

PUBLIC SCOPING MEETING
STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD

In the Matter of:)
)
LONG-TERM MODIFICATION AND INTERIM)
OPERATION OF THE KLAMATH)
HYDROELECTRIC PROJECT, AND CONTINUED)
LONG-TERM OPERATION OF ALL OR PART)
OF THE KLAMATH HYDROELECTRIC)
PROJECT, TO MEET CONDITIONS OF WATER)
QUALITY CERTIFICATION AND TO)
CONFORM WITH WATER QUALITY STANDARDS)
_____)

YREKA HIGH SCHOOL
STUDENT UNION
400 PREECE WAY
YREKA, CALIFORNIA

TUESDAY, OCTOBER 21, 2008

6:00 P.M.

REPORTED BY:
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1 APPEARANCES

2 Erin Ragazzi, Facilitator
State Water Resources Control Board

3
4 Marianna Aue, Staff Counsel
State Water Resources Control Board

5 Jennifer Watts, Ph.D., Environmental Scientist
State Water Resources Control Board

6
7 Daniel R. Tormey, Ph.D.,
Entrix, Inc.

8

9 PUBLIC SPEAKERS

10 Glen Spain, Pacific Coast Federation of Fishermen's
Associations

11 Herman Spannaus

12 Harold Foster

13 Rex Cozzalio

14 Leo T. Bergeron

15 Anthony Intiso

16 Bruce Shoemaker

17 Rick Butler

18 Bob Davis

19 Ryan Grizzell

20 Sue Terrence

21 Glen Briggs

22 Robert Franklin, Hoopa Valley Tribe Fisheries Department

23 Michael Luiz, Siskiyou County Farm Bureau

24 Leah Rickard

25 Scott Harding, Klamath Riverkeepers

- 1 APPEARANCES (Continued)
- 2 Rowen Heglie
- 3 Shelly Elkovich
- 4 Mac Sutherlin
- 5 Rudy Murien
- 6 Stephanie Tidwell, Klamath Siskiyou Wildlands Center
- 7 John Roshek
- 8 Betty Hall
- 9 Diana Hartel
- 10 Maureen McVicker
- 11 Dr. Richard Gierak
- 12 Carlton Allen
- 13 Donetta Grizzell
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1 P R O C E E D I N G S

2 FACILITATOR RAGAZZI: Good evening. I'd like to
3 welcome you all here this evening. It's great to see so
4 many people come out.

5 I'd like to take a moment to thank the Yreka
6 School District for allowing us to use this venue tonight;
7 it's a great venue.

8 And I'd like to introduce myself. I'm Erin
9 Ragazzi with the State Water Resources Control Board. I
10 work in the Division of Financial Assistance. And my role
11 here this evening is as a facilitator. So my primary goal
12 is to make sure that the meeting keeps going, that you
13 guys get the opportunity to provide comments.

14 So the meeting's going to be held in two
15 different phases. The first phase, we'll do a
16 presentation that gives you an overview of the project.
17 And then the second phase, it's all about you guys giving
18 us comments so that we can get those.

19 We have Debbie right here to my right. Debbie is
20 our court transcriber. So she is writing down everything
21 that's being said today so that when you provide your oral
22 comments, you don't need to send us written comments after
23 the fact. You're more than welcome to do so, but if you
24 say it this evening, it is being transcribed, and you're
25 not -- you don't need to send down additional comments.

1 Just a little bit of logistics for those of you
2 that aren't familiar with this room. If you go to the
3 back of the room, the restrooms are located down the
4 hallway on the right-hand side. If there were any sort of
5 emergency, there's a lot of exits to choose from. Go to
6 the first available one and make your way out safely from
7 the building.

8 I also wanted to take a moment to introduce staff
9 that are here this evening. First we have Dr. Dan Tormey.
10 And Dan is the project manager at Entrix. He's a
11 third-party contractor working for the State Water Board.
12 He's a geologist, geochemist, and civil engineer.

13 Directly to his right is Ms. Marianna Aue.
14 Marianna is with the State Water Board's Office of Chief
15 Counsel. So she's the legal brains for the project.

16 And then we have Dr. Jennifer Watts. Jennifer is
17 with the State Water Resources Control Board. She is an
18 environmental scientist in the Division of Water Rights,
19 and she is the staff person in charge of this project.

20 So when you come up a little bit later to provide
21 your comments, if you happen to have a written copy of
22 your comments as well, you can give your oral comments and
23 then provide the written comments to Jennifer.

24 As I mentioned previously, if you're interested
25 in speaking this evening, it's very important that you

1 sign in in the back of the room and you check the column
2 box next to that area so that we know that.

3 We only have two hours. We need to get out of
4 here at eight o'clock so that they can come in and set up
5 for school tomorrow. So we will be very strict with time.
6 And we'll determine the amount of time that each speaker
7 is allotted based on the number of folks that indicate
8 they want to speak in the back of the room.

9 So with that, I'm going to go on to a little bit
10 more logistics.

11 We all have these electronic leashes, right? We
12 were in Orleans earlier today, and they didn't work, so it
13 wasn't an issue; but if you have these cell phones,
14 pagers, Blackberries, please go ahead and turn them off at
15 this time or silence them, your choice.

16 I'm going to repeat it one more time. We have a
17 short period of time, so you will be limited in the amount
18 of comments that you're able to provide. And what will
19 happen is I will start a timer when you start speaking,
20 and at your allotted time I will stand up and start
21 walking towards you. That is your indication to wrap up
22 and sit back down so other folks can speak this evening.

23 In the event that we don't have enough time for
24 everyone to speak, it is possible that we would set it up
25 such that you would be the first people to speak at the

1 Sacramento meeting. That doesn't mean that you have to go
2 to Sacramento, but we will have a call-in line for that
3 meeting, so you would be able to do it that way.

4 Ground rules. This is probably the most
5 important slide, at least for me. The ground rules for
6 this meeting is that one person can speak at a time.
7 Please respect the speaker that is speaking and their
8 views, even if you don't agree with them. Please keep it
9 professional. We want to focus on the issues, not the
10 people. Be concise, especially with the little bit of
11 time we have. Threats and acts of violence or derogatory
12 conduct will not be tolerated. Don't make me police you,
13 please, keep it clean.

14 That's going to cover it for now. I'm going to
15 turn it over to Dan to provide the overview of the project
16 for you.

17 DR. TORMEY: I'd like to thank everybody again
18 for coming out tonight. We're starting off on our
19 environmental review of this project; and at this point
20 we're at the very start, and the public's input at this
21 point is really essential to us being able to do a
22 thorough and defensible environmental review. And so your
23 showing up here tonight is really helping us to do that,
24 and I thank you for that.

25 The project that we're looking at is the Klamath

1 Hydroelectric Project owned and operated by PacifiCorp.
2 The first four, the East Side, West Side, Keno,
3 J.C. Boyle, those are located in Oregon and aren't under
4 the jurisdiction of the State Water Resources Control
5 Board. They'll be part of our review, but the State Board
6 doesn't have jurisdiction over their operations. The
7 Copco 1, Copco 2, Iron Gate, and Fall Creek are in
8 California, and so those will be the specific focus of our
9 review.

10 In November of 2007, the FERC completed their
11 Environmental Impact Statement. That was the key part
12 really of their relicensing review. As part of that they
13 entered into consultation with some of the other resource
14 agencies, National Marine Fisheries Service, Fish and
15 Wildlife Service, et cetera. And at this point the
16 project is awaiting water quality certification under
17 Section 401 of the Clean Water Act. And California is
18 conducting a review for those facilities in California,
19 and Oregon is on a parallel path doing the same water
20 quality certification review for the facilities in Oregon.

21 As part of the State Board's -- California State
22 Board's review, they're required to comply with the
23 California Environmental Quality Act, which requires the
24 preparation of an Environmental Impact Report, similar to
25 the Environmental Impact Statement issued by the Federal

1 Energy Regulatory Commission but with some key differences
2 that I'll explain later on in the presentation. So what
3 we're about tonight is the first step of the preparation
4 of that Environmental Impact Report.

5 So this map just -- I wanted to give a quick
6 overview. I'm sure you're all very familiar with the
7 geography here, but I thought a whole bunch of word slides
8 would be a little intimidating.

9 So here we have the California Oregon border and
10 Copco 1 and 2, Fall Creek dam, and Iron Gate dam, the ones
11 in California; and then J.C. Boyle, Keno, and then the
12 East and West Side were taken out of the project by
13 PacifiCorp, and in any case, aren't under our
14 jurisdiction.

15 Okay. So we're in our first stage, as I said,
16 and it's known as the scoping stage. So we're trying to
17 decide the extent of our environmental review. And so
18 tonight I'm going to be first describing our process, what
19 we're going to be doing as we conduct our environmental
20 review, and I'll highlight what points we'll be
21 specifically coming to you for input, such as tonight.

22 And then we're inviting comment on really
23 whatever you would like to tell us. We're most
24 interested, obviously, in things that have an
25 environmental context to them because those are really the

1 only ones that are within the scope of our review; but if
2 there's -- I mean, environmental is a fairly broad
3 category, and so that's why I encourage you really to
4 bring forward what your concerns are, and then those that
5 have an environmental component to them will be
6 incorporated directly into our review.

7 I can get a little more specific than that
8 though; and there's really five, five categories that
9 we're really interested in hearing about from you.

10 The first is the Environmental Impact Statement
11 that was conducted by the FERC. Did you feel that it
12 adequately described and analyzed the environmental
13 impacts of the project and its alternatives? We'd be
14 interested to hear if the answer is yes. But if there
15 were some things that you thought should have been in
16 there but were not, for example, impacts that were not
17 addressed, we would very much like to hear about those
18 tonight.

19 The range of alternatives. I'm going to be
20 describing the alternatives that at this point we see as
21 part of our environmental review. And if you feel that
22 there's other alternatives that would better represent the
23 range of this -- of what the decision makers will need to
24 address, then we'd be interested in hearing that as well.

25 I mentioned impacts not addressed.

1 The next two, potential mitigation measures and
2 interim measures, are either protections or measures that
3 would be taken to either reduce or eliminate the
4 environmental impacts of the project. The whole purpose
5 of the FERC's Environmental Impact Statement was to
6 identify those. But there may be ones that were not
7 identified in that document. And we'd like to hear if you
8 know of some or would like to suggest some.

9 And again, this is really important at this stage
10 of the process, this very early stage, because the more we
11 hear from you now, the more comprehensive and thorough our
12 review will be.

13 There'll be another point for public input, but
14 at that point we have less -- less time and less ability
15 to really adequately -- I won't say that -- but to really
16 fully assess the impacts that you bring forth.

17 So again, thank you for coming tonight because
18 this is a really key time as far as I'm concerned for
19 public input.

20 Okay. So the next two slides will depict the
21 process that we're embarked on now of doing the
22 Environmental Impact Report. And then the third slide
23 that I'm going to show you after these shows how our
24 process fits within the overall process to decide whether
25 to relicense these dams.

