
BAKER RIVER PROJECT RELICENSE

Interim Cultural Resources Advisory Group Meeting

October 18, 2005

11:30 a.m.–3:00 p.m.
Annie's Pizza, Concrete, WA

FINAL MEETING NOTES

Mission: *“To develop implementations and recommendations addressing cultural, historical and archeological resources for the Baker River Project Relicense”*

Team Leader: Jessie Piper (425) 462-3609, jessie.piper@pse.com

PRESENT: Jessie Piper and Connie Freeland (Puget Sound Energy), John Boggs (Concrete Heritage Museum Association), Kelly Bush (Equinox Research & Consulting), Ron Kent (US Army Corps of Engineers), Norma Joseph (Sauk-Suiattle), Jan Hollenbeck (U.S. Forest Service), Bob Mierendorf (National Park Service), Chris Miss (Northwest Archaeological Associates), Scott Schuyler (Upper Skagit)

FUTURE MEETING DATES – 2005

Tentative: February 21 at Baker Lodge; 11:30-3:00.

All regular attendees are encouraged to let Jessie know if they are unable to attend a meeting.

INTRODUCTIONS

The group was happy to see Norma Joseph from Sauk-Suiattle and Scott Schuyler from Upper Skagit since we did not have tribal participation in the last meeting and haven't seen Norma for a long time.

Jessie began the meeting by stating she'd like to add a new item to the agenda that will start every meeting with a reminder about confidentiality. We discussed the problem of not being able to discuss confidential information at open meetings and that at the beginning of each meeting we would have to determine if a closed session would be required in the last hour or so to discuss archaeological work. John Boggs stated that he signed a confidentiality agreement a long time ago. We need to see if we can update it if he is going to participate in meetings.

NEW ACTION ITEMS

- ALL: Review membership list and provide Jessie with any changes
- ALL: Norms.... change/update on a continuing basis
- Jessie: Find out how FERC is handling Baker confidential documents and FOIA
- Jessie: Clarify HPMP schedule in relation to DEIS
- ALL: Review "Restricted Information Issues" to see if additional information is needed
- Connie: Remind BRICC that Tribes are separate entities for meeting quorum and decisions
- Connie: Add DAHP to BRCC membership list because of relationship to SA through HPMP article
- Jessie: Check on status of decommissioning of Sulphur Creek spawning beaches
- Jessie: Schedule field visit to spawning beaches with Jan H. and Doug B. to discuss alternatives
- Jessie: Send out outline of Maintenance Guidelines and ask all to review
- ALL: Provide Jessie with any comments on Maintenance Guidelines outline ASAP
- Bob: Send out early draft info on "Voices Along the Skagit" (August)
- ALL: Review and provide comments on Site Conditions Form
- Chris: Provide conceptual level treatment plan for review 12/5 for comment by 1/31/06

Draft Agenda for October 18, 2005

1. Welcome and Introductions
2. Review Action Items
3. Update from Baker River Interim Coordinating Committee
4. Review/Finalize Norms for CRAG Meetings
5. Update on Cultural Issues:
 - Confidentiality
 - 106
 - Quorum
6. Historic Properties Management Plan
7. Status of Archaeological Surveys
8. Evaluate Meeting
9. Define Next Steps

THE BAKER RIVER INTERIM COORDINATING COMMITTEE

Connie noted that the last BRICC meeting was in June and the next meeting is scheduled for December 13. The focus of the meeting will be to review the Draft Environmental Impact Statement (DEIS), which FERC has said will be available in November. The BRICC will be reviewing the DEIS to see how FERC has handled the Settlement Agreement. If the DEIS is delayed, the BRICC meeting will be re-scheduled.

CRAG NORMS/MEMBERSHIP/CONFIDENTIALITY

Jessie handed out several documents related to "restricted information" to follow up on our discussion of norms and confidentiality in the May meeting. The revised copy of the norms includes the BRCC norms called for in the Settlement Agreement and the CRAG meeting norms we added in the last meeting. Jessie and Connie did not send out a draft confidentiality statement for review but instead brought a list of several suggestions of items we might address in the norms and in the HPMP.

There were several suggested additions to section C and D of the norms, including determining at the start of the meeting whether it is an open or closed meeting and the potential for having to hold separate technical meetings where sensitive archaeological information can be discussed.

In the HPMP, section 1.5 on confidentiality indicates the process we followed during the relicensing. We could add a statement that PSE and the CRAG will continue to follow the same procedures during license implementation. Section 6.5 of the HPMP lists the parties who have participated in the CHRWG and will comprise the CRAG. We can refer to this list as the group of parties who can participate in discussions and distributions of confidential information.

