



BAKER RIVER PROJECT RELICENSE

Cultural & Historical Resources Working Group

April 10, 2001

12:00 p.m. - 4:00 p.m.
Swinomish Tribal Community
LaConner, WA

AGENDA

1. Introductions
2. Review minutes/agenda
3. Action Items <ul style="list-style-type: none">• Questions/Comments on Bear Creek document• Review list of confidentiality issues developed by Bob, et al• Update on action taken on drawdown issue
4. Update on Research Design and ARPA Permit
5. Finalize APE (?)
6. Finalize Unanticipated Discovery Plan (?)
7. Review study requests for 2001
8. Expectations
9. Set agenda & locations for next meeting
8. Evaluate meeting

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Swinomish Tribal Community
7456 Pioneer Parkway
La Conner, WA 98257
April 10, 2001

FINAL MEETING NOTES - Amended

Mission: *"To develop alternatives and recommendations addressing cultural, historical and archeological resources for the Baker River Project relicensing process."*

Team Leader: Jessie Piper (425) 462-3609, jpiper@puget.com

PRESENT: Connie Freeland (Puget Sound Energy), Jessie Piper (Puget Sound Energy), Gail Thompson (Historical Research Associates), Lee Stilson (Department of Natural Resources), Gary Wessen (Wessen & Associates), Bob Mierendorf (North Cascades National Park), Larry Campbell (Swinomish Indian Tribal Council), Shari Brewer (Sauk-Suiattle Tribe), Jason Joseph (Sauk-Suiattle Tribe), Scott Schuyler (Upper Skagit Tribe), Ed Schild (Puget Sound Energy), Lyn Wiltse, facilitator (PDSA Consulting)

The meeting started at 12:10 noon and ended at 4:10 p.m.

FUTURE MEETING DATES/LOCATIONS

Future meeting dates are usually on the 2nd Tuesday of each month. We are considering moving our meetings to Mondays due to schedule conflicts of some of the team members, but will stay with Tuesday for now.

INTRODUCTIONS

The team welcomed first-time attendees:

Jason Joseph (Sauk-Suiattle Tribe) and Ed Schild (Puget Sound Energy)

NEW ACTION ITEMS

- ALL: Consider applications for confidential agreement
- ALL: By April 24 - comments to Gail on APE Map and Unanticipated Discovery Plan

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- Bob: Check out his Forest Service title.
 - Connie: Check with Shari re: location of construction debris on Bear and Thunder Creeks. Bear Creek is not on PSE property. Perhaps debris could be identified and mapped as part of the archaeological survey work.
 - Gary: Confirm nature of West Pass Dike and area near Horseshoe Cove Swimming Area.
 - Ed: Secure a larger more powerful boat for next two days of survey (Done!)
 - Scott, Larry and Jason: Run confidentiality draft document by Tribal councils for feedback.
 - Bob: Send new draft of confidentiality agreement to Jessie to distribute to Team Members for comment.
 - Jessie: Get map/numbers of dispersed campgrounds from the Recreation Working Group

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 - Update on actions taken to protect drawdown area
4. Update on Research Design and ARPA Permit
5. Finalize APE (?)
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REPORT ON OLD ACTION ITEMS

- Bob: Brought sample/template of confidentiality agreement for us to use as reference.
- Bob: Checked to see what the Forest Service is doing re: addressing public and drawdown issues.
- Connie: Discussions with Jessie, Gail, Forest Service, Baker Project personnel, and the Tribes to execute an interim plan to address public and drawdown issues.

ARCHEOLOGICAL UPDATE

- Gary reported he is in the midst of a 10-day survey on the Baker with a crew of five or six people. During this period the reservoir has dropped (approximately) from 695 to 692 feet. During the survey, they are finding a great deal of off-road vehicle activity. They have identified some historic and pre-historic sites. The boat they are using to do the survey is not expediting the process. The erosion at all sites is fairly severe. They have not yet dealt with the upper end of the pool. Gary has been impressed with the scale of fan developments on Baker, especially compared to other reservoirs.
- Scott said he would like to see some acknowledgment of the areas not able to be surveyed. Gary replied that these would be included in the report. We may want to note some of these areas in the drawdown zone so they can be surveyed at the next available opportunity. We do intend to survey the lower drawdown as it

becomes available. In the Cultural Resources Management Plan we would clearly specify what would trigger new surveys.

- Bob suggested the survey crew focus on how to deal with obscuring effect of reservoir deposits. These deposits can obscure/protect original mineral soil. Larry Peterson of Upper Skagit Tribe has been extremely helpful in the survey. Shari told Gary about places that she was aware of on Baker and Lake Shannon. He hopes she can accompany the survey crew to help identify these places.

CONFIDENTIALITY ISSUES

Bob distributed a draft of a confidentiality agreement for us to use as reference. **TEAM LEADER NOTE 5/01-** **Bob stated at the 5-8-01 meeting that we should refer to this as a “confidentiality document” rather than an agreement and that we think of it as a guideline or checklist.** Gail supplied some additional information to Bob that may be incorporated into the agreement. The team reviewed what Bob had put together and offered the following comments:

- Larry suggested that the agreement include a process on how to address the change of current PSE and Tribal contacts for the agreement in the future. The second section seems to be very complete and is expressed in order of relative importance. The Tribes will take this document and run it by their Tribal Councils and bring feedback to the next meeting.
- Bob warned the team that the confidentiality protocol may vary based on various jurisdictions.
- Concern was expressed that appropriate Tribal ownership be preserved throughout this process, whether referring to documents authored by Tribal members or referring to cultural/archeological artifacts found. The ownership issue is further complicated by different land ownership jurisdictions as well. We need to be very clear about roles and cultural/Tribal ownership along the way. We also need to look 50 years to the future and address how to work together with/trust and confidence. We need to be clear about the application of the confidentiality agreement (situations where we would apply these guidelines). We will likely come up with a set of general principles that everyone can agree to and then use those principles to supplement a review on a case-by-case basis.

