



KLAMATH PROJECT OPERATING COORDINATION, WINTER/SPRING 2023 FEBRUARY 13, 2023

The Bureau of Reclamation, the U.S. Fish and Wildlife Service (USFWS), and the National Marine Fisheries Service (NMFS)(collectively, “the agencies”) agree that the past three years of persistent and severe drought conditions have contributed to water supplies in the Klamath River Basin that have been insufficient to meet the minimum biological requirements for Endangered Species Act-listed species affected by the Klamath Project, including endangered suckers (shortnose and Lost River suckers), threatened coho salmon, and endangered Southern Resident Killer Whale (SRKW). These requirements and relevant impacts are defined in the respective USFWS and NMFS biological opinions for operations of the Project. (See [USFWS Biological Opinion on the Effects of the Proposed Interim Klamath Project Operations Plan, effective January 13, 2023, through September 30, 2023, on the Lost River Sucker and the Shortnose Sucker](#) issued on January 13, 2023, and [NMFS Endangered Species Act Section 7\(a\)\(2\) Biological Opinion, and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response, for Klamath Project Operations from April 1, 2019, through March 31, 2024.](#))

The agencies further agree that while similar conditions could materialize in water year 2023, there is a range of likelihoods regarding which hydrological conditions could prevail at critical inflection points in the life cycle of each species this spring. As the water year has progressed, recent monitoring information has confirmed the presence of salmon redds on the Klamath River, which has increased the likelihood of coho salmon mortality if river flows are reduced below the minimums specified in the NMFS 2019 Biological Opinion. At the same time, it is increasingly likely that without reductions in river flows, Upper Klamath Lake level minimums specified in the USFWS Biological Opinion for sucker spawning habitat will be missed again this year and that full implementation of a surface flushing flow for salmon specified in the NMFS Biological Opinion will be at risk. As the water year has progressed with continued minimum NMFS Biological Opinion flows, it is therefore increasingly likely that more severe reductions from Biological Opinion minimums could be required if extreme drought conditions materialize.

Understanding the need to consider a sufficiently broad range of hydrological information, to balance relative risks in light of uncertainty, and to consider new information about the potential effects of operations on listed species and options as the water year progresses, Reclamation intends to take the approach outlined below for remaining operations for this water year. *The*

agencies agree that this approach is appropriate in light of extreme uncertainty and potentially conflicting water needs for ESA-listed species in the Basin.

- Reclamation will reduce Iron Gate Dam minimum flows from the currently-provided minimums specified in the NMFS 2019 Biological Opinion by 11 percent effective February 14, 2023, in order to increase the likelihood of filling Upper Klamath Lake to meet USFWS Biological Opinion minimums for listed sucker fish.
- Understanding that no forecasting information provides absolute certainty regarding future water supply outcomes, and given the challenge of balancing short-term effects with longer term management objectives, the agencies recognize that additional reductions may be required both in the near term and later in the water year through adaptive management. This could include the need for more severe future reductions from biological opinion requirements if current conservative scenarios come to fruition. This could also include less severe reductions from biological opinion requirements or modifying previously-reduced flows upwards if current, more optimistic scenarios prevail.
- Reclamation, with NMFS and other parties, will monitor and assess the impacts of reductions in minimum flows to salmon redds and rearing habitat in the Klamath River. If, once reduced flows have stabilized in the relevant stretch of the River, monitoring shows that reduced flows have not dewatered more than three redds (i.e., ten percent of the redds currently identified at risk), Reclamation will reduce flows by an additional five percent.
- Reclamation will continue meeting weekly with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Through these adaptive management process meetings and, through consultation with the Klamath Basin Tribes and the FASTA process, the Services will advise whether further adjustments are recommended to minimize negative impacts to listed species, considering updated hydrologic and other information.
- Any further needs associated with flow reductions will be determined by Reclamation after working with the other agencies through the adaptive management process, considering the agency's recommendations and complete and up-to-date hydrologic and forecast information. If the agencies do not concur about needed reductions at the regional level, the issue will be elevated for further discussion and resolution before reductions are made.
- Reclamation will ensure that any water retained in Upper Klamath Lake as a result of reductions below minimum flows or a reduced surface flushing flow will be used solely for ESA compliance purposes by retaining the volume in Upper Klamath Lake or releasing it to support Klamath River flows.
- Reclamation will use its authority to prevent and address unauthorized diversions of water from Upper Klamath Lake, the Klamath River, and related water bodies.

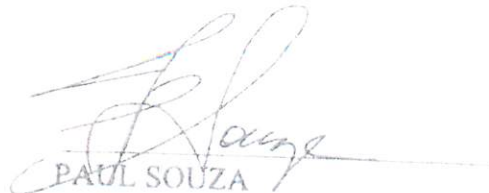
- The agencies will work together in consultation with the Klamath Basin Tribes to reconcile differences in forecast tools and interpretation considering the best available scientific information from all sources relied upon by the agencies as the basis for decisions, and will consider what represents a reasonable range of certainty in light of relative risks. This information will be shared publicly.
- The agencies will engage with the Klamath Basin Tribes and water users to discuss collaborative, long-term solutions, including provision of resources, to address water shortages, species survival and recovery, and restoration of ecosystem functions, especially in light of climate change, including restoration of water necessary to support migratory birds at Lower Klamath and Tule Lake National Wildlife Refuges.

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