



Goblin's Gold (*Schistostega pennata*)

Plants of Special Status Plan



Baker Lake Habitat,
2006



Plants of Special Status Plan

Baker River Project, FERC No. 2150

Settlement Agreement Article 509

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EXECUTIVE SUMMARY

The Plants of Special Status Plan was developed pursuant to the Federal Energy Regulatory Commission (FERC) Settlement Agreement Article 509 Plants of Special Status (SA 509) at the Baker River Hydroelectric Project in consultation with the Baker River Terrestrial Resource Implementation Group (TRIG), including specifically the U.S. Fish and Wildlife Service (USFWS), U.S.D.A. Forest Service (USDA-FS), and the Washington Natural Heritage Program (WNHP) of the Washington Department of Natural Resources (WDNR). The plan documents the commitments of the licensee in the Baker River Hydroelectric Project Number 2150 Relicensing Comprehensive Settlement Agreement effective November 30, 2004 (Settlement Agreement). Under the plan, procedures are specified to identify plants of special status that may be affected negatively by project-related activities over the term of the license; to develop and implement site-specific management plans for these species; to monitor the management actions over the term of the license; and to periodically update the plan to incorporate new information on plants of special status, occurrence, management techniques, and effectiveness of management actions. Monitoring and reporting schedules are included in the plan.

1.0 INTRODUCTION

This Plants of Special Status Plan (the Plan) has been prepared pursuant to Settlement Agreement Article 509 Plants of Special Status (SA 509) Ordered at Paragraph F of the License for the Baker River Hydroelectric Project FERC No. 2150 issued by the FERC October 17, 2008 (License) and the commitments of the licensee, Puget Sound Energy, Inc. (Puget Sound Energy) in the Baker River Hydroelectric Project Relicensing Comprehensive Settlement Agreement dated November 30, 2004 (Settlement Agreement). This plan was prepared collaboratively by the Baker River Project TRIG, which includes representatives of Puget Sound Energy and the other signatories to the Settlement Agreement.

Several special status plant species are present in the Baker River Project area. Project-related activities may result in impacts to special status plant species. The Plan establishes the objectives for special status plant management, methods for conducting special status plant surveys and identifying sites of potential effects, and the process for developing site-specific management plans for individual species.

Under the Plan, Puget Sound Energy and the TRIG have developed a detailed set of implementation procedures (Plants of Special Status Habitat Management Plan, described in Section 6.3.4). These procedures include methods to evaluate new activities and/or acquired parcels, to update the list of special status species and list of managed sites, and to develop site-specific management plans for individual species. Implementation procedures will be reviewed and modified by Puget Sound Energy and the TRIG as needed during the term of the license.

The Plan addresses lands within the Project boundary as well as specific sites outside the Project boundary that were surveyed during re-licensing studies. It is consistent with the Noxious Weed Plan prepared for the Project under SA 508 Noxious Weeds. Plan amendments for newly acquired lands will be determined on a case-by-case basis, in consultation with the TRIG and in conformance with the plan development and modification provisions outlined in SA 501 Terrestrial Resources Management Plan (SA



501). A separate management plan has been prepared for *Carex flava* (yellow sedge) as specified under SA 510 *Carex flava* (SA 510). The Plants of Special Status Plan was developed, and will be implemented, in consultation with the Baker River Project TRIG, and specifically, the U.S.D.A. Forest Service (USDA-FS), the U.S. Fish and Wildlife Service (USFWS), and the Washington Natural Heritage Program (WNHP) of the Washington Department of Natural Resources (WDNR).

2.0 BASIS FOR THE PLAN

Settlement Agreement Article 509 specifies the requirements and expectations of the Plan. SA 509 is presented here in its entirety for reference, including referenced appendices.

“Within six months following license issuance, the licensee shall file with the Commission a plan for the management of plants of special status on existing Project lands and the following non-Project lands, to be more precisely identified during the development of the plan: 1) areas with potential to have impact from Project activities, based on USDA-FS pre-field review process, and 2) areas surveyed during pre-licensing rare plant surveys, as indicated by Baker River Project Relicense Study, T-16, as amended.

The licensee shall prepare the plan in consultation with the TRIG, and specifically, the USFWS, USDA-FS, and the Washington Natural Heritage Program of the Washington Department of Natural Resources, as required by Article 501, and in accordance with the guidelines in Appendix A-3. The plan shall be consistent with the noxious weed management plan described in Article 508. Amendments to the plan associated with the acquisition of new lands that result in a revision to the Project boundary are not mandatory, but will be determined on a case-by-case basis, in consultation with the TRIG, in conformance with Article 501.

For the purposes of this article, “Plants of Special Status” shall include: 1) plant species listed as Endangered, Threatened or Proposed for Listing under the federal Endangered Species Act; 2) plant species listed as Endangered, Threatened or Sensitive by the State of Washington; and 3) on federal lands administered by the USDA-FS, plant species on the Pacific Northwest Regional Forester’s Sensitive Species List. The plant species that were known to occur at the time of license application that required site-specific management plans are listed in Appendix A-2, and shall provide the initial basis for planning actions. A site-specific management plan shall be included in the overall plan for *Carex flava*, in accordance with Article 510.



