

Bill Duke
Form 1 - Upper Columbia

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 690-33-330

RECEIVED

FEB 20 2008

Date: 2/15/2008 Please return to WRD before **March 20, 2008**. Application #: S-86866

Applicant's Name: KENT MADISON

Source: COLUMBIA RIVER, A TRIBUTARY OF PACIFIC OCEAN

Pendleton Dist. Office

A) Will the proposed use occur in an area that may affect the essential habitat of a **SENSITIVE** fish species?

NO YES If YES, fill out **SECTION I** and the **RECOMMENDATION**.

B) Will the proposed use occur in an area that may affect the essential habitat of a **THREATENED OR ENDANGERED** fish species? NO YES Species: mid-Columbia steelhead, Snake River Spring Status: Threatened Endangered

If YES, fill out **SECTION II** and the **RECOMMENDATION**. Summer chinook

If your answer is **NO** to both questions, you may comment by completing the public interest review sheet on the back of this page.

SECTION I:

1) Will the proposed use result in a **NET LOSS** in the habitat of a **SENSITIVE SPECIES**? [690-33-330(2)(a)]

2) What stage or value is at risk (check all that apply): Spawning Incubation Rearing Passage Habitat Value

3) Can conditions be applied to mitigate the impact to the essential habitat of a **SENSITIVE** species?

NO (if no go to 4) YES [690-33-330(3)]

Which conditions are recommended? _____

(select from Menu of Conditions)

4) If conditions cannot be identified to offset impacts to the essential habitat of **SENSITIVE** species, would the proposed use harm the species?

NO YES [690-33-330(4)] If YES, please explain: _____

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated, what conditions do you recommend? (select from Menu of Conditions)

SECTION II:

1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program? NO YES [690-33-120(1)]

Explain: additional water withdrawals will result in loss of rearing and passage habitat for 7 species listed as threatened or endangered.

If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program? NO YES (select from Menu of Conditions)

Fish approve, water withdrawals limited to b5/a Oct. 1 to April 14

RECOMMENDATION under OAR 690-033-0330 (2): Approval with conditions
 Approval without conditions
 Denial

ODFW Representative signature: Will Duke

Date: 4/18/08

WRD Contact: Caseworker: Kerry Kavanagh, Water Rights Division
503-986-0816/ Fax: 503-986-0901 / e-mail: Kerry.L.KAVANAGH@wrд.state.or.us

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: S-86866 Applicant's Name: KENT MADISON

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

NO (Sign form and return)

YES Species: Upper Cal. Spring chinook, Snake Ri Spring/Summer Chinook, Snake Ri Fall chinook
Other: Snake Ri. sockeye, steelhead mid. Cal. R., upper Cal. R., and Snake River

What stage or value is at risk (check all that apply): Spawning, Incubation Rearing Passage Habitat Value

2) Will the proposed use result in a loss of habitat? NO YES

3) Can conditions be applied to mitigate the impact to the loss of habitat? NO YES

Which conditions are recommended? (select from Menu of Conditions) _____

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? NO YES

If YES, please explain: continued water withdrawals will impact passage flows
and recovery habitat

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)

B51a Oct. 1 to April 14, Fish passage

6) Your recommendation: Approval with conditions
 Approval without conditions
 Denial

ODFW Representative signature: Will B. De Date: 4/21/2008

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