

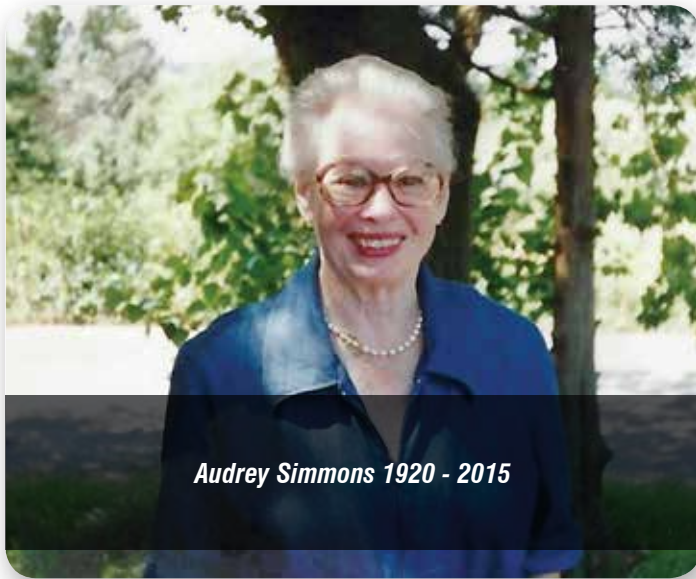


# INSTREAM

Fall '15 Newsletter



*Upper Deschutes River by Jim McCarthy*



*Audrey Simmons 1920 - 2015*

## Remembering Audrey Simmons

*Trailblazing Oregon conservationist and WaterWatch co-founder Audrey Simmons passed away this summer. In tribute to her, we are forgoing our usual Stream of Consciousness essay in order to share some remembrances of Audrey from members of the WaterWatch community.*

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WaterWatch's mission is to protect and restore streamflows in Oregon's rivers for fish, wildlife, and the people who depend on healthy rivers.

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*WaterWatch of Oregon publishes  
Instream three times annually.  
Jim McCarthy, Editor*

*(Remembering Audrey Simmons...Continued from page 1)*

### **John DeVoe, Executive Director**

Unfortunately, I did not know Audrey Simmons when she was at the height of her formidable powers. But I certainly learned of those powers through the many stories others have shared with me over the years. When I joined WaterWatch's staff in 2003, I felt it was important to check in with Audrey, so I drove out to Horse Heaven in Hillsboro to have coffee with her. Audrey was still a WaterWatch board member and continued to wield considerable influence within the organization. She gave me a no nonsense greeting in her best stentorian voice, almost broke my hand with her handshake, and promptly showed me the photos of her work in World War II, her early years in Philadelphia's Main Line, and her prized photo of Eleanor Roosevelt and John F. Kennedy taken just after Roosevelt had endorsed Kennedy for president. Here was a true heavyweight, someone who made a difference with her life and who knew people who could make a difference in the world. Over the years, I've been amazed how many times I've heard tales of Audrey's association with important conservation advances for Oregon. Of course, her life also involved healing and comforting wounded soldiers and advancing equality for women, among other issues. This was a person who devoted her life to the best types of public service and to the public interest. She improved society. She led with an unalloyed vision of what was just and what was needed. Her influence changed the course of water policy in the West. We will miss her. Oregon will miss her. But her influence and vision are still with us every day at WaterWatch and on every river across Oregon.

### **Nancy "Ned" Duhnkrack, founding WaterWatch Board Member**

Audrey Simmons was a class act, a mentor, and a friend. During the early 1980s I was a novice lobbyist in Salem, working on river protection for Oregon Wild, known then as the Oregon Wilderness Coalition. Audrey was there, too, and coached me in the art of influencing the legislature. In her navy dress, heels, and pearls, she was a forceful presence. Though Audrey was vastly more experienced than I, we shared a passion for rivers across the state. I was captivated by Tom and Audrey Simmons'



idea to form WaterWatch, an organization dedicated to maintaining and restoring flows in Oregon's rivers. It combined my love for rivers and my fascination with the complexities of water law and policy. Our first major success, passage of the Oregon Instream Waters Rights Act in 1987, was a true milestone in Western water law. Audrey had the courage, fortitude, and vision to create a statewide organization that is now being replicated across the West. Audrey's passion included people, and her circle of friends was expansive. Easter egg hunts on the lawn at Horse Heaven were an annual tradition for many families, including mine. May her memory inspire others to action on behalf of Oregon's rivers.

