

Thaler, Parker@Waterboards

From: Richard Marshall <richard@marshall-ranch.com>
Sent: Wednesday, January 27, 2016 4:09 PM
To: Thaler, Parker@Waterboards
Subject: Letter from SCWUA and Grange
Attachments: transltrWBoard.pdf

Dear Mr. Thaler

Attached is a letter and a Resolution for you information concerning the Scoping Meeting for the Klamath Dam Relicensing project. We appreciate your inclusion of these documents in your reports.

Richard Marshall
President Siskiyou County Water Users.

Siskiyou County Water Users



January 27, 2016

State Water Resources Control Board
Mr. Parker Thaler
PO Box 2000
Sacramento, CA 95812-2000

SENT BY EMAIL

Re: Scoping Meeting KHP Relicensing

Dear Mr. Thaler,

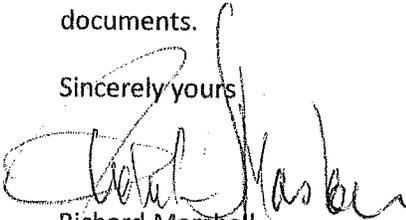
Pursuant to the request you made to continue to submit salient information relative to the task of relicensing the water storage facilities and hydro power generating facilities located on the Klamath River we submit from our organization in co-operation with the major Grange Organization located in Yreka the attached document.

The Resolution attached is significant in the fact that it documents many of the issues and concepts discussed the other evening at the Scoping Hearing in Yreka. It conveys quite well the opinions of many in Siskiyou County who desire to see a reasonable approach made towards keeping the dams in place and improving fish habitat. Removing the water storage facilities is not only incredibly expensive it is in the words used by the DOI in their EIR EIS a giant experiment which the result of won't be known for decades.

Siskiyou Water provided you with a great body of work analyzing a number of facets relative to the proposal to remove the dams and suggests feasible ways in which to avoid that and assist the Salmon population. I might add at a considerably reduced cost to the State of California and its citizens.

We will be signing these documents at a major ceremony and will send you copies of the signed documents.

Sincerely yours


Richard Marshall

President Siskiyou County Water Users

**RESOLUTION FOR THE
PRESERVATION OF THE KLAMATH RIVER
AND
THE PRESERVATION OF THE KLAMATH RIVER BASIN WITH RESPECT TO THE
HYDRO-ELECTRIC FACILITIES**

Whereas: this document exposes the impacts that the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydro Settlement Agreement (KHSA) would have on the region by removing four perfectly sound hydro-electric dams on the Klamath River and taking control of all Klamath Basin water through the creation of a Charter that would give control of the entire Klamath Basin Watershed to a select group of the signatories' of the KBRA & KHSA. And,

Whereas: the KLAMATH BASIN COMPACT between the states of California and Oregon signed by both Governors, Congress, and the President in 1957 was enacted to control waters and water disputes in the Klamath River Basin has been ignored by the KBRA. The KBRA will exclude the public from participation in any decisions that impacts the Klamath Basin for 50 years. And,

Whereas: these agreements falsely propose to create an additional 420 miles of additional anadromous habitat above the dams for the benefits of the questionable ESA listing of the Coho salmon, the short nose and lost river suckers, and to resolve government and state sponsored water wars between Farmers, Ranchers and Indian Tribes, And,

Whereas: KRRRA agreements, if implemented, would destroy the Klamath Basin, costing all citizens, communities, farmers, ranchers, ratepayers and taxpayers billions of dollars that will neither improve nor create additional anadromous fish habitat above the dams proposed for removals. The Department of Interior (DOI) National Scientific Review Officer stated in his findings that the KBRA & KHSA would be better termed an experiment rather than a restoration agreement that was doomed for failure. And,

Whereas: this document proposes to create additional water storage and ground water enhancement projects for the benefits of all the Klamath River Basin including the questionable ESA listings of the Coho salmon, the short nose sucker, and to resolve government sponsored water wars between Farmers, Ranchers, and Indian Tribes. And,

Whereas: this document presents the following impacts and proposals to address the problems created with the approvals of the KBRA and KHSA.

Resolved: the Yreka Greenhorn Grange and the Siskiyou County Water Users Association, and the majority of Siskiyou and Klamath Counties Residents **OPPOSE DAM REMOVALS** (as resolved by **MEASURE G** where 80% of Siskiyou County voters oppose the removals of the Klamath River Hydro-Electric Facilities proposed for removal under the KBRA and KHSA), and presents the following **ISSUES, OBJECTIVES, and PROPOSALS** to address the position taken for this resolution.

