

Jeana Eastman

From: Jeana Eastman
Sent: Tuesday, January 15, 2013 12:43 PM
To: Ron Kasper (rjkasper@msn.com)
Subject: R-83356, Bandon Cranberry Water Control Dist - I received your information in the mail

Hi Ron -

I wanted to let you know I received the information you provided in response to the Department's letters dated 12/11/12 and 1/2/13.

Thanks,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.

**OREGON WATER RESOURCES DEP'T.
725 Summer Street NE, Suite A
Salem, OR 97301-1271**

January 9, 2013

RECEIVED BY OWRD

JAN 14 2013

SALEM, OR

RE: File R-83356

Dear Jeana Eastman:

In response to your letter dated 12-11-12 requesting additional information I submit to you the following:

- **Outside of the four landowners you identified I can confirm to the best of our knowledge there are no new affected property owners that would be impacted by the dam.**
- **Two of the four named landowners have voluntarily submitted authorizations to the Bandon Cranberry Water Control District to allow passage on their properties in order for the Johnson Creek Sub-District to conduct any necessary work relating to the dam. (See attached copies.) Once the Fish Passage Waiver application is approved by the ODF & W Commission and Director our plan is to meet with the remaining two affected landowners for the purpose of obtaining authorizations and/or easements.**
- **See attached copies of documents from the Coos County Planning Department showing that dam project complies with local comprehensive land-use plan.**
- **With construction of the dam our plan is to have a Certified Water Rights Examiner file transfer applications along with additional documentation, i.e., maps, on behalf of the impacted water right holders to accommodate points of diversion changes from stream to reservoir. In the event this change requires additional equipment needs the Johnson Creek sub-district will bear reasonable transition costs.**
- **Work on this project has been underway for nearly two decades. Over this span of time many changes have evolved. You will find answers to all**

issues mentioned in your final inquiry point in recent electronically submitted documentation to your office from PBS Engineering in Coquille, OR.

Sincerely,

Ron Kasper, Project Manager, Johnson Creek Dam

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JAN 14 2013

SALEM, OR

**Bandon Cranberry Water Control District
P.O. Box 1832, Bandon, OR 97411**

01-07-13

**RE: Authorization for Access to Tax Lot 1300
(Proposed Site for Johnson Creek Dam)**

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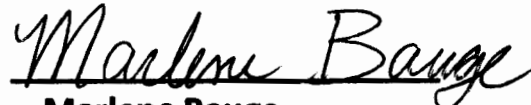
**ATTN: Scott Vierck, Chairman
Ron Kasper, Project Mgr.**

JAN 14 2013

SALEM, OR

As sole owners of 44.42 acres (Tax Lot 1300), site for Johnson Creek Dam, we hereby give authorization to BCWCD to permit access to our property for anyone deemed necessary to visit proposed dam/reservoir sites.


Paul Bauge


Marlene Bauge


**Bandon Cranberry Water Control District
P.O. Box 1832, Bandon, OR 97411**

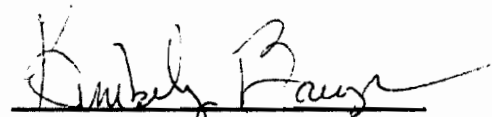
01-07-13

**RE: Authorization for Access to Tax Lot 1200
(Reservoir, Johnson Creek Dam)**

**ATTN: Scott Vierck, Chairman
Ron Kasper, Project Mgr.**

As sole owners of 48.60 acres (Tax Lot 1200), which includes land that will be impacted by Johnson Creek dam, we hereby give authorization to BCWCD to permit access to our property for anyone deemed necessary to visit proposed reservoir site.


Brant Bauge


Kimberly Bauge

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SALEM, OR

JAN 14 2013

JAN 14 2013



Oregon Water Resources Department
Land Use Information Form

SALEM, OR

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: **BANDON CRANBERRY WATER CONTROL DISTRICT - JOHNSON CREEK SUB-DIST.**

Address: **P.O. Box 503**

City: **Bandon** State: **OR** Zip: **97411** Day Phone: **(541) 347-3062**

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
29S/14W	Sec 9 T/A# 12097.00, 12095.02	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1300	12096.00, 12095.00	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1200				
TL 1400				
TL 1500		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. **Coos**

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): **Agricultural and municipal use**

Briefly describe: **The predominate agricultural use will be for cranberry operations and municipal use will be for city of Bandon.**

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water **Johnson Creek**
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:
1500 Ac/ft total; 1100 Ac/ft under applic. #R83356; 400 Ac/ft under new application. CFS GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon

WATER RESOURCES DEPARTMENT
 725 SUMMER STREET NE SUITE A
 SALEM OR 97301-1271

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

RECEIVED BY OWRD

A. Allowed Use

JAN 14 2013

Check the appropriate box below and provide requested information.

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 4.8. Go to section B "Approval" below

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Staci Leep Date: 8/2/00
 Title: Planner # Phone: 396-3121 x210
 Signature: Staci Leep

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: Bandon Cranberry Water Control District Johnson Creek Sub-Dist.

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: Coos
 Staff contact: Staci Leep Phone: 396-3121 x210
 Signature: Staci Leep Date: 8/2/00

Application No. R-83356

RECEIVED

APR 09 1997

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Construct a Reservoir

Applicant(s) Bandon Cranberry Water Control District - Johnson Creek Sub District

Mailing Address: Route 1, Box 2061 (Please print or type - use dark ink)

<u>Bandon</u>	<u>Oregon</u>	<u>97411</u>	<u>541 347-8069</u>
<small>City</small>	<small>State</small>	<small>Zip</small>	<small>Daytime Phone No.</small>

I (We) make application for a permit to construct Johnson Creek reservoir and store
the following described waters of the State of Oregon: **RECEIVED BY OWRD**

JAN 14 2013

1. **SOURCE OF WATER** for the proposed use: Johnson Creek
a tributary of Pacific Ocean **SALEM, OR**
If not in channel of a stream, state how it is to be filled: _____

2. **THE DAM:** The maximum height of the structure will be 70 feet above stream bed
or ground surface at the centerline.
The dam will be (check one) earthfill, _____ concrete, _____ flashboard, _____ other.
If "other" give description: Clay core with 3:1 back slope and 2:1 front slope

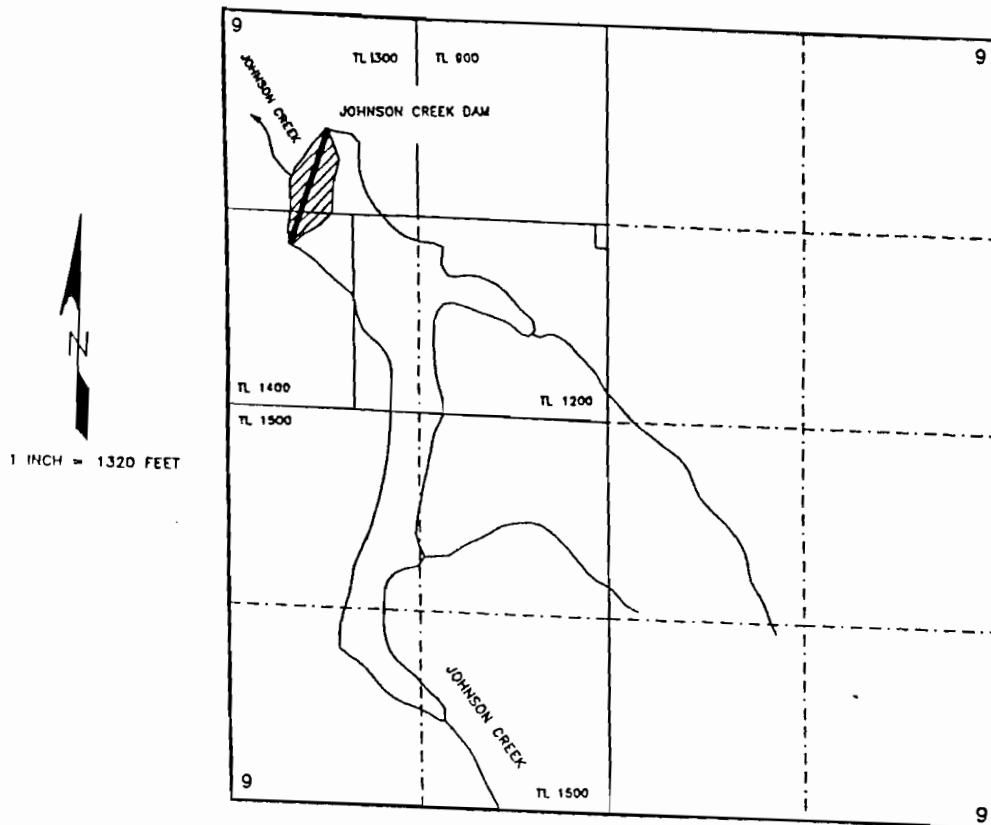
Give the location, description, and dimensions of the outlet conduit: Outlet will be in center
of dam. Outlet will be 24" steel pipe encased in concrete.

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum
diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. **THE USE(s)** of the impounded water will be: Agricultural and municipal. Agricultural
use will predominately be for cranberry operations.

APPLICATION MAP
IN THE NAME OF THE
BANDON CRANBERRY WATER CONTROL DISTRICT
JOHNSON CREEK SUB DISTRICT

SECTION 9, T 29 S, R 14 W, W.M.



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APR 09 1997

WATER RESOURCES DEPT.
SALEM, OREGON

THE DAM IS TO BE LOCATED 1,200 FEET SOUTH AND 560 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 9, AND WITHIN THE NW $\frac{1}{4}$, NW $\frac{1}{4}$, AND SW $\frac{1}{4}$, NW $\frac{1}{4}$ OF SECTION 9, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.; COOS COUNTY.

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JAN 14 2013

SALEM, OR

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

R-83356

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AUG 21 1997

Division 33 Application Review Sheet for Use by ODFW Staff
Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 690-33-340
WATER RESOURCES DEPT.
SALEM, OREGON

Date: 8/18/97 14 Day Deadline: _____

Application # R-83356 Name: BANDON CRANBERRY WATER CONTROL DISTRICT

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 S T E

If Yes, continue, if NO go to Public Interest Review Sheet (BACK PAGE)

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

2) Will the proposed use result in a loss in the essential habitat of threatened or endangered species or a net loss in the habitat of sensitive species? No / Yes

A) Standard of "net loss" applies to sensitive species statewide [690-33-330(2)(a)]

B) Standard of "loss" of applies to T or E species outside the Columbia Basin [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of STE species?

No / Yes [690-33-330(3)] Yes or no, which conditions are recommended? (Try to select those from the menu) _____

4) If conditions cannot be identified to offset impacts to the essential habitat of STE fish species, would the proposed use harm the species? [690-33-330(4)] No / Yes If yes, explain

WRD Contact: _____ Title: _____

Date: _____

Comments: _____

ODFW Recommendation:

___ Approval with fishery conditions See #3 Above

___ Approval without fishery conditions

___ Denial

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JAN 14 2013

ODFW Representative(s)

Name: _____ Date: _____

SALEM, OR

Name: _____ Date: _____ (M:\div.33\odfw chk lst i modified.6-25...

RANDON CRANBERRY
WATER CONT. DIST.

JOHNSON CR.
BACK PAGE

R-0

Public Interest Review Sheet for Use by ODFW Staff
Recommendations for Applications that may affect the Habitat of
Non S T & E Fish or Wildlife Species OAR 690-310-140(3)(b)(D)

Date: 8/18/97

Application # R-83356 Name: RANDON CRANBERRY WATER CONTROL DISTRICT

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

No Yes Species? RESIDENT & POSSIBLY SEARUN CUTTHROAT TROUT

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

Other _____

2) Will the proposed use result in a loss of habitat? No Yes

3) Can conditions be applied to mitigate the impact the loss of habitat?

No Yes or no, which conditions are recommended? (Try to select those from the menu) 6546 FISH SCREENING & FISH PASSAGE REQUIRED
OUT FLOW MUST EQUAL INFLOW DURING THE PERIOD
APRIL 1 - NOV. 30. OUTFLOW H2O TEMP. SHALL BE WITHIN 2°F
OF INFLOW H2O TEMP. APRIL 1 - SEPT 30. A HABITAT SURVEY OF
JOHNSON CREEK IS REQUIRED TO DETERMINE THE VALUE AND QUANTITY
OF STREAM HABITAT IMPACTED BY THE RESERVOIR.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? No Yes If yes, explain _____

THE RESERVOIR COULD INUNDATE CRITICAL SPAWNING
AND REARING HABITAT FOR CUTTHROAT TROUT. THE
RESERVOIR COULD WARM STREAM TEMPERATURES TO
CRITICAL LEVELS FOR SALMONIDS IN DOWNSTREAM AREAS.

WRD Contact: _____ Title: _____

Date: _____

HER Comments: THE INITIAL REVIEW NOTICE DOES NOT HAVE
SUFFICIENT DETAILS TO ADEQUATELY REVIEW THIS
MAJOR PROJECT. ODFW RESERVES THE RIGHT TO FURTHER
COMMENT ON THIS PROPOSAL WHEN MORE DETAILS BECOME
AVAILABLE.

ODFW Recommendation:

- Approval with conditions See #3 Above
- Approval without conditions
- Denial

THERE IS NOT ENOUGH INFORMATION
TO MAKE A RECOMMENDATION AT
THIS POINT IN THE REVIEW.

