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To the editors of the Capital Press,

Mitch Lies feature in the June 11th edition – "Agreement fuels Klamath discord" (http://www.capitalpress.com/california/ml-klamath-061110-art) – is an improvement over previous CP reporting on the Klamath Dam and Water Deals. Past CP articles and editorials were largely (sometimes blatantly) promotional; CP Editors appeared to have bought the hype that the Water Deal – the Klamath Basin Restoration Agreement or KBRA - is fair to all parties and supported by everyone except those who just hate the other side too much to compromise.

In contrast Lies' article points out that there are concrete reasons why many off-project irrigators do not support the Water Deal. And if one reads between the lines one can understand why: the agreement favors and advances the interests of irrigators and other water users (including a golf and country club and a hunting lodge) which get water via the Bureau of Reclamation's Klamath Project over other irrigators who do not get water via the Klamath Project.

The same is true in the environmental, fishing and tribal communities. Those who support the Water Deal do so because it advances their interests; those who oppose the Deal do so because it harms their interests. In virtually every deal there are winners and losers; the Klamath Deals are no different.

The article also helps dispel the myth that going along with the Water Deal is necessary to implement restoration. It quotes rancher Bill Kennedy who points out that "the conservation work called for in the plan is already occurring and will continue with or without the plan."

But while Mitch Lies' article cleared up some misperceptions, it still relies on claims of Deal promoters who continue to play fast and loose with the facts. As a result the article repeats common and important misperceptions. Here's an example:

According to Lies, "Farmers and ranchers under the plan are voluntarily conserving water as part of a deal to leave in-stream thousands of acre-feet of water that would otherwise be used to irrigate crops." In truth, however, it is only irrigators who do not receive water from the Bureau of Reclamation who are called on to cut their water use. Klamath Project water users will actually get MORE water under the Deal than they have received in most recent years.

Essentially the ESA put a cap on the amount of Klamath River water that can be diverted from Upper Klamath Lake and its tributaries. That capped amount varies depending on whether it is a dry or wet year. The KBRA seeks to allocate that amount of water among water users in the Upper Basin. The allocation favors Klamath Project water users over those outside the project. This is not very different from the situation in other western river basins. Federal irrigators – those getting water via federal water projects – are a western irrigation elite to which the federal government provides lots of benefits and advantages which are unavailable to other water users.

The National Marine Fisheries Service has adjusted its Biological Opinion to conform ESA river flow requirements to the flows and water allocations negotiated in the Water Deal. The flows required for salmon vary depending on whether the year is wet or dry. In general, however, flows called for in the Water Deal are lower than under previous Biological Opinions during dry and wet years and higher than previously during years of average precipitation.

While much that is in the Water Deal is already being implemented by federal and state agencies, what is not being implemented is its call for almost a billion dollars in new federal spending. Much of that money would be paid out as subsidies to powerful On-Project water user organizations and tribes. But as Mitch Lies points out, this is not a good time to be going to Congress for money.

Once heralded as the path to "Peace on the River" the Klamath Dam and Water Deals have instead proven to be a path to greater conflict. If Congress endorses the Deals we'll likely see more litigation too. But the legislation Klamath Water Deal promoters want faces a tough road. Opposition cuts across all interests and all portions of the Basin. Ultimately, however, the Deal's high price tag and the federal deficit may prove to be the Water Deal's undoing.

(Via e-mail)
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