

Congressman Greg Walden
Testimony before the
House Natural Resources Committee Oversight
“Crisis of Confidence: The Political Influence of the Bush Administration on Agency
Science and Decision-Making”
July 31, 2007

(Picture of Klamath Basin River)

Mr. Chairman, members of the Committee. For the record, I am Greg Walden and I represent the people of Oregon’s Second District, including those in the Klamath Basin. Thank you for letting me testify today and for letting me join you on the dais afterward. During my eight-and-a-half years in Congress, no set of issues has consumed my time and energy more than those involving the complexities of the Klamath Basin.

I want to make three key points this morning:

First, the decisions made affecting the fish, farmers and Tribes in the Basin have been thoroughly and independently evaluated by the Inspector General for the Department of the Interior. The Inspector General’s findings more than three years ago completely dismissed the allegation of undue political influence. You each have a copy of that response and I would unanimous consent that Mr. Devaney’s March 1, 2004 response to Sen. John Kerry be made part of the official record.

Second, the National Academy of Sciences report four years ago rejected the allegation that the Klamath Project was to blame for the fish kill in 2002, just as it concluded that the agencies did NOT use “junk science,” but did, accept, as they wrote, “...a high risk of error in proposing actions that the available evidence indicated to be of doubtful utility.” I would unanimous consent that the Nation Academy of Science, National Research Council Committee on Endangered and Threatened Fishes in the Klamath Basin final report be made a part of the official record.

Third, the Committee’s hearing today, to the extent it opens old wounds and reignites past conflicts, runs the risk of aborting a mediated settlement process that includes 26 parties in the Basin who in the past would have been at each others throats and for the last many months have been at each other’s tables trying to find a Basin-wide solution.

As Craig Tucker and Leaf Hillman from the Karuk Tribe told the Oregonian newspaper on July 16, 2007, and I quote: “The real story on the Klamath is not what politicians did four years ago, but what Klamath basin residents and coastal fishermen are doing today to solve the Klamath crisis.”

Mr. Chairman, just as you called on the Department of Agriculture one month ago to do everything possible to assist the farmers of 46 counties in West Virginia who are suffering from a lack of water because of a drought, so too did I and my colleagues in the Basin ask everyone from the President on down to do whatever was within the scope of the law to help the farmers in the Klamath Basin when the conditions in 2001 resulted in a loss of water to the Project for the first time in nearly 100 years.

I also worked closely with your two predecessors to hold oversight hearings on the problems to help identify what went wrong and how we could fix it. We called on the Department of Interior to seek a review by the National Academy of Sciences during a field hearing at the fairgrounds in Klamath Falls.

(Picture of “A” canal screen and Chiloquin Dam)

We looked at the problems, including a lack of fish screens on the A Canal and fish passage at Chiloquin Dam. And this Administration responded aggressively by pushing the agencies to get results on both. Today, a multi-million dollar, complex fish screen prevents sucker larva from ending up in the irrigation system rather than staying in their natural habitat. And within a year or two, Chiloquin Dam, which was the main cause of the original listing will be gone, reopening 95% of the habitat up the Sprague River.

In addition, the Basin has seen 370 partnership ecosystem restoration projects, a 100-thousand acre water bank, and more than \$500 million dollars in Klamath Watershed habitat restoration, water quality improvement and water conservation efforts since 2002. Good things are happening in the Basin like never before. It's unfortunate that the Committee's value time is not spent encouraging more forward progress in the Basin.

As for the fish kill: I implore you to listen to the words of Professor William Lewis who will testify later today, and who chaired the Committee on Endangered and Threatened Fishes in the Klamath River Basin, a committee of the National Research Council, the premier, independent, scientific body in the world:

“The Klamath Project is located over 150 miles upstream from the mouth, and water flowing through the Klamath Project accounts for only 10% of the total flow at the mouth; large tributaries entering the river below the Klamath Project contribute most of the flow at the mouth. Furthermore, the Klamath Project releases water that is warm because it comes from storage lakes rather than reaching the stream through groundwater or surface runoff. The committee concluded that a relatively small amount of warm water propagated over a distance of 150 miles would not have made a critical difference to the salmon that were staging for migration at the mouth of the river.”

“The committee also examined previous conditions and found that low flows similar to those of 2002 had occurred in several years within the period of record without any accompanying salmon mortality. The committee therefore concluded that mortality was the

result of an unusual combination of conditions, probably including unusually low flow plus the absence of a cool pulse of flow that even a brief precipitation event might have provided.”

(Picture of fishermen –farmers working together)

Now, to my third and final point, the Klamath Basin Settlement Group has worked in private for over the last several years to reach common ground on complex issues. Their goal is to recommend to Congress a comprehensive settlement plan that will work for the fish and fishermen, for the Tribes and for the farmers by the end of November of this year.

While the talks are confidential, I know they are complex, just as the problems are complicated. I wish them well in their work and would encourage them to ignore the political noise in Washington and stay focused on the long-term solutions they seek. And I implore this Committee and its staff to do the same.

Prior sessions of Congress have helped those in need, farmers and fishermen, when they've suffered losses. And prior sessions of Congress have investigated what went wrong and why. I implore this Committee to not go down the partisan path of political provocation, but instead to rise above it and provide support to those good citizens who are laboring to find common ground in a Basin-wide settlement.

Let's do what's best of the fish, the farmers, the Tribes and the fishermen. Let's encourage them to find common ground, not rub salt in old wounds when they are so close to an historic agreement of enormous significance.