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## **BAKER RIVER PROJECT RELICENSE**

### **Recreational & Aesthetic Resources Working Group**

September 25, 2000

10:00 a.m. – 1:00 p.m.

US Forest Service/Park Service Office  
2105 Highway 20  
Sedro Woolley, WA

### **AGENDA**

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| 1. Review/revise agenda   |
| 2. Review previous meeting notes  |
| 3. Review action items  |
| 4. Debrief Tour   |
| 5. Presentation by Ed Schild and Joel Molander of Puget Sound Energy                |
| 6. Presentation on FERC regulations and context regarding recreation (Chris Lawson) |
| 7. Continue defining issues and interests   |
| 8. Set agenda for next meeting (October 30, 2000)                                   |
| 9. Evaluate Meeting   |

**FERC REGULATIONS  
PERTINENT TO  
RECREATION AND AESTHETICS**

**Presentation to  
Baker River Project Relicense  
Recreation & Aesthetics Working Group  
September 25, 2000**

## **Areas of Interest:**

- 1. General FERC Policy**
- 2. Licensing Procedures**
- 3. Documentation**

## **General FERC Policy**

### **Order No. 313/18 CFR 2.7**

- *Optimum* recreation development *at projects, consistent with recreation needs*
- Ensure public access, suitable facilities, sufficient lands
- Cooperation and consultation
- Project consistency with comprehensive water resource plans
- *Project* recreation plans for all projects

### **1986 Electric Consumers Protection Act/FPA 4(e)**

- Equal consideration to nondevelopment interests
- Recreation included in nondevelopment interests

## **General FERC Policy**

### **Licensee Responsibilities, per Order No. 313:**

- a. Include within project boundary enough land to assure *optimum development* of recreational resources *afforded by the project*
- b. Develop suitable public recreation facilities upon *project lands and waters*, provide adequate public access
- c. *Cooperate* with appropriate agencies and other interested entities *in planning to meet needs*
- d. *Encourage* agencies and private interests *to assist in carrying out* plans for recreation
- e. *Cooperate* with agencies in recreational use of public lands administered by those agencies *adjacent to the project area*
- f. Comply with regulations for health, sanitation and public safety
- g. Nondiscrimination
- h. Inform the public of recreational opportunities at projects

## **Licensing Procedures**

- 1. Traditional Process – Consultation per 18 CFR 4.38**
- 2. Alternative Procedure – Collaborative Process per Order No. 596/18 CFR 4.34**

## **Documentation**

- 1. Traditional – Exhibit E (see handouts)**
  - Application Contents per 18 CFR 4.51**
  - Report on Recreational Resources**
  - Report on Land Management and Aesthetics**
- 2. Alternative – Applicant-Prepared EA**
  - No specific FERC regulations on content**
  - CEQ NEPA regulations**
  - Substance should satisfy 18 CFR 4.51**

## **Documentation**

### **Application Contents for Recreation [18 CFR 4.51 (f) (5)]:**

- Description of existing recreational facilities *at the project*
- Existing and potential recreational use of the *project area*
- Measures or facilities recommended by agencies consulted
- Existing and new measures proposed by the applicant, including explanation of any recommended measures rejected by the applicant
- Specific information on proposed measures, including:
  - A. Entities responsible for implementing
  - B. Implementation schedule
  - C. Cost estimate, including O&M
  - D. Maps or drawings of facilities
- Description of wilderness, wild and scenic, etc. areas within or in vicinity of project boundary



## **Documentation**

### **Application Contents for Land Management and Aesthetics [18 CFR 4.51 (f) (6):**

- Existing development and use of *project lands* and *lands abutting the project impoundment*
- Proposed aesthetic measures for *project works*
- Wetlands or floodplains *within or adjacent to* the project boundary, and mitigative measures
- Statement of ability to provide a shoreline buffer zone, including *analysis of costs and other constraints*, to ensure public access and protect resource values
- Policy for permitting development of shoreline facilities
- Maps, drawings or photographs

## **Scope and Focus**

### **1. Geographic Scope**

- FERC policy regulations focus on projects, lands and waters within project boundary
- FERC application regulations focus on lands and waters at the project, abutting/adjacent to, in vicinity

### **2. Statutory Authority**

- FERC orders and license articles cannot require measures beyond the scope of FERC's legal authority (FPA, as amended)

### **3. Jurisdiction**

- FERC jurisdiction geographically limited to project boundary
- Off-site measures beyond FERC jurisdiction and comfort zone

## **Scope and Focus**

### **Bottom Line:**

- Settlement agreements not limited by FERC authority and jurisdiction
- Measures beyond FERC authority and jurisdiction probably won't get FERC support
- Measures beyond FERC authority and jurisdiction need compelling logic, full buy-in

