

KLAMATH RIVER BASIN BRIEFING MEMO

Essential Elements for Klamath River Basin Restoration: **1.** Removal of the lower four Klamath River dams owned by PacifiCorp; **2.** Assured minimum river flows or minimum quantities of water for fish based on the best available science; **3.** Funding to implement a willing seller buyout program to permanently reduce irrigation water demand to a level that will bring it back into balance with what is sustainable for healthy ecosystems; **4.** Phasing out the commercial farming program on Lower Klamath and Tule Lake National Wildlife Refuges; and **5.** Funding for needed Klamath Basin restoration work.

Unfortunately Bush Led Efforts Lock in Harmful and Costly Klamath Deal: Before the end of its term, the Bush administration moved to lock in a Proposed Klamath River Basin Restoration Agreement (“KBRA”) by linking it to an agreement with PacifiCorp (PC) concerning 4 of its Klamath dams, the Klamath Hydro Settlement Agreement (“KHSa”). Linked together, the KHSa and KBRA deliver a sweetheart deal to Klamath Project Irrigators (KPI) and PacifiCorp at the expense of fish, wildlife, and the U.S. taxpayer. The following is a short summary of some of the many problems with the KHSa and the KBRA:

Under the KHSa: **1.** Dam removal is unnecessarily linked to the KBRA and if KBRA legislation does not pass dam removal is derailed; **2.** There is no agreement to remove dams, only to go through a new process to determine whether dams should be removed or not; **3.** No dam removal would occur before 2020, while PC would be allowed to continue operations that degrade water quality and harm salmon, including ESA listed coho with minimal operational changes in the interim; **4.** There are a large number of preconditions that provide PC with many opportunities to abandon dam removal; and **5.** No dam removal entity has been selected.

Under the KBRA:

1. There are water guarantees for Klamath Project Irrigators (KPI) at levels higher than historically used in wet water years and higher than allowed under current ESA regulation in dry years, while there are no water guarantees for fish, including 3 species listed under the ESA; **2.** The predicted Klamath River flows do not meet flow levels required under the current Biological Opinion for coho salmon or those recommended for salmon by the best available science; **3.** KPI receive \$92.5 million to develop and implement their own water plan without public oversight, much of which will be used for unsustainable groundwater development; **4.** Commercial farming on 22,000 acres of Lower Klamath and Tule Lake National Wildlife Refuges is locked in for 50 years rather than being phased out; **5.** The water allocation to Lower Klamath NWR (LKNWR) may never occur, is insufficient, limits LKNWR from improving its water situation, and puts a heavy burden on the refuge during droughts (water deliveries to refuge wetlands are cut before cutting water deliveries to irrigate refuge land for commercial farming); **6.** The best tools to secure water for LKNWR are eliminated; **7.** KPI receive \$41 million in power subsidies, plus lower cost BPA power, plus special contracts that allow KPI to continue to drain refuge land for farming; and **8.** The overall cost is almost a \$1 billion.