1 So the first bullet is the applicant submitting
2 their application to the State Board for our water quality
3 certification, the 401 certification. And that was just
4 submitted September 26th, 2008. So you can see we're very
5 much at the front end of this process.

6 Just -- I'll step out just a little bit. I
7 notice people taking notes, and that's great; but if
8 there's things that you feel you're missing in the
9 presentation or maybe you didn't hear it, the Notice of
10 Preparation on the back table has these elements to it.
11 So it's back there too.

12 Okay. So applicant files their application is
13 the first bubble there. The middle bubble is where we are
14 now. We've issued our Notice of Preparation, which you
15 have in front of you, that describes what we're planning
16 to do and invites the comment that you've come here
17 tonight to give us. And then this scoping meeting is the
18 first time that happens. So this is our first opportunity
19 for public input.

20 Now, the third bubble on that line shows what
21 we're going to do next, and that's -- we'll go and conduct
22 our Environmental Impact Report. We'll conduct our
23 environmental analyses using the information that's been
24 developed already by the FERC and the other agencies, by
25 the comments received during those processes. So there's

1 a lot of information available. And then we'll take the
2 input that we get during scoping and as necessary add to
3 and enhance those analyses so that they'll meet the
4 requirements of CEQA, the California Environmental Quality
5 Act.

6 Okay. So the first bubble now is the next
7 opportunity for public input. That's when we publish our
8 Draft Environmental Impact Report. And that will go to
9 you if you've signed up in the back, we know how to get in
10 contact with you; and at that point we would like you to
11 review the document that we've prepared.

12 And at that point when we come back to you again
13 for your input, it will be a little different at that
14 point. We're not so much trying to capture as much as we
15 can in terms of what you know and what your concerns are;
16 at that point the question is more, okay, you've read what
17 we've prepared and we'd like to get your input on that.

18 Okay. And then once we get your comments, we'll
19 respond to them. Each one will receive its own response.
20 And the final Environmental Impact Report will be issued.
21 And then that will be used by the State Board to make
22 their decision whether or not to issue a water quality
23 certification for the project.

24 And it's an important thing to know that the
25 Environmental Impact Report is not intending to answer all

1 the questions. It's a document that is intended to
2 disclose all of the environmental effects that would occur
3 if the decision is made to approve or not approve the
4 project.

5 So if there's issues where there's disagreement,
6 the requirement of the Environmental Impact Report is that
7 it clearly describe the areas of disagreement, clearly
8 describes the basis for each position. If it can draw a
9 conclusion, it will; but if it can't, it's still a good
10 document if it fully discloses the disagreements. And
11 then it's up to the decision makers to take that document
12 and then make their decision on whether or not to issue
13 the certification.

14 Okay. So that's our process. And now this slide
15 shows how it fits into the overall relicensing framework.
16 So we are here right now, and so now we're going to start
17 with this bubble.

18 So the first one is when the applicant,
19 PacifiCorp, filed their application to the FERC for a new
20 license. That started the FERC's process. The second
21 bubble is they issued their EIS, that was November of
22 2008. And the third bubble is -- shows the consultation
23 that the FERC entered into with the other agencies, like
24 the National Marine Fisheries service, Fish and Wildlife
25 Service. And as part of that, those agencies issued what

1 are known as mandatory conditions. So additional
2 conditions that the project must comply with.

3 And so now that we come to the bubble where we
4 are now, we have the benefit of those earlier reviews, we
5 know what the mandatory conditions are, and so we can take
6 that as our starting point.

7 And then the final bullet, bubble on that row is
8 the issuance of the 401 certification. And that 401
9 certification can also carry with it conditions.

10 Now, in the bottom here, at this point the FERC
11 is kind of sitting on the sidelines waiting for these two
12 decisions in California and Oregon to be completed. And
13 if the water quality certifications are approved in each
14 of those states, then the FERC can issue a long-term
15 license to the project. If the water quality
16 certifications are not received, then the FERC cannot
17 issue the long-term license.

18 Okay. So that's the process part. And I wanted
19 to go over that in some detail because I know it can be
20 confusing to have been through different processes, and I
21 wanted to clearly tell you where we are and what we're
22 doing and where we're going to be soliciting your input.

23 The next slides I'm going to go over faster so as
24 to give you as much time as possible to provide your
25 comments.

1 So the project that we're looking at is the
2 long-term modification of the facilities and some interim
3 operational conditions on the facilities that allow the
4 continued long-term operation of the Klamath Hydroelectric
5 Project in order to meet the conditions of the water
6 quality certification and to conform with California's
7 water quality standards.

8 Now, these are the project objectives. And these
9 are used to balance the alternatives that we'll be looking
10 at; not so much balance, but to tell whether or not an
11 alternative is a feasible alternative. It has to
12 substantially meet the project objectives.

13 The first objective is to continue to generate
14 power from a renewable resource to serve the applicant's
15 customers as compatible with water quality standards and
16 mandatory conditions as part of the FERC process. That's
17 the first objective.

18 And the second is more specific to our process
19 now, and that is to modify the KHP as to comply with
20 California water quality standards.

21 Now, the first part of the Draft Environmental
22 Impact Report when you review it describes the existing
23 environment. And at this point in our review, the work
24 that's been done so far has indicated that there are
25 several impairments that exist now. There are water

1 quality impairments to temperature, nutrients, dissolved
2 oxygen, and microcystin toxins. There's been a decline in
3 fish populations leading the National Marine Fishery
4 Service to list the Coho salmon as threatened. And then
5 the water quality impairment and reduced fish populations
6 have adverse effects on tribes, on local communities, and
7 on commercial, recreation, and subsistence fishing.

8 Okay. So now this describes what -- in general
9 what our approach is going to be to analyze the
10 environmental effects. The first, as I said, we're going
11 to rely on the information that's already been developed
12 as part of the FERC's Environmental Impact Statement and
13 the reviews done by other agencies to support that. But
14 as a document complying with the California Environmental
15 Quality Act, there's a few differences that require
16 additional analysis.

17 One is that the review has to reflect the
18 independent judgment of the Board, the State Water
19 Resources Control Board. Another is that there's been
20 more recent information since the FERC completed their
21 review. That would be incorporated into our analysis.
22 There's resource categories that are required to be
23 reviewed in California but not under the federal program,
24 and I'll briefly describe those later. And then because
25 we're doing a water quality certification, we need to

1 evaluate the range of conditions that might be needed in
2 order to meet the water -- California's water quality
3 standards.

4 And then the Environmental Impact Report is
5 required to do a cumulative impact analysis; and as such,
6 we need to look at a broader range, geographic range. And
7 so the review will include the effects on downstream
8 users, including tribal water quality standards.

9 In looking at alternatives as a result of the
10 mandatory conditions, some of the alternatives that were
11 analyzed by the FERC are no longer legally feasible, and
12 so we won't be analyzing those in the Environmental Impact
13 Report.

14 So here's our -- here's the alternatives that
15 we'll be looking at. And I keep trying to improve the
16 color scheme. The first one -- so the black ones here,
17 the FERC staff alternative with mandatory conditions. So
18 the FERC added to PacifiCorp's original application 25
19 additional conditions. And then this alternative includes
20 the mandatory conditions that National Marine Fisheries
21 and Fish and Wildlife included. So that will be part of
22 our review.

23 And the next one after that, retirement of
24 Copco 1 and Iron Gate dams, those were part of the FERC
25 EIS and will be part of our review. The NEPA no action

1 will not be part of our review, but we'll have a CEQA no
2 project alternative.

3 These two, PacifiCorp's initial proposal and the
4 FERC staff alternative, those two do not meet the
5 mandatory conditions that were placed on the project by
6 Fish and Wildlife Service and National Marine Fisheries,
7 and so since those aren't legally feasible, we won't be
8 analyzing those in our document.

9 So removal of Iron Gate dam, Copco 1 and 2, that
10 will be part of our review.

11 And let's see. As many of you know, there's a
12 settlement agreement -- settlement process going on
13 seeking to reach an agreement. And at this point there's
14 nothing that we can analyze in this document, it has to be
15 fairly well framed; but should there be a settlement
16 during the course of our review, we would include it as an
17 alternative, so that whatever the settlement is, will then
18 have complied with the California Environmental Quality
19 Act, and that will speed it along its way.

20 The final one, the four dam removal alternative
21 that was analyzed in the Environmental Impact Statement by
22 the FERC is not going to be in our review because it
23 includes actions in Oregon that are beyond the authority
24 of the State Water Resources Control Board.

25 Okay. And in addition to these long-term things,

1 we're also going to be looking at shorter-term measures
2 that can be taken while any long-term measures are
3 implemented. For example, the construction of fish
4 passage facilities and fish ladders can take five to seven
5 years, and as we know there's existing impairments to
6 water quality, to fish populations, and so we'll also be
7 looking at shorter-term measurements that can be
8 implemented that respond to those conditions.

9 And we will be taking those from three different
10 places. One is PacifiCorp's original proposal. Their
11 application included 41 measures, some of which are
12 interim in nature, short-term, that is. The FERC staff
13 alternative included several more. And then again, the
14 negotiated settlement could have some interim actions that
15 we would include under this category.

16 Okay. So this list is in the Notice of
17 Preparation, and so I'm not going to read through them
18 all, but these are resource categories that were analyzed
19 in the Environmental Impact Statement, and we will also
20 analyze them in our Environmental Impact Report. And then
21 these are the additional categories that are required
22 under the California Environmental Quality Act but that
23 are not in the FERC document.

24 And the one I'd like to just call attention to is
25 the next to the last one, cumulative impacts. And that's

1 the one that requires the broader geographic review and
2 the look of the interaction of other projects with this.

3 Okay. So now we're getting to the point where
4 I'll sit down and stop talking.

5 And just as a reminder though that our key
6 questions to you, again, we want to hear everything you
7 have to say, but the key questions are, did the FERC EIS
8 adequately address comments that you may have provided to
9 it in the draft stage, or did it adequately address
10 concerns that you have now? Is the range of alternatives
11 that I've briefly described, do you feel that that's an
12 adequate range of alternatives? Impacts that you're aware
13 of but that were not addressed in the Environmental Impact
14 Statement, we'd like to hear those. And then potential
15 mitigation measures or other interim operational measures
16 not discussed in the EIS that the FERC did, we'd like to
17 hear about those as well.

18 And we'll be taking oral comment now. And as
19 Erin said, Debbie will be recording it verbatim, and so
20 that will serve as your comment, and we will be able to
21 use it in our review. But we would also welcome written
22 comments; and if you would like to submit those, perhaps
23 you have more to tell us than our time constraints allow
24 now, you can supplement it with a written comment. And
25 this is the address that they can either be sent by mail

1 to that address or email comments would also be perfectly
2 acceptable, and that's the address, the email address to
3 send them as well.

