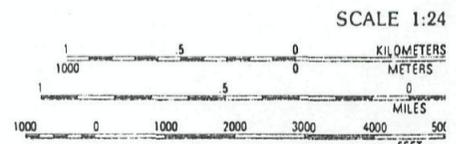


PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1968 AND 1979
 FIELD CHECKED 1980 MAP EDITED 1985
 PROJECTION LAMBERT CONFORMAL CONIC
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 10
 10,000-FOOT STATE GRID TICKS WASHINGTON, SOUTH ZONE
 UTM GRID DECLINATION 0°08' WEST

HOODSPORT, WASH.
 PROVISIONAL EDITION 1985
 47123-D2-TF-024

Where omitted, land lines have not been established or are not shown because of insufficient data

PROVISIONAL MAP
 Produced from original manuscript drawings. Information shown as of date of field check.



SCALE 1:24
 CONTOUR INTERVAL

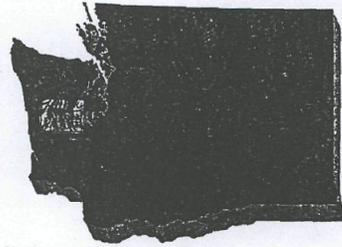
CONTROL ELEVATIONS SHOWN TO OTHER ELEVATIONS SHOWN TO
 To convert meters to feet mul
 To convert feet to meters mul
 SHORELINE SHOWN REPRESENTS THE APPROX THE MEAN RANGE OF TIDE IS API

THIS MAP COMPLIES WITH NATIONAL FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, CO



Shelton WASHINGTON

1:100 000-scale metric
topographic—bathymetric map



30 X 60 MINUTE QUADRANGLE
SHOWING

- Contours and elevations in meters
- Highways, roads and other manmade structures
- Water features
- Woodland areas
- Geographic names
- Bathymetric contours in meters

G2 28890



U. S. GEOLOGICAL SURVEY
NATIONAL OCEAN SERVICE



1988

Produced by the United States Geological Survey and the National Ocean Service

Compiled from USGS 1:24 000 and 1:62 500-scale topographic maps dated 1952-1981. Planimetry revised from aerial photographs taken 1980-81 and other source data. Revised information not field checked. Map edited 1988.

Bathymetry compiled by the National Ocean Service from tide-coordinated hydrographic surveys. This information is not intended for navigational purpose. Mean lower low water (dotted) line and mean high water (heavy solid) line compiled by NOS from tide-coordinated aerial photographs. Apparent shoreline (outer edge of vegetation) shown by light solid line.

Projection and 10 000-meter grid, zone 10; Universal Transverse Mercator 25 000-foot grid ticks based on Washington coordinate system, south zone 1927 North American Datum.

To place on the predicted North American Datum 1983 move the projection 11 24 meters north and 96 meters east.

Where omitted, land lines have not been established.

There may be private inholdings within the boundaries of National or State reservations shown on this map.

CONTOUR INTERVAL 50 METERS

NATIONAL GEODETIC VERTICAL DATUM OF 1929
ELEVATIONS SHOWN TO THE NEAREST METER
BATHYMETRIC CONTOUR INTERVAL 10 METERS WITH SUPPLEMENTARY 2 METER CONTOURS-DATUM IS MEAN LOWER LOW WATER
THE RELATIONSHIP BETWEEN THE TWO DATUMS IS VARIABLE

BATHYMETRIC SURVEY DATA COMPLIES WITH INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO) SPECIAL PUBLICATION 44 ACCURACY STANDARDS AND/OR STANDARDS USED AS OF THE DATE OF THE SURVEYS

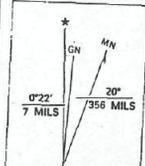
CONVERSION TABLE

Meters	Feet
1	3.2808
2	6.5617
3	9.8425
4	13.1234
5	16.4042
6	19.6850
7	22.9659
8	26.2467
9	29.5276
10	32.8084

To convert meters to feet multiply by 3.2808

To convert feet to meters multiply by 0.3048

DECLINATION DIAGRAM



UTM grid convergence (GN) and 1988 magnetic declination (MN) at center of map. Diagram is approximate.

ADJOINING MAPS

1	2	3
4		5
6	7	8

- 1 Forks
- 2 Mount Olympus
- 3 Seattle
- 4 Copalis Beach
- 5 Tacoma
- 6 Westport
- 7 Chehalis River
- 8 Centralia

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June 30, 1993

Southwest Regional Office
Department of Ecology
7272 Cleanwater Lane
Olympia, WA 98504-6811

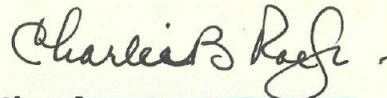
**Re: Terry G. Spragg & Associates
Applications for Water Rights**

Dear Sir or Madam:

Enclosed please find two applications for water rights along with two checks, each in the amount of \$2,000.00, to cover the filing fees.

Please address all correspondence relating to the processing of the applications to me at the above address.

Very truly yours,



Charles B. Roe, Jr.

CBR:lmy
cc: Terry Spragg

NOTE CORRESPONDENCE
ADDRESS



FACSIMILE: (206) 956-1208

ANCHORAGE ▪ BELLEVUE ▪ LOS ANGELES ▪ PORTLAND ▪ SEATTLE ▪ SPOKANE ▪ WASHINGTON, D.C.

MEMORANDUM OF UNDERSTANDING

A. Recitals:

1. The City of Tacoma owns and operates a hydroelectric facility, known as Cushman Project Power Plant No. 2, which utilizes water diverted from the North Fork of the Skokomish River and, after generating power, discharges the water into Hood Canal near Potlatch, Washington. Said facility is now the subject of a relicensing proceeding before the Federal Energy Regulatory Commission (FERC).

2. Earlier this year, Terry Spragg of Terry Spragg and Associates (hereafter "Spragg"), advised the City of Tacoma's Department of Public Utilities (hereafter "DPU") of his proposal to capture the aforementioned presently discharged water immediately prior to discharge to Hood Canal and transport the same for municipal purposes for use by public entities located out-of-state. Spragg requested the DPU to consider arrangements that would allow Spragg to make use of DPU's existing facilities to accomplish his proposal. Additionally, Spragg described potential benefits to various public entities, including the DPU.

3. Subsequently, Spragg has contacted various state, local government, tribal and environmental organization officials to describe the proposal previously discussed with the City of Tacoma.

4. Spragg thereafter recontacted DPU, reported his activities as described in 3., above, and notified the DPU of his intention to file an application for a water right with the Washington State Department of Ecology to make use of the waters diverted by and the existing physical facilities of the DPU for the additional beneficial use of public municipal supply.

