

WATER RESOURCES COMMISSION MEETING
OCTOBER 27, 1994
MEDFORD, OREGON
MINUTES

MEMBERS

Cliff Bentz
Nancy Leonard
Mike Jewett
Anita Johnson
John Frewing

ATTENDANCE

See Attached List

STAFF

Martha Pagel
Diane Reynolds
Steve Sanders
Cindy Smith
Doug Parrow
Becky Kreag
Rick Bastasch
Bev Hayes
Barry Norris
Al Cook
Mary Lou Soscia
Fred Lissner
Tom Paul

The report presented at this meeting, which contain the Director's recommendations mentioned in these minutes, are on file in the office of the Director of the Water Resources Department, 158 12th Street NE, Salem, Oregon 97310. Written information submitted at this meeting is hereby made a part of this record and is on file at the above address. Audiocassette recording tapes of the meeting are also on file in the Water Resources Department office.

1. REQUEST FOR ADOPTION OF CONSERVATION AND FISH PASSAGE PLANS FOR GRANTS PASS IRRIGATION DISTRICT AND APPROVAL OF AN EXTENSION OF PERMIT 50957

Doug Parrow, Resource Management Division, briefed Commissioners on the issue.

The Grants Pass Irrigation District has completed a water management study and has recommended plans for conservation and resolution of fish passage problems at Savage Rapids Dam as required under the conditions of its permit. The current expiration date for the permit was October 31, 1994. Staff requested the Commission's adoption of the plans and approval of a 5-year extension of the permit. The extension would allow implementation of the plans and would provide for the subsequent issuance of a certificate for additional water.

Stephanie Burchfield, Oregon Department of Fish and Wildlife, explained the problems with fish passage at the dam. Mark 156, Tape 1.

Ron Garst, US Fish and Wildlife Service, discussed the estimates of fish loss caused by inadequate passage facilities at the dam and explained why the losses are not evidenced by dead fish along the river. Mark 272, Tape 1.

Representative Bob Repine asked the Commission to consider the well being of Josephine County and the preservation of values. He and Senator Brady Adams have been in contact with the Grants Pass Irrigation District's Board of Directors and other concerned citizens. He asked the Board of Directors and concerned citizens to prepare a document that will allow them to come back and ask for consideration of keeping the dam in place. Mark 616, Tape 1.

Senator Brady Adams said that this issue has generated much concern. He said that he is a strong supporter for retention of the dam and described a four-point plan to resolve the district's water problems. He said he would: 1) introduce legislation to guarantee water supply without the removal of the dam; 2) use all resources to stop the use of state monies to remove dams; 3) proposed the use of state funds to resolve fish passage problems; and 4) provide for more legislative oversight of boards and commissions. Mark 6, Tape 2.

David Moon, attorney for Grants Pass Irrigation District, said that a lot of work went into the study and it is critical that the issues be resolved. He said the district is happy that the inadequate rate and duty is being resolved. The Grants Pass Irrigation District Board would prefer that the Commission issue a certificate rather than extend the permit and doesn't believe that an approval should be conditioned on dam removal. Mark 105, Tape 2.

Tory Walker, Grants Pass Irrigation District, provided technical information on the water management study. Mark 183, Tape 2.

Ethal Romano stated that the dam be should be removed without an extension. Tape 2, Mark 219.

Lee Wedberg expressed concern regarding the economic impact of the loss of fish caused by the dam. Mark 237, Tape 2.

Bryan Sohl, Oregon Trout, stated that this issue has received national publicity. He supported the removal of the dam. Mark 262, Tape 2.

Douglas McGeary, Rogue Fly Fishers, testified the dam has a negative impact and supports the removal of the dam. Mark 303, Tape 2.

Bob Zagorin, Oregon Guides and Packers, stated that he is committed to a win win solution and supports the Director's recommendation. There is no need for an extension of permit. Mark 363, Tape 2.

Steve Beyerlin, Oregon Guides and Packers, handed out letters from the Curry County Commissioners, City of Gold Beach, Port of Gold Beach, and the Lower Rogue Watershed Council all in support of removal of the dam. Mark 461, Tape 2.

Bob Hunter, WaterWatch, said the Grants Pass Irrigation District is confronted with numerous legal issues associated with the dam. He expressed support for the Director's recommendation with changes. There should be a three-year extension not a five-year extension. Expressed support for dam removal. Mark 514, Tape 2.

Jeff Curtis, WaterWatch, spoke about the harvest of fish and the Endangered Species Act. Expressed support for removal of dam. Mark 18, Tape 3.

