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## **BAKER RIVER PROJECT RELICENSE**

### **SOLUTION TEAM MEETING**

**February 15, 2005**

**9:00 a.m. – 3:00 p.m.**

**US Forest Service Office, Mountlake Terrace, WA**

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

### **FINAL MEETING NOTES**

#### **ATTENDEES**

Alison Evans (DOE); Jon Vanderheyden and Rod Mace (USFS); Bob Nelson (Rocky Mt. Elk); Len Barson (TNC); Robert Mulrooney (Whatcom Co.); Bob Helton (Citizen); Stan Walsh (SRCC); Steve Fransen (NOAA Fisheries); Gene Stagner (USFWS); Gary Sprague (WDFW); Patrick Goldsworthy (NCCC); David Hawkins, Jon-Paul Shannahan and Dr. C.S. Sodhi (Upper Skagit Indian Tribe); Mike Stansbury and Jeff McGowan (Skagit County); Linda Smith (USACE); Ed Schild, Cary Feldmann, Connie Freeland, and Tom Huse (PSE); Susan Hall (Hall & Associates); Lyn Wiltse, facilitator; and Jamie Merrifield, note-taker (PDSA Consulting, Inc)

#### **Agenda**

9:00 – 9:10 Welcome / Introductions  
9:10 – 9:30 Review notes from Nov. 5 Policy Team Meeting  
Review status of relevant outstanding action items  
9:30 – 10:45 Status of activities / timeline to support getting the license  
PDEA, 401, CZMA, Flood Control, etc.  
Update on implementation activities already underway  
Steelhead rearing and the Grandy Creek EIS  
10:45 – 11:00 B R E A K  
11:00 – 11:45 Review license article #601: Baker River Coordinating Committee (BRCC)  
11:45 – 12:30 L U N C H  
Lessons Learned Proposal

- 12:30 – 2:30    Discuss formation of the BRCC  
                     Draft Norms  
                     Clarify representatives (review draft list)  
                     Formation of technical groups (Initial work: work plans)
- 2:30 – 3:00    Identify next steps  
                     Set next meeting dates and locations  
                     Evaluate meeting

## **ACTION ITEMS**

- ALL – See Cary if you want a CD of the PSE presentation to FERC.
- Connie – Send request to all BRICC (Baker River *Interim* Coordinating Committee) members for them to identify representatives (primary and backup) to all technical groups; include others in separate category.
- Cary – Draft settlement-based norms for the BRICC and resource groups; include conditions for confidential / ‘closed’ meetings. By the end of February, send out to BRICC for feedback.
- Cary – Talk with Tony to establish a teleconference with TRIG members for general update of activities and to establish future meeting dates.
- Cary – Ensure that Resource Team Leaders complete an implementation schedule (by mid-March) for each of their license articles; distribute to the BRICC for review.
- Lyn – Check with Kris Olin re: FERC review of this process (have him talk with Rhonda).
- Bob H. – Email Lyn Solution Team Norms (categorized list).
- Connie – Email today’s notes to Rhonda (Agreement Dynamics) & Susan Hall (Hall Assoc.).
- Cary – Establish forum for dialogue around Northwest energy issues.

## **REVIEW NOTES FROM NOV. 5 POLICY TEAM MEETING**

We reviewed the notes, action items and parking lot items from previous meetings to ensure that we were inclusive in listing current and outstanding issues for this group.

## **STATUS OF ACTIVITIES / TIMELINE TO SUPPORT GETTING THE LICENSE**

**Implementation Activities Underway:** Tom reported that implementation has begun; \$8 – 10 million budgeted for this year. Have selected consultants: Washington Group – flow augmentation and upstream fish passage; HDR FishPro – fish propagation; R2 Resource Consultants – upstream fish passage and connectivity; and Montgomery Watson Harza – downstream fish passage. Seven groups are putting together work plans, which will be reasonably finalized by March. Have started process of acquiring elk habitat. Tom expects to be giving updates to this group regularly.

**PDEA:** Connie reported that at the end of the January PSE filed with FERC the amended license application, along with the amended PDEA, appendices, maps and drawings. The maps and drawings are “Critical Energy Infrastructure Information” or “Non-Internet Public Information,” so PSE needs a signed release on file in order to share these sections of the document (see Connie).

**401, Water Quality Application:** PSE plans to submit the application to DOE by the end of February.

**CZMA:** JARPA should be submitted by the end of February.

**Flood Control:** Cary reported that the current water content of the snow pack is at 12-13% of average. He also reported that PSE worked closely and successfully with USACE in two flood-related events before the end of last year.

**WDFW Proposal for Steelhead Acclimation Ponds:** Gary reported that WDFW's initial EIS indicated a number of problems with the Grandy Creek Site. WDFW feels that a more appropriate location would be on the Baker River, on PSE-owned property. He distributed a photo of the proposed site, along with a drawing of what the facility might look like. These plans are not intended to conflict in any way with the stress relief ponds or any other PSE activities or facilities. In fact, there might be some synergies with the new preferred location (water supply, avoids impacts in Grandy Creek, synergies with PSE's relicensing plans, etc.).

The aim of this proposal is to get steelhead in the lower / middle Skagit River, where they would spawn and be available for harvest. The Skagit goal is 534,000 steelhead smolts, with up to 300,000 reared at the alternative site (Grady or Baker). WDFW intends to get an FEIS out in the next six months or so with this new location on the Baker River. Details will not be worked out at that point. The concern of this team is that this does not conflict in any way with the Settlement Agreement / license-prescribed activities or facilities.

