

# Dam: Tide gates have become a crucial piece of the dispute

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Warrenton believes the dam is an integral part of the city's levee system, which is operated in partnership with the Army Corps. If the Army Corps were to step in and side with the city, the federal agency could help clarify ownership and regulatory issues. The city could still sue the water district later to quiet title and recover costs.

"We wait and see what the Army does," said Akin Blitz, a Portland attorney representing Warrenton.

The emergency declaration escalates what had already been a complicated standoff between the city and the water district.

The water district believes the 53-year-old dam is obsolete and has sought to remove the structure and improve salmon habitat and water quality on the Skipanon River.

"I certainly believe there's no emergency," said Tessa Scheller, the chairwoman of the water district.

The tide gates had been left open year-round since 2012 and were removed in 2015. Scheller said the water district did not think federal approval was needed to remove the tide gates.

The water district and the Columbia River Estuary Study Taskforce did obtain an Army Corps permit to remove the dam, but the \$1.2 million project was abandoned earlier this year after the City Commission declined to renew an agreement that would have provided the city with a single-lane bridge over the river.

"I think it's a situation where the dam is really, truly obsolete," Scheller said.

## Tide gates

The tide gates have become a crucial piece of the dispute. The city argues that the water district forfeited a 1962 city easement — and any claim



Joshua Bessex/The Daily Astorian

The Warrenton City Commission on Tuesday declared an emergency over the Eighth Street Dam.

for control over the dam — by removing the tide gates. The easement stipulates that rights revert back to the city if the water district no longer uses the property for a dam.

Warrenton has recovered two of the three tide gates and is prepared to find a third gate and reinstall the devices, pending guidance from the Army Corps.

The city also anticipates the Army Corps and the U.S. Department of Agriculture's Natural Resources Conservation Service — the partner with the water district on the dam — might have to discuss transferring administrative jurisdiction.

The Natural Resources Conservation Service had told the water district in 2014 that the district was free to operate and maintain the dam as the owner, since the federal interest was complete after the structure reached its useful life of 50 years in 2013. The federal agency has since clarified that the statement did not

intend to infer the water district owned property.

## Emergency

The City Commission's decision to declare an emergency over the dam was based on anecdotal accounts of flooding that may — or may not — have been linked to the removal of the tide gates, along with a 2002 summary report by the Natural Resources Conservation Service.

The federal report advised that removing the dam or the tide gates was not feasible at the time without additional planning by the local community. Removal, the report found, would increase the risk of flood damages to upstream properties.

Yet the report also found that the dam was useful in a two-year flood, not the 10-year flood it had been designed for in 1963. The report predicted that total flood damages in a 10-year flood would be minimal with or without the tide gates, but suggested options to

protect property or limit future development.

The report also referred to the structure's deterioration and the fact that it was nearing the end of its 50-year design life. "At some point the structure will need to be refurbished, replaced or removed," the report stated.

The city has also minimized the relevance of a 2012 inspection of the dam by the state Water Resources Department. The inspection — performed by a dam safety engineer a decade after the federal report — questioned whether the dam was capable of meeting a flood control objective. The structure, the inspection found, was likely a significant hazard and "probably increases risk to persons near the dam in a major hydrologic or tidal flood."

The water district and the city have also disputed whether the water district's engineering plan on the dam's removal, which was approved earlier this year, accurately modeled the flood plain and docu-

mented the risk of flooding.

## Mediation

The water district has sought mediation through Portland State University's National Policy Consensus Center. Behind the scenes, informal talks were planned for Tuesday, but the water district was not prepared for substantive negotiations with the city given that a draft of the city's lawsuit was just released

last week.

Dick Hellberg, a former city commissioner, said he appreciates the city's request to the Army Corps for a review. He urged city commissioners to try to avoid a costly lawsuit.

"Any solution short of going to (a lawsuit) is going to be better," he said.

Kathleen Zunkel, a retired court reporter, chided commissioners for being "all over the map" on the dam over the past few years. She noted that the dam — now so important for flood control that the city declared an emergency — was described a few months ago as a potential asset the city could remove later as wetlands mitigation for a development project.

"What is the real end game here?" she asked. "What is this going to cost? What do we as citizens have to gain from this? What other needed projects will suffer as we bear the cost of this litigation?"

"There is a real lack of transparency here. And something smells very bad in Warrenton."

Mayor Mark Kujala said the city's draft lawsuit and exhibits detail the history of the issue and the city's position.

"I think we have been very measured and patient in moving forward with this," the mayor said.

# Skinner: 'There are some real significant needs that only a library can address'

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"Early literacy is a very important focus for public libraries in general right now, and I think it should be," she said.

A children's librarian can teach kids that books have something to offer them, even before aspiring readers can comprehend the words on the page.

The ultimate goal is not simply to create readers but passionate learners that value reading. And this sets them up for success in kindergarten and beyond, she said.

"When they're excited about learning something new — when they're excited about the world around them and finding out more — that helps them learn when they get to school," she said.

Though she officially retired in September and switched to part time, Skinner has continued to run the children's programs while Jimmy Pearson, the new library director, seeks a part-time successor who will focus solely on children's activities.

"I think Patty's awesome," Pearson said, "and we're definitely going to feel her loss."

He said the library will continue Story Time events, and the new employee may expand the children's programs, depending on the need.

"Hopefully, they'll be able to continue the outreach that

Patty's done," he said.

## Reading at home

After high school, Skinner briefly considered a somewhat different career.

"I'm a pretty small person, and I thought I'd go into business and own a store that sold clothes for people my size that were (for) my age group. Because the clothes I (was) finding would be appropriate for my grandmother and not myself," she said. "But I realized that wasn't for me."

Skinner moved to the region in 1984 after teaching elsewhere and later earned a master's degree in education with an endorsement in information technology (the new name for library science). For a while, she did substitute teaching and story time at St. Mary, Star of the Sea Catholic Parish in Astoria. She joined the Astoria Library shortly after Pearson's predecessor, Jane Tucker, was hired.

Working with parents, Skinner focuses less on literacy as a set of rigid benchmarks and more on how parents can create a home where reading is appreciated and language skills are fostered.

"The research, for years, has shown us that reading to your child frequently — and we encourage parents to read to their child at least once a day, but more if they can do it — it helps them understand vocabulary, it helps them

understand how stories are structured," she said.

In addition, "it's a great bonding experience. Parents can really sit down with their child and understand what their child is interested in."

One of the most valuable things parents can do with their child is simply talk with them.

"Talk about what you're doing. Narrate your day. Listen to your child when they're trying to talk to you," Skinner said. "It's a great way to help them express themselves, when they understand how our language works."

## Significant needs

The Astoria Library is currently a point of contention among locals.

In July, the Astoria City Council voted against a spendy proposal to build a new 21st century library at Heritage Square because of a perceived lack of public support for the project, which may have required a bond measure. Instead, the council directed city staff to devise a plan for remodeling the existing library with funds already on hand.

"My main concern is —

whatever happens to the building, whether it's here or someplace else — that we are doing the best we can to meet the needs of our community with what we have," Skinner said.

"I would love to see us in a grand facility with all these different services, but we're not a wealthy community, and I realize that," she continued, "so I think we need to really look at: What can we really do?"

There will always be a need for a public library, which serves many walks of life, from parents with infants to adults looking for jobs to senior citizens.

"We just have such a wide variety of people walking in the door, and it's not just those people that can't afford to buy books, it's everybody," she said.

"There are some real significant needs that only a library can address," she added, "because we are one of the few organizations that don't have requirements for walking in the door and participating, and we don't require payment every time you come in, and that's phenomenal for people who don't qualify for services."

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