**DRAFT**  
**Lake Tapps Task Force Interest Statements**  
**Updated by Task Force as of 1/1/2000**

STAKEHOLDER INTEREST STATEMENTS	STAKEHOLDER MODIFICATIONS/CLARIFICATIONS
<p><b>Puget Sound Energy</b></p> <ul style="list-style-type: none"> <li>• Keeping rates low for customers</li> <li>• Return on shareholder investment</li> <li>• No reduction in service area (whether or not PSE continues to generate power)</li> <li>• Good relations with public and agencies</li> <li>• A long-term solution</li> </ul>	
<p><b>Lake Tapps Homeowners</b></p> <ul style="list-style-type: none"> <li>• A lake maintained at a level for recreation and views, at least much of the year</li> <li>• Property values maintained</li> <li>• Lake cleanliness preserved (e.g., water quality, limitation of plant growth in the water)</li> <li>• Long-term solution</li> <li>• Preserve the integrity of the Lake Tapps community</li> <li>• Preserve the community's quality of life</li> <li>• Continuity and stability for the community</li> <li>• No or minimal financial burdens on homeowners</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Concern about clean drinking water</i></li> <li>• <i>Year-round lake</i></li> </ul>

STAKEHOLDER INTEREST STATEMENTS	STAKEHOLDER MODIFICATIONS/CLARIFICATIONS
<p><b>Fish Resource and Regulatory Agencies</b></p> <ul style="list-style-type: none"> <li>• Preserve and enhance fish habitat (includes protecting and providing for recovery of threatened or endangered species)</li> <li>• Wildlife preservation</li> <li>• Water quality of White River</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Preserve and enhance fish resource and fish habitat including harvestable fish in the lake and the river (includes protecting and providing for recovery of threatened or endangered species)</i></li> <li>• <i>Preserve and enhance wildlife resource and wildlife habitat</i></li> <li>• <i>Ensure sufficient water for people and fish</i></li> <li>• <i>Protect and restore water quality to provide beneficial uses</i></li> <li>• <i>Minimize damage to shoreline habitat and associated wetlands</i></li> <li>• <i>Reduce flood hazards</i></li> <li>• <i>Address issues with a long-term perspective</i></li> <li>• <i>Use a systems approach in forging solutions</i></li> <li>• <i>Local citizens and elected officials develop, manage and monitor a water budget</i></li> <li>• <i>Identify solutions that are efficient, both for natural resources and financially</i></li> </ul>
<p><b>Army Corp of Engineers</b></p> <ul style="list-style-type: none"> <li>• Flood control</li> <li>• Preservation/replacement of fish trap at diversion dam</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Serve as a resource for Task Force</i></li> </ul>
<p><b>Neighboring Cities and Pierce County</b></p> <ul style="list-style-type: none"> <li>• Assisting constituents in their interests</li> <li>• Open and fair process</li> <li>• Preserving quality of life, environment and regional recreation resource</li> <li>• Preserving tax base</li> <li>• Water supply and other services in cost efficient manner</li> <li>• Conformance to Growth Management Act</li> <li>• Water discharge to White River</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Bring back fish</i></li> <li>• <i>Protect not-too-expensive sewage capacity</i></li> <li>• <i>Improve/increase municipal water supply</i></li> <li>• <i>Control our own destiny vis-à-vis regulations, etc.</i></li> <li>• <i>Project cost is equitable and justifiable to all.</i></li> </ul>

STAKEHOLDER INTEREST STATEMENTS	STAKEHOLDER MODIFICATIONS/CLARIFICATIONS
<b>Other Elected Officials</b> <ul style="list-style-type: none"> <li>• Open and fair process</li> <li>• All voices heard</li> </ul>	
<b>Tribes</b> <ul style="list-style-type: none"> <li>• Preservation/enhancement of fish habitat</li> <li>• Participation in stakeholder process consistent with agreements with PSE</li> </ul>	
<b>Realtors/Business Community</b> <ul style="list-style-type: none"> <li>• Property values maintained</li> <li>• Certainty/stability in the real estate market</li> <li>• No undue financial burden on homeowners</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Preserve the recreation dollars spent on food, supplies, services, and recreational equipment.</i></li> <li>• <i>Maintain property values throughout the area for the new construction, remodeling, household goods/house wares, decoration and retail and service businesses dependent on these values.</i></li> <li>• <i>The real estate industry of the area needs stability and managed growth to preserve the present business base and to attract new services and employment opportunities needed on the plateau.</i></li> <li>• <i>Preserve and enhance the stability and quality of life of the entire Bonney Lake/Lake Tapps community by giving people, property, and businesses equal rights with fish.</i></li> <li>• <i>Enhance the river and lake quality for fish on a long-term, scientific basis to prevent short-term economic disaster for the people and businesses of the area.</i></li> <li>• <i>Develop sewer treatment and water systems in the Bonney Lake/Lake Tapps area to protect the environment and to ensure the necessary and reasonable economic growth of the area.</i></li> </ul>
<b>Special Districts (Fire/Schools)</b> <ul style="list-style-type: none"> <li>• Property tax base</li> <li>• Sufficient water pressure for fire fighting</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Preserve the integrity of the Lake Tapps community and its quality of life</i></li> </ul>
<b>Recreational Users</b>	<ul style="list-style-type: none"> <li>• <i>Preserve the lake as a recreational resource</i></li> </ul>
<b>Puyallup River Water Shed Council</b>	

