Oregon

Kate Brown, Governor

**Department of Fish and Wildlife**

Fish Division 4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

# 2021 - SCIENTIFIC TAKING PERMIT - FISH

Permit Applicant: **Michele DeHart**

Organization: **Fish Passage Center**

Permit Number: **25472**

Project Title: **Smolt Monitoring Program and Comparative Survival Study**

Dates Valid: **01/28/2021 – 12/31/2021**

[www.dfw.state.or.us/](http://www.dfw.state.or.us/)



Federal Authorization: **NMFS Determination of Take under the CRS Biological Opinion (05-21-FPC-47) APPS 25472, signed 1/21/21**

Principal Investigator: **Michele DeHart** Co-Investigator(s): **Rick Martinson, Charles F. Morrill**

PI Signature: CI Signature(s):

CONDITIONS AND AUTHORIZATION OF THIS PERMIT:

1. The Permit Holder, Principal Investigator, Co-Investigator, and all people working under their supervision shall at all times observe and comply with all federal and state laws, including the Endangered Species Act of 1973, as amended, and lawful regulations issued thereunder, which relate to threatened or endangered plant or animal species while performing activities described in the permit application. ODFW’s approval of this permit does not certify that Permittee’s activities described in its application are lawful under the federal ESA. Permittee’s compliance with permit conditions is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act. General conditions of Oregon Revised Statutes and Oregon Administrative Rules apply to this permit that cannot be used in lieu of any permit required by federal law or regulation. Permission to sample in areas where federally protected fish may occur is contingent upon the permittee obtaining necessary authorization from the appropriate federal agency and acting in accordance with the conditions established by the federal government. If a condition on this permit conflicts with a condition on a federal permit or authorization, then the permittee must comply with the more restrictive condition.
2. This permit is not transferable and must be carried while collecting. The Principal Investigator and all Co- Investigators must sign their own copy of the permit.
3. Persons not named on the permit may assist in collecting only while accompanied by the Principal Investigator or Co-investigator(s) listed above.
4. Access to private property is contingent on landowner permission. This permit does not authorize trespassing.
5. This permit is not valid in any refuge, park, city, wildlife area, or area closed to collection without written approval of manager or administrator. When collecting from state parks, please contact Oregon Parks and Recreation Department to inquire about the need for a scientific research collection permit from them - <https://oprdpermits.org/>
6. Sampling must be coordinated with local District Biologists (contact list attached in permit) of the

Oregon Department of Fish and Wildlife must be notified prior to sampling. Oregon State Police must also be notified prior to sampling preferably by contacting local offices <http://www.oregon.gov/osp/Pages/contact_us.aspx>or else the Northern (503-375-3555) or Southern (541-776-6111) non-emergency dispatch after hours.

1. An annual activity/collection report associated with this permit must be submitted to ODFW by December 31, 2021 via **https://apps.nmfs.noaa.gov/.** Renewal of this permit will not be issued until ODFW reviews and approves the annual activity/collection report. All fish, crayfish, and mussel take must be recorded in

the annual report. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, control, capture, or collect, or to attempt to engage in any such conduct.

1. May only conduct research and monitoring activities as described in Project Description, Supplemental Information, and Location/Take Information sections of the attached APPS permit. Actual distribution of take among sites is authorized as described in the APPS permit application. All numbers of fish authorized in this permit and the attached APPS permit take table are annual totals.
2. Unless an exception has been granted for your project, indirect mortality may not exceed 3% (electrofishing) or 1% (other methods). Mortality rates are calculated as a percentage of total catch, not to exceed the number as described in the take tables in the permit application. In the event that mortality for any species exceeds this rate, the permittee should contact ODFW ESA staff, (503-947-6254 or 541-464-2185) prior to any further activity.
3. If electrofishing, protocols must follow the guidelines established by the National Marine Fisheries Service (NMFS) in June 2000, including no shocking if water temperatures exceed 64.4°F. <http://www.westcoast.fisheries.noaa.gov/publications/reference_documents/esa_refs/section4d/electro2000.pdf>
4. If the water temperature exceeds 70°F at the capture site, all capturing and handling must stop in stream habitats that contain any salmon, steelhead, trout, or lamprey species.
5. Follow FDA approved protocols and use only FDA approved substances for anesthetizing fish.
	1. **MS-222** may not be used where fish may be subject to sport harvest fisheries within 21 days;
	2. **Clove oil** may not be used at all;
	3. **AQUI-S®** may be used as an alternative to MS-222. To use AQUI-S® 20E as an immediate release sedative in freshwater fish for field-based activities, permit holder must sign up to participate in USFWS-AADAP INAD

11-741 and must comply with the requirements as set forth in the INAD Study Protocol for AQUI-S® 20E

<https://www.fws.gov/fisheries/aadap/inads/AQUI-S20E-INAD-11-741.html>

* 1. **Carbon dioxide** can be used as a fish anesthetic as per FDA rules and requires no withdrawal time;
	2. **Electro-anesthesia** can be used as a fish anesthetic as an alternative to chemicals, and requires no withdrawal time.
1. If sampling in multiple sub-basins (4th field HUCs), we recommend that after each sampling event concludes all gear is cleaned and/or allowed to completely dry to prevent the spread of invasive species.
2. If you approach your permitted take or percent indirect mortality at a location and still have sampling to conduct, or would like to revise your sampling methods or procedures; please contact the ODFW ESA staff as soon as possible to request a permit modification so that you can continue your project.