5. Spragg has represented throughout that his water use proposal would be subject to comprehensive scrutiny and careful review as to its various aspects, especially as to its potential impacts to the environment, and that he will be pursuing the acquisition of all pertinent federal, state and local government certificates, permits and other approvals, including working cooperatively with the DPU in the aforementioned FERC related matters.

B. Understandings:

Against this backdrop, DPU and Spragg adopt the following memorandum of understanding.



Terry Spragg and Associates
Memorandum of Understanding
Page 2

1. Spragg will, in a timely fashion, be pursuing the aforementioned government approvals, including filing the aforementioned water rights application with the Department of Ecology.

2. The DPU, believing the Spragg proposal should be pursued further to determine its feasibility and possible benefits to the DPU and other public interests, including Tribal interests, acknowledges and recognizes the potential use of its diversion and water conveyance facilities in relation to the aforementioned water right to be applied for by Spragg.

3. The DPU further states its present intent, if Spragg obtains all of the required governmental approvals as aforementioned, and in relation thereto works with Tribal interests to address pertinent concerns, to recommend to the Utilities Board that the DPU actively pursue an evaluation as to what approach it might take in relation to Spragg's proposal.

It is understood that this memorandum may be attached to a water right application submitted by Spragg to the Department of Ecology.

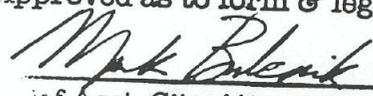
DATED: November 7, 1991.



Terry G. Spragg
Terry Spragg and Associates



Department of Public Utilities
City of Tacoma

Approved as to form & legality:


1st Asst. City Attorney



Showdown on

**For 63 years, energy-hungry Tacoma has drained
a magnificent Olympic river fork to run its turbines.**

While regulators dither and scientists warn of

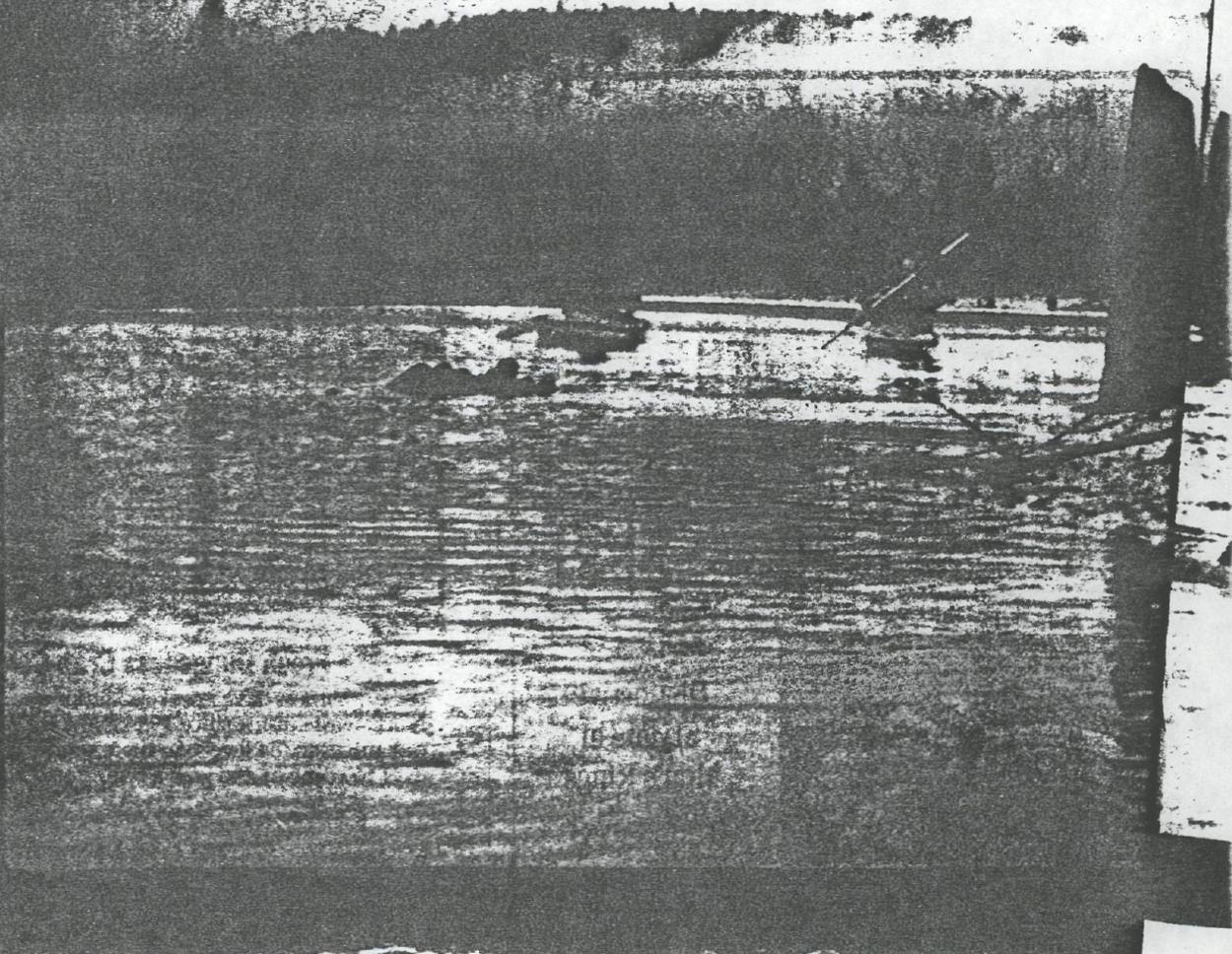
downstream disaster, a stubborn tribe fights

to save its sacred stream. By Eric Scigliano

To a kayaker paddling into it for the first time, the Skokomish River estuary seems like a bucolic sanctuary, especially after the development frenzy along the shores that lead to it. The "Skok," as its intimates call it, empties into the elbow called the Great Bend, where the two long glacier-carved arms of the Hood Canal meet.

Along the canal's tidy gravel shores, vacation homes cluster like beach umbrellas; their bulkheads smother the heaving spawning grounds, and their leaking septic tanks poison the oyster beds. Above, ridgetop castles sprout; their summer inhabitants tear out the soil-anchoring trees that block their Olympic-to-Rainier panoramas.

