete. As a result of the environmental alarm of toxic algae in the reservoirs above the hydro dams the lakes were posted as toxic and the public was warned. Because of this action it was deemed that the dams had to be removed to protect people and the Salmon runs and thus the cry to remove dams and hatcheries were born. A Center For Disease Control study was initiated in 2009 and the waters in the reservoirs found no health related detrimental evidence.

Of primary importance was the Fish & Game report published in 2003 which indicated the following: ***"The DFG concludes that low flows and other flow related factors (eg; fish passage and fish density) caused of the 2002 fish kill on the lower Klamath River. Furthermore, of the conditions that can cause or exacerbate a fish kill, flow is the only factor that can be controlled to any degree. Flow is regulated by upstream reservoirs operated by the USBR on both the Klamath and Trinity Rivers." "Fish and Game also determined that the floods of 1997 and 1998 caused deposition of material in the lower Klamath that reduced the depth for returning Salmon. In addition to this factor the Trinity River had 70% of its waters diverted to Southern California thereby reducing not only the depth of the river but the increase in the temperature of the Klamath River."***

The Hoopa tribe water/boat celebration called for a pulse flow into the river system which decoyed the Salmon into the river system and the flows were then decreased leading to low flow conditions trapping Salmon in a narrow part of the river with shallow water and increased temperatures.

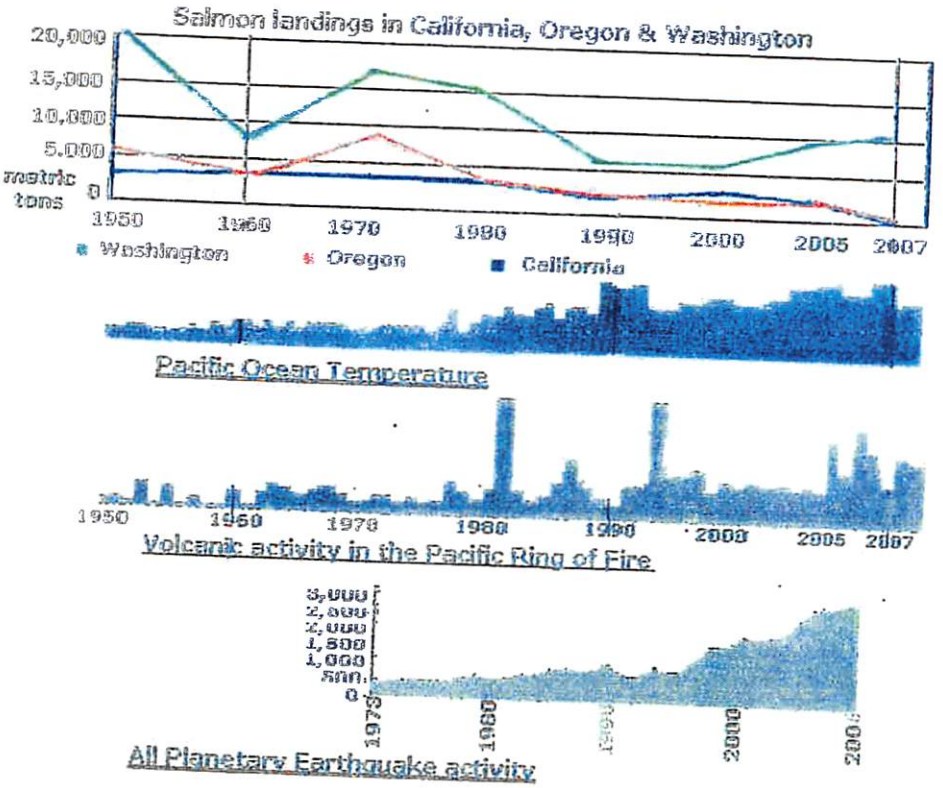
The initial statement regarding the controversy between "natural" and "hatchery" fish was made in a report by Busack and Currens in 1995, wherein they stated, "Interbreeding with hatchery fish might reduce fitness and productivity of a natural population", and picked up by noted Ecologist Dr. Richard Primack and many Environmental Radicals and utilized in a listing petition for Cutthroat Trout in the Colorado River. According to Mr. Michael Rode of the California Department of Fish and Game at a Hatchery Evaluation meeting on September 19 at Iron Gate Hatchery disclosed that less than a 2% genetic survey has been taken to date and no genetic differences have been noted between "hatchery" or "natural" Salmon. It should be noted that the NMFS listing of Coho Salmon in Northern California and Southern Oregon in 1997, (Federal Register: May 6, 1997 (Volume 62, Number 87, 50 CFR Part 227 [Docket No. 950407093-6298-03; I.D. 012595A]) Page 24588-24609) utilized the same data as in the coastal Oregon Coho listing. This listing also distinguishes "natural coho" from "hatchery coho" and they did not count "hatchery coho" even though there is no biological distinction between the two. Therefore, any listing affecting Northern California and Southern Oregon is also unlawful and should be set aside as arbitrary and capricious.

Recently an Appeal Court has set aside the 2001 ruling of the ninth District where the listing affecting Northern California and Southern Oregon Salmon is that "naturally spawned" and "hatchery spawned" argument for listing Oregon coastal Coho salmon The NMFS listing decision, contained at 63 Federal Register 42,587, is declared unlawful and set aside as arbitrary and capricious. United States District Judge, Michael R. Hogan stated the NMFS listing decision was arbitrary and capricious and thus unlawful under the Administrative Procedures Act 5 U.S.C. 706.

Understanding Salmon reduction in California Waters

In an attempt to understand the movement of commercial Salmon into Alaskan waters research found that there has been a historic rise in temperature of the Pacific Ocean which directly correlates with the historic increased activity in the Ring of Fire volcanoes. Since 1980 97% of all commercial Salmon in the Pacific Northwest have been caught in Alaskan waters. Although California, Oregon and Washington commercial fisheries are suffering there is scientific evidence that the Pacific Ocean temperature increase is the primary cause. In 1950 the total catch of all Salmon species in the Pacific Northwest totaled 149,000 metric tons with 80% caught in Alaskan waters. In 2007 the total catch in the Pacific Northwest was 403,000 metric tons with 97% caught in Alaskan waters. This scientific data clearly demonstrates that the commercial Salmon industry is in better shape than it has ever been. However, due to severe reduced landings of Chinook Salmon in California, Oregon and Washington have nothing to do with conditions on the Klamath River and its tributaries, but, is a direct result of the historic rise in Pacific Ocean temperatures.

Causative Factors in Salmon Decline



Prepared by Dr. Richard Gierak 11-19-2010

Pacific Ocean Temperature

http://www.google.com/search?q=history+of+pacific+ocean+temperature&hl=en&prmd=ivns&sa=X&ei=D_N3TbhSg4KxA7b61ccE&ved=0CHAQpQI&tbm=&tbs=tl:1,tlul:1970,tluh:2010

Pacific Northwest Salmon landings. http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

Summary

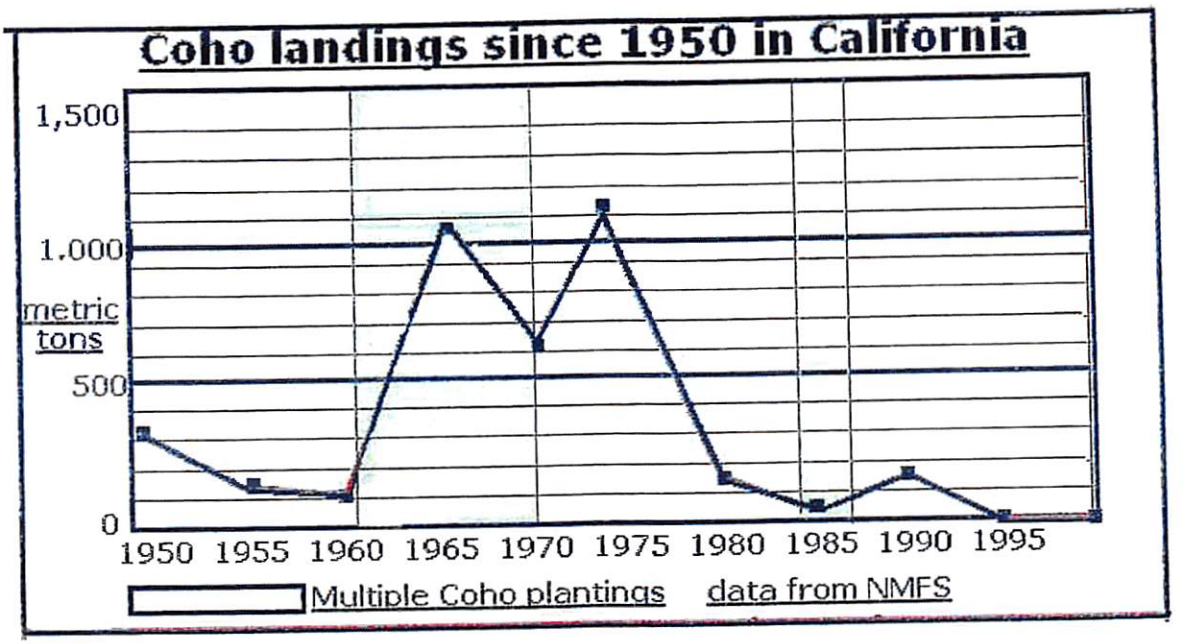
At this time NMFS and NOAA Fisheries has identified 17 evolutionarily significant units (ESUs) of Chinook salmon in Washington, Oregon, Idaho and California. Each ESU is treated as a separate species under the Endangered Species Act. Click the link below to get information about a specific ESU, its status, and other relevant information. Southern Oregon and Northern California Coastal in addition to the Upper Klamath and Trinity River ESU's are listed as NOT WARRENTED.

NMFS/NOAA data

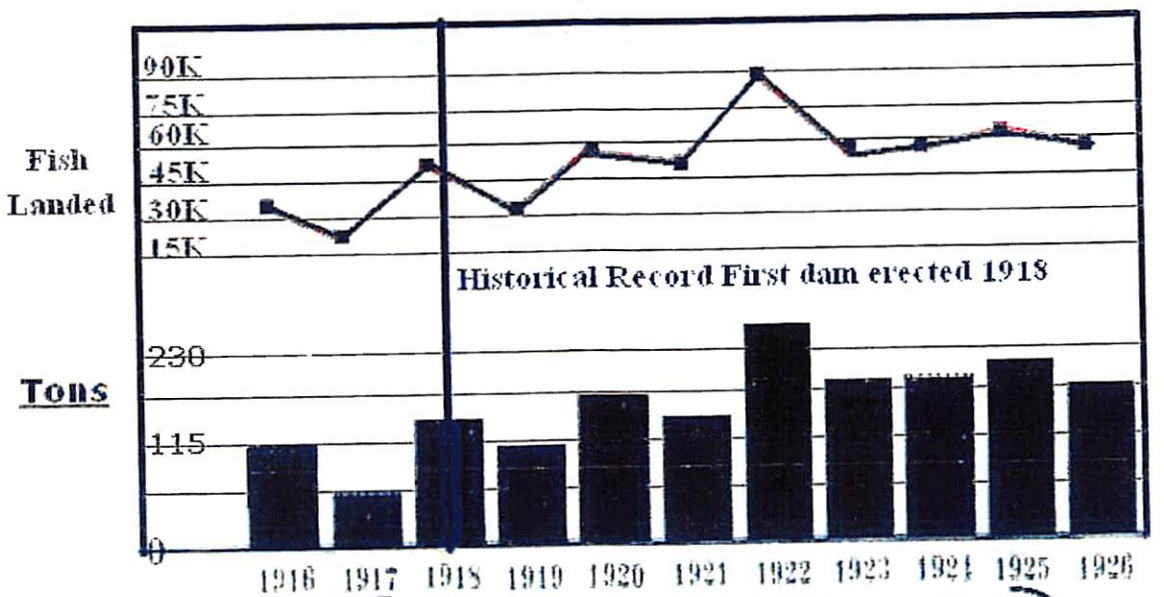
http://www.nwr.noaa.gov/ESA-Salmon-Listings/Salmon-Populations/Chinook/

Not only did today's hatchery salmon originate from the eggs and sperm of naturally reproducing salmon populations, hatchery produced fish have been thriving and returning to Pacific Northwest Rivers in unprecedented numbers. Unfortunately, these same hatchery fish are now being labeled genetically inferior, hunted down and clubbed, and their eggs sold as fish bait. There is a very real danger that present anti-hatchery policies will, if pursued, reduce salmon/steelhead populations to the point that there will be no significant recreational or commercial fishing for decades to come. In addition, the deliberate destruction of these hatchery populations by natural resource management agencies may actually be destroying genetic material needed for the continued health of salmon populations in general. Once genetic material is lost from a species gene pool, it can never be recovered. The populations of some remaining "wild" fish are now so small that their genetic diversity has been reduced to the point that they may be unable to grow sufficiently without an infusion of genetic material from hatchery fish. Listing Chinook in these ESU's is unwarranted and will not restore Chinook Salmon.

The year (2001) for example, 60-80% of salmon that will be harvested originated in state, federal, and Tribal hatcheries. Given the additional 20-40



Klamath History of Salmon Landings



Fish caught numbers are based on an average of 14= per fish as per the 1930 Snyder report

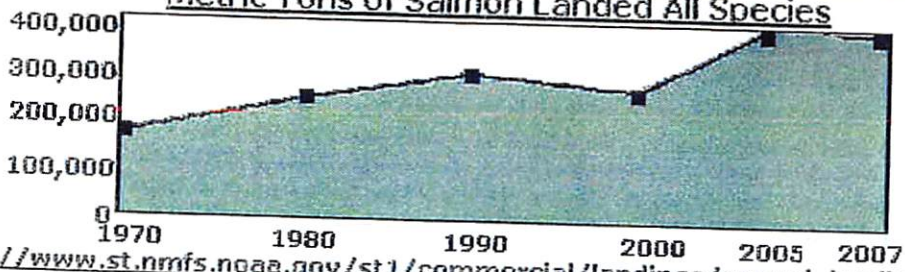
http://content.cdlib.org/xtf/view?docId=kt538nb0tr&brand=calisphere&doc.view=entire_text

Division of Fish & Game 1930 Report

Fish Bulletin #34

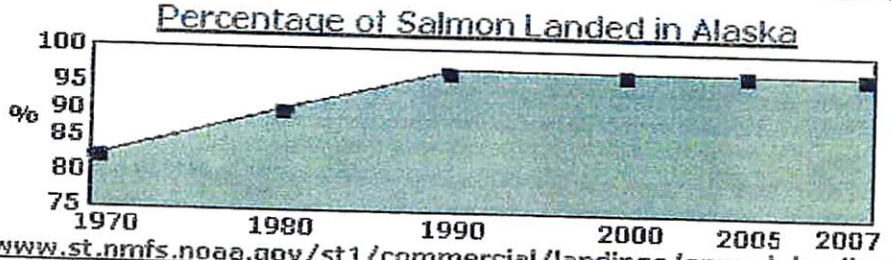
The Salmon and the fishery of the Klamath River

Metric Tons of Salmon Landed All Species



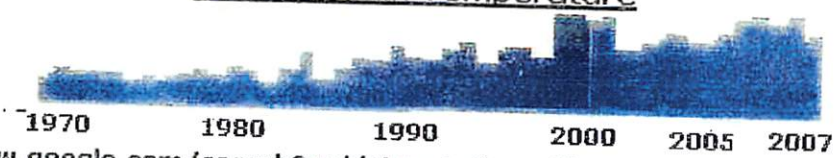
http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

Percentage of Salmon Landed in Alaska

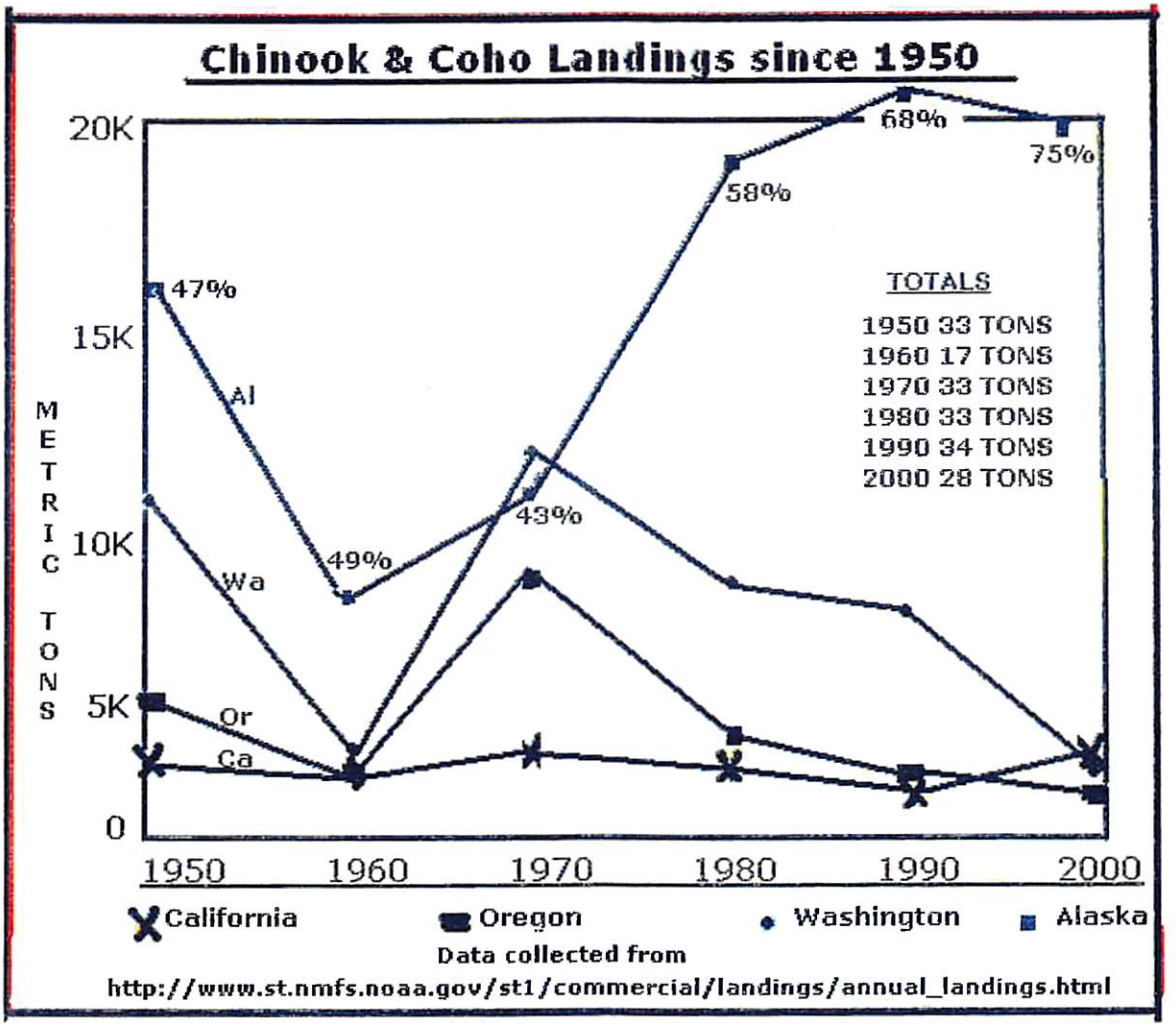


http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

Pacific Ocean Temperature



http://www.google.com/search?q=history+of+pacific+ocean+temperature&hl=en&prmd=ivns&sa=X&ei=v5shTfjaLpKmsOPA6pTxAQ&ved=0CHoQpQI&tbs=tl:1,tlul:1970,tluh:2010


Chinook & Coho Landings since 1950
20K
15K
10K
5K
0
METRIC TONS
1950
1960
1970
1980
1990
2000
47%
49%
43%
58%
68%
75%
Al
Wa
Or
Ca
TOTALS
1950 33 TONS
1960 17 TONS
1970 33 TONS
1980 33 TONS
1990 34 TONS
2000 28 TONS
California
Oregon
Washington
Alaska
Data collected from
http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

million in human population growth predicted for the Pacific Northwest in coming decades, it is almost certain that the downward trend in purely wild salmon populations will continue. For example, the east coast of the US, Europe, China, Japan, and Korea formerly supported large populations of purely wild salmon. They no longer do so and it is unlikely they will ever do so again (Lackey, 2001).

http://www.propertyrightsresearch.org/role_o.htm

Respectfully submitted;

SCWUA President;

Leo Bergeron

Dr. Richard Gierak D.C.
5814 Highway 96
Yreka, CA. 96096
530 475-3212
3-24-2011
Degrees in Biology, Chemistry and a Doctorate in the Healing Arts

Siskiyou County Water Users Association
Yreka, California

Re: Removal of hydroelectric dams on the Klamath River in Northern California to restore Salmon fisheries.

Are commercial fisheries in the pacific northwest in serious trouble?? Will removal of hydroelectric dams restore salmon fisheries?? These are the questions being asked about the dams on the Klamath River River. An opinion by National Marine Fisheries Service states clearly that removing dams on the Snake River will not help in restoring salmon. As to the dams on the Klamath River, radical environmental NGO's, tribal governments, commercial fisherman and governmental agencies believe that this action by the Klamath Basin Restoration Agreement and the **Klamath Hydroelectric Settlement Agreement "may" restore salmon runs.**

This presentation will investigate the reality of Salmon Fisheries in the Pacific Northwest. The primary premise for removing four dams on the Klamath River is to restore Salmon Fisheries. In 2002 there was a serious fish kill in the lower Klamath River that was attributed to toxic algae from the reservoirs above the dams. **A Center For Disease Control study was initiated and the waters in the reservoirs were deemed non-toxic.**

Recreational exposure to microcystins during algal blooms in two California lakes
Lorraine C. Backer a,*, Sandra V. McNeel b, Terry Barber c, Barbara Kirkpatrick d, Christopher Williams e, Mitch Irvin f, Yue Zhou f, Trisha B. Johnson g, Kate Nuremberg d, Mark Aubel e, Rebecca LePrell a, Andrew Chapman e, Amanda Foss e, Susan Corum h, Vincent R. Hill g, Stephanie M. Kieszak a, Yung-Sung Cheng Received 8 April 2009 Received in revised form 26 June 2009 Accepted 6 July 2009

It is of interest to note that Fish & Game did not sample the waters during the fish kill, but, waited over a week before sampling. Del Norte, Humboldt and Siskiyou County Sheriffs Departments in addition to the California Conservation Corps believed that the kill was caused by a metamphetamine dump into a stream which emptied into the Klamath.

FERC analysis of proposed re-licensing of Dams on the Klamath River

In their final report in 2006 FERC believed that the best option in considering the dams on the Klamath River was to leave them in place with mitigating factors.

What caused salmon deaths? Siskiyou Daily News (excerpted) ^ | February 16, 2003 | Barry Clausen

Salmon killed by illegal drug activities?

Journalist's findings challenge official explanation of cause of death

Posted: February 22, 2003 By Sarah Foster © 2010 WorldNetDaily.com

As a result the Coho Salmon were listed as endangered by the California Fish & Game and have instituted a plethora of regulations on the Klamath River in direct violation of the Magnusson Stevens Act and the Sustainable Fisheries Act. They are proposing fish ladders, TMDL regulations, algae control and a variety of other meaningless regulations. **It is a well known fact and the latest NorthCoast Water Board information states that the waters in the Klamath River have the largest amount of algae as it leaves Klamath Falls and that as the waters move downstream they become cleaner as a result of the reservoirs allowing sediments to settle out.** The latest report of the 2002 Salmon kill by U.S. Fish and Wildlife indicate that the kill was caused by unusually warm water, exceptionally large run of Salmon, Shallow waters due to 1997 flood depositing silt and debris, and 70% of Trinity River water being diverted South. **They have admitted that the reservoirs and dams did not cause the catastrophic salmon kill thereby negating the entire premise for removing the dams.** Under the Dormant Commerce Clause no State can impose regulatory actions on Waterways that are considered navigable or harbor commercial fisheries. Due to a loophole that was initiated in a lawsuit filed in 1970 is the premise for these actions.

Historic Salmon landings1916:

Native tribes and environmental NGO's have claimed that prior to the dams on the Klamath river there were millions of Salmon that spawned in the river. However, the actual numbers of Salmon during the years of 1916 to 1918 numbered an average of 34,000 fish per run. They seem to forget that in a dry summer the Klamath River turns into swamps and marshes and cannot support any kind of Fall Salmon run.

Between 1916 and 1918 prior to the dams being built it was noted that the Salmon catch on the Klamath River averaged 120 tons per run. After the first dam was built the next five years produced an average of 188 tons per run. This clearly demonstrates that the dam increased the tonnage by over 50%. The following link is a Fish and Game 1930 report.

http://content.cdlib.org/xtf/view?docId=kt538nb0tr&brand=calisphere&doc.view=entire_text

Not only will these actions not restore salmon fisheries in the Pacific Northwest but **Fish & Game cannot document that Coho Salmon were ever native to the Klamath River**. Plantings were made in the Klamath in 1895, 1899, the 1960's and the 1980's according to historical records. After plantings there was a rise in returning Coho for the following three years, however, without further plantings Coho levels again dropped to historical low levels. As a scientist I would classify these failed plantings as a failed experiment and that you cannot list a species that was never native to the River.

A REPORT UPON SALMON INVESTIGATIONS ON THE PACIFIC COAST IN 1896. By BARTON WARREN EVERMANN AND SETH EUGENE MEEK.

Predation by Pinnipeds

Both El Nino and the recent drought has been indicated as having an effect on the prey and predator species distribution. **Threatened California sea lions were porking out on threatened salmon.** Efforts to capture and relocate harbor seals exhibiting the same tendency have been unsuccessful in solving the problem. The (LRP) Ch4, pages 37-39, states that estimates of **mortality of anadromous salmonids from natural predators run as high as 98 percent (Fresh in Steward and Bjornn 1990)** Yuroks traditionally harvested marine mammals (McEvoy 1987), but today many of these species are protected by the Marine Mammals Protection Act." In the typical logic of fisheries scientists, the report proceeds to ignore its own stated facts in favor of the politically correct.

Chinook and Coho landings in California waters

It is clear that since 1950 the total landings of Coho and Chinook in California has dropped significantly. However, if we look at the total tonnage of these two species caught in the Pacific Northwest the total tonnage has not dropped significantly, but, the Coho and Chinook have moved North into Alaska. **In 1950 47% of these two species were caught in Alaskan waters and in 2000 the Alaska catch has gone up to 75%.** We will consider what has caused the movement of these two species North into Alaskan waters. http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

Chinook landings in California waters

The most important Salmon in California is the Chinook which traditionally sported a Spring Run and in wet years a Fall Run. **Before the dams, during a dry summer, there would be no water for a Fall Run of Salmon** and with the building of the dams there is now a significant Fall Run due to the storage of water behind the dams. If we look at the data it is clear that since 1950 the actual tonnage of Salmon off the California Coast has been rather level through 2000, unlike the Coho which have basically disappeared. In 1950 the tonnage of Chinook caught off of California was 3,200 tons. In 2005 the total tonnage was 2,300 tons and the numbers continue to fall. However, in 2000 Alaska landed 34% of all Chinook in the Pacific Northwest and in 2009 Alaska landed 53% of all Chinook in the Pacific Northwest.

The **true cause of Salmon decline** in California, Oregon and Washington are **as a result of a historic rise in temperature of the Pacific Ocean driving these cold water fish North into Alaska. In 1950 the total catch of Salmon in the Pacific Northwest was 149,000 metric tons with 80% caught in Alaskan waters. In 2007 the total catch was 402,000 metric tons with 97% caught in Alaskan waters. This represents a 270% increase in commercial Salmon caught in the Pacific Northwest.**

Pacific Ocean Temperature

http://www.google.com/search?q=history+of+pacific+ocean+temperature&hl=en&prmd=ivns&sa=X&ei=D_N3TbhSg4KxA7b61ccE&ved=0CHAQpQI&tbm=&tbs=tl:1,tlul:1970,tluh:2010

Pacific Northwest Salmon landings.

http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

This alone verifies that the intervention of man with dams and hatcheries has been a successful endeavor with a 270% increase in Salmon in the Pacific Northwest since 1950.

"Dr. Victor Kaczynski, a fish biologist and consultant on fishing issues in the pacific Northwest, says that per classical ecological theory, a 70 percent decline in zooplankton biomass results in a 70percent reduction in predators dependent on zooplankton. Since 1979, zooplankton levels have declined by an estimated 70 percent due to ocean warming. With a reduction in zooplankton levels by more than 70 percent over the past two decades, West Coast salmon have declined by at least 70 percent."

The Pacific Ocean has had an increase in temperature since 1970 that is historic in nature driving Salmon North into cooler waters.

It is also of interest to note that our planet is undergoing a historical rise in earthquake activity and Ring of Fire volcanic activity since 1973.

Volcanic Activity;
http://www.google.com/search?q=volcanic+history+of+eruptions+in+the+ring+of+fire&hl=en&prmd=ivns&sa=X&ei=Z_x3TfLGBo62sAP9_ozSBA&ved=0CGwQpQI&tbm=&tbs=tl:1,tlul:1970,tluh:2010

Earthquake Activity;
http://www.earth.webecs.co.uk/

Caspian Tern impact on salmonids

In recent months Fish & Wildlife, Fish & Game and environmental NGOs have theorized that **increases in the Caspian Tern in the Columbia Basin in the state of Oregon has been a causative factor in decreased salmonid production**, as they prey on salmonid smolts. **Rather than considering thinning of the tern population they are proposing relocating some of them throughout Washington, Oregon, Idaho, California and Nevada.** The rationale behind this proposal is insanity, as the relocation and building of new habitats for the tern would seriously affect present ecosystems in addition to allowing them to continue populating new areas for these predatory birds. As has already been presented, the causative factor in decreased commercial salmonid production in Washington, Oregon and California is the increased warming of the Pacific Ocean driving cold water Salmon North into Alaska. Refer to the following link:
http://www.fws.gov/pacific/migratorybirds/cate.htm

Impact on property owners residing on the Klamath River

Since the proposal of the KBRA and KHSA property values are plummeting on the property owners along the Klamath River. Specifically, the residents at Copco Lake are in such dire straits that realtors will not even list their properties. Not only are values being devastated, but, **Iron Gate Dam was built in the 50's for the primary function of reducing devastating floods downriver**. Iron Gate Dam allows for a 90 minute warning blanket to residents downriver in the event of an impending flood thereby saving property and lives.

Dam Removal on Salmon Fisheries

It becomes apparent from the preceding data that **dam removal will not restore Salmon Fisheries, but, will devastate it.** The Expert Panel in their conclusions indicated that dam removal will decrease Salmon production in the first years and **"MAY" increase Salmon production in 50 years**. Not only will we be looking at **Salmon spawning grounds upended and buried in silt and mud from the removal of dams, and it would release a "biomass" of yellow perch to feed on Salmon eggs and smolts. There is no scientific basis for assuming that dam removal will restore Salmon Fisheries** in the Klamath Basin as stated in the U.S. Fish & Wildlife report that the reservoirs and dams did not cause the 2002 Salmon Kill. .

Latest Pacific Northwest Fisheries data

Big Salmon Run spawns Profits: The Wall Street Journal Tuesday, February 8, 2011
http://online.wsj.com/article/SB10001424052748704124504576118462016940744.html
Dan Springer of Fox News reported that National Marine Fisheries Service indicated that removal of Snake River Dams would not restore Salmon Fisheries.

Conclusions

Should this dam removal proposal continue to move forward it would devastate property owners and subject those downriver of the dams to suffer inundating floods when you consider that Iron Gate Dam was specifically built to ameliorate the floods downriver by giving residents a 90 minute evacuation buffer in the event of a serious flood. This in addition to the fact that power rates will skyrocket and that Pacific Corps is pursuing "clean coal plants" to replace the most environmentally clean, green energy production. With the advent of electric cars we need more power, not less.

In the FERC analysis of the various options referring to dam removal their conclusion was that the dams should remain in place with mitigating factors.
http://www.ferc.gov/industries/hydropower/enviro/eis/2007/11-16-07.asp

For further information and references to these statements please go to the following you tube links.

Klamath Basin Salmon
http://www.youtube.com/watch?v=QOR8kBc0V6k
Historical Fisheries
http://www.youtube.com/watch?v=2-NkcLS68nw
global warming 7min.
http://www.youtube.com/watch?v=WffQhAOjVB8
Salmon bird 5min
http://www.youtube.com/watch?v=6a8Y-YEaMvo
Respectfully submitted;
Dr. Richard A. Gierak

Dr. Richard A. Gierak

An Engineers Quick Review and Analysis of the "Proposal to Remove the Klamath River Power Plants"

By

Werner F. Hoyt, PE (Mechanical/Marine Engineer)

31 March 2010

The National Science Foundation Review issued in March 2010 of the science behind decisions regarding water use cut off decisions. Driving these decisions were suppositions based on various ideas that certain activities were responsible for the collapse and subsequent listing of Delta Smelt and Longfin Smelt as threatened or endangered species. The foundation cited although the individual study science was good, they directed that the agencies go back and "Quantify the various elements of the situation. Spending 95% of your effort which attacks 5% or less of the global problem is bad science and bad management of scarce resources.

Subsequent to this Pacific Legal Foundation won their case *Stewart & Jasper Orchards, et al. v. United States Fish and Wildlife Service, et al.*). 18 May PLF statement **"Judge Wanger recognized that federal regulators had not taken account of how water cutoffs could damage the human environment, and they did not use the best available science," said PLF attorney Brandon Middleton.**

"This is a powerful, excellent ruling," said Middleton. "The judge is telling the feds that they can't ignore the harsh human and environmental impacts of cutting off water to farms, workers, businesses, and communities. The judge is also saying the feds can't get away with using slippery science to justify environmental restrictions that rob communities of their lifeblood – water."

We have a similar situation with the efforts from outside – The removal of the Klamath River Dams is an initiative largely on the part of individuals and agencies who do not have a personal stake in the issue. The impact of the changes imposed by these outsiders will fall on the residents of Siskiyou, Del Norte, Jackson, and Klamath Counties in the form of increased energy costs and reduced power reliability and security.

A quick review of the Parameters impacting the Klamath River Power Plant Removal Proposal

1 – What are the Major Factors Impacting Salmon and Steel Head Runs
- a) Marine Mammals/Predation
- b) International fishing
- c) Habitat
- d) Environmental Quality

e) What has changed that impact the Salmon and Steelhead Runs

2 – What are the Impacts of the alternatives
- a) Costs
- b) Reliability
- c) Environmental –clean vs CO2 emissions
- d) Security – Local power vs import from out of area
- e) Security – Trade Deficit/Dependence on foreign oil

The above all require quantification to determine where effort is to be applied.
The 5% solution yields 95% of the desired goal.

1a – Pinniped impact on fish populations

California Sea Lion Census 2007 – 238,000 Estimate by NOAA National Marine Fisheries
Current Population estimate extrapolated at 6%/yr. 1978 Census was 11,000 when the Marine Mammals Protection Act was established.

Year	Population
2007	238,000
2008	252,280
2009	267,417
2010	283,462

California Seal Population Census 2004 by NOAA National Marine Fisheries estimated West Coast Population at 31,000. Population growth per census appears to be starting to level. Assume declining growth rates at 1% per year from 2004 for extrapolation. Growth rate provided by Census was 9%/year

Year	Harbor Seal Population
1978	6,000
2004	31,000
2005	33,480
2006	35,824
2007	37,973
2008	39,872
2009	41,467
2010	42,711

Sea Lion/harbor seal Daily Food requirement ~ 16 kg (35 lb)/day equates to 3 ½ 10 lb fish per day = 35 lb x 365 = 12,775 lbs Estimated West coast population of pinapeds as of 2010 is approx 325,700 harbor seals and sea lions - equating to a food requirement of 4 billion lbs (2 million tons) of fish or 400 million 10lb sized fish.

Seal Pop	Pinniped Pop	Food Rqmt (lbs)	Food Rqmt(tons	Number of 10# fish
6,000	17,000	211,225,000	105,613	21,122,500
42,700	325,700	4,046,822,500	2,023,411	404,682,250

Pinnipeds are smart – they go where they can find food. In particular they congregate at the mouth of the rivers when the salmon and steelhead runs take place and compete with the Indian Tribes for what fish return. The have moved into the Columbia River as far as the Grand Coolee Dam, have been found as far inland as Stockton, California. Recently with the collapse of the fish stocks in the San Francisco Bay Estuary the resident population in SF Bay relocated for better hunting grounds.

1 b. Impact of Foreign Fish Trawlers and Fish Factories. Salmonoids range of migration is TransPacific in nature. Currently there is no management of take regarding populations originating from West Coast Spawning Areas. Drift net practices by Pacific Rim Countries result is a near complete take of Salmon Schools and steelhead when encountered by these fishing vessels. A quick look at total Pacific ocean take with National Marine Fisheries oversight indicates declining fish takes and collapses in fish stocks over the last 30 years. A rough estimate of current fish take all species by Commercial Fishing Trawlers is approximately 10% of that during the early 1970's. Current Data is not immediately available by web search. Best estimate base on trends is that the current take on the part of Commercial Fishing is similar to the impact on fish by marine mammals. The take in Alaskan waters in 1988 was 700,000 metric tons in a study regarding incidental take of marine mammals by the National Marine Fisheries Service. Best estimate without direct input from NMFS is that this number will be on the order of 2 million tons of fish.

Environmental Quality Trends Regarding West Coast Watersheds

Establishment of the Clean Water Act has resulted in -

1) substantially increased clarity of rivers and streams
    a. personal observation from having been diving in sections of the Klamath river below I-5 from 1970 to present, there is significantly less fine sedimentation and suspended clay fines. Summer visible distance has increased by several orders of magnitude. " inches to feet"
2) elimination of pesticides such as DDT
3) substantial reductions of pesticides entering the watershed
4) substantial reductions of phosphates entering the watershed
5) timber buffers on all streams/rivers prohibiting cutting w/in 50 to 100 ft – this has been in place since the early 1970's for private

companies/individuals. Believe this ha been s extended to publicly owned lands regarding timber harvest.

6) Substantially reduced timber harvest activity – on the order of 10% of the 1970 numbers on an annual basis for Northern California. We have seen the closure of
   a. Two mills in Mt. Shasta
   b. Two mills in Yreka
   c. Decrease in milling operations at Weed
   d. Two mills at Hilt
   e. Two mills in Dorris
   f. One mill in McCloud

Remaining Milling activity in Siskiyou Count of significant size
   a) 1 mill in Yreka
   b) 1 mill in Weed
   c) 1 mill in Dorris

Salmon Runs in the 1960's and Early 1970's – local fisher's were lining both sides of the Klamath River. Our family limited out routinely during both Chinook and Steelhead runs during the 60's.

Environmental Quality Trends – Need to Quantify
Annual Timber Harvest in the Klamath Basin from 1960 to present.
Annual Cattle production – as far back as we can go
Annual grain production – indicator of farming intensity/soils loss
Annual estimate salmon catch as far back as records go
- Various runs for both salmon and steelhead.

Klamath River water quality indicators
- As far back as records go
- TMDL records – into and out of the power plant system.
- Temperature of water released from iron gate vs the pre-dam river temperature profiles prior to construction of the power plants.

Build the case that the power plant system is beneficial to downstream water quality/beneficial to the health of the salmon/steelhead returning up

What has been a constant through this period – The Power Generation Facilities on the Klamath River (Iron Gate, Copco, etc)

What has changed.

1) Explosive growth of Sea Lion and Harbor Seal Populations - 20X based on National Marine Fisheries Data
2) Massive increased use of fishing trawlers and fish factories on the high seas by pacific rim countries from 1970 to present – 10X or greater.
3) Decreased environmental pressure on spawning stocks from human generated activity all across the North State. Reductions and quality

indexes need to be generated to quantify. But these numbers are on the order of 90% or more from the mid 60's.

Economic Impact of the Change

Current Power Rates for Siskiyou, Jackson, Klamath Counties 0.07/KWH vs 0.11/KWH from Pacific Power due to the Klamath River Hydroelectric Facilities.

Current Residential Billed Rate - May 2010 at Lake Shastina

KWH	Cost	unit price
1152	135	0.117188

Customers will face both the cost of the facility removal as well as increased power rates.

Alternative Clean Power – Suitability and Cost

Wind power – I believe that all attempts to permit wind generation in Siskiyou County have been blocked to date on the basis of "Visual pollution". Wind power although it has promise to contribute to the clean power in the county is only part of the solution to provide local energy security. Wind is not constant. There are a substantial number of days insufficient to generate power. The wind probability mapping for power suitability of wind generation indicates such installations are "marginal at best" Installed cost is $5.2 million per 2.5Mw turbine. Cost to replace the Klamath river Power system is 160/2.5x5.2= $322 Million dollars for 64 each 2.5Mw turbines.

Solar power – present cost $10,000/kW or higher. Replacement of power generated by the Klamath River Power by solar alone is

160 Mw peak gen capacity = 160,000 Kw = > $1.6 billion

Total annual Klamath river power generation =

Peak Power Output = 160 MW

Average Annual output = 80 MW to Siskiyou/Jackson/Klamath counties

Power output = 80MW*24*365/1000= 700 million KWH

Power Cap	Hrs	Days	Conv	KWH	Cost/kwh	Cost	Revenue/kwh	Revenue
80,000,000	24	365	1,000	700,800,000	0.07	49,056,000	0.018	12,614,400

Customer cost @ $0.07/KWH

Electric Generation from fossil fuel creates the following CO2 emissions.

955 g/kWh CO2 Coal
893 g/kWh CO2 Oil
599 g/kWh CO2 Natural gas

		lbs CO2/yr	ton CO2/yr	gallons/oil	Barrels/Oil	Import cost @ 50/Barrel	Import co 150/bar
2.101	lb/kWh Coal	1,472,380,800	736,190				
1.9646	lb/kWh Oil	1,376,791,680	688,396	62,581,440	1,862,543	$93,127,143	$279,381
1.3178	lb/kWh Nat Gas	923,514,240	461,757				
			49	100%			
			93	190%			
			279	569%			

Presently the cost of power produced by the Klamath river – assuming an average production of 80Mw

Is 49 million – local resource at $0.07/kWH

Removal and replacement by either oil or natural gas will result in pricing at

93 Million/year + generation and distribution cost – assuming $50/barrel of crude oil this is a 190% + increase over our current power

The bulk of this revenue will be exported overseas

279 million/year + generation and distribution cost – when prices return to $150/barrel as we previously experienced. This is 569% increase in cost the customers served.

Again this money is exported overseas as this is a new demand on fossil fuel sources where the United States is increasingly dependent on international markets for energy.

At $100/barrel over

$180 million/yr

$1.8 billion dollars over the next 10 years not indexing for inflation the cost

$18 billion dollars over the next 100 years not indexing for inflation

2010 Population Estimates

Siskiyou County 49,000 , Jackson County 201,000, Klamath County 68,000 Total Population Served ~ 338,000 -- estimated number of households assuming average household size of 3 = 113,000 households.

This equates to an additional **household burden of ~**

$1,000/household/year for $100 barrel oil

$2,000/household/year for $150 barrel oil

assuming that the change impacts the entire of each county if less that the entire then the burden proportionally increases.

