



*Baker River Project License Implementation*  
**Terrestrial Resource Implementation Group**  
**FINAL Meeting Notes**

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

**PRESENT ON THE CALL:**

Tony Fuchs, Haley Edwards, Ira McDaniel, Scott Heller, Scott Williams, Kim Lane and Cary Feldmann (PSE); Brock Applegate (WDFW); Marty Vaughn (Biota-Pacific); Kathy Smayda (Smayda Environmental); Bob Nelson and Bill Richardson (RMEF); Ann Risvold (USFS); Lou Ellyn Jones (USFWS); and Jamie Riche, facilitator (PDSA)

**DECISION:** Does the TRIG authorize \$14,048 of unused Article 515 Late Seral Forest funding to conduct monitoring activities on the thinned parcels, as outlined in the USFS proposal emailed to the TRIG 3/11/11?

**TRIG MEETINGS:** The next TRIG meeting will be in-person August 4<sup>th</sup> in Bothell. June's updates will be handled via email and Tony will convene a teamlet in July to draft a plan of 1<sup>st</sup> year activities for Property X.

**ACTION ITEMS**

- Brock/Haley Talk about eagle activity near the dam
- Tony Distribute Marty's notes from the meeting with DNR to the TRIG with these notes
- Haley/Marty Email TRIG a proposal re: snag creation for TRIG to review & provide feedback; move forward with activities unless a TRIGGER asks for additional review / discussion at 8/4 mtg
- Tony Email TRIG a proposal re: Alder Crk brush mgmt for TRIG to review & provide feedback; move forward with activities unless a TRIGGER asks for add'l review / discussion at 8/4 mtg
- Tony Distribute the Acquisition Flow Chart to the TRIG with these notes
- Jamie Bring peanut butter pie to the August TRIG meeting
- Tony Coordinate location (Bothell please?) for August 4 TRIG meeting
- Tony Send out a TRIG email update in June
- Tony Convene a teamlet in July to identify "Year One" activities at Property X, report at 8/4 mtg

**PREVIOUS - STILL RELEVANT - ACTION ITEMS:**

- All RSVP by 6/14 re: RMEF event
- Haley Email Loon Platform photos to the TRIG
- Stan Talk with your constituents re: Property B and Tribal access on acquired lands
- Kim/Greta Update TRIG re: accounting process for Late Seral Forest money and TERF fund
- Tony, Haley, Scott Compile list of suggested monitoring goals and activities related to Article 514, develop a draft plan for TRIG to review / edit (Tony: elk; Scott: wetlands; Haley: forest)

**Dialogue around proposed decision item**

The group talked about the USFS proposal to spend some of the money left over after the Late Seral thinning work was completed last November to monitor the area (see the proposal emailed to the TRIG 3/11/11). The decision was worded: "Does the TRIG authorize \$14,048 of unused Article 517 Late Seral Forest funding to conduct monitoring activities on the thinned parcels, as outlined in the USFS proposal emailed to the TRIG 3/11/11?" It was noted that – since the license calls for any left-over monies to be deposited into the TERF

fund – it would be more accurate to say, “Does the TRIG authorize the expenditure of \$14,048 of TERF funds to conduct monitoring activities on the thinned parcels, as outlined in the USFS proposal emailed to the TRIG 3/11/11?”

Kim noted that approving this expenditure will require an additional report on the usage of those funds, probably at year-end 2011 and 2013 (the years with monitoring activities per the proposal). The remainder of the unused Late Seral Forest money will be deposited into the TERF fund.

A quorum was present and no proxies were noted. The decision was approved by consensus of all present. Tony asked Ann to let Don know since the proposal is time-sensitive. As noted in the Previous – Still Relevant – Action Items (above), Kim will work with the USFS on the accounting procedures for this work and the creation of the TERF fund for the remaining left-over thinning money.

### **BRCC / LICENSING UPDATE**

PSE provides monthly email updates on Resource / Working Group activities to members of the BRCC. The fourth Wednesdays are reserved for BRCC conference calls as needed. In-person meetings are scheduled semi-annually.

The BRCC met April 27 at PSE Snoqualmie, with Web-X and the conference call line. Cary reported that the notes from that meeting had just gone out and he provided a review of the day’s agenda topics. Attendance by agency folks was light, so he encouraged everyone to read the notes.

### **LAND ACQUISITION UPDATE**

Ira reported on activity related to Properties "B" and "X."

Ira and Bill met again with the owners of Property B just after the last TRIG meeting. They reported that the meeting had a very positive tone. Due to conflicting interests amongst the owners, they have asked to table the discussion for now. Ira will remain in contact with them as appropriate, but the property will move to the back burner for a while.