All this clutter vanishes when you reach the Great Bend. A landscape of wetland forms stretches before you: tideflats and delta hummocks, marshes and meadows struggling to return to marsh. Eelgrass gives way to field grass, then to thick



51

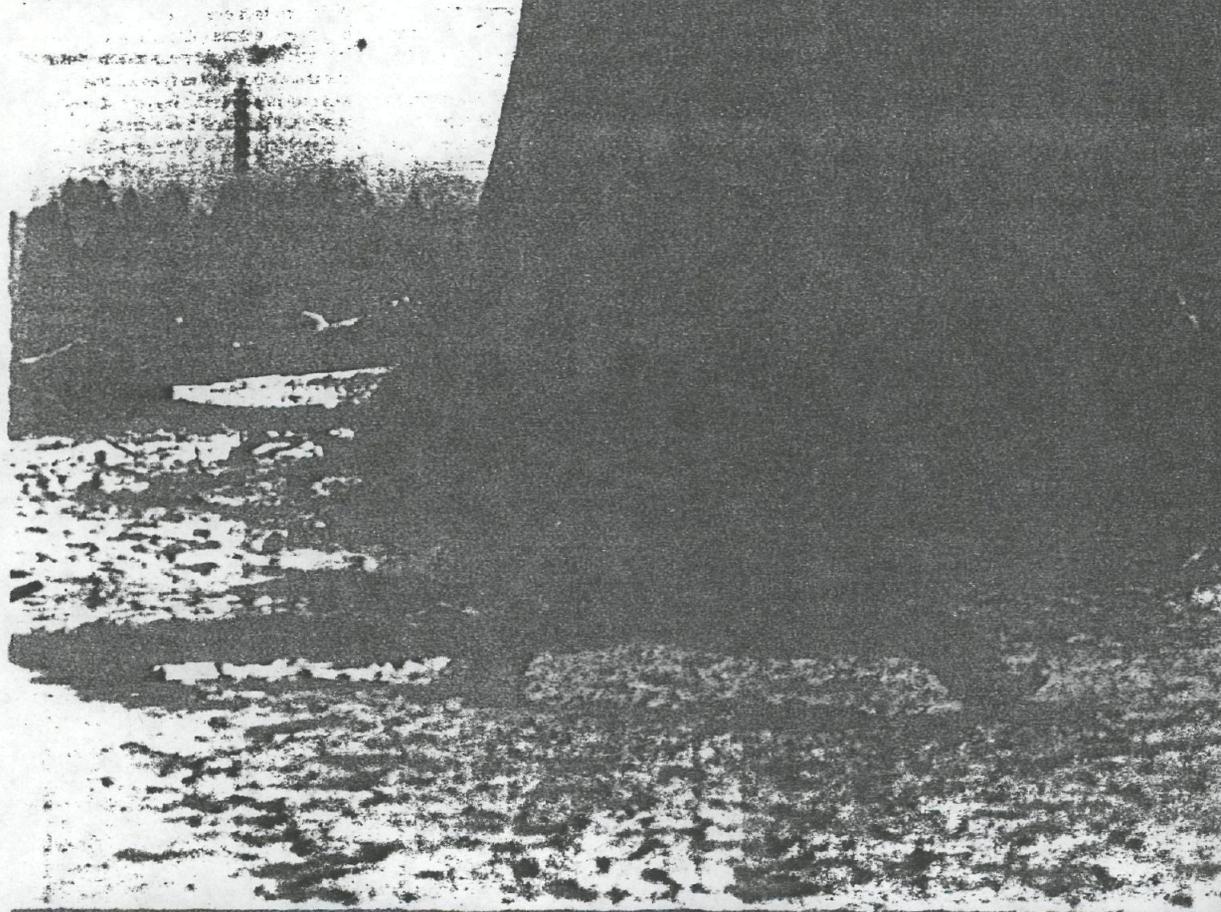
he Skokomish

rose and clumps of cottonwood, maple, apples gone wild, ner muck-loving broadleaves. A mile in from the shore, two ls and a labyrinth of sidetracks diverge from the river after the people who inhabit it, the Skokomish.

ou paddle upriver, the delta's emissaries glide out to meet harbor seals crane their heads like periscopes to spy, then nd swim below your craft, surfacing only when you've given king for them. The seals have thrived since the floating went up, dissuading orcas, their only predators, from enter- canal. Some folks speak of seeing "hundreds" of harbor retching and sunning on the tideflats.

he channel, you see why the seals cluster here: salmon fry he upstream hatchery dart down to an almost surely brief the big water. Crows, gulls, and terns swoop above. Great rons take their muddy posts as the tide recedes. Two eagles ver the more distant trees, and a marsh hawk glides low over arer fields. Amid the usual sparrows, finches, and barn swal- ou spot what look like martins and band-tailed pigeons, at fine swamp dandy, the red-winged blackbird.

k more carefully, however, and the view turns ominous. The allow bottom, just inches below your kayak's keel, is not the mottled, fertile, shell-strewn gravel of the canal. It is instead h, fine sand, almost silt, as barren as a desert dune, unbro- en by shells or clam holes. ▶



Rivercide

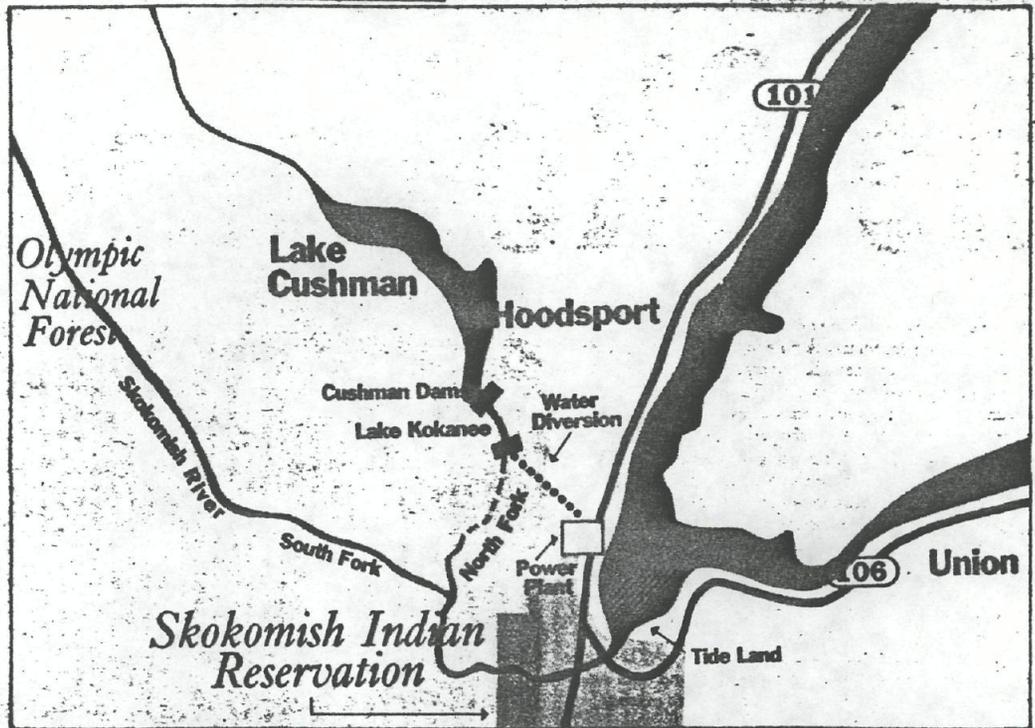
Inshore, a row of metal towers and high-tension wires cuts east toward the bright lights of Puget Sound, and west toward a strangely outside gray building that stands like a giant's mausoleum on the shore across Annas Bay. Weirder still are the three immense silvery pipes, a quarter-mile long and nearly as incongruous as the Space Needle would be here, that climb the ridge above the mausoleum.

