The Clean Water Act Turns 40!
Take action to re-water the Scott River
2012 toxic algae round-up
Fish kill dodged, for now
“Thanks to the Clean Water Act, it is not only a good idea, but the law, that the Klamath be swimable and fishable for all.”

For a fishable, swimable Klamath River

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IKE A SALMON, MY WHOLE LIFE has been a meandering trip back to the place I call home: the Klamath River. And it was a job at KRK that finally brought me all the way back. One of the best parts about working for a Waterkeeper organization is that it broadens your perspective of where you call home. Staying close to people working to protect their waters in 20 other countries gives you the sense that you are not alone in fighting for healthy rivers and oceans. It is with that expanded concept of home that I have decided to take a break from KRK to travel through South America in 2013.

Our highly capable Outreach Director Konrad Fisher will step in as the Executive Director of KRK. His 40 years old in 2012— that first set down the terms “fishable and swimable” as legally defensible targets for our nation’s waterways. And though many things may change at KRK (see our Board letter below!), we will always base our work on seeking the full implementation of the Clean Water Act and other environmental laws on the Klamath.

Many of our supporters that it was the Clean Water Act— 40 years old in 2012—that first set down the terms “fishable” and “swimable” as legally defensible targets for our nation’s waterways. And though many things may change at KRK (see our Board letter below!), we will always base our work on seeking the full implementation of the Clean Water Act and other environmental laws on the Klamath. Since the actual nuts and bolts of the Act are determined at the state level, we’ve been lobbying California’s Water Board to “list” the Scott and Shasta Rivers as “impaired” due to lack of water—a key step that will allow us to use the Clean Water Act more effectively to restore these devastated tributaries for fish.

We also hear from our partners at the Karuk Tribe about the latest on Klamath toxic algae—a policy issue that will allow us to use the Clean Water Act more effectively to restore these devastated tributaries for fish. The Klamath, Erica Terence, Executive Director

Klamath Riverkeeper is now Klamath Riverkeepers. Seems like a small change but picking the right word really is a large matter. So why the change and why does it matter? Rivers and landscapes are not protected and restored by organizations or individuals, but by communities. This truth has been illustrated for millennia by the river stewardship of local Tribes. The tribes historically collaborated to manage fisheries and forests through communal practices such as construction and maintenance of fish weirs and ceremonial burning. Many of these practices are still in place. Non-native land management agencies are slowly realizing that traditional ecological knowledge holds the key to restoring fish and the ecosystems they depend on. Yet, these agencies are still trying to justify the long drive for a one-night gathering— especially in the middle of winter. The weekend-long Paddle Party gives supporters a new way to connect with KRK and other lovers of the Klamath River. After a rafting trip and evening fishing shindig, participants stay in local campgrounds and lodge on Saturday night, waking up on Sunday to embark on their “source-to-sea” expeditions down 12 California rivers in 12 days. We are grateful for the support of partners such as REI, the Lava River Center, and the Yurok Tribe. The Klamath Riverkeepers is a community of河keepers dedicated to protecting and restoring the Klamath River and its tributaries.

We encourage the Klamath community to become involved in the ongoing work for a rafting company, we’d love to hear from you. We’ll keep you in the loop. And if you happen to own or work for a rafting company, we’d love to hear from you. Keepin’ up with Klamath Riverkeepers...
The ultimate solution remains the Klamath Settlement, says Glen Spain.

Glen Spain, Northwest Regional Director at the Pacific Coast Federation of Fishermen’s Associations, explains his take on this year’s salmon returns and the Klamath Basin Restoration Agreement. Klamath Riverkeepers has been a key player in these negotiations throughout the campaign to Un-Dam the Klamath, and has partnered with PCFA on numerous successful legal actions.

A WHOLE LOT OF PEOPLE in Siskiyou County are breathing a sigh of relief that at least for this year we have avoided — though perhaps just barely — the same kind of salmon fish kill we suffered in 2002.

This year’s projections of some 380,000 salmon spawners returning to the Klamath — the largest run in many, many years — has been an impossible dream for our local fish biologists early this spring. So many fish coming in at the same time can mean massive overcrowding that both stresses fish and makes them simultaneously more vulnerable to epidemic spread of disease. Poor water quality and low flows only exacerbate these problems.

