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OREGON WATER RESOURCES CONGRESS
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I am Anita Winkler, Executive Director, Oregon Water Resources Congress (OWRC). This testimony is submitted to the United States House of Representatives Appropriations Committee, Subcommittee on Interior and Related Agencies, regarding the FY10 Budget for the Department of the Interior Fish and Wildlife Service. OWRC requests an appropriation of \$25 million for full funding in FY10 of the U.S. Fish and Wildlife Service Fish Restoration Irrigation Mitigation Program (FRIMA).

The Oregon Water Resources Congress (OWRC) was established in 1912 as a trade association to support member needs to protect water rights and encourage conservation and water management statewide. OWRC represents non-potable agriculture water suppliers in Oregon, primarily irrigation districts, as well as other special districts and local governments that deliver irrigation water. The association represents the entities that operate water management systems, including water supply reservoirs, canals, pipelines, and hydropower production.

RE: FRIMA Program - U. S. Fish and Wildlife Service FY10 Request

Background of the Fisheries Restoration and Irrigation Mitigation Act

FRIMA, originally authorized by PL 106-502, enacted November 2000, created a new federal partnership fish screening and passage program in the Pacific Ocean drainage areas of Idaho, Oregon, Washington and western Montana, administered by the U.S. Fish and Wildlife Service. The Fish and Wildlife Service is to implement this voluntary cost-share fish screen construction program for water withdrawal projects in Idaho, Oregon, Washington and western Montana through the fishery agencies in the four states. The funding is to go to local governments for construction of facilities. Irrigation districts and other local governments that divert water for irrigation, can access the funding; individual irrigators can access funding through their local Soil and Water Conservation District. (SWCD districts are local governments affiliated with the Natural Resources Conservation Service).

The reauthorization for the FRIMA program is contained in the recently passed H.R. 146 The Administration has not requested any funding in its FY10 Budget submission for this program.

The original legislation and the reauthorization was supported and requested by the Pacific Northwest Partnership, a coalition of local governmental entities in the four Northwest states. As one of the members of that coalition, we appreciate your consideration of this request.

Need

Our association has represented irrigation districts in Oregon since 1912. About half of those districts are affiliated with the U.S. Bureau of Reclamation. The remainder of the districts is not part of a Reclamation project. Over 200 irrigation districts in Oregon provide water supplies to over one million acres of cropland in the state. Almost all of these districts are affected by either state or federal Endangered Species Act listings of Salmon and Steelhead, Bull Trout or other sensitive, threatened or endangered species.

Fish passage and fishscreen needs have become critical to fishery protection:

- to keep protected fish species out of water canals and delivery systems;
- to allow fish to be safely bypassed around reservoirs and facility structures; and
- to eliminate water quality risks to fish species.

Among Oregon irrigation districts alone (not including other public or private irrigation diversion needs) well over \$11 million in funding will be required to meet fish passage and fishscreen needs. Limited cost-share funds are available from the Oregon Watershed Enhanced Board (OWEB) program in Oregon, but primarily the cost share for passage and screening needs has been provided by the districts and their water users. Although many districts already have screening facilities in place, requirements for screening have changed to meet federal agency requirements of the NOAA Fisheries Service and the Fish and Wildlife Service, driven by implementation of the federal Endangered Species Act (ESA) so that existing facilities must be upgraded at significant cost.

Funding

The reauthorization contained in H.R. 146 calls for \$25 million annually, to be divided among the four states. The Service has never included funding in its budget requests since passage of the original Act. Congress provided the first funding in 2001 through a write-in of \$4 million to be shared among the four states. The agency did not get the program up and running until late 2002, so the first moneys were distributed then. In the following years, funding for FRIMA was provided as a Congressional write-in in each year. OWRC appreciates Congress' continued funding for the FRIMA program each year. That funding has begun to address the need for fish screens and fish passages to protect sensitive, threatened, and endangered fish species in the states in the Northwest continues but there is still significant need.

In 2000, in its report accompanying the legislation, the Congressional Budget Office (CBO) estimated outlays of \$70 million between 2001 and 2004. The actual appropriation was only \$8.8 million during that time period and all of the money was a write-in. For FY05, Congress provided \$2 million for the program in the Consolidated Appropriations Act and, \$2 million in FY06. The FY 07 funding of \$1 million was part of an appropriation to the Fish and Wildlife Service but was not a separate, designated appropriation. As you can see from the total amount of money that Congress has written in for the program, such amounts are woefully inadequate for what was anticipated for the program, yet appreciated. The Administration did not request funding for the program for FY 09, consistent with its past budget submittals, despite widespread benefits from the money that Congress had previously provided.

