

Exhibit E

Public Correspondence Received as of April 5, 2019.



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Passage Task Force

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6200

www.dfw.state.or.us/fish/passage/task_force.asp

March 10, 2019

Michael Finley
Chairperson
Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, Oregon 97302



Re: 2019 Fish Passage Barrier Prioritization Support

Dear Mr. Finley,

The Fish Passage Task Force is pleased to support the 2019 fish passage barrier prioritization process and deliverables.

A subcommittee of the Task Force worked closely with staff as they developed the 2019 prioritization and the full Task Force was provided updates throughout the process during meetings in May and October, 2018 and again in February, 2019.

The Task Force is pleased that 75 barriers included on the 2013 list have been removed or otherwise addressed for fish passage. This illustrates the value of developing and implementing the prioritization list as an effective tool for improving passage for native migratory fish statewide. While the list is required for potential enforcement, the Task Force is encouraged that it has been used broadly for solicitation of funding, allocation of limited restoration funds, and identification of mitigation opportunities.

After review of the prioritization process and the model used to develop the 2019 list, the Fish Passage Task Force recommends the Oregon Fish and Wildlife Commission approve the 2019 Fish Passage Priority List.

Sincerely,

Stuart Myers
Chairperson
Fish Passage Task Force

WATERWATCH OF OREGON * STEAMBOATERS * THE NORTH UMPQUA FOUNDATION
UMPQUA WATERSHEDS * NORTHWEST SPORTFISHING INDUSTRY ASSOCIATION
NORTHWEST GUIDES AND ANGLERS ASSOCIATION * OREGON WILD
PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS * PACIFIC RIVERS
INSTITUTE FOR FISHERIES RESOURCES * ASSOCIATION OF NORTHWEST STEELHEADERS
PORT ORFORD OCEAN RESOURCE TEAM * CASCADIA WILDLANDS * TROUT UNLIMITED
OREGON CHAPTER SIERRA CLUB * NATIVE FISH SOCIETY * WILD SALMON CENTER

Curt Melcher
Director
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

October 3, 2018

Re: Winchester Dam and the Statewide Fish Passage Priority List

Dear Director Melcher,

We are writing to respectfully request that Winchester Dam on the North Umpqua River receive an appropriate ranking on the upcoming iteration of the Oregon Department of Fish and Wildlife (ODFW) Statewide Fish Passage Priority List. We are deeply concerned that the current low ranking of this structure, in Group 8 of the statewide list, is not reflective of the dam's impacts on the North Umpqua River. We do not believe this ranking accurately reflects this obsolete structure's harm to the various species that make up one of Oregon's most prized and important fisheries.

As mentioned, the current Statewide Fish Passage Priority List places Winchester Dam in Group 8, where it is remarkable among the other, relatively modest passage barriers identified in this group. Winchester Dam is noted on this list as impeding fish passage to 157.2 miles of "Average Quantity Habitat" categorized as "high" under "Habitat Quality" by ODFW. According to ODFW's published methodology for the list, these two factors combined (average across species of upstream available habitat plus quality of upstream habitat) can constitute up to 52 percent of the total barrier score.¹ Other than Winchester Dam, the range of "high" quality habitat for the barriers in Group 8 is from 1.1 miles to 36.9 miles. Put another way, Winchester Dam impedes passage to over four times as many miles of high quality habitat as any other barrier in its grouping. Given this fact, the dam deserves a higher ranking. Moreover, no other barriers on the entire list impede passage to more miles of habitat categorized exclusively as "high" quality by ODFW than Winchester Dam, with the exception of Gold Hill Irrigation District Diversion Dam – which since 2013 has undergone a major fish passage improvement project with support and assistance from ODFW, as well as funding from the ODFW Restoration and Enhancement Board. Winchester Dam now impedes passage

¹ See p. 12 here: <https://bit.ly/2Ij61Ul>

to more miles of “high” quality habitat than any other existing barrier on the current list. This dam should be ranked accordingly.