ODFW Representative(s)

Name: Reese E. Benke Date: 8/18/97

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Name: _____ Date: _____

JAN 14 2013

Pa
J
MM

Dear Applicant

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____ , 19____.
WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

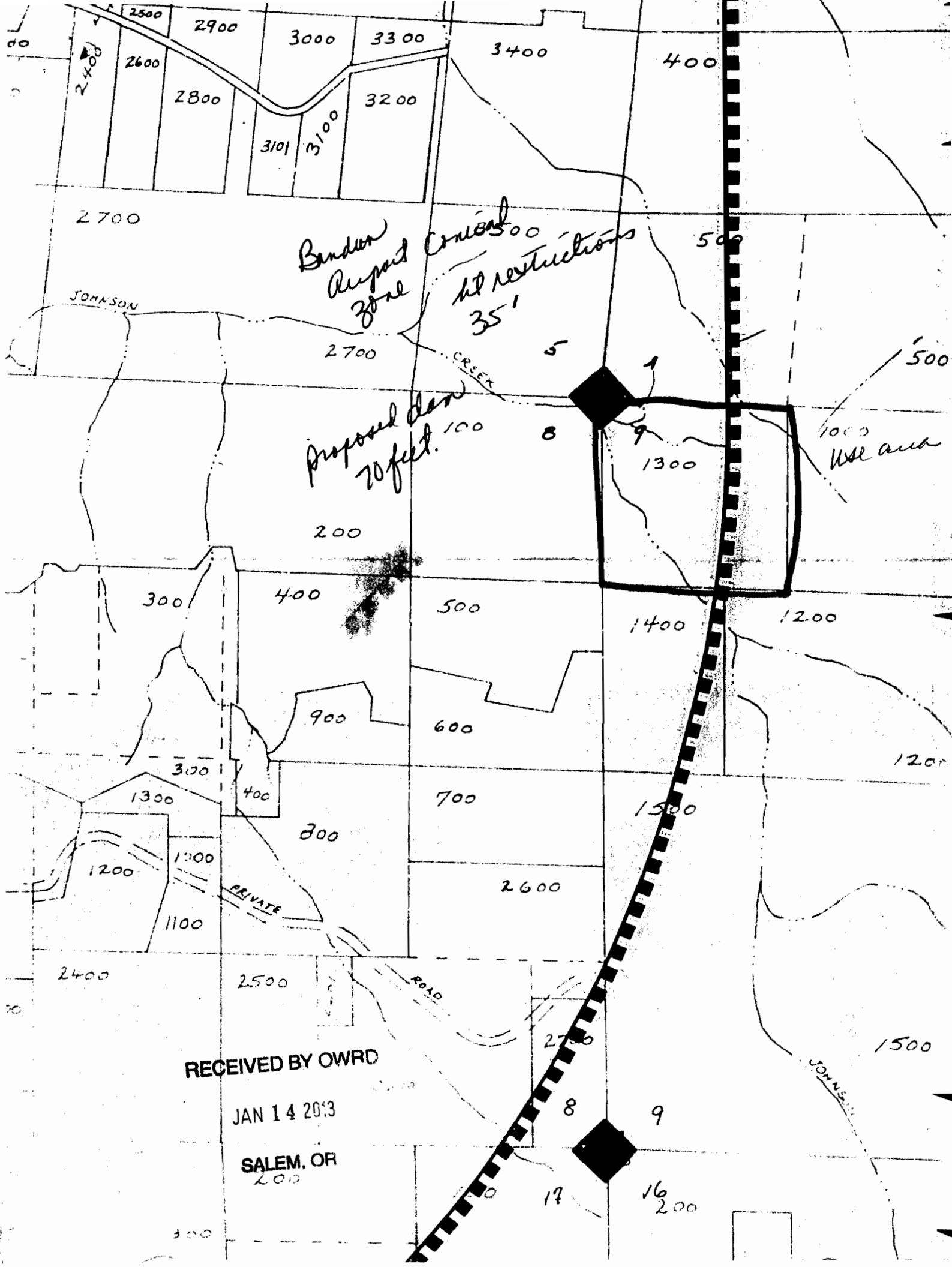
By: _____

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 9^{am} day of April, 1997, at 8 o'clock, AM.

APPLICATION NO: R-83356

PERMIT NO: _____

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JAN 14 2013
SALEM, OR



*BANDON AUGUST ZONE
NO RESTRICTIONS
35'*

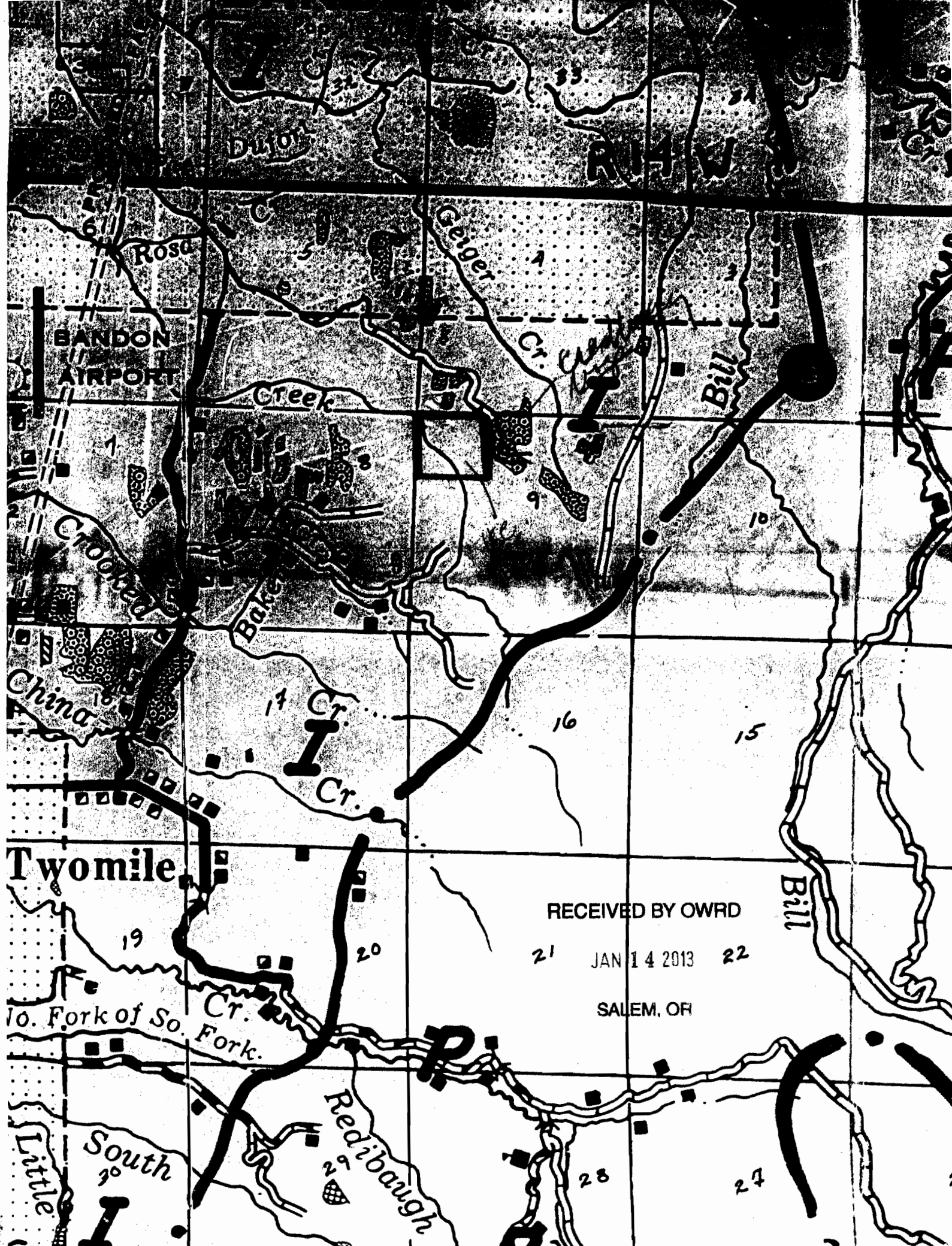
*PROPOSED DOW
20 FEET*

1000 USE AREA

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SALEM, OR



BANDON AIRPORT

WILLAMETTE RIVER

Bill

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21 JAN 14 2013 22

SALEM, OR

Bill

10. Fork of So. Fork

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South

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RECEIVED
 APR 13 2000
 CLATSOP COUNTY
 PUBLIC WORKS DEPT.

REDUCED COPY
 NOT TO SCALE

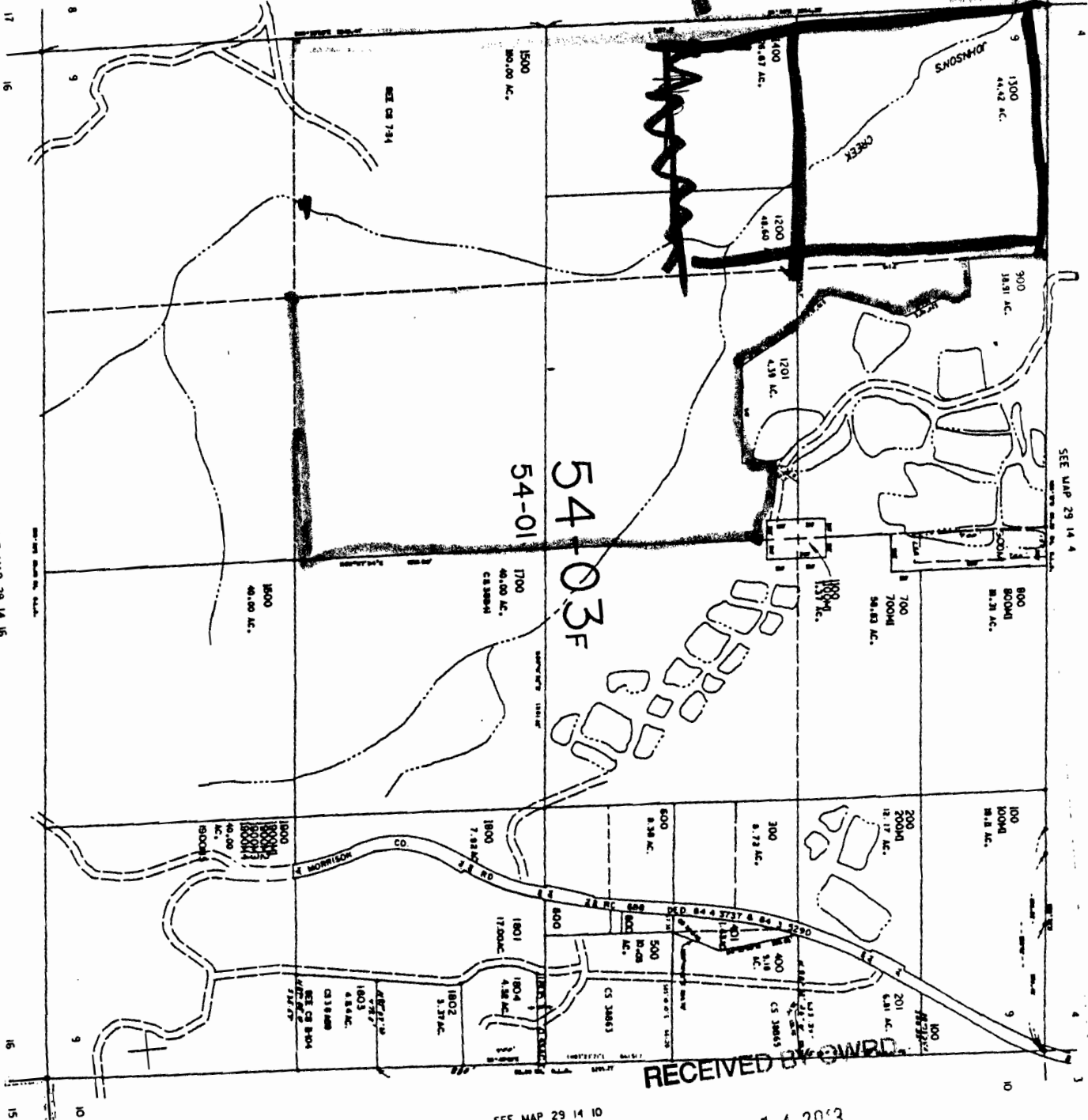
division area

[Redacted]

[Redacted]

SEE MAP 29 14 8

ASSESSMENT PURPOSE ONLY



SEE MAP 29 14 16

SEE MAP 29 14 4

SECTION 9 14 29
 COOS COUNTY

1" = 400'

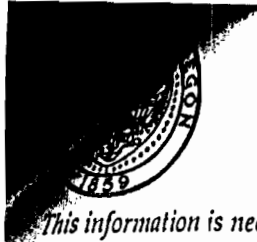
RECEIVED BY [Redacted]

JAN 14 2013

SALEM, OR

12-APR
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CANCELLED
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**Oregon Water Resources Department
Land Use Information Form**

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APR - 9 1997

WATER RESOURCES DEPT.

SALEM, OREGON

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

83356

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

- A. Applicant

Name: Bandon Cranberry Water Control District - Johnson Creek, Sub District

Address: Route 1, Box 2061

City: Bandon State: Or. Zip: 97411 Day Phone: 541 347-8069

- B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
295/14W Sec. 9	J/A# 12077.00, 12095.02	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1300	12076.00, 12095.00	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1200		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1400		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1500		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Coos

- C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Agricultural and municipal use

Briefly describe: The predominate agricultural use will be for cranberry operations and municipal use will be for the city of Bandon.

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- D. Source

Indicate the source for the proposed water use:

SALEM, OR

Reservoir/Pond Ground Water Surface Water Johnson Creek
(source)

- E. Quantity

Indicate the estimated quantity of water the use will require.

1,100 CFS GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

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APR 09 1997

WATER RESOURCES DEPT.
SALEM, OREGON



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

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Address: Route 1, Box 2061

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Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
29S/14W	Sec. 9 J/A# 12097.00, 12095.02	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1300 TL 1200	12096.00, 12095.00	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
TL 1400 TL 1500		<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. Coos

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Agricultural and municipal use

Briefly describe: The predominate agricultural use will be for cranberry operations and municipal use will be for the city of Bandon.

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JAN 14 2013

SALEM, OR

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water Johnson Creek
(source)

E. Quantity

Indicate the estimated quantity of water the use will require.

1,100 CFS GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
Conditional Use review	4.8.350(0), 4.8.400, 4.8.600, 4.8.700, 4.8.750	<input type="checkbox"/> Obtained	<input checked="" type="checkbox"/> Being pursued
	of the Coxso County Zoning & Land	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
	Development Ordinance	<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
	to be pursued	<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Theda L. Kerns Date: 4-7-97
 Title: Planner Phone: (541) 396-3121 ext 232
 Signature: Theda L. Kerns

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JAN 14 2013

C. Additional Comments

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet.

The above Conditional use will need to be sub-
mitted & approved before the reservoir & dam
can be sited,

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

Receipt for Request for Land Use Information

Name of water right applicant: Edith J. MacWhorter Trust, E. G. Cant
Loring Trust, Benjamin A + Rebecca L.
Flugstad

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: Coxso County
 Staff contact: Theda L. Kerns, Planner Phone: (541) 396-3121 ext 232
 Signature: Theda L. Kerns Date: 4-7-97

RECEIVED

AUG 21 1997

Division 33 Application Review Sheet for Use by ODFW Staff
Recommendations for Water Right Applications that may affect the Habitat of Sensitive, Threatened or Endangered Fish Species OAR 690-33-310 through 690-33-340
WATER RESOURCES DEPT.
SALEM, OREGON

Date: 8/18/97 14 Day Deadline: _____

Application # R-83356 Name: BANDON CRANBERRY WATER CONTROL DISTRICT

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 S T E

If Yes, continue, if NO go to Public Interest Review Sheet (BACK PAGE)

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

2) Will the proposed use result in a loss in the essential habitat of threatened or endangered species or a net loss in the habitat of sensitive species? No / Yes

A) Standard of "net loss" applies to sensitive species statewide [690-33-330(2)(a)]

B) Standard of "loss" applies to T or E species outside the Columbia Basin [690-33-330(2)(b)]

3) Can conditions be applied to mitigate the impact to the essential habitat of STE species?

