

ODFW DIVISION 33 APPLICATION REVIEW SHEET

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

Application #: G 17965 Applicant's Name: Gardenscape Nursery

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: Spring Chinook Status: ☐ Sensitive ☒ Threatened ☐ Endangered
 Species: Winter Steelhead Status: ☐ Sensitive ☒ Threatened ☐ Endangered
 Species: Pacific Lamprey Status: ☒ Sensitive ☐ Threatened ☐ Endangered

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

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

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

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

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

4) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?

☐ NO ☒ YES; recommend from Menu of Conditions and skip to question 7.

WQ; RIPARIAN; Since interference with streams in the Bochsler Creek Basin has been determined, use should only occur when state and federal water quality standards and downstream instream water rights (Pudding River) are being met. Based on WRD's water availability model, the instream right is currently met during the proposed use. DEQ should be consulted on impacts to water quality.

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

If YES, please explain:

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

7) Your recommendation under OAR 690-033-0330 (2): ☒ Approval with conditions
 ☐ Approval without conditions
 ☐ Denial

ODFW Representative signature:

Date:

WRD Contact: Caseworker: Kerri Cope, Water Rights Division, 503-986-0900 / Fax 503-986-0901