BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Docket No.

KLAMATH HYDROELECTRIC PROJECT : P-2082-027

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Yreka Community Theatre

812 North Oregon Street

Yreka, California

Wednesday, November 15, 2006

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

MODERATOR: TIM WELCH

P R O C E E D I N G S

(9:00 a.m.)

MR. WELCH: -- Klamath Project.

My name is Tim Welch and I am with the Federal Energy Regulatory Commission in Washington, D.C. I am the Chief of West Branch Two. Our group is preparing the environmental impact statement for this particular project.

To my right is Dr. John Mudre. John is the project manage and a fishery biologist.

To my left is Doug Hjorth with the Lewis Berger Group, which is the Commission's contractor, also assisting us in preparing the environmental impact statement.

And to his left is Carol Eiford, also with the Lewis Berger Group.

Our Chairman, Joseph Kelleher, in Washington, D.C., has a tradition of beginning all the Commission meetings with the Pledge of Allegiance to the Flag. So I'd like to carry on that tradition. So I would ask you to please rise and give our Pledge of Allegiance to the Flag.

(Pledge of Allegiance to the Flag recited.)

MR. WELCH: Thank you very much.

So to begin the meeting John will give about a ten minute presentation to sort of get everyone's bearings about where the proceeding is right at this moment and what's coming up in the future. And following that we'll

begin the list of speakers.

And we have how many speakers? We have 12 speakers that would like to present some testimony.

I guess I would ask that anyone who speaks -- this meeting is being recorded by a court reporter so we'll have some transcripts that we can take back with us. He's up there in the booth. And so when you do go to speak, the speaker's microphone is right over here. Don't be afraid of it. This is a unidirectional microphone so you have to kind of walk right up to it. And if you can't hear yourself through the speakers you're not quite close enough. So go right up to it and make sure that whenever you speak you need to please give your name and any affiliation you might have so the court reporter can get your name into the record.

So at this point I'm going to turn things over to Dr. John Mudre and he'll give us a little presentation of where we are.

John.

DR. MUDRE: Thank you, Tim.

I'd also like to welcome everyone here today and thank you for coming. Let's get right down to business here.

Tim took care of the introductions and most of this. But the biggest purpose here today is to hear your

comments. So we're not going to spend a whole lot of time letting you hear us. But we do want to point out a few things so everyone understands what this proceeding is about.

The Federal Energy Regulatory Commission is an independent agency that regulates the electric power, natural gas, oil pipelines and the hydroelectric industry. The Commission consists of five commissioners who are appointed by the president and confirmed by the senate. And the president designates the chairman of the Commission.

The Office of Energy Projects is the part of FERC that administers the non-federal hydropower and gas projects. With respect to hydropower we have three divisions, the Division of Hydropower Licensing, which is the division we are in that handles the licensing of projects and re-licensing of projects. We have a Hydropower Compliance and Administration Division that sort of looks at projects after they're licensed to make sure that the projects are being operated in accordance with their license. And we have a very active and effective dam safety program to make sure that all of the dams and facilities around the dams are operated safely.

Our main office is in Washington, D.C. We have five regional offices that consist mainly of engineering the dam safety people. And the regional office that oversees

the Klamath project is the Portland Regional Office.

So again, we're here today to receive oral and written comments from agencies, non-governmental organizations, and interested persons on Commission staff's draft environmental impact statement for the re-licensing of the Klamath Hydroelectric Project.

I'm just going to briefly go over the history. In February of 2004 PacifiCorp filed an application to re-license the project. And that sort of set this whole process in motion. During the spring of 2004 we issued our scoping document one that was our view of what the issues were that needed to be looked at in this re-licensing. But then we held site visits and scoping meetings in May and June to hear from people like yourselves and agencies, what they thought the issues were too, so we would make sure that we would look at -- we would cover all the issues in our environmental analysis.

In August of 2004 we accepted the application and solicited motions to intervene and protests, and we got plenty of both. In May of 2005 we issued scoping document two, which was sort of our revised version of scoping document one that took into account everyone's comments and new issues that were raised during the scoping meetings and written scoping comments that we have. So scoping document two sort of outlined what we were going to look at in our

draft environmental -- environmental impact statement.

In December of 2005 we issued a notice saying that this proceeding was now ready for environmental analysis. So at that point we had all the information that we need to begin our -- the preparation of our environmental impact statement.

And that notice also solicited preliminary terms and conditions and recommendations from various resource agencies as to what, you know, their recommendations as to how the project ought to be operated if it was going to be re-licensed. And that was in March of 2006.

Now there's a new -- In 2005, or in -- yeah, December, I guess of 2005 there was the Energy Policy Act. It was a new legislation that sort of put a new step into this process. And under this legislation the licensee can propose alternative mandatory conditions to those that were proposed by the various agencies. And in April of 2006 PacifiCorp did file alternate mandatory conditions and also requested trial type hearings to decide issues, disputed issues of material fact.

So this is a new step. This is like the first or second project that we've actually had to go through this that these hearings and alternate conditions came into play.

Okay. So at the end of September 2006 we issued our draft environmental impact statement. And two days

later the administrative law judge issued his decision on the issues of disputed fact.

And in October -- last month -- we requested biological opinions from the Fish & Wildlife Service and National Marine Fisheries Service, and we also sent a letter to fish & wildlife agencies to start a process where we attempt to resolve what we see as some inconsistencies between some of their recommendations and the Federal Power Act. That process is just starting and will be continuing.

And finally, November -- now -- we're holding these meetings on the draft EIS. We had one yesterday in Klamath Falls. We have this one right now we're at now; seven to nine tonight, the same place, we're having another meeting; tomorrow seven to nine in Yreka. And then the 29th of November we're having a meeting in North Bend, Oregon. And on the 30th of November we're meeting in Newport, Oregon. And that should be it.

Okay. The National Environmental Policy Act -- or NEPA -- requires us to conduct an independent analysis of environmental issues that are related to the decisions that the Commission makes. Our analysis has to consider the water quality, fish and wildlife values in the involved waterway. But we also have to equally consider electric energy production and other developmental values as well. So it's kind of a balancing act that we do.

We have to give strong consideration to terms and conditions provided by the resource agencies. Our conclusions and recommendations and the Commission's decision are all based on the public record for this project. And that public record is available on our website and people -- will tell you a little bit later a little more how to do that. But everything is, you know, in the public record.

And the environmental impact statement serves to inform the Commission's decision on whether and under what conditions to issue a new license for the project.

We considered four action alternatives in the draft EIS: The re-licensing the project as proposed by PacifiCorp; we had a staff recommended alternative which is PacifiCorp's proposal with some additional staff recommended environmental measures; we also considered an alternative that was staff's alternative with some of the mandatory conditions that the agencies recommended but we didn't recommend in our staff alternative; and we also looked at an alternative that included the retirement and removal of Copco number one and Iron Gate developments, including dam removal.

Again, all the information is in the public record. It is available through the FERC's electronic library, or e-Library on our website. It's www.ferc.gov.

So you go to the e-Library link and you enter the -- it will ask you for a docket number and you put in P-2082, and it will take you -- and you can look at all the letters and filings that have come in and the letters that we've sent out.

And if you have any trouble with that you can give me a call or send me an e-mail and I can try to help you out with that.

What's coming up next. The written comments on the draft EIS are due December 1st, 2006. As I mentioned, we'll be meeting in December with the fish and wildlife agencies to try to resolve some of these preliminary -- what we saw as inconsistencies between some of their preliminary terms and conditions and the Federal Power Act.

Under the new Energy Policy Act the agencies with mandatory conditioning authority will be filing -- could be filing modified -- they may modify their conditions based on some of the new -- the requirements of the new legislation and the results of the trial type hearings. We need to get biological opinions from the Fish & Wildlife Service and the National Fisheries Service.

We'll issue the final environmental impact statement in April of 2007. Before we can issue any license for the project, though, we need to get water quality certificates from both the State of California and the State

of Oregon. Under the Clean Water Act the Commission can't issue a license without these water quality certificates. But once that comes in then the Commission can issue its decision on again whether and under what conditions to re-license the project.

You can obtain copies of the draft EIS by calling our public reference room or again send me an e-mail or call me and I can see that you get a copy. We may have some hard copies here by the time the meeting is over. I think they're on the way. But I'm not sure what time they're going to get here. I've got a few CD copies if people want some. And again, you can e-mail or call me and I can get you a hard copy sent to you once I get back.