PSE reminded the group that Frank Winchell had sent a message a number of months ago to inform us of a change in how confidential information is to be filed with FERC. Previously we filed confidential documents only with Frank with notice to the FERC Secretary that a confidential document had been filed with Frank. We are now required to send the documents to the Secretary with the request that they be filed in the non-public file and that as confidential documents they should be afforded the greatest protection possible. That message from Frank was forwarded to the CHRWG members on two occasions with a request for comments.

Group members asked PSE to clarify with FERC if the confidential cultural resource documents we filed with Frank during the relicense have been moved from Frank's purview into the non-public files in order to be put into the record. Also, we want to know if FERC receives a FOIA request, is PSE notified and how much time do we have to respond to FERC?

The group reiterated that voting referred to in proposed Article 601 is not relevant to the CRAG, as it is not appropriate to vote on Section 106 issues. Also, in regards to a quorum, the real "quorum" for 106 issues is the group of stakeholders, which may vary depending on the issue and will need to be consulted regardless of whether they are in attendance at meetings.

Scott mentioned that the tribes are all separate entities but the BRICC norms seem to deal with them as one entity. Bob pointed out that the Department of Archaeology and Historic Preservation was not mentioned and should be included with the agencies. Jessie said that some people mistakenly didn't see DAHP as a party to the Settlement since they aren't one of the signatories, but they will sign the PA and so in a sense have a license article of their own. The group asked Connie to follow up and make sure that DAHP is added to the list of agencies. They may not need to participate in every meeting but there may be some meetings in which it is important to include them.

MAINTENANCE GUIDELINES FOR HISTORIC DISTRICT

Jessie reminded the group that she had passed out an outline of Maintenance Guidelines at the May 20 meeting but had received no comments. She passed around the completed Snoqualmie Falls Maintenance Guidelines for the group to take a look at since they were developed by HRA and BOLA, who will also be developing the Baker guidelines. Lisa and Jessie have met with the Baker manager and maintenance supervisor to get background information on current maintenance routines. The group asked Jessie to send the outline out again for comments. Jessie would like to get the contractors working on the draft as soon

as possible since they need to be completed by the time the new license is issued. People wanted to know how the maintenance actions get reported. The PSE Project staff will report to the PSE cultural coordinator, who will include information in the annual report.

MAJOR PROJECTS

Jessie handed out a Major Projects table and went through it to provide an update on plans and schedules. A number of projects are in the planning or design stage.

Hatchery (Article 101) - The species production analysis was completed and the contractor will provide some facilities options. On the basis of previous work in the hatchery area, NWAA does not think it is necessary to conduct full-scale archaeological survey in the possible expanded facilities area. It will be more efficient to look at the proposed facilities plan and determine if additional fieldwork is required. Since the spawning beach area is under a USFS Special Use permit, Jan will make that decision. Jessie will pass design information on to her when it becomes available.

Upper Baker FSC - PSE conducted reviews of the FSC design and got recommendations on changes that may reduce size and costs. The launch site will not be required. The new design information should be available shortly. Changes to the design will not change overall adverse effects because whatever is built will replace the historic gulper and the pass-through pipeline will still need to be modified. In addition, trash gates will be added to the dam before the FSC is constructed. HRA is carrying out the HAER documentation now so we can be sure to capture the features before anything is altered. FERC will need to get involved, as they are responsible for giving the ACHP the opportunity to comment.

Lower Baker Gate Cars - FERC requested that PSE do an analysis of the current spillway gate system to come up with ideas for updating the design. The work plans are not yet completely defined; however, we do know at this point that the old AC gate car and possibly the more recent DC gate car will be removed. The Lower Baker Dam is on the National Register and is also a component of the Historic District. The gate cars were built in situ and most likely cannot be removed in one piece. The group wondered if the old gate car might be put in front of the Visitors Center. Aside from the problems of trying to remove it in one or a few pieces, liability would be an issue. Jessie will discuss it with the PSE team.

Jessie said that along with HAER documentation, which DAHP would no doubt require, we would probably need to come up with some alternative suggestions for mitigation. The spillway system is not a good subject for an interpretive display because it relates to Critical Energy Infrastructure Information (CEII), which is restricted. Jessie has been talking to John Boggs about the Museum's hope of acquiring archives of the Concrete Herald in a searchable electronic format. PSE would like to propose some funding for this project as an alternative mitigation because of the public value. The Herald contains lots of historic information on the Baker Project and the local community and would be a good resource to have available locally.