Appendix A-2 to Articles.

Species and locations requiring site-specific management plans in the Baker River Project Plan for the Management of Plants of Special Status.

Species	Location	Identification Number
<i>Carex flava</i>	North end of Baker Lake, near mouth of Baker River	WNHP Element Occurrence # 37
<i>Schistostega pennata</i>	Wetland WB-22, near mouth of Little Sandy Creek	ISMS Location ID # 1704960
<i>Tetraphis geniculata</i>	Wetland WB-22, near mouth of Little Sandy Creek	ISMS Location ID # 1704910
<i>Schistostega pennata</i>	Wetland WB-24, near mouth of Little Sandy Creek	ISMS Location ID # 1704970
<i>Schistostega pennata</i>	Sites BN17-1 and BN17-2, along Swift Creek	ISMS Location ID # 1704990
<i>Schistostega pennata</i>	Wetland WB-18, ~ ½ mile south of the mouth of Boulder Creek	ISMS Location ID # 1705010
<i>Schistostega pennata</i>	Wetland WB-2, along West Pass Dike	ISMS Location ID # 1704980
<i>Schistostega pennata</i>	Wetland WB-11	ISMS Location ID # not yet assigned
<i>Platanthera sparsiflora</i>	Baker Lake Trail near Noisy Creek	WNHP Element Occurrence # 3
<i>Schistostega pennata</i>	Panorama Point	ISMS Location ID # 1563670

Appendix A-3 to Articles.

Additional Guidelines for Plan for Plants of Special Status.

The plan shall require the licensee to:

- (a) Survey all areas of proposed new Project activity or existing and future disturbance where there is the potential to impact plant species of special status. Determinations of the potential to impact plant species on federal lands shall be



made by the USDA-FS using their pre-field review process. Determinations of the potential to impact plant species on non-federal lands shall be made by licensee, in consultation with the TRIG. Surveys shall be conducted and documented according to the methods used for pre-licensing rare plant surveys and described in the final rare plant survey report.

(b) Implement individual site-specific management plans and associated actions for the species and locations identified in table below. For *Carex flava*, specifications are addressed in Article 510.

(c) Describe the steps that will be taken if additional populations of plants of special status are discovered during the term of the license and the USDA-FS (for federal lands) or licensee and the TRIG (for non-federal lands) determine there is the potential for Project-related activities to impact the plants. The area covered by this item shall not exceed the area within the Project boundary plus areas outside the Project boundary surveyed during pre-licensing rare plant surveys or surveys conducted in accordance with subsection (a) of this Article.

(d) Implement a monitoring and evaluation program for plant species of special status within the area affected by the Project, which shall be defined as the area encompassed by surveys conducted to satisfy the other requirements of this action. The plan shall identify the frequency of monitoring and specify measures that will be taken if monitoring indicates the population of a plant of special status is declining within the area affected by the Project.

(e) Update the plan within one year of the addition of a species to any of the categories of special status listed above, if that species is known to occur or has the potential to occur within the area affected by the Project. Changes to the plan made to satisfy this item shall be limited to measures needed to address the newly added species. If a species is de-listed, the TRIG will determine what measures will continue for this species.

3.0 GOALS

The goals of the Plan, in accordance with requirements specific to Federal and non-Federal lands, are to:

- identify plants of special status occurring in the Project area and specified non-Project lands that may be affected negatively by project-related activities over the term of the license;
- develop and implement site-specific management plans for these species;



- monitor the implementation and effectiveness of the management actions over the term of the license and modify the actions, where determined necessary in response; and
- provide guidelines for periodic updates of the plan to incorporate new information on plants of special status, occurrence, management techniques, and effectiveness of management actions.

4.0 REGULATORY REFERENCE AND DEFINITIONS

The Plan has been developed and will be implemented in a manner consistent with applicable local, State and Federal laws, regulations and policies. The Plan and actions resulting from implementing the Plan will also be consistent with other applicable articles of the License. This section provides references for the purpose of maintaining consistency between the Plan and other pertinent laws, regulations, policies and articles of the License.

4.1 Federal

The federal authority for management of rare plant species is the Endangered Species Act of 1973, as amended (ESA). The ESA established a national program for the protection and conservation of threatened and endangered species and their habitats. The listing and recovery of listed plant species is administered by the USFWS.

The USDA-FS provides special management consideration for species on the Regional Forester's sensitive species list that occur on National Forest System (NFS) lands (USDA-FS, 2008). This list includes those plant and animal species for which population viability is a concern due to loss of population numbers or downward trends in habitat capability. The list is based on sources including the list of candidate species for federal listing, state lists of rare, threatened, or endangered species, and other sources as appropriate. The intent of providing special management for these species is to avoid the need for federal or state listing as a result of National Forest management activities. In addition, the USDA-FS currently provides special management consideration for strategic species, a new category of species established in May 3, 2007 (USDA-FS, 2008). Strategic species include species that have information gaps (*i.e.* distribution, habitat, threats) resulting in status or taxonomic uncertainties. Region 6 of the USDA-FS, including the Mt. Baker-Snoqualmie National Forest, continues to manage known sites of other rare and uncommon species as listed in USDA-FS and Bureau of Land Management (BLM), 2003.

