

## MY OPINION FROM BEHIND THE GREEN DOOR

## Open for discussion

BY CHRIS BRATT

## Prologue

In the midst of writing this *Applegater* article about negotiating better solutions to natural resource problems, I received word that the Farmers' Ditch concrete dam on the Little Applegate River has finally been removed. It's probably old and virtually unknown history now, but the Farmers' Ditch Dam removal project became one of the most complicated and frictional series of negotiations on which our community has ever worked.

After at least 12 years of work with outstanding contributions by local individuals like Jan Perttu and Daniel Newberry (executive directors of the project) and a host of other members of the Applegate Partnership and the Applegate River Watershed Council (ARWC), the once-blocked coho salmon and steelhead runs on the Little Applegate River now have access to an additional estimated 30 miles of upstream fish habitat. Irrigators now also have a reliable supply of water.

In the late 1990s, it seemed like a no-brainer to get rid of the dam and associated irrigation ditches that were not functioning well for farmers or fish. Soon after initial discussions were held between ARWC and the 41 irrigators using the dam and ditches, an agreement was signed by all participants.

The agreement called for switching the water rights of the 41 irrigators from the Little Applegate River to the main Applegate River (impounded water from behind the Applegate Dam).

With a very generous outpouring of financial and other help from federal and state agencies, environmental groups and other organizations, enough grant money was raised to build the new system of pumps and pipes to supply water at no cost to the irrigating landowners. The main cost to the landowners in the project was to pay their share of future electricity bills for pumping water to their properties.

I won't go into detail about the extended controversies that ensued over issues like acquiring easements,

construction problems, self-interest and distrust among irrigators, bureaucratic hang-ups and bickering over state water policies. But we learned there are no simple answers to complex resource management questions. You can negotiate solutions that might work for everyone, but you can't always make everyone happy.

I wish the project had taken less time and energy, but I honor the process, the long-suffering participants, and all the fish that are now able to swim farther upstream.

## Having your say

Judging from all the politics and philosophical debates this past election year, our local communities that contain natural resources are being looked at for policy changes that will supposedly "strengthen the economy." I've heard

these policy-change words before. They usually mean rolling back environmental protections, cutting more trees, building more pipelines to move oil and gas, and congressional edicts that give up more of the farm for an industry to exploit.

Here in the Applegate, local people have worked together for years to strengthen our economy while improving the environment and forging solutions through partnerships with government, landowners and business folks. If new, disruptive top-down policy changes are instituted, they could destroy the trust we have built while negotiating local solutions. It could cause a reassessment of the right role for people in local communities to effectively influence fair solutions regarding the use of our natural resources. I don't see our community giving up our rights to affect resource management conclusions. We definitely want and deserve a say on issues that affect

our personal lives, our environment and our community's well-being.

Over the last three decades, I've had the opportunity to work (volunteer) on any number of local innovative and collaborative approaches to solving controversial natural-resource issues. After working in this more collaborative framework, I've come to believe that a negotiated or mediated process is a

more positive way to solve environmental and other problems. Though not always totally successful, and many times contentious, it does empower local people, helping them make better choices that improve their communities.

Local community participation in negotiated solutions is a basic principle that allows us to take an active role in a

democratic society. I have believed in this tenet for a long time. It is only by community members getting familiar with local problems, speaking up during negotiations, and being able to protest poor decisions that can help prevent what many of us consider to be an ongoing crisis in resource management today. This kind of citizen action helps teach all of us about the need for resource and community sustainability. Using community ideas in the negotiating process over the last few years has brought more confidence that our public land-management agencies are capable of managing public resources for our collective interests. It has also brought an end to some of the more harmful and egregious practices, especially in our forests. Without direct citizen participation and action, there would still be unrestrained clear-cutting, road-building and pesticide use, along with overcutting in the forests surrounding our communities.

