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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Docket No.
KLAMATH HYDROELECTRIC PROJECT : P-2082-027
- - - - -x

North Bend Community Center
2222 Broadway Street
North Bend, OR

Wednesday, November 29, 2006

The above-entitled matter came on for public meeting,
pursuant to notice, at 7:10 p.m.

MODERATOR: JOHN MUDRE, FERC

P R O C E E D I N G S

(7:10 p.m.)

1
2
3 MR. MUDRE: I would like start out by welcoming
4 everyone to our meeting on the Klamath Hydroelectric Project
5 pre-licensing public meeting for the draft Environmental
6 Impact Statement.

7 My name is John Mudre and I'm on the staff of the
8 Federal Energy Regulatory Commission and again I'm the
9 project coordinator for the relicensing. With me here
10 tonight we have to my left is Doug Hjorth. He's with the
11 Louis Berger Group. They're our support contractor and they
12 are assisting the Commission staff in the preparation of our
13 draft Environmental Impact Statement.

14 Next to Doug is Ann Miles. Ann is the director
15 of the Division of Hydropower Licensing at FERC and you
16 probably on the way in saw Marcelle Lynde in the back.
17 She's also with Louis Berger and she assisted also in the
18 preparation of the draft Environmental Impact Statement.

19 What we're going to do here tonight -- before I
20 get into that, just a little bit about FERC. FERC is an
21 independent agency that regulates electric power, natural
22 gas, oil pipelines and the hydroelectric industry. The
23 Commission consists of five commissioners that are appointed
24 by the President and confirmed by the Senate. The President
25 designates the chairman of the Commission.

1 Within the Commission is the Office of Energy
2 Projects that administers the non-federal hydropower and gas
3 projects. It's organized into three divisions -- the
4 Division of Hydropower Licensing, which is the division that
5 we're in; the Division Hydropower Compliance Administration.
6 That's the division that after a license is issued they're
7 the ones that make sure that the project is being operated
8 in accordance with the terms and conditions of the license.
9 The third division is our Division of Dam Safety and
10 Inspections and of course, their role is to make sure that
11 the projects are safe.

12 The main office is located in Washington, D.C.
13 That's where Ann and I work out of. We also have five
14 regional offices that consist mainly of the Dam Safety
15 people and engineers as Oregon regional office is the one
16 that oversees the Klamath Project.

17 Our purpose here tonight is to receive oral and
18 written comments from agencies, non-governmental
19 organizations and interested person. The Commission staff
20 drafts the Environmental Impact Statement for the Klamath
21 Hydroelectric Project. We meant to have some extra hard
22 copies with us here today, but the mail didn't cooperate.
23 We do have a few copies on CD if anyone is interested in
24 having one of these copies. You can see me after the
25 meeting and if you want hard copies just let me know after

1 the meeting also and I can mail you out one.

2 Just briefly to show you the location of the
3 project, we're up here. The Klamath River runs up this way
4 and the lower most project dam is the Iron Gate Dam and it's
5 at river mile 190, so 190 miles upstream of the mouth and
6 shortly upstream of that is Copco No. 1, Copco No. 2 Dams,
7 J.C. Boyle Dam and then there's Keno Dam, which it doesn't
8 have an agenda of these facilities. And upstream of that to
9 the Bureau of Reclamation's Like River Dam there are two
10 small developments up there -- Eastside and Westside
11 Powerhouses and they're at river mile 260. So the project
12 itself spans about 60 miles in the mainstem of the Klamath
13 River.

14 I'm going to briefly go over the history so you
15 can understand how we got here tonight and better understand
16 what we're doing here. In February 2004, PacifiCorp is the
17 operator of the dam. They're license was expiring so they
18 filed an application to relicense the Klamath project. That
19 started this whole proceeding into motion.

20 In April of 2004, we issued our Scoping Document
21 No. 1 and we held scoping meetings and site visits to try to
22 identify issues and alternatives for analysis in our
23 Environmental Impact Statement. In August of 2004, we
24 accepted the application and solicited motions to intervene
25 and protest. In May of 2005, we issued our Scoping Document

1 No. 2, SD-2, which was our final listing of the issues that
2 we were going to look at in our draft Environmental Impact
3 Statement.

4 In December of 2005, we issued what we called our
5 Ready for Environmental Analysis Notice that basically says
6 we have all the information that we need to go ahead and
7 begin the preparation of our environmental document, our
8 Environmental Impact Statement. One important thing with
9 the issuance of that notice it starts a timetable for
10 certain things to happen and one of those is the submission
11 by various agencies of recommendations and preliminary terms
12 and conditions that would be incorporated or recommended for
13 incorporation into a new license that would be issued and
14 something -- a new process arose in November of last year is
15 the Energy Policy Act of 2005 and the new thing about that
16 is it allows the licensee or applicant for the project to
17 file alternative mandatory conditions, alternative
18 conditions to those that are proposed by the agencies with
19 mandatory conditioning authority and it also involved some
20 trial-type hearings, provides for trial-type hearings to
21 decide disputed issues of material fact.

22 In the case of the Klamath Project, they did have
23 trial-type hearings and I'll get to that a little more in a
24 minute. In September 2006, we issued our draft
25 Environmental Impact Statement for the Klamath Project

1 relicensing and about two days after that Administrative
2 Law Judge McKenna issued his decision on the issues of
3 disputed fact. Then in October 2006 we requested biological
4 opinions from the Fish and Wildlife Service and the National
5 Marine Fishery Service pursuant to Section 7 of the
6 Endangered Species Act.

7 October 2006, we initiated a process to discuss
8 with the resource agencies some of their terms and
9 conditions that we thought may be inconsistent with some
10 provisions of the Federal Power Act and that's an ongoing
11 process. We'll be meeting with them next month to try to
12 resolve some of those apparent inconsistencies.

13 November, this month, we're holding meetings on
14 the draft EIS. We've already held four meetings. One in
15 Klamath Falls, Oregon, two in Yreka, California and one in
16 Eureka, California and tonight we're meeting here,
17 obviously, in North Bend and tomorrow from 7:00 to 10:00
18 we're meeting up in Newport.

19 The National Environmental Policy Act or NEPA
20 requires the Commission to conduct an independent analysis
21 of environmental issues. Our analysis we have to consider
22 water quality, fish and wildlife values of the involved
23 waterway equally against electric energy and other
24 developmental guidance. So the Commission has to balance
25 energy production versus resource protection and other

1 factors as well. We have to give strong consideration to
2 terms and conditions provided by the resource agencies and
3 all of our conclusions and recommendations are based on the
4 public record for this project and I'll speak a little bit
5 more about that in a couple of minutes. But the EIS serves
6 to inform the Commission's decision as to whether and under
7 what conditions to issue a new license for the project.

8 We looked at four action alternatives in the
9 draft Environmental Impact Statement. The first one was to
10 relicense the project as proposed by PacifiCorp. The second
11 was what we call the staff recommended alternative which
12 consisted of PacifiCorp's proposed action with some
13 additional staff recommended environmental measure. We also
14 looked at an alternative that consisted of the staff
15 recommended alternative with some of the agency mandatory
16 conditions that we didn't recommend in our alternative, but
17 that would have to be parts of any license that would be
18 issued because they are mandatory. We also looked at an
19 alternative that consisted of removing two of the dams on
20 the Klamath River, the two that make the two largest
21 reservoirs -- Iron Gate development and the Copco No. 1
22 development and that would involve dam removal.

23 The public record basically consist of all the
24 information that people have sent in or agencies have sent
25 in or documents that we have sent out. It's all publicly

1 available on our electronic library called eLibrary. It
2 lists the website address here, but it's also better or
3 easier to see on the handouts that were up in front that
4 would tell you how to access some of this information to see
5 what's going on with the project. Anyway, use the eLibrary
6 link, click general search. The important thing is to put
7 in the docket number P-2082 and it takes you to the Klamath
8 Hydroelectric Project relicensing and this number is here
9 and on the handout for any help that you may need to do
10 that.