1.8 billion – 0.49 billion = 1.31 billion => Cost/#households = 1.31 billion/113,000 = an increased cost of 12,000/household. ~ 1,000/household/year not indexed for inflation or likely energy cost increases for fossil fuels.

Existing Hyrdoelectric Power Plants Provide

1 – Clean Power

2 – Renewable resource

3 – Provides a power source locally

4 – Power is not subject to variability of weather or availability of the sun. Available based on demand by households and business.

5 – Does not contribute to global warming (no CO2 Emissions)

6 – Did not contribute to the decline of the Salmon/Steel head populations as evidenced by:

a. the explosive growth of the Pinnaped populations – establish a normalized trend line. Establish food demand trend line for population preying on salmonids at sea. Need NMFS to cough up their data on

- Sea Lion Population monitoring in the area from Humbolt to Coos Bay.
- Movements and behavior of the larger groups.
- Conflicts between fishermen and sea lions at the mouth of the Klamath River.

- Behavior and estimated take from the Sea Lions.

b. international fish trawler fish takes. – Establish trend lines
c. US fisher fish take – establish trend lines
c. improved water quality trends over the period of the decline
c. no evidence of decline as a result of the power plant construction

7 – Provides local jobs in the maintenance and generation of power.

Need to cite # of jobs – direct and indirect – indefinitely

Vs

No jobs in county provided by the facility removals. County resident construction companies will be unable to bond the size of the project $100+million. Outside companies will bring in their own workers.

Loss of the jobs currently provided.

8 – Provides an economical source of energy for local residents

Cost of power on the basis plants are maintained in current configurations. Including structural seismic upgrades if needed (No ladders)

Vs cost of power incorporating fish ladders

Vs cost of power with no power plants – note the cost of removal ultimately will be paid by the rate payers/tax payer – primarily the county residents.

9 – Power security independent of fluctuations in the fossil fuel markets

Power security that is local not subject to
- Major seismic events outside Siskiyou County
- Winter weather interruption of power grid outside of Siskiyou County
- Local power source allows for repair locally.

10 – Not subject to international events.

11 – Keeps local money here at home, in the county, in the country – does not add to the balance of trade deficit

12 – Does not increase our dependence on foreign energy sources.

13 – Flood protection

Define current flood boundaries as a result of the presence of the power plants.

Define the spring thaw snow melt flood event conditions – size and duration of flood event.

Define areas subject to that flood event – historical research of flood events, flood crests that took place on the Klamath as a result of spring snow melt/rain events in the upper Klamath Basin

Define the damage estimate of an uncontrolled flood event.

Define who would be affected from Iron Gate to the Coast based on the largest known flood event prior to the Construction the Power System Complex.

All presently protected residences, businesses in the new flood plain band would be required to obtain flood insurance. Note I believe current FEMA policy is to pay off and not rebuild in the flood plain if a business or residence is destroyed.

Conclusion based on sound analysis of the overall factors affecting fish populations.

1) **Predation** – Marine Mammals and Commercial Fisheries are the 95-99% portion of the equation affecting the Salmon and Pacific Fish Stock Populations. The **correlation** between Predation and fish stock collapse is **extremely strong.** Very strong impact versus rapid species decline.

2) **Habitat** – Environmental Quality has Steadily Improved for fish reproduction over the past 40 years. **Improving trend** while there has been a collapse in fish stocks indicating that habitat has not been a contributing factor to the species collapse. All indicator trends run **counter to the fish stock collapse.**

3) **Power Facilities** are not the source of the fish stock collapse – they have been a **constant factor** in the Habitat since construction. **No correlation.**

Ownership – Eminent Domain on the basis that FERC/Pacific Power have completely mismanaged the Resource???

How much of the income from the facilities is exported. How much infrastructure outside of our county are we paying for?

Recommendation –

(1) **Build fish ladders:** The cost of construction of fish ladders at each of these facilities is far less expensive proposition to the 3 counties than the future cost of energy and is the overall least damaging environmental solution to our energy needs.

1) Cost 90-300 million versus 1.8 Billion in increased costs to the county
2) It maintains our source of clean, reliable, low cost energy
3) Restores salmon access to the upper Klamath basin.
4) Prevents the creation of
    700,000 tons/year of CO2,
    7 million tons/next 10 years
    70 million tons/nest 100 years
5) Conserves fossil fuels oil or equivalent in coal/natural gas
    62 million gallons/year
    620 million gallons/next 10 years
    6.2 billion gallons/next 100 years
6) Maintains the recreation resource provided by the associate lakes behind the power facilities.

(2) **Seek assistance of the Pacific Legal Foundation** for assistance in this issue to force quantification of the sources causing the collapse. We will never restore Salomon Populations if the 95% portion of the problem is not addressed first.

Note: Detailed quantification is required to fully document the conclusions of this preliminary study of the Removal of the Kamath River Power Plants.

(3) **Full quantification** should be required of the agencies producing their studies as was recommended by the National Science Foundation in the case of the Delta Smelt calling for the removal of the Power Plants. The ESA requires that economic factors be considered in actions to be taken as well as an estimate of the effectivess of those proposed actions under the ESA. Does the proposed action really have a productive effect?

Known factors negatively contributing to species decline due to adverse fish management policy.

(1) Failure by NOAA/FWS to control take beyond the 200 mile limit by commercial fishers

(2) Adverse water releases from the trinity reservoir triggering fish movement when movement is not a normal event due to weather. Need to request records of water releases from the Trinity Reservoir

(3) Fish kill by agencies of reproductive adult fish at the Iron Gate facility that would otherwise migrate back downriver to another stream to reproduce.

County Government is the responsible agency for the CEQA review. As part of that review any or all of the NEPA accomplished by FERC can be called into question.

- Security analysis
- Energy analysis
- Cost of alternatives
- Economic impact on the 3 county area of Siskiyou, Jackson and Klamath
- Environmental quality trend analysis
- Population trend analysis
- Predator trend analysis
- Fish Take trend analysis by
  - Commercial Fishers
  - Tribes
  - Recreational anglers

Has FERC completed and issued their NEPA analysis regarding their imposition of requirements on Pacific Power.

KLAMATH RIVER DAMS REMOVAL: THE ISSUE IN BRIEF

(Prepared by Dr. John W. Menke, July 27, 2010)

Removal of four Klamath River dams as proposed in the KHSA and KBRA will result in unintended consequences that collectively add up to negative cost-benefit outcomes individually and collectively using scientific, engineering, economic, and Native American cultural criteria.

First and foremost, the dams provide flood protection for residences, businesses, agency offices, bridges, and other structures adjacent to reservoirs and within the floodplain of the Klamath River downstream from Iron Gate Dam (IGD) to the ocean. The railroad levee parallel to Highway 97, from approximately 4 miles north of Dorris, CA to Klamath Falls, OR restricts floodplain flows away from the river upstream of the geologically-formed Keno-divide and causes higher peak-flood-flows in the Klamath River today compared to pre-dam conditions (NRC 2008). If the dams are removed the levee must be removed or modified to provide the natural 'escape-valve' for the river above Keno. The Klamath River dams provide a minimum 9-hour peak-flood-delay below Iron Gate Dam which results in a significant reduction in risk to property loss. Additionally, the reservoirs provide local water supplies to helicopters used in fighting wildland fires that are threatening property.

Second, responsible federal and state fisheries management agencies and the Bureau of Reclamation have inappropriately devoted almost exclusive attention to natural and instream flow studies and agricultural flow-reduction strategies in the Klamath River watershed without studying, modeling and showing that Klamath River flow is the limiting factor or bottleneck to producing more salmon (NRC 2008). The studies and models that have been developed are too gross (monthly verses daily time step) and 'black-box' (not mechanistic) in design to accurately account for critical factors affecting fish abundance and health. In the case of the short-nosed sucker fish in Upper Klamath Lake, the agencies used a flawed Biological Opinion based on one naïve model to cut off irrigation water to farmers when that fish was not limited by lake levels according to vast amounts of empirical data. Until the true limiting factors are identified and justified with sound scientific studies and model demonstrations with sensitivity analysis to show causal mechanisms, it is premature to remove dams and hope that that action might help (see more on this below).

Third, only the freshwater life-stage portions of salmon and steelhead life-cycles have been discussed as affecting salmon abundance when we all know ocean temperatures and recent record harvest of Chinook salmon in Alaskan waters show ocean currents and food availability are affecting local fish abundance as well. The NOAA Fisheries component (ocean effects) of agency responsibility is never discussed in local meetings concerning salmon and steelhead in the Klamath River watershed. Likewise marine mammal depredation rates are never discussed. Now that large proportions of marine mammals have moved north to follow the salmon and steelhead, it is time for responsible agency officials to present their data and models concerning growth rates and harvest in the ocean where the vast majority of fish growth and harvest takes place.

Fourth, even though a vast majority of the freshwater fishery management agency workforce is devoted to surveys and monitoring studies including fish returns, spawning dates

and locations, live fish surveys, carcass surveys, juvenile escapement screw-trap-monitoring in the mainstem Klamath River and tributaries, disease incidences, coded-wire-tag marking and return information, harvest information: tribal netting, and sport-fishers catches, marine mammal predation studies, etc., no dynamic simulation models have been developed to allow prioritizing of possible limiting factors to salmonid productivity. Again it is time for this vast information database to be put to good use, and at least a freshwater component of the salmonid life-cycles be developed and demonstrated to the public. The NRC (2008) study stated that this process should precede any adaptive management program, after limiting factors or bottlenecks to improved salmonid production are identified—this has not been done.

In 1984, a Yreka sporting goods store owner put faith and hope in a $40,000,000, 20-year-long state funding commitment to California Department of Fish and Game to make improvements to the Klamath River fishery. Nothing of significance was shown or discussed with the public justifying the money spent during a review field trip to the river in 2004. During the partially concurrent 10-year Klamath Act and the NRCS EQIP Program efforts including the clearing of culverts and log-jams that restrict fish access to small tributary creeks, construction of fish screens to reduce incidental take, construction of pipe-lines to reduce ditch losses in agricultural diversions, and installing cost-shared pivot-irrigation systems to replace less efficient flood and wheel-line irrigation systems, no improvement in salmon and steelhead numbers can be demonstrated. With less flood irrigation, reduced ditch losses, and with 'efficient irrigation' systems, groundwater replenishment has most certainly been reduced and cold-water refugia have likely been reduced in effectiveness. Winter-time tributary stream temperatures have likely declined during egg incubation so that emergence has been delayed due to less groundwater accretion to tributaries. These are clear examples where hypotheses are not tested prior to implementation of un-educated guesses on what's broke about the system.

(Another 3-4 paragraphs will be added concerning water quality, sediment, and fish disease—the greatest risk of dam removal; and cultural issues of burial site disturbance and ?)

But agencies are in need of projects since most diversions have been screened, those wanting cost-share pivots have been satisfied, and seasonal monitoring needs are not year-round jobs. Why not develop a mega-restoration project even before the impact assessment is done?

Literature Cited

NRC (National Research Council). 2008. Hydrology, Ecology, and Fishes of the Klamath River Basin, National Academic Press, Washington, D.C., 249 pp.

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May 11, 2011

We live (since 1993) in rural Siskiyou County where cattle, hay, logs and gold sales are the economy. We have way too much government employment in our county. Since forestry has largely been shut down on public lands the number of employees on National Forests far exceeds the work load. It is basically a government welfare system going on in our area as far as the Federal agencies are concerned. To show Federal support (short-term local construction jobs) two new large buildings have and are being constructed for the US Forest Service at tremendous unnecessary expense to the federal taxpayer.

Currently we are fighting using civil disobedience to counter State Fish and Game and North Coast Regional Water Quality Control Board (NCRWQCB) efforts to take our irrigation water away. Fish and Game tried to implement an illegal ITP (incidental take permit) program and has violated landowners with extortion actions by armed game wardens committing color of authority violations in the process. They are now in the process of replacing the Fish and Game Director since they know he is liable for jail time having authorized an illegal method of forcing landowners to make decisions contrary to their will.

US Department of Interior, through the President, is illegally using the Antiquities Act to designate a new monument and expand an existing one from southern Oregon into north Siskiyou County, and is ignoring the Congress of the United States which is the only body legally able to designate wilderness. The Department of Interior is going to make a unilateral decision about hydroelectric dams removal which the citizens of Siskiyou County overwhelmingly voted (80%) to keep the dams in place producing green power. The NCRWQCB is in collusion with the US Department of Interior using their waiver program to stop grazing on part of the proposed monument area, and they have violated the Data Quality Act (EPA oversight) in giving the public the impression that Upper Klamath Lake water can be cleansed by bioremediation through extensive, expensive wetlands construction. Even the expert scientific panel on Chinook salmon related to dams removal doesn't buy their claims, but the government is 'MOVING FORWARD' on their efforts regardless.

Fish and Game has been practicing Federal take on coho salmon since 1995, to reduce the population initially get the fish listed in 2005, and now to take further property rights away from landowners via water controls. The NCRWQCB has used their EPA connections to force the dams owner, PacifiCorp, to agree to dams removal, and now the National Marine Fisheries Service has forced PacifCorp to secure an ITP and HCP, so that power rates will be raised again to further hurt agricultural irrigators' pocket books. In fact, all citizens (70,000 residences in northern California, southern Oregon, and as far away as Wyoming using power generated by the Klamath River dams) are being ripped

off with power rate increases to supposedly pay for dams removal, even though the decision has not been made or funded by California and Oregon nor the Federal governments.

Fish and Game has prepared suction gold dredge guidelines that essentially eliminates economical gold dredging on the Klamath River. In actuality gold dredging helps the river by dislodging an overly cemented armor bottom on the riverbed disallowing spawning salmon to dig their nests to deposit their eggs. Lack of sufficiently frequent flood events with more common drought cycles in the last several decades have caused abnormally cemented gravel materials to develop, disallowing good salmon reproduction. Fish and Game, like all their sister agencies, are part of a larger agenda to force people out of Siskiyou County because it is a rare place in an otherwise overpopulated state. These folks see the county as a park, given its relatively pristine/undisturbed state when comparing it to even the 'visited-to-death' Yosemite National Park. Agenda 21 has mapped the whole county as a corridor of organism movement for otherwise non-gene sharing segregated meta-populations of plants and animals that have 'human rights'.

Given the collusion that has been taking place among Federal and state regulatory agencies and coastal communities including Indian tribes to the west of Siskiyou County, it would be to Siskiyou County's detriment to be pooled with counties to the west from a representation standpoint. Siskiyou County shares custom, culture and economies with Modoc County and other counties to our south including Shasta, Lassen, Tehama, and Plumas counties. The proposal to make the dividing line Interstate 5 and pooling western Siskiyou County with Trinity, Humboldt and Del Norte counties would not be welcomed by Siskiyou County residents.

Sincerely, John and Jennifer Menke, Ranchers

KLAMATH RIVER ISSUES-PERSONAL INVOLVEMENT and OBSERVATION

I am fully aware of the Lower Klamath and Tule Lake Basin reclamation projects where shallow lakes and marshes were drained and manipulated into manageable farmland and made available to lottery winning American war veterans. I am also aware of the water issues of 2001 and the Endangered Species Act which have caused social unrest and division in our region. However, as a state wildlife officer I had no direct professional or personal involvement in any way, shape or form, other than monitoring media reports. My personal and professional views have not been publicly shared.

During and after my professional career I have been an active board member of the Collier Interpretive and Information Center (CIIC), located north of Yreka at the juncture of Interstate 5 and the Klamath River. CIIC provides the public with interpretation and information specific to the geographical region and the Klamath River watershed.

It is clear to me that the Klamath River drainage is a unique **"upside down watershed"**. Whereas many natural drainages of the Pacific Northwest originate high in the coastal mountains where precipitation levels are high and somewhat maintained through snow pack, this system originates in a high desert, plateau-like environment with sparse annual precipitation. As a result, the upper end of this system is typically a spring fed or artesian water supply with slight elevation changes and marginal water velocity variations as it flows from the high desert towards the ocean. In this case, where water velocity is low or relatively consistent, any sedimentation that occurs creates alluvial deposits locally over time. There are several regional examples of this process, called "succession", but a prime example is the shallow body of water called Upper Klamath Lake and Agency Lake. This is a relatively long and shallow mostly natural-impoundment in Klamath County, Oregon. Historically speaking, and I mean thousands and thousands of years ago, anadromous fish species undoubtedly traversed the watershed from the Pacific Ocean to the Williamson, Wood and Sprague River drainages. As a result of time, naturally occurring water flow scouring and water-caused sedimentation have produced the river-lake conditions that exist today. And, because of that historic anadromous access there are indigenous trout above present day Upper Klamath Lake; just as they exist in several closed watersheds in the region. Over time, warm water and cold water fish species have adapted to the current given environments, the carp or sucker fish are examples thereof.

As the watershed naturally drains towards the ocean it meets a sharp gradient change in the Keno, Oregon area and begins to flow through deeply carved canyons and the coast range where annual precipitation is comparatively high. Because of the elevation change the rapidly flowing water is cutting and filling the river's channel until it bluntly meets sea level which is a relatively consistent "plug" to the drainage system. This natural degradation and periodic flushing action of the river, during high flows especially, are uniquely tolerated by anadromous and catanadromous fish species and their life and cyclic movements are triggered as a result of the fluctuation.

Water quality above the John C. Boyles Dam near the California-Oregon state line is historically poor for anadromous fish species and has declined further since the farmland reclamation project in the early 1900s and settlement downstream from the Klamath Lake outlet at Link River.

Anadromous fish utilize the river system as a freeway-like route with a strong desire reach its headwaters and/or to enter the river's femoral feeder streams to spawn. Bogus Creek, near the current Iron Gate Fish Hatchery, is a good example of this where spawning salmon choke the spawn able gravels and then die. Each and every stream feeding the Klamath River system in those lower reaches will receive adult steelhead and salmon if that is where they originated

and other conditions are acceptable. I have seen very large steelhead trout spawning in femoral streams at the uppermost extremes of the drainage (or natural barrier) where their backs are out of the water and they can't turn around without considerable effort.

Shovel Creek, above the Iron Gate and two Copco Lake power generating dams, is a prime example of one of the last streams where anadromous fish were able to successfully spawn prior to the river being impounded for electrical production. The adult fish utilizing Shovel Creek spawning habitat went as far as the natural barrier at the confluence of Panther Creek, but indigenous, naturally reproducing trout exist above it simply because previous generations were able to maneuver beyond the barrier before it naturally became impossible to do so.

When Iron Gate Dam on the Klamath River was proposed every governmental agency involved had to know that there would be an anadromous fish passage issue above that point. Through studies and first hand knowledge they had to realize too that there was historically marginal spawning habitat and conditions for those migrating fish species above that point. Because of that knowledge the Iron Gate Hatchery was not only proposed, it was mandated by scientific based agreement with government agencies to maintain anadromous fish in the Klamath River into perpetuity.

That hatchery, placed at the base of the Iron Gate Dam, did not happen haphazardly. There were strong reasons for it and planning mandates that came with its construction design and long term maintenance. Cold water would be drawn from well below the surface level of water behind the dam so as to assure cold water temperatures for the hatchery's fish spawning byproduct and rearing. Though built by federal agency dollars the hatchery is professionally and capably managed by the California Department of Fish and Game personnel on a year round basis. The number of adult fish processed and eggs fertilized is mandated by oversight authorities based on several factors and those numbers serve to mitigate the permanent loss of spawn able habitat above the dam. In my opinion, there are more genetically strong fish being produced by this fish hatchery than what the watershed can produce in ocean-entering and river-returning individuals naturally on its own.

The vast ocean environment is a critical factor in the returning number of Klamath River Salmon and Steelhead and is yet an unknown influence on the population dynamics of Klamath River fish. When 100% enter the ocean at the mouth of the Klamath River on their outward migration into the ocean and more than 80% fail to return as adult spawners four years later, the loss is considerable and thus far unexplained. Commercial take of Klamath River fish is considerable in ocean waters as far north as Alaska and west towards International and Russian controlled waters.

OPINION and CONCLUSION

After serious deliberation, I am of the opinion that Alternative 1 (No Action/No Project) is the best alternative at this time in American history. We are in critical economic strife nationally and worldwide currently and I believe this is an unnecessary expenditure of tax payer dollars. The adverse impacts of dam removal to Siskiyou County are potentially disastrous and unacceptable and I feel the opinion and concerns of Siskiyou County were poorly addressed from the start.

I feel PacifiCorp, a privately held corporation, is being unduly regulated by the federal and California state re-licensing authorities and have been forced to destroy the electrical power facilities on the Klamath River simply because the regulations and political demands have become cost prohibitive to effectively and efficiently run their business. It's insane to regulate this clean energy source out of existence, absolutely insane here in America.

I also feel this public input process has been pre-conceived and determined to force any opinion options towards dam

removal. As such, I think all of the alternatives except Alternative 1 are unacceptable and have unfairly forced respondents into a box. Any input honestly offered is simply a forced reaction to the alternatives on the table. I think the whole process is a farce. The dams are not the problem with the Klamath River fish!! The ocean holds the answers and further knowledge should be obtained before money is wasted on dam and clean energy destruction.

And, regardless of what Native Americans upstream of the Klamath Lake impoundment believe, I do not think salmon or steelhead trout would navigate the shallow lake from its outlet into the Link River and find their way to the Wood, the Williamson or any other tributary on the north end of the lake even if they were trucked there and released. This whole project is ignorant from the start and to offer rebuttal to insanity is worthless and senseless from the start.

The rainbow trout that inhabit Klamath and Agency Lakes, and spawn in those river and stream systems, have adapted to this unique system and adequately provide any and all cultural opportunities for their Native People. The carp, or sucker fish, have been their staple fish source for many, many moons, not the ocean run salmon and steelhead that they are professing historical ownership to.

The Klamath Tribe has been fully compensated over the years by the US Government and the American public. There is absolutely no acceptable reason for US tax dollars be used to purchase the 92,000 acre "tree farm" that is currently being considered as part of the Klamath Basin Restoration Agreement. They are doing well with the corrupt casino businesses throughout the nation now and money is literally flowing into their pockets. If the property is for sale, they should have the opportunity to purchase it just like others throughout the world do.
The downriver tribes have little or no ground to stand on. They have all the Klamath River fish they want or could ever need. They have gill nets across the river that take upwardly migrating salmon and steelhead. Not for subsistence or cultural uses, but for commercially motivated reasons that are unlawful and unethical in today's world. They will soon introduce the California Condor into the Klamath River watershed and it too will become a cultural icon to them that will again adversely affect current civilization and spawn conflict with other Americans.

In conclusion, I am critical of the process used in this KBRA/KHSA. I believe we are catering to a second generation of privileged farmers that for fifty-years enjoyed bargained power rates offered only to the American war veterans who literally won a once in a lifetime lottery to own and work potential farmland in the Tulelake, California area of the Klamath Basin. When that time frame was over, they were to assume the power rates that everyone else in the region was paying. They are now complaining that their power costs have gone up two thousand percent (2,000%) literally over-night. Welcome to the real world, now they're finally paying exactly what everyone else has been paying for the last fifty years.

Bottom line, keep the Dams in place. Re-license the PacifiCorp dam operation on the Klamath River and keep the rogue individuals working in Government out of the way. Sensible oversight for the overall public good is one thing. This is incredibly insane in America.

Sincerely yours,

Rennie D. Cleland
Dorris, Siskiyou County, California

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17 Nov 2008, 9:10pm
Homo sapiens Salmon and other fish
by admin

Sophie's Choice on the Klamath

The following letter is from Ric Costales. Ric has lived and worked on the land and in the woods in the Klamath Basin for 35 years. He is currently the Natural Resource Policy Specialist for Siskiyou County. This letter represents his personal opinions and is not an expression on behalf of the County of Siskiyou.

Dear Green River friends:

I understand from a friend of mine in Rock Springs that there was a recent forum having to do with water issues and the matter of the Klamath Basin was brought up as a solution in progress. Apparently an image was conveyed of happy stakeholders awaiting a New Day. Well, yeah, the Tribes are probably happy for numerous reasons. And, yeah, the big irrigators are probably content thinking they have secured the amount of water that is positively the absolute minimum they can economically live with. And, yeah, environmentalists are thinking they have taken a small step, but a first great step for mankind in "freeing" all the rivers. But that is it. It is not any sort of a rosy picture for the majority of people in the Klamath Basin, especially the small irrigators who are so far left out in the cold. Nor does it come without impact on the future of renewable hydropower and irrigated agriculture in America.

The position of Siskiyou County has been and still is that a decision to take the dams out is premature. Given the magnitude of the irrevocable step being proposed, no compelling argument based on fish or water quality science or economic feasibility has been presented. Neither has sufficient effort been made to investigate the mitigation for negative impacts. This is a shameful rush to judgment for political reasons, plain and simple. Any other analysis of the situation is self-serving, ignorant or both.

We in Siskiyou County are well aware of the flow characteristics of the Klamath River. People are going to be shocked when they see how little water comes down the river in dry years. The dams are the only thing mitigating the flow in those years. They are the last thing between the irrigated agriculture in the Upper Basin and losing the water completely. When (not if!) the salmon fail to rebound if the dams are decommissioned, there will be immense pressure to end irrigated agriculture in the entire Klamath Basin. The farmers who have sold out thinking that supporting decommissioning will somehow guarantee their way of life will have only bought themselves time to live out their lives on their farms. It will be the next generation who will have to live with the final round of "takings."

To be fair, the big irrigators were faced with "Sophie's Choice," having to choose which "child" was "killed." The dams weren't in their backyard, so it was easiest to cut them loose. I think they know what they did, and the futility of the bargain they made. Honestly, I don't know that I would have done differently had I been in their shoes. But the point is, this is not a rosy scenario by any stretch.

I heard that "intrinsic value" was mentioned as something taxpayers were willing to subsidize to some significant extent. How much are the American people willing to pay for that? Was this pitch made before or after the economic meltdown that is in the process of making the world reassess the limits of governments' abilities to make everyone's dreams come true? I can flat guarantee you that people are pretty soon going to pick commodity production and renewable energy over amorphous things like "intrinsic value" of "wild" rivers. This is particularly true when the difference in "intrinsic value" is the difference between one of the most picturesque, productive and ecologically diverse agricultural landscapes in America and what the landscape will turn into in the absence of irrigation. The only way this "intrinsic value" will ever be actually paid for is if the government pays, and the Federal Reserve printing presses are already working overtime. It is tragic that one has to visit the Klamath Basin to dispel the images of ecological abuse portrayed in the media and thus understand what is at stake in all this nonsense.

I also heard that logging was again referenced as a scapegoat for the problems of the Klamath River. The timber industry in the Klamath Basin in California has almost been extirpated since the spotted owl issue came to town. Siskiyou County is the 5th largest of California's 58 counties, and we have never been less than the 3rd largest timber producing County annually and often have been Number 1. There is now not a single board sawn in our County. We have two veneer mills but no one is sawing any boards. There are a handful of logging contractors left struggling to survive. The sediment alluded to in all the finger pointing on the dams is a relic of long bygone days. Timber harvest regulations in coho salmon watersheds in California are so strict that the season is so short that it is almost impossible to retain skilled employees. At least in a few locations the ground does freeze and some winter operations can take place. That is if the snowfall is not too severe and the haul roads freeze or are rocked.

What sediment issues that do exist and are tied to logging are legacy issues. The culprits are almost exclusively roads on USFS land, because the Forest Service can't log to pay for the infrastructure investment required by redesigning roads, resizing culverts, rocking roads, etc. This past summer, over 200,000 acres have burned in Siskiyou County, probably greater than 30% catastrophically. The

USFS has been told by local environmental groups that, "You won't salvage a stick!" because they will appeal and litigate until all value is lost. Being continuously victimized by such ideological demagoguery and senseless waste, it should be obvious that the Klamath National Forest's ability to generate any funding for infrastructure through timber projects is non-existent.

And this is logging's problem? Just like nature but exponentially faster, industries change and adapt. The forestry and wood products industries of today have experienced a similar evolution in technology over the past 30 years as has happened in the computer industry. But still, we hear the hue and cry of days gone by....

As to the $100+ million on permitting and $100+ million in fish ladder mitigation that was mentioned as an argument as to why decommissioning was the right choice. The analysis and process required by the California Environmental Quality Act (CEQA) for dam removal including the 20,000,000 cubic yards of sediment (perhaps toxic) behind the dams is going to approach the money spent on permitting, so there may be no appreciable savings on "bureaucratic paper." The best solution to mitigation for fish passage has not even been looked at adequately. There is an alternative that connects two creeks (Bogus Creek and Cold Creek) by a short canal that would bypass the three dams that don't have fish ladders and cost far less than the exorbitant figure seized on to make fish passage appear prohibitive.

And, finally, there has been absolutely no credible investigation on what decommissioning is going to cost. There have been some people in the know who are throwing around a figure of $1 billion total. However, virtually nothing official has been done to yield something that would give us the ability to assess feasibility or generate some sort of Cost/Benefit analysis. In other words, the figures being bandied around are not comparing apples to oranges, they are comparing apples to.....nothing!!!!

There is absolutely no denying that mitigation of dam impact is challenging. It may, in fact, be prohibitive and decommissioning the least bad alternative. At this point, however, the Powers-That-Be have decreed that America shall experiment with dam decommissioning in an effort to set America's rivers "free." And the Klamath River has been selected as the guinea pig. Viewed in the light of experimentation, our area probably is the best place to try this idea out. No large urban populations, with money, lawyers and political horsepower to combat the iniquity. No one here but us poor people, and damn few of us to boot (read: the local uproar is manageable). And the watershed is probably in excess of 60% federal ownership. For good or ill, Siskiyou County will almost inevitably be the poster child of America's return to "wild" rivers.

So, this whole thing is fraught with political hardball, uncertainty and hardship. Portraying it as anything less is irresponsible. But then again, personal responsibility has been vanishing from the American character at an alarming rate since my generation (Baby Boomers) came of age... .

26 Feb 2010, 2:54pm
by Leo "T" Bergeron

A great piece, could not have done it any better myself!!!!!! My hat is off to Mr. Costales.

The shame of it all is that the supporters of this movement to remove these dams are stupid. They accept fantasy and hype for facts and feel good about it. Get real, check it out!!!!!!!

*name

Outline for Todd Neeley meeting 5/18/11 by the Siskiyou County Water Users Association

- Overview of KBRA –

- 1820s to 1850s. Explorers such as Ogden, Abbott, Kroeber, and Freemont documented references to the upper Klamath Basin as a difficult region for both them and Indian tribes to survive having extensive marshlands of contaminated non potable warm odorous waters conducive to disease. Statements to them by tribes was that anadromous salmon were not known above the current Keno (Spencer Creek/Copco dam) area.

- 1850s to 1880s. Gradual 'settlement' of upper basin region contended with difficulties of extremes of climate and environmental conditions and investigated options to optimize and stabilize those conditions. Chronicles were written by authors such as Gibbs regarding lower Klamath conditions, its naturally extremely poor river water quality, diseased condition of salmon, and the lower Klamath Indian built fish dams blocking the river to trap migrating salmon.

- 1890s to 1920s. Studies such as those by Evermann, Lietretz, and Boyle documented conditions and supported the movement by locals in conjunction with Bureau of Reclamation to consolidate marsh waters to reduce contamination which reduced high volcanic phosphorous absorption, expose inundated areas as productive agricultural lands using a fraction of the previous water lost to percolation and evaporation, assure waterfowl refuge area with reliable forage from surrounding agricultural production, and use that saved previously closed basin water plus man-made accessible water storage from the Upper Klamath Lake to augment flows in the Klamath River frequently going subsurface in the canyon below in late summer before the Project. Electricity to support the Project pumping was to be supplied at cost by agreement with Siskiyou Power Company (later Copco) in exchange for the advantage of increased summer water flows making generation feasible. A hatchery at Fall Creek was built at the time to supplement the few affected salmon habitat areas immediately above Copco Lake. The Project was considered extremely successful on all counts. Copco Lake comprised a fraction of the surface area with much deeper and colder water provision than the shallow (0 – 6 feet deep) much larger warm bodied Upper Klamath Lake immediately above, and sequestered much of the nutrients natural to it. Many of the greatest salmon runs occurred long after dams were in place.

- 1930s to 1960s. Concern over sudden salmon decline in the late 30s was determined due to gill netting by Yurok on the lower Klamath which was curtailed resulting in salmon numbers rebounding. The Klamath Tribe sold their reservation, petitioned to have it given back, only to sell it again. During this time and with little opposition, Government agencies were known to have tried several times to eradicate sucker fish in upper basin but failed.
Though locals experienced dams greatly reduced riparian flood damage in the erosion prone upper river, repetitive flood damage still occurred due to yet insufficient storage capacity to fully moderate incoming flows. Locals supported addition of Iron Gate Dam immediately below Copco to give added capacity to

moderate the spring floodwaters, summer John Boyle pulses, and help with late summer Klamath flows. Locals below the dam saw tremendous success and improvement in riparian stability, water quality and flows. In sequestering naturally high nutrients, the far more consistent late summer flows below the dams also saw far less periphyton (moss, algae, and aquatic plants harboring indigenous polychaete worm hosting Ceratomyxa Shasta salmon parasite). Iron Gate Hatchery was then built to mitigate both the handful of salmon blocked Fish and Game designated 'marginal' habitat creeks and those at Copco formerly mitigated by Fall Creek Hatchery. Much 'colder than natural' lower lake water as a result of the dam allowed one of the most productive hatcheries in the state. The region realized improved separated fisheries both above and below the dam. The benefits on all counts were hailed for decades as a tremendous unquestioned success, all managed under the openly negotiated equally based legislated into law Klamath Basin Compact.

- 1970s to 1990s. Environmentalists take aim with an agenda focused on the Klamath region where mining, timber, and agriculture formed the ongoing economic base of a relatively stable community living closely with their environment. With mining the smallest fraction due to increasing impediments on state and federal lands comprising over 60% of regional property, mining was shut down through lawsuits and fear driven by media highlighting any 'abuses' as the norm. Agenda implementing environmentalists later funded operatives, such as Felice Pace founding the Klamath Forest Alliance, to shut down logging through repetitive lawsuits using the locally known and subsequently proven fabrication of spotted owl 'declines' in a region based upon sustainable harvest for nearly one hundred years. Effectively destroying that industry devastated those unheeded regional people who stated that forest harvest management shutdown would see their precious environment and timber resources lost to repetitive cycles of burning brush. (30 years of unmanaged fuel growth later in a county still economically reeling have seen surviving residents lose precious forests, homes, and sustainable environment to uncontrollable massive fires. Those fires have likely caused far greater massive killing of species, erosion, sedimentation, contaminated water and air pollution than any 'human caused' impacts. In spite of a study confirming that increased wildfires are primarily due to forest shutdowns, environmentalists now simply claim the destruction is 'good for the environment' and the fault of nonexistent regional 'climate change' and 'prior forest management' curtailed over 30 years earlier. Those and additional personally benefiting 'environmental' groups now with even greater funding have simply moved their broken prior promises of benefit 'to the mouth of the Klamath' as their 'next step' lucrative cause).

In the late 1970s, after a armed and media supported standoff with Yurok Tribes when Fish and Game attempted to enforce laws against their renewed illegal gill netting and commercial salmon take on the Klamath, secret negotiations were conducted and 'legal decisions' resulting in Department of Fish and Game backing off enforcement and 'aligning' with and funding 'environmental' Tribal interests. (The renewal of extensive and unregulated salmon gill netting banned since the 1930s, perhaps coincidentally, coincides with the recent 'decline' in Klamath salmon in an ecosystem remaining virtually unchanged except for decreased human impacts over the prior hundred years). In 1991 many of those Agencies, groups, and Tribes created the Dept of Interior's 'Long Range Klamath Plan' setting the assumptions and format for dams' removals and resource reallocation using the then pending FERC

Klamath Dam's relicensing. (In the first dams' relicensing event 50 years prior, approval was easily made as many of the regional residents familiar with the pre and post Project Klamath conditions were still alive). Dams were constructed to enhance the environment and water quality as well as create farmland from reclaimed naturally contaminated marshes, which proved very successful. Prior to the Project, naturally occurring mercury was panned from the marsh banks and often toxic geothermal springs were used to heat Klamath Falls. However, the pending Dams' relicensing by FERC was seen as opportunity by environmentalists/media/government agencies to force a precedent resource and asset reallocation agenda upon the region's area and people using Pacific Power's (PP&L) coerced 'cooperation'.

Funded by Interior and Environmentallsts, Klamath Tribes filed constant litigation against ag for 'water rights' sold along with their reservation, seeking to once again restore the reservation and have authority over water usage. Karuk and Yurok Tribes filed lawsuits suddenly claiming 'impacts' to Klamath water 160 miles downstream from dams accounting for less than 15% of the water below.

National Marine Fisheries launched a campaign to both obtain ostensible takeover of 600 feet (300 feet on either side) of every stream and river in the Klamath Basin, along with 'authority' over every square foot of ground that drains into any stream or river, based upon constructed 'threatened' salmon status. Under their 'review', 1996 studies showing protected compounded predation of up to 80% salmon stocks, exponential international ocean harvesting of 2 million tons, and cyclical ocean conditions, were determined of little impact. However, the less than 2% assessed Trinity 'human impact' and the unquantified but greatly reduced Klamath 'human impacts' compared to those existing during claimed historical 'salmon runs' were considered 'unacceptable'. Their overstepping position and illegal basis eventually resulted in withdraw of the 600 foot taking, but effective oversight of all ground was assumed. NMFS (aka NOAH) was a federal lead on the 'Long Range Klamath Plan' and a seated member of the subsequent KBRA.

At the same time, the Scott Valley in Siskiyou County was targeted by ESA driven CA Fish and Game and CA Water Quality TMDL (Total Maximum Daily Loads) 'research and recommendation' programs. Seeing the pending massive expansion of regulatory intent, locals responded with showing their voluntary initiatives already taken and continuing through locally created Resource Conservation Districts. Claiming benign 'cooperation' and offering funding through RCDs to 'aid' in 'projects' and staffing, RCDs soon became an enforcement arm of the two agencies dependent upon funds for operation and later agency determined 'necessary' projects.

- 2001 - Pushed by environmentalists and the Klamath Tribe asserting water control, the agencies required 'shutdown' of upper Klamath Basin ag water to 'save' sucker fish by raising lake levels, claiming suckers were 'endangered' and facing imminent extinction. Locals said if they wanted to benefit suckers, raising water was the worst thing to do and they rather should lower water levels to allow suckers their natural competitive advantage. Unheeded, over 1200 of those homes, lives, and futures were lost. Only 8 years later did Fish and Wildlife acknowledge that they knew little about suckers and were now spending taxpayer millions to build a hatchery to 'study' sucker needs. It also was discovered

that the 'endangered numbers' were intentionally or incompetently flawed and there were actually many times more suckers than cited for 'endangered' status.

At same time, Bruce Babbitt working in conjunction with a group formed under the World Wildlife Fund created the Soda Mountain Monument originally slated to include portions of southern central Oregon and extending into California to the Klamath River east of Interstate-5, but after much opposition the monument was retracted back to the Oregon border before executed by executive order of Clinton. The following year BLM attempted to 'expand' their California 'Horseshoe Ranch' to encompass the same exact previously intended California Soda Mountain Monument territory, stating their sudden 'need to preserve the biodiverse region'. Only after additional extensive opposition exposing falsified documents and failed 'Horseshoe Ranch' mandates, BLM withdrew the proposal. In 2010 secret documents were leaked of Interior Salazar's plan to create many new monuments by executive order including the 'Siskiyou Cascade Monument', effectively greatly expanding the current monument encompassing an area west of I-5 to the coast range and from well within Southern Oregon south to the Klamath River. The secret papers also included the 'extension' of the Soda Mountain Monument to once again include the area south of the Oregon border to the Klamath River. That fully developed 'unacknowledged' document is currently engendering opposition but remains pending, during which time Salazar released his 2011 'changes' to Interior's mandates defining himself the power to 'administer' lands in a new direction 'for the people' and creating a new 'designation' of regions 'requiring protection' as 'Wildlands', which as of this writing is pending.

- 2002 – Occasionally happening throughout Klamath history, a combination occurred of a salmon run concurrent with high day and night temperatures in the lower Klamath. A salmon kill happened nearly 160 miles downstream from the dams. Initially reported as 13,000 fish in a specific stretch of river, over the years those 'most massive fish kill' numbers have escalated to over 80,000 reported in media and rhetoric, with most unsupported 'generous' formal accounts actually estimating it at around 33,000. A known methamphetamine dump had also occurred immediately above and just prior to the kill but the kill was well over by the time water was tested. In spite of the incessant media repeated 2002 farmer caused low flow 'salmon kill' rhetoric, reports seldom include the fact that the run still realized one of the best overall returns, and the National Research Council found it not a result of upper Klamath water releases. In fact, the flows at the Klamath dams had long been kept unnaturally high at the time of the kill.

Using money from international environmental groups and 'grants' from Dept of Interior's BIA and Federal and State Environmental agencies, select profiting tribes and NGOs (non-governmental organizations) supplied 'directed' studies and 'mitigation wish lists' often unrelated to dams' operation, to FERC pushing to make PP&L operation conditions economically unfeasible while simultaneously filing repeated litigations against PP&L for 'water quality impairment'. FERC accepted those 'mitigation recommendations' rejecting all other alternatives and thereby proposed 6 extortive 'relicensing' options with only 2 being remotely economically feasible short of dams' removals including the one

'recommended' at PPL breakeven at best and one at substantial PPL loss compelling 'economic' decision.

Coincident with Agencies' 'scoping' and permit revisions, the Karuk Council launched a grant funded public media campaign with NGOs alleging 'toxicity' from dams without a single reported health related case occurring in a hundred years of existence, but nonetheless filing litigations, media campaigns, and 'posting' the lakes and Klamath in conjunction with Water Quality and CDC and against local county findings. A subsequent CDC 'study', while spending the vast majority of its report on the potential 'dangers' of microcystin, could report no found evidence of health impairment.

To bypass the well functioning 50+ year legislated and equally based Klamath Basin Compact, the majority of those same described players including Federal and State agencies/tribes/environmental groups orchestrated the 'KBRA' (Klamath Basin Restoration Agreement) secret meetings requiring agreement to dams removals and the taking and reallocation of assets to sit at the table. To bring agriculture beleaguered by ESA and environmentalist litigation to the table, a promise was made of 'consensus agreements' and 'assurance of water' to seated agriculture in exchange for publically supporting requirement of dams' removals and a new hierarchy (federal, state, environmentalist taking of resources for 'fish first', tribes second, seated agriculture 3rd, and the Klamath Wildlife Refuge fourth, later to change placing Refuge 3rd and ag 4th) A number of upper basin ag districts attended but upon exposed KBRA corruption, broken promises of 'consensus', Board manipulation, and the obvious intent for attrition of majority agriculture, most could not accept conditions they knew would be destructive to the environment and region. Given preferential position, the KWUA (Klamath Water Users Association) and TID (Tule Lake Irrigation District in California) agreed to publically 'represent' agriculture. Actually representing less than 10% of agriculture, that effectively made the vast majority of ag unrepresented and intentionally subject to indeterminate shutdowns. The self created KBRA terms enjoy a self appointed Board, will have legislated charted 50 years of funding (a minimum of 2 billion dollars initially, one before dam removals and one after), and protected unaccountable authority with the only recourse of affected individuals being 'presentation' of their 'grievance' to the Council. Not requiring their own decisions to be successful, scientifically supported, or historically proven, they grant themselves (26 benefitting special interest groups at signing) the right to unhindered 'adaptive management' without consequence.

