UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

Climate Change Truth Research Inc. DBA Salmon Protection Device.	**Case**
dave@salmonprotectiondevice.com	**COMPLAINT FOR DECLARATORY JUDGEMENT, INJUNCTIVE RELIEF, AND DAMAGES**
v.	
Dave Coffman, as geoscientist Resource Environmental Solutions, Corporate Headquarters – Houston 6575 West Loop South, Suite 300 Bellaire, TX 77401 713.520.5400	

Previous OPB Article

Our comments to correct this article are in **bold.**

Executive Summary

A crew of out-of-state pseudo-scientists is now busily making final preparations for removal of the last of 4 dams on the Klamath River, the Iron Gate dam. That's according to a January 5, 2024 article in OPB First Look newsletter. With dam removal only weeks away it appears that only a last-minute legal injunction can save this vital power resource.

The Iron Gate Dam is of vital importance because it is the only one of the 4 with power generating capabilities. In total they produce over 600 gigawatts of power per year.

Already the Northwest Power grid is projected to crash this year due to the added burden of electric vehicles. What EV owners were not informed about is the recharging load. Power outages and brownouts are inevitable because of too many EVs and lower power generation. Starting next year, by recent analysis, The Northwest power grid will be short by 927 Megawatts and growing. In ten years

the grid will be short 8150 Megawatts, according to data provided by 2023 PNUCC Northwest Regional Forecast.

Also, anything we do to reduce emissions of carbon dioxide takes 150 years to have an effect due to the phenomenon of residence time. Believe it or not, It takes that long for existing Carbon Dioxide to dissipate, so your EV has zero effect on any imagined ill-effects of current CO2 levels.
https;//cctruth.org/residence_time.pdf

But guess what does reduce atmospheric CO2? It's called photosynthesis and thanks to massive reforestation efforts in China, India and Pakistan, its already solved the problem in the Northern hemisphere. Only fraudulent measurement techniques at NOAH have concealed this, but we at the official IPCC watchdog team have recently forced the firing of the fraud perpetrators.

https://www.google.com/search?q=ev+kilowatt+use+per+day&oq=ev+kilowatt+use+per+day&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIHCAEQIRigATIHCAIQIRigATIHCAMQIRigATIKCAQQIRgWGB0YHjIKCAUQIRgWGB0YHjIKCAYQIRgWGB0YHjIKCAcQIRgWGB0YHjIKCAgQIRgWGB0YHjIKCAkQIRgWGB0YHtIBCjE5NTUyajBqMTWoAgCwAgA&sourceid=chrome&ie=UTF-8

One EV consumes an average 353 kilowatts of power per month, 4.3 Megawatts per year. We currently have 150,000 EV's in Washington and 70,000 in Oregon.

It's very easy to see we must stop purchasing EV's ASAP. In light of our looming power crisis removal of this vital source of clean, renewable energy can only aggravate the problem. Removal of the Iron Gate dam is woke insanity.

After appendix A is Lower Klamath Project FERC Project No. 14803
https://klamathrenewal.org/wp-content/uploads/2021/12/EX-A-ARMP-Dec2021.pdf

Northwest Region Requirements and Resources

Table 1. Northwest Region Requirements and Resources – Annual Energy shows the sum of the individual utilities' requirements and firm resources for each of the next 10 years. Expected firm load and exports make up the total firm regional requirements.