Again, comments are due December first. On your comments you should indicate, you know, Klamath Hydroelectric Project and the FERC number 2082-027. And that just makes sure that the documents go to the -- you know, they're associated with the right project and that they go to the right place.

I think we handled most of this -- Tim took care of it.

There will be transcripts available. You can talk to the court reporter after the meeting if you'd like to get copies of the transcripts.

And I think we'll try to go with five minutes for

people that are speaking so that everyone has a chance to speak and give us their input.

And I think everyone -- Everyone knows where the project is. So we can go ahead and get started with the public comments.

MR. HJORTH: Okay.

Before we start I'd like to just let everybody know how impressed I was with the meeting yesterday. There are obviously a lot of different views on how best to handle this whole proceeding in terms of recommendations. And everybody was very respectful of everybody else's position. And that has impressed me throughout this whole process. So I hope that that will continue today.

What I will do is I will announce a speaker and then I will also indicate who is going to be speaking after that person. So I would like that person who is basically on deck if they could come down to the microphone so that we can be as efficient as possible in getting all of the speakers who want to speak, giving them an opportunity to speak.

Okay. Today our first speaker will be Richard Poole. And Richard will be followed by James Foley.

MR. POOLE: One, two. Can you hear that?

Thank you. My name is Richard Poole. I am here this morning on behalf of the sport fishing industry. And

we very much appreciate the opportunity to make comments to FERC on the draft EIS.

I am here representing four companies or four -- three companies and association and also one fishing group. I do have prepared statements, a letter and a statement which I will leave somewhere at the conclusion.

As I said, I'm here representing the sport fishing industry of California, Oregon, and the United States. My company, named Protrol Fishing Products, manufacturers sport fishing equipment and we are headquartered in Concord, California. We are the largest suppliers of sam allures and attractors in the country. We are one of the largest -- we are one of the largest. We are a significant stakeholder in the considerations which involve recovery and restoration of the salmon runs on the Klamath River.

We have been in business, my company has been in business for 25 years, and in 2006 we suffered one of the worst economic downturns in our history. A major factor in that downturn was the fishery problems associated with the Klamath River.

I'm here today representing my own company and also several members of the sport fishing industry. They are: One, the American Sport Fishing Association headquartered in Alexandria, Virginia. This is the trade

association that represents all of the sport fishing interests in the United States. The fishing tackle manufacturers, the states, the media, everyone is involved.

I recently completed a six-year term on the board of directors of the ASA and a key participant in the policy decisions.

Mr. Gordon Robertson is vice president of ASA and leads the government affairs effort. And I have his name on the handout.

I'm also representing High's Tackle Box from San Francisco and Mr. Jonah Lee, its owner. This company is the largest fishing tackle retailer in San Francisco. The company sells salmon equipment to the Golden Gate Fleet and is highly dependent on California's salmon runs.

I also am representing the Outdoor Pro Shop of Oakland, California, and Rohnert Park, California. Mr. Ken Elie owns these businesses. They are the largest fishing tackle outlets in their respective counties, Alameda County for Oakland and Sonoma County for the Rohnert Park store. They are highly dependent on our California salmon fishery.

Sport fishing is big business in California. There are 2.4 million recreational fishermen in the state which generate an annual economic impact of $4.9 billion. Sport fishing, if you don't know it, is the third or the fourth largest outdoor activity in America. It dwarfs

things like golf and other recreational activities. When you walk down the street one in ten people, every tenth person you pass has a fishing license, a recreational fishing license.

As I said, there's $4.9 billion economic impact in California alone. 700 million of this is attributed to the salmon sport fishery alone. California is second only to Florida in fishing tackle sales. The activity supports 43,000 jobs, $1.2 million in salaries and wages, and $456 million in state and federal taxes.

Maintenance of this fishery and the economic engine is top priority for the fishing industry and the 2.4 million California recreational fishermen. It should also be a significant consideration for FERC in its deliberation on re-licensing.

Recreational fishermen and the sport fishing industry are the stewards for the conservation and enhancement of the fishery resources of California and the entire country. Each year millions of volunteer man-hours and millions of dollars are spent to maintain the fish resources of California.

The sport fishing industry alone -- in the 1950s we imposed a tax on ourself, and today we pay $110 million of taxes into the IRS, which goes then -- flows on through the fish restoration areas -- $110 million on fishing

equipment and $300 million on motor fuel from boating, totaling $410 million that goes solely to maintain and restore fish in this country. Over 14.5 million of these dollars come back to California each year to be used by the Department of Fish and Game for the restoration and maintenance of our fisheries.

I have been personally involved in salmon restoration programs for over 25 years. In the 1980s I served on the California Fish & Game Upper Sacramental Salmon and Steelhead Advisory Committee. I later served on the State and Federal Winter Run Salmon Recovery Committee. As you probably know, the winter run was designated a listed fish. These committees map the framework for recovery of the endangered Sacramento winter run salmon.

In 1991 the returning winter run spawners reached an all-time low of 191 fish -- total -- 191 fish returning to spawn.

In the 1940s and '50s these runs were 40- to 50,000 fish. Following years of work and millions of dollars spent, in 2005 we achieved a modern day record of recovery with 15,000 of the winter run fish returning.

I point this out because the recovery of the winter run has some close parallels to the problems facing the Klamath. Two of the projects that turned the tide involved dams. The Red Bluff Diversion Dam on the

Sacramento was a major barrier to upstream and downstream migration of salmon. A plan was developed to open the dam and allow free-flow of the river during migration periods. Alternate plans were implemented to supply water to the important agricultural users in the region. The improved migration and spawning growths were dramatic.

The second problem involves Shasta Dam. The water to run the power turbines at Shasta has been historically pulled off the top of the dam to go through the turbines. During much of the year this water was so warm that it was lethal to salmon reproduction. The problem was solved by installing a massive temperature curtain in front of the dam which forces the turbine water to be drawn from the bottom part of the reservoir up to the turbines. The result was cold water in the river and a massive improvement of salmon spawning below Shasta Dam.

The anglers of California rely on the state and federal governments to protect the fish resources of the state. FERC shares in this responsibility. The Klamath River is currently the biggest salmon disaster in the state. The river needs major surgery; Band-Aids will not work.

It is our opinion that the draft EIS is woefully inadequate and needs major rework. FERC has a responsibility to the citizens of California to see that the environmental fishery problems of the river are adequately

addressed and solved as part of the re-licensing project.

We support the conclusions of NOAA, the tribes, and other stakeholders that the only way to restore the river is to decommission and remove the four lower dams that currently block the upstream and downstream migration of salmon and also create water temperature and toxicity conditions that are lethal to salmon. We urge FERC to make the necessary modifications to the final EIS to implement these provisions.

I also have with me a letter that I will submit for the record from the Coast Side Fishing Club. The Coast Side Fishing Club is a club of fishermen. It is 13,000 members headquartered in the bay area of California and they're very concerned with salmon. The letter supports the ASA and the recommendations that I just gave on the removal of dams.

The Coast Side Fishing Club, those of you that followed the problems with the Klamath River, fishery problems with the Klamath River this last season, know that NIMPS at one point proposed that the entire fishery on the California coast be closed. After a lot of work and a lot of effort, particularly by the Coast Side Fishing Club, that was modified. The Klamath zone was closed for the majority of the season, but the season -- or the Sacramento runs further south was open.

The Coast Side Fishing Club and the American Sport Fishing Association were the leaders in that movement. It was a huge political battle. It changed after Coast Side and ASA submitted 9,000 letters and 30,000 petitions to Congress and the White House. We finally got the attention and a formula was worked out to save the fishery problems for this 2006 season.

Those are my comments. Thank you very much. I'll submit the record.

(Applause.)

MR. HJORTH: Thank you very much.

The next speaker will be James Foley, followed by Mary McHugh.

MR. FOLEY: Hello. My name is James Foley. I'm a resident of Hamburg, California. I'm a property rights advocate.

In their opening comments this Commission has stated that their recommendations will be based upon the input, the public input that they get. I would urge this Commission to base it on a little bit more than that. Public input is extremely important and necessary to the process. I would urge the panel to also consider the science, all of the science, or the lack of the science in both the salmon issue and the dam removal issue. Consider the law. Consider also the regulations, the environmental

regulations that are already codified into federal law. All of these things have to be taken into consideration.

