

FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426  
May 12, 2006

OFFICE OF ENERGY PROJECTS

Project No. 2082-027 – California  
and Oregon  
Klamath Hydroelectric Project  
PacifiCorp

Donald O. McIssac  
Executive Director  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Ste. 200  
Portland, OR 97220-1384

**RE: PFMC Essential Fish Habitat Recommendation**

Dear Mr. McIssac:

We received your letter, dated April 24, 2006, forwarding the Pacific Fishery Management Council's Essential Fish Habitat (EFH) recommendations and comments on the relicensing of PacifiCorp's Klamath Project (FERC No. P-2082). As you point out, under section 305(b)(3) of the Magnuson-Stevens Act, the Pacific Council is obligated to comment and make recommendations on activities that, in the view of the Council, are likely to substantially affect the habitat (including EFH) of anadromous fish under its authority, and that under section 305(b)(4)(B), federal agencies must respond to such comments within 30 days.

However, we think your EFH recommendations are premature. Although PacifiCorp filed its application to relicense the project in February 2004, we have just recently received comments, recommendations, terms and conditions, and prescriptions from state and federal agencies, tribes, and other interested parties, and are now conducting our analysis of the proposed action and alternatives. As such, there is no proposed activity at this point and, accordingly, we have not completed preparation of our EFH Assessment. We will consider your April 24, 2006, EFH comments under section 10(a) of the Federal Power Act as we prepare our Draft Environmental Impact Statement (DEIS). Our DEIS will include our EFH Assessment and is currently scheduled to be issued in July, 2006. We will look forward to your comments and any EFH recommendations after you've reviewed our DEIS and EFH Assessment.

On a related note, I would like to take this opportunity to comment on footnote 2 of your letter, which states “we understand that the Keno and Link Dams are not currently being relicensed” and that “the Council calls upon FERC” to address the operation of Keno and Link dams. Please note that although Keno dam is not part of PacifiCorp’s proposed project, it is part of the existing project and the Commission will determine whether and under what conditions Keno dam will be included in any new license issued for the project. Link River dam, on the other hand, is not a component of the existing or proposed Klamath hydroelectric project, but is owned and operated by (or under the direction of) the U.S. Department of the Interior’s Bureau of Reclamation. You should address any concerns you have concerning the operation of Link River Dam to them.

Thank you for your interest in Commission activities. If you have any questions concerning the foregoing, please contact John Mudre at (202) 502-8902.

Sincerely,

Timothy J. Welch  
Chief  
Hydro West Branch 2

cc: Public Files  
Mailing List