4.2 Washington State

The Washington Natural Heritage Program classifies, inventories, and maintains a database of rare plant species in the state; the WNHP also helps to identify natural areas for protection. A list of state threatened, endangered, and sensitive plants species is maintained at the WNHP website (WNHP, 2008). The State of Washington does not have an endangered species act; therefore, classifications are not associated with a State regulatory authority.



4.3 Definitions

For the purposes of the Plan, plants of special status species include the following categories of vascular plants, bryophytes, lichens and fungi:

- 1) federally-listed threatened, endangered, and proposed species;
- 2) Washington State threatened, endangered, and sensitive species; and,
- 3) on National Forest System lands, species on the Pacific Northwest Regional Forester's Sensitive Species List and Strategic Species List, and other rare and uncommon species currently provided special management status by Region 6.

5.0 PLAN DEVELOPMENT PROCESS

This section describes the process by which this plan has been developed, and the process by which it can be modified in the future.

5.1 Provisions for Development and Modification of the Plants of Special Status Plan

The licensee has prepared the Plan in consultation with the TRIG, and specifically, the USFWS, USDA-FS, and the Washington Natural Heritage Program of the Washington Department of Natural Resources, as required by SA 501, and in accordance with the guidelines in Appendix A-3 to the license and Settlement Agreement articles.

Modifications to the Plan will only be made by the TRIG and with the approval of the FERC. Any member of the TRIG may propose a modification. If modification to the Plan is adopted by the TRIG, it will be filed with the FERC for approval. Until FERC approval for modification is received, the Plan will continue to be implemented as originally approved.

5.2 Ownership of Land and Facilities

The Plan applies to lands within the Plan Area, as defined in Section 6.1. Lands within the Plan Area include both National Forest System lands and other non-federal lands.

5.3 Inclusion Within Project Boundary

Puget Sound Energy will include lands managed for *Plants of Special Status* under SA 509 within the project boundary pursuant to License Articles 203 and 304.

5.4 Funding Process

The funding process for the Plan is described in the Terrestrial Resources Management Plan (TRMP). The licensee shall provide an annual summary of expenditures made during the preceding year in conformance with the requirements of the license.



6.0 PLAN IMPLEMENTATION

This section outlines specific components of the Plan as defined in SA 509.

6.1 Plan Area

The initial Plan area (Plan Area) was defined by lands within the current Baker River Project boundary and the following non-Project lands: 1) areas on NFS lands with potential to be impacted by Project activities, based on a USDA-FS prefield review process, and 2) areas surveyed during relicensing rare plant surveys, as indicated by Baker River Project Relicense Study T16, as amended (Hamer Environmental and R2, 2003a and 2003b). Plan Area inclusion will follow the FERC directives as specified in section 5.3 above.

The Plan Area may be modified, by amendment of the FERC Project boundary, to include new parcels acquired under the license and new locations managed for special status plants or by FERC directive. Development of new site-specific management plans for each new parcel incorporated into the Project boundary and each new site of habitat-disturbing activity under the new license is not mandatory. The TRIG will determine whether special status plants are present, and whether the level of risk posed by the project action necessitates implementation of a site-specific management plan. New parcels and new project-related habitat-disturbing activities will be evaluated as described in Section 6.3, Procedures.

6.2 Background Information

Surveys for special status plants were conducted during 2002 and 2003 at wetlands and dispersed recreation areas associated with the Baker River Project. Seventy-seven individual sites were surveyed and documented in Relicense Study T16 and the Addendum to Study T16 (Hamer Environmental and R2, 2003a and 2003b). In 2004, rare plant surveys were conducted at two sites of proposed Project activity, the floating surface collector (FSC) site at Baker Lake and the Lower Baker powerhouse expansion site (Hamer Environmental, 2004). In 2007 and 2008, surveys were conducted at the site of the existing Baker Lake Hatchery, which is proposed to undergo renovation activity under the new license (Puget Sound Energy, 2007 and 2008).

No federally listed, proposed, or candidate plant species or species of concern are known to occur in the Project area. Four special status plant species were known to occur in the Plan Area at the time the Settlement Agreement was filed, including two mosses (*Schistostega pennata* and *Tetraphis geniculata*), one orchid (*Platanthera sparsiflora*), and one sedge (*Carex flava*). One additional special status plant species, a lichen (*Usnea longissima*), was observed during the 2007 and 2008 hatchery surveys. As a result of changes to the USDA-FS list of special status species, two additional species of lichens (*Peltigera pacifica* and *Platismatia lacunosa*) and one additional orchid species (*Platanthera orbiculata*) have been added to the list of species known to occur in the Project area. Site specific management plans for these species are in development and will be included in the Plants of Special Status Habitat Management Plan (HMP).



