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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

Shilo Inn
2500 Almond Street
Klamath Falls, OR

Tuesday, November 14, 2006

The above-entitled matter came on for public meeting,
pursuant to notice, at 9:00 a.m.

MODERATOR: JOHN MUDRE, FERC

1 P R O C E E D I N G S

2 9:00 a.m.

3 MR. MUDRE: Okay. Why don't we go ahead and get
4 started? Can everybody hear me okay? Can everybody hear me
5 okay? Now can you hear me okay? Okay.

6 I want to welcome everyone here to our public
7 meeting on the draft Environmental Impact Statement for the
8 Klamath Hydroelectric Project. My name is John Mudre. I'm
9 the project coordinator for this relicensing for the Federal
10 Energy Regulatory Commission.

11 With me here today are some members of the team
12 that put together the draft Environmental Impact Statement.
13 We have Doug Hjorth next to me. He was the project manager
14 for our consultant and put the work together for us.

15 We have in the back, who was signing people in,
16 Carol Efird and Eric Ginney, both contributed to the draft
17 Environmental Impact Statement.

18 Let's see. Okay. That will pretty much do it
19 for the introductions. This is our agenda for today. Just
20 as a very brief -- I don't want to talk too much today,
21 because we're here mainly to hear other people's comments.

22 But I just wanted to say enough to let people
23 understand what this proceeding is about, and maybe what it
24 isn't about.

25 The Federal Energy Regulatory Commission is an

1 independent agency that regulates electric power, natural
2 gas, oil pipelines and the hydroelectric industry.

3 The Commission consists of five commissioners
4 that are appointed by the President and confirmed by the
5 Senate. The President designates the chairman of the
6 Commission.

7 The hydroelectric industry is administered by the
8 Office of Energy Projects within FERC, but we only have
9 jurisdiction over the non-federal hydropower projects. So
10 PacifiCorp is under our jurisdiction, where federal dams,
11 like maybe Bureau of Rec dams or Corps of Engineers dams
12 aren't under our jurisdiction.

13 We have three divisions that deal with
14 hydropower. One is the hydropower licensing, who I'm with.
15 They do licenses and relicenses. We can issue licenses for
16 a period between 30 and 50 years. We can't do them shorter
17 and we can't do them any longer. That's what the Federal
18 Power Act says.

19 Our main office is in Washington, D.C. We have
20 five regional offices that mainly consist of damn safety
21 people, engineers, and Portland office, our Portland office
22 is the one that has jurisdiction over the Klamath Project.

23 So why we're here today is to receive oral and
24 written comments from agencies, non-governmental
25 organizations and interested persons on our draft

1 Environmental Impact Statement for the Klamath Hydroelectric
2 Project, which we issued at the end of September.

3 I'll just briefly go over the history of this
4 proceeding. In February 2004, PacifiCorp filed its
5 application to relicense the project. In the spring of
6 2004, we issued a scoping document and held site visits and
7 scoping meetings out here to try to identify the issues that
8 people felt were important.

9 Later that summer, we accepted the application
10 and solicited motions to intervene and protests from people,
11 and we got plenty of both. Let's see.

12 In May of 2005, we issued our Scoping Document
13 II, which outlined the issues that we were going to look at
14 in the draft Environmental Impact Statement, and ultimately
15 in the final.

16 December 2005 we issued what we called a Ready
17 for Environmental Analysis Notice, which means we had all
18 the information we needed to begin our NEP analysis, and
19 that also asked agencies for preliminary terms and
20 conditions, recommendations as to how they thought the
21 project ought to be operated or licensed or ultimately be
22 configured, if it were to be relicensed.

23 In March of this year, we received those
24 recommendations and preliminary terms and conditions, and
25 fishway prescriptions from the agencies, and in April of

1 2006, this is new, is the new Energy Policy Act of 2005,
2 allowed PacifiCorp and other utilities to file, suggest,
3 recommend alternate conditions to what the agencies had
4 recommended or prescribed.

5 So PacifiCorp did that, and they requested trial-
6 type hearings on disputed issues of material fact. Okay.
7 We're almost done. In the end of September, we issued our
8 draft EIS for the Klamath Project.

9 Two days later, Administrative Law Judge McKenna
10 issued his decision on the issues of disputed facts. Then
11 last month, we requested biological opinions from the Fish
12 and Wildlife Service and from the National Marine Fisheries
13 Service, on our staff alternative and the staff alternative
14 with mandatory conditions that were identified in the draft
15 EIS.

16 We also sent a letter to the Fish and Wildlife
17 agencies, to try and resolve some what we thought were
18 inconsistencies with some of their recommendations and the
19 Federal Power Act or other law.

20 Finally now, in November, we're holding meetings
21 on the draft EIS. We're having four meetings this week.
22 This one, two in Wyreka (ph) tomorrow, one in Eureka on I
23 think it's Thursday.

24 Then later this month, we're holding on the 29th
25 of November a meeting in North Bend, Oregon, and on the 30th

1 in Newport, Oregon. So between now and then, we'll hear
2 lots of comments, I'm sure.

3 Okay. We do our draft Environmental Impact
4 Statements because NEPA, the National Environmental Policy
5 Act, requires us to conduct an independent analysis of
6 environmental issues. Our analysis considers water quality,
7 fisheries and wildlife values that involve the waterways,
8 but we also have to consider electric energy and other
9 developmental values as well.

10 We have to give strong consideration to terms and
11 conditions provided by the resource agencies. Our
12 conclusions and recommendations are all based on what's in
13 our public record for this project. So everything needs to
14 be filed through our Secretary, and it is available for
15 everyone to see.

16 Ultimately, it's the final Environmental Impact
17 Statement that serves to inform the Commission's decision on
18 whether and under what conditions to issue a new license for
19 the project.

20 Okay. We looked at four action alternatives in
21 the DEIS. The proposed project, as the project is proposed
22 by PacifiCorp; we have a staff recommended alternative,
23 which was PacifiCorp's proposal with additional staff
24 recommended measures.

25 We looked at staff alternative with the Agency's

1 mandatory conditions that we didn't previously recommend on
2 it, and finally we looked at an alternative that considered
3 the retirement and removal of COPCO No. 1 and Iron Gate
4 developments, you know, with dam removal.

5 Again, I mentioned the public record. All of the
6 information that's on file in this proceeding can be gotten
7 from the Commission's website and their e-Library. Follow
8 the e-Library link. The website is www.ferc.gov.

9 What's coming up next, any written comments are
10 due by December 1st on the draft EIS. We'll be having
11 meetings with the Fish and Wildlife agencies in December to
12 discuss those perceived inconsistencies with the Federal
13 Power Act.

14 The agencies with mandatory conditioning
15 authority will be issuing their final conditions and
16 prescriptions. That's Interior and the National Fishery
17 Service, that take into account some of their new
18 responsibilities under the EPACT.

19 We need to get biological opinions from both the
20 Fish and Wildlife Service and the National Marine Fisheries
21 Service. While we'll be issuing our final EIS that takes
22 into account the comments that we received on the draft in
23 April of 2007, before we can issue any license for this
24 project we need to get water quality certificates from both
25 the state of California and the state of Oregon.

1 Once all that happens, the Commission will be in
2 a position that it can issue a license for this project, or
3 issue a decision on the relicensing.

4 If anyone needs a copy of the draft EIS, you can
5 get them from our Public Reference Division, or even contact
6 me, and I can see that you get a copy. We're supposed to
7 have some copies sent here today, but the Postal Service
8 didn't come through. So they'll probably get here after we
9 leave.

10 You can contact me for any other additional
11 information. My name again is John Mudre. Telephone number
12 202-502-8902 or e-mail john.mudre at ferc.gov.

13 Again, all comments need to be -- written
14 comments need to be submitted no later than December 1st.
15 You should indicate on your comments Klamath Hydroelectric
16 Project, FERC No. 2082-027.

17 (Off the record comment.)

18 MR. MUDRE: Yes, the date. We did extend the
19 date. Originally, the date was -- the due date was November
20 24th, and when we scheduled these additional meetings in
21 later this month in Oregon, we extended the due date to
22 December 1st.

23 Comments need to be filed with the Secretary of
24 the Commission. The address is here, 888 - 1st Street,
25 N.E., Washington, D.C., 20426, or they can be filed over the

1 Internet at www.ferc.gov.

2 Okay. Well that's it for that. We have sign-in
3 sheets. Hopefully, everyone signed in. If you didn't,
4 there's still some in the back. You can, if you like.

5 We have a court reporter here with us today over
6 there. It's Gainell Catherine (ph). He'll be making a
7 record of all the comments that people give, so we can make
8 sure that it's accurately put into the record, so that we
9 can consider it when we're putting together our final EIS.

10 That's the good thing. The bad thing is people
11 need to remember to speak slowly, so he can get everything
12 down. You need to identify yourself before you start
13 speaking, so he can get the name into the record.

14 If your name is such that he may not know how to
15 spell it, you need to help him with the spelling of your
16 name. That ensures that again, we have an accurate record
17 of what everyone says.

18 There will be transcripts available of what's
19 said here today. You can talk to Gainell over there to find
20 out how to get copies of the transcripts.

21 I think we have about 30 people that asked to
22 talk today.

23 MR. HJORTH: Thirty-eight.

24 MR. MUDRE: Thirty-eight. So to make sure that
25 everyone gets a chance to talk, let's try to limit

1 everyone's comments to say, four to five minutes, and that
2 will ensure that everyone gets their chance to be heard.

3 I think everyone knows where the project is, but
4 that brings us to the important part of the meeting, which
5 what you all have to say. So we need to move a few things
6 around and Doug is going to call the speakers.

7 MR. HJORTH: Okay. While we're taking this stuff
8 out of the way, what I'll do is I'll announce the speaker
9 and then I'll also indicate who's going to speaking next, so
10 that that person could also perhaps come to the mike. That
11 should keep it flowing a little bit more smoothly.

12 The first speaker will be Joe Hobbs, Vice
13 Chairman of the Klamath Tribes. He will be followed by
14 James Ottoman. So if both those folks can come up to the
15 mike in the center. Okay, we're ready.

16 MR. HJORTH: Okay. My name is Joe Hobbs. I'm
17 the Vice Chairman of the Klamath Tribes, and I'm
18 representing the Klamath Tribes here today.

19 The people of the Klamath Tribes have taken care
20 of the salmon runs that came to spawn in the headwaters that
21 sprang forth from this rich land, that the Creator gave unto
22 us to be stewards over.

23 Our peoples lived in harmony with the salmon,
24 have given thanks unto Creator and to the salmon in annual
25 ceremonies. Creator in return generously gave us over-

1 abundant runs.

2 In all of their wisdom, our ancestors in the
3 Treaty of 1864 specifically reserved the right to fish in
4 the lakes and rivers that flow through our lands. This
5 right has sustained our people for many generations, and
6 will continue to sustain us for many generations to come.

7 It's important to note a decision here, and that
8 is our Indian people fish for subsistence, for sustenance,
9 not for sport as is the practice of most today.

10 When the company called COPCO first proposed
11 building a dam on the Klamath River in the early 1900's, our
12 people protested, because we knew it would block the salmon
13 from returning to our homelands.

14 We were told in a letter from COPCO that they did
15 indeed take our protest seriously, and they assured us in
16 that letter that they would address this issue by building a
17 ladder for fish passage over them. The dam was built, but
18 the ladder never was. As we all know, there have been
19 several dams that have been built along the Klamath River
20 with the same result that have blocked the fish.

21 We have written testimonies from our people who
22 lived there in those times, who had the pleasure of fishing
23 the salmon before the first dam was built, and then
24 witnessed the total destruction of this fishery as a result
25 of that dam.

1 That was 90 years ago. Our people have fought
2 this atrocious act numerous times over the decades, only to
3 have our protest to fall on seemingly deaf ears of several
4 dam owners and the U.S. government.

5 But we are now at a point where it looks as
6 though the tide of this long and hard-fought battle is
7 beginning to turn into a favorable position for all who wish
8 to see the return of the salmon.

9 We're all gathered here today to support all
10 efforts to see the rightful return of these magnificent
11 fish, and to the waters that created and intended them to
12 return unto year after year. Our goal is to see the salmon
13 return by volitional (ph) passage, and the most efficient
14 way to attain this goal will require the removal of the dams
15 along the Klamath River.

16 I remember a statement that I heard a member of
17 the -- one of the lower Klamath River tribes who are below
18 the dams make one day, that stuck in my mind. The statement
19 was, they said "I can't imagine being without the salmon."

20 GG Doug, is that one working? That one's
21 working.

22 MR. HOBBS: Okay, it's working? Okay. The
23 statement was, they said "I can't imagine being without the
24 salmon." Unfortunately we, the members of the Klamath
25 Tribes, have been in the unfortunate position for many

1 years, of being able to make the comment "I can't imagine
2 what it would be like with salmon."

3 MR. MUDRE: Excuse me. Let's try to figure out
4 what's going on with the sound here. Do we know if it's
5 yours? It's not his, so it's got to be that. Does that one
6 reach? We can just switch. I don't know if it matters,
7 maybe have it close to where you are. Is it still out?

8 MR. HOBBS: Hello. Can you hear me?

9 MR. HJORTH: They're sending someone.

10 (Pause.)

11 MR. HOBBS: Okay. Are we going again? All
12 right. We okay? Go ahead. Okay. I'm going to repeat that
13 last statement again, because I made the statement that
14 lower river tribes made a statement that they couldn't
15 imagine being without the salmon.