In other words, by last spring it was realized that we were potentially facing precisely the same sort of conditions that led to the deaths of an estimated 68,000 salmon spawners in 2002 — perhaps the worst adult fish kill in U.S. history. Three years ago, in early 2009 the biologist/priest John Bowman predicted that 2003 salmon egg production in turn triggered a massive ocean disaster in 2004. This 2006 closure cost local ports more than $100 million in lost fisheries, and required $65.4 million in Congressional disaster assistance.

Nobody wants a repeat of the 2002 fish kill, nor the consequent 2006 fisheries collapse.

The best way to avoid another such fish kill was to provide more water to help spread out and speed the passage of the fish kill we suffered in 2002.

But water in the Klamath Basin is always limited. Keeping that much water in reserve through the short term to ecotourism and restoration related jobs in the long term.

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Klamath River News 5

The real problem is still that when exceptionally good ocean conditions lead to large in-coming salmon runs, those fish are forced to return to a broken and damaged river.

Remember that historically the Klamath produced some 800,000 returning adults salmon on average each year. But the biological “carrying capacity” of the river to produce new salmon has since been greatly cut back from historic baselines. There has been no recovery of the greatly reduced flows, loss of habitat and deteriorating water quality. The river is in such bad shape today that relatively large runs like this year’s 380,000 fish can simply overwhelm that now greatly limited carrying capacity, and many fish then die before spawning.

The ultimate solution? Fully restore the Klamath River! This means four-dam removal in accordance with the Klamath Hydropower Settlement Agreement (KHSRA) by 2020, so that salmon can once again have access to more than 420 stream-miles of now-blocked habitat. The KHSA is the only sure way to make this happen.

But it all starts with implementing the Klamath Restoration Agreement (KRA) to permanently put up to 230,000 acre-feet per year of water back into the river for salmon, and start the long-term work of marijuana river restoration throughout the basin. Only the Klamath Settlement can achieve both.

The scientists tell us that dam removal alone will not be enough to fully recover these salmon runs — the biological carrying capacity of the river itself must also be restored. The full Klamath Settlement will be necessary to tell us, to nearly double the average size of future Klamath salmon runs and to restore the basin’s price of goods and services.

If we fully implement the Klamath Settlement, then in the future when we are fortunate enough to have large incoming runs due to good ocean conditions, those returning salmon will have a healthy river to come home to, and in which to begin their next generation.

What can I do to un-dam the Klamath?

You can contact your representatives in Congress and ask that they support the Klamath Restoration Agreements. Also sign on as a member of KRK, and we’ll make sure you have the latest info on our dam removal strategy. Send one-click letter to your congressperson below.

First dam out by 2020?

Klamath River News 5

Klamath River News 5

2012 Klamath toxic algae report

Q and A with scientist Crystal Bowman

While Klamath dam removal remains stalled in Congress, the dam’s reservoirs continue to produce dangerous levels of toxic algae in the Klamath. KRK works closely with the Karuk Tribe to track public health warnings of toxic algae and monitor river conditions, which are well publicized. To bring you the latest news on toxic algae, we spoke with water quality scientist Crystal Bowman, who is the Water Resources Coordinator for the Karuk Tribe’s Health, Safety and Environmental Protection efforts.

KRK: Give us the rundown on toxic algae in the Klamath this year.

Bowman: We first detected algae-caused toxins in the river just below Iron Gate Dam near Intersect 5 on August 1st. Levels were low but continued to rise throughout the month of August. By August 29th, levels exceeded public health safety thresholds at this location, and within a week the public safety threat had traveled downriver to Orleans. September saw even higher levels of toxic algae detected to the estuary.

KRK: Are these results unusual on the Klamath?

Bowman: We are still waiting for more data results but samples rushed for public safety monitoring indicate that this past summer conditions in the Klamath River differed from trends in previous years. High levels of toxic algae were detected for a longer period of time. September highs of toxic algae were detected to the estuary.