Ogden Kellogg, expressed support for the removal of the dam. Mark 72, Tape 3.

Kimberley Priestley spoke for Barbara Bean in support of the removal of the dam. Mark 94, Tape 3.

Daniel Kellogg stated that no certificate should be issued and he supports removal of the dam. A shorter permit extension would be acceptable. Mark 110, Tape 3.

Myra Erwin, Sierra Club, expressed support for the remarks made by Waterwatch and supports the removal of the dam. Mark 123, Tape 3.

Rich Nawa, American Fisheries Society, expressed support for the removal of the dam. Mark 140, Tape 3.

Fred Fleetwood testified that the excessive use of water by the District should not be allowed. The district wastes 82% of the water. He supports removal of the dam. Mark 159, Tape 3.

Jack Churchill said that the report was inadequate. He supports removal of the dam. Mark 211, Tape 3.

Cynthia Lord, Sierra Club, supports Waterwatch's testimony. The five year permit extension is too long. She supports removal of the dam. Mark 293, Tape 3.

Bob Staal, Rogue Group Sierra Club, stated that it would be cheaper to remove the dam than repair it. A condition should be made to remove the dam before the permit is granted. A five year extension is too long; two years would be better. There should be no extension without a public interest hearing. He supports removal of the dam. Mark 310, Tape 3.

Don Denman stated that the permit extension is too long. He supports removal of the dam. Mark 400, Tape 3.

Robert Hamilton, Bureau of Reclamation, stated that the Bureau is in the final stages of preparing a draft planning report/environmental impact statement to be released to the public in November with subsequent public hearings. This is the administrative process that is used to seek Congressional authorization for correction of the fish passage problems at Savage Rapids Dam. Mark 490, Tape 3.

Donald Greenwood, Three Rivers Watershed Council, stated that no fish passage study has been done on the dam. He said that he has signatures of 11,000 people who support the retention of the dam. Mark 548, Tape 3.

Andy Kerr, Oregon Natural Resources Council, stated that he endorses Waterwatch's testimony. He supports removal of the dam. Mark 55, Tape 4.

Robert Gross, stated that he supports the retention of the dam. Mark 132, Tape 4.

Susan Delles, stated that the fish need to be saved. She supports the removal of the dam. Mark 186, Tape 4.

Charles Inman, Sierra Club Rogue Group, asked that the Commission do the most good for the most people. Supports the removal of the dam. Mark 193, Tape 4.

Ken Morrish, Ashland Outdoor Store, supports the removal of the dam. Mark 206, Tape 4.

Ellen Warring, Kalmiopsis Audubon Society, stated that the dam should be removed and replaced with pumps and no additional water rights should be given to the Grants Pass Irrigation District until it meets the conservation and efficiency standards. Mark 227, Tape 4.

David Olson stated that he supports the removal of the dam. The dam currently blocks the fish from entering the mouth of Evans Creek. Mark 244, Tape 4.

Jim Moore stated that he supports WaterWatch and the removal of the dam. Mark 257, Tape 4.

Susan Hunt stated that she supports the removal of dam. Mark 278, Tape 4.

Phyllis Hughes stated that she supports the removal of dam. Mark 293, Tape 4.

Raymond Wilson stated that he supports the retention of the dam. The Commission should not tie granting or denying of the permit to removal of the dam. It should be tied to compliance with the requirement to enhance fish passage. Mark 316, Tape 4.

John Edwards, Southern Oregon Flyfishers, stated that the club supports the removal of the dam. He expressed concern for the health of the Rogue drainage and the anadromous fish runs it supports. Mark 401, Tape 4.

John MacDiarmid stated that he supports the removal of the dam. Mark 415, Tape 4.

Frank Hirst stated that he supports the removal of the dam. Mark 485, Tape 4.

Roger Bachman, Oregon Trout, stated that he concurs with WaterWatch and that he supports the removal of the dam. He commended the Grants Pass Irrigation District Board of Directors on their decision about the dam. Mark 528, Tape 4.

Steven Marsden, Siskiyou Regional Education Project, stated that he supports Waterwatch's testimony and supports the removal of the dam and replacing it with pumps. Mark 565, Tape 4.

Eric Smith stated that he supports the removal of the dam. Mark 636, Tape 4.

Otis Swisher stated that he supports WaterWatch and the removal of the dam. Mark 30, Tape 5.

Ruth Feirich stated that she supports the retention of the dam. Mark 80, Tape 5.

