



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

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October 26, 2021

Stan Jones
7200 NE Airport W
Portland, Oregon 97218



and

Theodore Ressler
55 SW Yamhill Street, Suite 300
Portland, Oregon 97204

Re: Fish Passage Exemption Authorization # E-02-0039 Sundial Wetlands

Dear Mr. Jones and Mr. Ressler,

The application for your fish passage exemption request for the water right application R-89127 with the Oregon Water Resources Department (OWRD)) on the Sundial Wetlands, a channel constructed on Salmon Creek, a tributary to the Columbia River in Multnomah County has been approved by the Oregon Department of Fish and Wildlife (ODFW) pursuant to ORS 509.585(9)(a)(C) and OAR 635-412-0025(4)(c) and (10)(a)(A). Therefore, you do not have to provide fish passage at this channel on Salmon Creek. A benefit analysis performed by ODFW staff showed that providing fish passage at this site would not result in an appreciable benefit to native migratory fish.

Please note that this exemption is valid until the next fish passage triggering event (construction, abandonment, fundamental change in permit status) at this location. Also, if conditions change in the future from which this exemption decision was determined and to the extent that providing passage at this site results in an appreciable benefit to native migratory fish, this exemption can be revoked (ORS 509.585(9)(b)) and (OAR 635-412-0025(6)), and fish passage shall be addressed.

Please keep a copy of this correspondence as a record of the state's fish passage exemption authorization. You may contact me at 503-507-5843 or by email at katherine.e.nordholm@ODFW.Oregon.gov if you have any questions regarding this fish passage exemption authorization.

Sincerely,

Katherine Nordholm

Fish Screens and Passage Coordinator

Cc:

Ben Walczak, ODFW District Fish Biologist

Alan Ritchey, ODFW Screens and Passage Program Manager

Greg Apke, ODFW Fish Passage Program Lead

Project Files (E-02-0039)