11 I'll just briefly go over what's next. The DEIS
12 comments are due December 1st -- any written comments. We
13 realize that that's pretty close, but if you can't do it by
14 then, just get them in as soon as possible. Like I
15 mentioned, we're having some meetings with fish and wildlife
16 agencies the second week of December. Any modified
17 mandatory conditions that the agencies may fishway
18 prescriptions that Interior and NMFS may come up with are
19 due January 30, 2007. The biological opinions issued by
20 Fish and Wildlife and NMFS are due sometime in the first few
21 months of next year.

22 Our schedule is to issue the final Environmental
23 Impact Statement April 23, 2007. But before the Commission
24 can issue any license, we would need to obtain water quality
25 certificates from both the State of California and the State

1 of Oregon and only after all that happens would the
2 Commission be in a position to issue its licensing decision
3 for this relicensing.

4 This shows you how to obtain a copy of the DEIS,
5 but if you've got the handout you've already got this
6 information. I won't go over it again. Again, on any
7 comments that you do send in you need to indicate Klamath
8 Hydroelectric Project, FERC No. 2082. And then if you want
9 to put the dash 027 on there, that's even better.

10 Just a few procedural items before we get to the
11 important part of the meeting, which is hearing your
12 comments, you've seen the sign-in sheets by the door. We do
13 have a court reporter tonight and the purpose of him being
14 here is to make sure that we get an accurate transcript of
15 what people have to say. That's the good part of it. The
16 bad part is that you need to speak slow enough and make sure
17 you're near the microphone to make sure that he can get good
18 record of what you're saying. Before you speak you'll need
19 to provide your name, so he can get that and associate the
20 right comments with the right people. If it's a name that
21 may not be easy to spell, just go ahead and spell it for him
22 so he gets that right as well.

23 We've got a number of people signed up to talk
24 tonight, so we can try to limit the statements to about five
25 minutes so that will make sure that everybody can be heard

1 that wants to be heard. The one item I just skipped over is
2 if you want to get copies of the transcript of tonight's
3 meeting, you can talk to the reporter after the meeting and
4 he'll -- or talk to us and we can tell you how to go about
5 getting them.

6 That's all I have to say. At this point, we're
7 going to get to the, as I said, important part of the
8 meeting. We're going to move a couple of things around,
9 though, so if we can get a microphone a little closer to
10 that microphone for the court reporter. So just bear with
11 us a minute while we rearrange.

12 (Pause.)

13 MR. MUDRE: Thanks for bearing with that.

14 At this point, I'm going to turn the mike over to
15 Doug.

16 MR. HJORTH: We found that an efficient way to do
17 that is I'll announce the speaker who is next on deck and
18 then the person who will speak after that. So I'd like to
19 ask the person who is on deck for speaking to perhaps come
20 up to the front, maybe sit in the first row so that we can
21 efficiently get through all the speakers.

22 I'd also like to reiterate what John has already
23 said in that if we could try to limit our comments, be
24 concise with what you have to say. If later on in the
25 evening, people have already said what you planned to say,

1 it doesn't hurt to just say I agree with whatever comments
2 that somebody may have made and it will make the process go
3 a lot a quicker. If you have something new, some new
4 information to bring to us, we are absolutely very
5 interested in hearing that. So without further ado, the
6 first speaker tonight will be Ronald Kreskey and he will be
7 followed by Suzanne Knapp.

8 MR. KRESKEY: Thank you. My name is Ronald
9 Kreskey, K-R-E-S-K-E-Y, and I'll be speaking for Congressman
10 DeFazio and I know he had specifically requested this
11 meeting here realizing that the issues on the Klamath have a
12 big impact on many of the fishermen that fish here in his
13 district. So he had specifically requested that we have a
14 meeting here to allow input from the fishermen and from the
15 people in the communities along the coast of the
16 Congressman's district.

17 I'm sorry that he's not here tonight. Even the
18 paper listed that he would be here. Unfortunately, he
19 called in a few hours ago and said that he was ill and just
20 not going to be able to make it. So basically, I'll be
21 reading his testimony.

22 This is the testimony of U.S. Representative
23 Peter DeFazio. I appreciate the opportunity to testify
24 today about an issue of enormous importance to the coastal
25 communities of southwestern Oregon. Years of mismanagement

1 of the Klamath River has contributed to a significant
2 decline in salmon. The previous license for the Iron Gate,
3 Copco 1 and 2 and J.C. Boyle Dams did not require fish
4 passage, which means access to historical habitat was
5 substantially blocked.

6 Further diversion of the cold waters of the
7 Trinity River and other land use and management decisions
8 have lead to warm water and loss of habitat that has helped
9 decimate salmon populations. At one time the Klamath River
10 was the third largest producer of salmon on the West Coast.
11 In 2000, the Pacific Fisheries Management Council estimated
12 that the in-river Chinook run at more than 200,019. That
13 number declined to 79,192 in 2004 and 65,280 in 2005.

14 Earlier this year, the Pacific Fisheries
15 Management Council closed salmon fishing along 700 miles of
16 the Oregon coast and northern California coast. This
17 closure has devastated thousands of families involved in
18 commercial fishing. It literally took away their
19 livelihood. The impact has spread to other businesses that
20 rely on commercial fishing as well as those frequent it by
21 fishers and their families. All total, the State of Oregon
22 and California estimate the direct damage to commercial
23 fishers and the downstream impacts in their community at
24 more than \$60 million.

25 Fishing families and coastal communities have

1 clearly suffered from decisions regarding management of the
2 Klamath River that they have no control over. The Federal
3 Energy Regulatory Commission does have control over such
4 decisions. That is why I am here today -- I'll say that
5 again that the congressman is not here.

6 On March 27, 2006 in a filing with FERC, the
7 National Marine Fisheries Services actually indicated its
8 preference for dam removal. However, lacking the authority
9 to order dam removal, National Marine Fisheries Services
10 wrote "in lieu of the preferred option dam removal and
11 habitat restoration, fishways are necessary precursor and a
12 fundamental element of any successful reintroduction action.
13 More over, in lieu of the dam removal, National Marine
14 Fisheries Services believes its minimum long-term resources
15 goals and objectives can only be achieved by an effective
16 fishway at all project facilities."

17 National Marine Fisheries Services was joined by
18 the Fish and Wildlife Services in recommending construction
19 of fishways to allow upstream and downstream fish passage at
20 the dams. The federal agencies said that prescriptions
21 would restore access to 58 miles of habitat for coho salmon
22 and steelhead trout. This would include 48 miles of habitat
23 for coho salmon as well. Yet, despite this unanimous
24 opinion of the federal fish resource agency, in its draft
25 Environmental Impact Statement, FERC largely supported

1 PacifiCorp's adaptive management approach, which primarily
2 involves trapping and then trucking fish around the dams.

3 I would strongly urge FERC to reconsider and
4 instead, at a minimum, to condition relicensing of the
5 fishways recommended by the resource agencies. Hopefully,
6 the September 27, 2006 ruling by an administrative law judge
7 that essentially said that the fish passage recommendation
8 by the federal agencies is more protective of fish than the
9 alternative proposed by PacifiCorp will force FERC to act.

10 Further, I believe it makes sense to condition
11 the license on outcomes-based research on the health of
12 salmon populations. The license would require a mandatory
13 review after, say, 5 to 10 years. At that point the
14 agencies would consider whether the fishways have worked as
15 intended. The license would be conditional on the
16 prescriptions that are ordered actually working. Granting a
17 50-year license only to find in 10 or 20 years that the
18 prescriptions proposed by the agencies or alternatives
19 proposed by PacifiCorp failed to protect salmon would
20 condemn fishing families and the businesses and communities
21 that rely on them to financial ruin.

22 Thank you for the opportunity to testify.

23 (Applause.)

24 MR. HJORTH: Thank you.

25 (Pause.)

1 MR. HJORTH: Hopefully, this will work a little
2 better. Our next speaker will be Suzanne Knapp to be
3 followed by Valerie Pena.

