



BAKER RIVER PROJECT RELICENSE

Terrestrial Resources Implementation Group Technical Meeting

October 4th, 2007 (9:00 p.m. - 2:00 p.m.)

**WDFW Mill Creek Office
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Conference Call Line: 1-888-228-0484, ID: 9611, Password: 4567

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

AGENDA

- | |
|--|
| 1. Review notes/agenda/action items from August 2nd, 2007 meeting |
| 2. Review recent BRICC meeting activities, licensing updates? |
| 3. Osprey, Loon and Botanical Team updates
Survey and Manage on USFS lands - Discussion/Update?
Loon Platform removal and storage |
| 4. Elk Update
Grazing update
Site visit w/Cupples recap
Easement Development, next steps - Ira
Process to develop Site Acquisition and Selection Criteria for future sites |
| 5. TRMP Update - "The Marty Show" and discussion about the following:
Process for incorporation of all comments/edits to date - update
What stays in the TRMP chapters (details vs. protocols)
One big document vs. separate documents
Next steps? |
| 6. Other? |
| 7. Evaluate meeting, set location and agenda for next meeting (November 1st) |

Baker River Project License Implementation

Terrestrial Resource Implementation Group Final Meeting Notes

October 4, 2007 ~ 9:00 am - 2:00 pm
WDFW Mill Creek

FINAL MEETING NOTES

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

PRESENT

Tony Fuchs, Ira McDaniel, Cary Feldmann (PSE); Kathy Smayda (Smayda Environmental Associates); Marty Vaughn (Biota-Pacific); Brock Applegate (WDFW); Bob Nelson (RMEF); Don Gay (USFS); Lou Ellyn Jones by phone (USFWS); and Jamie Riche (PDSA Consulting).

NEXT MEETING DATES

BRICC: October 24, 2007 at the Baker Lodge, including FSC tour and dinner

TRIG: December 6, 2007, 9 am – 2 pm, Mill Creek

Note: Please hold Nov. 1 available “just in case” ...

Future TRIG meetings: Dec. 6, Jan 10 (2nd Th), then back to first Thursdays

Word for the day: *Segue* ~ **Quote of the day:** “*I couldn’t disagree with you less!*”

ACTION ITEMS

- All - Review the TRMP (attached to Marty’s 10/3 email), send comments to Marty by November 1, starting with Forest, Elk and Wetland
- All - Look for an email from Kathy by Oct. 18 with the rare plant chapters; respond to her with comments by the deadline she includes in her email
- Don - By Oct. 10, draft memo indicating the core or “absolute minimum” requirements needed to satisfy the Elk Forage requirements in the S.A. for the initial acquisition property, send to Tony to route to full TRIG for input and agreement prior to Ira’s next easement meeting
- Kathy - By October 18, email out the rare plant chapters, include a deadline for comments to be sent back to you.
- Kathy & Anna – Connect with the Baker folks to review the draft weed mgmt. plans
- Ray & Tony – Touch base with ‘new possible alternative property’ owners and schedule pre-acquisition review (*this was on hold over the summer*), update TRIG Dec. 6

- Tony - Update contact information (Laura's changes, add Brock's home email), send out
- Tony - Confirm contents of the 'in lieu of a website' CD (notes, etc.), send copy to all
- Tony - Get specs of FSC floats to share during loon platform design discussion, Dec. 6
- Tony - Ask Anna, Ray, and Chris to review previous TRIG notes for the list of data we've requested (historic elk use, ownership, GIS, etc.)... remind the action item owners as needed so Ray can collect this information by Nov. 1 and share with the TRIG Dec. 6
- Marty - Work with Tony and Kathy to revise language in sections 3.1 throughout the management plans
- Marty - Work with Tony to rough out a pre-acquisition checklist for PSE to use internally to document their compliance with the criteria set forth in the S.A. Share w/ TRIG (for information only) when complete.

