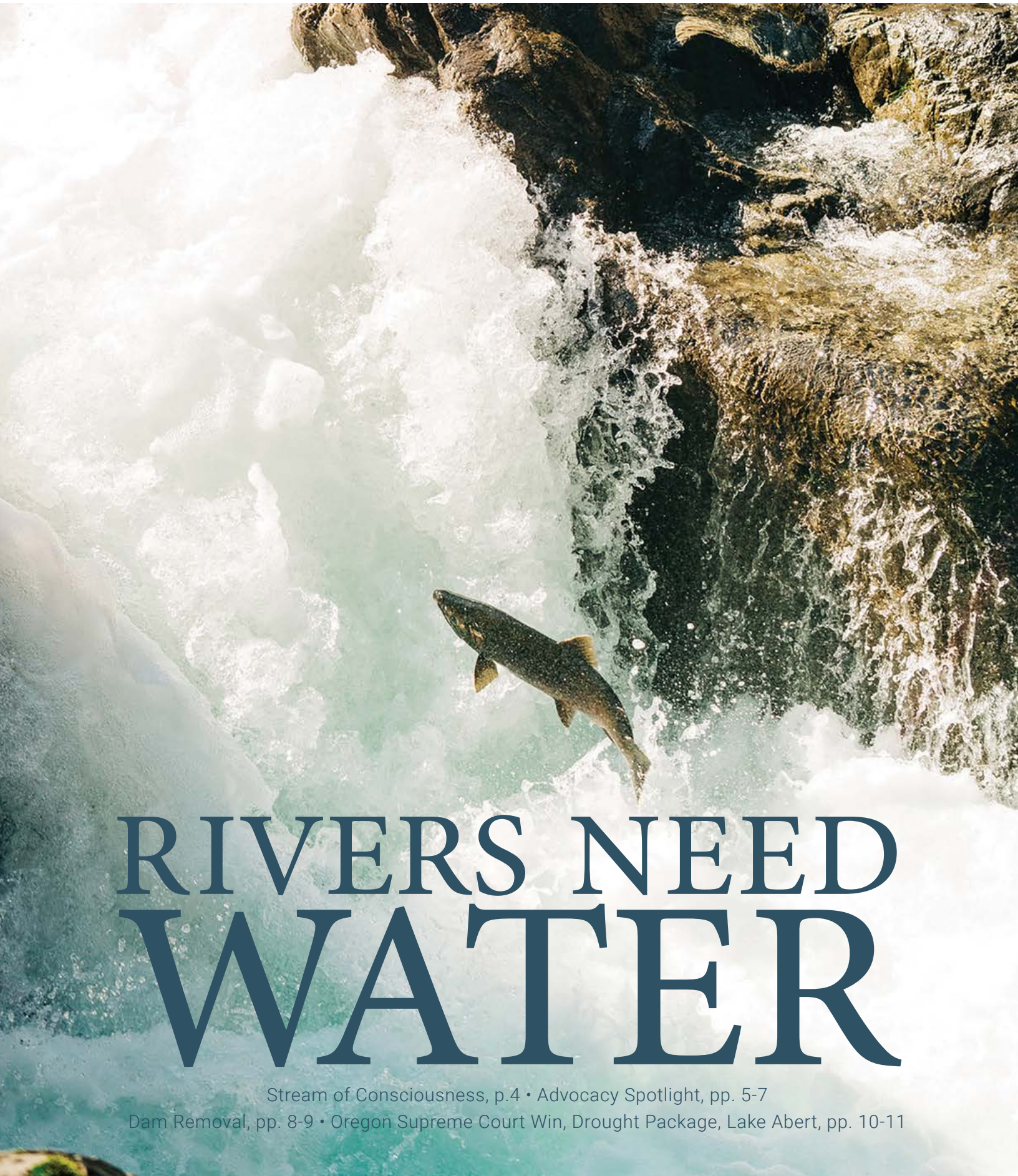




**WATERWATCH**  
*Protecting Natural Flows in Oregon Rivers*

**INSTREAM**

*Summer 2022 Newsletter*



# RIVERS NEED WATER

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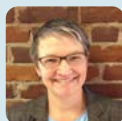
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**John DeVoe**  
Executive Director



