

BEFORE THE WATER RESOURCES COMMISSION
OF THE
STATE OF OREGON

IN THE MATTER OF THE)	
POTENTIAL FOR CUMULATIVE)	BACKGROUND, FINDINGS
IMPACT OF APPLICATION 62831))	OF FACT, CONCLUSION
IN DESCHUTES COUNTY)	AND ORDER

BACKGROUND

On September 24, 1981, the Central Oregon Irrigation District (COID) filed permit Application 62831 for the Central Oregon Siphon Hydroelectric Project in Deschutes County.

In the latter part of 1982, there were applications on file for ten proposed projects in the Upper Deschutes River Basin. The Water Policy Review Board took the position that there could be cumulative impact and supported the Federal Energy Regulatory Commissions investigation into that potential.

Since that time, many of the applications have been withdrawn or rejected. At this date there are four existing, approved or proposed projects in the Upper Deschutes River Basin, including Application 62831.

The other projects are the existing Pacific Power and Light Company project (Power Claim 129) forming Mirror Pond, the approved Tumalo Irrigation District project (Application 60988) utilizing the Bend Diversion Dam and the approved Jack Fuls Project (HE 269) at the North Canal Dam. All of these projects are on existing facilities within the city limits of Bend.

The Central Oregon Siphon project proposes to use the existing diversion facilities located in the SW1/4 NE1/4, Section 13, Township 18 South, Range 11 East, WM, to divert up to 650 cfs through the existing siphon to the existing canal. A headgate would be constructed in the canal and a buried penstock would carry water to the powerhouse located adjacent to the Deschutes River in the NW1/4 NE1/4, Section 7, said township and range. Water would be returned to the river in the vicinity of the powerhouse.

There are no water rights of record in the project reach. COID has reached agreement with the Oregon Department of Fish and Wildlife to maintain a flow of 400 cfs in the project reach during project operation.

The agreement reached with the Department of Fish and Wildlife provides for continued mitigation and enhancement not only in the project reach, but elsewhere the Deschutes River Basin.

There are no anadromous fish in the project area.

The Department of Environmental Quality waived the federal requirement for water quality standards compliance certification for the project proposal on September 23, 1982.

Resource Agencies have identified the Bald Eagle and the Lewis Woodpecker as endangered species that have been seen in the Bend area. A survey of the project area conducted by the applicant found no sign of either species.

The Project is proposed to be constructed to cause minimal disturbance to wildlife. The other approved or existing projects in the basin being in the Bend city limits will have little or no adverse effect on wildlife.

No plant species have been identified in the project area as threatened or endangered.

Recreation in the project area consists of an occasional fisherman and hikers on the trails in the subdivisions across the river. COID proposes to provide access trails and sanitary facilities for the fishermen and enhance the scenic quality of the area as seen from the hiking trails.

Most of the project area has been previously disturbed. The applicant's consultation with the State Historic Preservation Officer and the Warm Springs Indian Tribe reveals no concern.

There are no prime farmlands in the project area.

Adverse effects to prime forestlands will be mitigated by replanting.

Existing irrigation facilities and slide areas in the project area have previously marred the scenic and aesthetic values of the area. The applicant has signed agreements with the owners of the subdivisions in the area to enhance the visual quality of the area by planting native trees and shrubs along the siphon, building berms to change the visual effect of the siphon and using spoils from project construction to restore slide and cut areas to near original condition.

The project is being designed to protect fragile and unstable areas and to withstand natural hazards.

On June 12, 1987, letters were sent to 13 resource agencies and Indian Tribes listed under OAR 690-51-060 for consultation on the potential for cumulative impacts as required by OAR 690-51-290(1). The letters stated that no response would result in the assumption that no potential for cumulative impact could be identified. None of the agencies has identified a potential for cumulative impact.

OAR 690-51-290(1) requires that:

"After an application is filed, but prior to hearing on the application, the Commission shall enter an order on the potential that the proposed project may contribute to cumulative impacts with other existing, approved or proposed hydroelectric projects in the same river basin."

FINDINGS OF FACT

1. In addition to permit Application 62831, one existing and two approved hydroelectric projects are located in the upper Deschutes River Basin.

2. Those projects are the existing Pacific Power and Light Company Project (Power Claim 129) forming Mirror Pond in Bend, The approved Bend Diversion Project (Application 60988) at Tumalo Irrigation District's Bend Diversion Dam and the Jack Fuls Project (Application HE-269) at the existing North Canal Dam.

3. Staff review of the project application did not reveal any issues that have the potential to add to cumulative impacts with other existing or proposed projects.

4. Consultation with resource agencies has identified no potential for cumulative impact.

CONCLUSION

The proposed Central Oregon Siphon Project would have little or no impact on resources identified by OAR 690-51-190 through 690-51-250 and would not result in cumulative impact to those resources.

ORDER

It is hereby concluded that the proposed Central Oregon Siphon Project, permit Application 62831, does not have the potential for cumulative impact with other existing, approved or proposed projects in the Upper Deschutes River Basin and a consolidated review is not required.

Dated and signed at Salem, Oregon this 17th day of July, 1987.

WATER RESOURCES COMMISSION

William H. Young

WILLIAM H. YOUNG
WATER RESOURCES DIRECTOR