



PacifiCorp plans to remove Condit Dam from Washington's White Salmon River in the fall of 2008. This simple statement disguises the passionate debate that has surrounded the issue for more than a decade. The fight centers around the restoration of a free-flowing river for anadromous fish, the economics of operating a 94-year-old hydroelectric dam, homeowners who want to keep their lakefront lifestyle and concern about the impact of releasing sediment into a river that supports sport fishing.

CONDIT DAM: Current of Controversy

by susan hess



While neighbors, agency staff members and state representatives have registered their opinions in local newspapers and meetings for years, one party recently took the fight up a step: "In conformity with the Washington State constitution and laws, KPUD attorneys will file a condemnation suit and a trial will be arranged to determine the just compensation to be paid for the Project."

Klickitat County Public Utility District (KPUD) intensified the debate when they sent this letter to PacifiCorp in June 2006.

Why? some county residents asked. If utility giant PacifiCorp was unable to make it economically feasible to manage "the Project," why would the small KPUD want to take over Condit Dam?

While KPUD's wording is strong, the letter is merely a notice that it *might* use its power of eminent domain and condemn the dam. In its June letter, KPUD claims there is a benefit in acquiring the hydroelectric project. KPUD came late to the game, fists swinging.



"People who want the dam removed are so enamored with the idea that they willingly turn a blind eye to the environmental damage."

—Todd Svendsen

MANIFEST DESTINY

Condit Dam straddles the border between Klickitat and Skamania counties, about three miles upstream of the White Salmon's confluence with the Columbia River. Northwestern Electric Company completed the 125-foot-high concrete structure in 1913; it was hailed as a sign of progress. In 1947, PacifiCorp (which operates in Washington as Pacific Power) acquired it, as well as most of the land along the river below the dam and around its 92-acre reservoir, Northwestern Lake. This run-of-the-river project (meaning it doesn't store water) generates up to 14.7 megawatts—enough to meet the needs of 7,000 homes. All of it is fed into the Northwest Power Grid.

For years, the dam provided power, although it—as well as the more than 400 other dams along the Columbia River and its tributaries—blocked passage to the historic spawning grounds of wild anadromous fish (those that migrate from the ocean to breed in fresh water). Biologists say that the overall effect has been to decimate populations of coho and Chinook salmon, steelhead, lamprey eels and sea-run cutthroat trout. Since the 1970s, awareness and momentum amongst the general public to restore habitat for wild creatures has grown.

In 1991, PacifiCorp filed an application with the Federal Energy Regulatory Commission (FERC) to renew its license to operate Condit Dam, which would expire at the end of 1993. The re-licensing process mandates review by many agencies. It wasn't until October 1996 that FERC recommended approval of PacifiCorp's application—with conditions. Two of those conditions changed the financial equation for PacifiCorp.

The National Marine Fisheries Services, a review agency, required the installation of up-



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and downstream fish passage at both the dam and powerhouse, and higher in-stream flows in the bypass reach to facilitate the success of the passages. Condit Dam had originally been constructed with a "fish ladder," a series of water-filled channels that bypass a dam—but the ladder was washed out by flooding. When a second fish ladder washed out, the State of Washington allowed the dam to operate without one.

PacifiCorp estimated that it would cost the company between \$30 and \$50 million to meet the conditions of re-licensure, making the project "grossly uneconomical" for its customers. Rather than litigate, PacifiCorp asked FERC in 1997 to halt the licensing proceedings and allow it to start settlement negotiations.

AGREEMENT

During any settlement procedure, all interested parties (including ordinary citizens) and interveners, such as reviewing agencies, are invited to participate in the search for a solution. Twenty-two parties joined PacifiCorp in the negotiations. Neither Klickitat nor Skamania counties joined; the reasons for that are debatable.

"We were not invited to the settlement group," says KPUD general manager Todd Svendsen.

PacifiCorp spokesman Dave Kvamme disagrees: "The licensing process is an open process that any and all parties can participate in." He adds that PacifiCorp held numerous public meetings in Klickitat County, and ran ads in local newspapers and sent newsletters to announce them.

"The settlement is a confidential process," Kvamme says, "but anyone who signed a confidential agreement could be a party. It's disingenuous of the PUD or the county to say they were excluded, when they chose not to participate."

The 23 settlement-agreement parties—representing federal and state resource agencies, the Yakama Nation and conservation organizations—met for two years. In September 1999, the parties signed a legally binding Settlement Agreement that called for the complete removal of Condit Dam and all its related structures, except the power plant. The U.S. Forest Service determined that dam-removal was consistent with the Columbia River Gorge National Scenic Area Act.

THE REMOVAL PLAN

Not only did the parties agree to remove Condit Dam, they agreed on how. A 12-by-18-

foot tunnel would be excavated at the dam's base, estimated to drain Northwestern Lake in six hours. The dam would then be cut into blocks and hauled away for burial or recycling, and the former lakebed would be restocked with native plants.

