



Fish Passage Task Force Meeting

Meeting Minutes

Date: October 13, 2023
Time: 9:00 AM to 12:00 PM
Location: Salem, OR
 In-Person and Teams Virtual Meeting

Fish Passage Task Force Attendance:

| Members | Representing | Present In Person | Present Virtually | Absent |
|------------------------------------|--------------------------|------------------------------|------------------------------|---------------|
| Kelly Moore | Fishing and Conservation | x | | |
| Denise Hoffert | Fishing and Conservation | x | | |
| Terry Turner (<i>Vice Chair</i>) | Fishing and Conservation | x | | |
| Steve Albertelli | Water Users | | x | |
| April Snell | Water Users | | x | |
| Fred Messerle | Water Users | x | | |
| Zak Toledo | Public-At-Large | | | x |
| William Cunningham | Public-At-Large | x | | |
| Ken Bierly (<i>Chair</i>) | Public-At-Large | x | | |

ODFW Staff in Attendance:

Mac Barr, Fish Passage Coordinator
 Katherine Nordholm, Fish Screen and Passage Coordinator
 Greg Apke, Fish Screens and Passage Program Manager
 Pete Baki, ODOT Liasson
 Scott Janssen, ODFW Fish Passage Engineer
 Joel Watts, ODFW Fish Passage Engineer
 Kregg Smith, ODFW Senior Policy Analyst
 Jacob Peterson, ODFW Chetco Broodstock

Members of the Public in Attendance:

Allen Gillette, ODOT
 James Fraser, Trout Unlimited
 Josh Hanson, ODFW
 Jim McCarthy, WaterWatch
 Michael Tripp, Trout Unlimited
 Meghan Tuttle,

**members of the public may have joined virtually throughout the meeting.*

Meeting Agenda

Call to Order Fish Passage Task Force Meeting Review & Approve Agenda & June 22, 2023 Meeting Minutes

Chair Ken Bierly called the meeting to order at 9:01 AM. He discussed the meeting agenda and asked for a motion to approve the agenda and meeting minutes.

Motion: Terry Turner moved to approve the meeting agenda, and Bill Cunningham seconded the motion. The motion passed with seven votes in favor. Chair Bierly then led with a round of introductions.

ODFW Program Staffing Updates

Greg Apke introduced Mac Barr in his new position as the acting Fish Passage Coordinator. Apke updated the Task Force on the status of positions in the Fish Passage Program. The program plans to recruit for the vacant ODOT Fish Passage Liaison position soon. Additionally, the vacant Fish Passage Program assistant position has been funded, and there will be a recruitment for that position this fall. Apke also updated the Task Force on recent shifts in positions in ODFW fish division management.

Task Force Member Issues, Updates & Roundtable

Chair Bierly led task force members in a round of updates and discussion topics in areas of interest. Chair Bierly mentioned seeing the construction progress of two previous fish passage exemptions that the Task Force had reviewed (Clow Corner and Halsey). Fred Messerle and Denise Hoffert both discussed regulatory permitting processes and the challenges the permitting process lends to the timeline of the project, often leading to delays. Chair Bierly mentioned the possibility of reestablishing a point person for navigating regulatory communities, and he offered to draft a letter from the Task Force to the Director discussing the problems associated with regulatory hurdles. He asked Task Force members for their thoughts. Bill Cunningham and Kelly Moore expressed support. Terry Turner suggested that the Governor's office would be a good target for the letter. Messerly mentioned that this is something that the legislature should be aware of. Steve Albertelli was also supportive and offered to co-sign the letter.

Task Force Member Terms and Upcoming Vacancy Recruitment

Apke discussed upcoming Task Force vacancies. Ken Bierly and Bill Cunningham have reached the limits of their term this year. This is their last planned meeting, although both are willing to stay in the Task Force until their positions are filled. The Fish Passage Program is working on developing a news release and application to fill those positions. Both vacancies represent the public at large. The program will be recruiting through November. Bill Cunningham asked about representation on the East side of the state, and he hopes that ODFW will make an effort to include new recruits from that area.