I would also urge the Commission to not be led by a well-funded, very vocal minority that has put on a public relations campaign based on emotion. Emotion has no place in this process. We cannot systematically dismantle our society's infrastructure to appease an extreme environmental agenda. There are very real people that live here that their lives depend on what you do or what you don't do and the recommendations that you make.

There is no science behind this proposal that has been put forth to remove the dams. Small dams have been removed and we know the effects of that; the science is there. But dam removal on this scale, there is no science behind it. So do we just remove the dam and act like the little kid that gets his first bow and arrow and he shoots the arrow up into the air and then runs around like a chicken hoping it doesn't come down and stick in the top of his head. I don't think this is a proper procedure in this type of an instance. There is too much at stake and not enough known about the consequences.

There has been no consideration for the wetlands, the refuges and the species behind these dams. We have an ecosystem behind these dams that's been in place for 100 years. Do we just throw that away? Where is the

environmental concern? Where are the environmental organizations that have lobbied in the past to put wetlands and species in place and assure their protection? Where are they now when all of that is about to be destroyed?

What about the loss of property value? What about the loss of the tax base to our communities? What about the loss of jobs? We have some losses that have not even been considered or addressed in this. And I'm not going to go into the numbers of it for sake or time; but it's very substantial.

What about floods and droughts? You know, these dams were put in place for a reason. These dams at the time they were put in and in the years since then represent progress. Are we to now after installing these dams and progressing as far as we have, are we to throw this all away on a whim, on a 'maybe I think so,' or 'maybe this is a good idea'? Are we to throw this all away on the premise that this is going to bring back salmon; this is going to help salmon? We don't know that. Where is the science behind it? That's all we hear for the last year is that we're going to bring back the salmon by the dismantling of these dams. Where is the science? I submit to you that it is not there. As a matter of fact, I submit to you that there is science that shows that there are other conditions that enter into the crisis, if you will, of the non-return of the

salmon.

Both animal and fish species cycle. And it's a well known fact. In some years there are high cycles; in some years there are low cycles. And sometimes these cycles last for multiple years. But to tear the dams out and find out that, oh, the fish were just on a down-cycle, what a travesty.

I would submit to you that dam removal might even decimate the very salmon that are of paramount concern here. Nobody knows what's going to happen when those dams are breached and millions, multiple millions of yards of sediment are sent down this river. Some people are guessing that there will be adverse short-term effects; but they don't know that there won't be adverse very long-term effects that will serve to do the very thing that they purport to try to save, and that is destroy the salmon that they're trying to save.

I see this as a step backward. We have 100 years of progress represented by these dams. There are third world countries in this world today that are struggling to get to the place where we are at with these dams. Economical power, irrigation, many of the things that these dams produce those countries are struggling to put in place. And we're ready to just throw away what we already have. It makes no sense.

I think environmentalists and those that align themselves with the environmental movement that are so set on this dam removal need to ask themselves in their heart of hearts what if removal doesn't help the salmon. What if we go to the expense and the travesty and the impact of the citizens of this state, what if the dams come out and it doesn't help the salmon? Are these same people that are lobbying for dam removal today ready to stand up and take the responsibility for that? And if so, just what does that mean? Oh, I'm sorry? Not good enough.

PacifiCorp has proposed trucking fish around the dams. There's a big controversy of what is the most expedient thing to do as far as the economics of dam removal, fish ladders. They propose trucking them around the dams. I say before we go to the extreme of removing four dams, give them a chance.

Thank you.

(Applause.)

MR. HJORTH: Okay. Our next speaker is Mary McHugh, followed by Rick Castales.

I'd also like to try and encourage people to focus on limiting their comments to five minutes. We can be a little bit generous with that because right now we have about 20 speakers signed up to speak, but we want to make sure everybody has a chance to be heard tonight -- or today.

MS. MC HUGH: Good morning. Can you hear me?

Thank you. I can't hear the feedback, anyway.

Welcome to Yreka. I'm the city attorney, City of Yreka. And I just have a few brief comments.

I wanted to let you know the city council will be reviewing the proposed formal comments that the City will be making in connection with this application. The City's interest in the re-licensing stems from the existence of its water right on the Fall Creek tributary of the Klamath River. That water right is a 15 cubic feet per second annual take of water diverted for municipal purposes and industrial purposes in the City of Yreka, and that has been in existence since 1967.

There are some concerns that will be formalized into our comment. But I did want to point out that we were concerned that the presence of the City's facilities below the PacifiCorp power plant at Fall Creek be taken into consideration. And we are concerned about what impacts upon the City there will be if there are any measures that are adopted or recommendations that are adopted that could have adverse impacts to the City on that aspect.

The other elements that the City does have concern about are whether there are going to be unintended consequences, negative consequences with the proposed increased flows. The unintended consequences that we're

contemplating might occur are directly related to the availability of water for our water right and municipal supply.

We also question, as apparently staff has in the DEIS on the fish ladder at Fall Creek. As you know, there is a 60 foot water fall just less than a mile up from the diversion and where Fall Creek connects to the main steam. And it is a natural barrier and really wouldn't serve any purpose to install a fish ladder there.

We're also concerned about the recreation facilities and will be commenting on that. There are some facilities of the City that could be affected. There's a cathodic anode field that protects our pipe that keeps it from corroding. And the two-foot wide pipe that connects the diversion to the City of Yreka water supply lies along the bed of the Klamath River. And if we are to have that impacted we need to understand how that's going to be impacted and the cost needs to be assessed.

And we're concerned that the City does not have the unintended expense of responding to a lot of the concerns that may be put into action by way of mitigation measures and have -- since we're not a party to the licensing agreement, how that does apply to us.

One of the concerns that we have is the vegetation management plan that is identified in the DEIS.

And we will be proposing that it not be deciduous because deciduous trees drop their leaves and dropping leaves fall into water and create issues with our pump systems.

And we are also concerned with what the impact is on the balance of the proposal about the dams. We understand that -- the interest on preserving recreation as well as balancing the healthy fisheries are issues and we will be commenting on that. But I did want to express our gratitude to the Commission for providing this opportunity for public comment here in the City of Yreka for our citizens.

Thank you very much.

MR. HJORTH: Thank you very much.

(Applause.)

MR. HJORTH: Our next speaker is Rick Castales. And Rick will be followed by James Finses.

MR. CASTALES: My name is Rick Castales. I live over the hill in Scott Valley. I'm a timber-faller and able to be here today because the logging roads are too wet to get to work. So things do change.

I used to go to meetings like this quite regularly. During the waning years of the previous administration, when its natural resource policy seemed to have been to declare war on rural communities dependent on natural resource production, I became involved in political

and administrative processes. I sat on the executive boards of several organizations, even becoming national chairman of one of the largest and most visible organizations advocating national -- or rational natural resource policy.

I firmly believe the ill-conceived pursuit of ideological goals at exorbitant expense to rural communities played a pivotal role in the outcome of the 2000 presidential election. Reaction against environmental extremism has been a very large reason for the red period on the red and blue map of our political history. And that's the reason for my appearance here today.

Taking our these dams is an excessive near-fanatical step toward a goal everyone nominally supports: More fish, a healthier river, and happier communities. At this point it is so far from a likelihood that dam removal would accomplish these noble objectives, it is hard for the vast majority of basin residents to believe it is seriously considered. Does it make sense when undammed rivers and streams throughout the Pacific Northwest -- not just the Klamath -- are experiencing precipitous declines in anadromous fishruns that we sacrifice a key component of our energy infrastructure?

Much is made of the fact that the Klamath generates electricity for only 75,000 homes. More accurately, it provides a buffer for surge electrical demand

when people turn on their air conditioners or electric heaters during a heat wave or a cold spell. Hydro is the only available source of efficient, clean, instantaneous response to such surges in energy demand. Since they can't ramp up very fast, the alternative to brownouts is to have gas, coal, or nuclear-fired plants running continually at far greater than demand in order to have the ability to divert that surplus to meet the surge.

Does it make sense to destroy thriving ecosystems that have established themselves in and around the lakes behind the dams for an experiment that might prove far more foolish than building the dams?

Driving on the north sides of Iron Gate and Copco makes it obvious to anyone that nature will likely pay a far more devastating price for this altruistic test than the human communities along the lakeshore.

