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Congress of the United States

House of Representatives

March 31, 2006

The Honorable Carlos Gutierrez
 Secretary
 U.S. Department of Commerce
 14th and Constitution Ave., NW
 Room 5516
 Washington, DC 20230

Pacific Fishery Management Council
 7700 NE Ambassador Place
 Suite 200
 Portland, OR 97220

Subject: Closure of Sport and Commercial Salmon Fishing

Dear Secretary Gutierrez and Members of the Pacific Fishery Management Council,

I am in receipt of a March 9, 2006 letter sent to the Pacific Fishery Management Council (Council) by Congressmen Wu and DeFazio regarding potential closure of sport and commercial salmon fishing on the Oregon and California coast. I have empathy for the fishermen and their families who will be impacted by the recent recommendation by the National Oceanic and Atmospheric Administration (NOAA). I urge the Council and NOAA to develop reasonable management measures that conserve Klamath River fish while providing some level of commercial and recreational fishing this year. I would also urge NOAA to give prompt and positive consideration to declaring a fishery disaster if fishing is seriously curtailed.

I was surprised that the letter sent by Congressmen Wu and DeFazio focuses only on dams, irrigation, water warming and water degradation as the factors responsible for the "vast majority" of salmon loss. In recent public meetings in Vancouver and Tacoma, Washington and Pendleton, Oregon on the impediments to returning adult salmon held by myself and Congressmen Brian Baird and Norm Dicks, we heard from experts numerous times that there are many other factors affecting the numbers of naturally spawning adult salmon besides what is happening on inland stream and river systems – like harvest. Further, I understand that the Council's salmon management plan for this fishery establishes a return level of 35,000 fall chinook in the Klamath River, and the estimated return level this year (with no additional harvest) is approximately 29,000 fish. However, this week Bob Lohn, the Pacific Northwest Regional Director for NOAA, stated in a briefing for Members of Congress that ocean harvest on this impacted fishery began in September of last year and has reduced the numbers of returning adult salmon by 6,000 fish. The great irony and illogical practice to me is allowing harvest before sound scientific predictions of the run size were completed, when there were strong early indications that Klamath River chinook would be returning in low numbers this year.

Given the background in the previous paragraph and the fact that I have closely monitored Klamath Basin and River water and environmental issues for the past five years, I simply don't accept the assertions made that the federal government's management of water flows in the Klamath River is the primary reason for dwindling fall Chinook salmon numbers. It is inconceivable to me that family farmers and ranchers, who use less than four percent of Klamath River flows, are somehow responsible for the potential closure of this commercial salmon fishery stretching across Oregon, Washington and California.

Recent media accounts have linked the unfortunate 2002 die-off of 33,000 salmon in the Klamath River to low flows in the river. This conclusion is usually supported by a 2003 report prepared by the California Department of Fish and Game (CDFG). What is not made clear is that the National Academy of Sciences (NAS) in a 2003 report found "...no obvious explanation of the fish kill based on unique flow or temperature conditions is possible." Dr. William Lewis, Chair of the NAS Committee on Endangered and Threatened Fishes in the Klamath River Basin, that year added "There must be some other dimension to this, other than flow or temperature. The CDFG findings are skeptical."

I challenge the inference made by some that this Administration has not taken steps to provide adequate water flows and other necessary steps to restore salmon runs in the Klamath River. Putting the 2002 fish die-off aside, and ignoring 2001, when 170,000 acres of Klamath Project farmland were deprived of Upper Klamath Lake water, irrigators between 2002-2005 have contributed between 20,000 acre-feet and 100,000 acre-feet of water to the Klamath River system through the environmental water bank program. This year marks the second straight year where the Project will not use 100,000 acre-feet of water originally intended for irrigation purposes. To put this in perspective, the Klamath Project, including the national wildlife refuges, consumptively uses 350,000 acre-feet of water in an average water year.

Further, the Administration since 2001 has proposed and Congress has authorized tens of millions of dollars for agency work along the Klamath River, much of it focused on water conservation and environmental restoration which benefit endangered and threatened fish. This focus has yielded projects like state-of-the-art fish screens and fish ladders at the A Canal and Link River Dam.


I am concerned by statements that sport and commercial salmon fishing account for "at most, only a miniscule loss of threatened salmon." The NAS 2003 report noted that Klamath salmon have been in decline since the 19th century and in addition to over fishing in the past, other factors including natural flood and drought conditions, predation by sea lions and brown trout have contributed to this decline. The available information provides compelling evidence that other factors besides recent Klamath River flows are important to consider in their effect on fish populations.

It is clear that we have inherited a problem that cannot be treated with one "silver bullet." The final NAS report clearly indicates that recovery of endangered suckers and threatened salmon in the Klamath Basin cannot be achieved by actions that are exclusively or primarily focused on one aspect, such as the operation of the Klamath Project. It emphasizes instead that a watershed-wide approach to species recovery – one that addresses all the stressors to fish – is essential to improving our environment and saving local economies. The NAS report stresses that increased knowledge, improved management, and cohesive community action will increase fish populations. Irrigators, tribes, some environmental groups and government agencies are currently

working together in the FERC relicensing settlement process to craft a watershed-wide solution to the challenges we face in the Klamath.

Thank you for digesting my thoughts on this most important issue. I look forward to continuing to working with you and my colleagues in Congress to support a long term and constructive effort to protect endangered salmon and rural communities.

Best regards,



Greg Walden
Member of Congress