Average Megawatts	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33
Firm Requirements										
Load [1/]	21,814	22,791	23,694	24,558	25,545	26,225	26,485	26,681	26,841	27,006
Exports	520	502	502	501	501	501	501	501	501	501
Total	22,334	23,293	24,195	25,060	26,046	26,726	26,986	27,182	27,342	27,507
Firm Resources										
Hydro [2/]	11,459	11,439	11,424	11,462	11,424	11,402	11,200	11,200	11,161	11,005
Small Thermal/Misc.	28	28	28	28	28	18	11	11	11	11
Natural Gas [3/]	4,107	4,497	4,801	4,551	4,546	4,544	4,474	4,426	4,225	4,222
Renewables-Other	276	275	273	274	269	268	268	266	264	260
Solar	503	503	503	502	502	501	501	500	498	483
Wind	1,757	1,747	1,747	1,721	1,661	1,623	1,611	1,596	1,596	1,622
Cogeneration	41	41	34	32	31	31	31	31	31	31
Imports	488	488	467	467	453	380	324	310	310	222
Nuclear	1,116	994	1,116	994	1,116	994	1,116	994	1,116	994
Coal	2,583	2,356	1,593	1,065	1,068	891	593	479	497	508
Total	22,357	22,366	21,985	21,096	21,097	20,652	20,127	19,810	19,708	19,357
Surplus (Deficit)	**22**	**(927)**	**(2,210)**	**(3,963)**	**(4,949)**	**(6,074)**	**(6,859)**	**(7,372)**	**(7,634)**	**(8,150)**

[1/] Load net of energy efficiency
[2/] Firm hydro for energy is the generation expected assuming critical (8%) water condition (the methodology is changed for the 2023 report)
[3/] More energy may be available from natural gas power plants

The out-of-state groups featured in the article include "The crew from the restoration company Resource Environmental Solutions, or RES, and Northern California's Karuk Tribe." **The Klamath River Renewal Corporation likewise is also California based.**

In OPB Article https://www.opb.org/article/2024/02/18/klamath-reservoir-drawdown-water-quality-discussion/

Thousands of fish that inhabited the reservoirs have also been killed by the ineptitude of these pseudo-scientists. They've accomplished this by reservoir drawdowns and/or clumsy removal techniques. These are

mostly non-native species, including yellow perch, crappie, and bass that thrive in calmer, warmer water.

"It was always expected that these species would not persist," said Dave Coffman, geoscientist for Resource Environmental Solutions, or RES, during the press conference.

OPB is cheering them on, apparently oblivious to the deep-seated concerns of dam custodial technicians and local residents. With electricity brown-outs soon to be a regular occurrence, removal of this vital source of clean energy is to be charitable -- irrational. Not to mention the devastating impact on the very environment the alleged do-gooders are professing to save.

Let's take a closer look at the OPB article one paragraph at a time. Our comments appear in bold-face type.

RES is California-based with virtually no understanding of the vital role the dams play in the human and natural ecosystem of Oregon. Not to mention the sale of Oregon power to electricity-starved California. They are the proverbial bull in a China store.

They correctly identify a hundred years of silt-buildup behind the dams as the problem. But then they jump to the absurd conclusion that dam removal is the only viable solution. Why not remove the silt instead of the dam? Duh. A simple remedy like dredging behind the dam and installation of a fish ladder on the Iron Gate eludes the pseudo-scientific mind. Apparently not enough drama to satisfy the woke craving to wipe out all evidence of human stewardship of our natural resources. One thorough dredging operation would resolve the problem for at least the next 50 years.

This is the only factual statement we could find in the article: "As that [algae] makes its way downstream, it decomposes," says Desiree Tullos, professor of water resources engineering at Oregon State University. "That process sucks oxygen out of the water."

"In the coming weeks, water will be let out from behind the three remaining dams on the Klamath River. A century's worth of sediment that has piled up behind the dams will also flow downriver."

This is true. According to the article, 17-20 thousand tons of silt has built up behind the dams. Most of this will flow downstream and settle out at river bends where the water slows; it won't make it to the ocean. This will alter the river flow with catastrophic results for local

residents. Many homes, farms, and businesses will be devastated. Plus, flooding not seen since the early 1900s will be an annual event. The massive release of silt will kill most fish and ruin downstream estuaries.

