

**United States Senate
Committee on Energy and Natural Resources
Hearing on Water Resource Issues in the Klamath River Basin
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Siskiyou County, home to approximately 150 miles of the Klamath River and three of the four dams that were proposed for removal, fully recognizes that there are longstanding water issues that must be addressed in the Klamath Basin. Our county is leading the pursuit to find alternative solutions to dam removal that will provide farms with more water, tribes and commercial and recreational fishing interests with more fish, and still retain our existing sources of renewable, clean hydroelectric power.

The Klamath Hydroelectric Settlement Agreement (KHSA) and the Klamath Basin Restoration Agreement (KBRA), the two agreements reached by certain stakeholders in 2010 to address some of the longstanding water issues in the Klamath Basin, raised great expectations about finally achieving “peace on the river.” However, with implementation of these proposals at a standstill, the agreements have actually become an impediment to addressing the basin’s water issues when they are pointed to as the one-and-only Klamath River solution.

Alternatives to Dam Removal

A Klamath River solution must equitably spread its costs and risks among the many stakeholders. As currently proposed, the risks and burdens of mitigating any failings of a dam removal experiment will fall upon the water users in Siskiyou County’s Scott and Shasta Valleys. A viable solution must also achieve its goals through scientifically defensible means. Here, there is no connection between dam removal and Upper Basin water supplies, except for that artificially created by the KHSA and KBRA. For these and many other reasons, it is time to advance alternatives to dam removal and to move toward measures that will be able to garner the degree of popular support required to finally get something done for the Klamath Basin.

The new mitigation measures implemented by PacifiCorp under the KHSA are a starting point for reassessing alternate means of improving Klamath water quality and fisheries. These measures are improving both water quality and fish habitat and are a reminder that there are options other than dam removal yet to be pursued. PacifiCorp’s “interim” mitigation measures include:

- A Habitat Conservation Plan under the Endangered Species Act that will minimize the effects of project operations on coho salmon, which includes:
 - Habitat enhancement through a Coho Enhancement Fund and grant program
 - Iron Gate Reservoir turbine venting to increase downstream levels of dissolved oxygen
 - Increase the variability of downstream releases from Iron Gate

- Research on Klamath River fish disease
- A similar Habitat Conservation Plan for sucker species, including
 - A Sucker Conservation Fund
 - Reoperation of the East Side/West Side development to avoid take
- A hatchery and genetics management plan to support coho recovery by conserving genetic and behavioral diversity
- Gravel enhancement on the Klamath River between J.C. Boyle Dam and Copco Lake
- Nutrient reduction projects in the Klamath watershed

PacifiCorp’s June 2012 Implementation Report encouragingly reports progress is being made with “various measures that are resulting in improvements to water quality and fish habitat.” This observation is supported quantitatively by trends in fish populations. Nearly 30,000 Chinook returned to the Shasta River in 2012, the highest number since basin-wide monitoring began in 1978. The subsequent result was a record out-migration of nearly 5 million juvenile salmon this year.

Beyond the “interim” measures that are already evidencing successful effect in the watershed, there are a range of much more ambitious and promising actions that can be taken to benefit fisheries and water quality. As examples:

- for 15 years, Siskiyou County has advanced the Five Counties Salmonid Conservation Program, which has contributed to the turn-around in fish population trends;
- Siskiyou County has been working with NOAA Fisheries and key stakeholders to develop a coho supplementation program on the Shasta River, a major tributary of the Klamath River;
- Siskiyou County supports the development of a trap and haul pilot project for fish passage around the lower Klamath dams. Trap and haul is currently being pursued by NOAA Fisheries and the Bureau of Reclamation on the other side of our county for the Sacramento River;
- the potential of existing prime salmon habitat should be maximized by properly managing National Forest System lands in the Klamath River Watershed;
- the Long Lake Valley water storage project with 350,000 acre-feet of water storage should be reconsidered, with review of the cost/benefit analysis in the context of the costs of dam removal and watershed restoration; and
- the “interim measures” that PacifiCorp has already implemented should be continued and expanded.

Value of Klamath River Dams

In considering alternatives to dam removal, it is important to remember that there are important reasons to maintain the dams. The dams are valuable, existing sources of renewable, clean electrical power. The dams, being practically immune to increases in the cost of fossil fuels, have kept electricity costs down for our region's farmers and ranchers.

These dams also provide local and regional recreational opportunities, which attract tourists to the area. The dams transformed former marginal habitat into world-class fisheries. The lakes behind the dams also provide substantial sanctuary to many kinds of birds. This habitat will be lost with the removal of the dams.

The dams serve an important health and safety function, allowing the County to control potentially hazardous flooding of its river valleys and to flush the river in times of drought. Before the dams had been constructed, Siskiyou County suffered both immense flooding problems and drought. The dams have provided the County with an important mechanism to control peak flood conditions, saving lives and property from catastrophic flooding events, and reducing the cost of insurance for our residents. In times of drought these dams allow the flushing of the river to reduce algae and to provide instream flows for salmon and other aquatic life. If the dams are removed this important function will be lost.

The dams improve water quality generally by providing a settlement basin for naturally occurring phosphates and other detrimental elements products in the water. The dams also cool warm water coming in from the upper high desert basin in Oregon.

The effectiveness of the hatchery at Iron Gate is dependent on the use of cold water that is obtained by drawing water from the lower levels of the reservoir. The stratification of layers of water in the dam is an important adjunct function of the dam and is responsible for the hatchery's historically acknowledged success in producing consistently enhanced salmon populations. The hatchery at Iron Gate produces over six million salmon smolts annually.

