



## BAKER RIVER PROJECT RELICENSE

### Terrestrial Resources Implementation Group Technical Meeting

February 7<sup>th</sup>, 2008 (9:00 p.m. – 2:00 p.m.)

WDFW Mill Creek Office  
16018 Mill Creek Boulevard  
Mill Creek, Washington 98012-1296  
Telephone (425) 775-1311

Conference Call Line: 1-888-228-0484, ID: 2505, Password: 4567

Please tell Tony (425-462-3553 (w) or 206-276-1204 ©) if you plan to call into meeting

### AGENDA

- |   |
|---|
| 1. Review notes/agenda/action items from December 6 <sup>th</sup> , 2007 meeting  |
| 2. Review recent BRICC meeting activities, licensing updates?   |
| 3. Decisions Required at Today's meeting (Detailed Information Attached (if needed)) – Paul<br>1. Decision Item #1 (Title of Issue, Name of Proponent)<br>2. Decision Item #2 (Title of Issue, Name of Proponent)<br>Please Designate Proxy to express your view if you can not attend. |
| 4. Loon and Botanical Teams – updates<br>Loon Platform update (design and placement) – Anna<br><i>Carex flava</i> study report– Anna<br>Botanical management plans update – Anna and Kathy  |
| 5. Elk Update<br>Easement update – Ira<br>Alternate properties discussion – Ray, Tony, Ira<br>Pre-acquisition survey report – Tony  |
| 6. TRMP Update – Edits and discussion about the following plans:<br>Finish Forest, Elk, Wetland, them move on to Botanical plans – Marty, Kathy, Anna<br>Next steps? New format?  |
| 7. Other?<br>List of Terrestrial Projects and Deliverables for 2008   |
| 8. Evaluate meeting, set location (WDFW Mill Creek) and agenda for next meeting (March 6 <sup>th</sup> , 2008)  |

---

---

**Baker River Project License Implementation**

**Terrestrial Resource Implementation Group  
Final Meeting Notes**

February 7, 2008 ~ 9:00 am - 2:00 pm  
WDFW Mill Creek

**Team Leader:** Tony Fuchs (PSE), 425-462-3553, [tony.fuchs@pse.com](mailto:tony.fuchs@pse.com)

**PRESENT**

Tony Fuchs, Anna Kopitov, Haley Edwards, Cary Feldmann, Mel Walters, Ira McDaniel by phone, and Paul Wetherbee (PSE); Kathy Smayda (Smayda Environmental); Marty Vaughn (Biota-Pacific); Brock Applegate by phone and Dave Geroux (WDFW); Ray Crosswell and Bob Nelson (RMEF); Don Gay (USFS); Chris Madson (NWIFC); Chris Danilson (Sauk-Suiattle); Jon-Paul Shannahan and Scott Schuyler (Upper Skagit); Patrick Goldsworthy (NCCC); Lou Ellyn Jones (USFWS); and Jamie Riche (PDSA Consulting).

**NEXT MEETINGS:** March 6, 2008

**Future Meetings:** April 3 doesn't work (new date TBD), then first Thursdays through 2008

**ACTION ITEMS**

- PSE - Bring new phone to March meeting ☺
- Anna - Email NPS / Minnesota Reed Canary Grass Report to TRIG
- Dave / Tony - Bring WDFW 'core area' and 'elk damage area' maps to March 6 TRIG
- Don - Connect with Tony / Cary re: USFS / PSE financial process upon license issuance
- Ira/Cary - Meet with Tribes to more clearly understand their interests relative to easements
- Ira - Let Tony know if an owner's verbal OK is sufficient for us to go onto property
- Tony - Ask Arnie / Jacob to bring 'alternative property' discussion to ARG
- Tony - Coordinate pre-acquisition survey on alternate property
- Tony / Ray - Bring list of 'alternate properties' with status to March 6 TRIG meeting
- Paul - Add footnote to decision flow chart (written explanation of "no", see below)

**PREVIOUS – STILL RELEVANT – ACTION ITEMS**

- Paul - Follow up to ensure meeting minutes are available online or via a CD
- Marty/Paul - Ensure TRMP 3.1 language is consistent w/ Article 601 decision process
- Marty - In 2008, work with Tony/Paul on a pre-acquisition checklist for PSE to document compliance with S.A./License ... share w/ TRIG (info only) when complete.
- Tony - Work w/ Jacob to ensure draft 505 plan is consistent w/ Section 8 lang. agreement
- Tony - Work w/ Joetta on ownership maps with parcel #s
- Tony/Paul - Draft a proposal for TRMP language re: financial processes (budget, audit, etc)

## **BRICC / LICENSE UPDATES**

The BRICC met January 23 and is still waiting for the NMFS BiOp, which some members at today's meeting believe is now being reviewed at the regional level. FERC says they have everything written, so they will be able to move quickly, assuming there are no inconsistencies with the BiOp. At this point PSE is doing all they can to be ready as soon as the license is issued. They are hoping to get it no later than May.

The BRICC discussed the flood control proposal brought forward by the cities and diking districts. As the deadline is now past and there was not unanimous support by the signatories to the Comprehensive Settlement Agreement, the proposal is no longer on the table. The BRICC also discussed the Article 601 decision process and PSE's Capital and O&M plans for 2008 in light of current license issuance estimates.

## **DECISION PROCESS**

Paul (PSE) is working on PSE's internal processes in support of the Settlement Agreement, including how we make and record decisions. He walked the group through a one-page flow chart outlining the decision process detailed in Article 601. Most decisions are made at the resource level, and the flow chart visualizes how and when a decision would get elevated from a resource group to the BRCC. We discussed the meaning of "consensus" and "no objection," as well as the requirement in 601 that an objecting party provide a written explanation (Paul will add a footnote about this). Resource groups will document the existence of a quorum (and proxy designation, as needed) on meeting sign-in sheets and agendas will clearly identify decision points to address the two weeks' notice provision.

