

# Klamath Basin project falls apart as Congress squabbles

By TIM HEARDEN  
EO Media Group

KLAMATH FALLS — While Congress dithers over the Klamath Basin's water agreements, the parties to the nearly 6-year-old deals are becoming resigned to their likely collapse at the year's end.

A panel of federal and state officials, tribal members, environmentalists and other participants in the 2010 accords has set a conference call for Dec. 28 to discuss termination of the Klamath Basin Restoration Agreement — an ominous date for the deals' proponents and a light at the end of a long tunnel for their detractors.

PacifiCorp, whose plan to remove its four hydroelectric dams from the Klamath River sparked much of the controversy, is now resuming its effort to relicense the dams, company spokesman Bob Gravely said.

With the Yurok Tribe — a key water right holder on the Klamath River — already having walked away from the pacts and the Klamath Tribes signaling their intention to do so, some of the irrigation districts that had signed on are also ready to walk away, said Greg Addington, the Klamath Water Users Association's executive director.

The result could be what many growers and others in the basin have been dreading — a return to drastic irrigation shutoffs and cutbacks and protracted court battles over water rights.

"Our members have made it clear," said tribal chairman Don Gentry, whose Klamath Tribes have the most senior of water rights in the Upper Klamath Basin. "We've been honoring the KBRA since 2010. It's been five years, and our native fisheries and Lost River and shortnose suckers are in worse condition now than when we signed the agreements."

"We agreed to provide water at certain levels with the idea that legislation would move forward," he said.

## Congress' inaction

Bills to authorize removal of the dams have languished in Congress since 2011. Rep. Greg Walden, R-Ore., a longtime opponent of dam removal, unveiled an eleventh-hour draft bill on Dec. 3 to move forward on other aspects of the agreements while putting approval of dam removal in the lap of the Federal Energy Regulatory Commission.

Walden's bill won praise from Rep. Rob Bishop, R-Utah, chairman of the House Natural Resources Committee, who said proposed federal land transfers to the Klamath Tribes in exchange for waiving senior water rights "are ideas I could strongly support in order to move forward."

However, the bill received a cool reaction from proponents of the Klamath agreements, who have warned that water-sharing components of the pacts could crumble if Congress doesn't authorize the package — including dam removal — before the end of the year.

So far, no efforts have been made to merge Walden's bill with one by Sen. Ron Wyden, D-Ore., which includes dam removal but has failed to advance beyond the upper chamber's Energy and Natural Resources Committee. And lawmakers don't appear to be in any hurry to get a bill passed.

"We had hoped people would agree to remain at the table" into 2016, Walden spokesman Andrew Malcolm said. "We're hoping that what will work for people on Dec. 31 will still work on Jan. 1 or Jan. 2."

House Speaker Paul Ryan's office did not return a call from the *Capital Press* seeking comment about a timeline for moving Walden's bill forward.

The 42 signatories of the pacts that included the dam removals as well as water-sharing and numerous conservation efforts in the basin already renewed the agreements once, in late 2012. However, looming



deadlines lend more of a sense of urgency this time, proponents say.

"I think this time is different," said Glen Spain, northwest regional director for the Pacific Coast Federation of Fishermen's Associations. "We're a short period of time ... from deadlines when this is all supposed to happen. We've done everything that's been required in this, including finding non-federal money for dam removal."

## Contingency plans

Already, regulatory agencies are resuming the task of reviewing PacifiCorp's dam-relicensing application, which the company has estimated would cost at least \$300 million and leave the company exposed to other costs from litigation and added water quality regulations. Under the Klamath Hydroelectric Settlement Agreement, the cost to PacifiCorp's ratepayers would be capped at \$200 million.

Trust funds from surcharges to PacifiCorp's customers for dam removal have amassed more than \$100 million, which will either be refunded or used to meet relicensing conditions if the Klamath agreements die, Gravely said.

The Karuk Tribe and other proponents of removing the dams have vowed to urge the state water boards to deny PacifiCorp's relicensing applications under the Clean Water Act, which would force the dams to be removed anyway. But such a denial would be unprecedented, Gravely said.

Meanwhile, local opposition to dam removal has become more entrenched in the Klamath Basin as opponents have been elected to majorities on the Klamath

County Board of Commissioners and several irrigation district boards.

"I'd like more time," said Addington, whose KWUA represents irrigation districts in the Klamath Reclamation Project. "I for one and my organization would say we want to salvage this thing, and we'd be ready to have a conversation about that. But the Yurok Tribe has made it clear that it wants to move in a different direction ... and the Klamath Tribes have made a similar statement."

"I just think we risk a harder-line element saying collaboration didn't work" if the parties try to keep the agreements together, he said.

## Looming crisis

Without the water pacts in place, growers in the Upper Klamath Basin could face another water crisis this spring like the one they encountered in 2013, when a total shutoff of irrigation water prompted landowners to begrudgingly work out their own water-sharing agreement with the tribes that was also contingent on the dams being removed.

