

Testimony of Stephen Guertin
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Before the House Committee on Natural Resources,
Subcommittee on Water, Oceans, and Wildlife
On
Klamath River Basin Conditions and Opportunities

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Good afternoon, Chairman Huffman, Ranking Member Bentz, and Members of the Subcommittee. I am Stephen Guertin, Deputy Director for Policy for the U.S. Fish and Wildlife Service (Service) within the Department of the Interior (Department). I appreciate the opportunity to testify before you today on the Department's response to the ongoing drought crisis in the Klamath Basin and our efforts to maintain and restore species and habitats throughout the Basin.

The Department plays a central role in how the United States stewards its public lands, increases environmental protections, pursues environmental justice, and honors our nation-to-nation relationship with Tribes. As we work to carry out this important charge, climate change presents a profound and growing conservation challenge. With the impacts of climate change spanning jurisdictions, borders, and mission areas, every bureau and office within the Department plays an important role in our efforts to respond to, mitigate, and combat climate change.

The Department and its bureaus are poised to take action to avoid the most catastrophic impacts of the climate crisis. With the historic investments of the Bipartisan Infrastructure Law (BIL) that Congress passed last year, we are positioned to address some of the most pressing needs of drought-stricken regions. The BIL includes significant funding for restoration and relief efforts in the Klamath Basin. This funding represents more than critical investments in our climate and physical infrastructure; it presents a tremendous opportunity to bring together the people and communities of the Klamath Basin to develop and work towards a shared vision for a healthy Basin.

Although drought is not new to the Klamath Basin, communities are facing unparalleled conditions at a scale and intensity that we have never before seen. The impacts felt by people and fish and wildlife in 2021 are compounded by the difficult conditions of previous years and severe drought conditions in other basins across the West. This may be the baseline for future hydrologic conditions. There is no community, stakeholder or species that is not dramatically and adversely impacted by reduced reservoir levels and stream flows, and while we will work to get through water year 2022, we also continue to seek long-term solutions with our partners in the Klamath Basin.

Klamath Basin Overview

The headwaters for the Klamath Basin start in the arid mountains east of the Cascade Range in southern Oregon. Downstream, these waters support one of the largest lake-wetlands complexes in the western United States. River, riparian, lake, and wetland habitats in the Klamath Basin historically supported millions of fish and waterbirds. These wetlands and riparian habitats also

provide key ecosystem services that sequester nutrients and provide habitat for all life stages of fish native to the basin. The Service's Klamath Basin National Wildlife Refuge Complex, which encompasses six refuges throughout the Basin, has been referred to as the "Everglades of the West" because of its biological diversity and importance to the Pacific Flyway as a staging area for millions of waterbirds on their spring and fall migrations. However, drought impacts have increasingly and dramatically reduced wetlands habitat, and millions of birds have been reduced to tens of thousands.

The Klamath River once supported the third most productive salmon run on the West Coast of the United States while Upper Klamath Lake supported robust populations of Lost River and shortnose suckers. Today, Klamath Basin fisheries are in decline, including spring-run and fall-run Chinook salmon, and there are several species of fish that are listed under the Endangered Species Act, such as Lost River and shortnose suckers, bull trout, and coho salmon. These declines have caused hardship to the Tribal communities that have called the Klamath Basin home since time immemorial and for whom these species play critical spiritual, cultural, and economic roles. Protecting the continued existence of these species and taking meaningful steps to ensure their full recovery are, and must continue to be, two of the Department's foremost goals in the Basin to fulfill our obligations to the Klamath Basin Tribes and to meet the requirements of the Endangered Species Act.

Water is also a critical economic resource that is used for irrigating crops and supporting cattle across the Basin, where there is a long history of highly productive farming and ranching since the establishment of the Klamath Project in 1905. Our work is mindful of the variety of needs for water in the Basin, including those for fish, wildlife, and their habitats, as well as the important needs of Tribes, agricultural producers, and other communities. In the early days of the Klamath Project, when lands were often too wet for crop production, the majority of wetlands in the Basin were modified by draining, levee construction, and agricultural practices. This, coupled with sustained drought, has directly impacted populations of all species that depend on these habitats, including water-dependent birds, fish, and other organisms. In the face of limited water resources, managers in the Basin make every effort to find creative, cooperative solutions to address the needs of people and fish and wildlife resources.

Over the past few decades, the Klamath Basin has seen unprecedented challenges and the Department has diligently sought collaborative solutions for water availability with partners and those intimately connected to the region's land and water. The Department is committed to transparency, collaboration, and continuous improvement as we address climate change and work towards long-term solutions in the Klamath Basin for current and future generations. In January and February of this year, the Department held a series of stakeholder engagement sessions on the Klamath Basin that brought together Federal agencies, states, Tribes, irrigators, legislators, and local communities to address long-term solutions. These collaborative efforts are discussed more below.