### ***Jim Ruff, founding WaterWatch Board Member***

I first met Audrey while working for the Water Resources Department in the early 1980s. Audrey attended Water Resources Commission meetings – while representing the League of Women Voters – to express her opinions about water policy and how it should be changed. Tom Simmons, representing the Rogue Flyfishers, also attended some Water Resources Commission meetings during those years. Tom too was vocal about the need to change water policies in the Rogue Basin. Because of their common interests, Tom and Audrey naturally gravitated to each other. Before long, Tom was making regular appearances at Commission meetings, which Audrey always attended. After one such meeting in Medford, Audrey and Tom suggested I ride back to Salem with them so we could discuss “some needed changes in state water policy.”

It was an eventful car ride. Not only did I hear their ideas for broad changes in state water policy, they also shared their concept for a non-profit water resources watchdog group for Oregon. I thought it was a great idea, but there were still more surprises on this ride. They also told me Tom was moving in with Audrey at her Horse Heaven estate outside Hillsboro! Of course, this made perfect sense because they were like-minded and in love. What a dynamic and formidable couple they turned out to be – leading the charge to overhaul state water policies while also working to form a new non-profit organization called WaterWatch!

I left the Department in the mid-1980s, but have fond memories of weekends at Horse Heaven, embroiled in heated discussions on water policy and helping start what is now a successful and respected organization. Others present during those weekends included Bob Stacey, Dick Benner, Bob and Dave Hunter, Ned Duhnkrack, John Jackson, Nancie Fadeley, Roy Hemmingway, Tom Throop, Roy Bowden, Doug Meyers, occasionally Bill Bradbury and Charles Wilkinson, and many others. I always felt privileged to be included in those early brainstorming sessions and social gatherings at Horse Heaven.

We held the first WaterWatch board meetings at Horse Heaven. Each board member was committed to WaterWatch's mission and determined to make it work. Audrey always made everyone feel welcome in her home. I can still see her at the door with her ever-present smile welcoming us with open arms. She was the perfect host, serving us great food and drink, and sometimes inviting our significant others to join the festivities. Those were exciting times, and it was all due to Audrey – and Tom's – foresight, energy, and determination.

### ***Bob Hunter, founding WaterWatch Board Member***

Audrey not only gave WaterWatch its name, but her energy, dedication, and persistence were hallmark attributes that she passed on to the organization and made a part of WaterWatch's culture. For years Audrey attended all of the Oregon Water Resources Commission meetings setting a precedent that WaterWatch still follows today. Audrey was well connected and well respected in Salem. Without her efforts Oregon would not have an Instream Water Rights Act. Audrey left a legacy of better protection and management of Oregon's rivers. She is one of Oregon's true conservation heroes. Audrey was a force, an inspiration, and will be greatly missed.

# WaterWatch Issues Warning to Protect Deschutes River

In August, WaterWatch announced its intention to challenge the Central Oregon Irrigation District, North Unit Irrigation District, Tumalo Irrigation District, and the U.S. Bureau of Reclamation over harm caused by their water use operations in the Upper Deschutes River. As many Central Oregon residents and visitors know, managing the Upper Deschutes more like an irrigation ditch than a river has caused significant damage to river health as well as the region's recreational economy.

As a result of water storage and irrigation operations, the once stable natural flows of the Upper Deschutes have been replaced by dramatic and unnatural flow swings, which damage water quality while harming fish and wildlife, including the Oregon Spotted Frog listed as threatened under federal law. One of the most visible recent examples of this harm occurred in October 2013, when a rapid flow reduction due to irrigation management caused a kill that claimed nearly 3,000 fish and sparked outrage throughout the state. Since then, volunteers have scrambled each autumn to rescue fish as water managers allow dramatic flow drops to strand thousands of fish.

