

Fish Passage Protests Section 0030 (sorted by line 6-3-2021)

211 na ODOT "635-412-0030, Line 386;" 386 "Recommended additional language "In a situation where a state agency has a protest regarding fish passage requirements, and state level DOJ process is initiated, the ODFW Commission shall be asked to consider DOJ ruling as part of Commission determination" or similar."

250 na Portland Ted Labee "Protest Section lines 386-389," 386
 "At lines 386-389, only an owner or operator of an artificial obstruction may file an objection to a determination by ODFW. ODFW serves as the representative of the general public, and it is the general public who is harmed when an improper determination for fish passage is made. I would request that the language here change so that 'any person' not just 'the owner or operator of the artificial obstruction' may object to a determination by ODFW and file a protest. " 5/18/2021

206 na ODOT 635-412-0030 General - Outside of OARS – How does ODOT and ODFW ensure an unbiased DOJ review in instances where DOJ representative serves both agencies?

207 na ODOT 635-412-0030 General - "Please indicate which level of ODFW is this intended to address. (District staff, Program, Task Force, and or Commission)"

208 na ODOT 635-412-0030 General - "Include parameters and cause for protests. E.g. Net benefit analysis, compliance with OARs, compliance with OAR design criteria, OARS and or ODFW application of the OAR criteria to inapplicable site, lack of benefit to the species and at what scale (HUC level, population, etc.)."

209 na ODOT 635-412-0030 General - Include a Protest Process. Recommended to start with the Task Force prior to the Commission.

210 na ODOT 635-412-0030 General - Include an ODFW response timeline.