



**OREGON WILD**

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**Klamath Settlement Talks:  
A History of Unfulfilled Promises**

In late 2004, conservationists, commercial fishing groups, Tribes, irrigators and federal, state and county governments came together to discuss a possible deal for the removal of four PacifiCorp-owned dams on the Klamath River. These confidential settlement talks – initiated by PacifiCorp – sought to forge an alternative to the traditional public process under the Federal Energy Regulatory Commission.

In January 2007, the Bush administration derailed the talks by presenting the participants with a "settlement framework" that contained no commitment from PacifiCorp on dam removal, yet expanded the talks to include measures such as weakened Endangered Species Act protections for fish in and around Upper Klamath Lake, guaranteed water deliveries for Klamath agribusiness without similar commitments for the survival of salmon, and permanent commercial agricultural development on National Wildlife Refuges in the Klamath Basin.

When wildlife advocates Oregon Wild and WaterWatch of Oregon refused to sign this framework, the administration chose to abandon the original dam settlement talks and start a new process without the dissenting groups.

Since early 2006, PacifiCorp has been largely absent from the negotiating table. Meanwhile, the closed-door talks lingered on, with some participants repeatedly claiming a deal was right around the corner. Finally, in January 2008, the settlement group released an unsigned and unfinished document known as the Klamath Basin Restoration Agreement (KBRA). The KBRA lacks a guaranteed water supply for fish, locks in the harmful practice of commercial agriculture on National Wildlife Refuge land, and has no agreement for dam removal. Since its release, the Hoopa Valley Tribe, Northcoast Environmental Center, and Klamath Forest Alliance have all abandoned the negotiations claiming their concerns went unheeded.

In November 2008, confidential talks between Oregon, California, US Department of Interior, and PacifiCorp produced a tentative Agreement in Principle (AIP) to remove the lower four Klamath dams no earlier than 2020. The deal was criticized for delaying dam removal too far into the future and for providing too many opportunities for PacifiCorp to eventually abandon the negotiations. In June, the group announced that they would miss their self-imposed June 30, 2009 deadline, continuing the long string of delays in the Klamath Settlement process.

In September 2009, the group announced yet another draft, tentatively signed by the states of Oregon and California, the Interior Department, and PacifiCorp. These parties stated that the new Klamath Hydropower Settlement Agreement (KHSA) and accompanying Klamath Basin Restoration Agreement (KBRA) would be reviewed by settlement parties and either approved or rejected by December 2009. That timetable has been abandoned. With no agreement in place after five years and Klamath fish and wildlife still suffering, it is time to take a closer look at the broken promises of the Klamath Settlement Group – and to look elsewhere for solutions to the Klamath's problems.

**February 19, 2006:** *Eureka Times-Standard*, “Feds give Klamath settlement talks time”

“Federal energy regulators gave more time to agencies, tribes, fishermen, farmers, environmentalists and a power company to resolve issues surrounding dams on the Klamath River, a sign that **a settlement could be close**... The confidential settlement talks have been occurring for months, though recently there has been a buzz that **a deal is close**.”

**November 17, 2006:** *Capital Press*, “**Parties say Klamath settlement close**”

“Troy Fletcher, a biologist by training who worked for Yurok Tribal Fisheries, stepped up to become the tribe's executive director, and is the tribe's consultant for the settlement talks, said in an interview that **solutions are close**.

**‘Closer than they've ever been,’ he said, smiling and holding forefinger and thumb a quarter-inch apart.**”

**November 28, 2006:** *Klamath Falls Herald & News*, “Salmon return to Klamath foreseen”

“A summit meeting involving governors of Oregon and California to discuss dam removal and salmon run restoration had been scheduled for December. But it’s been pushed back to late January or early February to give stakeholders more time to work on an agreement... Gov. Ted Kulongoski’s office indicated that he is still determined to hold a Klamath River Basin summit and for it to be in Klamath Falls, but he is waiting for stakeholders to work through issues.”