Several of the lead seated federal agencies (BOR, Fish and Wildlife, etc) instrumental in creating the KBRA are under direction of the Secretary of Interior (then Kempthorne). Upon that preconditioned exclusionary KBRA creation in secret, the Secretary of Interior also created and administered the AIP (Agreement In Principle) (later called KHSA – Klamath Hydroelectric Settlement Agreement). Held in the same exclusionary Interior mandated secrecy as the KBRA, seating was allowed only to those accepting all terms and dams removal objective coercing PPL 'cooperation'. Governors Kulongoski and Schwarzenegger seeking environmental political standing included the complying threat and benefits of the resident States.

Further 'prompting' PPL, CA Water Quality suddenly 'decided' to revise long standing CEQA 401 permitting 'standards' ignoring 'public input' to make 'lake' water unacceptable and effectively eliminating the only 'break-even' option allowed under the closed FERC Report. In addition to threat of 401 permit refusal demanding dam removals and the promise of continued 'litigation liability' if 'negotiations' failed, both of which are legislated away if PP&L 'cooperates', Interior also offered PP&L extensive financial concessions placed upon the unrepresented backs of ratepayers and the regionally affected majority. Presenting PP&L with absolutely no viable alternatives, a great many far less costly of which have been presented throughout the entire 'process' and rejected out of hand, Interior and other KBRA seated members now pontificate to the public how they support Pacific Power's right to make a 'business decision' in its best economic interest

Upon 'signing' of the KHSA and adopting the absolutely least estimated cost of dams' removals of close to half a billion (see CDM Report), a 'proposal' was sponsored by Oregon Governor Kulongoski for SB 76 legislated ratepayer bypass of PUC funding paying not only the 'capped' portion for dams' removals but also the 'unreported' majority of KHSA PP&L 'concessions' and 'mitigations'. SB 76 senate committee, ignoring much public input against, still passed 'in support of a politically expeditious agreement', but only after undisclosed behind closed door concessions to the Oregon Manufacturers as the only powerful and well funded entity in opposition apparently warranting political concern.

With KBRA projections of a taxpayer funded minimum 2 billion dollars to be funneled through the seated members, the Secretary of Interior presented the already signed KHSA 'agreement' for 'public process' 'administered' by his own agency (USGS) and aiming for eventual 'congressional approval'. 'Studies' to be 'reviewed' by USGS for 'recommendation' still leaves the ultimate 'determination' to be made by the Secretary alone. His terms mandate only 'fisheries', and 'in his opinion', whether removals would 'harm' salmon and suckers, and whether 'in his opinion' it would be in the best 'public interest', 'considering but not limited to regional impacts'. While the Secretary and KHSA acknowledged KHSA/KBRA being intrinsically tied together and the intention for KBRA to be also implemented upon 'approval' of KHSA' under limited KHSA 'review' criteria, the KBRA 'agreement' is not directly being 'assessed' for legality, self appointed authority, Constitutional compliance, equity, or consequence for damages to community and environment beyond any 'actual harm' to salmon and sucker fish. Interestingly, the KHSA validates the KBRA requiring dams' removals and the associated asset reallocations and hierarchy overriding the Klamath Basin Compact, regardless of final Secretarial 'determination' concerning dams' removals. In the unlikely event the Secretary instrumental in creating the prerequisite of dams' removals would find against dams' removals, the exorbitant ratepayer/taxpayer costs would still be incurred by requiring implementation of KBRA seated member 'wish lists' demanded under the closed FERC relicensing requirements.

In the meantime CA Water Quality staff working with 'memorandums of understanding' are creating mutually compatible TMDLs reinforcing KBRA reallocating positions. Catherine Kuhlman, head of North Coast Regional Water Quality and also simultaneous employee of US EPA stated her intention in public to see the Klamath dams removed long before research had been assigned or 'scoping' performed. The original 'research and recommendation' begun by North Coast Regional Water Quality in Scott Valley

TMDLs was transformed by them into 40 years of unaccountable judicial enforcement under the 'progressive' Shasta Valley TMDL, with those authorities made retroactive to the Scott. The Klamath TMDL now being finalized expands Shasta TMDL unaccountable subjective authority and self determined requirements and fees to include even greater restrictions and KBRA 'MOU' agreements, making all retroactive to the Shasta and Scott.

Also, CA Department of Fish and Game (DFG), as a seated KBRA creating 'member' independently launched their drastically onerous newly 'interpreted' 1602 and created ITP (Incidental Take Permit) requirements, along with a DFG proposed legislated passage of 'agencies' ability to charge 'permitees' for generating a 'fully funded budget'. After a group exposed DFG's illegal threats, intimidation, and abuses used in attempting implementation of 1602 'permits', DFG publically replaced the regional head, Mark Stopher identified as responsible. In spite of that proven abuse, Mark Stopher was and continues to be the lead 'creator' and seated negotiator for the State of California on both the KBRA/KHSA 'agreements'. His then 'assistant', Neil Manjii, stepped into his '1602' public position, with a recent judicial decree that the permits aren't restrictive enough and to virtually ignore private property rights. Throughout this time, DFG has practiced killing of <u>all</u> hatchery harvested marked and unmarked returning coho and Chinook salmon known able to spawn instream, have routinely 'marked' salmon by clipping off the upper jawbone greatly reducing survivability, and have required 'diversion removals' increasing temperature, destroying refugia, and reducing salmon populations. Agencies working with NGOs are coercing 'purchases' of primary water rights throughout the region, and the demanding those unused water rights normally available to downstream users be untouchable as 'environmental' water. Claiming purchases such as the Big Springs Ranch in Montague would 'relieve' ranchers from increasing fisheries' burdens, shortly after the Big Springs purchase a call was made to extend 'habitat' designation well above Dwinell Dam.

NMFS, a seated founding KBRA lead, is the primary responsible agency requiring unnaturally high flows down the Klamath for over 10 years resulting in severe manmade water shortages and human hardship and loss with <u>no</u> corresponding statistical salmon improvement. In 2011, NMFS newly demanded even <u>greater</u> suddenly increased life and property threatening flows with virtually no public warning to flush 'disease carrying periphyton' exclusively for the area immediately below the dams. Insanely, there was almost no periphyton prior to the flush in that reach which another study recently found to have the highest salmon survivability in the Klamath from the dams to the coast range a hundred miles downstream. That continued unsustainable release will likely create future precedent oppression in the upper basin beyond one of the greatest snowpack years on record. All agencies and members of the KBRA hailed the action as an example of the 'cooperation' attained under the terms of the KBRA (which by law should have no legal authority at the time).

Throughout this entire so called 'process', the Shasta Tribe in opposition to removal of dams within aboriginal ground have been completely shut out. Against the loss of improvements to environment, loss of clean power, and the exposing of now underwater burial sites, their ignored pleas under the KBRA terms instead divide 'fishing rights' between seated Klamath and Karuk Tribes to aboriginal grounds they historically never held. In effect, the Shasta culture is being erased by KBRA special interest decree.

The majority of above regulatory actions and 'requirements' are based upon the 'determination' that the indistinguishable DNA identical hatchery spawned salmon are 'different' from so called 'wild stocks', thus artificially creating a 'threatened' species. It is well proven that a large percentage of hatchery spawned salmon as well as salmon from other watersheds repopulate the Klamath mainstem and tributaries and are indistinguishable from, and counted as, 'wild' stocks. In fact, coho salmon were never known native to the upper mid stem Klamath and failed attempts at planting coho had occurred since the 1800's. Only after 3 additional attempts under the improved Klamath conditions from Iron Gate was the 3rd attempt considered marginally successful using Cascadia stocks and from which returns the 'threatened' coho status is based. With Klamath DNA identical hatchery salmon mitigating natural cycles and human harvest since the late 1800s, a large portion of 'justification' from benefitting interests demanding 'dams removals' is to eliminate hatcheries and hatchery spawned salmon from the 'gene pool'. Hypocritically, it is anticipated by the same promoting groups that dams' removals will likely extirpate all indigenous salmon from the Klamath which can only be replaced years later by hatchery reared stocks. With removal of Iron Gate dam providing the 'unnaturally' cold water allowing successful hatchery operation, the KHSA imposes upon unrepresented PP&L ratepayers, among a multitude of other costs, the burden of 'providing alternate cold water' not known to exist in the area or constructing an entire hatchery elsewhere.

With contradictory 'cold water' salmon upper basin 'warm water' sucker fisheries being the only two considered, all other world class local fisheries upon dams' removals stand a high chance of extirpation, such as the bass and brown trout, through competition, predation, habitat alteration, and introduction of disease.

Recent studies (ie 2008 Columbia Sockeye Salmon Study) confirm that 'riparian conditions' have had virtually no effect upon returning salmon populations, but are rather an effect of ocean conditions. While likely cyclic increased ocean temperatures have driven much salmon habitat northward, Pacific fisheries' harvests are over 250% greater than in the 1950s. With virtually all Klamath Basin 'human impacts' tremendously reduced over the past hundred years, the only recent 'significant' changes have been international offshore fishing, shifting ocean conditions, exponentially increased protected species' salmon predation, and resumed Tribal gill netting. With those being the only significant quantitative increases during claims of salmon decline, then maintaining an optimized hatchery augmented population is the only reasonable way to assure sustainable returns.

Funded rhetoric is assuring residents of governmental competence and financial benefit from future 'environmental money' 'offsetting' regional financial devastation and uncompensated asset reallocation. However, that 'competence' is frequently regionally revealed as in the recent spending of over 4 million taxpayer dollars to build 3 'islands' in the upper Klamath Basin. In an area being ravaged to create historically non-existent habitat for salmon, the islands were built to transplant tens of thousands of Caspian terns from the Columbia River. The 'reason' for transplant is due to the severe pressure on the Columbia fisheries from the terns consuming millions of salmon smolts. The local 'economic benefit' of those contracted Agency administered funds was the temporary hiring of 4 resident laborers and 'attendance at a charity BBQ'. Dams' removal and 'mitigation' contracts will produce the same results, particularly since funding is 'only' to be provided correcting damages affecting salmon or sucker fish.

Even before being completed or determined legal, the unrepresented Pacific Power ratepayers are already being burdened with KHSA 'agreed' tremendous cost increases just beginning to be imposed for 'mitigations' often totally unrelated to PP&L operation. Due to just the possibility of dams' removals and the locally known consequential regression to environment and property rights, property values along the Klamath have already plummeted far beyond the current real estate downturn with properties by the lakes being virtually unsalable at any price, causing many to suffer the loss of their homes. Obvious opposition, in the face of well funded rhetoric claiming otherwise, prompted a vote in Siskiyou County to determine the opinion of people whose region maintains 3 of the 4 dams proposed for removal. With virtually no money to fund opposition and tens of thousands of outside dollars promoting 'jobs for removals' in an economically distressed county, nearly 80% voted against dams' removals. Concurrently in Klamath County unaffected by the dams a vote was held to determine simply whether the county should remain at the then yet unfinished KBRA table. Reportedly hundreds of thousands of dollars were directed at the public also promising many jobs and a 'final agreement benefitting all'. Even with that campaign and vague directive, the vote was barely a majority to continue sitting at the table. Interestingly, the money funding the promotion in both counties was from California Trout, deriving a portion of its funds from Ca Department of Fish and Game, and a 'formed for the purpose' group called PROSPER, who though not publically disclosed were found to be formed of several seated KBRA benefitting members, with funding appearing to involve agency and NGO grant monies targeted for 'education'.

In spite of current science refuting KBRA oppressive failed theory basis and many ignored far less expensive and more effective presented alternatives, as of now the KBRA/KHSA creators are already implementing the previously failed 'agreement' 'policies'. By mutual agreement carried on in contradiction to the legally established Klamath Compact authority while waiting for the Secretary to 'objectively determine' approval of the plan and the objectives he was instrumental in creating, those policies even now being implemented are proving the progression towards inevitable elimination of the vested majority. Escalating power costs, decreasing property values, uncertain water for the 90% unrepresented ag, insurmountable permits/EIR/fees to pay for increasing agencies and programs and time delays incurred, vacillating 'adaptive management' requirements, and the inability to make timely, responsive, experienced, and knowledgeable decisions regarding vested interests upon which quality of life and environment depend, can only lead to eventual attrition for all but the unaccountable seated few, the wealthy, and corporate agriculture able to pass on uncertainties and increased costs to the public.

Conclusion: Klamath history was historically worse pre project, salmon were never known in numbers above Spencer Creek (in the vicinity of Copco), the Klamath Project and Dams were in place for nearly a hundred years and considered extremely successful and beneficial for all uses including fisheries until 'dams effects' claims of arguable recent salmon 'decline'. Regional 'human impacts' during this 'decline' are a mere fraction of what they were during the often repeated 'huge salmon runs' with many of the greatest runs actually occurring long after dams were in place, Half a billion dollars in 'restoration' based on asset reallocation 'theories' over the last 20 years have produced 0 statistical benefits and increased declines. Increased Klamath River flows for over 10 years for salmon have resulted in 0 statistical benefits and increased declines. Sucker fish 'estimates' justifying 'endangered' status were fabricated and later discovered faulty with no change in authoritative designation (Vogel). Higher Upper Klamath Lake levels occurring for 10 years at tremendous loss to the regional community has resulted in 0 statistical sucker fish benefit. The KBRA is advancing those failed theories and historically unattainable goals into unaccountable chartered 50 year 2 billion dollar funded authority, 'governed' by a minority of self appointed special interests. Their rules leave little recourse to the unrepresented affected majority in opposition. The grossly minimized stated costs (see CDM Report) of dams' removals to assure public and congressional acceptance places that understated burden on the unrepresented taxpayer/ratepayers/region landowners and guarantees underfunded environmental Klamath disaster and unattainable KBRA/Agencies' goals. Unattained goals will greatly escalate already devastating regulatory oppression. KBRA protected special interest minority mandates accelerated by the likely 'determination' for dams' removals carries no assurances and has less than zero history of success posing tremendous potential for environmental unrecoverable disaster.

Under current KBRA/KHSA terms it is those seated on the KBRA, corporate agriculture picking up prime lands for cents on the dollar, and NGOs 'administering' acquired remaining lands, who will profit mightily.

TMDLs, 1602s, ITPs, 401s and many more interrelated requirements implement costly already regionally failed boilerplate mandates eliminating the input and judgment of the experienced vested knowledgeable in the region suffering the greatest consequence of decisions. Subjective and arbitrary 'adaptive management' requirements by all of the Agencies involved assessing self supporting fees and EIRs to force an unattainable 'agenda' will destroy the very environment and peoples which support them. Those conditions have already cost the lives, homes and futures of many, and unless stopped now, will invariably cause the attrition of most of us here today.

PETITION

CLASS ACTION LAWSUIT

We the undersigned hereby declare our support to carry out a Class Action lawsuit for recovery of funds which have been taken from us against our will by actions of PacifiCorp and the California Public Utilities Commission for the removal of the Klamath Dams providing clean hydropower to Siskiyou and other northern California counties. A referendum known as Measure G was approved by nearly 80% of Siskiyou voters to keep the Klamath Dams in place. Yet, a cabal of State and Federal Agencies, various Tribal groups together with a number of so called environmental groups have conspired to destroy the Klamath Dams no matter the environmental damage to the eco system, to ranchers, farmers, businesses and the general populace. Removal of the dams amounts to a substantial threat to the health, safety and welfare of our area.

These same parties as part of a newly revised KHSA agreement are now trying to remove all potential liability to themselves and their cohorts by creating a third party shadow group to be called the Dam Removal Entity, a faceless group in New York City being given title to the dams with a requirement to destroy them. In addition the DRE is being given the money held in trust collected from the consumers of PacifiCorp together with a promise of TWO HUNDRED FIFTY MILLION DOLLARS ($250,000,000) of taxpayer money. No regard is being given to the ultimate destruction that will result to the Klamath River or those who depend on it. The U.S. Department of Interior has attested in the EIR EIS to significant damage to the eco system that will result from removal of the hydropower facilities. No one can assure the return of the Klamath or its fish to its natural beauty. It is our belief that damage in Siskiyou County alone may exceed ONE BILLION DOLLARS ($1,000,000,000). We are therefore advocating that a bond in the amount of FIVE BILLION DOLLARS ($5,000,000,000) be created by the State of California and PacifiCorp to be held by a neutral third party naming the County of Siskiyou and its citizens and PacifiCorp consumers as beneficiaries of said bond. In addition should damage occur the perpetrators of the amended KHSA shall be held accountable jointly and severally for damage to the eco system, businesses and land value impacts.

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Dennis Thomas	[signature]	613 Yuma Ct Yreka	530-310-4499
Roy Besoain	[signature]	424 Kidder Ck	—
Wm Wise	[signature]	1535 Shasta View dr	541 973 1657
[illegible] Walters	[signature]	[illegible]	—
Nick Kraus	[signature]	Po. Box 1036 Ft. Jones	(530) 598-1857
Jeremy Ravenscroft	[signature]	9100 Belgian Ln. Ft. Jones	(530) 510-1770
James Kurtz	[signature]	5447 Scott Rv	530 340-2670
Jarrett Airhart	[signature]	3622 North Kidder	530 (410) 7022
GREG PETTÉ	[signature]	763 S Weed Blvd	801-691-3423
GREG LEITNER	[signature]	240 SHARPS RD #60	(530) 340-2718
ALAN LABRIERE	[signature]	10409 QUARTZ Hill RD	4682945
Mary STREETER	[signature]	10409 Quartz Hill	468-2945
Carol Silicz	[signature]	415 Iola Etna	916-645-8893
Gordon Thomas	[signature]	1837 Sawyers Bar Rd	530-467-5727
RICK Gephart	[signature]	9521 ORO FINO Rd	530 598 0948
BARBARA EASTLICK	[signature]	12070 Oak Mill DR	530 905 2763

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Victoria Raurdles	4315 River St	530	475-3163
[illegible]	1900 Patterson Crk Rd Etna		(530) 340-5247
Andy Hess	1405 Robinson	Redbluff CA	530-736-5054
Mark Johnson	[illegible]	4722 Scott Valley Rd. Etna	530-467-3107
Dona Fausano	3800 W Hwy. 3	Etna	530 467-3617
Nancy Super	Nancy Super	Etna 225 Eller Ln	nsuper@hotmail.com
Leslie Kolb	[illegible]	9001 Smokey Ft. Jones CA	468-5389
Kelsie White	[illegible]	4020 N. Hwy 3 Etna Ca 96027	598-4518
Jackson Strathearn	[illegible]	6738 Eastside Rd. Ft. Jones, Ca.	468-5228
Janice Hayden / Janice Hayden	Janice Hayden	PO Box 161 Etna Ca Etna 96027	467-5782
Theresa Naylor	Theresa Naylor	4210 Scott Vly Rd	
William Lampo Jr	William [illegible]	12717 Dangel Ln Ft. Jones CA 96032	468-2894
Gary Koopman	Gary Koopman	840 Bryan	598-4349
Robert Cousineau	[illegible]	PO 1309 651 Greenview 9603-	469-3059
Kyle Cousineau	[illegible]	104 Scott St Etna ca	530 598 2076
Mariah Alley	Mariah Alley	5935 Bird Track Ln Greenview CA.	530) 340-1964
Kayla Nadig	Kayla Nadig	976-FJ CA	nadig56@yahoo
Steve Meyer	[illegible]		
Linda Bishop	Linda Bishop	12201 Rickey Ln. Ft. Jones	(530) 468-2861
Jodi King	Jodi King	Etna	467-5639
Tammy McEwen	Tammy McEwen	319 Island Rd Etna ca	467-3350
Jay Levine	[illegible]	bedrock	295-5285
Elizabeth Lockhart	Elizabeth Lockhart	11708 Quartz Valley Rd Ft J	850 830 3303

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Carol L. Hayden	Carol L Hayden	6333 E Callahan Rd.	530 4675798
Tim Edwards	T Edwards	30 Tekco Way	530-467-5412
Gary Alford Sr.	Gary Alford	910 N. Kidder	530 4685361
William Brandon	William Brandon	PO Box 321 Fort Jones	530-340-7098
JESSICA CUDZILO	[illegible]	337 Callahan St	530-566-5609
Dylan Berryhill	Dylan Berryhill	697 myrtle st	598-9612
Edward Patrick Johnson	Edward Patrick Johnson	400 High Street Fort Jones CA 96032	(530)598-2506
[illegible]	PETE MORRILL	2006 SOUTH KIDDER CREEK ROAD	598-1527
Michael Martin		4601 S.V. Rd. Etna	467-5174
CAROL MUNSON	Carol Munson	HORSE Creek, CA 30130 WALKER RD	530-598-2992
Shirley Gilmore	Shirley Gilmore	820 McKeen Rd Callahan CA	530-467-3620
Karen Gilmore	Karen Gilmore	715 South Rd Callahan CA 96014	530-467-5681
Rhianna Samuel	[illegible]	835 Main St Etna CA	530-643-2829
Antonia Prida	Antonio Prida	9015 Quail Run Rd	530-468-5306
Tina BUCHTER	Tina Buchter	401 Mtn. View Rd Greenview	468-2053
Dennis Jerrorn	Dennis [illegible]	5909 Shackleford Ln	468-4758
Trevor Downey	T Downey	14447 McAdams Cr Rd Ft Jones CA	468-2739
Linda M. Berry	Linda M Berry	6928 Main St. Greenview	468-5385
Anne Bradley	A Bradley	15432 Qtz Valley FJ	468 2066
John Bauer	John N Bauer	ETNA 1907 Sawyers Bar Rd	530 467 4237
RANDALL HABERMAN	[illegible]	5728 SCOTT RIVER RD	FORT JONES 530 598 6141
John Meeks	[illegible]	12226 Eagle Ln FJ	530 643 2441
MIKE WALKER	Michael Walker	5800 NOKES Valley Rd	530 467 5764

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PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
William M Whittaker		222 Kellems Ln	530 467-4011
Todd Nelson		1515 RJ Street	925 301-5454
Shirley Spalding	Shirley Spalding	30 Carlock St	530-468-2351
DENNIS HOYT		223 HARRISON ETNA	530-467-3969
Ted Knox	Ted Knox	9202 old Eng. Rd F.J.	468-2486
Patty Goss		11930 Quartz Valley Rd	598-0385
Bob LAPOINTE		5309 NTS#3	831-359-1841
Chris Mueller	Chris Mueller		530 598-7831
Alex Vargas	Alex Vargas		530-468-2541
Karen Paula	Karen Paula	PO Box 263 Greenview, CA	530-468-5263
Sean Tarkington		PO Box 157 96037 Greenview 96037	(501) 314-8414
RYAN HANSEN		4902 MOFFETT CREEK	530-340-0986
Nancy Niles	Nancy Niles	15013 Fernway Fort Jones, CA	530-468-5476
John Taylor		7416 QUARTZ VALLEY RD.	530-598-7353
Willie Monson	Willie Monson	PO 381	530 468-5720
Heather Ford		4017 S.V. Road	530-467-3193

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Linda Gitschier	Linda [illegible]	337 Callahan St Etna, CA	(530)786-4424
Charlean Deala	Charlean Deale	Etna	
Darla Miller	Darla miller	Ft. Jones	468-2238
Beverly Lodge	Beverly Lodge	Fort Jones	—0—
D. A. Ross	[illegible]	Fort Jones	468 2822
Jean Easley	[illegible]	CV	———
Robert Roberts[illegible]	[illegible]	PO Box 62 Greenview	468-5636
MARSHA ANDERSON	M.L. Anderson	11924 MAIN ST FORT JONE CA	530 468 2110
LORi Conklin	Lori Conklin	711 Howell Ave Etna CA	530 4673160
Donna Willcox	Donna Willcox	3829 N Hwy 3 Etna, CA	530-598-4526
ANSELMO GARCIA	Anselmo J. Garcia	9525 OLD. ENGLISH. RD. FORT JONES	530 468 5373.
Jim Balmer	J. Bl	4220 White oak ct Etna	530-467-3144
DUANE DOWNIN	Duane v. Downie	371 S. 14th 468-2387	530-492-9473 Fort Jones, CA. 96032
Betty Lou Hall	BETTY LOU HALL	10736 Quartz Valley Rd.	
Gordon Thomas	Gordon Thomas	1837 Sawyers Bar Rd Etna Ca	530.467.5727

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LINDA G. HAMMER	Linda G Hammer	14501 N. HWY 3 FORT JONES CA 96032	lhammer@sisqtel.net
GERALD J ROWE	Gerald J Rowe	14202 QUARTZ VLY RD FORT JONES CA	530 468-5278
Larry Rotkowski	Larry Rotkowski	P.O. BOX 659 ETNA, CA 96027	530 598 5651
Keith Wood	[illegible]	217 North Adams Mt. Shasta CA 96067	530-941-7431
Gene Kutzer	[illegible]	po box 44 Greenview CA 96037	530 468-5969
ROBERT RODRIGO	[illegible]	4672 LOCH RD SHASTA LAKE 96019	RODRIGO ROB63@GMAIL.CO
Josh York	Josh York	598-6646 →	
Ted Rivers	Ted Rivers	3521 Scala Ln Montague CA	530-261-0659
Logan Rock	[illegible]	1025 6th Street Cave Hill OR	541-840-6872
Wilma Kellmer	Wilma Kellmer	354 N. Kidder Crk. Rd - Greenview, CA	530-468-2447
Victor KWASNIKOW	[illegible]	1034 Chapparal Rd	Fort Jones 598-8554
Julie McQuaid	Julie McQuaid	4620 Eastside Rd Etna	(530) 467-5379
[illegible]	—	216 So. Kidder	

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PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Kathleen Tyler	Kathleen E. Tyler	2824 Fairlane Rd. - Yreka 96097	rocknflowerhaven@yahoo.com
Richard Gierak	Richard Gierak	5814 Hwy 96 Yreka, CA	rgierak2@hughes.net
Rona Tranchina	Rona Tranchina	336 Schantz Yreka	842 9428
Darrel Taylor	D Taylor	4041 Copco Rd. Hornbrook, CA	475-3336
Joanette McLoudon	Jeanette McLoudon	4524 Pinecone Etna CA 96027	467 3636
Rick Gourley	Rick Gourley	5231 Klamath River RD Yreka	530-475-3147
Linda Zoller	Linda Zoller	9026 Ager Beswick Montague CA 96064	530-459-5054
Charles Zoller	Charles Zoller	9026 Ager Beswick Montague CA 96064	530-459-5054
Debbie Kulpa	Debra Kulpa	5339 Klamath River Rd	530-475-3537
Charles D Kulpa	[signature]	5339 Klamath Riv. RD.	530-475-3537
Della Frost	Della Frost	917 Ridge Yreka	5308420801
Dean Harris	[signature]	504 Woodridge Ct	530-859-0758
Mike Adams	Michael Adams	1200 Cherry Maple Horse Cir	530 496 3346
Gerald Benton	Gerald Benton	659 Butte St Yreka	530-842-4426
Dave Sumerlin	D [signature]	5334 Ager Rd	530-459-5358
Della Sumerlin	D Sumerlin	Montague 5334 Ager Rd	530-459-5358
Richard Dews	Richard Dews	12033 Dangel Ln Fort Jones Cir	5304682502
Tomali Dews	Tomali Dews	12033 Dangel Ln Fort Jones	
Mary Craddock	Mary Craddock	18830 Old Hwy 99 Grenada, CA 96034	530-435-2306
Alma M Gobs	[signature]	25105 Grenada Callahan Rd Grenada CA 96034	530 340 2803
Adrienne Grissen	Adrienne Grissen	2526 Owens Way Hornbrook, CA 96044	530-475-0625
Delwin Grissen	DELWIN GRISSEN	2526 Owen Wy Hornbrook CA	530-475-0625
Susan Brown	Susan Brown	Hornbrook, CA 13725 Cougar Wy	530 475-3075
Lina Talerico	Lina Talerico	205 S. Dewitt Yreka	842-3165

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PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
KIM HARKLESS	Kim Harkless	11531 Klamath River rd Yreka CA	530-465-2033
BETTY LOU HALL	Betty Hall	10734 Quartz Valley Rd., Fort Jones 96032	
Sheila Davis	Sheila Davis	336 Bickford GP, OR 97527	530-905-2068
KEITH MOLINE	Keith Moline	"	541-761-2404
SELMA Schantz	Selma Schantz	514 Sunrise Ct	841-1031
Michele HANSON	Michele Hanson	P.O. Box 13 Hornbrook CA	475-3353
PATRICIA Bream	[illegible]	P.O. Box 355 Hornbrook CA	475-0887
Steve Ludes	[illegible]	General delivery Yreka CA	598 6070
Linda Kranks	[illegible]	21X10 Ager Beswick Montague 96064	459 3766
IRMA VORBECK	Irma Vorbeck	1737 Shasta Ave Rd. Mt. Shasta	530-926-6809
SELMA Schantz	Selma Schantz	514 Sunrise Ct Yreka	841-1031
Andrea Carson	Andrea Carson	5112 Whitworth Etna	598-7643
Linda Ebert	Linda Ebert	26834 Copco Rd. Montague, Ca. 96064	459-5318
STEVE EBERT	STEVE EBERT	26834 Copco Rd. Montague, Ca. 96064	459-5318
MARELLEN BAIRD	Marellen Baird	PO Box 887 Yreka CA	842-7250
DAVID TYLER	David Tyler	1874 Fairlane	842-3657
DAVID L. MARSH	[illegible]	15629 Klamath Hwy	475-3700
DON BAIRD	Don Baird	PO Box 887 Yreka CA	842-7250
Debra A Ohlund	Debra Ohlund	8135 Iris Ct Yreka	530-842-2350
Cindy Frank	[illegible]	3115 Fairlane Ct Yreka	530 643-3154
Mary Henney	[illegible]	3115 Fairlane Rd Sp #33 Yreka	(530)598-3805
Kendra Gill	[illegible]	20820 Ager Beswick Montague CA 96064	(530)459-5629
Francis Gill	[illegible]	20820 Ager Beswick Montague CA 96064	(530)459-5629

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PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
TIM GREWVIK	[signature]	415 MT VIEW RD GREENVIEW, CA 96037	
Jeff Deutscher	[signature]	POBox183 Montague 96064	
Fred Scott	[signature]	9100 Belgium Ft Jones CA	
Bill Schmidt	[signature]	8721 Hwy 96 Yreka	
Harlowe Kittle	Harlowe Kittle	13747 Rattlesnake Crk Rd Fort Jones CA	
Robert Downs	ROBERT DOWNS	13731 Rattlesnake	
CHARLES R. KITTLE	[signature]	13747 RATTLESNAKE	FORT JONES, CA
LYNN Wright	[signature]	13731 Rattlesnake	" " "
Scott Lee	Scott Lee	P.O. Box Greenview CA	
Russell Porterfield	[signature]	546 N. Adams Dr Mt. Shasta CA	
MARK Baird	[signature]	P.O Box 542 fort Jones Ca	530 227-6709 mcbaird@sbcglobal.net
Ken Engrahm	[signature]	1316 [illegible] [illegible]	
TRUELY Hutchinson	[signature]	509 Sarah Bell St	truely90@gmail.com
MARY Cook	Mary Cook	504 Pouls Pl	mtshasta[illegible]@sbcglobal.Net

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Robert Rice	Robert E Rice	Grenada, Ca	
William P Stanley	William P Stanley	YREKA, CA	
Edward L. Matthews	Edward L. Matthews	Yreka, CA	
RICHARD OBER	Richard Ober	Grenada, CA	
John McGee	John McGee	YREKA	
George Gleason	George Gleason	Yreka Ca	
Jack Cowley	Jack Cowley	Montague Ca.	
CLIFF MUNSON		ETNA, CA	
Michael Eiker	Michael Eiker	Yreka, CA	
WILLIAM BAKER	W.L. Baker	YREKA, CA	
CAROL BAKER	Carol Baker	YREKA, CA.	
Jerry Reed & Pearl		Yreka Ca	
Mary Pearl	Mary Pearl	Yreka Ca	
Howard Wells	Howard E Wells	Yreka CA.	
Audrey Wells	Audrey J Wells	Yreka, CA.	
CHARLOTTE RICE	Charlotte Rice	YREKA, CA	
Barbara Hardy	Barbara E Hardy	Yreka, CA	
Brenda Evans	Brenda E Evans	Montague, CA	
Sunday Bogart	A Bogart	Dunsmuir CA	
Douglas Langford	Douglas Langford	Montague Ca.	
MICHAEL P. NEWS	Michael P News	Yreka, Calif.	
KAREN L. Shipman	Karen L Shipman	Yreka, CA	
ALBERT H. Nentwich	Albert H. Nentwich	Yreka Ca	
Alan Dyar	Alan L Dyar	Happy Camp CA - 493-5262	

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Barry Ahlund	[signature]	813 Silva Ct	530 842 0350
Scotty Thomason	[signature]	5313 Blackfox Court Weed CA	707 672-2083
Carol Cupp	[signature]	4800 Elkridge	530 938 3166
Gregory C Hanna	[signature]	4707 Hart Street Rd Etna CA 96027	(530) 598-7107
Nancy Miller	[signature]	433 Bel Air Ave Weed CA 96094	(530) 925.4470
Todd Scott	[signature]	801- E Hinckley St Mt Shasta 96067	530-938-5201
Dwight L Roberts	[signature]	410 Green Horn Yreka Calif	530 842 4818
John Richter	JOHN RICHTER	1018 Quarry Ct. Y	530-842-6106
Steven Thornton	[signature]	800 South Street Yreka CA	530 842-2815
Matt Osborn	[signature]	748 Meadowlark Yreka CA 96097	530-842-3373
Linda Thornton	[signature]	800 South St Yreka	530-842-2815
Michelle Hogue	[signature]	16813 Middlecoff Ct Weed	530-938-1608
Duane Kegg	[signature]	2121 Fairlane Rd Yreka	530-598-9663
Kasey Gonzales	[signature]	550 N. Oregon St.	Yreka 415-260-2219
Alice Knudsen	[signature]	315 3rd #7, Yreka	530 905 0473
Doug Bradley	[signature]	5334 Shadyridge Dr	530 925 4283
[signature]	Allyn Bratager	1412 Placer Rd.	530 842-6718
Daniel Moore	[signature]	2517 E State Hwy 3	530 598-3480
Tony Cuniat	[signature]	3237 Fairlane	530 842-3779
Lee Ann McDonald	[signature]	6301 Siskiyou Blvd Grenada Ca.	530 - 436 - 2526
James McDonald	[signature]	6301 Siskiyou Blvd Grenada, Ca.	530-436-2526
Jon R. Elsnab	[signature]	Box 52 Gazelle ca. 96034	925-918-0516
Linda Elsnab	[signature]	P.O. Box 52 Gazelle, CA 96034	925-918-0517
Kim Bridwell	Kim Bridwell	5515 Macks Gulch Rd Gazelle, CA 96034	530-435-2332

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Linda Sousa	Linda Sousa	3115 Fairlane #49	
Richard Keiser	Richard Keiser	3115 Fairlane #49	
Patricia Ferguson	Patricia Ferguson	Gazelle Ca	
Donna Phillips	Donna Phillips	Grenada Ca.	
patricia keyes	Patricia Keys	Gazelle, Ca.	
John Elsner	John Elsner	21001 Gazelle Callahan Rd. 96034	
Jennifer Burleigh	Jennifer Burleigh	21001 gazelle Callahan Rd Gazelle Ca	
Roger Bridwell	Roger Bridwell	5515 Mark Gavich Rd Gazelle Ca.	
Patricia Cates	PATRICIA CATES	Gazelle Ca 96034	
Carl Cates	Carl Cates	Gazelle Ca	
Harry Shelvock		GRENADA CA	
Ken Mouw	Ken Mouw	Montague	
Nancy Mouw	Nancy Mouw	Montague	
Linda Campbell	Linda Campbell	Yreka	
Elaine Taylor	Elaine Taylor	Yreka	
Berta Rowe	Berta Rowe	GAZELLE	
Beverly M Hooper	Beverly M Hooper	Gazelle	
Mary Cameron	Mary Cameron	Mt Shasta Vista	
Kathy Davis	Kathy Davis	montague	
Tom Davis	Tom Davis	MONTAGUE	
Monet Allen	Monet Allen	16104 Co. Hwy A-12 Montague CA 96064	

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Mark Baird	Mark Baird	P.O. Box 842 Fort Jones Ca 96032	Mcbair@sisqtel.net 530-227-6729
CYNDI BAIRD	Cyndi Baird	P.O. BOX 842 FORT JONES, CA 96032	530-468-5967
Rex Cozzalio	[signature]	4041 Copco Rd Hornbrook, CA 96044	cozal@ [illegible]
Steve Tasl	[signature]	851 Knapp Street Yreka CA 96097	—
Liz Bowen	L Bowen	Callahan, CA 10800 S Hwy 3	530-467-3515
Gregory Chapple	[signature]	PO Box 991146 Redding CA 96099	510-282-7101
Andrew Hurlimann	Andrew Hurlimann	5901 E. Callahan Rd Callahan CA 96014	beerman@sisqtel.net
Deborah Bacigalupi	D Bacigalupi	PO Box 309 Montague CA 96064	dbacigalupi@gmail.com
Jerry Bacigalupi	Jerry Bacigalupi	P.O. Box 309 Montague CA 96064	
Ray A. Haupt	[signature]	4210 Old Eden Ct. Etna	530-467-5333
Erin Ryan	Erin Ryan	PO BOX 494302	Redding 530 515 7130
Sally Rapoza	Sally Rapoza	2825 Balaton Ave.	Redding, 96001
~~Marjorie Baugh~~			
Marjorie Baugh	Marjorie Baugh	1614 Verda Street Redding CA 96001	
FRANCES WILKINSON	Fran Wilkinson	3188 SORREL CT REDDING, CA 96002	530-246-9131
RICHARD WILKINSON	[signature]	"	" "
Winferd I. Carpenter, Jr.	Winfield Carpenter Jr.	1854 Salter Dr. Redding CA 96002	wscarpenter@att.net
ROBERT EXER	[signature]	3998 ALTA MESA REDDING 96002	ROBERTEXER@GMAIL.COM
Terry Rapoza	[signature]	2825 BALATON AVE REDDING CA	terryrapoza@hotmail.com
DENNIS JOLIN	[signature]	2322 AIRPORT RD	MONTAGUE, CA 96064
Michael Parker	[signature]	6021 HWY A-12 Montague	Eagletransport12@ Email
Mark Bagwell	Mark Bagwell	1620 Airport Rd Montague	Shasta Valley Tire
Tim Maddox	T Maddox	PO. Box 771 Montague, CA 96064	530-459-0452

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Jeanette Webb	Jeanette Webb	P.O. Box 771 Montague, 96064	
FRANK COLTRIGHT	Frank Coltright	731 CEDAR ST YREKA 96097	coltrightmkt@yreka.com 530 340 5642
Daniel Kincade		240 N 16th Montague CA	530 643 3957
Jerome webb	Jerom webb	16731 friar place weed CA 96094	530 710 1952
ALAN Blackenship		16725 Friar Pl. Weed CA 96094	530- 925-7990
Diana Simmons	Diana Simmons	16725 Friar Pl. Weed, CA 96094	530-938-1908
Melissa Webb	Melissa webb	16731 friar place weed CA 96094	530 710 1952
Meagan Webb	Meagan Webb	805 South St Yreka CA 96097	(707) 386-9189
Caleb Webb	Caleb Webb	805 South St Yreka Ca 96097	
SARAH WEBB	Sh	618 FRENCH ST. YREKA, CA 96097	(530) 643-8047
Diana Webb	Diana A Webb	6120 East Louie Rd Montague Ca 96064	SSA 459-52-6491
GEORGE WEBB	George Webb	6120 E. LOUIE RD MONTAGUE, CA	530-459-5069

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Nita Still	Nita Still	1860 Deer Creek Way #24 Yreka	841-0270
Rona Tranchina	Rona Tranchina	336 Schantz Yreka	842 9428
Shawn Taylor	Shawn Taylor	4041 Cojo Rd. Hornbrook, CA	475-3236
Stacy Lashyon	Stacy Lashyon	4524 Pine Co Rd	467-7636
Richard Marshall	Richard Marshall	11720 Eastside	468-4204
Dorothy Gourley	Dorothy Gourley	5231 Klamath River Rd	475-3147
Kut Marshall	Kut Marshall	1008 Sugar Creek Callahan	530/467-3020
Judy Mackintosh	Judy Mackintosh	5322 Hwy Rd Weed	530 938-9648
Della Frost	Della Frost	917 Ridge Yreka	530-842-0814
Pamela S Gabrielson	Pamela S Gabrielson	2542 SALMON CT Hornbrook	530-475-3213
Richard G Gabrielson	Richard G Gabrielson	2542 SALMON CT	530-475-3213
Renee Young	Renee Young	21893 Squaw Gulch Rd	530-949-2260
ALEX ROBERTS	Alex Roberts	P.O. Box 427 Merrill	
Carolyn Dueer	Carolyn L. Dueer	P.O. Box 176 Etna 96027	530 467-3264
Sheila Meamber	Sheila Meamber	5800 Reservoir Rd	(530) 459-3379
Linda Wallace	Linda Wallace	Montague, CA 11001 Patricia Ave Montague Co	530-459-1321

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PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
Herbert Duerr	Herbert Duerr	880 Saigen Park Rd Etna	467-3264
Lisa L. Nixon	Lisa L. Nixon	1122 Discovery St. Yreka, CA 96097	lnixonlaw@gmail.com
Brad Eslinger	Brad Eslinger	203 Terry Lynn Ave Mt. Shasta CA 96067	926-2319
Kathleen Eslinger	Kathleen Eslinger	203 Terry Lynn Ave MS CA 96067	926-2319
Candice Slette	Candice Slette	15330 Mc Adams Ck Rd Fort Jones CA 96032	468-2601
ADRIANA DeRose	Adriana DeRose	YREKA CA 96097	842-2482
Sel Schantz	Sel Schantz	Yreka	841-1031
John Jolley	John Jolley	P.O Box 1435 Rogue River OR	541 601 1001
DAVID BAUDET	David Baudet	6504 COPCO RD HORNBROOK CA 96044	530 598 4408
DAVE WEILER		816 S. OREGON ST YREKA 96097	530-340-1718
Lani DeRose	LANI DeROSE	3211 Greenhorn Yreka CA	530-842-2482
JEROME SCHUMACHER	Jerome Schumacher	500 SUMMIT CT YREKA CA	530-842-3630
Kim Foster	Kim Foster	1412 OAK VIEW DR Yreka, CA	530-459 4162
Shirley Bigelow	Shirley Bigelow	18620 Antler Ct Yreka Ca	530-598-6387
SUSAN ORLAND	SUSAN ORLAND	P.O. Box 705 YREKA CA	530-842-5264
JOHN T. ELLIOTT	John T. Elliott	417 S. OREGON ST YREKA	530-340-0031
J. Harkless	J. Harkless	11531 Klamath River rd KR	530. 465-2033
Tom Reese	Tom Reese	14424 Quartz Valley Dr. Ft Jones, Ca	468-2414
LAWRENCE A BELL	Lawrence A. Bell	2538 Pinegrove Rd Mt Shasta CA 96067	530-926-2141
Sarah J. McCoy	Sarah J. McCoy	217 Wetzel Way Yreka	530-340-0516
MASON McCOY	Mason McCoy	217 WETZEL WAY YREKA	530. 340-0515
JOHN DOYLE	John Doyle	14004 Hwy A-12 Montague	530-921-2953
Shirley J. Fisher	Shirley J. Fisher	Klamath River 96050 16730 Hwy. 96	530-465-2324
Deanne Terry	Deanne Terry	520 Holcomb Rd Montague CA	530 598-8078

PRINTED NAME	SIGNATURE	ADDRESS	EMAIL OR PHONE
FRANCINE BEAUCHAMP	Francine Beauchamp	P.O Box 133 13701 Cougar Way HORNBROOK	530 475 3626
JAMES BEAUCHAMP	J B	13701 COUGAR Wy	530 475-3626
Debra A. Ohlund	Conn Ohlund	813 Silva Ct. Yreka, Ca 96097	530-842-2350
Tom Rickard	Tom Rickard	21036 Agee Beswick	530-459-1002
Lee Rickard	Lee Rickard	21036 Agee Beswick Rd	530-459-1002
Linda Oliver	Linda Oliver	26820 Agee Beswick	530-459-5623
Kenneth E Oliver	Kenneth E Oliver	26820 Agee Beswick Rd	530 459-5623
LINDA JO YAWN	Linda Jo Yawn	544 N. Main St. Yreka CA	842-1100
John W. Menke	John W. Menke	10935 Quartz Valley Rd Ft Jones	468-5341
~~Bethany~~			
Bethany Elliott	BElliott		530 340-0680
Ted Knox	Ted Knox	9202 Old English Rd F.J.	468-2486

April 11, 2016

3

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Sami Jo Difrantorum

EMAIL (if desired): samijodif@yahoo.com

ORGANIZATION (if applicable): Shasta Indian Nation

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

4

January 2017

(Please Print Clearly)

NAME: Brandon Criss

EMAIL (if desired):

ORGANIZATION (if applicable): Siskiyou County Supervisor District 1

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

(4)

Brandon Criss, Siskiyou County Supervisor District 1
Comments regarding 401 certification for the Klamath River Hydropower Dams.

