



BAKER RIVER PROJECT LICENSE IMPLEMENTATION

Terrestrial Resources Implementation Group Technical Meeting

**September 3rd, 2009 (9:00 p.m. – 12:00 p.m.)
(ARHWG meeting to follow)**

**WDFW Mill Creek Office
16018 Mill Creek Boulevard
Mill Creek, Washington 98012-1296
Telephone (425) 775-1311**

Conference Call Line: 1-888-228-0484, ID: 2821, Password: 4567

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

AGENDA

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| 1. Review notes/agenda/action items from August 6th, 2009 meeting. |
| 2. Review recent BRCC meeting activities and License review/issues. <ul style="list-style-type: none">• License/BRCC update• Review TRIG Norms (ongoing as needed) - Tony• TRIG budget – Kim and Tony |
| 3. Decisions Required at Today's Meeting: None <ul style="list-style-type: none">1. Decision Item #1:<ul style="list-style-type: none">• Please Designate Proxy to express your view if you cannot attend. |
| 4. Land Acquisition Update <ul style="list-style-type: none">• Property Y Update (Conference call, Decision, Real Estate update) – Ira, Tony• Report on “new” alternative properties – Ira, Tony |
| 5. TRMP plans update <ul style="list-style-type: none">• Review updated TRMP implementation schedule - Marty• Updates on plans – Haley, Tony, Kathy, Mel, Marty, and Scott |
| 6. Loon/Osprey Implementation Update <ul style="list-style-type: none">• Progress – Haley and Mel |
| 7. Decisions list <ul style="list-style-type: none">• Review draft language, prepare for decision at next meeting |
| 8. Aquatic Riparian Habitat Working Group meeting <ul style="list-style-type: none">• Begins at 12:30 PM, goes until 2:00 PM, Jacob will be sending out an agenda |
| 8. Evaluate meeting, set location (WDFW Mill Creek) and agenda for next meeting (Oct. 1st, 2009) |



Baker River Project License Implementation

**Terrestrial Resource Implementation Group
Final Meeting Notes**

September 3, 2009 ~ 9:00 am - 3:00 pm
WDFW Mill Creek

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

PRESENT

Tony Fuchs, Cary Feldmann, Kim Lane, Mel Walters, Scott Heller, Nathanael Overman, and Ira McDaniels (PSE); Kathy Smayda (Smayda Environmental); Marty Vaughn (Biota-Pacific); Stan Walsh (SRSC); Patrick Goldsworthy (NCCC); Don Gay (USFS); Bob Nelson (RMEF); Brock Applegate (WDFW); and Jamie Riche, facilitator (PDSA).

DECISIONS

- None today

NEXT MEETING: Oct. 1 in person or WebX/conference call, and hold 1st Thursdays (workload dependent)

Quotable Quote: *"Defense mechanism? I was going to rely on my charming boyish grin ..."*

ACTION ITEMS

- Tony Send notice of conference call to consider counter offer on Property Y
- Tony Send email to TRIG when counter offer on Property Y comes in
- Tony Send Brock info / maps and Ira's description of the property discussed today
- Ira Email the Whatcom Land Trust proposal to full TRIG
- All Want to help Mel & Brock I.D. trees / areas for Osprey nests, contact Mel
- All Reminder: comments on the terrestrial plans are due 9/14

PREVIOUS - STILL RELEVANT - ACTION ITEMS

- Tony Look into setting up your laptop for WebX and work w/ tech re: TRIG FTP site
- Kim Email BRCC funding handout (from April BRCC meeting) to TRIG
- Kim Work on simplified budget report sheet, provide to TRIG when available
- Tony Add language to memorialize "good faith effort" to the decision list

UPDATE ON ACTION ITEMS

Budget report: PSE is finalizing an accounting process to track annual license-related funding. Per the Settlement Agreement, unspent funds will be deposited into an interest earning account. PSE is also generating status reports for each fund (including what has been spent, on what, and available balance). This is expected to be available in about a month and will be included in the annual report, which is scheduled to be out for review in February in advance of submission to FERC in April 2010.

Tony estimated that PSE has spent about \$100K of the Elk capital budget so far on TRIG-related land appraisals/evaluations, timber cruises, etc. PSE admin costs have been charged against a separate account, as agreed in the Settlement Agreement.

BRCC / LICENSING UPDATE

It has been proposed that BRCC meetings move to a quarterly schedule. The next meeting is scheduled for September 23 and includes a review of the license in the afternoon. WebX and the conference call line will be available (in person preferred).