Current Conditions and Challenges

In 2021, the Klamath Basin endured one of the worst water years on record. Major wildfires destroyed homes, displaced people, and strained resources and local governments within the

Klamath Basin. Ongoing drought has presented a series of repeated annual crises including water shortages for agriculture, salmon fishery closures, loss of jobs, and fish and bird die-offs.

Despite a wetter than average early winter, the Klamath Basin has received little precipitation since late December and is projected to experience a third consecutive year of extreme to exceptional drought. There is an urgent need to work collaboratively with states, Tribes, local governments, water users, and impacted communities to find innovative, long-term solutions.

Drought conditions have already severely affected federal trust resources and species in the Klamath Basin. Federally endangered shortnose and Lost River suckers, species of central importance to The Klamath Tribes, are nearing extirpation in Upper Klamath Lake. Preliminary monitoring results indicate that populations of juvenile Chinook salmon suffered extremely high rates of mortality during their migration down the Klamath River to the Pacific Ocean in 2021. Periodic aerial surveys count almost no birds on the Lower Klamath National Wildlife Refuge, which received little to no water in 2021 and was effectively rendered dry. The Refuge sits at the head of the Pacific Flyway and the loss of this important staging area has dramatic adverse impacts for the waterfowl of the Flyway. Innovative operations developed collaboratively with the Bureau of Reclamation (Reclamation) and local irrigation districts in 2021 provided a base quantity of water to the Tule Lake National Wildlife Refuge Sump 1B, which we believe avoided widespread bird mortality on the Refuge.

Impacts to irrigated agriculture and the communities supported by the agricultural industry are also severe. The Klamath Irrigation District delivered no water through its primary water conveyance system, the A Canal, which normally diverts water from Upper Klamath Lake to supply approximately 150,000 acres of productive farmland. Domestic wells within the Klamath Project's boundaries have continued to fail from the absence of deliveries and the shift of agricultural reliance on groundwater, with over 300 domestic wells having failed to date. The resulting health and human safety conditions necessitated a water hauling operation within the Basin by the State of Oregon, which Reclamation supported. Additionally, Reclamation and the Department of Agriculture provided \$20 million and \$10 million, respectively, to assist with local drought relief programs aimed at land fallowing.

The Department is engaged with our fellow resource management agencies at the U.S. Department of Agriculture, the Army Corps of Engineers, the Environmental Protection Agency, the Department of Energy, and the Department of Commerce through forums such as the Interagency Drought Working Group and Water Subcabinet to improve water resource management nationwide.

Together, we must work to respect Tribal treaty rights and trust resources, ensure predictable and sustainable water supplies, and restore this once abundant ecosystem for the benefit of all its inhabitants. I believe that we are starting to take important steps in that direction and that there is cause for hope. The President worked closely with Congress to craft and enact the landmark BIL, which addresses the crisis in the Klamath Basin by investing \$162 million in restoring the Klamath Basin ecosystem and by identifying significant additional opportunities to support water resilience and infrastructure. The restoration work supported by this critical funding and other ongoing science-based efforts will make great strides in mitigating the impacts of the

drought and be an important part of a long-term plan to facilitate conservation and economic growth.

Working Collaboratively to Restore the Klamath Basin

In the face of many significant challenges in the Klamath Basin, the Department has been working with Tribes, the States of Oregon and California and their respective resources agencies, partners, and communities for many years to make progress on natural resources conservation in the Basin. The ecological infrastructure of the Klamath Basin is badly broken, making ecosystem restoration a critical component of our effort to address the ongoing drought crisis. A healthy functioning landscape can more effectively and efficiently cycle water through the system and oftentimes has greater water storage capacity than its engineered counterparts. Restoration and nature-based infrastructure solutions can improve both water quality and quantity, helping make more resources available for both people and wildlife.

The Service's Partners for Fish and Wildlife Program has implemented voluntary habitat restoration projects with private landowners in the Klamath Basin since the mid-1990s. Since 2016, the Program has successfully completed over one hundred voluntary restoration projects in the Upper Klamath Basin, which resulted in the restoration of more than 40 miles of stream habitat, over 2,700 acres of upland habitat, and more than 4,500 acres of wetlands habitat. In fiscal years 2020 and 2021, the Partners Program received an increase in funding for Klamath River Restoration projects that resulted in the development of 40 new aquatic-based habitat restoration projects in the Upper Klamath Basin.

Additionally, we have added restoration capacity in the Basin by funding two five-year tribal staff positions: one at The Klamath Tribes and one at the Yurok Tribe. This enhances these Tribes' ability to implement high priority habitat restoration projects. We plan to provide this restoration capacity for two additional Tribes—Karuk and Hoopa Valley—this fiscal year.

