

Jump Creek Fish Passage Exemptions



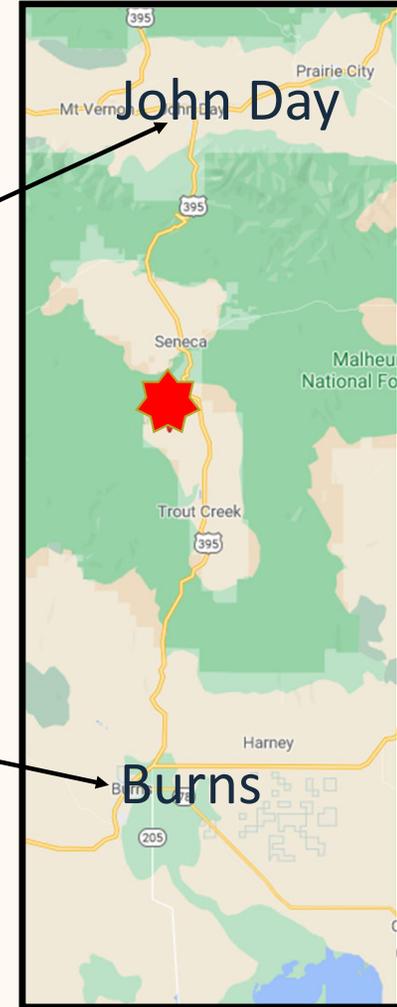
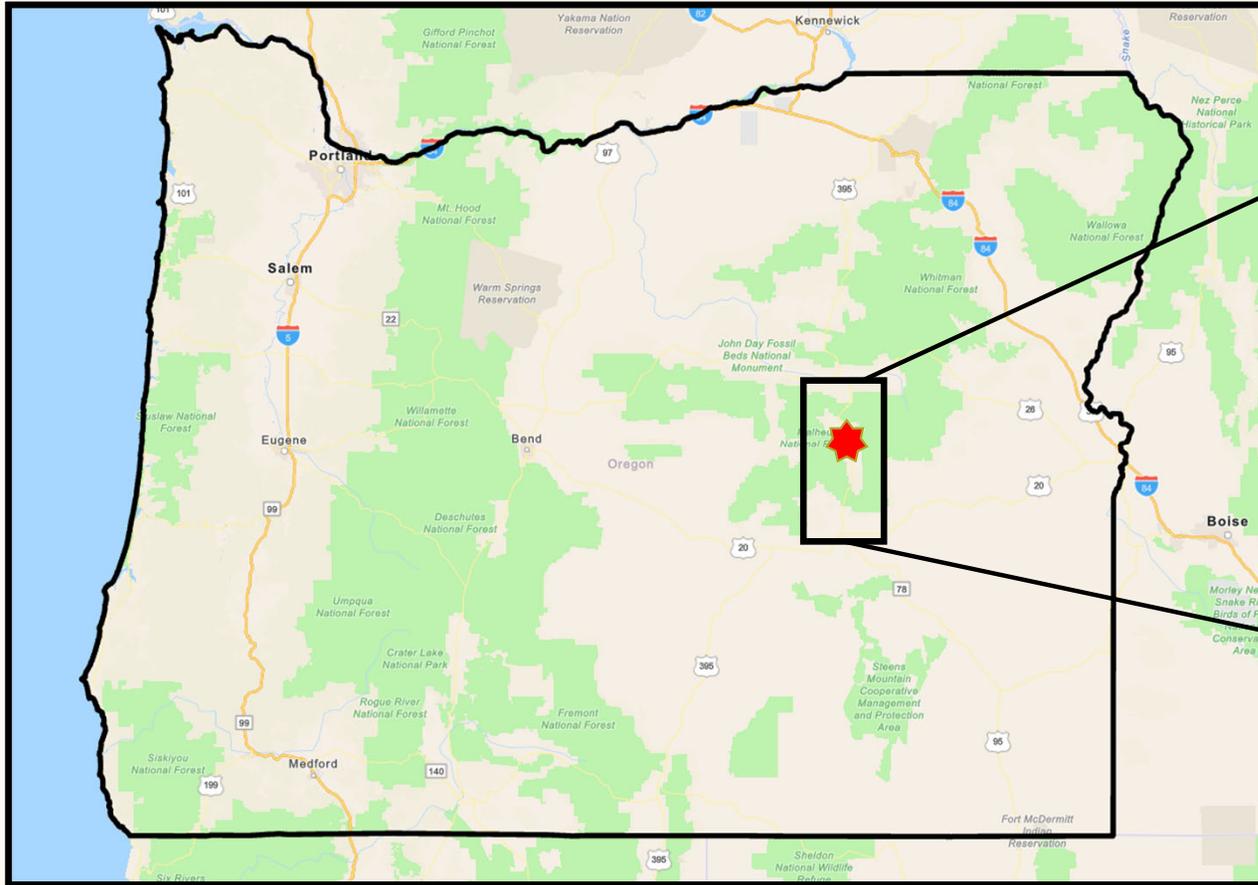
October Oregon Fish and Wildlife Commission Meeting