4 MS. KNAPP: Good evening and thank you for this
5 opportunity to comment tonight. My name is Suzanne Knapp,
6 S-U-Z-A-N-N-E K-N-A-P-P, and I am an natural resources
7 advisor to Governor Kulongoski's Natural Resources office
8 and today I am speaking on behalf of the State of Oregon's
9 hydroelectric application review team. I have provided you
10 with the document and I will be hitting the highlights of
11 that document given our five-minute time period.

12 Oregon regards this relicensing effort to be a
13 crucial importance to our state's natural resources. This
14 relicensing effort affects many parties, including
15 PacifiCorp and its ratepayers, federal, state and local
16 agencies, Native American tribes in Oregon and California,
17 irrigators, other water users, environmental groups,
18 recreational interests, fishermen and the present and future
19 public beneficiaries of the resource.

20 Within the DEIS, FERC proposes measures to
21 mitigate for project impacts. Oregon places high importance
22 on resource, cultural and recreational values and thus we
23 support those measures that mitigate project impacts,
24 protect or enhance natural and cultural resources and
25 improve recreational opportunities without impacting other

1 resource.

2 However, we believe that operation of this
3 project as proposed by the licensee in its final license
4 application and adopted by FERC with some modifications in
5 its DEIS will jeopardize the existence of several listed
6 species and further harm other fish and wildlife species and
7 their habitat resources. Several fish and wildlife species
8 listed under the Endangered Species Act occur in the project
9 area and downstream below the project. The project now
10 forms the upstream boundary for anadromous fish populations
11 in the Klamath River Basin and effects remaining habitat
12 downstream.

13 The Klamath stocks are of historic lows and its
14 weak stocks are the basis for restricted ocean fisheries for
15 Chinook salmon south of the Columbia River, which has
16 affected the economies of Oregon and California coastal
17 communities. The DEIS makes an attempt to balance power
18 production with natural resource impacts, however the lack
19 of volitional passage facilities and FERC staff's preferred
20 alternative and the relatively minor changes in minimum
21 flows and ramp rates will hamper any serious restoration
22 effort of anadromous or native resident fish species.

23 We are concerned from a review of the DEIS that
24 FERC has discounted or not considered important study
25 results submitted by state, federal, tribal and non-

1 governmental agencies. Oregon Fish and Wildlife and other
2 stakeholders have provided data, information and expertise
3 on various aspects of fish and wildlife species distribution
4 in abundance, habitat quality and utilization that have not
5 been incorporated into the DEIS.

6 The DEIS does not seem to have equally considered
7 power and non-power values for the Klamath River and its
8 many important natural resources. Under the Federal Power
9 Act, FERC is required to give both adequate protection and
10 equal consideration to fish and wildlife resources as to
11 energy production. The FERC staff alternative perpetuates
12 many of the ongoing impacts of the project to fish and
13 wildlife resources, including water quality, low minimum
14 flows, continued daily peaking, high ramp rates and the lack
15 of safe, effective passage.

16 FERC's release of the DEIS on September 25th of
17 this year was prior to the ruling of the administrative law
18 judge on September 27th. The National Environmental Policy
19 Act requires agencies, including FERC, to present impacts,
20 display alternatives and provide the best possible evidence
21 for making a decision on a new license. The FERC final EIS
22 needs to include the Energy Policy Act rulings by the
23 impartial administrative law judge, Judge Palen McKenna, as
24 part of the administrative hearing process on material facts
25 of dispute.

1 At the hearings held in Sacramento, PacifiCorp
2 contested material facts of dispute for mandatory federal
3 agency conditions for volitional fish passage facilities,
4 improved minimum flow conditions and reduced ramp rates and
5 peaking efficiency. The ruling by Judge McKenna, however,
6 supported the federal agencies on nearly every single one of
7 these points. Many of these material facts of dispute and
8 the resultant rulings by the judge are particularly germane
9 to support a major modification of the FERC staff
10 alternative for the final EIS.

11 We specifically highlight and request FERC staff
12 to incorporate the judge's rulings on the disputed facts in
13 their analysis and decision-making in the final EIS. We
14 believe that additional and substantial modifications of
15 mitigation measures are necessary to provide adequate and
16 equitable protection of resident and anadromous fish and
17 other aquatic resources.

18 The State of Oregon believes strongly that there
19 should be a commitment to reducing anadromous fish into
20 historic habitat within an upstream of the project. Oregon
21 places high priority on immediate actions to reintroduce
22 anadromous fish into suitable habitat in project reaches,
23 tributaries and above Klamath Lake. These actions should
24 include volitional passage, restoration of adequate flows
25 and reduced peaking impacts.

1 Oregon believes that a comprehensive and timely
2 anadromous fish reintroduction program is a vital element of
3 this relicensing project process. As such, development and
4 implementation of a phased fish passage plan for spring and
5 fall chinook, coho and summer steelhead reintroduction above
6 and within the project is warranted and necessary to
7 mitigate for project impacts. To facilitate this effort,
8 Oregon is prepared to consult with PacifiCorp, federal and
9 state agencies, tribes and other interested parties with
10 expertise.

11 Portions of the Klamath River in California and
12 Oregon have been designated as a wild and scenic river. The
13 outstandingly remarkable values for these river segments
14 include such resources as anadromous fish in California and
15 whitewater boating and fishing in Oregon. Unfortunately,
16 the DEIS addresses the river as if it were two distinct
17 systems through the proposals for fish passage, FERC should
18 evaluate the impacts on the river as a whole and not as a
19 separate system at the state line.

20 Fish passage and improved habitat offers a unique
21 opportunity to enhance recreational experiences throughout
22 the river system. As anadromous fish runs are connected to
23 the historic habitat and productivity is improved, a new
24 fishery will develop in the upper basin. In addition, the
25 resident rainbow trout population will benefit from the

1 improved habitat and a stabilized river regime.

2 We applaud FERC's recognition of public access to
3 the lands and water supported by the project and inclusion
4 of areas missing in the final license application. However,
5 there are some disconnect that concern us. The recreation
6 resources surrounding Keno Dam must be addressed in the
7 final EIS. While the final license application did not
8 include this area in the project boundary, its inclusion in
9 the EIS is necessary to analyze the impact of this proposal.
10 The DEIS is not particularly clear and informative on how
11 the Keno Dam and impoundment quantitatively impacts water
12 quality within the impoundment and below the dam.

13 Because PacifiCorp has requested to remove Keno
14 Dam from FERC jurisdiction, we believe the FEIS should
15 specifically and fully identify Keno Dam's contributions
16 towards violation of water quality standards and its effect
17 on existing beneficial uses including sensitive aquatic
18 life.

19 The Oregon Department of Environmental Quality
20 and PacifiCorp are discussing whether the pending Section
21 401 application for Oregon should be processed in light of
22 the outstanding issues regarding relicensing affecting the
23 project proposed for certification. Our discussion with
24 PacifiCorp does not constitute a waiver of the State of
25 Oregon's right to certified the proposed hydroelectric

1 project.

2 In summary, Oregon believes that the DEIS is
3 deficient in fully incorporating information, alternatives
4 and concepts to more fully mitigate project impacts on the
5 natural resource and improve recreational aspects related to
6 the project. As it stands, the DEIS and FERC staff
7 alternative will jeopardize the existence of several listed
8 species and further harm other fish and wildlife habitats
9 and their resources. Information and alternatives for
10 volitional fish passage and improved flow regimes are vital
11 elements of this relicensing process for restored anadromous
12 fish productivity. Inclusion of key information in the
13 final EIS is critical, including the LAJ's findings and
14 state and federal study results.

15 Oregon is eager to participate with PacifiCorp
16 and other federal, state and local agencies, tribes and
17 other interested parties in implementing the necessary
18 programs and plans under the new license to benefit and
19 protect both the natural and cultural resources and the
20 public's recreational opportunities and to mitigate the
21 project impacts.

22 Thank you again for the opportunity to comment.

23 (Applause.)

