

US Army Corps of Engineers Questions

1. What were the alternatives to the drawdown and was a risk analysis conducted on each option? I understand the alternatives are likely expensive, however the drawdown is now costing citizens and towns to have to pay for the consequences.
2. What are the Corps' lessons learned from this first of three deep drawdowns of the reservoirs (in our case, specific to Green Peter)? Obviously, a major fish kill (kokanee), and the impacts of erosion/water clarity impacts should be avoided.
3. Do you believe that if the drawdown were to occur over a longer period of time, it would enable the fish populations to adjust to the pressure differences, and vegetation to grow on newly exposed soil, reducing erosion as seasonal rains occur?
4. Based on your knowledge and consultations, can you advise if the water in Foster Lake (a major recreation spot) will return to normal clarity and when?
5. What measures are planned to report the adverse impacts back to the applicable governing bodies/court issuing the drawdown order, so they can weigh the anticipated benefits to Chinook and Steelhead populations, versus the negative consequences of the drawdowns, and potentially modify the order?
6. I have heard that one of the four targeted reservoirs (Cougar) may be eliminated. Can you tell us what actions, or further reviews, are currently planned regarding the future of these four reservoirs?
7. Is the Corps of Engineers aware that they have killed off the complete population of kokanee salmon? According to a spokesperson for the ODFW, zero fish made it to the spawning grounds due to mud and debris.
8. Has the Corps done any studies of the effect of the silt on the downstream fisheries and spawning beds?
9. I look forward to going to Foster Lake a couple times a week in summer with my kayak or raft, or just to swim. Should I prepare myself for no more summers on Foster Lake? Isn't Foster filled from Green Peter around late May?
10. If the reservoirs do refill, will they just be a muddy mess?
11. Are there plans to remove the dams?
12. Were environmental impact studies done prior to the drawdown and if so, where can they be accessed?
13. Is this something that will happen every year and for how long each year?
14. Because of the impact to Sweet Home's drinking water, will the Corps do any of the following:
 - a. Report this to the U.S. District Court for the District of Oregon showing that the negative impact to people far outweighs the consideration of the fish.
 - b. Assist the city in fixing its issues with the drinking water to mitigate the financial impact and ensure we don't have to deal with high chlorine levels.
15. Will the increase in sediments impact the food supply for the fish that do survive?
16. Recent paperwork from the Corps shows that flooding and recreation were priorities for Green Peter. What were the priorities of the original agreement between Sweet Home and the Corps?
17. Was eminent domain used by the Corps or the federal government at Green Peter and if so, did it lead to someone's death? Were flooding and recreation stated as the priorities at the time that eminent domain was used?

18. How do the laws work when a federal judge makes a ruling that violates Oregon Statutes regarding polluting waters? Where did municipalities and power rank in the priorities?
 - a. Per ORS 468B.005(5), water pollution is defined as “alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, silt or odor of the waters...”
 - b. ORS 468B.020 says “(1) Pollution of any of the waters of the state is declared to be not a reasonable or natural use of such waters and to be contrary to the public policy of the State of Oregon...”
 - c. ORS 468B.025 says no person shall “cause pollution of any waters of the state...”
19. Is the Corps exempt from these and other state water quality laws? If not, has the Corps notified the judge and plaintiffs that this order has resulted in changes to color, turbidity, and silt that are clearly a violation of state water quality laws?
20. The Clean Water Act has long been a tool of the EPA to control how land surrounding bodies of water are used. How is it possible for a federal court to impose an injunction that goes against the federal Clean Water Act? (The federal Clean Water Act was established for both wildlife and humans. Neither are receiving clean water through this injunction.)
21. Would the Oregon Legislature request an audit of the judge who ordered the drawdown?
22. In other studies of previous deep drawdowns, what was the level of turbidity in those bodies of water and did those bodies of water provide drinking water for cities?
 - a. If so, what level of turbidity did those communities see in their tap water?
 - b. How many days or months did the turbid waters last?
23. Since this drawdown is now in the Corps’ Environmental Impact Statement, how many years will it take for this level of turbidity to calm down?
24. The Corps’ Regulatory Division has national experts on the Clean Water Act. Why didn’t the Corps use its own internal expertise to identify and mitigate the issues regarding water quality when implementing the court order?
25. What can be done to stop this injunction and prevent this from happening in the future?
26. Is there a way to clean up the water and remove the sediment right away/more quickly?
27. Will the sediment cause problems for downstream fish gravel beds, preventing or reducing the spawn?
28. What is the plan to combat forest fires if Green Peter doesn’t refill?
29. Given the current influent and effluent flows for Foster Lake, what is the estimated detention time and how long would it take to clean out the current turbidity if the influent flow was cleaner water?
30. If the draining of Green Peter is going to be repeated in the future, when can we expect Foster Lake to return to normal?
31. How specifically does this action help fishing and local species (in simple terms)?
32. What were the results and takeaways from drawdowns at other dams?
33. When do you expect the reservoirs and river to be usable for recreation again?
34. Is there any way affected communities can be compensated for the expense of addressing negative impacts?
35. Has the Oregon State Department of Environmental Quality (DEQ) reached out to the Corps to request that this drawdown be halted? Have they expressed any concern about the resulting impacts to water quality?
36. Has the DEQ visited the site since the drawdown began?