Task Force Officer Elections

Chair Bierly initiated a discussion of electing a new Chair for the task force. Vice Chair Terry Turner agreed to be considered for the position of Chair.

Motion: Bill Cunningham made the motion that Vice Chair Turner should be elevated to the position of Chair. Kelly Moore seconded the motion. The motion passed with eight yes votes.

Next, Chair Bierly asked for volunteers to fill the Vice Chair position. Kelly Moore suggested Denise Hoffert. Apke suggested that Steve Albertelli may have an interest. Bierly asked if either party was willing. Hoffert indicated that she was willing. Chair Bierly asked for a motion to support Denise.

Motion: Terry Turner made a motion to nominate Denise Hoffert as the vice chair of the task force. Bill Cunningham seconded the nomination. Bierly called the vote. The motion passed with seven votes in favor.

2024 Task Force Meeting Dates and Locations

The Task Force Discussed the meeting schedule and locations for 2024. Apke suggested that a visit from the Task Force to the Klamath next fall would be a good idea. After the JC Boyle Dam is removed. This would be a good time to have a joint meeting with the Screening Task Force. Apke proposed meetings in Feb, May, Sep, Dec. After discussion, the group settled on:

- Feb 9th meeting in Salem
- May 17th and 18th for a trip somewhere. Denise Hoffert suggested a trip to the Warner Basin to see some of the fish passage work that has been done out there. She suggested meeting in Lakeview. Steve Albertelli suggested a future meeting in the southern Oregon coast. Bill Cunningham suggested visiting some of the flood projects in the NW on the Columbia toward Astoria.
- Sep 27th – 28th for the trip to the Klamath. This would be the joint meeting with the fish screening task force.
- Hold Dec 6th for a potential meeting if needed.

The last meeting in 2023 was planned for December 8th. The meeting is on hold in case it's needed. Continue to hold that date for a possible meeting. Pete Baki indicated that there may be an ODOT exemption proposed for that timeline.

Public comment started at 10:00

There was one public comment.

Jacob Peterson spoke about the Klamath basin and asked about the dates for when dams will be removed. Apke mentioned that the timelines are in development and will pass on the point of contact for that project.

Action Item: Apke to pass on contact information to Jacob.

5 Minute Break

Klamath and Umpqua Basin Project Updates & Status

Returning from break at 10:24, Greg Apke gave an update on the Klamath dam removal. The JC Boyle dam is one of the dams that is going to be removed. Apke shared the timeline and general plans for the Klamath Dam removal process. Bill Cunningham suggested adding an update on the fish passage website with some pictures of the project.

Action Item: Greg Apke will share a link to Klamath Information. ODFW will upload a link on the Fish Passage website.

ODFW Fish Passage Engineer Joel Watts gave an overview and some background of the current conditions of the Keno Dam and Link River Dams. Keno Dam has a fish ladder, but it does not meet our current fish passage criteria. Watts discussed improvements that could be made to the ladder to improve fish passage. Attraction flow could be the main issue to fish passage. Ken Bierly asked if there were conditions on the FERC license that dealt with fish passage. Denise Hoffert asked what the purpose of the dam was.

Jim McCarthy provided the following comments in the Teams chat.

[10/13 10:40 AM] Jim McCarthy (Guest)Dams are for irrigation diversion going forward

[10/13 10:41 AM] Jim McCarthy (Guest)There is question whether BOR will put hydro on Keno

[10/13 10:42 AM] Jim McCarthy (Guest)Keno maintains pool elevation for upstream irrigation diversion

April Snell shared a link in the Teams Chat:

https://www.newsdata.com/clearing_up/briefs/pacificorp-asks-ferc-for-unpowered-klamath-dam-conveyance-to-interior/article_437a7ca6-32de-11ee-ac67-1343d6d73fda.html

Action item: ODFW will share the link with the group via email.

Joel Watts also shared that the ladder at Link River is newer and provides more adequate fish passage, although lamprey passage may be questionable. Ken Bierly shared that the OWRD board is meeting in Kalmath soon, and one of their objectives is to fund projects to improve water quality in the Klamath.

