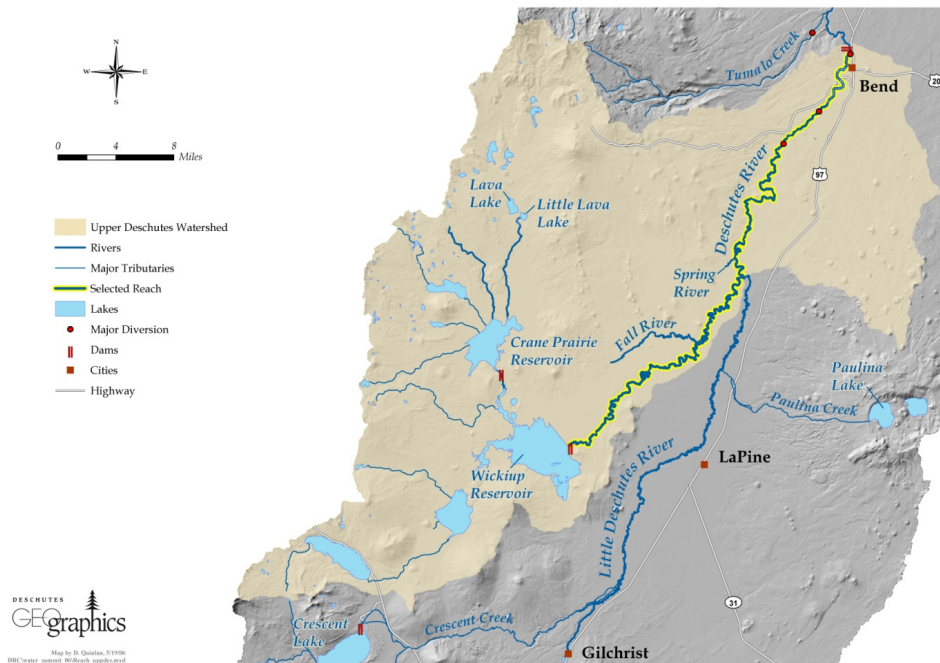


## FAQS REGARDING THE UPPER DESCHUTES RIVER WATER DEBATE

### Upper Deschutes River



**Where is the Upper Deschutes River?** Central Oregon, southwest and upstream of Bend, Oregon, including the Crescent Creek/Little Deschutes tributary. The Deschutes and Bend area is one of Oregon's premier tourist destinations with world-class opportunities for river recreation, including sportfishing and boating, among its most valuable amenities.

**What is the problem?** The Upper Deschutes River is managed solely for irrigation purposes, resulting in altered flows radically different from historical, natural conditions. Operations of Crane Prairie and Wickiup dams on the main river and Crescent Lake Dam on Crescent Creek, cause significant damage to the river, fish, and wildlife. The river suffers from extremely low flow in winter (approximately 20 cubic feet per second) and extremely high flow in summer (approximately 1400 cubic feet per second). The fast, sharp drop in flow each fall to refill irrigation reservoirs has caused repeated fish kills. Extremely low flows in winter and spring lead to stranding of egg masses, killing generations of the threatened Oregon Spotted Frog. The altered flows have also contributed to the destruction of fish and wildlife habitat, including spotted frog habitat, and negatively affect recreation and other economically beneficial activities. Prior to irrigation development, naturally steady inflow through the volcanic soils in the Upper Deschutes Basin maintained stable year-round river flows, in sharp contrast to current management.

**What is the litigation?** In January of 2016, Earthjustice filed suit on behalf of WaterWatch of Oregon challenging the unsustainable and harmful dam operations on the Upper Deschutes River. The legal challenge seeks a plan from Bureau of Reclamation and three irrigation districts, (Central Oregon, North Unit, and Tualo) to bring managed flows closer to natural flows so wildlife, fish, and all the people of Central Oregon—not just irrigators—benefit from a healthy river.

**Why is WaterWatch involved?** WaterWatch is a statewide non-profit river conservation group. WaterWatch works to protect flows in Oregon's waterways for fish, wildlife, and human communities that depend on healthy streams. The group has more members in Oregon's 5<sup>th</sup> Congressional District, which includes the Upper Deschutes River and all of Oregon east of the Cascade Range, than in any other district. WaterWatch has been involved in the Deschutes River

Basin for well over two decades, participating in work groups with a variety of interested parties, including state and federal government agencies, the Confederated Tribes of the Warm Springs Reservation, cities, and irrigation districts, to work out solutions to protect and restore the river. In 2008 the Basin's seven irrigation districts and the City of Prineville initiated a Habitat Conservation Planning effort to procure an incidental take permit under the federal Endangered Species Act. This plan is supposed to include activities to minimize effects on listed species, including the Oregon Spotted Frog. Unfortunately, after *more than 8 years* and the expenditure of \$2.6 million in public funding, the districts and Prineville failed to come up with a plan to change operations in the Deschutes River Basin, including the Upper Deschutes River.

**What does the lawsuit seek?** Generally, a plan to allow Upper Deschutes flows to more closely resemble natural flows, producing many benefits, including protecting fish, wildlife and threatened spotted frogs, improving water quality, and restoring the health of the river. Restoring the Upper Deschutes River will benefit more economic interests dependent upon the river—from tourism to recreation to fisheries to municipal as opposed to the current management system which only benefits irrigation at the expense of all other interests.

More specifically, the lawsuit seeks to enforce the requirements in the law that the Bureau of Reclamation consult with Fish and Wildlife Service on how dam operations are harming threatened Oregon Spotted Frogs and how the system should change in order to avoid that harm. It also seeks to enforce the requirement in the law for the irrigation districts to avoid harm to listed species and their habitat from dam operation. Returning the river to something more closely approximating natural flows would help meet both legal requirements.

WaterWatch is working extensively with biologists and hydrologists and has reviewed significant information available on the Upper Deschutes. Based upon existing research and analysis, there are many efficiencies to be gained in the irrigation delivery system and on-farm use. For example, Central Oregon Irrigation District is extremely inefficient and diverts three times more water than is ultimately used on-farm. Requiring the efficiencies that have already been identified will allow the Upper Deschutes Basin to operate in a manner more closely approximating natural conditions.

**Same location near Bull Bend campground, fall 2015, before and after draw-down**