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Project Location



Background

The Commission reviewed and tabled these fish passage exemption requests in Jan 2022 asking for more information including:

- Stream conditions and sampling results
- Fish Passage Task Force meeting minutes
- Department of State Lands consent agreement
- Water right details

Exemption Requests on Jump Creek

Jump Creek

Silvies River

HWY 395

Maxar

Exemption sites



Jump Creek/Silvies

Dam site



River confluence



1 Mile

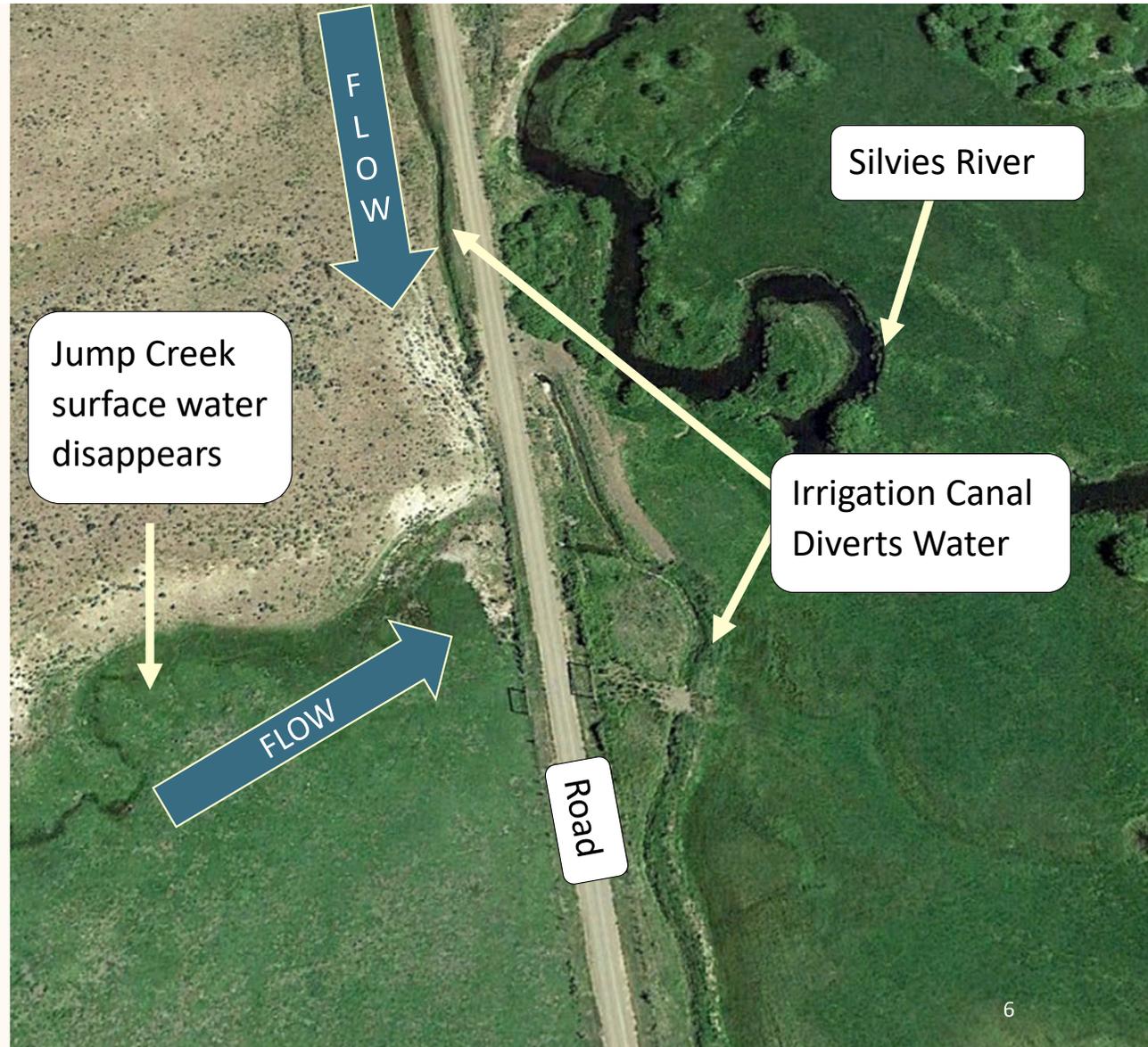
No Appreciable Benefit to Providing Passage