24 MR. HJORTH: The next speaker will be Valerie
25 Pena followed by Scott Boley.

1 MS. PENA: I think there was a mistake.

2 MR. HJORTH: Is Scott Boley ready to go? Scott
3 will be followed by John Ward.

4 MR. BOLEY: Good evening gentlemen. My name is
5 Scott Boley. I'm a commercial fisherman by trade. I have
6 been for the last 30 years. By training, I'm an engineering
7 receiving a bachelor's degree from Oregon State University
8 in General Engineering, a minor in Economics and then a
9 Master degree in Ocean Engineering, but I find fishing to be
10 a very rewarding and satisfying challenging profession,
11 emphasis on challenging.

12 The Klamath River is a driving system for ocean
13 management. Partly because of the problems in the Klamath
14 Basin and partly because of the tribal allocation issues
15 that are associated with it. But in sum total, in most
16 years the Klamath River will be the determiner of what kind
17 of ocean impacts and ocean seasons, both recreationally and
18 commercially we can have.

19 We've seen huge fluctuation in the populations in
20 the Klamath over the last 30 years. We weren't able to
21 explain those very well. We adopted a harvest rate
22 management plan in the mid-80s. I became a member of the
23 Pacific Fishery Management Council in 1990. The harvest
24 rate was the mechanism we used to try to determine what the
25 proper escapement levels to the Klamath Basin would be.

1 We're regulated on natural stocks to the Klamath Basin. But
2 recent research by Dr. Foote, Dr. Jerry Bartholomew and
3 others because of the parasite problems in the Klamath River
4 I think is extremely illuminating.

5 Basically, what's happening is that these
6 parasites have increased in intensity and severity due to
7 the projected regimes below Iron Gate Dam. Also
8 contributing to this is probably increased food supplies due
9 to the algae being grown in the reservoirs of Copco 1 and
10 Copco 2, J.C. Boyle and Iron Gate reservoir, basically
11 providing that food supply for the intermediate host of
12 polychaete worm that harbors these parasites over the
13 winter.

14 In years when we have good spawning escapement
15 and years when the mitigation hatchery at Iron Gate is
16 successful and they have lots of spawners coming back, what
17 we're doing is we're putting these spawning salmon right on
18 top of the highest concentration of polychaete worms in the
19 river's system. This creates a huge source of infection.
20 This infection extends clear to the mouth of the river
21 killing fish from every tributary from Iron Gate Dam clear
22 to the mouth of the river.

23 There's no bad guys in this. We didn't know this
24 10 years ago. We didn't know this five years ago. But we
25 now know it and now we need to do something about it and

1 this information needs to be included in your plan. I
2 believe that the only reasonable solution is to remove the
3 dams. I don't say that lightly because I think that power
4 is important. It's renewable energy. But I don't believe
5 that we can restore the salmon population of the Klamath
6 River with any other action. I also don't believe that
7 removing the dams is going to occur right away. I believe
8 that it's a complicated political process and will take a
9 number of years to occur and I believe there's mitigation
10 measures that should be implemented by FERC in the interim.
11 Those measures would be increased spring flows, flushing
12 flows to both dislodge the polychaete worm from its habitat
13 to the extent possible and also to move out migrating
14 juvenile salmon downstream.

15 I realize that PacifiCorp does not have enough
16 water in their reservoirs to accomplish this, nor does
17 senior water rights. However, to the extent possible, this
18 might help immensely as far as helping juvenile salmon
19 survive. I believe that the mitigation hatchery at Iron
20 Gate Dam is in the wrong place. I believe those fish should
21 be, as adults, returned to some place other than the reach
22 below Iron Gate Dam. Historically, that reach did not
23 support large spawning populations of salmon. That
24 mitigation hatchery at Iron Gate, those fish should be
25 trucked downstream, reared in the river at some point

1 further downstream so that when they return they're able to
2 be harvested by tribes and recreational fishermen and they
3 do not spawn in that reach where you have the highest
4 concentration of polychaete worm.

5 What happens is the salmon die in the fall after
6 spawning. They infect the worms. Those worms then give off
7 spores about three to six months later and affect the young
8 juvenile salmon that are really just coming out of the
9 gravel. So all the natural spawn that we're regulated on is
10 what's being impacted the very most. The hatchery is
11 actually quite successful as far as rearing fish. The fish
12 are healthy. Most of them make it down the river because
13 they don't spend enough time in the river, but they are
14 affecting all the natural spawn and that's what we're
15 regulated on.

16 Economic benefits or risks of this are huge. We
17 probably suffered over a \$100 million in losses to the
18 coastal economics of Oregon and California in the closures
19 this year. This has been an ongoing disaster. This has
20 been a disaster that's occurred periodically since the mid-
21 80s when you started regulating based on the Klamath River.
22 It contained many of these recommendations in the written
23 testimony. I believe the -- I have cited the particular
24 works by Dr. Bartholomew or Dr. Foote, which was a collected
25 body of work that you can see on the Internet. I've been to

1 several all-day symposiums where they explained -- various
2 researchers have explained some of these things. This is
3 cutting edge stuff and we need to continue those studies.

4 The other requirement that I believe that you
5 should require in your licensing is there should be
6 mitigation for the fish being killed that are coming out of
7 the Shasta, the Scott, the Salmon and the Trinity Rivers. I
8 believe this should be a part of any interim licensing. So
9 in addition to requiring what flows are possible for
10 PacifiCorp to release, we should require mitigation for the
11 fish being killed that are coming down out of the
12 tributaries and becoming infected in the mainstem of the
13 Klamath.

14 I realize these are complicated issues. We've
15 been talking to Klamath Basin farmers. We don't consider
16 them our enemy. I don't think there's bad guys in this.
17 We're trying to look for solutions that work on this whole
18 thing. This is complicated and restoring salmon in the
19 Klamath River is essential for the economies and the culture
20 of this West Coast. Thank you very much.

21 (Applause.)

22 MR. HJORTH: The next speaker will be John Ward
23 to be followed by Paul Heikkila.

24 MR. WARD: Good evening. And for the sake of
25 brevity, I will first say that I concur with the speakers

1 who have gone before me and particularly with Mr. Foley. I
2 think that you received some very good information from them
3 and I don't want to reiterate any of that. So I'll put a
4 little different spin on it.

5 I'm the president of the Southwest Chapter of the
6 Northwest Steelheaders, so I'm speaking for the recreational
7 fishing segment. We barely got a season this year. We got
8 to standby and see the trollers lose the season and we just
9 barely got in and we don't know what's going to happen this
10 coming year. We don't know what's going to happen in years
11 in the future and while the economic impact to the community
12 with sport fishing is not as great as it with commercial, it
13 is nonetheless substantial. It accounts for a huge amount
14 of what we have in tourist here and unfortunately, with
15 losses to timber and other things, we have become quite a
16 tourist economy and we need all the tourist dollars we can
17 get. And a large part of that is recreational fishing. So
18 we want to see an ocean season, both for the commercial
19 trollers and the recreational fishers and the charter boats.
20 Without all of us, this economy here suffers terribly and
21 the spill out from supporting groups and businesses. It
22 hurts all of us. There's probably nobody in this community
23 that isn't affected in some way by the decisions that have
24 been made over the years and the decisions that your agency
25 is about to make.

1 The bottom line for me and my perspective is
2 simply this. You have an important and difficult decision
3 with many factors, but I believe that this time around the
4 biggest factor is the fish. The fish have to take precedent
5 over all the other factors that you're going to be
6 considering. The health of this river has to be restored
7 for the fish. That needs to be the very first thing you do.
8 It's kind of ironic that we have had and right now will have
9 a federal agency such as yours that can make decisions that
10 will really be harmful to the health of the fish in that
11 river and then have another federal agency punish us
12 fisherman for your bad decisions and what happens to the
13 fish. But that's very much the kind of thing that has
14 happened and can happen is that you can have one federal
15 agency make some decisions that are harmful to the fish and
16 another federal agency responding to that decision by
17 punishing us fishermen, both commercial and sports
18 fishermen.

19 So I guess my parting comment is that I hope your
20 agency will put the fish and the health of the river at the
21 very top priority. I think you just have to do it this
22 time. Thank you.

23 (Applause.)