Having to negotiate with people who insist on wanting a say when questionable issues turn up is not always an easy or quick way to resolve a disputed action. This is true no matter which side of a controversial issue you're on. Most people will argue fiercely for their points of view and usually don't give up easily. There is also a question of fairness when negotiations take place. Most of the time, people representing the public agencies or corporate interests are paid wages for participating, while citizen groups receive no money for taking part. Another stumbling block can be who controls the negotiation proceedings and produces the paper trail and decision documents. Collaboration principles and protocols must be developed first and agreed upon before negotiations begin.

Of course, public agencies like the Bureau of Land Management and the US Forest Service don't usually think about using negotiation as a tool for resolving contentious questions. These agencies are the decision makers by law, but are often forced into mediation by successful litigation against them. But I think negotiations, mediated or not, should be used first and more often by these agencies to build public trust, avoid litigation and to shape better, more acceptable resource management outcomes. The agencies also need to embrace the controversies within the negotiation process because it teaches the participants to focus on the facts. In addition, it promotes discussion of all perspectives and can create productive and innovative solutions.

If you're ready to have a say, there are lots of local resource management topics now open for discussion in the Applegate. Let me know and I'll sign you up for the next go-round.

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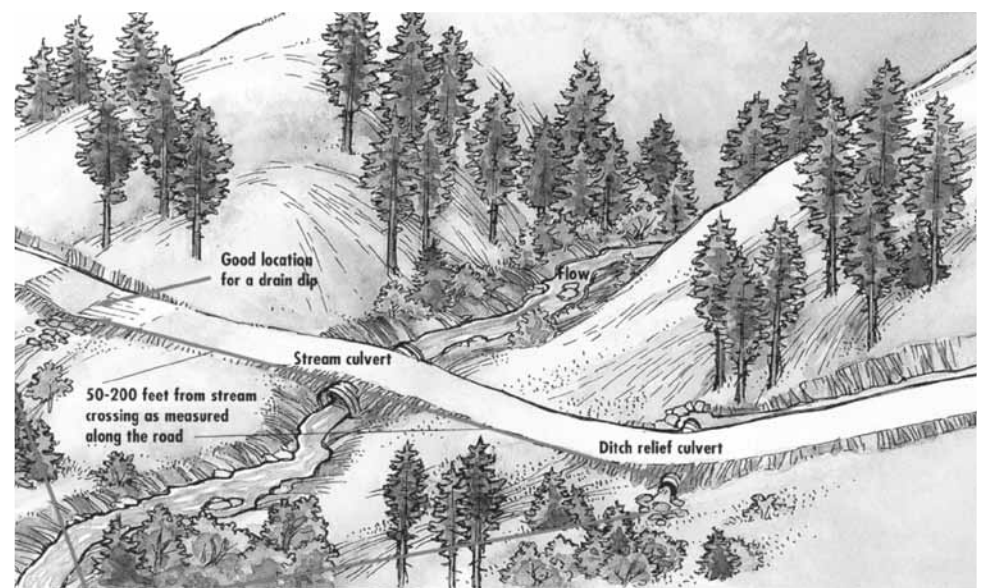
## You can observe a lot by watching: Check out your road system

When it's raining hard is the perfect time to head outside and check out your road system. Is water running off the road—or down the middle? Are the culverts flowing freely—or plugged up with sediment or debris? Now is the time to find out.

The recent debate about the Clean Water Act and logging roads (which is now at the Supreme Court) highlights the importance of disconnecting roads from streams whenever possible. In a nutshell,

the issue is about keeping muddy water from roads and ditches from draining directly into streams. Drainage dips, ditch relief culverts, and even bales of straw can be used to intercept sediment or divert it off the road where it can be filtered through vegetation instead of draining directly into a stream. (See diagram at right.)

From the November 2012 E-Newsletter of SW Oregon Woodland News produced by OSU Extension Service, Jackson/Josephine Counties.



Ditch drainage should be directed into a vegetation filter, and not allowed to continue flowing down the ditch and into the stream.

Have you seen the Gater's online calendar?

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