



WaterWatch of Oregon
Protecting Natural Flows in Oregon Rivers

Willamette Reservoir Reallocation Conservation Group Perspective

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Engagement

- Stakeholder meetings hosted by Corps and OWRD (2016-18)
- Science of Willamette Instream Flows Team (“SWIFT”) (2016-20)
- Comments on draft feasibility study (January 2018)
- Conferred with state and federal agencies
- Coordinated conservation group response to recommended plan (January 2019) – letter to Corps and Congressional delegation
- Conferred with Congressional delegation re WRDA (2020)
- Litigation (2020-21) – voluntarily dismissed after WRDA passed
- Toured the sites

Cottage Grove Dam – Coast Fork



Hills Creek Dam – Middle Fork



Corvallis



Salem





Fish and wildlife context

- Many fish and wildlife species in Willamette Basin
 - 31 native fish, 29 non-native fish, 18 amphibian, 69 mammal, 154 bird, 15 reptile (Rivers of North America)
- Two threatened (ESA) fish species (1999)
 - Upper Willamette River Spring Chinook
 - Upper Willamette River Winter Steelhead
- Biological Opinion (2008)
 - Flow targets (vary by time of year and water year type)



Water rights context

- Presently, all of the water not contracted for irrigation (95 percent) can be released to meet target flows for fish
- Water released from storage for fish (without a water right) is subject to appropriation by downstream users (with a water right)
- Protecting water released for fish will require some combination of contracts, secondary water rights and/or instream water rights
 - Reallocation will help facilitate



Corps Approach to Reallocation

- Estimated demand/need for three uses: agricultural irrigation; municipal and industrial; fish and wildlife
 - Fish and wildlife needs capped at storage capacity
- Four alternative allocations
 - A – Each use gets equal percentage of total need
 - B – Prioritize fish and wildlife – all except existing irrigation contracts
 - C – Prioritize AI and MI – 100 percent of need; fish what's left over
 - D – Leave 300 Kcf unallocated; all uses less than total need
- Management plan – what to do when reservoirs don't fill



Corps Reallocation Plan – “Alternative C”

- “Prioritize[s] M&I and AI Storage at 2070 Peak Season Demand Levels”
- Fish and wildlife – 70% of capped need
 - Not enough to always meet flow targets for listed fish
 - Does not consider needs of non-listed species
- Municipal and industrial – 100% of estimated 2070 demand
 - Assumes no reductions in per capita water use
 - To meet “peak season” demand – outdoor watering
- Agricultural irrigation – 100% of estimated 2070 demand
 - Assumes all land with water rights irrigated at maximum rate allowed
- Management plan: “share the pain” in low water years



Biological opinion on reallocation (2019)

- Reallocation plan will jeopardize listed fish
- “Reasonable and Prudent Alternative” (selected measures):
 - Recommend retained reallocation authority
 - Recommendation not followed
 - Cap municipal contracts (11 Kaf) until mechanisms in place to protect stored water released for instream flow
 - Prioritize target flows for fish in low water years



Water Resources Development Act

- Adopted Corps reallocation plan
- “Special rules”
 - Comply with 2019 BiOp
 - May reallocate up to 10 percent



Next - implementation

- Could allow water released for fish to be protected from downstream appropriation
- Transfers to change allowed uses
- Conversion of minimum perennial streamflows to instream water rights
 - Flows “up to” specified amounts from stored water
- Contracts/secondary water rights for stored water



Summary

- Reallocation gave too little water to fish; too much to other uses
- Biological Opinion (2019) helps
- WRDA special rules help
- Support implementation to protect stored water released for fish