

ANALYSIS

Department of Fish and Wildlife Rogue Fish District

Analyst: Wendy Gibson

Request: Approve, retroactively, the submission of a federal grant application to the U.S. Bureau of Reclamation in the amount of \$500,000 for the Rogue Spawning Gravel Restoration Project.

Analysis: The U.S. Bureau of Reclamation (BOR)'s Aquatic Ecosystem Restoration Projects grant program provides funding to study, design, and construct aquatic ecosystem restoration projects to improve the health of wildlife, fisheries, and aquatic habitats through improved fish passage. The grant program offers competitive grants of up to \$20 million for qualifying projects.

The Oregon Department of Fish and Wildlife (ODFW) requests retroactive authorization to apply for a \$500,000 gravel restoration project on the Rogue River. The project targets several sites on the stretch of river and tributary streams between William Jess Dam and Applegate Dam. However, the primary restoration area is located just below William Jess Dam, which is some of the last remaining spawning habitat for wild spring Chinook salmon in the Rogue River. Historically, the Army Corps of Engineers didn't allow for the transport of gravel downstream between the two federal dams. Over time, the area has lost spawning gravel impacting habitat for salmon, steelhead, and Pacific lamprey.

The Department completed the planning process for a gravel restoration and maintenance project on the Rogue River in January and utilized budget documents from a similar project on the Sacramento River to complete the budget estimates in time for the grant's January 24, 2024, application deadline. ODFW provided a 10-day notification of the Department's intent to apply for the BOR grant on January 19, 2024. According to ODFW, the last-minute completion of the project plan did not allow the Department to meet the complete 10-day notice requirement.

The grant requires a 35% cost share, which ODFW intends to meet through Private Forest Accord Mitigation Funds and contributions from partners, including the Oregon Watershed Enhancement Board. If awarded, ODFW will return to the Legislature to seek additional Federal Funds expenditure limitation for the funding, which would become available in August 2024. The grant has a three-year period of performance for engineering design projects and a five-year period of performance for construction projects.

Recommendation: The Legislative Fiscal Office recommends that the Joint Committee on Ways and Means approve the request.

Department of Fish and Wildlife Filimoehala

Request: Retroactive authorization to apply for a grant of \$500,000 from the Bureau of Reclamation WaterSmart FY 24 Aquatic Ecosystem Restoration grant program for a Rogue Spawning Gravel Restoration project.

Recommendation: Approve the request.

Discussion: The Department of Fish and Wildlife (ODFW) is requesting retroactive authorization to apply for a \$500,000 grant from the Bureau of Reclamation for a spawning gravel restoration project in the Rogue Basin. The WaterSmart FY 24 Aquatic Ecosystems Restoration grant program provides grants to states, tribes, and local entities to increase their water supply. The Aquatic Ecosystems Restoration grant within WaterSmart looks to fund the study, design, and construct aquatic ecosystem restoration projects, which result in the improvement of the health of fisheries, wildlife, and aquatic habitat.

ODFW submitted notice of intent to apply for the grant on January 19, 2024, and applied for the grant on January 24, 2024. Following guidance from BOR partners the decision was made to submit the project under the Aquatic Ecosystems Restorations program rather than a different grant program ODFW was considering. The change in which grant program applied for limited the timeline and availability for ODFW to submit the notice of intent within the regular 10-day period.

ODFW plans to utilize grant funds to restore spawning gravel in the upper Rogue Basin. The project will support salmon, steelhead, and lamprey habitats, which have degraded due to the presence of Dam infrastructure. ODFW anticipates notice of funding awards in January 2025, and will have five years to complete the work. The grant requires a 35 percent match of \$175,000, which will be provided through a combination of partner funding and Private Forest Accord Mitigation funding within the ODFW budget. If awarded, the Department will return to the appropriate committee to request Federal Funds expenditure limitation.



Oregon

Tina Kotek, Governor

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January 19, 2024

Senator Elizabeth Steiner, Co-Chair
Representative Tawna Sanchez, Co-Chair
Interim Joint Committee on Ways and Means
900 Court Street NE
H-178 State Capitol
Salem, OR 97301



Dear Co-Chairs:

Nature of the Request

Oregon Department of Fish and Wildlife (ODFW) requests retroactive approval to submit a federal grant application for \$500,000 to Bureau of Reclamation (BOR) WaterSmart FY 24 Aquatic Ecosystem Restoration grant program, which is part of the Bipartisan Infrastructure Law-Infrastructure Investment and Jobs Act.

Background

BOR's Aquatic Ecosystems Restoration (AERP) grant program provides federal funding for the construction of aquatic ecosystem restoration projects that are collaboratively developed, have widespread regional benefits, and are for the purpose of improving of the health of fisheries, wildlife, and aquatic habitat through restoration and improved fish passage. Projects that affect water resources management in two or more river basins, provide regional benefits not limited to fisheries restoration, and that are a component of a larger strategy to replace aging facilities are prioritized under this program.

Rogue Spawning Gravel Restoration Project

ODFW is requesting \$500,000 federal funds for this project which will be implemented by ODFW. The required \$175,000 match funding would be met through ODFW funding from the Private Forest Accord Mitigation Fund, and partner funding from OR Watershed Enhancement Board, and other sources to be determined.

The Rogue Fish District has been working with a gravel planning team to address restoring spawning gravel in the upper Rogue Basin. The Rogue River is one of six ODFW IJA Focal Areas. The gravel restoration project will enhance salmon, steelhead, and Pacific lamprey spawning habitat that have been lost over time due to the presence of Federal dams, which do not allow gravel to be transported downstream of them. This is a large-scale gravel restoration project, in an area that have been blocked by two Army Corps of Engineers dams. The planning team has only been meeting for the last three months and it was initially unclear whether a budget could be formulated within the timeline of this grant

deadline. The funding request and budget that can be used for this project was provided by Dr. Jim Peterson from the USGS Cooperative Research Unit based on previous projects he has been involved in on the Sacramento River.

Agency Action

ODFW would submit its grant applications to BOR by January 24, 2024, to meet the federal due date. ODFW anticipates notification of funding awards by January 4, 2025. Construction projects will have 5 years to complete the implementation of project deliverables and design projects will have three years to complete the study prior to December 31, 2027. If funding is awarded, ODFW anticipates making a future request of additional federal funds expenditure limitation; however, no additional FTE are needed.

Action Requested

ODFW requests retroactive approval to submit a federal grant application for \$500,000 to Bureau of Reclamation (BOR) WaterSmart FY 24 Aquatic Ecosystem Restoration grant program.

Legislation Affected

No legislation is affected with this request.

Sincerely,

A handwritten signature in blue ink that reads "Curtis E. Melcher".

Curtis Melcher
Director