

Oregon Rate Mitigation Legislation

Earlier this legislative session, Senator Doug Whitsett of Klamath Falls introduced a bill that would mitigate increases in power rates for irrigators. The legislation would apply to those who are currently pumping at rates established by contract prior to 1960.

The original bill, now amended into SB 81, would provide a seven year phase in if electrical rates were to increase. SB 81 is currently in the state House, having already passed through the Senate prior to the amendments being included.

Two weeks ago the bill had a public hearing and passed out of the House Business committee by a vote of 5 – 2. Voting in favor of the legislation were Republicans Alan Brown (Chairman), George Gillman, Sal Esquivel, Derrick Kitts and Democrat Mike Schaufler. Voting in opposition to a phase in were Democrats Chip Shields and Paul Holvey.

Testifying in opposition to this sensible approach were the Oregon Natural Resources Council (ONRC) and Water Watch. The premise of their testimony was that it is unfair to other ratepayers if some irrigators have a preferential power rate. Of course they do not acknowledge the fact that these rate payers receive the benefit of having low cost hydropower rates BECAUSE of reclamation projects such as those in the Klamath River Watershed.

I am sure that Oregonians will all sleep better knowing that in addition to their predictable attacks against agricultural, ONRC and Water Watch have now added a profound philosophical concern for electrical rate payers in the state to their agenda.

In staying true to form with regard to the erroneous nature of many of their public statements, at one point during testimony (which was later refuted on the record) ONRC claimed that very few in the Klamath Basin would be hurt by a 1200% increase in power rates because most of the farms and ranches are held by “absentee landowners”.

The legislation easily passed on the House floor by a 47-10 margin.

"If you don't think a power increase of 1,200 times will kill, you're wrong," said Rep. Bill Garrard, R-Klamath Falls.

The bill now moves back to the senate for confirmation. Governor Kulungoski is a proponent of the legislation and is expected to sign it, should it reach his desk.

KWUA views this legislation as a safety net as we continue to work in multiple venues to secure the lowest affordable power rate for Basin irrigators.

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Senator Whitsett Sets the Record Straight with ONRC

KWUA applauds Senator Whitsett for the following response to the unreliable statements that are perpetuated by ONRC and others.

June 2, 2005

Salem –On Thursday Senator Doug Whitsett (R-Klamath Falls) responded to what he described as false statements laid out in a press release by the Oregon Natural Resources Council regarding Senate Bill 81.

An amendment to the bill which is supported by Whitsett provides rate mitigation to Klamath Irrigators who face rate increases of up to 2000 percent if action is not taken.

“I am willing and able to have a vigorous debate on the wisdom of certain policy options,” says Senator Whitsett. “What I am not willing to do is sit quietly while the ONRC makes up facts and spreads falsehoods about the hardworking men and women of the Klamath Basin who make their livelihood in agriculture.”

The following is a list of the accusations made by the ONRC as well as the actual facts of the situation in the Klamath Basin.

- **Fallacy:** Fish Kills have a direct relationship to the Klamath Farmers.
- **Truth:** National Academy of Sciences determination says the two are unrelated.

- **Fallacy:** This is an “antiquated electric power subsidy.”
- **Truth:** This is a power contract based on mutual benefits between the Basin farmers and Pacific Power last negotiated in 1956. There would be less water flowing down the Klamath River or behind the dams seasonally if BOR and farmers hadn’t developed the Klamath project.

- **Fallacy:** the Klamath Project and irrigators of the Basin are “wasting” water and can become more efficient.
- **Truth:** The Klamath Project irrigators are 97% efficient at the present time, as determined by studies by Cal Tech. It is one of the single most efficient irrigation systems in the US

- **Fallacy:** Oregon rate payers will subsidize Klamath Farmers.
- **Truth:** Oregon electric rate payers have been benefiting from, and will continue to benefit from cheap power rates due to the water provided for in stream flows down the Klamath. Without the water provided by the Klamath irrigators to these hydro electric dams to operate, power would be more expensive and less available to the general public.

- **Fallacy:** This is a “secret tax” on Oregon families.
- **Truth:** This is a negotiated contract of 99 years duration and is in the public record. It is not secret.

- **Fallacy:** SB 81 is a raw deal for the environment.
- **Truth:** SB 81 provides continuing unheralded benefits for the environment through the National Wildlife Refuges and for the myriad of wildlife existing in the irrigated areas of the Basin.

In 2001, when irrigation was cut off to the Basin, the impact on wildlife was profoundly devastating. This is a high desert area and without the irrigation water provided, hundreds of species will suffer irreparable harm.

- **Fallacy:** SB 81 is unfair.
- **Truth:** SB 81 is fair to PPL rate payers, by providing more and cheaper power than if no water flowed down the Klamath. It is fair because it is a negotiated legal contract. It is fair because it provides adequate water for wildlife. It is fair because it is publicly disclosed. It is fair because the Klamath irrigators have utilized a maximum efficiency of 97% water usage in their system and cannot improve the system, according to the best scientific analysis in the world.

