



BAKER RIVER PROJECT RELICENSE

Aquatic Resources Working Group

August 12, 2004

9:00 a.m. – 3:00 p.m.

U.S. Forest Service

Conference Room A/B (425-775-9702)

21905 64th Avenue West, Mountlake Terrace, WA

(Call in number 1-866-280-6429, participant number 144995#)

AGENDA

1. Review Agenda, Notes, Actions	9:00 – 9:30
2. Fish Passage Technical Working Group Report	9:30 – 9:45
3. Legal Team Meeting(s) Report <ul style="list-style-type: none">• Aquatics PMEs and Handshake Agreement• Aquatics License Article Drafting• Schedule for Settlement <p><i>Break at 10:30</i></p>	9:45 – 11:00
4. Instream Flow Technical Working Group Report	11:00 – 12:00
<i>Lunch (meeting snacks or bring your own)</i>	12:00 – 12:20
5. <i>Tentative Presentation by Skagit County</i>	12:20 – 1:20
6. Study Updates: <ul style="list-style-type: none">• A02: Lower Baker R. Habitat & Fish Use: <i>Draft Report Comments</i>• A15: Upper Baker Delta Scour: <i>Draft Report Comments</i>• A37: Without Project Alternative: <i>Draft Report Comments</i>	1:20 – 2:55
7. Set Agenda for September 9, 2004 (9:00-3 USFS-Mountlake Terrace)	2:55 - 3:00

August 12, 2004

Driving Directions to US Forest Service Office:

Baker River Hydroelectric Project
FERC Project No. 2150



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- 1) Driving North from Seattle (or South from Everett) on I-5, take the 220th St. SW exit (exit 179).
 - 2) Turn west (right if from southbound I-5, left if from northbound I-5) onto 220th St. SW.
 - 3) Drive west about a block and turn right onto 64th Ave W.
 - 4) The office building is about ¼ block down the street on the right side of the road.
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BAKER RIVER PROJECT RELICENSE

AQUATIC RESOURCES WORKING GROUP MEETING

August 12, 2004
9:00 a.m. – 3:00 p.m.
U.S. Forest Service Building
Conference Room A/B, Mountlake Terrace, WA

FINAL MEETING NOTES

Team Leader: Arnie Aspelund, PSE (arnie.aspelund@pse.com)

ATTENDEES: Arnie Aspelund, (PSE), Stan Walsh (Skagit River System Cooperative), Arn Thoreen, (SFEG), Mike Stansbury and Jeff McGowan (Skagit County Public Works), Janne Kaje (Steward and Associates for Skagit County), Alison Evans (DOE), Steve Fransen (NMFS), Chuck Ebel (USACE), Ruth Mathews (for TNC), Scott Lentz and Margaret Beilharz (USFS) by phone, Gary Sprague (WDFW), Phil Hilgert (R2), Lyn Wiltse, facilitator and Mary Jean Bullock, note taker (PDSA Consulting Inc.)

Future 2004 Baker Aquatic Meetings: September 2, October 14, November 11, December 9. These meetings will be at the Forest Service in Mountlake Terrace (except October & November meetings are at Bellevue).

NOTE: September meeting has been changed from September 9th to September 2nd.

AUGUST LEGAL WORKING GROUP MEETINGS (9:30 to 4:00, PSE Building, Bellevue)

August 11 – Aquatics/Recreation; **August 17** – Aquatics/Boilerplate; **August 18** – Recreation (Implementation Schedule); **August 26** – Shared/Boilerplate; **August 31** – All License Articles

NEXT POLICY TEAM MEETING (9:00 to 3:00, Embassy Suites in Lynnwood)

August 19 – Policy/Legal Combo Meeting – Resolve Outstanding Issues that have come up in Legal Team Meetings, Discuss structure and process of BRCC, Signing Process (September 22). Initial issues identified to resolve are: Recreation - \$70K cap in Aesthetics Management and whether it starts in year 2

or year 4; Terrestrial: \$1.2 Million for land Acquisition – If land with appropriate terrestrial values can be purchased for less, who gets the unspent balance? Other issues will be sent out to participants in advance of the meeting.

Agenda for August 12, 2004 (9:00-3:00 p.m. USFS Building in Mountlake Terrace)

1. Review agenda, notes, actions
2. Fish Passage Technical Working Group Report
3. Legal Team Meeting(s) Report
 - Aquatics PMEs and Handshake Agreement
 - Aquatics License article Drafting
 - Schedule for Settlement
4. Instream Flows Technical Working Group Report
5. Skagit County Flood Control Presentation
6. Study Updates:
 - A02: Lower Baker River Habitat & Fish Use: *Draft Report Comments*
 - A15: Upper Baker Delta Scour: *Draft Report Comments*
 - A37: Without Project Alternative: *Draft Report Comments*
7. Set Agenda and confirm location for September 9 meeting (9:00–3:00 USFS Building, Mountlake Terrace)
8. Evaluate meeting