Work to acquire Property X continues to move forward. Ira noted that we are four months into the purchase and sale agreement and it has been a busy month to work through the easement questions mentioned at previous meetings. Ira recapped: WDFW denied our easement request four times, leading Ira and Bill to meet with WDFW's Olympia office to identify a solution. WDFW's commission will be reviewing a proposal June 3rd to exchange an easement for us (with a restriction requiring a permit when vehicles or equipment over 30,000 lbs) with an expansion of their easement and permission to increase the parking at their boat launch in the future if the need arises. Ira has also collaborated with another adjacent property owner to identify an alternate access point (easement for us) to provide a back-up in case the WDFW permitting process for heavy vehicle access turns out to be more onerous than currently expected.

Tony thanked Ira for his tenacity and work to resolve the easement issues. Ira complimented Bill's diplomacy and ability to work with all of the players involved. Ira also thanked Ray and Bill (RMEF) and Brock (WDFW) for their help in making this all possible.

Ira briefly reviewed the permits PSE will be granting to neighbors who have existing encroachments onto the parcel. He explained that this helps to protect against future "adverse possession" claims that could arise from un-documented use of the parcel. All told, to finalize this acquisition Ira has negotiated three easements for our access to the property, two easements for others, and nine permits for neighboring land owners who have encroached on the property line. Whew! Nice work!

### **POST-ACQUISITION ACTIVITIES, ALDER CREEK**

Tony asked if anyone has used the TRIG's ftp site; some had. He has posted Bruce Stoker's 83-page report on unstable slope assessment and road / culvert inventory, which includes a lot of great data. The report

included suggestions for work to make some of the road segments currently on the site into "low maintenance" or "no maintenance" roads. In addition, the stream maps have been overlaid with the road data. Tony walked the group through some of the highlights and encouraged folks to go to the ftp site for the full report (worth a read!).

**DNR Application Update:** Tony and Marty updated the group on their meeting with Steve Jennison, Dave Carlson, and Kevin Killian of DNR. This meeting was a mid-process meeting to check in and make sure our thinking is on the right track before moving forward. The next meeting will be a site visit to review proposed activities in light of actual site conditions.

Marty reported that the level of collegiality is high. They are supportive of our intent and seem very willing to work with us so we can achieve our goals. Please see Marty's notes about the meeting for details.

Marty reminded the TRIG that this DNR application is a two-step process. The first step is to outline the proposal at a high level for an initial review, which should be ready for submission by the end of next month. Step two includes more detail, and can be worked on over the summer. Some management work (weed management, snags, road work, etc.) can take place even before the second step is complete.

**Legacy wood field trip:** Marty and Haley reported on a field trip they took to consider legacy wood activities on the site. They noted that there was sign of current elk use throughout the areas they visited. ("It was hard to walk even 10 feet without seeing elk pellets ... you could actually smell the elk in there.") Haley reported that they were particularly looking at areas within polygon 2 (the large polygon that wraps around the wetland) as well as some upland elk forage areas where snag manipulation may be useful. She has also talked with Bob K. about how legacy wood management may help promote willows and cottonwoods (and, by extension, target bird species) in the forest polygons. Scott shared Don's suggestion from a different field trip: when looking for trees to turn into snags, look for already-stressed trees to modify.

It was noted that research on the persistence of Alder snags is thin; Marty explained that their current thinking is to suggest a pilot program to create a number of snags to monitor before moving ahead with a more extensive round of snag creation.

Marty asked, if the TRIG wants to do some activity this year, what needs to be done in order to authorize this activity? Tony compared this to the gate work done last year, when the TRIG authorized the activity without raising it to the level of a formal decision.

Haley and Marty proposed spending up to \$10k to create some initial alder snags in Polygon 2. After discussion, TRIG asked for additional detail and agreed to consider the proposal via email. Haley will draft a one to two page proposal, email it to the full TRIG for review and feedback (please reply-to-all with questions / comments to expedite the process). Unless someone asks to bring this back for consideration at the next TRIG meeting, Haley will move forward with the actions once folks have had an opportunity to weigh in, and will then report back to TRIG as the activity moves forward.

**Amphibian Field Trip:** It was too cold during the April field trip to find Oregon Spotted Frogs, so Tony and Scott went back out last week for another site visit. They used a key provided by Don Gay to identify the various species. They found many, many NW Salamander and Tree Frog egg masses, a few older Red-Legged frog masses, and a couple possible Long-Toed Salamander egg masses. They did not find any Oregon Spotted Frog masses, did not see Bullfrog egg masses, and did not hear any Bullfrogs. Scott showed some pictures (including some cool under-water shots) from the visit.

**Elk Forage Field Trip:** Tony, Bill, Don, and Scott visited both parcels of the Alder Creek property this Tuesday to consider management activities within "potential Elk Forage Areas" in the Alder Creek Management Units.

