



OREGON HOUSE OF REPRESENTATIVES

June 8, 2023

VIA ELECTRONIC EMAIL

Mr. Marc Gorelnik
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Mr. Brad Pettinger
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Mr. Merrick J. Burden
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Dear Chair Gorelnik, Vice-Chair Pettinger & Executive Director Burden,

We are writing to you to express our concern with the state of the Oregon Rogue River Spring Chinook managed by the Pacific Fisheries Management Council. It has come to our attention that there is a history of habitat degradation associated with the construction of USACE's Lost Creek Dam with problems that have persisted for over 50 years. In addition, the hatchery infrastructure has continued to fail, causing the loss of millions of fish and potentially, billions of dollars to our economy.

Some of the noteworthy examples are as follows:

1) Currently, only mitigation for upstream impacts have been implemented. Downstream impacts such as more than 60% of spawning gravel that have been scoured from traditional, high production primary spawning habitat have been largely ignored. This equates to 161,000 cu. yds of spawning gravel from the main river channel alone.

2) In the late 1980s, USACE defunded and halted the Elk Creek dam project after Petitioners took legal action. USACE notched the dam and walked away. This large construction project is still largely as they left it with massive culverts for dam construction in place. Some culverts in tributaries are over 100 yards long. These were not put in place for fish passage and instead, restrict passage. For almost 10 years, the Elk Creek basin was nearly totally blocked for fish such as chinook, steelhead, coho, lamprey and coastal cutthroat trout. Riparian areas were largely left unfinished and local volunteers have been slowly attempting to make repairs as time, money, and volunteer hours allow.

Elk Creek is a major opportunity to restore a large piece of critical habitat in addition to re-establishing fish passage. The U.S Army Corps of Engineers owns this property and appears to be primarily responsible for its restoration.

3) Big Butte Creek is another opportunity to expand habitat for native fish. This stream is nearest the hatchery and according to ODFW, is a prime candidate to invest in in-stream substrate work to restore spawning habitat. ODFW has been pursuing plans for this.

4) Wintertime water releases from the dam are up to as high as 8 degrees warmer than pre-dam temperatures which are detrimental to Spring Chinook egg survival. USACE has been named a "water polluter" by DEQ in a study required by the Environmental Protection Agency.

5) When the EIS was completed in 1972 there were no GPS capabilities. It was estimated that 11 miles of critical habitat had been lost. Current figures show that 14.5 miles have been lost which is a 30% difference. Mitigation requirements have been underestimated from the beginning.

6) Hatchery operations have been affected by the temporary underground power line that was put in place by the USACE. It has had repeated failures over the years until it was finally deemed unrepairable. The hatchery has been operating with generators since then. There is hope that they may have electricity again sometime in 2023. The lack of reliable power combined with frequent outages has created multiple production losses along with water quality issues. Credit belongs to the advocacy groups for creating awareness and helping to secure funding for this repair with help from Coos and Curry Counties, as well as Sen. Jeff Merkley. Special thank you also belongs to the staff and hatchery managers for their diligence and patience.

ODFW informs us that they were never given the staffing, nor the funding to be successful in managing these critical resources. There have been many government agencies as well as public and private citizens involved. The players continue to change, but the problems persist.

Over the last 2 years USACE has become aware of unacceptable condition of Rogue River fisheries issues related to The Lost Creek Lake Project. We believe we have turned a positive corner with Project Managers through our contacts at ODFW and Erik Petersen Region Manager for the Rogue Basin for USACE. Erik has been Rogue Region Supervisor for less than 2 years. We are hopeful for a new and brighter outlook for the Rogue River Fisheries going forward but everyone needs to put their shoulder to the wheel as 50 years of neglect is no easy task to repair.

It appears that the one thing that everyone can agree upon, is that for almost 50 years, these Spring Chinook have been on a downward trajectory towards extinction. If this trend continues, in another 50 years, they may likely cease to exist.

We respectfully request that the Pacific Fisheries Management Council consider what actions may be taken to restore these valuable resources.

Sincerely,



Boomer Wright
Member
Oregon House of Representatives



Court Boice
Member
Oregon House of Representatives

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