



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 10 2021

Ms. Kimberly D. Bose
Secretary, Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Re: Klamath Hydroelectric Project (Project No. P-2082)
Lower Klamath Hydroelectric Project (Project No. P-14803)

Dear Ms. Bose:

In 2016, former Secretary of the Interior Sally Jewell submitted to the Federal Energy Regulatory Commission (FERC) a letter supporting the license transfer and surrender of pending applications in the above-referenced dockets.¹ These applications were filed consistent with the Klamath Hydroelectric Settlement Agreement (KHSA) and Klamath Power and Facilities Agreement, two groundbreaking documents that represent critical first steps toward resolving complex water-related issues that have plagued the Klamath Basin (Basin) for decades. The FERC's timely approval of these applications would result in the decommissioning and removal of the lower four FERC-licensed dams on the Klamath River (River) in early 2023.

As described in Secretary Jewell's letter, the Indian Tribes of the Basin have been sustained by the River's bounty since time immemorial. The River and its fishery, once known for the third-largest salmon runs on the West Coast, historically supported the cultural, spiritual, and economic well-being of six federally recognized Indian Tribes. The River significantly changed in the early 20th century with the construction of the first of four dams, now owned by PacifiCorp, which benefitted some, but came at a steep cost to the Basin Tribes and fishing communities.

Today, we have an incredible opportunity to restore this magnificent River, rewrite a painful chapter in our history, and do so in a manner that protects the many interests in the Basin. Since 2016, the Klamath River Renewal Corporation (Corporation), PacifiCorp, States of California and Oregon, Karuk and Yurok Tribes, and many other KHSA parties have provided FERC the information it needs to approve these applications. In addition, the Corporation submitted a Draft Biological Assessment on March 22, 2021, for FERC's use in requesting initiation of formal consultation under the Endangered Species Act (ESA). The record documents the Corporation's ability to remove the dams in an environmentally responsible way, on budget and on schedule.

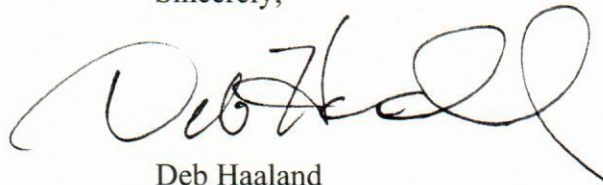
¹ Letter filed by the Department of the Interior (Department) on October 17, 2016, in FERC Docket No. P-2082, Accession No. 20161018-5030. The previous administration withdrew Secretary Jewell's letter, stating that the Klamath Hydroelectric Settlement Agreement did not require it and it was "unnecessary to the current proceedings before FERC." Letter filed by the Department on May 20, 2019, in FERC Docket Nos. P-2082 and P-14803, Accession No. 20190520-5030.

Dam removal would provide a unique opportunity to reopen more than 420 miles of historic spawning and rearing habitat, significantly improve water quality, and bring new recreational opportunities and jobs to the Basin. Accordingly, as contemplated by KHSA section 3.1, removal of the dams will advance restoration of the Basin's salmonid fisheries and is in the public interest.

These proceedings appear to be at a pivotal juncture: initiating dam removal in early 2023 requires FERC to commence its environmental review process, including consultation under section 7 of the ESA, as soon as possible and to complete that work by Spring 2022. I write to affirm the Department of the Interior's support for these applications and the ultimate decommissioning and removal of these dams. Dam removal will restore salmonid fisheries, reestablish fish passage, improve water quality, and bring new recreation and economic opportunities to the Basin. Moreover, removal will advance the Biden-Harris administration's commitments to combat the climate crisis, increasing resilience to the impacts of climate change; protect public health; conserve our lands, waters, and biodiversity; deliver environmental justice; and fulfill the Federal Government's trust and treaty responsibilities.² Consistent with these goals, I urge FERC to initiate its environmental review, consider the robust record before it, and act expeditiously to approve the pending applications.

I am grateful to the Corporation, PacifiCorp, the two States, the Basin Tribes (including Karuk, Klamath, Hoopa Valley, and Yurok Tribes), all KHSA parties, and other stakeholders for their efforts in engaging in this FERC process and advancing these applications. I look forward to renewed collaboration with these and other Basin stakeholders as we work toward restoring the River's resources while also addressing multifaceted water-related issues consistent with this administration's goals for long-term water recovery and economic restoration in this Basin.

Sincerely,



Deb Haaland

cc: The Honorable Gavin Newsom, Governor of California
The Honorable Kate Brown, Governor of Oregon
Joseph James, Chairman, Yurok Tribe
Russell "Buster" Attebery, Chairman, Karuk Tribe
Donald Gentry, Chairman, Klamath Tribes
Byron Nelson, Jr., Chairman, Hoopa Valley Tribe
Benjamin Friedman, Deputy Under Secretary of Commerce performing the duties of NOAA Administrator
Stefan Bird, President and CEO, PacifiCorp d/b/a Pacific Power
Mark Bransom, Chief Executive Officer, Klamath River Renewal Corporation

² Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, 86 Fed. Reg. 7037 (Jan. 25, 2021).