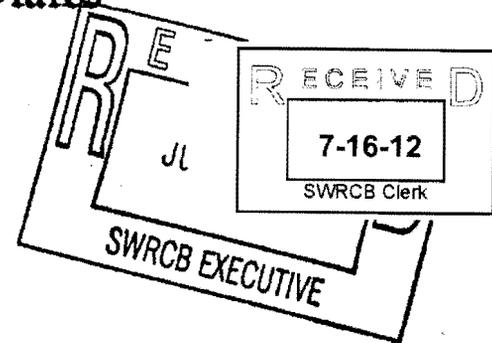


**Congress of the United States**  
Washington, DC 20515

July 12, 2012

Mr. Charlie Hoppin, Chair  
State Water Resources Control Board  
Post Office Box 100  
Sacramento, CA 95812-0100



Dear Mr. Hoppin:

On behalf of the Congressional co-sponsors of H.R. 3398, the Klamath Basin Economic Restoration Act of 2011, we request that the State Water Resources Control Board (SWRCB) continue the abeyance of PacifiCorp Energy's Section 401 Clean Water Act water quality certification for the Klamath Hydroelectric Project, FERC No. 2082. H.R. 3398, which would implement the Klamath Hydroelectric Settlement Agreement and the Klamath Basin Restoration Agreement (KHSA/KBRA) is at a critical juncture, and a SWRCB abeyance will allow Congress time to fully consider this legislation that will resolve many long-standing resource conflicts in the basin.

H.R. 3398 is a landmark measure that would implement a comprehensive plan, developed through a multi-year collaborative effort among farmers, ranchers, fishermen, tribal leaders and conservationists to settle one of the nation's most volatile water crises. Implementing KHSA/KBRA is the best way forward for the Klamath River Basin and its communities. It will ensure that the parties can continue their work to restore fish and wildlife habitats, improve water quality and strengthen the local economy.

This legislation is proof that through collaboration and hard work, long-divided constituencies can move beyond the disputes of the past and create a stronger foundation for economic growth and environmental health. In addition, the KHSA and KBRA settle decades of water rights disputes and litigation over other natural resources in the region.

We remain committed to passing this legislation because the local community and affected constituents are overwhelmingly in favor of this approach. An abeyance at this time would not be given just to allow PacifiCorp to continue business as usual. Under the agreements, PacifiCorp must take a number of interim measures to improve water quality, enhance habitat for protected fish and provide funds to federal agencies for land management planning. PacifiCorp is spending nearly \$3 million per year on these and other efforts, and would spend millions more annually on additional interim measures following a determination by the U.S. Interior Secretary that removal of the dams is in the public interest.

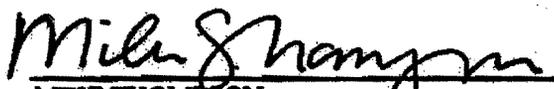
In addition, the U.S. Department of Interior through the U.S. Fish and Wildlife Service requested \$1.6 million in its Fiscal Year 2013 budget for Klamath Basin fisheries monitoring, habitat restoration and projects to improve instream flows. These funds are aimed at preventing additional fisheries disasters, for which some \$170 million in federal emergency funding has been required over the last decade. Now is not the time to return to a regulatory process and the litigation that would likely result.

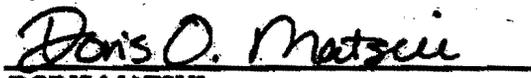
An abeyance cannot continue on in perpetuity and does not substitute nor diminish the need for

dam removal. However, it is critical at this stage in the agreements to continue forward momentum. We urge you to continue the abeyance of the California Section 401 Clean Water Act water quality certification process to allow Congress time to take action on implementing this vital legislation

We are prepared to answer any questions you may have about the legislative status of the H.R. 3398 and the importance of continued abeyance of the California Section 401 Clean Water Act water quality certification process. Please do not hesitate to contact Nicole Rohr (Nicole.Rohr@mail.house.gov, 202-225-3311) in the office of Congressman Mike Thompson if you have any questions.

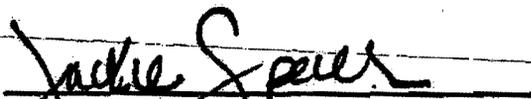
Sincerely,

  
MIKE THOMPSON  
Member of Congress

  
DORIS MATSUI  
Member of Congress

  
PETE STARK  
Member of Congress

  
KURT SCHRADER  
Member of Congress

  
JACKIE SPEIER  
Member of Congress

  
GEORGE MILLER  
Member of Congress

  
PETER DeFAZIO  
Member of Congress

  
ANNA ESHOO  
Member of Congress

cc: Tam Doduc, SWRCB  
Fran Spivey-Weber, SWRCB  
Felicia Marcus, SWRCB  
Steven Moore, SWRCB

Caren Trgovcich, SWRCB  
Michael Lauffer, SWRCB  
Dean Brockbank  
Liane Randolph