Along with countless others in this basin, I'm not in denial about the challenges that exist with regard to management of natural resources. Through many venues we've made significant progress in understanding and dealing with the effects of human activity on ecosystems.

I'm extremely proud to have worked with the Siskiyou RCD and the Scott River Watershed Council, serving as chairman of the latter for two years while we developed the Scott River Strategic Action Plan. But I'm also

exceptionally proud to have presented and sold the idea of the bucket brigade to the folks in the upper basin. I didn't have a dog in that particular hunt other than to help fellow Americans stand up when government thought it could ignore the principles on which it was founded.

It's always been a delicate balancing act to maintain these principles in the face of societal change. Yet if we are to continue as a society we must remain true to them. Failure to re-license this project or placing prohibitive restrictions on it is warranted only by political pandering. As such, it would justifiably evoke responses that would be a severe diversion from the focus and hard work we need to understand and manage our precious natural resources. We can ill afford such a decision.

Please re-license this project. And don't place unrealistic restrictions on it.

Thank you very much.

(Applause.)

MR. HJORTH: Thank you.

Our next speaker is James Finses, followed by Robert Davis.

MR. FINSES: My name is James Finses. I represent myself, and myself only. I'm retired. I live at Copco Lake. You know where my interests are.

I'm a degreed economist, a degreed mathematician,

and an advanced degreed business person. Today I'd like to wear the hat of an economist.

An economist thinks about numbers, on the supply side and on the demand side. And my presentation will be two minutes, okay? We won't get into depth.

A month ago I was at a meeting on the flow of the Klamath, held here in Yreka. One of the keynote speakers said that the upper reaches of the Klamath River are supplied by 12 to 15 inches of precipitation a year. That's the supply side. It's not going to change.

On the demand side I got some information from the county health department. Listen to a couple of these numbers. For wells drilled ten years ago in 1995 the county issued 203 well-drilling permits. Five years later they issued only 216, just a few more well-drilling permits. Last year, 2005, it went to 302 permits. And year to date this year we're now, as of Monday, at 324 well-drilling permits.

So one of the pressures I was looking for is that 300 well-drilling permits does not seem very many. But if I look ahead 40 years, if we continue this run rate of well-drilling permits at 300 or 350 a year we're going to drill about 14,000 new wells in Siskiyou County alone. We have a very fixed supply of water. What's going to happen with 14,000 new wells?

We talked about -- Yreka talked about their water supply coming from Fall Creek. What's Yreka going to look like 40 years from now? Will they want to suck Fall Creek dry by their water requirements? I don't know.

I look at Medford. Medford, Oregon is not in this watershed but it's exploding in terms of population growth. I think about things like 78 million baby boomers that are going to be coming our way, some of them. Pressures are here.

I'm not talking about salmon. I'm not talking about irrigation. I'm not talking about recreation. I'm talking about the supply of a critical resource, that 12 to 15 inches of rain we get a year.

I don't know. To me as I read about the Colorado River I see some of the same pressures happening in this smaller ecosystem.

I urge you to re-license the project. Supply our water for future needs and for all these impending pressures upon this system.

Thank you.

(Applause.)

MR. HJORTH: Thank you, Mr. Finses.

Our next speaker is Robert Davis, and Mr. Davis will be followed by Herman Spannaus.

MR. DAVIS: My name is Robert Davis. I'm

representing People for USA Grange.

I believe that the problem with the salmon is in management, not in the dams. There's a lot of facts to show this but there's not many facts being considered. If you start out from the beginning, we had an unlimited supply of salmon back in the 1800s. That's when the canneries started. That was in 1987; we had three canneries. By the early 1900s we had 90 canneries. And that just goes to show what the people do when they have a supposedly unlimited supply.

In 1870 they took 100,000 cases of salmon out. In 1900 they were taking two million cases. It looked like you had an unending supply. But by 1923 they had a halibut treaty to try to save the halibut because they were wiping them out.

In 1937 they done the same thing for the salmon because this unlimited supply was already showing that it was going.

Now that's still the problem with the fish. In Alaska, which is noted for its salmon, it peaked in 1930. Then the overfishing came about and the supplies were down 60 percent by 1960. Then the management came in and was put into place. They now have 20 percent above the old peak that they had in the 1900s. And that's credited to good management of the salmon.

The Fraser River in British Columbia had a problem very similar to what we are confronted with. They had blasting through the canyon where the main river run, and it caused a dam in the river which allowed only a few fish to get through. So it was very similar to our dam. In 1945 they built bypasses to correct the problem, which would be similar to what we would get if we took out the dams.

Now 80 percent of the former run was restored. But that was in 1990. It took 44 years to restore 80 percent of the run. Now where this comes about that if we remove the dams we'll restore the salmon run in a short time, I don't know. If people would look at the history of what happened in other places they'd find that this is a major thing you're considering here.

And you also have to consider that this is the Klamath River. This is not the Fraser. The Fraser has a supply of water continually year around that's good, cold, clean, snowmelt water. What we have is water from the Klamath that is not clean water; it's impaired. The stream is impaired. The dams actually help to filter out some of what's coming down from the Klamath area.

The contamination up in the Klamath is not only from outside sources, it's from the Klamath area itself. The people who have studied the Klamath area have shown that the volcanic rocks and everything that's in the rivers

around there is contributing to the contamination that's giving you the algae problem. And aside from the fact that the Klamath is a shallow stream -- or a shallow lake, the waters are warm; they're not cold. So when you compare that to what happened in the Fraser that took 50 years to recover, the Klamath is hard to tell if it would ever recover.

And then if you remove the dams you have the silting problem which everyone is aware of. There's over 20 million cubic yards of silt, which is supposedly supposed to stay on the banks when you remove the dams. Now you've got a 90 or 100 foot deep channel and when the rains come anyone who lives around here can tell you those hillsides are going to wash silt down there for years.

Lakes are also the source of fire protection. We can't use any kind of chemical fire protection because it will go down in the stream. So the lake is the fire protection and it's normal to have lightning cause fires in this area. Now without the lakes if we burn those hillsides we're going to have more silting.

Now the amount if silting that they figure on that you know is going to go down is going to contaminate the streams, cover up the gravels, and then any fish that do get through and spawn above the streams -- or above the existing dams when the smelts try to go downstream they have

got themselves 200-plus miles of barren stream to try to get through to the ocean. And the survival rate is questionable, if at all.

So I believe that you'd be a whole lot farther ahead to just concentrate on doing some good fish management like they've done in Alaska and Canada and everywhere else instead of causing a big disaster.

Thank you very much.

(Applause.)

MR. HJORTH: Thank you, Mr. Davis.

Our next speaker is Herman Spannaus. And he will be followed by Anthony Intiso.

MR. SPANNAUS: Yes. Good morning. Thank you for being here. We appreciate your presence and listening to the comments of our community.

I am a fourth generation person to reside and have property in the Copco Lake area. My great-grandfather came here in 1856 and homesteaded our properties there. And our original ranch lies underneath the waters of Copco Lake at this time.

The issue of water quality has a lot to do with the old adage 'You can't make a silk purse out of a sow's ear.' And the water that comes down the Klamath drainage is nothing more than water that has a high phosphorous content that continues to -- that contributes to the algae growth.

It comes from Klamath Lake, which is a fairly -- I call it a shallow duck pond. So we're not starting with good quality water to start with.

The issue of the dams has to do with -- I've always been taught that deep water is cool water. And in the summertime having water storage to send on down the stream for the fish and other issues, recreation and such as that, would be a good thing.

The dams also provide flood control, water storage, recreation; also produce green power, the least expensive power. And Copco One, the generators, have been online for almost 100 years. So we feel like to replace this power that they generate would take many thousands of tons of coal to replace that.

And the burning of fossil fuels, whether it's natural gas, cogen, things like that, I believe that the burning of fossil fuels is contributory to a lot of the problems that we're experiencing not only in the poles but in the ocean climate changes, the ocean currents that are in fact moving bait fish out of the area. Salmon are one of those that will follow the bait fish. And now we're experiencing dead zones, oxygen-depleted zones in the ocean, which also may contribute to some of that stuff.

As far as the environment, the warm water in the river in the late summer is caused by, in my opinion --

because we don't have enough cool water coming down in the underground streams. If you look now you will see a lot of these little surface streams are starting to run again because the trees and the brush has quit drinking. What's happening is -- and I looked at old photographs back in the 1800s from my family and other families -- when you look at the mountainsides there was not all the trees and not all the brush that is up there right now. These trees and brush all drink water in the heat of the summer. That is normal underground water that would have flowed into the river system keeping it a little cooler.

