

Report Gives Poor Grade to Basin Water Project

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A federal law passed to help Yakima Valley farmers and protect fish has accomplished little despite some \$22 million in spending over the past seven years, a new study concludes.

The study, conducted with grant funds by a natural resource education center at Lewis & Clark College in Portland, criticizes the Yakima River Basin Water Enhancement Project for failing to fully comply with the Endangered Species Act.

Without definitive goals, the enhancement can't help insulate the Yakima Valley from a potential cutoff of irrigation water such as occurred this year in the Klamath basin in Oregon, the study said.

A vast majority of Klamath farmers were denied irrigation water this year to protect endangered sucker fish and threatened coho salmon.

While the report does not suggest the Yakima Valley — with its threatened steelhead and bull trout — is headed for a Klamath meltdown, the study argues the enhancement represents an unfulfilled promise to meet the needs of both fish and people.

"Combining an improved, enforceable Yakima Enhancement Project with other actions could contribute to species recovery while helping to prevent the type of litigation and conflict that have recently occurred in the Klamath Basin," the study concludes.

Author Steve Wise, an adjunct professor in environmental studies at the University of Oregon, said during a telephone interview last week he included the Klamath experience as an example of what can happen when competing interests ignore looming problems and don't work together.

Many Yakima Valley irrigators and agencies have denounced the study, issued last month, for giving short shrift to improvements that have been made and glossing over problems that still exist.

Wise wrote the study with grant funding from the Mountaineers Foundation in Seattle for the Northwest Water Law and Policy Project at Lewis & Clark College. The 7-year-old policy project focuses on water law and policy issues in the Columbia River Basin.

The Mountaineers Foundation was created by the Mountaineers, a Seattle-based group interested in conservation of outdoor and wilderness areas.

"They never looked for an ounce of prevention or even a few acre-feet of it," he said in reference to the Klamath.

He said the enhancement gives the Yakima basin what no other Northwest watershed has: a pot of federal money to fix problems.

"It is not so much a prediction that Yakima is on the same path," Wise said. "If Yakima irrigators, agencies and other interests can't come to a reconciliation and cooperative conservation plans, (Klamath) is laying out the consequences."

Dale Bambrick of Ellensburg, regional habitat team leader for the National Marine Fisheries Service, said the Yakima Valley is far ahead of the Klamath in responding to threatened fish issues. But he added that problems are on the horizon if basin interests don't work together.

Bambrick's agency is responsible for protecting steelhead trout, listed in 1999 as threatened.

"If we can't collaboratively agree on the kind of change that is necessary and figure out ways to mitigate and minimize effects on fish, there will be winners and losers," he said. "It would be unfortunate in a basin where we have the ability to make it work."

Congress approved the enhancement law in 1994. The project was first conceived in 1979 by state and Yakama Nation officials to avoid lawsuits over water spawned by the 1977 drought.

The Yakima River Basin feeds an expansive irrigation network that includes 464,000 irrigated acres in Yakima, Kittitas and Benton counties.

Originally conceived as a program to expand water storage, the enhancement plan drew opposition from tribes and conservation groups and resistance in Congress to more water projects. It soon became focused only on conservation and fish protection.

The Northwest Power Planning Council, created in 1980 to plan the region's energy future and enhance fish and wildlife damaged by large hydroelectric dams on the Columbia and Snake rivers, took care of one part of the enhancement. The four-state body, using Bonneville Power Administration money, funded modern fish screens and ladders at Yakima Valley irrigation dams.

The enhancement's major goals are to help farmers modernize their water systems to conserve water and reduce the effects of future water shortages. Some of the conserved water would be left in the stream to improve habitat for migratory fish.

The law also authorized the Bureau of Reclamation to purchase water and shift its use to bolstering stream flows.

To date, no irrigation conservation plans have been approved and implemented and little water has been purchased, according to the study.

Reclamation officials, responding to the study, said there has been progress in the purchase of both land and water for fish habitat, much of it in the last few months.

Tracey Yerxa, a land and water acquisition coordinator for the bureau in Yakima, said enhancement money has been used to buy almost 900 acres of land from the Teanaway River in Kittitas County to Union Gap in Yakima County.

Purchase of another nearly 600 acres is pending.

"My response is that when the legislation was written, Congress had the idea we could just go out and buy water," she said. "We couldn't do that because so much of the water is owned by the irrigation districts. We had to look to small landowners to buy the land to get the water."

Jim Esget, a bureau manager in charge of the enhancement project, said the study is correct that little has been accomplished on conservation. But he added it ignores advancements on improving fish habitat through studies of what flows are needed and the land purchases.

Esget of Yakima said the agency now understands that just adding water isn't necessarily the answer to helping fish. In some reaches of the Yakima, such as the Yakima River Canyon, too much flow can scour river gravel beds and flush small fish further downstream.

"I think we are making great strides. We need to apply the science," Esget said. "We have come a long way from the mid-1990s when we thought more water flow was all we needed. The science has taken us to a place with reaches that have too much water."

But irrigation conservation remains bogged down in legal issues.

Irrigation districts that want funds to update their systems with automation, lining canals or enclosing laterals, must sign an agreement to reduce their diversions to obtain the funds.

So far, irrigators are reluctant to seek those funds because of court rulings that could reduce their supplies. The driving issue is relinquishment, a state law taking away water that hasn't been used for five consecutive years.

The state Legislature this year passed a law to eliminate relinquishment in cases where irrigators are participating in the enhancement. But irrigation and state officials disagree whether the law applies to past or future use.

Jim Trull, manager of the Sunnyside Valley Irrigation District, said irrigators are concerned about signing a reduction agreement and later have the courts tell them they are entitled to less water than they thought.

In addition, bureau planners are interested in funding conservation projects that save the most water and can be accomplished at the lowest cost.

While not criticizing the agency's stance, Trull said the result is that irrigators would be left to pay for the rest of the improvements that are the most costly and save the least amount of water.

"The bureau is cherry-picking the best projects," he said. "We may be forced to fund some of these lesser projects with our own resources just to give us back the water we lost through relinquishment."

The Sunnyside Division, which includes SVID and the smaller districts within its boundaries, has a conservation plan completed that includes canal automation, small water reservoirs along the canal and piping of laterals at a total cost of \$65 million.

Trull said the study missed the significance of those issues.

"To the outside world it appears that everyone wants to fight and litigate," Trull said. "There are still some big issues out here that have profound effects on our operations."

The Northwest Water Law & Policy Project study on the Yakima River Basin Water Enhancement Project is available at: <http://www.lclark.edu/dept/water>