Approximately 2.7 million cubic yards of sediment have accumulated in Northwestern Lake; most is expected to wash downriver after the breach. This action will put a massive sediment-load into the White Salmon and Columbia rivers, wiping out existing redds (spawning nests), and scouring the riverbeds. The parties agreed that this short-term impact would be worth the long-term gain—restoring a free-flowing river and adding 20 to 33 miles of anadromous fish habitat. Part of the \$20 million that PacificCorps has committed for the project would go toward mitigating sediment deposited at the mouth of the White Salmon River.

A 1986 Northwest Power Planning Council report estimated that prior to development, the Columbia River used to see annual salmon runs of 10 to 16 million fish. In contrast, the run in 1986 was 2.5 million. In the early 1990s, that number dipped to 600,000, and then rebounded slightly to 1.5 million. Currently, the counts are down for every stock.

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This enclosed flume connects the dam with the powerhouse

DISAGREEMENT

Since 1993, PacifiCorp has been operating the dam under a series of annual licenses. "Revenues from operating the project are going to fund the decommissioning," Kvamme says. But things have devolved. While the parties that drafted the Settlement Agreement were prepared to move forward, others began to voice opposition and obstruct progress. Residents of the Northwestern Lake area—both full-time and seasonal—want to keep their lakefront property. People in the fishing industry worry about their livelihoods. And then, in June 2006, KPUD threatened to take over by force.

Wayne Lease is not excited about the dam coming out. He owns a house on the western shore of Northwestern Lake. Lease's home, and those of most of his neighbors, sits on PacifiCorp land. The company currently holds 56 active leases.

"If the lake was not here and they were putting in the dam now," Lease says, "I'd be fighting just as hard to keep it out as I am to keep it in."

Lease points to the lake's nearly 100-year-old ecosystem and the waterfowl, eagles, osprey, muskrats and beavers that he feels depend on it. Many people who live on the lake have docks and boats. He thinks that PacifiCorp should try trap-and-haul (transporting fish around the dam by truck) before the drastic measure of removing the dam.

Lease acknowledges that if Condit Dam is removed, his view will change but not be ruined: "I'm not going to argue that I wouldn't still have a beautiful place on the river if the dam goes out." Some of his neighbors are not so sanguine—they signed a lease for "lakefront" property, they say, and demand that PacifiCorp continue to provide it. PacifiCorp says that once Condit is removed, the company intends to offer leaseholders first right of refusal to purchase "their" riverfront property at fair market value.

Also under fire are the biologists and environmentalists. "We were asked by the Klickitat County Commissioners to look at taking the project over," KPUD's Svendsen says. "They thought it was a much more benign environmental action if KPUD took it over. People who want the dam removed are so enamored with the idea that they willingly turn a blind eye to the environmental damage."

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Biologists from Columbia River Inter-Tribal Fish Commission (CRITFC), National Marine Fisheries, U.S. Fish and Wildlife, Washington Department of Fish and Wildlife, and Columbia Basin Fish and Wildlife Authority put together the Settlement Agreement's plan for the removal and restoration of fish stocks. As for trap-and-haul, biologists tend to be wary of programs that depend on money and political will to keep them in operation.

"We looked at the adult runs of fall Chinook and steelhead and purposely timed the dam-removal for November, to take advantage of fall rain events to get sediments on through," says CRITFC fisheries biologist Bob Heinith. He and other biologists expect Chinook to recolonize the river the following spring. "That's going to be pretty exciting. This event will be an educational example for kids to watch a river become a river again."

LIMBO

The most recent extension filed anticipates the decommissioning of Condit Dam to begin in October 2008; whether it happens remains to be seen. "We can't get the permits finalized," says PacifiCorp's Kvamme. "Klickitat and Skamania County won't finish processing them."

Why Klickitat County waited until 2006 to interact in the process is unclear. Klickitat County commissioners did not return this magazine's calls.

"PacifiCorp said they wouldn't feel right talking to us unless it was under the threat of condemnation, because they were committed to the settlement agreement," KPUD's Svendsen says. "I was happy to do that, but not so happy to go forward until I have a better idea of the range of costs if we go forward with condemnation." Svendsen has commissioned an engineering study to give him an idea of the costs the district might face. He says he doesn't take condemnation lightly: "It is an invasive process." In his 30 years with KPUD, Svendsen has applied only one condemnation.

"We never invited anyone to condemn our facilities," disagrees PacifiCorp's Kvamme. "[KPUD] told us they intended to condemn despite a study that showed no benefit to its customers."

It is possible that while local agencies struggle, FERC may overrule the counties and order the dam-removal to proceed. The federal government in April 2007 received a stern warning from the Ninth Circuit Court of Appeals that it must act to protect salmon.

Meanwhile, everyone waits.

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