Sam Stovall stated that he supports the removal of the dam. Mark 168, Tape 5.

Isabel Sickels stated that she supports the removal of the dam. Mark 193, Tape 5.

Vivian and L.H. Kirtley stated that they support the retention of the dam; there are other things to consider besides fish. Mark 248, Tape 5.

Commissioner Jewett asked staff if the order required dam removal. Doug Parrow stated that the order does require dam removal under the fish passage plan, but allows the District to propose a change in the plan.

The Commission discussed whether the proposed order was sufficiently clear in requiring removal of the Savage Rapids Dam and full implementation of the conservation measures identified in the District's Water Management Study.

Since it was late in the day, the Commission decided to continue consideration of this item on the following day.

Friday morning, Doug Parrow distributed to the Commissioners the following proposed changes in the order.

FINDINGS

2. Second sentence should read, "These measures are described in Chapter 7, Elements of the Conservation Plan and Chapter 11, Implementation

Schedule of Recommended Alternatives, Grants Pass Irrigation District Water Management Study, March, 1994."

4. Last sentence should read, "The plan and schedule for installation of pumping plants and removal of Savage Rapids Dam are in Chapter 8, Fish Passage Improvement Alternatives and Chapter 11, Implementation Schedule of Recommended Alternatives, Grants Pass Irrigation District Water Management Study, March, 1994."

CONDITIONS

4. First sentence should read, "The district shall implement the conservation plan and the plan to resolve fish passage problems, including removal of Savage Rapids Dam, as described in Chapters 7, 8 and 11, Grants Pass Irrigation District Water Management Study, March 1994, in accordance with the schedule provided therein."
5. Additional sentence at end should read, "If the Commission finds that the permittee has failed to exercise due diligence toward implementation of the plans, the Commission may take action as provided under condition 9."
9. Should read, "Failure to comply with any of the provisions of this permit, including the exercise of due diligence as described in condition 5, may result in action including, but not limited to restrictions on the use, civil penalties, or modification or cancellation of the permit."

Commissioner Frewing expressed concern about the Diack finding.

A motion was made by Commissioner Jewett and seconded by Commissioner Johnson to approve the Director's recommendation with the proposed changes in the order. The motion passed 4-1. Commissioner Frewing opposed.

There being no further business, the meeting was adjourned.

Respectfully submitted,


Cindy Smith
Commission Assistant

WATER RESOURCES COMMISSION
OCTOBER 27, 1994
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ATTENDANCE LIST

Glenn Welden	Steve Beyerlin	Stephanie Burchfield
Tory Walker	Bob Gross	Susan Dellas
Bill Simonds	John Shaw	Otis Swisher
Robert Hamilton	Lawrence Bressler	Roger Bachman
Dan Shepard	David Bremer	Sam Stovel
Paul Althule	Buck Woodburn	Isabel Sickels
Bill Wilcox	Barry Snithin	Val Jones
Ron and Kathleen Marrington	Robert Staal	Ethel Romano
Vera Edwards	Ken Morrish	Ken Glasgow
John Edwards	Marion Millard	Douglas McGeary
Laurie Lindell	Ronald Garst	Ray Kimmel
Frank Hirst	Paul Brandon	Annette Olson
Hans Rilling	James Shute	
Douglas McGeary	Fred Fleetwood	
Ruth Feirich	Jack Churchill	
Gene Baker	Bob Zagorin	
Rodger White	Andy Kerr	
Tom Murray	David Olson	
Bryan Sohl	Rich Nawa	
Fred Austermuehle	James Moore	
Floy Smith	Sharron Moore	
Dianne Keller	Bob Hunter	
Dale Heath	Jeff Curtis	
Daniel Boyd	Kimberley Priestley	
Lee Wedberg	Don Denman	
Steve Marsden	Gene Dagnan	
Kelpie Wilson	Myra Erwin	
Marc Prevost	Cynthia Lord	
Eric Smith	Daniel Kellogg	
Mike Evenson	Ogden Kellogg	
Todd Heidgerken	Charles Inman	
Kathleen Donham	Walt Doucett	
Tam More	Richard Fiske	
Mark Chinn	Viola Ellis	
Signe and Bonney Carlson	David Moon	
Darlene Haugen	Catherine Davis	
Phyllis Hughes	Bill Hilyer	
Susan Hunt	Bryce Whitmore	
Ellen Warring	Don Greenwood	
Ray Wilson	John MacDiarmid	
Claire Heil	Vivian Kirtley	
Don Olson	L.H. Kirtley	