Chris asked if it might be possible to connect the project a little more with Baker, perhaps through development of a display item for the Visitors Center. John said the Museum would want to have a specific request of what the Visitors Center might want. Bob said he thinks it would be an excellent form

of mitigation as it is an opportunity for PSE to assist a local organization in a project that has connections to the historic Baker Project.

Lower Baker Powerhouse - A Board of Consultants has been convened and will be coming up with the scope of work, including possible geotechnical investigation and placement of piezometers. Archaeologists might be interested if any cores are taken. Also, do we need an archaeologist present if they uncover the old powerhouse?

Other - Jan asked why decommissioning of the Sulphur Creek spawning beaches was not listed in the table. She thought it would be a priority under the new license. She is concerned that we not accept demolition as a given but that we consider alternatives to removing them, such as retaining all or some pools and making an interpretive stop for tours. Jessie and Jan will schedule an onsite meeting with Baker's fisheries supervisor to get the discussion started. We will want to do HAER documentation.

HISTORIC PROPERTIES MANAGEMENT PLAN

Jessie provided a schedule of HPMP measures that are due at license issuance or within six months of license issuance.

Bob mentioned the "Voices Along the Skagit" workshop that he does with Dave Reid and suggested that some of the events might be good training opportunities for PSE staff. He thinks we should be able to look at an early draft of their itinerary so we can identify some of those events. He will keep PSE apprised of the schedule for the August 2006 workshop. Apparently the workshop will be combined with the "Canoes Upon the Water" teachers workshop.

ARCHAEOLOGICAL MONITORING & CONDITIONS REPORTING FORM

We continued the discussion of the conditions reporting form that NWAA provided at our May 20th meeting. Chris reviewed it and noted that most of the sites are in the drawdown and at this point only one or two sites are candidates for possible stabilization. She wants to know what folks want to see on the form.

Bob says the main issue is for the person evaluating the site to know when there is a change in condition from the previous monitoring season and what was reported last time. Chris said that establishing photopoints to go back to is a key to seeing change over time. There are only a couple of sites that have large amounts of artifacts where the question of having to relocate all of them vs. establishing a threshold of change is an issue. With larger sites you can sample to verify a portion fairly quickly and that can be a GPS exercise with appropriate GPS tool, but relying on GPS alone is not great because of the margin of error.

Jan pointed out that in the HPMP under treatment we've stated that unless erosion is stopped we will consider collecting the artifacts but Chris feels erosion not always a problem. For instance in sites with lag, the site gets lower but the same artifacts are there. Jan said the site is potentially still there, but if there is no way to stop the erosion or potential for looting, it may not be there the next time you monitor. So how do you know when the site is not stable and you need to collect? What is the trigger for deciding this? Where the potential for damage is so strong, maybe we should recommend data recovery because if we

avoid deciding on data collection because the focus is preserving every site, the condition can change and we would lose all data. For instance, for sites threatened by vandalism or recreational use, we may decide it is best to collect the artifacts because maybe the site is undisturbed for a few monitoring seasons and then suddenly could be gone.

Chris suggested the treatment plan can list each site, the basic parameters, and recommended actions. For instance, individual sites might be under water or have a high damage potential (erosion/vandalism), etc. The plan can include both general and site specific treatment measures. Regarding collecting the artifacts, is what's on the surface all that there is? Chris doesn't think there are buried surfaces except at the edge of flows. There may be one or two exceptions. She needs guidance on where we want the focus to be - do we need to change the HPMP to focus on monitoring and if we encounter adverse effects we would decide what to do then?

Bob said that for each site, you have to ask what quality makes it eligible (e.g. this site has diagnostics). The testing program allows you to assess some of the effects to those qualities. Then you look at the treatment that addresses those effects. Chris said vandalism will be the biggest threat, but Bob said some sites will disappear without vandalism. We need to identify the eligible qualities and what we do depends on adverse effects to those qualities. Then do we pick up all the artifacts because there's potential for those adverse effects? Bob suggested we would pick up form tools and diagnostics.

The monitor will work with the site sketch map and established photo points (datum) to relocate artifacts from the datum in order to try to find same artifacts every year. In terms of recording, what can you put down that people can tabulate easily? You need to think of a checklist of data but also provide additional space for comments that don't fit that format but provide important information. Kelly said if she looked at the monitor form back in the office as prep for going out to the field, she'd want to see information on past conditions along with the site form. Chris reminded her you'd have that information, plus the old maps and photos and new maps and photos to work from.