"The crew from the restoration company Resource Environmental Solutions, or RES, and Northern California's Karuk Tribe are spending two weeks catching as many young Coho salmon as they can and relocating them to specially constructed ponds next to creeks. By doing so, they hope to protect the Endangered Species Act-listed fish from the deluge of sediment that will be released when water from three Klamath River reservoirs is released this month — a major step toward the removal of three major dams."

What they don't tell you is that fish at the bottom of the nets are being crushed by the weight of the other fish when the net is lifted out of the water. That's not counting the fish that die during the water draw-downs. They have a permit to move fish, but no license to kill them in such quantities. Their permit lists probable fish kills by type but has no exempt request of civil or criminal penalties. In their recent OPB press conference, they admitted killing thousands of fish.

"If these young Coho survive the initial disruption to the river, they could help make history. "These young fish could be some of the first adult Coho salmon to return to a free-flowing Klamath River in over a century," says Chase. "It's even possible some of the fish moved during this effort could return to spawn above the Iron Gate Dam location."

The only thing making history here is the mental derangement of the extremists who are engineering this absurdity. Anytime you see the word "if" watch out. "If" means they don't have enough knowledge to say for certain. The items you're reading in bold are for certain.

"Scientists, fishermen and environmentalists agree that removing the four dams of the Lower Klamath Project will benefit anadromous fish like salmon, steelhead and lamprey. But the process will have "unavoidable negative short-term impacts on aquatic species that we all want to protect," says Dave Meurer, director of community affairs for RES. "You will see dead fish on the banks."

On what do Scientists, fishermen and environmentalists agree? Virtually every scientist we've talked to is quick to endorse the dredging option as soon as it's pointed out to them.

They're thrilled when they learn about the solutions being considered at SalmonProtectionDevice.com. Likewise, It's only the radical environmentalists who drink the Kool-Aid of their own propaganda who disagree, but even they are sometimes compelled to admit the obvious.

For example: "Dave Meurer, director of community affairs for RES. "You will see dead fish on the banks."

"The four dams were built between 1903 and 1962. The smallest, Copco 2, was completely removed this October." **The other two were removed in early 2024.**

"There's about 17 to 20 million cubic yards of sediment built up behind the three remaining dams," says Ren Brownell, spokesperson for the Klamath River Renewal Corporation, the entity charged with dam removal. "Through the drawdown process, we expect five to seven million cubic yards of sediment to go downstream."

If 17 to 20 million cubic yards of sediment have built up behind the three remaining dams, then 17 to 20 million cubic yards of sediment will be washed downstream to be deposited at river bends or any other low-flow area. This may easily alter the river direction wreaking havoc on existing farms and homes, all exacerbated by the annual flooding that is no longer controlled by the dams.

"KRRC has decided to rip the Band-Aid off and drain all three reservoirs near simultaneously — first Iron Gate, then J.C. Boyle about a week later, then finally, Copco Lake. This slightly staggered approach ensures more of the sediment will slough into the flowing river rather than being stranded along the disappearing lake shores. Crews with RES will help wash the sediment downriver as reservoir levels drop."
This statement is utter nonsense. All of the sediment will slough into the flowing river and deposit anywhere the water speed slows down.
"Crews with RES will help wash the sediment downriver as reservoir levels

drop” **This will cause more buildup behind the last remaining Iron Gate Dam and more released when it is destroyed.**

Where are the local stakeholders? Why are their voices being ignored?

““I do worry about the sediment coming down from JC Boyle,” says Linda Ebert, who lives on the north shore of Copco Lake. “We’ve been assured more or less that the EPA reports on it that it’s not that toxic. But I don’t have a whole lot of faith in those reports, quite frankly.”

Other residents are concerned about dust that will form once the muddy footprints of the reservoirs dry out and before new vegetation takes root. Resident Francis Gill sees parallels with Condit Dam, which was removed from the White Salmon River in Washington state in 2011.

“For the first year or two, I guess, the dust was kind of a big issue up there, until the grasses and everything kind of filled in,” says Gill. “So, if it’s toxic, you can see how the wind can blow around here in the afternoons. It comes from down river and blows up canyon.”