No / Yes [690-33-330(3)] Yes or no, which conditions are recommended? (Try to select those from the menu)

4) If conditions cannot be identified to offset impacts to the essential habitat of STE fish species, would the proposed use harm the species? [690-33-330(4)] No / Yes If yes, explain

WRD Contact: _____ Title: _____

Date: _____

Comments: _____

ODFW Recommendation:

___ Approval with fishery conditions See #3 Above

___ Approval without fishery conditions

___ Denial

RECEIVED BY OWRD

JAN 14 2013

ODFW Representative(s)

Name: _____ Date: _____

SALEM, OR

Name: _____ Date: _____ (M:\div.33\odfw chk lst i modified.6-25...

Public Interest Review Sheet for Use by ODFW Staff
Recommendations for Applications that may affect the Habitat of
Non S T & E Fish or Wildlife Species OAR 690-310-140(3)(b)(D)

Date: 8/18/97

Application # R-83356 Name: BANDON CRANBERRY WATER CONTROL DISTRICT

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

No Yes Species? RESIDENT & POSSIBLY SEARUN CUTTHROAT TROUT

What stage or value is at risk: Spawning; Incubation; Rearing; Passage; Habitat Value

Other _____

2) Will the proposed use result in a loss of habitat? No Yes

3) Can conditions be applied to mitigate the impact the loss of habitat?

No Yes Yes or no, which conditions are recommended? (Try to select those from the menu)

6546 FISH SCREENING & FISH PASSAGE REQUIRED
OUTFLOW MUST EQUAL INFLOW DURING THE PERIOD
APRIL 1 - NOV. 30. OUTFLOW H2O TEMP. SHALL BE WITHIN 2 OF
OF INFLOW H2O TEMP. APRIL 1 - SEPT 30. A HABITAT SURVEY OF
JOHNSON CREEK IS REQUIRED TO DETERMINE THE VALUE AND QUANTITY
OF STREAM HABITAT IMPACTED BY THE RESERVOIR.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? No Yes If yes, explain _____

THE RESERVOIR COULD INUNDATE CRITICAL SPAWNING
AND REARING HABITAT FOR CUTTHROAT TROUT. THE
RESERVOIR COULD WARM STREAM TEMPERATURES TO
CRITICAL LEVELS FOR SALMONIDS IN DOWNSTREAM AREAS.

WRD Contact: _____ Title: _____

Date: _____

HER Comments: THE INITIAL REVIEW NOTICE DOES NOT HAVE
SUFFICIENT DETAILS TO ADEQUATELY REVIEW THIS
MAJOR PROJECT. ODFW RESERVES THE RIGHT TO FURTHER
COMMENT ON THIS PROPOSAL WHEN MORE DETAILS BECOME
AVAILABLE.

ODFW Recommendation:

Approval with conditions See #3 Above

Approval without conditions

Denial

THERE IS NOT ENOUGH INFORMATION
TO MAKE A RECOMMENDATION AT
THIS POINT IN THE REVIEW.

ODFW Representative(s)

Name: Reese E Benke Date: 8/18/97

RECEIVED BY OWRD

Name: _____ Date: _____

JAN 14 2013

Dear Applicant:

I certify that I have examined the foregoing application, together with the accompanying information, and am returning it to you for:

In order to retain its tentative priority, this application must be returned with the requested corrections or additions on or before:

_____ , 19____
WITNESS my hand this _____ day of _____, 19____.

Water Resources Director

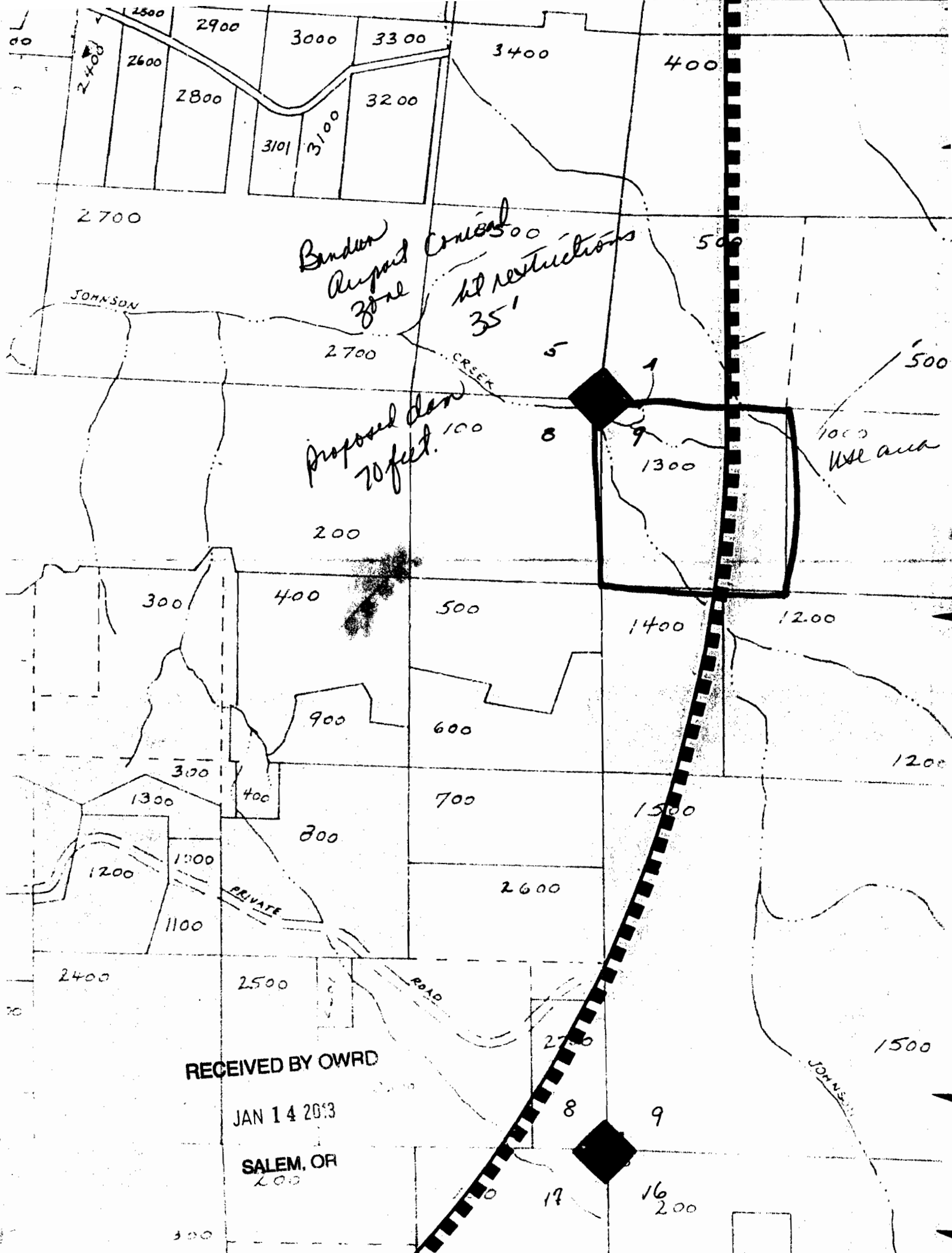
By: _____

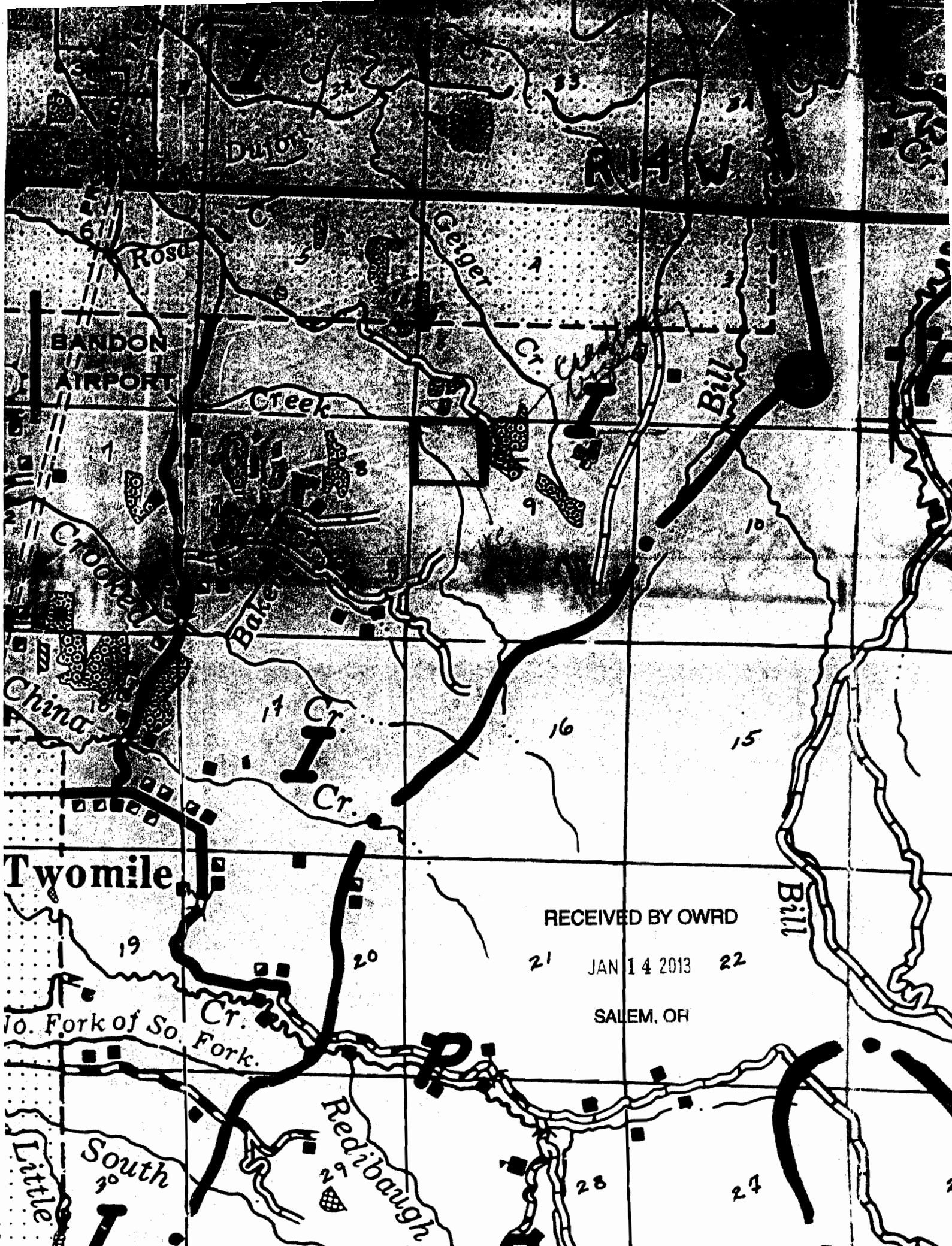
This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 9th day of April, 1997, at 8 o'clock, AM.

APPLICATION NO: R-83356

PERMIT NO: _____

RECEIVED BY OWRD
JAN 14 2013
SALEM, OR





R14 W

BANDON AIRPORT

Bill

Twomile

Redibaugh

Bill

RECEIVED BY OWRD

21 JAN 14 2013 22

SALEM, OR

10. Fork of So. Fork.

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1" = 400'

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CLERK OF COUNTY
PLANNING DEPT.