6.2.1 Initial List of Managed Sites

Table 1 shows the four species, occurring at a total of ten sites, which required site-specific management plans at the time the Settlement Agreement (November 2004). This list provides the initial basis for development of site-specific management plans.

A site-specific management plan for the *Carex flava* (yellow sedge) site is included in the overall plan for this species, in accordance with SA 510.

Table 1. Initial list of plants of special status species and locations requiring site-specific management plans.

Species	Identification Number
<i>Schistostega pennata</i>	ISMS Location ID* # 1704980
<i>Schistostega pennata</i>	ISMS Location ID # 1704960
<i>Schistostega pennata</i>	ISMS Location ID # 1704970
<i>Schistostega pennata</i>	ISMS Location ID # 1705010
<i>Schistostega pennata</i>	ISMS Location ID # 1563670
<i>Schistostega pennata</i>	ISMS Location ID # 1704990
<i>Schistostega pennata</i>	ISMS Location ID # not yet assigned
<i>Tetraphis geniculata</i>	ISMS Location ID # 1704910
<i>Platanthera sparsiflora</i>	WNHP Element Occurrence # 3
<i>Carex flava</i> (SA 510)	WNHP Element Occurrence #37

* ISMS Location ID: Interagency Species Management System Location Identification Number assigned by USDA-FS.

6.3 Procedures

This section presents an overview of the procedures that will be used to evaluate sites for potential effects to special status plants, to incorporate new sites and species into the Plan, and to develop site-specific management plans.

6.3.1 Pre-Disturbance Surveys

Surveys for special status plants will be performed on sites within the Plan Area that are subject to proposed Project activity or existing and future Project-related habitat disturbances that have the potential to affect special status plants negatively. Determinations of the potential to impact plants on non-NFS lands will be made by Puget Sound Energy in consultation with the TRIG. A determination of the potential of the proposed activity to negatively affect special status plant species on NFS lands will be made by the USDA-FS using their prefield review process.

Surveys of sites subject to habitat disturbance will be conducted and documented according to the methods used for relicensing rare plant surveys, as described in the final Relicense Study T16, as amended (Hamer Environmental and R2, 2003a and 2003b). Site-specific management plans will be



developed for special status plant populations determined to have the potential to be negatively affected by project-related activities.

6.3.2 New Populations of Plants of Special Status

In the event that new populations of special status plants are reported in the Plan Area, determinations of the potential for project-related activity to negatively affect the populations will be completed. Determinations of the potential to impact plants on non-NFS lands will be made by Puget Sound Energy in consultation with the TRIG. Determinations of the potential to impact plants on NFS lands will be made by the USDA-FS, in consultation with Puget Sound Energy. Site-specific management plans will be developed for any special status plant populations determined to have the potential to be negatively affected by project-related activities. The area covered by this item shall not exceed the area within the Project boundary plus areas outside the Project boundary surveyed during relicensing rare plant surveys or surveys conducted in accordance with Section 6.3.1, Pre-Disturbance Surveys.

6.3.3 Changes in Special Status Designation of Plant Species

The HMP will be updated within one year of the addition of a species to any of the categories of plants of special status listed in Section 4.0, Regulatory Guidance and Definitions, if that species is known or has the potential to occur within the area affected by the Project. Changes to the plan made to satisfy this item shall be limited to measures needed to address the added species. If a species is removed from special status designation, the TRIG will determine what measures will continue to be implemented for the species.

6.3.4 Plants of Special Status Habitat Management Plan

A set of standard procedures and guidelines for implementing plants of special status management measures has been developed in consultation with the TRIG, and specifically, the USFWS, USDA-FS, and the WNHP, as required by the SA 501, and in accordance with the guidelines in SA 501, Appendix A-3. The Plants of Special Status Habitat Management Plan (HMP) is a "living" document describing the ongoing methodologies and actions utilized by the TRIG to evaluate changes to the list of special status species, evaluate new project-related activities within the Plan Area, evaluate new occurrences of special status species within the Plan Area, and evaluate new parcels incorporated into the Project boundary. Individual management plans for special status plant species will also be developed by Puget Sound Energy in consultation with the TRIG and incorporated into the HMP.

After the HMP procedures and guidelines are approved by the TRIG, they will be implemented. Subsequent modifications will be submitted to FERC as attachments to the next Annual Report following the process outlined in the TRMP.

Puget Sound Energy will report to the TRIG annually on the implementation of the habitat management procedures and guidelines. The content and timing of annual reports will be consistent with the license order and SA 501, and as specified in the HMP.