For years, WaterWatch and many others pushed for collaborative solutions for this stretch of river as part of



*2013 fish kill on the Upper Deschutes River. Managing the river like an irrigation ditch has caused significant damage. Photo by Doug La Placa.*

the Deschutes Basin Habitat Conservation Plan (HCP) working group. Unfortunately, during the nearly eight years WaterWatch has been a participant in the HCP working group, there has been little to no change in the management of the Upper Deschutes River or impacts to fish and wildlife. Last fall, the irrigation districts finally released their draft HCP conservation measures for the Deschutes Basin, including the Upper Deschutes River. These were woefully inadequate across the board and roundly criticized by state and federal agencies as well as WaterWatch. Solutions for the Upper Deschutes River are needed now, not years from now. This is why WaterWatch moved to act.

## Connect with WaterWatch on the Web!

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# Water Briefs From Around the State

## FEMA Flood Insurance Program

WaterWatch has been joining forces with other groups – including Audubon Society of Portland, Northwest Environmental Defense Center, Willamette Partnership and the Natural Resources Defense Council – to seek changes in the federal flood insurance program run by the Federal Emergency Management Agency. The program has long been criticized for encouraging building and rebuilding in dangerous flood zones, which is harmful to fish and wildlife as well as the people who build in the flood zones. Litigation has required the agency to seek the opinion of the National Marine Fisheries Service on whether and how the flood insurance program should be modified within most of Oregon to protect fish and wildlife listed as threatened or endangered. The advice from the Service is expected to come out soon. Stay tuned for details.

## Burnt River Instream Water Rights

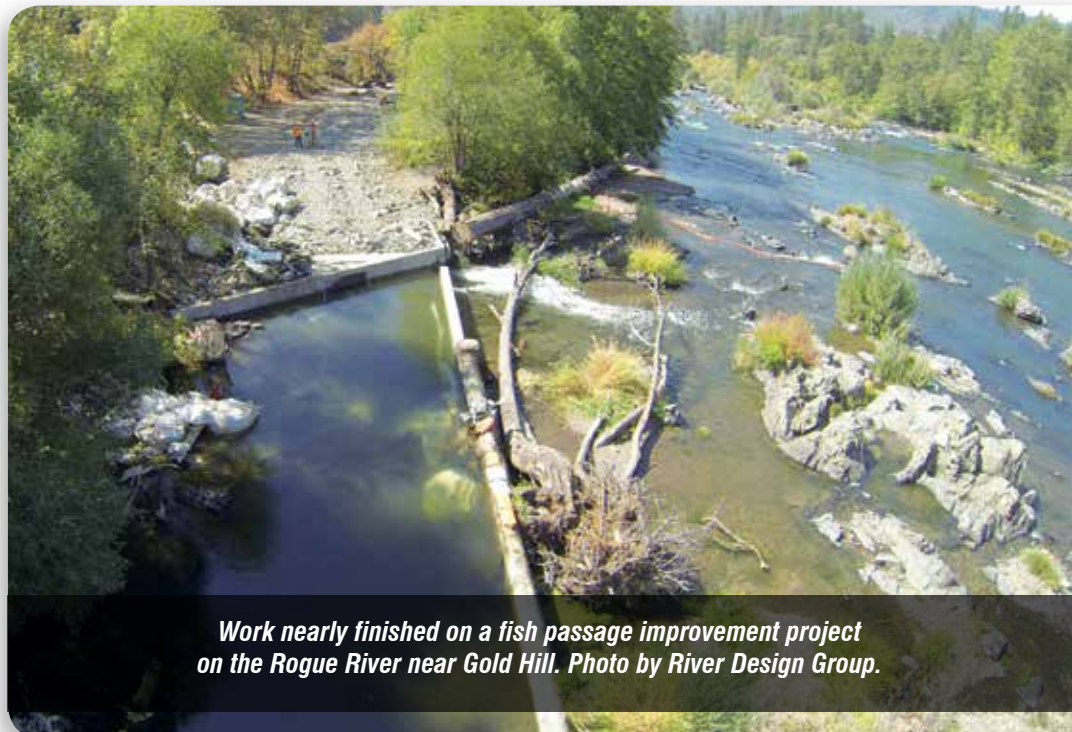
The Oregon Water Resources Department is finally moving forward to resolve challenges to applications for instream water rights on the Burnt River, a tributary to the Snake River. The Oregon Department of Fish and Wildlife filed the applications in 1992. In 1996, Water Resources issued proposed orders to approve the applications, but the Burnt River Irrigation District filed protests. Politics kept both departments from moving forward with the applications – as it has on so many instream applications – but that is finally starting to change. Water Resources is planning to refer the Burnt River applications to contested cases. To help Fish and Wildlife advocate for the proposed instream rights, WaterWatch filed petitions to intervene. The irrigation district opposed our petitions to intervene and we are now waiting both for a decision on our petitions and referrals to contested case hearings.