4 FACILITATOR RAGAZZI: Okay. The most important
5 part of the evening. I want to make a couple brief
6 statements. If you came in late and you want to speak
7 this evening, you need to go to the back of the room, sign
8 in on the sign-in sheet and check the box indicating you
9 want to speak.

10 We've got about 25 people wanting to speak this
11 evening already, so you guys are going to have three
12 minutes to speak.

13 I wanted to also point out there's two different
14 microphones here. There's the one I'm speaking into right
15 here so that everybody out there can hear me, and then
16 there's this one sitting right here. This one right here
17 is the one that goes to Debbie so she can transcribe this.
18 So you need to be within three feet of this microphone
19 right here in order for her to be able to transcribe the
20 notes you're stating this evening. So don't wander off.
21 It's probably okay if the folks out there can't hear you,
22 but it's not okay if Debbie can't hear your.

23 And it's really important when you come up that
24 Debbie gets your name accurately. So when you come up,
25 you want to state your name first and spell your last name

1 for her.

2 And with that, we will begin the first of our
3 three minutes of speakers. First speaker is Glen Spain.

4 MR. SPAIN: Thank you. My name is Glen Spain,
5 S-p-a-i-n. I'm with the commercial fishing industry,
6 Pacific Coast Federation of Fishermen's Associations,
7 PCFFA.

8 Succinctly, I would urge the Board to review and
9 include the impacts of the entire hydro system, including
10 J.C. Boyle and Keno. It is true they are in Oregon, but
11 everything that happens there, including whatever options
12 are chosen in Oregon, affect water quality standards at
13 the border. Whether we can or cannot meet those standards
14 may depend on what actions are done in the state of
15 Oregon.

16 It should be a fairly simple matter to get on the
17 phone and coordinate with them so that you're using
18 similar modeling. There are already MOAs in place for
19 TMDLs that cross borders, et cetera, et cetera. So that,
20 I think, would be very important to do.

21 In terms of baseline, baseline comparison, should
22 be a dams-out scenario. That is, after all, the position
23 that the river was in before the dams were originally
24 licensed. It would not be appropriate to use the
25 currently highly-degraded situation as any kind of

1 baseline.

2 The Water Board must consider and implement all
3 Tribal Clean Water Act standards, particularly the Hoopa
4 Valley standard, which I'm sure your legal counsel knows
5 has been approved and certified by EPA and would be
6 binding as they are to be considered a state agency under
7 the Clean Water Act equivalent to the State of California.
8 So those standards must be backtracked in the modeling
9 back up to higher up in the river so they can be met as
10 well.

11 The hydro project has contributed to about a
12 90-percent reduction in the salmon runs in the Klamath in
13 a number of ways. Number one, blocking access to habitat.
14 At least 300 to 500 miles of prior fully-occupied salmonid
15 habitat is above the dams.

16 They also allow the reservoir to slow down to
17 absorb heat from sunlight, algae there also grows in a
18 nutrient-rich broth of water, and that also helps absorb
19 heat. And that heat goes and flows down river and is a
20 major contributor to the growth of *C. shasta* and
21 *Parvicapsula minibicornis* and many other very important
22 fish pathogens. That link has got to be investigated more
23 thoroughly. That wasn't as well investigated and as well
24 explained in the FERC EIS as it should have been.

25 There's considerable more information on that,

1 particularly from the work of Dr. Jerry Bartholomew at
2 Oregon State University, and we'll supply some of that.

3 The warmed water also stresses salmon just on its
4 own. Warm water above about 70 -- about 68 degrees
5 Fahrenheit can be and is fatal to salmon. Juvenile salmon
6 are even more temperature sensitive. And those water
7 temperatures in the dams, of course, on the water directly
8 below the dams is considerably higher than that
9 temperature.

10 And I see we're getting the evil eye here.

11 So a couple of other factors, and that is pH,
12 dissolved oxygen, free ammonia; those are all factors
13 related to all these other water quality factors too.

14 We'll be providing comments in writing.

15 FACILITATOR RAGAZZI: Thank you.

16 Our next speaker is Herman Spannaus.

17 MR. SPANNAUS: My name is Herman Spannaus,
18 S-p-a-n-n-a-u-s. I'm a fourth-generation property owner
19 at Copco Lake, as many of you have attended most of these
20 meetings know.

21 I kind of question why PacifiCorp's feet are
22 being held to the fire on the -- to meet water quality
23 standards with water that they don't have any control of.
24 This water all comes from Klamath Lake, and as this
25 gentleman just stated, that's warm water to start with.

1 So I think that the algae issue -- it started out
2 with salmon, and now it's algae and things like that,
3 contaminants. But the water at its source up in Klamath
4 Falls, Sprague, Williamson and artesian wells and well
5 water all have enough phosphorous to support algae growth
6 at their source. And that study was done by
7 Mr. Wrightbost, and he's a 25-year professor at Oregon
8 State -- Oregon Institute of Technology. So what that
9 really tells us is that the best water when it comes out
10 of the ground will support an algae bloom.

11 From there it goes into Klamath Lake where it
12 gets warmer, it picks up more nutrient loading. And by
13 the time it gets to our lake, it is warm and plenty of
14 nutrients to support and encourage a toxic algae bloom.
15 Our lakes -- actually, the water quality below Iron Gate
16 and Copco Lake is far better than it is coming down to us.
17 Our lakes provide a settling issue for contaminants. We
18 have an algae bloom that blooms and dies and settles into
19 that lake.

20 It's gone through Copco 1 to generate power for
21 70,000 homes. Siskiyou County produces more power than it
22 uses. Also, it goes from there to Iron Gate Lake where
23 it's further settled and cooled. That water then
24 supplies -- the cool water supplies the fish hatchery with
25 cool water for young salmon. And the hatchery is

1 currently only operating at 25 percent of its capacity.
2 If we want more salmon, we need to raise more salmon. And
3 from there, that water goes -- after it's settled, goes on
4 down.

5 So that water quality gives not only flood
6 control, it gives cool water in the fall of the year when
7 it's needed for this fall-run fish. And we're starting to
8 see an increase in salmon at this point in time. This
9 year's run to point has more than doubled than what it was
10 last year, according to the Siskiyou Daily News.

11 First of all, it's my take that dams don't kill
12 salmon. There are many other conditions. Ocean
13 conditions, food conditions, oxygen supplies, and many
14 other variables that contribute to the decline of the
15 fish.

16 So in closing, I would urge that the issue on the
17 401 can be waived, as I understand it, in a process by the
18 project administrator.

19 Thank you.

20 FACILITATOR RAGAZZI: Next we have Harold Foster.

21 MR. FOSTER: My name is Harold Foster,
22 F-o-s-t-e-r. Well, one thing -- I'm a fifth-generation
23 farmer, I guess, of this area.

24 One thing that I think we need to do to enhance
25 the salmon population is grind the carcasses and put them

1 in the river, because that is part of the food chain, in
2 all critters or river residents, use that as a source of
3 food.

4 And another thing I'd like to say, if Iron Gate
5 and Copco number 1 are removed, you will have a very poor
6 water quality due to the sediment that is locked behind
7 these dams, and after every rain you will have muddy
8 water.

9 And another closing comment that I will have to
10 make. There was no salmon shortage before we had the gill
11 nets down the river.

12 Thank you.

13 FACILITATOR RAGAZZI: So next we have Rex --
14 okay, good, Rex. And then we'll have Leo T.

15 MR. COZZALIO: My name is Rex Cozzalio,
16 C-o-z-z-a-l-i-o. And I apologize, part of this will have
17 to be out of context because I'm cutting half of it out to
18 speak.

19 With four generations living on the Klamath below
20 Iron Gate dam both before and after construction in an
21 area most directly impacted by the effects of the dam, the
22 only reason we continue to remain is the love of the river
23 and environment. Being in the water over 50 times a year
24 for over 50 years, as my grandfather before me, I can
25 unequivocally state the water quality, quantity,

1 temperature, riparian stability, and even algae are far
2 better now than before the dam.

3 It was put in, as was the project and other dams,
4 primarily to improve environmental conditions and water
5 quality, and it worked. The dams were located where they
6 are since very few salmon were known to migrate beyond
7 Spencer Creek at the upper reach of Copco. Power was the
8 means to pay for and support it.

9 And from our experience, Pacific Power has been
10 exceptionally responsible in its management and far more
11 accurate in its assessments than most other positionally
12 striving so-called stakeholders citing self-benefiting
13 often contradictory conjecture, extreme inaccuracies,
14 repeatedly failed assumptions. And subjective
15 extrapolations in the draft Klamath TMDL will assure
16 devastation to the Klamath in order to achieve unnatural,
17 unobtainable, and unending requirements.

18 Coho were never known to exist in the upper
19 midstem until planted after Iron Gate. Most all of the
20 salmon reaching our property, even under the now
21 Iron Gate-improved water conditions, are still exhausted
22 and dying. And the handful of marginal habitat creeks
23 affected by the dams were minimal in contribution and were
24 mitigated many times over by the hatcheries.

25 Time does not allow me to address what are, even

1 with my limited reference, obvious major flaws in
2 dissolved oxygen content considerations, Periphyton
3 associations and statements, or algae and Microcystis
4 effects. What is clear is a black-and-white path of the
5 devastation laid out for the Klamath environment and its
6 peoples with implementation of this direction, authority,
7 and EIR assessments that under different circumstances
8 would fail to pass a sixth-grade science project review.

9 Particularly with the disastrous regression of
10 dam removal, all significant recoverable options will be
11 eliminated. Introduction of salmon above historical
12 reaches as currently planned using genetically-enhanced
13 multiple-watershed-considered salmon contradicting the
14 very justification for requiring bypass or dam removal
15 will likely invoke public law 99625 requiring immediate
16 listing as a threatened species in the introduced area
17 causing further Draconian measures to comply with an
18 unattainable goal.

19 Once started, where does the asset reallocation,
20 condemnation without compensation, environmental
21 destruction, devastation to other affected species and
22 regulatory job security end with no defined limits and no
23 consequence of decision?

24 The Siskiyou supervisors have proposed
25 alternatives that would build upon historic

1 accomplishments, achieve stated goals, help preserve
2 earned interest, enhance rather than deplete options and
3 environment, accommodates the future and current facts,
4 and will achieve them at a minute fraction of the human,
5 environmental, and monetary costs for the policies
6 currently proposed.

7 FACILITATOR RAGAZZI: Thank you.

8 So Leo T. was next followed by Anthony Intiso.

9 MR. BERGERON: My name is Leo T. Bergeron,
10 B-e-r-g-e-r-o-n. And I don't have all that knowledge that
11 these gentlemen before me have in the history of the
12 people in this area, but I have a strong objection to the
13 methods that we are using to determine what's good and
14 what's bad. It appears that our agencies set a benchmark
15 that is unheard of, much less unattainable.