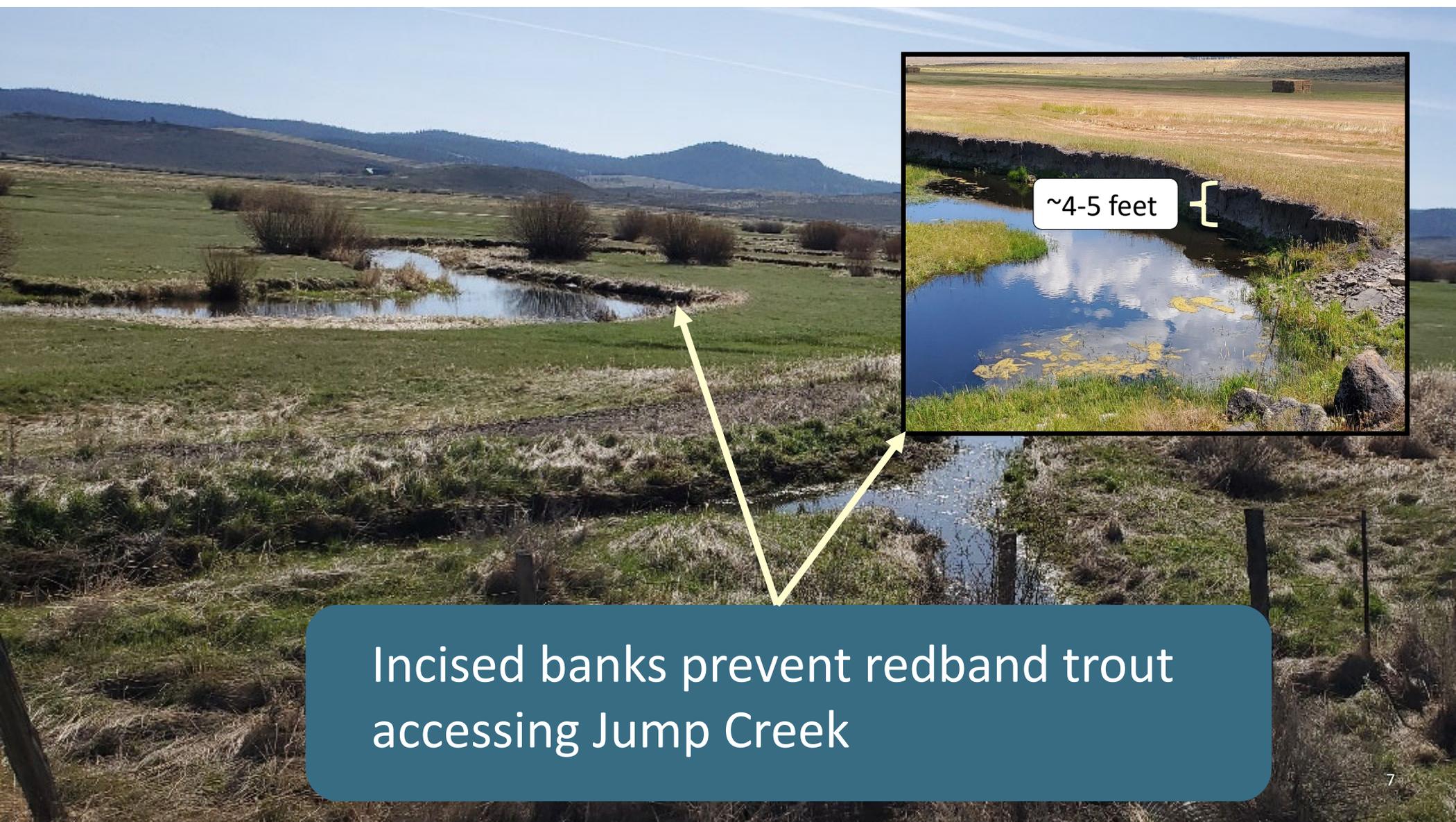
- No native migratory fish (NMF) in Jump Creek
- NMF cannot access Jump Creek
- A lack of sufficient habitat to support NMF



