

# Committee on Resources

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## Statement of United States Representative John T. Doolittle

Before the Subcommittee on Water and Power  
House Committee on Resources  
United States House of Representatives  
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Good morning, Mr. Chairman. I want to thank you for honoring the request made by Congressman Herger, Congressman Walden and me to conduct this important field hearing in Klamath Falls, Oregon. I would also like to thank those who are here to testify today and the many individuals who have continued to fight for responsible environmental policy that encourages collaboration and community stability, not conflict and uncertainty.

As you know, I am honored to represent the communities made up of hard working people in Modoc County, California. For generations, the citizens of this county and nearby counties in Oregon, California, and Nevada have cultivated a great appreciation and respect for the natural resources of this landscape and the wildlife that shares it. These communities have worked and continue to work hand in hand with federal and state agency officials in an effort to maximize the potential of these vast resources. Unfortunately, these award-winning efforts and leadership roles have yielded little benefits when faced with the rigid, outdated, and unsuccessful Endangered Species Act (ESA). Communities that once supported dozens of timber mills and raised tens of thousands of domesticated livestock now watch in horror as the ESA threatens to cripple a third industry, that of irrigated agriculture. We cannot stand by and let this happen. It is my hope that this House Water and Power Subcommittee Field Hearing (Hearing) will reverse the chain of events that have brought us to this unfortunate place and serve as a catalyst for amending the ESA to make it a better and more effective law while respecting the rights and interests of communities and property owners.

From spotted owls, frogs, beetles, fish, and even soils and plants, my constituents have suffered extreme difficulties as a result of ESA mandates. In addition, the taxpayer has borne the cost of this excessive law and the expensive and time consuming burdens it places on vital local endeavors ranging from levee construction to road building to farming. However, the costs have never been so high as they are in the Klamath Basin (Basin). From lost crops in 2001 to the cold feeling of uncertainty with regards to water supplies, ESA requirements and the haphazard implementation of programs designed to "benefit" species have taken a dramatic toll on the economies and social well-being of these farming communities. I find it both ironic and disheartening that the very communities besieged by this process are ones that were started by men and women who sacrificed the most for our country. For those who may not know it, the Klamath Irrigation Project (Project) was settled by veterans of World War I and World War II and built on the federal government's promise of a reliable water supply for crops in perpetuity. These patriots could have never imagined that the most serious and threatening foe to their way of life and that of their children and grandchildren would not end up being the Japanese, Germans, or Russians, but their own government and its misguided policies manipulated through the judicial system by environmental zealots and extremists.

I believe the original homesteaders would be proud of the way the communities they started have responded to the injustices brought on by the ESA. For the last ten years Project farmers have advocated solutions that will bring benefits to fish and birds as well as to sustainable agriculture. Project farmers have entered into voluntary agreements that have improved habitat for suckers, enhanced fish passage capabilities, restored wetlands, improved water quality, and bettered already impressive water-efficient agricultural practices. In addition, farmers agreed to early shutdowns in 1992, 1994, and 2000 in an effort to conserve water for environmental purposes. To this day, they pump valuable groundwater with minimal or no compensation. Project farmers have been leaders in developing and encouraging new water storage capabilities and participated in innovative partnerships with Klamath Wildlife Refuge Managers and officials from every stakeholder group that offers a fair and open mind. I am pleased to see that these efforts have been recognized with recent awards and accolades. The Klamath Water Users Association (KWUA) recently accepted two awards on behalf of its members: a 2003 Oregon Leader in Conservation Award and an award

for contributing to the goals of the Oregon Plan for Salmon and Watersheds. In addition to these tributes, the Tulelake Irrigation District was granted the F. Gordon Johnston Award at the Mid-Pacific Water Users Conference in recognition of its innovative canal lining project. Finally, the Basin is now home to a national "Excellence in Conservation" award as determined by the Natural Resources Conservation District. Mike Bryne, a rancher and farmer in Tulelake, was given this prestigious award for his leadership in arranging and encouraging conservation measures on private land. Clearly, these efforts are not driven by greed or by a desire to manipulate and degrade the environment, but rather by fervent respect and love for the land that supports these communities and produces commodities American citizens take for granted every day. Project farmers understand that the great benefits bestowed from the land come with great responsibility for its sustainability and vibrancy. They have accepted this responsibility and have excelled in implementing projects beneficial to the entire watershed, sacrificing their own time and financial resources.

While the leadership efforts of farmers have recently received high praise and appreciation from officials in Salem and Washington D.C., these efforts have not lessened the burdens imposed by a bloated and divisive water bank affecting Project farmers and by the failure to incorporate the best available science into flow regimes for the Klamath River and lake levels for Upper Klamath Lake.

I insist that the objective science and recommendations published recently by the National Research Council (NRC) regarding endangered and threatened fishes in the Klamath River Basin be implemented by the federal agencies having jurisdiction in this matter. A brief examination of this report yields many useful facts, smartly pointing out that the recovery of threatened coho and endangered suckers will demand a watershed-wide approach and will not be solved by the valiant efforts of farmers and ranchers that make up a mere two percent of the entire watershed. Additionally, flaws in the underlying science and assumptions guiding agency decisions were questioned and a whole host of insightful and easily-implemented recommendations were made. Perhaps most striking was the report's finding that Project operations were not responsible for the 2002 fish die-off 200 miles downstream on the Klamath River. Also of note was its sharp rebuke of the methods and findings of Dr. Thomas Hardy. We are here today to highlight these aspects of the report and to find the most effective way to incorporate the findings into the biological opinions governing species recovery and Project operations.

It has been said that great challenges present great opportunities. That is the situation we are all faced with in the Basin. Project farmers have done more than just talk about conserving resources and promoting environmental health, they have implemented worthwhile projects on the ground while weathering unconscionable uncertainty regarding the water that supports their livelihoods and sustains their communities. They have stepped up to the challenges presented to them, and it is time that the federal government recognize these efforts and move to incorporate the recommendations contained in the NRC report as well as other initiatives that will benefit users throughout the watershed.