This pastorage is not so pristine after all. Fred Weinman, the Environmental Protection Agency's local wetlands ecologist, describes this delta country as "a fantastic mix of pristine and impacted areas."

The Skokomish Delta and the ancient peat bogs, swamp forests, and riverbeds upstream from it are among Western Washington's best-kept wild secrets. Weinman considers the Skokomish comparable to the Nisqually Delta, one of the region's two most celebrated (and protected) estuaries—and more ecologically diverse than our other star estuary, Skagit County's Padilla Bay.

At the same time, the delta and the river that feeds it present one of the worst cases of watershed waste and degradation in a region rich in riverine tragedies. Two months ago, the national conservation group American Rivers placed the Skokomish, alone among Western Washington streams, on its much-publicized list of the "25 most endangered rivers in America." (The list apparently excluded industrial and urban rivers that have passed from endangered to terminal.) In April, when Interior Secretary Bruce Babbitt wanted to tour a ravaged Northwest river, he came to the Skokomish.

How can the Skokomish be both pristine and ravaged? Rivers are complicated systems, with many tales to tell. The Skok's story takes as many twists and turns as the river itself does, in its passage from the sheer south-



east slopes of the Olympic Range to the marshy elbow of Hood Canal. It is at once an extraordinary, even a bizarre, tale, and an exemplary one—a warning to this watery, water-guzzling region that a river can take, and give, only so much.

Not all of the Skokomish's travails are unusual. It suffers, especially in its much more vigorous South Fork, from a severe case of the usual affliction—erosion and suffocating siltation caused by runaway logging. Its wild-fish runs have been depleted by longtime overfishing—by whites and Indians—of the river and canal, and further stressed by competition from huge hatchery stocks.

All that's a drearily familiar tale. But

no other delta had a Marcus Nalley. After Nalley, Tacoma's Yugoslavian-born potato-chip tycoon, acquired a large part of the Skokomish marsh, he worked strenuously in the 1930s, '40s, and '50s to turn it into a hobby farm (he cherished his peasant roots) and bird-hunting estate. Ron Lee, who now manages the EPA's Northwest watershed programs, remembers that wetland-wrecking travesty well. Lee grew up on the farm, watching his father, who managed it for Nalley, dike its marshes to create pastures and hayfields. Lee Sr. built the dikes to last, of solid riprap. But, says Lee Jr., "If dad were alive today, he and I would be the first ones out there to breach

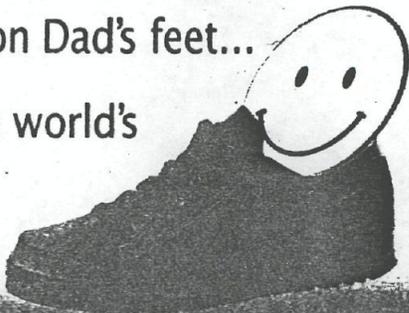
them." He looks at the delta and sees "500 acres of wetlands—an extremely significant area" waiting to be restored.

Everyone seems to like that idea, including the land-short Skokomish Tribe. Weinman says even the Army Corps of Engineers, whose job used to be destroying wetlands, might help restore this one. But there's no such easy unanimity over what to do about the biggest depredation of all that the Skok has suffered.

Elsewhere in the Olympics and Cascades, utilities have squeezed streams through turbines to light streetlights, or sucked off part of the flow to fill bathtub. Tacoma, the City of Destiny, carved out its destiny by doing much more to

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Rivercide

the Skokomish. For 63 years, the Tacoma Public Utility has diverted (i.e., dried up) almost all of the Skokomish's North Fork—40 percent of the system's total flow. The towers and wires you see from your kayak carry the resultant bargain-basement electricity to Tacoma. The giant pipes—"penstocks," in the argot—shoot the mountain water down to the monumental shoreline power plant and a final pipe that dumps into Hood Canal.

Thus it will continue to splash for many more decades, if Tacoma succeeds in its 19-year battle to gain a new federal license for this extraordinary hydro system. This is outwardly the usual sort of regulatory battle, fought with all the usual weapons—legal briefs, expert opinions, environmental impact statements. But it is also a battle over myth, meaning, and tribal identity.

Tacoma's main adversaries are the People of the River themselves—the tribe whose name, "(S)Ko-Ko-Mish," means "Big Fresh Water People" in Twana, the original language of the canal dwellers. They have fished the river named after them for centuries, perhaps millennia.

"We can prove we were here 8,000 years ago," the tribe's chair, Denny Hurtado, declares defiantly. *Someone* was. It was, ironically, one of Tacoma Utilities' many projects in the basin that exposed the evidence several years ago: a hunting camp that archaeologists believe dates back 6,000 to 8,000 years, maybe longer. "Whether the Skokomish Tribe was present at that site, no one knows," notes Tacoma Utilities project coordinator Garth Jackson. But such heritage-splitting seems beside the point; the legacy is plausible and the Skokomish cherish it, though their history is unrecorded.

The Twana of the canal fared rather badly in the Point No Point Treaty, which they signed with Territorial Governor Isaac Stevens in 1855. "It was the third treaty made by Governor Stevens," historian Edmond S. Meany noted dryly 50 years later, "and the idea had not yet been formulated by him and his council of assistants to save sufficient lands for the use of the Indians." Thus the Twana—who inhabited the entire length of the canal—were consigned to share a small reservation at the site of their Skokomish village with two other Peninsula tribes, the Klallams and Chemakums. At first they lived under the threat of eviction even from there, should Stevens realize his dream of consolidating the Puget Sound tribes in one big reservation.

"The government tried to make us farmers," sneers Hurtado, "just as it tried to make all the Indians in Washington farmers. We're not farmers, we're fishermen!" And it was as fishermen that the Twana (all of them now called Skokomish) preserved a sense of identity and cohesion remarkable given all the cultural and literal attrition they would eventually suffer.

The Skokomish still had their namesake river, "its fine waters teeming with fish," wrote Meany. They fished in traditional fashion, with long nets from the rocks above the North Fork's two raging waterfalls. The whites admired the scenery and the salmon as well. Above the upper falls, along the pristine pond called "natural Lake Cushman" to distinguish it from today's much larger reservoir, they built two resort hotels.