## Fish Passage Improvements Nearly Done on Rogue

Thanks to your support, work is almost finished on extensive fish passage improvements at the Gold Hill Irrigation District (GHID) irrigation diversion system on the mainstem Rogue River. This diversion system lies between the old Gold Hill and Gold Ray dam sites, and caused problems for all five salmon and steelhead runs in the Rogue, including coho listed under federal law. Improvements here will enhance the benefits of other dam removal and restoration efforts in the basin.

Last year, workers installed a new headgate, trash rack, and spill system at the top of GHID's canal, then buried a 400-foot section of pipe in the old open canal. This fall will bring the completion of the project, with placement of a measuring device at the new headgate, installation of another 700 feet of pipe. When completed, the system will leave more water in the Rogue and eliminate fish passage problems at the diversion.

With your help, WaterWatch helped secure funding for this project from state lottery dollars and fishing license fees, as well as from local sport fishing and conservation organizations.



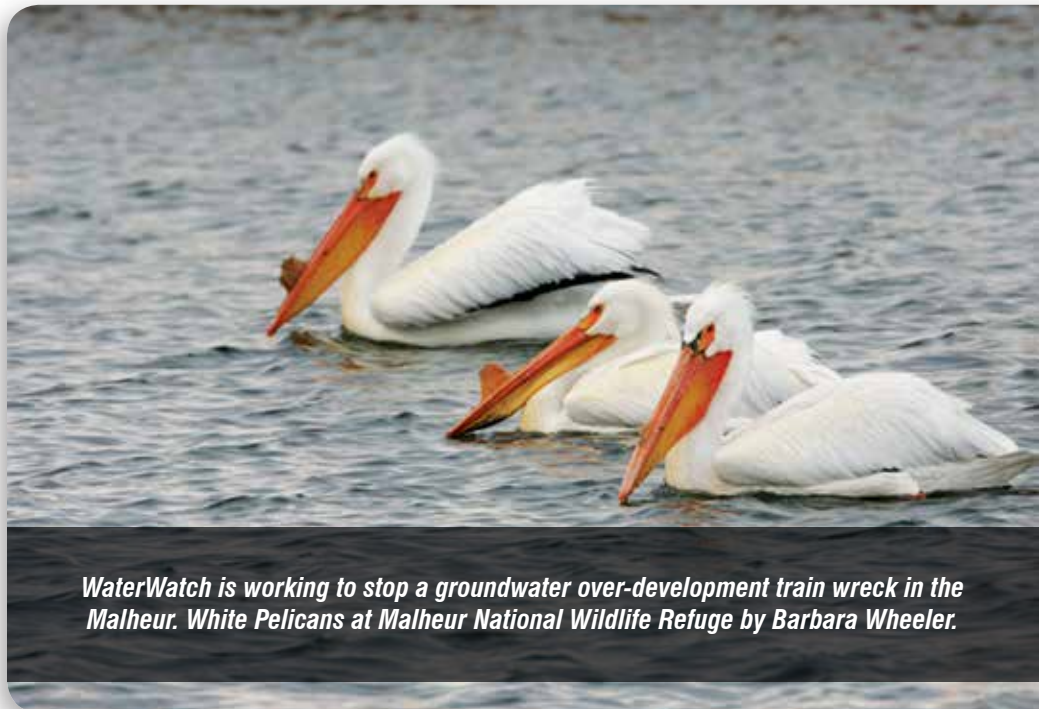
*Work nearly finished on a fish passage improvement project on the Rogue River near Gold Hill. Photo by River Design Group.*

# WaterWatch Helps Avert Groundwater Crisis in Malheur Lakes Basin

The Malheur Lakes Basin ranks among the state's most spectacular landscapes and is home to the important wetlands of the famed Malheur National Wildlife Refuge. In 2014, after becoming concerned by a sharp increase in new groundwater development in the basin, WaterWatch challenged several new groundwater permits. We challenged these decisions because Oregon proposed to issue new groundwater rights without knowing whether the aquifer is already overdrawn or could support a new well.

