



BAKER RIVER PROJECT RELICENSE

Terrestrial Resources Working Group RESOLVE Session

November 5, 2003
8:30 am until 2pm

U.S. Forest Service Office
21905 64th Avenue West
Mountlake Terrace, WA

AGENDA

Review Agenda, Notes, Action Items
<ul style="list-style-type: none">• Set expectations for what needs to be accomplished today!
Review agreements from 10/17/03 meeting
Acreage
<ul style="list-style-type: none">• Acreage (elk, wetlands, etc.)• BAWG report on acreage discussions
PME's that still need to have tentative agreement, need to address in this meeting:
<ul style="list-style-type: none">• 1.1.1 Provide Habitats• 1.2.1 Elk Forage• 1.2.2 Grizzly Forage• 1.2.3 Mountain Goats• 1.2.4 Wetlands (previously Amphibians)• 1.2.5 Connectivity• 1.3.3 Legacy wood users (previously cavity dwellers)• 1.3.4 Bald Eagle PME – change to night roost protection instead of nest protection?• 1.3.6 Bald Eagle monitoring – may change with change to 1.3.4.• 1.4.3 <i>Carex flava</i> report – latest revision, cost estimate• 1.?.? Breeding Birds – PME proposal by Bob Carey• 1.5.1 TERF fund
Meeting review
<ul style="list-style-type: none">• Agreements reached• Action plans – Identify next steps!
Set date, place, agenda for future RESOLVE session, Adjourn

BAKER RIVER PROJECT RELICENSE**Terrestrial Working Group
RESOLVE Session
Final Notes**

November 05, 2003

USFS Office
Mountlake Terrace, WA

FINAL MEETING NOTES

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

PRESENT

Don Gay, Carl Corey, and Laura Potash (USFS), Marty Vaughn (Biota Pacific), Tony Fuchs and Cary Feldmann (PSE), Lauri Vigue (WDFW), Gene Stagner (USFWS), Bob Nelson (Rocky Mountain Elk Foundation), Bob Kuntz (NPS), Patrick Goldsworthy (North Cascades Conservation Council), Len Barson and Bob Carey (The Nature Conservancy), Lyn Wiltse, facilitator (PDSA Consulting)

*******THERE WILL BE NO TERRESTRIAL WORKING GROUP MEETING ON NOV. 20!*******

The Next RESOLVE Meeting will be December 5, from 8:30 to 2:00 at TNC Offices, 217 Pine Street (Take Stewart Exit off I-5) in downtown Seattle. If there are still issues un-resolved after this session, we will meet again on December 11 at a site mutually agreed on.

The next BAWG meeting will be Nov. 18 from 1:30 to 4:00 via conference call (Gene will send out instructions for dialing in). Southern folks will meet in Gene's office and Northern folks will meet at TNC Office in Mount Vernon.

2004 Schedule: 1/15/04, ***THEN MOVE TO THIRD WEDNESDAY***: 2/18 (??), 3/17, 4/21 (??), 5/19 (??), 6/16 (??), 7/21, 8/18, 9/15, 10/20, 11/17 (??), 12/15 (??)

Note: ?? indicates unavailability of USFS Building in Mountlake Terrace.

Agenda

Review Agenda, Notes, Action Items

- Set expectations for what needs to be accomplished today!

Review agreements from 10/17/03 meeting

Acreage

- Acreage (elk, wetlands, etc.)
- BAWG report on acreage discussions

PME's that still need to have tentative agreement, need to address in this meeting:

- 1.1.1 Provide Habitats
- 1.2.1 Elk Forage
- 1.2.2 Grizzly Forage
- 1.2.3 Mountain Goats
- 1.2.4 Wetlands (previously Amphibians)
- 1.2.5 Connectivity
- 1.3.3 Legacy wood users (previously cavity dwellers)
- 1.3.4 Bald Eagle PME – change to night roost protection instead of nest protection?
- 1.3.6 Bald Eagle monitoring – may change with change to 1.3.4.
- 1.4.3 *Carex flava* report – latest revision, cost estimate
- 1.?.? Breeding Birds – PME proposal by Bob Carey
- 1.5.1 TERF fund

Meeting review

- Agreements reached
- Action plans – Identify next steps!

