**RE:** [**Order# 80-10 Removal of the Gold Ray Dam**](http://rvtv.roguedatavault.net/asxgen/jackson/commissioners/boc05-05-10.wmv)

<29:35>Right, Mr. Chair. I have a kind of lengthy staff report on this one for obvious reasons, so if you’ll bear with me here, uh…First of all, I’ll just give you a little history.

The original Gold Ray Dam was constructed as a 33-foot high, wooden timber crib dam in 1904; it was later replaced immediately downstream by a 40-foot high, 390-foot long, concrete dam in 1941. The concrete dam spans the main stem of the Rogue River at river mile 125.7 and, like the original timber crib dam, its purpose was to generate hydroelectric power. The dam was operated as a hydroelectric facility until 1972 when it was *permanently* closed and the ownership of the dam and surrounding properties was transferred to Jackson County for the purpose of developing the site as a Park & Recreational property.

Jackson County has *not* developed this property into a Park & Recreational property due to a variety of financial and liability reasons. The Gold Ray Dam does not serve any purpose for Jackson County; it is a maintenance burden, a current and future liability risk, and it poses public safety concerns for the County. The dam also blocks boat traffic, thereby limiting access to the Rogue River and river, uh…run-of-the-river recreational opportunities on the river.

In 2007, Jackson County formed a local oversight committee to study options to remove the dam and seek grants and other funding sources to accomplish that purpose. The County contracted with HDR Engineering, Incorporated [Steve Mason] to conduct a pre-feasability study on the dam removal or notching.

In 2008, Jackson County was awarded a $100,000 NOAA grant to conduct a comprehensive study of the sediments in Gold Ray reservoir.

In July 2009, a $5M American Recovery and Reinvestment Act grant was awarded by NOAA for the purpose of completing all studies, obtaining permits, completing demolition designs, and ultimately removing Gold Ray Dam.

In January of 2010, Jackson County also received a $1M grant from the Oregon Watershed Enhancement Board (OWEB) for the purpose of removing the dam. With the addition of this OWEB grant, a project to remove the dam was fully funded.

A contract was awarded to Slayden Construction, a group up in Stayton, Oregon, in October of 2009; the Slayden team was contracted to complete all studies, obtain necessary permits and clearances and completed demolition design to ultimately remove Gold Ray Dam. Slayden’s bid to complete the work was $5,525…sorry, $5,524,389.95.

Before the decision to remove Gold Ray Dam may be rendered, the necessary studies *had* to be completed in order to provide policy makers with necessary information to make a decision. Through the environmental assessment process, these studies have been completed and they have been provided to the board of commissioners. In addition, necessary licenses and permits must be obtained from regulatory agencies; in part, these permits include…

* an Environmental Assessment
* consultation and a biological opinion for compliance with the Endangered Species Act for Coho Salmon through the National Marine Fisheries Service
* a Section 404 Removal/Fill Permit
* a Wetland Delineation through the U.S. Army Corps of Engineers and Division of State Lands
* a 401 Water Quality certification through the Department of Environmental Quality
* a Section 106 Cultural Review for historic resources through the State Historic Preservation Office
* and a Jackson County floodplain development permit.

All of these studies…I’m sorry…all of these permits and studies have been or *will* have been obtained prior to commencing with dam removal. The National Marine Fisheries Service, the lead federal agency on completion of the Environmental Assessment, is currently preparing the final Environmental Assessment, which incorporates and responds to the nearly 1,000 public comments received.

The publication of the final Environmental Assessment is expected by the end of this month [May 2010], and it *will* include a Finding of No Significant Impact (FONSI), which *will* complete the NEPA (National Environmental Protection Act) compliance progress. The final Environmental Assessment concludes that no significant im…environmental impact will result that is not being mitigated as part of the project.

Jackson County was assisted by Rogue Valley Council of Governments in an extensive public outreach effort as part of the project – an outreach effort that, I would like to point out, *exceeded*…regulatory requirements in its scope. As part of this project, Jackson County has held three public meetings, each attended by over a hundred people, where the public received and provided input on the project.

Jackson County also participated in nearly two dozen smaller meetings with specific stakeholders, such as neighboring property owners, civic clubs, and other groups that have an interest in the project; nearly 1,000 letters, emails, and other comments have been provided to the board of commissioners, regarding comments on the project…and lastly, as previously stated today, members of the public *have* been able to make use of the public comment period during non-agenda items at board of commissioner meetings to *directly* address the commissioners on a regular basis.

An engineering analysis was conducted to study the feasibility of restoring hydroelectric power back to Gold Ray Dam, which concluded that rehabilitation of the dam for the purpose of hydroelectric power generation was cost-prohibitive, would require changes in state law, and is not in the best interest of the citizens of Jackson County.

Jackson County currently has the legal and financial liability of providing routine maintenance, drift and debris removal, and the management of a highly hazardous area for rafting, boating and pedestrian access; removing the dam will mitigate these liabilities and costs. The Gold Ray Dam and its associated structures are deteriorating; they will not last forever. A study conducted by structural engineers with HDR Engineering, Incorporated found that the current dam and retaining walls require *significant* repair and buttressing; the cost for these repairs is estimated to be at least $12M.

In addition, the County has been placed on notice by regulatory agencies that the current fish ladder does not meet current fish-passage standards and this issue must be addressed in the near future. Estimates to replace the fish ladder start at $4M and will likely exceed that amount.

If Jackson County does *not* remove the Gold Ray Dam, it has a known, identified liability of at least $16M to repair and rehabilitate the dam and retaining walls and to replace the fish ladder. This estimate does *not* include costs associated with the *high* likelihood of defending potential legal actions from environmental organizations and proponents of dam removal if the dam is *not* removed.

The Gold Ray Dam does not provide hydroelectric power, act as an impalement for irrigation water, or provide benefit for flood control. It is in the best interest of the citizens of Jackson County to address this huge liability now and take advantage of the $6M in grant funds from federal and state sources to *remove* the Gold Ray Dam.

The project to remove the Gold Ray Dam is fully funded, as I previously stated, from a $5M American Recovery and Reinvestment Act grant and from NOAA and a $1M grant from the Oregon Watershed Enhancement Board. At this point, there are no county funds which are included in this project.

I will say, as I said to you previously in a work session, while this project is fully funded without county general funds, predicting every problem and needed contingency for a project as complex as removing Gold Ray Dam is impossible; therefore, there may be a limited need to provide additional funding dam removal to deal with currently-unknown impacts.

As you know, the county’s Parks and Recreational advisory committee also provided a recommendation to the county commissioners to remove the dam…the Roads & Parks director recommends approval of the attached order, which would direct the County Administrator to proceed with removing the Gold Ray Dam…and I *concur* with that recommendation, as I previously stated to you in a work session.

Should the board of commissioners concur with this recommendation, approval of the attached order will implement that action. <38:32>