LAND ACQUISITION

Tony sent out draft notes from the 8/24 TRIG conference call about “Property Y.” Brock provided some comments, which will be incorporated in the final notes. Ira updated the TRIG on activity since that call and the group agreed that Tony will send out a meeting / decision notification for a conference call in anticipation of a counter offer from the property owner. If the counter offer is within the boundaries TRIG set 8/24, the conference call won’t be needed. Ira shared that – if PSE and the property owner come to agreement on purchase price – due diligence activities would include an Environmental Site Assessment Phase One and a boundary line survey.

Review of other properties: Tony walked through a quick review of the properties TRIG has considered to date and the group talked about the ownership of one of them. Tony will send Brock the info/maps and Ira’s description of that property. The group also reviewed other potential properties. Ira shared information about a proposal from the Whatcom Land Trust; he will email the proposal to the TRIG.

Tony reiterated his call for folks to be looking for and bringing forward potential properties for review.

TRMP UPDATE AND SCHEDULE

The comment period closed on the TRMP (501) last month without any surprises, so this is on track for submission to FERC. Marty will wait for the comment period to close on the terrestrial plans before finalizing this, though, just in case any comments on the sub-plans necessitate a change to the TRMP.

Comments on all of the terrestrial plans (except 501) are due Sept. 14. Tony will forward a compilation of all the substantive comments to the TRIG on or about the 16th. PSE will address all comments and prepare final documents for submission to FERC by October 1.

Marty mentioned that two kinds of comments have generated additional conversations; those include comments that were counter to or beyond the scope of the Settlement Agreement and those that may unduly limit the TRIG in the future. One way to address the second kind of comments mentioned here would be to memorialize the ideas / comments as considerations rather than requirements. Tony also noted that there is a mechanism for modifying plans, even after they are submitted to FERC.

The group talked about the process for adopting the plans, and agreed that it is sufficient to follow the process spelled out in the license. The intention behind the idea is to demonstrate the group’s collaboration and support for the plan being submitted, but the group determined that a separate TRIG “adoption decision” is an unnecessary complication for the already process-intensive informal and formal review and comment periods.

LOON / OSPREY NESTING PLATFORM UPDATE

Loons: Mel reported that while loons have been observed in the area, there isn’t evidence of loon nesting activity on any of the three floating nest platforms. The two platforms on Baker Lake will be left in over the winter; they were designed to rise and fall with the water level, so should be fine. The Lake Shannon platform will be brought in for vegetation replacement and possible re-engineering to make it float lower in the water (more like the two on Baker).

Osprey: There are nine osprey platforms after one was lost last winter. PSE will replace it when water levels allow. PSE will also conduct maintenance and remove weeds on all the platforms this winter. Mel reported that there are four active osprey nests on Lake Shannon and three on Baker. This is about half of normal levels, but he’s not sure why this is. PSE will continue to monitor.

Mel and Brock are planning to go on-site later this month (considering Sept. 29 or 30) to look for areas with the best potential for current and/or future trees to top for osprey nests. Mel noted the challenge in finding trees that are currently of suitable size, which is why he and Brock will also look for trees that look promising to manage for future activity. Anyone is welcome to join them on the site visit; contact Mel.

DECISION LIST

Tony shared that he and Cary reviewed the draft list of “interim decisions” that TRIG made prior to being formally chartered by the BRCC. Examples include weed management language, easements, and authorizations of pre-acquisition surveys. Tony will bring a condensed list of these to the next TRIG meeting.

505 ARHWG UPDATE

Article 505 requires a draft plan for ARG/TRIG review within one year of license issuance. Jacob distributed this via email last month; comments are due October 30. Marty commented that this – like the TRIG’s other plans – is primarily a process document. He noted that Appendix A is still in rough draft form and asked folks to review that with an eye toward what could be added. The final 505 plan will be due to FERC within two years of license issuance. By the way, Marty is soliciting photos from the Skagit county area for the cover of this plan ...

Botanical Teamlet “Revival”

Scott has begun to work with Kathy and Laura Martin to schedule a Botanical Teamlet meeting for late October. Activities will include generating site-specific management plans and the procedure documents for Plants of Special Status, *Carex flava*, and noxious weeds. He will send the TRIG an announcement when the date is set.

October 1, 2009 Agenda

Note: WebX/conference call if the agenda is light

- Land Acquisition Update
 - Property Y update, celebration?
 - Other properties?
- Wetland funds dialogue
- TRMP & Terrestrial Plans – Status update
- Decisions list
- Budget Report
- Loon / Osprey Report

Handouts:

- 8/6/09 Notes & 9/3/09 Agenda

MEETING EVALUATION

What worked well:

- Efficient use of time; out at noon
- Property Y process
- Ira’s “charming boyish grin”

Do differently:

- Missed Lou Ellyn and Chris
- Use WebX / conference call if agenda is light