Note: we will need to formally adopt our pre-license decisions after the license is issued.

## **ELK LAND ACQUISITION**

Chris D. shared that the 2008 elk survey is next month. He has a tech working to pool elk collar data into a GIS map; he noted that these data will, by their nature, be biased toward collared elk. *Elk locations from collared elk are strongly biased towards Mount St. Helens transplanted elk because there were proportionately more collars and increased relocation effort focusing on these animals. Because the MSH elk were all released (and largely stayed) within the upper South Fork Nooksack, a map of all VHF collared elk locations would suggest that this is the most strongly preferred habitat and that other areas (e.g. middle Skagit, and Baker Lake drainage) are avoided. This is clearly not the case. Other elk use areas won't show up because those elk aren't collared.*

*Dave B. also offered to work to get WDFW damage concern area maps to help streamline the process of determining if a property is a potential elk acquisition.*

**Easement Update:** Ira shared a bulleted overview of the current language being considered for inclusion in a possible easement on the "original parcel." TRIG members gave input, including: recognition of Tribal rights (including access consistent with the Settlement Agreement), limitation of the owners' ability to submit elk damage claims, and possibilities around rights of first refusal (of the property itself, if sold by the owners ... and / or acquisition of the easement

rights, if the project were ever ‘abandoned’ by PSE). There was much discussion around these items and the feasibility of an easement. Based on this discussion, our next steps relative to this “initial property” are:

1. Ira: ask owners for their response ... what are their “must haves” and “deal killers” relative to a possible easement ... or identify a reasonable timeline for their response
2. Ira / PSE: meet with Tribal reps to better understand their interests
3. Meet with the owners to ensure they know the full ramifications of entering into an easement w/ the licensee of a federal project to see if this is worth pursuing further

**“Alternate Properties”:** Ray reminded folks of the importance of confidentiality around land acquisition discussions / activities. He and Tony walked the group through a high-level review of the alternate properties we have reviewed or are otherwise “aware of.” The pre-acquisition reviews that the group authorized in December have been delayed due to snow. Also, we lost some momentum over the holidays due to internal changes and uncertainties within RMEF; those have been resolved and we are ‘back on track.’ Ray is moving forward with property owner discussions. The TRIG also authorized a pre-acquisition survey on another parcel. Tony will connect with that owner to secure permission. Want more info? Call Tony or Ray.

We also noted / discussed opportunities for some properties to meet multiple Settlement Agreement interests. Tony will connect with Jacob and Arnie to bring this to the ARG for discussion.

Ray and Tony will bring a more detailed list of possible “alternate properties” and their current status (been reviewed, needs pre-acquisition review, needs WDFW input, possible “trade” property, possible multi-resource interest, etc.) to the March 6 TRIG meeting.

#### **LOON UPDATE:**

Anna walked us through a quick review of the alterations made to last year’s loon nesting platform (based on guidance from Dec. 2007 TRIG meeting). Weather permitting, the platform will be reinstalled in the same location as last year on February 26. Shore signage is good; new floating signage has been ordered and will be installed with the platform.

Two more platforms will be ‘in the works’ after the license is issued. Don asked that Anna bring the design and placement of those platforms up for discussion at our August TRIG meeting so there is plenty of time to review and discuss before their installation (late winter 2009, assuming license issuance).

#### **BOTANICAL UPDATE:**

The Botanical Teamlet met January 10; they reviewed the *Carex flava* report and management plans. The team also discussed how the special plants plan applies to acquired lands. Notes from that meeting were emailed out to the full TRIG. The next Botanical Teamlet meeting will be scheduled as needed.

#### **TRMP UPDATE:**

Marty shared that the TRMP group revision process is on hold while he works with PSE to standardize the format of these plans to be consistent with other licensing documents. Part of that

standardization includes dividing the plans into the two parts the group has discussed before: the “policy / procedure” part that goes to FERC for approval, and the “day to day implementation” part that is within local control. Look for the template to come back to the TRIG in April.

### **TRIG 2008 PROJECT / DELIVERABLES SUMMARY**

Haley compiled and distributed a list of the TRIG’s 2008 planned activities, including PSE ‘person responsible’ and timeline.

### **HANDOUTS**

- Agenda
- TRIG December 6, 2007 Meeting Notes
- Draft Decision Flow Chart
- Easement Language Highlights

### **PARKING LOT**

Develop protocol for pre-acquisition field visit

### **AGENDA FOR NEXT TRIG MEETING**

**March 6, 2008, 9 am – 2 pm, Mill Creek**

1. Welcome, review agenda, notes, and action items
2. BRICC / License Update
3. Decisions Required
4. Elk Land Acquisition Update
  - a. Easement update - Ira
  - b. Alternate properties list / status - Ray, Tony
  - c. Report-out: ARG/TRIG discussion
  - d. Pre-acquisition survey reports
5. Other?
6. Evaluate meeting, set next meeting agenda

### **MEETING EVALUATION:**

#### **What worked well:**

- Excellent attendance and participation
- Easy traffic made for early arrivals, started right on time
- Great spread; thanks, Marty!
- Maps and other visuals very helpful for property discussions
- Good progress on land acquisition (talked about the ‘elephant in the room’)
- Welcome to our new faces: Chris, Dave, Haley!

#### **Do differently:**

- Missed Brock ...
- Distribute (email) handouts as early as possible so attendees can pre-review