This report is the facilitators' initial effort to understand the issues, interests, and ideas of Lake Tapps stakeholders at this early stage in the process of collaboration. It is a composite summary of many hours of interviews and is by no means intended as a definitive or conclusive representation of the interests of the stakeholders. Nor is it meant to be a reflection of the manner in which any interviewee responded to our questions. Also, because some stakeholders have not yet been interviewed, this draft is incomplete.

We would appreciate any suggestions on this draft report.

*AGREEMENT DYNAMICS*

## **Lake Tapps Task Force Initial Assessment August 12, 1999**

### **Background:**

The Lake Tapps Task Force was formed earlier this year to seek an agreed solution to the preservation of Lake Tapps, in light of the issues surrounding the re-licensing of the White River Hydroelectric Project. The license, issued in December, 1997 by the Federal Energy Regulatory Commission (FERC), included several conditions of operation. Some of these conditions, particularly specified minimum instream flows and flow management provisions for fish habitat in the White River, were not accepted by PSE and the company filed an appeal. State and federal agencies responsible for restoring fish habitat also appealed, requesting the license impose more stringent requirements on PSE.

Because PSE's diversion of waters from the White River is necessary to maintain the current levels of the Lake Tapps reservoir, if PSE were to retire its hydroelectric project, the lake would be expected to dry to substantially lower levels, unless an acceptable alternative is found.

Underlying this dilemma are the effects of PSE's diversion on anadromous fish in the White River. Recent listings of Puget Sound Chinook Salmon and Steelhead Trout as endangered species under the 1973 Endangered Species Act have heightened attention to the need to restore anadromous fish migration, spawning and rearing habitat, including the White River.

In July, 1999 the Lake Tapps Task Force retained Agreement Dynamics to facilitate a

collaborative process to seek a solution.

As an initial step to assist the Task Force, Agreement Dynamics has interviewed Task Force members and other stakeholders to gauge the current state of the collaboration, and gain increased knowledge of the issues and the interests of the participants. Based on the interviews conducted to date, this is a draft report of the initial assessment.

## **Methodology:**

The facilitators—Rhonda Hilyer, Dee Endelman and Michael Hildt—interviewed individuals and groups who have a stakeholder interest in the future conditions of Lake Tapps and the White River. Questions were asked to gain an understanding of the issues involved and the interests, ideas and concerns of the stakeholders. As often as possible, interviews were conducted in person, although several were conducted over the telephone in order to achieve timely completion of the assessment.

## **Here is what we heard:**

### **Collaboration Process**

#### **Cautious Optimism**

- Most interviewees expressed a belief that the collaborative process can lead to a successful agreement. Reasons cited in their responses include:
  - The high level of commitment to the process exhibited by Task Force members and others, as well as the widely-held belief that other possible forums—FERC appeals process and/or the court system—would mean far less local influence and control over the outcome.
  - That the White River apparently has sufficient volume to provide necessary instream flows for fish habitat, while also providing sufficient diversion through Lake Tapps to maintain a healthy lake. Thus, the problem is generally seen as a matter of economics and resource management, rather than an over-allocation of water resources.
  - Getting all the key interests at the same table and receiving a two-year stay of the FERC appeals process is widely seen as evidence of a viable Task Force start for a successful collaboration.
  - That the process has lots of support and that the interests of the parties are generally



aligned with making it work.

- Many also credited Task Force leadership for their optimism, as well as the respect and growing level of trust among the stakeholders.
- Many stakeholders also spoke enthusiastically of an opportunity not just to solve a tough problem, but also to do something really good—for the White River community, and for other areas.

