

Eugene, Oregon, Saturday, August 25, 1990

# Town protests plan to drain Hult Reservoir

*Residents huddle with Bohemia, state, BLM to work out solution*

By BILL BISHOP  
The Register-Guard

**HORTON** — A timber company's plan to drain a 60-acre lake has some residents of the Horton area weighing the relative ills of fire and high water.

The lake, officially known as Hult Reservoir, has been used to fight runaway slash burns near town in recent years. But its owner, Bohemia Inc., is afraid the old dam will fail, sending a wall of water through upper Lake Creek canyon and bringing a surge of lawsuits down on the company.

About 40 local residents met with officials from Bohemia, the U.S. Bureau of Land Management and the state Department of Fish and Wildlife on Friday to push for continued public use of the lake and to oppose the company's plan to drain the lake later this month unless a public agency assumes liability for the dam.

Company spokesman Bud Stewart said Bohemia officials will meet Tuesday with representatives of the Trust for Public Lands, a private non-profit agency, to negotiate over the fate of the lake, which has become a popular recreation spot even though it's on private property.

"We're trying to provide public responsibility for a public resource," Stewart said Friday. "We're not trying to squeeze a lot of money out of anybody."

The lands trust functions as an interim owner of property while govern-

ment agencies seek money from Congress to buy land for public use.

Bowen Blair, director of the trust's Oregon field office, said Friday that preliminary talks have begun about Hult Reservoir and that major issues are the cost of the lake and liability for the dam. He said the trust is prepared "to move quickly" once the issues are settled.

Stewart said the company has failed in more than a year of efforts to interest government agencies in taking over the lake, which is in line for a government-funded fish ladder to open the lake and 20 miles of spawning stream for migrating fish. Problems with the dam turned up during planning for the fish ladder.

Local residents who turned out Friday were alarmed that Bohemia would consider draining the lake at the summer peak of recreational use and near the peak of fire season in the Coast Range. Lake Creek Fire Chief Jack Shepherd said the lake is a major source of water for fighting brush fires in the upper valley.

Company spokesman Willie Bronson said the lake must be drained before the rainy season to repair the lake's headgate, an underwater tower that releases water through the dam's base to avoid erosion over the dam during heavy rains. Whether the lake is refilled depends on negotiations to find a public agency to take responsi-

Turn to RESERVOIR, Page 3B

## RESERVOIR

Continued from Page 1B

bility for the dam, he said.

The headgate was shrouded in a "Save the Pond" banner Friday. The lake, situated in a steep valley of third growth trees, is near the heart of a 20,000-acre forest parcel that makes up about half of Bohemia's Oregon forest land holdings. Part of the upper end of the lake is owned by the BLM.

Horton resident Lorri Christensen noted that local children will continue using the area even if it becomes a mud hole, and she told Bronson that the company's liability might increase if the lake remains drained.

Lynn McMillin, who said her house was threatened last year by a runaway slash burn from Bohemia property, said helicopters and fire trucks had nowhere but the lake to go for water to fight the blaze.

Georgia Seidlitz, another Horton

resident, criticized company officials for poor maintenance of the dam over the years and for recent efforts to pass responsibility to the government now that problems have been identified.

"You have a credibility problem in this community," Seidlitz said.

Stewart said inspectors have not reported the extent or cost of repairs needed on the earthen dam. Depending on the extent of problems, he expects the company to make the repairs.

A spokesman for the U.S. Army Corps of Engineers, which has jurisdiction over wetlands in some cases, said federal laws will apply to the lake only if fill material is placed in the lake. Wetlands laws will not prevent the lake from being drained, Corps spokesman Jim Goudzwaard said. State laws could prohibit the removal of material from the dam, he said.