A theme throughout the field trip was the consideration of options that could generate revenue to offset the cost of management activity. One example of that was in Area A within Management Unit 5. Area A is a young conifer forest (4" diameter Douglas fir trees) dominated by an understory of woody shrubs. It would need to be torn up to make good forage. They wondered if the small trees could be useful for biomass, and Tony will be calling Sierra Pacific to see what that would entail and whether that management activity could pay for itself. *The small trees (as woody debris) may be useful for riparian enhancement projects as well.*

Scott took detailed notes during the field trip, and this information will inform the DNR application. The field trippers thought it would be useful to do some quick brush/blackberry *and small tree* management (maybe with RMEF volunteer support) to increase forage this year. Tony will put together a proposal for the TRIG to consider and email that out. Like the snag creation proposal mentioned above, please reply-to-all with questions / comments to expedite the process. Unless someone asks to bring this back for consideration at the next TRIG meeting, Tony will move forward with the actions once folks have had an opportunity to weigh in, and will then report back to TRIG as the activity moves forward.

### **POST ACQUISITION REVIEW AND FLOW CHART**

Tony reminded folks that the majority of the Alder Creek acquisition was funded by elk monies, the wetlands article provided about a third of the funding, and the forest article provided about 7%. Based on the division of funding and acres in the parcel, TRIG was expecting to get about 90 acres of wetland and buffer and 20 acres of forest on the Alder Creek property. He showed a map of the site and the Management Units attributed to each of those usages, and he noted that they roughly match what the TRIG expected. Cary added that, in his view, the TRIG did better than it likely would have done if it had been looking for "single use" properties for each area.

Tony then projected a draft flow chart depicting the process the TRIG has developed for acquisition and post-acquisition activities. The flow chart starts with the policy-level documents (Settlement Agreement / License, Management articles like Legacy Wood, etc), continuing through pre-acquisition assessments, first-year activities (studies, etc), development of management program docs, to the annual reporting requirements.

He noted that a learning point from the Alder Creek acquisition is the need to identify at the time of acquisition which studies are appropriate for the first-year activities. Another is to clearly identify which areas of a multi-use parcel are to be designated for each contributing article's uses (elk, wetland, etc.) The Alder Creek Management Program Doc and the DNR application are prototypes (first times through). He expects the work for Property X to be easier and to go much faster.

### **ACCESS ON ACQUIRED LANDS:**

Brock reported on his action item. WA RCW 4.24.210 states that land owners will be held harmless and released from liability as long as they do not charge for access and known dangers on site have been appropriately marked. Stan will have more information related to his action item in future, and Ira / Tony are still planning to draft an outline approach to public access for the TRIG's consideration. Tony pointed out that Ira's focus this last month has been on acquiring Property X. Dealing with access on acquired lands is less urgent. Bill noted that RMEF's perspective is that allowing walk-in access for hunting seems to be non-problematic and their interest is that this continues to be allowed.

### **BOTANICAL TEAMLET UPDATE:**

Scott sent out the March Botanical Teamlet notes April 13. Since the last TRIG meeting, Scott went out to the Reed Canary Grass treatment wetland spots (wetland 17) again. He said the grass is getting taller, but still isn't to a treatable height. He and Kathy will go up again May 12 to look at the RCG sites, scotch broom, and rare *moss*.

### **OSPREY / LOON UPDATE:**

Haley reported that there have been two surveys since our last TRIG meeting, one loon-only, one loon and osprey. On April 8, 3 loons were seen near the noisy creek platform; there are no geese on that one, but there is a goose nest on the Anderson Creek platform. Netting on the Shannon Creek platform is keeping geese off that one, although the geese have moved to the nearby osprey nest sites. On April 20, no loons were sighted, one osprey was on one of the existing platform, none seen yet on the trees TRIG topped. Attendees noted it is still a little early for osprey ... in fact, everything seems to be a little later this year (except the geese). Haley noted that eagles were seen at the Maple Grove site and one was seen at Baker Lake. The next survey will be next week.

Haley noted that she is working on the eagle night roost survey monitoring report; there isn't a comment period for this, but she will connect with Brock before sending that out.

### **Meeting Evaluation**

- PSE Bellevue Training room – size is good, but access is harder and the speaker phone is not good
- Ask for final thoughts on previous meeting's notes at beginning of each meeting
- August 4 – Face-to-face in Bothell

### **Draft August 4 Agenda – Bothell, with Web-X, Call**

- Agenda, Notes, A.I.
- BRCC / License Updates
- Land Acquisition Updates
- Post-Acquisition Updates
  - Alder Creek DNR Application
  - Property X Acquisition Celebration!
  - Property X “Year One Teamlet” recommendations
- Access Management
- Botanical Update
- Loon / Osprey Update