These are the very valid concerns of local residents, who are typically more likely to grasp common-sense solutions than out-of-state, self-appointed “experts.”

Each dam removal adds to the body of knowledge around how rivers recover from these barriers. But it’s also important not to make assumptions about one dam removal based on another, says Tullos. For instance, the removal of two dams on the Elwha River, also in Washington, didn’t have a big impact on water quality.

“There was a lot of sediment, but it was coarse — like gravel and sand,” says Tullos. The distance of the dam from the river mouth, the nature of the built-up sediment, how quickly the dam is breached — all of these play a role in where and how quickly the material moves downriver.

As the reservoirs are drawn down, all of the water and sediment will gush through a 14-foot wide tunnel at the base of Iron Gate dam. The release will be relatively controlled compared to Condit Dam, which was breached with a dramatic blast. Even so, the first pulse will turn the river into

"chocolate milk," says Tullos. Most of the finer silt and clay will likely stay suspended in the river all the way out to the ocean but coarser material will fall out in the stretch of river below Iron Gate. That's a good thing, says Chase.

That last statement from the OPS article is simply not true: "Most of the finer silt and clay will likely stay suspended in the river all the way out to the ocean but coarser material will fall out in the stretch of river below Iron Gate."

Most of the finer silt and clay and coarser dirt will fall out at every river bend where the river slows down.

"One of the benefits of dam removal is going to be recovering and re-establishing the more natural movement of sediment from upstream to downstream," he explains.

This should help build habitat for a suite of native creatures, including salmon, which dig their nests in fine gravel, and lamprey, which spend the first part of their lives burrowed into silt and sand. The sediment should also help scour off the colonies of worms that host C. Shasta, a disease organism that plagues Chinook salmon. In some years, over 90% of the fish sampled below Iron Gate dam have been infected with C. Shasta and likely died."

One marginal benefit pitted against the many draconian consequences of dam removal. That's an ecotage transaction that only a radical environmentalist would buy into, regardless of the consequences to man or nature.

"Meanwhile, Tullos and graduate student Christine Alfred have installed dissolved oxygen sensors below the dams and will use these and existing USGS gauges to track water quality following drawdown."

Great! That's like setting a house on fire and using a thermometer to record how fast it's burning.

These same sensors would do far more good in the fish ladders after the sediment is removed from behind the dams to detect any increase in turbidity and the need for more dredging. Typically, a thorough

dredging operation would be good for 50 years or longer. When annualized, it's incredibly inexpensive.

"The goal of that is to understand what is really driving that extraction of oxygen from the river, which is important for fish, right?" says Tullos. "Fish need oxygen." Their work will piggyback on monitoring by USGS and the Karuk and Yurok Tribes, which will be tracking how the sediment affects water quality, fish, and the shape of the river itself."

It's not rocket science for any real scientist to realize that decaying organic matter and accompanying turbidity will remove oxygen from the water and kill the fish. Anyone with a home aquarium knows that if the water gets cloudy the fish die.

"The funny thing about this pond was, we really didn't have any design standards at that point," says Soto. "We were kind of like, OK, we're just going to dig a hole and see what happens." Coho, which can spend one, two, or even three years in rivers and creeks before heading to sea, flocked to the pond; even adult fish have returned there. Since that first experiment, the Karuk Tribe and Mid Klamath Watershed Council have built 35 of these ponds alongside several tributaries. The ponds stay cooler in summer and warmer in winter, and fish grow fat fast — "coho greenhouses," Soto calls them.

More eco-centric pseudoscience designed to tickle the ears of the gullible. Let's just dig a hole and see what happens. That is reckless disregard for the human and environmental consequences. No hypothesis? No data collection. No peer reviewed science-based conclusions? Soto is fortunate that his non-hypothesis "experiment" did not end up a disaster.