**Concerns** (These concerns expressed are not necessarily generally held or in any particular order.)

- That the process will become more difficult as we deal with substantive issues. We're still on our honeymoon.
- Task Force members are diverse, not only in their interests but also in their past experience in, and preparation for, collaboration.
- That the process will not be adequately disciplined and decisive. Insufficient momentum would risk losing key participants and even cause the process to founder; especially if FERC should lift the stay for lack of timely progress.
- That we will make decisions without first understanding and validating the science behind river management requirements or the economics of PSE's position. It would be a big error to come to an agreement only to discover serious flaws during implementation.
- That the process will be over-facilitated and not be flexible enough to adjust to the changing dynamics of the group as it evolves over the coming months.
- That the process will get "touchy-feely" and we'll waste time "getting back to the 60s."
- That the process will get too legalistic and that the lawyers will gain control.
- That it is hard to make decisions in plenary sessions of the full task force.
- That committees may become a barrier to communications in the same way that a functional organizational structure often erects "silos" that become barriers to multi-disciplined creativity.
- That the resource agencies—NMFS, USF&W, WAFW—will be rigid in their positions and not participate fully.

- That the resource agencies do not consider the costs and benefits of their requirements.
- That PSE and the fish resource agencies are narrowly-focused on the FERC process and may not explore broader issues and potential solutions.
- Some expressed concern about PSE's motives and intentions. Among the reasons given for these concerns were:
  - That PSE did not inform the public of the problem in a timely manner.
  - That PSE may be just working for delay to postpone having to comply with new instream flows, while lessening negative public relations from ultimately retiring from the project.
  - That PSE has made money on the project for years while deferring maintenance and reinvestment; now turning to the public to subsidize its future project costs.
  - That PSE may be just working to turn public pressure against the fish resource agencies.
  - That PSE could get us all to sweeten the economics of the project, then turn around and sell it.
  - That PSE has not been clear about its intent: Explained on the one hand that new corporate policy is to divest itself of generating assets, yet states on the other hand that it is indifferent whether or not it continues to own the White River Project. Does PSE want to stay or go?
- Many credit PSE for installing the state-of-the-art fish screen on the diversion channel.
- That there is some baggage between PSE officials and those of the Washington State Department of Fish and Wildlife concerning the process for determining interim measures during the stay of the FERC appeals. As one participant put it, "Some healing will be necessary."
- That environmental interests are under-represented on the Task Force.
- That tribal interests are under-represented on the Task Force.
- That some stakeholders may negotiate behind the scenes, outside of the collaborative process, without the knowledge or sanction of the Task Force.
- That several stakeholders are still looking for blame and expect others to solve the problem, without yet understanding that they need to contribute to a solution.
- That it may be difficult for the Task Force to implement an agreement unless it communicates frequently and effectively with external stakeholders, especially homeowners.
- That some elected officials may undermine the process by posturing to the press and/or

fomenting distrust among their constituents. Or, may be focused more on who gets the credit (or blame) than contributing collaboratively toward finding a solution.

- That if anyone has veto power, the odds of success are slim.
- That we do not yet have a common and well-understood process for collaboration.
- That someone will file a lawsuit and scuttle the collaborative process before it has a chance to work.

## **Issues**

### **Fundamental Issues**

- Preservation of Lake Tapps for residential and recreational enjoyment.
- Preserving and restoring fish habitat in the White River.
- Preserving property values and tax base for vital public services.
- Future economic viability of the White River Hydroelectric Project.

### **Questions or Concerns About the Issues**

- PSE's financial gap between its costs and revenues on the White River Project: How reliable are PSE's numbers and analysis? What costs would PSE face in order to retire the project?
- If PSE leaves, who will pay to maintain the lake system?
- How to attach \$value to other possible lake benefits: Recreation, views, flood control, etc.
- Need for a tail race barrier or some other means to protect fish from the tail race.
- Is there a Bull Trout issue here?
- Mud Mountain Dam adverse fish habitat impacts. Corps of Engineer's responsibility for restoring fish habitat.
- Are we protecting native or hatchery salmon?
- Does the current state of biological sciences support the instream flow and flow management

requirements imposed by the resource agencies?

- Are the interim measures for instream flows, etc. appropriately set? How will compliance with these measures be enforced? How will the effects of these flows on fish and PSE's hydroelectric operations be monitored?
- Wildlife habitat preservation and restoration along the bypass reach of the river.
- What is known about possible interconnections between Lake Tapps and nearby aquifers and springs?
- Domestic water resources: Current and future shortages. Opportunities.
- Water resource recovery opportunities from wastewater treatment to contribute water to instream flows.
- Water rights: PSE's current rights? Transferability of such rights to others?
- That the solution be practical and be readily implemented; e.g., not get bogged down in protracted state water rights debates.