At 10 pm on August 1st, 2014 I received a phone call from Sheriff Lopey advising me that constituents were being evacuated from their homes due to a rapidly spreading fire north of Copco Lake. I drove over to the evacuation center and spent the night their getting feedback of what was happening. Constituents witnessed helicopter bucket load after helicopter bucket load of water being drawn out from behind Copco Dam. The water behind the dam was used to save homes and lives. When you consider this issue, we demand that public health and safety be given priority. Do not take away this fire protection tool that the Dams provide.

We ask that you also consider the health of the migrating salmon. Also in 2014 there was a chance of another fish kill similar to 2002 on the Klamath River. At the North Coast Regional Water Quality Control Board meeting of October 9th, 2014 the Karuk Tribal spokesman Craig Tucker stated, that "increasing flows and the velocity of flows disperses disease on the Klamath. … We averted a fish kill because of Trinity Flows, then the Karuk Tribe observed disease above the Trinity confluence. A lot of credit to PacifiCorp's collaboration with the Bureau of Reclamation 16,000 acre/ft was released with 1700 cubic feet per second"

In total 20,000 acre/feet was released by these dams. Without the dams this 20,000 acre/ft of water would not have been available to save the salmon.

We find it ironic that some claim these dams impair water for fish, yet a release of an extra 20,000 acre/feet of this same water is credited with being pivotal in helping to prevent a fish kill. Please do not take this tool away from us.

The Bureau of Reclamation struck a deal with PacifiCorp to release this 20,000 acre/feet from behind these dams so this water would not have to be taken from farmers in the Klamath Basin. In the BOR August 8, 2014 press release stated that the water released from behind the lower dams would "assist Reclamation by extending the Klamath Project's available water supplies from Upper Klamath Lake to help close the irrigation season." Please for the benefit of those farmers, do not take this tool away from us.

Lastly, do not view agriculture as harming the river, view it as a tool to benefit the river. For example, the State Fish and Game quickly blamed Klamath Basin Agriculture for the 2002 fish kill, yet the National Academy of Sciences made clear in their study that agriculture did not cause the fish kill. It's a proven fact as well that agricultural water run off from the Klamath and Tulelake Basins is cleaner and has less phosphorous loading than natural conditions would give this river. Don't just demand cleaner water, respect and honor that you are already receiving cleaner water due to agriculture.

We request that you allow us to continue to use the dams as a tool, a proven tool to benefit the Klamath River system in whole.

With the dams in place, we are seeing record runs of Klamath River salmon. Tearing out existing hydropower dams that have proven benefits for fish, Klamath and Tulelake Basin agriculture, and firefighting efforts, is no solution, it's instead the start of many problems.

Best Regards,

Brandon A. Criss MPA'
Siskiyou County Supervisor District 1

(5)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Grace Barnett

EMAIL (if desired): gben@snowcrest.net

ORGANIZATION (if applicable):

REMARKS: Don't take out Dams

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

(5)

History of the Klamath River
People I have talked to
1. Tribal moves away from the River in the Summer to stinky
2. George Gibbes report Horses wouldn't drink the water
3. People who have lived on the River Floods stinky water river very low in summer
4. Klamath River Compact Commission in 1962
Alga in upper Klamath River bad water quality
5. CDM report
This is the only report that can be trusted because after this was released Mr. Salazar from the Dept of Interior said in his public speeches that the dams would come out, after that reports, studies and models were then written to reflexes this pre-determined decision.
6. Expert Panels in their report they stated that dam removal would only open 8 miles of new habitat and they were very concerned about the induction of a listed species and the loss of the trout that have been able to develop in the area above the Dams.
7. Work that Farmers, Ranchers, Loggers, County have done
Erosion work to stop sediment, Beaver dams, removal of weir dams, new pumping stations, lined ditches. Replace culvert replaced with bridges. water storage to provide cold water, Major changes in irrigation practices. Very little logging with many changes logging regulation Suction dredge Mining has stopped. Water banks, and many many hours of volunteer work provide by the people that live and work here.
8. Two of the biggest ranches along the Shasta River were purchased and are operated by the Nature Conservancy, water right sold to Cal Fish and Wildlife to put more water in the Shasta River.
9. Water releases from Iron Gate Dam to flush the system when the spawning season starts and maintain year round flow
10. We have learned how to grow fish and we do it well. We send million upon millions of little fish out to the ocean every year, Only to have them die from the C Shasta disease when they reach the Klamath River. In 2013-14 we had over half of the entire counts of Coho salmon return to the Scott and Shasta rivers, these were drought years and as much as we tried to save fingerling, it has shown up this year with very few returning adults.
11. If you allow the 20 to 30 million tons of sediment and fish behind the dams to be sweep down the river will destroy it for a very long time and all of the effort and money that has already been spent to improve this system will have been wasted.
12. The other thing that must be watched very carefully is the City of Yreka Water supply this must not be put in any jeopardy.
13 . I am appalled and the California tax payers should all be upset that in the last 2 years, this water board has spent $400,000 in Oregon to improve water quality. The water quality in Oregon is not the responsibility of the California Taxpayer, that bill should be paid for the Oregon taxpayer. It is their nasty water.
I am tired of hearing that you and other agencies think that they can make the WARM Klamath River system Cold at the expense Siskiyou County residents.

13. FIXES

Leave the Dams In the sediment behind them will sterilize the entire River for years
Put a water filtration system at the state line between Oregon and California
Stop the Fish Disease in River
Investigate what is happening with Ocean conditions
Currently there are only 3 counting stations on the entire river install a
Counting station at the Mouth of the Klamath report Tribal catch
Expansion of water storage in wilderness areas to provide more water in the fall
Let our people get back to work so they can support their families and enjoy life in our Beautiful Siskiyou County

My Name is Grace Bennett I am a retired Siskiyou County Supervisor serving 8 years on the Board. I am also a 5th generation Siskiyou County resident, my family settled on the Klamath River in the 1850's. Living there mining, ranching and building a good life on the river.

I have been to many many meeting about the Klamath River, water quality, and quantity, Dam removal and have studied the river for many years. I have talked to many people who to have lived on the river. From the Spannus family in the Copco area to the Andersen Family at the middle to Tribal members in Happy Camp, In these discussions one this is very apparent Dam removal is not the answer to the problems on the Klamath.

Has this Board ever consulted with the Shasta Tribe, I already know this answer. No! the area where the dams are located in their Historical Homeland. There are many burial sites and ceremonial sites under these lakes, a full investigation of these sites and what will happen to them, if the dams come out must be made. And they must have input in this matter.

The water that comes from Oregon is the problem. This water is naturally polluted when it come from the Upper Klamath Lake. The Klamath River is a warm water system and no amount of money, wishful thinking or regulation will ever change that.

It disturbs me greatly and it should all California residents that the State of California Water Board has spent $400,000 dollars in the State of Oregon, in the last two years. for an experiment to see it the flooding of wetlands would help improve the water quality in Oregon: The muckie water in Oregon is their problem not ours, Oregon Tax payers should be the ones footing the bill to pay for the research to improve their water quality. The only way to fix that muckie water for us is to put a filtration plant at the State line.

Now let's look at the reports and Documents that have already been prepared. The only one that I fell is accurate is the CDM report it was the first. After that in public speeches from Mr. Salazar, the then Secretary of the Interior said that the Dams would be removed, from then on every report pointed to that pre-determined conclusion that the Dams would be removed. One of the last meetings that I attended was with a group of agency folks that were just gittie about the prospect of the Dams being removed. This grand experiment will be the destruction of the once productive river system on the West Coast.

Letting Millions upon Millions of Muck and sediment will sterilize the river for many year. Even in some of the study say that it will be 50 years before anyone knows if this experiment is working.

I have written many letters and attended many meeting about the river and it's problems. I keep hoping that someone some where will stop this insanity and let our people go back to work on their farms ranches and in the woods making a living a taking care of their families, we live here because we love the land and what the way of life here provides. Who has taken care of this land for many years we have and we will continue to do so.

Water Quality in the Klamath River

Many people believe that if the Klamath River Dams are removed all of this clear, clean cold water will suddenly appear and go rushing down the Klamath River, this is not the case. The water that comes from Oregon to California is a problem: This water is the source of much pollution. The Upper Klamath Lake is shallow; warm in the summer, has many nutrients, phosphorus and organic matter in it. To increase storage, they are talking about flooding the wetlands around the Upper Klamath Lake however this will only add more phosphorus because the phosphorus is in the soil. Phosphorous causes algae to grow in slow moving water there has been a major algae bloom this summer already. Once the water leaves the Upper Klamath Lake it picks up more impairments as it continues down to the Klamath project and a series of canals to help farmers irrigate in the Klamath and Tulelake basins then travels to the Lower Klamath Wildlife Refuge, this untreated, unfiltered water flows through a canal back into the Klamath River. This stretch of the River from Keno to Copco Lake has been identified as the most impaired water in the system. (Page 141 of the Endangered and Threatened Fish in the Klamath River)

The J.C. Boyle, Copco and Irongate Dams allow these nutrients, organic matter and phosphorous to settle and the water is cleaner when it leaves the Irongate Dam than when it comes in, (this is documented in a Pacific Corp study.) There are 84 creeks and rivers below Irongate Dam, to dilute this impaired water. These 84 creeks and rivers provide 471 miles of great habitat for spawning fish, (identified in a 1989 study compiled by the U.S. Forest Service.) plus the 196 miles of Klamath River. Surely this is enough area for the fish to use as spawning grounds.

For the past 30 years there has been a concentrated effort to improve the habitat and restore the Klamath River. The people of Siskiyou County have been working very hard since 1986 to improve water quality and quantity in the Scott and Shasta Valleys. Weir dams have been replaced, new pumping stations installed, ditches have been lined to improve water supplies, fish screens added to ditches and irrigation practices have been analyzed and changed to improve crop production and use less water. Logging practices have been drastically changed to protect water sheds. Streams have been fenced off so cattle aren't in them thus making streams narrower and lowering temperatures.

It is estimated that the Siskiyou County Road Department has completed over 62 projects since 2008 to improve fish access to these streams, removing culverts and installing bridges. The Scott Valley RCD has completed over 1,200 projects and the Shasta Valley RCD started in 1986 completing over 1,500 projects. This doesn't include the work that has been done by our farmers, ranchers and loggers who have voluntarily undertaken to improve land conditions to improve water quality. All suction dredge mining has ceased in the Klamath River.

Fish populations are improving and water quality has also improved. In 2013 the California Fish and Wildlife reported that over half of the total counts of returning Coho

salmon for the State of California were counted in the Scott River. With the returning Chinook salmon counts in the Shasta improving as well.

In the documents that have been prepared for dam removal it says that the fish will have to be trapped and hauled around the Keno section of the river because in the summer the river will be low and warm in that area. Why not do that now to see if the fish will even survive in the upper basin. At the resent scoping meeting in Yreka, a man from Klamath Falls addressed the Water board stating that there is no extra water in the upper basin to help flush the river in the fall of the year to help prevent the fish disease that happen in the lower reaches of the river, the last 2 years Iron gate Dam has provided the water to flush the river. The river and lake's water has also been used for Fire protection when 200,000 acres burnt in Siskiyou County, without the Dams this wouldn't have been possible.

Siskiyou County has researched and developed several plans and projects to increase water quality and quantity in the Klamath River. With two thirds of the Klamath River flowing through Siskiyou County we are committed to making the river work for all of our citizens. These plans include the repair of holding pond below the many lakes in the Marble Mountain wilderness area. (The U.S. Forest Service were the first to build these ponds before the Wilderness Act was implemented,) To hold the winter run off until it was needed to increase the flows in the Scott River, thus increasing the flow with clean cold water. There are also leaks in Dwinnell Dam if these leaks are repaired, it would provide more water for the Shasta River and it would not be hard to put in a fish ladder at the same time as the repairs were being made.

Siskiyou County has proven that we can grow fish: along with the hatchery we send millions and millions of smolts back to the ocean. There is a disease in the river that affects these small fish, the California Fish and Wildlife has of yet to fully address this problem. The fish returns from the ocean each year are not counted properly, with the tribes having commercial fishing agreement and no count of the fish that are taken, who really knows what the actual return numbers are. There are only 3 counting stations on the river, these being on the Scott, Shasta and Bogus Creek, for the 84 creeks and rivers below the dams there is really no way of knowing just how many fish return to the Klamath River system.

There is another very important item that people seem to forget about, it is the fact that the Shasta Tribe has many documented ceremonial and burial site throughout Siskiyou County, especially under the reservoirs behind the dams. If these Dams are removed these sites will be exposed and unearthed. There are provisions in both State and Federal documents/laws that prohibit the disturbance of such sites. This must be addressed.

I recently attended a meeting and spoke to Diane Messina Supervising Engineer Division of Water Quality who works for the State Water Resource Control Board about this very problem of point source water quality and the water crossing of State lines. She advised that this should be very carefully investigated and studied to see what impacts it has on

the Klamath River. Impaired water that crosses State lines is not the responsibility of the State that it flows into.

I have taken this paragraph from the Environmental Species Act section 7 A 2 of the ESA requires 16 USC 1536 A 2 202 that each federal agency shall, in consultation with and with the assistance of US Fish and Wildlife Service and National Marine Fisheries Service insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species. If the dams are removed there will be consequences to the endangered salmon and the destruction of habitat.

I will close with one more thought: If you take nothing else from my comments please remember this. In the TMDL's for the Klamath River and its tributaries there are many listing for sediment? Some of these very streams come directly from wilderness areas that have no roads, where no logging has occurred and they is very little human contact. There seems to be a great interest in this small amount of sediment while on the other hand if the dams are removed there will be 20 to 30 million tons of sediment released from behind the dams into the Klamath River. This sediment will suffocate and sterile the River for years, the fish will disappear and the millions of dollars spent to restore this habitat will have been spent for nothing. One thing that our neighbors on the coast should really think about is what happens when this sediment gets to the coast will it fill up Eureka and Crescent City's harbors? Will it close the mouth of the Klamath River or fill up the estuary?

There is a disaster waiting to happen and another experiment gone astray, I sure hope that the super funds don't run out before this happens, because the Klamath River will be destroyed.

Grace Bennett

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

(6)

January 2017

(Please Print Clearly)

NAME: ROBERT DAVIS

EMAIL (if desired): VIKING3135@HOTMAIL.COM

ORGANIZATION (if applicable): T-PARTY

REMARKS: PROPERTY OWNER

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

7

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Jack Matz

EMAIL (if desired): yurok tribe

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

8

NAME: Erin Ryan

EMAIL (if desired):

ORGANIZATION (if applicable): Congressman Doug LaMalfa

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

9

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Rex Cozzalio

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

(9)

We are 4 generations at the same location on the Klamath directly below where Iron Gate Dam now exists, before and after, at what is described in all rhetoric as the 'focal point' of dams impacts. I am in the Klamath I love over 50 times a year for nearly 60 years, before and after Iron Gate, as my grandfather before me.

1 The majority of salmon reaching our location are depleted and dying, before and after dams. In combination with multiple impassable upstream reefs, a river often going subsurface in the canyon late summer before dams, and the naturally non-conducive upper basin salmon habitat, salmon were never historically known resident above Spencer Creek near present Copco Dam or to populate the upper Klamath Basin. Historical documentation, experiential testimony, and now a recent proponent study intended to confirm the opposite, referenced and submitted to this Agency many times in the past, have been consistently ignored in pursuit of Agency agenda.

2 Our area has witnessed the dam related dramatic improvements to water quality, late summer quantity, fisheries habitat, riparian stability, drastically reduced flood damage, and environmental improvements. Dams vastly improved the fisheries above and below for optimized and sustainable resident warm and cold water species. Iron Gate Dam artificially creates 'unnaturally' cold downstream water resources for one of the best producing hatcheries in California, far exceeding prior known upstream production. Statistics for nearly a hundred years evidence NO significant alteration in salmon returns occurring at our location as a result of the first dam. The addition of Iron Gate Dam and Hatchery INCREASED averaged returns by well over 100%, and averaged a 200% increase during proponents' media cited so-called 'recent catastrophic declines'. Incoming data now confirms the locally submitted historic documentation, empiric declarations, and studies regarding the environmental benefits of the hydroelectric and storage facilities. However, NONE of that data is allowed to modify failed Biological Opinions until AFTER the dams are scheduled for irreversible removals. Hatchery and cold water resources, along with clean hydroelectric power for 70,000 homes, major holistic ecosystem enhancements, non-reproducible regional recreational opportunities, optimized downstream benefits, property use and valuations, public safety, and both area and downstream public/private infrastructure will be lost as a result of dams removals.

3 Chinook are not endangered, negating any rhetoric for wide spread dams removals devastation. Spending countless billions forcing a naturally non-conducive upper basin square peg into a profiting special-interest round hole, pushing for the return and compounding of detrimental conditions existing prior to the dams, destroying watershed-wide beneficial and irreplaceable resources for a science cited 'chance' of perceptible benefit bears no transparent reason.

4 Coho salmon, which 'endangered' status this KBRA/KHSA special-interest agenda helped create and manipulate, are listed by Fish and Game as a 'coastal fish generally occurring within 20 miles of the ocean; were never known indigenous to the upper Klamath; were unsuccessfully repeatedly planted since the 1890's; never saw a 'marginally sustainable' return until the 1960's 3rd attempt using coho imported from Cascadia AFTER Iron Gate Dam and Hatchery enhanced Klamath conditions; approximately 60% of coho returning to the Hatchery have been found to relocate and spawn in downstream tributaries and mainstem; not surprisingly, so called 'wild' coho are DNA identical to hatchery coho; and from the 1990s to this day ALL coho returning to Iron Gate Hatchery have been systematically killed, upon which exclusion of hatchery numbers from 'wild' salmon allowed the CREATION of 'endangered' status.

5 Sucker Fish, upon which 'endangered' status this KBRA/KHSA special-interest agenda helped create and manipulate, forced upper basin irrigators to agree with predetermined agenda terms of dams removals

and regional water confiscation without compensation before being allowed to even 'sit at the table' of selective secretly held meetings. Those suckers; had previously been subjected to multiple failed earlier attempts at intentional eradication by the same seated KBRA/KHSA Agencies; had been later listed as 'endangered' by those same agencies based upon their hypothesized 'dead zones' and numbers; were later proven in gross error by their own scientist studies but which rather than resulting in 'endangered' status removal instead resulted in the firing of those 7 scientists and court sealing of the records; have been the excuse for decades of oppression and extortion for additional water confiscations raising Upper Klamath Lake to historically unprecedented levels exclusively for sucker fish benefit against the recommendations of local residents, and as a result were found in 2012 to have actually DECLINED in Upper Klamath Lake by up to 86%, but which lake levels and confiscation have not been restored; were a 'modeled' reason calling for removal of John Boyle Dam as being one of those 'dead zones', but which latter study has found one of the most viable populations of suckers in the region which will be lost with dam removals; and are directly incompatible with the species requirements of salmon which the dams removals intend to superimpose upon a historically salmon nonconducive region.

6 A billion dollars spent and 17 years of KHSA/KBRA hypothetically modeled Biological Opinion implementations and confiscated flows destroying thousands of families' futures have resulted in ZERO attributable statistical increase to coho and an imposed 'restored-area' DECLINE in sucker fish.

7 Recent 'KHSA Interim Agreement' ratepayer funded data is now confirming the locally submitted historic documentation, empiric declarations, and studies regarding the environmental benefits of the hydroelectric and storage facilities. However, there appears NO intent to formalize or incorporate that data into the Biological Opinions until years AFTER the dams are scheduled for irreversible removals.

8 The Department of Water Resources Board (DWR) is unelected, appointed by the governor to serve at the governor's pleasure. That unelected Board is there to execute the policy directives of the governor. The governor's self-determined policy directives are subject to legislative review, but NOT to legislative revision. The governor has stated in the California Water Crisis Management Plan that ALL California Agencies are ordered to support and promote the removal of Klamath River Dams. On the 22 of December the DWR Board, without a vetting or determination of validity by FERC on the submitted recently formed and unfunded Klamath River Renewal Corporation (KRRC), took upon itself to initiate an Environmental Impact Report at taxpayer expense on behalf of that private corporation 'in support' of Klamath Dams Removals. The KRRC is a private 'non profit' corporation largely made up of the same KBRA/KHSA profiting special-interest parties, which members under their own created Bylaws are allowed to personally profit by virtue of their positions 'as long as the remaining Board gives its permission'. The October minutes for that KRRC Board showed 'non-member' Water Resources seated on the panel, but as of the 26th of January, no minutes were posted for the December 14th meeting which would reveal funding transfers. Notification of DWR's expedited intent and the 3 scheduled 2 hour long 'Scoping' meetings soliciting 'public input' wasn't received until January 6th. The one meeting scheduled within the most affected region, which 'may or may not' have a DWR Board member in attendance, was to be held 4 days later on the 10th. On the morning of the 10th, the announcement was made that the meeting was canceled 'due to weather' and 'may or may not be rescheduled', but that 'comments could be submitted at the other meetings'. Only upon fervent local protest did DWR announce a rescheduled meeting for the 26th, with ALL PUBLIC COMMENTS to be closed 4 working days later on February 1st, for the largest proposed dams removals in the history of the world. The DWR paid contractor (Stillwater) overseeing the EIR is the same paid 'scientific consultant' previously employed to support dams removals by ALL KBRA/KHSA seated special interest parties. EVERY relevant prior 'determination' the DWR Board has

made at every 'scoping' juncture, without exception, has been in support of confiscatory, regulatory, and administrative authority designed to compel and facilitate Klamath Dams removals. The Boards predicated limiting conditions relegates primary consideration to the prior 2007 FERC and 2012 KHSA EIS. Current science and experimentation refuting prior 2007 FERC EIS assumptions, options, and alternatives have rendered that document completely inapplicable. The KBRA demise was also the demise of KBRA associated promised unknown, uncertain, and unfunded 'restorations and mitigations' held 'intrinsic' to the KHSA. The KHSA EIR conditionally predicated that EVERY KHSA EIR scientific evaluation of removals be based upon the assumed successful implementation of those KBRA 'mitigations' which no longer exist, rendering the 2012 KHSA EIR totally irrelevant. As such, a new EIR MUST be performed that is based upon currently known conditions, fully comprehensive, holistic, transparent, and inclusive of ALL current data, ecosystem interactions, and regional impacts. The DWR Board has initiated this EIR at public expense for a private corporation which FERC has yet to vet, an act likely unprecedented in regulatory permitting history. It is impossible under the projected FERC timeframes for a DWR comprehensive EIR to be produced or for the Board to reasonably evaluate the information. The DWR Board proposes to render a supportive determination regarding dams' removal to influence FERC, inferring a 'comprehensive' evaluation, when DWR internally limits that EIR to considering ONLY conditions occurring in California, effectively disenfranchising an interdependent ecosystem. Given the manipulated and constructed past, it appears unlikely that DWR is capable of or considers producing any 'determination' other than a policy directed recommendation for Klamath Dams removals, regardless of the evidence or the multicounty official supermajority most knowledgeable and impacted citizens voting against Klamath Dams removals. Therefore it MUST fall to a fully comprehensive and inclusive NEPA EIS executed through FERC, encompassing the entire watershed impacts, options, alternatives, and required mitigations, to fulfill the public trust. Only AFTER that NEPA EIS and FERC evaluation would DWR be procedurally called upon or capable of producing a California EIS necessarily conditioned upon and subject to the options and mitigations considered by FERC.

Rex Cozzalio

10

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Glen Briggs

EMAIL (if desired): glenb@sisqtel.net

ORGANIZATION (if applicable): Self

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

11

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Mark Coats

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Unknown

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

12

January 2017

(Please Print Clearly)

NAME: John Menke

EMAIL (if desired): jmenke@sisqtel.net

ORGANIZATION (if applicable): —

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

13

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: DR. Richard Gierak

EMAIL (if desired): rgierak2@hughesnet.com

ORGANIZATION (if applicable):

REMARKS: Re Klamath Hydro Project

LOCATION (circle one): ARCATA SACRAMENTO YREKA

Dr. Richard Gierak
5814 Hwy. 96
Yreka, Ca. 96097
530 475-3212

Re: Proposed Kalath Hydroelectric Project

Coho & Chinook Salmon listing history

~1992 Federal ESA listed Coho as endangered
~1994 ESA attempted to change regulation of water & substrate rule to be expanded to up 300 feet from the rivers high water mark.
~1995 Coalition of Idaho, Washington, Oregon and California State Granges fought this ruling and were successful in maintaining the Federal ruling of water and substrate only. It is of interest to note that the Karuk tribal records indicated Coho were never native to the Klamath River.
~1997 California & Southern Oregon Granges engaged PLF who won their case and all listings for Coho in California and Southern Oregon were removed as they were not an indigenous species.
2002 Major fish kill in the Klamath blamed on bacterial contamination
Reality: Tribes called for water release for ceremonial water boat dance while salmon were in the estuary. This enticed them to move upstream to spawn and then the water was turned off leaving them high and dry causing a serious salmon kill. Note that prior to any dams on the Klamath at this time of the year the river was nothing but swamps and mud holes. Could not have been traditional Indian ceremony.
2004 National Research Council researched the fish kill and determined Coho were from Cascadia, Oregon proving they are not indigenous to the Klamath and could not be listed.
2005 Based on fish kill Coho were re-listed illegally as they have been proven not to be indigenous species in 2000
2009 CDC investigated the reservoir at Iron Gate and determined it was not the cause of the 2002 fish kill.
~2006 Environmental organizations filed a listing petition for Chinook Salmon in the upper Klamath and I filed a de-listing petition. I received a call from Washington and was told that there was no provision for filing a de-listing petition prior to a species being listed, however, he would evaluate my petition when he reviewed their listing petition. A few weeks later it was announced that their petition to list was denied.

Submitted by;
Dr. Richard Gierak
Bachelors Degrees in Biology, Chemistry, Doctorate in the Healing Arts, Director of Interactive Citizens United, Director of New Frontiers Institute, Inc. Prior Participant of FERC and FPAT (Fish passage advisory team report) and HET (Hatchery evaluation team) Prior Vice President of Greenhorn Action Grange, Prior California State Grange Spokesman for the Water Committee, Prior National Whip of the Property Rights Congress of America, Representative of the Grange States of California, Oregon, Washington and Idaho regarding EFH regulations, Prior member of the SCWUA.

(13)

Dr. Richard Gierak
5814 Highway 96
Yreka, Ca. 96097
530 475-3212

Illegal infractions regarding Klamath dam removals

Violation of the Reclamation Act of 1902

The Reclamation Act of 1902 (43 U.S.C. 391 et seq.) authorized the Secretary of the Interior to locate, construct, operate, and maintain works for the storage, diversion, and development of water for the reclamation of arid and semiarid lands in the western States.

Congress facilitated development of the Klamath Project by authorizing the Secretary to raise or lower the level of Lower Klamath and Tule Lakes and to dispose of the land uncovered by such operation for use under the Reclamation Act of 1902. Starting around 1912, construction and operation of the numerous facilities associated with Reclamation's Klamath Project significantly altered the natural hydrographs of the upper and lower Klamath River. Reclamation's Klamath Project consists of an extensive system of canals, pumps, diversion structures, and dams capable of routing water to approximately 200,000 ac (81,000 ha) of irrigated farmlands in the upper Klamath Basin. Water diversions from from UKL for the Klamath Project affects river flows downstream of Link River and Iron Gate dams.

The headwaters of the Klamath River originate in Southern Oregon and flow through the Cascade Mountain Range to the Pacific Ocean south of Crescent City, California. The river extends nearly 250 miles and is just one of three waterways that pass through the Cascades to the Pacific. It is named after a native American name - klamet - meaning swiftness.

Violation of the 1981 National Wild & Scenic Rivers Designation

The Klamath River was designated a Recreational River within the National Wild & Scenic Rivers System in 1981. The Klamath River enters California from Oregon just north of the Goosenest Ranger District. Heading west it is impounded by two dams forming Copco Lake and Iron Gate Reservoir. Nine miles further west it turns south and follows Interstate 5 for a few miles before again turning west and entering the Happy Camp/Oak Knoll Ranger District. The next 85 miles provide many opportunities for recreation and scenic vistas before the river enters the Six Rivers National Forest. Dam removal would release toxic material that would destroy the habitat for all species in addition to physically changing the course of the Klamath River in direct violation of the National Wild & Scenic Rivers designation.

Violation of the Dormant Commerce Clause

No State may impose any regulatory action against navigable rivers in the US of which the Klamath River is considered a navigable river. This would also prohibit removal of any dams located on a navigable river in the US by States.

Violation of the Federal Endangered Species Act

Under the Federal ESA only indigenous species can be listed and under the Final report of Coho Salmon by the Klamath Expert Panel Coho Salmon were planted from Cascadia, Oregon and are not indigenous to the Klamath. The present listing of Coho in the Klamath River is illegal and was determined in the courts in the early 2000's.

Violation of Rogue Valley Oregon Irrigation Rights

Removal of these dams would reduce approximately 40% of water from the Klamath River that now goes to Southern Oregon for agriculture which would result in serious loss of agriculture that now stabilize the economy of Southern Oregon

Serious impact on power costs in Northern CA and Oregon

At this time these hydroelectric dams supply Northern California and most of Oregon homes and businesses with the least expensive power available. The average homeowner is liable for approximately $200 per month and with the proposed natural gas power supply it would increase their costs to approximately $600 per month.

Violation of Shasta Indian burial rights

At the present time Shasta Indian Tribe burial grounds are protected by Iron Gate Reservoir and removal of this dam their burial grounds could be exposed, plundered and desecrated.

Violation of Siskiyou Counties water rights

Removal of these dams would be in serious loss of existing water rights as proposed solutions to avoiding this problem would be in serious possibility of failure and exposed to vandalism.

Possible loss of life and property to all adjoining the Klamath River

Due to occasional flooding Iron Gate Dam was constructed to serve to protect all that lived on the banks of the Klamath River from catastrophic flooding events. Without this dam property values would fall and expose all with the possibility of loss of life and property.

Serious fire danger to all in Siskiyou County

At the present time the dams supply fire helicopters access to water supply to fight forest fires. Removal of these dams would force said fire helicopters to much longer time delays to fill their buckets and thereby expose all to longer wait times and possibility of loss of lives and property.

Violation of the Constitution of the United States

Elections in Siskiyou County California and Klamath County Oregon voted 80% to retain the dams and removal of these dams would be in direct violation of the will of the people and the Constitution.

Prior law decisions

In the late 90's proposal was made to change the definition of Federal ESA regulations regarding endangered salmon to Ecological Society of America regulations which means that instead of regulations applying only to water and substrate would be changed to allow them regulations up to a mile from the banks of a river. Through the States of Idaho, Washington, Oregon and California State Granges we defeated this change.

In the early 2000's the Granges engaged Pacific Legal Foundation and listings of Coho in Northern California and Southern Oregon were cancelled as the Coho were not indigenous to these waters and rivers.

In the mid 2000's an attempt was made by environmental groups to list Chinook Salmon in the upper Klamath and the Siskiyou County Water Users Association filed a de-listing petition which was successful and the Chinook listing was denied.

Submitted by;
Dr. Richard Gierak
Bachelors Degrees in Biology, Chemistry, Doctorate in the Healing Arts, Director of Interactive Citizens United, Director of New Frontiers Institute, Inc. Prior Participant of FERC and FPAT (Fish passage advisory team report) and HET (Hatchery evaluation team) Prior Vice President of Greenhorn Action Grange, Prior California State Grange Spokesman for the Water Committee, Prior National Whip of the Property Rights Congress of America, Representative of the Grange States of California, Oregon, Washington and Idaho regarding EFH regulations, Prior member of the Siskiyou County Water Users Assoc.

(13)

Dr. Richard Gierak
5814 Hwy. 96
Yreka, Ca. 96097

Re: Salmon in the Klamath River

1. Navigable rivers in the United States fall under the Federal Government and not the States. The Klamath River is considered a navigable river.

2. Under the Federal regulations any salmon listed under the Federal guidelines the only remedy is to water and substrate only.

3. Regarding Coho Salmon the first formal planting in the Klamath was in 1895 and was only partially successful. Multiple planting were made without success until the series of plantings from the Cascadia river in Oregon during the 1960's which was successful. Therefore the Coho Salmon is not a native species in the Klamath and therefore does not require any regulatory action under the Federal ESA. FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

4. There are two primary reasons why Coho are considered endangered at this time:

A. The hatchery at Iron Gate originally took Coho at the beginning, middle and end of the Coho run. This allowed the bulk of Coho to spawn in natural streams. Due to complaints by property owners the Coho that spawned naturally died after spawning and their carcasses created a smell and sickened pets and livestock that ate them, so, for decades they now capture all the returning Coho diminishing the run considerably.

B. Their present practice is to tag all Coho raised at the hatchery and when they return to the hatchery they are not counted, thereby creating a very small return of Coho.

5. Regarding Chinook Salmon there was an attempt to list them in the upper Klamath River in 2011 and due to historical data regarding the Chinook's spawning grounds this listing was rejected by USFWS after I sent a de-listing petition.

In conclusion it is obvious that there is no legitimate cause to remove the dams as neither species qualifies to be listed as in the case of Coho the species is not native and does not qualify for any consideration and as to the Chinook USFWS rejected listing them above Iron Gate Dam based on considerable research.

Bachelors Degrees in Biology, Chemistry, Doctorate in the Healing Arts, Director of Interactive Citizens United, Director of New Frontiers Institute, Inc. Prior Participant of FERC and FPAT (Fish passage advisory team report) and HET (Hatchery evaluation team) Prior Vice President of Greenhorn Action Grange, Prior California State Grange Spokesman for the Water Committee, Prior National Whip of the Property Rights Congress of America, Representative of the Grange States of California, Oregon, Washington and Idaho regarding EFH regulations, Prior member of the Siskiyou County Water Users Assoc.

(13)

Dr. Richard Gierak
5814 Highway 96
Yreka, Ca. 96097
530 475-3212

Truth about Salmon in Southern Oregon & Northern California

It is of interest to note that all battles over listing of Salmon in Southern Oregon and Northern California has been over the Coho Salmon. As has been stated earlier Coho Salmon are native to the Cascadia River in Central Oregon and under the ESA only a native species can be listed. Any listing in Southern Oregon and Northern California for Coho Salmon is illegal under the ESA.

In the 1990's there was a serious diminution of Coho Salmon in both Southern Oregon and Northern California which was blamed on the dams of the Klamath River. The reality was that the Ring of Fire volcano's were highly active raising the temperature of the Pacific Ocean and since Coho are a cold water species they migrated north into Washington and Alaskan waters. Data going back to the 1700's never demonstrated a rise in temperature of the Pacific as happened in the 1990's.

Of interest is to note that NMFS data appeared to indicate that the Pacific temperature never had a large temperature increase. What was found was that at the end of the first year of temperature rise they reported an increase of 1.6 degrees. However, when they started their survey the next year they started at 0 degrees of change. This continued throughout the 90's and in reality the total rise in temperature of the Pacific Ocean was approximately 10 degrees Fahrenheit This is the reason Coho migrated North into Washington and Alaskan waters.

It becomes apparent that the government would manipulate data to promote the cause of dam removal.

Bachelors Degrees in Biology, Chemistry, Doctorate in the Healing Arts, Director of Interactive Citizens United, Director of New Frontiers Institute, Inc. Prior Participant of FERC and FPAT (Fish passage advisory team report) and HET (Hatchery evaluation team) Prior Vice President of Greenhorn Action Grange, Prior California State Grange Spokesman for the Water Committee, Prior National Whip of the Property Rights Congress of America, Representative of the Grange States of California, Oregon, Washington and Idaho regarding EFH regulations, Prior member of the Siskiyou County Water Users Assoc.

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

(14)

NAME: Larry Bell

EMAIL (if desired): Spud@FinestPlanet.Com

ORGANIZATION (if applicable): None

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

15

January 2017

(Please Print Clearly)

NAME: SUSAN WALLACE

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

(16)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Linda Ebert (husband, Carl Ebert)

EMAIL (if desired): 26834 Copco Road 530-459-5318

ORGANIZATION (if applicable): Montague, Calif. 96064

REMARKS: We live on Copco Lake and wish to express our concerns

LOCATION (circle one): ARCATA SACRAMENTO (YREKA) Montague, Copco Lake

(16)

Mr. Parker Thaler
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, California 95812-2000

My name is Linda Ebert. My husband, Carl Ebert, and I retired to Copco Lake around sixteen years ago, settling on its north shore. We have enjoyed the pleasures of residing on a lake filled with perch, crappie, bass, trout, sucker and catfish. Aside from experiencing many memorable fishing and boating outings on the lake, we have been visually rewarded while viewing the many moods of the lake, whether sparkling in sunshine, bathed in moonlight, iced over, surging with waves or mirroring the hills. Now, all of that enjoyment is threatened by dam removals on the Klamath to which we strongly object.

We also object to the following consequences of Klamath dam removals:

1. The release of both coarse and fine sediments, some of which have been shown to contain toxic pesticides in core samples that will endanger the fish on whom they are released because of their toxic nature and because they will deoxygenate the water, causing fish to die. Furthermore, large debris material will litter the landscape in front of our homes now on the lake.
2. The potential for flooding will become a reality for ourselves and our neighbors downriver. Floodplains will be redrawn,

having implications for insurance coverage.
3. The cloud of uncertainty surrounding potential dam removals that pushed our property values downward will darken as values plummet with dam removals while our visual paradise disappears.
4. Our sense of security that comes with knowing there's a huge reservoir of water that can be drawn upon when there's a fire emergency threatening our homes will be gone in the event of Klamath dam removals. We experienced such an emergency in 2014 when those of us living on the north shore of Copco Lake were placed under mandatory evacuation for four days. We have witnessed helicopters dip into the lake many times during fire fighting in our area and just over the Oregon border.

Lastly, we also object to the tactics used by proponents of dam removals, namely the following:

1. We, the property owners living on the Klamath, many of us also rate payers, were never given a seat at the table in determining the fate of the Klamath dams. We are true stakeholders.
2. Instead, reasonable advance notice of the times and places of "official" dam determination

meetings, has seldom been forthcoming to those opposed to dam removals, including old Siskiyou County Supervisors.

3. There has been a dismissive attitude toward, and an unwillingness to consider seriously, viable alternatives for fish passage on the Klamath versus dam preservation which would save valuable hydropower infrastructure. Such alternatives for fish passage include:
   a. Fish tunnel passage, as proposed by Shasta Ardiene
   b. Trap and haul
   c. Fish cannons as available from the company, "Whoosh Innovations"
4. There has been an unwillingness to achieve a compromise with the Copco Lake Fire Protection District through the government to government process of Coordination which was abandoned by government dam removal proponents.

Carl and Linda Ebert
26834 Copco Road
Montague, California 96064
530-459-5318

17

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Steve RADFord

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Go Away!