16 During certain times of the year, history has
17 shown that the Klamath watershed, the Klamath River, from
18 its beginning to its end, is almost a cesspool. I mean,
19 history has said that when Fremont came, they couldn't
20 water the horses in the lake because the stench was so bad
21 it caused their men to throw up; they had to camp away
22 from the lake. And you old timers that have been here all
23 your life, you know that happens. You know that happens.

24 But the agencies seem to come in and set a
25 plateau that they feel -- they feel is the ideal

1 conditions for the river and for the fish and for the
2 people. And these conditions are manufactured by projects
3 of members of our society that have a mission and by the
4 tribes who for some reason or other have a mission. And
5 they know better because they've been on the river their
6 entire life.

7 They talk about they can't do their ceremonies
8 there because the medicine man can't get in the river.
9 The medicine man has been getting in the river for a
10 thousand years, and the conditions in the river have not
11 changed for a thousand years.

12 So my wish and my hope and my request is that
13 when we look at these things, we use some common sense.
14 Forget the bull, forget the hype, use common sense. Do
15 the research as what the river is, not what we would like
16 it to be or think it should be, because it never will be;
17 dams or no dams, fish or no fish, the river will be what
18 it is and what it has been for the last few thousand
19 years.

20 Thank you.

21 MR. INTISO: Name is Anthony Intiso, I-n-t-i-s-o.

22 The dams are blamed for a lack of habitat because
23 they cause, quote, "warm, nutrient-rich, algae-ridden,
24 disease-infested waters," unquote. First and foremost,
25 the Klamath watershed is an upside-down watershed. The

1 lower one-third receives almost double the rainfall of the
2 upper two-thirds. As a result, the shallow Klamath Lake
3 in the middle of the lake is very warm.

4 A professor, as previously noted in another
5 speaker, from Oregon State discovered also hot springs in
6 the lake. He headed up the research station there for 30
7 years. As for the nutrient levels, the State of Oregon
8 Department of Geology discovered a large natural formation
9 containing phosphorus and other minerals leaching into the
10 Klamath waters. These minerals are raising the nutrient
11 levels significantly. In addition, the bird and wildlife
12 are depositing more pollution than the basin water can
13 handle.

14 The same professor tested the intakes of these
15 nutrient levels into the irrigation system in the Klamath
16 basin, and lo and behold, when the water came out of the
17 irrigation system, it had less nutrients than when it
18 entered. The farmland was acting as a sink and as a
19 filter for the waters. And the more farmlands they take
20 out of production up there, the more nutrient levels, your
21 higher levels, you're going to have.

22 Proponents of dam removal say that the parasites
23 killing the smelts, the baby fish, occurs between
24 Iron Gate dam and the Shasta River, that's not true. A
25 lady professor from Oregon previously referred to found

1 that it happened between the Shasta and the Scott Rivers
2 and was still more prevalent in the natural flowing
3 Klamath River below that point. Actually, the area
4 between Iron Gate and Shasta had the lowest levels of the
5 parasite, the Ceratomyxa.

6 There wasn't a problem primarily with this until
7 the government started buying up farmland in the basin and
8 taking it out of production.

9 As for the algae, if the solutions produced for
10 lower water temperatures are implemented, maybe lower
11 intakes on the dam, turbines, long lake cold water
12 storage, and other sources, and the natural bypass
13 proposed by the Siskiyou County supervisors, which is
14 called the heart bypass, is natural streambeds around all
15 three dams, would help that problem.

16 As for the economic studies cited, they only
17 consider removal only and not all the other costs
18 associated with that removal. Some estimates reach in the
19 millions. At any cost, it is ultimately going to pay --
20 who is going to pay for it? Removal of the dams is the
21 destruction of productive capital.

22 Thank you.

23 FACILITATOR RAGAZZI: That was about spot on
24 three minutes.

25 Bruce Shoemaker followed by Rick Butler.

1 MR. SHOEMAKER: Hi. That's Bruce Shoemaker,
2 S-h-o-e-m-a-k-e-r. Hi. I'm a first-generation Siskiyou
3 County landowner. I have some land on a Klamath River
4 tributary outside of Weed. It's my first time at one of
5 these meetings.

6 Over the last few years of being here, I've
7 really come to enjoy the Klamath for its swimming,
8 camping, recreational aspects, and I've brought a lot of
9 people in from out of state and other places to appreciate
10 the -- just the beauty and natural environment of the
11 river. So it's really disturbing to me to hear some of
12 the issues with water quality. And I hope that in looking
13 at all the balances and different interests, that the
14 future potential for the Klamath for bringing in people
15 and tourist dollars and to this region is considered,
16 because I think that's a huge potential. People that come
17 from outside that I bring to the river really appreciate
18 it and want to come back.

19 I professionally have researched impacts of
20 hydropower dams on livelihoods, mostly in southeast Asia,
21 and have written a number of reports and even one book for
22 International Rivers Network and other organizations. And
23 I will admit I don't have as many details as some of the
24 people that have spoken already about specifics, but based
25 on the experiences that I've seen with rivers and

1 hydropowered dams on a whole variety of rivers, there's --
2 I think the type of mitigation, the alternatives that your
3 Board is going to be looking at for mitigation, things
4 like fish ladders, I just don't think they're going to be
5 able to solve the water quality issues. It seems like
6 they're so severe, that I can't imagine it's -- that fish
7 ladders or some other flow changes is going to be -- is
8 going to do it. It seems clearly that these dams are
9 going to have to be removed if we really want to improve
10 the water in the Klamath and restore salmon fisheries.

11 I realize you have to go through the whole
12 process, but I think spending a lot of time on those types
13 of interim measures or alternatives are just going to lead
14 to needless delay, and we've got to get on with it, that
15 these dams have to come out if we're going to improve
16 water quality, improve fisheries, and do what's right for
17 our Native American brothers and sisters.

18 Thank you.

19 MR. BUTLER: I don't know where to begin because
20 I wasn't well-prepared --

21 FACILITATOR RAGAZZI: Your name?

22 MR. BUTLER: Oh, sorry. Which mic you want?

23 FACILITATOR RAGAZZI: They want that one.

24 MR. BUTLER: That one. Okay. Is that better?

25 Okay.

1 Rick Butler, P.O. Box 883, Yreka.

2 Anyway, I'm not well-prepared, and the time cut's
3 going to cut it up anyway.

4 My tenure is second generation on the same river
5 bar, about 15 miles below Iron Gate dam. I've played in
6 that river for the last 53 years. My father took his
7 first float trip when he was 62. My other little bit of
8 credential is I was one of the original litigants with
9 Pacific Legal Foundation when I was president of the
10 grange here in Yreka, and we sued, which is still -- we
11 won, but of course it's been appealed, to cease this
12 silliness.

13 We have a great need for habitat, we have river
14 habitat and we have lake habitat. Who makes the judge
15 whether the critters that live in the lake die, maybe an
16 increase of what happens with salmon? We have already
17 decided the salmon's fate when we took away harvesting of
18 sea otters, sea lions. These guys feed daily, hourly,
19 24 hours. The pinnipeds, the large sea lions are known to
20 eat from 50 to 150 times their weight in fish, baby,
21 little fish.

22 If we're really going to get back to nature,
23 let's get back to nature. We are part of God's creation.
24 We have a job in controlling by harvesting, hunting,
25 fishing, whatever you want to call it. Your people say,

1 oh, we have to have fish so we can fish. Well, let us do
2 some of the over-harvesting that keeps things in balance.
3 A lot of these critters that are just devastating our fish
4 herds, if you will, are running rampant with no controls
5 other than the controls that we cannot take them. They
6 are an overabundance. This goes out into the ocean with
7 the abalone as well.

8 It's ludicrous to take out dams when we are so
9 short on power. Worldwide we need more power, we need
10 more power. We have power generation there we're not
11 using. Those dams do not run -- or the power does not run
12 24 hours a day, seven days a week. We can use those more
13 for that purpose.

14 And again, there's other wildlife that comes
15 around those lakes that needs those lakes. We as a county
16 and cities need lakes.

17 When we talk about the Constitution saying that
18 we need compensation when you take, when are you going to
19 decide what my property value is when there is no more
20 flood retainment control? When are you going to and how
21 do you decide the revenues lost to our county from the
22 taxes and the revenues from PP&L, Pacific Power, whoever
23 they are this week.

24 More devastation will come to us just like the
25 devastation of the forest; taking the forest away from us

1 so we can have catastrophic fires, which then cause
2 erosion, which then sediments the streams for our fish
3 again. We are over-controlling.

4 We need the dams, please leave the dams for all
5 the critters and all of our well-being financially and
6 home-wise.

7 Thank you.

8 FACILITATOR RAGAZZI: Bob Davis followed by
9 Ryan Grizzell.

10 MR. DAVIS: I'm Bob Davis, D-a-v-i-s.

11 The fishing on the Klamath has been very good
12 considering how many more fish are removed from the system
13 with the modern fishing methods compared to how it was in
14 the 1900s at which time the canneries were not able to
15 stay in operation because of the falling fish supplies,
16 and even 20 years before that. This was in spite of the
17 yearly loss of most of the hatchery production that's due
18 to the C. shasta disease between the Shasta and Scott
19 Rivers. The hatchery fish were born in Iron Gate waters.
20 They could be trucked down below the danger area with no
21 return problems. This area of loss would result if the
22 spawn was at the dam or if it was above the dam when they
23 were removed.

24 The Arad people have looked over our water
25 supply, and they would rather do hatching of fish

1 downstream where the water quality was better from the
2 addition of the water from the feeder streams. The Arad
3 planning system could be incorporated with the hatchery
4 system.

5 Additional contaminated water from the Klamath
6 area is not a solution to the contamination in the Klamath
7 River. It would take all the farmers' water and more to
8 try to flush the system. Before blame is put on the lower
9 river, the source should be cleaned. It would be more
10 beneficial to give the farmers more water and let them
11 allow the contaminants to settle out in the fields and
12 supply fertilizer to the land. This would be more like
13 the original swampland that covered many acres. Then we
14 would be back to the time before 1900 when the canneries
15 shut down from lack of fish.

16 I've seen pictures of fish at Keno, which surely
17 happened, but it happened when there was flood conditions
18 at the same time as the spawn. I don't see any pictures
19 of a yearly run up in the Keno area.

20 You asked if FERC done a good job. I got to say
21 FERC has done a great job, and every dealing I've had with
22 them, they have been very impartial and looking for an
23 honest settlement.

24 I'd like to know, does Oregon water quality
25 monitor the water in Klamath Lake? And would you please

1 check when you're doing your thing, when the fish decline
2 was, because in the '70s there were a lot of fish. And
3 would you check when the fish decline was as compared to
4 the gill netting.

5 FACILITATOR RAGAZZI: Ryan, and then I don't
6 know, if Donetta wants to speak as well.

7 MR. GRIZZELL: Hi. My name is Ryan Grizzell,
8 G-r-i-z-z-e-l-l. My wife and my family, we're new to the
9 Copco Lake area.