6.3.5 Site-Specific Management Plans

Site-specific management plans (SSMP) will be prepared and implemented for each site within the Plan Area that supports a special status species that has potential to be negatively affected by project-related activity. SSMPs will be developed as part of the HMP and may include the following elements:

- Description of species occurrence and distribution at the site and within the State.
- Habitat requirements of the species and the conditions necessary for the species to persist at the site.
- Description of current impacts and potential threats to the species at the site (e.g., shoreline erosion from reservoir operations; dispersed recreation use; stream erosion unrelated to Project operation).
- Five-year management objectives that will contribute to species persistence at the site.
- Specific measures required to achieve management objectives. These may include measures such as avoidance of future recreation development; removal of dispersed use features; protective measures such as fencing, screening, exclusion, adjustments to domestic animal grazing, signage; and/or more specific physical protections.
- A monitoring schedule, including management measures, monitoring and milestones to review effectiveness and for modification of the SSMP.
- A preliminary cost estimate to implement the site-specific management plan over the first five-year period.

If no threats or adverse impacts are present or anticipated at a site, the management plan will consist of recording of the site in GIS and periodic monitoring of the population.

If impacts to a site cannot be avoided (e.g., a construction Project with no suitable alternate site) and the project will not affect long term viability of the species, then the site-specific management plan will demonstrate why protection of the site is not practicable and provide options for mitigation of the effects to the population commensurate with the species' rarity and federal and state management status.

Draft SSMPs for new sites and/or species will be developed and presented to the TRIG within one year of the determination of need for such plan.

The management plan for *Carex flava* (yellow sedge) will be developed in accordance with specifications provided in SA 510.

6.4 Schedule

SSMPs for sites identified as of the date of license issuance, including the *Carex flava* Plan, will be implemented within one year of FERC approval of the Plan. New site-specific plans will be developed for each new site identified for protection during the term of the license; these new site-specific plans will be implemented within one year of TRIG approval.



Schedules for implementation of the site-specific management plans for special status species have been developed in consultation with the TRIG and incorporated into the HMP.

6.5 Consistency with Other Plans

The Plants of Special Status Plan is consistent with the Noxious Weed Management Plan described in SA 508. The site-specific management plan for *Carex flava* (yellow sedge) has been developed in accordance with specifications provided in SA 510. The Plan will be implemented consistent with the standards and requirements of all other plans prepared to comply with the license. If the requirements of one or more other plans conflict with the Plan, the TRIG and other affected resource implementation group(s) will resolve the conflict.

7.0 MONITORING AND REPORTING

This section outlines the monitoring and reporting requirements as stated in SA 509 of the License and the Settlement Agreement and in Appendix A-2 and A-3.

7.1 Monitoring

Sites will be monitored on the schedule provided in the HMP to be developed by Puget Sound Energy and the TRIG. Monitoring will include long-term population monitoring and monitoring implementation and management actions

7.2 Reporting

Puget Sound Energy will submit a Draft Plants of Special Status Management Report to the TRIG annually (Draft Plants of Special Status Annual Report) by March 31 of each year per the license and SA 501. The report will include implementation features of the Plan which occurred during the previous January through December. The TRIG will have at least 30 calendar days to review the Draft Plants of Special Status Annual Report. Puget Sound Energy will revise the Draft Plants of Special Status Annual Report, as appropriate, and combine it with reports for other articles into a Draft License Annual Report for review and comment prior to submittal to the FERC.

The Draft Plants of Special Status Annual Report will include:

- a summary of special status plant implementation activities and monitoring activities conducted within the Plan Area during the year;
- a summary of the annual meeting held with the TRIG each year to review the HMP;
- any changes to the HMP and individual site management plans agreed upon by the TRIG;
- a list of expenditures billed to the HMP budget during the year;
- a summary of issues or concerns related to the implementation of the Plants of Special Status Plan identified by Puget Sound Energy or other members of the TRIG.



8.0 REFERENCES

- Hamer Environmental and R2 (Hamer Environmental and R2 Resource Consultants). 2003a. Rare plant surveys for the Baker River Project area. Relicense Study T16. Final Report. Prepared for Puget Sound Energy, Bellevue, WA. Hamer Environmental, Mt. Vernon, WA, and R2 Resource Consultants, Inc., Redmond, WA. August 22, 2003. 73 pp.
- Hamer Environmental and R2. 2003b. Rare plant addendum for the Baker River Project area. Relicense Study T16. Final Addendum. Prepared for Puget Sound Energy, Bellevue, WA. Hamer Environmental, Mt. Vernon, WA and R2 Resource Consultants, Inc., Redmond, WA. December 16, 2003. 45 pp.
- Hamer Environmental. 2004. Rare plant surveys for the Baker River Floating Surface Collector (FSC) and Lower Baker Powerhouse Expansion Sites. Prepared for Puget Sound Energy, Bellevue, WA. Hamer Environmental, Mt. Vernon, WA. August 1, 2004.
- Puget Sound Energy. 2007. Rare plant surveys for the Baker River Sulphur Creek Fish Culture Facility Site. Report prepared for the Mt. Baker-Snoqualmie National Forest Botanist by Puget Sound Energy, Bellevue, WA. November 13, 2007.
- Puget Sound Energy. 2008. Rare plant surveys for the Baker River Sulphur Creek Fish Culture Facility Site. Draft report prepared for Mt. Baker-Snoqualmie National Forest Botanist by Puget Sound Energy, Bellevue, WA. November 4, 2008.
- USDA Forest Service. 2008. Update of the Regional Forester's sensitive species list and transmittal of strategic species list. Memo plus two enclosures. USDA Forest Service, Pacific Northwest Region, Portland, OR. January 31, 2008.
- USDA Forest Service and U.S. Bureau of Land Management. 2003. Instruction Memorandum No. OR-2004-034. Implementation of 2003 Survey and Manage Annual Species Review, incl. two attachments. December 19, 2003. U.S. Forest Service and U.S. Bureau of Land Management. Portland, OR.
- Washington Department of Natural Resources Natural Heritage Program. 2008. WNHP rare plant species list for Washington. Natural Resources Natural Heritage Program, Olympia, WA.
<http://www1.dnr.wa.gov/nhp/refdesk/lists/plantrnk.html>