Finally, an important cultural function of the dams is the protection they provide for historic Native American gravesites. Leaving the dams in place will protect the historic gravesites of the Shasta Tribe from the elements and from potential pillaging. Removal will violate both the cultural aspects of the Shasta Nation and federal policy.

Beyond the loss of important functions served by the dams, Siskiyou County remains concerned about other potentially negative impacts of dam removal on the region. In a recent election, nearly 80% of voters in Siskiyou County expressed their opinion that the dams should not be removed.

Siskiyou County continues to have grave concerns about the release of nearly 20 million cubic yards of sediments behind the dams, which is loaded with toxic minerals. This release may result in massive destruction of the ecosystem, a fact recognized by the Department of the Interior (DOI), as well as its studies, although DOI claims the damage may be short lived. DOI's studies acknowledge that we will not know if restoration through dam removal is successful until possibly 2050. Although on considerably smaller scales, one need only look to the damage done by the removal of other dams (Elwha, Condit, Gold Ray, Savage Rapids) to see the destructive consequences of dam removal. This damage to the environment from sediment release is rationalized on the basis that salmon will have "access" to approximately 35 miles of historically inconsistent and marginal habitat.

Loss of the dams, and their water storage, will ultimately result in demands being made on farmers and ranchers to further reduce their use of water, eventually curtailing late season uses, resulting in uneconomic ranch practices. Except for a minority of agricultural interests receiving promises of water, the majority of agriculture and ranchers will suffer significant losses.

Issues of Scientific and Scholarly Integrity

The KHSA requires the Secretary of the Interior to make a "Secretarial Determination" as to whether dam removal should proceed. The agreement promised that the Secretarial Determination would be made only after thorough review and careful scientific scrutiny. Section 3 of the KHSA requires the Secretary to review existing studies and data, undertake new "appropriate" studies, and comply with the National Environmental Policy Act (NEPA), among other things. Since this review began, more than 200 studies, reports, and other documents have been presented to the public on the klamathrestoration.gov website. All of this information was supposedly synthesized and summarized in the Klamath Dam Removal Overview Report for the Secretary of the Interior: An Assessment of Science and Technical Information (Overview Report).

Despite the tremendous amount of time and taxpayer money that has been devoted to this process, the Overview Report and underlying materials are completely overshadowed and tainted by former Secretary Ken Salazar's publicly-announced, predetermined outcome: dam removal will not fail! Staff from the Interior Department and its subsidiary agencies received clear direction as to where they needed to end up. Lest there be any doubt, others need only look to the examples of the Bureau of Reclamation's removal of its scientific integrity officer or the proposal to terminate the science unit in the Klamath Area Office.

The Overview Report is replete with examples of bias, distortion, and circumvention of legal, scientific, and scholarly standards, including the following examples:

1. **False Choices Under the Dams-In Scenario.** The Overview Report compares two scenarios described as the “dams in” and the “dams out” alternatives. However, a false choice is presented by defining the dams-in scenario as indefinite operation under annual FERC licenses without implementation of any of the protection, mitigation, and enhancement measures that have already been prescribed for a new license. This false choice makes the dams-out scenario seem far better by comparison than it actually is and is an over-arching example of the bias that runs throughout the Overview Report.
2. **Adaptive Management vs. Inflexible Management.** The dams-out scenario makes great fanfare about its “commitment to ‘adaptive management.’” In stark contrast, the dams-in scenario is constrained to a locked-in, minimalist approach. Once again, a false choice is presented to shade the report toward dam removal.
3. **False Assumption of Status Quo Fish Populations with Dams In.** The Overview Report goes to great lengths to emphasize the uncertainty of trends in fish populations under a dams-in scenario. Based upon that uncertainty, the report then leaps to the assumption that the “current status” of “markedly declined” fish populations will continue into the future. The past year’s record-level returns of Chinook salmon belie that erroneous assumption. The report ignores the reality of improving population trends resulting from TMDL implementation, fish flows, and basin-wide habitat enhancement efforts, including installation of fish screens on water diversions and the Five Counties Salmon Program implementing best management practices for road construction and maintenance.
4. **Omission of Ocean Conditions from Analysis.** The Interior Department has taken the position that ocean conditions that affect salmon populations are beyond the scope of analysis for the determination regarding dam removal. The intentional omission of this predominant element further skews the equation in favor of dam removal. As evidenced by the record numbers of salmon that returned to the Klamath system last year, factors such as the Pacific decadal oscillation have a much greater influence on population trends than having the dams in or out.
5. **Nonuse Values and Net Economic Benefit.** The Overview Reports paints a picture of net economic benefit of between \$14 billion and \$84 billion will full facilities removal. However, the only reason a net benefit can be claimed is by including “nonuse values” that are claimed to be over \$98 billion dollars. Without these phantom benefits, the proposal for full facilities removal has negative economic results.
6. **Inflated Benefit Estimates.** While making passing reference to varied results from different studies, the Overview Report states that there will be an 81 percent increase in Chinook Salmon. In reality, the expert panel that reviewed Chinook provided a list of independent

factors that would all have to be successfully addressed to achieve substantial gains in Chinook populations, including water quality, disease, colonization of the upper basin, harvest and escapement, hatchery influences, predation, climate change, fall flows, and dam removal impacts. This list does not even include ocean conditions which, as noted above, are a predominant factor.

The Overview Report is only the latest example of how the KHSA and KBRA have sacrificed science and an honest assessment of ecosystem conditions and processes in favor of a predetermined outcome based on a belief that removal of the lower four dams on the Klamath River is a condition precedent to enhancing fisheries. That is clearly not the case, as the population trends discussed above firmly demonstrate.