24 MR. HJORTH: The next speaker will be Paul
25 Heikkila to be followed by Paul Merz.

1 MR. HEIKKILA: You pronounced my name right.
2 It's spelled Paul, P-A-U-L but Heikkila, H-E-I-K-K-I-L-A.
3 And thank you for the opportunity tonight and welcome to the
4 areas. If you flew down from Portland, it's a freezing rain
5 up there tonight.

6 As I get started, I guess, I think if you look
7 around the room there's a lot fishermen here and a few of
8 them wore survival suits and I think they wore survival
9 suits as a symbolic gesture. I know they did. As a
10 symbolic gesture that they're just barely surviving and
11 those survival suits are designed to go in the ocean and
12 help protect you from hypothermia when your boat sinks and
13 the way the last couple of seasons have gone for many people
14 the boat may sink for the lack of maintenance and stuff.

15 I realize that the relicensing of the dams is not
16 the total answer to the issue on the Klamath. I think Scott
17 and some of the others have brought up some other issues,
18 but it is an important one. It's a long-term investment
19 that we in the region need to make and the nation needs to
20 make to address the long-term woes.

21 Your analysis looked at removal of two of the
22 dams, but I'm highly recommending that you look at removal
23 of all of the dams. The federal judge, of course, as you
24 know two days after the releasing of the DEIS said you have
25 to look at fish passage. I think fish passage would be an

1 interesting option, but a very, very expensive option that
2 doesn't also address a bunch of other things. One of them is
3 the lack of fish passage blocks almost 400 miles, if you
4 look at the whole basin, of potential mitigation spawning
5 and rearing habitat for salmon and steelhead, Pacific
6 lamprey and so on.

7 The area above the project was historically very
8 important for spring chinook, fall chinook, coho and
9 steelhead -- a couple of different groups of steelhead.
10 Reintroducing the fish above Iron Gate Dam is a key
11 component of the Klamath River restoration and serious
12 resources are expended in the upper basin in the hope that
13 those salmon will come back some time.

14 Even with fish passage -- and I think this is the
15 key issue -- even with fish passage, we still have serious
16 problems and Mr. Boley mentioned some of them. One of this
17 loss of spawning and rearing habitat in the reach between
18 Iron Gate and J.C. Boyle. It was an important component of
19 it. A second was the effects of hydroelectric peaking
20 operations. That has been mentioned much, but to run those
21 dams you do peak, which includes reduced flows in bypass
22 reaches, the effects of large fluctuation in peaking reaches
23 and reduced abundance of microinvertebrates, restricted fish
24 movement, decreased water quality and fish stranding.

25 Impacts of water impoundment include changes of

1 water temperature, dissolved oxygen and nutrient loads.
2 Gravel depletion -- that's one thing that's not been
3 mentioned much area those dam-strapped gravel and that
4 gravel would under normal circumstances would hydrography
5 with the river would flow into a lower reaches and be
6 trapped in spawning bars and other rearing rears.

7 It alter flood flows. Flood flows are important
8 anadromous fish survival. Flood flows may be important for
9 disease control through the polychaete worm and sea shasta
10 and it enhances conditions for toxic algae blooms. And as I
11 mentioned, the parasitic disease vectors and toxic algae
12 blooms have been a very, very serious problem in the last
13 couple years in the reservoirs behind those dams.

14 Fish passage wouldn't solve any of these
15 problems. Fish passage would still leave us with a series
16 of reservoirs that are still creating these problems and
17 probably the most important one is the alternation of the
18 natural hydrograph, including the loss of thermal refugia
19 and total ecosystem function.

20 With that, I would like to reemph that the
21 fishermen have been working trying to get federal aide to
22 hang on, but I think we really need to -- I'm not sure about
23 the process, if we have to issue a new DEIS to include the
24 four dam removal. If that's the case, I strongly encourage
25 you to do it. The value of the ocean fisheries, when the

1 Klamath chinook stocks are abundant, can be much lower than
2 Klamath fish constraints because it -- are less abundant
3 constrain the healthy stock.

4 The city council did an estimate there before
5 this last season and estimated between 1970 and 2004 the
6 average annual personal impacts of the
7 recreational/commercial ocean fishers in the area where
8 Klamath fish are found, which is a good share of the Oregon
9 and California where most salmon are found. The average --
10 there's good years and bad -- was 92 million. The
11 restraints in the fisher in 2006 reduced that to about 10 to
12 maybe 11 percent in the two states and most of that came
13 from increased value in the -- propound value in the troll
14 fisher. This was in the neighborhood of 5 percent. I
15 realize the dams aren't the whole issue here, but they could
16 go a long ways in the removal of them.

17 So again, I would recommend a new alternative and
18 that's the four dam removal and good luck with your process.
19 Thank you very much for your time.

20 (Applause.)

21 MR. HJORTH: Thank you.

22 The next speaker will be Paul Merz to be followed
23 by Rayburn Guerin.

24 MR. MERZ: Good evening. My name is Paul Merz,
25 M-E-R-Z. I'm a salmon troller. I caught my first

1 commercial salmon in 1970. I try to make my living at it --
2 salmon fishing in the summertime, work on salmon habitat
3 and do spawning surveys in the wintertime. It's my life.

4 I haven't heard anything tonight that I disagree
5 with. I don't have all the information I need to speak the
6 issue as well as the other folks have. I'm getting real
7 frustrated with the whole process. We've had a lot of
8 political attention this year, a lot of media hype about
9 closing 700 miles of the ocean. What keeps getting left out
10 is that 700 miles basically is just an extension. Southern
11 Oregon coast, northern California coast has been closed for
12 17 years to protect Klamath fish. There's been no
13 commercial season basically from Port Orford to Fort Bray,
14 California. They just doubled the areas this year. There
15 are a lot of folks in northern California and southern
16 Oregon just got left out totally for 17 years. We're still
17 waiting for a fix. We've had a lot of promises and not a
18 lot of action. We've got an opportunity here to take some
19 action.

20 I believe probably the best alternative is to
21 remove all the dams. Scott Boley spoke to the disease
22 issues. We're learning some very significant things.
23 There's more to learn concerning the diseases. I think dam
24 removal increase flows would go a long ways to help that.

25 During the 17 years that southern Oregon and

1 northern California have been closed, the commercial fleet
2 has roughly been cut in half through attrition. No buy
3 outs, just people got hungry and went away -- 50 percent
4 loss. I'm talking about roughly \$100 million this year and
5 you're only looking at half -- you know, that amount is
6 based on half of the historical area that we could fish. So
7 that other half that was very productive, you know, what's
8 that cost us in the last 17 years. 1988 was the last season
9 we fished with a real season.

10 Ms. Knapp talked about the agencies wanting to
11 partner and rebuild the system once we get fish passage
12 either through ladders or dam removal. It would be my
13 suggestion that, if we reach a point where that is the
14 decision, then jump start the system. Start three years
15 ahead of time. Whatever passage is going to be allowed, get
16 some fish in those upper reaches three years ahead of time
17 so you've got an adult return the year that the passage
18 becomes available.

19 The other thing is the licensing. A 50-year
20 license is a little ridiculous, I think. I've got to buy a
21 license every year. There are a lot of guys in this room
22 that are doing the same thing. We find out new stuff all
23 the time. Things change. Shorten up the licensing period -
24 - 10 years, whatever. We're going to know some things 10
25 years from now that we don't know now. That's all I got.

1 Thank you.

2 (Applause.)

3 MR. HJORTH: Thank you.

4 The next speaker will be Rayburn Guerin and he
5 will be followed by Knute Nemeth.

6 MR. GUERIN: Good evening. My name is Rayburn
7 Guerin. My last name is spelled G-U-E-R-I-N. I'm a
8 fisherman from Charleston. I've been fishing about 25
9 years. I'd like to thank you all for being here this
10 evening and I'd like to say thank you Ron Kreskey and the
11 governor's aide for both testifying for Congressman DeFazio
12 and Governor Kulongoski and Scott Boley.

