
BAKER RIVER PROJECT RELICENSE

BAKER RIVER INTERIM COORDINATING COMMITTEE CONFERENCE CALL

**April 11, 2006
10:00 a.m. – 11:30 a.m.**

***Purpose: To transition to the Baker River Coordinating Committee (BRCC)
in support of implementing the new Baker River Project License.***

FINAL CONFERENCE CALL NOTES

ATTENDEES

Jon Vanderheyden and Rod Mace (USFS); LouEllyn Jones and Jim Michaels (USFWS); Alison Evans and Alice Kelly (WDOE); Jack Billman (Town of Concrete); Steve Jennison (WDNR); Bob Helton (Citizen); Jon-Paul Shanahan (Upper Skagit Indian Tribe); Rich Johnson (WDFW); Stan Walsh (SRSC); Steve Fransen (NOAA Fisheries); Jeff McGowan and Mike Stansbury (Skagit County); Rob Mohn (Louis Berger); Arn Thoreen (SFEG); Chuck Ebel and Linda Smith (USACE); Cary Feldmann, Lloyd Pernela, Connie Freeland, and Larry Tornberg (PSE).

DATE OF NEXT MEETING

- **April 24, 2006** from 9 a.m. to 3 p.m. at USFS Office in Mountlake Terrace
- The purpose of the meeting will be to discuss the DEIS.

ACTION ITEMS

- ALL: Review the DEIS.
- Rob: Complete matrix.
- Connie: Send out matrix to all for use in review of DEIS.
- Connie: Send out information about public meetings to all.

AGENDA for CONFERENCE CALL

- Welcome, Introductions
- Agenda for DEIS Conference Call
- Schedule for DEIS
- Set up Meeting Date for formal BRICC Meeting

- Comments by parties so far
- PSE's take on the document so far
- Next Steps
- Separate Meetings to address specific mechanisms to address the issues

DEIS SCHEDULE

Connie presented the dates for future actions and meeting:

- Today, April 11, FERC will issue the Notice to Hold Public Meetings.
- The public meetings will be held on May 1 from 9 a.m. to 5 p.m. at the Corps of Engineers District Office in Seattle (Galaxy Room) and on May 2 from 6 p.m. to 9 p.m. at the CottonTree Inn in Mt. Vernon. Both meetings will be open to the public and comments will be taken at each meeting. A court reporter will be at each meeting to record the discussion.
- On Friday, April 14, the Environmental Policy Agency will place the official notice of the DEIS in the Federal Register. This will trigger the 45-day review period. Comments must be filed with FERC by May 30, 2006.
- A 10j meeting also will be scheduled, possibly near the days of the public meetings.

BRICC MEETING

Participants agreed on a BRICC meeting date of April 24, 2006, from 9 a.m. to 3 p.m., at the USFS office in Mountlake Terrace, to discuss the DEIS and prepare for the public meetings. Additional meetings may be scheduled after the public meetings, either for the full BRICC or for specific parties related to specific issues in the DEIS (for example, a meeting with the USFS to discuss the elements of the recreation articles that differ from what was included in the Settlement Agreement).

DEIS REVIEW MATRIX

Rob Mohn of Louis Berger is completing a matrix to help facilitate the DEIS review and comment process. The matrix will focus on measures in the Settlement Agreement and how they were treated by FERC. The matrix will also attempt to explain FERC's rationale for any deviations from the Settlement Agreement. Connie will send the matrix to the BRICC members by the end of this week.

COMMENTS ON DEIS/PROCESS

Participants who have reviewed the DEIS so far noted that there were few changes in the aquatic measures from the Settlement Agreement. The major changes were in the terrestrial and recreation measures. One major measure that FERC eliminated was Article 505, Aquatic Riparian Habitat Protection, Restoration and Enhancement Plan. Two reasons FERC noted for changing or eliminating measures from what was in the Settlement Agreement included: 1) not enough information and 2) no nexus to the Project.

Cary gave a brief summary of each of the measures and how FERC treated them in the DEIS. He noted that FERC removed all mention of PSE providing funding to third parties, such as the Forest Service, and recommended PSE implement the actions noted. He noted that the two most substantial measures that FERC eliminated included Article 505 and Article 602, which provided for funds for future actions.

Rob noted that the FERC staff summarized and rewrote every measure from the Settlement Agreement, to

basically catch the essence of the measure. He noted that a key question to ask is whether if a key sentence or idea is missing from the FERC text, is that because the information has been summarized or because FERC has deliberately left out some elements of the measure. He said FERC may use their summary as the meat of the article and expect details to show up in the plans that are required.

Chuck noted that his understanding is that FERC attempted to keep the goal of each measure the same even if they used different wording. He said FERC generally called out any significant changes from the Settlement Agreement.

LouEllyn noted that FERC deleted some key information in the Lewis River Project's license articles but that the FERC public meeting allowed an opportunity to discuss this missing information. FERC did "reinstate" some elements in the Lewis River license by compromise with the parties. She also noted that the FERC meeting was valuable and was run more like a discussion than a formal comment meeting.

Rod noted that he will be meeting with Walt Dortch this week and will ask how the Forest Service responded to the Lewis River license articles. This information may help us with comments on the Baker DEIS.

Cary noted that PSE is as committed to the Settlement Agreement now as when it was signed. Because FERC's changes amount to approximately \$30+ million less (50-year license) than what was included in the Settlement Agreement, PSE must still be able to make the case to the WUTC especially if the measures go forward. Cary noted that some of the elements eliminated by FERC might fit into side agreements with parties or some may be restored through the Forest Service's 4(e) process. He reminded us that we must all continue to work together to see the settlement through.

DRAFT AGENDA FOR NEXT BRICC MEETING: April 24, 2006

9:00 – 9:05	Welcome
9:05 – 9:15	Review Notes and Action Items from April 11 Conference Call
9:15 – 11:45	Review DEIS (using Berger matrix)
11:45 – 12:15	Lunch
12:15 – 2:45	Continue Review of DEIS
2:45 – 3:00	Identify next steps
	Set next meeting dates and locations
	Evaluate meeting