



OREGON DEPARTMENT OF FISH AND WILDLIFE

Fish Passage EXEMPTION Application

- Use this form if a waiver has already been granted for the artificial obstruction for which an Exemption is being requested, fish passage mitigation has already been provided for the artificial obstruction, or if there would be no appreciable benefit for native migratory fish if passage were provided at the artificial obstruction.
• Use the "Fish Passage WAIVER Application" if providing fish passage at the artificial obstruction would benefit native migratory fish.
• If you unlock and re-lock this Form, information already entered may be lost in certain versions of MS Word.

APPLICANT INFORMATION

The Applicant must be the owner or operator of the artificial obstruction for which an Exemption is sought.

ORGANIZATION/APPLICANT: OR Department of Transportation
CONTACT: Julie Worsley TITLE: Biologist
ADDRESS: 3500 NW Stewart Parkway
CITY: Roseburg STATE: OR ZIP: 97470
PHONE: (541) 957-3592
FAX: (541) 642-6148
E-MAIL ADDRESS: julie.a.worsley@odot.state.or.us

SIGNATURE: Julie Worsley DATE: 3/28/17

OWNER (if different than Applicant):

CONTACT: TITLE:
ADDRESS:
CITY: STATE: ZIP:
PHONE:
FAX:
E-MAIL ADDRESS:

SIGNATURE: DATE:
Signature indicates that you understand and do not dispute this request.

APPLICATION COMPLETED BY (if different than Applicant):

TITLE:
ORGANIZATION:
ADDRESS:
CITY: STATE: ZIP:
PHONE:
FAX:
E-MAIL ADDRESS:

SIGNATURE: DATE:

To Be Completed by ODFW Fish Passage Coordinator
APPLICATION #: DATE RECEIVED:
FILE NAME:
APPROVED [] SIGNATURE: DATE:
DENIED [] TITLE:

ARTIFICIAL OBSTRUCTION (for which an Exemption is being requested)

- 1. TYPE OF ARTIFICIAL OBSTRUCTION:**
- | | | | |
|-------------------------------------|-------------------|----------|--------------------------|
| <input type="checkbox"/> | Dam | New | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | Culvert/Bridge | Existing | <input type="checkbox"/> |
| <input type="checkbox"/> | Tidegate | | |
| <input type="checkbox"/> | Other (describe): | | |

2. PLEASE PROVIDE A BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION TRIGGERING THE NEED TO ADDRESS FISH PASSAGE: The Oregon Department of Transportation is in the planning phase of a passing lane project over Roberts Mountain on Interstate 5. An un-named tributary to the South Umpqua River crosses under I-5 at MP 115.95. Widening the interstate to accommodate the new passing lane will require the existing culvert to be replaced and/or extended, triggering the requirement to provide fish passage. After a site visit with ODFW on November 7th, 2016, it was determined that although there is no record of fish being present in the creek, the gradient suggests that historically fish were likely present up to or near the location of the culvert crossing. ODFW suggested pursuing an exemption for this site.

- 3. PASSAGE WILL NOT BE PROVIDED FOR THE FOLLOWING REASON(S):**
- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | Already Mitigated** |
| <input type="checkbox"/> | Already Granted a Waiver** |
| <input checked="" type="checkbox"/> | No Appreciable Benefit for Native Migratory Fish |

** *Attach supporting documentation, a description of mitigation, and past ODFW approvals. The description of mitigation should include information detailed in the "Fish Passage WAIVER Application".*

4. DATE THE TRIGGER ACTION IS SCHEDULED TO BEGIN (a minimum of one month should be planned for the exemption process after ODFW receives your application; requests that require detailed ODFW review or must go before the Commission will take longer): July 2018

5. LOCATION

COUNTY: Douglas
 ROAD CROSSING (if applicable): I-5
 RIVER/STREAM: un-named
 TRIBUTARY OF: South Umpqua River
 BASIN: South Umpqua
 COORDINATES^a: Longitude: -123.3608°W Latitude: 43.1052°N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of providing passage at the Artificial Obstruction; indicate measurement units if applicable):

Locations	DOWNSTREAM				AO	UPSTREAM			example
	3	C/N	2	1		1	2	E	
Type			C	C	C				C
Length			30'	30'	~430'				80 ft
Distance		7,250'	6,550'	2,320'				<100'	1,200 ft
Level			1	1	5				5

Type = C (culvert/bridge), D (dam), T (tide gate), N (natural; describe below), O (other; describe below)