Section 9.0 Formal 30-Day Document Review Comments and Responses

Pursuant to SA 509, PSE distributed the draft Plan to TRIG for a 30-Day Plan Review period on January 29, 2009. Comments were due on March 2, 2009. The TRIG reviewed comments on March 5, 2009 and approved the Plan for filing. This section summarizes TRIG Settlement Party comments and licensee responses.

Section 9.1 Plan Distribution for 30-Day Document Review

On January 29, 2009, PSE sent, by certified mail, the 30 Day Document Review Cover Letter, draft Plants of Special Status Plan and 30 Day Document Review Response Form to the Settlement Parties (Table 2). For reference purposes, examples of the 30 Day Document Review Cover Letter (Figure 1), 30 Day Document Review Response Form (Figure 2) and a blank certified mail receipt forms (Figure 3) are included in this section.



Figure 1 Example of 30 Day Document Review Letter

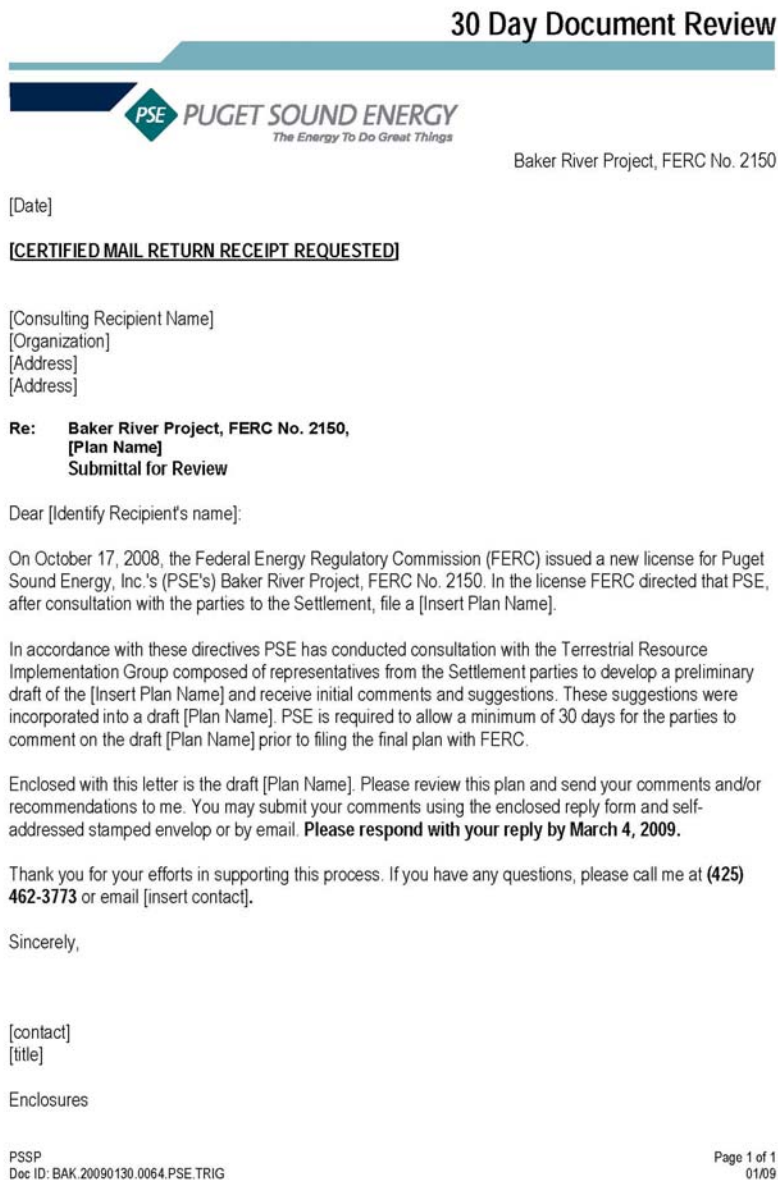




Figure 2 Example of 30 Day Document Review Reply Form mailed to Settlement Parties.