Set date, place, agenda for future RESOLVE session, Adjourn

New Action Items

- Tony: E-mail group results of HYDROPS run re: amphibians.
- Laura: Are coconuts actually nuts?
- Bob C. or Len: Reserve room at TNC Seattle Office for Nov. 18 BAWG meeting and Dec. 5 and 11 RESOLVE meetings.
- Don: Help flesh out priority of “grizzly spots” (BMUs).
- Marty: By 11/5, Update PME Summery Table and send out to members to review:
 - Add O&M Column
 - Add 1.6.1: Compliance Monitoring
 - Add 1.6.2: Effectiveness Monitoring
 - Split out management costs where known
 - Add a separate line for Terrestrial Plan Development and Maintenance
- Tony: Get additional information re: advantages (to PSE) of phasing costs
- Lyn: Check Dee's availability for RESOLVE meetings on Dec. 5, 11. (Note: Dee is available on the 11th. Lyn will free up for meeting on the 5th.)
- Gene: Set up conference call line for Nov. 18 conference call and send dialing instructions out to BAWG members.
- Bob and Don: Button up with Stan and Scott on integrating 1.3.4 into 3.4.4 and renumber it as one

of the 6 series as it deals with cross resource issues.

- Tony: What exactly would the number be for the above-referenced PME?
- Lauri and Bob: Outline geographic scope of monitoring areas for bald eagle winter night roosts. Mind the logistics involved in surveying other people's properties, etc.
- Laura and Carl will get together with Tony to discuss Noxious Weed PME/costs further prior to our Dec. 5 meeting
- Marty will look at fleshing the Breeding Bird PME out in a manner consistent with his other recent analysis.
- Lyn: Reserve USFS Office in Mountlake Terrace for 2004. Beginning in February, move to third WEDNESDAY instead of third THURSDAY of each month. (See list on page 1).

Report on Completed Action Items

- ALL: Considered 50 year average, Scenario 1 re: acreage for acquisitions where we haven't already reached tentative agreement.
- Tony: Buttoned up with Laura re: special plants cost estimate. Still need to do this for *Carex flava*.
- Marty: By November 5, distributed updated list of PMEs with updated titles.
- Marty: By November 5, distributed snag/log species list.
- ALL: Let Marty know if you have suggested changes to snag/log list.
- Marty: By October 17, sent out updated Rare Plant and Noxious Weed PMEs.
- Marty: By October 17, emailed elk acreage spreadsheet and table to Working Group members.
- Lauri: Worked with Bob C. re: finishing up eagle PME.
- Lyn: Checked with Dee re: her availability to facilitate November 5 RESOLVE meeting. Ask her to let Tony know by October 20. Tony will then check with Bob as needed.
- Bob N: Checked with other facilitators to see who might be able to fill in for Dee if she is unavailable son November 5. Thanks Bob!

To permit the greatest degree of open dialogue, the group agreed that notes for the RESOLVE sessions will be less formal than regular working group meetings. We will primarily document agreements and action items.

RESOLVE Groundrules and Criteria

Following are the original RESOLVE ground rules agreed to by the working group:

- Work at understanding one another.
- Use airtime wisely.
- Speak honestly and respectfully.
- Examine assumptions.
- Make tentative agreements, then look at the whole package together.
- One meeting review rule: we have one meeting to review and change the tentative agreements of the previous RESOLVE session.¹

¹ All agreements are tentative even after the "one meeting review rule". However, the one meeting rule gives regular participants an opportunity to bring an agreement back to the table while assuring that tentative agreements are not forever

- Document our agreements.
- Caucuses are okay.
- For each PME, we will begin by identifying the goal and measurable objectives
- We will use the 5/7/03 PME's, as updated, for our RESOLVE discussion.
- After we have agreed to a PME, Marty will revise it to reflect our agreement. Only after that will draft settlement language be written.

Acreage Discussion

Marty shared with us his recent thinking on how to satisfy interests of all. He distributed handouts outlining how PMEs for elk, grizzly, wetlands, and decaying and legacy wood might look (see below). These drafts were “hot off the press” and had only received a cursory review by PSE. Other participants saw them for the first time today. Marty welcomes feedback from the group.

He also distributed a Terrestrial PME summary Table showing what the costs might be for each PME, given the discussions to date. He explained that many of the numbers here were placeholders (e.g., lowland riparian habitat protection (1.3.4) might be best addressed by an aquatics/terrestrial teamlet. Note: The numbers in this chart were *not* in *net*-present value. Nor do they include compliance monitoring and reporting. Marty excluded these because he sees this as the cost to PSE of doing business. Next Steps: Marty will update this table to reflect the group discussion and send out for review. See specifics under Marty's Action Item.

Other thoughts: Do we need a land management category? Some of these costs are legal obligations while others are rough estimates. We need to consider which costs can be phased. We need to balance the certainty provided to PSE by cost caps with certainty that the intent of the measures is met. Could this be addressed by the Terrestrial Discretionary Fund? How do we account for costs associated with overall terrestrial management plan? Lauri has drafted an outline for this plan. It is important to see that our intent isn't lost.