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NOT TO SCALE

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discuss over

SEE MAP 29 14 8

SEE MAP 29 14 4

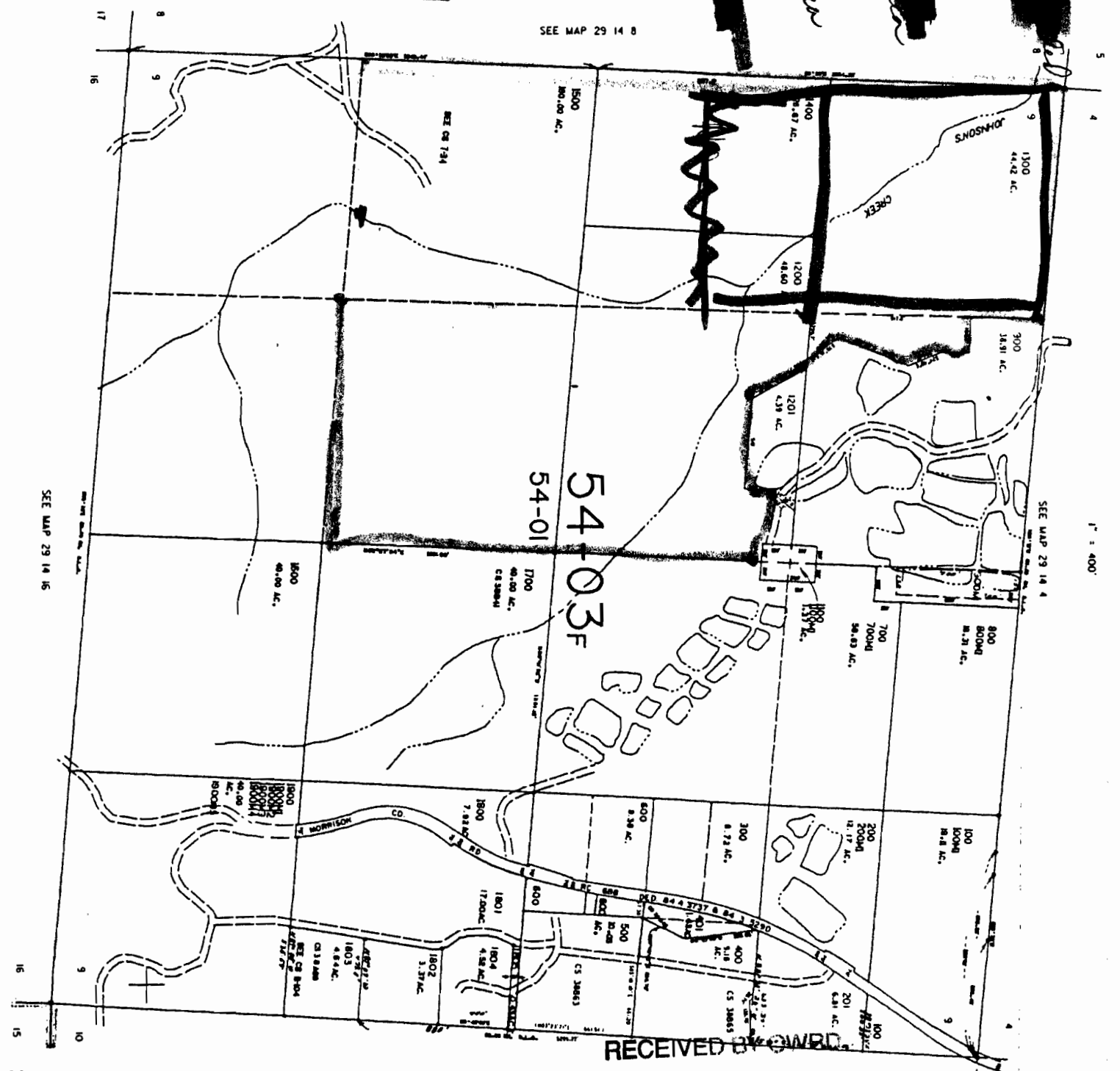
SEE MAP 29 14 16

SEE MAP 29 14 10

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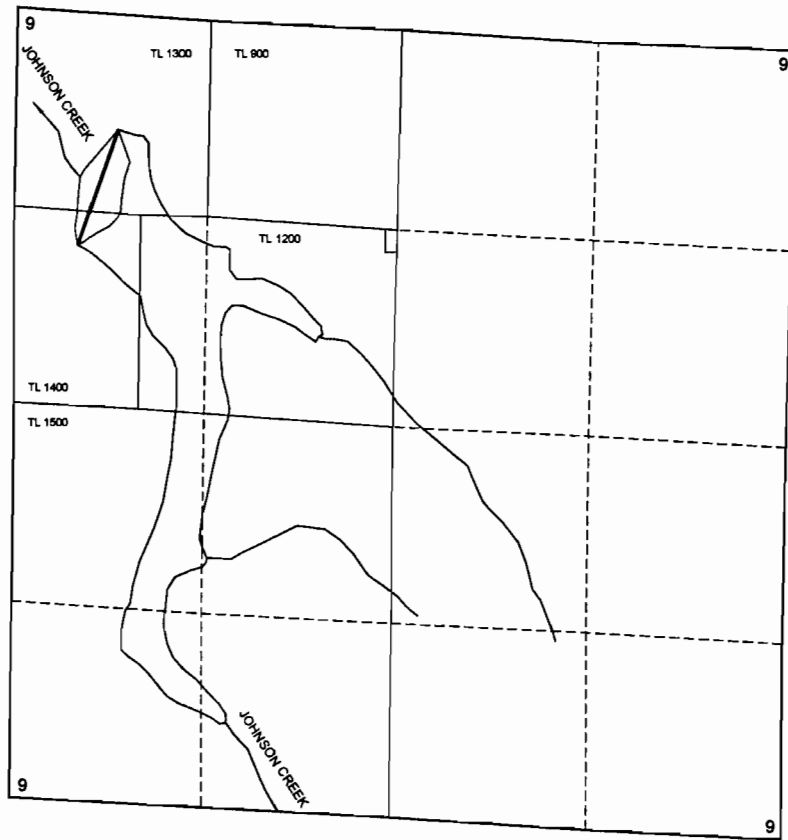
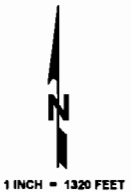
JAN 14 2013

SALEM, OR



12-APR-2000
29 14 9

APPLICATION MAP
IN THE NAME OF THE
BANDON CRANBERRY WATER CONTROL DISTRICT
PROPOSED JOHNSON CREEK DAM AND RESERVOIR
SECTION 9, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.

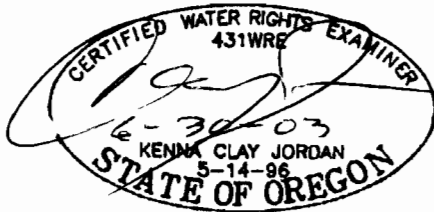


THE JOHNSON CREEK DAM IS PROPOSED TO BE LOCATED 1,200 FEET SOUTH AND 560 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 9; BEING WITHIN THE NW¼ NW¼ AND THE SW¼ NW¼ OF SECTION 9, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.; COOS COUNTY.

RECEIVED

SEP 25 2002

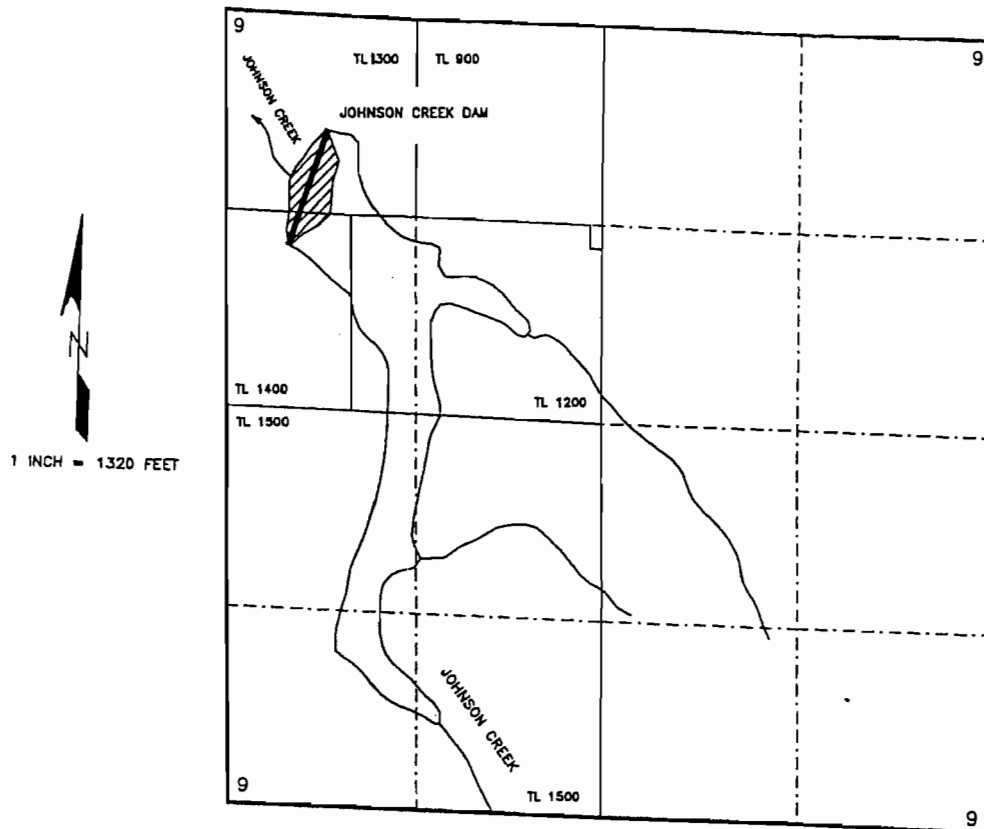
**WATER RESOURCES DEPT.
 SALEM, OREGON**



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

APPLICATION MAP
IN THE NAME OF THE
BANDON CRANBERRY WATER CONTROL DISTRICT
JOHNSON CREEK SUB DISTRICT

SECTION 9, T 29 S, R 14 W, W.M.



RECEIVED

APR 09 1997

WATER RESOURCES DEPT.
SALEM, OREGON

THE DAM IS TO BE LOCATED 1,200 FEET SOUTH AND 560 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 9, AND WITHIN THE NW¹/₄NW¹/₄ AND SW¹/₄NW¹/₄ OF SECTION 9, TOWNSHIP 29 SOUTH, RANGE 14 WEST, W.M.; COOS COUNTY.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT.
IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

R-83356

INTEROFFICE MEMORANDUM

TO: JEANA EASTMAN, WATER RIGHTS
FROM: KEITH MILLS, P.E., DAM SAFETY
SUBJECT: R-83356 - BANDON WATER CONTROL DISTRICT - REVIEW OF SUBMITTAL FOR COMPLIANCE WITH OAR 690-310-0040(1)(C)(A)
DATE: 1/10/2013
CC: BARRY NORRIS, TIM WALLIN

I reviewed the **Project Description for the Johnson Creek Dam Project** by the **Bandon Cranberry Water Control District**. You left this for my review yesterday. The Project Description is dated May 24, 2006, but just submitted to OWRD on January 8, 2013. It is necessary for use to determine if this new information meets the requirements of OAR 690-310-0040(1)(c)(A) to provide “preliminary plans, specifications and supporting information and impoundment area and impoundment area including dam height, width, crest width and surface area”.

The Project Description includes: the location of the dam, proposed dam configuration as a zoned earthfill dam, probable hazard classification, foundation considerations, and recognizes the need for seismic design. The project description includes a proposed height of 90 feet, conceptual drawings with width and length of the dam, a proposed crest width of 20 feet, and a storage area curve for the dam. It also includes a reference to a more detailed report from CH2MHill addressing hydrologic yield, and selection of storage capacity and dam height based on the yield hydrology.

Therefore, the “Project Description” meets the aforementioned requirements of OAR 690-310-0040(1)(c)(A).

Jeana Eastman

From: Keith Mills
Sent: Thursday, January 10, 2013 9:01 AM
To: Jeana Eastman
Cc: Barry Norris; Tim Wallin; keith.a.mills@state.or.us
Subject: R-83356 - BANDON WATER CONTROL DISTRICT - REVIEW OF SUBMITTAL FOR COMPLIANCE WITH OAR 690-310-0040(1)(C)(A)
Attachments: Johnson Creek Dam Preliminary Plan Review Memo.doc

Jeana,

I have reviewed the documents just submitted, and made the following determination. I also have a memo to this effect if you need it for the file (attached).

I reviewed the **Project Description for the Johnson Creek Dam Project** by the **Bandon Cranberry Water Control District**. You left this for my review yesterday. The Project Description is dated May 24, 2006, but just submitted to OWRD on January 8, 2013. It is necessary for use to determine if this new information meets the requirements of OAR 690-310-0040(1)(c)(A) to provide "preliminary plans, specifications and supporting information and impoundment area and impoundment area including dam height, width, crest width and surface area".

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Therefore, the "Project Description" meets the aforementioned requirements of OAR 690-310-0040(1)(c)(A).

Keith

Jeana Eastman

From: marlene bauge <manpa5@mycomspan.com>
Sent: Wednesday, January 09, 2013 5:00 PM
To: Jeana Eastman
Subject: Re: Proposed Johnson Creek Dam Height (File: R-83356)

Hi Jeana.....thanks very much for furnishing that information. In compiling a historical summary of the dam project I find myself perusing lots of information. It's very helpful in "getting a bead" on exactly where different heights of the dam are mentioned, knowing that it changed periodically. Thank you.

Paul Bauge

----- Original Message -----

From: Jeana Eastman
To: Paul & Marlene Bauge (manpa5@mycomspan.com)
Cc: Ron Kasper (rjkasper@msn.com) ; Paul Slater (paul.slater@pbsenv.com)
Sent: Wednesday, January 09, 2013 12:44 PM
Subject: RE: Proposed Johnson Creek Dam Height (File: R-83356)

Hi Paul -

Attached are the file documents indicating both 70' and 90' for the dam height. The "dam safety file" document indicates "80 - 90 feet".

In addition, I've included a portion of the ODFW Fish Passage Waiver application indicating a 90' dam.

Thanks,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.

From: marlene bauge [<mailto:manpa5@mycomspan.com>]
Sent: Tuesday, January 08, 2013 4:57 PM
To: jeana.m.eastman@state.or.us
Cc: Ron-Judy Kasper
Subject: Proposed Johnson Creek Dam Height (File: R-83356)

Dear Jeana,

My name is Paul Bauge. I serve as Vice-Chairman of the Bandon Cranberry Water Control District Board of Directors. Also, for a number of years I have assisted our proposed dam project manager, Ron Kasper, in his efforts to move the project forward.

Recently, our board chairman, Scott Vierck, asked me to compile a summary report concerning the history of this project, the inception of which dates back to the early 1990's. My aim is to chronologically track and identify when certain decisions and events took place, what were the bases for those decisions, and what, if any, changes might have taken place as a result of those decisions... all regarding things such as location, physical characteristics, and volume of stored water proposed for the dam.

In your memo dated December 11, 2012 you state that our "current application materials indicate both 70 feet and 90 feet for the dam height," Could you please provide me a copy of the application documents that state information relating to the dam height?

Thank you very much.

Paul Bauge
Bandon, Oregon

Jeana Eastman

From: Jeana Eastman
Sent: Wednesday, January 09, 2013 1:27 PM
To: 'Paul Slater'; Ron Kasper (rjkasper@msn.com)
Cc: Paul & Marlene Bauge (manpa5@mycomspan.com)
Subject: RE: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

thanks for the clarification,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
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Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
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From: Paul Slater [<mailto:paul.slater@pbsenv.com>]
Sent: Wednesday, January 09, 2013 1:00 PM
To: Jeana Eastman; Ron Kasper (rjkasper@msn.com)
Cc: Paul & Marlene Bauge (manpa5@mycomspan.com)
Subject: RE: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

Ms. Eastman:

Ron and I just discussed your question. Please refer to pages 1-15 plus the entire Attachment A.

Paul Slater
Coquille Office Manager / Senior Environmental Specialist
paul.slater@pbsenv.com
541-347-5923

PBS Engineering + Environmental
Engineering | Natural Resources | Environmental | Health and Safety
www.pbsenv.com
271 North Baxter Street Coquille OR, 97423
ph: 541.347.5923 : fax: 866.727.0140

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From: Jeana Eastman [<mailto:jeana.m.eastman@state.or.us>]
Sent: Wednesday, January 09, 2013 11:55 AM
To: Ron Kasper (rjkasper@msn.com)

Cc: Paul & Marlene Bauge (manpa5@mycomspan.com); Paul Slater
Subject: RE: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

Hi Ron -

I printed the 195-page Fish Passage Waiver Application and put a copy in the file.

Please clarify what portions, if any, of this document is intended to satisfy the information required in the Department's December 11, 2012 letter (which was re-sent to the correct address on January 2, 2013). I've attached the letters for reference.

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Water Rights Caseworker
voice 503.986.0859

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front desk 503.986.0900
fax 503.986.0901
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From: Paul Slater [<mailto:paul.slater@pbsenv.com>]
Sent: Tuesday, January 08, 2013 11:38 AM
To: jeana.m.eastman@state.or.us
Cc: rjkasper@msn.com; marlene bauge
Subject: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

Ms. Eastman:

I am a consultant for the Bandon Cranberry Water Control District. Ron Kasper, Project Manager and Paul Bauge, Vice-Chair asked me to send you the Johnson Creek Dam Fish Passage Waiver Application package that was submitted to the Oregon Department of Fish & Wildlife back on April 29, 2011. The file was too large to email to you directly. Below are instructions on how to access the file via our FTP site.

Please visit our ftp website for document(s) that have been uploaded for you. The site address is <http://pbsftp.pbsenv.com>. Your Username is **BCWCD** and your password is **Johnson Creek**. The username and password are case/space sensitive. Please call me if you encounter any difficulties when logging into the site or retrieving documents.