**Neil Brandt**  
Development Director



**Lisa Brown**  
Staff Attorney



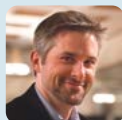
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*WaterWatch's mission  
is to protect and restore  
streamflows in  
Oregon's rivers for fish,  
wildlife, and the people  
who depend on  
healthy rivers.*



Snake River, OR. Board Treasurer Dave Kilhefner

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Staff, story content and edits

Cover: Adult salmon jumping waterfall,  
Cavan Images

Please Support WaterWatch and invest  
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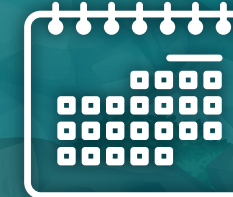
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## STREAM OF CONSCIOUSNESS

John DeVoe

In the fall, salmon spawned low in the stream beside the two track. But it was late May now and the juveniles were out in the estuary or the ocean. No dams to cross for those fish. Can't say that about many salmon in our world. He walked on. It had been a wet spring.

He left the trail and negotiated the margin of the stream and thigh deep crossings to pools with gentle tail outs, steelhead green water, violet-green swallows and monkeyflowers.

It darkened and began to rain. Sitting on a rock to change flies, he thought about the unseen cougar he once passed in a nearby drainage watching him silently while he tied on a fly before deciding to make its presence known. The lion was worn but magnificent, strolling out on a deadfall across the stream not 20 feet in front of him, its tail twitching.

Locking eyes, they watched each other, evaluating what was the same, what had just changed and what might change. Then the cat nonchalantly stretched full length to the top of the deadfall's rootball to display? mark? sharpen claws? still locking eyes, before springing effortlessly over the roots and out of sight, offering a chance to bushwhack downstream with deliberate speed and fish another day.

After the pools, he picked his way out of the gorge back to the trail, still thinking about the cougar and not wanting to fall. At the falls were mountains of wood, ancient trees recently peeled of bark and limbs, stacked high on the rocks around the plunge pool and sorted like a rock glacier made of wood, covering the stream for hundreds of feet.

He thought of the fire and scanned the vertigo inducing walls of the punchbowl. The stacking did not make sense. Did these trees come down the falls or the cliffs? There was no direct human agency here; this was the work of water.

He shuddered that the water had been that high, that powerful, in this creek. The falls created wind and waves and a low frequency vibration, the combination of which made the place seem dangerous, powerful and electric. Water high enough to stack those giant logs could return. He waded down and out onto an underwater shelf into the wind from the falls.

He could only cast obliquely to the wind, but that was enough. The waves and currents came in surges along with the water from the sky and the falls and the saturated cliffs above him.



Many decades ago, Oregonians had the foresight to protect the waters of many of the streams of the Columbia Gorge by withdrawing them from further appropriation. People come from all over the world to experience the waterfalls of the Gorge. And while tourism has its impacts, surely protecting the streams of the Gorge has proven to be more sustainable and produced more benefits than diverting those streams for mills, or small hydro projects or bottled water operations.

There are those who are actively planning to attack bedrock laws and policies to monetize now the water legacy we should leave for future generations. Advocates – like those highlighted in this issue of Instream – and you – will determine the nature of the legacy we leave for Oregon's freshwaters and all they support. We are stronger together. Let's join forces to create a water future for Oregon that includes healthy, connected cold water habitat, abundant fish and wildlife and strong recognition of the public interest in our waters.

## ADVOCACY SPOTLIGHT

Jean Edwards, Board Member

**Jean's advocacy focus: Resilient watersheds in a climate changed Oregon**



Our family has lived in Oregon since the 1880s. We have camped, hunted, boated, fished here and swam in its rivers. My husband and I especially enjoy remote areas such as the Imnaha and Snake River watersheds in Eastern Oregon. We are fortunate to own pack mules which allow us to access mountainous areas that are often inaccessible (and unknown) to many people. Those landscapes provide pristine sources of water and precious, key habitat for salmon and other wildlife.

### Why did you join WaterWatch's board?

This organization is the most effective in supporting my advocacy for adequate water for fish and other species. Water is the most precious matter we have – water is life. In Oregon, we are blessed with rivers that support human uses as well as unique fish and wildlife. I am a lifelong conservationist, outdoor enthusiast and a fisheries biologist. I am also an Oregon farmer. For the past 30 years, through my professional work, I have been fortunate to have had the opportunity to appreciate and cherish Oregon's rivers.