30 Day Document Review Reply Form

**Baker River Project, FERC No. 2150
[Plan, Settlement Article]**

Name: _____
Job Title: _____
Representing: _____
Address: _____
City, State, Zip: _____

Instructions: Please select from the following options:

I have read the document and I have no further comments.

I have read the document and I have comments, listed below. (Please use additional paper, if needed).

I have read the document and I will email my comments by the deadline below to [contact].

Important: Please send this reply via the self-addressed stamped envelope and mail no later than **[date]**.

Date Reply Form Received by PSE: _____.

Figure 3 Example of certified mail receipt forms mailed to settlement parties.

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT <small>(Domestic Mail Only; No Insurance Coverage Provided)</small>	
<small>For delivery information visit our website at www.usps.com</small>	
OFFICIAL USE	
Postage \$ _____ Certified Fee _____ Return Receipt Fee (Endorsement Required) _____ Restricted Delivery Fee (Endorsement Required) _____ Total Postage & Fees \$ _____	Postmark Here
Sent To Street, Apt. No., or PO Box No. City, State, ZIP+4	
PS Form 3800, June 2002 See Reverse for Instructions	

<p>SENDER: COMPLETE THIS SECTION</p> <ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to:</p> <p>2. Article Number <i>(Transfer from service label)</i></p>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	



Table 2 List of Settlement Party contacts to whom the 30 Day Review Letter and Form was mailed.

First Name	Last Name	Title	Organization	Address	City	State	Zip
Robert Mignonne	Kuntz Bivin	Wildlife Biologist Botanist	Nat'l Park Service Nat'l Park Service	810 State Route 20 7280 Ranger Station Rd.	Sedro-Woolley Marblemount	WA WA	98284 98267
Regina	Rochefort	Botanist	Nat'l Park Service North Cascades	810 State Route 20	Sedro Woolley	WA	98284
Patrick	Goldsworthy		Conservation Council Northwest Indian Fish	P.O.B 95980	Seattle	WA	98145-2980
Chris	Madsen	Wildlife Biologist	Commision (NWIFC) Rocky Mountain Elk	6730 Martin Way E.	Olympia	WA	98512
Bob	Nelson		Foundation Sauk-Suiattle Indian	45 Overmeyer Road	Raymond	WA	98577
James	Roberts		Tribe Sauk-Suiattle Indian	5318 Chief Brown Lane	Darrington	WA	98241
Gloria	Green		Tribe Sauk-Suiattle Indian	5318 Chief Brown Lane	Darrington	WA	98241
Chris	Danilson	Wildlife Program Manager	Tribe Skagit County Noxious	5318 Chief Brown Lane	Darrington	WA	98241
William Todd Stan	Rogers Wilbur Walsh	Control Agent	Weed Control Board Swinomish Indian Tribe Swinomish Indian Tribe	302 S. First St P.O. Box 368 P.O. Box 368	Mount Vernon La Conner La Conner	WA WA WA	98273 98233 98233
Fayette	Krause	Washington Land Steward Dir. of Gov.	The Nature Conservancy	1917 First Ave.	Seattle	WA	98101
Len	Barson	Relations Government Relations, Grants and Policy Advisor	The Nature Conservancy	1917 First Ave.	Seattle	WA	98101
Cathy	Baker	Skagit River area manager	The Nature Conservancy	1917 First Ave.	Seattle	WA	98101
Bob	Carey		The Nature Conservancy Upper Skagit Indian	410 N. 4th Street	Mount Vernon	WA	98273
Scott	Schuyler		Tribe Upper Skagit Indian	25944 Community Plaza	Sedro-Woolley	WA	98284
Jon-Paul	Shannahan		Tribe US Fish & Wildlife	25944 Community Plaza 510 Desmond Dr. SE, Suite	Sedro-Woolley	WA	98284
Lou Ellyn	Jones	Fish and Wildlife Biologist	Service	102	Lacey	WA	98503
Don	Gay	Wildlife Biologist	US Forest Service	810 State Route 20 42404 SE North Bend Way	Sedro-Woolley North Bend	WA WA	98284 98405
Laura	Martin	Forest Botanist	US Forest Service WA Dept of Natural Resources	919 N. Township	Sedro-Wooley	WA	98284
JoAnn	Gustafson		WA Dept of Natural Resources	919 N. Township	Sedro-Wooley	WA	98284
Brenda	Werden		WA Dept of Fish & Wildlife	600 Capitol Way North mail stop 43143	Olympia	WA	98501-1091
David	Geroux	Fish and Wildlife Biologist	WA Dept of Fish & Wildlife	Post Office Box 1100	La Conner	WA	98257
Rich	Johnson	Habitat Biologist	WA Dept of Fish & Wildlife	600 Capital Way North	Olympia	WA	98501-1091
Mark	Hunter		Whatcom County Noxious Weed Control	Board	Bellingham	WA	98226
Laurel	Shiner	Control Agent	Board	901 W. Smith Rd	Bellingham	WA	98226



Section 9.2 Summary of Settlement Party Comments and PSE Responses

Each comment received by the reply deadline, March 4, 2009, is included in the summary table below.