13 They pretty much covered all the topics pretty
14 much of how I think the most of us feel about what's
15 happening. Paul kind of brushed over how economically we've
16 been impacted by this and we've got so many layers of
17 federal government, we don't have a real leader. If the
18 dams are going to be reauthorized, if you're going to
19 relicense them in the way they are, then the Klamath system
20 needs to be taken out of the whole flow. We need to have it
21 X'ed out. We can no longer be held responsible for
22 something we have nothing to do with.

23 The National Marine Fishery Service they created
24 themselves a lifetime opportunity as a job at our expense.
25 There has been no real management of the Klamath system.

1 Even though we've had mitigation, mitigation fish have not
2 been applied to the natural spawning fish, which is also
3 created our problem. Had the mitigation fish been counted
4 and applied as natural spawners as they were intended to be
5 replacement fish through the mitigation process we would
6 have had wide-open seasons for the last 20 years. So there
7 are things that you need to be doing when the licensing
8 process -- if there is going to be mitigation, have real
9 mitigation that applies to all of us so we're not
10 economically impacted where we're all starving to death.

11 You know, 700 miles of ocean and we haven't even
12 got a kiss or a promise from the federal government. DeLay
13 and the one governor with the page that he had an affair
14 with got more public attention in Washington, D.C. than the
15 3000 fishermen that were denied access to a fishery and
16 going without. People going back to try to get welfare. We
17 were promised, oh yeah, the federal aid. Most fishermen
18 could not qualify for the low interest loans because they
19 never had an outside job for which to pay the loan back.
20 Now if that isn't something. Oh yeah, it looked really good
21 that we were going to get this, and I realize this has
22 nothing to do with the dam process, but it does. We have
23 been economically devastated by a total mismanagement from
24 every angle.

25 As far as the dams go, I realize that there's a

1 lot of people that need electricity, but there's too many
2 people. That is our biggest problem. What are we going to
3 do with population. I've heard a number of like 70,000
4 households that the power company was servicing. That
5 figures out about 300 to 350,000 people. I realize the
6 importance of agriculture and a lot of that water that's
7 coming down there and being held through the dam process has
8 nothing to do with agriculture. It's hydroelectric.

9 I'm not -- as far as the dams go -- myself,
10 personally, I think in the long run it would not be to our
11 best interest to remove them. Putting adequate fish ladders
12 and stuff up would be -- whatever way we can get fish
13 returning back to these systems. Down the road we're going
14 to come up with new ways biologically, new technology in
15 which to fight maybe some of these other diseases, other
16 ways to mitigate. Maybe the power company needs to take a
17 more active role in how their mitigation funds are being
18 spent so it's not just being wasted through these so-called
19 different groups they call stakeholders, which is made of up
20 all federal and state agencies and has nothing to do with
21 the real people being impacted.

22 But the dams themselves, 20 years down the road
23 we might say if we take them out, well, I wish we hadn't
24 have done that. We need the power. We need the water. Our
25 population has got to a point where, yes, we need the water.

1 Maybe fish is going to take second place, but I think that
2 everything needs to be considered equally across the board.
3 That no one is going to really come out 100 percent winner
4 on this, but I do hope in your process of coming up with a
5 relicensing that there is adequate passage for our salmon to
6 get back home, not only on the Klamath but also the Trinity.
7 I don't believe that any dam built now in our modern time
8 should ever be put in place without proper fish passage.

9 But like I said, I think that if you totally
10 remove all of them would not be in the best interest of the
11 general public. But as a fisherman, I could be greedy and
12 say, yeah, I'd like them all removed. I just don't think
13 that's going to be realistic. But I do expect that the
14 federal government will step forward and provide -- make it
15 mandatory that they provide adequate, not just fish passage,
16 but adequate in order to get those fish back home. Thank
17 you.

18 (Applause.)

19 MR. HJORTH: Thank you.

20 The next speaker will be Knute Nemeth to be
21 followed by J.D. Evanow.

22 MR. NEMETH: Knute Nemeth, Charleston, Oregon, 25
23 years on the south coast.

24 You see our survival suits here, look like big
25 crabs. We really have been devastated here and it hasn't

1 just happened overnight. It's taken a couple of years to
2 get to this point and every year we get beat down even more.
3 The coast people are really proud and they really like
4 living here. They like to earn their money. When decisions
5 are made on the federal level that take away our ability to
6 go out and make a living, it gets really tough. A lot of
7 families had to go in for food stamps. If they can, they
8 get on medical programs, but most of them kind of like slip
9 through cracks and it's really affected our community and
10 the social fabric of our community down here with
11 alcoholism, drug abuse. You guys decision is going to have
12 a major impact on our lives. We're going to have to deal
13 with things as they are now. What's the future? Are we
14 going to leave our kids anything for the future? So I want
15 you to think about our kids when you make your decision.
16 Thank you very much.

17 (Applause.)

18 MR. HJORTH: Thank you.

19 The next speaker will be J.D. Evanow to be
20 followed by Jessie Ricks.

21 MR. EVANOW: Hi. My name is J.D. Evanow. It's
22 J. D. E-V-A-N-O-W. I'm a commercial fisherman, been a
23 fisherman all my life. My family been fishing this country
24 for over a hundred years. I'm in favor of the fish ladders
25 and restoration of the habitat. I don't think that removing

1 the dams seems to me to be a pretty drastic measure. We
2 have other systems around that have had fish ladders put in
3 and move fish on up the system like the Columbia River and
4 if that river was managed successfully, it would produce a
5 lot more fish than it does, too.

6 The thing I'm worried about is what Punch was
7 talking about is the Klamath River. No matter how you guys
8 manage it, it's been a federal disaster from the get-go
9 since the dam's been put in. No matter how you manage it
10 it's going to impact the historic commercial fishery and the
11 lives of those people in those industries up and down the
12 coast.

13 The most important thing I think you guys can
14 consider to helping those industries and the economies up
15 and down the West Coast of northern California and southern
16 Oregon especially is to remove the Klamath Project from our
17 ocean management fisheries season-setting process altogether
18 and I encourage you to look into the same process on the
19 Columbia River. Those systems have been grossly mismanaged
20 by all the state and federal agencies involved, every one of
21 them. It's plain to see all you've got to do is do a little
22 reading up on it. You don't have to be a brain scientist or
23 a surgeon to figure that out. It's right in front of your
24 eyes. These agencies aren't being held accountable for it.

25 Economies and families are suffering and being

1 devastated by it. I'd like to know where our money is at.
2 I mean we're promised money -- you know, it's an election
3 year and a lot of guys are going, oh yeah, yeah, we're
4 helping you out. Where's our money, you know? The typical
5 scenario again our federal government and its agencies and
6 the people that claim to represent the citizens of this
7 country have turned their backs on us again, you know.
8 We're just going to end up another one of those families
9 that underneath the bridge that nobody wants to know about.
10 Well, move over because we're moving in with you. I mean
11 something has got to be done here. You just can't stabbing
12 the people that are affected by this in the back. I mean
13 every year it's another empty promise and another empty
14 promise. Who is going stand up and say, hey, these guys --
15 how about them at the Bureau of Reclamation and them guys
16 giving our water back in the Trinity. Who is going to hold
17 those agencies responsible for the laws they've broken?
18 Nobody. Come on, I mean this you guys jobs. You guys are
19 the ones with the power and make the recommendations. Put
20 the fish ladders in, do the proper fish passage and the
21 proper restoration. Don't throw 20 some million dollars at
22 an agency and say, "spend it." They never spend it right.
23 Spend it where it needs to be spent -- on the people that
24 are involved in the industry and the lives you've devastated
25 and the fish you've devastated. Put it back where it

1 belongs. I don't think removing the dams is the answer at
2 this point, maybe that might be what it comes to, but I
3 don't support it at this time. There's too many people
4 that's going to be impacted by removing the dams. The next
5 30 years our population in this country is going to double.
6 Where are going to put them? Where are you going to get the
7 water? Where are you going to get power? There can be an
8 alternative between taking all those resources away and
9 destroying the fish habitat. Manage the fish right. Put
10 the acclimation ponds in, put the hatch boxes in. Listen to
11 the Step Program of Oregon. It's a fantastic organization.
12 If ODFW had let these guys raise fish right, we wouldn't
13 have a salmon problem. Thank you.