### What is it about WaterWatch's mission that attracts you specifically to this organization?

In 2000, I was thrilled to witness adult spring salmon spawning in the remote Upper Imnaha River, which flows into Snake River in Eastern Oregon. The waters there had been devoid of salmon for years. The return of salmon

is due to the efforts of WaterWatch, Native American tribes, and many individuals and organizations who have worked to see salmon return. WaterWatch is uniquely focused on a specific mission: to protect and restore streamflows in Oregon for fish, wildlife and the people who depend on healthy rivers. WaterWatch steadfastly holds state water agencies accountable for protecting our waterways. Its record of achievement is remarkable, and I am grateful.

### How is your board service supporting WaterWatch's work?

During this era of widespread drought and an alarmingly warming planet, the call to action is loud. For me and many Oregonians, our rivers and groundwater are sources of drinking water. Rivers also dilute, flush, and cleanse water pollution. Having sufficient water in rivers to meet these needs is critical to our overall health and well-being, and for keeping the natural environment upon which life depends, functioning. For those reasons, I support WaterWatch financially and by lending my voice to many of WaterWatch's calls to action.

**Please join me** in supporting healthy, climate resilient watersheds across Oregon by donating to WaterWatch and signing up for WaterWatch's River Action Alerts at:

**[waterwatch.org/get-involved](https://waterwatch.org/get-involved)**



## Jeff's advocacy focus: The Deschutes River Basin



**A**round 11 years ago, I bought a very special permit – a Deschutes National Forest guiding permit, which allowed me to guide on the Cascade Lakes, the Fall River, and the Upper Deschutes. The Upper Deschutes then was still a viable spot to be guiding and fishing. We weren't yet in this tremendous drought cycle, where Wickiup Reservoir was drying up every summer.

### **Why did you join WaterWatch's board?**

One of my good clients that I was guiding pretty much every fall was Paul Franklin, a former board member of WaterWatch. I believe it was 2015, the second year in a row of being with him and we were switching from one dry fly hatch to the other, hitting tremendously good fishing and never taking the dry fly off. At the time, we were catching fish around every logjam and every bend in the river. I remember him saying, 'We're going to have an opening on the board at WaterWatch. Do you want to be able to contribute to your resource area? You should become more involved.' I thought, my God, what an incredible honor. Here I am, this fishing guide over in Bend/Sisters – what do I know about being on the board of a really important water conservation group that's based out of Portland (but operates statewide)? I was intimidated by it at first.

### **What is it about WaterWatch's mission that attracts you specifically to this organization?**

I truly believe WaterWatch is doing the most important work in Oregon. One of the reasons is the staff. The staff has the ability to work in Salem or any corner of the state, any county, any municipality, and they're not afraid to go in strong. And, if needed, they're not afraid to litigate. I like the teeth that WaterWatch has when needed.

### **How is your board service supporting WaterWatch's work?**

I've been able to organize or help fundraising events in Central Oregon; to contribute guides for auctions; or, for times that John [DeVoe, Executive Director] wanted to bring a special fundraising partner out and get them down the river or out on the lake or something to kind of say, 'Hey, thank you from WaterWatch.' Or be out there with another board member, talking about the mission and what we're doing here in the Deschutes Basin.

**Please join me** in supporting WaterWatch. A donation in the enclosed envelope will help to protect streamflows in Deschutes Basin, including the 72-mile reach of Crooked River between Bowman Dam and Lake Billy Chinook.

## Dean's advocacy focus: Water management and policy



**I** first came in contact with WaterWatch 35 years ago, when it was just founded. I thought it could be particularly effective because of the clear emphasis on tracking the permitting and other government actions that really affect streamflows and groundwater. I liked the focus specifically on water resources, and on trying to influence the government decisions regarding water, where a bit of pressure could result in big changes.

### **Why did you join WaterWatch's board?**

I had been a financial supporter of WaterWatch for a long time and thought it would be interesting and rewarding to be more directly involved. I had done some economic research on outdoor recreation in Oregon that highlighted the economic benefits of natural resources, which WaterWatch subsequently used in some of its work. I'm also pretty familiar with marketing and communication. And I've always been interested in water and water policy and water economics, in part from my undergraduate studies in geology and engineering.

### **What is it about WaterWatch's mission that attracts you specifically to this organization?**

Other than the fact that it focuses on water – which I think is really important – is the concept of leverage. We're trying to get the powers that be – which is primarily the state – to do what they're supposed

to do. They were approving too many water rights, oversubscribing too many water resources. WaterWatch tries to use its influence to get them to change those practices, to be better stewards of our water resources. I like that.