**April 25, 2007:** *Klamath Falls Herald & News*, “**Groups closer to water settlement.**”

“**[G]roups involved say they expect to release details of a settlement in a few weeks to a few months**... [Greg] Addington [of the Klamath Water User’s Association] said he hopes to begin rolling out details through a series of public meetings as soon as he is able under the confidentiality agreement. **[Craig] Tucker [of the Karuk Tribe] said he expects a framework to be released in the coming weeks.**”

**April 29, 2007:** *The Oregonian*, April 29, 2007, “**Klamath River settlement is nearly ready.**”

“**[G]roups involved say they expect to release details of a settlement in a few weeks to a few months.**”

**June 9, 2007:** *Klamath Falls Herald & News*, “Discussion continues about Klamath dam issue.”

“In late April, Greg Addington, executive director of the Klamath Water Users Association, and Craig Tucker, a representative of the Karuk Tribe, indicated talks were making progress and the groups involved were showing increased cooperation and reconciliation... **Tucker said he expected a summary of a settlement framework in coming weeks**, and Addington said he wanted to begin planning a series of public meetings for community members to brief them on pertinent details.”

**July 12, 2007:** *North Coast Journal*, “The Klamath Knot”

“**By year’s end, we’re gonna have a negotiated agreement** with PacifiCorp or with everyone except PacifiCorp, and FERC will issue a mandate,” (Craig Tucker) said..”

**July 25, 2007:** *The Eureka Times Standard*, “Klamath talks flow on.”

“**Tribes, irrigators, fishermen and others released a statement Tuesday saying they have come up with a framework for addressing the wide-ranging issues...** For months now, dam owner Pacificorp has not formally been at the bargaining table.”

**August 13, 2007:** *The Oregonian*, “In My Opinion: Untangling a Dispute.”

In an op-ed, Troy Fletcher (Yurok Tribe) and Greg Addington (KWUA) promise to release an agreement “**later this year.**”

**November 10, 2007:** *Crescent City Daily Triplicate*, “County missing Klamath talks”

“The settlement talks have participants traveling around the country, taking part in conference calls and meeting in smaller groups. **But the ball is rolling faster than ever, negotiators say....** “*We think the time is now,*” [Craig] Tucker said. “*We're talking about the biggest planned dam removal in the history of man.*”

**November 14, 2007:** *The Oregonian*, “Advocates ask ratepayers to fight relicensing of 4 Klamath dams”

“Craig Tucker, Klamath coordinator with the Karuk Tribe, says he is hopeful that a settlement **agreement for dam removal can be reached by year's end.**”

*Such an agreement, however, depends on another set of negotiations with farmers in the Klamath Basin to ensure irrigation interests and that farmers won't bear additional costs when and if salmon are returned to the upper Klamath Basin.*”

**December 9, 2007:** *The Oregonian*, “Negotiating the Klamath”

“This week, approximately 26 interest groups working in secret will huddle in Redding, Calif., in an effort to strike an agreement on the fate of the Klamath from its headwaters at Klamath Falls to its mouth in Northern California. After years of fighting over who gets to use the river, **participants say they are close to agreement.**”

**January 15, 2008:** *Klamath Settlement Group Press Release*

“The Klamath Settlement Group is presently negotiating with PacifiCorp in an effort to reach agreement on the removal of the utility’s four lower dams in the Klamath Basin, referenced as the ‘Hydropower Agreement.’...**The group is working to finalize both agreements in February.**”

**January 16, 2008:** *Sacramento Bee*, “Tentative Klamath deal reached”

“Parties to the deal, including farmers, irrigation districts, Indian tribes and fishermen, hope **an agreement for removal of the dams can be reached within a month or two** to give them time to lobby Congress for final approval.”

**November 14, 2008:** *Associated Press*, “Klamath Dam-Removal Agreement Signed”

“The **nonbinding agreement** signed by Kempthorne, PacifiCorp and the governors of Oregon and California **calls for a final agreement by June 30, 2009...**”

**June 6, 2009:** *Associated Press*, “Klamath dams removal agreement will be delayed”

“It may take a **little longer than expected** to reach a final agreement on removal of 4 hydroelectric dams on the Klamath River.

Gov. Ted Kulongoski and PacifiCorp **officials say they do not expect to meet a June 30 deadline** after working since November to draft a plan.”

**July 1, 2009:** *Eureka Times-Standard*, “Klamath restoration negotiations delayed”

“Dam removal negotiators were unable to come to an agreement Tuesday, **missing the deadline** set for finalizing a plan to remove four aging dams on the Klamath River.”

**September 30, 2009:** *The Oregonian*, “Deal would remove Klamath River dams to aid salmon”

“The groups' negotiators now will take it back to their constituents, who must decide whether it's in their interest to sign on. The agreement's proponents hope to have those signatures **by December.**”