

## ANALYSIS

### Department of Fish and Wildlife Fish Passage Program

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**Analyst:** John Terpening

**Request:** Approve the submission of a federal grant application to the U.S. Fish and Wildlife Service in the amount of \$1,200,000 for fish passage.

**Analysis:** The Department of Fish and Wildlife requests approval to apply for a federal grant from the U.S. Fish and Wildlife Services to support fish passage and screening projects. This grant funding is available through the Infrastructure Investment and Jobs Act. If awarded, the Department will use these funds to improve fish passage for the Wallowa Lake Dam that is being rehabilitated and was built without fish passage or screening structures.

The grant application deadline is February 28. This grant does not require a state match, but the Department can utilize the \$14,000,000 in funding approved by the Legislature through SB 5534 (2021) for the dam's rehabilitation as in-kind match to improve competitiveness.

The rehabilitation work on the Wallowa Dam is expected to start in the fall of 2023. If this grant were to be awarded, the Department will have until December 2024 to expend the funds, with a possible one-year extension.

**Recommendation:** The Legislative Fiscal Office recommends approval of the request.



# Oregon

Kate Brown, Governor

Department of Fish and Wildlife

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**February 14, 2022**

The Honorable Senator Elizabeth Steiner Hayward, Co-Chair

The Honorable Representative Tawna Sanchez, Co-Chair

Joint Committee on Ways and Means

900 Court Street NE

H-178 State Capitol

Salem, OR 97301



Dear Co-Chairpersons:

## **Nature of the Request**

The Oregon Department of Fish and Wildlife (ODFW) requests approval to submit a federal grant application to the U.S. Fish and Wildlife Service (USFWS) National Fish Passage Program in the amount of \$1,200,000 for passage and screening projects in the Wallowa River below Wallowa Lake Dam. The due date to submit grant applications to the USFWS is February 28, 2022.

If funded the fish passage and screening work in the lower river will complement rehabilitation of the Wallowa Lake Dam. Completing these passage projects will contribute to the recovery of native migratory fish species and facilitate the reintroduction of sockeye salmon, a currently extinct native species.

## **Background**

The Wallowa River is a large tributary of the Grande Ronde River in Oregon's Snake River Basin. Wallowa River is currently home to spring/summer Chinook salmon, summer steelhead, and bull trout listed under the federal Endangered Species Act (ESA). The Wallowa River was once home to coho and sockeye salmon, both of which were extirpated in the early 1900s. Coho salmon were recently reintroduced through a collaborative effort with the Nez Perce Tribe and ODFW.

Near the headwaters of the Wallowa River, at the foot of the Wallowa Mountains, is Wallowa Lake. A natural glacial lake, it is the centerpiece of Wallowa County's agricultural, natural resources, and tourism economy. Wallowa Lake Dam was constructed in 1916, and rebuilt in 1929, to store water for irrigation purposes. The dam also provides water for the City of Joseph for municipal purposes and serves as crucial infrastructure for flood protection for all downstream communities.

Wallowa Lake Dam is currently listed as high hazard, meaning it would likely result in loss of life if it were to fail. Structural issues identified by the Army Corps of Engineers, and concurred by Oregon Water Resources Department, led to restrictions in storage levels. Currently, Wallowa Lake Dam is limited to storing approximately 70% of the water rights held by the Wallowa Lake

Irrigation District. Wallowa Lake Dam was constructed without fish passage or screening and is a complete barrier to fish moving between Wallowa Lake and the Wallowa River.

With support from Governor Brown and the Oregon Legislature, efforts are currently underway to rehabilitate Wallowa Lake Dam. The goals of the rehabilitation project include bringing the dam structure to current safety standards, reclaiming storage under existing water rights, and constructing fish passage and screening facilities on the dam. The rehabilitation project will be partially funded with \$14,000,000 in state funds approved during the 2021-23 legislative session under Senate Bill 5534. However, state funds are not enough to complete the project. Total cost is estimated to be \$16,000,000, and projected costs are rising. The Wallowa Lake Irrigation District, Nez Perce Tribe and partners are working to close the funding gap, potentially with congressionally directed spending. This USFWS National Fish Passage Program Funding could be used partially or in whole to assist in funding the Wallowa Dam rehabilitation project if needed. Construction is planned to start fall of 2023.

While the Wallowa Lake Dam rehabilitation will provide fish passage at the dam, several fish passage barriers remain downstream of Wallowa Lake. If barriers downstream of Wallowa Lake Dam are not addressed, migrating fish will not be able to fully access newly constructed passage facilities at the dam. Barriers include both unscreened irrigation diversions that prevent downstream passage, and water diversion structures that limit upstream passage.

The mission of the Oregon Department of Fish and Wildlife (ODFW) is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. This project will benefit long term conservation and recovery of Oregon's native fish by providing cultural, ecological, and economic benefits. These enhancements help ensure the ability of Oregonians to use and enjoy these resources. More specifically, screening irrigation diversions will prevent entrainment of native fishes, including ESA-listed species, within irrigation systems.

Improving habitat connectivity allows expression of multiple life history for native fish, including ESA-listed bull trout, enhancing population resiliency. Establishing passage throughout the Wallowa River will reconnect previously fragmented populations, improving genetic diversity and providing access to additional habitat for spawning and rearing. Improved connectivity will assist fish population with resiliency to climate change related stressors.

Providing fish passage throughout the Wallowa River corridor, including Wallowa Lake Dam, supports the long-standing goal to reintroduce Sockeye salmon to the Wallowa basin and re-establish important ecological processes, cultural connections, recreational fisheries, and economical opportunities. In addition, these projects will provide additional passage and screening benefits to ESA-listed species including Snake River steelhead, bull trout, and spring Chinook salmon. While a costly endeavor, ODFW anticipates annually pursuing funds through

other federal programs to derive sufficient funding to address lower Wallowa River structures over the next several years.

The deadline to provide full grant applications under the USFWS National Fish Passage Program is February 28, 2022. The federal agency has not yet published information on when notification of final awards are anticipated. This will depend on National Headquarters review of Federal Spend plans. Receipt of these funds are not expected to impact budgeted services and performance measures and will not require any additional personnel.

**Agency Action**

ODFW intends to submit a federal grant application for \$1,200,000 from the U.S. Fish and Wildlife Service (USFWS). If this grant application is approved and ODFW is awarded grant funds, ODFW anticipates bringing a future request for \$1,200,000 Federal Funds expenditure limitation for the agency's 2023-25 biennium budget, based on the number of downstream projects identified and their construction schedule.

**Action Requested**

ODFW requests approval to apply for a U.S. Fish and Wildlife Service (USFWS) National Fish Passage Program grant in the amount of \$1,200,000 for passage and screening projects in the Wallowa River.

**Legislation Affected**

No legislation is affected with this request.

Sincerely,



Curtis Melcher  
Director