PREVIOUS – STILL RELEVANT – ACTION ITEMS

- Tony – Work w/ Jacob to ensure draft 505 plan is consistent w/ Section 8 lang. agreement
- Tony / Anna – Resolve the *Carex flava* base mapping issue with Joetta
- All – In reviewing the TRMP land acquisition sections; consider how to list primary and secondary decision criteria.
- Tony – Forward information about all potential land acquisition parcels to elk teamlet with a reminder about the need for confidentiality of all such information

WEBSITE UPDATE – POSTING NOTES, ETC.

The website is not yet updated due to staffing issues within PSE. The temporary solution is that they will make public documents available by CD upon request. The TRIG reiterated the benefits of web posting. Tony will confirm the CD includes documents from the full timeframe, and will then send all TRIG members a copy.

BRICC / LICENCE UPDATE

The NMFS Bi-Op should be out after one more round of regional review. There may be other high-priority activities that delaying NMFS. This remains the final outstanding piece of information FERC needs to issue the license.

The last Baker River Interim Coordinating Committee (BRICC) was an August 22 conference call, and the group heard an update on the legal proceedings re: permitting and the 401. Background: The Town of Concrete issued a construction permit and the Department of Ecology issued the 401 and CZMA consistency plan. Diking Districts 1 and 12, along with the cities of Burlington and Mt. Vernon, have appealed Concrete's permitting process as well as the 401. The court date is set for November 7-9. FERC has authority to issue the license regardless of this hearing's outcome, but we don't know if or how it might impact the license if they win.

Connie Freeland and Bob Barnes have each announced spring 2008 retirement plans, and PSE is engaging in some internal restructuring, so we'll be seeing some new faces at the BRICC. The next BRICC meeting is **October 24** at the Baker lodge, with a FSC tour and dinner included.

USFS Survey & Manage:

There is a lot of back-and-forth on this, but the latest advice we've gotten is to '*remain*

consistent with the 2001 Survey and Manage ROD as modified by subsequent annual species lists.’ Currently, we are following the 2003 list of species. We will continue to follow the Survey and Manage process on project lands until we hear a final decision otherwise. Kathy noted the list isn’t as long as it appears since it only relates to plants known to occur in the Region and surveys are required only for categories A and C.

TEAMLET UPDATES

Osprey Update: Nothing to report at this time.

Loon Update:

The platform and signage were removed and stored at lower baker; the buoys and float-line were left in place. Assuming we get a license, we’ll be adding two more platforms next spring. At our next meeting, we will need to review the design (maybe something smaller and lower?) and select locations. Tony noted that the floats from the old FSC may be useful; he’ll get the specs for us to review when we have this discussion.

Botanical Teamlet:

Kathy shared that there hasn’t been a botanical teamlet meeting since June, but they did conduct site visits August 10 to relocate and evaluate two plants (a lichen and an orchid) that were found in 2002 and have since been listed. They did not find any lichens, but they did find an orchid. The botanical teamlet will discuss a site-specific management plan for this orchid under the rare plant management plan.

They also conducted a site visit for *Carex flava*. Kathy shared that stream-flooding (“gully washers”) in the area has changed the site dramatically, so the folks who are managing *Carex flava* will want to think about ‘natural disasters’ (not just project-related effects).

EASEMENT UPDATE:

Tony and Ira met with the ‘initial property’ owners, and PSE has continued their internal talks re: easement language. Ira shared his perception of the owners’ interests and the areas of negotiation where the negotiating parties are farthest apart. There are currently challenges relative to the desired length of the easement (term vs. perpetuity) and some of the specific land management activities. The TRIG noted that we don’t have to look at this as an “all or nothing” proposition and discussed the benefits and challenges of some of the various “middle ground” options available to us. (Can we live with fewer rights if the price were right?) Don will draft a memo indicating core or “absolute minimum” easement requirements needed to satisfy the elk forage requirements in the S.A., and will send it to Tony by Oct. 10 to route to full TRIG for input and agreement so Ira has clear guidance from the group prior to his next meeting with the owners.

Given the status of negotiations with the “initial property” owners, the team also asked Tony to work with Ray to gear back up in the process of looking for and reviewing alternative land options. Tony and Ray will work with Anna and Chris to gather the data the TRIG had previously requested (historic elk use, ownership, GIS, etc.). They will remind the owners of those action items as needed so Ray can collect this information by Nov. 1 and share with the TRIG during our discussion of possible elk land alternatives Dec. 6.