KRK: Tell us more about the Karuk Tribe’s toxic algae monitoring program.

Bowman: The Karuk Tribe is part of a Klamath toxic algae monitoring group that covers the entire mainstream Klamath, from Upper Klamath Lake to Orleans. We work with the Yurok Tribe, the US EPA, California’s Water Quality Control Board, PacifiCorp, and the Bureau of Reclamation. The Karuk Tribe is responsible for monitoring toxic algae conditions from the outlet of Iron Gate Dam downriver to Orleans near the Salmon River confluence.

KRK: What should the general public know about toxic algae? Bowman: Toxic Blue-Green algae blooms are common in the West, particularly in fish-filled lakes and reservoirs, and when present in high concentrations, can form a scum or “oil slick” across the surface of the water. It grows well in slow or still water with high nutrient concentrations. This species of algae is toxic in its own right and is especially dangerous because it also produces a powerful toxin called microcystin which has been found to poison the liver and promote tumors. Symptoms of microcystin poisoning include: skin rash, eye irritation, nausea, vomiting, diarrhea, mouth ulcers, liver damage, kidney damage, and in extreme cases, liver failure and death. People can be easily exposed by accidentally swallowing some water while swimming or boating, or inhaling the toxin in aerosol form while water sking. For animals, ingestion generally occurs through drinking the water itself as well as playing with algae off the fur once the animal gets out of the water. Exposures is most dangerous for relatively smaller body sizes, as in children and pets.

KRK: Can you tell us more about how public health warnings for toxic algae work?

Bowman: We are required to post health warnings when sampling results exceed federal and state water quality limits set by the state of California for fish to eat algae and its toxic byproducts. Postings occur through the coordination of several agencies, PacifiCorp, and tribes.

KRK: Is there a way for the public to get the track status of all algae samples taken in the Klamath River?

Bowman: The latest postings and monitoring results from the Karuk Tribe and our monitoring partners can be found on an interactive map at: http://kmap.noblespace.com/algae-tracker/
The groundwater battle is well underway on the Scott River, with the Scott Valley Groundwater Advisory Committee (SVGAC), a consortium of water users, releasing their groundwater plan for the Scott River this summer. The “voluntary” plan, which ignores current science on Scott River groundwater pumping commissioned by the Karuk Tribe, does not propose any regulations to govern groundwater usage or impacts on stream flow, despite ongoing, total de-watering of endangered fish habitat on the Scott River.

SVGAC chairman and alfalfa irrigator Tom Menne presented the plan to an ecstatic group of Siskiyou County Supervisors this November, who were overjoyed to rubber-stamp a document that calls for continued theft of water, and suggests no action to protect endangered salmon. Menne noted he had trouble using outside resources when crafting the plan, describing comparable plans as “too tough to read,” and saying he “didn’t understand it all.” Supervisors praised the plan as “tremendous,” “outstanding,” and “really very special.”

KRK’s Konrad Fischer testified that the plan continues the practice of over allocating water and suggested the County consider limiting or discontinuing well drilling permits in Scott Valley. While local water users and politicians may be keen at perpetuating the status quo in the Scott Valley, all the coalition partners share the vision of protecting the Scott River.

The Karuk Tribe’s Scott River groundwater report can be found at www.karuk.us/karuk2/departments/natural-resources. The SVGAC’s draft plan is on Siskiyou County’s website and can be found most easily by googling “Voluntary Groundwater Management & Environmental Plan for the Scott River.”

The proposal by KRK and the Karuk Tribe is the third major plan presented since the Water Board’s 2003 mandate. The 2003 plan, designed to protect water and fish, is grossly under-utilized Only two of those 136 listings are from California. Despite having petitioned for the listing in 2010 on the Scott and Shasta Rivers, the request has seen little movement since.

KRK and Karuk Tribe Klamath Coordinator Craig Tucker spoke about the importance of expediting listings on the Scott and Shasta Rivers, often considered poster children for flow problems where the last few impounded coho salmon struggle to survive serious de-watering at agriculture.

Sara Aminzadeh of the California Coastal Keepers Alliance reinforced the need for action by the SWRCB on the Scott and Shasta, and described similar flow depletions on the Ventura River to further illustrate the state-wide nature of the crisis.