The Klamath Basin National Wildlife Refuge Complex is working collaboratively with The Klamath Tribes to restore natural processes along the reach of the Williamson River within the Klamath Marsh National Wildlife Refuge, which is situated within the Tribes' traditional homeland. Without the presence of beaver populations to construct dams, the river channel is lacking critical structure. Working with the Tribes, we are implementing Beaver Dam Analogs that mimic this natural structure and restore important function within the river. Once implemented, these analogs will increase floodplain bank storage, promote establishment of riparian vegetation, and support important habitat for native fish populations. The collaborative effort between the Refuge and The Klamath Tribes is an important step toward the long-term restoration of the Williamson River floodplain and the protection of tribal trust resources.

The Service is working closely with the Klamath Basin Tribes to restore populations of Chinook and coho salmon and Lost River and shortnose suckers, each of which are vitally important to tribal culture. We are collaboratively implementing restoration activities that will help reverse the conditions that led to water quality issues and reduced numbers of these fish. We are also working with these Tribes on the development of the Klamath Basin Integrated Fisheries Restoration and Monitoring Plan, which can serve as a blueprint to advance the recovery of native Klamath Basin fisheries and the habitat on which they depend.

The Service is also working to increase numbers of these fish through captive-rearing efforts. In partnership with The Klamath Tribes and local landowners, the sucker assisted rearing program has steadily grown in recent years, releasing 35,000 wild juvenile Lost River and shortnose suckers that were propagated in captivity into Upper Klamath Lake since 2018. Construction on the Klamath Falls National Fish Hatchery is ongoing and will expand sucker release capacity to 60,000 fish per year and enhance our ability to stabilize these highly endangered populations. While the assisted rearing program is an important part of sucker recovery efforts, releases of these fish will only be successful if implemented in conjunction with sucker habitat restoration and other recovery efforts in the Upper Klamath Basin.

Opportunities Supported through the Bipartisan Infrastructure Law

The BIL is a significant investment in the nation's infrastructure and economic competitiveness. This funding will help create opportunities for collaboration that, in turn, can help Klamath Basin communities come together to find lasting solutions for Tribes, agricultural producers, and others who rely on a healthy and functional ecosystem. Klamath stakeholders have expressed a willingness to work together to seek long-term resolution to many challenges in the Basin. In the months since the BIL's passage, the Department has taken important steps to implement this transformative law and identify priority areas for historic investments in the Basin.

The BIL provides a once in a generation \$8.3 billion investment in Reclamation programs over the next five years to support water and drought resilience across the West. The BIL provides investments in infrastructure, conservation, ecosystem recovery, dam safety, rural water, Tribal water right settlements, and scores of other projects to ensure that irrigators, Tribes, and communities receive adequate assistance and support. We encourage our stakeholders in the Basin to apply for funding through our existing processes and the Department will continue outreach efforts as new programs are established.

The BIL directs \$162 million to the Service for Klamath Basin restoration activities over the next five years, amounting to approximately \$32 million each year through 2026. BIL funding represents a down payment on a brighter future for the Klamath Basin and will go a long way to help address a number of the Basin's highest priority restoration efforts. Through implementation of this funding, we will engage with Tribes and stakeholders in one of the largest wetland restoration projects in the nation, secure water for the Klamath Refuges, and ensure the persistence of endangered Lost River and shortnose suckers for future generations.

The Service's Klamath BIL Program will fund projects and activities identified through a collaborative, transparent, and science-based process. Earlier this month, we released the first Request for Proposals for this funding. Proposals must demonstrate how planned projects will improve conditions and achieve habitat restoration for waterfowl or native fish and other aquatic species throughout the Klamath Basin. Selected projects will improve conditions and make progress towards achieving Basin-wide goals. We anticipate awarding funds this summer so that on-the-ground restoration work can begin as soon as possible to benefit fish and wildlife resources and those dependent upon them.

The Department has been part of, and has supported, long-standing partnerships in the Klamath

Basin for more than 20 years with the States of California and Oregon, local Tribes, conservation partners, local communities, farmers, and ranchers. Last month, the Service and Department concluded a series of engagement sessions focused on addressing the drought crisis in the Klamath Basin through implementation of BIL funding. This process included nation-to-nation consultations with six Tribes within the Klamath Basin, through which Tribes were invited to provide input on the Service's approach and encouraged to submit project proposals directly for funding consideration. The Service has deep and important relationships with each of the Tribes in the Basin, and we plan to use existing mechanisms to fully engage with them on the best uses of infrastructure funding.

Conclusion

While working collaboratively with partners has always been a core tenet of the Department's mission, it is now, more than ever, an essential means of achieving conservation and restoring ecosystems to the benefit of all communities in the Klamath Basin. With growing concerns about another dry water year and momentum from the historic funding made available under the BIL, we now have a once-in-a-generation opportunity to foster a collective effort to address these complex water challenges and build a brighter future for the Klamath Basin.

The Department is committed to engaging with affected communities as part of our whole-of-government approach to address the climate crisis and improve water security. We look forward to continuing our discussions with Tribes and stakeholders. Thank you for the continued interest of the Congress and this Committee in finding long-term solutions for a more sustainable future in the Klamath Basin.