A recently produced report by the U.S. Fish and Wildlife Service covering the program years FY2002-2004 provides state- by-state coverage of how the Congressional provided funding has been used in the program. The program has been extremely beneficial in the State of Oregon. Funding funneled through the Service to state fishery agencies is distributed on the basis of an application and approval process that is based on a ranking system implemented uniformly among the states, including the following factors:

- fish restoration benefits,

- cost effectiveness, and
- feasibility of planned structure

Each state is allocated 25% of the annual program funding. Agency administrative costs cannot exceed 6% of the funding.

Project Benefits

The project must provide improved fish passage or fish protection at water diversion structures and must benefit fish species native to and present in the area, including those listed on state or federal endangered species or conservation lists. The project must meet applicable state and federal requirements for project construction and operation. Projects will increase the survival of many native fish species in a relatively short period of time. Compared to other recovery strategies, the risks posed by these activities are low and the assurance of success in increasing numbers of fish is high. Dislocation of existing social and economic activities is minor. Screening and passage can make a very substantial contribution utilizing existing implementation mechanisms and methods well accepted by landowners and rural communities.

Cost Share

FRIMA provides for a maximum federal cost-share of 65%. The applicant's cost-share is 35% plus the on-going maintenance and support of the structure for passage or screening purposes. Applicants operate the projects and the state agencies monitor and review the projects. For more information, see the Services' Fisheries Resources website for the Pacific Region at <http://www.fws.gov/pacific/Fisheries/FRIMA>. This program is headquartered in the Portland, Oregon regional office of the Service.

Oregon's Project Benefits

Twenty-five fish screens or fish passage projects in Oregon have been funded using funding from FRIMA for part of the project since the start of the FRIMA program. In addition, the Oregon Department of Fish and Wildlife has used some of the FRIMA funding to develop and inventory of need for fish screens and passages in the state. In that time, the local match has averaged 51.7%, well over the amount required under the Act. In other words, each federal dollar invested in the FRIMA program generates a local investment of just over one dollar for the protection of fish species in the Pacific Northwest.

The following are examples of how Oregon has used some of its FRIMA money:

Santiam Water Control District Project: fishscreen project on a large 1050 cfs multipurpose water diversion project on the Santiam River (Willamette Basin) near Stayton, Oregon. Partners are the Santiam Water Control District, Oregon Department of Fish and Wildlife, Marion Soil and Water Conservation District, and the City of Stayton. Approved **FRIMA** funding of **\$400,000** leverages a **\$1,200,000** project. Species benefited include winter steelhead, spring Chinook, rainbow trout, and cutthroat trout.

South Fork Little Butte Creek: fishscreen and fish passage project on a 65 cfs irrigation water diversion in the Rogue River Basin near Medford, Oregon. Partners are the Medford Irrigation District and Oregon Department of Fish and Wildlife. Approved **FRIMA** funding is **\$372,000**

and leverages a **\$580,000** total project cost. Species benefited include listed summer and winter steelhead, Coho salmon, and cutthroat trout.

Running Y (Geary Diversion) Project: fishscreen project on a 60 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Wocus Drainage District, Oregon Department of Fish and Wildlife, and Jeld-Wen Ranches. Approved **FRIMA** funding of **\$44,727** leveraged a total project cost of **\$149,000**. Species benefited included listed red-band trout and short-nosed sucker.

Lakeshore Gardens Project: fishscreen project on a 2 cfs irrigation water diversion in the upper Klamath Basin near Klamath Falls, Oregon. Partners are the Lakeshore Gardens Drainage District and Oregon Department of Fish and Wildlife. Approved **FRIMA** funding is **\$5,691**, leveraging a total project cost of **\$18,970**. Species benefited include red-band trout, short-nosed sucker and Lost River sucker.

Oregon Department of Fish and Wildlife Inventory Project: an inventory to be conducted by Oregon Department of Fish and Wildlife to identify FRIMA-eligible passage and screening projects within the Rogue and Klamath basins of southwestern Oregon. Approved **FRIMA** funding is **\$76,000**. Estimated total project cost is **\$125,000**.

WHY FUND NOW

Dollar-for-dollar, providing screening and fish passage at diversions is one of the most cost-effective uses of restoration dollars, creating fishery protection at low cost, with low risk and significant benefits. That is why it is important that this program be funded now. We urge the full authorization funding of \$25 million for FY 10 and urge Congress' oversight in encouraging the Service to budget for this successful program in the future.

Thank you for the opportunity to provide this statement for the hearing record.