16 But we, the Klamath Tribes, have been in this
17 unfortunate position of being able to make a statement we
18 can't imagine what it would be like with salmon. That's a
19 travesty, folks, a travesty that needs to be rectified.

20 Just as the salmon, which first endured hardships
21 on the way to their spawning grounds, so we, the people of
22 the Klamath Tribes, will continue our fight to see the
23 salmon return, to once again swim in the waters in our
24 homelands. (Native American phrase). Thank you.

25 MR. HJORTH: Thank you.

1 (Applause.)

2 MR. HJORTH: Our next speaker is James Ottoman,
3 and he will be followed by Wilma Heiney.

4 MR. OTTOMAN: My name is James R. Ottoman. You
5 have a copy of my statement. Thank you John and the FERC
6 staff for holding this hearing in the Upper Title Basin, as
7 this region is the most affected by the relicensing of the
8 hydro project.

9 I wish to represent my Czech ancestors, who
10 helped settle the Mulino area in 1909. The United States
11 needed, at that time, people to settle in the west and also
12 in the Klamath Basin, in order to claim sovereignty. My
13 ancestors were part of that effort. They were required to
14 buy their land, and paid \$40 an acre for their homesteads,
15 which were mostly 40-acre parcels. Water was to come from
16 the Klamath Reclamation Project.

17 All districts in the project contracted with the
18 Bureau of Reclamation for repayment of the building of the
19 project, and to this date, all contracts have been paid off.
20 So there's nothing free in this endeavor.

21 My wife and I own and worked on our farm in
22 Shasta View Irrigation District for 60 years, until the
23 Bureau of Reclamation broke their contract and cut off the
24 water in 2001.

25 Shasta View Irrigation District comprises over

1 4,000 acres of very fertile sandy land, and initially pumped
2 water to a height of 100 feet to irrigate that soil. The 30
3 miles of canals and many reservoirs needed for water
4 delivery together lost 50 percent of their delivered water
5 to evaporation and seepage.

6 In 1968, a rehabilitation and betterment plan in
7 the form of a pressure system was proposed for Shasta View
8 Irrigation District by Gil Stamp, then-commissioner of the
9 Bureau of Reclamation. The pressure system was completed in
10 1975, and it has been an environmental example of water
11 savings, not only in the west but also in Canada. We had a
12 group come down here to look at that.

13 Water saved in the Shasta View Irrigation
14 District ends up in the Tualatin Lake Wildlife Refuge, and
15 is eventually returned to the Klamath River for power
16 generating and stream flow.

17 The water-saving pressure system used in the
18 Shasta View Irrigation District is possible only because of
19 a favorable rate of electric power. Any unreasonable
20 electric rate increase will put all users of the Upper
21 Klamath Basin waters in financial and environmental
22 jeopardy.

23 Any unreasonable rush to take out the dams would
24 have both upper and lower river users in jeopardy.

25 MR. MUDRE: Thank you very much.

1 (Applause.)

2 MR. HJORTH: Okay. Our next speaker will be
3 Wilma Heiney, followed by Anton Minthorn.

4 MS. HEINEY: Yes. I'm going to decline to say
5 much. I will turn in a written draft. I don't understand
6 the two sites that you're talking about removing the dams.
7 Are there other dams that would then block the salmon from
8 coming up the river if those two dams were taken out?

9 Then the other thing is, certainly we all know
10 why dams were put in. Do the southern inhabitants of the
11 Basin feel that they might be inundated with water during
12 the whole winter, and have none in the summer, which is the
13 purpose of dams?

14 So I will quit. We've made our living here in
15 the Basin. It's a 1932 homestead that my husband and I live
16 on. It's his father's. The same family made their living,
17 did not work out, paid all their bills, met all their
18 obligations.

19 Now do you think it's fair that we are asked to
20 fill all gaps? I mean it doesn't matter that the Trinity
21 River got diverted. It doesn't matter that the Mammal
22 Protection Act stands there. How long have the salmon been
23 in danger? Not since 1917 I don't believe, because everyone
24 was catching them and making a living off of them, way up
25 until at least coinciding with the Mammal Protection Act.

1 I had other things, but since I didn't -- I don't
2 like the way the paper says that we're the bad guys all the
3 time. Thank you. I will turn in a letter.

4 (Applause.)

5 MR. MUDRE: Thank you very much.

6 MR. HJORTH: Okay. Our next speaker is Anton
7 Minthorn, followed by Andrew Giglio?

8 MR. MINTHORN: Good morning or (Native American
9 greeting). My name is Anton Minthorn, and I am the Chairman
10 of the Board of Trustees for the Confederated Tribes of
11 Umatilla, and I've been invited to come to this rally.

12 I am here to support the goal, the tribal goal of
13 bringing home the salmon. The Confederated Tribes of
14 Umatilla are three (Native American phrase), and their
15 homeland reservation was created by treaty in 1855 in the
16 Walla Walla Valley.

17 In that process, the tribes ceded 6.4 million
18 acres, but reserved 245,000 acres as their homeland. But
19 along with that ceding of land, we also reserved some rights
20 of interest, and main among those was the right to take fish
21 in all waters running through or bordering the reservation.

22 That was a very basic subsistence right of the
23 tribes of the people. In the early 1900's, that right was
24 impacted, the right to take fish, because of a Bureau
25 Commission Project, an irrigation project that dewatered the

1 Umatilla River, one of our main subsistence sources.

2 The salmon no longer came to the river. So the
3 Tribes decided that they would want that salmon back,
4 because of the promise of the treaty. We had approached the
5 irrigators and the Bureau of Reclamation, and taken the
6 approach to negotiate or to litigate.

7 We did take the negotiation route, and we won.
8 All the community won on that. We got the fish, the salmon
9 and the water back. But it requires great leadership to
10 accomplish that within the Basin. It takes leadership from
11 the community, the irrigators as well as the Tribes, as well
12 as the federal agencies and state agencies, to come and work
13 together to achieve the goal that we are talking about, of
14 bringing back the salmon.

15 It's not in any way that we were against any
16 economic development. It's just that fish and the water
17 were our economy. It is everybody's economy. So we want to
18 protect that. There's an opportunity, I think, here today.

19 That opportunity is here to work the salmon and
20 the water can come back and yet to be able to preserve the
21 farming economy and maybe even strengthen that. I think the
22 time for the change is here.

23 I think one of the strengths is that tribes are
24 self-governing. They can govern their own affairs. They
25 have the staff capabilities to do that. They could hire the

1 professionals to work with the federal agencies or state
2 agencies to resolve problems.

3 So I think good things will be happening here,
4 and like I said, I am here to support the Klamath Tribes in
5 bringing home the salmon. (Native American phrase) That's
6 all I have to say. Thank you.

7 (Applause.)

8 MR. HJORTH: Next speaker will be Andrew Giglio,
9 followed by Lotani Aisea and I'm not messing up your names
10 on purpose. I'm doing the best I can.

11 MR. GIGLER: My name is Andrew R. Gigler. I'm a
12 local businessman. I'm 93 years old. I make no bones that
13 I'm an environmentalist and an ecologist, and have been so
14 all my life.

15 It's come to my attention that FERC is reviewing
16 the options as to what to do with the dams Iron Gate and
17 COPCO No. 1. It is upsetting that the company is even
18 reviewing the ideas of trucking the fish up and down the
19 river, an extremely stressful on the fish, not to mention
20 the damaging and the death rate.

21 Although the breach of the dams is being
22 considered, the fish ladders would be the best alternative.
23 It would incur no cost to Pacific Power. The taxpayers
24 would pick up the tab.

25 As such, we would prefer to preserve the species

1 as best we can. It is going to be useful for the fish to
2 have a path up the river. The fish ladders would ensure
3 that we are doing this for the survival of the fish.

4 Klamath River was once the leading salmon river
5 of the -- I might say the whole world. But the recent
6 problem of pollution, both in the air and in the water, I
7 have to speak on this pollution to the nth degree, because
8 we have poisoned our waters.

9 The focus must be made on saving the salmon for
10 future generations, and trucking the fish is going to do
11 more harm than good.

12 I'd rather speak because I am connected on both
13 sides. I am a stockholder of both common and preferred
14 stock of the Pacific Power. But I think they're a corporate
15 injustice. I think they're a bad outfit.

16 I am able -- I can see both sides of the issue.
17 However, I firmly believe the preservation of the salmon is
18 the most important. We're only as healthy as the fish. The
19 fish are sick. The fish are on the endangered species list,
20 and when the fish are sick, the people are sick. I must say
21 we have a rather sick society.

22 However, I prefer to believe the preservation of
23 the salmon is most important. Steps must be taken not only
24 to preserve the wildlife but to maintain a healthy balance
25 between mankind and the environment.

1 Salmon and our own waterways are a vital part of
2 the way of life, and continue to produce of our younger
3 generation. I want to add one more thing. The salmon made
4 this country, made the Klamath Basin. When the smolts went
5 out the ocean, they gathered up all the nutrients and they
6 carried it up to the head waters of these streams.

7 The Indians were good guardians of the
8 environment. The white man has not been a good guardian;
9 he's a predator. He's done a bad job of being an
10 environmental, being a protector of our environment.

11 I could add more to this, but I think I can't
12 walk, and I can't swim in the water with the salmon.

13 MR. MUDRE: Thank you very much.

14 (Applause.)

15 MR. HJORTH: Okay. Our next speaker will be
16 Lotani Aisea, followed by Rosemary Treetop.

17 MS. AISEA: (Statement attached).

18 (Applause.)

19 MR. HJORTH: Okay. The next speaker will be
20 Rosemary Treetop, followed by Janine Clements.

21 MS. TREETOP: Good morning. My name is Rosemary
22 Treetop, and I'm here to represent all of the other speakers
23 that spoke before me, and ask for the return of the salmon
24 to our homelands.

25 We haven't had salmon here for many years, and

1 the Klamath People are fish people. We lived off the land.
2 We always have lived off the land. When my family and I
3 were younger, we used to camp every summer, go out and fish
4 and hunt and dry deer meat for the winter.

5 Now, when you go out into the environment, a lot
6 of those things that we were able to do before is no longer
7 there. The water is not as clean as it used to be. The
8 water, because of the lack of rain and because of the lack
9 of trees that were taken off of the land, we don't have as
10 much as we had at one time.

11 I'm just here to help support my brothers and
12 sisters and all of my people, to ask that you consider what
13 has been taken from our people, and ask that the dams be
14 removed or have fish paths just put in, so we can have
15 return of our salmon to our homelands. Thank you.

16 (Applause.)

17 MR. HJORTH: The next speaker will be Janine
18 Clements, followed by Randolph Davis. Is Janine here?
19 Okay. How about Randolph Davis? Randolph will be followed
20 by Garrick Jackson.

21 MR. DAVIS: Hello. Welcome FERC to come and
22 listen to us. We have a major problem we'd like to solve
23 with you, and that's the dam situation. I think that our
24 tribal vice chairman probably put it in a good perspective
25 when he used the Treaty of 1864 as the stepping stone.

1 Then a document that I'm not sure that got into
2 the letter from the COPCO at the time, that built the dam.
3 They said that there would be fish ladders put in, which
4 haven't.

5 Since that time, we went through legislation,
6 mitigation, litigation, restoration and we have all kinds of
7 people involved. We have BLM, BRO, USDA. All of these
8 governmental agencies that are tied in with it.

9 Actually, at the time of the dam-building, they
10 weren't even -- some of them weren't even an organization.
11 Now we have committees upon committees that go back to their
12 supervisors. Their supervisor has a supervisor. They have
13 to go to them.

14 So by the time it gets to where it has to be
15 recognized by somebody, it's so watered down that they're
16 not sure what they're supposed to be litigating, I guess.

17 So what I want to do is to make sure that I, in
18 my heart, for my people, say let's try to bring the salmon
19 home. Thank you.

20 (Applause.)

21 MR. HJORTH: The next speaker will be Garrick
22 Jackson, followed by Phil Tupper.

23 MR. GARRICK JACKSON: Thank you members of
24 Federal Energy Regulatory Commission. My name's Garrick
25 Jackson. I'm a council member with the Klamath Tribes, and

1 I wanted to welcome all of our friends and neighbors
2 throughout the Basin here this morning.

3 I just wanted to speak on behalf of the fish.
4 The salmon belong in the Basin,; the Upper Basin
5 traditionally and historically. The tributaries to the
6 Klamath Lake are their historic spawning grounds, and we
7 would like to be able to lend support to returning to their
8 original state, as well as lend support our friends and
9 family throughout the Klamath River Basin, including the
10 farmers and some of the other land owners and users, as well
11 as the supporters for just the return of the ecological
12 system. So thank you.

13 (Applause.)

14 MR. HJORTH: The next speaker will be Phil
15 Tupper, followed by Allen Cole.

16 MR. TUPPER: I want to thank you for coming,
17 giving us a chance to address you, and thanking my Tribe for
18 giving me the honor to speak to you. I want to say that I
19 think there's many issues involved here.

20 Mainly, I guess, is sort of the water. I haven't
21 heard that addressed. To me, you know, I grew up here. I
22 just didn't come here. My family lived here. My grandad
23 was 93 when he died in '58. I've been on those rivers and I
24 see the deterioration of them.

25 As you know, the Tribes are not water users. The

1 water's left in the river. So we don't use the water. I
2 think if you really want to solve this problem, you need
3 upstream storage deepwater; you need water storage from
4 somewhere, that will support the farmers and support this
5 economy.

