

Group awaits reaction from new Corps chief on Kilchis project

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TILLAMOOK — After more than seven years of permit applications, appeals and denials in their effort to mitigate flooding by removing gravel from the lower Kilchis River, a group of local property owners has decided to wait still longer.

This time, members of the Tillamook Bay Habitat and Estuary Improvement District are looking to the newly appointed regional branch chief for the U.S. Army Corps of Engineers, Lawrence Evans, for a possible resolution.

According to Tilda Jones, TBHEID staff assistant, the district board has agreed to await feedback from Evans before deciding whether to start the permit process all over again with a new version of the plan.

Last fall, the Corps denied a TBHEID appeal to proceed with the project. On March 8, members of the district, led by district

President Doug Rosenberg, invited Evans and representatives of local and state agencies to a summit meeting to thrash through the problem one more time.

Evans told the group he is new in his post and has not yet had time to read the case file or visit the site. However, he took the hot seat and listened as TBHEID members spoke passionately of their frustration and anger over their long battle with regulators to open up the Kilchis channel to allow water to flow more freely.

Evans said there is no way to reverse the denial of their appeal, except through court action. However, he suggested there may still be hope if new data can be introduced, thereby creating a "new" project for consideration.

In addition, he said he is working on a proposal for a new permitting process that would allow gravel extraction companies to operate under global permits, eliminating the need for separate

permits for each project. Instead, they could do any number of projects as long as they adhere to established guidelines.

Meanwhile, Evans said he hopes to work with the Tillamook district to address the local problem.

"Where I can help this group is strategizing how to get through this maze," he said.

"I'm giving you 100 percent of my time and dedication on this. I'll come back with straight answers. I'm the regional branch chief. The buck stops with me."

County Commissioner Mark Labhart, who also attended the summit, proposed that TBHEID engage a professional consultant to help shepherd a new proposal through the bureaucracy. He suggested Martha Pagel, a former director of the state Division of Lands and of the Oregon Water Resources Department. She is now a practicing attorney in Salem.

"She has the experience,

knows the state, county and federal processes and is familiar with the issues in this county," he noted. "She has the ability to get you to 'Yes.' You need one person who can take you all the way through the process."

But some members of the TBHEID said they were tired of trying to work with the Corps of Engineers.

"We're frustrated because we have been being collaborative for six or seven years," said TBHEID board member Chad Allen.

Board member Bub Boquist expressed even more discouragement.

Recalling his long years living and farming by the Kilchis, he remarked, "In 1964, when we took the logjam out of the river, the river was 10 feet deep. Now it is two feet deep.

"This is not the county I was born in," he added. "Now we aren't even allowed to help ourselves. If we have to go for another

permit now, I'm gone. Nothing has changed. If we go for another permit, all we'll do is the same thing."

Evans explained that government agencies like his have become "gun shy" after years of legal battles with various citizen groups. He said such battles have resulted in arduous permitting procedures.

"That's why we are trying to come up with parameters that will eliminate repetitive permits" for gravel extraction. "All the nay-sayers say we can't do it. But we think we can."

Local flood gate expert Leo Kuntz told Evans that regulators should understand that "you are trying to regulate a highly engineered system as though it were a natural system. The result of your management will be to push all these people" off the land.

"This is a built system, not a natural system," he continued. "And the irony is that all the work was done by the Corps of

Engineers in the first place. If you keep going, you will destroy most of the agricultural industry and run all of these people out."

Gus Meyer, a TBHEID adviser, remarked that, "Since 1970, man has changed and the ecosystem has suffered." He argued that new gravel removal restrictions, rather than helping fish populations, have actually harmed them.

"Where I was fishing in 10 feet of water three years ago, now it's just 2 or 3 feet of water."

Boquist added, "Since 1964, we have had increased rainfall. But now there is no way to get the water out of here anymore."

Seemingly moved by the discussion, Evans responded.

"I can honestly promise you some decisiveness," he said.

He said he would have his staff quickly determine whether it would consider a new application with new data.

"I promise you a quick answer. It may not be the one you want, but you will get it soon."