### **How is your board service supporting WaterWatch's work?**

If considerations come up related to economic factors, I have a useful perspective. I think of Lisa [Brown, Staff Attorney] as she works on groundwater in Harney Basin. She's up to her elbows in economics, because that's what water's all about out there. She and the other staff are tremendously capable and do excellent work. I feel privileged to see some of it from the inside. Every now and then there's an opportunity to weigh in on some economic perspective. And sometime, I have comments on development and communications.

**You, too, make our work possible:** Please stand with me in supporting WaterWatch's advocacy for better state groundwater management and policies in Harney Basin and other areas of Oregon. WaterWatch is a unique and vital part of Oregon's water future. Your donation today in the enclosed envelope will help us continue to hold state agencies accountable for unsustainable groundwater policies.





Before dam removal, Slate Creek. *Jim McCarthy*



After dam removal, Slate Creek. *Jim McCarthy*

# WATERWATCH CONTINUES TO FREE THE ROGUE!

**I**n fall 2021, crews demolished three obsolete concrete dams as part of a WaterWatch-led collaborative project to restore access to habitat for native salmon and steelhead in Slate Creek, a key spawning tributary of the Rogue Basin's Applegate River. Santilla Dam, listed on the Oregon Department of Fish and Wildlife's 2019 Statewide Fish Passage Barrier Priority List, came out along with two other fish-blocking dams on Slate tributary Welter Creek. The multi-faceted project significantly improved access to 15 miles of spawning and rearing habitat; replaced the dams' water diversion with a fish-friendly, solar powered, screened, and metered pump; replaced 1,000 feet of leaky canal with new pipe; removed a relic road

abutment from Slate Creek; and decommissioned a section of logging road along Welter Creek.

Slate and Welter creeks are now free-flowing at the project site for the first time in at least 80 years, benefitting Coho and Chinook salmon, steelhead trout, resident Cutthroat and Rainbow trout, Pacific Lamprey, and other native species. To pay for this project's engineering, permitting, contracting, and construction costs, WaterWatch and our partners raised nearly \$600,000 in public and private funding in just over two years. The project represents the highest priority fish barrier addressed in the Rogue since the WaterWatch-led improvements to Gold Hill Irrigation District Diversion Dam in 2016.

The Rogue has been a WaterWatch focus since our founding and is renowned for its salmon and steelhead, whitewater, rugged scenery, and as one of the original eight rivers protected by the Wild and Scenic Rivers Act. However, since Euro-American settlement of the region, artificial instream barriers have been constructed in almost every Rogue Basin stream, significantly impairing fisheries and water quality. The removal of several mainstem Rogue dams since 2009 garnered considerable public support and attention, but hundreds of other dams remain on Rogue tributaries. Tributary streams, such as Slate and Welter creeks, are vital for salmon and steelhead because they provide important spawning and rearing habitat. Many of these smaller dams

have fallen out of use, or could be replaced with newer, less harmful technology. To fully realize the benefits of past mainstem dam removals, and to bolster the Rogue's natural resiliency as the stresses of climate change mount, WaterWatch is working hard to address tributary barriers by ecological priority.

WaterWatch members, your support makes this work possible! Thanks to you, the ongoing Free the Rogue campaign remains one of the most successful dam removal and river restoration efforts in the nation. Please stay tuned for news on our next dam removal projects to help restore salmon habitat and natural resiliency in Oregon's incredible rivers!



## WaterWatch wins in Oregon Supreme Court

The Oregon Supreme Court recently ruled in WaterWatch’s favor in an important case about when an unused hydroelectric water right must be converted to a permanent instream water right for the benefit of public uses, such as fish, wildlife, and recreation.

On a tributary to the Powder River in Eastern Oregon, the Rock Creek Power Plant diverted water for nearly 100 years to generate electricity. Then, in 1995, it shut down after deciding it could no longer operate profitably.

Oregon law says hydroelectric water rights must be converted to instream water rights “five years after the use of water under [the] hydroelectric water right ceases.” The owner of the water right on Rock Creek tried to dodge that requirement by occasionally “leasing” the right for short-term instream use and claiming use “under” the hydroelectric right therefore never ceased. Another company then purchased the right and proposed to use it for a new hydroelectric plant.