6 I think it's time for PacifiCorp to step up and
7 honor their agreement with the Tribes. Put in the fish
8 ladder. Take the dams out. Do those dams justify the power
9 that they bring? I'm told they have power for about 70,000
10 homes. I don't think that justifies having those dams
11 there.

12 But bring in upstream storage. There's a lot of
13 water in this Upper Basin at different places. I hear the
14 name Long Lake. I stood on the Sikan (ph) River in 1952
15 with my father-in-law, Hi Robbins, and a person from Pacific
16 Power on the Sikan saying "I guess this is a power site, a
17 dam site and a power drop," whatever that meant.

18 But wouldn't it be nice to have upstream storage.
19 When you really need water, you could release water down to
20 the farmers in July and August, for the fish down river.
21 They need that.

22 This lake is dying out here. I don't have time
23 to bring you pictures of it. But we have some of our people
24 working out there, Tribal people. That lake right now is in
25 places about three or four foot deep.

1 So I wish that you'd take all this into
2 consideration. I was a young -- I'm 77 years old, and I
3 remember being with my grandad and going down to the river
4 when fish would spawn or come up. The runs would start.

5 Did he have a fishing pole? No, he had a
6 pitchfork. He forked the salmon in, put them in sacks for
7 the big spawn. You could not come to my grandad's place any
8 time of the year without him having dried deer meat, fresh
9 deer meat, dried fish. Always had it. That's how they
10 lived.

11 I think now it's time for PacifiCorp to honor
12 theirselves, bring honor to their company. I'm told one of
13 the richest men in the world gave \$30 million recently to
14 take the dams out, bring our salmon home.

15 (Applause.)

16 MR. HJORTH: The next speaker is Allen Cole, and
17 Allen will be followed by Chris Fischer.

18 MR. COLE: Hi. My name's Allen Cole and I
19 represent the Klamath Tribes. I just want to come here with
20 a good heart, so that we could, you know, all get along and
21 work, you know, with each other.

22 I wanted to talk about what my grandmother, when
23 she talked about the salmon and stuff. I know that a few
24 people have said that, and I know myself too, that we've
25 never experienced salmon, but in our hearts, we know they're

1 there.

2 I just, you know, am happy to see that these
3 times are here, so that we could actually maybe even see the
4 salmon are up here. I'm not blaming PacifiCorp; I'm not
5 blaming anybody. I mean, it's just the way that things go.

6 But when we don't morally do the things that we
7 should do the right ways, I think that's when we falter a
8 lot. We just need to get together and be strong, so that we
9 can have everybody's, you know, what they want, including
10 the Tribes, including the farmers or whoever else is
11 involved.

12 I just -- it's heartening to hear some of the
13 things to think about that, you know, it's been so long
14 since they have been here. You know, I pray to the Creator
15 all the time to just have them come back.

16 A lot of times I have to go down to the Rogue
17 River to go fishing for my salmon, when traditionally I know
18 it was here. So, you know, I just -- I want to thank
19 everybody that's involved that cares, that just wants to do
20 the right things.

21 I mean we have technologies, scientists that have
22 all done different types of things that could, you know,
23 make everybody happy, you know, different irrigation
24 techniques, salmon, you know, with the fish ladder and stuff
25 like that.

1 So instead of everybody not getting along, I
2 think that we should just be strong altogether, because
3 that's the facts. It's the truth.

4 I just want to thank, you know, to have this
5 opportunity to bring it up, and to give everybody my
6 applause whom I've had relations with, all the hard work
7 that's been done. Thank you.

8 (Applause.)

9 MR. HJORTH: The next speaker will be Chris
10 Fischer, and Chris will be followed by Helen Smith.

11 MR. FISCHER: Welcome. My name is Chris Fischer.
12 I'm here to support myself. I'd just like to say, you know,
13 we've done a lot of good work in the Basin in the last few
14 years, and people are really getting to where they're
15 working together.

16 You know, it's time to start thinking about
17 bringing salmon back to the Basin. They belong here. It's
18 been a long time since they've been here. So it's time to
19 start getting together, figuring out what we have to do to
20 get the salmon back.

21 I don't like the idea of trucking salmon around
22 the dams. I think that will cause more damage than it will
23 good. I think that we need to get the salmon back
24 naturally. They have to be able to migrate naturally when
25 they need to migrate.

1 That will also bring steelhead back. So I think
2 that, you know, if we can work together, if we can work
3 together with everybody, then we can start to make good
4 things happen here in the Basin.

5 I think that, you know, we've made some really
6 good strides out in the Rogue River Basin. We worked very
7 hard out there with people and land owners. I think that,
8 you know, as long as we all get together to solve these
9 issues, that we can get salmon back and they can have a
10 viable salmon population in the Upper Basin.

11 So I think that's all I have, and I just want to
12 say thank you for, you know, this opportunity to speak. I
13 just -- I can't say how much the salmon mean.

14 I mean I'm with -- Allen and I have to go to the
15 Rogue to salmon fish myself, and you know, for them not to
16 be here just is wrong. So please help bring them back.
17 Thank you.

18 (Applause.)

19 MR. HJORTH: The next speaker will be Helen
20 Smith, and Helen will be followed by Don Gentry.

21 MS. SMITH: I want to welcome everyone here
22 today. I hope that all of your hearts in a place that I saw
23 happen back in 1934, and that was salmon in the Sprague
24 River. That was so beautiful, and I'd love to see it again.

25 I won't see it there, but I'll see it from up

1 there or down there, one of the two.

2 (Laughter.)

3 MS. SMITH: But I've been -- I'm on the tribal
4 council, and my people, my grandad was Pierce Sconchon (ph).
5 John Sconchon was the one that fished our waters.

6 But grandad told me in 1938, I was just a little
7 dude; he had to always tie me to the front of the car,
8 wherever we went salmon fishing, so I wouldn't fall off into
9 Saliva Falls or, you know, into some other river somewhere
10 else.

11 But I got to see if they were bigger than I was.
12 I don't think there's many people that's ever seen salmon in
13 straight rivers, let alone able to go and drink water from
14 it and whatever.

15 But I grew up during that time that you didn't
16 swim. You drink water. You could enjoy what we had, and we
17 didn't have to use water to do our fields, because the river
18 took care of the wild hand stuff and you'd thrive on it.
19 But that was Indians that were doing this.

20 We always helped everybody that was doing it,
21 because that's the way the Sprague River was, all the way up
22 to babies, the whole thing. But the thing is, is what we
23 need people to stand behind their word, to stand and be
24 counted when they make a promise.

25 It's time that they realized what we used to

1 have, and that's not good. Maybe not in our lifetime, but
2 maybe in our kids' lifetimes. But I want to see that some
3 day, and I challenge each one of you, every time you talk to
4 grandfather asking for that, because it's possible and it
5 can happen.

6 If we have people that are sit together like the
7 ones here, it will happen. So thanks everybody for being
8 here. Thanks for letting us make comments here.

9 I work for Indian Education in Klamath City
10 schools, and it's so fabulous to see so many in my own,
11 young old students here and working for us and backing us.
12 So thanks everybody.

13 (Applause.)

14 MR. GENTRY: Thank you very much. I hope you can
15 hear this. I might turn my back to the mike here.

16 I'm Don Gentry. Thank you for this opportunity
17 to address the people and FERC. I'm the son of Gene Gentry.

18 MR. MUDRE: Are you okay? You see, the problem
19 is you need to stay fairly near that microphone, because
20 that's the one that feeds the court reporter.

21 MR. GENTRY: Okay. I'm the son of Gene Gentry
22 and Darleen (ph) June Cooper. My father, Gene Gentry, was a
23 tribal fisherman and hunter, and he taught me to do those
24 things and lived that way.

25 We as tribal people believe that the Creator

1 placed this here and placed all these things in this area to
2 provide for us. When our ancestors negotiated the Treaty
3 and we retained our lands, we had every hope that we could
4 be able to continue to fish and hunt to do the things that
5 we need to do to live, as the Creator intended, not only for
6 subsistence but spiritually and culturally.

7 I appeal to FERC, as a representative of the
8 federal government, to do what's morally right and I believe
9 even legally right, to support us in returning salmon here
10 to this Basin.

11 We had every expectation we're going to be able
12 to do that when the Treaty was signed, and we think it's
13 important today. I want to, I guess, speak about the
14 importance of the fish to our people.

15 As a tribal fisherman myself, I can only fish for
16 our maintenance now our trout, and we don't have our c'waam
17 and cupto (ph), our suckers. They're endangered. I never
18 have been able to catch the salmon.

19 But salmon, it is important to us even today.
20 It's important to us. We have something missing. Without
21 having the salmon here and in recent years, through my work,
22 I've been able to connect with people down below the dams.
23 I've been able to get fish, fresh fish to bring to my
24 people.

25 I trade deer meat from deer that I've killed for

1 this fish, and I had the opportunity to give that fish to my
2 people and see how much they love it and how much they
3 appreciate it, as I once did with our suckers.

4 I see fish on the road and I've been stand in the
5 boats on the lower river with some of my friends down there
6 from the other tribes and catch fish, knowing that I'm going
7 to bring it home. I'm going to expect fish and be able to
8 give the fish to my people. We're hungry for that fish, not
9 only physically but spiritually.

10 It's a part of us. It's something that need to
11 be there in the Basin. It's something that we're missing.
12 There's a hole missing, spiritually and ecologically even.
13 We know it should be here.

14 We just appeal to you to do everything that you
15 can to ensure that those fish are returned back to us, and
16 we can be the people the Creator intended us to be, and so
17 we can again be those fish people and rely upon that
18 resource, and we could be healthier people as we turn back
19 to our traditional diets.

20 We're alive today and we've been alive for many
21 years without the salmon. But we suffer. We have diabetes,
22 we have heart disease, we have other health issues because
23 of the significant changes that have happened to us and the
24 changes in our diet.

25 Salmon is a part of that. We want to do

1 everything to ensure that they're brought home to us. Thank
2 you.

3 (Applause.)

4 MR. HJORTH: Our next speaker will be Ben Harris,
5 and Ben will be followed by Amanda Herkshan.

6 MR. HARRIS: Hello. My name is Ben Harris. I'm
7 representing the Klamath Tribes Natural Resource Department.
8 I'm an environmental lab specialist for the department. I
9 would like to, before I forget, thank everybody for coming
10 and listening and caring. We really appreciate that.

11 My department, you know, is under the impression
12 that, you know, this is a great opportunity that we have in
13 front of us. The license only comes up every 50 years or
14 so, so we've been thinking about this a lot lately. We have
15 a really dedicated staff there that is, you know, who's
16 really excited about this.

17 You know, we come to work every day with this
18 being our major focus. So I just appreciate you taking that
19 into consideration.

20 You know, I'm sharing some of the same feelings
21 as Allen and Chris and Donnie, in that I do a little fishing
22 myself. You shouldn't have to drive two hours away to see a
23 salmon. The salmon is the most magnificent fish out there,
24 and you know, we want to have a chance to have that back up
25 in this area here some day.

1 So thank you for your time and bringing the
2 salmon home.

3 (Applause.)

4 MR. HJORTH: Okay. Our next speaker will be
5 Amanda Herkshan, and after that will be Spayne Martinez or
6 Jade Martinez, or let me know if both of you want to speak.

7 MS. HERKSHAN: Okay. I'm 17 and I'm Amanda
8 Herkshan. My last name is spelled H-E-R-K-S-H-A-N. I'm
9 here to represent the fish, the people who are the tribes
10 that need these fish. I also representing Wendwe (ph)
11 Treatment Facility, where I'm at now.

12 I'm 17, like I said, and I have only had my
13 culture for four months out of my 17 years of my life. I
14 came here to learn my culture, because I felt I was missing
15 something. The fish aren't here, though I hear about them
16 being here very much.

17 It breaks my heart to know that I can't have a
18 part of it until it's fixed. I lived half my life down in
19 the Crescent City, California area, and I have some
20 relatives there that fish on the lower Klamath by the fork
21 with the ocean.

22 Sometimes the fishing down there is really bad.
23 But those people, they have fish and they're the Yuroks
24 mostly, and I wanted a part of that. I felt like I was
25 missing out.

1 I know that many of the other kids that are
2 trying to get out of drugs, that are trying to get a new
3 life, a new way of life, and that culture is a big part of
4 it. It's missing.

5 Some people think these fish are just some fish,
6 you know, like every other fish. But it's different. My
7 mother told me about her great -- my great grandfather said
8 when the fish are gone, the people are gone, all races.

9 I'm afraid to believe that, because they're
10 almost gone. My mother is a diabetic and fish is one of the
11 most healthy things for her to eat, that salmon.

12 I don't know what it's like to live with my
13 culture, and the salmon I know is a big part of it, and I
14 would love to have a part of that. So please bring back the
15 salmon. Thank you.

16 (Applause.)

17 MR. HJORTH: The next speaker will be Spayne
18 Martinez.

19 MS. JADE MARTINEZ: And Jade.

20 MR. HJORTH: And Jade Martinez.

21 MS. SPAYNE MARTINEZ: My name is Spayne Martinez,
22 spelled S-P-A-Y-N-E. I'm 15 years old and a sophomore at
23 Chiloquin High School. I'm here to represent the younger
24 generations and the future generations.

25 I'd like to start by saying that I view all

1 rivers as blood to the world, because they keep us and
2 things around us alive. Just like in us, if something
3 blocks or interacts with that blood flow, then the things
4 start -- the things that depend on that flow, they start to
5 suffer, and they start to die out.

