

# THE \$1 BILLION QUESTION

## Oregon plan to reintroduce fish above Hells Canyon Dam raises concerns in Idaho

By JOHN O'CONNELL  
Capital Press

HELLS CANYON — Idaho farmers who rely on Snake River water for irrigation fear they could one day be stuck with a \$1 billion-plus bill for a plan by the state of Oregon to help endangered fish.

As a condition of relicensing Idaho Power Co.'s three Hells Canyon dams on the Idaho-Oregon border, Oregon leaders have proposed reintroducing endangered steelhead trout and salmon into Pine Creek, which originates in Oregon and spills into the Snake River upstream of Hells Canyon Dam. Under Oregon's draft Clean Water Act certification proposal, Idaho Power would be expected to trap the fish upstream of the dam and truck them for release downstream, enabling them to migrate to the Pacific Ocean.

Marilyn Fonseca, hydro-power program coordinator for the Oregon Department of Environmental Quality, said her state has developed a phased-in fish reintroduction plan spanning two decades and would expand into other tributaries based on the experience at Pine Creek. Fonseca said Oregon considers fish passage to be an integral part of meeting the state's own U.S. Environmental Protection Agency-approved water-quality standards.

Should Oregon eventually reintroduce steelhead and salmon in tributaries upstream of the nearby Brownlee Dam, endangered fish would have access to a broad reach of the Snake River through Idaho, forcing the state to manage the system for the new endangered species. That would raise the bar on water-quality standards and place additional demands on the river's fully allocated storage and natural-flow water rights. Snake River water users upstream predict they'd face a cascade of new expenses and regulations.

"It's not a reach to say this could potentially impact every use of water in Southern and Eastern Idaho," said Norm Semanko, the outgoing executive director of the Idaho Water Users Association. The association represents nearly all of the water users in the state.

Attorney Al Barker, who represents Boise Valley and Owyhee Reservoir water users, objects that Oregon's draft certification would allow that state to unilaterally make decisions on introducing endangered fish into tributaries of a shared waterway.

Even if Oregon were to limit fish reintroduction to Pine Creek, Barker said

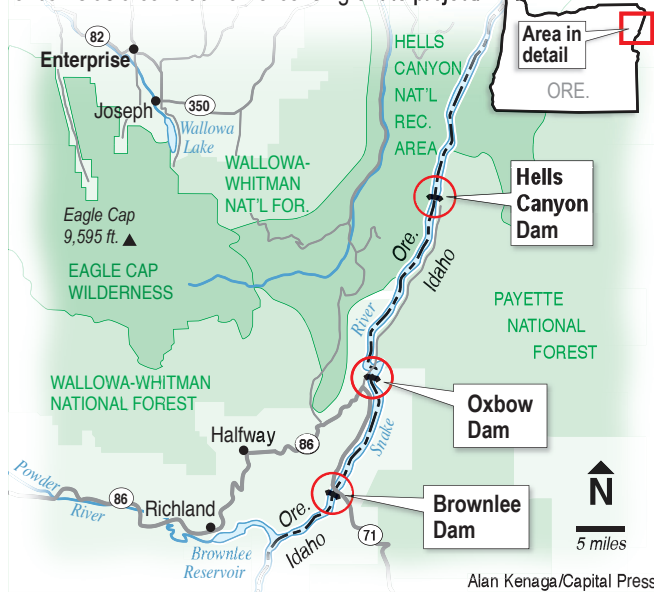


Courtesy of Idaho Power

Water flows from Hells Canyon Dam on March 27. Idaho Power is seeking a new federal license for its three dams in the Hells Canyon complex on the Idaho-Oregon border, but the utility is caught in the middle of a fight between the states over Oregon's plan to reintroduce endangered steelhead and salmon upstream of Hells Canyon.

### Fish passage dispute

Idaho agricultural leaders are reacting to Oregon's plan to reintroduce endangered steelhead and salmon above the Hells Canyon Complex of dams as a condition of relicensing of the project.



Alan Kenaga/Capital Press

irrigators could face new requirements to improve water quality and augment flows for the benefit of salmon and steelhead in the Hells Canyon Reservoir.

"There are consequences that need to be addressed and thought through that Oregon is not taking into account," Barker said.