Thanks to your support, WaterWatch's challenges prompted the Department to finally analyze the available data. As a result, Oregon has at least temporarily stopped issuing new groundwater permits in the Greater Harney Valley area, which stretches from Burns to Frenchglen.

This welcome move will hopefully spare Oregon another groundwater over-development train wreck, such as those in the Umatilla and Klamath basins. The best available data shows that in the Harney Basin, after accounting



*WaterWatch is working to stop a groundwater over-development train wreck in the Malheur. White Pelicans at Malheur National Wildlife Refuge by Barbara Wheeler.*

for groundwater discharge to streams, total groundwater permits now exceed estimated groundwater recharge by more than 100,000 acre-feet. This over-allocation has adverse impacts to streams, wetlands, lakes, and senior water right holders.

This summer and fall, WaterWatch has been travelling to Burns to participate on a stakeholders' committee advising the Department on interim groundwater permitting rules for the area that would be in place until a groundwater study of in the area is completed.

The challenges in the Malheur Basin highlight a bigger problem across Oregon. With drought and climate change driving changes in surface flows, many are turning to groundwater pumping as an alternative. However, in almost all basins in the state, Oregon lacks data to know what levels of groundwater pumping are sustainable or can occur without injuring nearby streams, rivers, lakes and wetlands. There is a dire need for better groundwater data and studies, and specifically for the funding to do this critical work. To avoid serious problems in the future, we must find the political will now to fund needed groundwater studies.

## WaterWatch in the Community

WaterWatch...

- ... hosted a delegation of Japanese scholars studying instream flow protections and dam removals in Oregon.
- ... tabled at Rogue on the Fly in Galice and at the International Federation of Fly Fishers' 50th Anniversary Fair in Bend.
- ... lectured on Klamath Basin issues at Willamette University.
- ... sponsored the "One River, Ethics Matter" conference on Columbia River issues at the University of Portland.





# Do you appreciate WaterWatch's work? *Please donate now!*

We rely on the support of donors like you to monitor, defend, and restore Oregon's water resources. There are many options for giving and we appreciate donations large and small.

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213 SW Ash Street, Suite 208  
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Our Development Director, Molly, is available at (503) 295-4039 x0 to take a donation by credit card over the phone, or answer any questions.

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Make a one-time donation at [waterwatch.org](http://waterwatch.org), or opt to spread your donation throughout the year by making monthly donations.

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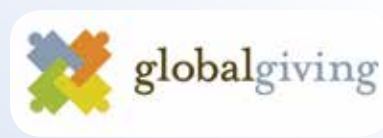
WaterWatch accepts vehicle donations with Charity Connections, a non-profit vehicle donations program. Please donate at [charity-connections.org](http://charity-connections.org).

## Workplace Giving

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WaterWatch is proud to be one of the founding member organizations of EarthShare Oregon. EarthShare has worked with many Oregon employers to establish a payroll deduction program that enables employees to make charitable donations. If you aren't sure your company participates, you can check at [earthshare-oregon.org](http://earthshare-oregon.org).

***WaterWatch is proud to participate in the following programs:***



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# THANK YOU!

**Here's big thank you to the many supporters who joined us at events in Medford and Portland this season.**

Thanks to all those who came out for the Salmon Homecoming Hootenanny, celebrating demolition of two derelict dams on Evans Creek to reopen access for native fish on a key Rogue River spawning tributary. It was a superb evening at Eden Vale Winery, made even better by beer generously donated by Ninkasi Brewing, wonderful music from the New Greensprings Mountaineers, and

delicious barbeque from Back Porch Bar & Grill.

Our yearly banquet and auction benefit, on Saturday November 7th at Portland's Tiffany Center, was a huge success! We had a great time seeing old friends and making new ones. Thanks to all our supporters, volunteer and donors – we couldn't have done it without you!

*And special thanks to our auction sponsors:*

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