"Any salmon or other fish remaining in the main stem of the Klamath River will know what to do should water quality plummet, says Soto. "I have a lot of faith that the fish that do stay [in the river], if water quality gets too bad, they'll move. There's plenty of tributaries around here where they can find refuge." His crew will turn to monitoring and reacting once drawdown begins on Jan. 11; if they find fish crowding around creek mouths, they will consider moving them to safety. But first, he'll take a moment to celebrate the milestone that's been decades in the making, and which now feels as inevitable as the flowing river itself.

"Any salmon or other fish remaining in the main stem of the Klamath River will know what to do should water quality plummet, says Soto.
"As soon as they blow the plugs, I'll be drinking a beer and going OK there's no turning back now," says Soto."

How can Soto speak with such confidence? Is he a fish whisperer? It took many years to "train" fish to use fish ladders in the Columbia River system. Why, when the Green Peter lake level was lowered so dramatically, did fish die and simply come to the surface rather than swim upstream toward cleaner water.

A fish swimming in turbid water is like a person walking through a patch of fog. It's all too easy to get disorientated and start walking (or swimming) in circles.

After reading this article, let us hope that OPB will stick with entertainment from now on and leave the science to real scientists.

Conclusion

The statements by the alleged scientists in this article are not based on anything resembling legitimate science. Oregon has carelessly placed these life-altering decisions in the hands of amateur, wannabe scientists.

True science starts with informal research. Nowhere in this article is there any indication that these out-of-state interlopers actually talked to dam operations personnel or downstream water users before taking any action. Had they done so they could easily have avoided the "chocolate milk" conditions in the Green Peter reservoir seen below. If this is the result of their initial effort, let's cut our losses and take the only inexpensive, common-sense action that will actually resolve the problem.

It will spare us years of grief when we finally wake up too late and realize we squandered a priceless heritage bequeathed to us by our ancestors. All the dams need is dredging on the upstream side to get the fish ladders working again for at least another 50 years. Or in the case of the Iron Gate dam installing a fish ladder. If we take them out

and then after years of flooding, decide we want to put them back in, it will take another 8-10 years and obviously far more money. The fish have been using those ladders for most of a century.

A tragic reminder that the "chocolate water" at the Green Peter reservoir below will also become a daily reality at the Iron Gate dam as well.

ORS 496.705

Damage suits for unlawful killing of wildlife

In OPB Article https://www.opb.org/article/2024/02/18/klamath-reservoir-drawdown-water-quality-discussion/

Thousands of fish that inhabited the reservoirs have also died. These are mostly non-native species, including yellow perch, crappie, and bass that thrive in calmer, warmer water.

"It was always expected that these species would not persist," said Dave Coffman, geoscientist for Resource Environmental Solutions, or RES, during the press conference.

I asked ODFW to have the state police charge these people with this crime.

"A lot of sediment mobilized and moved through the system, exactly according to our plans and our projections," said Mark Bransom, CEO of Klamath River Renewal Corporation, during a press conference on Thursday morning.

After appendix A is Lower Klamath Project FERC Project No. 14803

https://klamathrenewal.org/wp-content/uploads/2021/12/EX-A-ARMP-Dec2021.pdf

Section 2 pages 2 and 3 list fish that will die. This is not a permit to kill fish.

Relief Sought
Prayer for relief.

Injunctive Relief until this complaint can be litigated in federal Court.

1. Charge defendants with thousands of counts of killing fish and wildlife. ORS 496.705 unlawful killing of wildlife. Their permit did not have and exemption from civil or criminal litigation.
2. RES benefited from the removal of the dams and is therefore liable by ORS 161.155 Criminal liability for conduct of another. One of multiple Oregon laws broken is ORS 496.705 unlawful killing of wildlife.

Federal Judges approval of injunction.

Date:_____

Signature Honorable Judge _____

1. Pay dredging costs behind IRON GATE and the other dams affected by the silt behind them which cause the fish ladders to stop working. This cost is estimated to be around $30 million per dam.