

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

OHL/DPCA

DEC 21 1994

Mr. Lawrence D. Six  
Executive Director  
Pacific Fishery Management Council  
2130 SW Fifth Avenue, Suite 224  
Portland, OR 97201

Dear Mr. Six:

This letter responds to your letter, dated November 3, 1994, transmitting two resolutions adopted by the Pacific Fishery Management Council (Council) pertaining to Commission-licensed projects. Specifically, the resolutions concern fish passage at the Condit Project (FERC No. 2342), located on the White Salmon River in Washington, and minimum flow releases at the Klamath Project (FERC No. 2082), located on the Klamath River in Oregon and California.

The resolution pertaining to the Condit Project urges the Commission to require fish passage facilities and other restoration measures at the project, or immediately decommission the project. As you know, the Condit Project is currently in relicensing. By letters dated April 29, 1994 and August 22, 1994, the U.S. Fish and Wildlife Service and the National Marine Fisheries Service, respectively, made valid fishway prescriptions pursuant to section 18 of the Federal Power Act. Because these prescriptions are mandatory, a requirement for a fishway will be included in any new license issued for the project. The need for implementation of the additional restorative measures is currently being reviewed, and the Council's position will be taken into consideration.

The Klamath Project resolution requests that the Bureau of Reclamation (Bureau) ensure that Commission-required minimum flow releases at Iron Gate are maintained, and that flow studies be initiated as soon as possible to determine the amount of water needed to restore the Klamath River Basin fish stocks. The Commission is well aware of the flow-dependent resources of the Klamath River and has established the existing minimum flow release requirements for their protection. Unfortunately, we do not have the statutory authority to direct the Bureau's allocation and release of water from Upper Klamath Lake. Nonetheless, in 1993 and 1994 we held meetings with the licensee, the Bureau, the resource agencies, tribal representatives, and other interests to ensure that the licensee takes all appropriate measures available to it to protect and enhance Klamath River fishery resources and to facilitate communication among all parties.

With respect to the Council's request for flow studies, it is our understanding that the Bureau and other interested parties are currently planning to conduct such studies to gain a better understanding of the flow needs of those resources. While we feel that the existing minimum flow requirements adequately protect and enhance the Klamath River fishery resources, we would not be reluctant to modify the requirements should those studies, or studies conducted pursuant to any relicensing of the project (the existing license expires in 2004), show that such changes would be needed and in the public interest.

We appreciate your interest in Commission activities. If you should have any questions concerning the above, please contact Dr. John Mudra at (202) 219-1208.

Sincerely,



Fred E. Springer  
Director, Office of  
Hydropower Licensing