Paul Slater
Coquille Office Manager / Senior Environmental Specialist
paul.slater@pbsenv.com
541-347-5923

PBS Engineering + Environmental
Engineering | Natural Resources | Environmental | Health and Safety
www.pbsenv.com
271 North Baxter Street Coquille OR, 97423
ph: 541.347.5923 : fax: 866.727.0140

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Jeana Eastman

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Water Rights Caseworker
voice 503.986.0859

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Jeana Eastman

From: Jeana Eastman
Sent: Wednesday, January 09, 2013 12:43 PM
To: Paul & Marlene Bauge (manpa5@mycomspan.com)
Cc: Ron Kasper (rjkasper@msn.com); Paul Slater (paul.slater@pbsenv.com)
Subject: RE: Proposed Johnson Creek Dam Height (File: R-83356)
Attachments: R-83356_app form.pdf; R-83356_proj descrip.pdf; R-86664_app form.pdf; R-88356 _portion of Fish Psg Waiver.pdf; dam safety file.pdf

Hi Paul -

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Sent: Tuesday, January 08, 2013 4:57 PM
To: jeana.m.eastman@state.or.us
Cc: Ron-Judy Kasper
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Thank you very much.

Paul Bauge
Bandon, Oregon

Application No. R-83356

RECEIVED

APR 09 1997

State of Oregon
WATER RESOURCES DEPARTMENT

WATER RESOURCES DEPT.
SALEM, OREGON

Application for a Permit to Construct a Reservoir

Applicant(s) Bandon Cranberry Water Control District - Johnson Creek Sub District

Mailing Address: Route 1, Box 2061 (Please print or type - use dark ink)

<u>Bandon</u>	<u>Oregon</u>	<u>97411</u>	<u>541 347-8069</u>
<small>City</small>	<small>State</small>	<small>Zip</small>	<small>Daytime Phone No.</small>

I (We) make application for a permit to construct Johnson Creek reservoir and store the following described waters of the State of Oregon:

1. SOURCE OF WATER for the proposed use: Johnson Creek, a tributary of Pacific Ocean.
If not in channel of a stream, state how it is to be filled: _____

2. THE DAM: The maximum height of the structure will be 70 feet above stream bed or ground surface at the centerline.
The dam will be (check one) earthfill, _____ concrete, _____ flashboard, _____ other.
If "other" give description: Clay core with 3:1 back slope and 2:1 front slope

Give the location, description, and dimensions of the outlet conduit: Outlet will be in center of dam. Outlet will be 24" steel pipe encased in concrete.

NOTE: All dams across natural stream channels must be provided with an outlet conduit, minimum diameter of 8", or be of such capacity and location as to pass the normal flow of the stream at any time.

3. THE USE(s) of the impounded water will be: Agricultural and municipal. Agricultural use will predominately be for cranberry operations.

ATTACHMENT A

DRAFT

**Johnson Creek Dam Project,
Coos County, Oregon**

Project Description

Bandon Cranberry Water Control District
P.O. Box 570
Bandon, Oregon 97411

May 24, 2006

4.0 DAM CONFIGURATION

The proposed dam would be 90 feet high with a drainage basin of approximately 1.26 square miles (Figures 3-7). It would be a zoned earthfill dam with filters and drains. The core would be either a sloping upstream core with a downstream shell, or a central core with upstream and downstream shells. Embankment materials to construct the dam would come from onsite deposits within the reservoir or from surrounding areas.

The Oregon Water Resources Department (OWRD) classifies the dam as a high hazard dam. As a high hazard dam, the spillway would be required to pass the probable maximum flood and the embankment would be designed to withstand an earthquake load.

The outlet would consist of an inlet, a conduit under the dam, and a stilling basin. The inlet would be single-level entrance using a combination of guard gates. In addition, it would have either an upstream or downstream control gate or valve to release water downstream of the dam for prior water rights; releases for instream flows for fish if seepage is less than expected; contracted releases for consumptive use; and to meet the OWRD dam safety regulations. The natural flow of Johnson creek would be maintained during construction of the dam.

The dam site is in a fairly narrow canyon with steep abutments. These topographic features in addition to the lack of good foundation complicate the spillway design. Three spillway design alternatives have been identified and are being considered. Current spillway considerations include:

- 1) A concrete chute on the left abutment with a side channel inlet and a concrete stilling basin.
- 2) A baffle chute spillway with a plunge pool type of stilling.
- 3) A closed conduit spillway down the face of the dam with a concrete roller bucket stilling basin.

The baffle chute and closed conduit spillways are shown on Figure 6.

5.0 PIPELINE AND POINTS OF DIVERSION

The existing and proposed water rights would be satisfied by existing diversions from Johnson Creek as well as two proposed pipelines to supply users. Pipeline A would start at the dam site and continue west to Rosa Road (Figure 1). The water through this pipeline would be used for agricultural purposes for water users on the south side of Johnson Creek.

Pipeline B would start at the dam site and convey water to Geiger Creek (Figure 1). The water supplied through this pipeline would be used by the City of Bandon for municipal purposes. The water would be removed from Geiger Creek at the City of Bandon Wastewater Treatment Plant just downstream of the Bandon Hatchery. The City of Bandon is planning for future growth and



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for a Permit to Store Water in a Reservoir

(Standard Review)

Standard Review Process (ORS 537): You must use this form for any reservoir storing more than 9.2 acre-feet and with a dam more than 10 feet high.

Use a separate form for each reservoir

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply, insert "n/a". A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

Applicant: **BANDON CRANBERRY WATER CONTROL DISTRICT--JOHNSON CREEK SUB-DIST.**

Mailing Address: P.O. Box 1832

Bandon OR 97411
City State Zip

Phone: (541) 347-5151
Home Work Other

*Fax: (541) 347-5151 *E-Mail Address: _____

*Optional Information

I(We) make application for a permit to construct a reservoir and store the following described waters of the State of Oregon. The name of the reservoir is Johnson Creek Reservoir

2. SOURCE OF WATER for the proposed use: Johnson Creek,
 a tributary of Pacific Ocean

Is the proposed use an enlargement of an existing dam/reservoir? YES NO

If the reservoir is not in channel of a stream, state how it is to be filled: _____

For Department Use		
App. No. <u>R 86464</u>	Permit No. _____	Date _____

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3. DAM HEIGHT AND COMPOSITION

The maximum height of the structure will be 90 feet above streambed or ground surface at the centerline of the crest of the dam.

Note: If your dam height is greater than or equal to 10.0' above land surface AND your reservoir will store equal to or greater than 9.2 acre-feet, engineered plans and specifications must be approved prior to storage of water.

The dam will be (check one): Earthfill Concrete Flash board Other

If "other" give description: _____

4. PRIMARY OUTLET WORKS

Describe the location and the dimensions of the outlet conduit through the dam: _____

Outlet will be in center of dam. Outlet will be 24 inch steel pipe encased in concrete.

NOTE: Most dams across a natural stream channel will need an outlet conduit having a minimum diameter of 8 inches or greater.

5. EMERGENCY SPILLWAY

Describe the location and the dimensions of the spillway channel: _____

Refer to Application R83356

6. THE USE(s) of the impounded water will be: Multi-purpose storage

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AUG 04 2006

WATER RESOURCES DEPT
SALEM, OREGON

Storage Water/2

R-Stele4



OREGON DEPARTMENT OF FISH AND WILDLIFE

Fish Passage WAIVER Application

- Use this form if providing fish passage at the artificial obstruction for which a Waiver is being requested would benefit native migratory fish.
• Use the "Fish Passage EXEMPTION Application" if a waiver has already been granted for the artificial obstruction, fish passage mitigation has already been provided for the artificial obstruction, or if there would be no appreciable benefit for native migratory fish if passage were provided at the artificial obstruction.
• If you unlock and re-lock this Form, information already entered may be lost in certain versions of MS Word.

APPLICANT INFORMATION

The Applicant must be the owner or operator of the artificial obstruction for which a Waiver is sought.

ORGANIZATION/APPLICANT: Johnson Creek Sub-District

CONTACT: Ron Kasper TITLE: Project Manager
ADDRESS: PO Box 2070
CITY: Bandon STATE: OR ZIP: 97411
PHONE: 541-347-5151
FAX:
E-MAIL ADDRESS: rjkasper@msn.com

SIGNATURE: [Signature] DATE: 4-29-11

OWNER (if different than Applicant): Bandon Cranberry Water Control District

CONTACT: Scott Vierck TITLE: Chairman
ADDRESS: PO Box 1832
CITY: Bandon STATE: OR ZIP: 97411
PHONE: 541-347-3062
FAX:
E-MAIL ADDRESS:

SIGNATURE: [Signature] DATE: 4-29-11
Signature indicates that you understand and do not dispute this request.

APPLICATION COMPLETED BY (if different than Applicant): Paul Slater

TITLE: Senior Environmental Specialist
ORGANIZATION: PBS Engineering + Environmental
ADDRESS: 271 North Baxter Street
CITY: Coquille STATE: OR ZIP: 97423
PHONE: 541-347-5923
FAX: 866-727-0141
E-MAIL ADDRESS: paul_slater@pbsenv.com

SIGNATURE: [Signature] DATE: 4-29-11

To Be Completed by ODFW Fish Passage Coordinator
APPLICATION #: DATE RECEIVED:
FILE NAME:
APPROVED [] SIGNATURE: DATE:
DENIED [] TITLE:

ARTIFICIAL OBSTRUCTION (for which a Waiver is being requested)

1. TYPE OF ARTIFICIAL OBSTRUCTION:

- | | | | |
|-------------------------------------|-------------------|----------|-------------------------------------|
| <input checked="" type="checkbox"/> | Dam | New | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | Culvert/Bridge | Existing | <input type="checkbox"/> |
| <input type="checkbox"/> | Tidegate | | |
| <input type="checkbox"/> | Other (describe): | | |

2. PLEASE PROVIDE A BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION TRIGGERING THE NEED TO ADDRESS FISH PASSAGE: The Bandon Cranberry Water Control District proposes to construct an earthfill dam with filters and drains to store water for regulated agricultural and municipal use. Several alternatives were considered prior to proposing an in-channel, earthen dam. First, off channel ponds/reservoirs were considered but there is no viable water source to charge them with/from and there is no tract of land within the District large enough to accommodate off channel storage. Second, Increased water rights from Johnson Creek or Crooked Creek were considered. While there are a small amount of Instream Water Rights available within Johnson Creek (OWRD), it is not nearly enough to accommodate the needed water for the District. Crooked Creek is fully allocated (OWRD). And lastly, drilled wells were considered. Water rights for wells are available for winter use only and not for the entire year, which is what is needed by the District. The District needs water to be stored as needed, to be used as needed.

The proposed dam is an earthfill dam with filters and drains capable of containing 1,556 acre feet of water (See Appendix of Attachment A, Figures 1-7). The dam height would be 90 feet and supply regulated agricultural and municipal water to the Bandon Cranberry Water Control District. Mitigation for the loss of fish passage at the site, impacting 1.77 miles of Johnson Creek currently accessible to native migratory fish, would consist of improving passage to 2.08 miles of Blair Creek by replacing 4 culverts in the Blair Creek subwatershed (Offsite mitigation). (See Vicinity Map, Proposed Blair Creek Mitigation Project Locations and Watershed Area maps provided behind Tables 1 and 2.)

This project will impact several upstream and adjacent landowners. The project is supported by all affected upstream and adjacent landowners with the exception of one.

See Attachments A-D for more details

3. PASSAGE WILL NOT BE PROVIDED FOR THE FOLLOWING REASON(S): The cost of providing fish passage over a dam 90 feet high is estimated to be very expensive. Secondly, just downstream of the proposed dam site (0.38 miles) is the Stoltz Dam, an existing artificial barrier that blocks 100% of fish passage. And finally, the Evans Dam (currently owned by Paul Bauge), located upstream from the proposed dam site, blocks all fish passage in Johnson Creek as well. Therefore, currently, the stream segment proposed to be either inundated or blocked by the proposed earthfill dam is already blocked by existing, legal earthfill dams that provide 0% passage.

4. DATE THE TRIGGER ACTION IS SCHEDULED TO BEGIN (a minimum of two months should be planned for the waiver process after ODFW receives your application; requests that must go before the Commission will take longer):

Below is a timeline (starting from time of Waiver Application Submission to ODFW Staff in Salem), with milestones, for the proposed "trigger".

1. Fish Passage Waiver Application Approved by ODFW/OFWC (6 months)
2. Finalize OWRD Permits (2-4 months)
3. Survey of lands to confirm needed land acquisition (1-2 months)
4. Land acquisition (6 mos- 1 year)

REQUEST FOR PROPOSALS FOR CONSULTANT SERVICES
FOR DESIGN AND CONSTRUCTION MANAGEMENT
OF THE PROSPER AND JOHNSON CREEK DAMS

JUNE 1998

BANDON CRANBERRY WATER CONTROL DISTRICT
P. O. Box 1862
Bandon, Oregon

4.4. The Project consists of developing the final design, performing miscellaneous engineering work and construction management of two dams within the District boundaries.

4.4.1. The Prosper Dam is envisioned to be a 27 - 30 foot high earthen embankment dam impounding up to 250 acre feet of water.

4.4.2. The Johnson Creek Dam is envisioned to be an 80 - 90 foot high earthen dam impounding approximately 1,000 - 1,300 acre feet of water.

5. SCHEDULE OF EVENTS:

5.1. The following schedule of events shall be followed for this RFP:

5.1.1. A "pre proposal" meeting will be held on June 30, 1998, *ATTENDANCE OF THIS MEETING IS MANDATORY*. Any Proposal submitted by a Consultant who was not represented at this meeting will not be considered.

5.1.2. The deadline for submitting comments of the selection process and inquiries about the requirements of this RFP is June 30, 1998.

5.1.3. Proposals are due on July 21, 1998, by 1:00 p.m. Pacific Daylight Time.

5.1.4. Proposals will be opened on July 21, 1998.

5.1.5. The Consultant will be selected by August 14, 1998.

5.1.6. The contract will be signed by August 25, 1998, unless there is an extension pursuant to subsection 13.4.

5.2. The schedule of events in subsection 5.1 is intended to allow prospective offerors sufficient time for requests for information, objections to the requirements of this RFP and preparation of proposals. Prospective offerors who think that the schedule is unreasonable should notify the District immediately. If the District receives a substantial number of adverse comments, the District will consider extending the schedule of events by issuing an addendum.