Bob said it's hard to track the process unless the form has data on the last condition assessment. He said it should definitely include a summary of conditions that have changed since the last assessment on a couple of lines. It's efficient if you can go to the summary on this year's form to see conditions, e.g., "no detected changes," before revisiting the old form so you can be prepared to reconcile in the field. You want all this at your fingertips.

Jan is concerned about the GPS issue. The margin of error can make a small site seem like it moved. But Chris said if you do GPS from the same point each time (UTM of established datum), it will show the movement as a consistent measure. It's also possible to install a permanent data point, e.g., rebar. Jan is concerned if we don't have known measures to start with (photopoint, how high the bank is, etc.) we can't measure change. Chris reminded her that on the site sketch maps a percentage is marked, e.g., more silt added or removed from site. Some of the boundaries are identified as silt.

The annual report required by the HPMP will summarize the monitoring results so they are brought forward to the CRAG. That way we can discuss what to do about problems, identify trends and make any needed adjustments to the monitoring process.

Do we want a protocol in the treatment plan? When artifacts disappear, when does it trigger a management need? Kelly said that trigger needs to be defined for each site. Do we want to make a decision in the field? Do we ever want to collect while monitoring? Mitigation on each site would be different. Bob said it's not difficult to do site-by-site treatment.

Chris asked if the primary goal is to do nothing and to preserve in place rather than data collection. Do we focus on protecting the site from erosion, vandalism, and siltation, or do we want to collect data? Is collection a site-by-site decision, depending on what makes a site eligible? The overarching goal will determine the treatment. We don't want to spend more than we have to. The preference is to preserve in place rather than mitigate with data recovery, but we have to look at the cost. We also don't know a lot about how to harden sites in a drawdown. The HPMP mentions patrolling, but it isn't realistic to rely on that to stop the deterioration of sites.

The treatment plan can address the quality of a site but that doesn't always mean collection is the best action. Some sites contribute to the archaeological district. There is value in looking at their relationship and distribution. The damage is no longer to the single property but to the larger historic property, so the treatment plan is for the district. At the district level we can look at certain areas and what might be addressed. Can we collect data or preserve in place or collect data and leave? What is the status of the site after that and PSE's responsibility?

Jan had some comments at the last meeting that didn't make it into our notes, so she will go back to her notes to see what they were. Some of our discussion of the monitoring form came after the meeting ended and people were chatting. The team needs to send any comments on the form to Jessie so we can work through them. We need something to be able to respond to and work through some of the issues in concrete terms.

Chris, Jessie, and Kelly will work on a conceptual level draft plan to send out for comments by the end of December. The process of developing it will help us to identify the questions that need to be answered and will provide the opportunity for a site-by-site assessment from known information.

HANDOUTS

1. Meeting Notes May 20, 2005
2. Updated Interim CRAG Member Contact List 10-18-05 draft
3. CRAG Meeting Norms October 18, 2005
4. Draft Restricted Information Issues
5. HPMP Sections 1.5 Confidentiality & 6.2 Advisory Group (non-confidential)
6. HPMP schedule - Year 1
7. Major Projects 2005-2006 (10-18-05)
8. NWAA Memo- Baker Lake Geoarchaeological Landscape Mapping
9. Article 110 - Shoreline Erosion Plan

PARKING LOT

No items currently listed

MEETING EVALUATION

Well-Dones

Good location!!
Good food!!
Good chocolate!!
Good to have Norma back
Good to have Scott here
Good to have John here
Good review by Jessie
Connie's notes

Changes for Next Time

Missed Rob - have phone next time
Need more discussion
Miss Lyn and Mary Jean
Miss Swinomish representation

TENTATIVE Agenda for next CRAG Meeting

February 21, 2005 - Baker Lodge

1. Introductions
2. Baker River Interim Coordinating Committee Update
4. Confidentiality
5. Historic Properties Management Plan - scope of work
6. Major Projects Update
7. Discussion:
 6. Status of Archaeological Surveys
 7. Evaluate Meeting
 - Define Next Steps

Draft BRCC-CRAG Norms

Official Meeting Procedures BRCC and Resource Groups (prescribed by settlement/as outlined in the HPMP)

