

Lower Columbia Statewide
ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Bakkt of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: S-8787 Applicant's Name: Michael Seely

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species?
[690-33-330(1)]

NO YES Species: _____ Status: Sensitive Threatened Endangered

If YES, continue to question (2). If NO, you may comment by completing the public interest review sheet on the back of this page.

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

3) Will the proposed use result in a LOSS in the essential habitat of THREATENED OR ENDANGERED SPECIES or a NET LOSS in the essential habitat of a SENSITIVE SPECIES? NO YES

A) Standard of NET LOSS applies to sensitive species species. [690-33-330(2)(b)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(a)]

4) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?
 NO; skip to question 6. YES

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

5) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species? NO YES [690-33-330(4)]

If YES, please explain:

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

7) Your recommendation under OAR 690-033-0330 (2):

Approval with conditions
Approval without conditions
Denial

ODFW Representative signature: [Signature] Date: 7-12-10

WRD Contact: Casey [Signature] Water Rights Division, 510A-086-0500 / Fax: 509-965-0500

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: 587507 Applicant's Name: Michael Seely

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: POTENTIAL GAME FISH (CATFISH)
Other: _____

Stage or value 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) WQ, RIPARIAN, Live flow should
fishway 33 screening only only be diverted when DBO water
Applicant agreement has on quality standards and downstream
ODPW approval of fish screen. instream water rights are being met.
(see attached letter)

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: _____

5) If WRO 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)

WQ, riparian

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

ODPW Representative signature: Andrew Johnson Date: 7-12-10

WRO Contact: Coverletter: J. Plahn Water Rights Division, 503-986-0900 / Fax: 503-985-0901



Oregon

Theodore R. Saltonstall, Governor

Department of Fish and Wildlife

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July 12, 2010

Jerry Gainers
Water Resources Department
North Mall Office Building
725 Summer Street, Suite A
Salem, OR 97301-4266

RE: Application S-87567

Dear Jerry,

I am writing this letter in reference to Permit S-87567 in the name of Michael Seely. I have spoken to the applicant, and he has informed me that he currently has a Clemons CYP400 fish screen for this proposed use. This screen is adequate to protect the game fish (cutfish) that may be present in Melcan Slough within the Beaver Drainage District. As a result, ODFW approves the fish screens associated with Permit S-87567.

Please let me know if you have any questions or need any further clarification.

Sincerely,

Danette Faucesca
Assistant District Fish Biologist
North Willamette Watershed District

Cc: Bob Hart, The Dalles Screen Shop
Michael Seely, Applicant