6 Unless something's done before it's too late, in
7 my opinion the dams have blocked the rivers for too long,
8 and the people who depend on the salmon and the salmon have
9 suffered for too long. I'm here to support dam removal.
10 Thank you.

11 (Applause.)

12 MS. JADE MARTINEZ: My name is Jade Martinez.
13 Salmon haven't been in the Klamath Basin since 1917, and
14 that's too long. Salmon is a big part of our heritage,
15 while our people are still here.

16 There needs to be fish passages or dam removal
17 now, because in 50 years it will be too late. I want to be
18 able to go out in the Rogue River and catch the fish.

19 (Applause.)

20 MR. HJORTH: Our next speaker will be Jim
21 Carpenter, and Jim will be followed by Devery Saluskin.

22 MR. CARPENTER: Jim Carpenter. I live here in
23 Klamath Falls. Greetings. Thanks for the opportunity to
24 comment on PacifiCorp's relicensing application for the
25 Klamath Hydro Project.

1 I've worked in the Klamath River watershed for
2 almost the last 50 years, the term of the license and
3 potentially the term of the new one. Much has changed in
4 that time, including myself. Years ago, I lived and worked
5 at the mouth of the Klamath in the little town of Requa
6 (ph).

7 I worked in the timber industry that was
8 thriving, and on my time off would rent a boat and fish for
9 salmon in the river, which were also thriving.

10 Now I'm living and working on the other end of
11 the river, the head waters in Klamath Falls. I no longer
12 work in the timber industry, but I'm a general contractor.

13 As for fishing, I'm professional guard now and
14 spend as much time as I can on the water with clients,
15 showcasing the Klamath watershed and advocating for water
16 quality and sustainable ecosystems, including the human.

17 During this time I've served on the Upper Klamath
18 Basin Working Group, five years as co-chair; the Department
19 of Agriculture Water Quality Area Management Plan, three
20 years as chair; the Department of Environmental Quality
21 Advisory Committee for the Upper Klamath Lake PMDL, and many
22 other natural resource-based organizations.

23 I mention this only to reference the fact that
24 I've spent a great deal of time and thought on the Klamath.

25 My considered opinion is that to achieve the

1 goals so many of us in the watershed strive for, the dams
2 must go. The benchmark is water quality, and the way to
3 establish it is through a free-flowing river.

4 The salmon, the social and economic issues, the
5 fisher-farms disconnect and the Native American
6 disenfranchisement all are impacted by the impoundments
7 behind the oh-so-appropriately-named Iron Gate Dam.

8 Over the years, this has led to the perception
9 that there is an Upper and Lower Basin. But in reality,
10 it's only one watershed. Holistic planning for its health
11 and sustainability would best be served by removing the
12 barriers between the two.

13 The arguments against removing the dams for the
14 most part seem to be economic. Foregone revenue, cost of
15 decommissioning, etcetera. Yet that is only one side of the
16 ledger.

17 When the full value of the ecosystem services a
18 free-flowing and functional river provides are factored in,
19 I believe the economic benefits would outweigh the
20 liabilities.

21 Many responsible people say the defining issue of
22 the next century will be water. Where is there a better
23 opportunity to get it right than the magnificent river.
24 Thank you very much.

25 (Applause.)

1 MR. HJORTH: Okay. Our next speaker will be
2 Devery Saluskin, followed by Thomas Ball.

3 MR. SALUSKIN: Hello. My name is Devery Saluskin
4 and thanks for being here. I'm glad you guys are here.
5 Hope you're listening with open ears and minds and good
6 hearts. Seems like it's a real exciting time. I feel like
7 it is for you guys to be here listening to us, some of our
8 concerns that we have.

9 You hear that salmon would heal us in our health,
10 our hearts, our spirits, our souls, our communities. Some
11 of the economic arguments against removing the dams were
12 just talked about by the last guy.

13 If you look in the long term, plan for the
14 future, get that salmon back here, it's going to be good for
15 everybody. I don't think that bringing the salmon back has
16 to be in opposition to any farmers or downstream fishermen.

17 I think that we can come to a -- we have enough
18 smart people, enough technology to come up with a solution
19 to be able to fix this, and you know, salmon was here. None
20 of us will argue that salmon were not here before, and now
21 it looks like you're going to be able to make a decision to
22 possibly bring those salmon back.

23 I hope that you do. It seems logical to me if
24 you do, and the ethically right thing too. Thank you.

25 (Applause.)

1 MR. HJORTH: Okay. Our next speaker will be
2 Thomas Ball, followed by Pastor Rachel Witcraft Chavez.

3 MR. BALL: (Native American greeting) My name is
4 Thomas J. Ball. I'm an old Klamath member, number 79,
5 former Klamath Tribal Chairman and currently vice provost at
6 the University of Oregon.

7 What I'd like to talk about in the return of the
8 salmon is first to establish that salmon have been in our
9 homeland for 10,000 years. There's archaeological evidence
10 that shows salmon bones at a campsite that's been inhabited
11 by our tribal members for over 10,000 years.

12 So salmon have been here. Our people have been
13 here, and even beyond that, our Creator told us in our
14 creation story that salmon were here to help us, to feed us,
15 and to make us a strong, health people.

16 That's natural law. That's the law that our
17 ancestors have passed on to us. It goes beyond dams. It
18 goes beyond water rights; it goes beyond regulations. This
19 natural law, if we don't pay attention to natural law, these
20 resources will be gone for everybody, not just us, not just
21 the salmon.

22 Oil is a commodity right now. Water is going to
23 be like that soon. Our Creator told us to take care of that
24 water. We need clean, clear water to live, for our salmon
25 to live. We've watched our rivers die under management of

1 the Forest Service, other agencies.

2 We've watched them slow to a trickle. We've
3 heard stories from our grandparents about fishing, about
4 taking thousands of pounds of fish for subsistence each year
5 to put away. This was foretold to us by our Creator, that
6 this would be our role for man, to fish. This is has been
7 taken away by those dams.

8 It's caused a lot of spiritual, economic, health,
9 and death, a lot of problems in our people, the loss of that
10 one resource, salmon. On an ethical level, we were told and
11 we reserved that right in our treaty, to fish. We were
12 guaranteed that right by the United States government.

13 So we know what the farmers face when they feel
14 like they've been lied to and betrayed. It was stated
15 earlier that when that dam was built, it was to have a fish
16 ladder. We were promised that, to preserve our fishing
17 rights, our right to fish. That was not carried out. That
18 needs to be reversed and taken care of.

19 I'd just like to say that on an ethical, legal,
20 moral and spiritual level, we pray all of us here, we pray
21 for you. Listen to your science. Listen to those reports.
22 Read them. Understand them, question them.

23 It comes down to cold, clean water that we're all
24 going to need, and the salmon are an indicator. When they
25 return home here, those rivers come back to life. The

1 ecosystem comes back to life. All our people come back to
2 life.

3 (Native American farewell.)

4 (Applause.)

5 PASTOR CHAVEZ: I'm Pastor Rachel Witcraft
6 Chavez. God bless all of my family here and all of them
7 that are also in the Basin as well. Thank you for being
8 here today.

9 I stand here before you as a tribal member and
10 not just a pastor. As a tribal member, I am Rachel (Native
11 American name) is my Klamath name.

12 I'm the granddaughter or the daughter of tribal
13 member Dorothy Witcraft and John Witcraft, granddaughter of
14 Clarence Laches and Mima (ph) Laches, great granddaughter of
15 Byron Laches and Bertha Beale Laches, great great
16 granddaughter of Agency George, who was one of the treaty
17 signers of the Klamath Treaty.

18 I stand here before you today because I can tell
19 you that growing up here as a Klamath child, one of the
20 greatest joys of my life was when the Quiopana (ph) women
21 from Warm Springs would come and trade with my grandmother,
22 Clarice.

23 They would come and they would bring salmon, and
24 they would trade salmon for our c'waam, our dried salmon.
25 They would sit and they would talk and they would tell the

1 stories of how the salmon used to run freely in the rivers
2 here in the Klamath Basin.

3 My grandfather, Martin Laches, was a renowned
4 fisherman, and he always went where the salmon was. When
5 the salmon quit coming to us, he would find a way to go to
6 them, and he would bring home salmon.

7 So my family, we grew up eating salmon. We grew
8 up eating the c'waam or whatever you want to know it as.

9 I remember the days when my grandmother would say
10 to me "I must go out to fish." We would just go in the
11 river, my brother and I. We'd just -- I'd get in there, I'd
12 throw it out on the bank and he'd whack it with a stick.

13 That's how we fished. You know, my grandma, of
14 course she just wanted the heads, so we'd find others who
15 wanted the rest of it.

16 We miss that. I try to tell my grandchildren the
17 same stories that my grandmother told as she would sit and
18 talk with the Quiopana women from Warm Springs. I remember
19 what it was like as a small child. Getting that dried
20 salmon was just amazing to us, because the stories were
21 always told and it was always passed on to us.

22 When my grandfather would come home with fresh
23 salmon from some place else, it was like a party. We just
24 had so much joy in the house, because the stories would be
25 told once again how our people lived by the fish and the

1 passageways of the fish.

2 I learned more than just how to keep well, but
3 learning also the right times to do things. We learned a
4 lot from them.

5 As a pastor, I stand here today on behalf of the
6 United Methodist Church of the Oregon-Idaho Annual
7 Conference, and Bishop Robert Hoshibata, who has given the
8 church a mandate to include eliminating hunger on the agenda
9 of the Oregon-Idaho Annual Conference.

10 What we as a church, the local church, the way
11 it's written in our mission, what I hope in order to
12 eliminate hunger is to beseech to not to relicense these
13 dams, but to remove these dams and bring the fish home to
14 the people, so that once again the stories can be told.

15 So once again, hunger will be not known or
16 mentioned amongst the Klamath Peoples. God bless you.
17 Thank you very much.

18 (Applause.)

19 MR. HJORTH: Our next speaker will be Taylor
20 David, and Taylor will be followed by Shawn Jackson.

21 MS. DAVID: Good afternoon. My name is Taylor
22 David. I was born here in Klamath Falls. I am the youngest
23 daughter of (name) and Cheryl Parrish (ph), and I am a
24 direct descendant of one of the treaty tribes on the Modoc
25 side and Dr. F.B. Hills (ph), a surgeon in the Modoc War.

1 My Indian name is (Native American name) which means
2 Snowbird, and my father gave me the name of Thunder Horse.

3 I'm just here today to say that it's good to see
4 you. I remember John from the meeting of January 9th, 2005,
5 in the Tribal Administration Office in Chiloquin.

6 At that time, it was told it would be six months
7 to get our comments in for the relicensing that hasn't taken
8 place for 50 years, since the first dam was built in 1917.

9 I remember one of the People coming up and
10 speaking. One of our young tribal members who wasn't able
11 to be here today, because he's attending school at the
12 University of Oregon, so he can come back and one day work
13 for his tribe, asked me to remind some of the FERC
14 representatives about (Native American term), which is right
15 behind our tribal administration office, and that's called
16 Salmon Place.

17 It's documented in our Klamath text books, the
18 Salmon Place is where the salmon used to gather, and where
19 our people used to go to get the salmon. Right near there
20 is called (Native American term), which is the Eagle Place.
21 Eagle Place is all empty now, and they haven't been there
22 for a long time with the salmon.

23 He asked me to come up to the mike and remind
24 people that it's not just about the Klamath people and the
25 Tribal people. It's about our next generations, for the

1 seven generations to come. Me, as a tribal member and as a
2 resident of Klamath Falls, I'm 37 years old and I've never
3 seen a salmon.

4 We don't fish. I don't fish. My family doesn't
5 fish. One time somebody asked me why I don't fish, and I
6 said "Well, the fish that I was told that we couldn't fish
7 for are on the endangered species list, and that's our
8 c'waam."

9 So I'm just here to remind you today to uphold
10 the Trust responsibility for the tribe. You have the Trust
11 responsibility to the tribe, as we are a sovereign nation
12 since 1986. We have a Treaty rights of 1864, which negates
13 that.

14 Thank you for coming here and listening to us.

15 (Applause.)

16 MR. HJORTH: Shawn Jackson is next, to be
17 followed by Jeff Mitchell.

18 MR. JACKSON: Hello. My name is Shawn Jackson
19 and I grew up here since I was a little kid. Anyways, I
20 just wanted to let everybody know that we're all salmon
21 people here, and in order for our people to heal from all
22 the damage that's been done to us, it's critical and crucial
23 to bring these salmon back home to our rivers so we can
24 heal. So thank you for coming.

25 (Applause.)

1 MR. MUDRE: Thank you.

2 MR. HJORTH: Jeff Mitchell, to be followed by
3 Gerald Skelton, Jr.

4 MR. MITCHELL: Good morning, and I want to thank
5 you for on behalf of our community here for being in the
6 Klamath Falls area, to take this testimony frm our community
7 here regarding the licensing reapplication of PacifiCorp.

8 My name is Jeff Mitchell. My tribal name is
9 (Native American name). I'm here representing my family
10 today, and I just have a few brief comments that I want to
11 make today.

12 First of all, we understand where we are in the
13 current relicensing process in the application that you're
14 currently in the process of completing.

15 What I want to say to FERC today, and to you
16 representing FERC is that it's important that you represent
17 the recent decisions, that you recognize the recent
18 decisions that have been made lately and particularly the
19 ALJ decisions that have been provided by the courts and
20 their interpretation.

21 In addition to that, you know, we know that we
22 are still in a draft application process. We are looking at
23 a draft EIS here, and you haven't made that final
24 determination as to what alternative you're going to end up
25 accepting on behalf of this application.