Statewide Fish Passage Prioritization Planning Efforts

Katherine shared an update on the fish passage barrier prioritization, including the new timeline with the goal of taking the final proposed list to the ODFW commission in fall of 2024.

Kelly Moore asked about fish passage at high head dams and how to address those. They are the barriers that are the top of the priority list. Ken Bierly mentioned the possibility of segmenting the list so that the barriers at the top of the list that may not be addressed are listed differently.

Denise Hoffert suggested that the list needs to be clear that once you are on the list you are already a priority project. Bill Cunningham suggested including some indication on which projects may be achievable. He suggested dividing the list so there is a list of approachable problems. Kelly Moore suggested that the list needs to be shared with Division along with actions for the agency to take to achieve progress. Ken Bierly suggests separating out the Federal dams to a different list. Bierly also suggested the work group define “priority” for the product.

Jim McCarthy shared the following comments in the Teams Chat.

[11:08 AM] Jim McCarthy (Guest) Would urge caution introducing subjective judgement of "possibility" for correction vs. biological assessment of need for correction. Social possibilities change all the time. The biological need is constant.

[11:11 AM] Jim McCarthy (Guest) Public I work with generally seem to understand that State of Oregon is generally better at working through barrier correction than federal government. This is a credit to Oregon! But dysfunction at federal level should not be reason to downgrade federally-regulated barriers

Action Item. Nordholm will add agenda items to the Work Group to discuss how to use the priority list, the possibility of separating out different kinds of barriers as well as defining what “priority” is. (Example: Priority to do what?)

ODOT OR 58 MP 32.05 Fish Passage Exemption Request

Pete Baki presented a fish passage exemption request for OR 58 MP 32.05. The proposed exemption site is in historic fish habitat. Baki shared maps and photos of the area, the site, and the upstream habitat. ODOT plans to extend the culvert to widen Hwy 58. Bierly asked if there were any questions and for a motion.

Motion: Bill Cunningham moved to approve the exemption. Terry Turner seconded the motion. The motion passed with seven yes votes.

Fish Passage Exemption Revocation Review

Pete Baki updated the task force on the fish passage exemptions that were reviewed in 2024. One previously issued exemption may be revoked. The Task Force discussed the process for revoking an exemption. In this case, the culvert where the fish passage exemption was issued has been removed, but it is unknown if full fish passage has not been provided yet. Chair Bierly wants to let the districts know that the Task Force appreciates all their work to review the exemptions.

Action Item. Let the ODFW District Fish Biologists know that the Task Force has expressed their appreciation.

Program Funding Updates

Kregg Smith reported on program funding updates. He has worked to identify opportunities for Oregon through the IJA act. ODFW is focused on bringing Sockeye back to the Wallowa Lake, Delisting Oregon Coast Coho, and Fish and Farms in the Klamath Basin. The group discussed the impact of permitting on these funds and implementing the projects on the ground. Kregg shared work done with the federal agencies working on categorical exclusions for these projects. Other focal areas are water management in the Rogue, wildlife crossings, and healthy forests. Ken Bierly asked about the number of projects that have been done, and Smith shared that they will be listed on the ODFW IJA site.

Action Item: Send the ODFW IJA website link to the Task Force

<https://dfw.state.or.us/IJA/>

Other Business, Issues & Initiatives, & Future Joint Passage and Screening Meetings

Nordholm shared an update about the new volunteer website, training, and expense forms. The group discussed agenda items for future meetings. The task force would like to discuss the policy and permitting process. Kelly Moore asked how much money ODFW gets in indirect rate and where that money goes.

Action Item: Greg Apke will ask ODFW about where the money from the indirect rate ends up.

Terry Turner asked for a Snake River dam removal presentation. He will arrange that for a future meeting.

Action Item: Terry asked to be reminded that he committed to this.

~ 12:14 pm * Meeting Adjourn and Depart for Site Visits (transportation provided) *****

Chair Ken Bierly abjured the meeting at 12:14.