



COUNTY OF SISKIYOU

Board of Supervisors

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April 3, 2012

Honorable Ken Salazar
Secretary of the Interior
U. S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Steven Richardson
Office of the Chief Information Officer
Attention: Information Quality Correction Request Processing
U.S. Department of the Interior
1849 C Street NW, Mail Stop 7447-M1B
Washington, D.C. 20240

Benjamin M. Simon
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Honorable Michael Connor
Commissioner
Bureau of Reclamation
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Re: Request for Correction of Information Disseminated as a Result of the Klamath Nonuse Valuation Survey, OMB Control Number 1090-0010 and Withdrawal of Final Report disseminating information gained from the Survey

Dear Secretary Salazar, Commissioner Connor, Ms. Haynes and representatives of the Department of Interior:

The Board of Supervisors for Siskiyou County, California, submits this Request for Correction of Information disseminated by the Department of Interior and RTI through the Final Report on the Klamath River Basin Restoration Nonuse Value Survey, January 19, 2012. The Final Report for RTI Project Number 0212485.001.010 was prepared for Rhea Graham by staff of RTI International.

This Request is submitted pursuant to the Information Quality Act (Treasury and General Government Appropriations Act for Fiscal Year 2001, Sec. 515 (a), Public Law No. 106-554, Appendix C, 114 Stat. 2763A-152) and the informational quality guidelines issued by the Office of Management and Budget and the Department of Interior.

It is not lawful or equitable that influential information is disseminated by the federal government and by contractors paid with federal tax dollars when the content is inaccurate, misleading and biased. The relief we request is withdrawal of the Final Report, with public acknowledgement that pursuant to the Information Quality Act it should not have been disseminated because it contains flawed information gleaned from a quality flawed survey. We also request that no further public or departmental use be made of the Survey instrument itself or the opinions received by the Department and RTI International from the respondents to the Survey.

Specifically, the Final Report provides information regarding public opinion based on a flawed and inaccurate description of a "No Action Plan" regarding destruction of dams on the Klamath River. The instructions as to the "No Action Plan" advised respondents that there would be no fish restoration projects under "No Action". In fact, management and restoration projects have been initiated outside the Klamath Agreement and completely independent of and from the dam destruction project. No one seriously believes that restoration projects will be abandoned if the "No Action Plan" is adopted. In fact, there are many viable alternatives to dam destruction for fish and river health.

The specific instructions for stating an opinion as to the "No Action Plan" were misleading and false in the representation that there will be no restoration projects if No Action is the decision. Opinions stated, based on the false representation, cannot be given credence as objective, informed responses.

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The Instructions for "No Action" fail to advise the respondents of the economic and environmental benefits of continuation of the hydroelectric power, flood control, and irrigation functions served by the dams. They fail to advise respondents of the adverse environmental impacts of releasing toxic sediment that will negatively affect water quality and fish health for decades. They fail to advise respondents of the damage to all fish species in the Rogue River following destruction of dams on that river.

As a result, the opinions stated as to the "No Action Plan" are not scientifically reliable under the elements of verification required by the Information Quality Act and implementing guidelines.

These are examples of flaws in the survey instructions as to simply one element of the survey: Opinion as to the "No Action Plan". There are fatal flaws throughout the survey that mislead respondents and create a bias for an action plan that destroys the dams.

Without setting forth all those flaws, the Board refers you to Comments to the EIS/EIR submitted by the Board in December 2011. Those comments specifically address errors, inaccuracies and biased conclusions included in the NEPA document---conclusions that influenced the instructions and documents utilized in conducting the Survey and disseminating the results of the Survey.

This Request for correction and withdrawal includes by reference the Board's comments. Each of the errors, inaccuracies and analytical flaws set forth in the Board's comments provide support for this Request for correction and withdrawal of the Final Report and suspension of use of Survey and opinions from respondents to the Survey.

You were advised of the scientific and legal inadequacy of the Survey prior to its ever being disseminated to the public. Counsel for PacifiCorp filed a Request for Correction, and then a Second and Renewed Request for Correction on March 18, 2011. Their Requests pointedly advised you of the errors and inaccuracies contained in the Survey documents---errors and inaccuracies that would skew opinions received from respondents.

The fact that the Survey was distributed and utilized in spite of the Request for Correction emphasizes that the Survey was designed to secure opinions contrary to the opinions of the citizens of Siskiyou County who soundly rejected destruction of the dams in the November 2009 election. Seventy nine percent of the voters rejected the concept of destruction.

The Board's Request for Correction and Withdrawal incorporates by reference all the specific requests submitted to you by PacifiCorp's counsel by letter of March 18, 2011. The validity of their Request is apparent when one reviews the Final Report issued on January 19, 2012.

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SPECIFIC RELIEF REQUESTED:

Pursuant to the Information Quality Act and compliance guidelines, the Board requests the following relief:

1. Correction of the Survey itself, and of the Final Report of January 19, 2012, as to each specific point of defective information and analysis set forth herein in the Board's comments to the EIS/EIR, and in the Requests filed by counsel for PacifiCorp on March 18, 2011.
2. Until such corrections are made, withdrawal of the Final Report of January 19, 2012, suspension of its use by the Department and contractor, and notice to the public and all state and federal agencies involved with the project that you have withdrawn the Report and suspended its use.
3. Until such corrections are made, suspension of use of the Survey and any information gleaned from responses made as a result of distribution of the Survey, and notice to the public and all state and federal agencies involved with the project that you have suspended use of the Survey and responsive information.

Please reply to this Request in accord with the Information Quality Act and compliance guidelines of OMB and the Department of Interior to: Clerk, Siskiyou County, 510 North Main Street, Yreka CA 96097.

Very truly yours,



Grace Bennett, Chair
Siskiyou County Board of Supervisors