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

18

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Mark Fischer

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

19

January 2017

(Please Print Clearly)

NAME: Nita Still

EMAIL (if desired): nitastill@snowcrest.net

ORGANIZATION (if applicable):

REMARKS: Read from letter

LOCATION (circle one): ARCATA SACRAMENTO YREKA

19

Nita Still

In the year of 2009, we voted to keep our three dams by 80%; the people in Oregon also voted to keep their one dam. There is great manipulation and conniving going on here with those who want to take out the dams holding secret meetings with some of our Representatives and the two governors named "Brown." These NGO-Stakeholder-Environmentalists will do anything to have our dams removed. The KBRA expired and now they have made a KRRC. They are involving every agency in hopes they will get their way. There is also another problem, the Klamath river is flowing over the burial grounds of the Shasta tribe. It was covered by water, and now they want to expose it, all against the Antiquities Act. There has been no courtesy or respect shown to the Shasta Tribe, so you should not be cooperating with these "killers of dams!" You should not cooperating with these NGO-Stakeholder-Environmentalists!
The TMDL's will not be what you want them to be, because the Klamath river runs through a volcanic area, and there are hot springs running from tributaries near the Keno Dam. A company named, "Quick Silver Mining," mined mercury in that area in the 19th century. Mercury is also called quicksilver. Besides, it is the truth that the water, after if goes through the dams is much cleaner.
If the dams are removed there will be much less water in the river so the TMDL's will be worse.
In 1851, George Gibbs went with another man who was having the Indians along the Klamath river to sign treaties. He told about one area, possibly, sometime in October, maybe near the Hamburg community, where there were thousands of dead salmon, possibly because the water was low and or some of them had spawned. They had to move their camp way up a tributary to get away from the bad odor.
The Karuk tribe in the 1970's took the Shasta "R Treaty" and became a recognized tribe; they are also claiming Shasta Territory, as well as claiming there is not enough fish for them when there has been more than enough fish. But, if the dams come out, there will not be enough water for the salmon to spawn or available water to do their "canoe dance." And the Coho Salmon is NOT indigenous to this area!
Please, do not involve yourselves in something that is as conniving, mean and unjust, as is this plot to ~~remove~~ destroy our dams! We would like you to respect our Rights as well as to be Honest!
Thank you, Sincerely, Nita Still

Nita

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

20

January 2017

(Please Print Clearly)

NAME: LEO T. BERGERON

EMAIL (if desired): BERGERON@INREACH.COM

ORGANIZATION (if applicable):

REMARKS: CLEAN WATER IN THE KLAMATH

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

21

January 2017

(Please Print Clearly)

NAME: JOHN LIVINGSTON

EMAIL (if desired): LivingstonJohn@att.net

ORGANIZATION (if applicable):

REMARKS: ~~Hatchet~~ Dam removal will increase recreational revenue.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SIERRA CLUB
FOUNDED 1892

(21)

Shasta Group
Mother Lode Chapter
P.O. Box 491554
Redding, CA 96049-1554
www.motherlode.sierraclub.org/shasta

January 26, 2017

Parker Thaler
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

Subject: Scoping Meeting Input for Environmental Impact Report for Dam Removal on the Klamath River

Thank you for accepting input to the Environmental Impact Report for dam removal on the Klamath River associated with PacifiCorp's FERC license Surrender. The Shasta Group of the Sierra Club is located in northeastern California and consists of approximately 800 members. Most members have visited the Klamath River for recreation such as rafting, canoeing, sightseeing or fishing. The Sierra Club supports the Klamath River Renewal Corporation (KRRC) proposed project of decommissioning sufficient portions of the Lower Klamath Project to provide for volitional fish passage and a free flowing Klamath River. Only removal of the dams will accomplish the objective of unrestricted fish passage and improvement of water quality. The CEQA process should proceed as quickly as possible and therefore existing documents should be used where appropriate. We look forward to providing comments on the Draft Environmental Impact Report.

Respectfully,

John Livingston
Chair of the Executive Committee, Shasta Group

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

(22)

January 2017

(Please Print Clearly)

NAME: Greg Kuck

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: ? what is the (trump) Administration going to say about this project.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

23

NAME: JAVIER I. KINNEY, DIRECTOR OFFICE OF SELF GOV.

EMAIL (if desired):

ORGANIZATION (if applicable): YUROK TRIBE

REMARKS: F/I SUPPORT FOR DAM REMOVAL BY 2020 FOR CULTURAL, ECONOMIC, LEGAL, SOCIAL & ENVIRONMENTAL REASONS.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

29

NAME: Linda Oliver

EMAIL (if desired): Klamathbbg@aol.com

ORGANIZATION (if applicable): Copco Lake Fire Protection Dist

REMARKS: No one seems to care about the vote or continuing coordination w/ Copco Lake Fire Protection District

LOCATION (circle one): ARCATA SACRAMENTO YREKA

25

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: JAMES ADAMS

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

26

January 2017

(Please Print Clearly)

NAME: Kristen Sellmer

EMAIL (if desired):

ORGANIZATION (if applicable): Salmon River Restoration Council

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

27

January 2017

(Please Print Clearly)

NAME: Mark Baird

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Dam Removal

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Don Mackintosh

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

29

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: JERRY BACIGALUPI

EMAIL (if desired): dbaci@surecrest.net

ORGANIZATION (if applicable): J.L.B. CONST. & ENGR.

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

29

State Water Resources Control Board Scoping Meeting
Notice of Preparation (NOP)
For the Environmental Impact Report (EIR) for the Lower Klamath Project (LKP) License Surrender by Pacific Corp to the Klamath River Renewal Corporation (KRRC) with the intent of decommissioning in place or removing four Hydroelectric Dams on the Klamath River

Best Western Miners Inn Convention Center
122 E. Miner St, Yreka, Calif.

January 26, 2017

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000; Sacramento, Calif. 95812

Attention: Mr. Parker Thaler

As a Professional Engineer, if Responsible for moving the Proposed Action forward, I would propose the following actions <u>PRIOR</u> <u>TO THE PREPARATION OF AN EIR:</u>

1. Because of the controversy over the Department Of Interior's (DOI) statements' that the proposed action would provide 420 miles of additional Anadromous Fish Habitat above the dams proposed for removal, **insist** that a 5 year **Truck and Haul Study** be initiated utilizing at least 50 tagged migrating female Coho Salmon with corresponding males per year captured at the Iron Gate Hatchery (R.M.190) and transported to the head waters of the Klamath R. (R.M.254). Note: the beginning of the Klamath R. coincides with the end of Link River which drains from Upper Lake and the inlet waters of Lake Ewanna in the city of Klamath Falls.

   This controversy exists because historically several reefs and dikes were present above Iron Gate Reservoir that precluded anadromous fish travel to Upper Lake. Currently because of the steep River gradient between Copo 1 Reservoir and J.C. Boyle's Dam, coupled with the environmental negatives of Upper Lake and Agency Lake (30+ miles length, shallow, high predation, high in nitrates and sulfates) it appears that it would be almost impossible for Anadromous fish to traverse to the five river tributaries above Upper Lake, spawn, and the Juveniles return to the point of release. Former employees of the Dept. of F&WL made the comment that it is impossible for the river habitat above Iron Gate Dam to produce the 6 million fingerlings produced by the Hatchery and It is impossible for this portion of the Rived to ever be Anadromous Fish Habitat. **DO THE STUDY**
2. As a matter of State Law, submit the Dam Removal Proposals to the **Division of Dam Safety** for their Statuary Requirements and Approvals.

   Recognizing that the Dams are currently in good condition and provide a 25% reduction in peak flows, based on the 1964 flood hydrograph gage located near the Iron Gate Hatchery. I would recommend that a major flood study is necessary to address

potential damage and protect private properties and the Public Roads and Bridges along Hwy 96.

3. As a matter of State Law, require the preparation of a **Storm Water Pollution Prevention Plan (SWPPP)** submitted to the State Water Resources Control Board. Currently the Board requires a SWPPP be prepared and approved for **all projects** disturbing more than 1 acre of soil.

   The proposed Dam Removal Project exposes upwards of 3,000 acres of exposed soils with the potential of eroding 20 million cubic yards of contaminated sediments down the Klamath R. These sediments equate to a mass 150 feet wide by 190 miles down the Klamath R. below Iron Gate Dam to the estuary. In my opinion it would be an impossibility to meet SWRCB and Environmental Requirements without removing contaminated sediments prior to Dam breaching or removals.

4. As a matter of County Regulations, submit the Dam Removal Proposals to the **Siskiyou Co. Flood Control and Water Conservation District (SCFCWCD)** and **Klamath Co. Ore.** for their Requirements and Recommendations.

   Siskiyou County and Klamath County has the statutory responsibility to provide public safety to all citizens and protect the environment for present and future generations. Before any Dams are breached or removed, the Proposed Project must be submitted to Siskiyou County and Klamath County for approvals under existing statutes and regulations as required by the **SCFCWCD** and in the **Klamath Basin Compact.**

As a Professional Engineer, Responsible for <u>THE PREPARATION OF AN EIR</u>, I would propose the following after the above recommended studies were completed and State and County Agencies have been consulted and made their recommendations and requirements. The Calif. Environmental Quality Act (CEQA) requires the following:

1. Sec. 21000 Legislative Intent: (d) *The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.*

2. Sec. 21001 Additional Legislative Intent: (c) *Prevent the elimination of fish or wildlife species due to man's activities, insure that fish or wildlife populations do not drop below self-prepetuating levels etc.*

3. Sec. 21002 Approval of projects: feasible alternatives or mitigation measures: *The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigations measures available which would substantially lessen the significant environmental effects of the project etc.*

4. Sec. 21003.1 Environmental effects of projects; comments from public and public agencies to lead agencies; availability of information: (b) *Information relevant to the significant effects of a project, alternatives, and mitigation measures which substantially reduce the effects shall be made available as soon as possible by lead agencies, etc.*

The release of a potential 20 million cubic yards of contaminated sediments down river, the removal of flood protection structures, and the absence of viable studies and alternatives such as those proposed by Siskiyou County and the Siskiyou County Water Users Association violates the Legislative Intent of CEQA.

Siskiyou County and the SCWUA supports and recommends to the NCRWCQB the following projects which will mitigate water instream flow, water quality, retain Iron Gate Hatchery and promote fish passage:

1. Implement the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway around Iron Gate, Copco 1 and Copco 2 Reservoirs at a cost of $50 million (1/6th the $300 million cost estimated for installing fish ladders). This will provide anadromous fish passage around Iron Gate, Copco 1, and Copco 2 reservoirs to the pre dam 20 miles of native river habitat above Copco 1 Reservoir. Moonshine Falls, directly below J.C. Boyles Reservoir, is cited by CFW to be the upper most habitats for anadromous fish. **Note: 1.**The downstream Dams have absolutely nothing to do with the Upper Basin water wars or the DOI Klamath Project regulated flows to farmers and ranchers. **2.** The California dams have been recently inspected by the Division of Dam Safety and are in good condition. These dams provide considerable down river flood and surge protection and provide an average yearly water quality improvement. **3.** Given the condition of a complete Klamath River cutoff by the DOI or a severe drought. The dams can also **easily provide CDFG's (CFW) 700 cfs minimum instream river flows for a three month period** with adequate storage retained for Lake Habitat.
2. Implement the 60,000 ac.ft. Klamath River/Shasta Valley Reserved Water Right (A0169580), transfer canal and storage facilities to supplement Montague Irrigation District's irrigation water with Klamath R. water (poor water quality containing high nutrients). This project augments current irrigation supplies, allows for additional land to become irrigable, and replaces naturally impaired upper Klamath R. water with higher quality water. A portion of the reduced water demands (good water quality) can be released by the District from Lake Shastina or from their wells into the Shasta River, improving the water quality in both the Shasta River and in the Klamath River below Iron Gate Reservoir per FERC recommended requirements for relicensing. The Shasta Valley RCD & CDFG contracted a similar augmentation study in 2007 that has since been shelved. *(Because it depends on retaining the dams scheduled for removals)* Ref: (CDFG Project No. P0310329)

3. Establish additional reliable storage facilities within the Scott and Quartz Valleys, including increasing storage capacities of high-elevation lakes as recommended in the October 1991 Department of Water Resources Study entitled: *SCOTT RIVER FLOW AUGMENTATION STUDY.* These storage facilities will augment late summer and fall instream flows and supplement agricultural irrigation water.

These Proposals Will:

- **Save the Hydro-electric Dams** which generate clean, green power to 70,000 homes and protect the lake habitat and homes in and around the reservoirs by removing dam removals from the KBRA and eliminating the KHSA.
- **Save IronGate Fish Hatchery,** which is dependent on cool low level water releases from Iron Gate Reservoir, that releases over **six million salmon and steelhead fingerlings per year** in to the Klamath River. **Note: (** It is *impossible for the Klamath River Habitat above IronGate Dam to duplicate the production of IronGate Hatchery).*
- **Save the Klamath River from complete destruction** by eliminating the **irresponsible** releasing of 20 million cubic yards of sediments retained the dams.
- **Save future Klamath River water demands** by State and Federal Agencies from the **Upper and Lower Klamath Basins and the Scott and Shasta Rivers** to satisfy requirements proposed in the KBRA for **environmental waters**.
- **Preserves the sacred Shasta Nation Villages and Burial Sites** beneath the waters of Iron Gate and CopCo Reservoirs.
- **Provide additional instream flows** which will enhance fisheries and benefit the Tribes, NGO's and fishing interest.
- **Provide reduced electricity rates for On and Off Project irrigators and all ratepayers** within the creation of a Bi-State Alliance JPA or PUD.
- **Provide Governmental Agencies common sense and engineered alternatives** to maintain the economic and environmental sustainability of the Klamath River Basin.

This proposed over reach by State and Federal Agencies to remove structural sound Hydro Dams on the Klamath River will impact the environment, local economy, and lives of the local citizens and for those reasons the above alternatives must be studied to comply with CEQA requirements and existing laws and regulations, including Coordination between County, Federal, and State Governments.

Respectfully submitted:

Jerry L. Bacigalupi

Jerry L. Bacigalupi PE 1/26/17

PO Box 309 Montague, Calif. 96064

Attachments: Comments on the Klamath Facilities Removal, Public Draft, EIR

Comments on the Klamath Facilities Removal, Final EIS/EIR

Nov, 18, 2011

Jerry L. Bacigalupi, P.E.
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530 459 5546 916 768 5015

Ms. Elizabeth Vasquez
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501

Dear Ms. Vasquez and Mr. Leppig:

The following are comments to the **Klamath Facilities Removal, Public Draft, EIS/EIR**

1) **The DOI and DFG are improperly committed to dam removals such that they will not and cannot consider feasible alternatives and mitigation measures because they have already committed to the KBRA and KHSA settlement agreements which will become invalid if dams are not removed.**

The California Supreme Court in *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116 (*"Save Tara"*) cautioned lead agencies that CEQA compliance should occur before committing to a particular project so that environmental review does not devolve into a *post hoc* rationalization of a decision already made. "A fundamental purpose of an EIR is to provide decision makers with information they can use in deciding *whether* to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved." (*Laurel Heights Improvement Assoc. v. Regents of the University of California* (1988) 47 Cal.3d 376, 394 [emphasis in original]). Accordingly, "before conducting CEQA review, agencies must not 'take any action' that significantly furthers a project 'in any manner that forecloses alternatives or mitigation measures that would ordinarily be of CEQA review of that public project.'" (*Save Tara, supra*, 45 Cal.4th at 138).

a) Page ES-17 states "This EIR/EIS is being prepared in compliance with NEPA and CEQA." This Statement is intentionally misleading since these actions were reached in secret meetings, with a pre-determined out-come as expressed by the Secretary of the Interior in his speech to the Commonwealth Club in San Francisco, California on September 9, 2011 (prior to the comment period for this document).

2) **The Environmental Impact Report/Environmental Impact Statement (EIR/EIS) fails to follow the law as required by the National Environmental Policy Act of 1969 :**
(Pub. L. 91-190, 42 U.S.C. 4321-4347 January 1, 1070, as amended, and Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, sec. 4(b), Sept. 13, 1982).

Title 42 of the United States Code 4331, Section 101 (b) states: Section 101 (42 USC 4331) states:

" In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and **coordinate** federal plans, functions, programs, and resources to the end that the nation may:

1. Fulfill the responsibilities of each generation as trustee of the environment to succeeding generations;
2. Assure for all Americans safe, healthful, productive, and for an aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk to health and safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment that supports diversity, and variety of individual choices;
5. Achieve a balance between population and resource which will permit high standards of living and a wide sharing of life's amenities;
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources."

3) **The "Lead Agencies", as defined in the EIR/EIS, have been and continue to violate applicable existing federal, state, and local laws and regulations.**

a) The planning and zoning laws of the State of California, starting with Section 65000 of the Government Code, require that all lands be zoned appropriately with regard to their highest and best uses. The Siskiyou County Planning and Zoning Laws and the Land Use Element of the General Plan is required to designate the location and permitted uses of the land within and adjacent to these dam and reservoir areas, and identify **lands downstream which are subject to flooding.** The Conservation Element of the General Plan provides for the conservation, development, and utilization of natural resources including water and its **hydraulic forces, flood management, water conservation,** and **the prevention, control and correction of soil erosion.**

b) Recent legislation passed in 2007, AB 70 (Ch. 367) and AB 162 (Ch. 369) expands the requirement for Cities and Counties to incorporate **flood control and**

management and provides that a city or county may be required to contribute its fair and reasonable share of the property damage caused by flooding, including State and Federal Government caused flooding by dam removal. As such, it is a critical legal and budgetary matter of the local city and county governing bodies to not only be included in this process, but to also weigh in on the final decisions in this matter. The Siskiyou County Board of Supervisors did not sign the KBRA & KHSA for such matters and the Lead Agencies have failed to consider this and other important matters addressed herein and by other stakeholders.

c) The State Planning and Zoning Laws gave authority to the local governing body (The Siskiyou County Board of Supervisors) for controlling land uses and to protect resources and property rights.

d) The Secretary of the Interior does not have proper legal jurisdiction over private land use in Siskiyou County to make a determination to remove 3 privately owned dams with out coordination and approvals by Siskiyou County.

4) **The Lead Agencies and this EIR/EIS have failed to identify and properly weigh and consider the benefits of alternatives that do not support the KBRA & KHSA No. 11 (Siskiyou County's environmentally preferable and superior alternative).**

Per EIR/EIS section ES.7.3 Environmentally Preferable/Superior Alternative:
"NEPA requires the Lead Agency to identify the alternative or alternatives that are environmentally preferable in the Record of Decision (ROD) (40 CFR Part 1505.2(b)). *to quote*
"**The environmentally preferable alternative generally refers to the alternative that would result in the fewest adverse effects to the biological and physical environment. It is also the alternative that would best protect, preserve, and enhance historic, cultural, and natural resources.** Although this alternative must be identified in the ROD, it need not be selected for implementation."
Section 15126.6(e)(2) of the CEQA Guidelines requires agencies to identify the environmentally superior alternative in a draft EIR. If the No Project Alternative is the environmentally superior alternative, an additional environmentally superior alternative must be identified among the other alternatives.

a) **<u>Alternative 3</u> (Partial Facilities Removal of Four Dams) has been identified as the environmentally superior alternative:** *to quote*
"Alternative 3 would provide similar long-term benefits when compared with Alternative 2*(complete removals),* but would reduce short-term impacts because it involves less construction. Alternative 3 would result in superior long-term beneficial environmental effects. **In summary, Alternative 3 is considered the environmentally superior alternative among all the alternatives because it provides long-term beneficial environmental effects, while reducing some of the short-term significant effects of the Proposed Action (Alternative 2)."**

b) **The following environmentally preferable and superior alternative was not properly considered; Alternative 11 (Fish Bypass: Alternative Tunnel Route) on page 4-11 (4.2.11)** clearly states that it does not meet consideration because it is not consistent with the requirements of the KBRA and KHSA as it would not remove any of the four dams. Under NEPA and CEQA **THIS ALTERNATIVE MUST BE RECONSIDERED and must not be dependent on the predetermined, undisclosed KBRA/KHSA agreements.**

c) **Alternative 11 (Fish Bypass: Alternative Tunnel Route) is identified by Siskiyou County as the "environmentally preferable alternative that would result in a cost of 1/6 the cost of installing fish ladders, 5% the cost of dam removals, and the fewest adverse effects to the biological and physical environment." THIS ALTERNATIVE IS SUPPORTED BY 80% OF THE COUNTY AND MUST BE RE-CONSIDERED under CEQA and NEPA requirements not dependent on secrete KBRA/KHSA agreements.**

5) **In Chapter 3 - 3.6 Flood Hydrology of the EIR/EIS, data provided does not accurately represent current independent scientific or historical data. The data chosen for the study was that the data that supports the Lead Agencies desired outcomes.**

a) Table 3.6-5 shows the 100-yr flows at Keno at 11,800cfs and Iron Gate at 31,460cfs. **However, a statistical analysis using data from 1961 provides flows at Keno at 12,000cfs and Iron Gate at 30,600cfs** (close).

b) Table 3.6-9 shows a 6.9% reduction in the flood attenuation of Iron Gate and Copco Reservoirs combined. **This is in substantial disagreement with an engineered independent evaluation.** By using the 1964 flood data for Gage 11516530 and a t/c in of 24 hr, t/c out of 48 hr. an inflow out flow hydrograph shows a 22% reduction in peek flow and a 9 hour delay in peek discharge.

c) Table 3.6-5, the 100 yr. flood plain below Iron Gate Reservoir, and the write up needs to be revised to **show that the Dams Provide Critical Flood Protection.**

6) **The EIR/EIS fails to weigh basic risks associated with Flood Hydrology.** The flood protection currently provided by the dams in place is notable. Without the dams much of the private property adjacent to the Lower Klamath River would be subject to severe flooding and erosion. Highway 96 may have to be relocated in several locations and many bridges may need to be replaced to provide the same level of service and protection that we currently enjoy.

a) The 1964 flood destroyed many bridges on the Lower Klamath and washed out much of Highway 96. All of the dams that are proposed for removal were in place during the 1964 flooding. All roadways and bridges were re-located above the calculated **B**ase **F**lood **E**levation considering all existing dams in place. DOI

determined the existing floodplain by computing the 100 year flood and then mapping the extent of that floodplain on the existing topography. The existing floodplain may be different than that proposed by FEMA because it is based upon more current information.

b) DOI determined the 100-yr floodplain after dam removal. Based upon the most current inventory of structures downstream of Iron Gate Dam to Humbug Creek over 24 residences are within the existing 100 year flood plain. Less than 6 residences and other structures such as garages are outside of this flood plain, but may be put into the 100 year floodplain after removal of the dams. However, the final determination of the future 100-yr floodplain after dam removal will be made by FEMA. The purpose of the analysis was to estimate the costs to mitigate the increase in flood risk. The existing bridges are within the 100-year floodplain; however, these structures would need to be evaluated to determine if they would still maintain enough clearance to not be inundated by flooding. Not all of the structures that could be exposed to increased flooding risks are permanent..

7) The EIR/EIS Mitigation Measures downplay real risks presented and put the public and environment at severe risk. **The EIR/EIS change to the 100-year floodplain inundation area downstream from Iron Gate Dam would increase the risks of flooding structures; therefore, the impact on flood hydrology would be significant. Mitigation Measures H-1 and H-2 assign and thereby reduce the impact to flood hydrology to less than significant.** This conclusion is, at best, irresponsible. By definition, an increase in risk to one habitable structure or bridge is to be considered significant according to the significance criteria.

8) **Statements made in the EIR/EIS about current dam conditions and impacts of removing the dams are unsupported and dishonest.** These dams are in very good condition according to the Ca. Div. of Dam Safety. The primary benefits and reasons for building dams is for water conservation and management, clean energy production and flood control. For example;

a) The EIR/EIS states; *"removing the Four Facilities could reduce the risks associated with a dam failure.* The Four Facilities, collectively, store over 169,000 acre-feet of water when they are full. The dams are inspected regularly, and the probability for failure has been found to be low. However, if a dam failed, it could inundate a portion of the downstream watershed (Siskiyou County website 2011). **Removing the Four Facilities would eliminate the potential for dam failure and subsequent flood damages.** Therefore, eliminating the dam failure risk associated with the Four Facilities would have a beneficial effect on flood hydrology."

b) The EIR/EIS states; **"Therefore, it is anticipated that implementation of the Emergency Response Plan would generate no change in flood risk when compared to existing conditions, although it would likely help to reduce damage to property or loss of life due to a flood event which would be a beneficial effect to flood risks. Implementing the Emergency Response Plan will likely require**

the analysis of changes to flood risks in future environmental compliance investigations as appropriate."

9) The EIR/EIS Mitigation Measures downplay real risks presented, offer inadequate mitigation measures and put the public and environment at severe risk ***For example;***

   a) ***Per EIR/EIS section 3.6.4.4 Mitigation Measures, Mitigation Measure H-1:*** "Prior to dam removal, the **DRE will inform the National Weather Service, River Forecast Center, of a planned major hydraulic change (removal of four dams)** to the Klamath River that could potentially affect the timing and magnitude of flooding below Iron Gate. **The River Forecast Center is the federal agency that provides official public warning of floods.** As needed, the River Forecast Center would update their hydrologic model of the Klamath River to incorporate these hydraulic changes so that changes to the timing and magnitude of flood peaks would be included in their forecasts. As currently occurs, flood forecasts and flood warnings would be publicly posted by the River Forecast Center for use by federal, state, county, tribal, and local agencies, as well as the public, so timely decisions regarding evacuation or emergency response could be made. Prior to dam removal, the DRE will inform FEMA of a planned major hydraulic change to the Klamath River that could affect the 100-year flood plain. The DRE will ensure recent hydrologic/hydraulic modeling, and updates to the land elevation mapping, will be provided to FEMA so they can update their 100-year flood plain maps downstream of Iron Gate Dam (as needed), so flood risks (real-time and long-term) can be evaluated and responded to by agencies, the private sector, and the public.

10) The EIR/EIS Mitigation Measures display the agencies force of will over residents, fail to offer adequate mitigation plans to the potentially affected inhabitants and put the public and environment at severe risk ***For example;***

   a) ***Mitigation Measure H-2:*** The **DRE will work with willing landowners to move or relocate permanent, legally established, permitted, habitable structures in place before dam removal.** The DRE will move or elevate structures where feasible that could be affected by changes to the 100-year flood inundation area as a result of the removal of the Four Facilities.
   b) **Effectiveness of Mitigation in Reducing Consequence** These mitigation measures will be effective as they will identify the extent of the increased flood risks and take measures which will reduce the risks for loss, injury or death from flooding.
   c) **Agency Responsible for Mitigation Implementation.** The DRE would be responsible for implementing mitigation measures H-1 and H-2.

   These are not "Mitigation Measures"... a telephone call or radio broadcast to tell you that you are about to be flooded. As stated above, the EIR/EIS fails to present and weigh sound scientific data and make conclusions that are in the best interest of the environment, community and lives of humans and species downstream of the dams.

11) **The sediment removal proposal is a scientific impossibility. The Lead Agencies failed to demonstrate adequate scientific knowledge to perform and make scientifically sound decisions.**
Per the EIR/EIS; 3.2 Sediment Removal: Dam removal would release some of the accumulated sediments downstream. The Proposed Action includes the use of erosion from river flows to flush the sediment behind the dams downstream during facility removal. Reservoir drawdown would focus on the wet season in order to flush the sediment downstream with the natural seasonal high flows. Modeling studies indicate that drawdown would erode and flush 41 to 65 percent of the stored sediment downstream (DOI 2011). The initial drawdown would begin slowly, to minimize riverbank erosion, with the rate increasing as water levels drop to maximize the amount of sediment flushed down stream. Most of the sediment remaining on the riverbank slopes would stabilize and would not erode downstream in subsequent years.

a) **As an engineer of dams and bridges, formerly with Cal Trans, I can attest that the standing water behind the dam will not transport sediments to the breached area of the dam during drawdown. The only sediment transport will be within the remaining river after the reservoirs are drained.**

12) **The EIR/EIS fails to consider logical scientifically supported impacts and mitigation measures related to the removal the sedimentation during and after dam removal.** This failure leads to an unnecessary risks presented to the public and the environment.

Per the EIR/EIS section3.2.1 Option: Sediment Removal, "If analysis indicates that the release of sediment could result in significant effects, the EIS/EIR may include consideration of dredging sediments out of the reservoirs before removing the dams if this measure is determined to be feasible. Dredging would focus on the area within the new river area; sediment remaining above the new stream level would only require removal if the slopes would not be stable."

a) Surveys to date have shown water content in the sediments behind the reservoir to average 80 percent by volume (Eilers and Gubala 2003). Once dredging began, the spoils would be pumped to a detention area near the reservoir for the sediments to dry. Dredging and the mechanical removal of sediment from the reservoirs would require equipment in addition to that needed for dam removal. This additional equipment would include barges, dredges, and pumps.

b) Storing the spoils after removal from the reservoirs would require an area of sufficient size to allow the sediment to be spread and dried

c) **This option, being the only viable option to mitigate sediment impacts upon dam removals is not on the table because of predetermined conclusions that funding would not be approved or available to support actual projected cost. This is the reason that Alternative 3 (Partial removal of 4 dams) was selected as the:**

i) **Initial sediment study:** 20.4 million cubic yards with 84% washing down river

ii) **Recent sediment analysis:** 13.1 million cubic yards with 41 to 65% washing down river

iii) **Analyses:** Sediment depth below Iron Gate to the ocean assuming a river bottom width of 150'and a length of 190 miles
Initial sediment study: 3.1 feet depth
Recent sediment analysis: 1.0 to 1.5 feet depth

d) The recent study appears to be in line with recent attempts to reduce cost in support to dam removals with limited funding. The State Water Quality Control Board and Department of Fish and Game, and the U.S. Corps of Engineers regulate all private construction projects involving disturbed soil, within a drainage watercourse. **How could public agencies (for and by the peope), even consider such an irresponsible action?**

13) The Lead Agencies failed to present a truthful and logical cost/benefit analysis for the Secretary or any reviewer to make a logical determination. **The cost proposals for all the alternatives are either intentionally omitted or were not conducted. How could you make a decision on a project without accurate detailed cost estimates?**

CONCLUSION:

This document is riddled with bias conclusions and inappropriate mitigation measures which are not supported by fact, respected science or properly engineered studies. **This document was prepared supporting a predetermined goal (Removing 4 dams on the Klamath River) and needs major revisions to comply with NEPA and CEQA regulations.**

Thank you for considering my opinions.

Respectfully submitted,

Jerry L. Bacigalupi

Jerry L. Bacigalupi P.E. (RCE 18063)

To: Ms. Elizabeth Vasquez
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

June 13, 2013

Gordon Leppig
California Department of Fish & Game
619 Second Street
Eureka, CA 95501

From: Jerry L. Bacigalupi
Professional Engineer (P.E.)
P.O. Box 309
Montague, CA. 96064 (530) 459-5546 (916) 768-5015c

Dear Ms. Vasquez and Mr. Leppig:

Following are my comments to the **Klamath Facilities Removal Final EIS/EIR** (dated December 2012, but not mailed to respondents until 04/05/13)

1) As a citizen and Professional Engineer I am disappointed at the professional integrity within the DOI and CDFG. In reviewing several of the EIS/EIR comments submitted to the DOI and the DOI responses, I am disturbed at the DOI's lack of professional knowledge, goal oriented responses, and spin **supporting dam removals.**

2) After reviewing my comments and the DOI responses, I feel that my comments were not addressed. **I would make the same comments again.** The point being that the EIR/EIS has not been properly completed because the **EIS/EIR process is flawed** with responses that lack professional and scientific integrity, and with probable misconduct, all supporting the KBRA / KHSA (Dam Removals). In addition viable alternatives with dams in place were not studied, and the facts that the Upper Basin Water Wars and the Klamath Hydro-Electric Facilities are not physically related. The KBRA & KHSA improperly mandate stakeholders agreeing to Hydro- Electric Dam Facility removals.

3) In particular I would like to address my highlighted comment #5 and DOI response **(Comment 6 Hydrology).** To quote my comment:
"In Chapter 3 - 3.6 Flood Hydrology of the EIR/EIS, data provided does not accurately represent current independent scientific or historical data. The data and conclusions presented was data that supports the Lead Agencies' desired outcomes and not supported by recognized engineering practices.

   a) Table 3.6-5 shows the 100-yr flows at Keno at 11,800cfs and Iron Gate at 31,460cfs. **A statistical analysis using data from Calif. Division of Dam Safety shows 100-yr. flows for Keno at 12,000cfs and Iron Gate at 30,600cfs. This is a close check, however;**
   Table 3.6-9 shows a 6.9% reduction in the flood attenuation of Iron Gate and COPCO Reservoirs combined.

This is in substantial disagreement with an engineered independent evaluation. Using the 1964 flood data for Gage 11516530 (29,400cfs peak flow at Iron Gate) an inflow out flow hydrograph combining both reservoirs shows a 22% reduction in peak flow and a 9 hour delay in peak discharge.

b) Table 3.6-9, the 100 yr. flood plain below Iron Gate Reservoir, and the write up needs to be recalculated and re-evaluated using properly engineered procedures for inflow/outflow analysis **based on historic hydrographs** to **show that the Dams Provide Critical Flood Protection."**

The DOI Response to my comment :

GP_LT_1230_1220-6 Master Response HYDG-1 Flood Protection. The comment author refers to an analysis of the 1964 flood documented in a memo delivered to Siskiyou County (Bacigalupi, 2010). In this analysis, it was concluded that Iron Gate Dam and Copco Dam reduce the 100-yr flood by 22 percent. However, a time step of 3 hours was used in Bacigalupi (2010), which is too large and this caused errors in the results. If the same analysis was performed with a time step of 15 minutes or smaller, the flood attenuation effects would be very similar to Reclamation (2D12b) and find that the attenuation of the 100-yr is near 7 percent as stated in the Draft EIS/EIR.

My comment to the DOI response:
The same analysis was performed using the same computerized program, same data, and varying the time steps of the inflow outflow hydrograph as suggested by the DOI. The results are as follows:

Time Step Hr.	Inflow cfs	Outflow cfs	Peak Flow Delay Hr.	Increase In Flow With Out Dams %	Remarks
3	35,700	29,400	9	22	Original
1	36,800	29,400	10	25	1Hr. Steps
.25(15min.)	37,250	29,400	10.25	26.7	15min. Steps

The above results show that the DOI makes rudimentary conclusion and statements that are in **error** and that have definite impacts on the decision of dam removals.
The Dams do provide substantial (26.7%) flood protection. Table 3.6-9. the 100yr. flood plain and write up needs to be revised.
The EIR/EIS process has not been completed. The EIS/EIR is flawed with responses that are in error, and lack professional and scientific integrity, all supporting the KBRA / KHSA (Dam Removals).

Respectfully submitted:

Jerry L. Bacigalupi 06/13/13
Jerry L. Bacigalupi

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SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: SUPERVISOR MICHAEL KOBSEFF

EMAIL (if desired): mkobseff@co.siskiyou.ca.us.

ORGANIZATION (if applicable): CHAIRMAN SISKIYOU COUNTY BOARD of SUPERVISORS

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

COUNTY OF SISKIYOU

Board of Supervisors

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Tuesday, January 17, 2017

SISKIYOU COUNTY BOARD OF SUPERVISORS STATEMENT TO THE STATE WATER RESOURCES CONTROL BOARD REGARDING THEIR *NOTICE OF PREPERATION AND SCOPING MEETINGS FOR AN ENVIRONMENTAL IMPACT REPORT FOR THE LOWER KLAMATH PROJECT LICENSE SURRENDER*

The Siskiyou County Board of Supervisors would like to provide the following oral and written statement regarding the Water Boards notice of public scoping meetings in preparation of the Environmental Impact Report (EIR). In addition, the Board of Supervisors will be providing formal written comments by February 1st, 2017, in response to the *proposed* Notice of Preparation.

First, it seems that public notification of the original January 10th meeting was very limited, even within the County in which it is taking place. The Board of Supervisors was informed of the meeting by an individual who read about it on a local environmental group's webpage in late December 2016. We did not receive official notice from the Water Board until January 4, 2017, although it appears the notice was first sent out to certain people and groups on December 22, 2016. This short notice and limited communication violates, if not the letter, then certainly the spirit, of the law intended to notify and engage the public and solicit active participation. Unfortunately, this is not the first time situations like this have occurred. The County of Siskiyou deserves and demands adequate notice, at the earliest possible date, of all future public meetings.

Siskiyou County is concerned with the economic and environmental consequences that would impact the County if the four Lower Klamath River Dams were transferred to and removed by the Klamath River Renewal Corporation. To address a few of these concerns, the County continues to reiterate that the 20-30 million cubic yards of sediment that has collected behind the Dams, and would be released down the Klamath River after dam removal, has not been adequately evaluated to address the adverse local and environmental impacts. Over the last several years, water has been released from behind Copco Dam to initiate Klamath River pulse flows to help improve water quality and fisheries habitat during the summer months. If the Dams are removed, this water would not be available at the critical time needed, and would have to come from Upper Klamath Lake storage, which would impact agricultural and wildlife refuge deliveries in the Klamath Basin. Other issues include the potential for catastrophic floods, either during dam removal activities, or thereafter; and property value loss in the areas around Iron Gate and Copco Dams, which Siskiyou County estimates would be several million dollars. As part of the environmental process, it is the

Water Board's responsibility to fully address these issues, impacts to Siskiyou County and impacts to Klamath River water quality.

In the past, when the Klamath Basin Restoration Agreement and Klamath Hydroelectric Settlement Agreement were being developed, environmental documents limited the analysis area to a five mile stretch of the Klamath River, which was inadequate and in no way addresses the total effects and consequences of Dam removal. During any environmental process concerning the Klamath River, the area of analysis needs to consider the entire river system, surrounding areas, and local communities, including Siskiyou County. We also raise the issue that this would be difficult to do as the Water Board does not have any jurisdiction beyond California, which raises the question as to the legal ability of the Board to analyze impacts for a Dam located in Oregon, and waters originating in Oregon. Nevertheless, any deviation from full analysis would be in violation of *Title 14, Chapter 3 of the California Code of Regulations, Guidelines for Implementation of the California Environmental Quality Act.* In relation to this, the Water Board's documents outlining the process for water quality permit certification seem to assume that Dam removal is the determined outcome, which would make the environmental document pre-decisional, and would again violate the Code of Regulations. We are requesting that you not make this assumption, and that you meet the needs of all impacted environmental and natural resources, and give due diligence to the people, livelihood, and economy of Siskiyou County.

To reiterate, it is Siskiyou County's expectation that there will be a fair and complete analysis of all environmental consequences of the proposed Section 401 Certification, for the entire impacted Klamath River system. O*nly* if the Water Board thoroughly and transparently identifies, analyzes and determines whether possible mitigation measures are feasible, and would render identified impacts less than significant – and we submit that this is not possible - can the Water Board approve the requested 401 water quality certification. The California Environmental Quality Act, and interpreting case law, makes clear that proceeding without meeting these requirements would be an improper abuse of the Water Board's discretion in acting on this proposed project.

Thank you for the opportunity to make this statement on behalf of Siskiyou County. As indicated, we will submit more formal and detailed comments, particularly concerning the significant adverse environmental impacts to occur, as the *proposed* EIR progresses.

Michael N. Kobseff, Chairman
Siskiyou County Board of Supervisors

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

31

January 2017
(Please Print Clearly)

NAME: JOE JAMES

EMAIL (if desired):

ORGANIZATION (if applicable): YUROK TRIBE

REMARKS: Support Dam Removal by 2020.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

32

January 2017
(Please Print Clearly)

NAME: ROBERT LINDAMOOD

EMAIL (if desired): BOB@LIBUSTERS.COM

ORGANIZATION (if applicable):

REMARKS: SALMON PROTECTION

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

33

January 2017

(Please Print Clearly)

NAME: Craig Tucker

EMAIL (if desired):

ORGANIZATION (if applicable): Karuk Tribe

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

34

January 2017

(Please Print Clearly)

NAME: Konrad Fisher

EMAIL (if desired):

ORGANIZATION (if applicable): Klamath RiverKeeper

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

85

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: John FOSTER

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

36

January 2017

(Please Print Clearly)

NAME: Betty Hall – Shasta Nation

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Save Native american sites

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

37

January 2017

(Please Print Clearly)

NAME: Roy Hall Shasta Nation

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Dam Removal

LOCATION (circle one): ARCATA SACRAMENTO YREKA

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

38

January 2017

(Please Print Clearly)

NAME: Mike Mallory

EMAIL (if desired): mmallory@co.siskiyou.ca.us.

ORGANIZATION (if applicable): Siskiyou County Assessor-Recorder

REMARKS: Assessed value loss & corresponding loss in revenue if dams are removed

LOCATION (circle one): ARCATA SACRAMENTO YREKA

MIKE MALLORY, ASSESSOR - RECORDER
County of Siskiyou

Courthouse • 311 Fourth Street • Room 108 • Yreka, CA 96097-2984
Assessor (530) 842-8036 • Recorder (530) 842-8065 • FAX (530) 842-8059

38

January 26, 2017

California State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000
Parker.thaler@waterboards.ca.gov

Attn: Mr. Parker Thaler

Re: Scoping Comments Relating to EIR – Proposed Lower Klamath Project License Surrender

Dear Mr. Thaler:

As Siskiyou County Assessor-Recorder I submit the following comments and requests as provided for in the public scoping process. I will be presenting this information at tonight's Yreka Public Scoping Meeting, to be held at the Best Western Miner's Inn – Convention Center.

- Valuation studies to date at the Federal level have been woefully inadequate, as the Department of Interior has carefully crafted the Scope of Work to arrive at a predetermined outcome of minimal value impact in the event of dam removal ($2M to $2.5M total value loss). Appraisals to date have been based on the hypothetical assumption that the land underlying the lakes has been restored to its native condition with full access to a free-flowing river; structural and site improvements have been intentionally excluded from the analysis; and an estimate of nearly 1,500 "Potentially Impacted Parcels" has been grossly understated at just under 700 "Impacted Parcels." ***REQUEST:*** *Completely disregard any valuation study relating to Klamath Dam removal as commissioned by the Department of Interior. Provide an objective analysis of the loss in property values and tax revenues to all impacted parcels in the event of dam removal, with consideration of the mud flats and denuded landscape which will remain for years after dam removal.*

- The Klamath River dams, while not constructed specifically for flood control, are utilized to "temper" flows and reduce flooding. Moreover, there is a perception from the general public that the dams do, in fact, provide flood control, and that removal of the dams will increase flooding. Perception is reality when it comes to property values. This issue has been blatantly ignored thus far. ***REQUEST:*** *Analyze the impacts to property values and tax revenues along the Klamath River below Iron Gate Dam due to the real and/or perceived loss of flood control in the event of dam removal. In addition, silt deposition may change the river course and lead to more severe flooding, which must also be considered in the analysis.*

- Valuation of PacifiCorp's assets for property tax purposes is accomplished by the California State Board of Equalization (SBE) and assessed on the Board Roll of State Assessed Property (also known as the Unitary Roll). These values are transmitted to the County annually, and taxes are collected locally by the Siskiyou County Tax Collector. While PacifiCorp's total valuation at $162.6 Million is publically available, the underlying classification by property type is confidential, even to County Assessors. In the event of dam removal, all assets associated with the hydroelectric facilities will be removed along with corresponding assessments. Once represented by PacifiCorp as upwards of 20% of its total assessment, removal of these assets has the potential to reduce the Tax Roll by $32.5 Million in value. The corresponding loss of approximately $370,000 per year in taxes will have a big impact on the County of Siskiyou as well as the Hornbrook Elementary School District (which is the only basic aid school districts in Siskiyou County). ***REQUEST:*** *Analyze the impacts to property values and tax revenues caused by removal of the hydroelectric facilities from the Assessment Roll.*

Thanking you in advance for your attention to my concerns as outlined above. In the event that you should require any additional information and/or clarification, please do not hesitate to contact me.