1 Now for me, it's a real heavy heart, because when
2 I look at those -- when I look at that application and I
3 look at what was submitted by the proponent of a PacifiCorp,
4 it did not include any mention of fish passage in that
5 application.

6 Of course now, I'm looking at a set of
7 alternatives that you presently have in front of you, and
8 even at those, those fell significantly short of what we
9 feel is necessary to support the needs here in the Upper
10 Basin.

11 You know, we recognize that you're looking at
12 various options. That includes everything from truck and
13 haul to partial removal of a couple of dams to no removal.

14 What I want to say to you that the decisions that
15 you make ultimately here are going to have great significant
16 impacts on all of us here in the Upper Basin, tribal and
17 non-tribal alike.

18 We don't know and understand how it feels to be
19 at the mercy of federal agencies and their representatives
20 when they make decisions. We live with those decisions
21 recently in 2001, when the water was cut off to the folks
22 here in the Upper Basin by federal managers.

23 We also recognize the impacts of federal agency
24 decisions in 2002, when fish died unprecedentedly in the lower
25 Klamath River. Today, it's not just a question of what's

1 going to be right for PacifiCorp. You also have to take
2 into consideration the obligations that you have to the
3 various publics, both up and down this Basin.

4 You've heard the Klamath Tribes say over and over
5 to you, you have a treaty obligation to the Klamath Tribes,
6 and that you do. That's clearly defined within our Treaty
7 of 1864.

8 That treaty, and you today out here behind me,
9 you have many descendants of people that it was their
10 forefathers that signed that treaty with the United States.
11 You know, they're still here today, and they want to remind
12 you and are reminding you of the significance of that.

13 We hold that treaty to be just as binding today
14 as it was when we entered into that treaty with you in 1864.

15 The issues that we're talking about were very
16 important to tribes, even back in 1864. That's recognized
17 in Article 1 within the treaty.

18 I want to share with you a portion of that
19 article, and it says "The exclusive right for taking fish in
20 streams and lakes included in said reservation and the
21 gathering of edible roots, seeds and berries within the
22 limits of said reservation."

23 That was a provision and still is a provision of
24 this treaty that we entered into with the United States of
25 America.

1 Likewise, there's been other agreements that have
2 been made since that time with other parties. Some of those
3 parties are here today too, to talk about their concerns and
4 how those concerns are going to be flushed out in this
5 process that you're engaged in today.

6 For us, you know, it is a matter of fish and it's
7 a matter of water quality. So as you sort through the piles
8 and piles of documents and the testimony that's been
9 provided to you, you know, I want to provide you with --
10 again, I'm sure you've had it before -- a copy of our Treaty
11 of 1864, because that treaty, you know again, binds us as
12 two sovereign governments together.

13 I want to leave this with you today, so as you
14 sort through these documents you again have the legal record
15 that binds our parties together.

16 Lastly, I want to say that as you look at
17 alternatives here, it is about fish, it's about water
18 quality, it's about communities up and down this Basin. I
19 guess it is about PacifiCorp and their stockholders, and
20 their investments that they've made.

21 But ultimately, it may be left up in your hands
22 to make the final decision on this license, and we only ask
23 that you, the Federal Energy Regulatory Commission, take
24 into account all of the needs that are up and down this
25 river.

1 We hope that those needs will allow for
2 volitional passage of fish, that fish will be able to make
3 their way back up into the Basin once again on their own.

4 We hope that they're not trucked and hauled,
5 because we don't believe truck and haul is going to meet the
6 needs of the fish nor address the issues associated with
7 water quality in the Basin.

8 Ultimately, if those dams are left in place, we
9 feel that in the long run that's going to spell the
10 destruction of anadromous fisheries in the Klamath River
11 Basin.

12 So with that, you know, I hope that as you move
13 forward and work on coming out with the final application
14 and you zero in on what that final alternative is, that you
15 take into account what's been said here today, that
16 hopefully it changes from the current posture and position
17 that may have been laid out over the last few months, and
18 that you look at again the obligations that you have to all
19 of these communities here in the Basin.

20 Again, we recognize that even if we don't
21 entirely get what we're looking for, for the Klamath Tribes,
22 we're not going to back away from continuing to fight for
23 what we feel is important to our people.

24 You know, we hope that FERC does what' right for
25 us in this community. We know these decisions aren't easy,

1 but you know, we think it's very clear what's necessary in
2 terms of meeting the needs of the parties here. Thank you.

3 (Applause.)

4 MR. HJORTH: The next speaker will be Gerald
5 Skelton, Jr., followed by Rayson Tupper.

6 MR. SKELTON: (Native American greeting) This is
7 Gerald B. Skelton, Jr. I'm the Director of Culture and
8 Heritage for the Klamath Tribes, and I would be remiss for
9 not welcoming you to our beautiful holy lands and sacred
10 lands of the Klamath Tribes. So we offer these small tokens
11 of our appreciation.

12 (Applause.)

13 MR. MUDRE: Let's make sure we've got sound here.

14 (Buzzing.)

15 MR. SKELTON: Anyways, like I say, I'll try and
16 reduce our history that stands over several millennia into
17 four or five minutes.

18 As you all know, the salmon is a sacred, very
19 sacred fish to our people. It's gotten us through thousands
20 and thousands and thousands of years, and only within -- the
21 health and our subsistence and survival in this beautiful
22 land.

23 But only within the last hundred years has it
24 really greatly impacted our folks, you know, with poor
25 health, diabetes, what have you. There are some folks that

1 traveled to Alaska probably about a year ago, and they came
2 back and said that the folks up there still spoke their
3 Native language, lived long, healthy lives. It was common
4 for elders to live past 100 years old.

5 In the old days, that's how we lived here. Some
6 of our elders who passed away in the 50's, they were 106,
7 110 some of them. So they had seen a lot of history.

8 Because we don't have our fisheries any more, at
9 one time we were fishing people. That was our sole staple,
10 our food. We don't have that now. Our elders, when we were
11 placed on government rations, so to speak, with the loss of
12 some of the natural fisheries that we had, our salmon, our
13 c'waam fish, we started developing health problems.

14 Now I don't know if you folks ever had commodity
15 foods -- what do you say, commodity -- well, I know we say
16 this.

17 (Laughter.)

18 MR. SKELTON: But anyways, I mean some of that
19 food, I mean it's really great going down. But if you look
20 at it when you're preparing it, you'll lose your appetite,
21 and it's definitely not good for you, okay.

22 So we don't have those natural foods any more
23 that made us a healthy, strong people. Because of the
24 government rations that we were forced to eat, and the new
25 foods that are out there that are unhealthy, our health is

1 declining.

2 It's hard to find the elders over 60. Because of
3 the loss of our elders, we lost a lot of our culture.
4 There's a big gap in our culture, and definitely in our
5 language. I struggled every day to try and keep our
6 language alive, the wigwam and other things we used to.

7 In my mind, all that knowledge is gone now. So I
8 know I'm a big advocate for dam removal and volitional fish
9 passage. I want our salmon back for the young people, to
10 enhance their knowledge of our culture. That's it. That's
11 the whole thing.

12 You know, it comes down to another point that I'd
13 like to make. What is the best -- why is it always our
14 shoulders that have to bear the burden of somebody else's
15 economic well-being. I mean it's only our folks that seem
16 to suffer.

17 You know, we have to really make sure we enforce
18 the treaty, which guaranteed our hunting, fishing,
19 gathering, trapping and what have you, within the Basin.
20 They would have never given up.

21 They would never negotiate, and the United States
22 recognized with the Treaty of 1864, when they said "Okay,
23 Klamath Tribes. That means the Klamath, Modoc and other
24 tribes. Okay, Klamath Tribes. You still have these
25 rights."

1 Those were never taken away from us, never denied
2 at the negotiating table.

3 But I don't know why nobody sought to enforce
4 those rights. Like I say, we've sacrificed -- people ask me
5 "Well, what are you sacrificing, you know? What have the
6 Tribes given up?"

7 I have to look at them and say "Really? Are you
8 really that ignorant in history of what the Tribes have
9 given up? You work here all your lives and you still don't
10 know what the Tribes have given up?"

11 22 million acres, so folks can come here and we
12 can share the land and its bounty with them. They don't get
13 that, though. This was a little over 100 years ago. I
14 don't know what's going on, but I mean we need to start
15 learning our history, especially about our home lands here,
16 and I'm talking about the local folks, who tend to move in
17 and think everything is, like everything else back east or
18 something.

19 So we need to learn our history and understand
20 that the Tribes have sacrificed a lot in order for everybody
21 to live peacefully here. We sacrificed our salmon fishery
22 in 1917.

23 Not willingly, but PacifiCorp or COPCO at the
24 time said "Okay, we're going to put in fish ladders and
25 we're going to have volitional passage, and we'll probably

1 even put in a couple of fish hatcheries."

2 This is what elders tell me. Now, I understand,
3 it's even documented in some paper during that time period.
4 But where are those fish ladders? Where are those fish
5 hatcheries? Where are the salmon, specifically the salmon?
6 We don't have that.

7 I don't know why PacifiCorp or COPCO or now I
8 guess it's Mid-America, they talk about property rights, so
9 long as their property rights aren't being violated? Well,
10 what about our treaty rights? They're violated every day,
11 but nobody's helping us out.

12 People get bailed out with millions and millions,
13 hundreds of millions of dollars for one year of water
14 shutoff. What have our folks ever gotten? We just want our
15 fisheries back. That's it. We wanted our smolt fisheries
16 back, and we want our salmon fishery back. It's simple, and
17 I don't know why people are struggling with that.

18 Property rights, you know, where are our property
19 rights and treaty rights? As I understand in law, treaty
20 rights are the ultimate law of the land, domestically and
21 internationally. So I don't know where this country's
22 going, but I don't like the direction it's taken.

23 I'm really hoping you all can help bring our
24 salmon back, and get those dams out of there, or at least,
25 at the very least, provide volitional fishing hatcheries, so

1 that we can again have a sustainable salmon resource.

2 That's all I have to say.

3 If you're here this afternoon, I'd like to give
4 you a tour of some of the salmon fishing sites just a couple
5 of miles away. It will take maybe an hour or so. So I'm
6 open to it.

7 (Applause.)

8 MR. HJORTH: Next to speak will be Rayson Tupper,
9 followed by John Crawford.

10 MR. TUPPER: Thank you for being here, and one of
11 the things I'd like to say is we had a President of the
12 United States in 1986. He signed a bill, because there were
13 a termination that the Klamath went through, and they were
14 saying that we were no longer Indians, no tribe, no nothing.

15 He signed this bill and with the stroke of a pen
16 we're Indians again. But we have always been Indians since
17 time immemorial, and I'm looking at this dam site, and
18 trying to figure out again where is the PacifiCorp? Is it
19 Jimmy Buffet? Is it Bill Gates? Is it -- who is it, you
20 know?

21 I know I hear about the time shareholders and are
22 they here or are they over in Scotland, you know, and Jack
23 Abramoff, when he took the people who were there. Some of
24 the tribal people have money.

25 Oh wait. I guess I'm just trying to say the

1 bottom line is that I would like to have you, all of you
2 consider removing the dams, because if you look for the fish
3 ladders, that can be another 800 years, you know, and we
4 will be here when you leave here some time in the morning.

5 (Applause.)

6 MR. HJORTH: The next speaker will be John
7 Crawford. John will be followed by Bob Gasser.

8 MR. CRAWFORD: Good morning. My name is John
9 Crawford. I'm a Klamath Project irrigator. I've been on the
10 Board of Directors for Tule Lake Irrigation District for
11 about 25 years.

12 Today, I'd like to address you specifically about
13 what reasonably priced power means to Tule Lake Irrigation
14 District, and to the public resources and the relationship
15 between the Tule Lake Irrigation District's operations and
16 the public resources that we have talked about a lot today.

17 Our geographic location at the bottom of the
18 gravity flow of the Klamath Project lends itself to a great
19 deal of participation in the efficiencies that you hear
20 about so often in the Klamath Project. A great deal of the
21 water that's utilized by Tule Lake Irrigation District is
22 reused. It's return flow from other irrigation districts.

23 I think that there's a misconception in FERC
24 about the Wash River watershed, and the flow of the Lost
25 River water as it pertains to the Klamath River. I've heard

1 that the Lost River water that goes to the Klamath is simply
2 a flood control situation.

3 Clear Lake, which is the head waters of the Lost
4 River system, since the dam was built has never filled. Not
5 one drop of water has ever spilled over the spillway in
6 Clear Lake Dam.

7 At the time that Lost River water is coming to
8 the Klamath River and to the Klamath Project, Clear Lake Dam
9 is closed. That water is generated in the Lost River
10 watershed, and it takes the place --

11 As it enters the Klamath River about 12,000 acre
12 feet annually that enters the Klamath River -- it takes the
13 place of water that would be released through Lake River Dam
14 into the Klamath River as flow for fish.

15 A great deal of that water also goes into the
16 irrigation system, in the Lost River and makes it way to the
17 Tule Lake Irrigation District, to take the place of water
18 that would be diverted from Upper Klamath Lake to the Tule
19 Lake Irrigation District.

20 So certainly those flows that are generated in
21 the Lost River watershed benefit the anadromous fish of the
22 Klamath River and the Klamath Project irrigator as well.

23 There's more public good out there than people
24 understand. Being at the low end of the gravity system, we
25 operate Pumping Plant D, which created an open-ended system

1 within the Klamath Irrigation Project.