6. ADDENDA TO THE REQUEST FOR PROPOSALS:

The provisions of this RFP cannot be modified by oral interpretations or statements. If inquiries or comments by offerors raise issues that

Jeana Eastman

From: Jeana Eastman
Sent: Wednesday, January 09, 2013 11:53 AM
To: Ron Kasper (rjkasper@msn.com)
Cc: Paul & Marlene Bauge (manpa5@mycomspan.com); 'Paul Slater'
Subject: RE: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11
Attachments: R-83356-corr-2012-12-11.pdf; R-83356-corr-2013-01-02.pdf

Hi Ron -

I printed the 195-page Fish Passage Waiver Application and put a copy in the file.

Please clarify what portions, if any, of this document is intended to satisfy the information required in the Department's December 11, 2012 letter (which was re-sent to the correct address on January 2, 2013). I've attached the letters for reference.

Thanks,

Jeana Eastman
Water Rights Caseworker
voice 503.986.0859

Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266
front desk 503.986.0900
fax 503.986.0901
<http://oregon.gov/OWRD>

Messages to and from this e-mail address may be available to the public under Oregon law.

From: Paul Slater [<mailto:paul.slater@pbsenv.com>]
Sent: Tuesday, January 08, 2013 11:38 AM
To: jeana.m.eastman@state.or.us
Cc: rjkasper@msn.com; marlene bauge
Subject: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

Ms. Eastman:

I am a consultant for the Bandon Cranberry Water Control District. Ron Kasper, Project Manager and Paul Bauge, Vice-Chair asked me to send you the Johnson Creek Dam Fish Passage Waiver Application package that was submitted to the Oregon Department of Fish & Wildlife back on April 29, 2011. The file was too large to email to you directly. Below are instructions on how to access the file via our FTP site.

Please visit our ftp website for document(s) that have been uploaded for you. The site address is <http://pbsftp.pbsenv.com>. Your Username is **BCWCD** and your password is **Johnson Creek**. The username and password are case/space sensitive. Please call me if you encounter any difficulties when logging into the site or retrieving documents.

Paul Slater
Coquille Office Manager / Senior Environmental Specialist
paul.slater@pbsenv.com
541-347-5923

BS Engineering + Environmental
Engineering | Natural Resources | Environmental | Health and Safety
www.pbsenv.com
271 North Baxter Street Coquille OR, 97423
ph: 541.347.5923 : fax: 866.727.0140

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Jeana Eastman

From: marlene bauge <manpa5@mycomspan.com>
Sent: Tuesday, January 08, 2013 4:57 PM
To: jeana.m.eastman@state.or.us
Cc: Ron-Judy Kasper
Subject: Proposed Johnson Creek Dam Height (File: R-83356)

Dear Jeana,

My name is Paul Bauge. I serve as Vice-Chairman of the Bandon Cranberry Water Control District Board of Directors. Also, for a number of years I have assisted our proposed dam project manager, Ron Kasper, in his efforts to move the project forward.

Recently, our board chairman, Scott Vierck, asked me to compile a summary report concerning the history of this project, the inception of which dates back to the early 1990's. My aim is to chronologically track and identify when certain decisions and events took place, what were the bases for those decisions, and what, if any, changes might have taken place as a result of those decisions... all regarding things such as location, physical characteristics, and volume of stored water proposed for the dam.

In your memo dated December 11, 2012 you state that our "current application materials indicate both 70 feet and 90 feet for the dam height," Could you please provide me a copy of the application documents that state information relating to the dam height?

Thank you very much.

Paul Bauge
Bandon, Oregon

Jeana Eastman

From: Paul Slater <paul.slater@pbsenv.com>
Sent: Tuesday, January 08, 2013 11:38 AM
To: jeana.m.eastman@state.or.us
Cc: rjkasper@msn.com; marlene bauge
Subject: Johnson Creek Dam Fish Passage Waiver Application from 04-29-11

Ms. Eastman:

I am a consultant for the Bandon Cranberry Water Control District. Ron Kasper, Project Manager and Paul Bauge, Vice-Chair asked me to send you the Johnson Creek Dam Fish Passage Waiver Application package that was submitted to the Oregon Department of Fish & Wildlife back on April 29, 2011. The file was too large to email to you directly. Below are instructions on how to access the file via our FTP site.

Please visit our ftp website for document(s) that have been uploaded for you. The site address is <http://pbsftp.pbsenv.com>. Your Username is **BCWCD** and your password is **Johnson Creek**. The username and password are case/space sensitive. Please call me if you encounter any difficulties when logging into the site or retrieving documents.

Paul Slater
Coquille Office Manager / Senior Environmental Specialist
paul.slater@pbsenv.com
541-347-5923

PBS Engineering + Environmental
Engineering | Natural Resources | Environmental | Health and Safety
www.pbsenv.com
271 North Baxter Street Coquille OR, 97423
ph: 541.347.5923 : fax: 866.727.0140

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RECEIVED

JAN 08 2013

WATER RESOURCES DEPT
SALEM, OREGON



OREGON DEPARTMENT OF FISH AND WILDLIFE

Fish Passage WAIVER Application

- Use this form if providing fish passage at the artificial obstruction for which a Waiver is being requested would benefit native migratory fish.
• Use the "Fish Passage EXEMPTION Application" if a waiver has already been granted for the artificial obstruction, fish passage mitigation has already been provided for the artificial obstruction, or if there would be no appreciable benefit for native migratory fish if passage were provided at the artificial obstruction.
• If you unlock and re-lock this Form, information already entered may be lost in certain versions of MS Word.

APPLICANT INFORMATION

The Applicant must be the owner or operator of the artificial obstruction for which a Waiver is sought.

ORGANIZATION/APPLICANT: Johnson Creek Sub-District

CONTACT: Ron Kasper TITLE: Project Manager
ADDRESS: PO Box 2070
CITY: Bandon STATE: OR ZIP: 97411
PHONE: 541-347-5151
FAX:
E-MAIL ADDRESS: rjkasper@msn.com

SIGNATURE: [Signature] DATE: 4-29-11

OWNER (if different than Applicant): Bandon Cranberry Water Control District

CONTACT: Scott Vierck TITLE: Chairman
ADDRESS: PO Box 1832
CITY: Bandon STATE: OR ZIP: 97411
PHONE: 541-347-3062
FAX:
E-MAIL ADDRESS:

SIGNATURE: [Signature] DATE: [Signature]
Signature indicates that you understand and do not dispute this request.

RECEIVED

APPLICATION COMPLETED BY (if different than Applicant): Paul Slater

TITLE: Senior Environmental Specialist
ORGANIZATION: PBS Engineering + Environmental
ADDRESS: 271 North Baxter Street WATER RESOURCES DEPT SALEM, OREGON
CITY: Coquille STATE: OR ZIP: 97423
PHONE: 541-347-5923
FAX: 866-727-0141
E-MAIL ADDRESS: paul_slater@pbsenv.com

SIGNATURE: [Signature] DATE: 4-29-11

To Be Completed by ODFW Fish Passage Coordinator
APPLICATION #: DATE RECEIVED:
FILE NAME:
APPROVED [] SIGNATURE: DATE:
DENIED [] TITLE:

ARTIFICIAL OBSTRUCTION (for which a Waiver is being requested)

- 1. TYPE OF ARTIFICIAL OBSTRUCTION:**
- | | | | |
|-------------------------------------|-------------------|----------|-------------------------------------|
| <input checked="" type="checkbox"/> | Dam | New | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | Culvert/Bridge | Existing | <input type="checkbox"/> |
| <input type="checkbox"/> | Tidegate | | |
| <input type="checkbox"/> | Other (describe): | | |

2. PLEASE PROVIDE A BACKGROUND AND DESCRIPTION OF THE PROPOSED ACTION TRIGGERING THE NEED TO ADDRESS FISH PASSAGE: The Bandon Cranberry Water Control District proposes to construct an earthfill dam with filters and drains to store water for regulated agricultural and municipal use. Several alternatives were considered prior to proposing an in-channel, earthen dam. First, off channel ponds/reservoirs were considered but there is no viable water source to charge them with/from and there is no tract of land within the District large enough to accommodate off channel storage. Second, Increased water rights from Johnson Creek or Crooked Creek were considered. While there are a small amount of Instream Water Rights available within Johnson Creek (OWRD), it is not nearly enough to accommodate the needed water for the District. Crooked Creek is fully allocated (OWRD). And lastly, drilled wells were considered. Water rights for wells are available for winter use only and not for the entire year, which is what is needed by the District. The District needs water to be stored as needed, to be used as needed.

The proposed dam is an earthfill dam with filters and drains capable of containing 1,556 acre feet of water (See Appendix of Attachment A, Figures 1-7). The dam height would be 90 feet and supply regulated agricultural and municipal water to the Bandon Cranberry Water Control District. Mitigation for the loss of fish passage at the site, impacting 1.77 miles of Johnson Creek currently accessible to native migratory fish, would consist of improving passage to 2.08 miles of Blair Creek by replacing 4 culverts in the Blair Creek subwatershed (Offsite mitigation). (See Vicinity Map, Proposed Blair Creek Mitigation Project Locations and Watershed Area maps provided behind Tables 1 and 2.)

This project will impact several upstream and adjacent landowners. The project is supported by all affected upstream and adjacent landowners with the exception of one.

See Attachments A-D for more details

3. PASSAGE WILL NOT BE PROVIDED FOR THE FOLLOWING REASON(S): The cost of providing fish passage over a dam 90 feet high is estimated to be very expensive. Secondly, just downstream of the proposed dam site (0.38 miles) is the Stoltz Dam, an existing artificial barrier that blocks 100% of fish passage. And finally, the Evans Dam (currently owned by Paul Bauge), located upstream from the proposed dam site, blocks all fish passage in Johnson Creek as well. Therefore, currently, the stream segment proposed to be either inundated or blocked by the proposed earthfill dam is already blocked by existing, legal earthfill dams that provide 0% passage.

4. DATE THE TRIGGER ACTION IS SCHEDULED TO BEGIN (a minimum of two months should be planned for the waiver process after ODFW receives your application; requests that must go before the Commission will take longer):

Below is a timeline (starting from time of Waiver Application Submission to ODFW Staff in Salem), with milestones, for the proposed "trigger".

1. Fish Passage Waiver Application Approved by ODFW/OFWC (6 months)
2. Finalize OWRD Permits (2-4 months)
3. Survey of lands to confirm needed land acquisition (1-2 months)
4. Land acquisition (6 mos- 1 year)

- 5. Preliminary Engineering (including permitting, preliminary design of dam and preliminary design of mitigation projects, etc. (6 mos- 1 year.
- 6. Construction Engineering (Including dam and mitigation construction work) (2 years)

Total estimated time to complete construction of both the “trigger” and the mitigation is between 3.75 and 5 years

Mitigation would be completed during the in-water work period, after funds have been secured, and in conjunction with construction of the proposed dam. It is proposed to complete the mitigation over a two season period, in conjunction with dam construction.

5. LOCATION

COUNTY: Coos
ROAD CROSSING (if applicable): N/A
RIVER/STREAM: Johnson Creek
TRIBUTARY OF: Pacific Ocean
BASIN: Pacific Ocean
COORDINATES^a: Longitude: 124.3762 °W Latitude: 43.0813 °N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of providing passage at the Artificial Obstruction; indicate measurement units if applicable):

Locations	DOWNSTREAM				AO	UPSTREAM			example
	3	C/N	2	1		1	2	E	
Type	C		C	D	D	D			C
Length	40 Ft		50 Ft	70 Ft	400 Ft	30 Ft			80 ft
Distance	2.0 Miles	0.57 Miles	1.18 Miles	0.38 Miles		0.25 Miles			1,200 ft
Level	4		4	5	5	5			5

Type = C (culvert/bridge), D (dam), T (tide gate), N (natural; describe below), O (other; describe below)
 Length = length of the barrier in the stream (e.g., culvert's length, dam's width/footprint)
 Distance = distance from the Artificial Obstruction (to closest point of other barriers)
 Level = amount of passage at the barrier using the following codes:
 5 - barrier to all native migratory fish
 4 - barrier to some native migratory fish adults and/or species
 3 - barrier to some native migratory fish adults and/or species for only part of migration period
 2 - barrier to all native migratory fish juveniles
 1 - barrier to some native migratory fish juveniles and/or for only part of migration period

LOCATIONS:
 AO = the existing or proposed Artificial Obstruction
 1,2 = other barriers in the same stream as the Artificial Obstruction
 3 = downstream barrier outside the immediate stream in which the Artificial Obstruction is located (*only needed if C/N is a confluence rather than a complete natural barrier*)
 E = end of historic native migratory fish use, including all tributaries (i.e., potential range without any artificial barriers in place)
 C/N = first downstream confluence or complete natural barrier, whichever comes first

NOTE: The *example* indicates that there is culvert which is 80 feet long, is located 1,200 feet from the Artificial Obstruction in question, and is a complete fish passage barrier.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE ARTIFICIAL OBSTRUCTION: Upstream Barrier #1 is the Evans Dam (currently owned by Paul Bauge), which consists of a earthen dam and a culvert blocked with removable bin boards. Evans dam is approximately 10-12 feet high. The Evans Dam is a total barrier to fish passage (For Pictures of all barriers listed in this section, please see Attachment D, Photographs).

Downstream barrier #1 is the Stoltz Dam (Currently owned by Wayne Stoltz). The Stoltz Dam is approximately 30 feet high and a total barrier to fish passage. Downstream barrier #2 is the County Road culvert at Rosa Road, which is a partial barrier to fish passage. The first downstream confluence is an unnamed tributary. Downstream barrier #3 is a culvert on the North Fork Johnson Creek on Chandler Road.

The culvert at the City of Bandon owned Beach Loop Road crossing (near the mouth of Johnson Creek) is a partial barrier. It is a complete barrier for juveniles to upstream migration during normal years and normal water levels. It is also a serious impediment to native adult migratory fish species during normal flows/years. In addition to the plunge pool at the outlet, sometimes large amounts of woody debris wracks up near the outlet of the culvert making passage more difficult. Vertical wood piles were installed years ago (by Coos County Road Dept before they transferred the road to City control) to decrease the amount of wood reaching the culvert outlet but some woody debris still gets through. The proposed dam would block 1.07 miles of Johnson Creek as well as 0.7 miles of an unnamed tributary to Johnson Creek available for fish use. A total of 2.15 miles of Johnson Creek are already completely blocked to fish passage for native migratory fish, due to the Stoltz Dam (0.38 miles below the proposed new dam site).

