



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Umpqua Watershed District Office

4192 North Umpqua Hwy

Roseburg, OR 97470

(541) 440-3353

FAX (541) 673-0372

www.dfw.state.or.us/



April 30, 2026

Stan Petrowski
South Umpqua Community Partnership
34620 Tiller Trail Hwy
Tiller, OR 97484

Jeffery and Denise Cobos
767 Upper Cow Creek Rd.
Azalea, OR 97410

RE: ODFW Fish passage approval for Highland Ditch Dam Removal on Cow Creek, PA-16-0128

Mr. Petrowski and Mr. and Mrs. Cobos,

The Oregon Department of Fish and Wildlife's (ODFW) staff have reviewed the application and design plans for the Highland Ditch Dam Removal project on Cow Creek, a tributary to the South Umpqua River in Douglas County. Cow Creek provides native migratory fish habitat for Winter Steelhead, Coho, and Fall Chinook. This letter constitutes ODFW Fish Passage Approval, as required in Oregon Revised Statute (ORS) 509.585.

The proposed project will remove the log sill dam and all associated concrete within the creek and adjoining lands within the floodplain of Cow Creek located at 42.794728°N, - 123.240789°W. This action has triggered the state's fish passage rules and regulations. ODFW has reviewed the project design plans you submitted, and we have determined the design plans are consistent with the state's fish passage design criteria, as defined in OAR 635-412-0035(1), (8) and (10) and therefore approve the project as required by Oregon fish passage law (ORS 509.585).

This ODFW fish passage authorization (PA-16-0128) is contingent on specific operational provisions which include:

1. All in-water work, defined as work at or below the ordinary high water mark elevation of the project areas, shall be completed during the appropriate ODFW in-water work period or as otherwise defined by ODFW.

2. The Umpqua Watershed District Fish Biologist shall be contacted 2 weeks prior to the implementation of each project.
3. Fish salvage and rescue shall be performed prior to the commencement of any in-water work, including work area isolation and temporary water management.
4. Temporary water management and work area isolation measures shall be implemented during these projects. Unless otherwise arranged with ODFW, downstream passage of native migratory fish shall be provided during construction.
5. Pursuant to OAR 635-412-0035 (10)(e), prior to in-stream construction activities, all fish must be safely collected, removed from the construction site or dewatered reach, and placed in the flowing stream by an authorized person in possession of a separate valid permit issued by ODFW. An Oregon Scientific Take Permit (OR-STP) from ODFW is required to conduct fish salvage in Oregon and other additional authorization may be needed from NMFS or USFWS if work is in ESA waters. OR-STPs can take up to 4-6 weeks for processing and can be applied for at: <https://apps.nmfs.noaa.gov/index.cfm> or if you have questions about OR-STP permitting, please contact fish.research@ODFW.Oregon.gov.
6. The owner of the removed structure shall be responsible for all maintenance required such that the projects provide adequate passage for native migratory fish. Adequate fish passage is defined as volitional fish passage of native migratory fish species between the fish passage design flows (5% to 95% exceedance flows) for the project.
7. Failure to maintain fish passage at these locations and for the duration of these approvals shall constitute a violation of this approval and applicable fish passage laws (ORS 509.585 and 509.610).
8. Monitoring and reporting on the effectiveness of fish passage is required at these projects. Monitoring shall coincide with the time of the year when native migratory fish are migrating through the project area. Monitoring and reporting shall be based on visual observations, established photo points, flow velocity characteristics, or other means, particularly regarding fish passage conditions and fish passage performance through the project.
9. Monitoring reports shall be submitted to the ODFW Fish Passage Program staff and the ODFW District Fish Biologist for baseline monitoring in the year of completion (year 0) and for a period of five years post-construction on years 1, 3, and 5.
10. If monitoring indicates that volitional fish passage is questionable or not provided, the owner, in consultation with the ODFW, shall determine the cause and, during a work period approved by the ODFW, shall modify the structure to rectify fish passage problems as necessary. Failure to monitor fish passage for the duration of the ODFW fish passage approval shall constitute a violation of this approval and applicable fish passage laws (ORS 509.585 and 509.610).
11. The ODFW shall be allowed to inspect the project at reasonable times for the duration of this approval. Unless prompted by emergency circumstances, inspection shall be limited to regular and usual business hours, including weekends.
12. It is the responsibility of the applicant to comply with all necessary and required local, county, state, and federal approvals and permits.
13. These approvals in no way purport or authorize take of a federally or state-listed species.

Please retain this fish passage authorization for your records, as this documents ODFW's approval of fish passage for the Highland Ditch Dam Removal project. This approval is solely for the purpose of fulfilling Oregon fish passage statutory requirements and responsibilities administered by the Oregon Fish and Wildlife Commission or ODFW and does not satisfy any

other ODFW, federal, state, or local laws, rules, or regulations, including but not limited to State or Federal Endangered Species Acts, any applicable water rights, approvals or other certificates administered by regulatory authorities.

Please continue to coordinate with Evan Leonetti, ODFW's Umpqua Watershed District Fish Biologist, as the project advances towards implementation. You may similarly contact Mac Barr, the Statewide Fish Passage Program Leader at 503-947-6228 or by email at mac.barr@odfw.oregon.gov if you have any questions regarding the content or the provisions of this passage approval. Thank you for your cooperation and patience as we worked through the fish passage plan and application for this project.

Sincerely,

A handwritten signature in black ink that reads "Evan Leonetti". The script is cursive and fluid, with the first name "Evan" and last name "Leonetti" clearly distinguishable.

Evan Leonetti
Oregon Department of Fish and Wildlife-
Umpqua District Fish Biologist
541-464-2175
Evan.Leonetti@odfw.oregon.gov

CC: Greg Apke, ODFW Fish Screens and Passage Program Manager
Mac Barr, ODFW Statewide Fish Passage Program Leader
Katherine Nordholm, ODFW Fish Passage Assistant Program Coordinator
Project files (#PA-16-0128)