
BAKER RIVER PROJECT RELICENSE

Solution Team

April 24, 2002

9:00 a.m. – 3:00 p.m.

Forest Service Building
Mountlake Terrace, WA

Mission: By April 30, 2004, the Baker Solution Team will draft a settlement agreement for relicensing of the Baker River Project that best meets the interests of the signatories.

FINAL MEETING NOTES

Note: Call Connie at 425-462-3556 if unable to attend the meeting so she can plan for lunches. Call Lyn at (new cell number) 425-890-3613 if something comes up at the last minute (on the way to the meeting).

Team Leader: Connie Freeland (Puget Sound Energy) 425-462-3556, cfreel@puget.com

Members Present: Jon Vanderheyden (U.S. Forest Service), Don Schluter by phone (Trout Unlimited), Rod Sakrison (Dept. of Ecology), Jerry Louthain (Anacortes & Skagit PUD), Steve Jennison (Dept. of Natural Resources), Arn Thoreen (Skagit Fisheries Enhancement), Gary Sprague (WA Dept. Fish & Wildlife), Stan Walsh (Skagit System Cooperative), Bob Helton (Citizen), Bill Reinard (Wildcat Steelhead Club), Bob Nelson (Rocky Mt. Elk Foundation), Ann Marie Gutwein (Skagit County Public Works), Patrick Goldsworthy (North Cascades Conservation Council), Ed Schild (PSE), Connie Freeland (PSE), Lloyd Pernela (PSE), Cary Feldmann (PSE), Lyn Wiltse (Facilitator with PDSA Consulting), telephone call with Steve Hocking, and Keith Brooks of FERC.

NOTE: Lyn has a new cell phone: 425-890-3613. Call her if something comes up the morning of the meeting. Otherwise, let Connie know in advance if you will be unable to attend so she can plan for the proper number of lunches.

NEW ACTION ITEMS

- Connie: Add key to Study Index

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- Lloyd: Prepare summary of current license
 - Lloyd: Put together a Primavera Primer
 - Connie: Publish Charles Howard Model Workshop Date (June 12), time, and location
 - Connie: Publish next RESOLVE training date (White River)
 - Ed/Jon: Look at working out a common approach re: continuing impacts.
 - Connie: Meet with Bob Helton re: notebook
 - Connie: Append three letters of ALP support to minutes
 - Lyn: Incorporate “hot” issues into Working Group evaluations (to share with Solution Team)

REPORT ON OLD ACTION ITEMS

- Lyn: Sent Don Schluter contact information for Gary and Steve (to potentially arrange carpooling).
- Lloyd/Connie/Cary: Began to create matrices to track interests and how they relate to studies.
- Ed: Met with Bruce, Lloyd, Stan, Jon, Rod, Bob re: Settlement Process.

AGENDA

April 24, 2002 at USFS Office in Mountlake Terrace

9:00 to 3:00 (with 45 min. working lunch provided)

1. Introductions
2. Review/revise minutes/agenda
3. Review Studies/Timeline/Gaps?
4. Settlement Teamlet Report
5. ALP vs. Traditional vs. both?
6. ALP Request:
 - Final approval of CP/PD
 - Letters of support
7. FERC Conference Call @ 11:00
8. Status of Scoping Document 1
9. Plan for Public Meetings
10. Action – Items – Matrix Teamlet Report
11. Review Parking Lot
12. Other Issues
13. Set agenda for May 22 meeting at Mount Vernon (after public meeting)
14. Evaluate meeting
15. Comments from observers

STUDIES/TIMELINES

We reviewed the Study Request Index and the study Index for the Working Groups. Connie will add a clarifying “key” to explain the labels. We revised the wording of R-A11 (changed it to read “may be limiting production in the Baker Basin.”) We also added R-AO5 to the Study Index since it is underway. PSE will change the reference to delta to alluvial fan, where appropriate.

SETTLEMENT TEAMLET REPORT

Lloyd distributed minutes from this teamlet that met on April 18. Attendees were Lloyd Pernela (PSE), Jon Vanderheyden (USFS), Bruce Freet (NPS), Bob Helton (Citizen), Rod Sakrison (DOE). Rhonda Hilyer facilitated, with Ginny Ratliff taking notes.

The group identified at least eight interdependent “tracks” of processes occurring simultaneously during the ALP approach. The Teamlet completed timeline for four of those tracks. Lloyd walked us through some draft timelines of tasks and document submissions, review periods, etc. to support submitting a license application by April 30, 2004. These timelines take into consideration going traditional or ALP. It was suggested that the Settlement Teamlet continue to monitor work against the timelines and report to the Solution Team quarterly. It was also suggested that this may be the right time to form the Policy Team. It was also suggested that it may be premature to form the Policy Team, since we haven’t gathered sufficient information to work with to make settlement decisions.

ALP?