We have lost track of forest management and brush management. I believe that our native forefathers had this right in burning off some of these brushes, doing logging, and things like that where we didn't have this type of a situation.

Here again, I really believe we need to remove the brush and some of the stuff up on top.

The salmon problems didn't get in their present day conditions overnight. This has been a 100 year progress -- I mean a 100 year process. It's not going to get fixed overnight. There are too many factors involved, such as environment, the ocean, a lot of other things going on.

One of the issues I believe that we could capitalize on is that a big hatchery was built right below

Iron Gate Dam. And I do not believe that we are actually utilizing that hatchery to its fullest capacity. I think it's operating at probably 20 percent of capacity. And with the improved water quality below Iron Gate -- because Copco is a settling pond, Iron Gate is a settling pond -- that the water quality below that is a lot better than it is above.

I think we need to improve the fish hatchery production and do things like that. Take a look at ocean and climate changes for bait fish. Also that in the salmon situation, I was reading an article; one of the spawning streams up north that predators, sea lions had eaten a full three percent of the returning salmon that were there to spawn. Three percent of that population is a large number. These animals are protected. They can't or won't do anything about that. I think that's a big mistake. We need to manage the ocean where the fish go and find out really what's going on there.

One of the gentlemen stated earlier that, you know, we're stewards of our own land and there's a lot of mitigating situations that go on. Removing the dam certainly is not the best option, and in fact it is happenstance at best.

It's my belief that PacifiCorp has been a good steward of the land and a good management situation for our dams, generating electricity and things like that. I've

always believed that we should all be pulling the cart forward in the same direction to accomplish a common goal for everyone. I would ask you, please don't shoot the horse that's pulling the cart because I think PacifiCorp is one of the major horses in this project. They do have interests, like the rest of us here that are stakeholders, property owners, and heritage persons such as myself.

We thank you for coming. We invite you to go out and visit, if you have the time, the Iron Gate hatchery and take a look at that. We give you an open invitation to please come up and look at Copco Lake and the surrounding community.

Thank you very much.

(Applause.)

MR. HJORTH: Thank you, Mr. Spannaus.

The next speaker will be Anthony Intiso. And he will be followed by Marsha Armstrong.

MR. INTISO: Thank you. My name is Anthony Intiso. I'm here as a member of the Greenhorn Grange.

Last week I attended that watershed conference in Redding. I heard a lot of speakers give various opinions, biological and economic. Your Commission has heard a lot of testimony on both sides.

What I have not heard -- and I am opposed to the dam removal. What I have not heard is the impact, the human

impact on the segment of our population that can least afford the removal of an inexpensive -- relatively inexpensive -- source of electricity. And that is the poor, the working poor, and the elderly, who have a hard time getting along. And no one has said a thing about that segment of the population.

So if you're going to remove dams how are you going to help those people out? And that is a very large portion of our population.

So thank you for your time.

(Applause.)

MR. HJORTH: Thank you, Mr. Intiso.

The next speaker is Marsha Armstrong.

MS. ARMSTRONG: Thank you. And welcome to Siskiyou County.

I'm Marsha Armstrong. I'm chairman of the board of supervisors. I'm here today speaking as a supervisor of district five. Our county board of supervisors will be submitting its formal comments to you.

Siskiyou County is approximately 6,600 square miles large. Four PacifiCorp Klamath River Hydroelectric project developments -- Iron Gate, Fall Creek, Copco one and two -- are located in Siskiyou County, as is a portion of the wild and scenic river area between JC Boyle and Copco One.

Siskiyou County has been and continues to be a participant, an intervenor in the application, FERC, and settlement group process. I believe the project should be re-licensed for the following reasons.

The public benefit from the production of 151 megawatts of clean electricity, especially the production from peaking operations, is clearly needed, especially during periods of peak load demand. In addition, I feel the project does supply some flood control benefits that can be critical to residents downstream of Iron Gate Dam. There are proposed license conditions to mitigate for the effects of the hydro project which will increase fish spawning and rearing habitat, enhance wildlife habitat, support recreational opportunities, and protect the quality of the environment.

I realize that FERC must incorporate full mandatory conditions consistent with other applicable law, and also use the facts as determined by the administrative law judge in the hearing on issues of material fact. At this time I support the staff alternative as an improvement to PacifiCorp's proposal as presented in the DEIS for the following reasons.

The loss of electricity production from peaking operations under agency preliminary mandatory conditions would be irreversible and irretrievable. An anadromous fish

restoration and an adaptive approach are the best strategies to achieve anadromous fish restoration. Fish passage byways that are fish-effective as well as cost-effective still need to be determined. Not all necessary information is known at this time.

The staff alternative allows for the public benefit that derives from power generation while complying with requirements of the Wild and Scenic Rivers Act to protect and enhance the outstanding remarkable values associated with the designated river segment below JC Boyle powerhouse in Oregon, as well as the eligible segment continuing from the California border down to Copco reservoir.

The administrative law judge has ruled in the hearing on issues of material fact that the BLM preliminary mandatory conditions significantly diminish class four whitewater boating and trout fly-fishing. In addition, Oregon has designated the Oregon portion of the river below JC Boyle as a scenic waterway and dam removal may violate Oregon law as well.

There is no substantial or clean evidence that dams must come out to mitigate for project effects. In fact, there are many negative impacts of dam removal. More than 20 million cubic yards of fine sediment exist above the dams that would be mobilized downriver to cement in spawning

beds, destroy populations of invertebrates, and smother salmon eggs. This would likely have significant irreversible and irretrievable effects on fish, prey species, invertebrates, and other elements of the river ecosystem immediately upon breach and for decades following.

Approximately 1500 privately-owned parcels could suffer depreciation in value due to loss of shorefront property, loss of water access, loss of lake views, loss of recreational opportunity, impacts of the deconstruction process and impacts of muck and mire until the area is rehabbed and re-vegetated. There would be a substantial resultant loss of tax revenue to Siskiyou County and California for the facilities in any diminishment of property values.

In addition, I would like to note that the DEIS analysis of the retirement of Copco one and Iron Gate Dams does not contain a robust assessment of significant adverse economic impacts on Siskiyou County, affected residents, and businesses doing business on the Klamath River. Nor does it propose mitigations to offset these impacts. That analysis should be included in the final EIS.

Thank you for this opportunity to provide comment.

(Applause.)

MR. HJORTH: Thank you, Ms. Armstrong.

Our next speaker will be Glenn Briggs. And he will be followed by Lou Richard or Rickard.

MR. BRIGGS: Good morning. I appreciate the chance to come here and speak to you this morning.

Can you hear me okay?

MR. HJORTH: I think so. Maybe a little closer.

MR. BRIGGS: Is that better? Okay.

My name is Glenn Briggs. I am a resident along the Mid Klamath River. And I represent 150 years of family through four generations that have lived along the Mid Klamath River.

I also am a member of the Greenhorn Grange in Yreka and I am representing the Siskiyou Pomona Grange.

I believe that you should consider the staff alternative as described in your executive summary, with some modifications. I think that the dams have definitely interrupted some fish flows, some fish runs -- probably not a fall run but perhaps some spring runs. And if the proposal covered in that staff alternative proves that the salmon runs can be re-established in the upper basin then I think some permanent fish passage facility should be constructed.

Now I don't believe the full responsibility for those fish passage structures should be put onto the power company because I don't believe the generation of power at

these facilities would justify them constructing the type of passage facilities that would be needed. I believe that the fish agencies, both federal and state, should participate in studies and construction of suitable fish passage facilities.

The alternative to remove Copco one and Iron Gate is unacceptable, in my belief. This would cause a serious problem to Siskiyou County economically and would destroy the habitat that's been established behind these reservoirs over a number of years, and I do not believe would improve the quality of the river.

The decrease in the salmon population in the river has a basis I think that has not yet been determined. And I think more study is going to be necessary. But I do not believe the dams are the entire problem, and may be a very small portion of the problem.

An example is the Salmon River, a major tributary of the Klamath. The Salmon River heads in the high mountains. It's a cold water stream. And yet the salmon runs have dropped off to the point where fishing is no longer allowed in that stream. Now that loss of salmon runs in the Salmon River cannot be directly tied to the dams. I think there are other factors that need to be explored.