Caught in the middle of the dispute is Idaho Power, which has been working nearly 15 years to relicense the three dams that produce nearly one-third of its power portfolio and could be forced to comply with conflicting Idaho and Oregon Clean Water Act certifications.

#### State vs. state

Idaho officials saw the potential for a battle over fish

reintroduction as far back as 2003, when Idaho Power first applied for a new federal license to operate the Hells Canyon dams. The legislature passed laws requiring its blessing — and the governor's — before fish and wildlife could be introduced within Idaho's borders. But legislators envisioned they'd be grappling with the federal government, not a neighboring state.

"This is pretty unprecedented," said Sam Eaton, legal counsel and deputy administrator of the Idaho Governor's Office of Species Conservation. "Does one state veto the other state? As far as my understanding, from discussions and research, there's really

nothing like this."

In response to Oregon's plan, the Idaho Legislature recently updated its laws, clarifying that Idaho's primacy over introduction of wildlife within its borders applies to other states in addition to the federal government.

In a more symbolic gesture, the Legislature also passed a joint memorial expressing its opposition to fish reintroduction due to the "drastic impacts on irrigated agriculture, industry, water supply and electric generation."

Eaton said he is encouraged that Idaho Gov. Butch Otter and Oregon Gov. Kate Brown have begun negotiating to resolve their states' differences. But they'll have to work quickly. The deadline to complete the Clean Water Act certifications is July 29.

They must be issued by each state's department of environmental quality. The Federal Energy Regulatory Commission — an independent agency that regulates the interstate transmission of electricity — won't be allowed to make any changes to the certifications, and Idaho Power will be obliged to follow them both.

"We've finally got everybody at the table who needs to be at the table," Eaton said. "It's not that Oregon is backing off of (reintroduction) or anything like that, but I think they might be reassessing priorities about where they want to focus their efforts."

Brian Hockaday, a spokesman for Brown, said the governor is committed to

collaborating with Idaho to resolve the issue, and conversations are ongoing.

"We're considering all viable options and taking a look at new approaches," said Hockaday, who declined to offer details of possible compromises.

#### The cost

Several years ago, Semanko's association commissioned an economic impact study of a federal proposal to reintroduce another endangered species, bull trout, into southwest Idaho tributaries of the Snake River. The study estimated the reintroduction would cost irrigators upward of \$1 billion to make improvements such as retrofitting infrastructure with fish screens to keep the protected fish out of diversions.

Semanko considers the estimate to be conservative if applied to Oregon's planned salmon and steelhead reintroduction, which could impact an even wider geographical area.

"The cost is just astronomical," Semanko said. "I think it's interesting that we haven't heard a single retort or rebuttal to the notion that if these fish are reintroduced above Hells Canyon, there would be major Endangered Species Act and Clean Water Act requirements placed upon the residents, farmers, businesses and industries in Southern and Eastern Idaho."

Idaho's Committee of Nine, which represents watermasters of the major federal irrigation projects on the Upper Snake River, and the Idaho Irrigation Pumpers Association have also come

### Endangered Snake River salmon

#### Steelhead



**Binomial name:**  
Oncorhynchus mykiss  
**Other names:** Steelhead trout, sea-run rainbow trout  
**Avg. size:** 8-11 lbs., up to 40 lbs.  
**Spring spawner:** Summer and winter runs. Most summer runs are east of the Cascades. Winter runs are closer to the ocean.

#### Chinook



**Binomial name:**  
Oncorhynchus tshawytscha  
**Other names:** King, tyee, blackmouth  
**Avg. size:** 10-15 lbs., up to 135 lbs.  
**Fall spawner:** Fall, spring and summer runs. The largest of the Pacific salmon, most chinook spawn in large rivers such as the Columbia and Snake or in tributaries with sufficient current.

Source: U.S. Forest Service

Capital Press graphic

out against reintroduction.

Lynn Tominaga, executive director of the groundwater users' organization, worries about power rate increases for irrigators, based on Idaho Power's estimate that it would cost more than \$100 million for a system to capture the salmon and transport them for release below Hells Canyon Dam.