Don would like for the BRICC to review (high-level) land acquisition activities to date, the current status of easement negotiations, and talk about term vs. perpetuity easements relative to satisfaction of the S.A. elk article. (Can a term easement at the right price satisfy PSE's obligations?)

TRMP

Marty walked us through his work to date on updating the TRMP, including:

- Separated TRMP chapters into separate documents to be consistent with FERC direction. See crosswalk sheet. (handout attached to these notes)
- Re-formatted documents to comply with PSE Baker River Project style guide.
- Incorporated all edits discussed in previous meetings.
- Add information requested but not discussed in detail in previous meetings.
- Added missing information that has not been discussed in previous meetings (e.g., bald eagle winter roost survey methods).
- Added information needed to comply with all provisions of the Settlement Agreement (e.g., provision to seek matching funds).
- Added Chapter 3, General Provisions to all plans.
- Added sections on Monitoring and Reporting where appropriate.
- Clarified relationship between these plans and Habitat Implementation and Maintenance Plans.
- Removed some details that will go into Habitat Implementation and Maintenance Plans.
- Clarified commitments on what will be in Post-acquisition Habitat Assessments and HIMPS
- Corrected grammatical errors.
- Condensed and/or eliminated some bullets to eliminate redundancy or conflicts.
- Added negotiated language on noxious weeds on acquired lands.
- All changes shown in Track Changes, except format changes and minor typographic and grammatical edits

He reminded folks that the objective section is unique to each plan and was added to inform future users of the each chapter's purpose relative to the original Settlement Agreement. There are placeholders in the Elk and Wetland sections re: mgmt on project lands; this is in response to expected FERC language and will need further work by the group.

Kathy walked us through the noxious weed chapter and pointed out that all the content that has been removed has been captured elsewhere (in a document currently called the WIMP – weed implementation mgmt plan).

Next Steps:

1. Please review what Marty sent you and send comments back to him on the first three chapters (Forest, Elk, and Wetland) by November 1. To make your comments easier for him to read, please follow this process:
 - a. Open the attachment and save it as a new document (keep existing document in track change as a record of currently updated edits and additions)
 - b. Accept all the existing changes in the new document

- c. Make your comments / edits with the track changes feature on in the new document
 - d. Send Marty this new document, with the old changes accepted and your edits tracked
2. Kathy will be sending out the *Carex flava* and rare plant chapters in two weeks. She'll give you a deadline for feedback when she sends that out, probably aiming for a response by mid-November just in case the license actually gets issued this year. Assuming the license is not yet issued, we don't expect to get to these chapters during our December 6 meeting, so plan to see these come up for group discussion January 10.

Next Meeting:

Please hold the November 1 date open just in case we either get word that the license has been issued or we need to come together to discuss elk land acquisition. Barring either of those events, though, we will **not** meet November 1, so our next TRIG meeting will be December 6.

HANDOUTS

Agenda

TRIG August 2, 2007 Meeting Notes

TRMP "changes made" October 4, 2007

TRMP documents (Marty has sent these out in an e-mail to everyone)

PARKING LOT

Develop protocol for pre-acquisition field visit

AGENDA FOR NEXT TRIG MEETING

December 6, 2007, 9 am – 2 pm, Mill Creek

1. Welcome, review agenda, notes, and action items
2. BRICC / License Update
3. Loon Platform Discussion
 - a. Review possible locations (need 2 more for spring 2008)
 - b. Review design (Smaller and lower? Use old FSC floats? Better ramps?)
4. Elk Land Acquisition Update
 - a. Easement update - Ira
 - b. Alternate properties discussion - Ray, Tony, Ira (status of already identified properties, review data relative to searching for additional options)
5. TRMP Review, starting with: Forest, Elk, Wetland
6. Other?
7. Evaluate meeting, set next meeting agenda

MEETING EVALUATION:

- Facility location good; acoustics make teleconferencing difficult
- Let's use PSE's speaker phone next time ... maybe even a new phone?!
- Looking forward to discussion of TRMP (Marty will be accepting substantive comments!)
- We continue to miss our tribal representatives