

Just Blow it Up...And Add Water

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A deafening explosion on the north shore of Upper Klamath Lake two weeks ago not only drew neighbors from around Upper Basin, but also generated national media coverage. It should also draw attention from federal environmental regulators and planners, since it is only the latest in a myriad of environmental restoration activities that have been undertaken by local interests, with the goal of restoring two sucker fish species protected by the Endangered Species Act (ESA).

The Nature Conservancy, a national conservation group, blew up two miles of levees on October 30, opening up thousands of acres of farmland that had previously been reclaimed from the lake decades ago. Crews detonated 100 tons of explosives along the length of levees adjacent to the lake, which will allow lake water to flow in, seeking its historic bed, and expand the lake area by thousands of acres. The Conservancy believes the project will open up more wildlife habitat, improve water storage and help the water quality of a lake that has long suffered from high nutrients, shallow waters, and warm temperatures.

Fifty years ago, local farmers drained this area and built the levees, creating fertile new farmland adjacent to the lake and the Williamson River Delta, a primary tributary to the lake and the Klamath River. Over the past decade, the Conservancy bought the farmland, removed much of it from production, and began taking steps towards restoring it to its pre-farming state. Mark Stern, director of the Conservancy's Upper Klamath conservation program, spoke at my Rotary Club about this project prior to setting off the explosions. Stern – who is one of the environmental community's good guys - says the Conservancy will continue to pay the property taxes to Klamath County that are otherwise sometimes lost (especially when federal agencies buy the land) when farm land is converted to wetlands.

The large number of Western farm and ranch acquisitions by conservation groups and government agencies has been a cause for concern by some in agriculture.. Agricultural land throughout the West is being bought up with the expressed intent of “restoring” them to a “pre-developed” state. In some cases – particularly where state and federal agencies are involved – once the land is purchased, it is difficult to see the resulting environmental benefits, especially if a monitoring program is not implemented.

Farmers and ranchers have concerns about those types of acquisitions, since those neighboring properties may draw in new ESA-listed species (with potential regulatory impacts to existing farming operations), take land off the tax roll, and create third party impacts. For example, along the Sacramento River and its tributaries downstream of Shasta Dam, landowners have long voiced concern about how increased vegetation and

deterioration of flood control levees on “restored” properties will impact flood conditions on adjacent properties and structures. In return for the risk of these types of potential impacts, landowners often demand (but rarely receive) “safe harbor” from regulations, assurances of a “good neighbor” policy, and other types of regulatory relief granted in exchange for support of these environmental projects. If the projects are purported to help endangered species, landowners say, shouldn’t the agencies charged with protecting these species be willing to reduce the existing regulatory burden?

Upper Klamath Lake is home to the shortnose sucker and Lost River sucker, both declared endangered under the ESA 19 years ago. Since that time, government agencies, tribes, conservation groups like the Conservancy, and agricultural water users have undertaken an impressive array of actions, many of them aimed at recovering sucker populations. Just since 2002, the federal government has invested over \$500 million from the headwaters to the mouth of the Klamath River for habitat restoration, water quality improvement and water conservation. Chief among these actions are real progress towards removal of Chiloquin Dam (a known barrier to historic sucker habitat), construction of state-of-the art suckerfish ladders at Link River Dam, the \$14 million screen installed at the “A” Canal headgates, and implementation of a 100,000 acre-ft environmental water bank, intended to compensate farmers who idle their lands or use groundwater, leaving Upper Klamath Lake surface water in the river system to help fish.

The recent Williamson River Delta project will create new marshes that will likely act as a nursery for juvenile suckerfish. That is a good thing, and if that is the case, the benefits derived from this project – as well as the numerous other actions taken since the suckers were listed – should be factored by agency biologists as they consider regulations that impact the family farmers and ranchers of the Klamath Project.

You sure wouldn’t know that by reading the draft biological assessment (BA) issued by federal Bureau of Reclamation biologists last month. Rather than discussing the considerable and positive actions undertaken to help suckerfish – which many of us hoped would lead to some sort of regulatory “credit” for irrigators – it appears that the draft BA continues to focus on irrigation practices that the biologists conclude are likely to continue jeopardizing the three fish species.

While the Conservancy’s new project means that many acres of farmland will no longer be in production, once water is added, it should also provide a better place for endangered fish. Common sense suggests that the sooner those fish numbers improve, the sooner the ESA listing can be lifted, and the sooner Klamath Project irrigators can have relief from the regulatory burden they bear.