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Attorneys for Intervenor-Plaintiff/Counter-Defendant State of Oregon

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

NATIONAL WILDLIFE FEDERATION,
et al.

Plaintiffs,

and

STATE OF OREGON, et al.,

Intervenor-Plaintiffs,

v.

**NATIONAL MARINE FISHERIES
SERVICE,** et al.,

Defendants,

and

PUBLIC POWER COUNCIL, et al.,

Intervenor-Defendants.

Case No. 3:01-cv-00640-SI

NOTICE REGARDING PLANNED JOHN
DAY PHYSICAL MODEL DEMOLITION

Plaintiffs, Plaintiff-Intervenor the State of Oregon, Amicus State of Washington, Amicus Nez Perce Tribe, and Amicus Confederated Tribes and Bands of the Yakama Nation, (collectively, Plaintiff-aligned parties), file this Notice to bring the Court's attention to the planned February 2026 demolition of the John Day physical model at the U.S. Army Corps of Engineers' Vicksburg, Mississippi facility due to a stated need for "pump and sump capacity." Attachment 1 at 3, (Email from Jacob Macdonald (Corps) dated December 22, 2025). According to correspondence from the Corps to the regional fish managers, the Corps does not "have a good tool outside of the physical model" to evaluate particular conditions that might result from Plaintiffs' pending request for preliminary injunctive relief. Regional fish managers were initially invited to the Vicksburg facility "to witness [the PI request's] conditions in the physical model together before the model is gone." *Id.* On January 8, 2026, however, the Corps notified the regional fish managers that the trip to the model was "limited to critical Corps staff and boat operators" due to "the navigation focus and the Corps' current limited funding, and resources being diverted to support litigation-related tasks...." *Id.* at p.2, (January 8, 2026 email from Jacob Macdonald).

Plaintiff-aligned parties are not seeking any action from the Court at this time; this Notice is being provided solely to inform the Court of the Corps' plan to demolish the model, as such physical modeling has previously been of interest to the Court. *See* ECF 2194 (2017 Opinion and Order re: Injunctive Relief).

DATED January 9, 2026.

Respectfully submitted,

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DATED January 9, 2026.

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DATED January 9, 2026

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Archived: Friday, January 9, 2026 10:25:04 AM
 From: [VANDYKE Erick S * ODFW](#)
 Sent: Thursday, January 8, 2026 3:49:11 PM
 To: [Deanna Chang](#)
 Subject: FW: SRWG: January visit to the JDA general model
 Importance: Normal
 Sensitivity: None

CAUTION EXTERNAL EMAIL This email originated from outside of DOJ. Treat attachments and links with caution. ***CAUTION EXTERNAL EMAIL***

ACP Confidential

See below

Erick
 (503) 428-0773

From: Macdonald, Jacob B CIV USARMY CENWP (USA) <Jacob.Macdonald@usace.army.mil>

Sent: Thursday, January 8, 2026 6:55 AM

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Subject: RE: SRWG: January visit to the JDA general model

Dear SRWG,

After additional scoping and funding discussions internally, the purpose of the ERDC John Day general model trip will be to offer tow boaters the opportunity assess conditions under a few select spill level and pool elevation combinations so they are prepared to safely navigate John Day Dam under a variety of scenarios. We are still working on particulars, but this trip will likely occur the week of Jan. 19 or the week after. Given the navigation focus and the Corps' current limited funding, and resources being diverted to support litigation-related tasks, this trip is limited to critical Corps staff and boat operators. Following the trip, we will be happy to share results (trip reports, other materials) through FFDRWG or FPOM.

Lastly, there have been some questions about whether demolition of the John Day general model can be delayed. We have discussed with ERDC about ways to keep the model, but they have told us that there is no way to keep the model as they need the space and pumps for a high priority project.

Thank you for your understanding as we navigate unusual circumstances.

Respectfully,
 Jake

From: Macdonald, Jacob B CIV USARMY CENWP (USA)

Sent: Monday, December 22, 2025 2:40 PM

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Subject: SRWG: January visit to the JDA general model

Dear SRWG,
 ERDC is going to demolish the John Day physical model because they need the pump and sump capacity. Demolition starts in February. We really don't have a good tool outside of the physical model to evaluate navigation conditions under the low tailwater and low pool conditions in the recent injunction request, so we would like to get a regional group to make a trip to ERDC to witness those conditions in the physical model together before the model is gone. Please reply to me by 8-January if you are interested in joining us in Vicksburg in late January for the last ride of the John Day general model.
 Happy holidays,
 Jake

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This message is intended for the Columbia River Fish Facility Design Review Working Group (FFDRWG). If you no longer wish to receive messages to the Columbia River FFDRWG, reply TO THE SENDER with a request to be removed from our list. If you received this message indirectly and would prefer future FFDRWG communication come to you directly, reply TO THE SENDER with a request to be added to our list.