

# Drift Creek

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2,200 acres he and his sons farm in the area have no water rights, not even from Drift Creek, so they've learned to farm with only the water that falls from the sky and to produce crops such as grass seed and Douglas firs.

"We don't irrigate," Rue said. "We don't have the luxury."

The East Valley Water District's plan would have required the district to obtain nearly 400 acres currently owned by Rue and about a half dozen of his neighbors.

The Victor Point neighbors were unwilling to sell their land to the district and unsuccessfully went to court to keep the district's surveyors off it.

But the water district could have taken the land through the eminent domain process, even though the land was outside their district, in accordance with state statutes.

The Victor Point farmers even went to the state legislature in 2015, trying to get a bill through that would have kept any water district from using eminent domain outside of its boundaries, but never received a hearing.

The East Valley Water District's plan would have taken land from farmers in the Victor Point area to benefit farmers against whom they compete to sell their crops.

East Valley didn't own land until 2016 when it acquired property near Drift Creek.

Since the East Valley Water District



The Fox Reservoir located near the proposed Drift Creek Reservoir south of Silverton. BILL POEHLER | STATESMAN JOURNAL

filed for its permit in 2013, Rue, fellow farmers and WaterWatch of Oregon have been fighting what seemed like an unwinnable battle.

"It's strained our relationships with some good people," Rue said.

## Arguments and final decision

Opponents of the plan have thrown every argument they could think of to stop the plan over the past five years.

Among their reason: the district didn't seek available water from existing reservoirs in the Willamette Basin; an archeological survey revealed stone tools and projectile points which indi-

cate historical significance; it is habitat for native elk; dams must be adaptable to power generation consistent with safe fish passage and species such as Winter Steelhead, Pacific Lamprey, Spring Chinook and Coho Salmon have been observed in Drift Creek.

And the dam was proposed at a time the state spends \$10 million each year to remove fish passage barriers from streams.

"We've presented a lot of these issues for years, and they just fell on deaf ears, I guess," Rue said.

It wasn't until a subcommittee of the Oregon Water Resources Commission issued an opinion that the proposed

dam would be detrimental to the public interest, citing the existing water right the state owns for the benefit of the native coastal cutthroat trout native to the creek, that the opponents finally got a win.

The only current water rights on Drift Creek are for fish ponds and cutthroat trout migration.

The Oregon Water Resources Commission voted after a two-day hearing on Nov. 22 to deny the East Valley Water District's application.

"It took some guts for them to say no to this," said Brian Posewitz, an attorney for WaterWatch of Oregon.

But to get to this decision came at a cost to everyone.

The East Valley Water District spent over \$1 million in public dollars from multiple sources in state government on studies.

As of 2018, district members had contributed about \$1.1 million in fees toward the project, according to filings with the state.

"It's not something that we dreamed up on our own," Bielenberg said. "We did what we were asked to do and thought we had an agreement. We have done everything that was required."

"That's what you get when you deal with government."

Rue didn't specify how much he and the opponents spent on the defense, but said he and his sons could have bought a farm for what they spent.

"I think the real losers in this is the state of Oregon and the taxpayers," Joel Rue said.

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# Parks

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On youth sports: "Coordination of youth sports by school staff is becoming increasingly difficult as the number of playing fields is limited while the number of players continues to grow."

On the senior center: "A question remains about the Senior Center and its current funding by a local non-profit. The city currently subsidizes the Senior Center by an amount of \$5,000 after the center demonstrated an emergency situation due to financial hardship. This indicates that the Senior Center's funding sources may not be consistently stable."

Among its findings, the study fore-

casts a 30 percent population growth in the Silver Falls School District over the next decade. Many of the residents in that 240-square-mile area recreate in Silverton but don't pay city taxes. Palmer and other members of the Task Force said they see a larger district being fairer – and more comprehensive – for everyone.

A web-based survey of 944 Silverton-area residents showed that 48 percent of those in the city limits favored forming a parks and rec district, as compared with 43 percent of those in rural areas. Twelve percent of urban voters said "no," to rural participants' 22 percent. More than one-third of all respondents said they were unsure.

Examples of other parks and rec districts include those in Crook County, Sisters and Lebanon.