California Sport Fishing Protection Alliance spokesman Bill Jennings addressed myriad Central Valley de-watering issues. He also pled with the SWRCB to use the Clean Water Act to begin remediating the flow impairments there.

“Listing under Section 303(d) is the proverbial first step in addressing the state’s problem. This admission will open the door for action under the Public Trust Doctrine, Reasonable Use Doctrine, Basin Plan implementation, and other existing tools to address such impairments.” Earth Law Center director Linda Sheehan pointed out in her testimony.

According to Sheehan, U.S. EPA has compiled nationwide data showing that 50,660 miles of rivers and streams, 548,980 acres of lakes, reservoirs and ponds, 299 square miles of bay and estuaries, and 32,660 acres of wetlands nationwide have already been listed on the state’s 303(d) lists as impaired by flow alterations. This corresponds to listings for at least 136 river and stream segments nationwide in the District of Columbia, Idaho, Michigan, Montana, Ohio, Tennessee, Wyoming, and even California.

Only two of those 136 listings are from California so far, however, suggesting that the category of flow impairment is grossly under-utilized here to date.

KRK presses Forest Service to use its fish-saving water right on the Scott

The Klamath National Forest (KNF) has rights to the water in the Scott River — rights that have been officially adjudicated to the agency specifically for using in fish and wildlife. So why when irrigators gear up for their annual dewatering of the Scott this summer, did the Forest Service refuse to use its water right to provide habitat for fish and wildlife? Klamath Riverkeepers is pushing for answers.

Together with our allies, we once again pressed the Forest Service to re-open and change the USFS water right in the Scott River this season, after flows there dropped to 10 cfs in early August. We applied increasing pressure on the agency to call on California State’s Water Resources Control Board for assistance in enforcing the water right to ensure adequate salmon water for survival. Using an online action alert, we generated more than 1,000 letters from supporters like you to Forest Service officials. After we raised our concerns with KNF Supervisor Patricia Grantham repeatedly, but saw little action as a result, we took our complaint up the chain to Region 5 Forester Randy Moore, Region 5 Deputy Forest Supervisor Barney Gyant, and even Tom Tidwell, USFS.

USFS Supervisor Grantham has repeatedly pointed out the practical difficulties of enforcing a water right in a junior schedule of the 1980 court-ordered adjudication for the Scott River; and has instead chosen to pursue a “collaborative” approach to the problem with Scott River water users while so far refusing to give KRK a seat at the table. Tom: we don’t trust the FS and a bunch of irrigators to come up with a solution that works for fish, so we are pushing for a seat at the table. We have also urged the USFS to expand its bargaining power by simultaneously approaching the California State Water Board for aid. According to page 13 of the 1980 adjudication, the Water Board has the authority to re-open and change the USFS water right in the adjudication to ensure that the purpose of that right - protection of fish and wildlife - is being fulfilled.

Constant public pressure is beginning to pay off, and Supervisor Grantham and Region 5 Deputy Barney Gyant have indicated that they are in discussions with the USFS about re-opening the USFS water right in the adjudication to ensure that the purpose of that right - protection of fish and wildlife - is being fulfilled. KRK and Grandmother Siskiyou have been active participants in these discussions.

It is also your agency’s legal responsibility to hold the Klamath National Forest accountable for making sure their 30 cfs Scott River water right - intended to maintain instream flows for fish - is met. The KNF must obey environmental laws and fulfill its mandate to protect fish and wildlife habitats by using its water right as directed.

The Scott River, once a salmon stronghold, now often runs dry while neighboring fields are irrigated green.

California’s executive and legislative branches, the Water Board, and cooperating agencies have the responsibility and the power to “re-water” the Scott. Please expedite a Clean Water Act listing of these rivers as impaired by chronic low flows, ensuring our environmental laws can be used as they were intended.

Go to www.FishNeedWater.org to email several public agencies, and clip the letter below, put in a stamped envelope, and send!
Thanks to all those who made our 2012 Paddle Party so much fun! Contact us for more info on the 2013 Klamath River Paddle Party...