Length = length of the barrier in the stream (e.g., culvert's length, dam's width/footprint)
 Distance = distance from the Artificial Obstruction (to closest point of other barriers)
 Level = amount of passage at the barrier using the following codes:
 5 - barrier to all native migratory fish
 4 - barrier to some native migratory fish adults and/or species
 3 - barrier to some native migratory fish adults and/or species for only part of migration period
 2 - barrier to all native migratory fish juveniles
 1 - barrier to some native migratory fish juveniles and/or for only part of migration period

LOCATIONS:
 AO = the existing or proposed Artificial Obstruction
 1,2 = other barriers in the same stream as the Artificial Obstruction
 3 = downstream barrier outside the immediate stream in which the Artificial Obstruction is located (*only needed if C/N is a confluence rather than a complete natural barrier*)
 E = end of historic native migratory fish use, including all tributaries (i.e., potential range without any artificial barriers in place)
 C/N = first downstream confluence or complete natural barrier, whichever comes first

NOTE: The *example* indicates that there is culvert which is 80 feet long, is located 1,200 feet from the Artificial Obstruction in question, and is a complete fish passage barrier.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE ARTIFICIAL OBSTRUCTION: The first barrier downstream of the I-5 barrier is on Roberts Mountain Road. The trib crosses under the road via a 4' CMP with no perch but is not countersunk and has no streambed material. Downstream, it crosses under two 5' CMPs located on a private ranch operated by the Cow Creek Tribe. These culverts also are at grade-level with the stream (no perch) and likely pass fish, but do not have streambed gravel. Finally, the trib crosses under a railroad track bridge with a minimum span of about 12' before meeting the South Umpqua River.

6B. SUMMARY TABLE (please provide the following information relative to the Artificial Obstruction, which will help determine the benefit of providing passage at it):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Unknown	Unknown
NMF Species Present Historically	Likely steelhead, cutthroat, coho	Unknown
Habitat Quality	Poor	Moderate
Flows	Perennial	Perennial
Water Quality	Unknown	Unknown
Water Right Availability	Unknown	Unknown
Land Use/Zoning	Agricultural	Ag/Forest

NMF = native migratory fish

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat): Oregon Coast ESU coho salmon are listed as threatened under the federal ESA and likely used the lower reaches of the unnamed tributary for spawning and rearing, at least historically. The riparian condition in the lower reach of the tributary has been highly modified in the ranch section, and the stream is incised and choked with blackberry. Riparian conditions adjacent to I-5 are moderate, with some intact overstory riparian vegetation but a weedy understory and a channel that was likely adjusted to accommodate construction of the freeway. Low flows

have been observed in the Roberts Mountain section in late summer, but likely sub-out in the ranch reach, based on conversation with the ranch manager.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: ODFW fish distribution GIS data, OR Department of Forestry presence/absence GIS data, ODOT Drainage Facilities Management System, personal observation

MAP(S)

- *Please attach one or more maps indicating the Artificial Obstruction, the stream on which it is located, and other barriers in the stream. A 7.5 minute USGS quad map is sufficient.*

-- Map(s) included

PHOTOS

- *Please include photographs of the following (.JPG files are preferred):*

-- Artificial Obstruction

-- up- and downstream habitat at the Artificial Obstruction

-- other barriers up- and downstream of the Artificial Obstruction

Please submit this application electronically to the ODFW Fish Passage Coordinator at greg.d.apke@state.or.us and send one signed original paper copy of the application to the ODFW Fish Passage Coordinator at 4034 Fairview Industrial Dr. SE, Salem, OR 97302.

For ODFW Use Only

PRELIMINARY BENEFIT ANALYSIS

	True	False
1. The information contained in this application is accurate:	<input type="checkbox"/>	<input type="checkbox"/>
2. State or federal ESA-listed fish species can <u>NOT</u> currently access the site:	<input type="checkbox"/>	<input type="checkbox"/>
3. One or more of the following situations exist for the site (<i>check those that apply</i>):	<input type="checkbox"/>	<input type="checkbox"/>
a. a complete downstream barrier (artificial or natural) prevents access to the site <u>and</u> there are no resident native migratory fish which currently have access to the site:	<input type="checkbox"/>	
b. a complete downstream barrier (artificial or natural) prevents access to the site <u>and</u> is within 100 feet of the site:	<input type="checkbox"/>	
c. <u>total</u> distance of habitat (including tributaries) upstream of the site to another complete barrier (artificial or natural) or up to the end of historic fish use is less than 100 feet in length:	<input type="checkbox"/>	
d. <u>all</u> habitat upstream of the site will not be utilized by any native migratory fish because of its poor or degraded condition:	<input type="checkbox"/>	
4. The artificial obstruction (absent passage) will <u>NOT</u> preclude access to any "Habitat Category I" (as defined in OAR 635-415-0025(1)) habitat for native migratory fish:	<input type="checkbox"/>	<input type="checkbox"/>
5. Based on distances with which you concur in 6A. BARRIER TABLE , <u>one</u> of the following is true:	<input type="checkbox"/>	<input type="checkbox"/>
a. the distance "E" is less than 1 mile from the artificial obstruction, <u>or</u>		
b. if "C/N" is a complete natural barrier, the distance to it is less than 1 mile from the artificial obstruction		