ISSUES and OBJECTIVES in THE KLAMATH RIVER BASIN:

1. **To Stop** the Federal Department of Interior (DOI) and State Agencies' Scams, Conspiracies, Bribes, Grants and Blackmails to gain support to remove four perfectly sound hydro-electric dams on the Klamath River and **take control of all Klamath Basin water** by over regulating, spinning, and promoting the following events: Over reaching FERC hydro-electric relicensing requirements; Endangered Species Act (ESA) questionable listings; North Coast Regional Water Control Board (TMDL) over reaching Klamath R. water quality regulations; DOI Klamath Project Irrigators electricity rate increases, water cutoffs and irresponsible regulated river flows; Upper Klamath Basin Tribal Water Right Wars against Farmers and Ranchers; Grants and Bribes to tribes, NGO's, Farmers and Ranchers to bring **Stakeholders** together to sign the KBRA. All signatories having to agree to one primary objective (**Dam Removals**). Note: the dams are downstream of Upper Basin Tribal water wars and the DOI Klamath Project and have no effect on either, except they were Federally approved to provide cheap power to the Project Irrigators.
2. **To Save** Taxpayers and Ratepayers over one billion dollars in initial cost associated with the Klamath River **GREEN** Hydro-electric Dams and facilities scheduled for removals (*down played by the DOI to be less than the \$450 million cap in the KBRA & KHSA*), plus their replacement cost with **NON GREEN POWER**. This cost does not include **the additional long term billions of dollars** in cost associated with future Klamath R. sediment release restorations and secret undisclosed KBRA and KHSA agreements.
3. **To Save** Iron Gate Fish Hatchery and the complete destruction of the Klamath River aquatic and fishery habitat below Iron Gate Dam and Fish Hatchery by **PROHIBITING** the DOI & CDFG **irresponsibly** washing 20+/- million cubic yards of contaminated sediments (equivalent to 3 feet deep by 150 feet wide by 190 miles long) retained behind the dams down river during dam removals. (*An intentional violation of the State and Federal clean water act to reduce dam removal cost below the \$450 million KBRA & KHSA cap*). Note, dredging the sediments prior to dam removal was considered by the DOI and would be the most environmental preferred alternative, however, it was cost prohibited under the \$450 million cap.
4. **To Challenge** the DOI claim that dam removals would create an additional 420 miles of **anadromous fish habitat above the dams**. Whereas several historical reefs and falls existed on the Klamath River which prohibited anadromous fish to reach the Upper Klamath Basin above dams proposed for removals.

5. **To Achieve the overriding environmental objectives** set forth by the Federal Energy Regulatory Commission (FERC) and the North Coast Regional Water Control Board (NCRWCB) to restudy and negotiate **unreasonable** mitigation recommendations for relicensing the four hydro-electric dams on the Klamath River in Oregon and California
6. **To Restore Historic Water Rights** back to the Upper Basin Off Project Water Users prior to the ESA listings and the KBRA.
7. **To Restore Historic Water Diversions** back to the On Project Water Users prior to the ESA listings and the KBRA.
8. **To Introduce Other Water Development Proposals** to provide the Upper and Lower Klamath Basins with **MORE WATER STORAGE** (with beneficial controlled releases).

PROPOSED PROJECTS:

1. **Implement a trap and haul study** around the dams scheduled for removals to determine that anadromous fish habitat does or does not exist above the dams. If anadromous fish habitat exists, implement the Shasta Nation Tunnel Unassisted Anadromous Fish Passageway around Iron Gate, COPCO 1 and COPCO 2 Reservoirs at a cost of \$50million (1/6th the \$300million cost estimated for installing fish ladders & 5% the \$1billion cost of dam removals).
2. **Establish additional reliable storage facilities within the Upper Klamath Basin** to augment the Upper Klamath Basin farmer's and rancher's water rights, Klamath Project Water User's demands, instream flows, and to improve water quality in the Upper Klamath River. This will preclude another 2001 Yr. Episode of Federal Agencies' **inappropriate** allocation of water for raising Upper Klamath Lake levels for endangered species, depriving 1400 project irrigators their water and negatively affecting the short nose sucker. In 2013, another episode involving Tribes and Federal & State Agencies allocation of water for endangered species deprived Off Project Irrigators their water resulting in water cutoffs to over 100,000 acres of Upper Basin family farms and ranches.
3. **Establish additional reliable storage facilities within the Scott and Quartz Valleys**, including increasing storage capacities of high-elevation lakes as recommended in the October 1991 Department of Water Resources Study entitled: *SCOTT RIVER FLOW AUGMENTATION STUDY*. These storage facilities will augment late summer and fall instream flows, improve Klamath River water quality and supplement agricultural irrigation water.
4. **Implement the 60,000 ac.ft. (Klamath River, IronGate Reservoir, Shasta Valley) Reserved Water Right (A0169580), and storage facilities** to supplement Montague Irrigation District's irrigation water with Klamath River water at a cost of \$500million (1/2th the \$1billion cost of dam removals). This project augments current irrigation supplies, allows for additional irrigable lands, and replaces naturally impaired Upper Klamath River water with higher quality water. A portion of the reduced water demands (good water quality) can be released by the Montague Irrigation District from Lake Shastina or from their wells into the Shasta River, improving the

water quality in both the Shasta River and in the Klamath River below Iron Gate Reservoir per FERC recommended requirements for relicensing.