6B. SUMMARY TABLE (please provide the following information relative to the Artificial Obstruction, which will help determine the benefit of providing passage at it):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Cutthroat trout, Pacific lamprey, coho salmon	Cutthroat trout, Pacific lamprey, Brook lamprey
NMF Species Present Historically	Cutthroat trout, Pacific lamprey, and coho salmon	Cutthroat trout, Pacific lamprey.
Habitat Quality	Good, Poor (from the confluence of the Pacific Ocean through the golf course, approximately 4,250 feet).	Good
Flows	Adequate flows for both spawning and rearing currently exist.	Adequate flows for both spawning and rearing currently exist.
Water Quality	No 303 (d) listings	No 303 (d) listings
Water Right Availability	Water rights are met based on seniority and available water.	Water rights are met based on seniority and available water
Land Use/Zoning	Rural residential/agriculture	Rural residential/agriculture
NMF = native migratory fish		

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat): Oregon Coast Coho ESU (presently listed as threatened under the federal Endangered Species Act) and their habitat(s) which were designated in 2008 as Critical Habitat for this ESU do exist in Johnson Creek. While no evidence of either adults or juveniles has been found above the Stoltz Dam in several decades, according to Mike Gray of the Charleston District Office of the ODFW (Pers. Comm.), there is a short reach of stream channel above the proposed dam site

which has suitable habitat for coho salmon. ODFW, during an Aquatic Inventory Project, Oregon Plan for Salmon and Watersheds, Stream Inventory Report in 09/15/03, found juvenile coho salmon in Johnson Creek 196.8 meters (645.67 ft) upstream of State Highway 101. This is the only location and time in recent history where coho were found in Johnson Creek.

Johnson Creek is a coastal stream that confluences directly into the Pacific Ocean. The riparian area of Johnson Creek is generally in good condition and is very dense with shrubs. Five (5) habitat surveys were completed at various locations throughout the Johnson Creek subwatershed (280m, 450m, 460m, 1,032m and 1,307m in length). See Attachment C for more details. The most downstream survey (at the golf course) showed the least desirable habitat with little or no riparian vegetation and an anthropogenically modified channel with little in-stream complexity or woody debris. There also were some areas of open marsh near Rosa Road, Chandler Road and the Bandon Airport. Sufficient gravel for cutthroat trout spawning was present throughout much of the upper sections of the creek, while lower sections contained primarily sand and fine substrate.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: Fish presence and status was determined by ODFW during shocking surveys. Habitat quality, barrier and distance information was obtained by Craven Consulting in September, 2005 through habitat surveys conducted following ODFW protocol (See Attachment B). Water quality limitations were obtained from the Oregon DEQ webpage database (<http://www.deq.state.or.us/wq/wqldata/searchchoice02.htm>). State listing information was obtained from ODFW webpage (http://www.dfw.state.or.us/threatened_endangered/t_e.html) and Federal ESA listing information was obtained from NOAA's webpage (<http://www.nwr.noaa.gov/ESA-Salmon-Listings/Index.cfm>).

MITIGATION (*attach additional copies of this section if multiple mitigation sites are proposed*)

1. DESCRIBE THE MITIGATION TO BE PROVIDED: A total of four (4) mitigation measures will be described. See Tables 1 and 2 at the end of the waiver application for additional information.

Mitigation No.1: Lee Valley Road Culvert- Blair Creek RM 0.04

2. DISTANCE BETWEEN MITIGATION SITE(S) AND ARTIFICIAL OBSTRUCTION: N/A. Potential mitigation sites/streams were identified due to a lack of suitable mitigation options in the vicinity of the proposed dam. Creeks with passage issues with similar habitat and species distribution were identified.

3. OWNER (*if different than Applicant*): Coos County Road Department

CONTACT:	John Rowe	TITLE:	Roadmaster
ADDRESS:	Coos County Courthouse	STATE:	OR
CITY:	Coquille	ZIP:	97423
PHONE:	541-396-3121, Ext 377		
FAX:			
E-MAIL ADDRESS:	jrowe@co.coos.or.us		

4. DATE THE MITIGATION IS SCHEDULED TO BE COMPLETED: Mitigation would be completed during the in-water work period after funds have been secured in conjunction with dam construction.

5. LOCATION

COUNTY: Coos

ROAD CROSSING (if applicable): Lee Valley Rd
RIVER/STREAM: Blair Creek
TRIBUTARY OF: North Fork Coquille River
BASIN: Coquille
COORDINATES^a: Longitude: 124.0951°W Latitude: 43.1879°N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of the Mitigation site; indicate measurement units if applicable):

Locations	DOWNSTREAM				M	UPSTREAM			example
	3	C/N	2	1		1	2	E	
Type					C	C	C		D
Length					100 ft	25 ft	40ft		8 ft
Distance		0.04 miles				0.23 miles	0.77 miles	2.08 miles	1,700 ft
Level					5	4	5		1

LOCATIONS: M = the Mitigation site

NOTE: The *example* indicates that there is a dam which is 8 feet wide in the stream, is located 1,700 feet from the Mitigation in question, and is a seasonal or partial fish passage barrier for juveniles only.

See **ARTIFICIAL OBSTRUCTION: 6A. BARRIER TABLE** for further details regarding this table.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE MITIGATION:

6B. SUMMARY TABLE (please provide the following information relative to the Mitigation, which will help determine its benefit):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Cutthroat trout, Pacific lamprey, coho salmon, Chinook salmon and Winter steelhead	Cutthroat trout, Pacific lamprey, coho salmon and Winter steelhead
NMF Species Present Historically	same	Same
Habitat Quality	Good	Good, moderate (a small area has been moderately to heavily grazed between the second and third culverts on Blair Creek.
Flows	Sufficient flows exist for spawning and rearing.	Sufficient flows exist for spawning and rearing.
Water Quality	No 303 (d) listing	No 303 (d) listing
Water Right Availability	Water rights are met based on seniority and available water.	Water rights are met based on seniority and available water.
Land Use/Zoning	Rural Residential/Agricultural	Rural Residential/Agricultural/Timber Harvest

NMF = native migratory fish

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat): Species found in the North Fork

Coquille River according to Streamnet.org: Spring Chinook, Fall Chinook, coho and winter steelhead. See Attachment B, Habitat Description for Blair Creek for more info.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: Species distribution was obtained from Streamnet.org and personal communication with ODFW personnel and from personal knowledge. Water quality information was obtained from ODEQ and habitat quality was determined from field visits to the Blair Creek watershed.

7. DESCRIBE HOW THE MITIGATION RELATES TO ANY EXISTING FISH MANAGEMENT PLANS, INCLUDING THE OREGON PLAN: According to ODFW, there is currently no sub-basin or basin fish management plan for Blair Creek. The closest basin with a management plan is the Coquille, of which Blair Creek is not considered or listed under. The improved spawning and rearing habitat provided by the mitigation for native anadromous species is consistent with the goal of the Oregon Plan to restore and enhance salmonid habitat in the state. Improving fish passage is also consistent with the Coquille Watershed Association's Action Plan. This would occur by improving access to 2.08 miles of Blair Creek.

8. DESCRIBE ANY KNOWN RESTORATION OR LAND USE PLANS WHICH MIGHT HAVE AN IMPACT ON THE MITIGATION (*e.g., is the watershed included within an expanded Urban Growth Boundary or does a Local Comprehensive Plan limit future development in the watershed*): The land is currently agricultural, timber and rural residential in nature, and no land use issues have been identified that will have any impact on the mitigation.

9. IF THE MITIGATION ENTAILS PROVIDING PASSAGE AT AN EXISTING ARTIFICIAL BARRIER, WHAT IS THE EXPECTED DATE OF REPLACEMENT OR MAJOR REPAIR FOR THE STRUCTURE IF IT WERE NOT USED AS MITIGATION: End of its serviceable life/unknown.

10. DOES THE MITIGATION INCLUDE ANY ACTIVITY THAT IS A REQUIREMENT OR CONDITION OF ANY OTHER AGREEMENT, LAW, PERMIT, OR AUTHORIZATION (*if "Yes", describe*): No

11. DESCRIBE HOW THE MITIGATION WILL BE FUNDED (*include a cost estimate, funding sources, and whether funds are currently secured*): Expected Cost of Mitigation No 1 = \$150,000
Funding source= Bandon Cranberry Water Control District

12. DESCRIBE HOW THE MITIGATION WILL BE EVALUATED, MONITORED, AND MAINTAINED: The mitigation project would be inspected during the spring or summer months the year following construction to ensure the mitigation still functions as originally designed. The project would be inspected annually, during the spring or summer months to ensure the project continues to function as designed.

MITIGATION (*attach additional copies of this section if multiple mitigation sites are proposed*)

1. DESCRIBE THE MITIGATION TO BE PROVIDED: A total of four (4) mitigation measures will be described. See Tables 1 and 2 at the end of the waiver application for additional information.

Mitigation No.2: Liles' Access Road Culvert- Blair Creek RM 0.23

2. DISTANCE BETWEEN MITIGATION SITE(S) AND ARTIFICIAL OBSTRUCTION: N/A. Potential mitigation sites/streams were identified due to a lack of suitable mitigation options in the vicinity of the proposed dam. Creeks with passage issues with similar habitat and species distribution were identified.

3. OWNER (if different than Applicant): Steve and Wesa Liles, Betty and Richard Liles
CONTACT: Steve Liles **TITLE:** Owner
ADDRESS: 57303 Fairview Rd
CITY: Coquille **STATE:** OR **ZIP:** 97423
PHONE: 541-260-0901 (Steve)
FAX:
E-MAIL ADDRESS:

4. DATE THE MITIGATION IS SCHEDULED TO BE COMPLETED: Mitigation would be completed during the in-water work period after funds have been secured in conjunction with dam construction.

5. LOCATION

COUNTY: Coos
ROAD CROSSING (if applicable):
RIVER/STREAM: Blair Creek
TRIBUTARY OF: North Fork Coquille River
BASIN: Coquille
COORDINATES^a: Longitude: 124.0970°W Latitude: 43.1887°N

^a Geographic projection using NAD 83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of the Mitigation site; indicate measurement units if applicable):

Locations	DOWNSTREAM			M	UPSTREAM			example
	3	C/N	2		1	1	2	
Type				C	C	C	C	D
Length				100 ft	25 ft	40 ft	60 ft	8 ft
Distance		0.27 miles		0.23		0.77 miles	0.15 miles	1,700 ft
Level				5	4	5	5	1

LOCATIONS: M = the Mitigation site

NOTE: The *example* indicates that there is a dam which is 8 feet wide in the stream, is located 1,700 feet from the Mitigation in question, and is a seasonal or partial fish passage barrier for juveniles only.

See **ARTIFICIAL OBSTRUCTION: 6A. BARRIER TABLE** for further details regarding this table.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE MITIGATION: This culvert is between the Lee Valley Road/Blair Creek Culvert and the Plum Creek/Blair Creek Culvert. It is located in the agricultural section of Blair Creek.

6B. SUMMARY TABLE (please provide the following information relative to the Mitigation, which will help determine its benefit):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Cutthroat trout, Pacific Lamprey, coho salmon and winter steelhead	Cutthroat trout, Pacific Lamprey, coho salmon and winter steelhead
NMF Species Present Historically	Same	Same
Habitat Quality	Good (small section below this culvert	Mostly good, some moderate

	has fairly poor quality due to grazing pressure and lack of a riparian zone).	(Moderate section is due to grazing pressure. However the grazed section is short in relation to the upstream reach length.)
Flows	Sufficient flows exist for spawning and rearing.	Sufficient flows exist for spawning and rearing.
Water Quality	No 303 (d) listings	No 303 (d) listings
Water Right Availability	Water rights are met based on seniority and available water.	Water rights are met based on seniority and available water.
Land Use/Zoning	Rural residential/Agricultural	Agricultural/Timber
NMF = native migratory fish		

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat): See Attachment B, Habitat Description for Blair Creek for more info.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: Species found in the North Fork Coquille River according to Streamnet.org: Spring Chinook, Fall Chinook, coho and winter steelhead. See Attachment B, Habitat Description for Blair Creek for more info.

7. DESCRIBE HOW THE MITIGATION RELATES TO ANY EXISTING FISH MANAGEMENT PLANS, INCLUDING THE OREGON PLAN:

According to ODFW, there is currently no sub-basin or basin fish management plan for Blair Creek. The closest basin with a management plan is the Coquille, of which Blair Creek is not considered or listed under. The improved spawning and rearing habitat provided by the mitigation for native anadromous species is consistent with the goal of the Oregon Plan to restore and enhance salmonid habitat in the state. Improving fish passage is also consistent with the Coquille Watershed Association's Action Plan. This would occur by improving access to 2.08 miles of Blair Creek.

8. DESCRIBE ANY KNOWN RESTORATION OR LAND USE PLANS WHICH MIGHT HAVE AN IMPACT ON THE MITIGATION (e.g., is the watershed included within an expanded Urban Growth Boundary or does a Local Comprehensive Plan limit future development in the watershed):

The land is currently agricultural, timber and rural residential in nature, and no land use issues have been identified that will have any impact on the mitigation.

9. IF THE MITIGATION ENTAILS PROVIDING PASSAGE AT AN EXISTING ARTIFICIAL BARRIER, WHAT IS THE EXPECTED DATE OF REPLACEMENT OR MAJOR REPAIR FOR THE STRUCTURE IF IT WERE NOT USED AS MITIGATION: N/A

10. DOES THE MITIGATION INCLUDE ANY ACTIVITY THAT IS A REQUIREMENT OR CONDITION OF ANY OTHER AGREEMENT, LAW, PERMIT, OR AUTHORIZATION (if "Yes", describe): No.

11. DESCRIBE HOW THE MITIGATION WILL BE FUNDED (include a cost estimate, funding sources, and whether funds are currently secured): Expected Cost of Mitigation No 2 = \$20,000
Funding source= Bandon Cranberry Water Control District

12. DESCRIBE HOW THE MITIGATION WILL BE EVALUATED, MONITORED, AND

MAINTAINED: The mitigation project would be inspected during the spring or summer months the year following construction to ensure the mitigation still functions as originally designed. The project would be inspected annually, during the spring or summer months to ensure the project continues to function as designed.

MITIGATION (attach additional copies of this section if multiple mitigation sites are proposed)

1. DESCRIBE THE MITIGATION TO BE PROVIDED: A total of four (4) mitigation measures will be described. See Tables 1 and 2 at the end of the waiver for additional information.

Mitigation No. 3: Plum Creek Access Road Culvert- Blair Creek RM 0.77

2. DISTANCE BETWEEN MITIGATION SITE(S) AND ARTIFICIAL OBSTRUCTION: N/A. Potential mitigation sites/streams were identified due to a lack of suitable mitigation options in the vicinity of the proposed dam. Creeks with passage issues with similar habitat and species distribution were identified.

3. OWNER (if different than Applicant): Plum Creek Timber Company

CONTACT: Ron Steiner **TITLE:** Owner
ADDRESS: 63459 Olive Barber Road
CITY: Coos Bay **STATE:** OR **ZIP:** 97420
PHONE: 541-269-5540
FAX: 541-269-5904
E-MAIL ADDRESS: ron.steiner@plumcreek.com

4. DATE THE MITIGATION IS SCHEDULED TO BE COMPLETED: Mitigation would be completed during the in-water work period after funds have been secured in conjunction with dam construction.

