

Klamath irrigators continue to wait for water allocation

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Even before the lawsuit was filed, tensions were already high in the basin, with growers wondering when they will be able to water their crops — if it isn't too late already. Some are now comparing this year to the irrigation shutoff of 2001, when thousands of protesters formed a bucket brigade to carry water to the A Canal.

Agriculture is a \$557 million industry in the Klamath Basin, but without steady, reliable access to water, irrigators say it is impossible to run their farms and ranches.

Crawford, 29, is a graduate of Lost River High School. He purchased his first 40 acres in the basin after returning to Oregon from the Army in 2011. Seven years later, he said uncertainty for farmers is "through the roof."

"It's been kind of a nightmare dealing with this," Crawford said. "It's extremely difficult to make any plans when, on a year-to-year basis, we don't know if we're in operation or not."

Balancing act

The Klamath Project is a massive feat of engineering consisting of six dams, 185 miles of canals and 490 miles of lateral ditches. It spans roughly 200,000 acres of farmland, including 18 irrigation districts, across a flat, wide basin surrounded by juniper-dotted hillsides.

The Bureau of Reclamation is in charge of regulating the project, diverting water from Upper Klamath Lake into the A Canal above the Link River Dam. The bureau is also required to manage lake levels to protect endangered suckers, while at the same time sending enough water down the Klamath River for endangered coho salmon.

It is a delicate balancing act, made no easier this year by drought conditions plaguing the basin. Oregon Gov. Kate Brown declared a drought emergency in Klamath County in March.

To make matters more complicated, a federal judge in San Francisco ordered the bureau in 2017 to release additional "dilution flows" downriver to flush away a deadly parasite called *C. shasta*, harming salmon populations. The Hoopa Valley and Yurok tribes of northern California are plaintiffs in that case, supported by commercial fishing and environmental groups.

Dilution flows are triggered by the amount of *C. shasta* spores in the Klamath River, and may be required until 80 percent of threatened coho have finished migrating to the Pacific Ocean — usually between June 1 and 15.

The litany of watering restrictions is making it all but impossible for irrigators to plan for the season, said Scott White, executive director of the Klamath Water Users Association, or KWUA, which represents 1,200 family farms and ranches.

"That has been the real crisis," White said. "Farmers have to be able to plan."

Time immemorial

Before white settlers arrived in the basin, the Klamath Tribes were the indigenous peoples of the region and lived off the land by hunting, fishing, trapping and gathering.

After a series of hostile and bloody confrontations, the tribes signed the Treaty of 1864, ceding land to the U.S. government in exchange for reserved land where they could continue to exercise their cultural traditions.

In 1954, Congress terminated federal recognition for the Klamath Tribes, taking 1.8 million acres of reservation land. The tribes regained their legal status in 1986, and over the years the courts have repeatedly affirmed the tribes' treaty rights, including "time immemorial" water rights.

Don Gentry, chairman of the Klamath tribal council, said clean water is crucial for the survival of the shortnose and Lost River suckers, which were listed as endangered in 1988.

The tribes voluntarily suspended fishing for suckers to avoid wiping out the species. In 1968 more than 10,000 fish were caught. By 1985, the take had dropped to 687 fish. Today, just two fish are caught every year for ceremonial purposes.

"I think it's important for people to understand, just as agriculture is



Scott Seus, left, owner of Seus Family Farms in Tulelake, Calif., speaks with his father, Monte Seus, during planting of onion fields.

George Plaven/Capital Press



Tracey Liskey, owner of Liskey Farms in Klamath Falls, Ore., helped to build the Gone Fishing facility near his property in an effort to stabilize populations of sucker fish in Upper Klamath Lake. The fish are tagged to monitor their movement.

George Plaven/Capital Press

important to some people in the community for their subsistence, their lifestyle, their economic value and their purpose and place, those fish are that important to us," Gentry said.

Gentry tells one story in particular about fishing with his 4-year-old grandson. They caught a Lost River sucker, which the boy had not seen before. Gentry explained why the fish was important, and why they had to put it back in the river instead of keeping it.

"I told him the whole story about our history, and that they're endangered," Gentry said. "He looked up at me, and he says, 'Grandpa, I can't wait until we can catch and eat those fish again.'"

'Societal destruction'

White, of the KWUA, said the tribes' recent lawsuit could have devastating impacts on communities and the local economy.

When the Klamath Project was built, homesteads were awarded via lotteries to veterans returning from World War I and World War II. Some of that land has remained in the same families going on three and four generations.

Uncertainty around water is now starting to take its toll on those farms and ranches, White said.

"There's already auctions occurring," White said. "That's something I lose sleep over at night, is what the future of this community might look like if we start losing family farms and ranches."

Scott Seus, owner of Seus Family Farms in Tulelake, Calif., is a third-generation farmer in the basin. His grandfather, Ed, was a World War II veteran who drew the original homestead in 1947. His father, Monte, is semi-retired but still helps in the fields, where they grow onions, garlic, alfalfa, horseradish, spearmint and grains.

Nobody wants to be the generation that loses the family farm. That is the reality in the Klamath Basin, Seus said, and not because of poor farming practices, but due to factors beyond their control.