While project irrigators have a stipulated settlement with the tribes that will remain even if the KBRA dies, the lack of an agreement could put more pressure on those growers' water supplies, too, as more water for fish is sought under the Endangered Species Act, Addington said.

As to whether any future agreement could be salvaged from the wreckage, Addington said he's unsure.

"Either ... the KBRA is going to be a footnote in the interesting history of water in the Klamath Basin, or it'll be the next step to something bigger," Addington said. "I think it's too early to say."

# Backhoe causes gas leak near Pendleton park

PENDLETON — A backhoe used in a Pendleton construction project near Community Park struck a natural gas line Thursday afternoon, causing the area surrounding Southwest Kirk Avenue to smell heavily of gas.

"It pretty much permeated the entire neighborhood for a half-mile," Pendleton Fire Chief Mike Ciraulo said.

Ciraulo said the leak was active for about two hours before city workers were able to work with staff from

Cascade Natural Gas to stop it.

He was unsure of whether the people in charge of the project asked Cascade to locate the gas line before they began construction. No evacuations were necessary.

Ciraulo said indoor gas leaks are actually more dangerous than outdoor gas leaks, where the gas shoots into the air and is diluted.

Regardless of the source, Ciraulo urged residents to call emergency services anytime they smell gas.

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## HERMISTON

# Final EOTEC meeting of 2015 is Brookshier's last

By JADE MCDOWELL  
East Oregonian

as soon as it opens in March.

The Eastern Oregon Trade and Event Center board said goodbye to its chair Friday during its last meeting of 2015.

Ed Brookshier said serving on the board has been a "true honor and pleasure," even though the task has not been easy.

"I hope to be able to continue to help in any way I can," he said.

Brookshier is being replaced by Hermiston City Manager Byron Smith after the city council demanded that Smith be put on the board as a condition of the \$600,000 the city recently agreed to contribute toward construction.

Vice chair Dan Dorran thanked Brookshier, noting that he had been meeting with people "no less than five times a week" about EOTEC business in recent months.

"It's an amazing amount of time people don't understand that goes into this, and it's all volunteer," he said.

The board had plenty of business to get to Friday. Rob Dreier, project manager for Frew Development Group, said the event center/exhibitor hall is on schedule to be completed by March 2016. He suggested the board begin laying out policies and procedures for operating the building so that the EOTEC authority could "take off running" with hosting events in the building

He also asked for the board to make a decision between using natural gas or propane to heat the building and the rest of the site. Natural gas would cost about \$56,000 to put in, he said, compared to \$23,000 for propane. But in the long run natural gas is more efficient, its price doesn't fluctuate as greatly and it doesn't take up the space that a fenced-in collection of propane tanks would.

The board unanimously agreed on natural gas after the discussion.

They also approved EOTEC's annual audit by Barnett & Moro, which found no structural weaknesses or other issues with EOTEC's bookkeeping that needed to be fixed.

The board approved an agreement with LRS Architects to create a three-dimensional model of the project to show potential investors during the fundraising committee's four-month campaign to raise \$2 million for construction by April 1, 2016.

Dorran said the fundraising committee was on a "very aggressive schedule" that works out to raising about \$200,000 a week. Since EOTEC will host the fair, rodeo and other events to the benefit of the entire county he said the committee is planning to look beyond Hermiston to the rest of Umatilla County, as well as eastern Morrow County and across the river into Washington for possible donors.



Brookshier

## BUSINESS BRIEFLY

### Nominations being accepted for First Citizens awards

PENDLETON — Nominations for the 60th Annual First Citizens Banquet & Business Excellence Awards in Pendleton are being accepted.

Awards include woman, man and business of the year, as well as he Business Excellence Awards in four categories: Tourism Excellence, Customer Service Excellence, boss and employee of the year. Nominations are due Monday, Jan. 4. Forms and criteria information is available at [www.pendletonchamber.com](http://www.pendletonchamber.com).

The event is Friday, Jan. 22 in the Rivers Event Center at Wildhorse Resort & Casino, located off Highway 331, Mission. Tickets are \$45 each. For more information, contact 541-276-7411 or [info@pendletonchamber.com](mailto:info@pendletonchamber.com).

### Distinguished Citizens awards seeking nominations

HERMISTON — Nominations are open for the 46th Annual Distinguished Citizens Awards Banquet in Hermiston.

Award categories are man, woman, business, volunteer of the year and community service award. The nominations are due by Monday, Jan. 4. Nomination and criteria forms are available at the chamber office, 415 S. Highway 395, or at [www.hermistonchamber.com](http://www.hermistonchamber.com).

Others awards that will be presented include the Altrusan Outstanding Young Citizen Award, Hermiston School District Educators and Administrator of the Year.

The banquet is Wednesday, Feb. 3 at the Hermiston Conference Center. Tickets are \$30 per person. For more information, call 541-567-6151.

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