The Water Resources Department was prepared to go along, so WaterWatch went to court. The lower courts agreed with the Department, but the Oregon Supreme Court agreed with WaterWatch and directed the Department to begin the process to convert the water right to an instream right. WaterWatch is now monitoring that process to ensure the hydroelectric right is converted to an instream water right.

## Legislature approves \$25.6 million drought package for Oregon rivers and freshwater habitat

WaterWatch and conservation partners developed a first-of-its-type \$25.6 million drought resiliency package approved in February by the Oregon Legislature.

The package will help buffer effects of climate change and associated drought – benefitting rivers, wetlands and aquatic ecosystems.

### THE PACKAGE PROVIDES STATE AGENCIES:

- **\$2.6 million for mapping cold water refugia, installing real-time temperature and streamflow gages, and securing instream water rights for streamflows;**
- **\$8 million for fish passage barrier removal;**
- **\$10 million for voluntary water right acquisitions to restore water instream;**
- **\$5 million for aquatic habitats restoration projects.**

**This is a great step forward. However, additional drought resiliency measures are needed if we want healthy freshwater habitat in a climate changed world.**

### STATE ACTION IS NEEDED TO:

- **protect minimum survival streamflows for fish during drought;**
- **use existing state drought tools to mandate water conservation measures for cities and agriculture;**
- **require real-time measurement and reporting of water use;**
- **set basin-specific efficiency standards to help ensure sustainable agriculture in a warming climate;**
- **enforce against illegal or wasteful water use;**
- **sustainably manage Oregon's groundwater resources.**

As Oregon faces increasing incidents of drought, these and other measures are critical to ensuring protection and restoration of freshwater habitat, including cold water habitat, into the future.

## Oregon’s imperiled Lake Abert finally gets state’s attention

Years of hard work by WaterWatch and conservation allies have created positive momentum for Oregon’s internationally significant Lake Abert. This spectacular Southeastern Oregon lake is second only to the Great Salt Lake in importance for migratory shorebirds in the Great Basin.

Used historically by more than 80 species of shorebirds and waterbirds, it’s particularly important to Wilson’s Phalaropes, American Avocets, North American Eared Grebes, and Snowy Plovers. But when deprived of necessary freshwater inflows from the Chewaucan River, increased salinity levels cause food relied upon by the birds to disappear. Water conditions are so dire that Lake Abert has gone dry twice in the last eight years.

Following in-depth reporting by The Oregonian detailing the state’s failure to address the lake’s plight, WaterWatch and six other conservation organizations requested that Governor Kate Brown and key agencies immediately start implementing 12 needed actions. The state has now committed to working towards a solution for the lake.

We are optimistic that monitoring – foundational for understanding and conserving the lake – will soon be implemented. We know that finding solutions won’t be easy, but we’re committed to working with others to ensure that current momentum is translated into action to preserve this amazing lake.