UPDATE ON ACTION TAKEN ON DRAWDOWN ISSUE

Jessie reported that PSE got some signage up at public access points at Lower Baker asking the public for help in protecting natural and cultural resources. The Puget Recreation Director has brought the Sheriff's office into the process. PSE is also working with Baker Project employees to raise their awareness of this issue and what responsibilities they have. They are in the process of developing (by fall of 2001) a seasonal plan to deal with monitoring of the drawdown zone. This plan would specify the responsibilities PSE personnel have. PSE is also working with the Forest Service re: signage, etc. for Upper Baker area. PSE will draft a temporary plan for review/input by Lee, Gary, Bob, Shari and Larry. Gary and Lee will check with Tacoma and the Office of Historical Preservation respectively about ready-made signs.

UPDATE ON RESEARCH DESIGN AND ARPA PERMIT

After the last meeting, Jessie sent out the latest version of the Research Design (dated January 1, 2001 but was really February 2, 2001). That design was sent to the Forest Service. The ARPA permit was issued last week. As of now, the Research Design cannot be changed without Forest Service approval for application to Baker

Lake. We will put this on the back burner for now. Let Gail know if you would like to see the conditions that the Forest Service attached to the permit and she will send you a hard copy, as this is not available electronically.

ED SCHILD'S COMMENTS

Ed emphasized PSE's commitment to the collaborative process. He doesn't believe in secrets. He asked team members to feel free to call him with any questions. His business line is (425-462-3022).

Scott mentioned that this is the first alternative process that the Upper Skagit Tribe has been involved in and that they are being cautious and taking it slowly. Ed assured the team that PSE will use the collaborative approach regardless of whether they follow the traditional or alternative license process.

Larry suggested that the more we get to know/trust each other, the quicker the Tribes will be able to respond. As this is a new process, everyone is proceeding with caution at the outset.

PSE will send to FERC a notice of intent to relicense the project by April 30, 2001. They hope to submit to FERC a settlement agreement by April 30, 2004 to accompany the license application.

COMMENTS ON MAPS OF AREA OF POTENTIAL EFFECTS (APE)

Gail stated that it is her opinion is that transmission lines should be included in the APE starting at the Upper Baker Dam and going South from there. Everyone was asked to send her comments by April 24th. She also distributed General Land Office (GLO) maps (as had been requested at the last meeting).

UNANTICIPATED DISCOVERY PLAN

Gail received comments from Connie, Jessie and Bob on the Unanticipated Discovery Plan. Gail distributed the latest version of the UDP. Please give her comments by April 24th, so she can incorporate them into the next version. We hope to finalize this plan at our next meeting.

INTERESTS

Connie distributed copies of final "draft" interest statements from the Solution Team to members of this team. Interests are still missing from five entities. We will keep these in mind as we continue to employ the collaborative process.

LIST OF MEETING HANDOUTS

- Baker Solution Team *Draft Interest Statements*
- Bob's initial draft of a *Confidentiality Agreement*
- Updated draft of the *Unanticipated Discovery Plan*

PARKING LOT

- "How do we address upland areas?"
- Map of general project area, include transmission lines
- Upland area--importance of mountain goat
- Keys to access Shannon and Baker Lakes and gates up lake
- Develop "Area of Potential Effects" Map
- Coordinate with Terrestrial and Recreation Working Groups
- Glossary of terms: what are "protection," "mitigation," and "enhancement"?

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- Develop TCP (Traditional Cultural Properties) studies
 - Gail to give a presentation on procedures for inventorying and evaluating cultural resources
 - Familiarization with policies, directives, regulations, laws and interests
 - Define all applicable jurisdictions, laws and regulations
 - Cultural for DNR Land
 - Cultural aspects of Forest and Fish Agreement
 - Rotate meeting locations to tribal facilities?
 - Have tribal presentations on cultural/spiritual significance of resources
 - Possibility of transplanting young cedar trees
 - Availability of downed cedar for tribal use

MEETING EVALUATION

Well-Dones:

- Location was great- Thanks Larry
- Jason and Scott (All three Tribes)
- Food
- Ed's presence

Opportunities for Improvement:

- Full agenda
- Raced through stuff at end
- Differentiate between "real" agenda items and status /update
- Still not clear how we will address the upland area.

AGENDA FOR NEXT MEETING—

May 8, 2001, from noon to 4:00 p.m. at PSE Office in Mt. Vernon (with June meeting at Baker Lodge?)

1. Introductions
2. Review minutes/agenda
3. Action Items
 - Review Confidentiality Document
 - Archeological update
 - Update on drawdown issue map
 - Discussion of APE
 - Finalize Unanticipated Discovery Plan
4. Set agenda and location for June 12, July 10th
5. Evaluate meeting