2 We are no longer the sump at the end that
3 evaporates the water. We now pump an average of about
4 80,000 acre feet of water through Pumping Plant D into the
5 wetlands of the wildlife refuges of the Klamath Basin. That
6 takes -- that facility alone takes reasonably priced power
7 to be functional.

8 If indeed we lose reasonably priced power, we're
9 going to have to change the plumbing. We're going to have
10 to change the way in the Tule Lake Irrigation District that
11 we operate that facility.

12 The ultimate beneficiary of most of that pumping
13 is the wildlife refuges. We're going to have to recirculate
14 that again back into the system, and not operate D plant to
15 near the extent that it's operated today. We will just
16 simply be forced by economics to do that.

17 That opening of that system, the creation of the
18 D plant facility, also allows for almost 100,000 acre feet
19 annually of return flow to come back to the Klamath River,
20 not far from where it was withdrawn initially.

21 The migrating water fowl that utilize those
22 wildlife refuges, the eagles that utilize those wildlife
23 refuges, the myriad of water fowl that utilize those
24 wildlife refuges in addition to the private lands within the
25 Klamath Irrigation Project, the elimination of reasonably-

1 priced power will come at a cost to all of those resources.

2 In addition, it will come at cost to the efforts
3 for salmon restoration and the reintroduction of salmon to
4 the Upper Basin.

5 The Klamath Project has worked for many years to
6 establish systems that aid in the conservation of water,
7 primarily sprinkler systems for the delivery of water
8 throughout the Project.

9 If we can't afford those systems that we have
10 been so diligent in building over time, if we can't afford
11 to operate them and we have to park them at the edge of the
12 fields and go back to the way we did it years and years ago,
13 go back to flood irrigation, go back to recirculation of
14 flooded waters instead of sending them through the system to
15 the refuges and to the river, it will come at a cost for our
16 support of the salmon restoration and the salmon
17 reintroduction.

18 We, as irrigators know that it's vital that we
19 restore the salmon. It's vital that we reintroduce the
20 salmon. We're tied to those fish too, as my neighbors have
21 spoken so eloquently about today.

22 If we're precluded from supporting those
23 activities simply by the economics of unreasonably-priced
24 power, it will come at a vicious cost to all. Thank you.

25 (Applause.)

1 MR. HJORTH: The next speaker will be Bob Gasser,
2 followed by Luther Horsley.

3 MR. GASSER: Hello. I'm Bob Gasser. I'm
4 representing the Private Water Users Association. If I had
5 thought about it, I'da brought some baked potatoes and we
6 could have salmon and they go well together. I guess I'm
7 not as sharp as some People.

8 But I want to change the subject just a little
9 bit, but the salmon issue needs to be addressed. It does.
10 But I want to talk about why PacifiCorp is in the river,
11 which used to be COPCO.

12 Why they're in the river today, and the history
13 of why they got there, is they made an agreement with the
14 Bureau of Reclamation that they would offer their facilities
15 in the river, just like the Bureau of Reclamation would
16 have, like they have done in so many other reclamation
17 projects across the country.

18 In return, because of the benefit of ag to river
19 flows, that is why the project receives a different power
20 rate. It's not they're given anything. It's for the
21 benefit of ag and the way the water flows in the system is
22 why there's a preferential rate to ag today.

23 Nothing has changed today from 50 years ago. A
24 couple of examples would be spring flows. There's flood
25 flows going down the river, and they cannot always be

1 utilized.

2 It's held up in the lake, and later on in the
3 fall or the early -- late summer, early fall, that water is
4 still there when the river could go not dry but to low, low
5 flows. The power company gets the benefit of those flows at
6 that time.

7 So I think it's not just something that someone
8 is giving something away. It has to be addressed. There's
9 still a benefit of this project to the river. One thing I
10 want you to look at on that in Section 10 of the Federal
11 Power Act, refer to the Section 797(e) of the Title I.

12 If PacifiCorp is relicensed, I think this needs
13 to be addressed, because it's very vital, as John said
14 earlier, on what happens in the Basin as far as water flow
15 going down the river. Thank you.

16 (Applause.)

17 MR. HJORTH: The next speaker is Luther Horsley.

18 MR. HORSLEY: That's correct. I'd like you folks
19 from FERC for coming here to hear my views about my place,
20 my home.

21 I'm representing the Klamath Water Users. I'm
22 president of the Klamath Drainage District, and I'm also
23 representing myself as a water user.

24 Like Andy Gigler, I also am an environmentalist,
25 but I'm a white man and I pride myself in being a good

1 steward of the soil and water in our environment.

2 I'd like to talk about the benefits and the
3 functionality of the Keno Dam. The Keno Dam was put in by
4 COPCO to make more efficient use of the river for the power
5 generating facilities. It moves -- basically, it quickens
6 the water exchange so they can use peak flows.

7 The Keno Dam's only about a mile and a half up
8 river from the John C. Boyle Reservoir, so they could time
9 the flows much better and make more efficient use of the
10 water and thus save water to do this.

11 When they did this, they did the contracts with
12 the land owners along the Keno stretch of the river, and
13 they held the river at a artificially high level. By doing
14 so, there was a lot of benefits; the people along the river
15 benefitted by this, but the irrigators and so forth along
16 the river, the project benefits from this higher water
17 level.

18 Another beneficiary of this artificially higher
19 water level is the wildlife refuges. If you look at a map
20 of the Pacific Flyway, over 90 percent of the birds stop at
21 the Klamath Basin going north and south to rest up and build
22 up their strength and to continue their migrations. Over 50
23 percent of the bird use days are on private grounds.

24 As a farmer in the Basin, I see the specs and the
25 hawks, everything on my fields and I'm just part of the

1 scenery. I hunt like these folks. I love the environment,
2 and I think we need to continue to look at what we're going
3 to do in the next 100 years and take care of our resources.

4 I agree with the guy from Umatilla, that we can
5 all share the resources and we need to -- we're smart
6 enough. We can figure out a way to bring the salmon back
7 and all of the communities along the -- in the watershed can
8 be self-sustaining. Thank you.

9 (Applause.)

10 MR. HJORTH: The next speaker will be Jackie
11 Kiizo, and Jackie will be followed by Scott Seus.

12 MS. KIIZO: You didn't give me time to get
13 nervous. Since you guys are taking bribes, Tule Lake
14 organic horse radish, except hopefully one of you doesn't
15 like it, because I only have three. But a little goes a
16 long way, so you can share.

17 I'm Jackie Kiizo with the Klamath Project. My
18 dad won a World War II homestead in 1949, and so they were
19 invited by our government to come to Tule Lake. My in-laws
20 also were several generations in the Klamath Basin.

21 We don't know a lot of things about how it used
22 to be, what fish used to be here, what flew over and under
23 and there's a lot of things we don't know how it was
24 previous to the Klamath Project.

25 There's some things that we do know. Our field

1 was under 30 feet of water. Most of the south end of the
2 Klamath Project was under water. Another thing we know is
3 this water had no way to get out. There's some places in
4 the project.

5 As you know, the water left in place until a
6 flood year. The water went into the river. If it wasn't a
7 high water year, sometimes Link River dried water. There
8 was no water.

9 We have photos like this and that show lot of
10 things historically. But we know those two things.

11 Reclamation built the Klamath Project, which put
12 our water, which had no escape, into the river. Like John
13 Crawford said, they blasted a hole through a mountain and
14 the irrigators, because of the project, we pump the water up
15 into the refuges, and then it goes into the Klamath River,
16 much of this water, water that never had a way to escape
17 before and be diverted into the Klamath River.

18 The irrigators bought, paid for, built,
19 contributed to the building of this Klamath Project. Well,
20 the first person that was ecstatic was the power company, of
21 course, because then there was finally a way. They had
22 free, regulated, clean water so there would be inexpensive
23 rates for all the customers.

24 As you probably noticed, the community is totally
25 patriotic in the way they feel about the power company.

1 They were a partner. I went to a meeting that Pacific Power
2 put on a couple of years ago, and there were a lot of old
3 timers. The things they were talking about, their
4 grandmothers were talking about this partnership.

5 It's like it was give and take, they were proud
6 of it, and they couldn't conceive, you know, one, not having
7 a rate that they could pay, and two -- yes. They just
8 couldn't imagine this partnership ever being broken, because
9 they knew what they had contributed but didn't always feel
10 appreciated.

11 So of course Pacific Power gave them a low rate,
12 because of their contribution, not only to water, but of the
13 expense of thousands of dollars a year, hundreds of
14 thousands, to pump the water into the refuge back into the
15 river at my expense and my community's expense.

16 If the power rates go up, that turns into
17 millions. Power coming into our community will never be the
18 same if our rates go up 1,400 percent. We still are
19 providing the benefits.

20 Last week I went to a meeting in Redding, and
21 many of the same people that you see today were there, plus
22 a lot more. There were miners, there were commercial
23 fishermen, there were farmers, there were Tribes, there were
24 Viomelas (ph). One of the Viomelas said to me "Why should
25 you get a low power rate?"

1 You know, they've told me -- well, they're in
2 this federation of fishermen. Like he said, if you reward
3 you with a rate, then your people will stay and we want to
4 get rid of you so they're be more unofficially elevated
5 floods in the river for your water. Giving you a rate isn't
6 going to help us, you know, get more of your water into the
7 river.

8 I heard miners, who told me what do they do with
9 thousands of tons, millions of tons of sediment going down
10 the river. I talked to people from Siskiyou County, and one
11 woman, she's a representative that said you know, you greedy
12 Klamath Basin irrigators.

13 I mean we've been paying your subsidies, she
14 called it, all these years, and now you want more. I said
15 where did you get that? I said well PacifiCorp. That's how
16 it is now. That's how it is. I see these people
17 living on the reservoirs that say "Do you realize that our
18 economy will be decimated if the dams come out?" There's
19 the Tribes, that believe that, you know, the dams must come
20 out to get fish up here. We've got to just take them all
21 out. It's got to be natural. It's got -- that's how it
22 goes with the spirit.

23 Talked to a lawyer in (name), and they said yes,
24 we could remove all the dams. That's a fine political
25 solution. It would cost us, but it is a solution. We don't

1 know what's going to happen. We don't know what that's
2 going to do to the fish.

3 We know we used to do hatcheries. Now we're
4 limited in how many fish we can put in the river from the
5 hatcheries. We could trap fish. We have solutions. We
6 know how to make fish, but the government agencies aren't
7 allowing us to do those solutions.

8 So here we are. I have many people angry because
9 water users is at the FERC table, negotiating about dam
10 removal, because it will destroy their economies down the
11 river and their communities. You know, the communities
12 can't hear what they're talking about because of the
13 secrecy.

14 So right now, I guess, it's sort of in the palm
15 of your hands. There's a win-win where perhaps we could
16 bring the fish up with traps, some fish species.

17 We could take out all the dams, decimate some of
18 the communities. We could forget the irrigators'
19 contribution with the free hydropower, regulated water to
20 produce power for 70,000 customers a year.

21 A couple of years ago, when people were getting
22 their power shut off, you know, they shut off, you know,
23 hospitals, nursing homes. They needed that power. They
24 realized our country needs that power.

25 So I don't know what I wrote, but like a guy said

1 in the 2004 Congressional hearing here, he was a coastal
2 fisherman, and I guess you guys know that the coastal
3 fisherman this year got relegated to the dead zone in the
4 oceans. They caught very few fish. They, you know, are
5 going into bankruptcies, suicides. They ended up with the
6 same thing in 2001.

7 They've all pointed out the Klamath irrigators
8 like we're the destructive people on the river, and they
9 know better. They've come up here. They know better than
10 that. But it, you know, it's sad how this is all driven us
11 against each other.

12 I believe there's solutions in finding some
13 passage, trapping the fish. It's not real natural, but it
14 works in a lot of rivers like the Columbia.

15 The river has eight dams and they have fish like
16 they have, you know, historically. I just know that without
17 a power rate, you know, our community will be totally
18 decimated. Without dams, other communities will too.

19 So we hope you'll, you know, really look at the
20 science, what's really prudent to work, what the hazards
21 are, consider all the people, all the communities, and one
22 thing I want to add.

23 When the National Academy of Science was here a
24 couple of years ago, and they had a big science meeting and
25 talked to us, that you know, it doesn't matter what you do.

1 You're not going to change the life quality of the Klamath
2 Lake.

3 It's always been bad historically. The books say
4 it's bad. It doesn't matter what you do. The water quality
5 up there is bad. So again I aks you, look at the
6 communities, look at the economics, look at the science and
7 remember all the communities that you'll be affecting.
8 Thank you.

9 (Applause.)

10 MR. HJORTH: The next speaker will be Scott Seus,
11 followed by Bill Heiney.

12 MR. SEUS: Good morning. My name is Scott Seus
13 and I am here representing the Klamath Water Users. I am
14 the Chairman of the Power Committee for the Klamath Water
15 Users.

16 I'm a third generation farmer here in the Klamath
17 Basin, growing food for a hungry world, habitat for
18 flourishing wildlife, employing over 100 employees that
19 depend on low-cost power to keep our farms and communities
20 whole.

21 I am also the Chairman of the Power Committee,
22 representing the Klamath Water Users Association, an
23 association started in 1953 to protect water rights and the
24 power interests of the irrigators in the Klamath Reclamation
25 Project.

1 In 1956, the irrigators were successful in making
2 the case to FERC and the world that the infrastructure of
3 the Klamath Irrigation Project was a critical component to
4 the success of the Klamath Hydro Project, then owned and
5 operated by COPCO.