- If all answers are "True", this suffices as the Final Benefit Analysis when filled in below.
- If any answers are "False" or you wish to provide further information, please provide a full Benefit Analysis and do not fill in below.
- Electronically return this form and a full Benefit Analysis, if needed, to the Fish Passage Coordinator when completed.

By filling in the following information, I determine that under the current conditions there is "no appreciable benefit" for native migratory fish by providing passage at this Artificial Obstruction.

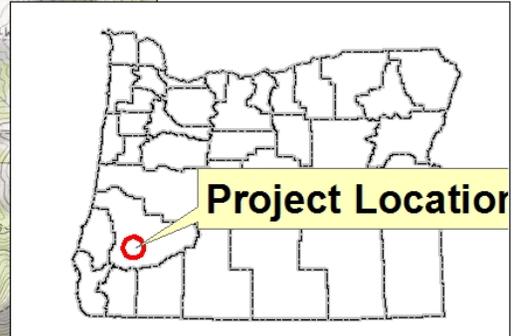
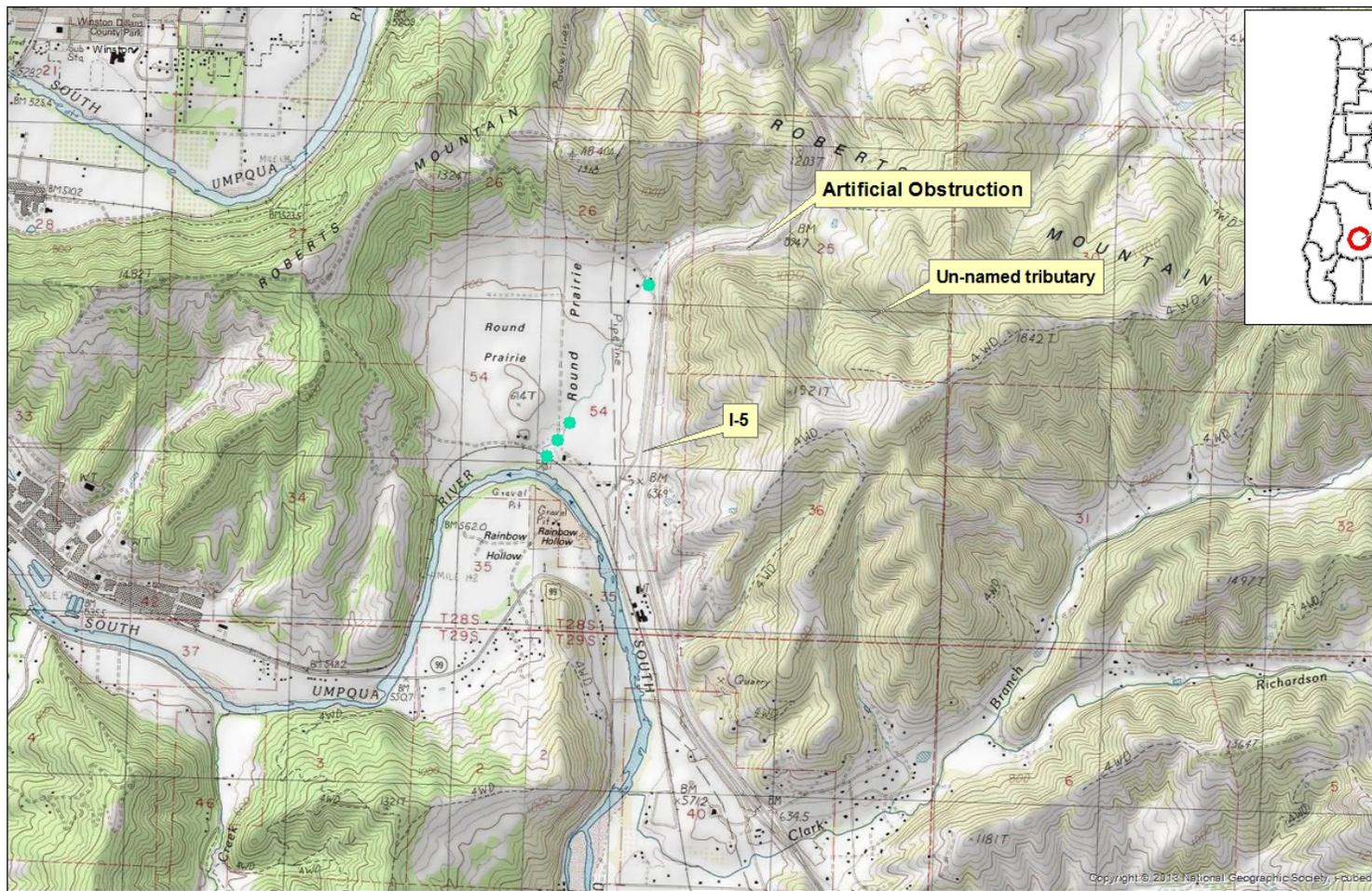
NAME:

TITLE:

ODFW OFFICE:

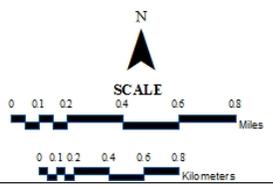
DATE:

Project Area Maps and Photos



OREGON DEPARTMENT OF TRANSPORTATION
I-5: Roberts Mountain Climbing Lane Project
 Fish Passage Vicinity Map

DISCLAIMER:
 This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



File

3/22/2017



OREGON DEPARTMENT OF TRANSPORTATION

I-5: Roberts Mountain Climbing Lane Project

Aerial Photo of Project Vicinity

DISCLAIMER:

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



Figure 1: Inlet of culvert carrying un-named tributary under I-5.



Figure 2: Looking upstream from culvert inlet.

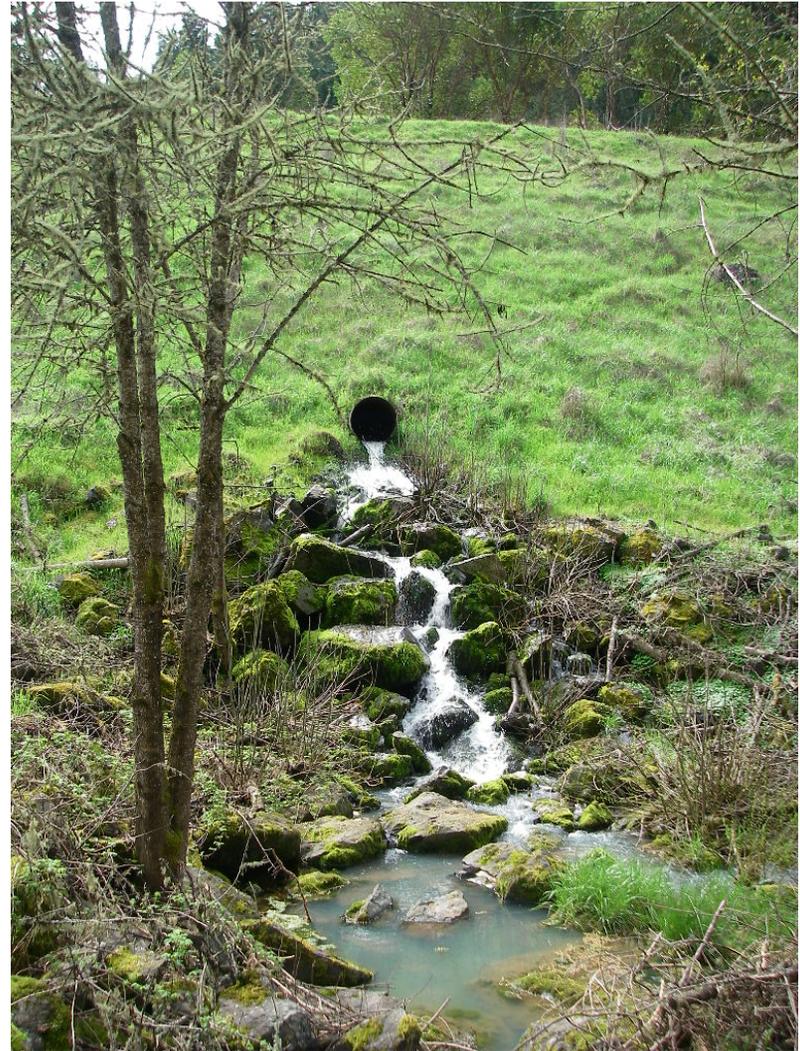


Figure 3: Culvert outlet.



Figure 4: Looking downstream from culvert outlet.



Figure 6: Downstream barrier under private driveway. There are two of these on the property.



Figure 5: Downstream barrier under Roberts Mountain Road.



Figure 7: Railroad bridge and last crossing before the confluence with the South Umpqua River.