### **Stakeholder Interests<sup>1</sup>**

#### **PSE**

- The financial viability of PSE's White River Hydroelectric Project. PSE's analysis indicates that the cost to operate the power plant is greater than the amount of revenues it receives for the power generated. As a private, regulated company, PSE is unable to continue operating the project at a loss, effectively subsidizing other uses of the lake.
  - PSE's shareholders' have an interest in a fair return on their investments.
  - Washington State Utilities and Transportation Commission (WUTC) will not allow a regulated utility like PSE to recover its net losses on a project by raising rates to its customers.
- Because PSE's service area provides its base of customers (ratepayers), any reduction of its service area would reduce corporate sales revenues. Therefore, PSE has a strong interest in

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<sup>1</sup>"Interests" are, in the context of a collaboration, the underlying needs of each stakeholder; what motivates each to participate; the "why" of what we want. This is important because collaboration is a group effort to maximize the satisfaction of interests.

keeping its service area intact and without reduction.

- It is important to PSE to maintain good relations with the public throughout its service area, as well as to maintain positive relations with the regulatory agencies that have jurisdiction over its operations.

#### Lake Tapps Homeowners

- Most have an interest in saving the lake for views, open space, recreation and to preserve property values. Lakefront homeowners have a much greater interest in preserving shoreline enjoyment and property values than do those who own upland property. Recreation is, of course, of greater value to those who use the lake for recreation, and may have noise and privacy impacts on lakefront residents.
- Homeowner interests are also diverse with respect to varying financial means and future residential plans.
  - Long time homeowners who plan to stay may have a greater interest in a long-term solution.
  - Homeowners who want to sell and leave are, perhaps, less interested in, or willing to contribute to, a long-term solution; especially one that would add an obligation on a potential purchaser. Some expressed frustration that the uncertainty over the future of the lake has effectively stalled sale of their property, putting their personal plans on hold. These homeowners are particularly anxious to get this resolved soon.
  - New homeowners who just learned of the problem are concerned that their new investment may have less value than they expected. Thus, their primary interest is to recover their value, rather than to accept further obligations.
  - Elderly homeowners on fixed incomes, already feeling the strain of rising property valuations and taxes, are fearful that the Lake Tapps collaboration could heighten their financial burdens.

#### Fish Resource and Regulatory Agencies<sup>2</sup>

- Preservation and restoration of habitat for fish and wildlife.
  - Recovery to a self-sustaining and naturally spawning population of anadromous fish; especially Puget Sound Chinook Salmon.
  - Recreational fishing.
  - Commercially productive fish resources.

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<sup>2</sup>National Marine Fisheries Service (NMFS), US Fish and Wildlife Agency (USFW), Washington State Fish and Wildlife (WAFW), Washington State Department of Ecology (WSDOE).

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- Preservation of wildlife habitat and corridors along the White River.
- Improvement of water quality in the White River.
- Assistance in fulfilling their responsibilities under state and federal laws.
- Lasting solutions to the current dilemma at Lake Tapps and the White River that will withstand scientifically rigorous analysis to meet the long-term biological necessities of the fish.

#### US Army Corps of Engineers

- Flood control to protect life and property in the Puyallup River Valley and City of Tacoma.
- Preservation or replacement of the fish trap at the PSE diversion dam used by the Corps to transport returning fish above Mud Mountain Dam, the Corps' flood control dam on the upper White River.

#### Neighboring Cities and Pierce County

- Assisting their constituents to satisfy their interests through the Lake Tapps collaboration.
- An open and fair process in which all ideas are solicited, respected and examined.
- Preserving the quality of life enjoyed by their citizens, including the natural environment, recreational and residential enjoyment, as well as economic security.
- Preserving tax base that supports services to their constituents.
- Preserving existing domestic water resources that may be affected by the loss of Lake Tapps.
- Examining opportunities to deliver future sewer, water and electrical energy services to their constituents at the lowest possible cost.
- Preserving local control and influence over the outcome.
- Preserving and enhancing the relationships among the stakeholders.
- A lasting and equitable solution.
- Assuring adequate future domestic water resources.

#### Elected Officials

The interests expressed by mayors, city and county council members, and the Pierce County Executive are summarized above. Other elected officials have also expressed their interests in

- A fair and open process of collaboration.
- That all voices be heard.
- That all ideas be sought out, welcomed and considered.
- That the process be continuously creative and avoid focusing on a single agenda.

Puyallup Tribe (The Muckleshoot Tribe has not yet been interviewed.)

- Preservation and enhancement of fish resource habitat in the Puyallup River. (receiving waters of the White River.)
- Uncertainty about the process and their proper role in light of their current agreement with PSE.
- Willingness to assist the Task Force; especially with fish biological information and analysis.

Realtors

- Preserve property values.
- Remove the uncertainty from the Lake Tapps real estate market.
- Assure that solutions do not place a disproportionate burden on homeowners.

Special Districts (Fire, Schools, etc.)