14 (Applause.)

15 MR. HJORTH: Thank you.

16 The next speaker will be Jessie Ricks to be
17 followed by Jeff Reeves.

18 MR. RICKS: Good evening. I'm Jess Ricks and I'm
19 here to support the people involved in all of the problems
20 that we're having today and I would like to -- I don't know
21 which way to go, you know, whether you remove the dams how
22 do you go about it? How are you going to satisfy the needs
23 of all the people? But if the dams are left and licensed
24 for another 50 years, we need to consider what the operation
25 and maintenance of these dams will be over that period of

1 time.

2 If we take them out, and if it doesn't work like
3 we think it should, it doesn't accomplish what we want, can
4 we put in another dam, the big dam that will suffice all the
5 needs that the other ones don't have? I'm just here to
6 support the people. So thank you very much.

7 (Applause.)

8 MR. HJORTH: Thank you very much.

9 The next speaker will be Jeff Reeves to be
10 followed by Richard Goche.

11 MR. REEVES: Jeff Reeves. I'm a salmon
12 fisherman, grow a few trees, raise a little hay. I'd like
13 to apologize to my fellow salmon commissioners in the
14 audience for my attire tonight and all my opinions are my
15 own. Okay.

16 I don't have any degrees. I was fishing while
17 these guys were getting their degrees, you know. So anyway,
18 though, I have a little experience in fishing and stream
19 flows and things such as that nature and I'd like to take
20 this opportunity -- I was hoping to get to talk to Peter
21 DeFazio tonight and I know Peter DeFazio is a fisherman's
22 friend. He's done a lot for us in our plight to get
23 disaster assistance and maybe Ron can tell him we were here
24 wearing our survival suits and hopefully he can take that
25 message back to Congress and tell them that we are still

1 here and we need and expect disaster funding and we do
2 appreciate anything he can do to help us.

3 As far as dam removal, I don't think that's
4 really realistic. I'm kind of selfish. By the time that
5 was all done, I ashes will probably be spread across the
6 bar. I'd like to see something get done quicker. Maybe
7 PacifiCorp can give the West Coast salmon fleet some money
8 as part of the relicensing process and I am familiar with
9 some of the relicensing on the Umpqua River system power
10 projects there, which are PacifiCorp as well. They've got
11 some money, you know, and probably be a drop in the bucket
12 for them to relicense to take care of us.

13 Anyway, that's my message and thank you for
14 tolerating my outfit tonight.

15 (Applause.)

16 MR. HJORTH: Thank you.

17 The next speaker will be Richard Goche to be
18 followed by Steven Holt.

19 MR. GOCHE: Good evening. My name is Richard
20 Goche, G-O-C-H-E. I want to thank you for expanding your
21 itinerary to include us. Not many of us could afford to go
22 any of the other meetings in far-flung places.

23 I want to tell you that I, in large part, endorse
24 everything that's been said before me, substantially anyway.
25 I've a short statement I'd like to read.

1 I'm a commercial salmon fisherman from Koos Bay.
2 I've been in the industry all of my life. I don't know if
3 removing the dams on the Klamath will rehabilitat the river
4 enough so that we can have a commercial fishery that is
5 worth buying a license for. I haven't heard of any studies
6 or testimony that have convinced me that it would, in fact,
7 be the magic bullet to fix the Klamath. I've seen reports
8 that suggest we could be creating even bigger problems due
9 to the enormous amount of silt lying behind these dams.
10 That certainly should give us all pause. What if we were to
11 remove the dams and nothing changed or things got worse? I
12 do know that we salmon fishermen are fed up with being the
13 whipping boy for the incompetence, waste and mismanagement
14 on the Klamath system. I also know that if the decision is
15 made to remove dams it is not going to fix things quickly
16 enough to keep from losing most, if not all, the commercial
17 salmon fleet.

18 Regardless of what you decide to do with these
19 dam licenses, I would very much like to see the Commission
20 recommend that we salmon fishers are compensated for what
21 has been and will be taken from us while the Klamath fixes
22 are attempted again. Let us fish. Pay us not to fish or
23 buy us out. Thanks.

24 (Applause.)

25 MR. HJORTH: Thank you.

1 The next speaker will be Steven Holt to be
2 followed by Monica Schreiber.

3 MR. HOLT: My name is Steve Holt and I'm a
4 wildlife photographer and environmental issues photographer.
5 I live in Koos Bay. I've been here for 12 year, a little
6 over that. Several years ago I went down and visited the
7 Klamath River and 30,000 to 44,000 dead fish and got down
8 and dirty with them and got to know them a little bit and it
9 was a wrenching experience, to say the least. It is
10 something that I will remember for the rest of my life. I
11 don't ever want to see that again.

12 I don't know as to whether pulling the dams out
13 will be a quick fix, but salmon have been going up and down
14 rivers for millions of years and it is something they should
15 be allowed to do and the four dams on the Klamath stop that
16 from happening and I have no hesitation in saying that those
17 dams should be removed. I think that in the short run it
18 may not be a fix-all, but in the long run it will be a great
19 benefit and my understanding is that the economics of it are
20 really a wash in that it would as expensive to leave the
21 dams in as it would be take them out. The economic
22 benefits, in fact, I think maybe queued in favor of taking
23 them out in that there would be jobs generated by removing
24 the dams and also by the increased salmon that would come
25 down the river and be caught by all these fine folks.

1 That's all I wanted to say. I guess just remove
2 these damnable dams.

3 (Applause.)

4 MR. HJORTH: Thank you.

5 The next speaker will be Monica Schreiber.

6 MS. SCHREIBER: Hi. My name is Monica Schreiber.
7 I live in North Bend, Oregon and I think my main affiliation
8 for this is the Pacific Green Party of Coos County. I've a
9 degree in archeology. I'm a cultural anthropologist, as my
10 retirement career and I want to talk about fishing as
11 cultural resource.

12 It's part of a family lifestyle that provides
13 rituals, ceremonies, rites of passage, provides families
14 with resources, community livelihood, adventure, bonding and
15 neighborhood. It's a way of life and it's important to our
16 culture and our state.

17 As far as the need for dams for electricity, it's
18 time we provide alternatives, sustainable resources and
19 Oregon does have the potential to do that so that we
20 shouldn't need these dams. Damming is not a natural
21 resource. The end of the fish runs, which the dammings
22 would lead to, is not the answer. I've heard these people
23 say listen to the Step Program. They live here. They know
24 what to do, so do it. Thank you.

25 (Applause.)

1 MR. HJORTH: That is all the people who have
2 signed up to speak tonight, but we have enough time tonight
3 if anybody didn't sign up when they came in to speak this is
4 your opportunity to come up and make a statement if you
5 choose. Make sure you clearly state your name for the
6 record because we don't have a sheet in front of us.

7 MR. PAAVO CARROLL: Okay. My name is Paavo
8 Carroll, P-A-A-V-O C-A-R-R-O-L-L. I'm a fisherman here.
9 I've been fishing all my life, all my working life which is
10 only about 14 years or so, I guess. But these dams have to
11 come down. This notion that we have to be afraid of the
12 silt behind it I don't agree with that at all. Some years
13 ago on the Fravure there was a big landslide and a bunch of
14 silt and everybody thought that river was done forever as
15 far as the salmon or for a long time as a salmon stream.
16 Well, a million fish came back and they just dug down until
17 all that silt was gone.

18 And furthermore, what's the point in waiting 50
19 more years. There will just be 50 more years worth of silt.
20 You know, dams are not a dream energy source any longer if
21 they ever were. Sure, it's better than burning coal, but we
22 can reduce our water consumption a lot and have been doing
23 so since the '70s. Conservation is going to do a lot for
24 that. They're only 2 percent or something on the grid and
25 when I think about all the fish that could be in the

1 Klamath, it's just ridiculous that they'd be allowed to
2 stand.

3 Certainly, we can tear them down. There probably
4 won't be half a million salmon until next years or maybe
5 even in 10 years, but there will be a heck of a lot more
6 than there is now and maybe we can fish and make some money
7 and do something besides selling each other items made in
8 China. These habitats have got to be fixed and a host of
9 other things have to happened, of course, but these dams
10 have got to go. Thank you.