Hotels, fish, and the North Fork stream itself are long gone, but the fishing fire still burns visibly in the Skokomish. "We're connected to fishing, socially and spiritually," proclaims Hurtado. "It just feels good! Hell, my grandfather fished here. He used to say you could walk across the river on the backs of the spawning salmon. I fished out in the canal for ten years. I loved it!"

But the canal's steelhead and sockeye fisheries are gone, and the chinook and silver have nearly vanished. What's left is a six-week fishery, in inclement late autumn, for chum—"dog salmon" to Alaskans, "silver brights" to modern

supermarket promoters. Chum is the least-desirable salmon species but the cheapest to hatch, because the fry proceed directly to salt water. Thanks to state hatcheries, chum now dominates the canal, in a fishery version of monoculture tree farming.

Hurtado has a master's degree, so when the fishery faded he could fall back on a job as an administrator at the Evergreen State College. Others on "the rez" weren't so well-prepared. To combat unemployment, the Skokomish are now ruefully considering jumping on the casino bandwagon—fishing for suckers instead of salmon.

Hurtado stops on a wooden bridge near the river mouth, where three of his tribal comrades chat while their children angle for trout in the river below. Sure enough, the conversation turns to fish. "We been up to Quinalt," announces one of two linebacker-size Peterson brothers. "Got us some bluebacks"—the distinctive Quinalt sockeye, prized above all other Peninsula salmon. The news draws appreciative nods and murmurs and reminiscences about the old days, when Skokomish fish were also celebrated. "Guess we'll go back and see if our fish soup's done," says a Peterson brother, heading for his pickup. ▶

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Carpe Diem	4 - 6 pm
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Beat Patrol	11 - 1 pm
Becca & Travelin' Light	2 - 4 pm
After Hours	5 - 7 pm
Friday, June 18	
Nora Michaels	5 - 7 pm
Saturday, June 19	
Carpe Diem	11 - 1 pm
Nora Michaels	5 - 7 pm
Sunday, June 20	
House Blend with Mia Santell	Noon-2pm
After Hours	3 - 5 pm

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UNIVERSITY VILLAGE

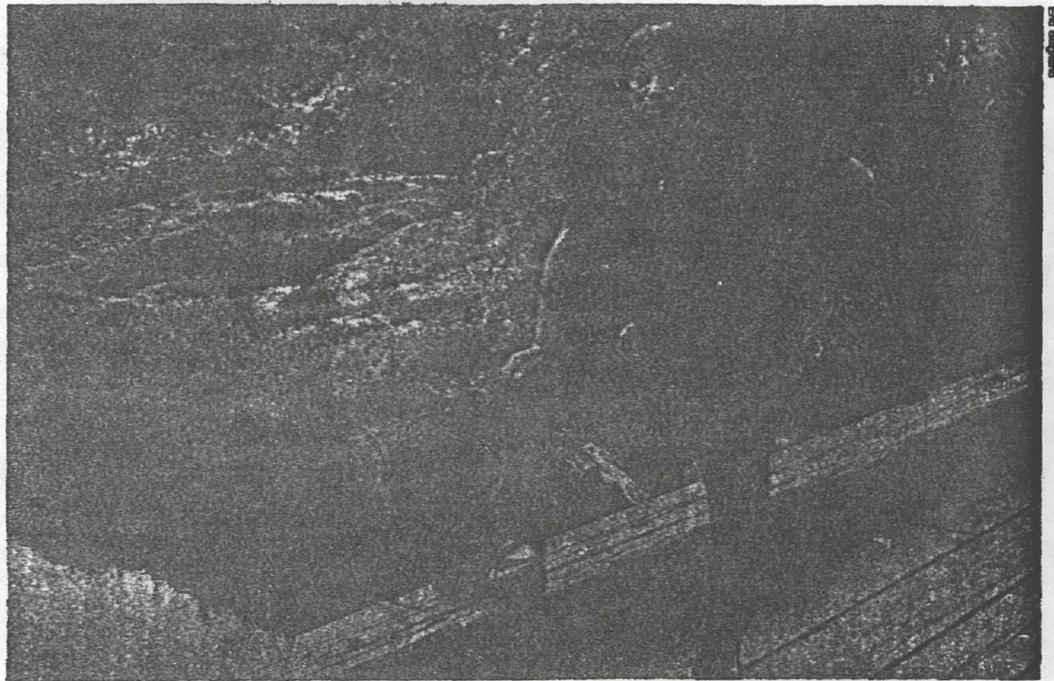
Rivercide

The City of Destiny is a younger tribe than the People of the River, but it too cherishes its myths—and likewise sees the river as its lifeline. In the 1920s Tacoma's public utility, the first in the state, was still fighting to prove itself against the private-power advocates. It already had two small hydro projects on the Nisqually River, since inundated by a larger dam, when it proposed the dam at Lake Cushman. "At the time," says Tacoma Utilities' Garth Jackson, "people questioned whether Tacoma would ever be able to use all the power Cushman would provide. In fact, it was a main reason for the economic growth that followed. It made it possible for industry to come here."

Indeed, Tacoma gained the cheapest electricity in the United States. As its lumber mills declined, power-intensive industries replaced them: pulp and paper, Kaiser Aluminum, the Asarco copper smelter. Even today, Cushman power costs only about a third as much as juice from the Bonneville Power Authority, which is still cheap by national standards.

Cushman now supplies only 15 percent of Tacoma's power—but as Jackson notes, "it has much more value than just that." That's because it needn't release water continuously, as do most hydro projects, to maintain streamflow. Instead, Lake Cushman and its smaller sister reservoir, Lake Kokanee, give Tacoma the closest thing to a giant battery. Because it diverts the stream's entire flow, the city can store it up and release it, with massive generating force, at peak demand hours, when it would otherwise cost most to buy power.

Tacoma's critics charge that it bluffed its way to this boon in the 1920s through an elaborate application shell game, playing state and federal requirements off against each other. In 1923, the city applied to the Federal Power Commission (the predecessor of today's FERC) to license "a minor part of a complete proj-



Skokomish tribal chair Densy Hurtado contemplates the delta: "We just want water back in our river."

ect." This "part" was building a dam to flood 8.8 acres of federal land in what would later be designated Olympic National Park to increase the height and volume of Lake Cushman. (The project actually flooded about 20 acres of federal land, owing to "inadvertent" surveying errors, Tacoma claims; critics take it as one more example of the city's fast-dealing.)

This was the only federal license Tacoma sought, and the only one it claims it needed. License in hand, it proceeded to build a second, 175-foot-tall dam below Lake Cushman, forming the second reservoir. It diverted all the flow from this

reservoir, except occasional overflow, through a two-and-half-mile tunnel, to the penstocks and downhill to a second, larger powerhouse—the canalside mausoleum we glimpsed from our kayak.

