Decolonizing diet

How river restoration, environmental justice and traditional nutrition go hand in hand on the Klamath
“A critical mass of upper-basin irrigators now see that it’s not only fair, but in their own economic interest, to share water to benefit the river ecosystem and the people who depend on it.

That same day I was pleasantly surprised when Senator Wyden (D-OR) had kind words for me even after I explained that our coalition organized a 60+ person rally outside his office earlier this year. Our message was clear: no one’s going to talk to him about what he had done so far, and to urge him to push harder as Chairman of the Senate Energy and Natural Resources Committee to end dewatering and restore the Klamath.

While Klamath Riverkeeper has tentatively supported the Klamath Settlement Agreements for restoration and dam removal, we continue to seek opportunities for “Plan B” in case the settlements fall or are compromised. This strategy hinges largely on the Clean Water Act. As long as it is properly enforced, dam removal will be PacifiCorp’s cheapest option. We have our work cut out for us between now and August 2014 – the deadline for Pacificorp to apply for a new Clean Water Act certification to operate its dams.

Our efforts to prevent dewatering of Klamath River tributaries have taken many positive turns this year. Thanks in part to hundreds of e-mails and phone calls from our members (thank you!), the U.S. Forest Service FINALLY requested an investigation of its instream water right for fish on the often de-watered Scott River (p. 7). In response, the California Water Board officially confirmed what we’ve been saying all along – the Forest Service’s instream water right CAN in fact be used to maintain vital minimum flows on the Scott River. Stay tuned as we make sure the Forest Service does not find another reason to deny the public their legal in-stream water right.

One of the more memorable moments of the year occurred while I was testifying before the California State Legislature in August about the unlawful dewatering of the Scott and Shasta Rivers (p. 7). Immediately after a Siskiyou County Supervisor testified that conditions are good for fish I drew the legislators’ attention to photos I had taken just a few days earlier showing a completely dewatered Scott River. It goes to show, we can’t let the fox guard the henhouse. We’re excited to launch new efforts in 2014 to reduce the health impacts from toxic algae and loss to traditional foods for tribal members. We’ll train volunteers to recognize toxic algae and will host a series of free events (with free food!) highlighting the relationship between river health and community health (p. 4). We’re coming a long way on the Klamath, but we also have a long ways to go. While 2014 will be the most exciting and pivotal year yet in our effort to implement the largest dam removal in world history and to uphold state and federal laws against dewatering rivers, I hope you will join us in this effort.

For the rivers,
Ronald Fisher

2013: A GREAT YEAR FOR KLAMATH RESTORATION

CONTINUE TO BE INSPIRED BY HOW FAR we’ve come in the Klamath Basin. This December, after I testified in support of permanent water demand reduction at the final Klamath Basin Task Force meeting (p. 6), I was praised by several upper-basin agricultural water users. Ten years ago, I might have been booed (or escorted) out of the room. A critical mass of upper-basin irrigators now see that it’s not only fair, but in their own economic interest, to share water to benefit the river ecosystem and the people who depend on it.

That same day I was pleasantly surprised when Senator Wyden (D-OR) had kind words for me even after I explained that our coalition organized a 60+ person rally outside his office earlier this year. Our message was clear: no one’s going to talk to him about what he had done so far, and to urge him to push harder as Chairman of the Senate Energy and Natural Resources Committee to end dewatering and restore the Klamath. While Klamath Riverkeeper has tentatively supported the Klamath Settlement Agreements for restoration and dam removal, we continue to seek opportunities for “Plan B” in case the settlements fall or are compromised. This strategy hinges largely on the Clean Water Act. As long as it is properly enforced, dam removal will be PacifiCorp’s cheapest option. We have our work cut out for us between now and August 2014 – the deadline for Pacificorp to apply for a new Clean Water Act certification to operate its dams.

Our efforts to prevent dewatering of Klamath River tributaries have taken many positive turns this year. Thanks in part to hundreds of e-mails and phone calls from our members (thank you!), the U.S. Forest Service FINALLY requested an investigation of its instream water right for fish on the often de-watered Scott River (p. 7). In response, the California Water Board officially confirmed what we’ve been saying all along – the Forest Service’s instream water right CAN in fact be used to maintain vital minimum flows on the Scott River. Stay tuned as we make sure the Forest Service does not find another reason to deny the public their legal in-stream water right.