Sincerely,

Mike Mallory

Mike Mallory
Siskiyou County Assessor-Recorder

MM:ss

cc: Michael Kobseff, Chair Siskiyou County Board of Supervisors
Elizabeth Nielsen, Siskiyou County Natural Resource Specialist

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

397

NAME: CHRISSIE REYNOLDS

EMAIL (if desired): littleeaglewomanseeing@gmail.com

ORGANIZATION (if applicable):

REMARKS: I WANT A HARD COPY OF THE EIR

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

39

Never be afraid to do what's right, especially if the well-being of a person or animal is at stake. Society's punishments are small compared to the wounds we inflict on our soul when we look the other way. -Martin Luther King

To the State Water Control Board,

My name is Chrissie Reynolds and I live at Copco Lake. I am a resident of Siskiyou County and a mom. First of all, I am outraged that the first I heard about the public meeting that was supposed to be held last Tuesday was from a facebook post from a part time resident to Copco ~~via Santa Barbara~~ and NOT FROM ANY OFFICIAL either from your organization or from my own elected government representative. I now understand that the latter is due to late notice from YOU. I am a property owner and stakeholder of what happens at Copco Lake. I received no notice of your intent to provide me with the opportunity to speak. And apparently you have received a letter from our Board of Supervisors also voicing their anger and displeasure at the lack of consistent notice with regards to some people (in favor of dam removal) being informed early and some people (not in favor of dam removal) being informed without much notice. I agree almost whole heartedly with what our Board wrote in response to you except that in regards to their statement on transparency, I feel that it is truly transparent that the residents of Siskiyou County are again being purposefully misled and that our due process is again being subverted by government agencies that are supposed to be looking out for the welfare of their citizenry but instead these citizens are having to speak up and out against the agencies with which their responsibilities are about furthering policies that are not in the public interest but in maintaining policies that benefit a certain agenda and not on the welfare of the People or the fish. It is absolutely absurd to me that when 80% of the residents of Siskyou County have voted NO on dam removal and spoken, written, and commented for over a decade now against dam removal, the false and misleading science of the last environmental impact study that was done which resulted in the firing of Dr Paul Houser who was THE Scientific Integrity Officer, and began a whistle blower case that ended up being settled out of court, to the lack of continued Coordination with the Copco Lake Fire Board and those meetings being satisfactory, to disregard of our Board of Supervisors and their expressed feelings and needs that we are undergoing this process again under these conditions are simply unacceptable. We the People are being denied due process by having our State Governors decide on their own that they want the dams out, ~~they will~~ set up a non profit entity with no accountability to anyone, and the state agencies now have an agenda to follow regardless of what laws either legally, morally or ethically with which they violate. In Siskiyou County's history there are harsh reminders of what governmental policies were with regards to the indigenous people who were here before our government was. They gathered the leaders of the Shasta people (who in 2017 are STILL NOT A FEDERALLY RECOGNIZED TRIBE) and under the

pretext of a feast were given tainted food and blankets with small pox in a genocidal attempt. It simply boggles the mind that these people are still not recognized with the proper respect or sovereignty that they inherently deserve. I myself am Japanese American with parents and grandparents that were stripped of their Constitutional Rights and had their homes, businesses and belongings taken from them while they were sent to first horse stables and then shipped out of state to be held in concentration camps in tar paper shacks in a barren desert landscape simply because that was the policy at the time. Now it seems, we are in times just as dark and incomprehensible because that is how we are being treated. Our rights are being ignored, denied and completely disrespected. The current agenda will be to lock us up and out from the lands on which we hold ownership through our property rights and for which we pay taxes, but no matter if we lose out property values, no matter that we don't want dam removal, no matter that we are being extorted by having to PAY FOR DAM REMOVAL on our power bills, some of us with properties in both Oregon and California so they have to pay for it twice and still lose on their property value, it all just dosen't seem to matter to these agencies that are simply "doing their job". You know, people who do their jobs without thinking of the people or the lives that they are impacting really ought to really KNOW what it feels like to robbed of the freedom and their Constitutional rights. They should lose their jobs if they are guilty of being complicit while these agendas are being carried out against the will and rights of American people who have an inherent and inalienable right to live where they want to live, in manners that they have self determined bring about their right to life and the pursuit of happiness and NO Government agency should be allowed to use policy to carry out eco terrorism against it's own people. The People have spoken. They said NO. You are not listening and you are using our tax money against us and furthering to cause pain and suffering to people with this constant nonsense. We want our Tribal People given the respect and recognition they deserve. We want our lake and reservoirs to continue to provide clean, green renewable energy to over 70,000 homes, we want to be able to hunt, fish and recreate in these areas, we want to keep these waters available for fire suppression, we want an end to geoengineering our weather and causing increased loss of life, we our property values back to where they were before the whole blue green algae lie and the beginning of this farce and we want no release of sediment down the river that would decimate life of all kinds. I hope you will see what is so transparent for all of us, we will not give up our lands, our water or our rights and we will hold accountable those who would lie, cheat, deceive and disregard us. Thank you. Chrissie Reynolds

Plant our food

John Bemel

NO

Past adequacy

range of alternatives

Hot Springs

Impacts to evaluate

- groundwater

road -

Dam Removal

For | Against

Dec 22nd

Feb 1st

mitigation

30-

1954 50 yrs

2006

Transfer Application

Be denied

45 miles

To the

Ocean

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

40

January 2017
(Please Print Clearly)

NAME: Ray Haupt

EMAIL (if desired):

ORGANIZATION (if applicable): Siskiyou County Supervisor

REMARKS:

LOCATION (circle one): ARCATA SACRAMENTO YREKA

40

California State Water Board
Re; Klamath Hydroelectric Facilities License Transfer

Comments regarding proposed Federal Clean Water Act and CA Porter Cologne Act Water Quality Certifications

CEQA/NEPA Comments

The Action of the Board is premature and attempts to sidestep federal processes and use former processes not vetted by Public Review and Appeal Processes or legal scrutiny through the courts.

In your previous Yreka public meeting the water board has stated their intent was to use the environmental analysis of preceding environmental analysis included in the 2012 Klamath Dam Removal EIS. This document has no legal standing and prevents tiering under federal statutes or agreements as outlined in; Council on Environmental Quality document, NEPA and CEQA: Integrating Federal and State Environmental Reviews February 2014.

Legal sufficiency for NEPA analysis is defined in law. CEQA Decisions may not tier to a NEPA Decision when the EIS has not concluded in a Record of Decision; CFR Title 40 section §1506.1 sub-part a; Limitations on actions during NEPA processes.

As recent as November 2016 the Federal Energy Regulatory Commission formally stated they have postponed the analysis of License Transfer until Mid-March 2017. This in part, due to incomplete application appendices from which to properly analyze the action before the commission. What action is the water board undertaking when the action has not been accepted by the body that is responsible for determining whether or not to proceed with License Transfer and subsequent Dam removal?

Using the former EIS Documents for Klamath Dam removal does not meet the thorough and complete look for effects found in NEPA and CEQA Statutes. Those previous documents had as a premise a federally funded mitigation list found in the expired KBRA/KHSA Agreements. Those mitigations were part of the analysis of environmental effect designed to lessen impacts to fisheries, the public and water quality on the Klamath River. The ESA determinations and Environmental Conclusions in those documents are now referred to as "stale" and must be rejected and analysis reinitiated as both NEPA and ESA require when there is a significant change in the proposal.

The former analysis is incomplete. In the ten years of analysis that took place every one of them eliminated the flows of the Trinity River as the analysis was narrowed to 5 miles within the reaches below Iron Gate Dam. Any analysis must include the entire river under federal and state statute prior to any Clean Water Certifications the state may make.

Jurisdictional Comments

Does this State Agency have the jurisdiction to analyze and make a Clean Water Act Certification regarding the Transfer of 4 Dams on the Klamath River under the Clean Water Act?

There is no authority for the State of California to make determinations outside its Sovereign Borders nor do its laws extend beyond them. One of the Dams in the Transfer Application and a large segment of the Klamath River affecting the Lower Klamath are within the Sovereign Borders of Oregon. Several Dams within Oregon have the potential to significantly affect California's water quality with their operations. The flows from Upper Klamath Lake are well outside this states influence and cannot be predicted with any certainty and therefore makes a state level analysis for water quality tenuous at best. The Porter Cologne Act from which the State Water Boards authority originates has no regulatory influence over another state and is the wrong authority at the wrong scale to make an informed water quality determination.

In The Supreme Court Decision, Rampos v. United States & Carabell v. United States clarify the Authority and Jurisdiction of the Clean Water Act for Navigable Waters and is to be under the Army Corps of Engineers and the Federal EPA the court directs them to exert their regulatory authority over them. This jurisdiction is further clarified in the "Civilettii Memorandum at 43 Opinion Attorney General 197(1979).

The NPDES Memorandum between the United States and the state of California defines when a state may take Clean Water Certifications. The states independent certification process is limited to waters not reserved by the EPA for review. Those classifications of discharges reserved to EPA regulation under federal statute include; Discharges to territorial seas, Discharges which may affect the water quality of another state and Discharges from any other source which exceeds a daily average discharge of 1/2 million gallons.

In summary, to properly analyze any action on the Klamath River I urge the Board to start over on all processes using Federal and State Statutes respecting the federal agencies responsible for all interstate actions. To do otherwise and to continue to side step a complete and thorough scientific analysis in full participation of the public will likely lead to severe damage of our river, extirpation of listed Salmon, devastate our local economy and lead our state into years of costly litigation.

January 26, 2017

Ray A. Haupt
Siskiyou County Supervisor, District 5
P.O. Box 750
1312 Fairlane Rd.
Yreka, CA 96097

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SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Thomas Joseph

EMAIL (if desired):

ORGANIZATION (if applicable):

REMARKS: Wanna speak

LOCATION (circle one): ARCATA SACRAMENTO YREKA

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SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Daniel F. Simon, PE

EMAIL (if desired): DanielFSimon@yahoo.com / 530-598-9671

ORGANIZATION (if applicable):

REMARKS: ARSENIC SEDIMENT BEHIND THE DAMS. ~~THE~~ W Fall Creek HATCHERY HAD KILL-OFFS FROM SEDIMENT W/ ARSENIC. DAMS HAVE ACCUMULATED THIS SEDIMENT.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

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SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: AL KHART (ALEXANDER KHARTCHENKO)

EMAIL (if desired): alkhart@YAHOO.COM

ORGANIZATION (if applicable):

REMARKS: THE PROJECT OF DAMS REMOVAL HAS NO SCIENTIFIC AND HUMANITARIAN GROUNDS, HENCE IT MAY TURN TO BE AN ECOLOGICAL CRIME. DAMS ARE ONE HUNDRED YEARS OLD DURING ALL THOSE YEARS HELPED TO FIGHT FIRE, DROUHTS.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

SPEAKER CARD
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January 2017
(Please Print Clearly)

44 DID not SPEAK

45

NAME: Susan Mallott Rodgers / Jack + Judy Roggenbuck

EMAIL (if desired): jrhvr@me.com

ORGANIZATION (if applicable): Hidden Valley Ranch

REMARKS: We support the Siskiyou Co. Board of Supervisors statement + Mike Mallory's statement

LOCATION (circle one): ARCATA SACRAMENTO YREKA

46 DID NOT SPEAK

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Margo Robbins

EMAIL (if desired): footstepsunltd@yahoo.com

ORGANIZATION (if applicable): True North

REMARKS: Klamath River dams deteriorate water quality.

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

47 DID Not SPEAK

SPEAKER CARD
LOWER KLAMATH PROJECT LICENSE SURRENDER
SCOPING MEETING

January 2017

(Please Print Clearly)

NAME: Sarah Rockwell

EMAIL (if desired): smr@klamathbird.org

ORGANIZATION (if applicable):

REMARKS: will submit written letter

LOCATION (circle one): ARCATA SACRAMENTO (YREKA)

Court Reporter Transcript

STATE WATER RESOURCES CONTROL BOARD STAFF PRESENTATION

SOLICITING COMMENTS ON THE NOTICE OF PREPARATION

LOWER KLAMATH PROJECT LICENSE SURRENDER)
PUBLIC COMMENTS.)
)
)
)
)
~~~~~~

Date: THURSDAY, JANUARY 26, 2017

Time: 5:00 p.m.

Place: Best Western Miner's Inn
122 East Miner Street
Yreka, California 96097

Reporter: Carol J. Chase, CSR No. 13538
COLEMAN REPORTERS
510 Fourth Street, Suite A
P.O. Box 7
Yreka, California 96097
(530) 842-1455
e-mail: colemanreporters@earthlink.net
~~~~~~

A P P E A R A N C E S:

For State Water Resources Control Board:

PARKER THALER, Environmental Scientist, Lead Tech
ERIN RAGAZZI, Environmental Program Manager
MARIANNA AUE, Office of Chief Counsel, Legal Support
KRISTEN GANGL, Environmental Scientist
TIM MURAN, Office of Public Affairs
WILLIAM RICH, Tribal Tribal Cultural Resources Leader

For Stillwater Sciences:

MAIA SINGER, Stillwater Sciences Senior Scientist/Water Quality Specialist, Consultant
LAUREN McCLURE, Stillwater Sciences, Consultant

---oOo---

PUBLIC SPEAKER COMMENTS INDEX:

PUBLIC SPEAKER COMMENTS INDEX (cont'd):

PUBLIC SPEAKER COMMENTS INDEX (cont'd):
(filled out speaker card but did not speak)

- Susan Mallett Rodgers
- Jack & Judy Roggenbuck
- Margo Robbins
- Sarah Rockwell

---oOo---

PROCEEDINGS

---oOo---

WATER BOARD MEETING

Thursday, January 26, 2017

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MS. ERIN RAGAZZI: Thank you. I want to welcome everyone here tonight. This is the third and final scoping meeting that we're holding as part of the Lower Klamath Project Environmental Impact Report Scoping Meeting.

I'm Erin Ragazzi with the State Water Resources Control Board and I want to introduce a couple of other folks here this evening.

So Kristen Gangl is out there helping people get checked in and she's with the State Water Board and the Water Quality Certification Program.

Also here from the program tonight is Parker Thaler and he's going to be providing a presentation.

We have Marianna Aue with the Office of Chief Counsel with the State Water Board.

And then our environmental consultants that are going to help us prepare the environmental document for the Lower Klamath Project and they're with Stillwater Sciences. That's Maia Singer and Lauren McClure.

They have subconsulted with William Rich on the cultural resources and tribal -- he's the tribal

cultural resources lead.

And then also here this evening, we have Carol Chase. She's our court reporter. Who has as a very vital role today. And we have a couple of key points to make sure that she's able to transcribe the meeting accurately this evening.

So a little bit on logistics. If you need to use the restroom, out the main door. The women's restroom to your right and the men's to the left.

There are handouts out there. There are speaker cards. And then there is a scoping meeting information sheet. The important thing about the scoping meeting information sheet is that it has the Lower Klamath Project Web page, which has a bunch of information about our process and the project. And at the bottom, it has information about how to sign up for our e-mail subscription list. So if you want to remain informed moving forward, that's a great way to sign up for that list and you'll get e-mails as we move forward. On the back of that information sheet is a map of the project area.

So the purpose of tonight's meeting is to provide a little bit of information about the Lower Klamath Project but, more importantly, it's to solicit comments from folks about the water quality

certification application that the State Water Board has before it for the Lower Klamath Project.

So a little bit logistics, Parker's going to provide a brief presentation about the Lower Klamath Project, and then we'll have comments by attendees.

And logistics, there's a sign-in sheet out there. If you want to speak, please make sure that you fill out that white speaker card and you hand it to Kristen or just bring it up front here and we'll grab it from you that way, too.

And so that we can get all of the comments transcribed correctly, please make sure you use the microphone. And I'm going to ask you to state your first name, your last name, spell it for Carol. And then, also, I had a request from someone that if you could state where you're from, they would appreciate that, and your affiliation if you feel comfortable.

We'll have a slide up at the end of the presentation to remind you about that because, when you come to speak, sometimes you don't remember all those things. And then we've got that handout. So if you haven't got one, I suggest you grab one of those.

A little bit on ground rules. Typical ground rules, please silence these electronic devices so we don't have interruptions. Take a moment to do that.

Also, make sure that we respect all speakers and all points of view this evening. We're going to have one person speak at a time, make sure that you do use that microphone, not only so that Carol can make sure she gets things transcribed but also so that everybody can hear those comments.

If you have any questions or comments, we'll do that at the end of the presentation. Questions and comments -- or questions that we're looking for are procedural questions, because we're not responding to comments tonight. We're really soliciting and listening to your comments this evening, so we're really looking for any procedural questions that you may have.

We recognize that we do have a short time frame this evening, so this meeting is scheduled from 5:00 to 7:00. It's possible it will run late depending on the number of commenters, so we're going to have a three-minute limit on comments. And I ask that everybody respect that time limit so that we can hear from everybody.

If someone feels that they want to say more after their three minutes, once everybody has had an opportunity to provide their comments, you're welcome to come back up and provide more comments or additional comments at that time. You can also send us a comment

letter.

The comment decline is 5:00 p.m. on February 1st, so that's next week. So you can also provide us with written comments by that time.

And with that, I'm going to turn it over to Parker to get into the meat and potatoes of why we're here and a little brief overview of the Lower Klamath Project.

MR. PARKER THALER: Hello. Thank you all for coming.

My name is Parker, and I'm the lead technical staff assigned to the Lower Klamath Project Water Quality Certification application.

As for why we are here, the Klamath River Renewal Corporation or KRRC has submitted a water quality certification application for the Lower Klamath Project.

The State Water Board conditions hydroelectric projects via water quality certifications to ensure the protection of the State's waters. And the California Environmental Quality Act requires an Environmental Impact Report to inform the State Water Board and the public about the project's application and the environmental effects and ways to reduce those impacts.

So jumping into today's portion of the

presentation -- I'm sorry, Erin -- I'll be providing an overview of the Lower Klamath Project dam development, a brief background on the Lower Klamath Project dam development, and progress through the Federal Energy Regulatory Commission or the FERC licensing process, as well as the link between The Lower Klamath Project and the Klamath Hydroelectric Project, an overview of the CEQA process, and discussion of the Notice of Preparation that was released on December 22nd of 2016 with a comment period that ends on February 1st of 2017.

Next slide. So shown in this map is the figure illustrating the general location of The Lower Klamath Project dam development. This is the same figure that is located on the front page of the Notice of Preparation and is also included on the back page of the fact sheet which, again, is located at the back of the room.

For the ease of viewing and today's presentation, we have these blue dots on top of the Lower Klamath Project dam development and a red line to delineate the border between the states of Oregon and California.

The Lower Klamath Project dam development consists of Copco No. 1, Copco No. 2, and Iron Gate, which are all located in California, and J. C. Boyle dam

development which is located approximately 16 miles north of the California-Oregon border.

The J. C. Boyle dam development is subject to the State of Oregon's water quality certification process, which is a separate action than what we are discussing today as we are focused on the California portion of the project.

The Lower Klamath Project dam development are located in Klamath County, California -- or Siskiyou County, California, and Klamath County, Oregon.

For reference, I've included the Klamath Hydroelectric Project facilities in relation to the Lower Klamath Project and development. And from upstream to downstream, those include:

East Side and West Side which are located adjacent to Link River Dam, Keno, and J. C. Boyle which are both Oregon-based facilities located along the main stem Klamath River;

Copco No. 1 and Copco No. 2 and Iron Gate, which are all located on the main stem Klamath River;

And Fall Creek which is located on Fall Creek, a tributary to the Klamath River;

In bold and underlined and delineated, the Lower Klamath Project dam development from the Klamath Hydroelectric Project facilities. And, off to the

right, you can see an abbreviation for the state that that facility's located in.

Next slide. So now that I've provided information on the general facility location, I would like to discuss the background of the Klamath Hydroelectric Project and as it proceeds to the Federal Energy Regulatory Commission or FERC process.

And for reference, FERC is the federal agency that issues license orders for the construction, operation, and decommissioning of hydroelectric facilities. FERC's orders are issued usually with terms or conditions that project operators must implement in order to protect public and environmental resources.

So beginning in 1956, FERC issued the original license order for the construction and operations of the Klamath Hydroelectric Project. The 1956 license was issued on a 50-year term that expired in 2006. And because the FERC license expires, the Klamath Hydroelectric Project was required to obtain a new license from FERC which requires a water quality certification as well as other state and federal authorization.

So in 2004, Pacificorp, the owner of the Klamath Hydroelectric Project applied to renew the FERC license and, in 2006, submitted a water quality

certification application to the State Water Board. And in 2007, FERC completed it's National Environmental Policy Act compliance by issuance of a final Environmental Impact Statement that analyzed PacifiCorp's then proposed project for continued operations of the Klamath Hydroelectric Project as well as various alternatives.

Shortly after that in 2008, the State Water Board began it's California -- California Environmental Quality Act or CEQA process by release of a Notice of Preparation and hosting public scoping meetings.

So following FERC's issuance -- next slide.

Following FERC's issuance of its Environmental Impact Statement, some Klamath Hydroelectric Project affected parties began discussions for a Settlement Agreement that resulted in the formation of the Klamath Hydroelectric Settlement Agreement or KHSA in February of 2010.

Now, the KHSA created a pathway for a dam removal of J. C. Boyle, Copco No. 1, Copco No. 2, and Iron Gate Dam development in federal authorization that would have removed these dam developments from the FERC process.

And in September of 2012, the KHSA and its companion agreement known as the Klamath Basin

Restoration Agreement resulted in the final Klamath Facilities Removal Environment Impact Statement and Environment Impact Report.

And before I go any further in today's presentation, I would like to note here that the State Water Board is not a signatory to any of the Settlement Agreement and that the State Board maintains its independent authority to condition the Klamath Hydroelectric Project and the Lower Klamath Project for the protection of water quality.

And in light of the substantial new information that have been developed since the 2008 Notice of Preparation, in 2015, the State Water Board reinitiated the CEQA process by release of a Notice of Preparation in hosting a public scoping meeting, they analyzed PacifiCorp's Klamath Hydroelectric Project. And shortly thereafter, on April 6th of 2016, the Klamath Hydroelectric Settlement Agreement was amended to remove provisions requiring federal authorization and, instead, pursue dam removal through the FERC process.

Following the amendment of the Klamath Hydroelectric Settlement Agreement and, at the request of Pacificorp on June 16th of 2016, FERC placed the Klamath Hydroelectric Project relicensing process in abeyance. And on June 24th of 2016, Pacificorp withdrew

its water quality certification application from the State Water Board effectively endings its water quality certification and CEQA process for the Klamath Hydroelectric Project.

Following the withdrawal of PacifiCorp's application, several items happened on September 23rd of 2016, the first being a new entity of 501(c)(3) nonprofit, known as the Klamath River Renewal Corporation or KRRC, jointly filed with Pacificorp the license transfer application seeking to divide the Klamath Hydroelectric Project into two separate projects.

Next slide. The first project being the Klamath Hydroelectric Project would consist of East Side and West Side, Keno, and Fall Creek. The second project would be titled the Lower Klamath Project and would consist of J. C. Boyle, Copco No. 1, Copco No. 2, and Iron Gate dam development. The Klamath Hydroelectric Project would maintain its ownership of PacifiCorp and be known as -- and would maintain its first project number of 2082.

The Lower Klamath Project would go to the Klamath River Renewal Corporation and would have a new FERC number of project number 14803, which has been designated by FERC. I would like to note here, though,

that the transfer application is currently pending before FERC.

Next slide. In addition to the transfer application filed by both PacifiCorp and KRRC also on September 23rd of 2016, the KRRC filed with FERC a license surrender application seeking to decommission sufficient portions of the Lower Klamath Project to provide for a free-flowing Klamath River and volitional fish passage.

And, finally, also on September 23rd of 2016, the Klamath River Renewal Corporation submitted a water quality certification application to the State Water Board. Now, the State Water Board is proceeding with processing the Klamath River Renewal Corporation's water quality certification application. But before the State Water Board can issue a water quality certification or take an additional action for the Lower Klamath Project, it must first comply to CEQA as CEQA is a process required by state law. Information developed in the CEQA process will be used to inform future actions on the State Water Board on the Lower Klamath Project.

Today's scoping meeting is part of the public comment period that began with the issuance of the Notice of Preparation on December 22nd of 2016 with comments due of February 1st of 2017.

So shown in the slide here is an overview of the typical CEQA process in which the State Water Board is the CEQA lead agency and has determined an Environmental Impact Report is necessary. Following that determination, the State Water Board will issue a Notice of Preparation and conduct scoping meetings.

You can see in the slide I have cap-locked and underlined that this is a formal public comment period. And as we discussed, the comment period began on December 22nd with comments due by 5:00 p.m. on February 1st of 2017.

Following the close of the comment period, the State Water Board will take all comments into consideration and use those in preparation of its draft Environmental Impact Report. The draft Environmental Impact Report will include items such as a detailed description of the proposed project as wells as alternatives, mitigation measures to reduce impact to resource areas and a description of environmental baseline.

Next slide. Following the preparation of the draft Environmental Impact Report, the State Water Board will issue it as dictated here for another formal public comment period. That's a minimum 30-day comment period on the draft EIR, and the State Water Board will review

and respond to all comments and use those comments as well as other scientific information or information submitted to prepare a final Environmental Impact Report.

Following or concurrent with the issuance and certification of a final Environmental Impact Report, the State Water Board plans to take an action on the Klamath River Renewal Corporation Lower Klamath Project.

Next slide. So our CEQA approach is to focus on the California portion of the Lower Klamath Project, because that is the portion subject to the State Water Board's water quality certification process. And we plan to use past environmental information such as FERC's Environmental Impact Statement and the Klamath Facilities Removal Final Environmental Impact Statement and Environmental Impact Report in preparation for our CEQA document. And we also plan to use the information gathered by CEQA commenters such as those provided at today's meeting, Settlement Agreement, tribes, scientific community, and other sources.

Next slide.

Our Notice of Preparation identified two project alternatives, those being the no project alternative and the Klamath River Renewal Corporation's proposed project to decommission sufficient portions of

the Lower Klamath Project dam development to provide for volitional fish passage and a free-flowing Klamath River.

We recognize that there is a range of alternatives between those two proposed plans. And part of what we'd like to hear in our scoping meeting today and our scoping period is if there's any thoughts on specific alternatives or actions that should be considered in our final environmental -- or in our draft environmental document.

Next slide. So to jump back to today's meeting, all public comments submitted by February 1st of 2017 will be considered. I consider all comments to be helpful, but there are a few key pieces of information that would be most helpful to us in our process. And those are listed on this slide and include the adequacy of past environmental documents developed in relation to this project.

And two examples here is FERC's Environmental Statement and the Klamath Facilities Removal EIR/EIS. In other words, do these documents address your concerns? In addition, a range of alternatives or specific alternatives that you feel should be analyzed in our Environmental Impact Report as well as potential impacts to evaluate and mitigation measures, and as well

as any other items that you feel is relevant to this process.

Next slide. I'd like to note though that, as discussed today, there's been a lot of previous analysis done on alternative, impact, and mitigation measures. To the extent that you agree or disagree with that past information, we would like to hear about it.

We do understand that there will be environmental impacts associated with the Klamath River Renewal Corporation's project and various alternatives, such as the large amount of sediment behind Copco and Iron Gate Reservoirs, impacts to groundwater table and tribal cultural resources.

If you're planning on commenting on any of these, I encourage everyone to please refer to attachment 1 of the Notice of Preparation as we did our best to identify the summary of potential significant impacts.

And with that, I ask that you please submit your comments by February 1st of 2017 at 5:00 p.m. You can submit them to the physical address or e-mail address listed on the screen. And also on the screen, I've included a link to our Lower Klamath project's Web site, which is a useful Web site that includes information such as today's presentation, the Notice of

Preparation that we released, and other relevant information that developed related to the water quality certification process.

I'll be turning it over to Erin for questions related to processes described in our presentation and then public comments.

Thank you.

MS. ERIN RAGAZZI: Thank you, Parker.

So the other thing that I did want to point out on that slide right there, it says, how to stay informed. So I don't expect you to copy down that Web page while you were looking at that slide.

So if you can grab this handout, they're outside. You can pick one up already. It's a one-page summary. On it, it has that Web page address and you can go directly there.

It also has this information up here about how to sign up for the Lower Klamath Project e-mail subscription list. So please make sure you grab one of those before you leave because it will make it a lot easier. When you leave here today, make sure you sign up for the e-mail lists and that you can get to the Web page.

So before we move into the comment period, are there any procedural questions that folks have about the

water quality certification process?

UNIDENTIFIED WOMAN: My question is, if we make a comment tonight, can we still make a written comment?

MS. ERIN RAGAZZI: So the question was, if you make an oral comment tonight, can you still provide written comments? Yes. We welcome both types of comments and I anticipate lots of folks will say something here tonight that may have additional thoughts or they may just want to put them in writing as well. And we would appreciate you providing comments in whatever way you feel most comfortable.

UNIDENTIFIED MAN: Is anyone here from the KRRC?

MS. ERIN RAGAZZI: So the question is whether or not anybody is here from the Klamath River Renewal Corporation if they feel comfortable. Anybody here? Or over there, there's a hand up. That gentleman right over there has his hand up.

How about other people who have their hand up, are you with the Klamath River Renewal Corporation? No. Okay.

Are you as well? Okay. So there's three people here with the Klamath River Renewal Corporation.

Any other procedural questions? I don't know if that was procedural, but any more questions with more

informational as opposed to comment questions? All right.

I've got a handful of comment cards. If you want to make a comment, please fill out a comment card. They're in the back of the room. You can hand them to Kristen, who is probably out there waiting for more comment cards. Walking in right there (indicating) if you can hand them to Kristen or you can bring them directly up to us as well.

So, first speakers of the evening, I'm going to ask folks to come up to this microphone right here. I'm also going to have a slide up here to remind people, state your name, first and last name, spell it for us. If you fee like giving your affiliation, that would be great as well.

And please stick to that three-minute time limit. As we get close to the three-minute time limit, you'll see I start walking closer to you to let you know that you should wrap it up.

So this gentleman showed up really early so John Bermel. So do you want to come up and make a comment?

MR. JOHN BERMEL: Well, hi, everybody.

MS. ERIN RAGAZZI: I needed to turn on the monitor.

Hello. And my name is John, J-O-H-N, Bermel, B-E-R -- can you hear me back there?

MS. ERIN RAGAZZI: Can you hear me? They can hear me. Okay.

MR. JOHN BERMEL: My name, again, is John, J-O-H-N, Bermel, B-E-R-M-E-L.

I am a resident of Hornbrook, California. And I am for having the dams emptied, so that the salmon can live and so other people can have water.

I have an unrelated comment. Perhaps I am looking to see Klamath Hot Springs become restored, perhaps not like it was in -- 100 years ago, but I'm looking for somebody or some group to become a working steward of this place with very light development on it and sensitive -- sensitivity to the environment and beauty of the development of it. I think this is too good of a place to leave as it is.

Currently, it is being leased by a rancher and his wife and there is a very good probability that a parcel within the 460 acres that -- I believe that's what it is -- could be created for the springs and have the ranching, grazing going on around it.

And I'm very optimistic about this. I think that it is not a matter of if this will ever become developed but when. And I would appreciate people

giving their response to me. I will leave my name and phone number and e-mail address and -- and you know, please let me get it in here.

Thank you.

MS. ERIN RAGAZZI: Thank you.

Next speaker -- and I'm going to go through a couple of speakers so folks know when they're in line. So Richard Marshall followed by Sami Jo followed by Brandon Criss followed by Grace Bennett.

MR. RICHARD MARSHALL: Well, good evening. Can you hear me? I don't hear it coming -- there we go.

UNIDENTIFIED WOMAN: We can't hear that very well at all.

UNIDENTIFIED MAN: He needs your microphone.

UNIDENTIFIED WOMAN: It happened the last time we had the meeting as well. Yours works better.

MS. ERIN RAGAZZI: Well, I can hear myself. Can you guys hear me?

MR. RICHARD MARSHALL: My name is Richard Marshall.

I'm the president of the Siskiyou Water Users Association. I'm also a rancher out at Fort Jones, California. And we are in California, thank goodness. Things are going to change in California pretty soon.

In any case, I want to start off by admonishing

this committee that you have before me because the last time I was here -- it was almost a year to this date -- we never received any comments. I know other people were here, too. Nobody got any comments back or feedback from this meeting. I hope it's different this time. We would like to have you respond to our comments by February 15th. I think that's an appropriate time for you to respond.

In any case, we just found out about the meeting late. That's why I'm admonishing you, because I'm on all your mailing lists and I just got the information. And speaking now of the 20th when it was supposed to be on the 20th the day before for the FERC, which I understand the FERC which we're going to submit all this to, is now a defunct commission for the time being until Trump signs -- President Trump signs new people into the commission.

So I would like to start off by saying that when we're talking about water quality, we really have to talk about Oregon, because that's where the problem with the water is in Oregon. And even the Bureau of Reclamation recommended in its report that Keno Dam, there should be placed a water purification facility before the water even gets into California.

There's no reason to take the dams out to

improve the water quality. That has nothing to do with the water quality. It's Oregon where you have to start with the process.

Next, I'd like to refer to the fact that the group here is here to do a CEQA study, I understand. And in the announcement they lay out, you start off by saying you're going to support the KRRC's comments, basically, that you're supporting their effort to get the water quality control certification.

I don't think taxpayer money -- we certainly don't want to spend our money here for their bill to take care of the KRRC. The KRRC was formed in New York City by a law firm and it was then codified in California as a corporation. Certainly, to be here as part of this process because it's --

THE COURT REPORTER: One moment. Stop.

I can't hear him.

UNIDENTIFIED WOMAN: I can't either. That's why --

THE COURT REPORTER: I mean, I have other people talking so, please, one at a time.

UNIDENTIFIED WOMAN: But we can't hear in the back, Richard.

(Heavy overtalk of the audience.)

MR. RICHARD MARSHALL: How's this? Is that

better? All right. I'm glad to hear it.

As I was saying, it's in Oregon where the water needs to be cleaned out. Even the Bureau of Reclamation recommended a clean-up facility to be placed at Keno Dam to clean up the water before it came into this area.

And then my next question I rose was, why are our tax dollars, the people who are here in this room and in this area, being spent to support the KRRC?

KRRC was formed in New York City at the law firm there, and then it was codified as a corporation, 501(3)(c) [sic] here in California. It wasn't put together until June of this last year. And they didn't fill their board spots until later.

The next thing I want to raise is the issue of CEQA versus NEPA. You're talking about doing a CEQA designation, but this is a federal interstate navigable waterway. Two states can't join together to do work on that as a project without the Congress intervening because -- in the process, because it's a federal interstate waterway.

And right now, there's already a compact that exists. It's the only one that exists, Klamath compact which controls both the water quality -- supposed to control the water quality and the way the water is used for beneficial use.

MS. ERIN RAGAZZI: I did give you extra time.

(Multiple people speaking over each other.)

MR. RICHARD MARSHALL: I had a lot of interference. Let me just do this.

MS. ERIN RAGAZZI: And like I said, you can come up at the end.

UNIDENTIFIED MAN: I give all of my time to him.

MR. RICHARD MARSHALL: Okay. I'm just going to read my last conclusion letter, which I'm going to turn in. We reiterate our concerns over the legitimacy of this scoping session by the Water Board.

First, because the notice period was extremely short, as I said, and begs the question of the intent of the Board in giving such short notice to the group most impacted by potential destruction of hydro facilities, which is Siskiyou County in which three of the four facilities are located which has the greatest river frontage to be impacted by the release of sediment and opening up the prospect of flooding as a result of the damage.

Secondly, we come to the initial state funding to conduct this EIS for the benefit of a private company, 501(3)(c) of the KRRC which is not even recognized by either the FERC or the CPUC at this time.

In fact, the money is frozen, the surcharge money at the CPUC right now.

The KRRC has no demonstrated capability to manage such a huge undertaking and they have no significant funding. Further, the governor of the State of California had no authority to enter into the KHSA as it's never been reviewed or approved by the legislature. And by signing the agreement, he put the State of California and citizens of California and Siskiyou County at great risk and peril.

And, finally, the water board planned action violates three federal laws --

THE COURT REPORTER: Pull it away, please. Thank you.

MR. RICHARD MARSHALL: Three federal laws. Is that better? I'm just ready to finish up.

Three federal laws -- and including the Federal Interstate Compact, Article 1, Section 10, U.S. Constitution, and the Endangered Species Act; and two state laws, Quo Warranto and the Water Code Section 5900 to 5901.

And, finally, we feel that the existing interstate compact, as I said before, it is the law of the river, it's still the law of the river, and will continue to be the law of the river.

MS. ERIN RAGAZZI: Thank you, Richard.

(Applause.)

MS. SAMI JO DIFUNTORUM: Okay. Good evening.

My name is Sami Jo Difuntorum, D-I-F, as if Frank, U-N-T-0-R-U-M, just like it sounds.

So I'm here to represent the interests of the Shasta Indian Nation. And welcome to the traditional homelands of the Shasta people.

I see my colleague, Roy Hall, in the audience, and I hope he's going to share comments on behalf of the Shasta Tribe as well. We don't support dam removal, and there's a reason for it.

Our state in the area is a little bit different than other people's. So my mother's family specifically lived in the Indian village where Iron Gate is right now. Right? It was my mother's, great grandmother, and her brother. They were removed at gunpoint. Right?

And so they moved up it to Copco and, later, the lands were taken from them -- well, oh -- can you hear me? Can you hear me?

And so our interest in the area is a little bit different. It isn't really about the water quality or any of those things. It's a very personal story to us. We have family graveyards underneath the sediment. We have our villages there. So when the dams come out and

the water is drawn down and the sediment starts moving, what happens to -- I won't start crying -- to our people -- to our people that are buried there?

I know anybody in the room that -- every native person gets this, and I think everybody gets this. One of the things that people really hold very sacred and personal is where we lay our people to rest. And it's for that reason that we object to dam removal. We appreciate that you've implemented the CEQA process.

Under NEPA, we're considered just another public group, because we're not a federally-recognized tribe and, under CEQA, we actually have standing. And so I'm going to respectfully request, maybe insist if that's appropriate, that you hold off on the certification until such time as consultation with our tribes is concluded and issues have been addressed.

I've not heard a single solitary person or group or entity, anybody come forward with a plan to mitigate our concerns. I don't know how you would mitigate those issues. But, you know, it's important that the story is told because that part of the dialogue is often left out.

People talk about a lot of issues and, you know, we don't want to make light of anybody's issues or anybody's concerns. I just know for us and for Shasta

people, it's a very different -- very different state, very different issue.

We are not signatories to any of the agreements for obvious reasons. Actually, I don't think we were asked to sign them, but I don't think we would have anyway. So when you start thinking about dam removal and all of these things flowing downriver, imagine how you would feel if that was your family. That's how we feel.

So, what else do I want to say? That's it. Three minutes. Thank you.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

We've got Brandon Criss followed by Grace Bennett followed by Robert Davis and then Jack Mattz. Again, I don't think it's the microphone. If you could state your name and spell it, that would be great.

MR. BRANDON CRISS: My name is Brandon Criss -- sorry.

My name is Brandon Criss, B-R-A-N-D-O-N, last name, C-R-I-S-S.

At 10:00 p.m. on August 1st, 2014, I received a phone call from Sheriff Lopey advising me that constituents were being evacuated from their homes due

to a rapidly spreading fire north of Copco Lake. I drove over to the evacuation center and spent the night there getting feedback of what was happening.

Constituents witnessed helicopter bucket load after helicopter bucket load of water being drawn out from behind Copco Dam. Water behind the dam helped save these people's homes and lives. When you consider this issue, we demand that public health and safety be given priority. Do not take away this fire protection tool from -- that the dams provide.

We also ask that you would also consider the health of the migrating salmon. Also, in 2014, there was a chance of another fill kill as occurred in 2002 on the Klamath River.

At the North Coast Regional Water Quality Control Board meeting on October 9th, 2014, the Karuk tribal spokesman stated that, quote, "Increasing flows and the velocity of flows disperses disease on the Klamath...we averted a fish kill because of Trinity flows then the Karuk tribe observed disease above the Trinity confluence. A lot of credit to PacifiCorp's collaboration with the Bureau of Reclamation, 16,000 acre feet was released with 1700 cubic feet per second."

In total, 20,000 acre feet was released from behind these dams. Without the dams, this 20,000 acre

feet would not have been available to save the salmon.

We find it ironic that some claim these dams impair water for fish, yet a release of an extra 20,000 acre feet of this exact same water that's credited with being pivotal in helping to prevent a fish kill. Please do not take this tool away from us.

The Bureau of Reclamation struck a deal with PacifiCorp to release this 20,000 acre feet from behind these dams so this water would not have to be taken from farmers in the Klamath basin. In the BOR August 8, 2014, press release stated that the water released from behind these dams would "assist reclamation by extending the Klamath Project's available water supplies from Upper Klamath Lake to help close the irrigation season." Please, for the benefit of these farmers, do not take that 20,000 acre feet of water away from them.

(Applause.)

MR. BRANDON CRISS: All right. Lastly -- I get the shakes and I do that myself, even at a young age.

Lastly, do not view agriculture in the Klamath Basin as being the one that impairs the water. Actually, the water that goes through Tulelake Basin --

UNIDENTIFIED MAN: Hold the mic down.

MR. BRANDON CRISS: Oh, sorry.

That goes through Tulelake Basin agriculture

and Klamath Lake agriculture is less phosphorous loaded than the water that actually comes down Klamath River. The water is cleaner after it's being used for irrigation than it is when it actually comes down. So please give that benefit to the farmers. And we ask that all these benefits be considered and that you keep the dams in place.

Thank you.

(Applause.)

MS. GRACE BENNETT: Good evening. Thank you for coming to Yreka for this meeting.

And I am Grace Bennett, B-E-N-N-E-T-T. I just retired from 20 years being in public service and a county supervisor for the last eight years. I've been cleaning out my library of interesting information. I have boxes and boxes and boxes of studies, reports, everything that has happened in the whole Klamath River.

Going through these, I found some things that are very interesting. In my notes, when I talked to tribal elders, they informed me that they have to move away from the river in the summertime because of the smell of the river and it was so low.

In George Gibbs' report, horses that were in the 1850s that came on the exploration of Siskiyou County would not drink the water in the Klamath River.

People who lived on the river also talked -- and these people are long-time residents, generations that have lived on the river. They talk about the floods, the stink of water, how low the water is in the summer and it's muckiness and other reports.

The Klamath Basin Compact which Mr. Marshall just talked about, in a report that they did in 1962 talked about the algae in the Upper Klamath Lake and the bad water quality in Oregon. Then the next thing that I thought was very interesting was the CDM report, Camp Dresser Report.

In this report -- it's the only thing that can be trusted. Because after that report was done, Mr. Salazar from the Department of Interior talked about, in public speeches, that the dams would come out. He was very adamant that these dams would come out no mater what anybody did or said. After that, the reports, studies, and models that were produced were written to reflect this predetermined decision. And that was noted when Paul Houser was the integrity officer for the Department of Interior and he was fired and -- because he brought this -- he was a whistle-blower.

The expert panels that came and reviewed all the documents, they were very, very concerned about dam

removal. They -- in their reports, they said that only eight miles of new habitat would be expanded and they were very concerned about a listed species being introduced to the Upper Klamath where the redband trout have a great deal of influence.

Our work in Siskiyou County with the farmers, ranchers, and the loggers, we have stopped sediment, we've done beaver dams, removed weir dams, pumping stations, lined ditches, replaced culverts with bridges. Water storage has been provided for cold water and major irrigation practices. And there's very little mining that -- or very little logging that happens and suction dredge mining has been completely stopped.

Two of the biggest ranches on the Shasta River were purchased by the Nature Conservatory and the water was sold to -- the water right was sold to Fish and Game.

