



ANOTHER DIFFICULT SUMMER



George Plaven/Capital Press File

Irrigation equipment sits idle in a dried-up hay field near Klamath Falls, Ore., in August 2021. The federal Bureau of Reclamation has announced this year's water allocation for Klamath Project farmers, who say it is too little.

Bureau of Reclamation announces limited water for Klamath Basin irrigators

By **GEORGE PLAVEN**
Capital Press



Courtesy of Justin Grant

Klamath Basin farmer Justin Grant, his girlfriend, Morgan Barnes, and their two children, Wade and Westlynn.

KLAMATH FALLS, Ore. — Heading into another irrigation season with little to no water, Klamath Basin farmer Justin Grant said he is facing an increasingly dire situation.

Grant, 32, and his girlfriend, Morgan Barnes, farm 300 acres near Midland, Ore., about 10 miles south of Klamath Falls, where they grow alfalfa, pasture grass and raise cattle.

Last year was immensely difficult, Grant said, as the

U.S. Bureau of Reclamation shut off water deliveries to the Klamath Project, which includes 170,000 acres of farmland in Southern Oregon and Northern California.

Even with supplemental groundwater, he could only produce a fraction of his normal crop.

“We did what we could with it,” Grant said. “Our businesses are not growing. They’re shrinking, or stagnant at best.”

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Alan Kenagal/Capital Press

9th Circuit rejects challenge to grazing in California national forest

By **MATEUSZ PERKOWSKI**
Capital Press

Grazing cattle on three allotments of California’s Stanislaus National Forest doesn’t violate state pollution rules or the Clean Water Act, according to a federal appeals court.

The 9th U.S. Circuit Court of Appeals has ruled that grazing in the national forest complies with the Clean Water Act under a 41-year-old management agreement between California water regulators and the U.S. Forest Service.

The Central Sierra Environmental Resource Center and Sierra Forest Legacy nonprofits filed a lawsuit against the grazing authorizations, arguing they violated requirements of California’s Porter-Cologne Water Quality Control Act.

The lawsuit claimed these violations effectively meant the Forest Service also ran afoul of the federal Clean Water Act, which requires federal agencies to abide by state water regulations.

The environmental plaintiffs alleged that runoff from livestock manure in the grazing allotments had caused fecal coliform bacteria to exceed regional water quality objectives.

According to their complaint, the Forest Service didn’t follow “water discharge requirements” or obtain waivers for discharges as mandated by California statute.

However, the 9th Circuit has ruled the federal agency met state regulatory criteria under a “management agency agreement” signed in 1981, under which grazing must follow “best management practices” in lieu of other requirements.

This agreement has remained operative after four decades despite a “non-point source” pollution control program enacted by California regulators in 2004, the 9th Circuit said.

“Plaintiffs contend that the MAA has been superseded here, but we disagree,” the ruling said.

The 9th Circuit also rejected the argument that grazing must be restricted or shut down because regional water quality objectives haven’t been met.

It’s up to California regulators to directly impose requirements on the Forest Service and other entities, the appellate court said.

Under state law, these objectives are implemented by the regional water board, “which can assess the problem as a whole and in light of other competing sources,” the ruling said. “It does not assign that task to the federal courts.”



Devil Rao

The 9th U.S. Circuit Court of Appeals has rejected a lawsuit against grazing in a California national forest.

April storm improves 2022 NW water outlook, but drought remains

By **SIERRA DAWN McCLAIN**
Capital Press

A rare April snow storm swept the Northwest this week, dumping rain and snow across the region.

According to climatologists, the blizzard-like cold front could increase water supplies, slow snow melt and lengthen the irrigation season in parts of the Northwest.

The storm’s impacts, however, will vary by region, and experts predict drought will persist.

Washington

State climatologist Nick Bond said irrigators will benefit from April’s storm, but it comes “too little, too late.”

“It certainly helps, but it won’t be enough to terminate the drought,” said Bond.

Washington’s western half is in



Dean Guernsey/The Bulletin

Daffodils are illuminated in the morning snow along SW Shevlin Hixon Drive on Monday in Bend. This week’s snowfall and heavy rains have improved the water outlook in the region.

good condition.

But according to the National Oceanic and Atmospheric Administration, in eastern Washington it would take 97% to 262% of nor-

mal precipitation levels over the next two months to ameliorate the drought and 159% to 368% of normal precipitation to end it — a tall order either way.

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One positive storm impact, Bond said, is that it “puts the breaks” on snow melt. Snow had been melting off the mountains a few weeks earlier than average — bad timing for irrigators.

Water supplies look good, Bond said, through the Columbia River and Yakima River Basin.

Farmers will face tighter supplies in the Walla Walla Basin, Upper Okanogan and watersheds in the Northcentral and Northeast portions of the state.

Dryland wheat growers and livestock ranchers will likely suffer, Bond said.

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