

**HOOPA VALLEY TRIBAL COMMENTS ON
B.1 Current Habitat Issues**

The Hoopa Valley Tribe (HVT) appreciates this opportunity to address the Council regarding current habitat concerns. While the Pacific Northwest is experiencing one of the wettest years on record, the majority of California remains in one of the worst droughts on record. In Klamath Basin, concern grows as hydrological conditions are dangerously dry in both the upper Klamath and Trinity River Basins. For example, Trinity Reservoir storage stands at only 53% with little relief in sight.

Trinity Reservoir is the largest water storage facility in Klamath Basin and is linked with an export conveyance to the Central Valley Project (CVP). The US Bureau of Reclamation (BOR) operates the Trinity River Division (TRD) as part of an "integrated" CVP. Notwithstanding the fact that when authorizing the TRD in 1955, Congress gave clear direction that in-basin priorities for fish and wildlife protection would supersede all other purposes, BOR continues to prioritize its operations to address out of Trinity River basin issues including delivery of water to agribusiness.

The likely April 1 forecast for Trinity Reservoir will remain unchanged from March and falls within a "critically dry year" designation. This is a rare event with a recurrence interval of 12 within 100 years. Nonetheless, BOR has and continues to export water from Trinity Reservoir to the upper Sacramento River despite clear indications that Trinity Reservoir will fall below critical levels necessary to meet the needs of in-basin fisheries. Granted, the Central Valley and all of California will face hardships in the anticipated drought. However, the HVT is adamant in calling priority for Trinity water for the purposes of protecting our reserved fishery as intended by Congress.

Rather than developing rigorous water conservation measures in Central Valley, recent legislative proposals addressing California's drought actually aim to increase consumptive use to help meet agricultural and municipal purposes while relaxing environmental compliance standards. Today, as we address the Council, there are at least 4 drought bills before Congress. Regrettably, we expect that BOR will continue its current operations exporting water from Trinity Reservoir to meet CVP demand.

On the Klamath River, releases from Iron Gate Reservoir are capped to meeting minimum flow requirements under the prevailing Biological Opinion for protecting ESA listed SONCC Coho salmon. The HVT has consistently asserted the need to supplement these ESA protection flows to ensure adequate habitat for sustaining all culturally significant fisheries and not just those listed under the ESA.

To help meet this objective, the HVT participated in the Klamath Basin Task Force which was assembled last summer on request of US Senators Wyden and Merkley, Congressman Walden, and Oregon's Governor Kitzhaber. The Task Force was charged with developing revised costs for implementation of Klamath restoration, settle water management issues in the upper Klamath Basin, and seek affordable power for upper Klamath Basin irrigators. Perhaps the most

promising result of this effort has been the prospect of restoring an average 30,000 acre feet inflow to Upper Klamath Lake through land and water rights retirements. The HVT maintains that any surplus water developed in the Upper Klamath Lake must be passed to the free flowing section of the Klamath River to benefit the anadromous fishery below. This will likely be an uphill battle as BOR's irrigation project below Upper Klamath Lake and above the anadromous fish area lies in the path.

In summary, the HVT will continue to pressure the federal government to be consistent with the intent of Congress and ensuring a meaningful fishery for our membership. It is likely that we will approach the Council for support in this endeavor in June as the struggle to meet the needs of the Klamath fall Chinook intensifies. As noted in March, we fear that safe passage for the returning adult Chinook will be compromised by less than adequate flows in the lower Klamath River. We believe it a tragic oversight that BOR is not adequately preparing for such an eminent threat to our fishery resources which we share with the broader PFMC family!