6 Fifty years, we are in an irrigation community
7 that is more productive, more efficient and still a vital
8 part of the world around us, feeding people and wildlife and
9 stewards of open space for both to enjoy.

10 Today more than ever, low cost power is essential
11 to irrigated agriculture. Likewise, the water that we
12 provide to the PacifiCorp hydro project in the Upper Klamath
13 River is more valuable than ever to fuel the generators on
14 which a growing population depends to keep their lights on.

15 The Klamath Compact signed in 1957 was entered
16 into by Oregon and California, and ratified by the United
17 States Congress, establishing a federal law that has been
18 regarded by the inhabitants of the Klamath River Basin as
19 the law of the land since that time.

20 The compact contains the clear provision
21 regarding power in Article IV. "It shall be the objective
22 of each state in the formulation, in the execution and the
23 granting of authority for the formulation and execution of
24 plans for the distribution and use of waters of the Klamath
25 River Basin to provide for the most efficient use of

1 available power and its economic integration with the
2 distribution of water for other beneficial uses, in order to
3 secure the most economical distribution and use of water,
4 and the lowest power rates which may be reasonable for the
5 irrigation and drainage pumping, including pumping from
6 wells."

7 The authors of the Klamath Compact understood the
8 intricate relationship between the Klamath River Hydro
9 Project, the irrigators of the Upper River Basin, and the
10 interests that live above and below us in the watershed.
11 Affordable power is a critical component to maintain water
12 for irrigation, water for refuges and return flows to the
13 Klamath River that benefit the hydroelectric project and
14 downstream interests.

15 Without the Klamath Irrigation Project and the
16 water stored within, there would be inconsistent flows that
17 would result in less power production and a volatile
18 ecosystem.

19 Our ties to PacifiCorp go beyond the obvious
20 power nexus. We are partners in the irrigation project
21 operations as well. Since the early 1900's, we have been
22 partners with the operators of the hydro project in regards
23 to Keno Dam.

24 Keno Dam is a critical component to the
25 utilization of stored water and the project operations of

1 the west side of the irrigation project.

2 There are thousands of acres that rely on the
3 power company to operate Keno Dam in a manner that makes the
4 water available to their land. Likewise, PacifiCorp
5 utilizes Keno Dam as a regulatory dam that controls the
6 water to their generators down river.

7 It is essential to their operations down the
8 river, controlling when and in what form that water rises in
9 J.C. Boyle, and consequently the other dams further down the
10 hydro project.

11 To remove it from the relicensing process would
12 be as if to say PacifiCorp may pick and choose their
13 responsibilities, just as they have chosen to disregard
14 their responsibility to provide low cost power to the
15 Klamath Project irrigators in spite of the contract and 90
16 years of history.

17 The Klamath Water Users are committed to our
18 charge: low cost power and protecting our water rights. We
19 have engaged in the formal FERC process regarding
20 relicensing of the dams, and we are engaged in the FERC
21 settlement process with all the stakeholders of the river.

22 A large group is meeting today, as I speak, to
23 discuss a peaceful and reasonable compromise that would
24 represent the interests of all the parties to the FERC
25 process. Issues such as community welfare, cultural

1 interests, the ecosystems, the farm communities are being
2 represented by 28 representatives from the Upper Basin to
3 the Lower Basin.

4 Federal, state, Tribal, county, conservation and
5 farm interests are gathered in a never before seen effort to
6 resolve the issues that have hamstrung what could otherwise
7 be a peaceful and prosperous river basin community.

8 What I ask of you, the empowered body, is to
9 allow the process designed by your agency for the purpose of
10 allowing a peaceful gathering of legitimate stakeholders, to
11 design their own fate with regards to the dam relicensing,
12 to present their collective opinions and compromises as the
13 best solution for an otherwise complicated and controversial
14 decision, that would undoubtedly leave many feeling
15 betrayed.

16 This process has provided an opportunity to a
17 torn community to come to the table with legitimate stakes,
18 and to come to terms with one another in a manner that will
19 allow us to heal together.

20 I'd be remiss to suggest that there is not a lot
21 of hard work ahead of us. But we are committed, and we are
22 tireless. Should the day come that we are ready to present
23 a solution that represents all of the stakeholders, consider
24 that we have all given to gain for the greater good.

25 Should we fail in that endeavor we, the

1 irrigation communities, request that FERC not remove Keno
2 from the relicensing process, and that it uphold Section 10
3 of the Federal Power Act, which takes into account that all
4 aspects of the river are important, fish and wildlife,
5 irrigation, flood control and water supply.

6 We also ask that FERC uphold the 4(e) condition
7 for federal power reservation, that compensates the Klamath
8 Irrigation Project for the fuel that they supplied to the
9 Klamath Hydro Project. There can be fish and farms.

10 (Applause.)

11 MR. HJORTH: The next speaker will be Bill
12 Heiney, followed by J. Marshall Staunton.

13 MR. HEINEY: Thank for giving me this
14 opportunity. My name's Bill Heiney. I'm going to make this
15 short, because you've already heard a lot of what I was
16 going to talk about.

17 I'm a third generation farmer in the Project. My
18 grandfather homesteaded in 1932, and on that farm we still
19 produce healthy food that feeds the world. We help on that
20 farm. We also help with the economy of this Basin, and on
21 that farm we also produce an abundance of food for wildlife
22 in the Basin.

23 I'm also on the Tule Lake Irrigation District
24 Board, and I have a good understanding of when they say this
25 Klamath Project is 93 percent fishing, of how that's

1 accomplished. We pay the cost. You know, it's
2 recirculated, it's pumped back up, it's pumped through the
3 hill and back into the river.

4 That is a very efficient project, with huge
5 contributions to everything. In order for all of this, all
6 this good stuff to not just disappear, we need an affordable
7 power rate.

8 So I ask you that we can somehow arrive at an
9 affordable power rate. Thank you.

10 (Applause.)

11 MR. HJORTH: The next speaker will be J. Marshall
12 Staunton, followed by Anita Ward.

13 MR. STAUNTON: I'm going to submit written
14 comments as well. But I just wanted to say that I'm
15 representing myself today, that I'm also co-chair of the
16 Hatfield Upper Klamath Basin Working Group.

17 The Working Group has the distinct pleasure of
18 working now with a group of scientists that I believe are
19 well-trusted and respected. They wrote a report to the
20 Hatfield Group in February of 2006. I'm going to read a
21 couple of paragraphs.

22 How this pertains to the FERC relicensing is I
23 believe you've taken a lot of agency input, but I don't
24 believe you've tried to take scientists that are trusted and
25 supported by Tribal interests, farm and ranch interests,

1 environmental interests, etcetera, like Hatfield has got put
2 together now, including them into the discussion of best
3 possible design and restoration of the Klamath River, for
4 both salmon and all the way up through all the species.

5 So paragraph one, "Over the past six months, the
6 Hatfield Science Team has worked to focus restoration
7 efforts for fiscal year 2006 in such a way that resources
8 are spent in the most effective way.

9 "The goals of the Science Team will remain the
10 same: Recovery listed suckers, ecosystem restoration and
11 reliable water deliveries.

12 "While species recovery is the priority, all
13 three goals remain the focus and guide their planning as
14 well as funding recommendations."

15 Then they go on to state that "In the fall of
16 2005, we developed" -- and this is interesting that such a
17 diverse group developed -- "a five-year plan for restoration
18 of the Upper Klamath Basin, identifying critical on the
19 ground and research projects. This plan informed the
20 proposal process and recent funding decisions.

21 "We determined that the highest priorities
22 geographically are Upper Klamath Lake and the Sprague River
23 Basin, and lake restoration will require addressing three
24 key issues: Restoring fish habitat, particularly at the
25 Williamson River delta; improving water quality with fringe

1 wetlands."

2 There's over 20,000 acres now around the fringe
3 of Upper Klamath Lake that have gone out of agriculture and
4 back into wetlands, a massive restoration effort.

5 Also included in the five-year plan are habitat
6 restoration and water quality improvements in the Wood River
7 Valley and Lost River Basin.

8 So I will read the last paragraph. "We also
9 commend you for initiating the Hatfield Science Team. This
10 is important for the FERC relicensing, and we're providing a
11 diversity of expertise and perspective, extremely beneficial
12 as we work to establish priorities and evaluate proposals
13 for the restoration of Upper Klamath Basin.

14 "We are glad to provide you with recommendations
15 that we believe reflect a strong, science-based approach to
16 restoration, and we believe you will see progress toward all
17 three goals that you entrusted to us.

18 "We also anticipate auxiliary benefits such as
19 improving habitat conditions for other aquatic and repairing
20 species, undertaking nutrient movement or understanding
21 nutrient movement and processes, and perhaps, most
22 importantly, building productive relationships between local
23 land owners, resource management and the research community
24 so that the concerted efforts to improving both ecological
25 and social conditions in the Upper Klamath Basin can

1 continue to move forward."

2 This was submitted by Mark Buettner of the U.S.
3 Fish and Wildlife Service; Harry Carlson of UC-Davis,
4 Intermountain Research and Extension; Larry Dunsmoor, the
5 Klamath Tribes; Bob Gearheart of Humboldt State University;
6 Jon LaMarche of the Oregon Department of Water Resources;
7 Graham Matthews of Graham Matthews and Associates; Jim
8 O'Connor of the U.S. Geological Survey; Roger Smith of the
9 Oregon Department of Fish and Wildlife; and Dave Vogel of
10 Natural Resource Scientists.

11 (name) at this particular week-long event
12 represented the Bureau of Reclamation and their scientists,
13 and the business representative was Mike Vias. So again, I
14 don't think the relicensing process has included a diverse
15 group, and I support a diverse and productive group of
16 scientists being able to provide input.

17 Provided that settlement -- but I understand
18 obviously if settlement happens, that's going to take
19 priority and that will be great news. But certainly a
20 diverse group of input that comes together on the best
21 possible design for the dams on the Klamath River, as well
22 as the restoration is needed, in my opinion.

23 (Applause.)

24 MR. HJORTH: The next speaker is Anita Ward, to
25 be followed by Leroy Jackson, Jr.

1 MS. WARD: I do not have prepared comments today,
2 and I do plan to submit written comments.

3 MR. MUDRE: You can just take that and hold it,
4 yes. That would be simpler.

5 MS. WARD: But I did want to speak directly to
6 everyone. I also am a member of the Hatfield Upper Klamath
7 Basin Working Group. I hope everyone heard me so far.

8 I have participated in many FERC relicensing
9 subcommittee and discussions up and down the Klamath Basin,
10 the whole Klamath Basin, from the head waters down to the
11 mouth. I wanted to get a flavor of the comments that I plan
12 to submit later on.

13 I first of all greatly empathize with all the
14 stakeholders in the Klamath Basin, and want them to be as
15 whole as possible. I realize that this FERC decision is
16 going to be very difficult.

17 But I hope that you're listening carefully to all
18 the comments that are made today, and in the past and
19 probably in the future, and that you hold them in your
20 hearts, because they make a great difference to how all of
21 us will live from now on into the future.

22 While I have participated in all these
23 discussions, I have been invariably drawn to the conclusions
24 that the ideal situation is to totally remove all the four
25 dams. But in order to make accommodations with all the

1 stakeholders, we may have to make compromises.

2 At the very least, I would like COPCO I and Iron
3 Gate dams breached, and look forward to the time, some time
4 in the near future, rather than the far future, that we
5 could hold a salmon festival in the Upper Klamath Basin to
6 celebrate the return of the salmon. Thank you.

7 (Applause.)

8 MR. HJORTH: The next speaker will be Leroy
9 Jackson, Jr., to be followed by Edward Case, Jr.

10 MR. LEROY JACKSON: Welcome. I am Leroy Jackson,
11 Jr. I'm the health services manager for the Klamath Tribes.
12 I'm going to bring a different perspective to the panel
13 today, and it's concerning health.

14 If we're going to look at this hearing, one of
15 the key components that I bring to the table is that, you
16 know, we look at all of the different topics that have been
17 discussed here today. But also a part of that, I think, to
18 look at the health issues that are involved with what is
19 going on here.

20 As we signed the treaties, as you've heard
21 before, part of what's in those treaties is the hunting,
22 fishing, gathering rights. But also part of those treaties
23 also involved taking care of and providing health services
24 to our tribal members.

25 Since we don't have salmon up here, that was one

1 of our mainstays of gathering, fishing and hunting rights.
2 With the loss of those, it has created an impact, I believe,
3 with our people here. Because of that, we have health
4 disparities now as a result of those types of actions that
5 have taken place.

6 It seems like all the time, we always have -- we
7 always get pushed back, you know, pushed to the side or
8 other things come, you know, come into play, where we kind
9 of get shoved to the back of the goal or getting lost in the
10 shuffle.

11 But as a result of that, some of the things that
12 you need to take into consideration is the health issues
13 that relate to what we're talking about here.

14 As a manager, looking over the health care of our
15 people, not only with this Tribe but in the Indian country
16 across the nation, you need to look at those types of issues
17 and look at some of the data that's out there, of how, you
18 know, we have prisoners that are getting better health care
19 and how we're short on funds, because we get lost in the
20 shuffle.

21 So don't get hung up with a lot of things that
22 you're hearing, but also take into consideration the health
23 care costs, you know, and how we have maintained and have to
24 maintain with the shortage of funds for our programs. When
25 you make your decision to bring our salmon home, that that

1 has an impact, and that helps us to get better health care
2 again.

