



Statement of Steve Moyer, Trout Unlimited's Vice-President of Government Affairs

**U. S. House of Representatives, Committee on Natural Resources,
Subcommittee on Water and Power**

Hearing on H.R. 2060 "*Central Oregon Jobs and Water Security Act*"

June 23, 2011

Dear Chairman and Members of the Subcommittee:

My name is Steve Moyer, and I am Trout Unlimited's Vice-President of Government Affairs. I appear today to testify at this hearing on H.R. 2060, which proposes to amend the Wild and Scenic Rivers Act to adjust the Crooked River boundary, to provide water certainty for the City of Prineville, Oregon, and for other purposes.

I thank the Chairman and Members of the Subcommittee for the opportunity to appear today as well as Representative Walden for his attention to water supply concerns in central Oregon and local economic development needs. My testimony focuses on specific areas where Trout Unlimited believes H.R. 2060 could be improved to achieve a more comprehensive outcome.

Trout Unlimited (TU) is the nation's oldest and largest coldwater fisheries conservation organization. TU's mission is to conserve, protect, and restore North America's trout and salmon fisheries and their watersheds. Today, TU has more than 140,000 members organized in 35 state councils and 380 local chapters. Our members give back to the resource they cherish by working across traditional dividing lines on natural resources issues in order to find constructive and durable solutions. TU chapters invest thousands of volunteer hours on their local rivers often in partnership with landowners, local government, and businesses.

TU understands and appreciates the City of Prineville's interest in water supply and job creation. We acknowledge the provisions of H.R. 2060 relating to potential hydropower generation and delivery of water for irrigation. TU recognizes that there are several parts of H.R. 2060 as written that are good for salmon, steelhead, and trout. These include: emphasis on advancing steelhead restoration in McKay Creek, a tributary to the Crooked River; and, creating opportunity for conserved water projects and temporary instream leasing as authorized by Oregon State law.

However, as currently written, H.R. 2060 does not achieve a balanced outcome that adequately addresses how operations of the United States Bureau of Reclamation's Bowman Dam and Prineville Reservoir would benefit fish and wildlife downstream in the future.

TU respectfully recommends three ways to improve H.R. 2060's comprehensiveness and achieve a balanced-outcome for irrigation, economic development, municipal and fish and wildlife purposes. These suggestions are based on our core interest in ensuring a healthy, vibrant and sustainable blue-ribbon fishery below Bowman Dam. This fishery is currently one of the

regional economic engines that draw people from near and far to central Oregon to fish and recreate outdoors. Fishing for native redband trout is a time-honored tradition for local residents, and because of robust fish populations, the Crooked River has long been a great place for kids to learn how to fish. Our three recommendations would help H.R. 2060 do more to protect this fishery for the next generation of sportsmen and sportswomen.

First, H.R. 2060 includes provisions allowing instream flow of water from Bowman Dam to help recharge groundwater and offset additional pumping. But, the bill fails to allocate any water for the specific purpose of improving downstream conditions for fish and wildlife. Prineville Reservoir stores about 80,000 acres of unallocated water presently. H.R. 2060 could create a more comprehensive and balanced approach towards existing and future flow releases as well as reservoir allocation. We believe this more balanced approach is achievable consistent with existing uses such as irrigation. To help facilitate meeting multiple beneficial uses, the bill could authorize The Department of the Interior – either the Bureau or the Geological Survey, or both – to conduct studies involving the interested stakeholders to better understand downstream river needs and evaluate water supply and management options. Studies would likely produce valuable information for reducing future user conflicts, especially in periods of water shortage during dry years.

Second, we thank Representative Walden, and water users, and the Confederated Tribes of Warm Springs for their support of, including provisions in H.R. 2060 to advance steelhead restoration work in McKay Creek. However, this language could be further clarified to emphasize such restoration. We value leadership by the Tribes and encourage continued coordination with the Tribes in order to resolve any issues that may arise regarding these McKay Creek-provisions of H.R. 2060.

Third, H.R. 2060 as currently written expressly accounts for irrigation protections through a “First Fill” provision. However, the bill fails to provide any equivalent protection for fish and wildlife. H.R. 2060 could include provisions that directly advance and protect fishery interests at no additional cost. For example, the bill could reauthorize Bowman Dam for fish and wildlife purposes in a manner entirely consistent with existing irrigation uses; it could encourage and provide a framework for a proportional flow management solution that accounts for drought or other needs; and, it could ensure that nothing in the bill supersedes existing applicable law such as the Endangered Species Act or the National Environmental Policy Act. Achieving clearer fishery benefits and protecting existing irrigation uses without changing applicable law are not mutually exclusive goals, may not require a new statutory first fill provision, and once achieved would create an even more comprehensive and long-term solution than currently exists in the bill.

I conclude my testimony today by again thanking the Chairman and Members of the Subcommittee for the opportunity to appear today as well as Representative Walden for his work to date on H.R. 2060. Trout Unlimited looks forward to continuing to work with the Representative, members of Congress, and staff as well as other interested parties as we seek to address our recommendations regarding H.R. 2060. We will approach that continuing dialogue in a collaborative and constructive manner. Thank you for the opportunity to testify this morning.