

**Prepared Testimony of Honorable Wally Herger
Before the
Committee on Natural Resources
United States House of Representatives
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*609 words***

Mr. Chairman, if there is one unfortunate truth that the constituents I represent in the Klamath Basin have learned, it is that federal regulatory decisions that don't rely on sound science can have devastating impacts on people and their communities.

The decision to shut off water to agriculture in 2001 sent shockwaves throughout the Upper Basin community. Farms dried up and local businesses were severely impacted. Waterfowl in the Basin, namely migrating ducks and geese that depend on agriculture for an estimated 50 percent of their food, were harmed as well. With an entire community on the brink of disaster and feeling it had been wronged by questionable science, my colleagues and I didn't merely "request clarification" on the federal decision which perpetuated this crisis, we demanded answers.

The current Administration did the responsible thing, and they did it openly and without a single word of protest from any stakeholder. After all, who can possibly be against an objective, independent review of federal scientific decision-making to ensure it was done properly?

The Administration asked the National Academy of Sciences to convene twelve of America's top scientists to independently review the decision to shut off water to agriculture. Their work was unanimously approved by every member of the research team and was itself independently peer-reviewed by additional scientific experts from top universities.

The National Academy reported that the decision to withhold lake water and provide higher than normal flows in the Klamath River was not justified by science, inconsistent with available data, and potentially harmful to the fish the agencies were trying to protect.

They also reviewed the fish "die off" that occurred in 2002. Their report - again, a unanimous report, independently peer-reviewed - declared that roughly

32,000 salmon died and that there was no obvious linkage between Klamath farming and the fish die off. This conclusion makes common sense, as the Klamath Project farms are about 200 miles away from the where the fish die off occurred.

The claim that the Klamath farming project was responsible for the fish die-off is not justified by science, and in my view, overly simplistic. This region experienced very similar water conditions in 1988 and no fish "die-off" occurred.

The claim the "political influence" had a role in Klamath operations is equally absurd. The Inspector General has reviewed such claims and reported that "None of the individuals interviewed, including the Whistleblower, was able to provide any competent evidence that the Department utilized suspect scientific data or suppressed information."

But Mr. Chairman, there is good news to share. Over \$500 million has been invested in improving conditions in the Klamath watershed since 2002.

Only cooperation - not partisan bickering - will fix problems in the Basin. 26 parties from above Upper Klamath Lake to the coast have been working together to reach a compromise on the river. These people desperately need a predictable and sustainable outcome to this situation. We are elected to serve them and do what we can to help. Dredging up untrue and unproven political accusations does nothing to further their efforts and may even discourage them.

This is why I've requested a field hearing in the mid-Basin community of Yreka, CA so the committee can visit with those who wish to forego conflict in favor of a cooperative local solution. I'd like to renew that request today, and I'd also like to invite you to my district to meet with the farmers I represent. I think it would be incredibly valuable for you to see firsthand the impressive work they are doing to conserve fish and wildlife while continuing their rural way of life.

Thank you very much.

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