NEW ACTION ITEMS

- Arnie: By aug. 26, send out notice of meeting taking place (or not) on Sept. 2.
- Arnie: Send copy of A15 report to Chuck Ebel.
- Arnie: Send Floating Surface Collector design to Scott.
- ALL: Let Arnie know if you are interested in attending any of the fish passage physical model witness tests scheduled for Sept. 13 and Sept. 29.
- Lyn: Call Connie re: “3 Megabyte rule” (Pamela’s email was too large to be opened)
- Arnie: Continue to keep us posted on shoreline permitting process. Required for CZMA and 401? (Bob W. has shared with us his perspective that shoreline permits need to be handled by local jurisdictions before the State can issue CZMA.)
- ALL: Let Janne know if you have any questions about anything in his presentation, preferable by the end of August. Skagit County is seeking comments on the draft document from which the presentation is derived “Environmental Effects of Additional Flood Control on the Baker River.”
- ALL: Review the Skagit County’s Commitment to Stewardship paper distributed by Jeff and share your reactions with Jeff by the end of August.
- ALL: Get comments on the Study A15 –Upper Baker Delta Scour to Arnie before the September 2 meeting.
- ALL: Go to Claim Jumper’s for 6-Layer Chocolate Cake.

REPORT ON OLD ACTION ITEMS

- Steve: Sent 3.1.1 write-up to Arnie to send out to all.
- Phil: Made sure Margaret got the Alluvial Fan Power Point Presentation
- All: Called Mike Ramey (R2) if had additional questions on the Alluvial Fan Study.
- Phil: Did alevin protection analysis (in August timeframe)

- Phil: As a result of the June 24 Instream Flows meeting, the Level 4 analysis has been detailed (Note: See eRoom, under HYDROPS, Level 4.
- Stan: Suggested wording changes on sediment deposition and sent to Arnie to distribute.

FISH PASSAGE TECHNICAL WORKING GROUP REPORT

Arnie reported that they are continuing to meet re: Upper Baker Floating Surface Collector (FSC) design. They will begin construction in Fall of 2005 to be operational by April of 2007. Currently, they are working on the physical model of the FSC and this week witnessed the 1st test of the model in the dry and at simulated flow conditions. They are also developing the reservoir forebay hydraulic model (CFD model) that will describe the forebay flow circulation patterns simulated under several scenarios of pool elevations. Frequent meetings will take place on these topics, to witness and test the physical model (and modifications to it) and simulate runs and present results on the CFD model, between now and the end of October 2004. Some design changes have caused the modeling schedule to slip a bit. The bulk of the FSC design work will continue through Spring of 2005. The permitting process for the FSC construction and launch site is about to begin. The planning process for this is nearly complete.

Note: The August 12th Fish Passage meeting has been cancelled because of a conflict with a Legal Team Meeting.

SETTLEMENT PROCESS UPDATE

Lyn reported on the current schedule of Legal Working Group meetings and the agenda for the next Policy Team/Legal Working Group combined meeting scheduled at Embassy Suites in Lynnwood from 9:00 to 3:00 on Sept. 19. The draft aquatics license articles were sent out Aug. 3 for review. The first Legal Group review of the draft aquatics license articles occurred Aug. 11. All comments are due Aug. 13. The next meeting to continue the legal review of the wording will occur on Aug. 17. We are definitely on the critical path of an extremely aggressive schedule. The turnaround times for license article review are extremely tight. We are getting excellent participation at the attorney meetings and are on track for submitting the Settlement Agreement to FERC by the end of September.

Note: The Policy team meeting on September 22 will be a signing meeting.

See page one of these notes for the schedule of August meeting dates and topics.

INSTREAM FLOW TECHNICAL WORKING GROUP REPORT

At the June 24 meeting, the consensus was to go with the SNF.06 flow scenario. Since then, Phil reported that they have cleaned up the eRoom files. He is working on an Instream Flow Summary Report to document the decision making process with supporting data. He anticipates getting this report out *by the end of the year*.

Phil reported *that Stuart Beck-R2 completed* the alevin analysis. He distributed handouts illustrating the alevin analysis for PSE.01, FS.03b, SNF.06, and PSE.21. After reviewing the data, *the group has* increased confidence in our new flow regime with the minimum flow of 1200 cfs. In summary, there was not much difference between the assumption of a two-day low flow for egg dewatering vs. a one hour low flow for alevin dewatering.

SKAGIT COUNTY UPDATE ON FLOOD CONTROL

Jeff distributed a draft document: Skagit County's commitment to Stewardship. He welcomes comments, preferably by the end of August.