One of the more memorable moments of the year occurred while I was testifying before the California State Legislature in August about the unlawful dewatering of the Scott and Shasta Rivers (p. 7). Immediately after a Siskiyou County Supervisor testified that conditions are good for fish I drew the legislators’ attention to photos I had taken just a few days earlier showing a completely dewatered Scott River. It goes to show, we can’t let the fox guard the henhouse. We’re excited to launch new efforts in 2014 to reduce the health impacts from toxic algae and loss to traditional foods for tribal members. We’ll train volunteers to recognize toxic algae and will host a series of free events (with free food!) highlighting the relationship between river health and community health (p. 4). We’re coming a long way on the Klamath, but we also have a long ways to go. While 2014 will be the most exciting and pivotal year yet in our effort to implement the largest dam removal in world history and to uphold state and federal laws against dewatering rivers, I hope you will join us in this effort.

For the rivers,
Ronald Fisher

FISH AND CHIPS 2013

In a gesture of mutual respect, a delegation of tribal members from the Lower Klamath Basin traveled five hours to cook salmon for more than 150 attendees of the annual Klamath River Basin Salmon Festival in Merrill, OR, joined by Klamath Riverkeeper staff and board members, the delegation prepared salmon the way it has been done for thousands of years – on redwood sticks next to a madrone fire. This time, however; it was done on the sidelines of a football game at a festival celebrating the production of potatoes which compete directly for water that historically supported salmon populations. This “Fish & Chips” event has become somewhat of a tradition in recent years. It symbolizes the progress that has been made between agricultural water users and tribal members who have depended on fisheries for thousands of years.

Our efforts to prevent dewatering of Klamath River tributaries have taken many positive turns this year. Thanks in part to hundreds of e-mails and phone calls from our members (thank you!), the U.S. Forest Service FINALLY requested an investigation of its instream water right for fish on the often de-watered Scott River (p. 7). In response, the California Water Board officially confirmed what we’ve been saying all along – the Forest Service’s instream water right CAN in fact be used to maintain vital minimum flows on the Scott River. Stay tuned as we make sure the Forest Service does not find another reason to deny the public their legal in-stream water right.

One of the more memorable moments of the year occurred while I was testifying before the California State Legislature in August about the unlawful dewatering of the Scott and Shasta Rivers (p. 7). Immediately after a Siskiyou County Supervisor testified that conditions are good for fish I drew the legislators’ attention to photos I had taken just a few days earlier showing a completely dewatered Scott River. It goes to show, we can’t let the fox guard the henhouse. We’re excited to launch new efforts in 2014 to reduce the health impacts from toxic algae and loss to traditional foods for tribal members. We’ll train volunteers to recognize toxic algae and will host a series of free events (with free food!) highlighting the relationship between river health and community health (p. 4). We’re coming a long way on the Klamath, but we also have a long ways to go. While 2014 will be the most exciting and pivotal year yet in our effort to implement the largest dam removal in world history and to uphold state and federal laws against dewatering rivers, I hope you will join us in this effort.

For the rivers,
Ronald Fisher

STAFF
Karmel Fisher Executive Director
Melvin Maron Communications Director
Myri Vidal Bookkeeper

BOARD OF DIRECTORS
Leif Hiltun, President
Craig Telker, Vice President
Peter Brucker, Treasurer
Diana Colegrove Marc Valens
Natalie Pennington
Frankie Joe Myers

MISSION
Klamath Riverkeeper restores water quality and fisheries throughout the Klamath River and its tributaries, bringing vitality and abundance back to the river and its people.

IN CALIFORNIA
Panorama Building
38154 High St
Orleans, CA 95556
Phone: 530.273.3111
MAILING
PO Box 751
Somers Bar, CA 95560