You can view the ONRC release at the following site: <http://www.onrc.org/alerts/221.klamath.html>

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Fishermen and Farmers Ratify Cooperative Agreement

As reported to you in a previous edition of the *Weekly Update* a formal agreement has been signed between the Oregon Trollers Association OTA and the Klamath Water Users Association (KWUA).

Despite much negative press to the contrary, many commercial fishermen are NOT blaming the Klamath Irrigation Project for recent coastal salmon harvest restrictions.

Members of the OTA and KWUA know there are issues that must be addressed and have pledged not to point fingers of blame, but to instead work proactively together to find win/win solutions.

See the following article from the Klamath Falls Herald and News.

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Farmers, New Fishing Group to Work on Water Together

Herald and News
Dylan Darling
Wednesday, June 1, 2005

The Klamath Water Users Association last week signed an agreement to cooperate with a newly formed fishing group that says it represents Pacific Coast commercial fishermen who use hook and line.

In the agreement signed Friday between the water users and the Oregon Trollers Association, the groups say they will support salmon restoration efforts that provide water for both farmers and fishermen.

They also agree to work at providing timely information to each other and educate each other, and to "avoid media statements and public policy positions that fuel conflict between our constituencies," according to a press release issued by the water users.

"The fishermen see that 'finger pointing' is not recovering salmon," said Water Users Association President Steve Kandra in the release.

"Farmers and ranchers have a lot in common with coastal fishermen," said Rayburn "Punch" Guerin, troller association president in the release. "We don't want to fight each other. We want to get results."

Describing itself as a "marketing and lobbying entity," the trollers association is pursuing ways to add value to hook-and-line seafood products, according to its Web site. In the "About Us" section of the Web site, the group says it wants to form alliances with other groups that depend on natural resources. It also says the group is made up of fishermen from the Pacific Coast.

"Most of our lobbying has been done at the coffee shops in the morning," according to the Web site. "Bitching, complaining, and lots of hand waving after convincing ourselves we were on the right track."

Included in the Web site's gallery of photos, are photos of T-shirts that read: "Our competition is farmed salmon, not our brothers who farm!"

No details about the size or membership of the trollers association was available on its Web site and Guerin could not be reached by the Herald and News.

http://www.heraldandnews.com/articles/2005/06/01/news/top_stories/top3.txt

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Williamson River Fish Counting Weir

The U.S. Geological Survey (USGS) has been conducting biological studies in the Klamath Basin since 1992. According to a USGS publication, most of the research has focused on adult populations of Lost River and shortnose suckers in Upper Klamath Lake and surrounding tributaries.

Last week representatives from the Klamath Water Users took a field trip with U.S. Fish and Wildlife Service (USFWS) employees as well scientists from USGS to view the new Lower Williamson River fish counting weir that was recently installed.

Prior to the weir being in place, sampling efforts on the Lower Williamson had been limited by relatively low catch rates as compared to other areas sampled. To improve their efficiency, USFWS, the Bureau of Reclamation and USGS combined efforts to install a fish weir in early 2005.

The weir acts like an underwater fence which guides fish through either an upriver or downriver trap. As fish pass through the traps they are scanned for the presence of tags and a sub sample of the fish can be captured for examination.

According to USGS, efforts for 2005 are on going, but the results have been encouraging.

The USGS adult sucker monitoring program is designed to:

- Provide consistent, systematic data collection on these populations
- Estimate key population parameters such as annual survival, recruitment, and rate of population change
- Monitor population trends
- Provide information on the timing and duration of spawning at various locations
- Provide information on health and condition
- Help direct future research.

KWUA is hopeful that the information gathered by scientists will provide timely information regarding the recovery of these species as well as improving the knowledge about their habitat requirements.

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Congressmen Urge Administration Appeal of Salmon Ruling

Congressman Greg Walden (OR) announced today that he has joined with Congressman Otter (ID), Simpson (ID), Hastings (WA) and Congresswoman McMorris (WA) in sending the attached letter to key Administration officials urging them to file a timely appeal to Judge James Redden's decision regarding the 2004 Biological Opinion (BiOp) on the operation of the Columbia River Power System for salmon and steelhead.

As you know, on May 26 Judge Redden issued an [opinion](#) ruling in favor of a coalition of environmental groups and the State of Oregon who had challenged the National Marine Fisheries Service 2004 BiOp. This ruling and these actions being sought by the plaintiffs will result in adverse impacts on the Northwest regional economy.

If you would like additional information on the federal agencies' "statements of record" on regional impacts of the plaintiffs' proposal, see "Summary of key regional impacts" at www.salmonrecovery.gov.

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Quote of the Week

"The trail is the thing, not the end of the trail. Travel too fast and you miss all you are traveling for."
- **Louis L'Amour**, *Ride the Dark Trail*

KWUA Calendar of Activities:

Power Committee Meeting
June 6, 2005, 7:00pm

Klamath County Farm Bureau
June 6, 2005, 7:30pm

Langell Valley Board Meeting
June 7, 2005, 8:00pm

Horsefly Board Meeting
June 7, 2005, 8:00pm

KWUA Board Meeting

June 8, 2006, 6:00pm

KID Board Meeting
June 9, 2005, 5:00pm

TID Board Meeting
June 13, 2005, 8:00pm

KDD Board Meeting
June 16, 2005, 1:30pm