

Guest Column: It's time for a solution to Klamath's recurring water crises

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Once again the Klamath River Basin is in a "water crisis." With not enough water to fulfill all needs and demands, irrigators, federal tribes and fishermen are all clamoring for more water and for "emergency disaster assistance" from the federal government. In the middle are the federal and state agencies charged with meeting competing needs of threatened and endangered fish, water rights law and irrigator demands.

Meanwhile the organization People's Rights has called for irrigators to "STAND UP AND PROTECT YOUR PRIVATE PROPERTY, YOUR WATER!" According to a report from The Counter, "People's Rights is the far-right militia group founded by Ammon Bundy, known for leading a takeover of a federal wildlife refuge in 2016."

While the "crisis" is likely to be intense this year, the lack of sufficient Klamath River water to satisfy all fish, wildlife and irrigation needs has been a recurrent problem ever since the Bureau of Reclamation's Klamath Irrigation Project completed its final expansion into the bed of the former Tule Lake in the 1960s. Recurrent droughts and declining snowpacks have lessened inflow to reservoirs and intensified competition for declining water supplies.

While reports focus on the Upper Klamath River Basin and the federal Klamath Irrigation Project, the progressive dewatering of headwater streams and mainstem rivers is not just a problem within the boundaries

of the Klamath Irrigation Project. Above Upper Klamath Lake and in the Shasta and Scott Valleys headwater streams are dewatered and river flows are inadequate for migration and rearing of multiple species of fish.

And the situation is getting worse.

There are three main reason Klamath River Basin streamflows have declined to the point where they are no longer adequate to support healthy stream ecosystems and healthy fisheries:

Irrigated agriculture has continued to divert and use surface water at the same levels it did in the 1960s even as the total amount of surface water available for irrigation and domestic use has declined as a result of drought and shrinking snowpacks.

Beginning after the 1977 drought, many large irrigation wells have been drilled and groundwater extraction has increased dramatically. Groundwater has been used to extend both the season of irrigation and the amount of land under irrigation. Domestic wells have also proliferated in some parts of the Basin.

The Basin's upland forests, source of most of the water that flows downstream, have been largely converted from older, closed canopy forests to dense younger forests and tree plantations. Empirical research, including long-term, paired watershed studies, demonstrate that converting from older forests to young, dense forests results in larger flood flows and reduced flows during the irrigation season.

And so, in yet another drought year, we prepare to play out another Klamath water drama replete with salmon deaths, harsh water demands, pleas for relief, lawsuits and who knows what else.

Missed opportunities

The tragedy is that there are solutions to the Klamath's water woes but those solutions are not being implemented or prioritized. In the long run, we can increase streamflows and water supplies by restoring upland forests and headwater meadow systems. With lower snowpacks, it is upland soils which must be relied upon to store water in winter and release that water during the dry season.

However, restoring our uplands to secure water supplies and streamflows will take time and there is, so far, no consensus on how to accomplish the task. In the meantime, the only way to end the Klamath's recurrent water crises is to reduce the demand for water. Because the needs of stream ecosystems and fish can not be altered, it is consumption of surface and ground water that must be reduced.

In the Klamath River Basin, irrigated agriculture consumes 80 to 90 percent of the water diverted from streams and springs and a similar amount of the water extracted from groundwater. To protect and restore stream ecosystems and fisheries that depend on them, water demand must be reduced by something on the order of 10 to 20%. The most practical, just and equitable way to accomplish the needed reduction is to reduce irrigation demand by purchase and retirement of surface water and groundwater extraction rights from willing sellers basin-wide.

Fair and equitable irrigation demand reduction would include the Shasta and Scott River Basins and irrigated lands above Upper Klamath Lake as well as within the 220,000 acre Klamath Irrigation Project. In the

California portions of the Klamath River Basin, water rights purchased from willing sellers can be formally dedicated to in-stream use and a water right for the dedication can be obtained. Instream flows can also be protected in Oregon under certain conditions.

Congress must act

Basin-wide irrigation demand reduction requires both a federal mandate and taxpayer funding. Fortunately, two congressmen who represent opposite ends of the Klamath River Basin, California's Jared Huffman and Oregon's Cliff Bentz are well positioned and have the knowledge and backgrounds to get the job done. Both are lawyers who have worked on water issues for many years. Both also serve on the House Natural Resources Subcommittee on Water, Oceans and Wildlife. Congressman Huffman chairs and Congressman Bentz is the ranking Republican on the subcommittee.

These two Congressmen ought to step up and get us on the path to the only real solution. A first step would be to hold hearings in their subcommittee focused, not on the conditions, impacts and need for assistance, but on how to craft a solution to the recurring Klamath water crises. Congressmen Huffman and Bentz should then write and introduce legislation to authorize and fund the solution those hearings highlight. Senators from both states have pledged help for the Klamath and are likely to support a bi-partisan solution spearheaded by the two congressmen.

Opposition

Achieving a solution to the Klamath's water woes will not be easy. While most basin residents and many leaders would likely support a fair and equitable program to reduce irrigation water demand, there will be strong opposition, particularly from the thirty or so dominant growers who, through a web of family ownership and leasing irrigated land from retired farmers, control most of the most productive farmland within the federal Klamath Irrigation Project.

One of the reasons powerful irrigators will likely oppose an equitable solution to the Klamath's water woes is the profits they earn selling groundwater when there is not enough water available from the US Bureau of Reclamation to satisfy irrigator needs. For example, the Tule Lake Irrigation District (TID), which occupies the very fertile farmland in the bed of the former Tule Lake, markets water from seven large irrigation wells located just south of the Oregon-California border. Those wells were gifted to TID irrigators by the State of California in 2001, one of the many taxpayer subsidies the Irrigation Elite have enjoyed.

If legislation does get rolling, citizens and those who care about our streams and wildlife refuges will need to be vigilant. As they have in the past, the dominant growers who control the Klamath Water Users Association and use the Family Farm Alliance as an additional lobbying arm will work behind the scenes to secure special benefits for themselves as "compensation" for irrigation demand reduction.

For example, these federal irrigators got 17 pages of "relief" written into the failed KBRA Water Deal. The provisions would have exempted the Klamath's federal irrigators from a suite of bedrock federal and state fish and wildlife laws. Special benefits and exemptions for the Irrigation Elite is one of the reasons

KlamBlog vigorously opposed legislation to lock-in that bad deal. We will remain vigilant to make sure future attempts by the Irrigation Elite to secure benefits and advantages at the expense of fish, wildlife and other irrigators are exposed and defeated.

Getting on with it

The need to reduce the amount of water consumed by irrigated agriculture in the Upper Basin, Shasta and Scott Valleys is, in the words of Dan Tarlock, a law professor who has studied Klamath River Basin water conflicts, "pretty clear." It is also clear that real leadership and investment of political capital will be needed to overcome opposition and get irrigation demand reduction authorized and funded.

Congressman Huffman and Congressman Bentz are well qualified and well positioned to craft and secure passage of the necessary legislation. Those who want a just and equitable solution to the Klamath's recurring water crises should join together and ask those two Congressmen to claim their place in the history books as leaders with the skill and courage to get the job done.