Most participants were in general agreement that they would like PSE to request to go ALP because it is more inclusive, especially for non-governmental organizations. Concern was expressed about going forward before the confidentiality issue was addressed with the Tribes. There are trust/treaty responsibilities here. PSE will talk with at least the Upper Skagit Tribe about this issue during a previously scheduled meeting (to address another topic) on May 2. To date, PSE has received three letters of support (these will be appended to these minutes). PSE will send out an update of what happened at the May 2 meeting. At that time, after May 2, we’ll see where we are and what next steps are appropriate – either stay traditional or request ALP, with the provision that the confidentiality issue is continuing to be worked with the Tribes.

FERC CONFERENCE CALL

Questions the group wanted to ask the FERC representative:

- Status of the Communications Protocol/Process Document
FERC answer: still deadlocked over confidentiality issue with tribes (Section IV)
- Deadlines:
 - Which are hard/soft? **FERC answer:** EA is fairly soft
 - Request to go ALP. **FERC answer:** usually 2-3 years out
- How can we request ALP?
Can we do this while sorting out cultural confidentiality issues in Communications Protocol/Process Document?
FERC answer: Yes, submit request and current version of the Communications Protocol/Process Document and continue to work confidentiality issue with Tribes.
- How has FERC handled tribal confidentiality issues in other ALPs?
FERC answer: It has not come up much yet. At Chelan, it was handled as a separate confidentiality issue among working group participants.

COMMUNICATIONS PROTOCOL/PROCESS DOCUMENT

Connie distributed the latest versions (April 23, 2002) of these documents, which incorporate all changes to date. She also distributed the latest draft language for Section IV of the Communications Protocol (“Receipt and Disclosure of Indian Cultural Resources Information”). The Tribes do not plan to complete review of this section until after the May 2 meeting between PSE and the Upper Skagit Tribe.

SCOPING DOCUMENT 1 AND PUBLIC MEETING

Last week the scoping Document 1 was sent out to these three lists:

- FERC service list

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- FERC mailing list (recently updated)
 - The Baker Mailing List

If you are on all three lists, you will have received three copies of this document. This will be discussed (along with the Initial Consultation Document) at the public meetings on May 21 and 22. July 22 is the due date for both documents. Comments go to FERC on the Scoping Document 1 and to PSE on the Initial Consultation Document.

The public tour will take place from 10 a.m. to 3 p.m. on May 21. A public meeting will be held on May 21 from 6-10 p.m. at Concrete High School. A public/agency meeting will be held May 22 at the CottonTree Inn in Mount Vernon from 9 a.m. to approximately 3 p.m. (followed by an abbreviated Solution Team meeting). Since we are currently following both traditional and alternative tracks, these meetings will serve the following purposes:

- Initial Information Meeting
- NEPA Scoping Meeting
- Stage 1 Joint Agency Meeting (gives agencies 60 days to submit their study requests)

PARKING LOT MANAGEMENT

We narrowed the list, crossing off items having been accomplished. We agreed that any new items will be accompanied by a sponsor and a date placed on the list.

PARKING LOT

- Members need to describe their roles in terms of decision-making authority in their organizations (this relates to who would be members of the Policy Solution Team).
- Define a process for delayed resolution (based on incomplete studies).
- Adaptive management:
 - How can we take into account future technology, knowledge, conditions, resources, etc.?
 - How can we balance licensee exposure?
- How to enlist recreational users.
- Define “project induced.” (Teamlet?)
- FERC boundary.
- Develop public information protocol.
- Summary of Record of Decisions.

HANDOUTS

- Baker River Project, FERC No. 2150 Study Request Index (April 23, 2002)
- Baker River Project, FERC No. 2150 Study Index (April 23, 2002)
- Meeting Notes, April 18, 2002, Baker Relicensing Timeline and Settlement Process Teamlet (and Timelines)
- Relicensing : A Comparison of Alternative Procedures and the “Traditional” 3-stage Consultation Process
- Excerpt from October 11, 2000, Meeting Notes for Economics Working Group: Bob Helton’s suggestions for PSE
- Baker Relicense Schedule (April 23, 2002)

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- Aquatic Resources Group Interests/Issues (Baker River Relicensing, FERC # 2150) (example to start matrix)
 - Most recent versions (dated April 23, 2002) of Communications Protocol and Process Document
 - IV. Receipt and Disclosure of Indian Cultural Resources Information (draft language, April 23, 2002)

MEETING EVALUATION

Well-Dones:

- Welcome Ann Marie Gutwein (Skagit Co. rep)
- Good lunches
- Hope for resolution of approach (traditional or ALP?)
- Good honest comments
- Done early
- Willingness of FERC to work with us
- Made good use of “down-time” when phones were down.

Need to Improve:

- Phone connections
- Need to get materials out sooner
- Change studies Index to make easier to review

TENTATIVE AGENDA FOR NEXT MEETING

May 22, 2002 at CottonTree Inn in Mount Vernon

Starting at 3 p.m. or immediately following the public meeting

1. Introductions
2. Review/revise minutes/agenda
3. Review Studies/Timelines – and any urgent issues
4. Debrief of Public Meetings
5. Status of APL Request
6. Action Items
7. Other issues?
8. Set agenda for June 26 meeting at (USFS Building in Mountlake Terrace)
9. Evaluate meeting
10. Comments from observers?