Janne Keje of Steward and Associates walked us through a PowerPoint presentation: Environmental Effects of Additional Flood Control in the Baker River. Both positive and negative effects were analyzed. This analysis was fairly high level and did not take into account the impacts of the PME's that have been agreed to include in the settlement agreement including the proposed flow regime of SNF.06. The report reviewed reservoir effects of additional flood control as well as downstream effects of additional flood control. Conclusions listed in the Report:

- Early drawdown of reservoirs (completed prior to peak spawning) should minimize redd-dewatering in the drawdown-affected portions of tributaries and spawning areas along the shoreline.
- Additional drawdown during early fall will expose several miles of tributary habitat that are currently inundated and of little value to spawning salmon, but provide spawning habitat while in a free-flowing state.
- No evidence to suggest that reservoir volume (rearing capacity) or zooplankton production (food supply) is limiting fish production.
- Turbidity concerns seem not well founded.
- Early fall drawdown may decrease the incidence of wind-induced wave erosion of vegetated shorelines during fall storms.
- Amphibians should not be adversely impacted.
- Additional flood control will provide clear benefits by reducing frequency and magnitude of scour events.
- Increased water releases during the fall (due to drawdown) may *induce* fall spawning species to spawn higher along channel margins.
- Based on modeling studies, the effect of fall flows on redd de-watering is tenuous at best.
- Chinook face the lowest risk of dewatering due to its spawning habitat preferences, but is strongly impacted by scour.
- There is more than enough water available to augment flows during dry periods to minimize or eliminate serious dewatering incidents.
- Additional flood protection, while reducing flood peaks, will not eliminate or appreciably reduce channel maintenance flows.

Phil noted that a key piece missing from this report is an answer to the question: What are the effects of adding 1000 cfs average daily flow to the Skagit River between September 10 and October 15 (during peak spawning period)? The effects *of early fall reservoir drawdown* should be reviewed in terms of reservoir production and downstream effects.

Mike gave a quick update on the status of flood control discussions between Skagit County and PSE. Mike explained that one of the *Additional Information Requests* PSE received from FERC was to submit the flood control study commissioned by Skagit County. The plan is to get this report to PSE by August 20 so they can get it to FERC by Aug. 30. When this report is out it will be distributed to ARWG members.

130–140K acre feet seems to be a range that keeps popping up. Skagit Co. will be proposing the highest flood storage levels possible that are economical. Average annual flood damage is \$54 million (according to the ACOE methodologies). Additional flood control will reduce that number by about \$10 million a year.

Steve suggested that flood control has always been a difficult fit into the relicensing process, as it has never been linked to project effects. He further suggested that the list of the County actions listed in the Stewardship paper is not balanced in that it mentions none of the actions taken by the County that actually resulted in degrading the environment. Mike noted that FERC recognizes that flood control is an accepted project purpose as shown by the additional information request for Skagit County's Flood Control Study.

STUDY UPDATES

A02: Lower Baker River Habitat & Fish Use

The draft report was out in May. No comments have been received. We agreed to post this as draft Final on the website.

A15: Upper Baker Delta Scour

The draft report was out in June. No comments have been received. We deferred the comment due date until our meeting on September 2.

A37: Without Project Alternative

The draft report was out in May. No comments have been received. We agreed to post this as draft Final on the website.

MEETING EVALUATION

What Went Well

- Good attendance/participation
- Janne's presentation and report
- Got out early
- Bonus of flowers and chocolate cake!
- Ruth's presence!
- Food
- Adequate facilitation – as good as it gets!

HANDOUTS

- Aquatic Resource Agenda August 12, 2004
- Aquatic Resource Final Notes, June 10, 2004
- Aquatic Resources Working Group List July 13, 2004
- Aquatic Working Group Long-term Schedule August 12, 2004
- Instream Meeting Final Notes June 24, 2004
- Status of Aquatic Resource Working Group Studies, August 4, 2004
- Legal Working Group Final Notes

- Spawning-Incubation Model Illustration.doc DRAFT (Figures 1, 2, 3, 4) R-2 Consultants
- Transect-Weighted, Reach-Averaged Effective Spawning Width (feet) R-2 Consultants
- Floating Surface Collector Schematic, August 12, 2004 R-2 Consultants
- Draft Aquatic License Articles, August 12, 2004
- Skagit County's Commitment to Stewardship Draft
- Report: Environmental Effects of Additional Flood Control in the Baker River, August 12, 2004

Tentative Agenda for September 2, 2004 (9:00-3:00 p.m. USFS Building in Mountlake Terrace)

1. Review agenda, notes, actions
2. Fish Passage Technical Working Group Report
3. Water Quality Certification Process Update (?)
4. Flood Control Update (?)
5. ACOE NEPA Process (?)
6. Settlement Process Update
 - Policy/Legal Working Group Report
 - Outstanding Issues to Resolve (?)
7. Study Updates:
 - A15: Upper Baker Delta Scour: Draft Report: Discuss comments
8. Set Agenda and confirm location for October 14th meeting (9:00–3:00 USFS Building, Mountlake Terrace)
9. Evaluate meeting