- Protection of property tax base in the Lake Tapps area upon which these districts depend in order to continue to provide public services.
- Assuring sufficient water pressure for fighting fires.
- General interest in the quality of services available in their communities.

**Ideas** (This is an unprioritized list of ideas that came up in our interviews.)

- Corps of Engineers take over the diversion dam and fish trap. Operating Lake Tapps as part of basin flood control system to compensate for degraded capacity of White River reach between Mud Mountain Dam and the Puyallup River.
- Make more effective use of Mud Mountain Dam to manage flows.
- Create a Lake Tapps Trust Fund to receive contributions from a recreational district to help fill PSE's white River revenue gap.
- Examine which operating costs imposed by the FERC license are appropriate obligations of a private corporation and which would be more appropriately functions of a public entity; e.g. the boat program.
- Add a 5MW generator at the base of the Lake Tapps diversion flume (enclosed portion) to provide additional revenues.
- Seek a public entity to take over for PSE on the White River. This may involve annexation or incorporation of Lake Tapps areas, and could potentially encompass other utility services and recreation.
- Amend state law to
  - Provide a means to license a generation project that costs more to operate than it returns in revenues.
  - Broaden transferability of water rights under unique and beneficial circumstances.
  - Authorize an entity to acquire the system.
- Divert some White River to consumptive use (domestic water supply) and use some of the new water revenues to help close the PSE White River revenue gap.
- Recover water to help make up instream flows from advanced wastewater treatment.
- Drill wells to feed Lake Tapps.
- Fund this and other salmon recovery programs through general taxation. (A tax on purchase of salmon?).
- Develop a Lake Tapps salmon recovery program consisting of steps that area residents can take to help restore habitat.



## Our Conclusions and Recommendations

- The Task Force has already made a good start and is clearly motivated to engage in a collaborative process. It is also clear that most, if not all, task force members are interested **both in** seeking solutions that will save the lake *and* the fish. It also seems clear that task force members wish to move forward quickly and do not want to get bogged down in process details.
- Laying a firm foundation for a productive group effort is also critical. This involves the work plan including the ground rules, as well as training in collaborative problem solving.
- In our experience, these two process-oriented steps are critical to achieving results as the group enters into deeper levels of discussion. A number of interviewees were concerned that the group is still in the “honeymoon” phase and is sure to encounter harder times ahead. Following any “honeymoon” is the hard work of a successful relationship. And, as with any good relationship, it is critical that the task force members develop a clear and shared understanding of the ground rules and the collaborative methods they have agreed to use.
- Task Force facilitation should, therefore, work in parallel to support the urgency to get on with solutions, while at the same time conducting training in the collaborative process to bring all members to a common level of preparation and understanding of the collaborative process most likely to enable the group to reach an acceptable agreement.
- Each stakeholder is encouraged to study and make a personal commitment to the work plan and ground rules.



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## BAKER RIVER PROJECT RELICENSE

### Recreational & Aesthetic Resources Working Group

September 25, 2000

10:00 a.m. – 1:00 p.m.

US Forest Service/Park Service Office  
2105 Highway 20  
Sedro-Woolley, WA

### MEETING NOTES

**Mission:** *“To develop alternative solutions and recommendations addressing recreation, education and aesthetic resources related to the Baker River Project and its operations leading to a settlement agreement.”*

**Team Leader:** Chris Lawson (Huckell/Weinman Associates) (425) 828-4463,  
clawson@huckellweinman.com

**PSE Contact:** Tony Fuchs: (425) 462-3553, tfuchs@puget.com

### PRESENT

Chris Lawson (Huckell/Weinman Associates, Inc, Jamie Van De Vanter (Van De Vanter Group), Ann Dunphy (US Forest Service), Chris Drechsel (Puget Sound Energy), Jim Eychaner (IAC), Ardis Bynum (Forest Service, participated by phone), Ted Smith (WA State Parks), Andy Hatfield (PSE), Tony Fuchs (PSE), Joel Molander (PSE), Ed Schild (PSE), Lloyd Pernela (PSE), Lyn Wiltse, facilitator (PDSA Consulting)

**NOTE:** Team members will meet at the PSE office in Mt. Vernon for the remaining meetings this year. Those dates are Oct. 30, Nov. 27, and Dec. 18. Times will remain 10:00-1:00 p.m.