By maintaining the dams and continuing the hydro generation the flow characteristics of the river are

improved during the late summer and fall. Prior to the dams the river in the fall and late summer was oftentimes quite low. And there was serious problems with the water quality in the river.

As I said, I lived along the river for a long time. I've seen definite improvement in the water quality during the years that I have observed that river, starting in the mid-1930s up to the present time.

I believe the dams have through regulation of flows and also other factors improved the water quality.

Historic fall river conditions in the Klamath River have been recorded in several instances. One is given by George McKee in his journal while he was a part of an expedition that came up the Klamath River in 1852. At several different times he commented on some of the water quality problems and the fish problems. His journal was published by the University of California in 1972, I believe.

And in his journal on October the 9th Mr. Gibbs, while describing the salmon in the river, notes that almost all the fish taken -- now this October the 9th was downstream quite a ways; it was a little ways above Wichopek just a few days of travel above Wichopek. And he had commented on the fish dams that had been constructed in the river so that the Indians could better harvest the fish, and

sometimes the problems that were generated by those dams creating tension among the different tribes because of the trapping of the fish. But he comments that almost all the fish taken in the autumn have a diseased appearance, the skin being discolored in large blotches.

Then on October 14th while describing the Indian dogs Mr. Gibbs mentioned that unfortunately salmon blood does not kill these Indian dogs as it does dogs of a more generous breed.

So the water quality and the problem with disease in the river existed in that time. And the problem with the salmon poisoning of the dogs was in the river at that time.

Also on October 30th -- now this was somewhat upstream but it's still on the Klamath River -- Mr. Gibbs noted in camping on the Klamath, It is necessary to seek the neighborhood of the Brooks, especially at this season as the water, which is never poor, is now offensive from the number of dead salmon.

So die off of the salmon is a very common event, was a very common event. I can recall my mother relating to me of a time when she was a little girl living along the Klamath near the Seiad Valley area of a massive fish die off that was not from the normal spawning. And this would have been in the range of probably 1913 to 1915, in that area, before the dams were constructed.

So with the historic condition of the river and the benefits that are provided by the river, we do not want to see the dams removed.

Thank you.

(Applause.)

MR. HJORTH: Thank you, Mr. Briggs.

The next speaker will be Lou Richard. And she will be followed by Jim Bowne.

MS. RICHARD: yes, my name is Lee Richard and I'm speaking strictly for myself. I'm a Copco Lake resident and I just wanted to give you a brief outline of my history.

We first came up to Copco Lake on vacation in 1977. And we so enjoyed it that every year when we tried to go somewhere else the kids always wanted to come back there. The trout fishing was marvelous. The atmosphere was great. We liked everything about the whole area.

And so subsequently, over the next 30 years, my husband and I planned and scrimped and put together enough so that when we retired we could build a home on the Klamath area. And we are on the lakefront of Copco Lake.

And we've always enjoyed it. I've never found the river to be offensive. We have great trout fishing -- absolutely super. I hate to say it too loud because there will be too many people come up there. But perch fishing in the lake is great. We've enjoyed everything about it.

And we are the kind of people -- retired senior citizens -- of whom we will have a burgeoning amount coming into this area soon who look for this kind of area to have a place to go away from the cities that is just absolutely marvelous to live in. And I would hate to think we would become an endangered species. So obviously we are very much in favor of keeping the dams.

And I think that perhaps looking at the warnings you hear in the paper, 2048 no fish in the ocean, perhaps that might be something more to look into and find out what we can do to correct that. And people who are investing great numbers of dollars in salmon fishing, perhaps they could help the dams to construct the ladders for the dams if they're so interested in preserving the salmon.

Thank you.

(Applause.)

MR. HJORTH: Thank you, Mrs. Richard.

Next speaker will be Jim Bowne, followed by George Sexton.

MR. BOWNE: Can you hear me all right?

MR. HJORTH: Yes.

MR. BOWNE: Okay.

Thank you for being here. I'd like to read this statement and then drop it off with you.

There was once a mighty river, beautiful to

behold -- a thriving majestic ecosystem many eons in the making -- known as the Klamath. So rich a natural system that it is said that one could walk upon the backs of salmon across the river; so rich that it supported numerous plant and animal species along its length. And along its entire length native tribes were supported for thousands of years without it being spoiled.

Today it is not so, although the name remains. This is the story of a small part of the earth family out of balance.

What we are witnessing is the destruction of a garden we were given to live in, the Garden of Eden, if you will. Where one community decided to move into the watershed, it did so without asking the residents to share. Through greed and force of arms the original inhabitants were forced to adjust. The new culture stole and plowed the land, drained swamps and dammed the river for irrigation, flood control, and recreation.

What is seen today is the result of these few short years. The river is now a sluggish remnant of yesterday. And all life that depends on it is in jeopardy.

One example of this is the algae toxin, measured as high as 4,000 times the levels safe to humanity, according to the World Health Organization. What started as an idea to benefit many has turned into poisoning of an

ecosystem.

Left alone, the spirit of ecosystems balance themselves. The white man does not understand this. He does not understand that just as one cell is of a body, one person is part of the one life. Because of this lack of wisdom we have this problem, and probably that of global warming.

Here we have an opportunity to begin fixing a problem we created. We have a chance for positive change. We could listen to Albert Einstein, who said, 'The same mind that created the problem cannot solve it.' This means we need another approach. We need to contact the big mind, the one mind, the wisdom mind.

Removing these dams is a start. To not do so is one more nail in the heart of the garden. And it is our children who will pay big time.

You as honorable persons of this committee have many reasons for denying the re-licensing of these dams and few for continuing the harm.

My prayer is that you listen up; put aside politics and other divisions. Go within the spirit of things. And consider the seven generations now.

Thank you.

(Applause.)

MR. HJORTH: Thank you, Mr. Bowne.

The next speaker will be George Sexton. And he will be followed by Perry Chocktoot.

MR. SEXTON: Good morning. I'm George Sexton from Ashland, Oregon. And I'm here to ask you to please bring the Klamath River salmon back to Oregon.

I haven't heard much testimony or concern this morning from people about the fact that the dams completely block access to the Oregon portion of the spawning grounds for the Klamath River runs. And, frankly put, Oregon wants its salmon back.

I also haven't heard much testimony this morning about the impacts of the 700 mile commercial fishery closure on the Pacific Ocean this year that was a direct result of the mismanagement and lack of salmon on the Klamath River. And we have to come together as folks who care about each other and care about the downstream communities.

And I have not heard people here today acknowledge that there are tribes that are -- their livelihoods and their cultures are directly affected by the lack of the fish. There are commercial fishermen who are out of work whose families are struggling because we won't make the necessary changes to allow a functional ecosystem on the Klamath River.

And I've heard pleas for science. Well, if you read, you know, the DEIS and you read the recommendations of

NOAA, who are the scientists who are the best scientists in the world when it comes to anadromous fisheries, what do they say? They say the dams need to come out.

And so I'm real concerned that there seems to be a lack of empathy and a lack of concern for people whose livelihoods are on the line, for species that are about to go extinct forever, for an entire state that's been denied its wild salmon. And if the dams on the Klamath right now -- the PacifiCorp dams that we're talking about removing provide less than two percent of the energy supplied by the PacifiCorp dams and PacifiCorp energy in total.

If we can't talk about how to mitigate and work around creating two percent more energy, or God forbid, using two percent less energy, that's an unreasonable tradeoff for bringing salmon back to the upper basin? That doesn't seem reasonable to me.

And so I would ask folks to consider if you were a commercial fisherman on the Oregon coast or if you were a member of a tribe that lives downstream, or if you lived in Oregon, or if -- I mean there are places outside of Yreka. And we have to come together. And simply attacking people who want to see salmon come back as radical or attacking the tribes or attacking commercial fishermen is not going to help you get where you want to get.

So unfortunately I think that asking FERC to take

into consideration the needs of wild fish is a lot like asking the coyote to take good care of the chickens. If there are examples of FERC or the Bush administration really working towards salmon restoration and towards recovery of at-risk wild stocks, I would sure like to know what those are.

And I would like to know what your reasons are for putting your opinions above those of the professionals in NOAA.

And thank you for accepting my testimony.

(Applause.)

MR. HJORTH: Thank you, Mr. Sexton.