Tacoma declared that these massive additions were exempt from federal regulation because they "would not in any manner affect any property of the United States." Whoa, cried the Skokomish, who protested from the first announcement of Tacoma's plans in 1919: diverting the river would violate their fundamental treaty right to fish and hunt in their "usual and accustomed" grounds. The project inundated their revered fishing

sites, eliminated fish runs, and destroyed elk habitat and migration routes.

In 1930 the Skokomish sued to block completion of the diversion. They were thrown out of court because of their federal trust status; they could not sue without the government's concurrence, which was not forthcoming. The United States again declined to sue in 1934, despite the urgings of a Bureau of Indian Affairs representative. At that time, according to *The Daily Olympian*, US Attorney J. Charles Dennis recommended against the suit; Dennis had previously been Tacoma's city attorney and represented it in several Cushman lawsuits.

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The battle reopened in 1974, when the Cushman Project's 50-year federal license came up for renewal. Federal regulators, prodded to process new hydro-power applications in the wake of the oil embargo, pushed Tacoma's relicensing to the back burner—much to the utility's regret today. In the 19 years since, the regulatory threshold has risen considerably. One regulatory agency after another has followed the tribe and intervened in the case: the state Game, Fisheries, and Ecology departments and Parks Commission, the federal Fish & Wildlife Service, the Bureau of Indian Affairs, the National Marine Fisheries Service, and the National Parks Service (with the EPA likely to follow suit). Together they have urged a full environmental review (which is now in the scoping stage). And they've suggested a variety of mitigations, which Tacoma has mostly resisted.

Five years ago, the state Department of Ecology forced Tacoma to make one symbolically resonant concession, in order to obtain a water-quality certificate. The utility must now release a minimal streamflow—30 cubic feet of water per second—into the long-barren North Fork. No one pretends that this is enough to restore the fish runs to any significant degree. Nevertheless, a few hardy chums have been seen fighting their way up the trickle, their dorsal fins sticking out of the water. They even make their way over the stretch of riverbed that a local farmer has turned into a concrete driveway.

Tacoma now proposes to sweeten that pot and boost its releases to a minimum of 100 cubic feet, with seasonal pulses of 120 to encourage the salmon. The utility's Jackson argues that this is all that the long-dry, ingrown North Fork streambed can hold, "without destroying riparian habitat." Even the higher levels would be only a sixth of the average flow of the North Fork above the dam, and less than a hundredth of peak flood flows. Most of that water now spills uselessly into the salt water of Hood Canal, after turning Tacoma's turbines.

One new would-be player on the scene would like to save that fresh mountain water from going to waste. Terry Spreng, the Southern California "water entrepreneur" who gained fame in the 1970s by proposing that icebergs be towed from the Arctic, recently made an unusual pitch to the tribe and the utility: he would buy the water when it leaves the power plant and tow it in huge floating bags to thirsty cities such as Seattle and Santa Barbara.

The utility agreed to talk to him. The Skokomish said they weren't interested in relinquishing their claims: "We just want the water back in our river," intones Denny Hurtado. The tribe instead proposes that Tacoma should tear down its penstocks, powerhouse, and lower dam, and operate the upper dam and its powerhouse as a conventional run-of-river system. It's not alone in this notion; the National Marine Fisheries Service, a division of the Commerce Department, has made the same preliminary recommendation.

Victor Martino, the tribe's planner and Cushman Project coordinator, and Lorri Bodi, American Rivers' Northwest co-director, claims that this switch would cost Tacoma just 10 percent to 15 percent of

its power generation. Tacoma's Jackson insists "we'd lose more like two-thirds, because we'd lose half the water pressure" provided by the steep drop to the sea-level turbines.

Utility officials complain that the Skokomish want to roll the clock back impossibly far, to unravel and compensate past damages that can't even be measured today. Rather than rehashing "the original decision to build the project," Tacoma urges FERC (in an official declaration) to merely ask, "What will be the environmental effects of renewing the [Cushman] license?" Better to start fresh, they say, by working out some reasonable mitigation—say, some wildlife

enhancement, some dike-busting on the Nalley farm—and strike a deal. "There has to be some point where you say, 'We have enough understanding to work things out,'" pleads Jackson.

Ominously for the tribe, FERC officials have voiced the same impatience. They have not responded to the tribe's and the resource agencies' urgings that they commission a comprehensive US Geological Survey study of the Skokomish watershed's hydrology before finishing their environmental impact statement. Brian Winter, a National Marine Fisheries biologist watchdogging the Cushman Project, says if FERC doesn't undertake such a study, "We'll seek

redress through FERC administrative process . . . or through litigation." It wouldn't be the first time other federal agencies have sued the federal power commission to pay more attention to the law and less to the power industry.

The Skokomish insist that they're not trying to avoid negotiating, or seek recompense for past wrongs; they just want to gather all the data first, and be sure not to repeat past mistakes. They grumble about what they see as Tacoma's intransigence, and they're not alone in this view. "I've worked on a number of relicensing agreements," says Bodi, formerly a National Marine Fisheries official. "Tacoma's track record on fisheries

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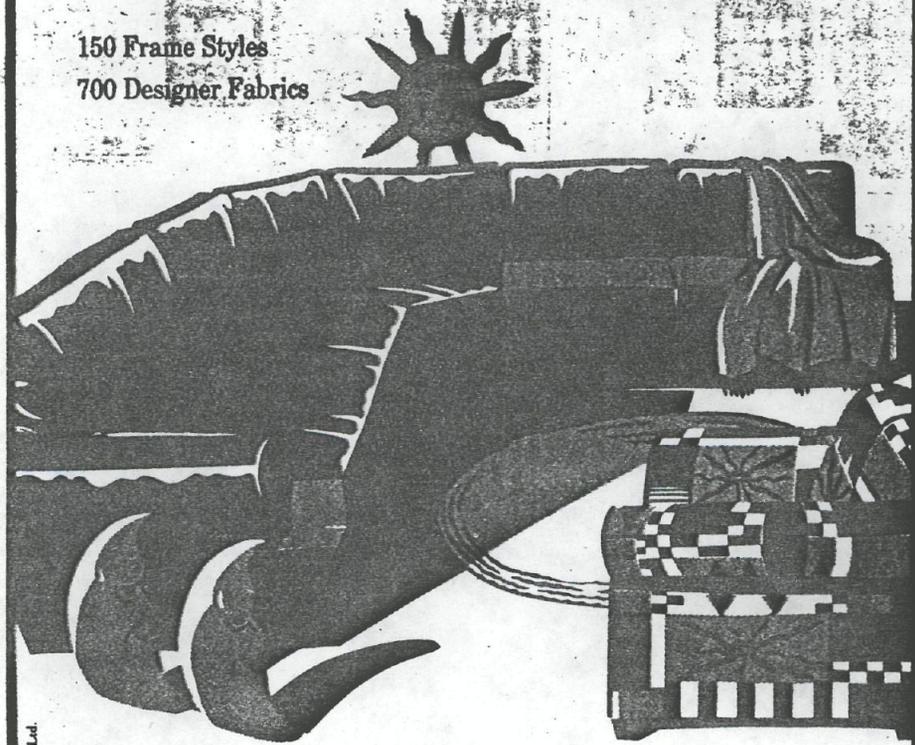
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throughout the region is not good—it's the worst in the state. Contrast it to Seattle City Light, which worked very hard to cooperate on its Skagit River projects."