www.klamathriverkeeper.org

Thank you!
Panorama, The California Wellness Foundation; Ascension Foundation; Jewish Community Federation of Northern California, Environment Now Foundation; Humboldt-Mendocino Foundation; Humboldt Area Foundation, New World Foundation, Perform Foundation, Rosa Foundation-Western Federation, D’Morel Foundation, Thousand Sisters, Thousand as Dolphins; Salmon River Outpost; Dennis Spacht & A Balanced Body; Aaron Longton; Peter Alscop, Alain & Pamela Amos, John & Myra Anderson, Nancy Bailey, Scott Bardenoff & Laura Roland, Peter S. Bawden, Brian L. Bisson, Lisa Bur- savie, Jose & Amber Caroll, Thomas Carlson & Jennifer Swanson, Kaiya Rie Carpenter, Byron Carrier, Jerry Shepherd & Sarah Sarchione, Zoe Cheppel, Katharine & Michael Clark, Jerry Crilech, Alan & Claire Croutche, Aron David, Tom Deluca, James Dierden Jr. & Judith Dierden, Gary Durham, Genis Fisch, Jeremy Franklin & Wilderness Perspectives, Kreis Frederickson; Gabriel & Anne Ginters; Susan Goodwin; John Goodwin; Edward Hannah; Jon, Anna Haldeman; Matthew Hunter, Carol Kant; Ireland, Ross Jacquez & Laura Long, Daniel Kerr, Kenneth Smet M.D., Karen Lawrence, Ann Lindsey; Judith Lloyd, France S. Moch, James McK- enzie, William Mischa, Patrick McManus, Charles Miron, Carol & Donald Minkwood, Mike & Shirley Morrison, O’Ruth & Peter Peterson; John Porter; Franklin Pennington; Thomas & Bettye Peoples, Paul & Michelle Robinson, David Ross, Penny & Timothy Rowland, Katherine Saulfield, Erich Schipper, Judy Schraben, Bob & Kathleen Schulz, John & Maryann Seeger, Jane Sevy, Bruce Shoemaker, Walter & Marianne Shubin, Alan Steinbach, G. & Russel Stewart, Chris & Perryn & Timothy Rowland, Katherine Saalfield, Erich Schipper, Judy Schraben, Bob & Kathleen Schulz, John & Maryann Seeger, Jane Sevy, Bruce Shoemaker, Walter & Marianne Shubin, Alan Steinbach, G.
**THE CONNECTION BETWEEN RIVER HEALTH AND PUBLIC HEALTH**

Public health is not obvious to many Americans, but on the Klamath it’s an essential part of the restoration story. What has been done to people has also been done to the river, and reverberations of colonization are evident in the Klamath’s dramatic salmon decline, deteriorating water quality, and in the diet and health of the people who depend on both.

**DECOLONIZING DIET**

For thousands of years, Klamath Basin tribal members relied on healthy food from the river including salmon, steelhead, sturgeon, and fresh-water mussels. Unfortunately, the combination of pollution, acidified dams, and de-watering of Klamath River tributaries (namely the Scott and Shasta Rivers) have impaired and eliminated aquatic habitat, severely impacting water mussels. Unfortunately, the combination of pollution, outdated water quality standards, and decolonizing diet also means restoring landscapes and local ecosystems, decolonizing diet also means restoring landscapes and local ecosystems. Decolonizing diet prioritizes healthy food that fills pantries and keeps people who work and play on the river healthy and safe. Klamath Riverkeeper prioritizes public health and environmental justice as intrinsic aspects of our campaigns and our Board of Directors includes dedicated river advocates from the four largest Klamath basin tribes.

Water quality, toxic algae, and public health dams, diversions, agricultural pollution, mining, and many other issues have taken their toll on Klamath salmon and water quality both, and the impacts are felt by tribal members, the general public, and the Klamath’s small businesses. Perhaps no issue has been as acute, and as dangerous, as the toxic algae blooms produced in the reservoirs behind PacifiCorp’s Klamath dams.

Though the toxic algae species Microcystis aeruginosa may have been historically present in the Klamath at very low levels, it now thrives in the Klamath dams’ artificially warm, stagnant, and nutrient-rich reservoirs. M. aeruginosa releases a toxin known as microcystin which has been documented in publicly used Klamath reservoirs at levels several thousand times what the World Health Organization considers a risk to human health. Microcystin poisoning can be toxic, and in some cases fatal to humans, livestock, and wildlife. Short term exposure to microcystin can cause skin rash, eye irritation, nausea, vomiting, diarrhea, mouth ulcers, liver damage, kidney damage, and in extreme cases, liver failure and death. Long-term exposure is linked to tumor growth. Exposure is especially dangerous for children, and can occur through skin contact, swallowing water while swimming or boating, or inhaling the toxin in aerosol form while water skiing.