The next speaker will be Perry Chocktoot. And he will be followed by Helen Crume-Smith.

MR. CHOCKTOOT: (Native greeting.)

That means 'good morning' in Klamath.

I'm here today on behalf of the Klamath Tribes. And I'd like to give you a little bit of background first.

I'm the great-great-grandson of a tree signer that assured resources to our people in the upper Klamath Valley. The resources were salmon, suckers, trout, and all sea-run-going fish that came into our valley.

In 1917 the dam, Copco, was put in place. And a guarantee, a written guarantee from them to our tribes guaranteed that they would put in an active fish ladder, a

workable fish ladder. This never took place.

Subsequently we lost all of our fish that run up the Klamath River.

In its place we had to depend on the suckers that came from Klamath Lake and we had to depend on the large rainbow trout runs, the red bents, both of which are on the endangered species list today.

We made the best of what we had while it was there, never over-taking, always being mindful of Mother Earth around us. Big companies like the United States Forest Service and Copco, came into our lands and destroyed and took and put things in place of our fish. We don't have them no more. These things are gone.

We have them below Iron Gate down here, our southern brothers, the Karoks, the Yaroks and the Hoopas, still have these fish. And we come down and we interact with them and we try to beg to get what fish we can have when we didn't have to beg in prehistoric times.

This time I'm talking about is such a small, small window of time. 90 years. What's going to happen in another 90 years. Are we going to be here? This is caused by greed.

I don't have a big place. You know, I don't have a big ranch I got to irrigate. You know, our people when we used to be taught how to farm years ago, it was all dry land

farming: one or two cuttings. We didn't go in every three years and get a brand new pickup. We didn't have to have the third and the fourth cuttings of alfalfa. It all comes down to greed.

Greed, my father used to tell me, was the worst sickness ever brought to our people. We sold our rights. We sold what land we had. We sold what trees we had. The big companies come in and cut them out. Made an artificial environment. And we were living with an artificial environment where these fish are concerned too.

Now the undergrowth grows to eight feet tall. We have huge catastrophic fires that burn and destroy people's homes, destroy communities. These artificial environments that we have created need to be taken away.

Mother Nature, the giver of all live, Mother Earth, has to be restored to her natural way, her natural status. Taking these dams out is a small step.

We know the fish were there before -- in 1917. We know they were there. We have pictures of them there. We have oral traditions, oral history that say they were there. We're just making it like it was by removing these dams.

I don't speak from greed. I speak from health. Our health, our hearts need it back. Our people need it back.

Give us something we once had. Don't take. Don't take any more. We can't keep taking. If we take, Mother Earth is going to collapse on us. And the collapse of the earth affects us all.

So I ask you to do the right thing and bring the fish back. Remove these obstacles and make Mother Earth healthy again.

Thank you.

(Applause.)

MR. HJORTH: Thank you very much.

The next speaker will be Helen Crume-Smith. And she will be followed by Rick Doughty.

MS. CRUME-SMITH: Hello, everybody. My name is Helen Crume-Smith.

My great-grand-dad was Sconsin John from the Modoc Warriors. My grandfather was Peter Sconsin. And they knew what a beautiful thing we used to have. They were -- I mean we were put on the res with the Klamaths and such. So we survived. We did what we had to do. Enjoyed the beauty of a Sprague River. If you've never seen it, you could swim in it, you could drink water from it, you could have good fish from it. You could do beautiful things.

Now it's nothing. I wouldn't put my cotton-picking toe in it, it's so bad because of the things that have happened from it. It's the same way with the rest of

the water around. Williamson, you used to be able to go and play and swim after a ball game. They still fish; they still eat the fish from there. And we pray each time that they do that they're going to live through to see another time to do it.

There seems to be -- or has to be a way that we can all get together and make something of this instead of fighting one another. War doesn't do anything. Fighting each other doesn't do anything.

And as I tried to teach the kids when I was working with Indian education in Klamath Falls City Schools, you have to get along. No matter what, you have to get along. You're cordial, you're courteous. Be proud of who you are, but do your best to do what you have to do.

And that's the same thing that we have to do now is we have to do the best we can for the people. And that's all people. That's not just the Natives. That's not -- it's all. And if we can't do that we may as well go back to wherever you came from and I'll just go home.

But I want to thank you all for the chance to be here. I want to thank you all for having the interest to be here. But remember: it's going to take all of us to be something and to do something.

It's going to take all of us to be and make this a success. So let's do it instead of growling at one

another, instead of fighting one another. Let's look and see what each other needs. And see what's the best. See what's needed to get our deer back; see what's needed to get our fish back; see what's needed to get along.

Thanks.

(Applause.)

MR. HJORTH: Thank you very much.

The next speaker will be Rick Doughty; and he will be followed by John Hamilton.

MR. DOUGHTY: Hi. My name is Rick Doughty from Copco Lake. I'm the vice president of the sportsmen's club there.

A salmon's life span is three to five years. The sediment and its toxic contents would destroy spawning grounds in the river for five years or more --

MR. HJORTH: Move closer to the mike, please.

MR. DOUGHTY: -- if the dams were removed.

To me that tells me it's going to destroy every generation and we won't have any salmon at all.

The hatchery at Iron Gate contributes thousands of salmon each year. This is probably the main reason we still have salmon in the Klamath River. It would be gone with the dams.

Water control. In times of low water availability, such as this fall, the dams provided water to

maintain required river flow. At time of excess water the dams help control downstream flooding. The supply stored in the dams helps to allow the water upstream to be available to the farmers and ranchers when needed. This is not only for food but also to grow crops that can be used to replace fossil fuel -- for example, ethanol.

I talked to a trader a couple weeks ago. Corn is going to double in price to make ethanol. And it's just going to go on down the line with feed corn. And we're going to need the water to grow this corn.

For power. We cannot afford to eliminate the clean source of power. If you do it will require replacement of other sources that will contribute to pollution.

You also can't give the power to the Texas power companies to jack up the rates way up on us. We need all the power we can get.

Water access. Many other species use the lack for water. Most would be forced to travel the open ground to access water. This would put them in danger from predators. In some cases the distance for food to water for slow-moving animals or amphibians would be more than they could adapt to.

I can't count the list of animals we have out at the lake. There's birds, fish, mammals, reptiles,

amphibians. If you sit down and think about it, there's thousands. And they would be devastated by taking the dams out.

Our homes at Copco, this is a paradise to many people. The lakes are what make the living special. They are a source of fishing, recreation, and a lifestyle that is priceless. To take this from the residents who have built a life here, to make them -- it would make them a victim of terrorism.

We ask your help to protect the animals, birds, fish, and people of this area.

Thank you.

(Applause.)

MR. HJORTH: Thank you very much.

Our next speaker will be John Hamilton. And he will be followed by Erin Volheim.

MR. HAMILTON: First of all, thank you for coming to Yreka. My name is John Hamilton. I work for the U.S. Fish & Wildlife Service.

We have -- We will submit our comments on the draft EIS through the Department of Interior at the December 1st deadline.

At the heart of NEPA and at the heart of what is to be in the DEIS is full disclosure. This needs to include careful and adequate analysis of the impacts to all

resources and different parties that will be affected.

In my review of the DEIS so far I see that there is discussion of the fact that there are hundreds of miles of anadromous fish habitat above the dams and that fish use that habitat historically. But I do not see included in the DEIS a careful analysis, adequate analysis of the economic benefits that would be provided by that habitat.

I also do not see the findings of the ALJ from the trial type hearing. They were not included in this.

So I would ask as representative of Fish & Wildlife Service that the process adequately analyze the benefits of habitat, hundreds of miles of habitat, adequately include the findings of the ALJ that have determined that that habitat, at least portions of it, are suitable; and that the analysis also include the benefits -- full benefits to recreational, tribal, and commercial fisheries.

And I have nor found that, especially with respect to recreational fisheries. I have not found that in the DEIS so far.

So, anyway, that is my request. I also would ask that there be a careful analysis of all alternatives, including full dam removal.

Thank you again for coming.

(Applause.)

MR. HJORTH: Thank you, Mr. Hamilton

Our next speaker will be Erin Volheim, followed by Autumn MacIver.

MS. VOLHEIM: Hi. Thanks for letting me speak today.