Table 3 Draft Plants of Special Status Plan 30 Day Document Review and Comment summary table.

Settlement Party & Contact Information	Date Received	Settlement Party Comment	PSE Response
USDA-FS Peter Forbes, Acting District Ranger, Mt. Baker-Snoqualmie National Forest, Mt. Baker Ranger District, 810 Highway 20, Sedro-Wooley, WA 98284 Note: Comments submitted by Peter Forbes; Forms signed by Greta Movassaghi, Natural Resource Specialist.	2/27/2009	On the Plants of Special Status Plan, Page 8, Section 6.2.1, the acronym ISMS should be defined as "Interagency Species Management System". Also, remove asterisk preceding the definition or put a corresponding asterisk next to the first mention of "ISMS Location ID" in Table 1.	PSE completed the requested edits. The acronym ISMS was correctly identified and an asterisk was placed next the first mention of "ISMS Location ID" in Table 1.
Rocky Mountain Elk Foundation , Bob Nelson 45 Overmeyer Road Raymond, WA 98577	3/6/2009	No comments.	
North Cascades Conservation Council Patrick Goldsworthy, Chairman POB 95980, University Station Seattle, WA 98145	2/09/2009, 2/23/2009	How are possible climatological changes, likely to occur over the 50-year term of the license, being assessed for their impacts on the population of Plants of Special Status, growing at Baker Lake? A possible collaboration of climatologists and botanists at the University of Washington, Seattle, may help provide a useful perspective.	No changes to Plants of Special Status Plan required. Questions discussed during TRIG meeting on 3/5/2009. Patrick Goldsworthy noted that an answer was not required.
Skagit County Noxious Weeds , William Rogers, Noxious Weed Coordinator, 11768 Westar Lane, Suite A, Burlington, WA 98233	2/19/2009	No comments.	
Washington Dept. of Fish and Wildlife , Mark Hunter, Habitat Program Section Manager, 600 Capital Way N, Olympia, WA 98501	2/10/209	I defer comments to David Geroux of our agency.	Comment recorded.
National Park Service Mignonne Bivin, Plant Ecologist, 7280 Ranter Station Road, Marblemount, WA 98267	2/09/2009	Page 6 – 5.4 Should it read Terrestrial Resource Management Plan, not Plant?	PSE corrected the spelling on Page 6 – Section 5.4 from Plant to Plan.
Upper Skagit Indian Tribe	2/23/2009,	3/5/2009 Email: Based on our	PSE has removed Section 5.5

<p>Jon-Paul Shanahan, Natural Resources Biologist, 25944 Community Plaza Way, Sedro-Wooley, WA 98284</p>	<p>via telephone 3/5/2009, via email</p>	<p>conversation today, it is fine to remove the text from both draft plans 509 and 510.</p> <p>Thanks for the email notification. Sorry for not meeting the deadline for comments but this subject triggered an internal policy review of the language prior to going out to PSE. I was given support for removing the sections from both reports OR adding the following text to the sections. Both meet the tribes needs. Given that these new edits can only apply to one of the plans we should probably strike them and just remove these sections. If there is some flexibility in comment deadlines I ask that you submit the new text for both plans. I will be on my cell phone (360) 770-5374 in the morning PLEASE call prior to the meeting so I can understand how this is moving forward.</p> <p>In License article 509 section 5.5 page 7; Accommodation of Tribal Treaty Rights and Cultural Considerations</p> <p>" Puget Sound Energy will maintain a current list of designated tribal representatives to the TRIG. Tribes will be notified per Article 601 Section (g) Baker River Coordinating Committee (Article 601) which requires specific notice and consultation to and with each Tribe for comment and/or approval of the Plan and subsequent modifications as appropriate."</p> <p>In license article 510 section 5.5 page 6; Accommodation of Tribal Treaty Rights and Cultural Considerations</p> <p>" Puget Sound Energy will maintain a current list of designated tribal representatives to the TRIG. Tribes will be notified per Article 601 Section (g) Baker River Coordinating Committee (Article 601) which requires specific notice and consultation to and with each Tribe for comment and/or approval of the Carex flava Plan and subsequent modifications as appropriate."</p>	<p>from the Plan.</p>
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		Jon-Paul	
Sauk-Suiattle Indian Tribe, Chris Danilson, Wildlife Program Manager, 5318 chief Brown Lane, Darrington, WA 98241	March 10, 2009	No comments.	
USFWS, Lou Ellyn Jones, Fish and Wildlife Biologist, 510 Desmond Drive, Lacey, WA 38503	February 3, 2009 via email	No comments.	
Puget Sound Energy	March 17, 2009		At the March 5, 2009 TRIG meeting, it was agreed that PSE could make spelling and nomenclature edits to the Plan as long as no substantive changes were made without additional TRIG notification.