Next Steps: The BAWG will meet on Nov. 18 to discuss this. PSE will also conduct a more formal review. All will send reactions to Tony to distribute prior to our next RESOLVE session on Dec. 5.

1.2.1. Provide Foraging Habitat for Elk

Scenario 1, 30-years, average, with a multiplier of 1.8, which would be approximately 1,748 acres of good and marginal habitat (not including poor habitat).

Marty distributed a new draft of this PME for the group to consider.

Acreage Issues to Address

- If \$50,000/year is not spent, how is it “banked” for future use?
- Is there a limit to how many years it can be banked?
- For acquisition funding and \$50/year, is it an indexed fund (accounting for inflation)?
- Does the fund draw interest? If so, where does the interest go?

reopened. It also accommodates regular participants who must miss a meeting and may want to weigh in on a decision. The group also agreed that materials to be considered at the RESOLVE session would be sent out in advance, per regular working group rules, if group members were expected to attempt agreement on those materials.

- Is \$2,000/acre a good figure for elk habitat?
- If we accomplish elk habitat values for less than \$3.2MM, what happens to the balance?
- Contingencies if “Mystery Ranch” is not available?

1.2.2 Grizzly Forage

Scenario 1, 50 year target, Terrestrial Committee has complete control,

Acreage Issues to Address

- Consider using savings from grizzly and wetland PME for Elk over-runs (assuming grizzly habitat is met).
- Function of committee (membership, veto power, decision making methodology, etc.)

1.2.4 Wetland Habitat (previously Amphibians)

Marty distributed a new draft of this PME for the group to consider. It showed a 360 acre target, acknowledging there are wetlands (approx. 257 acres) in the inundation zone now. If downgraded by a factor of .7, comes out to 180 acres. He assumed \$2K/acre for acquisition and \$4 for enhancement. Could buy 3 X the 180 (540 acres) without doing anything to them (protecting existing wetlands).

Issues to Address

- Is 180 acres the right number?
- How does the committee account for the overlap (elk, grizzly, etc.) per acre?
- Fund for maintenance?
- Need to distinguish subsets of Wetlands by type.

1.2.5 Provide Connectivity Habitat for Low Mobility Species

We agreed to evaluate options to provide wildlife/connectivity on PSE-owned land near Upper Baker Dam. Don will investigate this and send his assessment to working group members by the end of the month. On Nov. 4, Don sent out an option to BAWG members that might allow animals to traverse the reservoir safely. He will send it out to PSE as well on Nov. 5. Carl pointed out that we also need a species viability assessment. *(The team leader points out that we may need to contact the Sarvey Wildlife Rehabilitation Center to team with us on this version of the PME ☺).*

1.3.3 Legacy Wood Users (previously Cavity Dwellers)

Marty distributed a new draft of this PME for the group to consider. PSE will spend \$50K for the plan and \$10K/year plus the cost of the wood to implement. As additional lands are purchased, PSE must update plan accordingly. Goal is 75% of maximum. We need to consider whether this is the right number.

1.3.4: Bald Eagles – Habitat on Non-Project Lands

Bob C. has drafted a new PME showing an acquisition/restoration component in addition to monitoring. This is the highest priority. He has integrated this into the Aquatics PME 3.4.4: Implement Riverine-Riparian Habitat Conservation Measures. He integrated protection on bald eagle night roosts into what Stan and Scott had put together.

He suggests this be covered in 1.2.6 and 3.4.4 with each referencing the other, with a total dollar amount to be shared between the two. There may be overlap here with many of the PMEs (other than grizzly and

mountain goats). He and Don will form a teamlet with terrestrial (e.g., Bob K.) and aquatics folks (Stan and Scott) to flesh this out.

The second highest priority is identifying and protecting winter night roosts. The third priority is the Bald Eagle Management Plan.

1.3.6 Bald Eagle Monitoring

The monitoring PME would focus on periodic monitoring for bald eagle and other Raptors on Project lands and other PSE lands that are acquired.

1.4.2 Noxious Weeds

Laura shared with us a Nov. 5 version of this PME. The only change was in Table 1 on the second page. She also distributed and updated sheet of potential costs associated with this PME. The costs (based on 30 years) don't account for inflation. They show additional costs for reed canary grass control in the six new (highest priority) wetlands that Laura, Laurel, Mignonne Bivin (Plant Ecologist for N. Cascades NP), Todd Neel (Noxious Weed Coordinator for 7 National Parks in Washington), and Tony visited in the field trip last week. She reminded us that the objective for the wetlands in this PME is to contain, and where feasible control or eradicate reed canarygrass. We may need to revisit the noxious weed control methods, as there are cases where reed canary grass is intermixed with native, non-invasive species.