3 I'd just ask that you remove the dams, bring the
4 salmon home, so we can get back -- get healthy again as a
5 people. Thank you.

6 (Applause.)

7 MR. HJORTH: The last speaker that has signed up
8 to speak is Edward Case, Jr.

9 MR. CASE: Everything I wanted to say has been
10 said. But I just want all the non-tribal members here to
11 just kind of sit back and think what happened when these
12 dams came in, where all our people for generations, during
13 the months from late July to December, we used to gather on
14 these rivers.

15 Just think about it for one second. Everybody
16 came to fish and there was no fish. Can you imagine the
17 devastation that the People thought? You know, there was no
18 fish.

19 For generations, they came and fished like that,
20 all because of dams on the river, which was promised to have
21 fish ladders but COPCO didn't fulfill their promises.

22 But that's just, you know, a small mistake on
23 their part, I guess, but can you imagine the devastation,
24 like up in here how, you know, in this Klamath County, you
25 know, 2001, you know. I've heard it five million times,

1 2001.

2 Think of it. From 1910 until now, where there's
3 been no salmon in the river, but all they hear about is
4 "since 2001, 2001, 2001." If their ancestors wouldn't have
5 drained Tule Lake, which was 30 feet deep at certain times,
6 and looked towards the future, you know, they might have had
7 enough.

8 But they're hard-working people, you know, and
9 all we hear about is 2001, 2001. My father fought in the
10 Pacific. My uncle fought all over Europe. My aunt's
11 husband fought in the Pacific as a tank commander.

12 When they came home from the wars, they would say
13 "Well, you guys did a good job but you're BIA Indians. You
14 don't get nothing from the government. But thank you for
15 fighting."

16 In the Klamath Tribe, there was 130 members
17 fought in World War II, and they all came back and same
18 thing. Nothing. We've all been hearing, which I'm kind of
19 sick and tired of hearing about 2001, you know.

20 I read all the nice little things they said about
21 our fish and about our Tribe on all their little signs all
22 over lower Klamath County. I sat there and watched where
23 they broke federal laws by opening up water gates.

24 If I was an Indian and I went on the river, I
25 would be arrested right now. But they had everything going

1 for them, so you know, and then the rates. A penny a
2 kilowatt hour, whatever that meant, you know, for 50 years.
3 I guess that's how they got paid.

4 Then for, you know, "We didn't do nothing. We
5 work for the world. We feed the world." That's why three
6 men came up and shot the hell out of Chilaquin, you know,
7 because of that, 2001. All the graffiti.

8 Then all of the sudden, the Klamath Tribe opened
9 a casino. Then what happens? We got graffiti up and down
10 the road about the sucker, and everything is a sucker, you
11 know.

12 Like I said, that's always been bugging me all
13 the time. I've been arrested, threatened by OSP and that's
14 just a little thing, you know. That's been happening in
15 this county, and this is my words. Like I said, we've all
16 got to work together, but how can you when everything's been
17 turned against the Tribes like the dams, and how it got
18 thrown in our face about 2001 now for about five million
19 times, you know.

20 I understand a lot of things, but that thing I
21 don't understand, and I live on the river. I still live on
22 my acreage up there. That's all I have to say.

23 (Applause.)

24 MR. MUDRE: That was everyone who had signed up
25 to speak. I don't know if there's anyone who came in late

1 and didn't have an opportunity to sign up that wants to
2 speak. Or if someone changed their mind and decided they do
3 want to speak, we can hear from them now.

4 Otherwise, we can go ahead and conclude today's
5 meeting.

6 MS. CASE: Hi. My name is Taurean (ph) Case
7 (ph). I had -- I think you're aware of everything that is
8 going on on the Internet. So I had to take care of
9 something for my Tribal chairman this morning.

10 I'd like to relay that I did speak in January of
11 2005, and along with me was a tribal member, Derrick Kimball
12 (ph). I hope you remember what he stated on that day. On
13 that day when I spoke, what I said was that we, the people
14 here, will always speak for the fish, because they cannot
15 speak for themselves.

16 We are going to continue to do that, because
17 those fish are down there and they're not going to have the
18 voices. They are down there with those concrete dams in
19 their way.

20 They're never going to be able to say what they
21 need to say. They're never going to be able to say that
22 they want to come home. So we're going to always say that
23 for them. Bring them home.

24 (Applause.)

25 MR. BEVERLY (ph): I didn't have an opportunity

1 to speak. My name is Jeff Beverly. I want to speak for
2 myself. I'm an employee of (name) Family Services. I want
3 to speak for them as well, and want to remind you that
4 there's a lot of emotions that are tied to your decisions,
5 to the report that you're going to be presenting.

6 There's a lot of people not only in our Basin,
7 whether it's Upper Klamath or Lower Klamath Basin. There's
8 a lot of people in the generations to come that are going to
9 be affected by our decisions.

10 We've all talked about our generations, our
11 grandfathers and their grandfathers that have come before us
12 that have lived here, that have either worked on the lands
13 or lived off the lands. We're going to continue to do that
14 in the future.

15 I don't think any of us have plans of leaving. I
16 encourage you to keep that in mind, that we're all going to
17 be here, and that your decision is going to affect all of
18 us.

19 So please take a second to think about that, and
20 how it is affecting all of our lives here. I encourage you
21 to use the science and use your best judgment, and speak
22 from your heart when you do make that decision. Thank you.

23 (Applause.)

24 MS. JACKSON: My name is Lynell Jackson. I'm a
25 tribal member of the Tribe Klamath (name). I'm also a

1 minister of a church here in Chilaquin. You know, it
2 touched my heart to hear the testimony that was brought up
3 today, a lot. It touched my heart to hear a younger
4 generation get up and share what they shared.

5 Sitting here and listening, you know, to hear
6 these testimonies, you know, it just stirred my heart to get
7 up here. I think I'm an instrument of the church. I had
8 the opportunity to travel up north to Washington, and as
9 part of our church we have a lot of meals.

10 When they laid out those tables up there, you
11 know, they had a lot of salmon. All the time, a lot of
12 salmon, a lot of the seafood, you know. It just made me
13 think about our area down here, and it made me miss what we
14 don't have here, you know.

15 Because we have meals and pot lucks down here,
16 and we don't see that. We see a lot of like the spaghetti
17 and potato salad, that kind of stuff. But we don't see that
18 salmon.

19 I had the opportunity to go up there to the
20 Columbia River and we went up there fishing. I got to watch
21 them, and they go out on the Columbia. They put in their
22 nets and they collect their salmon. To see that, you know,
23 it made me sad. It made me sad because we don't have that
24 here.

25 They don't get a whole lot to sell, but what

1 they've got, they're so thankful you, because they're from a
2 fish area, and they dry it and they share it with everybody
3 that they can.

4 It meant a lot to me to have the privilege to go
5 up there and to stay with them to see that, to watch that.
6 In our area here, the people that need that or want the
7 salmon, they have to buy it. Like these brothers, you know,
8 they have to go up the road to go fishing for it.

9 I agree with them, it's not fair. You know, it's
10 not fair and like this one sister said, you know, I haven't
11 seen fresh salmon here in our own basin in all my life. I'd
12 like to -- I'm here to ask that those dams be removed,
13 because we do need that.

14 You know, we have a beautiful lake, the largest
15 lake and you know, it's dead. It hurts my -- well, to speak
16 about it, it breaks my heart every time I go to Chilaquin
17 and see that lake.

18 I just want to thank you for coming and listening
19 to us. I love my Tribe and I love the people here that had
20 the courtesy to get up and share from their heart and to
21 share. It's not easy, you know. It's hard.

22 Like my brother Ed here. I agree with what he
23 said. You know, what's been going on, that hurts. It does
24 hurt. But we've got to pray for the time to be healed, for
25 everything to come together, work together for all of us.

1 Thank you.

2 (Applause.)

3 MR. DONAHUE: My name is Craig Donahue, and I'm a
4 Cayuse. I travel up and down the river all summer, all
5 winter. I have family ties to here, Cayuse and other
6 places. I have to go down there, you know, five, six times
7 a year to get fish for my family.

8 You know, there they remark "Why aren't the fish
9 up here? Why isn't the tribe doing more?" Well, the Tribe
10 is. They're stepping up finally, and it's a sad thing.
11 Can't go to any of these native rivers where the fish should
12 be, can't go out there. Can't teach your kids anything
13 because you don't have the stories any more.

14 You know, you guys have a legal contract.
15 Where's the ladders, you know? The farmers, they went
16 through it. Well, we don't have a big bucket up in front of
17 the courthouse. Where's our big salmon? It pisses me off.
18 That's all I have to say.

19 (Applause.)

20 MS. HOLLIS: Hi. My name is Willa Hollis (ph),
21 and I'm a Klamath Tribal member, and I'm also a descendent
22 of (Native American name), an original treaty signer.

23 Like a lot of people have said here before, we
24 have family members that still are here from every single
25 treaty signer at that time that treaty was sealed. Their

1 families are still here. If they want to get done, what
2 we're trying to do now is think about our children and our
3 future.

4 You know, I cannot forget about my generation,
5 the lost generation. I cannot think about looking out for
6 me. You know, I think what I want for my children and for
7 my grandchildren. We're all here today talking about
8 decisions that were made 90 years ago.

9 So when you make your decision, I just want you
10 to remember, you know, think about the future, you know.
11 What will this decision impact 90 years in the future? How
12 is that going to change things?

13 I mean all rivers are dirty. Even -- I just
14 heard someone say Klamath Lake has always been dirty. I
15 went there as a child; it was clean. I remember swimming
16 out in those rivers and bathing when I was little, and they
17 were clear.

18 You could see all the way to the bottom. I go up
19 there now and you can't even swim in it. You can't even see
20 through it because the water is so murky and so dirty.

21 We need to, you know, to take care of our land,
22 you know. We're sharing this land now with other people.
23 It's not belonging to the Tribe any more. We need to take
24 care of our land and our rivers, and that means bringing the
25 salmon home and making those rivers healthy.

1 So I know you have a lot of decisions to look at
2 and lot of opinions. I just hope you can look at them all
3 over time, look at whatever is going to give to everybody
4 the most, not just one side of the people get everything.

5 It has to affect everybody, all of our children,
6 you know, farmers' families, for our families, even your
7 families are going to be affected by whatever decision you
8 make. So I just wanted to make that statement.

9 (Applause.)

10 MR. ANDERSON: I am Jerry Anderson, and I
11 represent Southtech International. We are a harvester of
12 blue green algae of Upper Klamath Lake. There is an
13 industry up here. I just want to make you aware of that.
14 We manufacture and sell dietary supplements and foods from
15 the blue green algae.

16 There are several companies here. There are
17 approximately 30,000 jobs in the United States that are
18 dependent on the algae. There are two to three hundred
19 local jobs that are dependent on it.

20 At this time, I don't have any comment on dam
21 removal. I don't have any idea of what effect it will have
22 on Upper Klamath Lake. It depends on the extent of the dam
23 removal and how far it goes.

24 I'd like to say that we do support environmental
25 causes in principle and financially. We have supported

1 habitat restoration for years in the Upper Klamath system.

2 I would just like to say that there are different
3 types of blue green algae. I've read quotes in papers
4 about toxic blue green algae in the lower reservoirs on the
5 Klamath system, and those papers are quite damaging to our
6 industry.

7 I'd just like to make you aware that there are
8 different types. There's good and bad types of bad blue
9 green algae, and there's an industry here at Upper Klamath
10 Lake that depends on it. Thank you.

11 (Applause.)

12 MS. BLACKWELL: My name's Betty Blackwell, and I
13 signed up to be an observer. After listening to everyone's
14 side and money and low rates and of course everyone has
15 needs. We all have needs.

16 We all would like it to be the way it was.
17 Things change, and we just have to all learn how to help
18 each other, to bring the changes and bring things back to
19 the way they were.

20 That algae man, I just had to come and speak for
21 the water. I haven't heard too many people speaking for the
22 water. We consider our water sacred, and any time I talk
23 about water, I say the sacred waters.

24 I think those dams strangle our rivers. They're
25 river stranglers, and from looking at the dam, it chokes all

1 the clear water, holds it back and that's why those algae
2 grow. We do need an outlet in the lake, because you can see
3 the change in the lake.

4 I remember as a child -- I retired in 1990 from
5 Portland. I worked for Native American Rehab, and I
6 remember how the lake looked in the old days when I was a
7 child, and I remember all the fish on the river but not
8 salmon.

9 I know salmon through the Columbia, and people
10 are blessed and they hold those salmon and waters sacred,
11 the same as we do. We need to look at the Creator's work.
12 Now we can't modify the Creator's work, because there's a
13 grand plan that God made, and that's how it should stay.

14 So take that into consideration, that we can't
15 remake God's work, and think about that. Thank you.

16 (Applause.)

17 MR. MUDRE: Okay. I want to thank everyone for
18 coming today and providing us their input. I want to say
19 I'm very impressed by and appreciative of the level of
20 respect that everyone showed everyone else in this room.

21 We'll take all this information back and consider
22 it, along with the information at our other five meetings,
23 and hopefully come out with a final EIS that everyone can
24 live with.

25 I guess otherwise, we do have five other

1 meetings. If anyone wants to come to them, they're
2 certainly welcome to come. I've got just -- I've got three
3 copies of the DEIS on CD if anyone doesn't have one and
4 wants one.

5 Lacking anything else, we'll adjourn this
6 meeting. Thanks again for coming.

7 (Whereupon, at 12:01 p.m., the hearing was
8 concluded.)

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