

Op-ed, Valley papers

Over the last sixty days, political currents have swirled around the Wood River Legacy Project. The speed with which the project gained support and legislative traction surprised many, culminating with the public meeting Senator Clint Stennett held on Friday, February 16th in Hailey.

Over 100 people, both supporters and opponents, attended that meeting. They were witness to dueling hydrologists, substantial opposition from triangle farmers, support from the state and valley community and finally, insight by way of Gary Chamberlain, a rancher from Challis representing the Idaho Water Resources Board:

“... I’m a rancher, have been for 43-44 years now. And when I first started ranching, I thought anyone who wanted to give away their water was dumb. What I realize now is that ranchers aren’t necessarily the majority anymore. There are people who like to fish in streams. There are people for no other reason that just to be able to see the water running down the stream want to be able to see that stream reconnected. Their desires are as important to us as ranchers’ and we need to understand them and try to get along with them. Because if we don’t, we are going to be the losers. There’s a lot more of them than there are of us. We have to find a way to get along, to work together. This legislation being proposed is one of those ways.”

The total silence in the room at that moment reminded me of the famous Harry Truman quote: “I never gave people hell, I just told them the truth and they thought it was hell.”

Mr. Chamberlain understands what was unwelcome news to some. Idaho is changing, as evidenced by the range of people speaking on behalf of the Legacy project that evening. Not often have the executive director of the Idaho Water Users Association, state officials, and conservation interests found themselves on a stage jointly supporting a change to Idaho water law. To Mr. Chamberlain’s point, we do need to find ways to work together, to protect and develop the legacy we want for future generations. At times, that requires taking a longer view toward the future than originally intended. It means thinking out of the box, and leaving ideology behind. In the final analysis, it means compromise.

This is what occurred for the Legacy Project. To secure passage of the legislation and address the concerns of triangle farmers, we agreed to compromise: to dedicate donated water above the 45 district canal to Silver Creek; to allow the local 37/37M water district to be the local committee overseeing the project; to a sunset provision and to further guarantees against injury. We listened and worked to find common ground.

Compromise does not mean abandoning principles, nor does it mean we accept as fact the fears expressed that evening. Some water users saw ghosts where there were none, with unfounded fears not based on facts. Some claim that the Wood River Basin is now in perfect hydrological equilibrium; the Legacy Project and Idaho Rivers United do not agree. What exists is a highly altered system, where too many diversions have destroyed a living stretch of the river. We find miles of dry riverbed objectionable. We think the unnecessary (and extensive) annual fish kills associated with moving the river into the Bypass canal reinforces the public perception that those who control the water do not care what lives in it (we hope they prove otherwise in the coming irrigation season). We find the failure to measure diverted water properly and stop water theft scandalous. We hope the adjudication and coming court decisions recognize the effect groundwater pumping has on stream levels, and begin to manage the impacts. We will continue to seek ways to assist down basin communities, where jobs, families, and towns depend on water.

So what didn't change? After the compromises, the primary goals of the Legacy Project remain in place: to restore and enhance flows in the Big Wood River and Silver Creek; and to provide a mechanism for water right holders to donate rights for protected flows. As a result, stream flows should increase in the Big Wood. For Silver Creek, teetering on the edge of catastrophe for years, the Legacy Project provides the only real hope for enhanced flows, and improved groundwater levels. More water should find its way to lower basin communities. It is clearly a step in the right direction for the Wood River Basin. But candidly, it is a smaller step than we would have liked.

Although conservation folks have goals that look beyond today, politics is the art of the possible. We are accomplishing what is possible today. But Idahoans need to demand more, as there is much more to be done to fix Idaho water law and restore the Big Wood beyond what's enacted in this

legislation. The Legacy legislation is the beginning of a new day for rivers and streams in Idaho. But it is just the start.