

# Taft Midway Driller

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## **Dam removal opponents keep up their fight**

**By Skye Kinkade**

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KRRC said they have contracted with Fairfield's Kiewit Infrastructure West Co. for the design and implementation of dam removal, which they admit is "contingent on the Federal Energy Regulatory Commission's approval of a license transfer and license surrender, as well as other regulatory permits."

"Our preparation to become the licensee and remove the dams has been broad and deep," said KRRC's Director of Communications Matt Cox. "We've created a detailed and comprehensive Definite Plan and been responsive to the needs of all government agencies that have a voice in the process. It's that thorough, painstaking work, work that honors the magnitude of the project, that gives us confidence that FERC will approve license transfer and surrender.

Dam removal opponents, including Copco area resident and intervenor Loy Beardsmore as well as the Siskiyou County Natural Resources Department have repeatedly said that KRRC is getting ahead of itself and hope FERC won't grant the transfer because there are too many unanswered questions.

Opponents believe their position is bolstered by PacifiCorp's February comments on the Draft Environmental Impact Report to the California State Water Resources Board, in which the corporation stated its opinion that the report relies on outdated data.

In addition, last week, FERC granted KRRC an additional three months to submit a revised plan for dam removal and answer other questions around cost estimates, plans to address any cost overruns and other issues. Opponents of dam removal believe this is because KRRC is having a difficult time addressing all the concerns, and interpret FERC's response to KRRC to be terse and impatient.

Cox said KRRC is "working on addressing every one of those issues and will be submitting a robust response to FERC on July 29. If the FERC/BOC have additional questions or need more information after that round of review we will continue to refine and strengthen our plan to ensure we provide a thorough and compelling submission," he said.

PacifiCorp's Manager of Communications and Public Affairs Bob Gravely specified that PacifiCorp is supportive of the Klamath Hydroelectric Settlement Agreement, not dam removal, per se. In PacifiCorp's February comments, Managing Director of Renewable Resources Mark Sturtevant explains the project is "unprecedented in size, scope, and potential impact."

"Dam removal on the Klamath River is a natural resource management decision that PacifiCorp, as a regulated utility, is unwilling to undertake because of the substantial risks and uncertain benefits," Sturtevant wrote. "This does not mean that PacifiCorp disputes that dam removal may have positive effects on the river. It simply means that the outcome is unknown, the risks are high, and that it would be imprudent to expose PacifiCorp's customers to such far-reaching risks for an uncertain outcome."

He goes on to say that PacifiCorp believes the Draft EIR, as written, does not meet the requirements of the California Environmental Quality Act, relies on outdated data, inaccurately evaluates the impacts of sediment discharges and minimizes the impacts to listed species while also overstating adverse impacts related to continued operation of the dams.

He added that the project involves drawing down three expansive reservoirs, discharging millions of cubic yards of sediment which will impact 225 miles of river within and downstream of the project, and end hatchery programs that currently conserve Coho salmon and support harvest opportunities for Chinook salmon.

“The project will have significant near-term impacts to these important species, and the hope of the KHSA is that any significant impacts will be outweighed by long-term benefits,” Sturtevant writes.

Cox said in KRRC’s view, the most important statement PacifiCorp made in their comments is that they continue to support the agreement, which includes dam removal.

“We respectfully disagree with some of their other comments but it’s completely up to the Water Board to review all comments and make a decision as to whether to recirculate part or all of the Draft EIR,” said Cox. “KRRC plays no role in that determination, but we certainly support a robust CEQA process. In the end, we are confident the Water Board will issue the final Water Quality Certification for the project.”

Gravely explained that PacifiCorp supports the KHSA because it includes customer liability protection for any possible effects of dam removal and its aftermath, and caps ratepayer expense at \$200 million.

The KHSA is a settlement reached by a plethora of stakeholders in 2016 which agreed to dam removal as the “preferred alternative” instead of other possibilities relating to PacifiCorp’s four Klamath dams, including their relicensure with modifications like fish ladders.

Part of the agreement was that FERC would transfer ownership of the dams to an entity responsible for their removal (KRRC), and this has not been completed, Gravely said.

In his comments, Sturtevant said over the past three years, PacifiCorp has worked closely with KRRC to advance the KHSA.

“KRRC’s efforts have produced noteworthy progress, but significant uncertainties remain – particularly to PacifiCorp’s customers,” Sturtevant said, adding that FERC’s approval of the transfer “constitutes a key customer protection” for PacifiCorp.

FERC must also determine that KRRC has the “financial, technical and legal capacity to become the licensee,” Sturtevant said.

KRRC has a total budget of \$450 million, Cox said. Funding comes from two sources: ratepayer funds will provide \$200 million and the State of California is providing up to \$250 million from the 2014 water bond.

In a press release announcing their selection of Kiewit, KRRC Chief Executive Officer Mark Bransom said the contract “will help demonstrate KRRC’s capacity to undertake the project consistent with a license transfer application pending before (FERC).”

“KRRC is currently updating its cost estimates to submit to FERC but we remain confident that we are adequately funded to meet the mandates of the KHSA – volitional fish passage and a free-flowing Klamath River,” Cox said.