I've heard a lot about progress and tradition and legacy. And I think maybe one of the things that maybe I can bring to this hearing is a representative of a younger generation that's going to have to live with the decisions that have been made thus far. And I hope that as I progress in this world that the decisions I make will be looking towards the future and looking towards the sustainability of all people and the habitat that we all are a part of.

So, for instance, you know, the Yurok, the Karuk, and the Hoopa and the Klamath were living here for thousands of years. And I respect the farmers and the people that have lived here for 150 years. But 150 versus a thousand is quite a big difference. And people were living more sustainably with the land. And I think that instead of continuing with things as we have been, we really need to admit that there is a problem. And I think that's why we're here today.

There is a problem. The populations of salmon are dying off. It's basic ecology that if you obstruct a salmon run they're not going to be able to spawn. I think

we could all, you know, do ourselves a favor by educating ourselves a little bit more about just basic ecology.

There's a lot of talk about science and there's no science behind this, there's no science behind that. We care about the resources and the wildlife. But we don't -- the dams in themselves were something that affected these wildlife populations in general. So there are options for when you remove the dams you can deal with the sedimentation problems and restore the riparian area.

In the Applegate Valley where I live we just recently removed one of the dams. It was a much smaller dam, of course, and it's not a hydroelectric dam. But it's already -- the habitat is already improving just by that very act.

So I would ask for you all just to really look and see, like, what is it going to be like for people of my generation 50 years from now. The tribes knew of a time when you could walk across the backs of the salmon, you know, figuratively. And I may live in a time when there won't be any any more. And your grandchildren and your children may not see that also.

So I just -- I really think we need to look beyond our personal interests. I think that -- of course I want people to live quality lives and be supported by their jobs and, like, be able to fish. But, you know, over-

fishing is one issue. Irrigation from local farmers is also an issue.

I know as a farmer myself that there are alternatives to overhead watering and depleting water resources. There's dry land farming like the tribes used to do, and I do some dry land farming also. You can work with the cycles of nature instead of against it. We can be supported by our environment.

And I think that whether you believe it's a father God or Mother Earth, that we are here as stewards and we need to really take that to heart and start looking at all the issues involved, not only economic and the personal, and just really consider what kind of legacy you are leaving behind.

And that's what I just really want to encourage you all to think about.

And I am for removing the dams. And I think there's talk of just removing four of them. And they are only, you know, providing a certainly percentage of power. And there's alternatives to energy, too, like solar. Like we're personally going to do solar energy. And as a person that's going to live into the future, that is an option for me and it's also a more sustainable one in the long run.

So there are, you know, personal -- they're all benefits to tradition. But sometimes we make mistakes. And

we need to admit that we made mistakes in our thinking. And that we need to educate ourselves and look at what are the alternatives, instead of just going with the status quo all the time, because I really hope that you want to have a future where your grandchildren are living with all the things that you had a chance to enjoy. And I hope for my grandchildren, too, that's something that they will have.

So thank you very much.

(Applause.)

MR. HJORTH: Thank you very much.

The next speaker will be Autumn MacIver. And she will be followed by Jim Dupree.

MR. MACIVER: Thank everybody for coming out.

I'm Karuk Indian. I'm also a white man. So I'm kind of torn between two worlds.

A comment was made earlier, a gentleman was saying how if the dams were removed that he would become a victim of terrorism. I'd like to say that terrorism by definition means that a person has to die for political gain. So I don't know that anybody's actually dying by the removal of these dams.

And if in fact he does feel like he's being terrorized by this, I would like to say that my people and all of the high dance people long before any of the folks in this room were here were terrorized. And an act of genocide

was committed, which has been recognized by the Geneva Conventions. And according to the Geneva Conventions, America has never taken any steps towards reconciling this. And if anything, they continue the genocide of our people through assimilation and through the death of the salmon that they're taking from us.

Now that we all live here, though, I do believe that we are all Native Americans. Every one who is born in this country is a native to this country. There is no one who can take that away from you. But as a native of this country we are responsible for the salmon, for the rivers, for all the habitat that allow us this splendor and this abundance that we all have.

The removal of this dam is a very, very small step towards reconciling the wrongs that we have done not only to the natives of this country that were here first, but to all the species that live here as well.

We have a chance right now, we have a very splendid chance to do the right thing. And people here have come up and spoke how science does not state that there will be any benefit from the removal of these dams. Well, I'd like to say that there are thousands and thousands of words that have been written about the science of how these dams have negatively affected all the habitats within this entire bioregion.

You're talking, though, the silt might cement up the river. Well, the silt will be washed away by the water if the dams come out. And this silt that is building up behind the dams, I hate to tell you all this, is going to destroy the dams. All dams have a finite lifetime once they've become silted up. And these dams will eventually have to be removed anyways, and this silt will have to be dealt with.

To say that this is not an emotional thing and that emotions should not come into play I think is probably one of the most morally bankrupt things I've ever heard. There is emotion in everything that we do. Every decision that you make is based on your emotions. Everything that you decide right now in this moment you base on your emotions, you base on the information in your personal experiences.

There's been gentlemen that have come up here and said that they've been living here for four generations. My blood has been here for thousands. Yet I'm not given a voice. The voice of a thousand generations is now speaking right now. Please remove these dams.

The proof will be there. The salmon will return.

Everybody in this room I would imagine enjoys salmon. They will no longer exist if we do not act right now. We're at a very critical juncture. We are within

years -- maybe one, maybe ten, maybe twenty -- of no longer seeing salmon at all in the Pacific Northwest. Within your lifetimes you will see this if these dams do not come down.

And to say that Yreka has the means to stop this by saying your community will be affected, well, I say to you there are thousands of communities that are being affected by these dams not coming down. There are millions of families right now that are being affected by the closure of fishing in the Pacific Northwest from California to Washington. There are no commercial fishing boats sailing.

That is not to say that these dams are the sole creation of the devastating to these salmon runs. But they are a huge part of it. And to not recognize that would be a great loss and a great disservice to humanity and to all those who live in this region. To not recognize that these dams are critical to the extinction of salmon.

It is not to say that we are not over-fishing. It is not to say that this country does not over-consume. During the World War I and World War II there were huge steps that were taken by the populous to conserve. There was a huge amount of propaganda to grow your own food, to carpool, to ride alone would be riding with Hitler.

Well, I submit to you today to ride alone in your vehicle is to be riding with Saddam, is to be riding with Osama bin Laden.

We have a chance right now to bring our consumption to a reasonable place, to bring it back into a sustainable society. We have the knowledge, we have the technology. All the science is here. All the great minds are here. We can make all of these steps happen. We can save the fish. We can continue farming. We can continue irrigation. But we have to do it in a sustainable manner and we have to do it with thought. We have to do it with heart. We have to do it with science. We have to do it within the laws of nature and physics.

We can't go on thinking that everything is a renewable resource. Maybe if we taught Latin in our schools we'd know that non-renewable with the 'non' in front of it means that once it is gone we can never get it back.

Oil is a non-renewable resource. Oil is a non-renewable resource.

We're going to run out of fish. We're going to run out of trees. We're going to run out of oil if we do not change our ways. If we do not think beyond this box, this paradigm that we have created.

And I say that we have all created it because I drove here today. And I recognize that today I drove and used oil. I recognize that I live in a house that is hooked up to a power grid. I recognize that it has very poor insulative qualities. It's very wasteful of energy. I'm

betting that most of the people in this room also have the same problems.

And to say that the dam will solve these problems by creating energy is to deny the fact that we're wasting the very energy that we are trying to create and that was created for us.

Let's not just think of ourselves and our beautiful lakefront properties for it is not a lake, it is a reservoir. Let's think of our children and the children that are going to come after us that will never have what we have today, just like those that came before us.

Thank you.

(Applause.)

MR. HJORTH: Thank you, Mr. MacIver.

The last person who was scheduled to speak is Jim Dupree.

(No response.)

MR. HJORTH: Okay. If anybody who has not yet spoken and did not sign up to speak would also like to share some testimony, this is your opportunity to do so. If you do so I would ask you to clearly enunciate your name for the benefit of the court reporter.

(No response.)

MR. WELCH: It looks like that's all the people that want to talk today. So we're going to go ahead and end

this meeting. But I want to thank everyone again for coming here, taking time out of your schedules. And we will consider all of these comments as we prepare the final environmental impact statement.

Thank you very much.

(Applause.)

(Whereupon, at 11:15 a.m., the public meeting in the above-entitled matter was adjourned.)