5. LOCATION

COUNTY: Coos
ROAD CROSSING (if applicable):
RIVER/STREAM: Blair Creek
TRIBUTARY OF: North Fork Coquille River
BASIN: Coquille
COORDINATES^a: Longitude: 124.1081°W Latitude: 43.1918°N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of the Mitigation site; indicate measurement units if applicable):

Locations	DOWNSTREAM				M	UPSTREAM			example
	3	C/N	2	1		1	2	E	
Type			C	C	C	C			D
Length			100 ft	25ft	40 ft	60 ft			8 ft
Distance		1.01 miles	0.24	0.77		0.15 miles			1,700 ft
Level			5	4	5	5			1

LOCATIONS: M = the Mitigation site

NOTE: The *example* indicates that there is a dam which is 8 feet wide in the stream, is located 1,700 feet from the Mitigation in question, and is a seasonal or partial fish passage barrier for juveniles only.

See **ARTIFICIAL OBSTRUCTION: 6A. BARRIER TABLE** for further details regarding this table.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE MITIGATION: This culvert is upstream from the Liles/Blair Creek Culvert and downstream of the Plum Creek/Unnamed Trib to Blair Creek. It is located in the forested/timer section of Blair Creek on Plum Creek Timber's primary access road.

6B. SUMMARY TABLE (please provide the following information relative to the Mitigation, which will help determine its benefit):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Cutthroat trout, Pacific Lamprey, coho and winter steelhead	Cutthroat trout
NMF Species Present Historically	Same	Same
Habitat Quality	Good (small sections below this culvert- on Liles' property has fairly poor quality (two short segments) due to grazing pressure and one segment on Liles' property has good habitat). On Plum Creek Timber ownership the quality is good.	Good
Flows	Sufficient flows exist for spawning and rearing.	Sufficient flows exist for spawning and rearing.
Water Quality	No 303 (d) listings	No 303 (d) listings
Water Right Availability	Water rights are met based on seniority and available water.	Water rights are met based on seniority and available water.
Land Use/Zoning	Rural residential/Agricultural/Forest	Timber/Forest
NMF = native migratory fish		

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and descriptions of the stream channel and riparian habitat): See Attachment B, Habitat Description for Blair Creek for more info.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: Species found in the North Fork Coquille River according to Streamnet.org; Spring Chinook, Fall Chinook, coho and winter steelhead. See Attachment B, Habitat Description for Blair Creek for more info.

7. DESCRIBE HOW THE MITIGATION RELATES TO ANY EXISTING FISH MANAGEMENT PLANS, INCLUDING THE OREGON PLAN:

According to ODFW, there is currently no sub-basin or basin fish management plan for Blair Creek. The closest basin with a management plan is the Coquille, of which Blair Creek is not considered or listed under. The improved spawning and rearing habitat provided by the mitigation for native anadromous species is consistent with the goal of the Oregon Plan to restore and enhance salmonid habitat in the state. Improving fish passage is also consistent with the Coquille Watershed Association's Action Plan. This would occur by improving access to 2.08 miles of Blair Creek.

8. DESCRIBE ANY KNOWN RESTORATION OR LAND USE PLANS WHICH MIGHT HAVE AN IMPACT ON THE MITIGATION (e.g., is the watershed included within an expanded Urban Growth Boundary or does a Local Comprehensive Plan limit future development in the watershed):

The land is currently timber in nature, and no land use issues have been identified that will have any impact on the mitigation.

9. IF THE MITIGATION ENTAILS PROVIDING PASSAGE AT AN EXISTING ARTIFICIAL BARRIER, WHAT IS THE EXPECTED DATE OF REPLACEMENT OR MAJOR REPAIR FOR THE STRUCTURE IF IT WERE NOT USED AS MITIGATION: N/A

10. DOES THE MITIGATION INCLUDE ANY ACTIVITY THAT IS A REQUIREMENT OR CONDITION OF ANY OTHER AGREEMENT, LAW, PERMIT, OR AUTHORIZATION (if "Yes", describe): No.

11. DESCRIBE HOW THE MITIGATION WILL BE FUNDED (include a cost estimate, funding sources, and whether funds are currently secured): Expected Cost of Mitigation No 3 = \$80,000
Funding source= Bandon Cranberry Water Control District

12. DESCRIBE HOW THE MITIGATION WILL BE EVALUATED, MONITORED, AND MAINTAINED: The mitigation project would be inspected during the spring or summer months the year following construction to ensure the mitigation still functions as originally designed. The project would be inspected annually, during the spring or summer months to ensure the project continues to function as designed.

MITIGATION (attach additional copies of this section if multiple mitigation sites are proposed)

1. DESCRIBE THE MITIGATION TO BE PROVIDED: A total of four (4) mitigation measures will be described. See Tables 1 and 2 at the end of the waiver for additional information.

Mitigation No. 4: Plum Creek Access Road Culvert- Unnamed Tributary to Blair Creek RM 0.15 (1.15 miles upstream of Mitigation Site #1)

2. DISTANCE BETWEEN MITIGATION SITE(S) AND ARTIFICIAL OBSTRUCTION: N/A. Potential mitigation sites/streams were identified due to a lack of suitable mitigation options in the vicinity of the proposed dam. Creeks with passage issues with similar habitat and species distribution were identified.

3. OWNER (if different than Applicant): Plum Creek Timber Company

CONTACT:	Ron Steiner	TITLE:	Owner		
ADDRESS:	63459 Olive Barber Road				
CITY:	Coos Bay	STATE:	OR	ZIP:	97420
PHONE:	541-269-5540				
FAX:	541-269-5904				
E-MAIL ADDRESS:	ron.steiner@plumcreek.com				

4. DATE THE MITIGATION IS SCHEDULED TO BE COMPLETED: Mitigation would be completed during the in-water work period after funds have been secured in conjunction with dam construction.

5. LOCATION

COUNTY:	Coos
ROAD CROSSING (if applicable):	
RIVER/STREAM:	Unnamed Tributary to Blair Creek

TRIBUTARY OF: Blair Creek
BASIN: Coquille
COORDINATES^a: Longitude: 124.1081°W Latitude: 43.1918°N

^a Geographic projection using NAD_83 and formatted as decimal degrees to at least 4 places.

6. STREAM DESCRIPTION

6A. BARRIER TABLE (please provide the following information for barriers, which will help determine the benefit of the Mitigation site; indicate measurement units if applicable):

Locations	DOWNSTREAM				M	UPSTREAM			example
	3	C/N	2	1		1	2	E	
Type			C	C	C				D
Length			25 ft	60ft	100 ft				8 ft
Distance		1.35 mi	0.71	0.40				0.25 miles	1,700 ft
Level			4	5	5				1

LOCATIONS: M = the Mitigation site

NOTE: The *example* indicates that there is a dam which is 8 feet wide in the stream, is located 1,700 feet from the Mitigation in question, and is a seasonal or partial fish passage barrier for juveniles only.

See **ARTIFICIAL OBSTRUCTION: 6A. BARRIER TABLE** for further details regarding this table.

PLEASE PROVIDE ADDITIONAL DESCRIPTIONS FOR THOSE BARRIERS INCLUDED IN THE BARRIER TABLE OR FOR OTHER BARRIERS AFFECTING NATIVE MIGRATORY FISH MOVEMENT TO OR FROM THE MITIGATION: This culvert is upstream from the Plum Creek Timber Access Road/Blair Creek Culvert and on an Unnamed Trib to Blair Creek. It is the last known stream crossing within the area accessible to native migratory fish. It is located in the forested/timber section of Blair Creek on Plum Creek Timber's secondary access road.

6B. SUMMARY TABLE (please provide the following information relative to the Mitigation, which will help determine its benefit):

	DOWNSTREAM	UPSTREAM
NMF Species Present Currently	Cutthroat trout, Pacific Lamprey, coho and winter steelhead	Cutthroat trout
NMF Species Present Historically	Same	Same
Habitat Quality	Good (small sections below this culvert- on Liles' property has moderate quality due to grazing pressure).	Good
Flows	Sufficient flows exist for spawning and rearing.	Sufficient flows exist for spawning and rearing.
Water Quality	No 303 (d) listings	No 303 (d) listings
Water Right Availability	Water rights are met based on seniority and available water.	Water rights are met based on seniority and available water.
Land Use/Zoning	Rural residential/Agricultural/Forest	Timber/Forest

NMF = native migratory fish

PLEASE PROVIDE ADDITIONAL DETAILS REGARDING THE INFORMATION PROVIDED IN THE SUMMARY TABLE (such as species listed under the state or federal ESA and

descriptions of the stream channel and riparian habitat): See Attachment B, Habitat Description for Blair Creek for more info.

6C. PROVIDE THE SOURCE FOR INFORMATION CONTAINED IN THE BARRIER AND SUMMARY TABLES: Species found in Blair Creek on Plum Creek Timber land obtained from presence/absence surveys completed by Plum Creek Timber. See Attachment B, Habitat Description for Blair Creek for more info.

7. DESCRIBE HOW THE MITIGATION RELATES TO ANY EXISTING FISH MANAGEMENT PLANS, INCLUDING THE OREGON PLAN:

According to ODFW, there is currently no sub-basin or basin fish management plan for Blair Creek. The closest basin with a management plan is the Coquille, of which Blair Creek is not considered or listed under. The improved spawning and rearing habitat provided by the mitigation for native anadromous species is consistent with the goal of the Oregon Plan to restore and enhance salmonid habitat in the state. Improving fish passage is also consistent with the Coquille Watershed Association's Action Plan. This would occur by improving access to 2.08 miles of Blair Creek.

8. DESCRIBE ANY KNOWN RESTORATION OR LAND USE PLANS WHICH MIGHT HAVE AN IMPACT ON THE MITIGATION (e.g., is the watershed included within an expanded Urban Growth Boundary or does a Local Comprehensive Plan limit future development in the watershed):

The land is currently timber in nature, and no land use issues have been identified that will have any impact on the mitigation.

9. IF THE MITIGATION ENTAILS PROVIDING PASSAGE AT AN EXISTING ARTIFICIAL BARRIER, WHAT IS THE EXPECTED DATE OF REPLACEMENT OR MAJOR REPAIR FOR THE STRUCTURE IF IT WERE NOT USED AS MITIGATION: N/A

10. DOES THE MITIGATION INCLUDE ANY ACTIVITY THAT IS A REQUIREMENT OR CONDITION OF ANY OTHER AGREEMENT, LAW, PERMIT, OR AUTHORIZATION (if "Yes", describe): No.

11. DESCRIBE HOW THE MITIGATION WILL BE FUNDED (include a cost estimate, funding sources, and whether funds are currently secured): Expected Cost of Mitigation No 3 = \$80,000
Funding source= Bandon Cranberry Water Control District

12. DESCRIBE HOW THE MITIGATION WILL BE EVALUATED, MONITORED, AND MAINTAINED: The mitigation project would be inspected during the spring or summer months the year following construction to ensure the mitigation still functions as originally designed. The project would be inspected annually, during the spring or summer months to ensure the project continues to function as designed.

MAP(S)

- Please attach one or more maps indicating the Artificial Obstruction, Mitigation, the streams on which they are located, and other barriers in those streams. A 7.5 minute USGS quad map is sufficient.

-- Map(s) included

PHOTOS

- Please include photographs of the following (.JPG files are preferred):

-- Artificial Obstruction

- Mitigation Site(s)
- up- and downstream habitat at the Artificial Obstruction and Mitigation Site(s)
- other barriers up- and downstream of the Artificial Obstruction and Mitigation Site(s)

Please submit this application electronically to the ODFW Fish Passage Coordinator at greg.d.apke@state.or.us and send one signed original paper copy of the application to the ODFW Fish Passage Coordinator at 3406 Cherry Avenue NE, Salem, OR 97303.

Table 1. Habitat Losses, Gains, and Mitigation Alternatives for the Proposed Johnson Creek Project, Bandon, Oregon.

Stream	Reach Loss Due to Dam (miles)	Comment for Habitat Loss	Mitigation Potential	Reach Gains with Mitigation (miles)	Barrier Type	Comment for Mitigation	Alternatives at mitigation site	Estimated Cost of Mitigation
Blair Creek	0	No habitat would be lost to inundation on Blair Creek	Fixing the passage issue at Lee Valley Road and the culverts at RM 0.23 and 0.77 and RM 0.15 of the unnamed trib to Blair on Plum Cr Property would open up an additional 2.08 miles of fish habitat.	2.08	The first culvert (RM 0.05) is a total barrier in normal years and under normal flows. The second culvert (RM 0.24) is almost a total barrier. Culvert RM 0.76 is a full barrier to fish passage. The culvert on the unnamed trib. to Blair Cr. is a total barrier.	Culvert RM 0.05 has low slope but a significant drop to the plunge pool. Culvert two (RM 0.24) is undersized and has an outlet drop to a small plunge pool. Culvert three (RM 0.76) has a large drop with no jump pool. Culvert 4 (Unnamed Trib.) has a large outlet jump with small pool.	RM 0.05. Replacement of culvert. RM 0.24. Replacement of Culvert RM 0.76. Replacement of Culvert RM 0.15 of Unnamed Trib. Replacement of Culvert.	RM 0.04= \$150,000 RM 0.23= \$ 20,000 RM 0.77= \$ 80,000 RM 0.15 of Unnamed Trib to Blair= \$30,000
Johnson Creek	1.77	The end of fish usage cannot be determined at this time due to access issues, however the 1.77 miles (1.07 miles of Johnson Creek, and 0.7 miles of unnamed tributary in inundation area) of stream loss is considered the maximum. The loss was measured on USGS Quad maps in conjunction with personal knowledge of District members (Kasper and Bouge).	No proposed mitigation on Johnson Creek or its Tributaries	0	N/A			
TOTAL	1.77			2.08				

Table 2. Summary of Losses and Gains of Stream Length and Habitat, Johnson Creek Dam Project, Bandon, Oregon.

1. Stream Reaches Lost and Stream Reaches Improved

A. Loss of Stream Reach (Project Impact)

	End of Stream (miles)	End of Fish Usage (miles)
Johnson Creek Mainstem	2.1	1.07
Johnson Creek Tributaries	0.9	0.7
Total	3	1.77

B. Improved Stream Reach (Mitigation)

	Improved Fish Passage (miles)
Blair	1.68
Unnamed Trib to Blair Creek	0.40
Total	2.08

2. Habitat Lost and Habitat Improved

A. Loss of Habitat *Due to Inundation Area of Reservoir* (Project Impact). This is the stream reach covered by the reservoir created by the dam.

	Habitat Inundated (miles)
Johnson Creek Mainstem	0.79
Johnson Creek Tributaries	0.23
Total	1.02

Johnson Creek Dam Project
Bandon Cranberry Water Control District