We also strongly disagree with the 2013 priority list’s characterization of Winchester Dam “Passage Level” as a “1,” suggesting it is only a “barrier to native migratory fish juveniles and/or for only part of migration period.”² This is the second lowest ranking above “0” or “[f]ull volitional passage for all native migratory fish species, adults and juveniles.” We are not aware of any data supporting this mild categorization. Both the National Marine Fisheries Service (NMFS) and ODFW acknowledge that this older ladder is not constructed to current fish passage criteria set forth in administrative rule 635-412-0035. The Oregon Department of Fish and Wildlife should not disregard its own fish passage criteria.

It is clear that Winchester Dam impedes the passage of spring Chinook, fall Chinook, summer steelhead, winter steelhead, cutthroat trout, and Pacific Lamprey, as well as Oregon Coast Coho which are listed as threatened under the Endangered Species Act.

Unlike the much higher-ranked Gold Hill Irrigation District Diversion Dam on the Rogue River (listed as a “3” Passage Level, or “barrier to some native migratory fish adults and/or species for only part of migration period”), Winchester Dam spans the entire North Umpqua River. As mentioned above, both NMFS and ODFW acknowledge that the fish ladder at Winchester Dam is not to criteria. The attraction flows to the fish ladder entrances are poor, resulting in migratory delay and injuries from false attraction, as well as increased predation below the dam and ladder. Constant water flow over the dam’s crest makes finding the entrance to the ladder problematic for fish. This false attraction creates an aquatic needle in the haystack. Moreover, the ladder has a number of right angle turns and the ability to control flow velocities in the ladder is limited, making it difficult to pass fish at a wide range of flows – something that prohibits truly volitional movement. In summer, high ambient temperatures contribute to reservoir pool warming, likely creating a partial, and perhaps complete, thermal passage barrier for migratory fish.

In addition to impacts to adult fish, outmigrating juvenile fish are most likely subject to a higher rate of predation as they travel through the reservoir pool created by the dam and may be subject to injury and increased predation when they travel over the dam’s crest.

Finally, we are aware that the periodic temporary drawdown of the reservoir pool behind Winchester Dam to allow structure repair creates temporary additional passage issues for migratory fish and impacts the survival of Pacific Lamprey ammocoetes in reservoir pool sediments. These fisheries impacts should also be considered and better reflected by the Winchester Dam’s ranking statistics.

For the reasons listed above, we believe Winchester Dam should be among the state’s highest priorities for improving fish passage on the next Statewide Fish Passage Priority List.

² Ibid, p. 14

Given the extremely high value of the North Umpqua fishery, we also request that ODFW do more to collect comprehensive data and the requisite analyses assessing fish passage issues at Winchester Dam and to share that information with our groups, other stakeholders, and the general public.

Thank you for your consideration.

Sincerely,

Jim McCarthy
Southern Oregon Program Manager
WaterWatch of Oregon

Tim Goforth
President
Steamboaters

Becky McRae
Chair
The North Umpqua Foundation

Stanley Petrowski
President
Umpqua Watersheds Inc.

Liz Hamilton
Executive Director
Northwest Sportfishing Industry Association

Grant Putnam
President
Northwest Guides and Anglers Association

Steve Pedery
Conservation Director
Oregon Wild

Glen Spain
Northwest Regional Director
Pacific Coast Federation of Fishermen's Associations
Institute for Fisheries Resources

Greg Haller
Executive Director
Pacific Rivers

Bob Rees
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Association of Northwest Steelheaders

Aaron Longton
President
Port Orford Ocean Resource Team

Josh Laughlin
Executive Director
Cascadia Wildlands

Chrysten Lambert
Oregon Director
Trout Unlimited

Rhett Lawrence
Conservation Director
Oregon Chapter, Sierra Club

Jake Crawford
River Steward Program Director
Native Fish Society

Bob Van Dyk
Policy Director for Oregon and California
Wild Salmon Center

Cc:
Governor Kate Brown
Ed Bowles, ODFW
Bruce McIntosh, ODFW
Greg Apke, ODFW
Alan Ritchey, ODFW
Bernadette Graham-Hudson, ODFW
Timothy Walters, ODFW