Irrigators say they are already boosting the river's flow to help salmon below the dams. Jerry Rigby, an attorney for the Committee of Nine, emphasized Upper Snake irrigators reached an agreement with the Nez Perce Tribe in 2004 requiring them to release water, according to a formula based on the supply outlook, to help salmon below the Hells Canyon dams.

"We are already stretched to our absolute limit to do flow augmentation with the flushing flows," Rigby said.

Kevin Lewis, executive director of Idaho Rivers United, a nonprofit organization dedicated to preserving Idaho waterways, contends reintroduction into Pine Creek would have little impact on Idaho, given that the fish would be confined by dams to Hells Canyon Reservoir. He also believes poor water quality incapable of supporting salmon and steelhead upstream of the Hells Canyon dams relegates expansion of reintroduction into other tributaries to a longterm possibility, at best.

## Burrowing rodents threaten Central Oregon canals

By AUBREY WIEBER  
The Bulletin

BEND — Drive along the Pilot Butte Canal in Redmond in the spring and you'll see ground squirrels scurry frantically back and forth across the road. Chubby rock chucks sprint from rock to rock.

Both types of rodents pop up, run around and then disappear into burrows. The underground dens and tunnels provide protection from predators and the elements, but they also risk causing millions of dollars in damage to urban developments.

Rodents living along canals pose a huge threat, irrigation district officials say. Their tunnels can cause a breach of the canal, sending surging water through neighborhoods and other urban developments. As a result, keeping tabs on the furry critters and the integrity of the canal is a full-time job for eight "ditch riders" employed by the Central Oregon Irrigation District.

Larry Roofner, operations manager for COID, drove along a portion of the canal sitting just above the soon-



Ryan Brennecke/The Bulletin via AP

In this April 10 photo, Larry Roofner, operations manager for the Central Oregon Irrigation District, talks about how animals burrowing into the high fill areas of canals can cause breaching risks while giving The Bulletin a tour of the Pilot Butte canal in Redmond.

to-be Triple Ridge housing development Monday. This is one of the higher-risk areas and is monitored daily.

"We have concern there," Roofner said. "It carries about 300 cubic feet of water (per second). If that were to breach, there could be damage to what was

previously irrigated land but is now a new subdivision and Ridgeview (High) School."

To try and prevent a breach, ditch riders keep high-powered pellet guns in their vehicles and will shoot rodents when possible. In addition, Roofner said the district contracts with exter-

minators to kill burrowers, usually through trapping, though he said they can use whatever means they deem necessary.

The district is tasked with maintaining roughly 450 miles of canals throughout the region, and rodent abatement is a part of that.

However, not all see it that way.

Oakley Taylor, 61, lives just outside city limits to the southeast of Bend. Last week, she was told by a neighbor that the district was shooting river otters in the canal near her house with a rifle. It turned out to be muskrats being shot with a pellet gun, but nonetheless Taylor was upset. She called the district, as well as the Deschutes County Sheriff's Office.

"They just wanted to come out to the neighborhood and shoot these muskrats or otters or whatever," Taylor said.

Roofner said he talked with Taylor, explaining that his employees were not killing the animals for sport — as well as the devastation a breach could cause.

Taylor said she appreciated the conversation but thinks the district should make more of an effort to inform people living near the canals of the abatement and doesn't see why the rodents need to be killed.

"It's sad, and I guess that is going to be more of the clash between animals and humans, and that isn't going to go away," she said.

Taylor is right. When the district's two canals were first built, the areas surrounding them were far more rural. But now in many places, such as Triple Ridge, they sit above residential areas, and a breach can cause serious damage to hundreds of homes. And the rodents can be ruthless; Roofner recalled digging up an area to find ground squirrels had "honey-combed" the earth on the edge of the canal.

But a more wildlife-friendly solution appears to be on its way. ShanRae Hawkins, spokesperson for the district, said it is working toward piping irrigation water rather than sending it down in open ditches. Hawkins said so far the district is in the engineering planning phase, and there is no timeline for piping. It would be a more efficient way to transport water and would also stop rodents from burrowing into the water supply, which becomes more important as urban density around the canals increases, as it has around Reed Market Road in Bend. A breach in that area, where the water flows at 500 cfs, would be devastating, Roofner said.