

Task Force Section 0010 (sorted by line 6-3-2021)

20 26 Florence Coquille Indian Tribe 635-412-0010 Fish Passage Taskforce
187 Inclusivity and upholding government to government relations The taskforce does not include a member of any of the 9 federally recognized tribes in Oregon. There should be a tribal representative on the taskforce.

43 49 Corvallis 685-412-0010(2) lines 188-189 187 "This rule change is important because it will guarantee the fishing industry representation in matters regarding fish passage. The way that the rule is currently worded does not require fishing to be represented, but suggests it. Considering that the fish passage rules have the potential to significantly impact this industry, they should be required to have a presence on this task force." The composition of the Fish Passage Task Force should be required to have a minimum of one representative from the fishing industry.

44 50 Corvallis 635-412-0010(2) lines 187-189 187 "This rule change is important, because there is not currently a requirement for tribal representation on the Fish Passage Task Force. Fish are historically a significant cultural, spiritual and economic resource for Oregon's indigenous tribes. These rules have the potential to impact their land management practices and their input on matters under the jurisdiction of the Fish Passage Task Force should not be optional." 635-412-0010(2) line 189 One member of the general public should be a tribal member.

248 na Portland Ted Labee Task Force Section Lines 187-189 187
"The 71st Oregon Legislative Assembly House Bill 2102 Fish Passage Task Force report mentions that the composition of the Fish Passage Task Force might include Tribal representation. Given the Tribes Treatyreserved fish and wildlife resource protection interests in Oregon, there is an urgent need to include representation on the FPTF of a Tribal perspective. Please add at least 2-3 positions for Tribes at lines 187-189." 5/18/2021

249 na Portland Ted Labee Task Force Section Lines 208-209 208
"There is no mention of public notification and noticing of FPTF meetings or activities (like revision to the administrative rules). The OAR at lines 208-209 simply mention that the task force shall meet at such times and places as the chair or a majority determine appropriate. Please add a requirement that all meetings of the FPTF be properly announced at least 30 days in advance via public notices. The FPTF should maintain a public email list of interested parties and enable members of the public to sign up on 2 this list similar to other ODFW email

notification systems. The FPTF website should have information posted on how to join FPTF meetings via video conferencing or telephone.

In addition, for updates to the administrative code, certain basic minimum public process requirements should be included. In this present administrative code update, a member of the public who was not on ODFW's informal list of interested parties or on the ODFW press releases listserv had no way of learning about the rule change. The last time the administrative rule was revised was twenty years ago in 2000- 01. More care is needed with regard to public notification and creating opportunities for the public to engage, since important public resources are at stake. I believe that there is a requirement for what I am describing under ODFW's administrative rule, OAR 635-001.

For the purpose of planning and designing the present public process, I would encourage ODFW to look at what Washington State is concluding now for their fish passage rule revision, which included an

extensive public outreach and engagement process. Please see <https://wdfw.wa.gov/species-habitats/habitat-recovery/fish-passage/rule-making> to understand what

they undertook. This could serve as a model for ODFW: A series of public meetings, presentations, and listening sessions with invited parties (like the Tribes) were held."

5/18/2021

53 59 Coquille/Coos Bay "Coquille Watershed Association (Melaney Dunne), Coos Watershed Association (Ed Hughes) " 207 - The Task Force Shall: (h) Perform such other duties relating to fish passage as requested by the Director or Commission; -

"Adaptive Management of Rules and Guidance - New information from research on fish passage is continuously being generated by agencies, watershed councils, universities, etc. Current rules include no specification on how new, scientifically vetted information will be incorporated into rules and the fish passage guidance manual as an adaptive management/continuous improvement practice. A key example of this is the current and forthcoming fish passage data on juvenile salmonid movement in tidal systems that have new tide gates installed. This research is producing key findings on movement behaviors that could be considered to enhance rules and/or guidance on tide gate design, operations, and water management that ensures fish passage goals are met in tidal systems. This review and adaptive management practice would also serve to ensure that fish passage goals can be optimally met while also s " "We recommend an additional rule that the task force sets a scheduled, regular review (e.g. every 5 years) of current rules and guidance to allow for adaptive management/continuous improvement based on new information and technology. Ideally the goal and purpose of this review would be to ensure the optimization of fish passage at structures and to continue to identify how to promote compatibility of fish passage rules with

landowner goals and needs. "