Issues to Address

- Where there is discretionary authority on what might be done within this PME, it may be helpful (provide PSE some certainty) to provide a spending cap.
- It might be helpful to describe the objective of the plan as "contain".
- As part of the plan's re-evaluation every 5 years, it becomes obvious that we are just throwing money down a hole, we re-examine the objectives/methods.

Next steps: Laura and Carl will get together with Tony to discuss this further prior to our Dec. 5 meeting.

1.4.3: *Carex flava*

No changes to the PME. Some small changes to the cost estimate. *Laura and Tony have revised the cost estimate* to be approximately \$408,700. This includes general activities and propagation.

1.?? Breeding Birds PME

There was some discussion about integrating this PME into 1.1.1 and 1.3.4 PMEs.

Bob suggested this PME because, in reviewing the other PMEs, he didn't see anything that addresses lost habitat for migratory and resident birds. The cost figure he used is a 30-year cost figure. He suggested that if the management of this was assumed by PSE, it might cut costs in half. It would be good to have a deciduous forest number so we know when we are being successful in managing for these birds. We could use the number we have in 1.1.1 for that. Next step: Marty will look at fleshing this out in a manner consistent with his other recent analysis.

6.6 TERF Fund

Tony pointed out that 6.6 is a new designation for the Discretionary Funds, of which the TERF fund

would be a part. FERC had requested that all the funding mechanisms be tied to a single PME. In doing this, we will work to ensure that Terrestrial funds are spent on terrestrial resources.

Cary has put together a preliminary draft of moving each resource area fund under the umbrella of the BRCC. The “process part” of this will be in PME 6.6.

Solution Team Report

The following rules were set out at the last Solution Team Meeting due to the inability of agency folks to continue to attend PME meetings on a regular basis.

- No more Working Group meetings unless agenda is previously approved (through email) at least a full day ahead of time by Working Group members who agree it still makes sense to meet without agency participation
- Technical Working Groups continue to meet (Instream Flows, Fish Passage, Adaptive Management, Alluvial Fan, TST, Cultural, Economics/Operations, Attorney Meetings, Water Quality).
- Terrestrial, Recreation, and Cultural “Regular” (technical) and RESOLVE meetings will continue as scheduled (subject to initial bullet above).
- The Louis Berger Group starts draft license articles where there is “tentative agreement” reached by Working Group members.
- There will be an email technical review of draft license articles by FERC and (technical) Working Group members.
- “Regular” Solution Team meetings will continue as scheduled.
- New PMEs introduced will be discussed by email (e.g., Stan’s)
- Solution Team members will draft a settlement strategy for January and beyond at November 25 meeting.

Handouts

- Notes from 10/17/03 RESOLVE Session
- T4 Analysis Species CD
- Current Study Report Index (11/04/03)
- Marty’s Handouts:
 - Process for Determining the PME Target for Elk Foraging Habitat (11/03/03)
 - Re-draft of 1.2.1 Elk Foraging Habitat (11/03/03)
 - Re-draft of 1.2.2 Grizzly Spring Foraging Habitat (11/04/03)
 - Re-draft of 1.2.4 Wetland Habitat (11/04/03)
 - Re-draft of 1.3.3 Decaying and Legacy Wood (11/04/03)
 - Terrestrial PME Summary Table (11/04/03)
- 3.4.4 Implement Riverine-Riparian Habitat Conservation Measures (Bob C., 11/04/03)
- 1.4.2 Noxious Weeds (rewrite by Laura, 11/05/03) and associated cost sheet
- Breeding Bird PME draft (Lauri and Bob K., 11/05/03)
- Outline from 10/28/03 Draft Solution Team Meeting Notes of Settlement Process between now and end of the year

Agenda for Next RESOLVE Meeting

**December 5, 2003 at TNC Office, 217 Pine Street, 11th floor, Seattle
Agenda**

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- Set expectations for what needs to be accomplished today!

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Acreage Discussion

- Reactions to Marty's Proposal
 - Acreage (elk, wetlands, etc.)
 - BAWG report on acreage discussions

PMEs that still need to have tentative agreement, need to address in this meeting:

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- 1.?.? Breeding Birds
- 6.6 TERF fund

Meeting review

- Agreements reached
- Action plans – Identify next steps
- Plan for wildlife celebration!

Identify next steps: Set agenda for December 11 RESOLVE Session? Confirm location.