### ACTION ITEMS

- ALL: Bring a list of interests for your organization.
- ALL: Review matrix arrangement of Issues/Interests/Solutions from Ann
- Chris: Check with Bob Barnes' availability to do Hydro 101 presentation in November

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## **September 25, 2000 Agenda**

**10:00 a.m. to 1:00 p.m. at Forest Service Office in Sedro-Woolley**

1. Review/revise minutes/agenda
2. Review Action Items
3. Debrief Tour
4. Overview of FERC regulations
5. Ed Schild and Joel Molander (PSE): on Utility Economics and Collaboration
6. Continue defining issues and interests
7. Set agenda for next meeting (Oct. 30)
8. Evaluate meeting

### **INTRODUCTIONS**

Team members introduced themselves to visitors: Ed Schild, Director of Energy Production and Storage, Joel Molander, Asset Manager for Hydro Generation, and Lloyd Pernela, newly hired PSE Licensing manager.

### **REPORT ON OLD ACTION ITEMS**

- Ann brought a copy of the abstract document from the 8<sup>th</sup> International Symposium on Society and Resource Management, held in Bellingham in June 2000; three copies of the abstracts are present in the Sedro-Woolley office. Team members will review the abstracts at their own discretion.

### **OVERVIEW OF FERC REGULATIONS FOR RECREATION AND AESTHETICS**

Chris Lawson gave a presentation on FERC regulations covering three areas of interest 1) General FERC Policy, 2) Licensing procedures; 3) Documentation requirements. This presentation is available on the web site. He also handed out copies of: 1) excerpts from Title 18 of the Code of Federal Regulations (applicable to Federal Agency Regulatory Commission, Department of Energy), specifically Part 4 (Licenses, Permits, Exemptions, and Determination of Project Costs), Subpart F—Application for License for Major Project—Existing Dam, Sections 4.50 Applicability and 4.51 Contents of Application (pages 109-117); and 2) excerpts from the Federal Energy Regulatory Commission's Hydroelectric Project Relicensing Handbook, dated April 1990, addressing recreation, visual resources and land use and comprehensive plans (pages 89-92).

Ann added that the Forest Service has mandatory conditioning authority under Federal Power Act Section 4 (e) for protection and utilization of National Forest System Lands.

### **ANNOUNCEMENTS**

The RESOLVE Training addresses issues and interests and decision-making styles within the collaborative process. This training is suggested for all working group members and IS REQUIRED for Solution Team Members. Dates for the training are Friday, October 13<sup>th</sup> at the U.S. Forest Service Office at Mountlake Terrace and on Saturday, October 21<sup>st</sup> at Cottontree Inn, Mount Vernon, WA. Team leaders will be calling all interested parties and asking them which date works best for them to attend the training. There is a limit of 40 participants in each training session. The sessions will run from 9:00 to 4:00 and lunch will be provided. Lyn asked whether a sign-up sheet for those who were ready to sign up should be circulated; Chris indicated that all team members present had already been contacted by phone for

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registration.

## **DEBRIEF OF TOUR**

The team did their tour on August 28, 2000. The members seemed satisfied with the tour. They saw no need for a second tour at this time. Team members who missed the tour and would like to go on a “make-up” tour, can contact Tony Fuchs. On the tour, the team didn’t visit dispersed recreation sites on the roaded (i.e., west) side of Baker Lake. They also did not get to the Baker River or other major trailheads. There may be a need to explore other recreation sites at a later date as issues arise.

Tour summary: The Recreational & Aesthetics Resources Working Group met at PSE Lower Baker Visitor Center at Concrete, WA at 8:00 am. The following was their itinerary:

- Visit Lower Baker visitor center & fish handling facilities
- Travel to and visit Lake Shannon boat launch
- Travel to Upper Baker Development
- Visit Kulshan Campground, West Pass Dike, Glover Mountain
- Travel across Upper Dam and visit East Bank trailhead
- Visit spawning beaches/trout ponds
- Travel to and visit Horseshoe Cove Campground (USFS)
- Travel to and visit USFS partially-developed Bayview campground and dispersed campsite adjacent to Bayview entry road
- Travel to and visit Baker Lake Resort. Lunch provided at the resort.
- Boat tour of recreation sites on Baker Lake: (starting point at the Baker Lake Resort. The boat tour focused on dispersed campsites, primarily on the east side of Baker Lake. The group visited the walk-in/boat-in Maple Grove Campground, Ermine Creek dispersed site, and the Noisy Creek hikers’ camp and adjacent dispersed sites. A short hike was taken up the Noisy Creek Trail about 1/3 mile to visit an exceptionally large Douglas fir tree.

## **PSE PRESENTATION**

Ed thanked the group for their energy and participation over the last few months. Joel gave an overview of how investor owned utilities operate. Ed concluded the presentation by discussing the idea of collaboration. He recommended the following article:

“Collaborative Processes for Improving Land Stewardship and I ---III. Editors : N.C. Johnson, A.J. Malk, W.T. Sexton, R.C. Szaro. Publisher: Elsevier Science Ltd., Netherlands, 1999.

