Toxic green algae behind the Klamath River dams

On November 10, Senator Jeff Merkley (D-OR) and Representative Mike Thompson (D-CA) introduced the Klamath Basin Economic Restoration Act in Congress (H.R. 3398 / S. 1851). The bill would approve two Klamath agreements and give the go-ahead to potentially remove four hydroelectric dams from the Klamath River. As we have discussed previously on LegalPlanet, this set of agreements represent a long-fought battle to restore the environmental integrity of the Klamath River basin.

The Department of Interior, along with other state and local agencies, have released a variety of studies, including a draft EIS on the proposed dam removal. PacifiCorp would pay for the removal. The federal government would contribute an estimated $536 million for environmental restoration. According to studies to date, dam removal would increase median adult chinook production in the Klamath basin by 81%. Removal would improve water quality, reduce fish disease and create thousands of jobs (see L.A. Times summary), including fishing and agricultural jobs.

It is probably no surprise, however, that supporters of the bill anticipate strong Republican opposition to the bill. The Siskiyou Daily News quotes Rep. Tom McClintock, who calls the bill an “insane” effort to “tear down four perfectly good hydroelectric dams at enormous cost to ratepayers and taxpayers.” The Siskiyou County Board of Supervisors objects to the removal and the Hoopa Valley Tribe objects to the termination of tribal fishing and water rights as part of the settlement agreement.

The reservoirs behind these dams promote the growth of toxic algae and exacerbate agricultural pollution in the Klamath river. Vast stretches of the river have been closed repeatedly in summer months due to the toxins from this algae. Construction of fish passages and other mitigation—which would not address the pollution problem—would likely exceed the cost of removal. And these “perfectly good hydroelectric dams” contribute only 165 MW of power to the region. Compare that to the Ivanpah Solar Power Facility—370 MW—or the trough solar power plants built in the 1980s near Barstow—354 MW. While 165 MW is certainly a decent amount (enough to power approximately 70,000 homes), this large-scale hydropower is neither clean nor cost-effective.

The opponents to this bill probably have valid opposing viewpoints on the allocation of fishing and water rights and the distribution of costs for removal. That is to be

expected in any difficult settlement agreement. But the basic science and cost-benefit analysis is irrefutable: these hydropower dams do more harm than good and cost less to remove than to keep in place. And if this bill fails, we can expect decades of litigation to resume. I think we can all agree that more litigation is not what the Klamath Basin needs.