#### **REVIEW LICENSE ARTICLE #601: BRCC**

Cary led the group through a review of Article 601. Officially, the BRCC will be formed within six months of license issuance; as a practical matter, there are many pre-license decisions which require working group and BRICC advisory work / guidance up front.

The group discussed the participation of non-signatory parties who are interested in membership in the BRCC. New members would be confirmed by a unanimous vote of the BRCC (with notice prior to that meeting).

Issue / Question: What is the status of interveners? Could they oppose an approved work plan? How much leverage would FERC give them?

We discussed the idea of having decisions made by BRCC (signatories to the Settlement Agreement). At the same time, we don't want to be (or appear to be) exclusionary. Meetings would remain open to the public. Others would be invited (e.g., USACE) to attend in an advisory capacity.

#### **DISCUSS FORMATION OF BRCC**

We will function as the BRICC (Baker River Interim Coordinating Committee) until the license is issued and the group officially becomes the BRCC.

### **FORMATION OF TECHNICAL GROUPS (Initial work: work plans)**

Connie will send out a representative request to all technical groups. The BRICC will supply a basic set of norms for the technical working groups to follow; they can add additional group-specific norms.

**CRAG (Cultural Resources Advisory Group):** Jessie Piper is the team leader. The Historic Properties Management Plan (includes archeological sites, historic buildings, and traditional cultural properties) has been submitted to FERC in draft form, and we are awaiting feedback from FERC. This group will meet again in March or April.

**TRIG (Terrestrial Resources Implementation Group):** Tony Fuchs is the team leader. Due to land purchase and other confidential topics, some meetings need to be somewhat closed. Consultants are outlining a work plan to be run through the larger group. Elk lands purchase activities are underway. Group would like a teleconference by the end of February for updates and establishment of future meeting dates.

**ARG (Aquatics Resources Group):** Arnie Aspelund is the team leader. Next meeting is March 17; group will set meeting schedule and focus on early implementation activities. *[Canceled.]* HDR FishPro is on board for fish propagation; Washington Group – upstream passage; R2 Resource Consultants – upstream and connectivity. The Aquatics Resource Plan will be outlined.

**FPTWG (Fish Passage Technical Working Group – Subgroup of ARG):** Meetings are being held approximately every six weeks. Pre-license implementation has begun.

**RRG (Recreation Resources Group):** Andy Hatfield is the team leader. No early implementation recreation measures are called for in the Settlement Agreement. Note: The PSE service building recently burned to the ground; there will be an aesthetics review of the new service building. The next meeting will be scheduled to review the service building's design, once an initial design has been developed.

**For all resource groups,** Tom Huse has requested that the team leaders complete an implementation schedule for each license article. The initial schedule should be completed by mid-March and will be shared with the BRICC as well as resource group members.

### **NEXT STEPS**

Next BRICC Meeting: After FERC issues a Draft Environmental Assessment (DEA) and after working groups establish schedules. We tentatively scheduled this meeting for June 7, 2005 at the USFS Building in Mountlake Terrace. (The meeting will be rescheduled if FERC has not issued the DEA.)

### **DRAFT AGENDA FOR 6-7-05 BRICC MEETING**

9:00 – 9:20 Welcome, Review Notes and Action Items from 2-15-05 meeting  
9:20 – 9:35 Implementation Activities Update  
9:35 – 9:45 Review Resource Group Representatives List  
9:45 – 11:30 Begin Review of DEA from FERC  
11:30 – 12:15 Lunch  
12:15 – 2:00 Finish DEA Review

FERC Update re: Schedule for Issuing License  
2:00 – 2:30 Review Resource Groups' Implementation Schedules  
2:30 – 2:45 Review/Revise Norms for Resource Groups and BRICC/BRCC  
2:45 – 3:00 Identify next steps  
Set next meeting dates and locations  
Evaluate meeting

### **SUGGESTIONS FOR 'LESSONS LEARNED' PROJECT**

- Balanced ("real") representation of the process.
- Settlement Agreement is not the 'end' ... recognize that we are just getting started ... include where we think we are going and how we will bring new people on board (establish relationships that maintain forward progress).
- Telephone interview is probably most convenient, but in-person interviews will gather best feedback.
- Center questions for the group around critical phases, including likely sticking points.
- Include views of late-comers to the process (e.g., USACE).
- Include key players who were involved early on but are no longer involved.
- Include technical / resource group participants.
- Include Legal Working Group participants.
- Route a list of potential interviewers and sample questions to BRICC members for review / feedback.
- Coordinate with FERC ... they expressed interest in review.
- Provide opportunity for anonymous feedback.
- Do same interview with all?

### **HANDOUTS**

- Policy Team 11-5-2004 Meeting Notes
- FERC Project License #2150 – 2005 Relicense Items (Relicense Process & BRCC and License Article Early Implementation)
- WDFW Map and Drawing of PSE Baker Property (see WDFW Proposal for Steelhead Acclimation Ponds, above)
- Connie Freeland 1-14-05 email re: Lake Shannon road closure
- FERC #2150 Appendix B - Article 601: Forming the BRCC
- Initial / Draft BRCC Representation Table
- Memorializing the Baker Dam Relicensing Process (Agreement Dynamics, Inc.)

### **MEETING EVALUATION**

#### **What went well:**

- Got out early
- Nice facility
- Nice full group – welcomed new participants
- People are cooperating and optimistic

**What to do differently in future: No suggestions.**