

## Ken Homolka

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**Subject:** ODFW seeks comment on proposal to waive fish passage at Warm Springs Dam on the Malheur River

The Oregon Department of Fish and Wildlife is seeking public comment on a fish passage waiver request. The Warm Springs Irrigation District (WID) has applied to the Federal Energy Regulatory Commission to construct a hydroelectric project at the existing Warm Springs Dam on the Middle Fork Malheur River near Juntura. The proposed hydroelectric project has triggered Oregon's fish passage laws.

In lieu of providing fish passage at Warm Springs Dam, WID proposes fish passage improvements at the Dryer Diversion, located on the Malheur River 39 miles upstream of Warm Springs Dam.

ODFW has made an initial determination that the mitigation proposed by WID would provide a net benefit to native migratory fish compared to providing fish passage at Warm Springs Dam. Species that would benefit include bull trout, a federally threatened species, redband trout, a state sensitive species, and other native migratory species that are currently distributed upstream and downstream of Warm Springs Dam including northern pikeminnow, largescale and bridgelip suckers, and mountain whitefish.

The Oregon Fish and Wildlife Commission can waive the fish passage requirements if proposed mitigation would provide a net benefit to native migratory fish. The Commission will be asked to approve a waiver for this project at its Jan. 10, 2014 meeting in Salem.

In the meantime, members of the public will have until Dec. 9, 2013 to submit written comments on the proposed plan.

Members of the public can send written comments to or request additional information from Elizabeth Moats, ODFW Hydropower Coordinator, 107 20<sup>th</sup> Street, La Grande, Oregon 97850, or e-mail [Elizabeth.A.OsierMoats@state.or.us](mailto:Elizabeth.A.OsierMoats@state.or.us), or by calling (541)-962-1832. Written comments must be received by Dec. 9, 2013.

There also will be an opportunity for public comment at the Fish and Wildlife Commission meeting on Jan. 10, 2014 at ODFW headquarters in Salem.

The waiver application, ODFW's benefit analysis, and the draft waiver agreement documents can be found on the ODFW Fish Division Web site at <http://www.dfw.state.or.us/fish/passage/>.

Thank you for your interest in fish passage issues.

Ken Homolka