I have some other things but I'm going to -- to say a couple more things.

I am totally appalled that the California taxpayers and the Water Board have been -- in this last year, spent 400,000 in Oregon trying to improve the water quality up there. It is not the -- it is not the responsibility of the California taxpayers to pay the bill for the nasty water that's in Oregon. The Oregon

taxpayers should pay for that.

I have -- and I'm tired of hearing that you and other agencies think that they can make warm water of the Klamath River system cold at the expense of the Siskiyou County residents. It is a warm water system. It has been for 150 years or more, a million years probably. It cannot be made warm -- cold. It is warm.

(Applause.)

MS. ERIN RAGAZZI: Robert. Again, lower that so people should hear you. Okay.

MR. ROBERT DAVIS: Good morning [sic]. I'm Robert Davis. I live on Copco Lake. My name is R-O-B-E-R-T, last name, D-A-V-I-S.

You said you were going to have a scientific study for this Environmental Impact Statement. There has been a scientific study that has been going on for years and it was conducted by Ken Salazar and Dennis Lynch.

And then Paul Houser came on the scene. And when he came on, he wanted to know why all the studies showed that dams should be removed. There was never anything that showed anything about a dam being of any benefit. So he was called a whistleblower and they gave him a bad name, told him he was not a team player.

Now, is that the kind of a study that we are

going to have again, or are we going to have some honest people come in and make an honest study? That's what was supposed to be done in the first place. If that had been done, they would have submitted the study to Congress so that the Congress people would know what they were voting on and there would have been a vote depending on what they found out.

The way it's been, there has been no fairness in anything. And I've been living there for 30 years and I don't know -- what have you done to clean up the water?

We've been waiting for a clean water permit from the water resources board but they never could get it. The water was always dirty. Now, the water is suddenly clean when you have somebody else that you want to report to. The whole thing don't add up.

You should go back and start from square one and get some honest people to get some honest results.

(Applause.)

MS. ERIN RAGAZZI: So Jack Mattz followed by Erin Ryan followed by Rex Cozzalio.

MR. JACK MATTZ: Good evening, everybody.

My name is Jack Mattz, J-A-C-K, M-A-T-T-Z. I'm a Yurok tribal member. I'm also on the tribal council. I'm here to speak for dam removal.

Our -- our history goes back time tomorrow [phonetic]. We've always depended on fish, salmon mainly, but there's another fish that used to be in the river was called candlefish. It used to go up the river by the boatloads. And since the dam's been put in, now they're gone.

And our salmon seem to be following the same route. Last year, we didn't have enough fish to feed every member in our tribe. There wasn't enough fish to give one fish to every tribal member. There's over 6,000 members. We got 5,000 fish.

So dam removal is contingent on a lot of things. Temperature -- water temperature in the fall, the water's so hot, it affects our fish. And in the summer, the water -- the water affects our -- while it affects -- excuse me there. It affects our fish where the smolt that are getting ready to go downstream, they're -- it makes it more susceptic [sic] to Shasta Sea.

And what's the other one there? Make it -- it makes 'em more susceptible to get and -- especially in Shasta Sea.

In 2014, we lost 81 percent of our juveniles. In 2015, we lost 91 percent of our juveniles born downriver to Shasta Sea. Now, last year, that's what we

got. We don't know what we're going to get this year if we even get that amount or what we're going to get next year. It's just -- we don't know. We won't know if later on in the year when the scientists come out and say "this is what you're going to get."

And it all depends on dam removals. There should have been some way to get them fish above them dams when the dams were put in but that got pushed aside and everybody just let it go. And, now, it's cheaper to take the dams out than it is to keep the dams in and build the ladders around them.

To build a ladder around Iron Gate, $250 million. Now, it's -- they can take out all four of 'em for 250 million or 400 million so -- that's the way it's got to go. We're -- I'm here to request that dams be taken out. And that's -- that's the point of the Yurok people.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

So we've got Erin Ryan followed by Rex.

I'm going to just ask that everybody respect each speaker and don't make comments while other people are trying to speak, so that we can accurately transcribe the meeting and we can give everybody the

respect while they're speaking.

MS. ERIN RYAN: Hi, I'm Erin Ryan, last name R-Y-A-N, pretty straightforward.

I'm with the office of Congressman Doug LaMalfa. And the word I kept hearing was the "gill netting" during that last comment that was the unintelligible word. So maybe try not gill netting and see what happens. Just a thought.

So anyway, the congressman had a little message for you from Ryan Zinke who is -- I -- I don't know what's happening with the Secretary of the Interior, but it's kind of on hold or something. So, without all the inside baseball, he did have a message for you, quote -- Zinke told me, quote, "We don't pull down dams, we put 'em up."

I told him I'd be short and succinct, but I think it would be a good point so there you go.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

UNIDENTIFIED WOMAN: Thanks, Rex.

MR. REX COZZALIO: Hi. My name is Rex Cozzalio, R-E-X, C-O-Z-Z-A-L-I-O.

Is that better?

We're four generations at the same location on the Klamath directly below where Iron Gate dam now

exists, before and after. It was described as a focal point of dams impacts.

I'm in the Klamath I love for over 50 times a year fore nearly 60 years before and after Iron Gate, as my grandfather before me.

The majority of salmon reaching our location are historically depleted and dying from -- dying from multiple impassable upstream reefs, a river often going subsurface in the canyon late summer before the dams and a naturally non conducive Upper Basin salmon habitat. Salmon were never historically a known resident above Spencer Creek near present Copco Dam or to populate the Upper Klamath Basin. Historical documentation, experiential testimony and recent studies have been submitted many times but have been consistently ignored in pursuit of agency agenda.

Our area has witnessed dam-related dramatic improvements to water quality, the late summer quantity, fisheries habitat, riparian stability, drastically reduced flood damage, and environmental improvements. Dams vastly improved the fisheries above and below for optimized and sustainable resident warm and cold water species.

Iron Gate Dam artificially creates unnaturally cold downstream water resources for one of the best

producing hatcheries in California, far exceeding prior known upstream production. Statistics for nearly 100 years evidence no significant alteration in salmon returns occurring at our location as a result of the dams.

The addition of Iron Gate Dam and Hatchery increased average returns by well over 100 percent and averaged a 200 percent increase during proponent's cited so-called "recent catastrophic declines." Incoming data now confirms the locally submitted historic documentation, empiric declarations and studies regarding the environmental benefits of the hydroelectric and storage facilities. However, none of that data is allowed by profiting KHSA special interests to modify failed biological opinions until after the dams are scheduled for irreversible removals.

Hatchery and cold water resources, along with clean hydroelectric power for 70,000 homes, major holistic ecosystem enhancements, nonreproducible regional recreational opportunities, optimized downstream benefits, property use, valuations, public safety, and both area and downstream public/private infrastructure will be lost as a result of the dams removals.

The 2007 FERC EIR and 2012 KHSA EIR are

predicated upon now just proven unavailable and unfunded criteria. The DWR Board serves at the pleasure of the governor. In the California Water Crisis Management Plan, the governor ordered all California agencies to facilitate the removal of the Klamath dams.

DWR is limited to its EIR scope to only consider conditions within California effectively disenfranchising an interdependent ecosystem from a comprehensive EIR assessment. Therefore, it must fall to a fully comprehensive and inclusive NEPA EIS executed through the FERC, encompassing entire watershed impacts, options, alternatives, and required mitigations to fulfill the public trust. Only after that NEPA EIS and FERC evaluation would DWR be procedurally called upon or capable of producing a California EIS necessarily conditioned upon and subject to the options and mitigations considered by FERC.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: The next speaker is Glen Briggs followed by Mark Coats followed by John Menke.

Glen Bridges -- or Glen Briggs?

MR. GLEN BRIGGS: Thank you.

Can you hear me? This is coming out all right?

I have one question before I get going. Reading this project description, it refers to the environmental -- the environmental condition that you're going by to evaluate the releases from the dam. Is that the current condition that is being used as a guideline?

UNIDENTIFIED WOMAN: The current EIR?

MS. ERIN RAGAZZI: Are you asking what baseline would be?

MR. GLEN BRIGGS: It calls for -- it says -- just a minute -- the environmental baseline.

MS. ERIN RAGAZZI: Yeah. So we have --

MR. GLEN BRIGGS: The current -- the current existing condition?

MS. ERIN RAGAZZI: The final baseline is defined in CEQA as the current condition.

MR. GLEN BRIGGS: Okay.

MS. ERIN RAGAZZI: Typically around the time of the NOP -- it's not exactly right, but the Klamath River as it is basically today.

MR. GLEN BRIGGS: My name is Glen Briggs, G-L-E-N --

MS. MARIANNA AUE: One more thing about that, if there's a reason that you think that using the current conditions isn't a good idea, that's just -- it's normally what's used. But if that would be

confusing to people about, you know, if there's an impact that you don't get from using that, we would love to know about that.

MR. GLEN BRIGGS: I asked that question to your office and I got a response the very same way. What I was asking is, which is applied to this project?

MS. MARIANNA AUE: Right. So the --

MR. GLEN BRIGGS: The current conditions.

MS. ERIN RAGAZZI: So, currently, the baseline is existing conditions at the time of the Notice of Preparation. If for some reason you think that is not an appropriate baseline, that is something that you can comment on and we would like to hear from you about that.

MR. GLEN BRIGGS: Okay. Okay.

My name is Glen Briggs, G-L-E-N, B-R-I-G-G-S.

I am a retired engineer from the Bureau of Reclamation. My experience was construction on dams and irrigation facilities. I have been associated with the Klamath River since 1931. My mother was associated with the Klamath River from 1909 until 2009. My grandmother was associated with the Klamath River from 1875 to 1970.

So I know of that period of time does not add up to what the native tribes can account for, but it is long enough that we've gained some opinions. And I

won't take very long here once we get started. If I can find the right page, we'll get there. Okay.

You put out as a notice of project a summary of the potential significant impacts. And reviewing those -- in reviewing those, it occurs to me from my experiences and knowledge about the Klamath River where we live which is 60 miles downstream from here.

The first water quality note here -- and I think water quality is primarily what you're interested in. The water quality, short term, does not matter that much because it takes care of itself. Long term, water quality a going to be a disaster if you remove the dams. There is no question about that.

All you have to do is go back, look at early literature, start with George Gibbs' journal about the treaty expedition up the Klamath River, look at miner's notes, look at the Fish and Game files on their check of the river years ago. You will find that the dams have improved the quality of the water in the river tremendously. There's no comparison. Water in the late fall on low rainfall years gets very, very dry without supplementing flows from the dams.

Now, the fisheries people that require that the dam out -- the power dam operation has been modified so that releases are -- can be made for fish survival

coming up the river. If you take out the dams, there's going to be no more water for that, but there will be a drive to get the water from Upper Klamath Dam which currently is used for irrigation and will be -- on normal years, will be pretty well used up before the fall salmon season. Okay.

MS. ERIN RAGAZZI: Thank you.

MR. GLEN BRIGGS: That is the extent of my comments I have. Thank you.

MS. ERIN RAGAZZI: Thank you. So Mark Coats, John Menke, and Dr. Richard Gierak.

MR. MARK COATS: I'm Mark Coats. I'm here and just briefly want to say I oppose the dams being removed. Shut down quick so you guys can move forward.

MS. ERIN RAGAZZI: I'll pass it on.

MR. JOHN MENKE: Thanks for the Shasta talk.

I'm John Menke, M-E-N-K-E, J-O-H-N.

I'm retired professor of agronomy and range science and forestry at Berkeley for 25 years with the university and then for training for ten years before I became a professor for 25.

I've now lived up here for 24 years. And I tell you, I'm hoping with Trump we can end the NEPA process. I am appalled at all the idiots that think they know something -- [applause] -- education. I took

all the soils, all the water science, all the animal science courses at Davis. I went to college for ten years. My dad was a surgeon in Sacramento. I didn't need to have a job so I studied all my life.

Now, I raise prime Red Angus cattle. We're making so damn much money, I'm paying too much taxes, I hate to see the money thrown away on outfits like this.

I never thought I'd do this, but this is the picture of a colleague of mine at Davis, Dr. Peter Moyle. You probably know the crooked state of California has already approved the damn tunnels across the Bay Delta. You talk about a disaster. Peter Moyle and I are really ticked at you people in Sacramento for ever even going for this.

But the reason I refer to Peter, in 2007, he and Jeff Mount at Watershed Sciences at Davis -- UC Davis submitted about a four-page letter to the resources secretary of the -- in Sacramento and the Fish and Wildlife Service. Let me just -- item No. 1: No entities including Pacificorp, federal and state agencies and stakeholder interest groups has provided sufficient modeling and analysis to demonstrate the water quality impacts associated with removal of the dams.

Peter has been too busy to come up here and

spend a lot of time on the dams, but he's had his agent here, John Menke, for 25 years. I've read all the Stillwater sciences reports for the first FERC assessment and they're an absolute joke -- [applause] -- an absolute joke. Today, we call that type of analysis semi-science. It's not true science. They haven't tested any hypotheses.

Do you realize in 2020, the oldest dam when it goes out, you're going to be flushing about 43 percent, is the estimate of materials that accumulated there for 98 years, down a wild and scenic river? You people have to have your head examined. [Applause.]

Because I happened to buy a fabulous ranch in Quartz Valley that has a dam in the Marble Mountain Wilderness Area called Campbell Lake Dam for which was built in 1896, I have to have the Division of Safety of Dams Department of Water Resources in Sacramento every year come up and look at that dam because it exceeds the height required and inspected by an engineer.

Russ Bowlus, who is a current engineer with the Division of Safety of Dams about three years ago, walked in with me. It's about two and a half hours each way. And I had lots of time to talk with him. He inspects the Klamath River dams four times a year or his agent does. The dams are in as good a shape today as the day

they were built.

Copco 1 and Copco 2, because it did not have rebar at the time, this is -- I quoted Russ Bowlus, a professional engineer with Division of Safety of Dams in Sacramento -- "could take a direct hit by a bomb and they would not go out."

Finally, I have one last item. Another colleague of mine at Davis, Dr. Steve Kaffka, did an analysis of -- under the 205(j) program -- 205(j) of the Water Resources Board, this board that's doing this process. This is the final report of the California State Water Resource Control Board, April 16th, my birth date, of 2002. Mine was many years earlier.

"Farming practices and water quality in the Upper Klamath Basin, the final conclusion in this, the Lost River, water that comes into Tulelake compared to the water that goes out the drains, it is much improved after agriculture has exported the nutrients."

So all this effort recently to take agriculture away from the Upper Basin is actually doing harm to the water quality.

Thank you.

DR. RICHARD GIERAK: Dr. Richard Gierak, G-I-E-R-A-K.

I wanted to start out by indicating basically

that removal of these dams is, first of all, in violation of four federal laws. Second of all, in violation of Oregon and California water rights.

These are things that we need to look at. But, primarily, all this has been premised on the backs of coho salmon. Now, in 1992, the Federal Endangered Species Act listed coho salmon. And under the Federal Endangered Species Act, the only thing you can really take care of is the water in substrate of the river.

Two years later, a Federal Endangered Species Act group wanted to change that so they could get 300 feet from the edge of the river. That means that every individual that lives along the river now would have to get a federal permit to go ahead and put gravel on your road, a roof on your house, et cetera.

Well, I went ahead and joined with the granges. We have Idaho, Washington, Oregon, and California state granges. And in that process, we stopped that terrible thing from happening.

But it's also interesting to note that, at that time, the Karuk Tribal Council made it very clear at one of their meetings that coho salmon were never native to the Klamath River.

Then, as we continued on and, in '97, the California and Oregon granges came together and they

filed a lawsuit with Pacific Legal Foundation. And what they founded and won was that coho salmon were not an indigenous species to the Klamath River and could not be listed under any Endangered Species Act.

Then, in 2002, came the big fish kill. And right away, they blamed it on bacteria from the dams. Well, what happened was they immediately listed the salmon again in violation of the laws.

And in 2009, the CEC came up here and evaluated our dams and lakes and they said, "gee, they didn't cause the problem."

And then the Northern Research Council did an evaluation of the 2000 fish kill, et cetera. And what they discovered was that, "gee, the coho salmon that were killed in that big 2002 mess were from Cascadia, Oregon," again, proving they are not an indigenous species to the Klamath Basin and, therefore, cannot be listed under any federal laws.

In 2006, an environmental group tried to list chinook salmon in the Upper Klamath Basin. Well, we found out about it before it got listed and then we filed a delisting petition. And that was really interesting because, a few weeks later, got a call from DC and the gentleman indicated that we can't go ahead and use a delisting petition on something that's being

listed. So I will use that material when I look at the listing. Two weeks later, they denied the petition. But this is all about a ruse to remove our dams.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Next, Larry Bell followed by Susan Wallace followed by Linda Ebert.

MR. LARRY BELL: Oh, my name is Larry Bell. I'll spell it, L-A-R-R-Y, B-E-L-L.

I am a person who -- whose father who homesteaded in the Klamath Basin 70 years ago. I've never seen such a mess as you people are making over some fish. I've never seen a salmon in the irrigation water in the Klamath Basin. I don't know where all this got started but it's crazy.

And I'm for what the people have stated here that want to keep the dams in. I see no reality to tear something out that is doing good for human kind.

Okay. Thank you.

MS. ERIN RAGAZZI: Susan Wallace.

MS. SUSAN WALLACE: Susan Wallace, S-U-S-A-N, W-A-L-L-A-C-E.

I am a resident of Hornbrook area. I overlook the Klamath River from my house. I watch all the fisherman fish every year, and we have quite a lineup at

the Klamathon Bridge constantly.

I have to say that I don't trust anything you people are doing. This has just been a ruse to remove dams. We have renewable electric resources that we've used for years.

We have never seen anything other than good coming out of these dams. Taking them out is going to release the sediment that we've already spoken to earlier that has more than likely chromium-6 involved.

I have a sister-in-law who has a steel rod through her spine right now because of chromium-6. I have a brother-in-law who is dying of cancer because of it. It is a group thing when you turn this stuff loose.

You have evidence of this activity in the sediment in the Oregon dam removals of which there were two. They have -- the stuff in that sediment has poisoned dams -- or excuse me -- poisoned wells all along the river's edge in Oregon. So it's not like it's a surprise. It's already out there.

We have so much information people have brought here that exists. The reason for another fake -- I will say "fake" -- study is just to promote the removal of the dams. They have nothing to do with truth, honestly, and I think it stinks.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: So Linda Ebert followed by Steve Radford followed by Mark Fischer.

MS. LINDA EBERT: Hello. My name is Linda Ebert, E-B-E-R-T.

My husband and I are private residents on Copco Lake. Around 16 years ago, we settled on its north shore. We've enjoyed the pleasures of residing on a lake filled with perch, croppie, bass, trout, sucker, and catfish.

And aside from experiencing many memorable fishing and boating outings on the lake, we have been visually rewarded while viewing the many moods of the lake, whether sparkling in sunshine, bathed in moonlight, iced over surging with waves or mirroring the hills. And all that enjoyment is threatened by dam removal on the Klamath to which we strongly object.

We also object to the following consequences of dam removals:

The release of both coarse and fine sediments, some of which have been shown to contain toxic pesticides in core samples that will endanger the fish on whom they are released because of their toxic nature and because they will deoxygenate the water causing fish to die. Furthermore, large debris material will litter

the landscape in front of our houses now on the lake.

Number 2, the potential for flooding will become a reality for ourselves and others downriver. Floodplains will be redrawn having implications for insurance coverage.

Number 3, the cloud of uncertainty surrounding potential dam removals that pushed our property values downward will darken as values plummet with dam removals while our visual paradise or what once was disappears.

Number 4, our sense of security that comes with knowing that there's a huge reservoir of water that can be drawn upon when there's a fire emergency threatening our homes will be gone in the event of Klamath dam removals.

We experienced such an emergency in 2014 when those of us living on the north shore of Copco Lake were placed under mandatory evacuation for four days. We witnessed helicopters dip into the lake many times during firefighting in our area and just over the Oregon border.

Lastly, we also object to the tactics used by proponents of dam removals; namely, the following:

Number 1, we, the property owners living on the Klamath, many of us also rate payers, were never given or sent or -- a seat, I'm sorry, at the table in

determining the fate of the Klamath dams. We are the true stakeholders. We live on the Klamath.

Number 2, instead, reasonable advance notice of the times and places of the official dam determination meetings, that has seldom been forthcoming to those opposed to dam removals, including our Siskiyou County supervisors.

Number 3, there's been a dismissive attitude toward, and an unwillingness to consider seriously, viable alternatives for fish passage on the Klamath versus dam preservation which would save valuable hydropower infrastructure, which has been previously mentioned serves at least 70,000 households.

Such alternatives for fish passage include, (a), fish tunnel passages as proposed by Shasta Indians; two, trap and haul; and, number 3, fish cannons as available from the company Whoosh Innovations; and number 4, there has been an unwillingness to achieve a compromise with the Copco Lake Fire Protection District through the government-to-government process of coordination which was abandoned by government dam removal proponents.

Thank you.

MS. ERIN RAGAZZI: Thank you.

MR. STEVE RADFORD: Hi, I'm Steve Radford,

resident of Siskiyou County.

God, it's amazing. I'm a little bit appalled that you guys are so young and -- I'm a little bit appalled that you guys are so young and think you have a voice up here. You don't live up here? You have no idea what life up here is like as I didn't.

(Applause.)

MR. STEVE RADFORD: I had no idea what life up here was like until I moved up here seven years ago. I was from your part of the country, had no idea how these people live up here and what they're up against.

They lost their logging due to lobbyists and money. If you follow the money, that's what's going on here. You guys aren't educated enough. You're not old enough. You haven't been on this earth long enough to understand how this government works, how corrupt our government is, the federal and now Governor Brown follows -- you know, his hands, you know, are in the pockets of all the federal criminals.

I'm a Vietnam veteran, combat veteran, and I've witnessed how corrupt our government is. I've been fighting it ever since. I'm 67 years old.

The global initiative to control all of the people in this world today is so big and that's what's going on here. It's not about the fish. It's really --

it's about controlling the people and taking the people out of the environment, the rural areas, and putting us all in these stack-and-pack communities that you guys are living in down there.

We don't live like you guys doe down there. We live completely different. If you moved up here, if you spent a month or a year up here and lived up here and witnessed these people, these intelligent people, scientists, and ranchers and farmers that have been living here for generations.

You know, where's the study about the dams that -- that put those dams in in the first place? You know, they studied those -- the initiative to put the dams in for years before they went in. And then the clean hydropower and clean energy that comes from those dams, plus the fresh water that goes to the cattle that you guys are enjoying down there in Sacramento.

You know, there's a lot of reasons for these people to be here. This is the heart of the land right here and the farming and the ranching.

What goes on down there in those cities is pollution. This is clean, environmental property up here. I'm an environmentalist. I want to sees the dams stay.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: So Mark Fischer followed by Nita Still followed by Leo T. Bergeron.

MR. MARK FISCHER: Mark Fischer, F-I-S-C-H-E-R.

And I am a resident of Copco Lake, been for eight years. In those eight years, I've only heard twice from anybody about these meetings, once from Elizabeth Vasquez and one by a lawyer firm, Cable Hut- -- Huddon [phonetic].

Anyway, and you guys just bring these on last minute like we can just drop everything. And I think it's all in a game to try to get these dams out without any of us around.

And I'd like to give the rest of my time to this gentleman right here (indicating) if he'd like, because he knows more about it than I do.

MR. RICHARD MARSHALL: Thank you very much.

But I think you can see the issue here is this process of taking dams out. You are going to have to be independent thinkers, because the people behind you who are telling you what to do, having a plan, which is to take these dams out -- we want to keep the dams. There's good reasons to keep the dams.

And as you heard from one gentleman, the water quality has been improved, actually, by having the dams

in place. That's proven. But you won't find that in the stuff that DOI has prepared, because they have an agenda.

That's all I have to say.

(Applause.)

MS. NITA STILL: I want a -- I'll get it. I want to put my crutch on a chair.

UNIDENTIFIED MAN: I'll get it up there.

MS. ERIN RAGAZZI: And I think we have copies of --

MS. NITA STILL: Thank you for being here. I appreciate it. And we're being hard on you but that's okay.

In the year 2009, we voted to keep the dams by 80 percent. The people in Oregon also voted to keep their one dam. There is a manipulation and a conniving going on here, and those who want to take out our dams are holding secret meetings with some of our representatives and the two governors named Brown. These NGO stakeholders will do anything to have our dams destroyed basically.

The KBRA expired and now they have made the K- -- now they have made a KRRC. They are involving every agency in hopes that they will get their way.

There is another problem. The Klamath River is

flowing over the burial grounds of the Shasta tribe. And it was covered by water and now they want to expose it. This is all against the Antiquities Act. There has been no courtesy or respect shown to the Shasta tribe or even to the common people here. So you should not get -- you should not be coordinating with these killers of dams.

I got to relax a minute.

MS. ERIN RAGAZZI: Do you want to sit down? I completely understand.

MR. RICHARD MARSHALL: You can sit down.

MS. NITA STILL: That's okay. I won't sit down.

You should not be cooperating with these NGO stakeholder environmentalists. The TMDLs will not be what you want them to be because the Klamath River runs through a volcanic area.

And there are hot springs running from tributaries near Keno Dam. A company named Quicksilver Mining mined mercury in that area in the 19th century. Mercury --

MS. ERIN RAGAZZI: Let me hold the microphone.

MS. NITA STILL: Mercury is also called "quicksilver." Besides, it is the truth that the water after it goes through the dams is much cleaner. If the

dams are removed, it will be much less water in the river, so the TMDLs will be worse.

In 1851, George Gibbs went with another man who was having the Indians along the Klamath River to sign treaties. He told about one area, possibly sometime in October maybe near Hamburg community, where there were thousands of dead salmon possibly because the water was low and/or some of them had spawned since it was October. They had to move their camp up the tributary to get away from the bad odor.

The Karuk tribe, in the 1970s, took the Shasta R Treaty and became a recognized tribe. They're also claiming Shasta territory as claiming there's not enough fish for them when there are enough fish. And I do believe they are supposed to get their fish at Ishi Pishi Falls. I may not be pronouncing that right.

UNIDENTIFIED WOMAN: You are correct.

MS. NITA STILL: Oh, dear. If the dams -- oh, there's another thing when -- the ocean also affects the amount of fish -- the amount of salmon that return. And Mr. Gierak, he didn't mention that but he knows all about that.

Did I say my name? Okay.

But if the dams come out, there will not be enough water for the salmon to spawn or available water

to do their Karuk canoe dance. And the coho salmon is not indigenous to this area.

Since the fish stay out in the -- and they come to be adults when they're out in the ocean, that's what can affect 'em because, sometimes, there's lots of fish and, sometimes, there are no fish.

Please do not involve yourselves in something that is as conniving, mean, and unjust as is this plot to destroy our dams. We would like you to respect our rights and be honest.

Thank you sincerely.

(Applause.)

MS. ERIN RAGAZZI: Can we get the spelling of your last name?

MS. NITA STILL: S-T-I-L-L. Nita.

MS. ERIN RAGAZZI: Leo Bergeron. Leo. Come back. After you, we will have John then.

MR. LEO BERGERON: Leo Bergeron, B-E-R-G-E-R-O-N.

And there was reference made to some activities of the grange and the salmon was concerned. And I've been a member of the grange for over 55 years.

And don't you just love that woman? Can you imagine? Can you imagine what she had to go through to get up here and do that? Right? God, that was

beautiful.

First, I just had a birthday and it's caused me some anxieties, because I'm getting closer to 100. And some of these things kind of disturb me now where, in the past, I was a little bit more understanding shall we say.

But right off the bat, I took exception to your title. It says "dam development." That's a bunch of bull. We're talking about dam removal. Why the hell won't you say it?

And good water quality -- water quality. Good water quality does not exist in the Klamath. Polluted water comes into California from Oregon. California cleans it up so that, by the time it gets to the ocean, it's almost decent.

How does this happen? A coastal range with streams that are fed by fresh rain and dams, dams on the river. The water comes into the dams dirty and it goes out cleaner. Now, you've got a number of dames each time. I mean, it gets a little bit cleaner so.

This is not a real thing. Everybody knows this. I mean if you have any sense whatsoever, you know this, but science -- there have been tests made and surveys made and studies made and it says, "this is what the truth is, it's dirty coming in, clean coming out."

So, you know, this same thing we experienced here a whole year ago. I made reference to that. The same thing, the same things was said, the same people talked. Nobody listened. Nobody listened. Now, you people -- all educated people, hi, listen, check out the information and then do something. Do something intelligent this time.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: John Livingston and Greg -- I think it's Kuck followed by Javier Kinney.

MR. JOHN LIVINGSTON: I'm John Livingston, J-O-H-N, L-I-V-I-N-G-S-T-O-N.

I was born and raised in Northern California over in Eureka and I reside in Redding and I came up here to give my testimony tonight.

I'm a recreationist. I'm a canoer, a rafter, a hiker. And I would like to see the dams removed, so that the economy of Siskiyou County can be improved through increased recreational opportunities.

Thank you.

I also have a letter from the Sierra Club.

(Applause.)

MS. ERIN RAGAZZI: So we have a Greg K-U-C --

UNIDENTIFIED WOMAN: "Cook."

MS. ERIN RAGAZZI: Cook [phonetic], okay, followed by Kinney.

MR. GREG KUCK: Well, almost all the people in this room probably know me. I'm a sixth-generation rancher -- cattle rancher living in the watershed of the Klamath. We have the Shasta River -- a mile of Shasta River.

And what I kind of want to talk to you folks about -- you guys all have families? You all got kids?

Well, we've been doing this on the same ranch for six generations raising our families. We have cattle in that drainage. We spent a lot of time fencing the rivers out for this whole watershed. We have some of the cleanest water in the world that runs into the Klamath. We developed one of the nicest fisheries in the world in California or on the West Coast to bring those fish back up, rear 'em and send 'em back down.

And I sat in a lawsuit and I heard Leif Garrett say that he'll never let those fish come back up. Well, after I heard that, I gave up on you guys. And I went through a bunch of you people over the last 30 years. We've jumped through every hoop that we could do to get these fish back up here for you guys. And it isn't getting done by taking the dams out.

Thank you.

MS. ERIN RAGAZZI: Javier Kinney followed by Linda Oliver followed by James Adams.

MR. JAVIER KINNEY: We are the Klamath River; the Klamath River are us.

My name is Javier Kinney. I'm the director of the south governance for the Yurok tribe, comes from the village of the Pekw-tuehl, Weych-pues, Rugger [phonetic], the villages that we originate, you know, the traditional and indigenous peoples of the Klamath River.

And I just wanted to share with you, first off, we strongly support the removal of all four dams by 2020. We also support a successful certification of the 401 certification process by 2019 in order for the four dams to be removed by 2020.

There's three things I'd like to provide for the record on behalf of the Yurok tribe: Respect, recognition, and understanding. First, as the traditional and indigenous people of the Klamath and Trinity Rivers, we want to make sure that the respect is given to the traditional life ways and cultural ways for ceremonial purposes and the food/security that is required of the Yurok tribe and communities and peoples that live along our traditional ancestral territory.

We're provided the knowledge as well as

technical expertise and fisheries, a natural resource protection, since the beginning of time. We also understand the importance of the continuance of that knowledge to protect the water and the way of life that we know.

Recognition of including that knowledge in the management of not only our waterways but of the natural resources to ensure that the health and welfare and the prayers are carried on prior to anybody coming to what we know of as California. We have traditional government systems that have been put in place before the State of California and the United States, and we're going to continue that.

Lastly, understanding. We understand the changing times and the importance to have inclusive of not only scientific fact but old is new again. Governments across the world are looking at indigenous peoples and the way that we manage our resources in a sustainable way. We're going to continue that, because we are those caretakers.

A lot of times our elders share with us the ways to carry on and, many ways, your kids will may be at some type of meeting 50 years from now and we'll have the same conversation but we'll come with that respect, recognition, and understanding because we're not going

anywhere.

So we support the four dams to be removed by 2020. We support the 401 certification to be approved by 2019 in order to make that happen.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Linda Oliver, James Adams, and then Kristen Sellmer.

MS. LINDA OLIVER: My name is Linda Oliver, L-I-N-D-A, O-L-I-V-E-R. I am a chairman of the Copco Lake Fire Protection District.

A few years ago, I teamed to coordinate with the Federal Government of this land. All I got from them was we agree to disagree. It is against the law to take something away from people and not either make it better or best when you leave.

We will not tolerate these dams coming out. If we become the State of Jefferson, then what are you going to do? And I hope we do because I am tired.

I've been up here for 14 years. I have met people here and they've got far more education than I've ever seen in any place that I've ever lived in the State of California and I can call 'em my friend. But to have to go through this year after year after year, this is ridiculous. And all the scientific study that is bogus;

I know more science from the seventh grade than people do. It's not about degrees. It's about common sense.

And as far as respect? What about the Shasta Nation? Do they not deserve the respect of their tribes? Their burial grounds? And they are allowed to come on our property to investigate those areas. Are they allowed to go on your property? Think about it.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: James.

MR. JAMES ADAMS: Good evening. I'm Jim Adams, J-I-M, A-D-A-M-S like the second president. Thank you.

I've been in state service, my wife and I, almost 60 years. I retired after 37. I've been on that side of the Board. I've been on this side of it. I'm now currently always on this side. And I understand your positions, and I would just like to have you hear me out and a couple of things that I have to say.

Get my specticators on here. And I'm chasing some hay fever so just have to deal with that.

My wife and I have worked for a government agency, so we sort of have an idea of how some of this works. We do feel that this is a waste of time, as we feel in political power has an agenda of their own and we really don't care and they, the government, really

don't care what the citizens of Siskiyou County want.

However, we will say our piece. Thank you for the opportunity. We are against the dams coming out.

First, they keep our power bills down and produce clean energy better than buying it from another state or an entity that will charge more.

Secondly, it provides small towns below the dams with flood production.

Thirdly, we have water storage for drought years of which we have experienced in the last six -- which we have experienced the last six or seven years and which out of -- as without the water storage -- excuse me -- John C. Boyle, Copco, Iron Gate, the fish would have suffered greatly. The state has just cast a disgust adding four more reservoirs from Colusa to Red Bluff and another near Colfax on Bear River. Why in the world during a drought have -- why in the world, during a drought or otherwise, would you remove existing dams?

Since DWR takes water from the Trinity system to send down to the Delta, John C. Boyle, Copco, and Iron Gate can supplement water to the Lower Klamath to enable to send water from Trinity down to the Delta. So does this mean that you will no longer send water from the Trinity to the farmers in the Delta if the water in

the Klamath is not enough?

It is -- was truly getting the -- if it was truly about getting the fish up and over the dams, this could be done using the natural topography of the area and create an additional waterway around the dams.

Americans have created some of the most wonderful things: Mt. Rushmore, put a person on the moon, enormous bridges. Well, you know where this is going. I believe it can be done. If the word "compromise" was only in a politician's or government worker's vocabulary.

I'll just to give you a little impromptu background. I probably had my hands on about a billion eggs and fry and salmon and trout in 37 years. They need water. Fish need water. So in '14 and '15 when the drought was at its most severe, those dams, with water in reserve like a bank account, were able to flow to the ocean and keep the 2002 die-off from being -- happening again. The additional flow, lower water temperatures, less pathogens, and they were able to keep fish. And the ones at Iron Gate dam were able to complete their cycle.

I could go on and on about fish and their life cycles but you get my idea that, if you don't have water, you don't have fish. And believe me, without the

dams, Klamath River will become pretty small come September and October.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: So Kristen followed by Mark Baird followed by Don McIntosh.

MS. KRISTEN SELLMER: Hello. My name is Kristen Sellmer, K-R-I-S-T-EN, S-E-L-L-M-E-R.

I'm a resident of Etna, California, and I coordinate the fisheries program for the Salmon River Restoration Council.

Concerning the scope and content of the environmental information to be included in the new EIR, I ask the State Water Board to incorporate the Klamath facilities removal 2012 EIS/EIR analysis as well as new scientific findings such as those that have emerged in the wake of our nation's largest in the state of Washington on the Elwha River, which has been met with unprecedented success.

To know that specifically that the unavoidable impacts to water quality and aquatic resources due to dam removal will be short term and that the removal of the four PacifiCorp dams provides the highest long-term benefits for salmonid restoration and the water quality of the Klamath River.

The costs of any alternatives besides dam removal outweighs the benefits as dam removal has been proven to be an effective way to restore watershed ecosystems, revive wild and sustainable fisheries and associated jobs, protect coastlines, and improve water quality.

Therefore, despite the difficult challenges in changing, it just -- that this project poses, I sincerely request that the Water Board, with the advocation of the best available science, issue water quality certification for dam removal and to issue it in time for FERC to approve dam removal by 2020.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

So we have Mark.

MR. MARK BAIRD: Mark Baird, B-A-I-R-D.

I'm from the Scott Valley Protect Our Water and the Jefferson Declaration Committee.

So far, we have spent in excess of a quarter billion dollars of the taxpayers' money to save the coho salmon in this watershed. And by the admission of Mark Stouffer, the head of the Fish and Game and lead agent for this mess prior to you guys coming this time with a new plan -- according to him, we haven't saved a

damn one of 'em.

So I don't know. I'm an airplane pilot and a rancher but, if I do something that doesn't work for 25 years, the last thing on my mind is to keep doing it for another 25 and spend another quarter billion or 500 million or 2 billion and hope it turns out different the next time.

And also, in addition to that, Stouffer also said, "Well, this is just an experiment. We have to try to see if it works." We've heard that before about ObamaCare. But he had no idea how long this will poison the river, 200 million cubic yards of sediment.

And you guys are really interested in doing the right thing, there's an easy way to do it. Just take a water sample in the Upper Basin and take a sample again below the last dam and see which one is cleaner. And that would be the science -- the best emerging science I think our opponents say to find out whether those dams clean the river or destroy the river. I think you would probably be pretty surprised because your agenda is to take it out.

Just remember that article 1, section 10, clause 3 of the United States Constitution prohibits states from making agreements with one another without the consent of Congress. You have no consent from

Congress. Which means that if you cooperate in any way, shape, or form, you personally on the Water Board are acting outside the scope of your agency and your training which puts you in jeopardy of being prosecuted under title 18, section 242 of the United States Code.

And also, the civil penalty for acting outside of the scope of your agency is title 42, section 1983, and that applies civil penalties for acting under color of authority to deprive anyone of privileges, rights, or immunities. And we fully intend to prosecute every single one of you if you participate in this scam. Dam removal is nothing more than the biggest environmental scam of the century.

And I keep reminding our people in the water rights group this has nothing to do with the fish. It never did. This is about money and power and they want it. And it's taxpayers' money.

Now, finally, I will leave you with this thought. I was invited to a secret meeting in Yreka. I remember a couple of other people in the room that were there. And just raise your hand if you were there. And you know the meeting that I'm talking about.

So Rich, you were there, I think. Is Rich still here?

Anyway, there were a couple of people there and

they can testify to what I'm about to tell you. An emissary of the Yurok tribe was there and he sat on the stage with somebody from the Klamath Irrigation District, and he said to us, "We don't care what you think, we don't care what you want, we don't care what you do, we're not asking your permission or telling you what's going to happen. These dams are going to come out because we want control of the flow of the Klamath River and we want that money." And I was there and that's a quote and there were other people there, too.

MR. JAVIER KINNEY: Not true. I was there.

MR. MARK BAIRD: Well, I heard it and so did other people.

Thank you.

MS. ERIN RAGAZZI: Don followed by Jerry Bac- --

UNIDENTIFIED PARTICIPANTS: Bacigalupi.

MS. ERIN RAGAZZI: Followed by supervisor Michael Kobseff.

MR. DON MACKINTOSH: I'm Don Mackintosh, M-A-C-K-I-N-T-O-S-H.

I'm a rancher but, before that, I was with PG&E for 28 years. I retired as a grid operations -- in grid operations. I controlled the power including, you know, hydroelectric hydro power.

And what I wanted to talk about here is just to -- the -- to talk about these dams being removed which is -- there is -- these dams are a business. It's a beautiful business. It has revenue that is in excess of $40 million annual. And the cost of producing that at 12 percent, plus or minus, which is quite a return on your pock- -- money. But it is a beautiful thing. It's the cleanest, cheapest power that there is and the -- I was -- it's got so many benefits you just couldn't -- the benefits for power, the power system itself.

But let's go over the steps that's going to happen when they take 'em out. First of all, they'll blow the dams and then that destroys this business that produces 40 billion -- million dollars. And so then -- and then when you take this out -- these dams out, you're going to have to replace 'em, the power, and that's going to be possibly a billion dollars.

So then the -- just the cost of removing these, you know, I've seen a $2 billion price tag on it. So then it's -- it's awful. This is what is happening because I spent my whole life in this business and there's nothing nicer and does more -- more good things. Everything can pre- -- can -- it benefits from hydroelectric power. And so then -- but then the bad thing about it, when they do take this out, you have

nothing and the whole -- the bottom line of it is complete cost. Everything is cost.

So then -- and then on top of that, you have -- you know, the people -- the people are going to end up paying for this liability, the cost of moving it out because they -- the way this is set up, the company that's taking -- wants to take 'em out is a worthless company that isn't creditable to handle power or doesn't have the money, doesn't have the experience to deal with it. And, you know, when I was in the power business, you know, the FERC was for, you know, power and for hydroelectric.

You are saying I'm done? Well, it's a sad thing and this should not happen. So -- so -- and then I'm also a rancher now, but I loved what I did and I was good at what I did. And then so I just -- this is an awful thing to take 'em out.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

Are you Jerry?

MR. JERRY BACIGALUPI: I'm Jerry Bacigalupi.

And I'm a former state employee with Caltrans and the Department of Conservation and I was a resident engineer on Interstate 5 for the bridges.

And Siskiyou County, to me, was the last

frontier in California. So my wife and I, we bought a ranch up here, and now I'm up here full time. So, basically, on my input to you, I'll try to highlight some of the things --

MS. ERIN RAGAZZI: A little bit higher.

MR. JERRY BACIGALUPI: Okay. Basically, as a professional engineer, I would like to highlight some of the things that I would propose if I were responsible for moving this project forward. And number 1 is, because of the controversy of the anadromous fish habitat in the Upper Basin where Salazar claimed that it would provide an additional 425 miles of anadromous fish habitat if the dams are removed.

This has created a tremendous controversy. And what I would propose is that we need to do a truck and haul study. And I would say, without a doubt if I was involved as an engineer, there would be no doubt that's what we would do.

So Iron Gate Dam is at mile 190. The headwaters to the Iron Gate Dam which is the headwaters for Lake Ewauna and the outlet of Link River which is just below the Upper Bas- -- Upper Klamath Lake is at mile 254.

So what I would -- what I would propose is to take the fish from Iron Gate Dam, collect them at Iron

Gate, dispose of them at the headwaters of the Klamath River, and I would propose probably, you know, somewhere between 50 and 100 female salmon with corresponding males and make a five-year study out of it.

And the problem is that Upper Lake and Agency Lake, they are probably -- they are over 30 miles long and the fish would have to traverse a shallow lake that is high in nitrates and high in sulphates, very shallow, very warm in the summertime, and to be able to traverse to the upper five rivers that contribute to the upper lake.

