

PRESS RELEASE

KARUK TRIBE

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Contact: Craig Tucker, Klamath Coordinator, Karuk Tribe, 916-207-8294

KLAMATH DAMS STAND TRIAL

Tribes, Federal and State agencies, Conservationists, and Fishermen join forces to Defend Fish Re-introduction Plan for Klamath Salmon and Steelhead

Sacramento, CA – In the first hearing of its kind, the fight over PacifiCorp’s Klamath River Dams continues this week in a Sacramento, CA courtroom. The so called ‘Energy Policy Act Hearing’ was created by an amendment to the Federal Power Act passed by congress last year.

“The EP Act Hearing essentially provides power companies an additional opportunity to challenge federal agencies’ requirements for a new dam license,” according to Craig Tucker, Klamath Coordinator for the Karuk Tribe.

In March, Federal agencies issued the terms and conditions for a new license which include fish ladders and flow improvements to benefit dwindling Klamath River salmon, steelhead and lamprey runs. PacifiCorp is fighting these mandates arguing that suitable habitat for salmon no longer exists upstream of the dams.

However, in reaches of river between and above the dams, healthy populations of redband trout flourish and support a popular sport fishery. “Salmon and steelhead would use the very same habitat as redband trout if they could reach it,” stated Toz Soto Lead Fisheries Biologist for the Karuk Tribe.

PacifiCorp witnesses have also testified that there are no suitable salmon stocks to make use of fish ladders. Salmon advocates see this argument as cynical. “Of course salmon have not evolved to use ladders. But all over the country salmon adapt to use ladders,” according to Soto who goes on to add, “the best way to restore fish is simply to remove the dams all together as NOAA Fisheries recommends.”

“PacifiCorp is essentially arguing that they have screwed up this river so much that they shouldn’t have to do anything to fix it,” according to Leaf Hillman, Vice Chair of the Karuk Tribe. “PacifiCorp is just another large energy corporation that thinks it can run rough shod over rural communities. Its time for PacifiCorp to realize that Klamath communities are going to demand that they act responsibly and fix the mess they created,” adds Hillman.

This year California and Oregon will lose an estimated \$150 million in fishing revenues due to the commercial fishery closures. The closures were instituted to protect dwindling Klamath runs. Tribes cannot harvest enough salmon to feed their people and recently the reservoirs behind the dams became a health hazard when the toxic blue green algae *Microcystis aeruginosa* bloomed turning the water into a thick green sludge.

Despite the vitriolic debate in the courtroom, company officials did state a willingness to give up the dams under the right circumstances. In a press statement PacifiCorp President Bill Fehrman asserted, "We have heard the Tribes' concerns. We are not opposed to dam removal or other settlement opportunities as long as our customers are not harmed and our property rights are respected."

Still, the company continues fight any deviation from status quo in the courtroom.

This courtroom dispute pits PacifiCorp against every other major entity on the river, including the Federal Government, the States of Oregon and California, the Klamath Tribes, the Hoopa Valley Tribe, the Yurok Tribe, as well as a coalition of conservation and fisheries groups.

"In their court documents, PacifiCorp essentially gives up the Klamath salmon fishery as doomed, largely as a result of their own facilities. We simply are not willing to give up and throw in the towel like that. Unlike PacifiCorp, we believe that this river is not a lost cause, and that the Klamath is restorable. I think that after the evidence is weighed, people will be able to see through PacifiCorp's cynical strategy of futility," said Hillman.

After the hearing, the parties will file post-hearing briefs with the Judge, who will issue his findings of fact at the end of September, 2006. The agencies will issue final license conditions sometime in early 2007 based on the facts found by the judge, a consideration of alternative conditions filed, and public input.

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