Microcystin levels regularly exceed public safety thresholds in the Klamath’s Copco and Iron Gate reservoirs and sometimes as far as 200 miles downstream to the Klamath estuary. Poisoning special risks to tribal members, toxic algae blooms interfere with vital tribal ceremonies that require participants to come into contact with river water. Acutely dangerous levels of microcystin have been documented in fillets of reservoir-grown fish as well as in freshwater mussels, an important subsistence food source for downstream tribes.

Toxic algae has also been a lymphing in the fight to un-dam and restore the Klamath River. As it turns out, dam removal is the only broadly agreed upon way to safely and effectively get rid of toxic algae. In this case, what’s good for water quality is also good for fish, and what’s good for fish is good for Klamath people.

Klamath Riverkeeper will join forces with local and tribal food security groups in 2014 to host public events about river health and community health. We will provide free dinner and presentations about:

- the causes and consequences of exposure to toxic algae and E. coli
- health problems for tribal members resulting from lost access to healthy traditional foods such as salmon and freshwater mussels
- how to identify and avoid contact with toxic algae
- how citizens can effectively advocate for policies that will eliminate the sources of toxic algae and E. coli and restore access to healthy traditional foods for tribal members

**Our First River & Community Health event will take place at 5:30 pm on February 6 at the Orleans Elementary School.**

This event will be co-sponsored by the mid-Klamath Watershed Foodshed Program and will feature a free dinner with local traditional foods served by local students.

Stay tuned! We will announce other River and Community Health events on our website and via our e-mail list in early 2014.
UN-DAM THE KLAMATH!

FOR THE LAST SEVERAL YEARS, KLAMATH RIVERKEEPER has been sounding the alarm on the chronic dewatering of the Scott and Shasta Rivers. These tributaries are critical habitat for fish and an epicenter of “wild west” style lawlessness when it comes to basic environmental regulations. Read on to learn what we’re doing to bring law, order, and water back to these rivers.

VICTORY FOREST SERVICE CAN USE ITS WATER RIGHT FOR FISH

The Scott River (below) is regularly pumped dry in late summer, stranding fish in pools while adjacent farms harvest extra cuttings of irrigated alfalfa. Adding insult to this injury, the Klamath National Forest holds an adjudicated 30-cfs water right expropriated for fish and wildlife on the Scott— but until now, has refused to use it, claiming that it is “junior” to other water rights in the watershed. Although KRK has repeatedly contested this assertion, the Forest Service has been unwilling to even request a Water Board review of their water right— until this year.

This September, after years of pressure from KRK and allies, the Forest Service finally asked California’s Water Board to investigate their instream water right to determine its priority relative to other water rights in the watershed. In October, Congressmen Jared Huffman (CA) wrote a letter supporting this water right investigation. The Water Board responded in December with a letter confirming what we’ve been saying all along—the Forest Service’s instream water right CAN be used to limit other diversions and protect vital instream flows on the Scott River.

KRK is now following up with the Forest Service, Water Board, and stakeholders to ensure that this development results in actual water for fish next summer.

KRK TAKES THE SCOTT & SHASTA TO CALIFORNIA LEGISLATURE

In August, KRK’s Conrad Fisher testified about the unlawful dewatering of the Scott River before the California State Legislature’s joint Committee on Fisheries and Aquaculture. Fisher was on a four-person panel that included a Sonoma County Supervisor, a representative from The Nature Conservancy, and the President of the Montague Water Conservation District (whom KRK is suing over endangered Species Act violations on the Shasta River).

Supervisor Mike Kobsess testified that conditions are improving on the Scott River, describing several taxpayer-funded restoration projects that were done with the blessing of the agricultural community. When the Karuk Tribe, the only non-agricultural group amongst the parties, got wind of the plans, it agreed to the restoration projects described by Kobsess have one glaring thing in common—they fail to provide water for fish. Fisher then pointed out that after just days before—showing a completely dewatered Scott River and a multi-million dollar, taxpayer-funded fish ladder that had zero water in it because every drop was being diverted by a taxpayer-funded diversion ditch. Fisher explained that the Scott and Shasta Rivers have been over subdivided and inadequately dewatered to the detriment of the diverse communities downstream that depend on fish and instream flows for food, jobs, recreation, health, and cultural survival. Irrigators are also harmed by over allocation because they face regulatory uncertainty.

