

HABITAT COMMITTEE PROPOSED ACTION FORM

HC Sponsor: Michael Rode

Title of Issue: Response letter on Klamath River flow issues

Deadline (if any): November

Council meeting

Proposed Action: Letter for Council signature

Addressed To: Gale Norton

cc: Donald Evans

Secretary of Interior

Secretary of Commerce

Description of Issue: A May 31, 2002 NMFS Final BO on the effects of the U.S. Bureau of Reclamation Klamath Project on threatened SONCC coho salmon determined that if the Project were operated as proposed by the USBR in its February 25, 2002 Final BA, jeopardy would likely occur. The BO covers Project operations for a ten-year period, April 1, 2002 - March 31, 2012. The reasonable and prudent alternative (RPA) prescribed by the BO allows the USBR eight years in which to fully develop long-term flow targets at Iron Gate Dam that would avoid jeopardy, by developing a water bank from new water sources. During the ten-year period, full irrigation deliveries would occur under all water year types, while the releases at Iron Gate Dam would be the monthly minimums attained for each water year type during the 1990-1999 period plus minor pulses of water from the water bank; essentially the same flows proposed in the BA. These flows for a dry water year, such as 2002, are less than half of the annual flows recommended by the recently completed Department of Interior commissioned Hardy Phase II Klamath River flow study. The USBR plans to incorporate the 2002 BO into a ten-year long-term operations plan. The September, 2002 fish kill in the lower Klamath River occurred under the drastically reduced flow conditions prescribed by the BO and those flows are planned to remain at such low levels that further adverse impacts to Council managed coho and chinook salmon and their essential fish habitat (EFH) are anticipated. The proposed Council letter recommends that the USBR form a flow management advisory committee to address immediate concerns and potential solutions regarding the low flows. The letter further advises the USBR to reconsult with NMFS under Section 7 of the ESA on Project effects on SONCC coho salmon and its critical habitat and to reconsult on coho and chinook salmon EFH. Lastly, the letter asks that the Hardy Phase II report be finalized and that its flow recommendations be fully considered in both consultations. A previous letter regarding Klamath River flow issues was sent by the Council on June 1, 2000 (Lone to Babbitt) and regarding Trinity River flow issues on January 10, 2000 (Lone to Babbitt).

Description of Regional Significance: Low flows in the Klamath and Trinity Rivers have been major factors in reducing the quality and quantity of anadromous fish habitat in the Klamath River Basin and have contributed greatly to the depressed status of its coho and chinook salmon populations. These depleted populations have been a constraining factor in the management of ocean fisheries from northern Oregon to south of San Francisco and tribal and recreational fisheries of the Klamath Basin. The NMFS 2002 BO and the USBR proposed ten-year Klamath Project Operations Plan will intensify and prolong this management problem.

Potential Adverse Impacts to EFH?

Yes

No

For Which Species? SONCC coho and Klamath chinook salmon [any specific species of concern?]

Potential Benefits of Proposed Action: The letter will ensure that the Council's opinions on the biological opinion, EFH consultation, Klamath Project Operations Plan and Hardy Phase II Flow Study are presented to the DOI and the NMFS in a timely manner.