11 (Applause.)

12 MR. PRIYE: My name is Roger Priye and it's
13 spelled P-R-Y-C-E. I've been fishing for 40 years. I have
14 gone to a hundred meetings like this and most of them have
15 ended up in politics. I hope that this is not a wasted
16 meeting and it doesn't end up in politics like many other
17 meetings.

18 Now I would suggest -- we are going to put in the
19 fish ladders, which I agree with a lot of them that I'm not
20 so sure about taking the dams out. But I would put a
21 restriction in there -- no license is permitted until the
22 fish ladders are in because these big companies will stall
23 you and stall you and stall you and they'll end up in
24 politics like every damn thing else. Take the money that
25 they say from not taking the dams out, give it us fishermen

1 that are trying to survive, you know. It's a tough world
2 out there. Thank you.

3 (Applause.)

4 MR. HJORTH: Thank you.

5 Anybody who has not yet spoken who would like an
6 opportunity, this is your chance to do so.

7 MR. LONG: Hi. My name is Tyler Long, T-Y-L-E-R
8 L-O-N-G.

9 I haven't heard anything about the reason the
10 dams are there, you know, how much electricity they produce,
11 but I do know that they're constant advances in
12 technologies, energy. We've got buoys coming out here on
13 the coast. I think we could safely -- well, common sense
14 would tell us by the times these dams could be tore down
15 that there's probably going to be some more energy out there
16 somewhere for these people that are using the energy
17 produced by the dams now. It just seems like a common-sense
18 move to not renew the permit and get rid of the dams. I
19 think there's been a pretty amazing amount of information in
20 here this evening. I've learned a lot and I'd really like
21 to keep fishing and I'd like for my children to keep fishing
22 also.

23 So far, what's happened in the last 50 years it
24 doesn't like that will happen. So I appreciate if you guys
25 make the right decision. Thanks.

1 (Applause.)

2 MR. HJORTH: Thank you.

3 Any other folks who would like to make an oral
4 statement that has not yet made one?

5 MS. BOGARDUS: I would just like to say that I
6 feel like society's demand on the Klamath are very great and
7 worthy of consideration. But if so, then I agree with the
8 rest of these folks that have said don't use that as the
9 yard stick for what happens on the other rivers and the rest
10 of the coast as far as closing down commercial fishing.
11 Take it out of the equation.

12 MR. HJORTH: Could we get your name for the
13 record?

14 MS. BOGARDUS: Excuse me, Sally Bogardus.

15 MR. HJORTH: Sally Morris?

16 MS. BOGARDUS: Bogardus, B-O-G-A-R-D-U-S.

17 (Applause.)

18 MR. MUDRE: Thank you.

19 Is there anyone else who would like to make a
20 statement?

21 (No response.)

22 MR. MUDRE: If not, we're going to wrap things
23 up. Before we do, I'd like to thank everyone for coming out
24 tonight and sharing your information with us. We'll take
25 this information back and consider it as we move towards

1 putting our final Environmental Impact Statement together.

2 Again, we are having one additional meeting
3 tomorrow night, so if you know of people who couldn't make
4 this meeting and they're able to make the other one, to come
5 on up there. Again, if you want to file written comments,
6 we did have a handout in the back with the instructions on
7 how to do that and you can do it online. You can send in
8 written comments really are the two ways to do it and the
9 instructions on both are back there.

10 VOICE: When do you plan on having a final
11 answer.

12 MR. MUDRE: Right now our schedule calls for us
13 to come back with our final Environmental Impact Statement
14 on April 23, 2007, next year and then the Commission will
15 use that to form its licensing decision. So the actual
16 decision maybe a while down the road because, as I mentioned
17 earlier, we need to wait for water quality certificates.
18 There are the biological opinions. So there are a few
19 things that are beyond our control time-wise, but we plan to
20 have a final Environmental Impact Statement out the end of
21 April 2007.

22 Does anyone else have any questions about the
23 process? We can do some of that if there are questions, but
24 you'll have to come up to the microphone.

25 MR. BOGARDUS: Good evening. My name is Daryl

1 Bogardus, spelled B-O-G-A-R-D-U-S.

2 I was just wondering it seems like an awful long
3 time to relicense these power companies for 50 years on the
4 Klamath water system. Is that consistent with all the power
5 licensing that you guys only address these issues once every
6 50 years.

7 MR. MUDRE: We only have the authority under the
8 Federal Power Act to license for terms ranging from 30 to 50
9 years. So we can't do anything shorter and we can't do them
10 longer. We have a restriction.

11 MR. BOGARDUS: Well, the 50-year number you just
12 use the long end? Is this a 50-year relicensing or a 30-
13 year?

14 MR. MUDRE: I'll let Ann answer that one.

15 MS. MILES: The Commission makes the decision on
16 the length of the license between the 30 and 50 years based
17 on whether there is a little bit of mitigation, a medium-
18 sized mitigation or a lot of mitigation. So if it was to
19 get relicensed without adding many mitigation measures or
20 doing some new construction, something along those lines, it
21 would typically get a 30-year license.

22 I would say the majority of relicenses are closer
23 to the 30, 40 range. There have been a few that have been
24 in the 50-year range, but not that many. Typically, it's
25 not.

1 MR. BOGARDUS: It certainly seems it makes it a
2 very important decision you folks are going through in the
3 process and because it's an entire career's worth of
4 decision and it affects then on down the line then, I
5 certainly wish you luck and hope the decision is a good one.

6 (Applause.)

7 MR. MUDRE: Thank you.

8 MR. BOLEY: My name is Scott Boley, for the
9 record and my question is concerning -- I believe I saw
10 recently that both -- at least National Fishery Service had
11 said that they did not have enough information to offer a
12 biological opinion because you didn't have a single
13 alternative. Could you comment on that?

14 MR. MUDRE: Well, we requested that they give us
15 a biological opinion on both the staff alternative and the
16 staff alternative with mandatory conditions. In the letter
17 that you mention, they said basically that they could do one
18 or the other, but they thought it would be a waste of
19 resources to have to do both and they weren't sure which one
20 we were asking about. So we're in the process of trying to
21 work this out and come up with some solutions so we can that
22 process rolling.

23 MR. BOLEY: I guess in the interim time you have
24 to have both this biological opinion and you have to have
25 the water quality standard and those sorts of things. In

1 the interim, how do these projects operate? Do they get
2 one-year extensions on their license and are you able to
3 attach any special conditions to those extensions?

4 MR. MUDRE: No. What you're referring to is an
5 annual license and those are issued if a license expires
6 before a new license can be issued. So they pretty much
7 automatically issue an annual license that has all the same
8 terms and conditions of the previous license.

9 MR. BOLEY: So there wouldn't be an opportunity
10 for new conditions?

11 MR. MUDRE: No.

12 MR. BOLEY: Okay. Thank you.

13 MR. MUDRE: Anyone else?

14 Would you state your name for the record

15 MR. McCARTHY: Jim McCarthy, M-c-C-A-R-T-H-Y.

16 Some speakers mentioned the possibility of doing
17 another draft Environmental Impact Statement. What is the
18 possibilities that FERC will do another one considering the
19 significant information you failed --

20 MR. HJORTH: What we would more than likely do is
21 do the final Environmental Impact Statement, but invite
22 comments on any of the new analysis that are contained in
23 it.

24 MR. McCARTHY: So you would invite comment and
25 then do a final final? Would there be any modification of

1 the final.

2 MR. HJORTH: These are the normal questions that
3 probably would be addressed in the licensing order.

4 MR. McCARTHY: Okay. Thank you.

5 MR. MUDRE: Any further questions?

6 (No response.)

7 MR. MUDRE: If not, I want to thank everyone
8 again for coming out this evening.

9 (Applause.)

10 (Whereupon, at 9:00 p.m., the above-referenced
11 matter was concluded.)

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