

PACIFIC FISHERY MANAGEMENT COUNCIL

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DRAFT

Mr. Todd Olson, Project Manager
PacifiCorp
825 NE Multnomah, Suite 1500
Portland, OR 97232

Re: The relicensing of the Klamath Hydroelectric Project

Dear Mr Olson:

This letter is to present concerns the Pacific Fishery Management Council (Council) has regarding the relicensing of the Klamath Hydroelectric Project (Project) and the FSCD (FSCD) that PacifiCorp has prepared to initiate this effort. The hydroelectric projects of the Klamath River have dramatically affected the range and quality of habitat for Klamath Basin anadromous fish stocks, which has directly affected the livelihood of fishing communities of the West Coast. It is our hope that the relicensing effort will result in the successful restoration of anadromous salmonids to their historic range as well as improvements to habitat of the Klamath River below the projects.

The Council was created by the Magnuson Fishery Conservation and Management Act in 1976 with the primary role of developing, monitoring, and revising management plans for fisheries conducted within federal waters off Washington, Oregon and California. Subsequent congressional amendments in 1986, 1990, and in 1996 added emphasis to the Council's role in fishery habitat protection. Amendments in 1996 directed the National Marine Fisheries Service, as well as the regional fishery management councils, to make recommendations regarding federal or state agency activities that may affect the "Essential Fish Habitat" (EFH) of a fishery under its authority. The Act's amendments also mandate threats to EFH be identified, and that conservation and enhancement measures be described that minimize those adverse impacts. The proposed relicensing of the Project by the Federal Energy and Regulatory Commission is a federal action that has an effect upon EFH.

The Project has had direct influence on the condition of anadromous fish stocks in the Klamath Basin, both by extirpating anadromous fish from the basin above Iron Gate Dam and by affecting the habitat of the mainstem Klamath River below Iron Gate Dam. The decline of Klamath River Basin Fisheries resources is of serious concern to the Council. Ocean fisheries along the Pacific Coast from Cape Falcon to south of San Francisco are managed to reduce harvest impacts to Klamath River fall chinook. The Project has a direct influence on the condition of anadromous fish stocks in this Basin and as such greatly affect the economies of Tribal and non-Tribal fishing communities along several hundred miles of the Pacific Coast.

A primary concern regarding the FSCD is the scope of the document is too limited and the potential effects of the Project are understated. For example, the document states (page 5-28) that "The only relevant issue of water quality related to fisheries the Project can control is the amount of water released in the bypass reaches of J.C. Boyle and Copco." Therefore, no studies have been proposed to assess the effects of the Project upon water quality downstream of Iron Gate Dam. The Council is very concerned about the poor water quality of the Klamath River and the subsequent fish

Mr. Olson
DATE
Page 2

kills that have occurred downstream of Iron Gate Dam during recent years. We believe that as part of the relicensing effort, PacifiCorp should conduct thorough investigations to determine the effects of the Project upon water quality in the Klamath River, with the goal of developing a strategy for operating the Project that does not degrade Klamath River water quality.

The FSCD does not propose investigations for determining how to best restore anadromous salmonids to their historic range in the Klamath River. Instead, PacifiCorp proposes to convene a Fish Passage Advisory Team, composed of agency, tribal, and interested party representatives to determine the information needed to address fish passage issues as well as to evaluate the role of fish hatchery facilities. However, the effectiveness of this team will be hampered without critical studies to support their efforts. Thus, we believe the failure of the FSCD to specifically identify information needs and associated studies is a serious deficiency of the document. The Council is not opposed to the collaborative approach suggested for the Fish Passage Advisory Team, as long as the Team has meaningful decision-making input regarding the studies to be conducted by PacifiCorp, however this approach precludes us from commenting on studies that PacifiCorp will conduct regarding fish passage alternatives. Therefore, we take this opportunity to urge PacifiCorp to conduct studies to assess a broad range of alternatives for the successful upstream and downstream passage of anadromous salmonids, up to and including decommissioning of dams within the Project. We also believe that a component of this fish passage analysis should include an assessment of the anadromous salmonid habitat available above Iron Gate Dam as well as an exhaustive list of the many projects being conducted (or planned to be conducted) to restore aquatic habitat in the Upper Klamath Basin.

As the Fish Passage Advisory Team evaluates the role of fish hatchery facilities in the Klamath River, it is important to consider that Iron Gate Hatchery (IGH) does not mitigate for all the habitat lost from the Project, nor does it mitigate for all the races of chinook that have been extirpated above Iron Gate Dam. IGH currently only mitigates for habitat that was lost between Iron Gate Dam and Copco 2 Dam. IGH does not mitigate for the habitat lost above Copco, including tributaries such as the Williamson and Sprague Rivers, which once supported healthy populations of spring-run chinook. IGH produces no spring-run chinook. We also think it is imperative for this Team to evaluate the success of IGH at meeting its mitigation goals for all species, as well as to assess the effects of the hatchery upon natural Klamath Basin fish populations, and the ability to monitor these effects by marking sufficient numbers of hatchery production.

In summary, the Council request PacifiCorp to conduct studies that will adequately assess the effects of the Project upon anadromous salmonids in the Klamath River as well as to assess a range of alternatives that will result in the successful restoration of anadromous salmonids to the Upper Klamath Basin.

Sincerely,

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Jim Lone
Chairman

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