

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.

2/9/2007

15

Date: 2/26/2007 Please return to WRD before March 4, 2007. Application #: S-86739

Applicant's Name: A AND R SPADA FARMS

Source: WILLAMETTE RIVER, TRIBUTARY OF COLUMBIA RIVER

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: winter steelhead
spring + fall chinook Status: Sensitive, Threatened, Endangered

If so, continue to question (2) below. If not, you may comment by completing the public interest review sheet on the back of this page.

2) What stage or value is at risk (circle 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 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. If so, skip to question 7.

Which conditions are recommended? fish div 33

(Try to select conditions from the Menu of Conditions)

5) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species?

NO / YES [690-33-330(4)]

If YES, please explain: _____

6) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what fish screening, bypass or other conditions should be included in the permit?

approved screening

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

ODFW Representative signature: Danette Ehlers Date: 4-17-07

WRD Contact: Caseworker: Kerry Kavanagh, Water Rights Division
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DIVISION 33 APPLICATION REVIEW SHEET FOR USE BY DEQ

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

2/9/2007

15

Date: ~~4/26/2007~~ Please return to WRD before ~~March 1, 2007~~. Application #: S-86739

Applicant's Name: A AND R SPADA FARMS
Source: WILLAMETTE RIVER, TRIBUTARY OF COLUMBIA RIVER

1) Is there a connection to a 303(d) listed water quality limited water body? NO **YES**

Explain: Willamette River is 303(d) listed for temperature in the summer for fish rearing (>18°C). Application indicates diversion is @ RM B, Yamhill County side.

2) What is the potential for this use to impact a water quality limited water body: HIGH MEDIUM **LOW**

Explain: Contingent upon amended transfers to instream (last used).

3) If the answer to question (2) is HIGH or MEDIUM, will the proposed use still result in diminution of water quality for the habitat of sensitive, threatened, or endangered fish species? NO / YES

If YES, how? _____

4) Can conditions be applied to mitigate the impact of the use? NO / YES

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

5) If conditions cannot be identified to offset impacts, would the proposed use affect the Habitat of Sensitive, Threatened Fish Species? NO / YES

If YES, please explain: _____

6) If a permit is issued, are there any conditions you would like to see included in the permit?

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

DEQ Representative signature: _____ Date: _____

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

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| Post-It* Fax Note | 7671 | Date | 3/13/07 | # of pages | 1 |
| To | Kerry Kavanagh | From | Abney Gramlich | Co. | |
| Co./Dept. | | Phone # | | Fax # | |