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## Wyden's Klamath Water Bill Gets Hearing in DC

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By Liam Moriarty

A Senate hearing in Washington, DC Tuesday marked the legislative debut of an ambitious bill by Oregon Democrat Ron Wyden meant to end, once and for all, the water wars in the Klamath Basin.

Wyden presided over the hearing, which heard from representatives of Indian tribes and ranchers, as well as government agencies involved in hammering out the three agreements the bill would put into law.

Wyden said the bill would end decades of conflict over water in the region that sprawls across the Oregon-California border.

Ron Wyden: “The legislation in my view provides a sustainable and more economically certain future for the Klamath Basin.”

The bill lays out a framework under which water would be allocated to insure survival of endangered fish species. It promises irrigators less water than they’ve often had in the past, but greater certainty of how much they will get. Rancher Roger Nicholson said that should put irrigators’ minds at ease.

Roger Nicholson: “With water assurances, we can take the water year and have some type of idea of how much pasture we’ll have, how much livestock you’ll have, and you won’t see the extremes anymore hopefully of complete shutdown and so forth.”

Several times in recent years, drought – combined with efforts to protect fish – has led to some irrigators being denied water for crops and livestock.

A court decision last year awarded senior water rights in the system to the Klamath tribes and the federal government. That left irrigators holding a weak legal hand. After more than a decade of fighting, many decided, as one official put it, “Half of something is better than all of nothing.”

Rancher Becky Hyde noted her 14-year-old son Jack was in the hearing room.

Becky Hyde: “And enactment of this legislation will not only help advance the economic interests of the region today, but will give Jack, if he chooses, and the next generation of family farmers and ranchers an opportunity to build a future in the area that we all call home.”

Don Gentry, chairman of the Klamath tribes, said the bill would assure the survival of the fish that are the traditional basis for the tribe’s culture. And, he said ...

Don Gentry: “Maintaining our traditional way of life, our spiritual and cultural practices, is essential for providing for the physical and social health of our people.”

All the speakers invited to testify at the hearing had nothing but praise for the bill and for the stakeholder process that produced the agreements it’s based on. But those agreements are far from universally popular in Klamath country. The commissioners in Klamath County, Oregon – as well as the supervisors in Siskiyou County, California – are united in their opposition. They feel the agreements shortchange agriculture.

They also oppose removal of four hydroelectric dams on the Klamath River that block fish migration. The Wyden bill leaves that decision up to the Secretary of the Interior.

Even Indian tribes are divided on the bill. The Yurok and Hoopa tribes in California say the agreements fall short. Hoopa tribal attorney Tom Schlosser says the pacts prioritize water for Oregon irrigators at the expense of fish.

Tom Schlosser: “They do allow some water to flow into California, but it’s just enough to satisfy the biological opinions to prevent extinction of coho salmon. It’s not for restoration purposes.”

Schlosser also says the law would require the federal government to abandon its responsibilities to protect tribal rights, something Wyden says is not the case.

Wyden’s bill is co-sponsored by fellow Senate Democrats Jeff Merkley of Oregon and Barbara Boxer and Dianne Feinstein of California. But even with that support, the measure has obstacles to overcome, not the least of which is its half-billion-dollar price tag over 10 years.

That, plus the generally sour tone in Congress this election season, will make it a chore for Wyden to meet his deadline to get the bill to the president’s desk by the end of the year.