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## Public Notice Announcing the Availability of an Environmental Assessment

US DEPARTMENT OF AGRICULTURE  
Rural Business Services (RBS)

**Pika Solar, LLC:** Notice of Availability of an Environmental Assessment

**AGENCY:** Rural Business Services, USDA

**ACTION:** Notice of Availability of an Environmental Assessment

**SUMMARY:** Notice is hereby given that the Rural Business Services, as required by the National Environmental Policy Act, is issuing an Environmental Assessment (EA) in connection with possible impacts related to a project proposed by the Brush Creek Solar, LLC (Applicant). The applicant is proposing the construction of a 2.2 megawatt (MW) solar facility (Project) located two miles southwest of Silverton in Marion County, Oregon. The proposed Project consists of an approximate 12-acre portion of a larger 14-acre parcel in Marion County.

**FOR FURTHER INFORMATION CONTACT:** Michael Beyer, State Environmental Coordinator at (503) 414-3368, 1220 SW 3rd Avenue, Suite 1801, Portland, Oregon 97204 michael.beyer@usda.gov.

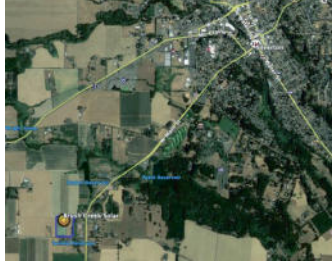
**SUPPLEMENTARY INFORMATION:** The Applicant's proposed project would use ground-mounted, fixed tilt solar arrays, consisting of photovoltaic (PV) modules, inverters, and associated racking and electrical equipment. The Project would have a generating capacity of 4,064 megawatt-hours (MWh) of energy per year and would sell this energy to Portland General Electric (PGE) under a long-term fixed power purchase agreement. When constructed, the solar arrays and associated components would be no more than 10 feet in height and would be surrounded by 7-foot tall chain link security fence. The facility will be located on privately-owned property in Marion County, Oregon.

Environmental Resources Management, Inc. consultant, prepared an Environmental Assessment for RBS that describes the project, assesses the proposed project's environmental impacts, and summarizes, as applicable, any mitigation measures used to minimize environmental effects. RBS has conducted an independent evaluation of the Environmental Assessment and believes that it accurately assesses the impacts of the proposed project. No significant impacts are expected as a result of the construction of the project.

Questions and comments should be sent to RBS at the address provided. RBS will accept questions and comments on the environmental assessment for 14 days from the date of publication of this notice.

Any final action by RBS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by 7 CFR Part 1970, Environmental Policies and Procedures.

A general location map of the proposal is shown below.



Dated: December 10, 2019  
Michael Beyer, State Environmental Coordinator  
Rural Development • Oregon State Office  
1220 SW 3rd Avenue, Suite 1801 • Portland, OR 97204  
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michael.beyer@or.usda.gov (503) 414-3368  
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OR-0000399345

## Public Notice Announcing the Availability of an Environmental Assessment

US DEPARTMENT OF AGRICULTURE  
Rural Business Services (RBS)

**Pika Solar, LLC:** Notice of Availability of an Environmental Assessment

**AGENCY:** Rural Business Services, USDA

**ACTION:** Notice of Availability of an Environmental Assessment

**SUMMARY:** Notice is hereby given that the Rural Business Services, as required by the National Environmental Policy Act, is issuing an Environmental Assessment (EA) in connection with possible impacts related to a project proposed by the Pika Solar, LLC (Applicant). The applicant is proposing the construction of a 2.2 megawatt (MW) solar facility (Project) located on the north side of Dominic Road NE, approximately 0.8-mile east of its intersection with Hillsboro Silverton Highway in Marion County, Oregon. The proposed Project consists of approximately 12-acre portion of a larger 60-acre parcel in Marion County.

**FOR FURTHER INFORMATION CONTACT:** Michael Beyer, State Environmental Coordinator at (503) 414-3368, 1220 SW 3rd Avenue, Suite 1801, Portland, Oregon 97204 michael.beyer@usda.gov.

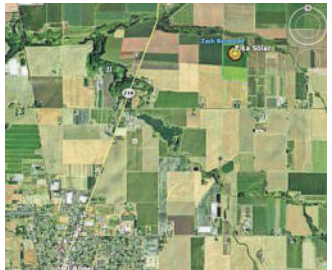
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