



ODFW Fish Passage Program

2021 Report to Legislature

It is the policy of the State of Oregon to provide upstream and downstream passage for native migratory fish species in all waters where these fish were historically or presently located. The Oregon Department of Fish and Wildlife (ODFW) Fish Passage Program¹ administers the state's fish passage policy as required in ORS 509.585 and corresponding administrative rules in 635-412-0005 to 0040. This law, adopted in 2001 requires fish passage be addressed at all artificial obstructions (AO's) prior to specific trigger events which include construction, replacement, abandonment, or a fundamental change in permit status at an AO. ODFW is required to review and approve all fish passage plans prior to these trigger events. ODFW is considering specific revisions to Oregon Administrative Rules governing fish passage and submits this report in advance of rule revision adoption as required in ORS 509.595.



North Unit Dam – Deschutes River

What is an Artificial Obstruction?

- “Artificial Obstructions” means any dam, diversion, culvert, tide gate or other human-made device placed in waters of the state that precludes the migration of native migratory fish.
- Native migratory fish include 32 different species that migrate for their life cycle needs (trout, salmon, sturgeon, suckers, lamprey, mountain whitefish, surf smelt and eulachon).



Page Springs Weir – Donner & Blitzen River

How Many Fish Passage AO's Exist in Oregon?

- Approximately 38,100 AO's exist in Oregon's waters.
- ODFW develops a priority list every 5 years to focus passage efforts in areas of greatest potential benefit.
- At present, 587 Statewide High-Priority AO's impede access to nearly 24,000 miles of historic native migratory fish habitat.



East Fork of the S Fork Trask River Dam

Program Accomplishments:

- Since 2013, 247 High priority barriers have been removed or passage has been provided. In the past 4 years alone, 25% of the state's high-priority barriers have been permanently removed or are being repaired to provide passage.
- ODFW continues to collaborate with private water users and landowners to address passage at existing barriers through the ODFW cost share program (ODFW 60%). A tax credit is also available to help offset landowner costs. Since 2019 this funding program has supported completion of 18 fish passage restoration projects.

¹For more information, contact Greg Apke, Statewide Fish Passage Program Coordinator at 503-947-6228 or visit the ODFW fish passage website at <https://www.dfw.state.or.us/fish/passage/>.

- Since 2015 ODFW has issued 882 fish passage approvals, including multiple fish passage programmatic authorization efforts with the Oregon Department of Transportation and Washington County to streamline culvert repairs and replacements, (21) passage waivers, and (24) passage exemptions.

Fish Passage Task Force

- ORS 509.590 directs ODFW to establish a Fish Passage Task Force to advise the director and the State Department of Fish and Wildlife on matters related to fish passage in Oregon, including but not limited to funding, cost sharing and prioritization of efforts. Members serve up to two four-year terms and represent the public at large, owners-operators of artificial obstructions and fishing and conservation interests. The Task Force reviews and makes recommendations on all fish passage waiver and exemption requests and presently plays a pivotal role in many program initiatives. Task Force Members include:

MEMBER	LOCATION	REPRESENTING	APPOINTED
Kelly Moore	Corvallis	Fishing and Conservation	October 2019
Denise Hoffert	Albany	Fishing and Conservation	October 2018
Terry Turner	Gladstone	Fishing and Conservation	September 2017
Steve Albertelli	Ashland	Owners-Operators of AO's	October 2019
April Snell	Salem	Owners-Operators of AO's	April 2021
Fred Messerle	Coos Bay	Owners-Operators of AO's	June 2021
Zak Toledo	Salem	Public-At-Large	September 2017
William Cunningham	Bend	Public-At-Large	November 2015
Ken Bierly	Salem	Public-At-Large	November 2015

Fish Passage Program Initiatives:

- Tide gates continue to be a significant fish passage issue with over 1,200 tide gates on the Oregon Coast's estuaries and tidal waterways. Many will need repair or replacement in the near future. Tide gates protect critical infrastructure, agricultural and private lands from flooding and saline intrusion, but can also impair fish passage. Estuarine habitat is critically important for pacific salmonids and coastal marine fishes. ODFW is a partner in ongoing statewide efforts to identify, inventory and prioritize tide gates. New funding administered through Business Oregon and strategic state and federal regulatory permitting strategies have been developed and will be ready for implementation over the next few years. Additional information on tide gates and the Oregon Tide Gate Partnership can be found at [Oregon Tide Gate Partnership](#).
- Fish passage administrative rules were adopted in 2006 by the Oregon Fish and Wildlife Commission (OFWC). These rules have played a pivotal role in ODFW's successful implementation of the state's fish passage policy. These rules have not been revised since original adoption. There is a need to clarify and update the rules to more clearly define and incorporate the latest research on fish passage engineering design criteria and advance the rules to better reflect the ODFW Climate and Ocean Change Policy. Presently, ODFW is working with a sub-committee comprised of members from the Oregon Fish Passage Task Force and stakeholder groups to formulate rule revision concepts. A two-month public comment period resulted in excess of 280 comments. ODFW continues to work through public comments, host bi-monthly public meetings and develop draft revised rules that will be presented to the OFWC in 2022 for consideration and adoption. We are presently integrating HB 2298 (Environmental Restoration Weir), recently signed into law, into the larger fish passage rule initiative.