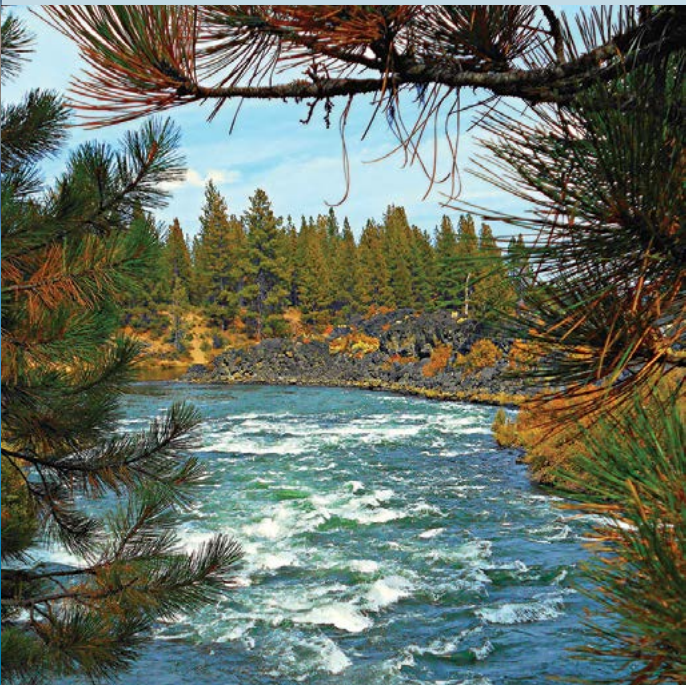
## INTRODUCING: WATERWATCH

## RIVER DEFENDER

**Are you interested in helping secure a healthy, equitable water future for Oregon’s rivers, lakes, wetlands and people?** You’re not alone. WaterWatch’s River Defender Program is for people who are committed to supporting WaterWatch through their estate planning. When you take steps to include WaterWatch in your estate, you’ll be in good company, joining a renowned community of dedicated conservationists. You can make a real impact for Oregon’s rivers – now, and into the future – when you make a commitment to be a River Defender with WaterWatch.

### PLEASE JOIN WATERWATCH’S COMMUNITY OF LEGACY MEMBERS BY BECOMING A RIVER DEFENDER TODAY!

By including WaterWatch in your will or estate planning, you give the gift of healthy rivers to future generations of Oregonians! You can also direct estate gifts to WaterWatch’s endowment fund, which invests in the future of WaterWatch and Oregon’s rivers. To learn more about planned giving and the different ways to give through your estate, please contact Neil Brandt, our Development Director, at [neil@waterwatch.org](mailto:neil@waterwatch.org) or 503-295-4039 x0.



Mirror Reflection on Lake Abert, Mark Brown

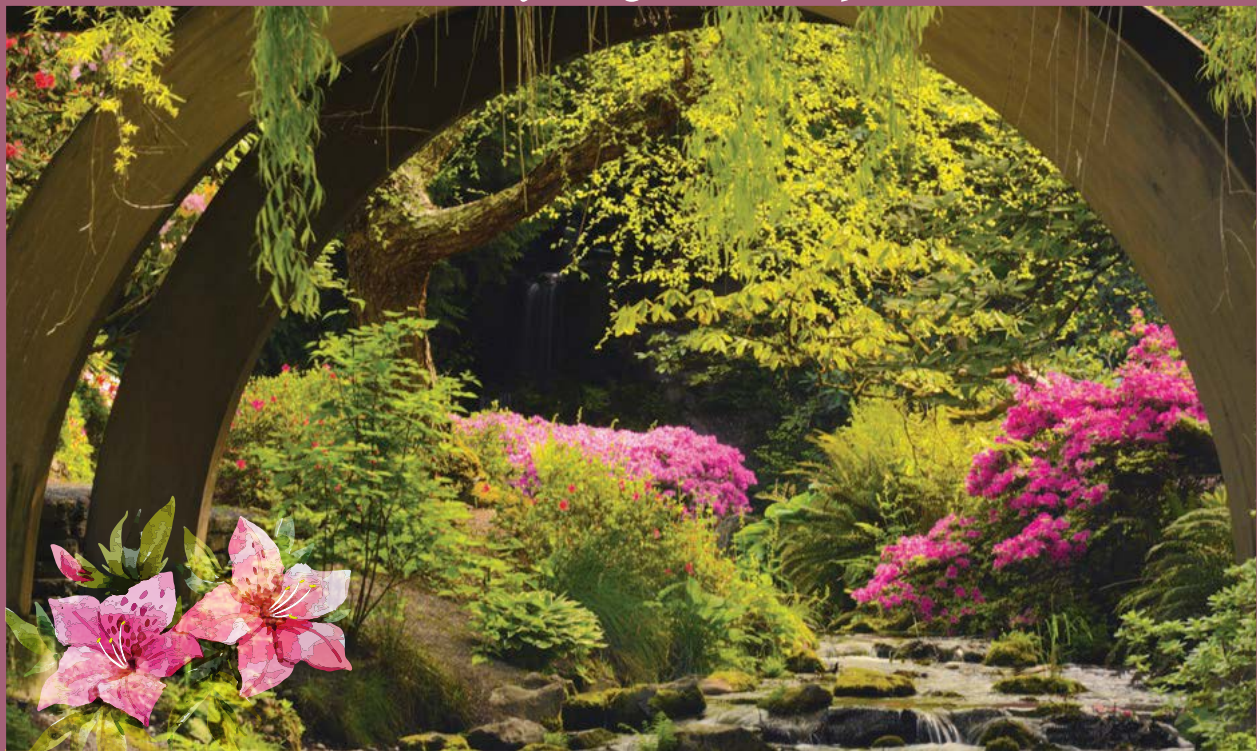




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