Two incidents that have especially aggravated the tribe's suspicions point up the chasm of outlook, not just interest, that lies between the Indians and the utility. One was Tacoma's purchase last year of the Nalley farm, which since Marcus Nalley's death had been variously optioned for a golf course and a fish farm. The Skokomish claim they were in line to buy back this huge chunk of their reservation, as soon as Congress came through with the money, when Tacoma snatched it out from under them. Jackson insists the tribe never had much chance at the deal anyway, and the city was saving the property from some other nasty development scheme. Now, he says, it will use wetland restoration there

as mitigation for hydro licenses it also seeks on the Cowlitz and Nisqually rivers.

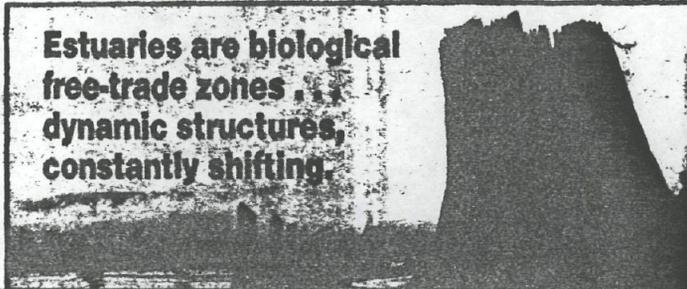
The other sore point is closer to the

years ago. The city gathered a reported 20,000 artifacts, trundled them off to safekeeping, and covered the site (which is still secret) to foil pothunters. "They

Tacoma will return the artifacts—when the tribe has a "suitable storage facility," as the law requires.

Martino and Hurtado chafe at Tacoma's slowness in nominating the ancient site for the National Registry of Historic Places—especially because its monumental power plant, and grotesque penstock pipes, are already thus registered and protected. Don't blame us, counters Jackson: the state Office of Historic Preservation nominated Tacoma's facilities over Tacoma's objections.

"We thought [the historic designation] would be a pain in the neck for us," he explains. Instead, it's proven extra ammunition in Tacoma's campaign to save its plant. A FERC regulator suggested camouflaging the penstocks by painting them dark green, to match the surrounding forest. The utility resists the idea because, when the pipes are emptied for



Estuaries are biological free-trade zones . . . dynamic structures, constantly shifting.

tribe's heart, if not its pocketbook. Hurtado and tribal planner Martino still grumble at the way Tacoma handled the great archaeological discovery several

didn't even go through the normal inventory process," charges Martino. "We're trying to comply with every requirement of law," counters Jackson. He vows that

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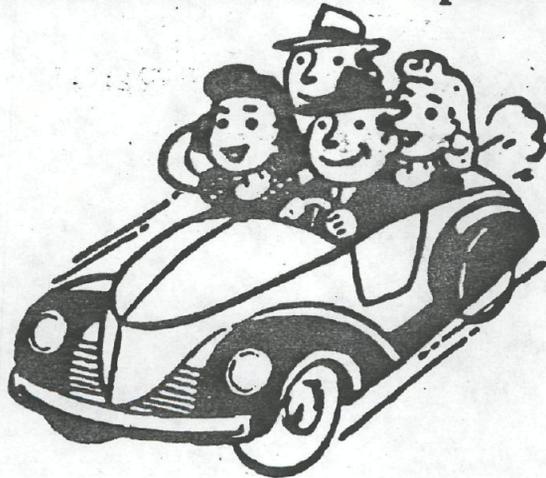
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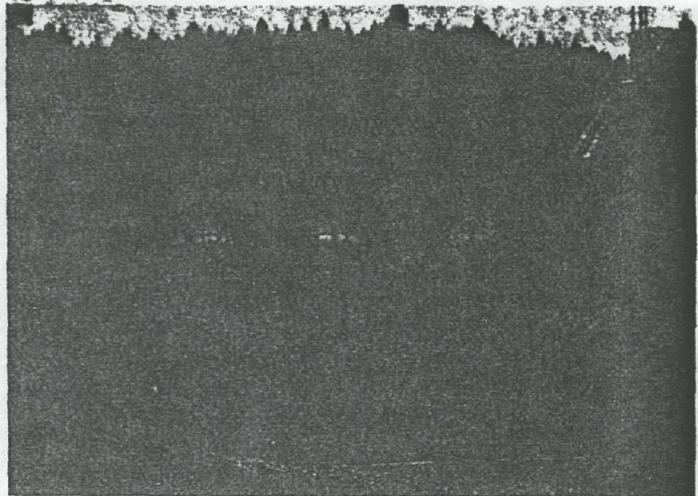
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The salmon still smell the spillage from the canalside Cushman power plant.

repairs in summer, the dark paint would absorb more heat, stressing the metal and maybe popping its rivets. Now, lo and behold, the eyesore silver paint is a registered historic feature. To change it, says Jackson, would be "like painting the White House green to make it blend in."

The utility would of course relent on the paint color, if regulators insist. On the big issues, it hangs tough. For more than 60 years it has tried to turn the blame for the river's and delta's various ills back on the other intrusions, such as the logging, diking, and overfishing. Now, however, the tribe has mustered what may be decisive evidence of the Cushman diversion's drastic effects not just on the diverted North Fork, but on the main waterway, down to and out into Hood Canal itself. The evidence lies in that barren sediment out on the estuary, and muckraking of the most literal sort.

Estuaries are uniquely rich feeding and incubating grounds, biological free-trade zones where land and water organisms exchange the nutrients essential to both. They are dynamic, not static, structures, constantly shifting and eroding under the force of waves, currents, and tides, and regenerating through river sediment.

In this region, debates over river conservation have focused on a single *upstream* equation: How much water can farms and cities take, while leaving enough for anadromous fish to spawn? Elsewhere in the world, scientists have begun charting the *downstream*, estuarine effects of water withdrawals. Mostly they have tended to look at near-total diversions (mainly for irrigation) that have had catastrophic effects. Thus, the estuary at what was the mouth of the Colorado River (till California and Arizona drank it dry) has nearly vanished. Since the damming at Aswan and the withdrawal of three-fourths of the Nile's waters, the Eastern Mediterranean sardine catch has nearly disappeared; likewise the striped bass and chinook of San Francisco's North Bay. In the starkest case, Khazakstan's vast Aral Sea has become a lifeless, shrinking, salty pool, and salt and sand storms are turning the surrounding land to desert.