"We're being progressive and creative, and doing everything right," Seus said. "The reason we may lose the farms here is out of

our hands."

Gary Derry, a farmer and president of the Shasta View Irrigation District in Malin, said water anxiety has forced him to reduce the acreage under tillage at his farm from 700 to just 30.

"By the same token, your costs are elevated," Derry said. "It's a double hit."

But perhaps the biggest loss of all, farmers say, is seeing the next generation of farmers fleeing the basin for greener pastures. Mike Byrne, a basin rancher, said both of his kids have already left, and they aren't coming back.

"You talk about societal destruction, and the heritage of the people here," Byrne said. "We've got a heritage, too."

Finding solutions

It appeared the basin was on the cusp of a long-term water solution with the Klamath Basin Restoration Agreement, which was signed in 2010 though by the end of 2015 it had failed to pass Congress.

Oregon Rep. Greg Walden, the state's lone Republican congressman whose district includes the Klamath Basin, gets defensive when talking about the KBRA. The deal was hung up in the House of Representatives over language to remove four hydroelectric dams on the lower Klamath River in California — the J.C. Boyle, Copco 1 and 2, and Iron Gate dams.

The total price tag for the KBRA would have been \$1 billion, according to reports. Ultimately, Walden said it never had the votes. "This is a reality in Washington, D.C., that can be very frustrating," he said.

Meanwhile, the dams, owned by PacifiCorp, may be removed anyway through a separate deal, the Klamath Hydroelectric Settlement Agreement.

As for another basin water agreement, White said he fears they have re-entered an "era of litigation."

For now, White said farmers are solely focused on surviving this year before they look ahead.

"There's people who are hurting out there," he said.

Walden, along with Oregon's two Democratic senators, Ron Wyden and Jeff Merkley, did help to pass \$10.3 million in emergency drought funding that will pay for farmers to pump emergency groundwater wells, or leave land idle in 2018. Walden said that money should be getting to the farmers soon.

Skeletal framework

Alan Mikkelsen, deputy commissioner for the Bureau of Reclamation and senior adviser to Interior Secretary Ryan Zinke, has visited the Klamath Basin eight times since July 2017 in hopes of spurring a new long-term agreement.

Mikkelsen recently released what he described as a "skeletal framework" for a deal, identifying the need for self-sustaining fish populations, sustainable agriculture and a supportive regulatory environment.

Walden, Wyden and Merkley each praised the work by Mikkelsen, but it remains unclear how or when sides will begin negotiating again.

Gentry, the Klamath tribal chairman, said there is not much flexibility given declining fish populations in Upper Klamath Lake. "They are on a trajectory to extinction," Gentry said. "We already feel compromised."

White said the fate of fish is a problem that agriculture cares about, and wants to find a solution. To that end, farmers have taken 40,000 acres out of production, supported removal of the Chiloquin Dam in 2008 and lined canals to improve water efficiency.

"That's largely been our biggest frustration, is we've consistently done this or that for the sake of the fishery, and they continue to come after the Klamath Project," White said.

Gone Fishing

Tracey Liskey, owner of Liskey Farms in Klamath Falls, Ore., also touted the early success and potential of a rearing facility for young sucker fish to stabilize populations in Upper Klamath Lake. The locals call the effort "Gone Fishing."

Endangered Klamath suckers

Lost River sucker



Binomial name: *Deltistes luxatus*

Appearance: Can reach one meter in length. Long snout with small hump on top. Dark on back and sides with whitish or yellowish underbelly.

Lifespan: More than 40 years

Preferred habitat: Deep lakes and pools and fast currents. Spawns in tributary streams and springs with gravelly bottoms.

Shortnose sucker



Binomial name: *Chasmistes brevirostris*

Appearance: Up to half a meter in length. Large head and thin, fleshy lips. Lower lip is notched.

Lifespan: More than 30 years

Preferred habitat: Turbid, shallow lakes but spawns in tributary streams and springs.

Source: U.S. Fish and Wildlife Service

Capital Press graphic

The problem, Liskey said, is not with older fish but younger fish that are not surviving past their first year of life. Gone Fishing, operated by aquaculturist Ron Barnes and the Oregon Department of Fish and Wildlife, takes naturally born suckers and raises them for two years before tagging and releasing them back in the wild.

The first group of around 2,500 suckers was released in March, with Mikkelsen on hand for the occasion. Liskey said agriculture is fully supportive of the project, and hopes to see it expand.

"We are trying our damndest to make sure the fish don't (go extinct)," Liskey said. "It is my benefit that these things survive."

While irrigators continue to wait for water, Liskey said emotions are quickly reaching their boiling point.

"People are frustrated," he said. "Somebody is going to blow their lid and do something they're not supposed to do."

Dan Keppen, a former executive for the KWUA and now director of the Family Farm Alliance in Klamath Falls, remembers the protests in 2001. He said the demonstrations then were creative, effective and peaceful, but he worries about possible violence this year — especially if they attract "extreme activists" from the far left or right.

Keppen urged basin residents to stick together, and focus on efforts to remove the fish from the endangered species list once and for all.

"Right now, we have the attention of the Department of the Interior," Keppen said. "We have to take advantage of that attention to come up with another plan that recovers these fish and protects our communities."