10 Can you hear me? Am I close enough to the mic?

11 I've got an idea on what I'd like to see happen
12 with the project, but through the education of the people
13 that have spoken to us tonight, keep it simple, I think we
14 need to figure out what kind of water is coming into these
15 dams, into the lakes, and what kind of water's going out.

16 We've got small children, we do a lot of
17 recreation on the lakes, and I haven't got a straight
18 answer from anybody so far, partial, impartial on if I go
19 in the water do I get sick. And I'd like to know. I
20 mean, I use the water, we go in the water. We personally
21 haven't got sick. But I would suspect with your studies,
22 I would hope that you would be able to tell me when you
23 produce your final study what's coming into the project,
24 what's going out of the project; is it better, is it
25 worse? And if the people are in the water, are they going

1 to get sick? So that would be my questions for you.

2 I do think FERC has been straightforward in the
3 options in the answers, we all know what those are
4 hopefully. I haven't read it cover to cover. It's a long
5 publication. However, it gives several options, and
6 sounds like we need to figure out what California says the
7 water quality is, what we can do about it. And, you know,
8 is it bad coming in, is it bad going out?

9 Now, I don't know if your study can actually
10 handle that since it originates out of Oregon, but if it
11 can; if it can't, I don't think the study's going to be
12 worth anything.

13 So thanks for your time.

14 FACILITATOR RAGAZZI: Our next speaker is Sue --
15 is it Terence? And she'll be followed by Glen Briggs.

16 MS. TERENCE: Hello. My name is Sue Terence,
17 T-e-r-e-n-c-e. I feel that with all respect to all of the
18 people who live here, work here, love the river, have
19 always loved fishing, I feel that a thorough water quality
20 review will reveal that without the removal of the dams,
21 we will lose the salmon in the Klamath River.

22 We know that above 68, juvenile salmonids are --
23 get chronic disease. We know that in temperatures above
24 72, it's lethal for the juveniles. This last summer, near
25 Somes Bar where I live, I recorded temperatures of 78 and

1 79 in the river.

2 I don't think that an honest review can happen
3 without figuring out the baseline pre-dam. If we take
4 baseline data from the current conditions, we cannot have
5 an honest review. We need baseline data that takes us
6 back. Temperature has been a limiting factor, the water
7 spills out from over the top of the dams. I watch what is
8 happening with the deletion of the salmon, and I feel that
9 we have no choice but to figure out baseline data from
10 pre-dam.

11 Thank you.

12 FACILITATOR RAGAZZI: Are you Glen?

13 MR. BRIGGS: Do you want the written?

14 FACILITATOR RAGAZZI: Yes, we'll take your
15 written response. Thank you very much.

16 MR. BRIGGS: My name is Glen Briggs, B-r-i-g-g-s.
17 And I'm a fourth-generation resident and landowner on the
18 Klamath River about ten miles upstream from Happy Camp.
19 And I want to touch a little this evening on something I
20 haven't heard much about, and that's what will happen to
21 the Klamath River itself, downstream from the dams if the
22 dams should be removed.

23 Now, our family information and anything I have
24 been able to come up with in records of the past indicate
25 that the river was warmer and more polluted before the

1 dams were put in than it is now. The dams created an
2 environmental impact at the time that they were put in and
3 up until the time that they had all four of them in, and
4 if the dams are taken out, that environmental impact is
5 going to take place again.

6 Before the dams, our family information indicates
7 that there was no sustained Coho run in the Klamath River
8 above Happy Camp and the river water was quite warm and
9 polluted.

10 Now, if the dams are taken out and the river goes
11 back to that condition, you will be endangering the Coho
12 salmon run, which is an endangered specie. And according
13 to information in our family, the run, the Coho, the Coho
14 run was introduced to this part of the Klamath River in
15 the late '40s and early '50s, late 1940s and early 1950s.
16 Before that there was no sustained run. And removal of
17 the dams will throw the river back into the condition that
18 existed before that time, and the endangered species run
19 will be endangered.

20 Thank you.

21 FACILITATOR RAGAZZI: Okay. We've got Robert
22 Franklin followed by Mike Luiz.

23 MR. FRANKLIN: Robert Franklin, F-r-a-n-k-l-i-n.
24 I'm representing the Fisheries Department of the Hoopa
25 Valley Tribe. I'm a senior hydrologist there.

1 I've spent 30 years trying to restore something I
2 love, something I've watched change a great deal from a
3 front row seat, change in a bad way. The staff and
4 consultants that are writing this are taking on quite a
5 task.

6 I know you guys were down in Orleans this
7 morning, at midday, and saw a lot of people there, and on
8 your drive up the river you saw fewer people in two hours
9 than you see in the first 60 seconds as you step out of
10 your offices or onto your freeways. Isn't that lovely, at
11 least for a change?

12 I hope you've fallen in love with the Klamath
13 River; I suspect you have. That will serve you well in
14 your task.

15 So here you go. Disclosure document. I know
16 what this is, and I know what this isn't. It's intended
17 to inform the public and the decision makers importantly
18 as to what the impacts of the various alternatives would
19 be as best we can tell it. I will think that you've done
20 a great job if you report that the alternatives will not
21 comply with Hoopa Valley Tribes' EPA-approved water
22 quality standards and, therefore, not be legally feasible
23 in the long run.

24 If you report that salmon -- the cumulative
25 impact is the elimination of salmon, the cumulative impact

1 is the collapse of the dependent fisheries, the cumulative
2 impact is the loss of this great treasure, the wild and
3 scenic Klamath River is being lost.

4 FACILITATOR RAGAZZI: And do Tom and Leah Richard
5 or Ricard want to speak this evening?

6 You're next after this gentleman.

7 MR. LUIZ: Michael Luiz, L-u-i-z. I'm president
8 of Siskiyou County Farm Bureau.

9 Siskiyou County Board of Directors is on record
10 as being in opposition to either options of the retirement
11 of Copco 1 and Iron Gate or the four dam removal option.
12 We have concerns on dry years, such as this, of water flow
13 issues with the Klamath and that you would then turn to
14 the Shasta and Scott to try to make up water flows that
15 are lost or not held in the dams and able to be used for
16 the fish. We've made enormous gains through work with our
17 RCDs, and we'd hate to see all that go to waste and the
18 efforts that the farmers and ranchers have put in to help
19 sustain the operations. And that's all I have.

20 MS. RICKARD: My name is Leah Rickard,
21 R-i-c-k-a-r-d.

22 I don't have any of the great background and
23 information that I've heard from so many people this
24 evening. I have a 30-year history of coming up to Copco
25 Lake. We came by accident; found great fishing, great

1 fun. My children, our dogs, grandchildren now and
2 great-grandchildren are -- have come up and swum in the
3 lake, play in the rivers, and enjoy so much of everything
4 that we found here. I have not seen a great degrading in
5 what people seem to notice.

6 There was an article I just read this month in
7 the Smithsonian Magazine, several long, very-closely-
8 spaced pages called, "Is this King Dead?" about the
9 salmon. Very informative. They had a broad spectrum of
10 all of it being what is happening to the salmon, not just
11 here but in the Sacramento River, everywhere. And they
12 were undecided after many, many tests what was causing the
13 decline. Was it in the ocean? Was it -- didn't seem to
14 be anything that they could point to dramatically.

15 We talk about warmer rivers, we talk about global
16 warming. All of the things that are happening in the
17 world influence what's happening here; but I don't
18 necessarily think it was the dam itself. All the history
19 we've heard seems to be that we are sometimes better than
20 before the dams were here. So I think that should be
21 taken into really serious consideration.

22 Thank you.

23 FACILITATOR RAGAZZI: In case you get the desire
24 to speak after hearing others speak, you'd want to go in
25 the back of the room and sign your name up and put an "X"

1 next to your name that you'd like to speak.

2 UNIDENTIFIED SPEAKER: There weren't any cards
3 back there.

4 FACILITATOR RAGAZZI: It's on the sign-in sheet,
5 you just put --

6 UNIDENTIFIED SPEAKER: I signed it.

7 FACILITATOR RAGAZZI: Oh, okay, then you're still
8 going to -- I have you down to speak. I'll come see you
9 directly after this.

10 Scott Harding followed by Rowen.

11 MR. HARDING: My name is Scott Harding, and I'm
12 here to speak first as a representative of the Klamath
13 Riverkeepers; and for most of my time I'm actually going
14 to speak as a private individual who spends a great deal
15 of time immersed in the Klamath River.

16 Klamath Riverkeepers is here to participate as a
17 member of the public and represent the broader concerns of
18 our members who live, work, and recreate on the Klamath
19 River. We have far too many detailed technical comments
20 to even bother launching into our points right here. You
21 will see a detailed set of comments from us before your
22 deadline for written comments. You've already received
23 substantial oral comments from our board vice-president,
24 Craig Tucker, in Klamath and Orleans, and I believe he
25 presented you with a beautiful jar of Iron Gate Reservoir

1 algae, which I hope you did take with you.

2 There is significant scientific evidence
3 demonstrating that PacifiCorp's dams, all of them,
4 including Copco 1, 2, and Iron Gate, but not excluding the
5 others, cannot meet the State of California's water
6 quality standards. The Water Quality Control Board needs
7 to consider alternatives which address the cumulative
8 impacts throughout the river system, and that includes
9 those impacts which have their origins in Oregon's upper
10 basin, which we inherit here in California. Given the
11 depth and complexity of the situation, detailed attention
12 needs to be given to complete dam removal because that is
13 the only solution to the wide array of problems posed by
14 water quality on the Klamath.

15 Okay. Change of gears. I'm going to speak as a
16 private individual. I work as a professional whitewater
17 kayak instructor on the Klamath River. I've done that for
18 ten years. I've spent over 500 days, literally, in the
19 Klamath River. So this is not contact with the river
20 where I get splashed a little bit or touch it, it goes in
21 my sinuses, it goes in my mouth, it's on my skin, it's in
22 my ears. And I'm paid to take a wonderful set of
23 clientele that come from literally all around the world on
24 this river and share it with them. So I have some
25 concerns related to that.

1 There are substantial health impacts: The
2 microcystin, which you're aware of, the toxic algae
3 buildups which persist for over 125 miles down river, the
4 warm water also is a breeding ground for bacteria, staph
5 infections are not uncommon. And the altered thermal
6 regime that allows the toxic algae bloom to occur also
7 allows this bacteria to occur as well.

8 There are substantial aesthetic concerns that
9 need to be addressed. The appearance of the water; it's
10 murky and gross. You can tell the moment that the water's
11 flow regime changes coming out of the upstream reservoirs;
12 there is a change in the appearance of the water quality
13 within 24 to 48 hours downstream. It can go from being
14 pretty clear, you can see four, five feet down, to not
15 being able to see four, five inches down, and you see
16 nothing but algae. We find rotting algal mats; they look
17 and smell horrible. Remember that people are paying to
18 come and experience this.

