

Colville National Forest

Sullivan Creek Dam Negotiation

October 2008-December 2009

Location: Newport, Washington

Background

The Federal Energy Regulatory Commission (FERC) has required the Pend Oreille PUD to surrender its FERC license at the Sullivan Dam facilities because power is no longer being generated there. The Sullivan Dam facilities are located on National Forest System lands at Sullivan Lake and along Sullivan Creek, a tributary of the Pend Oreille River, near the town of Metaline Falls, Washington. It is owned and operated by the Pend Oreille PUD, which uses the Sullivan Lake and Mill Pond dams to store water for downstream power generation. Once the license is abandoned, the USDA Forest Service becomes the federal managing agency and any remaining facilities are required by federal law to obtain a Special Use Authorization that meets current environmental standards.

A negotiation team was formed for the license surrender process which brought together representatives from community, local, state, federal, and tribal stakeholder interests. The negotiation team was facilitated by the U.S. Institute for Environmental Conflict Resolution.



photo credit: USDA Forest Service

Results and Accomplishments

- On Monday, March 29, 2010, two interrelated settlement agreements that call for the continued operation of Boundary Dam on the Pend Oreille River, enhanced operation of Sullivan Dam on the natural Sullivan Lake, and the removal of Mill Pond Dam on Sullivan Creek were signed.
- In addition to addressing dam operations, these agreements provide for the protection and enhancement of fish and wildlife habitat, native species protection, improved public recreation facilities and programs, and commit to maintaining the regional quality of life enjoyed by residents and visitors alike.

Highlights/Innovation

- The negotiation effort brought together members of the USDA Forest Service, US Fish & Wildlife Service, Bureau of Indian Affairs, National Park Service, WA Department of Ecology, WA Department of Fish & Wildlife, American Whitewater, The Lands Council, Selkirk Conservation Alliance, Kalispel Tribe and several members of the public. The team worked together over a year and a half to jointly develop a settlement agreement for the FERC license surrender that considers all of the stakeholder interests and provides benefits to the community and to the river system.

U.S. Institute Project Lead

Cherie Shanteau-Wheeler, Esq.
Senior Mediator/Senior Program Manager
Defense, Energy, Transportation and Training Team
Phone: 520-901-8546 Fax: 520-901-8547
Email: shanteau@ecr.gov Website: www.ecr.gov

Gail Brooks
Program Associate
Defense, Energy, Transportation and Training Team
Phone: 520-901-8532; Fax: 520-901-8533
Email: brooks@ecr.gov Website: www.ecr.gov