37. Is the Corps aware if there are any fish biologists from state and/or federal wildlife agencies on site at Green Peter to see if the drawdown is actually achieving the desired effects? If they are, do they have any preliminary results showing this drawdown has been somehow worth the effort and expense to the thousands of residents who live here?
38. Are any attorneys representing the Corps planning to appeal the court order? Are there any other attorneys involved representing the interests of Sweet Home?
39. Would the Corps characterize this drawdown as a “success”?
40. How many fish were killed? Can we estimate if/how many will be killed by the silt flowing into the river?
41. How long is the drawdown cycle supposed to last and when will the reservoirs be cleaned up again?
42. How long will the lakes and rivers look like they currently do?
43. Was the negative financial impact to Sweet Home and the surrounding areas considered and evaluated during the lawsuit?
44. Was an Environmental Impact Report required before the proposed drawdown was implemented. If not, why not?
45. There was a program implemented years ago to restore the coastal seal population that ended up showing the seals are having a devastating impact on the salmon population. Was this considered during the lawsuit as part of the dwindling Chinook salmon population?
46. What impact will silt have on properties with wells near the river?
47. Is the Corps currently planning any legal action?
48. Could we have installed fish horns rather than having to do the drawdown?
49. On what basis (law) did the judge base his decision to draw down Green Peter?
50. How is it that the fish environment has priority over the human environment?
51. Did any of the entities involved with the lawsuit and/or drawdown consult with a stream fisheries biologist to understand the requirements for a healthy salmon and trout population?
52. What experts provided the projections about what would happen with the drawdown and are the current conditions reflective of their projections? If not, why not? What did they expect would happen with the long-term buildup of sediment in Green Peter?
53. Clearing the South Santiam River of the huge mud outflow will require a sustained high off-bearing flow of clean water. Where will this sustained flow come from?
54. How does the anticipated sediment flow and increased turbidity support the supposed project goal to “improve fish habitat”?
55. Will something similar happen to the Detroit Reservoir and the North Santiam?
56. According to the USACE and Native Fish Society websites, each of the following are an objective of this drawdown – please explain how it will achieve each.
 - a. “Improve fish passage and water quality”
 - b. “for the benefit of Upper Willamette River spring Chinook salmon and winter steelhead salmon”
 - c. “Corps is working in coordination with the National Marine Fisheries Service, U.S. Fish and Wildlife Service”
 - d. “We’re excited to bring our communities to the table as we revise our plan for long-term public use and land management for Foster and Green Peter reservoirs,” said Erik Petersen, the Corps’ Willamette Valley operations project

manager. “These two gems are ultimately here for the public. And that’s what we do – serve the public – so the only right way to define the path ahead is to collaborate with our neighbors.”

57. Is the dam in need of any repairs and if so, will they be performed during the drawdown period? How would that be paid for?
58. For how many years does the Corps plan to perform the drawdowns?
59. The Pacific Lamprey is a priority species, meaning that it is struggling to survive. A 2014 Oregon State University study carried out with the Terra Foundation identified Pacific Lamprey in the South Santiam River. The lamprey are sensitive to large water flows that disturb their hatcheries, sediment in the water, and increased water temperature. All of these conditions have been occurring in the S. Santiam as a result of the drawdown. Have impartial fish and wildlife biologists been assigned to the S. Santiam Watershed to monitor the effects of the drawdown on other species of wildlife in the river? Will a report be made publicly available?
60. Are there any potential plans for alternate methods of allowing salmon through or around the dams?
61. How is the heavy sediment affecting the local ecosystem?
62. When is Foster Lake anticipated to clear up?
63. Why wasn’t the issue with the salmon, which had already been identified, addressed by USACE prior to the lawsuit?
64. How will Green Peter be refilled? When?
65. How is flood control in the valley affected by the drawdown?
66. Can the USACE provide any reimbursement/monetary support to Sweet Home to cover the additional costs incurred by the results of the drawdown?
67. How many fish died in Foster Lake following the drawdown? How many in Green Peter Reservoir?
68. Did the Corps consider the impacts to Foster and Green Peter in its final plan and were potential negative impacts highlighted to the judge before he made his decision?
69. What would prevent the Corps from asking the Court for a modification or stay, given what seem to be unintended consequences to fish, wildlife, and the human environment?
70. How is water quality being evaluated?
71. How does the muddiness/turbidity of the water affect the respiratory systems of fish?
72. How many fish were negatively affected by the drawdown vs. how many are typically negatively affected by passage through the turbines?