19 And the river is so warm as not to be refreshing
20 in the summertime. I carry a thermometer with me when I'm
21 out there on the river, and I report temperatures
22 routinely in August of 75 to 81 degrees. That's not only
23 lethal to fish; it's really not very nice for being out
24 there. So we have lots of health and aesthetic impacts.

25 It's hard to get people out there when there's

1 signs posted for dangerous levels on the river. This
2 affects the economy, it affects all of us. We have a
3 major part of our tourism in our economy. So I encourage
4 those impacts to be addressed in your report as well.

5 Thank you.

6 FACILITATOR RAGAZZI: Rowen followed by Shelly.

7 MR. HEGLIE: Hello. My name is Rowen Heglie,
8 last name spelled H-e-g-l-i-e. I'm here to tell a quick
9 story about the water quality in the Klamath River, or
10 shall I say disquality.

11 I live in Ashland, Oregon, and I was taking a
12 rafting trip on the Klamath River with the Kokopelli
13 rafting guides. And I had a good trip. We went down the
14 river for about six hours. And then we came to a nice,
15 calm rapid. And the other four kids and I got to get out
16 of the boat and ride down the rapids in our life jackets.
17 And a few days later I got sick and I was throwing up and
18 couldn't eat very much for multiple days. And I had a
19 fever for multiple days afterwards.

20 And I think that we need to remove the dams to
21 increase water quality, if not immediately, in the near
22 future.

23 Thank you.

24 FACILITATOR RAGAZZI: So Shelly followed by
25 Mac Sutherlin.

1 MS. ELKOVICH: Shelly Elkovich, E-l-k-o-v, like
2 Victor, i-c-h. That's my son.

3 We spend as much time as we can on the rivers.
4 We really enjoy the recreational opportunities of this
5 beautiful place. And I have been interested in the
6 Klamath issue for a while since I heard about the effects
7 on salmon and indigenous people who depend on salmon.

8 But it was when Rowen swallowed that mouthful of
9 water and got really sick that my interest became
10 personal. Klamath River can make people sick. He was
11 really, really sick. He didn't want to talk too much
12 about how sick he was, but it was kind of scary. It
13 basically poisoned him for about four days.

14 So I would like the Board to address the public
15 health issue. In addition to thinking about endangered
16 and threatened species, I want to look at water quality
17 levels where they concern public health. It's clear to me
18 that this is multifaceted and you've got a lot of work
19 ahead of you, but I don't see how you can address every
20 single bit of it and look at public health without looking
21 at removing these dams.

22 Thank you.

23 MR. SUTHERLIN: Hello. My name is Mac Sutherlin,
24 S-u-t-h-e-r-l-i-n.

25 Historically the Klamath River was one of the

1 great salmon runs on the west coast. I think there was
2 only two rivers that had a bigger run. And we've -- we
3 have -- it's well-documented, there's a 90-percent,
4 something in that nature, reduction in the population of
5 salmon in this river. And for people, for fish, this
6 river is sick.

7 And unlike the other major rivers, the
8 Sacramento, the Colombia, there isn't the levels of
9 industrial pollution and other points of damage to the
10 river.

11 This Board has before it a unique
12 once-in-a-lifetime opportunity to improve the quality of
13 the habitat and the water quality in this river by taking
14 down these dams.

15 The other alternatives, including fish ladders
16 and such things, are really Band-Aids on the problem. And
17 if we want to look systematically to fix the deeper
18 problem, the dams have to come down.

19 The FERC EIS is inadequate for many reasons;
20 first and foremost, because it ignores the many social
21 justice issues created by the dams, the water quality and
22 the death of the fish. It is not possible that the
23 Klamath project will be able to meet California standards
24 of water quality with the dams in place, and for that
25 reason I also urge that they be removed.

1 We have hundreds of miles of good salmon habitat
2 that are no longer available to the fish because of the
3 blockage of the dams.

4 So I also ask that the Water Board consider all
5 of the -- and adopt the tribal Clean Water Act standards,
6 including those from the Hoopa, the Yurok, and the Karuk.
7 And that's it.

8 Actually, there's one more. I would like to say
9 that the cumulative impacts cannot be ignored, that the
10 elements of the project that are in Oregon are directly
11 relevant to the issues being considered by the Board. And
12 I think that that needs to include the removal of the
13 J.C. Boyle part of the project in the range of
14 alternatives being considered.

15 Thank you.

16 FACILITATOR RAGAZZI: Our next speaker is Rudy.
17 Does that sound -- Rudy, yes. Followed by Stephanie
18 Tidwell, KS Wild.

19 MR. MURIEN: M-u-r-i-e-n, first name is Rudy.

20 Hi. I was born in Klamath Falls, and my family
21 moved to on the Klamath in 1952. And when we moved to the
22 Klamath, well, my father was real successful in business
23 in Klamath Falls. And then right -- we hit -- he hit on
24 some hard times. We moved to Klamath when we were very,
25 very poor. We moved down the Klamath. We had 50 pounds

1 of flour, 50 pounds of sugar, and some bullets. And
2 that's all we had.

3 And we lived on the upper Klamath and we survived
4 off the river and off of deer meat for like three years
5 because there was no money, no money, no help of any sort.
6 And I was just a little twerp then, but my job in the
7 family was to be a fisherman. And so I couldn't even
8 swim, but I was a fisherman on the Klamath.

9 And that's back in the days when Copco caused the
10 river to go up and down, fluctuate every day in the
11 afternoon. When it did that, it created tremendous fish
12 habitat and it created clean water. And I've got some
13 ideas how that happened.

14 And it's like we need to really investigate
15 what -- old history, not think -- not so much think about
16 fish ladders and invent new things, we need to think about
17 old history of the Klamath River. And when Copco used to
18 vary the water, it would -- like we lived down by the
19 Klamath River, which is quite a ways down, like 25, 30
20 miles from the dams, and the water would come up like two,
21 three foot every afternoon because Copco would generate
22 extra power.

23 And they would -- the wives would be cooking and
24 they'd be cleaning clothes, and lights would be getting
25 turned on; so they were always generating more power in

1 the afternoon.

2 Well, this big fluctuation of water would go up
3 both sides of the river, and it caused the willows and the
4 trees to grow more up the banks. And there was -- also,
5 they were spaced out more. Now, we have two like little
6 narrow bands down each side of the river. Well, that
7 fluctuation of water caused the willows and all the
8 habitat, all the bugs -- there's all kinds of bugs back
9 then, there's all kinds of crickets, there's even
10 angleworms that come down real close to the river.

11 There's all kinds of -- all sorts of salmon
12 flies. Used to be tremendous, tremendous flows of salmon
13 flies once a year on the river that would be -- we had a
14 lot more trees on each side of the river because the water
15 would go up both sides and come down in the afternoon.

16 When the water would come down in the afternoon,
17 it made a real cooling effect on the river, on the whole
18 canyon there, and I actually believe it caused our water
19 in the river to cool.

20 I need a lot more time. Is there anybody out
21 there that wants to donate me time?

22 FACILITATOR RAGAZZI: I have a statement about
23 that. There is a -- depending on whether we have time at
24 the end, you'll get the opportunity to speak further. We
25 want to give everybody an opportunity, and if we have

1 extra time because people didn't use their full three
2 minutes, anybody who got cut off earlier, would like
3 additional time, we'll give you a couple extra minutes.

4 So Stephanie Tidwell followed by John Roshek.

5 MS. TIDWELL: My name is Stephanie Tidwell. I am
6 the executive director of the Klamath Siskiyou Wildlands
7 Center.

8 And I'd like to thank the State of California for
9 taking the environmental impact to these dams seriously,
10 which is more than I can say about my faith in the FERC
11 process at this point. I'd like to encourage the State to
12 go one step further than saying they'll consider it. I
13 would like them to deny PacifiCorp their 401
14 certification.

15 The water quality in and coming out of these
16 reservoirs is so poor as to virtually guarantee
17 PacifiCorp's inability to meet the minimum standards of
18 the Clean Water Act, the Endangered Species Act, the
19 California Endangered Species Act, or the California Water
20 Quality Act. Even implementing the full, what, 41-point
21 complement of mitigation measures, such as fish passage,
22 water temperature mixing, aeration, and potentially
23 dangerous fungicides with their own side effects will not
24 sufficiently mitigate the severe water quality problems or
25 recover Coho salmon as mandated by the Endangered Species

1 Act.

2 The toxic algae problem in these reservoirs is
3 the worst in North America. The warm, stagnant waters
4 they create is the primary cause not only of significant
5 public health threats but also of fish disease. These
6 dams, which currently block -- you can argue on the exact
7 numbers -- but I would say 350 miles of traditional salmon
8 and steelhead spawning grounds, are killing this river and
9 severely harming the indigenous tribes that have thrived
10 on its abundance for thousands of years. As global
11 climate change continues to exacerbate the severe problems
12 that the Klamath struggles with, it is becoming
13 increasingly apparent that the Klamath's aquatic life
14 cannot survive this series of unnatural barriers and the
15 problems that they create.

16 I realize that a lot of folks that live on and
17 recreate in the reservoirs are fearful that the dams will
18 harm their quality of life; however, when we've reached a
19 state where every summer the state and county governments
20 pose health hazard warnings encouraging people to stay out
21 of the water and when our salmon runs are ten percent of
22 what they were before the dams, it's time to ask what
23 quality of life really means.

24 I believe the State of California has the
25 obligation to maintain ecological health so that future

1 generations can swim in and eat fish from the Klamath
2 without fearing for their health.

3 FACILITATOR RAGAZZI: And after John it will be
4 Betty and Roy Hall.

5 MR. ROSHEK: Hello. My name is John Roshek from
6 south county. It's R-o-s-h-e-k. I've been here in the
7 county for the last 20 years. I'm not a farmer, I've just
8 recreated on the Klamath River for a long time.

9 One thing I wanted to mention, unfortunately,
10 they couldn't come for various reasons, but five people
11 who live in the Cornbrook area told me that from swimming
12 in the river -- and they didn't tell me exactly where they
13 swam -- got whole body skin diseases for a couple of
14 weeks.

15 And also I would like to recommend, though others
16 have mentioned this before, I would like to recommend that
17 cumulative impacts of fertilizers, pesticides, and perhaps
18 sewage from the up-river tributaries and tunnels along the
19 river be included in the study and research.

20 Okay. Thank you very much.

21 FACILITATOR RAGAZZI: Next it will be
22 Diana Hartel.

23 You're Betty?

24 MS. HALL: I'm Betty.

25 FACILITATOR RAGAZZI: Yes, Betty Hall. Then

1 after Betty, it will be Diana Hartel.

2 MS. HALL: Hello. My name is Betty Hall, and I
3 am Shasta Indian descent, but I can't tell you how many
4 generations, for 10,000 years or so, but my family's been
5 here.

