

Hearing focuses on balancing water needs in Klamath Basin

By **GEORGE PLAVEN**
Capital Press

WASHINGTON, D.C. — Federal officials say they are determined to find “long-term, durable” solutions to resolve the decades-old water crisis in the Klamath Basin, balancing diverse priorities to sustain healthy communities.

The House Subcommittee on Water, Oceans and Wildlife held a virtual hearing March 8 to discuss the basin, including testimony from farmers, tribal members and local government leaders recounting how years of drought and miscues are now threatening local crops, salmon and domestic wells.

Rep. Jared Huffman, D-Calif., chaired the meeting along with Rep. Cliff Bentz, R-Ore. Together, their districts span the entire basin straddling both states.

“It is time to find a path forward that breaks the status quo of litigation, risk and uncertainty over water that plagues all sides year after year,” Huffman said.

The hearing came as the Klamath Basin faces another year of extreme drought. One day earlier, Oregon Gov. Kate Brown declared a drought emergency for Klamath County.

As of March 1, the Klamath Basin had received just 69% of normal snowpack and 75% of normal precipitation for the 30-year period from 1991 to 2020, according to the USDA Natural Resources Conservation Service. Streamflows were pre-



A portion of the 60-mile Lost River, which feeds Tule Lake, was dry last summer because of drought in the Klamath Basin.

dicted to be 43% to 93% of normal from March through September.

Last year, no water was allocated from Upper Klamath Lake for irrigators in the Klamath Project for the first time in more than a century as water managers struggled to maintain minimum lake levels for C’waam and Koptu, two species of endangered native sucker fish.

That also meant no additional water was available to send as “flushing flows” for juvenile coho salmon downstream, leaving them vulnerable to a fish-killing parasite known as C. shasta that thrives in warmer water.

“The drought is of proportions, length and duration that I don’t think anyone was aware of or feared when many of the laws we’re now dealing with were crafted,” Bentz said. “Last year was bad. This year, apparently, sadly, is going to be perhaps worse.”

Amy Cordalis, counsel for the Yurok Tribe in

Northern California, said just 1-3% of the Klamath River’s iconic and once-abundant salmon runs remain, thanks to unsustainable water usage in the basin that has brought the aquatic ecosystem to its knees.

“If these flows were reduced any further, the Klamath River would be under threat of ecological collapse,” she said. “We must ask ourselves what is sustainable, and let go of what no longer serves us. ... People in the basin cannot thrive until the ecosystem is restored.”

Joe Davis, chairman of the Hoopa Valley Tribe, said protecting fish is critical to the tribe’s way of life.

“To have a meaningful opportunity to heal the Klamath Basin, numerous federal agencies need to provide not only funding but leadership in consultation with tribal governments to plan comprehensive and basin-wide management,” Davis stated in his written testimony.

Agriculture is similarly

suffering deep cuts without water to grow crops and livestock.

Tricia Hill, a fifth-generation potato farmer based in Malin, Ore., said the agricultural community feels targeted by policies that culminated in last year’s complete shutdown of the A Canal within the Klamath Project — serving 175,000 acres of irrigated farmland.

Without water flowing through the Klamath Project, Hill said, the Lower Klamath and Tule Lake national wildlife refuges also went dry, affecting migratory birds along the Pacific Flyway. Irrigators instead relied on limited groundwater supplies, which were both costly to pump and caused hundreds of domestic wells to run dry.

“My community and the environment is being destroyed to no gain for anyone,” Hill said.

Though Hill said farmers were appreciative of \$30 million in drought aid from the Bureau of Reclamation and USDA, “the simple truth is we need water to survive.”

“If this need is not satisfied, we will soon cease to exist,” she said.

Farmer charged in kickback scheme

By **MATEUSZ PERKOWSKI**
Capital Press

Federal prosecutors have charged an Oregon grass seed farmer and wholesaler with wire fraud for allegedly paying kickbacks to a seed company representative.

The U.S. Department of Justice claims that Greg McCarthy, the owner of Ground Zero Seeds in Yamhill, Ore., paid more than \$190,000 in kickbacks to his longtime friend, Richard Dunham, who oversaw warehousing and order fulfillment for Jacklin Seed, based in Liberty Lake, Wash.

McCarthy faces up to 20 years in federal prison, three years probation and a \$380,000 fine if convicted of conspiracy to commit wire fraud, a felony. He’s scheduled to be arraigned by a U.S. magistrate judge on March 15.

Capital Press was unable to reach him for comment.

According to the indictment, McCarthy was paid an extra 2 cents per pound for grass seed and kicked that money back to Dun-

ham in exchange for being chosen as a supplier for Jacklin Seed between 2015 and 2019.

“As a result of his position, Dunham could cause Jacklin to purchase grass seed from certain growers in Oregon rather than others,” the indictment said, with the alleged kickback scheme defrauding Jacklin Seed and its previous owner, the J.R. Simplot Co.

Dunham pretended to provide consulting and brokering services through a corporate entity that actually served to “conceal his receipt of kickbacks,” which he received from McCarthy as well as “other Jacklin suppliers,” the indictment said.

McCarthy and Dunham discussed the scheme in emails in which they referred to the kickbacks as “shoes” or as contributions to a “shoe fund,” the indictment said.

The indictment marks the third criminal case brought by the federal government related to fraud by employees of Jacklin Seed.

Washington lawmakers nix forced buffers, embrace conservation

By **DON JENKINS**
Capital Press

OLYMPIA — Washington legislators, who rejected mandatory riparian buffers, are moving to significantly increase spending on voluntary conservation programs.

While House and Senate budget proposals differ in details, both chambers support new funding for incentive-based programs that rely on cooperative farmers to plant and maintain strips of vegetation along rivers and streams.

Washington State Dairy Federation policy director Jay Gordon on Monday said opposition to the compulsory buffer bill proposed by Gov. Jay Inslee increased interest in funding voluntary conservation.

“When life hands you a lemon, make lemonade. The buffer bill was a lemon,” Gordon said. “Kudos to the legislators who said, ‘OK, if that’s not the way to do, what is?’”

Inslee’s bill threatened landowners with \$10,000-a-day fines for not maintaining riparian buffers. Some tribal officials and environmental groups said voluntary conservation was not enough to help salmon.

Farmers led the opposition, arguing that the mandatory buffers would be unnecessarily wide — up to 250 feet — and financially devastating. Inslee blamed his proposal’s failure to indifference toward salmon, further aggravating farm groups.

During the debate over mandatory buffers, farm groups told legislators that voluntary conservation is underfunded.

In preliminary budget proposals, lawmakers have increased support for those programs. Meanwhile, the state will continue to study whether the programs work and whether they should be stiffened by rules and enforcement.

“I think the Legislature is expressing their interest in incentive programs, to work with landowners,” Washington State Conservation Commission policy director Ron Shultz said Monday. “I don’t think it’s to the exclusion of regulations.”

The dairy federation, Washington Farm Bureau and The Nature Conservancy sent a joint email to legislators last week asking them to increase spending on existing programs and

fund new efforts.

“Green corridors around streams and rivers are important to habitat health, the life within those waters and communities that depend on salmon,” the groups wrote.

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