- 1) Licensee convenes meeting at least annually.
- 2) Licensee provides at least 10 day notice of meeting
- 3) Licensee provides agenda with meeting notice
- 4) Licensee maintains current membership list
- 5) Designated alternates (or proxy) may represent the member.
- 6) Licensee chairs meetings
- 7) Licensee is responsible to keep a record of the meeting, record votes, document decisions, and distribute minutes to the group.
- 8) A Neutral Notetaker, if desired by group, may be delegated to take minutes, record votes, record decisions and distribute minutes to the group.
- 9) Meeting Quorum - A quorum for a meeting of the BRCC shall include at least one representative, or proxy, of each of the following groups to be present: licensee, the federal agencies (USDA-FS, USFWS, NPS, NOAA Fisheries), the state agencies (Ecology, WDFW, DNR), and the tribes (SSIT, SITC, USIT).
- 10) Votes taken after a two-week (*appropriate*) notice period.

CRAG General Meeting Norms (optional by agreement of Group and reviewed annually)

A. Location and time

- 1) CRAG meetings held at locations as announced.
- 2) Starting time and length of meetings may vary as agreed to by participants.

B) Cultural Resources Coordinator Responsibilities

- 1) Bring extra copies of meeting minutes to each meeting.
- 2) Ensure that draft minutes are sent to all members within 10 working days of the meeting.
- 3) Provide notice of meeting locations, times & changes.

C) Meeting Minutes/Documents

- 1) Minutes will include, agenda, list of attendees, action items, list of handouts, summary of discussions, list of decisions, and Parking lot.
- 2) Draft minutes will be distributed by email or postal by special request.
- 3) Comments shall be submitted to the Group Chairman within 10 working days of distribution.
- 4) Suggested changes to the draft minutes will be indicated in the subsequent version by italics and acknowledgement of the source of the revision. These revisions will be discussed/ approved at the start of the following meeting.
- 5) Final minutes will be distributed in hard copy format.
- 6) Documents will be posted on the website (as decided by the team).

D) Meeting Conduct

- 1) Meetings will start and end on time.
- 2) Members to introduce new topics at start of the meeting as needed
- 3) No backing up for late comers.
- 4) Take breaks as needed.
- 5) Have regular updates re: the schedule.
- 6) Use Parking Lot to “park” ideas to be addressed at a specified date.
- 7) Celebrate diverse opinions.

- 8) Celebrate (even small) accomplishments.
- 9) For the benefit of members participating by phone, identify yourself as you begin to speak.
- 10) Phone participants will signal a desire to be heard by pressing the # button on the phone.
- 11) Pre-announce (let coordinator know a week ahead) any agency caucuses that would need to meet during the regular meeting time.
- 12) Representatives inform Chairman if they will not attend a meeting, will be late or will be attending by phone.
- 13) Representatives provide information on any changes in contact information or representation to Chairman.
- 14) Anyone making presentations will distribute corresponding hard copies of the presentation to facilitate note taking for the participants.
- 15) No side conversations.
- 16) Don't interrupt each other.
- 17) Respect confidentiality wherever possible and where legally required.
- 18) Avoid personal attacks.
- 19) No long speeches. Ask for permission from the team if planning to talk for more than 3 minutes.
- 20) Put yourself in the other person's shoes (work to understand each other's perspectives).
- 21) Listen to each other.
- 22) Respect each others' interests (they cannot be challenged).
- 23) Keep an open mind.
- 24) Be honest and kind at the same time.
- 25) Seek first to understand, then to be understood.
- 26) Have fun.
- 27) Norms should be reviewed, edited at least annually.
- 28) Members joining by phone will identify themselves at login.

E) Options to In-person Attendance at Meetings

- 1) When you cannot attend in person, a conference line will be provided if possible (open 5 minutes before the meeting begins). The line will remain open for the duration of the meeting.
- 2) Designated alternates (or proxy) may represent the member in person or via phone.

F) Decision Making Processes

- 1) Decisions are by decision-making protocol described in the settlement agreement. This means consensus and/or accordance with the HPMP/Confidentiality Agreement.

G) PSE Facilitation Duties

- 1) Facilitation to keep the group on track.
- 2) Check with meeting participants on "real time minutes" to ensure correctness.
- 3) Start each meeting by reviewing/revising previous minutes and proposed agenda.
- 4) Facilitate speaking order, according to the order participants indicate (by signaling visually or "beeping" if participating by phone).
- 5) Do a quick evaluation at end of each meeting.

H) Neutral Notetaker Duties (if selected by group)

- 1) Writes "real-time" minutes on flip chart during meeting.
- 2) Transcribe "real-time" minutes to record of meeting
- 3) Distribute draft notes to the group within 10 working days of each meeting.