

Testimony for SB 206, SB 264

Good afternoon Chair Edwards and Committee members,

My name is Dennis Linthicum. I am an Klamath Basin citizen, a tax-payer, an irrigator, a rancher, and a former Commissioner for Klamath County, OR.

I am here today to discuss both SB 206 and SB 264 which address the Klamath Basin Restoration Agreements (KBRA) and the Klamath Basin Comprehensive Agreements which means complete support for the Klamath Hydro-electric Settlement Agreement (KHSA).

The SB264 serves to expand the provisions of Section 16 of the former agreement.

Please recall, after water adjudication was finalized the Tribal interests tried to sell that water right, but a Federal Judge ruled that it was an in-stream right that could not be sold.

So, the economics of private ownership would be a good thing, but federal and state controllers refuse to allow the free-market to discover price and identify viable solutions for water supply, storage, quality and utility.

The KBRA/KHSA were supposed to bring untold wonders to our environment, but imagine how this will work.

The intended results are supposed to:

- replenish fish populations for commercial coastal fisheries
- replenish fish populations for culturally significant tribal purposes
- restore forest lands for culturally significant tribal purposes
- ensure water availability for commercial agricultural enterprises
- ensure low electric-utility rates for commercial agricultural enterprises
- provide relief from dam removal expenses for commercial electric-utility
- provide relief from restoration expenses by owner of dam facilities
- waive Clean Water Act constraints during dam removal process

What's not to like? It all sounds so wonderful!

However, this is an ideological battle and is not founded in science it is hidden within the language of administrative mandates, i.e., centralized power and control.

The sleight of hand comes with correct wording, which makes all the difference. Look at the words – 'restoration,' 'replenishment' and 'provision' – which all serve as unifying focal point for collectivists.

The signatory stakeholders get to promote their demands, goals and undertakings and get to sway the public into believing that it is genuine concern for others. It has all the appearances of a call to action for other people, other animals, other plant-life, even planet earth.

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When considering the grand conceptions such as mother earth, the future of society, or the vast needs and desires of people groups. who could possibly think their little business mattered?

Be warned, this effort for universal consensus directly distorts any free, voluntary and thoughtful individual action you might have. It purposely places the control into government agencies who decide, establish and impose their choices on the rest of us.

The trouble is tax-payers and rate-payers weren't invited to the party. Their opinions apparently aren't given any weight even though they will pay for

- fish populations for commercial coastal fisheries
- fish populations for culturally significant tribal purposes
- 90K acres forest lands for culturally significant tribal purposes
- water regulation and lack of water availability for commercial agricultural enterprises
- \$1B for dam removal expenses for PacifiCorp.
- \$1B in potential costs for future restoration expenses
- undocumented costs for waiving the Clean Water Act regulations

Facts:

- The four private hydro-electric facilities are assets of PacifiCorp. These four dams are downstream within the 60 miles of Upper Klamath Lake. The dam at the farthest end of that 60 mile reach is nearly 2500' below our basin. This fall, in elevation, provides the energy potential for building clean, renewable, efficient hydro-electric facilities. These dam facilities are too distant and too low to be of any relevance to the water needs of the Klamath Basin.
- The PacifiCorp facilities produce nearly 160 mega-watts of clean, renewable, inexpensive energy at about \$.04 per kilowatt. Modern non-hydro renewable energy sources, (i.e., solar or wind) are being actively promoted at \$.34 per kilowatt and are only economically viable with government backing, subsidies and tax incentives.
- The National Hydropower Asset Assessment Project (NHAAP) recently identified new, untapped sources for 4.3 giga-watts of potential hydropower within the state of Oregon. The cost of feasibility studies, land acquisition, water rights and allocation strategies, EIS/EIR requirements, engineering and new technology construction costs are certainly more than a retro-fit on existing dam structures.
- Freshwater resources are needed worldwide to feed a growing population (projected to increase 30% by 2050). Reservoirs, lakes and aquifer storage opportunities offer the best strategy for managing secondary hydrologic cycle water resources (i.e., precipitation) during drought periods. Inadequate water storage and excessive water consumption will ultimately impede Oregon's productive capacity.
- Tribal interests have expressed genuine cultural concern for healthy Salmon and Trout populations but are willing to halt the KBRA legislation because the 90,000 acre Mazama

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Tree farm was sold to a Singapore-based private concern and those lands will not be available for transfers.

- The cost and restoration estimates do not include estimates for mitigating or correcting toxic sedimentary releases with deposit estimates of between 60 inches near the dams to 18 inches for miles downstream.

With all of the reallocations of surface water and instream water the aquifers will continue to see stress. Yet, the OWRD continually places no effort in applying well-regulation in the regions of the Lower Klamath Project, while the irrigators in the Upper Klamath Basin are faced with increased with extensive regulation in upper Klamath Basin even-though water is widely available through-out the landscape.

Currently all Water Loss has been via administrative actions

- via Administratively taken which is essentially without any financial enumeration
- via Adjudication
- Federal Biological-Opinion
- Current Drought is also Administrative
 - Increased river flows
 - Increased Upper Klamath Lake levels through Biological-Opinion

In closing, there is NO reason to fund this effort when there is no Federal Legislation which can fund this effort which will exceed \$2B and doesn't provide private benefits anywhere near that amount.

Sincerely,

Dennis Linthicum

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