5. **Support and introduce Coho Salmon Restoration Programs on Klamath River tributaries below Iron Gate Fish Hatchery. Note: Coho are cold water fish with their most desirable habit within 30 to 40 miles of the coast.**

6. **Implement a US Forest Service supported Grant Program and a Juniper Removal Program** for wood energy and wood products markets, sustainable forest and wildfire management. These programs will provide local economy, wildfire protection, improved ground water infiltration, instream flow accretion, surface water runoff, and improved grass land production. These programs have the potential to provide several hundred thousand acre feet of surface, ground water, and instream flow to the entire Klamath Basin.

7. **California Establishment of a Joint Powers Authority (JPA), Public Utility District (PUD), or the Siskiyou County Flood Control and Water Conservation District's acquisition of Iron Gate, COPCO 1, and COPCO 2 Hydro-Electric Facilities.** PaciCorp is a signatory to the KHSA agreement to decommission the Hydro-electric Dams. A **negative one billion dollar** 2020 yr. worth value has been established for the Klamath River Hydro-electric Dams scheduled for removals. The sale of this 65 MW green energy to the PP&L grid would generate an estimated \$50 Million per year to a JPA, PUD, or Siskiyou County which could be used for project financing and to **reduce electricity rates to farming and ranching operations and to all ratepayers within the district.**

8. **Oregon Establishment of a Joint Powers Authority (JPA) or Public Utility District (PUD) acquisition of J.C.Boyle Hydro-Electric Facilities.** The sale of this 98 MW green energy to the PP&L grid would generate an estimated \$75 Million per year to a JPA or PUD which could be used for project financing and to **reduce electricity rates to farming and ranching operations and to all ratepayers within the District.** Also, a Bi-State Joint Power Authority (JPA) or Public Utility District (PUD) could be formed to acquire all four hydro-electric facilities.

These Proposals Will:

- **Save farmers, ranchers, the public, and tax payers billions of dollars**
- **Save the Klamath River from complete destruction** by eliminating the release of 20 million cubic yards of sediments.
- **Save the Hydro-electric Dams** which generate clean, green power to 70,000 homes, protect the lake habitat and homes values around the reservoirs and provide flood protection with a 25% reduction and a 9 hr.delay in peak flows. Given the condition of a complete Klamath River cutoff by the DOI or a severe drought **the dams can also easily protect the Upper and Lower Klamath Basin water demands by providing CDFG's 700 cfs minimum instream river flows for a three month period** with adequate storage retained for lake habitat..

- **Save IronGate Fish Hatchery**, which is dependent on cool low level water releases from Iron Gate Reservoir and releases over **six million salmon and steelhead fingerlings per year** into the Klamath River. **Note: (It is impossible for the Klamath River Habitat above IronGate Dam to duplicate the production of IronGate Hatchery).**
- **Save relocating the City of Yreka's Fall Creek water supply system across Iron Gate Reservoir and prevent future demands on Fall Creek Water Rights under the KBRA.**
- **Save Klamath River water demands** by State and Federal Agencies from the **Upper and Lower Klamath Basins, the Rogue Valley, and the Scott and Shasta Rivers** to satisfy requirements proposed in the KBRA for environmental waters.
- **Save our forest from future catastrophic fires by proposing needed thinning projects and control present and future invasion of the evasive Juniper population in the entire Klamath River Basin.** This can provide hundreds of thousands acre feet of additional Klamath Basin ground water, surface waters, and instream flows.
- **Preserves the sacred Shasta Nation Villages and Burial Sites** beneath the waters of Iron Gate and COPCO Reservoirs.
- **Provide substantial additional water storage facilities within the Klamath Basin** which will benefit **all water users in the basin** including benefits to instream flows, ground water, fisheries, Tribes, NGO's and fishing interest.
- **Provide reduced electricity rates for On and Off Project irrigators and all rate payers.**
- **Provide Governmental Agencies with public supported alternatives** to maintain the economic and environmental sustainability of the Klamath River Basin.

 Anthony Intiso Date _____
 Yreka Greenhorn Grange

 Richard Marshall Date _____
 Siskiyou County Water Users Assoc.