Fisher offered two sets of solutions. The first is based on actually enforcing existing laws that would prevent rivers from being dewatered, such as the Public Trust Doctrine and the Reasonable Use Doctrine. The second regulatory solution Fisher offered was the adoption of new laws targeting instream flows. These could include laws requiring that water not be diverted before consultation with agencies dedicated to meet instream flow needs; earmarking funds for permanent, voluntary instream water right dedications; or setting default minimum instream flows for all California streams.

WORKING WITH THE WATER BOARD

This December, KRK met with representatives of the California Water Board to discuss strategies to restore instream flows in Klamath River tributaries and throughout California. These options introduce instream flow standards, require restoration to meet instream flow needs; and earmark funds for permanent, voluntary instream water right dedications.

With the backing of the Water Board’s defense of the Klamath National Forest’s water right on the Scott River and the California Water Board, KRK is now following up with the Water Board to allow its public trust enforcement unit to enforce the Public Trust Doctrine.

JOIN THE CAMPAIGN

In August, KRK spearheaded an attention-grabbing joint letter to the California Water Board and the California Department of Fish and Wildlife demanding emergency enforcement action to restore instream flows and prevent the death of endangered fish on the Scott River. This letter, signed by fishing, tribal, and conservation organizations, turned heads at the highest levels of state government and jump-started negotiations between the Klamath Riverkeeper and agricultural water users.

WITH A DROUGHT LOOMING AND THE KLAMATH TRIBES’ newly recognized senior water rights raising irrigators’ hackles in the Upper Basin, Senator Ron Wyden (D-OR) convened a congressional hearing in June to address dam removal and water allocation in the Upper Basin. KRK supporters poured in hundreds of comments supporting dam removal and asking that threats of violence be addressed. Following the hearing, Senator Wyden and other took action by forming a task force to tackle reasons that previous dam-removal legislation did not gain traction in Congress in 2013. The task force was charged with identifying opportunities for reducing the cost of the Klamath Settlement Agreements and winning support among additional groups of upper Klamath Basin irrigators. During the Task Force’s final meeting in December KRK’s Kon- rad Fisher argued that it benefits both water users and fisheries to make permanent and substantive reductions in agricultural water demands. He also asserted that the most vocal opponents of dam removal are motivat- ed by ideology rather than facts. Reinforcing Fisher’s point, a representative of the Siskiyou County Water Users Association then testified that dam removal will worsen the toxic algae problem – the exact opposite of current scientific consensus. At a press con- ference the following day, Senator Wyden reaffirmed his commitment to introduce new legislation early in 2014 to implement the Klamath Settlement Agreements.

PROTECTING THE PLAN B

While KRK has supported the Klamath Settlement Agreements thus far, our Clean Water Act expertise gives us a unique role in safeguarding “Plan B” - dam removal via the Federal Energy Regulatory Commission (FERC) relicensing process (currently paused while stakeholders attempt to pass settlement agreements).

In order to relicense their dams through FERC, PacifiCorp must obtain state permits certifying the project under the Clean Water Act. Since KRK and friends sued the EPA to list toxic algae as an official pollutant on the Klamath River in 2008, PacifiCorp cannot obtain Clean Water Act permits – nor relicence its dams – without solving the toxic algae problem, which scientists say can only be contained via dam removal. As long as strong pol- lution limits are enforced, PacifiCorp remains in a Clean Water Act checkmate, with dam removal as its most cost-effective option.

Until this year, California’s Water Board has granted PacifiCorp annual “abeyances”, which allow the company to operate its toxic algae-producing dams in violation of the Clean Water Act during settlement negotiation and implementation. This year, however, PacifiCorp chose not to apply for another annual Clean Water Act break. Instead, the corporation requested and was granted an Au- gust 2014 deadline to complete a new application for Clean Water Act certification. KRK is engaged in high-level discussions with California’s Water Board to ensure that this certification process is not compromised by the corporation’s trademark underhanded lobbying. Look out for Clean Water Act related dam removal action alerts in 2014— with your support we can keep dam removal on track by making sure PacifiCorp is held responsible for the cost of Clean Water Act compliance.

Klamath Riverkeeper’s full court press on officials charged with keeping water in the Scott & Shasta Rivers is getting results.
Klamath Riverkeeper: Will work for food.

Will you join us?

Klamath Riverkeeper works for the salmon and clean water that fill pantries and keep people who live, work and play on the river healthy and safe.

Consider joining us - we’re stronger together, and the Klamath needs your voice more than ever. Donate at www.klamathriver.org/support, or mail the membership envelope inside.