



Klamath County Commissioners

Tom Mallams, *Commissioner*
Position One

Kelley Minty Morris, *Commissioner*
Position Two

Jim Bellet, *Commissioner*
Position Three

Via email

January 29, 2016

California State Water Resources Control Board
Division of Water Rights
Water Quality Certification Program
Attention: Parker Thaler
PO Box 100
Sacramento, CA 95814

Dear Mr. Thaler:

The Klamath County Board of Commissioners are firm believers in private property rights which are codified in the United States Constitution. PacifiCorp's private property includes the lower four dams on the Klamath River. This includes the actual cement structures and all related infrastructure. The decision to decommission or relicense these dams appropriately lies with PacifiCorp and the federal Energy Regulatory commission.

Oregon Senate Bill 76 directed PacifiCorp to begin collecting dam removal surcharges which would be used for dam removal or relicensing. The total amount of surcharges to be collected from the rate payers was capped at \$200 million. Any additional costs incurred during either dam removal or relicensing should be borne by the private property owner, PacifiCorp, not by rate payers or tax payers. Those additional costs should certainly include any and all liability costs. When you have private property, you also have the responsibilities attached to that private property.

The other side of this dam removal issue is whether the dams have any negative impact on the water quality of the Klamath River in the first place. The natural occurring phosphorus in the upper Klamath Basin is scientifically well documented. The massive warm, shallow water body of Upper Klamath Lake also has a well-documented historical record of continual extremely poor water quality.

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We strongly believe that the Klamath Hydroelectric Project Certification Process should be approved, so the relicensing of these four clean, hydro energy producing facilities can continue producing power for over 70,000 homes.

Sincerely,



Tom Mallams
Commissioner



Kelley Minty Morris
Chair



Jim Bellet
Commissioner

Cc: Brian Morris, Siskiyou County Counsel