The Skokomish estuary, with 40 percent of its inflows diverted, is a long way from such disaster. But researchers have

uncovered some eye-opening effects there. These studies in turn might prove a caution for other, less-impacted rivers.

Tribal members acknowledge that the valley has always suffered floods, when mountain storms swell the river. But they claim the floods have grown much more frequent and severe since the North Fork was diverted, because the channel has grown increasingly clogged with sediment. Once, says Martino, steamers chugged three miles up the Skokomish. "They say you used to be able to get a barge up the river," Hurtado recounts. "Now you can hardly get a little skiff up some parts."

Engineer Thomas M. Watson, who has studied streamflows for the tribe since 1977, offers an explanation. The diversion has reduced the *capacity* of the Skokomish mainstem to carry sediment (a function of volume and velocity) by 78 percent—much more than it's reduced the actual amount of sediment. Thus the river drops its load sooner, much of it in the delta channel rather than the bay. That channel piles up, producing floods.

This finding may yet be contested. Tacoma has retained its own expert, Daryl Simons, a top sediment and streamflow engineer. Simons hasn't rendered his report yet and won't discuss his results. But in a preliminary deposition to FERC, he suggests that the delta channel might actually have filled in *faster* if the North Fork flows hadn't been diverted.

However that argument settles out, channel-clogging is just the start of the domino-like effects that seem to have followed from the draining off of the Skokomish. University of Washington oceanographer David Jay and biologist Charles Simenstad are trying to pin down such effects on rivers throughout the region. They started at the granddaddy of them all, the Columbia—where a jetty has shielded the estuary, compensating for sediment lost through reduced streamflows.

Simenstad and Jay found much more dramatic effects on their next subject, the Skokomish. Their intricate measurements and calculations, presented in a paper for the journal *Estuaries* and in depositions to FERC, boil down to a few key points. With its flow weakened, the Skokomish now drops coarse sand and gravel earlier along its course—hence the clogging and flooding of the delta chan-

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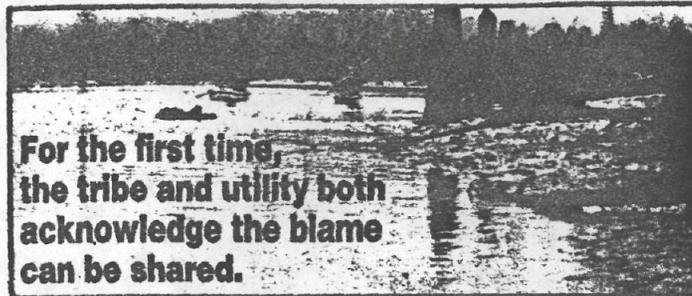
nel. What it carries to the estuary is suspended fine sand, which is smothering to many life forms and more quickly eroded without coarse material to anchor it. The river drops this sediment in a very different pattern from the traditional estuarine form, which is a long, gradual estuarine incline providing extensive, varied habitat at all depths and tidal exposures.

The new estuary is narrower, flatter, and shallower for most of its width, and steeper at its edges—a table dropping off sharply, rather than a ramp. As of 1980, it has surrendered about a one-half-square kilometer of its surface to erosion, according to the US Geological Survey. The loss is worst where it hurts most: only 6 percent of the bare upper tidesflats are gone, but 42 percent of the lower, richly productive intertidal surface has washed away. The erosion and siltation have claimed at least 18 percent of the estuary's eelgrass—one of the largest colonies of an essential marine plant that's relatively scarce on the Hood Canal.

"I don't like to weigh ecosystems against each other," says Simenstad in an interview, "because that just gives an excuse to development. But I don't think there's a more important habitat in Puget Sound or coastal areas generally than eelgrass. It supports intense herring

spawning. It's a nursery for juvenile salmon and Dungeness crab. And it's such a producer of organic material"—the starting point in a food chain that leads through the salmon to us.

The general conclusion seems clear. As we tinker with our rivers' flows (and we will, with ever more critical precision), we must consider the effects all the way



For the first time, the tribe and utility both acknowledge the blame can be shared.

downstream. Why preserve streamflows so salmon can spawn—much less send out billions of hatchery fry—if we destroy the "nurseries" they need to reach maturity?

And the prospects for the Skokomish? Its ravages are certainly reparable, if logging and erosion

can be controlled on the South Fork, and if Tacoma and the tribe can finally reach an agreement that will return enough water to the North Fork. Just last month, these two decades-long adversaries scored what each sees as a beginning breakthrough.

The occasion was an exchange of letters between tribal chair Denny Hurtado

and Skokomish Basin's deep problems. "For our part," writes Crisson, "the city acknowledges that the Cushman Project has had a substantial effect on the local environment." He declares it "willing to meet its responsibilities to the community and the law."

These might seem like truisms to those not familiar with the West Bank-like subtleties of the Skokomish negotiations. To the tribe and the utility, they are milestones. Each party exults that, after decades of wrangling, this is the first time the other side has acknowledged these basic principles.

From this humble start, real negotiations and river restoration may finally ensue. The salmon are still waiting, with astounding patience. Skokomish River chums and chinook still gather around the Cushman power plant's impassable drainpipes, drawn by the sweet smell of the North Fork water that was their ancestral home. And up in dam-locked Lake Cushman, tribal biologist Margie Schirato reports a miracle. Last year, three pairs of chinook were spotted spawning in the lake—67 years after the dam cut their ancestors off from the sea. In their salt water and lake-bottom diasporas, the salmon wait to get their river back. ■

and Tacoma's acting (and likely next) utilities superintendent, Mark Crisson, over which watershed studies should be undertaken. In the letters, each party makes a key admission. Hurtado acknowledges that not only Tacoma but other parties—especially the federal government—bear responsibility for the Cushman Project's licensing and the

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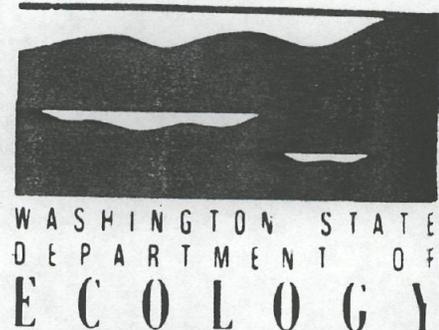
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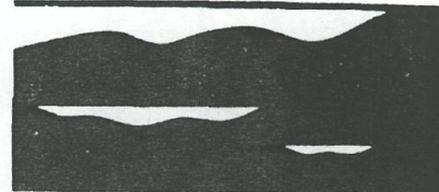
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