6 First of all, I do a lot of research, and Peter
7 Skene Ogden was one of the first explorers to get to the
8 Klamath River in 1827. He arrived on the Klamath River at
9 Beswick, and then he traveled and down to Camp Creek, but
10 that distance of time he had a Klamath guide from the
11 Chiloquin tribal area. And that guide was sort of afraid
12 to come down into the Shasta country, but he told him that
13 the rapids along there were rough and the salmon could not
14 ascend above those rapids. And also he said the Indians,
15 the local natives in that area were trying to get fish
16 with their nets. This was in winter; and they couldn't
17 hardly get any fish with their gill nets because there
18 were so few because they have a hard time getting up
19 there.

20 So I think if you remove the dams or put in fish
21 ladders when you keep the dams, it's not going to help get
22 the fish on up into the Klamath upper -- way up in the
23 upper Klamath area like the Sprague River or the lake and
24 whatnot. When the fish got up to the Copco marsh area, or
25 whatever they called it, they were already spawning, they

1 were beat up, they couldn't hardly make it any further,
2 and they were inedible. So I think that all would be a
3 waste.

4 But even if the -- should the dams come out, it
5 would be extremely detrimental to the Shasta people
6 because we have graves underneath there, we have village
7 sites underneath there. The dams are there. There wasn't
8 much we could do about it when they were being put in, but
9 now laws and rules have changed, such as NEPA and CEQA,
10 what you talk about. Those areas will need to be
11 protected when -- if the dams should go out, because it
12 would be really bad. And I think it would be a great
13 waste to take the dams out now.

14 But when -- let me see. When the treaties were
15 made, Reddick McKee got onto the Klamath River, made these
16 treaties coming up the Klamath, he got to the Klamath near
17 Weitchpec area, then he moved on up the area to the Somes
18 Bar area. But as he came up the river, he said they had
19 to camp back away from the rivers as far as they could
20 because the fish would stink so bad because the fish were
21 dying along the rivers at that time. And also that was --
22 Gibbs wrote that in his journal in 1851. So there's
23 mention of the fish dying in that river a long way back in
24 those early days. No one's even talking about those
25 times. And there's a lot more research, and I will write

1 more in my comments to you.

2 Thank you.

3 FACILITATOR RAGAZZI: Okay. Diana, and then it
4 would be Maureen McVicker.

5 MS. HARTEL: My name is Diana Hartel,
6 H-a-r-t-e-l. My family lives in this area, in the Weed
7 area. I've been coming back here for many years
8 throughout my life.

9 And like everybody here, I love the land and the
10 area, and like you all see things, I see things. I see
11 the growing neon yellow-green algae blooms in much greater
12 degree than I can recall. And when I look at the
13 evidence -- and I am a scientist as well, spent 30 years
14 in public health -- it's clear to me that the dams do
15 exacerbate the algae blooms. There are natural sources of
16 algae, but the dams definitely, everything I've read, make
17 it worse.

18 The public health impacts are not well-studied.
19 What we do know about microcystin is relatively little.
20 This is a growing field of knowledge in public health.
21 What we do know already is it's dangerous, and there are
22 many other algae-related toxins that are not yet studied.
23 So there are multiple exposures that people in this area
24 have been receiving over time. The cumulative effects are
25 not well-studied. The animals studies are there; the

1 human studies are not complete. And from my experience in
2 public health, I know what this means. It means that
3 we've got a really big problem. Usually when you see
4 things like that in the early stage in a field of
5 knowledge, it's going to be way worse as you keep studying
6 it. And I really urge you to look at the public health
7 impacts; they're very important.

8 Thank you.

9 MS. McVICKER: Hi. My name is Maureen McVicker,
10 M-c V-i-c-k-e-r. And I'm a first-generation property
11 owner at Copco Lake. My husband has been coming up here
12 since the early '70s.

13 And as people discussed earlier about the 70,000
14 homes that we produce electricity for, we need to
15 understand that, like they said, we need all the power we
16 can get at this time. And this makes us producers, not
17 people that drain the system. We actually add to it.

18 Right now other dams and reservoirs are wanting
19 to be built in California. So if they're wanting to be
20 built there, why do they want to take ours out? We're
21 already here.

22 Without the dams, the river flow could be a
23 trickle in the summertime during drought years. The lakes
24 have their own ecosystem that are flourishing very well at
25 the lakes. We live here and are fine with the water

1 qualities. I would say keep our dams.

2 Thank you.

3 FACILITATOR RAGAZZI: Okay. I'm going to take a
4 poll right now. How many folks would like additional time
5 to speak? Raise your hands really high. After I count
6 you, you can put them down. One, two, three. Is that a
7 hand? I need a hand. Four. You haven't spoken yet?

8 Okay. One, two, three -- I got you already.
9 Right. Okay. We're going to start again. Everybody
10 really high. Okay. One, two, three, four. Okay. Four
11 people.

12 We have one speaker who also wants to give us
13 some time. So I'm going to let the one speaker have six
14 minutes; he hasn't spoken yet. Each additional person
15 will get three minutes.

16 You haven't spoken yet? Okay. Okay. One person
17 is going to get six minutes. So he may be up here for six
18 minutes speaking; I'll cut him off at that point. Then
19 each person who raised their hand can come up here and
20 speak for three additional minutes.

21 Dr. Richard Gierak, who has six minutes at this
22 point.

23 DR. GIERAK: G-i-e-r-a-k. I'm Dr. Richard
24 Gierak. I'm a chiropractic physician, biologist, chemist,
25 former member of FERC Fish Passage Advisory Team, and also

1 the Hatchery Evaluation Team in 2002.

2 Historically we've been hearing some good stuff.
3 When the first cavalry came through this area in the early
4 1800s, they could not find potable water. Toxic water,
5 swamps, and mosquitoes, that's what they found. Coho
6 salmon are not native to this river. They were planted in
7 the '40s and '50s as you heard earlier. The largest
8 recorded run of salmon on this river, over 80,000 chinook
9 spawned in the, quote, "Shasta River" in 1938 after the
10 dams were built.

11 You want sustainable fisheries? When I was a
12 member of that Fish Hatchery Advisory Team -- as you've
13 heard, they're only producing 25 percent, but that's not
14 the secret. In 2001, over 20,000 chinook spawned in Bogus
15 Creek. This was right from Mike Rhodes from California
16 Fish and Game. And why did they spawn? Because the fish
17 ladder broke at the hatchery. So in '97, 4,000 Coho
18 returned to the hatchery. They only require 600 to
19 produce 75,000. So close the dam ladder after you take
20 your 600. 71,000 chinook returned the same year. Well,
21 they only need 11,000 to produce 6 million; so close the
22 ladder. Take the fish at the beginning of the run, the
23 middle of the run, the end of the run, even take 20
24 percent more than you need, but then close the ladder and
25 let the fish spawn naturally, which is what happened in

1 2001.

2 You know, this would have accounted for over
3 24 million salmon rather than the 6 million that came out
4 of the hatchery. So you want salmon back in the river,
5 simple, change the mitigation procedures and the hatchery
6 operation. It's a dream. Fish ladders are the worst
7 possible thing we can do to our river. Right now, as has
8 been pointed out, we have ecological balance in both the
9 lakes and the river above the dams.

10 I've got a list of 15 diseases, viral, bacterial,
11 and fungal, that salmon carry that will also infect all
12 the other dam species up river. So you want to kill all
13 those species up there, the trout and all the other kinds
14 of fish there are up there, feel free. Not only would it
15 go ahead and destroy them, but it will also destroy their
16 habitats, and possibly even bird sanctuaries.

17 And finally, hydroelectric power. You know,
18 we've already talked about how easy it is to quadruple the
19 number of salmon in that river in a matter of just four
20 years by changing the mitigation procedure. As a moral
21 conservationist, all you have to do -- let's face it,
22 energy is a big production need for our country right now.
23 The cleanest form of energy on this entire plant is
24 hydroelectric.

25 I cannot understand how the Indian tribes and the

1 environmentalists -- ludicrous for them to even consider
2 tearing them down to be replaced with some coal-fired
3 plant that will produce emissions that will foul up the
4 atmosphere even worse. Where the heck is their, quote,
5 "sensitivity"? Where is their thinking? Obviously
6 somewhere in left field.

7 You know, in 2004 when all this was really
8 hitting the fan, all the lawsuits were being filed against
9 the federal government and the states and everybody else
10 by the tribes and by the environmentalists, the Bush
11 administration made a very clear signal to them. It made
12 a statement in 2004, as far as the administration was
13 concerned, dams are considered part of the natural
14 habitat.

15 And Michael Rhodes, once again, of California
16 Fish and Game, in 2001 at the Humboldt conference, he
17 indicated that, well, they're genetically different.

18 And I said, what percentage have you tested?

19 Well, we've tested only two percent so far.

20 And what differences have you found?

21 Well, we haven't found any difference whatsoever.

22 And he claimed that all of those 20,000 chinook
23 that spawned up in Bogus Creek, their spawn would be
24 considered wild salmon. Give me a break.

25 This is what we should do: Leave the dams in

1 place. Fish ladders will destroy the species that are now
2 in ecological balance above them and will also go ahead --
3 all that silt and toxins would come down the river.

4 You want to really -- other than doing the
5 mitigation procedures at the dam, there's another real
6 clear way. The Endangered Species Act, by not allowing
7 pinniped culling, they're eating thousands of fish.
8 Number two, the ocean waters off northern California have
9 risen over 2.4 degrees. The fish have moved north.

10 We had a member from National Marine Fisheries
11 here last year. And he spoke that the fish in Washington
12 and Alaska have quadrupled in numbers. What they're doing
13 is they're moving into the colder waters, which is their
14 normal habitat.

15 So I'm afraid for the fisheries, the guys who are
16 out in the fisheries, the commercial fishermen, I really
17 feel for you guys, but the fish aren't here anymore. Go
18 north, that's where they're at. And the gill nets at the
19 mouth of the Klamath, that plus the pinnipeds, plus the
20 warm waters, well, again, we can defeat that just by
21 changing mitigation procedures at the hatchery.

22 On that note, keep the dams alive. There's no
23 sense to it. We don't need mosquitoes and swamps and
24 marshes.

25 Thank you.

1 FACILITATOR RAGAZZI: Would you like to go next,
2 sir?

3 MR. MURIEN: I consider myself the upper Klamath
4 historian. Three minutes, six minutes isn't quite enough
5 time for all this.

6 But back to where I was leaving off, I was a
7 little tiny guy -- Rudy Murien -- and I was a family
8 fisherman. We didn't even have refrigeration. So it's
9 like, okay, we've got to catch these fish every day. So I
10 was down there at the Klamath every day, couldn't swim,
11 catching these fish.

12 It's like I really got in touch with them. I
13 never took any bait down there. You just roll a rock
14 over, and there was bait there. There would be a cricket,
15 there would be an angleworm, there would be grasshopper up
16 and down both sides of the river. There was everything
17 there a fish to dream of. And I was catching the little
18 guys. And there was so many of them.