ISSUED BY: ISSUED DATE: January 28, 2021

Endangered Species Act Specialists Holly Huchko Michele Weaver (541)464-2185 (503)947-6254

**Distribution: Art Martin, Rod French, Jason Seals, Taylor McCroskey -ODFW**

**OREGON FISH BIOLOGISTS CONTACT DETAILS updated 01.07.21**

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| --- | --- | --- | --- | --- |
| **ODFW****District Biologist** | **Phone** | **E-mail** | **Watershed District** | **Office** |
| **Ben Walczak** | (971) 673-6013 | Ben.Walczak@state.or.us | North Willamette- Cascade Unit | Clackamas |
| **Michael Hayworth\*** | (971) 673-6011 | Michael.D.Hayworth@state.or.us | North Willamette-Cascade Unit | Clackamas |
| **Peter Stevens** | (971) 673-6044 | Peter.M.Stevens@state.or.us | North Willamette- Coast Range | Clackamas |
| **Vacant \*** | (971) 673-2040 | Vacant | North Willamette- Coast Range | Clackamas |
| **Vacant** | (541) 962-1829 ext.229 | Vacant | Grande Ronde | LaGrande |
| **John Spangler** | (541) 265-8306 ext.224 | John.J.Spangler@state.or.us | Mid Coast | Newport |
| **Paul Olmsted\*** | (541) 265-8306 ext.236 | Paul.M.Olmsted@state.or.us | Mid Coast | Newport |
| **Steve Mazur** | (541)-247-7605 | Steve.J.Mazur@state.or.us | Rogue | Gold Beach |
| **Laura Green\*** | (541) 247-7605 | Laura.J.Green@state.or.us | Rogue | Gold Beach |
| **Taylor McCroskey** | (541) 276-2344 | Taylor.McCroskey@state.or.us | Umatilla | Pendleton |
| **Rod French** | (541) 296-4628 | Rod.A.French@state.or.us | Mid-Columbia | The Dalles |
| **Jason Seals\*** | (541)296-4628 | T.Jason.Seals@state.or.us | Mid-Columbia | The Dalles |
| **Mike Gray** | (541) 888-5515 ext.230 | Michael.E.Gray@state.or.us | Coos-Coquille | Charleston |
| **Gary****Vonderohe\*** | (541)-888-5515 ext.227 | Gary.R.Vonderohe@state.or.us | Coos-Coquille | Charleston |
| **Brett Hodgson** | (541) 388-6363 ext.227 | Brett.L.Hodgson@state.or.us | Deschutes | Bend |
| **Erik Moberly\*** | (541) 388-6363 ext.233 | Erik.R.Moberly@state.or.us | Deschutes- Upper | Bend |
| **Tim Porter\*** | (541) 447-5111 ext.24 | Timothy.K.Porter@state.or.us | Deschutes- Crooked | Prineville |
| **Greg Huchko** | (541) 464-2177 | Greg.F.Huchko@state.or.us | Umpqua | Roseburg |
| **Frank Drake\*** | (541) 464-2157 | Francis.W.Drake@state.or.us | Umpqua | Roseburg |
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| **Elise Kelley** | (541) 757-5249 | Elise.X.Kelley@state.or.us | South Willamette | Corvallis |

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| **ODFW****District Biologist** | **Phone** | **E-mail** | **Watershed District** | **Office** |
| **Alex Farrand\*** | (541) 757-5239 | Alex.Farrand@state.or.us | SouthWillamette | Corvallis |
| **Stephan Charette** | (541) 575-1167 | Stephan.R.Charette@state.or.us | John Day | John Day |
| **Brent Smith\*** | (541) 575-1167 | Brentton.A.Smith@state.or.us | John Day | John Day |
| **Dave Banks** | (541) 573-6582 | David.T.Banks@state.or.us | Malheur | Hines |
| **Kirk Handley** | (541) 573-6582 | Kirk.A.Handley@state.or.us | Malheur | Hines |
| **Jeff Yanke** | (541) 426-3279 ext.233 | Jeff.Yanke@state.or.us | Grande Ronde | Enterprise |
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| **Ben Ramirez** | (541) 883-5732 | Benji.S.Ramirez@state.or.us | Klamath | Klamath Falls |
| **Bill Tinniswood\*** | (541) 883-5732 | William.R.Tinniswood@state.or.us | Klamath | Klamath Falls |
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| **Scott Groth** | (541) 888-5515 | Scott.D.Groth@state.or.us | Marine Invertebrates | Charleston |
| **Christian Heath** | (541) 867-0300 ext.266 | Christian.T.Heath@state.or.us | Marine Fish | Newport |
| **Cristen Don** | (541) 867-7701 ext.228 | Cristen.N.Don@state.or.us | Marine Reserves | Newport |
| **Art Martin** | (971) 673-6061 | Art.C.Martin@state.or.us | Columbia River | Clackamas |
| **Kelly Reis** | (541) 726-3515 ext.29 | Kelly.E.Reis@state.or.us | Willamette BiOp | Springfield[i](#_bookmark0) |

### \* = Assistant District Biologist