Fish Passage Barriers at the Confluence

- Subsurface flow
- Irrigation canal
- Silvies River incision





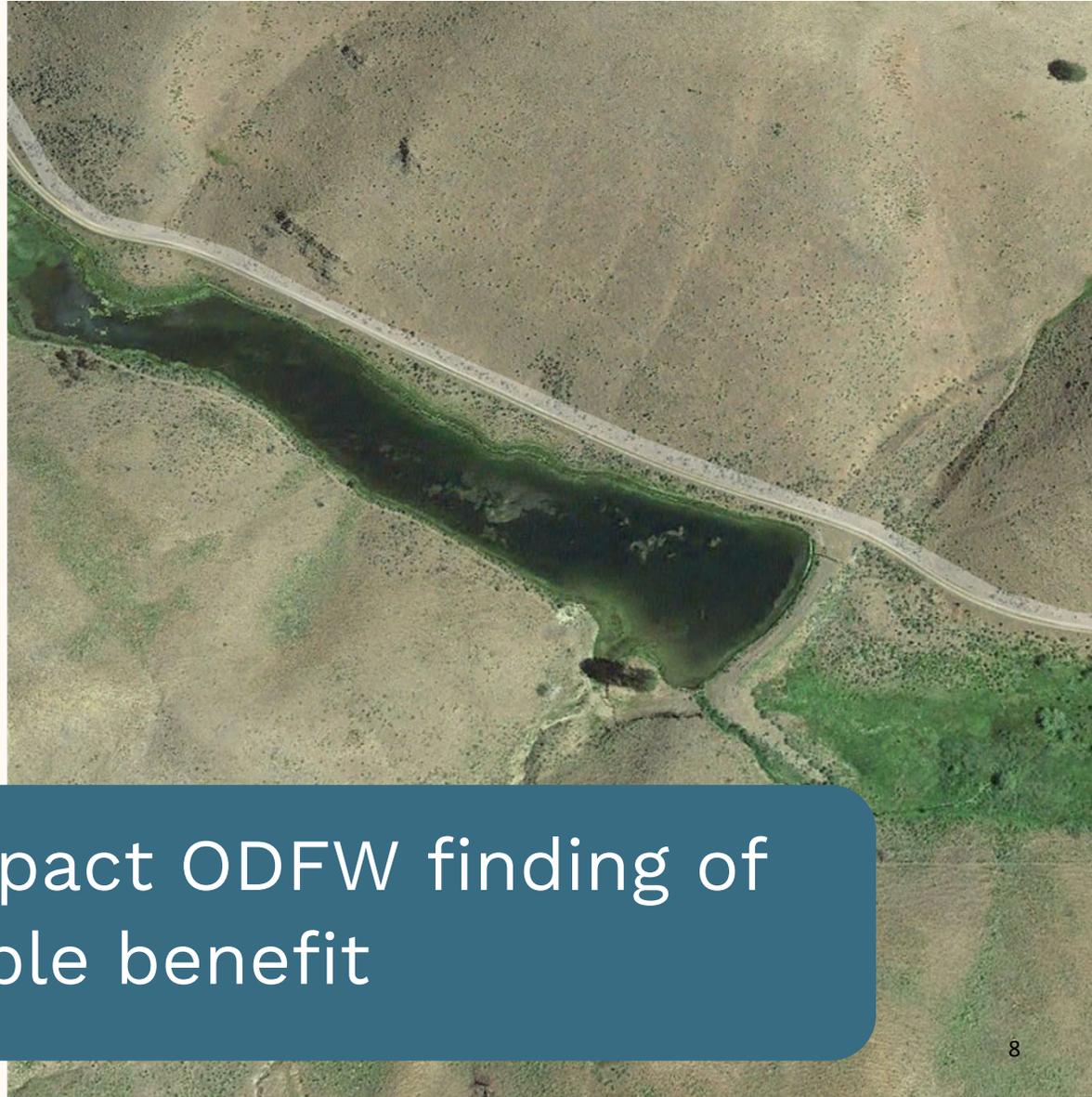
~4-5 feet

Incised banks prevent redband trout accessing Jump Creek

Water Right Information

- OWRD determined that the dam was storing surface water without a water right
- Owner must address the unpermitted storage

Does not impact ODFW finding of no appreciable benefit





Recommendation

ORS 509.585

obstructions without fish passage *are exempt* from the requirements to provide passage *if the Commission finds that there is no appreciable benefit* to providing fish passage

ODFW staff and the Fish Passage Task Force

- **conclude there is no appreciable benefit**
- **recommend granting the exemptions**

Exemptions are reviewed every seven years and can be revoked if the conditions change such that passage at the structures would provide benefit to native migratory fish.

Draft Commission Motion



I move to approve the fish passage exemption requests for 10 artificial structures on Jump Creek because the Commission finds that there would be no appreciable benefit to native migratory fish if passage was provided at these structures.