Pending copyright issues, PSE will make copies of the article to distribute at the October meeting. Ed also shared PSE’s interests. He stressed his support of the collaborative process and asked team members to give him a call at any time if they have questions. His direct number is 425.462-3022. The question was raised re: PSE’s plans for potential structural modifications to increase power production at the Baker River Project. The only thing that may be on the horizon is possibly adding another turbine at Lower Baker (The new turbine would likely tap off the existing penstock). Handouts of the presentation were distributed and will be available on the website.

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## ISSUES AND INTERESTS

The team briefly reviewed the existing list of issues and interests, some of which had been sorted within the context of the table below:

Interests	Issues/Topics	Possible Solutions
Keep “natural” setting: Use needs to fit the place. What do you want the place to be? Which uses are therefore appropriate?	Noise from boats, jet-skis, campers	Non-motorized boating options
	Identify impacts of recreation on other resources	Bicycling as a mode of transportation for moving around the basin
	Diminished opportunity to go onto a trail without running into lots of people	
	Provide recreational opportunities and experiences in balance with resource protection needs and constraints	
	Protect lakes from water pollution	
	Look at impacts of dispersed camping in the Baker River Basin (trash & human waste)	
	Noxious weeds	
Recreation Plan consistent with SCORP document Meet all regulations of laws, policy & direction management plans (include Wild & Scenic Rivers Act)	Non-motorized trails associated with water	
Meet FERC requirements re: aesthetics & recreation (also include Wild and Scenic Rivers Act)	Identify scenic, educational, and aesthetic resources. Identify recreational opportunities at the Baker River Basin	
Overuse & abuse of	Determine current and	

resources	future carrying capacity for recreation use in the Baker River Basin.	
Safety, economics, aesthetics, quality of experience, user convenience, sustainability. Maintaining “sense of place.”	<p>Conditions of existing recreational sites and facilities within the Project boundary or reasonably associated with the Project</p> <p>Conforming to standards for new development/facilities</p> <p>Lake levels, project impacts, effects on recreation, aesthetics</p>	
Meeting FERC requirements to address potential recreation	Dispersed recreation (current and potential)	
Accommodate public access to sites (project lands and waters)	Consider access/management of travel routes and facilities	

- Project boundaries (?)
- Jet skis (mix of uses on water)
- Boating access (no long waits and places to park)
- Restoration of recreation (established or dispersed) damaged sites
- Baker River Resort setting and experience in that setting (long-term clientele)
- Winter-related recreational resources
- View points, way-finding points, etc.
- Provide visitor information services
- Our campgrounds are over capacity now and we expect this trend to continue
- Trail systems are currently inadequate
- Insufficient visitor control (re: proper use of basin)
- Safety/health issues of users (adequate law enforcement)
- Provide fishing and other access for disabled (disabled persons can't currently enjoy recreational facilities)
- What is the visual character of the Basin and how it has changed over time?
- What are the stories to be told in the basin (interpretation)?
- Improved public education, outreach and interpretation
- Improve and create back country trails- system of trails- loop systems
- More trails in more developed areas
- Use Concrete, WA as a focal point for trail access
- Create water trail system

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- Develop scenic/aesthetic management objectives and management strategies to meet the objectives
  - Improve identification of all recreational opportunities (basin wide)
  - Develop education and interpretive plan to include specific resource area information
  - Develop ways to implement and sustain the plan
  - Leverage existing resources for education
  - Develop public communication system
  - Identification of private lands around reservoir
  - Provide access to Lake Shannon
  - Low level hiking opportunities
  - Improve opportunities for viewing spawning fish
  - Possible relocation and/or expansion of existing interpretive facilities

### **PARKING LOT**

Visioning exercise

Organizational/agency goals

Bounce around with meeting locations

Demystify the decision making process of Forest Service

List authorities that this team must be aware of

Be sure someone from Recreational Resources area sits on the Solution Team.

Look at dispersed recreation with the Project as a whole.

Get guest speaker from Seattle City Light

Offer "Hydro 101" course (lake levels, operations)

### **EVALUATION OF MEETING**

Things Done Well

- Presentation by Joel and Ed
- Ardis' participation
- Welcome to Andy

Need for Improvement

- Phone (need better reception, volume)
- We'll miss Chris!

### **TENTATIVE AGENDA FOR NEXT MEETING**

**October 30, 2000 Agenda**

**10:00 a.m. to 1:00 p.m. at PSE Office in Mt. Vernon**

1. Review/revise minutes/agenda
2. Review Action Items
3. Presentation on Forest Service Hydro Structure (Ardis)
4. Continue defining issues and interests
5. Set agenda for next meeting (November 27 meeting)
6. Evaluate meeting