And so let me read -- let me read an article here that is by a former game warden and wildlife biologist that worked for Department of Fish and Game. He says, "Regardless of what Native Americans upstream of Klamath Lake impound believe, I do not think salmon or steelhead trout would navigate the shallow lake from its outlet into the Link River or find their way to the Woods, the Williams, or any other tributary to the north end of the lake, even if they were trucked there and released."

The whole project is ignorant from the start and to offer rebuttal to insanity is worthless and senseless from the start. So this comes from a wildlife man and I respect -- am I done already?

MS. ERIN RAGAZZI: Yes.

MR. JERRY BACIGALUPI: Okay. What else I would like to do is Siskiyou County has several alternatives in here. Siskiyou County has several alternatives to dam removal and there's a lot of other evidence.

Did you present them at the --

MR. RICHARD MARSHALL: Yeah, I gave them one.

MR. JERRY BACIGALUPI: Okay. So a few items above there, it shows the reefs along the river. It would preclude that salmon from ever getting into Upper Basin and, basically, I would like to have you guys review that thoroughly.

MS. ERIN RAGAZZI: Thank you.

(Applause.)

MS. ERIN RAGAZZI: So Joe James followed by Robert Lindi- -- I think it's an I -- Lindamood.

MR. MICHAEL KOBSEFF: Michael Kobseff, K-O-B-S-E-F-F.

I'm the current chairman of the Siskiyou County Board of Supervisors. And I'll be reading a statement that was a unanimous statement from the Siskiyou County Board of Supervisors.

The Siskiyou County Board of Supervisors would like to provide the following oral and written com- -- statement regarding the Water Board's note of public

scoping meetings in the preparation for the EIR for the Lower Klamath Project license surrender.

In addition, the Board of Supervisors will be providing formal written comments by February 1st of 2017 in response to the proposed Notice of Preparation.

First, it seems that the public notification of the original January 10th meeting was very limited, even within the county in which it's taking place. The Board of Supervisors was informed of the meeting by an individual who read it -- read about it on her local environmental group's Web page in late of December 2016.

We did not receive official notice from the Water Board until January 4th of 2017, although it appears that the notice was first sent out to certain people in groups on December 22nd, 2016. This short notice and limited communication violates, if not the letter, then certainly the spirit of the law intended to notify and engage the public and solicit active participation. Unfortunately, this is not the first time situations like this have happened.

The County of Siskiyou deserves and demands adequate notice at the earliest possible date of all future meetings. Siskiyou County is concerned with the economic and environmental consequences that would impact the county if the four Lower Klamath River dams

were transferred to and removed by the Klamath River Renewal Corporation.

To address a few of these concerns, the county continues to reiterate that the 20 to 30 million cubic yards of sediment that has been collected behind the dams and would be released down the Klamath River after dam removal has not adequately been evaluated to address the averse local and environmental impacts.

Over the last several years, water has been released from behind Copco Dam to initiate Klamath River pulse flows to help improve water quality and fisheries habitat during the summer months. If the dams were removed, this water would not be available at a critical time needed and would have to come from Upper Klamath Lake storage which would impact agriculture and wildlife refuge deliveries in the Klamath Basin.

Other issues include the potential for catastrophic flood, either during dam removal activities or after or -- and property loss values in the areas surrounding Iron Gate and Copco dams which Siskiyou County estimates would be several million dollars.

As part of the environmental process, it is the Water Board's responsibility to fully address these issues, impacts to Siskiyou County, and the impacts to the Klamath River water quality. In the past when the

Klamath Restoration Agreement and the Klamath Hydro Settlement Agreement were being developed, environmental documents limited the analysis of the area to a five-mile stretch of the Klamath River which is inadequate and, in no way, addresses the total effects of dam removal.

During any environmental process concerning the Klamath River, the area of analysis needs to consider the entire river systems surrounding the areas and the and local communities including Siskiyou County. We also raised the issue that it would be difficult to do as the Water Board does not have any jurisdiction beyond California which raises the question as to the legal ability this board the Water Board to analyze impacts for the dams located in Oregon and waters originating in Oregon.

Nevertheless, any deviation from full analysis would be in violation of Title 14, Chapter 3 of the California Code of Regulations, Guidelines for Implementation of the California Environmental Quality Act. In relation to this, the Water Board's documents outlining the process for the water quality permit certification seem to assume that dam removal is -- is a determined outcome, which would make the environmental document predecisional and would, again, violate Code of

Regulations.

We were requesting that you not make this -- almost there -- assumption and that you meet the needs of all impacted environmental and natural resources and give due diligence to the people, livelihood, and economy of Siskiyou County.

To reiterate, it is Siskiyou County's expectation that there would be a fair and complete analysis of all environmental consequences of the proposed section 401 certification for the entire impacted Klamath River system. Only if the Water Board thoroughly and transparently identifies, analyzes, and determines whether possible mitigation measures are feasible and would render identified impacts less than significant and we would submit that this is not possible, can the Water Board approve the requested 401 Water Certification.

The California, oh, Environmental Quality Act and interpreting case law makes clear that proceeding without meeting these requirements would be an improper abuse of the Water Board's discretion in acting on this proposed project.

Thank you for the opportunity to make this statement. And we'll follow up with more comments.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Joe James, Robert Lindemann, Craig Tucker, and Konrad Fisher.

MR. JOE JAMES: I agree now. Joe James, J-O-E, J-A-M-E-S.

I'm a Yurok tribal member. I'm also a Yurok tribal elected official to the Yurok tribe. The Yurok tribe is the largest populated tribe in the State of California.

Since time immemorial, the Yurok tribe, and its indigenous people have been stewards of the land. I'm a resident -- full time resident of the Indian country. The Yurok Tribe fully supports the removal of the Klamath River dams and it's associate -- facility structures. We encourage the environmental process to show, as it did in the 2012 EIS, that ben- -- that the impacts of dam removal due to social, cultural, and illogical [phonetic] amount of features were the strongest and most lasting with the full removal of the dams.

Also encourage the State Water Control Board Certificate Program purchase -- the board to issue the certificate for dam removal by 2019 so the dams can be fully removed.

Also, in closing, we understand the issues. We

agree to disagree. But for us as a people -- as people, as river people -- as people that utilize the river since time for a number of things for our cultural, economic, our social, the river is a vital and key component of the rier for the Yurok tribe.

And in closing, not only do we urge the removal of the dams, but we also consider utilizing the Yurok tribe labor force to remove -- when the dams do come down to remove -- to utilize our labor force and resources as the dams come down.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Robert followed by Craig by followed by Konrad.

Can you please spell your name for --

MR. ROBERT LINDAMOOD: Robert, you know how spell that, L-I-N-D-A-M-O-O-D, not Lindawood.

Hi, my name is Bob Lindamood. And thank you for coming today finally.

First thing I want to go ahead and say is thank you -- Richard? You still here? Richard Wallace -- Marshall. I'm sorry. And also Erin, my good friend from the Congressman's office, thank you for what you said. I want to amplify these people and what they said. I'd definitely say, there is no way in hell they

want that dam tore down.

Now, let me ask you a question -- actually, let me not ask you question, just make a statement about that. We're talking about quality. There's one thing about quality that we have. There's also consumer impact. Now, consumer impact, we're talking about water quality. And also how many fees we're paying to the power company already to tear the dams down. Why are we paying that? I don't know. When I first came here, I said, "Why are you all paying that?" Nobody knew.

But here's your job as far as quality -- water quality goes is for recreation. And, yes, I ran up here from Sacramento to make that statement. Recreation also includes the peaceful enjoyment of your property in the area.

Now, if you would like to go fishing for salmon, what happens when the dam's tore down? Let me explain that part for you. I've done a lengthy study myself. In 2009, salinity was higher further upriver we went, lower as we went down past each dam. Now, what does that tell us? You tear the dams down, you're going to kill all the damn salmon, and there won't be no fishing for nobody.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Craig Tucker.

MR. CRAIG TUCKER: My name is Craig Tucker. I'm the natural resources policy advocate for the Karuk tribe.

I just bought a t-shirt. I wish I'd worn it. It says, "science doesn't care what you think." And I say that because there's been a lot of anecdotal stories and a lot of vague references to science. But what I'm asking you guys to do is look at the technical record that's been built.

This is probably the most studied dam project in the world. Over 3,000 pages of technical reports went into the 2012 EIS/EIR. The United States went through the exceptional step of putting all of that data through three levels of peer review -- did the peer review by a committee with the National Academy of Sciences.

The National Academy of Sciences is the most prestigious scientific organization in America. It's America's best scientists. They concluded that removing the dams was safe. They concluded that removing the dams was the best way to address water quality concerns, and that removing the dams is the best way to restore fish in the Klamath Basin.

It is really bizarre to me to come to Siskiyou

County and hear people want to force a private company to maintain an asset that it loses them money. So Pacificorp, for their part, have a legal obligation to pursue this relicensing process in a way that leaves the cheapest possible power rates to their customers.

The Public Utility Commission of Oregon and California agree the PacifiCorp that removing these dams through this agreement achieves the lowest possible power rate for their customers.

(Audience overtalk.)

MR. CRAIG TUCKER: That's not my opinion. That's not my opinion.

Hey, you know what, you guys bully people that you don't agree with off a stage, but not you're not going to bully me off the stage. All right.

So this is not my opinion. This is what these regulatory agencies have decided. So I urge you guys to look at the existing public record, the existing record for the 2012 EIR/EIS in the decision by the Public Utility Commissions.

The Karuk tribe strongly supports the 401 permit to decommission these dams as soon as possible.

Thanks.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

Konrad Fisher followed by John Foster followed by Sarah Rockwell.

MR. KONRAD FISHER: Thank you. My name is Konrad.

I live on the Klamath River in southwest Siskiyou County. My family has been here for four generations. And so it's always interesting to come upriver and meet my fellow Siskiyou County residents. My grandparents came, in part, to log and, in part, to build a pipe to takes water out of the Klamath Basin and sell it to Central Valley, California.

But it's interesting to hear from people who live in Scott and Shasta Valley about their opinions about dam removal. Many of you do not live on the Klamath River so that's interesting but just the sheer -- it's hard to know where these facts come from. And it's critical to base opinions on actual facts rather than alternative facts.

And I think the irony of all of this is that we all kind of want the same thing. I assume you all believe in private property rights. I assume you all want clean water and economic recovery and more salmon and health for your kids. So we all want the same things. We just don't really agree on how to get there. And I'm not sure we ever will agree so the question is

what to do about that.

For three summers in a row, I had to tell my niece and nephew, "you can't come to the Klamath." We set a date. "You can't come because the river is too toxic green." The preponderance of scientific evidence suggests that we can fix that according to the plan that's being presented here.

So really -- we're not going to agree on -- we can agree on what we want. We're never going to agree on facts, so I urge the state agencies to continue doing what you did in the past. Good job analyzing all of the evidence. In 2012, you reached the correct conclusion.

So the only new evidence that has come out since the last EIR further supports your conclusion. So I urge you to issue a water quality certification for dam removal in time to remove them by 2020.

Thanks.

(Applause.)

MS. ERIN RAGAZZI: John Foster, Sarah Rockwell, Betty Hall.

MR. JOHN FOSTER: Hello. John Foster, J-O-H-N, F-O-S-T-E-R.

MS. ERIN RAGAZZI: A little closer, sir.

MR. JOHN FOSTER: My family has been on Bogus Creek which is the last live stream below Iron Gate Dam

for since -- I think it was 1869 or something like that. As a kid, I remember lots of salmon. And it seems like the more we've done to improve the habitat, the less salmon. The more things done to make things better, the less salmon.

And I know the Klamath River is what they consider a back-ridge river. It starts out warm and gets colder as it goes down. So where you take out the dams, deep water makes colder water, so salmon like cold water, so the dams are improving the salmon habitat in my opinion.

And I still haven't heard anything what -- all that I know if we put in -- we used to put in flashboard dams. We're getting rid of them and now doing other things. But those dams would only be in for a summer and we had to wait until there was some good rains before we pulled 'em because there was so much sediment just after a summer that you killed the stream, you know, for it to flush on through.

So how many years of high water is it going to take to flush all that sediment behind them dams? I don't even venture to guess. And just going to lock up the gravel and spawning beds and definitely not good for the salmon.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

Sarah Rockwell. Sarah. Is Sarah here?

Here, I'll move it to the back. Betty Hall followed by Roy Hall followed by Mike Mallory.

Here you go, ma'am.

MS. BETTY HALL: Just a minute. How am I going to do this and do that, too?

MS. ERIN RAGAZZI: I can hold it for you.

MS. BETTY HALL: Okay. I am Betty Hall. I am a liaison for the Shasta Nation.

And if these dams come out, they will flush out our village sites, sacred sites, burial grounds, hundreds of 'em from John Boyle clear on down, clear down to Clear Creek on the Klamath River. That's all Shasta Nation aboriginal homelands.

Ancestors -- my ancestors bones will be floating down the river. Would you like to see yours doing that? You know, it's hard to think about.

And I have a statement here. A document that was written by State of California Resource Agency Department of Parks and Recreation continuance sheet. There are 41 cairns listed here. Resource name, Shasta Civil War cairns.

We have Shasta Indians that were Civil War veterans buried on the Klamath River. They must be

protected by NEPA, CEQA, whatever. And if these come out, they're going to be gone. That's criminal. That's a crime.

Now, I have a letter here I'm going to read from the Native American Heritage Commission. I think it says a lot. It's written to the Shasta Nation. It says, on December 28th, 2016:

> "Dear tribal leaders, on behalf of the commissioners and staff of the Native American Heritage Commission, I would like to thank you for support in celebrating the 40th anniversary of the NAHC. The celebrating culminated with the 40th anniversary date on October 21st, 2016.
>
> The gala was an overwhelming success and we continue to receive very positive feedback for those who were in attendance. Since its inception in 1976, the NAHC has been charged with protecting Native American religious and sacred sites, assisting Native Americans in obtaining access to religious and in sites on public lands and bringing

legal action to prevent severe or irreparable damage to sacred sites or the ceremonial places as they have served as a momentous forum to celebrate all that has been accomplished over the last 40 years, an offer to look forward to the future, challenges and opportunities to protect California tribal cultural resources.

Most importantly, the gala served as an opportunity for the NAHC to show its appreciation to you and your tribal community and leaders for your unwavering commitment to culture resource protection.

To show our appreciation, please find the following items enclosed with a letter and certificate honoring your tribal commitment to the protection of California's tribal culture resources.

Signed by myself and NAHC Chairman James Raymond and a flash

drive containing all of the photographs and videos taken of the gala, including a short highlight video and digital copies of the printed materials distributed at the gala.

I would also like to take this opportunity to thank you for your continued support, and I look forward to working with you in the future.

Signed by Cynthia Gomez. Cynthia, Executive Secretary, Native American Heritage Commission."

I think that's powerful. I think that says a lot coming from our state official. And in this right here is all the cairns -- pictures of the Civil War cairns. Think about it. You have to save them.

MS. ERIN RAGAZZI: Are you leaving that with us?

MS. BETTY HALL: No. I'll send it to you.

MS. ERIN RAGAZZI: Thank you.

(Applause.)

MS. ERIN RAGAZZI: Roy Hall followed by Mike Mallory followed by Chrissie Reynolds.

MR. ROY HALL: I am Roy Hall, H-A-L-L.

I'm the Chief of the Shasta Nation. That's the local tribe right here.

The coho salmon is a tool for dam removal. There are natural blockages on the -- there are numerous natural blockages on the Klamath River from Iron Gate on up which the fish have never passed. We have documentation that the Shastas gave the Klamath tribe periodic permission to come down and gather salmon on the Shasta River. The fish never went up here. No one listens to this.

We have the documentation. If you want to see it, we've got it.

And what really bothers me about this -- this new deal -- this new corporation, the State of California and Oregon signing a bilateral contract. They're trying to say they didn't by creating this new corporation, but this is illegal and you are partly responsible.

And -- and this dam removal, what bothers me the most is Endangered Species Act. Species that are native and non native will be introduced upon our land and will be managed thereof. So there goes all our property rights.

We have nothing. We will be totally

controlled. They can introduce anything they want anywhere they want. And they've already proved that by introducing the Canadian gray wolf. It's here now.

And they are limiting our private property rights. And this is a violation of the Constitution. And I want you folks to know that you will be in court if this proceeds.

Thank you.

(Applause.)

MR. MIKE MALLORY: Good evening. My name is Mike Mallory. I'm the Siskiyou County Assessor Recorder. That's Mike, M-I-K-E, M-A-L-L-O-R-Y.

I've been involved in the valuation process of the -- to determine negative value impacts of dam removal for probably a dozen years now. I have a statement, a couple of concerns that I have -- three, in fact -- and some requests upon the Water Board to address those concerns.

Valuation studies to date at the federal level have been woefully inadequate, as the Department of Interior has carefully crafted the scope of work to arrive at a predetermined outcome of minimal value impact in the event of dam removal.

The figures so far are -- in the update, and I believe it was 2012 was 2 to $2-and-a-half million in

value lost to the properties around Copco and Iron Gate. And that is just totally ludicrous. That's just such a low number that it's hard to fathom that somebody could put that down on paper.

Appraisals to date have been based on the hypothetical assumption that the land underlying the lakes has been restored to its native condition with full accesses to a free-flowing river. It also excludes structural and site improvements from the process, so none of that value has been included. That's the largest portion of a property's value.

And an estimate of nearly 1500 impacted parcels has been grossly underestimated at just 700 impacted parcels, so less than half of what were originally targeted were analyzed.

For you, as the Water Board, I make this request that you completely disregard any valuation study relating to Klamath dam removal as commissioned by the Department of Interior, provide an objective analysis of the loss in property values and tax revenues to all impacted parcels in the event of dam removal, with consideration of mud flats and denuded landscape which will remain for years after dam removal.

My second observation is the Klamath River dams were not constructed specifically for flood control.

They are utilized to temper flood -- river flows to reduce flooding. Moreover, there's a perception that they provide flood control, and perception is reality in real estate valuation.

I ask that you analyze the impacts to the property values and tax revenues along the Klamath River below Iron Gate dam due to real and/or perceived loss of flood control in the event of dam removal. In addition, silt deposition may change the river course and lead to more severe flooding, which also must be considered in this analysis.

And, lastly, valuation of PacifiCorp's assets for property tax purposes are accomplished by the State Board of Equalization in Sacramento. And they insist on the State Board role also known as a unitary role. These values are transmitted to the county annually and are collected locally by the Siskiyou County tax collector.

These PacifiCorp's values currently are at 162 million in the county and the -- but the underlying classification by property type are not available even to the county assessor in the county.

At one time, we learned from Pacificorp representatives that hydroelectric assets represented about 20 percent of the total assessment which would --

so removal of these assets would be reducing the tax roll by about 32.5 million. That's $370,000 per year. That will be a big impact to the County of Siskiyou as well as the Hornbrook School District, which is a basic aid district, one of only of its type in the North State.

So I ask you to analyze the impacts to property values and tax revenues caused by removal of the hydroelectric facilities from the assessment roll. And I have a written statement.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

So Chrissie.

MS. CHRISSIE REYNOLDS: Will you hold that for me?

MS. ERIN RAGAZZI: Yeah. And Ray --

MS. CHRISSIE REYNOLDS: Haupt, H-A-U-P-T.

MS. ERIN RAGAZZI: Haupt and then Thomas Joseph.

MS. CHRISSIE REYNOLDS: First -- first of all, a couple comments. The Elwha that was referenced, it's only 45 miles from the river to where the dam was, so you cannot compare what happened on that system to this system.

Second of all, it's never been mentioned in any

of those documents from the DOI on the EIR before about the roads. There's only one road going into the Copco and out. And Linda Ebert who spoke, her house is the last place that's paved. Beyond that, it's unpaved.

So as a daughter that has a kid that goes on the school bus with one way in and one way out, and I'm thinking of machinery and equipment for dam removal and the destruction of that road and people walking on that road and livestock and deer and my dog on that road, that's, you know -- that needs to be taken into consideration. Very small road, one way in, one way out for a project of this size, and it's never been mentioned in any EIR. I don't know. That needs to be looked at.

My name is Chrissie Reynolds, C-H-R-I-S-S-E, Reynolds, R-E-Y-N-O-L-D-S.

"Never be afraid to do what's right, especially if the well-being of a person or an animal is at stake. Society's punishments are small compared to the wounds we inflict on our soul when we look the other way," Martin Luther King.

I live at Copco Lake. I'm a resident of Siskiyou County and I'm a mom.

First of all, I'm outraged that the first I heard about this public meeting that was supposed to

happen before was from a Facebook post from a part-time resident and not from any official, either from your organization or even my own elected government representative. I now understand that the latter is due to late notice from you.

I'm a property owner and a stakeholder of what happens at Copco Lake. I received no notice of your intent to provide me the opportunity to speak. And apparently you received a letter from our Board of Supervisors also voicing their anger and displeasure at the lack of consistent notice with regards to some people in favor of dam removal being informed early and some people not in favor of dam removal being informed without much notice.

I agree almost wholeheartedly with the letter our Board wrote in response to you, except that in regards to their statement on transparency. I feel it's truly transparent that the residents of Siskiyou County are again being purposefully misled and that our due process is, again, being diverted by government agencies that are supposed to be looking out for the welfare of their citizenry. But, instead, these citizens are having to speak up and out against the agencies with which their responsibilities are about furthering policies that are not in the public interest but in

maintaining policies that benefit a certain agenda and not on the welfare of the people or the fish.

It's absolutely absurd to me that when 80 percent of the residents of Siskiyou County have voted no on dam removal and spoken and written and commented for over a decade now against dam removal, the false and misleading science of the last environmental impact study that was done which resulted in the firing of Dr. Paul Houser who was the scientific integrity officer and began a whistle-blower case that ended up being settled out of court due the lack of continued coordination with the Copco Lake Fire Board and those meetings being satisfactory to disregard our board of supervisors and their expressed feelings and needs that we are undergoing this process again under these conditions is simply unacceptable.

We the people are being denied due process by having our state governors decide on their own that they want the dams out. They set up a nonprofit entity with no accountability to anybody and the state agencies now have an agenda to follow regardless of what laws, either legally, morally, or ethically with which they violate.

In Siskiyou County's history, there are harsh reminders of what governmental policies were with regards to the indigenous people who were here before

our government was. They gathered the leaders of the Shasta people who, in 2017, are still not a federally-recognized tribe and, under the pretext of the feast were given tainted food and blankets with smallpox in a genocidal attempt. It simply boggles the mind that these people are still not recognized with the proper respect with the sovereignty they inherently deserve.

I, myself, am Japanese American. With parents and grandparents that were stripped of their constitutional rights and had their homes, business, and belongings taken from them while they were sent to, first, horse stables and then shipped out of state to be held in concentration camps the tar paper shacks in a barren desert landscape simply because that was the policy at the time.

Now, it seems we are in times just as dark and incomprehensible because that's how we are being treated. Our rights are being ignored, denied, and completely disrespected. The current agenda will be to lock us up and out from the lands which we hold ownership through our property rights and for which we pay taxes.

But no matter if we lose property values, no matter that we don't want dam removal, no matter that we are being extorted by having to pay for dam removal on

our power bills, some of us with properties in both Oregon and California so they have to pay for it twice and still lose their property value, it just all doesn't seem to matter to these agencies that are simply doing their job.

You know, people who do their jobs without thinking of the people or the lives that they are impacting really ought to know what it feels like to be robbed of the freedoms and their constitutional rights. They should lose their jobs if they're guilty of being complicit while these agendas are being carried out against the will and the rights of the American people who have an inherent and inalienable right to live where they want to live, in manners that they have self determined, bring about their right to life and the pursuit of happiness. And no government agency should be allowed to use policy to carry out eco terrorism against its own people.

The people have spoken. They said "no." You are not listening, and you are using our tax money against us and furthering to cause pain and suffering to people with this constant nonsense. We want our tribal people given the respect and the recognition they deserve. We want our lakes and our reservoirs to continue to provide clean, green, renewable energy to

over 70,000 homes. We want to be able to hunt, fish, and recreate in these areas.

We want to be able to keep these waters available for fire suppression. I was evacuated. I know how important these waters are. They've been dipped out of every year since I lived here.

MS. ERIN RAGAZZI: You need to wrap it up or you can come back up, that's fine.

MS. CHRISSIE REYNOLDS: We want an end to the geoengineering of our weather and our food and causing increased loss of life. We want our property values back to where they were before you started posting the blue-green algae scare, which is what the perceptional value was that started the deadline in our property values. This was even before dam removal.

I would hope that you will see what is so transparent for all of us. We will not give up our land, our water, or our rights and we will hold accountable those who will lie, cheat, deceive, and disregard us.

(Applause.)

MS. ERIN RAGAZZI: So Ray followed by Thomas Joseph followed by Daniel F. Simon followed by Margo Robbins followed by Sarah Rockwell if you're here.

MR. RAY HAUPT: Thank you. Almost thought you

forgot me back there. It's been a long evening.

My name is Ray Haupt, H-A-U-P-T. I'm the Siskiyou County Supervisor, Vice Chair of the Chair -- the Board and represent District 5, the bulk of the Klamath River.

You know, I -- we've listened to a lot in the room. And some things come to mind, certainly, that I could bring forward. I'm not going to dwell on the science, because they've been studied in great detail for over ten years. And I am trained in those areas to be able to look at it.

The question I would have as a former decisionmaker in the Federal Government is, why weren't mitigation measures looked at for dam removal?

You know, you've heard the controversy with all the sediment being flushed down the river. Why wasn't dredging an option prior to dam removal? It certainly fits the Clean Water Act. It certainly fits a better fit for the river. I suspect probably because it didn't fit the benefit-to-cost ratio and the economic analysis which I'm not allowed to see.

So I'm going to focus on a couple of procedural things in CEQA and NEPA. And those -- those come to mind to me as well as some of the jurisdictional comments I might have.

The action of the board, I think, is premature because of attempts to sidestep federal processes and use former processes that were not vetted by public review and appeal process or legal scrutiny through the courts.

In your previous meeting when you were here, someone made the statement that the intent was to use the environmental assessments from the 2012 Klamath dam EIS. The document really has no legal standing, as it is mentioned, and it prevents tiering under federal statutes or agreements outlined in the Council on Environmental Quality document.

I'm going to need a podium here.

The document I refer to is a federal document that says "integrating federal and state environmental reviews dated February 2014."

Legal sufficiency for NEPA analysis is defined in law. CEQ decisions may not tier to a NEPA decision when the EIS has not concluded in the record of decisions. CFR title 40, section 1506.1 subpart A --

THE COURT REPORTER: Slow down a little, please.

MR. RAY HAUPT: Pardon?

THE COURT REPORTER: Slow down a little, please. I'm getting a little tired.

MR. RAY HAUPT: I'm trying to speed up so these folks can go get some dinner.

THE COURT REPORTER: That's not working.

MR. RAY HAUPT: Those actions are outlined in that subpart that places some limitations on actions during the NEPA process.

This recent -- as recent as November 2016, the Federal Energy Regulatory Commission formally stated that they postponed the analysis of the license transfer until mid March 2017. And that's -- at least what they conveyed to our county. This, in part, due to incomplete application appendices from which to properly analyze the action before the commission.

What action is the board undertaking right now when the action is not clearly accepted or identified?

Using the former EIS documents for Klamath dam removal does not meet the thorough and hard look for effects found in NEPA and CEQA statutes. Those previous documents had, as a premise, a federally funded mitigation list found in the expired KBRA/KHSA agreements. Those no longer exist. Those mitigation measures are now -- are now not part of the analysis that you're predicating this decision on.

Am I getting --

MS. ERIN RAGAZZI: (Indicating.)

MR. RAY HAUPT: Those mitigations were part of this analysis and they helped reduce the effect designed to lessen impacts on fisheries, the public and water quality on the Klamath River. The ESA determinations environmental conclusions in those documents are now referred to as "stale" and must be rejected and analysis reinitiated as both NEPA and ESA require them when there is a significant change in this proposal.

The former analysis is -- was incomplete. In the ten years of analysis that took place, every one of them eliminated the flows of the Trinity River as the analysis was narrowed to five miles below the Iron Gate Dam. So any analysis must include the entire river under federal and state statute prior to any clean water certification the state may undertake.

Judicial comments I have: Does the state agency have the jurisdiction to analyze and make a Clean Water Act determination regarding the transfer of four dams when one of them is in Oregon? There's no authority for the State of California to make determinations outside its sovereign borders, nor do its laws extend beyond them. One of the dams, like I said, is in Oregon and it affects both the Lower Klamath and flows on the Trinity.

I'm going to speed this up a little bit.

In the Supreme Court decision Rampos versus United States and Carabell versus the U.S. clarify the authority and jurisdiction of the Clean Water Act for navigable waters and is to be under the Army Corps of Engineers and the Federal EPA, and it directs them to exert their regulatory authority over them. This jurisdiction is further clarified in the Civilettii Memorandum at 43 Opinion Attorney General 197, 1979. So that memorandum between the United States and the State of California defines when the state may make clean water certifications.

There are a number of things that are reserved to the EPA. Those are discharges to territorial seas, discharges which may affect the water quality of another state, and discharges from any other source which exceeds a daily average discharge of a 100 [sic] million gallons.

In summary, I think we all want a process but we want a fair process. We want one that looks at both -- all of the lawsuits that govern this process as well as the best available science to make this decision.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Thomas Joseph.

MR. THOMAS JOSEPH: Thank you. My name is Thomas Joseph, T-H-O-M-A-S, J-O-S-E-P-H.

I can feel the frustration and anger if it be for foreigners coming into our land and dictating what you're going to do or what is best for your land. And I think that's the sediment that a lot of these people in here may feel and they're worried about what may happen. That happened to us quite a long time ago when they said they were going to come in here and the build these dams. "We don't care what you're going to do or what you're going to say. We're going to build them anyways."

Listening to the people speak, they go back as far as, I think, an elderly gentleman here said 1850 was as far back as his people went. That's about the same amount of time here on this land as you guys being here for an hour in Northern California to these people that have been here for may be a few generations.

It doesn't take too much science to realize that these dams cause grave harm for the water quality and everybody downstream, affecting everybody upstream as well. And you can hear all the alternative facts or lies that these people have said that try to prove it wrong but, as we know, alternative facts are lies.

The facts state that when these dams come out,

the water quality will get better. As evidence of that happens, in Washington, the removal of that dam and the sediment that came down actually created large amounts of space at the mouth of that river for additional animals to live in and to prosper.

There's no way that these farms clean the water as you heard tonight. That's -- it's just -- that's another alternative fact. The fact is the sediment and the junk they put into the farm and foods that goes into the river pollutes the river. And then we know that when these dams are removed, the water quality will greatly repair itself as it has throughout the rest of the nation.

I don't really know what else to say besides these dams need to come down. And I know that it's not your guy's fault that they're coming down. They point the finger to you guys. We know it's the company that says, "Hey, we don't want to build these fish ladders. It's cheaper for us to take 'em down. How can we take 'em down?"

Over 50 years ago, the United States people, its citizens agreed to have an Environmental Protection Agency with EPA regulations protecting its natural waters and natural rivers. But because of the privilege that these people receive in this area that that was not

abided by for over 50 years on the Klamath River.

Because of the privilege and the ancestors of the people in this room, the water quality on the Lower Klamath Basin was never fixed and that those families and that those communities downstream had to continue to suffer because of those dams. And the privilege that the people here didn't want to comply with national guidelines and national standards of water quality.

I'm asking you, let's follow federal law. Let's follow rural law. Let's protect our natural streams and rivers. Let's protect our water quality.

I know you're here to take the mic, but I just figured that you guys had open mic for like -- someone took five -- well, someone took, like, ten minutes.

(Overtalk by audience.)

MR. THOMAS JOSEPH: What's that?

Okay. Thank you.

MS. ERIN RAGAZZI: Thank you.

So now we have Daniel F. Simon and Margo Robbins, and Sarah Rockwell. If there's any other additional folks that want to provide comments tonight, if you could fill out a comment card.

Kristen will grab it from you right there, sir.

MR. DANIEL SIMON: Hello, Board. I'm Daniel Simon, D-A-N-I-E L, Simon, S-I-M-O-N.

I'm a licensed professional civil engineer. I hold a master's degree in civil engineering focusing on environmental engineering.

I did want to communicate that I speak for the assurance of aquatic life in the Klamath River downstream of the dam removal. I wish for assurance as with the public as with the Karuk and Shasta and Yurok tribes here today. The assurance I seek is that sediment and arsenic -- arsenic-laden sediment will not kill aquatic life when the dams are removed. Has arsenic been thoroughly studied in the sediment?

Years ago, the Fall Creek Fish Hatchery suffered repeat kill-offs of hatchery fish after heavy rains. This was reported in another meeting years ago by Christopher Lyles, the former mayor of Etna. And the investigation yielded surface soils containing arsenic-laden soils.

And so during the heavy rains, the arsenic-laden soils, by erosion, went into the Fall Creek Hatchery killing the fish repeatedly. Years ago, I informed you folks of this. And I'm just kind of curious if this has been fully addressed.

Let's look at some numbers here. Okay. Twenty the 30 million yards of sediment -- of course, obviously, that's not all impacted at toxic levels. But

if you happen to find, say, a half a million yards, it's 200 bucks a yard to remove. It is a very expensive project, about a billion dollars, give or take. It's a lot cheaper just to flush it down the river.

So here's the question, had the various EIS considered this historical occurrence, what happened at Fall Creek? Have appropriate tests for arsenic-laden soil been performed and in specific locations? Are the dams presently holding sediment containing arsenic?

If this is released when the dams are removed, there is a great potential of another fish kill down the Klamath River, not just coho salmon, but arsenic can impact all aquatic life down the Klamath, as it repeatedly occurred at the Fall Creek Hatchery. So, again, has arsenic been properly considered?

I've done environmental reports, phase I and the phase II, remedial plans, process plans, et cetera, et cetera, et cetera. Okay. It is a professional standard to investigate any sign historically or any historical hint or tip for environmental impacts. When we do a phase I, we go to the hot spots. When you find a problem, you get into phase II and start sampling.

I'm giving you this significant historical tip on the Fall Creek Hatchery. So, again, have the various EIRs considered this historical occurrence, what

occurred at the Fall Creek Hatchery?

We are in a mining area and you get, of course, gold, silver, but you also get platinum, chromium. You get arsenic, other heavy metals, lead, mercury, et cetera, et cetera, et cetera. And it's pretty common in mining areas. Any geologist will tell you this. So I'm talking about testing in a precise location near the Fall Creek Hatchery, not tests like every quarter mile which I've seen in the EIR years ago.

So then I want to make a short political statement. I mean, if you do want to kill the coho salmon and aquatic life in the Klamath River, then just remove the dams, kill 'em with a flood of arsenic. And if that happens and it impacts the Yurok's food supply, then I would guess that they would probably sue alphabet agencies -- alphabet-soup agencies for hurting their way of life.

And if you wanted your job professionally, which I'd hope you would, I would hope you're not scared of the present administration. They have two words that are quite scary for those not being professional, and those two words are "you're fired."

MS. ERIN RAGAZZI: Margo Robbins, Sarah Rockwell, and Al Khart.

Margo? Okay.

Sarah Rockwell?

Al.

MR. AL KHART: My name is A-L, K-H-A-R-T, Al Khart.

So I am resident of Copco Lake for five years. I bought property five years ago and I was very happy and I am happy now.

So Copco Lake saved my house couple years ago. It was fire. So because of taking water from Copco Lake, they stopped fire and my house is still alive, so I like Copco Lake.

Have you been at Copco Lake, guys? So do you know anything about Copco Lake? And you want this lake to disappear? All right.

And I'm American citizen for 27 years. I got my citizenship because I work in science, so it gave me a special right. I'm alien who's admission is beneficial for the United States of America so I'm very beneficial alien. That's what immigration told me 27 years ago.

So I work in mathematics. I did modeling simulation. So did you model the impact of dams removal? You know, what is modeling? You know, what simulation? No. I don't see any scientific grounds for removal dams.

By the way, I have scientific grounds for removal Internet. Would you like me to remove Internet? No, I'm really -- it's bad for kids.

So you are young people. I am 69 year old. I'll be 70 in couple months, so I know a lot. I lived in Germany and Germans do not remove dams which are hundred years old. Don't give me trouble because German. I know a lot of people don't like Germans but, you know, they're not stupid because these dams created new environment.

Copco Lake and Iron Gate Lake created new environment, very positive in that environment by the way. And you know, I'm -- okay, you know, I am foreigner, so I look at different point of view but it's beauty. It's beautiful.

So I would never vote for removal dams. It's bad for anybody. It's scientifically not grounded -- grounded. It's not economically grounded. It's not humanitarian grounded for this. Look for removal of the dams, young people.

So do you respect old people, guys? You don't. And you don't respect me as well. So I vote for keeping dams for the rest of the life of the river.

(Applause.)

MS. ERIN RAGAZZI: Do you want to come back up,

Grace, and make another comment?

MS. GRACE BENNETT: Yes.

In the document that I gave you had fixes for the river. And one of those was to put a filtration plant on where the water comes out of Oregon. We will never have a healthy river with the water that comes from Oregon. It's just nasty.

The other one was to fix -- and this hasn't been addressed. We have learned how to grow fish. We've learned that because we've worked really hard at growing fish. We put millions and millions of small fish back in the river.

When they get to the river, the disease kills those baby fish. That has to be addressed. It's -- it's just unconscionable to put our farmers and ranchers through all of the things that they've had to do to grow more fish and then they get to the river and they die. And that's not fair to our citizens.

The other thing was -- I don't remember -- to improve what happens at the fish-counting stations. Currently, there are three fish-counting stations, one at the Scott, one at the Shasta, one on Bogus Creek. We have no idea how many fish the tribes take. We have no idea how many fish go up the other 84 creeks and rivers that go into the Klamath below Iron Gate Dam.

There's 471 miles of spawning habitat in those creeks and rivers, so we don't know how many fish come, actually, into the Klamath River. We need to have a counting station at the mouth of the Klamath River so we have accurate counts of the fish.

By the time they get here, they are black with sores and ready to spawn and die, but we don't know how many are in those 84 creeks and rivers before they get here. That's very, very important to all of this.

We need to thank our people that live here for all the work that they've been doing for the last -- well, since 1986. We've done thousands and thousands and thousands of dollars worth of projects. We've done thousands and thousands of voluntary hours to improve the health of the river.

Our greatest fear is that there won't be enough water in the river, then they'll tell our Scott and Shasta River farmers that they cannot farm anymore because that water has to go in the river for the fish. And that is not justice for our hard-working people.

I want you to really, really think about those things when you're discussing and going over those studies. I -- while sitting here, I decided to go through my box -- my box of wonderful things. I'm going to send you a box of wonderful things for you to look

at. So enjoy your mission through the -- through the miles and miles of documents that are out there.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Thank you. Okay. Okay. I just want to do a check really quick. I don't know what time it is, but I'm sure it's past 7:00.

So how many people still would like to say something? If people could just raise your hands. Two people. Three people. I'm going to give each of you two minutes.

MS. GRACE BENNETT: Okay. Thank you. I'll make mine fast.

I want to talk about the City of Yreka's water supply. Fall Creek, too. We've had that water supply since 1969. We're very, very nervous about what will happen to that water supply. That is the only water supply that the City of Yreka has, and it's very, very important to us.

There are 7,500 people that live here. We need that water. And if there isn't enough cold water for the fish hatchery at Iron Gate, there is a fish hatchery at Fall Creek, but we don't want the water supply for the City of Yreka to be endangered.

Thank you.

(Applause.)

MR. RICHARD MARSHALL: Are there any actual members of the Board here representing your group, or are you all staff?

MS. ERIN RAGAZZI: We're staff.

MR. RICHARD MARSHALL: All staff.

How many of you were in the Sacramento meeting? Actual board members?

MS. ERIN RAGAZZI: No board members were in the room. It was webcast.

MR. PARKER THALER: Correction, I'm not staff.

MR. RICHARD MARSHALL: Okay. Mr. Thayer, you're the head guy in this group here?

MR. PARKER THALER: No.

MR. RICHARD MARSHALL: Senior --

MR. PARKER THALER: No, I'm the lead technical staff.

MR. RICHARD MARSHALL: Who is the senior person in this room?

MS. ERIN RAGAZZI: I'm the program manager and Marianna is the attorney.

MR. RICHARD MARSHALL: All right. So I have here a petition signed by about 500 people in Siskiyou County for a class action lawsuit regarding these issues that we're talking about this evening and the surcharges

that we've been billed for that we don't want to pay.

MS. ERIN RAGAZZI: And just so it's on the record, can you state your name?

MR. RICHARD MARSHALL: Richard Marshall, Siskiyou Water Users.

(Applause.)

MS. ERIN RAGAZZI: Thank you.

MR. JOHN MENKE: John Menke, M-E-N-K-E.

One more item real quickly. I served for one year as a volunteer for Siskiyou County on the Klamath Fisheries Task Force Technical Work Group. Peter Brucker from Salmon River was the chair.

I got to know Tom Shaw very well, a fisheries biologist with the Arcata U.S. Fish and Wildlife Service. He handed me a document by Robert T. Milhous, M-I-L-H-O-U-S, Fort Collins Science Center, U.S. Geological Survey, Fort Collins, where I did my Ph.D. That's irrelevant, though, in this case.

In this document Milhous reports, from 1962 through 2006, 81 percent of the Trinity River water was diverted to Southern California.

UNIDENTIFIED WOMAN: What?

MR. JOHN MENKE: I consider everything south of Sacramento Southern California.

81 percent. This effort by Sacramento is a

cover for the theft of the water of one of the finest rivers in North America, the Trinity. They've been stealing that water all these years.

This is Chinatown once again. If you ever enjoyed it like I did, the Jack Nicholson Chinatown, it's theft of the water.

If the State of Jefferson gets enacted, I'm going to push very hard for ceasing any diversion at Lewiston down to Whiskeytown and down the Sacramento River. Look what the recent election has done, brought all the illegal people from Mexico into Southern California.

I was trained a little bit in land use planning during my natural resources career. You don't continue to create more and more demand for water when you're stealing it.

Thank you.

(Applause.)

MS. ERIN RAGAZZI: Okay. I want to thank everybody for coming out tonight. The comment period is 5:00 p.m. on February 1st. And I really appreciate you all sticking around and providing your comments. We really appreciate it.

(The proceedings concluded at 8:11 p.m.)

CERTIFICATE OF REPORTER

I, Carol J. Chase, CSR 13538, hereby certify that the proceedings in the within-entitled cause was taken down in shorthand by me, a Certified Shorthand Reporter and a disinterested person, at the time and place herein stated, and that the proceedings were thereafter reduced to typewriting, by computer, under my direction and supervision;

I further certify that I am not of counsel or attorney for either or any of the parties to the said proceedings, nor in any way interested in the outcome of this cause, and that I am not related to any of the parties thereto.

I hereto declare under penalty of perjury that the foregoing is true and correct. I have hereunto set my hand on February 5, 2017.

_____
Carol J. Chase, CSR #13538

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