19 It wasn't hard for me to supply the family, you
20 know, my brother and two sisters, and mother and father
21 with the fish, because I could put two hooks on, just let
22 them go out there in those willow sticks, and boom, boom,
23 you had two little baby trouters, salmon, whatever they
24 were. I was just catching them every day like that.

25 And the water would go up each side and come down

1 and make all this tremendous fish habitat. Well, that's
2 what did -- after the water come down in the evening, all
3 that cold ground was up there, and it was like, wow, this
4 is like a gigantic swamp cooler for miles down the Klamath
5 River. It would cool the canyon off. And I know it had
6 to cool the water down doing this.

7 What else I believe it did to the Klamath River
8 is the water went up the sides and it would tumble through
9 the weeds and the willows and the trees and everything
10 across the upper rocks, and then the water would come
11 down, not near as fast as it would go up, it would go up
12 really quick, and I think it oxygenated the water and
13 purified the water.

14 We really need to investigate this, we need it
15 studied, we need a think tank about this. Like I know we
16 got some biologists out here and some water people, what
17 is the proper name? I mean, it's not a tidal flat water
18 going up and down like this, it's not called -- what is
19 the proper name when you have a river that goes up and
20 down, you know?

21 (Audience comments.)

22 MR. MURIEN: I never heard a term for it. It's
23 not a tidal flat, it's not a flood plain, but we used to
24 do that in the old days, go up and down, up and down.

25 Then in '64 the Iron Gate came in. Okay? The

1 fish I caught up on the upper Klamath that were Copco
2 produced, these little guys were really spunky. It was
3 like, man, two on, one would be jumping this way, one
4 would be going this way; they were all full of energy.

5 And then right after Iron Gate went in, '64 I
6 believe it was, we moved down the Klamath, way down below
7 there, and I noticed the fish were -- not way down, we
8 were still on upper Klamath but further down -- but the
9 water didn't fluctuate anymore. And I noticed that the
10 fish -- I thought, in a year or two, it seemed like those
11 guys are lazy. They don't fight like those upper Klamath
12 fish.

13 I think maybe by then they were having some
14 health problems, maybe the fish were -- I did talk to my
15 cousin who moved off the Klamath River about the time I
16 moved, years about where Iron Gate came in in '64. The
17 one point she made to me is that she used to swim -- I
18 used to swim in the Klamath all the way up to high school,
19 every day almost except in wintertime. The point she made
20 to me, she said, well, after Iron Gate came in, the moss
21 got so thick and so heavy you couldn't swim in the
22 Klamath. She says, it was like whole-growth moss. The
23 moss before then, you could run your finger through it and
24 cut it like --

25 FACILITATOR RAGAZZI: Thank you.

1 MR. MURIEN: We really need to investigate that
2 old history.

3 FACILITATOR RAGAZZI: Right back here, then you,
4 and then we'll finish off with Donetta.

5 MR. BUTLER: Rick Butler again. B-u-t-l-e-r.
6 Hope you can hear me. I won't take so much time this
7 time.

8 There was a mention of testing on hatchery fish
9 versus other fish. Some people up in Oregon decided that
10 was a really good idea here about a decade ago. They put
11 up a whole bunch of money, because they knew it was going
12 to prove that hatchery fish were inferior. They lost out.
13 They were going to testing scales and fins and fluids.
14 And that testing, it didn't meet, unfortunately, the
15 result that the people paid for it and wanted it to meet.
16 They said there was virtually no difference in chemical
17 makeup of two fish, whether it was from the ocean or from
18 the hatchery.

19 I have seen, had it in my hand in 1957,
20 san Francisco Chronicle Newspaper headlines; we must shut
21 down the fisheries, all the fish are dying because we're
22 over fishing. We cannot any longer do this.

23 It's kind of like the ocean itself, every seventh
24 wave, whatever it is, is going to get you because it's
25 bigger. You look at the cycles. 10-year floods, 50-year

1 floods, hundred-year floods; you look at cycles of the
2 fish that come and go.

3 Again, back to the algae and the illness in the
4 water, again, I don't -- I have taken two raft trips on
5 the Klamath, three actually; other than that, I'm in an
6 inner tube. I'm immersed in the water, going through
7 rapids, hooping and hollering, for 53 years. I was always
8 this short, this isn't a reaction to the river.

9 And again, going back to before the Iron Gate was
10 in working, yes, when Rudy says that the water would come
11 up, it would come up as much as six feet. When they fire
12 up a power plant at Boyles, the water in the river
13 doubles. I was lucky enough to be there. The guides I
14 was with have been there 120-something times, and they
15 never had a two-gun or two-generator run. I was fortunate
16 enough to be there for two days of that. I was fortunate
17 to be there for two days of that. The water doubles with
18 the generator, it triples with the third one.

19 A guy that works here in town at a state repair
20 shop, he used to be at work with his limit by the time he
21 was supposed to go to work, because those fish knew when
22 they could be out playing and when they would go hide when
23 that water was coming up and was going to wash them down
24 river.

25 In my youth, at the bottom of the river bar that

1 I live on now, we could walk across that this time of year
2 in a lean year because there was no water. It was a
3 trickle. It was draining your bathtub. We could walk
4 from one side of the Klamath river to the other, from the
5 dirt road to the highway and back again, because there was
6 no water to aid the fall run. This is reality folks, this
7 is fact.

8 Back to Klamath Falls and the fungus up above,
9 the City of Klamath Falls pumps steam heat and runs
10 industry off of steam right there in the City of Klamath
11 Falls on the river; that water's hot coming in.

12 Thank you.

13 MR. ALLEN: Hi. My name is Carlton Allen, A,
14 double L, e-n. There's not been much said about control
15 of the river flow. If they take the dams out, they'll
16 have no control. When you have a real wet year, they'll
17 have floods. You have a dry year, it's like he said,
18 you'll be able to walk across the river without getting
19 your feet wet, like it's been this year. And also, he's
20 right about the -- at the mouth of the river, the
21 predators are getting so much of the salmon.

22 I saw one time when Bogus Creek, when the salmon
23 was running, you could walk across their back, on the
24 salmon, they were so thick going Bogus Creek. I can't
25 remember what year that was, but he was talking about the

1 year that they let them go by there. I don't know whether
2 it was that year or not, but I personally saw the salmon
3 so thick you could walk across their backs without getting
4 wet.

5 And to me, the hydroelectric power they're going
6 to lose is replaced -- irreplaceable. You know, like you
7 said, if we take it out, we'll have to put in coal or
8 natural gas generated power, and it's going to cost us
9 more and it's going to pollute more. And you're talking
10 about building dams down south; why would one take these
11 out up here?

12 As far as the algae goes, when I was a youngster
13 back in the '40s, my grandmother had a place up on Copco,
14 and used to swim in the Copco Lake. And I tell you, we
15 swallowed that water. And literally, when we had a bowel
16 movement, it was green, but it didn't hurt us.

17 We spent a lot of time in that river up there,
18 lake up there. And that's all I have to say.

19 FACILITATOR RAGAZZI: Thank you.

20 MR. SPANNAUS: Herman Spannaus. One of the
21 things that we didn't address this evening is that I
22 wanted to compliment PacifiCorp; this year they put in 12
23 circulators into Copco Lake. And these circulators are
24 solar driven, they process 10,000 gallons of water a
25 minute, 10 to 12 million gallons of water a day. These

1 circulators have markedly improved the water quality in
2 Copco Lake this year.

3 I had a meeting with solar lady the other day.
4 Normally the depth -- and they have some type of a thing
5 they lower into the water with black and white pie things
6 on it. She went down to Mallard Cove, and the normal
7 depth is two feet that you can see that thing. She put it
8 down in the water in the same place this year; she could
9 read eight feet. That's how clean our water is. It's the
10 best quality year that I can remember in the 70 years that
11 I've been associated with this river, no smell, limited
12 algae bloom, as opposed to last year where we had a
13 completely different algae bloom, a different color, a
14 different smell. And I think any of the lake residents
15 would testify to this. And I think it was an aided algae
16 bloom. And that's all I really wanted to say about that.

17 But PacifiCorp is making an honest effort by
18 putting in these circulators. They plan to put more
19 circulators in the entire lake. And then next year I
20 believe that they plan on treating Iron Gate as well.

21 Thank you.

22 MS. GRIZZELL: My name is Donetta Grizzell,
23 G-r-i-z-z-e-l-l. First-generation resident.

24 And first of all, from the things that they have
25 out on the lake spinning water, huge difference; and I

1 think that for water quality for Copco, it's making a vast
2 improvement. I've been going in the river probably for
3 about ten years, which isn't very long I guess; and I've
4 never gotten sick. And I have two young children who also
5 go in the river daily and have never gotten sick from it.

6 And where they do the water testing for the
7 quality water is right in the shallowest part of the lakes
8 where, I mean, there are algae blooms there, but they're
9 not testing it all over the lake. I mean, I was upset
10 that the signs were up around our house, around the lake
11 saying that it was dangerous to get in the lake and
12 harmful to even eat the fish and stuff when I eat them and
13 my kids swim in there, and so I didn't understand that and
14 I didn't appreciate it, because if it really is dangerous,
15 then, I mean, we should know.

16 And I think they should stay in. I mean, they've
17 been in for so long. And I think as the other gentleman
18 had said, that it is a natural -- it is part of nature
19 now, they've been there so long. And there are ways to
20 clean up the water other than taking down the dams. Take
21 down the dams, you have all this silt and everything for
22 we don't know how long or what the impact of that's going
23 to be. So I'm keeping the dams.

24 And the water quality isn't hurting everybody.
25 And there's no documented -- at least in the last, I don't

1 know, from Medford at least or around here of anybody
2 getting sick from actually being in the water or drinking
3 the water. There's no official documents stating that
4 that's what they were sick from, was that toxin.

5 Thank you.

6 FACILITATOR RAGAZZI: Okay. It's just about
7 eight o'clock. I've seen some folks come in to check on
8 our progress so that they can clean up the room. We are
9 going to call it a close right now.

10 I do want to say if you have additional comments,
11 you can send them in, written comments, until
12 November 17th. If you want to provide additional comments
13 orally, there will be a web broadcast for a future
14 meeting. You can call in to that meeting. So that's in
15 your Notice of Preparation.

16 Thanks again to the Yreka School District for
17 allowing us to use this room this evening.

18 Adjourned at eight o'clock.

19 (Thereupon, the October 21, 2008,
20 California State Water Resources Control Board
21 Public Scoping Meeting
22 was adjourned at 8:00 p.m.)

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CERTIFICATE OF REPORTER

I, DEBORAH BAKER, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California State Water Resources Control Board Public Scoping Meeting; that thereafter the recording was transcribed.

I further certify that I am not counsel or attorney for any of the parties to said Public Scoping Meeting, or in any way interested in the outcome of said Public Scoping Meeting.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of November, 2008.

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